

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA  
 3111 CAMINO DEL RIO NORTH, SUITE 200  
 SAN DIEGO, CA 92108-1725  
 619-8036

## RECORD PACKET COPY



# Fri 8d

Filed: November 23, 1999  
 49th Day: January 11, 2000  
 180th Day: May 21, 2000  
 Staff: DL-SD  
 Staff Report: January 26, 2000  
 Hearing Date: February 15-18, 2000

REGULAR CALENDAR  
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-99-150

Applicant: Loreto Romero

Description: Construction of an 11,890 sq.ft. warehouse on a previously graded 2.95 acre vacant lot.

Lot Area	22,500 sq. ft.
Building Coverage	10,000 sq. ft. (44%)
Pavement Coverage	9,000 sq. ft. (40%)
Landscape Coverage	3,500 sq. ft. (16%)
Parking Spaces	12
Zoning	Limited Impact Industrial
Plan Designation	Industrial
Ht abv fin grade	22'9" feet

Site: 1480 Frontage Road, Chula Vista, San Diego County. APN 622-052-05, 622-052-12

Substantive File Documents: City of Chula Vista General Plan and Zoning Ordinance, Certified County Islands Local Coastal Program; CDP 6-87-607.

STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the proposed warehouse. The project has been conditioned to require landscaping and a sign program to ensure that there will not be any adverse visual impacts from the development. In addition, Special Conditions require the provision of landscape buffer strips which will filter drainage and runoff from the project site, to avoid impacts to water quality in the surrounding area. As conditioned, no impacts to coastal resources are anticipated. Staff is not aware of any opposition to the project.

**PRELIMINARY STAFF RECOMMENDATION:**

The staff recommends the Commission adopt the following resolution:

**MOTION:**     *I move that the Commission approve Coastal Development Permit No. 6-99-150 pursuant to the staff recommendation.*

**STAFF RECOMMENDATION OF APPROVAL:**

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO APPROVE THE PERMIT:**

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and 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. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

**II. Standard Conditions.**

See attached page.

**III. Special Conditions.**

The permit is subject to the following conditions:

1. Sign Program. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a comprehensive sign program, with evidence that the plan has been approved by the City of Chula Vista, documenting that only monument signs, not to exceed eight (8) feet in height, or facade signs are proposed. No tall, free-standing pole or roof signs shall be allowed.

The permittee shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director.

No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Landscaping Plans. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a detailed landscape plan in substantial conformance with the draft landscape plan by HAR Construction, dated 6/22/99, with evidence that the plan has been approved by the City of Chula Vista. Said plan shall indicate the type, size, extent and location of all plant materials, the proposed irrigation system and other landscape features. Drought tolerant plant materials, and low-flow irrigation systems shall be utilized. The plan shall include landscaping consisting of trees and ground cover on the southern and eastern sides of the property fronting Dorothy Street and Frontage Road, and shall allow for the flow of drainage from the site into these landscape areas.

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

3. Drainage Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a drainage and runoff control plan documenting that the runoff from the roof, driveway and other impervious surfaces will be collected and directed into the landscaped areas on the southern and eastern sides of the property fronting Dorothy Street and Frontage Road. Said plan must indicate that parking stall blocks adjacent to the landscape areas are open to allow the flow of water to pass unhindered. Curb cuts are not acceptable.

The permittee shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans 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 project consists of construction of a 11,890 sq.ft. warehouse building on a previously graded 2.95 acre vacant lot. Approximately 60% of the site is currently asphalted, and the remaining area is graded dirt. The building will consist of masonry block walls on cement slabs, and will be used for the storage of new boat and marine equipment. Approximately 4,710 sq.ft. feet of the building will be

used for office space and a reception/wholesale area. Twelve parking spaces will be provided, and landscaping will be installed in the parking and perimeter areas. An existing palm tree on the site will remain.

The site is located at the northwest corner of Dorothy Street and the I-5 Frontage Road in the City of Chula Vista. The site is surrounded by a mixture of land uses, including light industrial uses and residences. In December 1987, the Commission approved construction of an 8,855 sq.ft. concrete tilt-up industrial building on the subject site with one special condition requiring submittal of a sign program (#6-87-607). However, the permit was never released and the project was never constructed.

The subject site is within the boundaries of the City of Chula Vista as a result of the Montgomery Annexation. It is assumed that eventually the City's certified LCP will be amended to include this area; until that time, the certified County Islands LCP is used as guidance by the Commission in review of new development proposals in this area. However, Chapter 3 of the Coastal Act is the standard of review.

2. Runoff/Erosion Control. Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes 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, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Approximately 60% of the site is currently paved and the remaining area is fully graded. The site is not immediately adjacent to any wetland or sensitive resource that could be adversely impacted by runoff from the site. Drainage from the site currently consists of sheet flow conveyed to the east onto Frontage Road and to the north towards the Otay River Valley about ¼ mile to the northwest. The project includes the installation of new sidewalks, curbs and gutters along Frontage Road and Dorothy Street, however; no new drainage facilities are proposed, and the project would not alter existing drainage patterns. Trash receptacles will be provide on site.

The site is already largely paved, and thus, the project will not result in a significant increase in impermeable surfaces. However, the applicant is proposing to provide landscaping along the southern and eastern sides of the property fronting Dorothy Street and Frontage Road. In order to reduce the potential for adverse impacts to water quality resulting from drainage runoff from the proposed development, Special Condition #3 requires that the majority of the drainage from the site be collected and directed into the landscaped areas. Vegetated filter strips, or "biofilters" such as the proposed landscape strips, are a well-established Best Management Practice for treating runoff. Vegetative

buffers can absorb pollutants from runoff and strain automobile oil and grease. Special Condition #3 requires that the parking stall blocks must be open to allow the flow of water to pass as unhindered as possible. The use of curb cuts in the landscape area is not acceptable, because the cuts channelize the water and can clog with debris. As conditioned, the proposed landscaping will serve to reduce any impacts to water quality from the project to insignificant levels. Therefore, the Commission finds the proposed project consistent with Section 30231 of the Coastal Act.

3. Visual Quality. 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 proposed project is not located within or visible from any significant public view corridors. The project has been approved by the design review committee of the City of Chula Vista, with conditions requiring the screening of utility appurtenances and roof mounted equipment, and the provision of landscaping surrounding the parking area on the southern portion of the site fronting Dorothy Street, and on the eastern side of the building fronting Frontage Road. An existing palm tree on the site will be retained. The proposed structure will be compatible in design and scale to other light industrial structures in the area. However, the applicant has not submitted a final landscaping plan. Therefore, Special Condition #2 requires the applicant to submit a final landscaping plan, using drought-tolerant plants and low-flow water systems. The plan requires that landscaping be provided along Dorothy Street and Frontage Road as proposed, which, as discussed above, will also provide a vegetated landscape strip to filter runoff from the site.

In addition, the Commission has traditionally restricted the size, number and extent of commercial and industrial signage to avoid adverse visual impacts. However, the applicant has not submitted a final sign program. As such, Special Condition #1 requires the submission of a comprehensive sign program that details that only monument or facade signs less than 8 feet in height are proposed, and prohibits any freestanding pole signs. As conditioned, the Commission finds that the proposed development is consistent with Section 30251 of the Coastal 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.

The subject site is located within the City of Chula Vista, which has a certified Local Coastal Program. The site was previously within the County of San Diego's County Islands Segment Local Coastal Program jurisdiction, but is now within the boundaries of the City of Chula Vista as a result of the Montgomery Annexation. It is assumed that eventually the City's certified LCP will be amended to include this area. Until that time, the certified County Islands LCP is used as guidance by the Commission in review of new development proposals in this area. However, Chapter 3 of the Coastal Act is the standard of review.

The proposed warehouse building is consistent with the previously certified County LCP, and the light industrial zoning and planning designations applied to the site by the City of Chula Vista. As conditioned, the proposed project will not have an adverse impact on water quality or visual resources, and as such, can be found consistent with the Chapter 3 policies of the Coastal Act. Therefore, approval of the proposed project as conditioned will not prejudice the ability of the City of Chula Vista to complete a certifiable LCP for this area.

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, 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 water quality and visual protection policies of the Coastal Act. Mitigation measures, including conditions addressing visual quality and water quality, 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.

NORTH



SITE

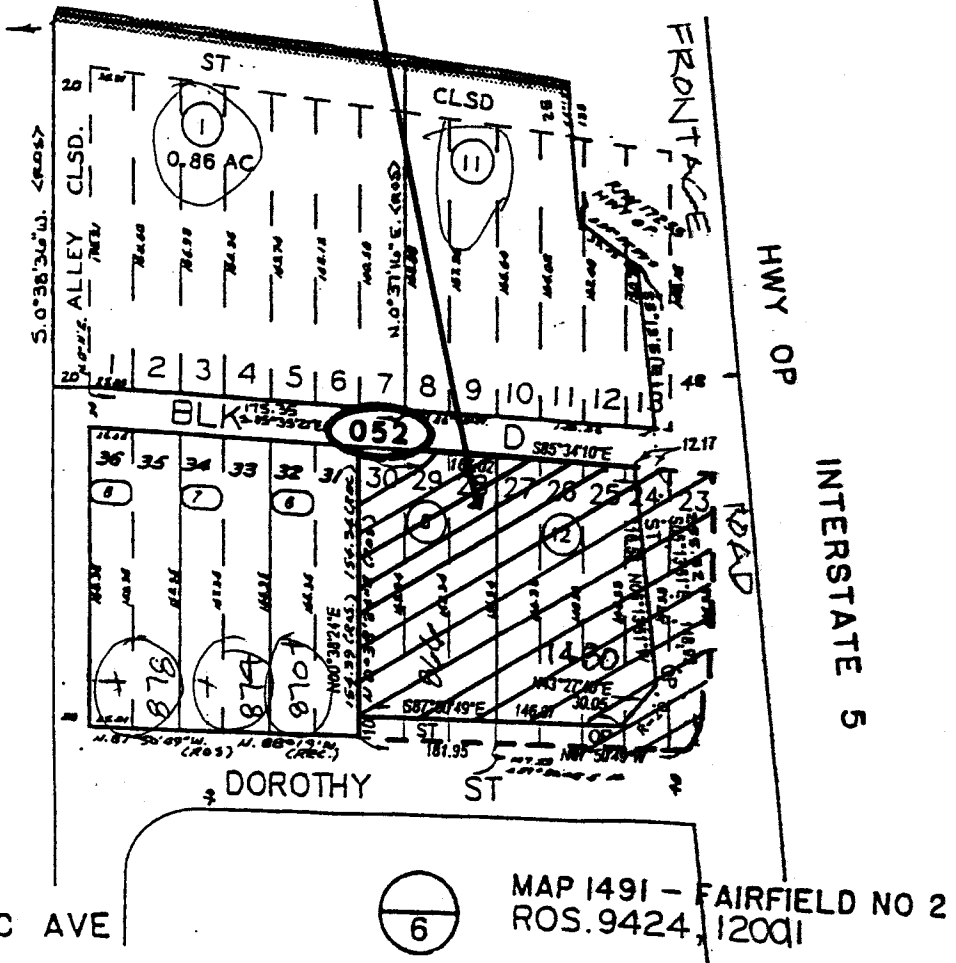
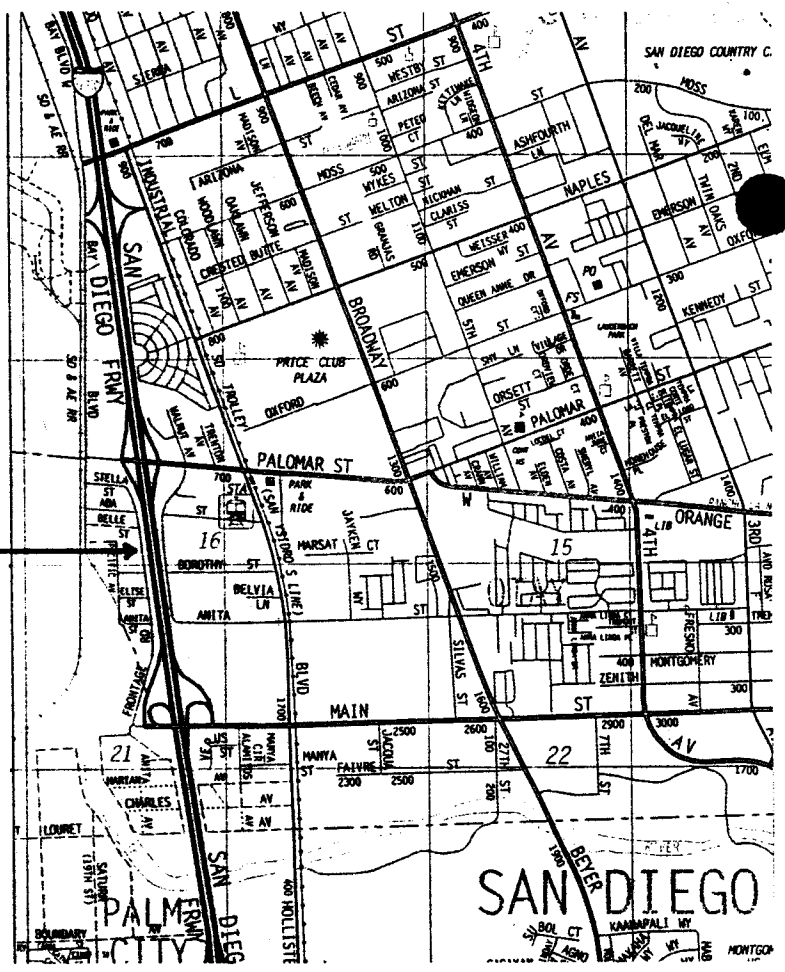


EXHIBIT NO. 1  
 APPLICATION NO.  
**6-99-150**  
 Location Map



FRONTAGE ROAD

NEW HANDICAPPED ENTR

NEW SIDEWALK  
4' CLEAR

NEW HANDICAPPED PA

EXIST'G SIGN  
EXIST'G BUILT UPS

2 HANDICAPPED PARKING SPACES  
(1 - VAN ACCESSIBLE)

DOROTHY STREET

ALLEY

PROPOSED MASONRY WAREHOUSE

MAIN LEVEL: 10,200 sq ft  
UPPER MEZZANINE: 2,100 sq ft  
(OFFICE & LIVING) 4,700 sq ft  
WAREHOUSE & STORAGE 7,800 sq ft

PROPOSED LANDSCAPING

5' P.C. DRIVE & PARKING

3 SPACES

9 SPACES

EXIST'G ANCHOR

EXHIBIT NO. 2  
APPLICATION NO.  
6-99-150  
Site Plan

California Coastal Commission



NEIGHBORING  
RESIDENCE

EXIST'G DRIVEWAY  
TRUCKS: 10' CLEAR  
4' CLEAR

