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San Diego Coast District

CONSENT CALENDAR

Tuesday, July 13, 1999

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CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036



Filed: May 19, 1999
49th Day: July 7, 1999
180th Day: November 15, 1999
Staff: EL-SD
Staff Report: June 15, 1999
Hearing Date: July 13-16, 1999

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-99-73

Applicant: Charles & Paula Baldini

Agent: Craig Frieauf

Description: Demolition of an existing detached garage and construction of a new 758 sq.ft. detached, two-story structure, including a two-car garage and carport on the ground level and second living unit (guest room) with deck above.

Lot Area	5,002.5 sq. ft.
Building Coverage	1,859.0 sq. ft. (37%)
Pavement Coverage	1,007.0 sq. ft. (20%)
Landscape Coverage	2,136.5 sq. ft. (43%)
Parking Spaces	3
Zoning	RM-West 17.6 dua
Plan Designation	Med. Density Mixed Residential-West 17.6 dua
Project Density	17.4 dua
Ht abv fin grade	24 feet

Site: 1928 Santa Fe Avenue, Del Mar, San Diego County. APN 299-141-05

Substantive File Documents: Certified City of Del mar LCP Land Use Plan and draft
Implementing Ordinances

STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will

not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Assumption of Risk. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, each applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which shall provide: (a) that the applicant understands that the site may be subject to extraordinary hazard from flooding during storms and the applicant assumes the liability from such hazards; and (b) the applicant unconditionally waives any claim of liability on the part of the Commission or its successors in interest for damage from such hazards and agrees to indemnify and hold harmless the Commission, its officers, agents, and employees relative to the Commission's approval of the project for any damage due to natural hazards. The document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. The applicants are proposing to demolish an existing detached garage on a site with an existing one-story single-family residence which will remain. They then propose to construct a new detached 758 sq.ft., two-story structure. This will accommodate a two-car garage on the first level, with an exterior carport, and a second dwelling unit on the second level with a deck above the carport. The applicants have identified this as a guest room, but the City has approved it as a second dwelling unit; the second unit is designed as a studio with kitchen facilities. The applicants propose three parking spaces, consistent with City requirements and Section 30252 of the Coastal Act.

The site is located in the northwestern portion of Del Mar, a few blocks inland from the beach, within an existing developed residential neighborhood. The City of Del Mar does not have a fully-certified Local Coastal Program as yet. Therefore, coastal permit jurisdiction remains with the Coastal Commission and Chapter 3 of the Coastal Act is the standard of review.

2. Visual Resources/Intensity of Development. Section 30251 of the Coastal Act states, in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas....

The project site is located three blocks inland from the beach, just west of Camino del Mar and the railroad tracks. The proposed new two-story structure will be sited behind the existing one-story single-family residence and will be 24 feet in height. This is compatible with the surrounding residential development and accessory facilities, which represent a mixture of one and two-story structures of varying architectural styles. The site, due to its mid-block location and surrounding development, is not within any identified public viewshed nor visible from any public recreational areas, such as the beach.

In addition, the proposed development consists of adding a second dwelling unit to a site with an existing single-family residence. Two units are consistent with the certified City of Del Mar LCP Land Use Plan, the current RM-W Zone and the pattern of development in the neighborhood. Therefore, the Commission finds the proposed development consistent with Section 30251 of the Coastal Act.

3. Hazards. The project site is located within the 100-year floodplain of the San Dieguito River. Section 30253 of the Coastal Act is applicable, and states in part:

New development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs....

The site is within an established urbanized area currently committed to residential development, and further infilling is deemed appropriate and consistent with past Commission action in this area. This is one of the older portions of Del Mar. It is fully built-out, with the only new construction consisting of redevelopment of existing properties or additions to existing structures. The subject site is nearly a mile south of the San Dieguito River, and an additional structure on the site will not channelize the river

nor have any significant effect on flood flows. When the river runs especially high (as during severe winter storms), the storm drain outlets are covered and the existing storm drain system backs up. Thus, flooding in this area tends to occur due to storm drain system failure, rather than from the river itself overflowing its banks. The Floodplain Overlay applies to nearly all the low-lying properties in the city located north of 15th Street and west of the railroad tracks, as well as to some sites east of the railroad and in the far southern end of the city.

The provisions of the approvals issued by the City required special design criteria for the first-floor garage, and stipulated that certain types of machinery and equipment not be located below 9 feet NGVD and that any interior walls, floors and ceilings located below this elevation be constructed to resist flood damage. The second dwelling unit is proposed on the upper floor, with a finished floor elevation of 14.8 feet NGVD. Nevertheless, the potential for damage resulting from flooding still exists. Continuing development in the area has decreased the amount of permeable land, thus increasing the amount of storm runoff. That increased runoff, along with the area's history of flooding, leads the Commission to find that the risk of flooding, either from storms or improper drainage, is not eliminated.

Therefore, the Commission is requiring, through Special Condition #1, that the applicant record a waiver of liability/indemnification. Recordation insures that the applicant and all future property owners understand that flooding and/or failure of drainage channels, etc. to adequately convey or drain runoff associated with storm events could occur and cause damage to life or property, and that the Commission will not be liable for such damages. The indemnification further insures that the Commission will not incur damages as a result of the applicant's decision to build in an area subject to risk of flooding. This condition has also been placed on other residential projects (6-97-17, 6-97-61, 6-98-42 and many more) in the floodplain areas of Del Mar. Therefore, as conditioned, the Commission finds the project consistent with Section 30253 of the Act.

4. Local Coastal Planning. Section 30604(a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made for the development, as conditioned.

The site is designated for Medium Density Residential uses in the certified City of Del Mar Land Use Plan, and is currently zoned RM-West. These designations allow a density of 17.6 dwelling units per acre (dua), with a Conditional Use Permit (8.7 dua otherwise). The proposed development is consistent with the land use plan and zoning designations and achieves a density of 17.4 dwelling units per acre. The proposal has received Design Review Board approval (DRB-99-14), a Conditional Use Permit (CUP-99-01) and a Floodplain Development Permit (FDP-99-01) and is consistent with all provisions of the certified City of Del Mar LCP Land Use Plan. As conditioned, it is also fully consistent with the applicable Chapter 3 policies of the Coastal Act. Therefore, the

Commission finds that approval of the proposed development, as conditioned herein, will not prejudice the ability of the City of Del Mar to complete preparation of a fully-certifiable LCP.

5. California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of coastal development permits to be supported by a finding showing the permit to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

As discussed herein, the proposed project will not cause significant adverse impacts to the environment. Specifically, the project, as conditioned, has been found consistent with the hazards, access and community character policies of the Coastal Act. There are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the activity might have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

6-99-73

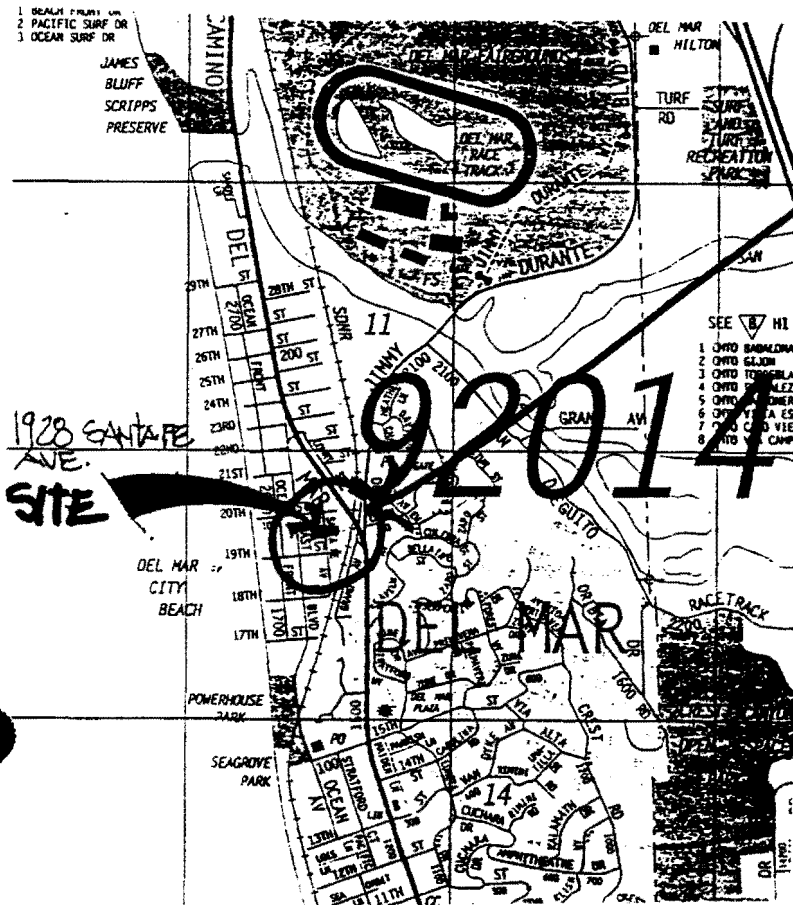
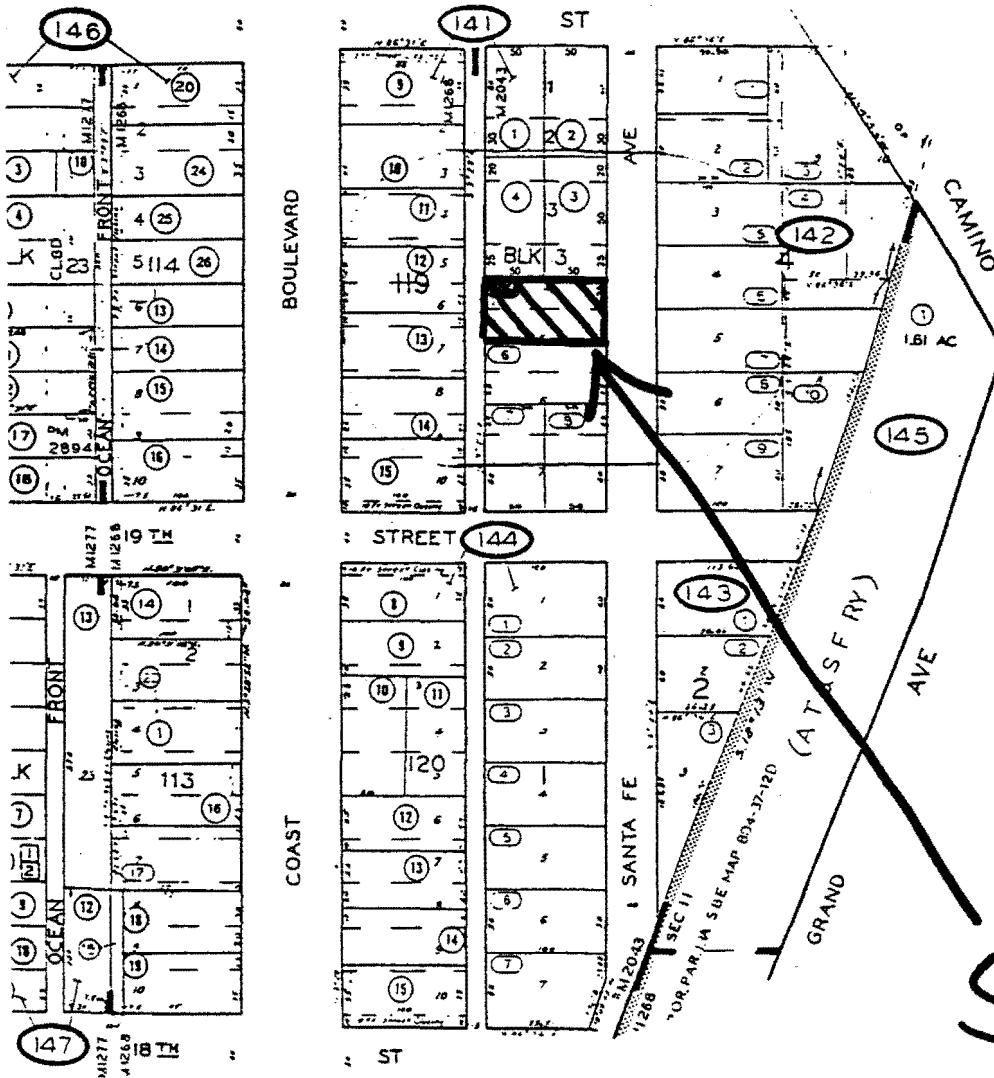


EXHIBIT NO. 1
APPLICATION NO.
6-99-73
Vicinity Maps
California Coastal Commission

6-99-73

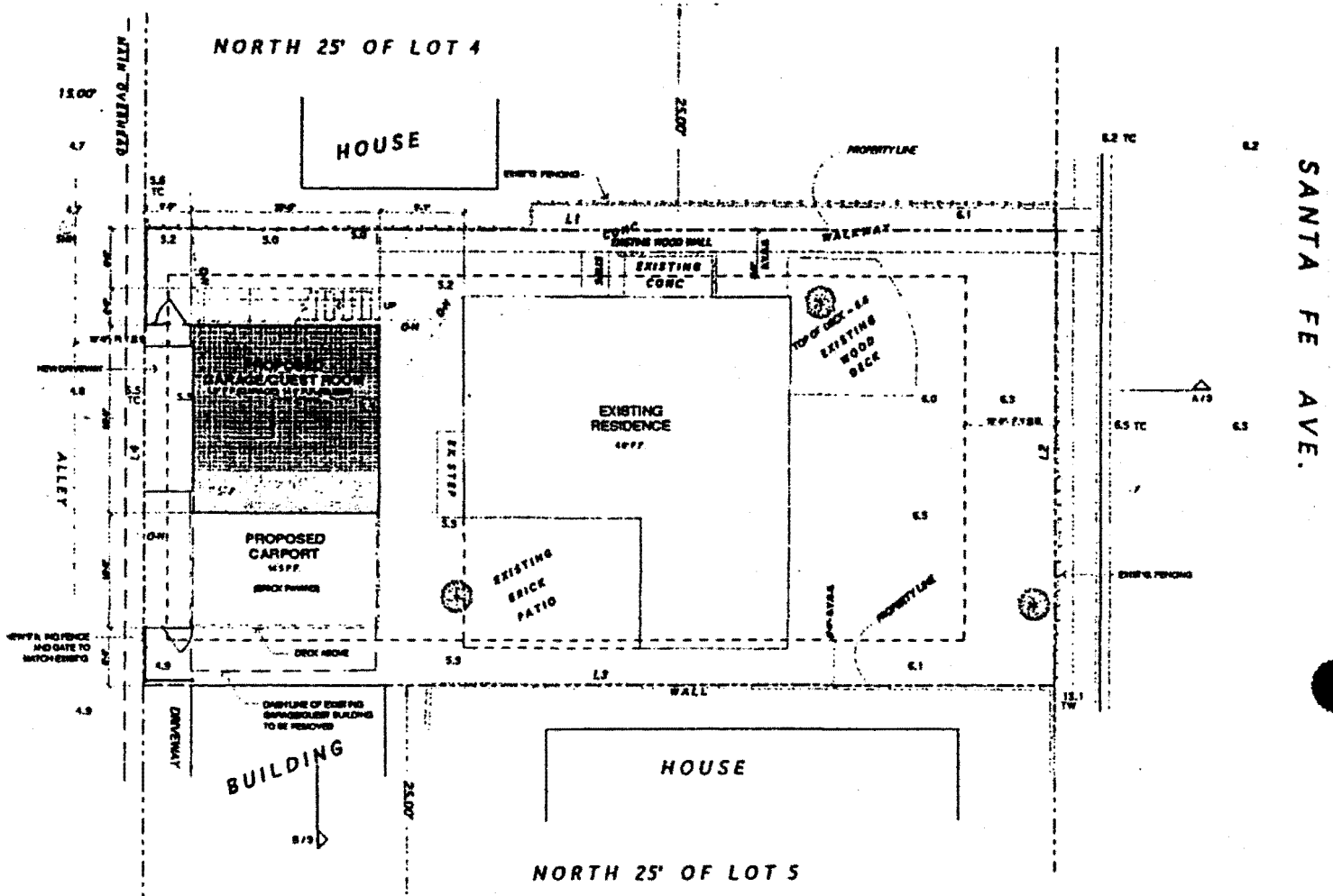


EXHIBIT NO. 2
APPLICATION NO.
6-99-73
Site Plan
California Coastal Commission

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036



Filed: May 19, 1999
49th Day: July 7, 1999
180th Day: November 15, 1999
Staff: DL-SD
Staff Report: June 22, 1999
Hearing Date: July 13-16, 1999

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-99-74

Applicant: Price Enterprises, Inc.

Agent: Lois Miller

Description: Expansion of an existing self-storage facility containing 82,526 sq.ft. of floor area to include demolition of 16 buildings totaling 9,566 sq.ft. and construction of 7 new buildings totaling 241,559 sq.ft. on a 11.54 acre lot.

Lot Area	502,800 sq. ft. (11.54 acres)
Building Coverage	210,542 sq. ft. (42%)
Pavement Coverage	160,527 sq. ft. (32%)
Landscape Coverage	131,731 sq. ft. (26%)
Parking Spaces	26
Zoning	Light Industrial
Plan Designation	Light Industrial
Ht abv fin grade	30 feet

Site: 533 Stevens Avenue West, Solana Beach, San Diego County.
APN: 298-111-10, 37

Substantive File Documents: City of Solana Beach General Plan and Zoning Ordinance, City of Solana Beach Mitigated Negative Declaration "Price Self-Storage Facilities," 4/8/99; City of Solana Beach Case No. 17-99-04 DRP/SDP

STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local

Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Disposal of Graded Spoils. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall identify the location for the disposal of the removed gravel. If the site is located within the coastal zone, a separate coastal development permit or permit amendment shall first be obtained from the California Coastal Commission or its successors in interest.

2. Final Landscape Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit final landscape plans stamped approved by the City of Solana Beach, in substantial conformance with the submitted landscape concept plan dated 4/13/99 by Conwell, Shonkwiler and Associates, that indicate the type, size, extent and location of all plant materials, the proposed irrigation system and other landscape features. Drought tolerant native or naturalizing plant materials shall be utilized to the maximum extent feasible. Said plan shall be submitted to, reviewed and approved in writing by the Executive Director. The plan shall specifically include the following:

- 1) Provision of landscaping along the entire western border of the site;
- 2) A planting schedule that indicates that the planting plan shall be implemented within 60 days of completion of each phase of construction;
- 3) A written commitment by the applicant that all required plantings shall be maintained in good growing conditions, and whenever necessary, shall be replaced with new plant material to ensure continued compliance with applicable landscape screening requirements.

The permittee shall undertake development in accordance with the approved landscape plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the plan shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. The proposed project involves expansion of an existing self-storage business currently containing 82,526 sq.ft. of floor area to include demolition of 16 buildings totaling 9,566 sq.ft. and construction of 7 new buildings totaling 241,559 sq.ft. Thus, there will be a total floor area of 314,519 sq.ft. upon project completion. The 2-story buildings will be a maximum of 30 feet in height. A caretaker's unit is included in the project. Grading the site for development will involve exporting approximately 1,500 cubic yards of material. Because an export site has not been identified yet, Special Condition #1 requires that the applicant identify an export site and obtain any necessary permits for deposition of the graded material. The 11.54 acre lot is located on the northwest terminus of Stevens Avenue West (formerly Jack Drive), south of Lomas Santa Fe Drive, slightly less than 1/2 mile west of Interstate 5 in the City of Solana Beach. Because the City of Solana Beach does not have a certified Local Coastal Program, the Chapter 3 policies of the Coastal Act are the standard of review.

The Commission has a considerable permit history on the site, most of which pertains to additions and improvements to a Kaypro warehouse/electronics manufacturing facility on the subject site (#6-83-487; #6-83-495; #6-83-660; #6-84-78; #6-84-160; #6-84-322). In July 1997, the Commission approved demolition of the industrial facility, which by then had been unoccupied for several years, and construction of an 87-unit condominium development on the subject site (#6-97-53). However, the residential project became the subject of a referendum which was not approved by the voters; thus, the development was not undertaken.

In 1999, a waiver was granted to the current applicant for a mezzanine addition to one of the industrial buildings on the site (6-98-65-W), for use as a storage facility.

2. Visual Resources. Section 30250 of the Coastal Act requires new residential development to be located within, contiguous with, or in close proximity to existing developed areas able to accommodate it, and where it will not have significant individual or cumulative adverse effect on coastal resources.

Section 30251 requires that the scenic and visual qualities of coastal areas be protected, that new development be sited and designed to protect views to and along the ocean and scenic coastal areas, and that development be visually compatible with the character of surrounding areas.

The project site is located at the toe of an east-facing slope and is visible from Interstate 5. There are no existing public views across the site which would be blocked by the proposed development. The subject site has historically been used for light-industrial development, and the proposed warehouses will be compatible with the commercial, storage and various light industrial uses in the vicinity of the site. The applicant has

submitted a landscape concept plan which includes various types and sizes of trees, shrubs, vines and groundcovers around the southern, eastern, and a portion of the western perimeters of the project. In its approval of the project, the City of Solana Beach required additional landscaping along the western perimeter of the project. As proposed and conditioned by the City, the landscaping will reduce the visual prominence of the structures as viewed from public areas.

Special Condition #2 requires that the applicant submit a final landscape plan consistent with the submitted concept plan, that also includes the requirements of the City. Therefore, as conditioned, potential visual impacts associated with the proposed development are reduced to the maximum extent feasible, consistent with the visual resource policies of the Coastal Act.

3. Resource Protection/Water Quality. Section 30231 of the Coastal Act states that the biological productivity and the quality of coastal waters appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, controlling runoff and minimizing alteration of natural streams.

The project site has been developed and contains several abandoned buildings previously used for computer manufacturing. Existing runoff from the site currently flows as surface drainage along Stevens Avenue West, then south along Stevens Avenue to an existing 48-inch pipe which discharges into Stevens Creek approximately 500 feet south of Genevieve Street. Stevens Creek in this location consists of a 12-foot wide by 6-foot high rectangular concrete channel. Although Stevens Creek itself is not a pristine, natural creek, polluted runoff entering the channel could harm any vegetation growing in the channel downstream, and will eventually reach coastal waters.

The site is already paved, and the proposed development is not expected to generate additional runoff. However, to address potential downstream impacts, the project includes several best management practices (BMPs) including construction of a desiltation basin during construction, a requirement that exposed areas be hydroseeded, landscaped, or developed as soon as possible to reduce dust generation, and that gravel, sand, or dirt stockpiles must be covered, watered, or applied with soil binders. In addition, as one of the proposed storage buildings will house recreational vehicles, the applicant has proposed to install an oil and grease catch basin insert south (downstream) of the building to absorb oil, grease and sedimentation runoff from the site.

Therefore, the proposed development will not result in adverse impacts to the biological productivity or quality of coastal waters, and the project can be found consistent with Section 30231.

4. Public Access/Recreation. Section 30252 of the Act requires that new development maintain and enhance public access to the coast by such means as providing non-automobile circulation within the development, providing adequate parking facilities,

and assuring that the recreational needs of new residents will not overload nearby coastal recreation areas.

The subject site is located approximately 3/4 miles inland and 1,800 feet from Lomas Santa Fe Drive, the nearest major coastal access route. Adequate off-street parking to serve the mini-storage and the caretakers' residence will be provided. The project site is not within walking distance of the beach and there are no major public recreational facilities in the area which could be impacted by an "over-flow" of cars from the development. In its review of the project, the City of Solana Beach found that based on a traffic study conducted for the project, the proposed project will generate a total of 460 Average Daily Trips, which is less traffic than the previous use on the site. Therefore, the project will not have an adverse impact on public access or recreation, and the Commission finds that the project is consistent with Section 30252 of the Coastal Act.

5. Local Coastal Planning. Section 30604(a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

The site is zoned and designated Light Industrial in the City of Solana Beach General Plan and Zoning Ordinance, and Limited Industrial in the previously certified County of San Diego Local Coastal Program, which the Commission uses for guidance in review of development in the City of Solana Beach. The proposed project is consistent with these designations. The site is not located within any of the special overlay designations contained in the certified County LCP. As conditioned, the proposed project is consistent with all applicable Chapter 3 policies of the Coastal Act. Thus, the proposed development will not prejudice the ability of the City of Solana Beach to prepare a certifiable local coastal program.

6. California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the visual protection policies of the Coastal Act. Mitigation measures, including conditions addressing the disposal of graded materials and landscaping, will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission

finds that the proposed project is the least environmentally-damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SITE

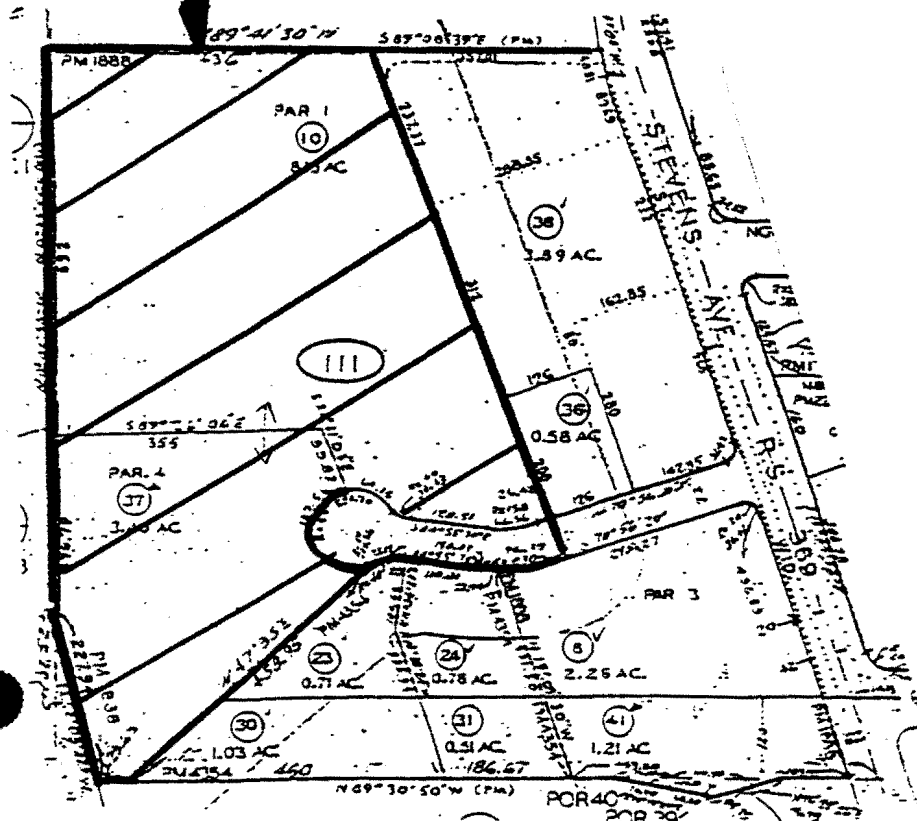


EXHIBIT NO. 1
APPLICATION NO.
6-99-74
Location Map

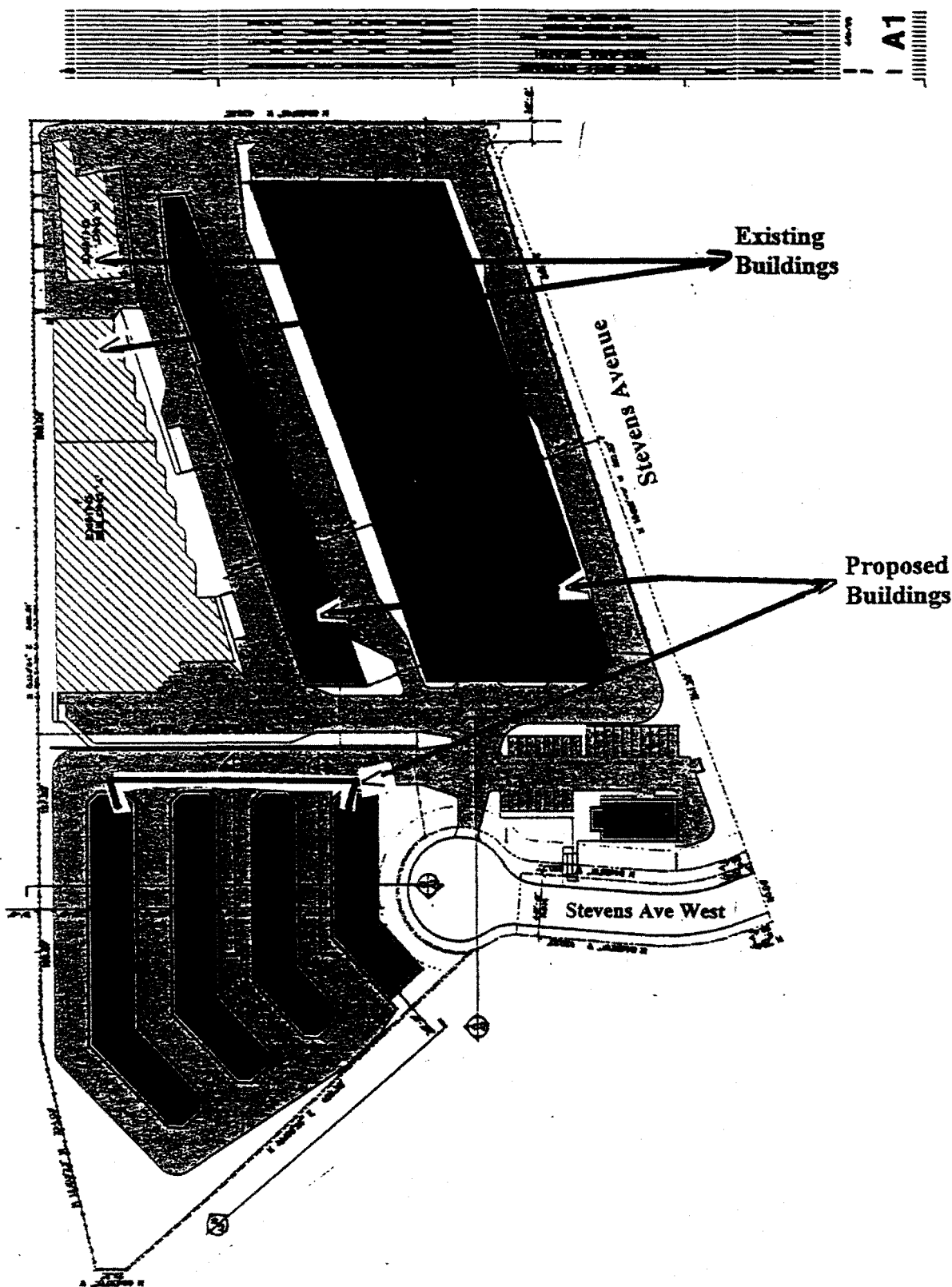


EXHIBIT NO. 2
APPLICATION NO.
6-99-74
Site Plan
California Coastal Commission