

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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Filed: 10-31-01  
49th Day: 12-19-01  
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Staff: MS-LB  
Staff Report: 11-20-01  
Hearing Date: December 11, 2001  
Commission Action:

**Tu 4 e****STAFF REPORT: CONSENT CALENDAR**

**APPLICATION NUMBER:** 5-01-390

**APPLICANT:** Evergreen Devco, Inc. Attn: Phillip R. Cross

**AGENT:** Lucast Consulting Attn: Nancy Lucast

**PROJECT LOCATION:** 533 Pacific Coast Highway, Redondo Beach (Los Angeles County)

**PROJECT DESCRIPTION:** Demolition of an existing 13,350 square-foot retail building and construction of a new 29-foot high, one-story, 11,750 square-foot retail pharmacy with 49 parking spaces, a drive through pick-up window and a four-foot high monument sign located at the southeast corner of the lot. Approximately 370 cubic yards of grading is proposed.

Lot Area	36,665 square feet
Building Coverage	11,750 square feet
Pavement Coverage	20,624 square feet
Landscape Coverage	4,291 square feet
Parking Spaces	49
Zoning	C-2 Commercial
Ht above final grade	29 feet

**LOCAL APPROVALS RECEIVED:**

Approval in Concept, Redondo Beach Planning Commission,  
September 24, 2001.

**SUBSTANTIVE FILE DOCUMENTS:** City of Redondo Beach Certified Land Use Plan

**SUMMARY OF STAFF RECOMMENDATION:**

Staff is recommending that the Commission grant a coastal development permit for the proposed development with special conditions relating to water quality and signage.

**STAFF RECOMMENDATION:**

The staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application with special conditions:

**Motion**

*"I move that the Commission approve with special conditions Coastal Development Permit 5-01-390 per the staff recommendation as set forth below"*

Staff recommends a **YES** vote which would result in the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

**I. Resolution: Approval with Conditions**

*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 of the Coastal Act. 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**

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 this permit is reported to the Commission. 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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. 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.
5. 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.

### III. Special Conditions

#### 1. Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris

The permittee shall comply with the following construction-related requirements:

- (a) No construction materials, debris, or waste shall be placed or stored where it may enter a storm drain leading to the ocean;
- (b) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of construction;
- (c) Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the storm drain system and a pre-construction meeting to review procedural and BMP guidelines;
- (d) Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris, which may be discharged into coastal waters. Debris shall be disposed at a debris disposal site outside the coastal zone, pursuant to Special Condition 2.

#### 2. Location of Debris Disposal Site

The applicant shall dispose of all demolition and construction debris resulting from the proposed project at an appropriate location outside the coastal zone. If the disposal site is located within the coastal zone; a coastal development permit or an amendment to this permit shall be required before disposal can take place.

3. Best Management Practices

A. The applicant shall implement structural and/or non-structural Best Management Practices (BMPs) designed to minimize pollutant loads contained in runoff prior to entering the storm water conveyance system and to maintain post-development peak runoff rate and average volume from the site at levels similar to pre-development conditions, to the extent feasible. The BMPs may include, but are not limited to:

- 1) Design elements that serve to minimize directly connected impervious area and maintain permeable space within the development shall be incorporated where feasible. Options include the use of alternative design features such as concrete grid driveways and/or pavers for walkways, and/or porous material for or near walkways and driveways;
- 2) The drainage plan shall also include a weekly street sweeping program for the entire parking lot. The applicant shall submit, with the drainage plan, a schedule and maintenance for the street sweeping program. The applicant shall not spray down or wash down the parking lot unless the water used is directed through the sanitary sewer system or a filtered drain.
- 3) Installation of catch basin inserts or vegetative or other media filtration devices effective at trapping and/or mitigating contaminants such as petroleum hydrocarbons, heavy metals and particulates, in addition to trash and large debris. Selected BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter the storm water runoff from each runoff event up to and including the 85<sup>th</sup> percentile, 24-hour runoff event for volume based BMPs and/or the 85<sup>th</sup> percentile, 1 hour event, with an appropriate safety factor, for flow-based BMPs;
- 4) Routine maintenance, including inspection and regular cleaning of approved BMPs, to ensure their effectiveness prior to, and during, each rainy season from October 15<sup>th</sup> through April 31<sup>st</sup> of each year. Debris and other water pollutants contained in BMP device(s) will be contained and disposed of in a proper manner on a regular basis. All BMP traps/separators and/or filters must be cleaned prior to the start of the winter storm season, no later than October 15<sup>th</sup> each year. The BMPs shall be maintained to uphold their functionality.
- 5) All trash and recycling receptacles in the parking lot shall be covered and maintained to be waterproof and watertight. A concrete berm shall be laid around trash and recycling receptacles to prevent runoff of fluid contaminants and to prevent any contribution to urban runoff. No storm water shall ever come into contact with trash and recycling debris.

- 6) The store shall provide for customers a plastic bag-recycling container visible near the store's entrance.
- 7) All rooftop drainage shall be directed to permeable areas on-site, such as a landscaped area, biofilter, or gravel pits serving as an infiltration trench. Energy dissipaters shall be installed in downspouts to prevent erosion and scour. Applicant shall also consider a rooftop catchment system designed to pool and evaporate storm water rather than allow it to flow off the roof.

- B. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the review and approval of the Executive Director, a plan indicating the type(s) of BMPs to be installed, sizing specifications where applicable, and the locations where the BMPs will be installed.

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

4. Sign Limitations

A) This coastal development permit approves the proposed building facade signs and one four-foot high monument sign located at the southeast corner of the development. No additional signs, including pole signs, shall be permitted without City approval and a coastal development permit from the Commission or a subsequent amendment to coastal development permit 5-01-390.

**B) PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition. The deed restriction shall include a legal description of the applicants' entire parcel. The deed restriction 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 Commission amendment to this coastal development permit.

#### **IV. Findings and Declarations**

The Commission hereby finds and declares:

##### **A. Project Description and Location**

The proposed project consists of the demolition of an existing 13,350 square-foot retail building and construction of a new 29-foot high, one-story, 11,750 square-foot retail pharmacy with 49 parking spaces and a drive through pick-up window. The project site is located approximately 1,400 feet inland of Redondo Beach on the corner of Sapphire Street and Pacific Coast Highway (Exhibits 1 & 2). The proposed project includes the construction of a four-foot high, 40 square-foot monument sign located at the southeast corner of the lot with a 4'6" high, 2'8" wide pillar on each end of the sign (Exhibit 3). The proposed project has received an approval in concept from the City of Redondo Beach.

The proposed project is not located between the sea and the first public road. The project site is located on Sapphire Street, which provides access to Redondo County Beach. The project site is in a LUP designated C-2 Commercial area where the permitted maximum floor area ratio is 0.5 and the permitted maximum building height is thirty-feet high and no more than two stories. The proposed project complies with the LUP having an 11,750 square foot, one-story, 29-foot high structure on a 36,665 square-foot lot. LUP parking requirements for this particular project is one space for every 250 square feet of floor area. The applicant proposes 49; 47 are required. The proposed development consists of approximately 370 cubic yards of grading. The applicant contends that there is to be no fill exported or imported. The project area is predominantly flat, requiring grading only for preparation purposes.

##### **B. Water Quality**

Section 30230 of the Coastal Act states that marine resources shall be maintained, enhanced and restored when possible. Section 30231 of the Coastal Act states that the biological productivity of coastal waters, streams, wetlands, estuaries and lakes shall also be maintained, enhanced and restored when possible. Runoff from the parking lot will flow into the City of Redondo Beach's storm drain system and will ultimately drain into the Pacific Ocean. Polluted runoff negatively affects both marine resources and the public's ability to access and enjoy coastal resources. Therefore, to lessen the potential for pollutants to enter the storm drain system at the subject site, the Commission imposes three (3) special conditions related to water quality. By implementing these conditions, the project will be in compliance with Sections 30230 and 30231 of the Coastal Act.

##### **1. Construction Impacts to Water Quality**

Storage or placement of construction materials, debris, or waste in a location which may be discharged into coastal waters via the storm drain system would result in adverse impacts upon the marine environment that would reduce the biological productivity of coastal waters. The project site is approximately one half-mile southeast from the Redondo Beach Pier, which is heavily used for recreational fishing. Construction debris

entering coastal waters may cover and displace marine life throughout the water column. In addition, sediment discharged to coastal waters may cause turbidity, which can shade and reduce foraging avian and marine species ability to see food in the water column. In order to avoid adverse construction-related impacts upon marine resources, Special Condition No. 1 outlines construction-related, erosion control requirements to provide for the safe storage of construction materials and the safe disposal of construction debris.

In addition, Special Condition No. Two requires that the applicant dispose of all demolition and construction debris at an appropriate location outside of the coastal zone and informs the applicant that use of a disposal site within the coastal zone will require an amendment or new coastal development permit.

Only as conditioned for appropriate storage of construction materials and equipment, and for location of an appropriate debris disposal site, does the Commission find that the proposed development is consistent with Sections 30230 and 30231 of the Coastal Act.

## **2. Control of Polluted Runoff**

Section 30231 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.*

The proposed project poses a potential source of pollution due to contaminated runoff from the parking area. Runoff from the site would enter the City's storm drain system and would ultimately be discharged into the marine environment. To mitigate potential impacts to marine resources caused by polluted runoff leaving the site, Special Condition Three requires the applicant to incorporate best management practices (BMPs) into the project and site management procedures to reduce or prevent contaminants from running off the site.

As conditioned, the proposed project is consistent with past Commission action with regards to water quality requirements (5-00-406 Fluter, 5-00-172 Stewart) and will minimize water quality impacts. The Commission, therefore, finds that, as conditioned, the development will be consistent with Section 30231 of the Coastal Act.

### 3. Post-Construction Impacts to Water Quality

The proposed development will result in urban runoff entering the existing storm water system. Pollutants such as sediments or toxic substances such as grease and motor oil pesticides and fertilizers are often contained within urban runoff entering the storm water system. In this case, the site drains a new parking lot, paved walkways and landscaped areas (Exhibit 5). Therefore, the primary, post-construction water quality concerns associated with the proposed project include grease, motor oil, pesticides and fertilizer.

The proposed development would result in the discharge of storm water into the storm water conveyance system. Therefore, the project has the potential to affect the water quality of the coastal waters in Redondo Beach.

The proposed retail pharmacy project is new development, which affords an opportunity to improve water quality. Much of the pollutants entering the ocean come from land-based development. The Commission finds that it is necessary to minimize to the extent feasible within its jurisdiction the cumulative adverse impacts on water quality resulting from impervious surfaces associated with new development. Reductions in the amount of pollutants in the existing runoff would be one step to begin to reduce cumulative adverse impacts to coastal water quality. The currently proposed project drains a 49-space parking area and drive through (Exhibit 4). As such, appropriate measures must be taken to assure that adverse affects on water quality are minimized.

Therefore, in order to find the development consistent with Coastal Act sections 30230 and 30231, it is necessary to impose Special Condition 3, which requires the applicant to incorporate Best Management Practices effective at mitigating pollutants of concern, as discussed herein; requiring the applicant to maintain to the maximum extent possible, a clean parking lot, proper drainage, and reduce pollution into the storm drain system. Only as conditioned does the Commission find the proposed development to be consistent with Sections 30230 and 30231 of the Coastal Act.

### C. Sign Limitations

Section 30251 states:

*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. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

The proposed project is visually compatible with surrounding development. Special Condition No. 4 requires that any other signage besides what is proposed in 5-01-390, the

attached building facade signs and one monument sign. The condition also requires the applicant to execute and record a deed restriction. The purpose of the condition is to protect the scale and visual character of the community even when the property changes landowners. Only as conditioned does the Commission find the proposed development to be consistent with Section 30251 of the Coastal Act.

#### **D. LOCAL COASTAL PROGRAM**

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act:

- (a) Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200). A denial of a Coastal Development Permit on grounds it would prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

Redondo Beach has a certified Land Use Plan, but does not have a certified Local Implementation Plan (LIP). The project site is located in a designated "C-2 Commercial" area in the certified LUP. The proposed project, as conditioned, is consistent with the development and water quality policies of the current certified LUP, allowing the development of a wide range of visitor serving facilities. Therefore, approval of this project as conditioned would not prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

#### **E. California Environmental Quality Act**

Section 13096 of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, 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 for consistency with the marine resource protection policies and development policies of the Coastal Act. The proposed development, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. There are no other feasible alternatives or mitigation measures available which will lessen any significant adverse impact the activity would have on the environment. Therefore, the Commission finds that the proposed project is consistent with CEQA and the policies of the Coastal Act.

PACIFIC

OCEAN

PROJECT  
SITE

COASTAL COMMISSION

EXHIBIT #

1

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OF

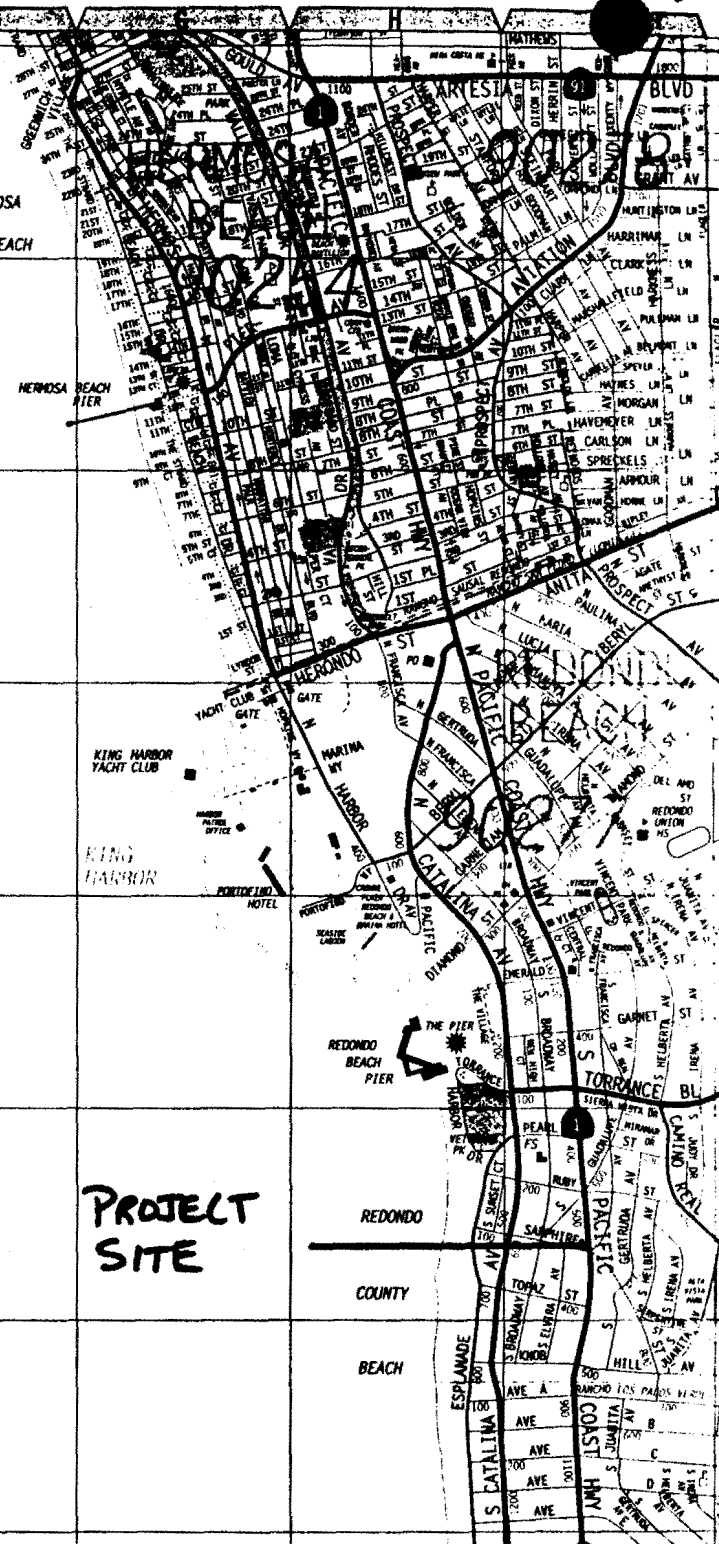
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REDONDO

COUNTY

BEACH



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SHEET 1  
SCALE 1" = 80'

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P.M. 214-48

CONDOMINIUM  
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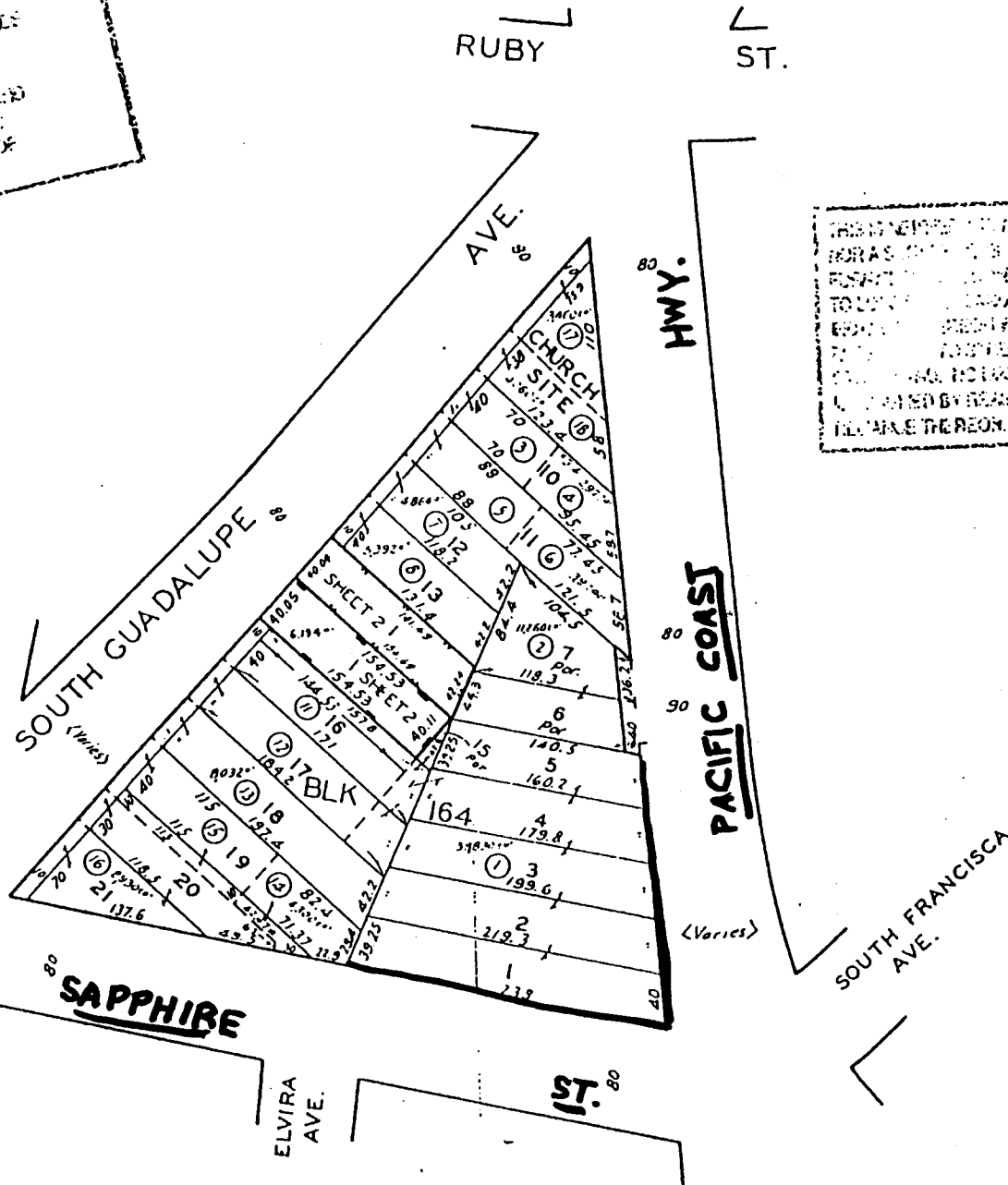
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TOWNSITE OF  
REDONDO BEACH  
M.R. 39-1-17

SOUTH BROADWAY

CODE  
8055

FOR PREV. ASSMT. SEE: 91-25



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COASTAL COMMISSION

EXHIBIT # 2

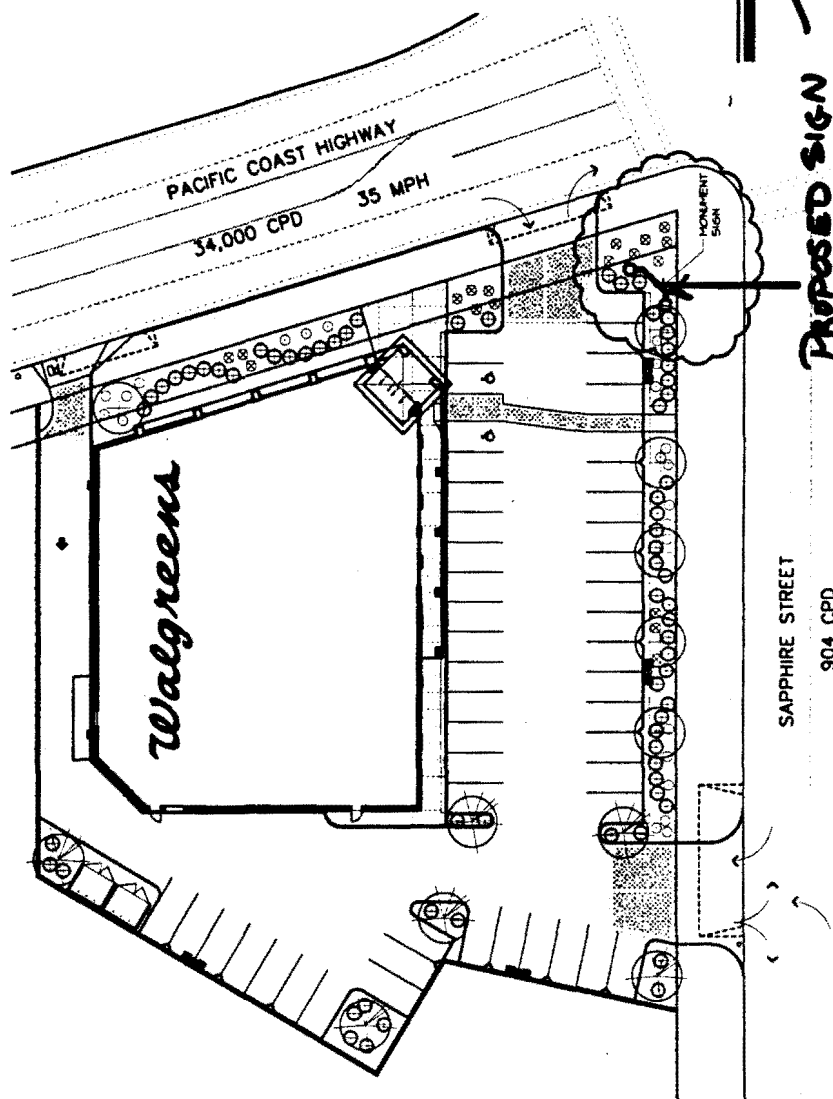
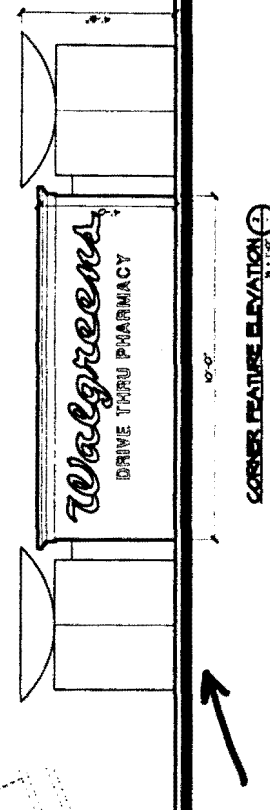
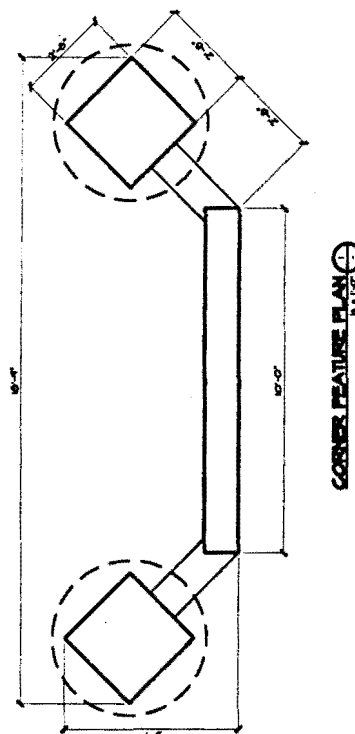
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EXHIBIT # 3  
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5-01-390

10

RELOCATE EXISTING  
UTILITY POLE

133'-10½"

97-8.

← ONE WAY

EXISTING  
DRIVEWAY

SETBACK

PACIFIC COAST HIGHWAY

35 MPH

0.0.0.

SAPPHIRE STREET

904 CPD

06-10-5

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**WILLIS**

TEL 310 381-1111  
LOS ANGELES, CA

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**PROPOSED  
LANDSCAPE**

