

CALIFORNIA COASTAL COMMISSION

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Staff: MV-LB
Staff Report: 11/21/02
Hearing Date: 12/10-13/02
Commission Action:

**Tu 5 f****STAFF REPORT: CONSENT CALENDAR****APPLICATION NUMBER:** 5-02-325**APPLICANT:** Hoag Memorial Hospital Presbyterian**AGENT:** Peri Muretta**PROJECT LOCATION:** One Hoag Drive, Newport Beach, Orange County

PROJECT DESCRIPTION: Construction of a 23,657 square foot, two story, 45 feet high Cogeneration Building, 5,194 square foot, concrete cooling tower yard with four cooling towers surrounded by concrete walls with a maximum height of 32 feet, and a 1,200 square foot concrete pad area for enclosure of Southern California Edison compatible equipment, and other related miscellaneous development.

Lot Area: 37,324 square feet
Building Coverage: 19,581 square feet
Pavement Coverage: 3,600 square feet
Landscape Coverage: 14,000 square feet
Parking Spaces: n/a spaces
Zoning: Government, Educational and Institutional
Ht above final grade: 47 feet above finished grade

LOCAL APPROVALS RECEIVED: City of Newport Beach approval-in-concept No. 2132-2002, dated September 17, 2002.

SUBSTANTIVE FILE DOCUMENTS: City of Newport Beach certified Land Use Plan; Development Agreement between the City of Newport Beach and Hoag Hospital approved by the Coastal Commission on February 15, 1994; coastal development permit 5-92-368 & 5-92-368A (Hoag Hospital); Geotechnical Investigation dated August 15, 2002 prepared by Kleinfelder, Inc.

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending approval of the proposed project subject to the following two special conditions which require: 1) adherence to the Geotechnical consultant's recommendations; and 2) submittal of a drainage plan indicating that, to the maximum extent feasible, site drainage infiltrate on-site and that any drainage that must be directed offsite will be treated/filtered. Landscaping shall be native or non-native, drought tolerant, and non-invasive.

These conditions are necessary in order to minimize risks and to protect water quality to promote the biological productivity of coastal waters and to protect human health as required by Coastal Act Sections 30253, 30230 and 30231.

STAFF RECOMMENDATION:

Staff recommends that the Commission **APPROVE** the permit application with special conditions.

MOTION:

I move that the Commission approve CDP No. 5-02-325 pursuant to the staff recommendation.

Staff recommends a **YES** vote. This will result in adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of Commissioners present.

RESOLUTION:

I. 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. 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. Conformance of Design and Construction Plans to Geotechnical Information

- A. All final design and construction plans, including grading, foundations, site plans, elevation plans, and drainage plans, shall be consistent with all recommendations contained in the Geotechnical Investigation prepared by Kleinfelder, Inc., and dated August 15, 2002. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the Executive Director's review and approval, evidence that the appropriate licensed professional has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the above-referenced geologic evaluation approved by the California Coastal Commission for the project site.
- B. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Drainage and Run-Off Control Plan

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicants shall submit, for review and approval of the Executive Director, a drainage and runoff control plan showing roof drainage and runoff from all impervious areas directed to dry wells or vegetated/landscaped areas. Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants which are non-invasive.
- B. The permittees 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 required.

3. 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.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION

1. Description

The applicant proposes the construction of a 23,657 square foot, two story, 45 feet high Cogeneration Building, 5,194 square foot, concrete cooling tower yard area, including four, 25 foot above finished grade cooling towers. The tower yard area is proposed to be surrounded by concrete walls that are 25 feet above finished grade (44 feet above mean sea level [MSL]) on three sides and 32 foot high above finished grade (51 feet above MSL). In addition, a 1,200 square foot concrete pad area for enclosure of Southern California Edison compatible equipment is proposed. Also proposed are: a conduit duct bank including water, gas, and waste piping to serve the cogeneration building, and, a second duct bank to accommodate electrical feeders necessary to convey the water and energy produced in the proposed structure for use in the hospital. The applicant has also proposed an acceptable landscaping plan which will adequately screen the proposed development from Coast Highway.

The proposed project would allow the applicant to harness naturally occurring, on-site methane gas to be used to produce electrical power and chilled water to augment the energy needs of the applicant, Hoag Hospital. The proposed Cogeneration Building would house the boiler room, steam absorption chiller room, electric chiller room, generator room, fan room, and generator control switchgear room. Immediately adjacent to the proposed Cogeneration Building would be the cooling tower yard, for the cooling towers associated with the chiller equipment.

Currently the methane gas is burned off via an on-site flare stack. This has been necessary to prevent accumulation of the combustible methane gas. The applicant is proposing the current project in order to put the naturally occurring gas to work, rather than simply burn it off.

The lot area of the subject site is 37,181 square feet. Of that total, 19,581 square feet will be covered by the footprint of the building. The remaining area is proposed as 3,600 square feet of paved area and 14,000 square feet of landscaped area. The surface material of the paved areas has not been identified. Pervious surface material is preferred in order to maximize on site infiltration of runoff. No separate site drainage plan has been submitted. Thus, no indication is given that site runoff will be directed to infiltration areas (such as landscaped areas or onsite drainage retention and infiltration areas) or that it will be treated prior to discharge from the site. Drainage from the subject site ultimately empties into the ocean. Thus as proposed, water quality will not be protected as required by Sections 30230 and 30231 of the Coastal Act. Therefore, a special condition is imposed which requires that the site drainage be retained on site to the maximum extent feasible, and any runoff that must leave the site be filtered prior to being discharged off site.

Also proposed is excavation of 15,200 cubic yards grading to recess portions of the project into the adjacent ascending slope area. A Geotechnical Investigation prepared for the proposed development by Kleinfelder, Inc., dated August 15, 2002 concludes:

"Based on the results of our field exploration, laboratory testing and geotechnical analyses conducted for this study, it is our opinion that construction of the proposed cogeneration building and cooling tower facility is geotechnically feasible as planned, provided the recommendations presented in this report are incorporated into the project design and construction."

To assure that the site is developed consistent with Section 30253 of the Coastal Act, which requires that risks be minimized, that the project neither create nor contribute significantly to erosion, geologic instability or destruction of the site or surrounding area, and that stability and structural integrity be assured, a special condition is imposed which requires that all final design and construction plans, including grading, foundations, site plans, elevation plans, and drainage plans, be consistent with all recommendations contained in the Geotechnical Investigation (August 15, 2002), prepared by Kleinfelder, Inc.

Of the proposed 15,000 cubic yards of grading, 14,800 will be exported off site. The applicant has indicated that the location of the disposal site is unknown at this time. A special condition is imposed that notifies the applicant that if the disposal site is located within the coastal zone, an amendment to this permit or a new coastal development permit is required.

2. Location

The subject site is located on the Lower Campus portion of the Hoag Hospital complex. It is not located between the sea and the first public road. The site is located on the inland side of West Coast Highway (State Route 1) just west of the intersection with Newport Boulevard (State Route 55).

3. Background

In addition, in 1994 the Commission took several actions addressing the area known as the Lower Campus portion of the Hospital. Those actions included approval of a Development Agreement between the City of Newport Beach and Hoag Hospital, approval of a Land Use Plan amendment addressing land use at the site (LCPA 1-93 Part B), and approval of a coastal development permit allowing the first phase of development of the Lower Campus area (5-93-253, Hoag). The proposed development is consistent with the approved Development Agreement and Land Use Plan Amendment.

The approved development agreement does not specify building locations or specific hospital related uses. Instead, a developable area is identified and certain development limitations set (such as height limits, use limits, etc.) The height limits (based on height above mean sea level) assure continuance of the views from the park above the Lower Campus area. The proposed development is consistent with development criteria included in the approved Planned Community District Regulations which are part of the approved development agreement.

Previously the Commission approved (coastal development permit 5-92-368 & 5-92-368A) the relocation of the flare stack used to burn off the naturally occurring methane gas. Coastal development permit 5-92-368 and amendment 5-92-368A which in addition to approving the relocation of the flare stack also approved a scrubber system to reduce the concentration of sulfur compounds being emitted and also allow the gas collected at the site to be purified and eventually put to use rather than simply being burned off.

B. Development

The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area, has been designed to assure structural integrity, and will avoid cumulative adverse impacts on public access. Therefore, the Commission finds that the development, as conditioned, conforms with Sections 30250, 30251, 30252, 30253 and the public access provisions of the Coastal Act.

C. Water Quality

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

D. LOCAL COASTAL PROGRAM

The LUP for the City of Newport Beach was effectively certified on May 19, 1982. The certified LUP was updated on January 9, 1990. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, 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.

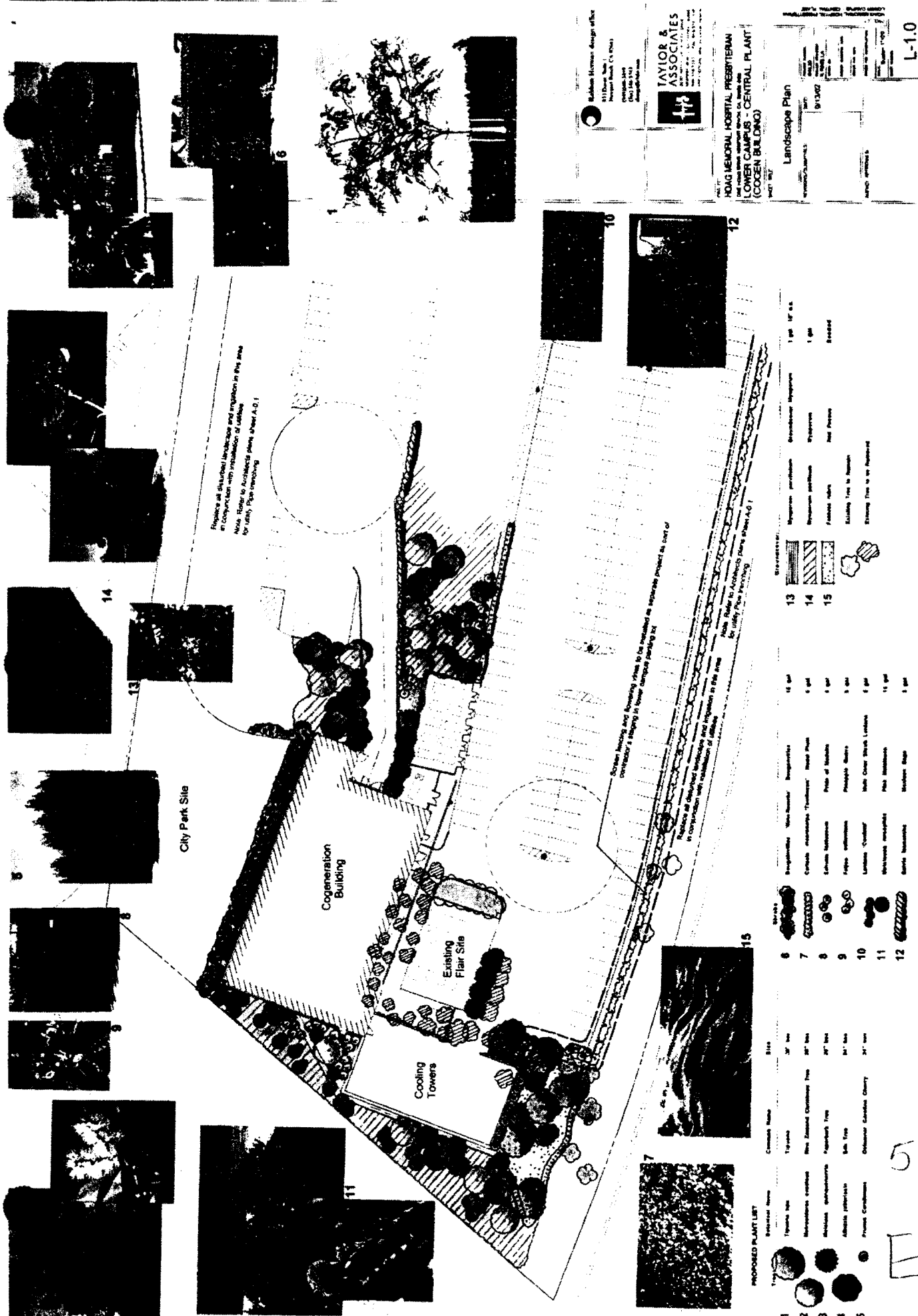
E. CALIFORNIA ENVIRONMENTAL QUALITY ACT

As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.



EXHIBIT NO. A
APPLICATION NO.
5-02-325
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VICINITY MAP



LANDSCAPE PLAN

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EXHIBIT C

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