

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA

7575 METROPOLITAN DRIVE, SUITE 103

SAN DIEGO, CA 92108-4402

767-2370

**Tue 9c**

Filed: March 30, 2001  
 49th Day: May 18, 2001  
 180th Day: September 26, 2001  
 Staff: EL-SD  
 Staff Report: April 13, 2001  
 Hearing Date: May 8-11, 2001

REGULAR CALENDAR  
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-01-37

Applicant: CRV Stallions Crossings LP

Agent: Claudia Troisi

Description: Construction of 47, two-story single-family residences, ranging in size from 3,271 sq.ft. to 3,773 sq.ft. on a previously subdivided 26.95-acre site, and installation of associated landscape and hardscape improvements.

Lot Area	26.95 acres
Building Coverage	2.47 acres ( 9%)
Pavement Coverage	2.56 acres ( 9%)
Landscape Coverage	9.34 acres (37%)
Unimproved Area	12.58 acres (45%)
Parking Spaces	229
Zoning	AR-1-1
Plan Designation	NCFUA, Subarea II
Ht abv fin grade	30 feet

Site: East side of New El Camino Real, south of San Dieguito Drive, and north of Derby Downs Road, North City, San Diego, San Diego County.  
 APN

Substantive File Documents: North City LCP Land Use Plan Addendum; North City Future Urbanizing Area Framework Plan; CCC #6-98-154

STAFF NOTES:Summary of Staff's Preliminary Recommendation:

Staff recommends the Commission approve the proposed home construction, with special conditions requiring submittal of a final color board and BMPs consistent with current water quality standards. All issues for the site as a whole were resolved through the subdivision approval, and parameters were set for future home construction. The proposed conditions are intended only to assure that the homes are fully consistent with

those parameters and that changes in water quality technology and practices since the subdivision approval are incorporated into the subject permit.

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**I. PRELIMINARY STAFF RECOMMENDATION:**

The staff recommends the Commission adopt the following resolution:

**MOTION:** *I move that the Commission approve Coastal Development Permit No. 6-01-37 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. **Final Color Board.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director, for review and written approval, a final color board for the proposed homes consistent with the requirements of Special Condition #5 of Coastal Development Permit (CDP) #6-98-154.

2. Runoff Control Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director, for review and written approval, a final typical site plan for each of the three house plans documenting that the runoff from the roof, driveway and other impervious surfaces shall be collected and directed into pervious areas on the site (landscaped areas) for infiltration and/or percolation in a non-erosive manner. The plans shall further document that impervious surfaces have been minimized to the extent feasible, including the use of porous pavement where consistent with the Americans with Disabilities Act (ADA) requirements.

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/Site History. The applicant is proposing construction of 47 single-family residences on a previously subdivided 26.9 acre site. The homes will be two stories each, with all of the plans being 30 feet in height or less. Proposed are three different three- and four-bedroom floor plans, each available in three alternative elevations, so the development will give the appearance of nine different styles of home. Each residence will have a two- or three-car garage, consistent with zoning requirements. Also proposed are landscape and hardscape improvements, such as driveways and patios, associated with the individual homes.

In August, 1999 the Commission reviewed and approved an application for a subdivision and related grading, on- and off-site street improvements, landscaping of common areas, drainage improvements, reservation of open space, etc. on this property (Coastal Development Permit [CDP] #6-98-154); that permit did not authorize the construction of the homes. All conditions of that permit have been satisfied, the open space restrictions (which covered all biologically sensitive areas of the site) have been recorded, and the permit was issued to the applicant. Because this is a prominent and sensitive site, the subdivision was conditioned (Special Condition #5, attached as Exhibit # XXX) to address future development, and criteria was established to be applied to the homes when they came before the Commission for approval. The subject residences have been designed to be consistent with that condition of the subdivision, which established building envelopes, setbacks for brush management and restrictions on colors/exterior treatments.

The proposed project is located in Subarea II of the North City Future Urbanizing Area, which is an area of deferred certification where the local planning process is not yet

complete. Therefore, coastal development permit authority rests with the Coastal Commission, and Chapter 3 of the Coastal Act is the standard of review.

2. Visual Resources. Section 30251 of the Coastal Act provides for the protection of scenic coastal resources, and 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 site is located in the northern portion of the City of San Diego, on the southern side slopes of the San Dieguito River Valley. The site is visible from I-5, Via de la Valle and El Camino Real, and also from throughout the lagoon and river park lands east of I-5. It will also be visible from portions of the conceptual public trail system currently being designed as part of the SONGS mitigation project throughout the river valley. The area to the south is developed with other residential subdivisions. To the east, there is more rural development consisting of equestrian facilities. The land to the north and west is undeveloped at this time and supports some agricultural uses. The proposed residences will be similar in bulk and scale to the adjacent residential development to the south.

Under current City zoning, the applicant would only be able to construct a maximum of 7 units on the site. However, under the transfer of development rights approved by the Commission in CDP #6-98-154 (the subdivision permit), the parcel was divided into 47 homesites, plus additional lots for roads and open space. In the subject application, the applicant is only proposing construction of the 47 single-family residences on the previously-subdivided lots. However, under the subdivision permit, the applicants are required to install a sound attenuation wall all along the El Camino Real frontage and install landscaping (trees and shrubs) along the most visible project borders (north and west sides). This may serve to partially block views of the proposed homes, which will be situated behind the wall. Conditions of the subdivision permit require that the wall be landscaped with vines to minimize its visibility, and the present applicant has indicated the wall will be colored to match the homes (i.e., not a white wall). However, the proposed construction of 47 homes could still result in significant adverse impacts on the viewshed.

These future impacts were fully analyzed in the Commission's prior review of the subdivision permit. Special Condition #5 of that permit addressed the future buildout of the site and established design criteria for future home construction; the condition is attached as Exhibit # XXX. Included in the design criteria is a restriction on colors for the future homes and accessory structures visible from public streets and open space, prohibiting white and light walls and red or bright roofs. The applicant submitted color boards with the subject application identifying the proposed color scheme and roofing materials. The roofing materials and all the proposed trim colors are consistent with the

prior special condition, as are ten of the twelve proposed base colors for walls. The other two proposed colors are too light, and would appear white in bright sunlight. Special Condition #1 requires submittal of a final color board, using only colors consistent with the design criteria. As conditioned, the Commission finds the proposed development consistent with Section 30251 of the Coastal Act.

3. Water Quality. Section 30231 of the Coastal Act addresses water quality issues and 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.

This issue was also analyzed thoroughly in the subdivision permit, and conditioned to provide appropriate temporary and permanent erosion controls and drainage facilities. These included, among other things, installation of an internal stormdrain system and landscaping of all common areas, both for runoff control and to improve visual quality, as well as a Best Management Practices (BMP) program which includes weekly street sweeping, and a suite of BMPs to be applied during the construction phase. Thus, in this application, the Commission is only considering the effects of runoff from the proposed impervious surfaces of the 47 single-family homes. Special Condition #2 addresses this issue, requiring that all impervious surfaces, such as roofs and driveways, drain into pervious areas (landscaping) to filter the stormwater runoff from each individual parcel before being discharged off-site. Directing runoff through landscaping for filtration in this fashion is a well-established BMP for treating runoff from developments such as the subject proposal. With the inclusion of this condition, the Commission finds the proposal consistent with the cited Chapter 3 policy 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, as conditioned, such a finding can be made.

The site is currently zoned AR-1-1 (formerly called A1-10), which would allow a maximum density of 7 units on the subject 26.9 acre site. Under CDP #6-98-154, development rights were transferred from four other sites in the river valley, all zoned the same, so that development could be clustered on this site, the least sensitive of the five. Thus, the proposed development is consistent with existing zoning, and with the North City Future Urbanizing Area/Subarea II land use plan designation, in that the density of development in the valley will not be increased. As conditioned, the development has also been found consistent with all applicable Chapter 3 policies of the Coastal Act.

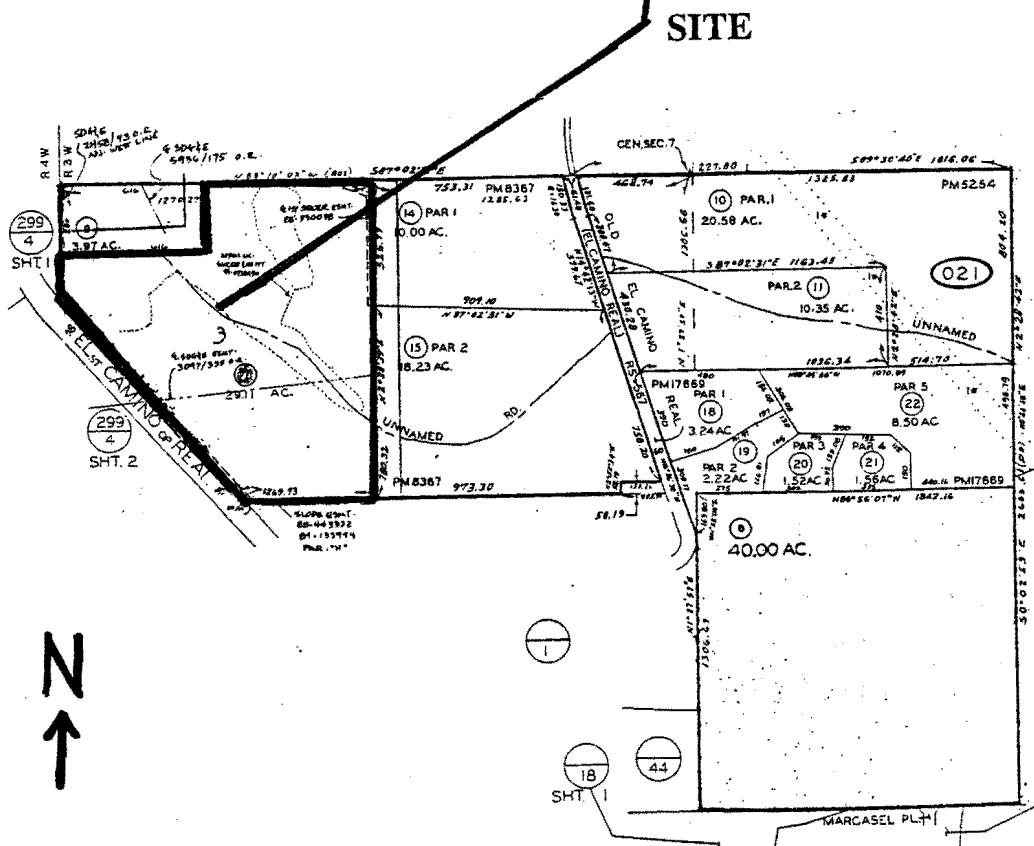
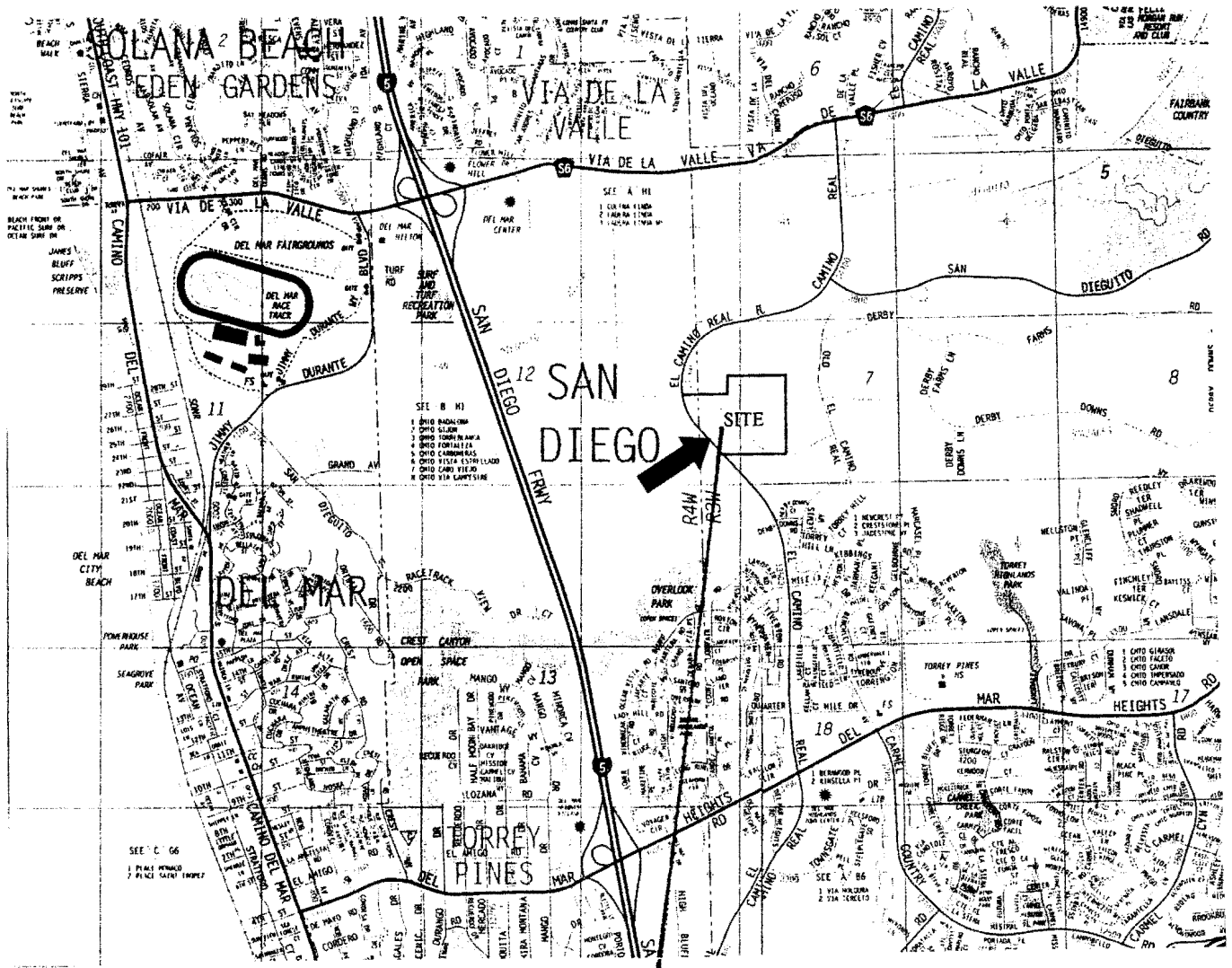
Therefore, the Commission finds that approval of the proposed home construction, as conditioned, will not prejudice the ability of the City of San Diego to complete the planning process of this area of deferred certification consistent with its overall certified LCP.

5. Consistency with the 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 all applicable 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.

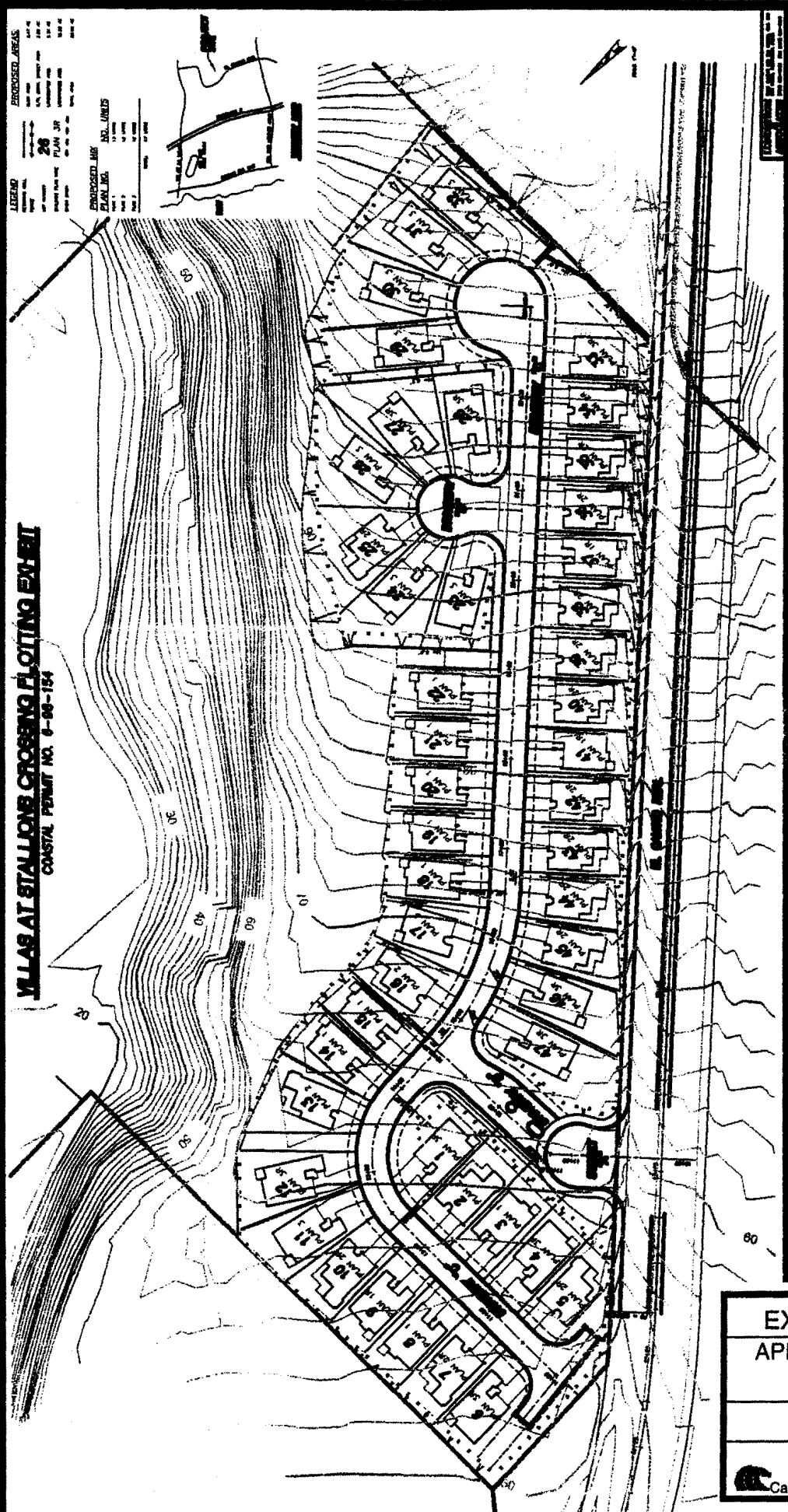
STANDARD CONDITIONS:

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. 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.



**EXHIBIT NO. 1**  
**APPLICATION NO.**  
**6-01-37**  
**Location Map**

**VILLAS AT STALLONS CROSSING FLOODING EXHIBIT**  
 COASTAL PERMIT NO. 6-00-154



<p>EXHIBIT NO. 2                  APPLICATION NO.  <b>6-01-37</b>                  Site Plan</p>
<p>California Coastal Commission</p>



6-01-037

EXHIBIT NO. 3  
APPLICATION NO.  
**6-01-37**  
Typical Elevations  
California Coastal Commission



PLAN 2B

PLAN 1A

PLAN 3B

STREETSCENE

STALLIONS CROSSING

 SeaCountry Homes

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2000 Wilshire Blvd. Suite 200  
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291-01011

2-19-01

6-01-037

**Coastal Submittal  
Stallions Crossing Mix Study**


	<b>Models</b>	<b>Phase 1</b>	<b>Phase 2</b>	<b>Phase 3</b>	<b>Phase 4</b>	<b>Total</b>
<b>Plan 1</b>	1	1	2	4	5	13
<b>Plan 2</b>	1	4	3	5	3	16
<b>Plan 3</b>	1	5	5	3	4	18
<b>Totals</b>	3	10	10	12	12	47

LOT	PLAN
1	3
2	2
3	1B
4	3
5	2B
6	3
7	2
8	1
9	1
10	2
11	3
12	3
13	2B
14	1
15	1
16	2B
17	3 G-2
18	1
19	1 G-2
20	1 G-2

LOT	PLAN
21	1
22	1 G-2
23	3
24	3
25	2B
26	3
27	3
28	3
29	3
30	3
31	3
32	3
33	3 G-2
34	2
35	2
36	2
37	1
38	2
39	2
40	2

LOT	PLAN
41	1 G-2
42	2
43	2
44	2
45	2B
46	3
47	3

2/22

<b>EXHIBIT NO. 4</b>
APPLICATION NO. <b>6-01-37</b>
<b>Housing Unit Mix</b>
 California Coastal Commission


5. Future Development. Construction of homes is not included in this approval and will require a separate coastal development permit(s). Construction of homes in the future shall comply with the following:

- a. homes shall be constructed within the building envelopes shown on the plan titled "Building Envelopes for Lots Adjacent to Open Space," by Rick Engineering, date-stamped as received by the Coastal Commission on July 13, 1999,
- b. accessory structures within the required rearyard setbacks on lots adjacent to natural steep slopes and/or native vegetation (i.e., Lots 12, 13, 25, 26, 27, 29, 30, 31, and 32 – see Exhibit #4) shall be constructed only of non-combustible materials acceptable to the Fire Marshall,
- c. all residences, and those accessory structures visible from public streets or open space areas, shall be finished in mid to dark earth tones (i.e., deeper beiges, browns, greens and grays) consistent with surrounding natural areas; white or light walls and red or bright roofs shall not be permitted,

AND

- d. no structure shall exceed thirty feet in height.

PRIOR TO ISSUANCE OF THE PERMIT, the applicant shall record a deed restriction, in a form and content acceptable to the Executive Director, that reflects the above requirements. The restriction shall provide that the future construction of homes shall be implemented in accordance with Special Condition #5 and consistent with those plans approved with CDP #6-98-154. The document shall run with the land for the life of the structures approved in this permit, 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.

EXHIBIT NO. 5
APPLICATION NO. <b>6-01-37</b>
Special Condition #5 of CDP #6-98-154
 California Coastal Commission

