

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA  
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# Wed 15e

Filed: 12/3/02  
49th Day: 1/21/03  
180th Day: 6/1/03  
Staff: LRO-SD  
Staff Report: 3/18/03  
Hearing Date: 4/8-11/03

REGULAR CALENDAR  
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-02-164

Applicant: University of California, San Diego (UCSD) Agent: Milt Phegley

Description: Construction of air-supported structure(s) to house Nuclear Magnetic Resonance (NMR) instrumentation consisting of either two, 80 ft. x 80 ft. structures or one, 80 ft. x 160 ft. structure (12,800 sq. ft. total), including removal of 105 parking spaces.

Lot Area	26,400 sq. ft.
Building Coverage	12,800sq. ft. (48%)
Pavement Coverage	1,200 sq. ft. ( 5%)
Landscape Coverage	12,400 sq. ft. (47%)
Zoning	Unzoned
Plan Designation	Academic
Ht abv fin grade	35 feet

Site: South side of Muir College Drive, approximately 525 feet east of North Torrey Pines Road, UCSD Campus, La Jolla, San Diego, San Diego County. APN 342-010-24

Substantive File Documents: University of California, San Diego "Draft" Long Range Development Plan

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STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

The staff recommends that the Commission approve the subject permit with conditions. The proposed development consists of the construction of an air-supported structure(s) to house Nuclear Magnetic Resonance (NMR) instrumentation resulting in the removal of 105 parking spaces. The primary issues raised by the proposed development relate to public access and water quality. To address water quality, all drainage will be directed through proposed landscaping. Relative to public access, while parking is being removed, adequate parking exists on campus to meet the needs of the new structure(s).

**I. PRELIMINARY STAFF RECOMMENDATION:**

The staff recommends the Commission adopt the following resolution:

**MOTION:** *I move that the Commission approve Coastal Development Permit No. 6-02-164 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 Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final plans for the proposed air-supported structure(s) depicting either one or two structures. Said plans shall be in substantial conformance with the plans by Hodges & Hodges Architects dated 10/15/02 submitted with this application.

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

2. Landscaping Plan. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a final landscaping plan for the review and written approval of the Executive Director. Said plan shall be in substantial conformance with the draft landscape plan submitted by Hodges & Hodges Architects dated 10/15/02, and shall including the following:

- a. A plan showing the type, size, extent and location of all trees/shrubs on the site.
- b. Drought tolerant native or non-invasive plant materials shall be utilized.

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

#### IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. The proposed development involves the construction of an air-supported structure to house Nuclear Magnetic Resonance (NMR) instrumentation at the University of California, San Diego. The project will consist of either two 80 ft. x 80 ft. structures or one 80 ft. x 160 ft. (a total maximum of 12,800 sq.ft.) structure. As the University has not yet decided whether the development will consist of either one or two structures, Special Condition No. 1 requires submittal of final plans for the proposed structure indicating the design alternative they have chosen. If two smaller structures are built, the first structure may be relocated from an existing site in the University Center area of the campus located outside of the coastal zone. In either case, the maximum height of the structure will be 35 feet and the structures will be surrounded by a chain link fence. The proposed structures, known as air-supported structures ("bubbles"), are proposed for biochemistry research. An "air-supported" structure is a tent-like structure which is inflated and supported by air over a concrete slab. Supporting equipment such as air compressors, air conditioning units and a nitrogen tank will be installed adjacent to the building(s) within the fenced area. The proposed structure(s) will be located in an area of the campus that is presently a parking lot. As such, in order to accommodate the proposed development, 105 parking spaces will be removed from the parking lot. The project site is located on the main part of the campus near the southeast corner of North Torrey Pines Road and Muir College Drive. The proposed structure(s) will be constructed on the south side of Muir College Drive at the northwest corner of Parking Lot #207.

The project site is within the Commission's area of permit jurisdiction. Thus, the standard of review is the Chapter 3 policies of the Coastal Act.

2. Visual Resources. Section 30251 of the Act states the following:

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,...

UCSD is a very large campus which is located within the geographic area of the community of La Jolla. While some portions of the campus are located nearshore (i.e., the Scripps Institution of Oceanography), other portions are located much further inland. For those areas of the campus that are nearshore, potential impacts on scenic views of the ocean are a concern. In addition, several of the streets that the campus adjoins are major coastal access routes and/or scenic roadways (as designated in the La Jolla-La Jolla Shores LCP Land Use Plan). In this particular case, the proposed new structure(s) are proposed to be located east of North Torrey Pines Road. The proposed structure will be located at the northwest corner of an existing parking lot. A separate parking lot is located between the proposed facility and North Torrey Pines Road (ref. Exhibit No. 3). In addition, visibility of the site is limited due to existing topography. Presently, there is an existing approximately 9-foot high berm immediately east of North Torrey Pines Road (between the road and subject site). Due to topography, according to the applicant, there are only two areas on North Torrey Pines Road where views of the structure occur for a brief moment. In addition, the structure will be well removed from North Torrey Pines Road. The structure will be a distance of between 550 to 600 feet away from North Torrey Pines Road making it less noticeable to passing motorists. Also, the applicant has indicated that there is landscaping, (i.e., Carrotwood trees in the parking lots) immediately west of the project site which provides effective screening of the proposed structure as viewed from the west. The trees are approximately 25 feet in height and are proposed to be retained through the proposed development. A landscape plan has been submitted with the proposed project which shows these trees along with other landscape elements in the project vicinity, which staff has found to be acceptable. Therefore, the proposed air-supported structures will not be readily visible from the major coastal access route to the west and a visual buffer already exists due to existing topography and vegetation and distance from the roadway.

In addition, given the location of the project site which is inland from the coast, no public views to the ocean will be affected. The proposed one-story buildings are 35 feet high and are much lower in height and scale than many of the other surrounding campus structures. To the north and east of the project site are other Extended Studies and Public Programs (ESPP) buildings (ref. Exhibit No. 2). The proposed structures are unique in their appearance as they are air-supported structures that resemble an inflated tent or bubble (ref. Exhibit No. 3). Coupled with the existing landscaping cited above, the proposed development will be visually compatible with surrounding development. Therefore, for all of the above reasons, the proposed structure will not result in any adverse impacts to visual resources or public views and will be visually compatible with the surrounding development, consistent with Section 30251 of the Act.

3. Public Access/Parking. Section 30252 of the Coastal Act states, in part:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation...

With respect to projects on UCSD's Main Campus, which is not between the sea and the first coastal roadway, nor within walking distance of shoreline recreational areas, the primary concern is maintaining free-flowing traffic on the major coastal access routes surrounding the campus. These include I-5, Genesee Avenue, North Torrey Pines Road and La Jolla Shores Drive. The Commission has taken the position that on-campus parking problems on the main campus are not a Coastal Act issue unless they result in spill-over effects within the surrounding off-campus area, particularly North Torrey Pines Road and La Jolla Shores Drive, which serve as major coastal access routes. In the case of the subject proposal, the proposed development will not have any such effect.

With regard to parking, the proposed structure(s) will be located in an area of the campus that is presently a parking lot. As such, in order to accommodate the proposed development, 105 parking spaces will be removed from the parking lot which presently contains 537 spaces. The University provides ongoing parking surveys with current information with each coastal development permit application documenting the adequacy of on-site campus parking. Presently, the total parking inventory on the UCSD campus is 15,396 parking spaces (as of Jan. 1, 2003). The latest occupancy numbers for the Fall 2002 quarter revealed that the overall occupancy rate at peak use was at 82%. In this particular case, although 105 parking spaces will be removed from the parking lot, parking for the new structure will be accommodated in Lots 207 and 208 and 435 (Pangea Parking structure). The Pangea parking structure is located 1,300 feet north of the project site and has 971 parking spaces. The parking structure has a maximum occupancy rate last spring of 86% and as such, there is a balance of 136 parking spaces available for use associated with the new air-supported structures(s) which will offset the loss of 105 parking spaces from Lot 207. As such, currently there is adequate parking to meet all existing uses on campus. Although it is difficult to determine an approximate parking ratio for the wide variety of campus uses and facilities, especially when a large percentage of students live on campus, there is no apparent shortage of parking to serve the University's existing and proposed needs. There is sufficient available parking space in the parking structures to provide for anticipated needs associated with the proposed structure(s).

Therefore, inasmuch as adequate parking will be provided for the new structure(s) and the proposed development will not result adversely impact public access or traffic circulation in the area, the Commission finds the proposed development consistent with the Chapter 3 policies of the Coastal Act addressing protection of public access.

4. Water Quality. Sections 30230 and 30231 address water quality and state the following, in part:

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored....

Section 30231

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, ....

The proposed project involves the construction of air-supported structure(s) to house Nuclear Magnetic Resonance (NMPR) instrumentation. The project will consist of two 80 ft. x 80 ft. (6,400 sq.ft.) structures or one 80 ft. x 160 ft. (12,800 sq.ft.) structure. As the new structures will be located in an existing parking lot, no new impervious surface will be created. The site is also well inland of the ocean. Although a detailed landscape plan has not been submitted with the subject application, the conceptual plan indicates that there is both existing landscaping and new landscaping proposed around the perimeter of the proposed structure(s). The applicant has not identified the plant species that will be used in the landscaping. Irrigation and use of fertilizers and pesticides can cause polluted runoff, therefore Special Condition No. 2 requires submittal of a final landscape plan that requires the use of drought-tolerant native or non-invasive plant species. Runoff from the new structure(s) will be directed through this landscaping. Existing runoff from the project site will also remain unchanged and will continue to be directed toward proposed landscaped areas adjacent to the structures. Therefore, the Commission finds the proposed development, as conditioned, consistent with the water and marine resource policies 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. The University of California campus is not subject to the City of San Diego's certified Local Coastal program (LCP), although geographically the Scripps Institution of Oceanography (SIO) campus is within the La Jolla Shores segment or the City's LCP. UCSD does, however, have the option of submitting an LRDP for Commission review and certification.

While UCSD has submitted a draft LRDP, its EIR and topographic maps to the Commission staff informally, as an aid in analyzing development proposals, the Coastal Commission has not yet formally reviewed the LRDP, and the University has not indicated any intention of submitting the LRDP for formal Commission review in the

future. The proposed structure is consistent with the University's draft LRDP to accommodate campus growth.

As stated previously, Chapter 3 policies of the Coastal Act are the standard of review for UCSD projects, in the absence of a certified LRDP. Since the proposed development, as conditioned, has been found consistent with all applicable Chapter 3 policies, the Commission finds that approval of the proposed project, will not prejudice the ability of UCSD to prepare a certifiable Long Range Development Plan for its campus.

6. 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, 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 Chapter 3 policies of the Coastal Act. Mitigation measures, including conditions addressing 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 is 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.

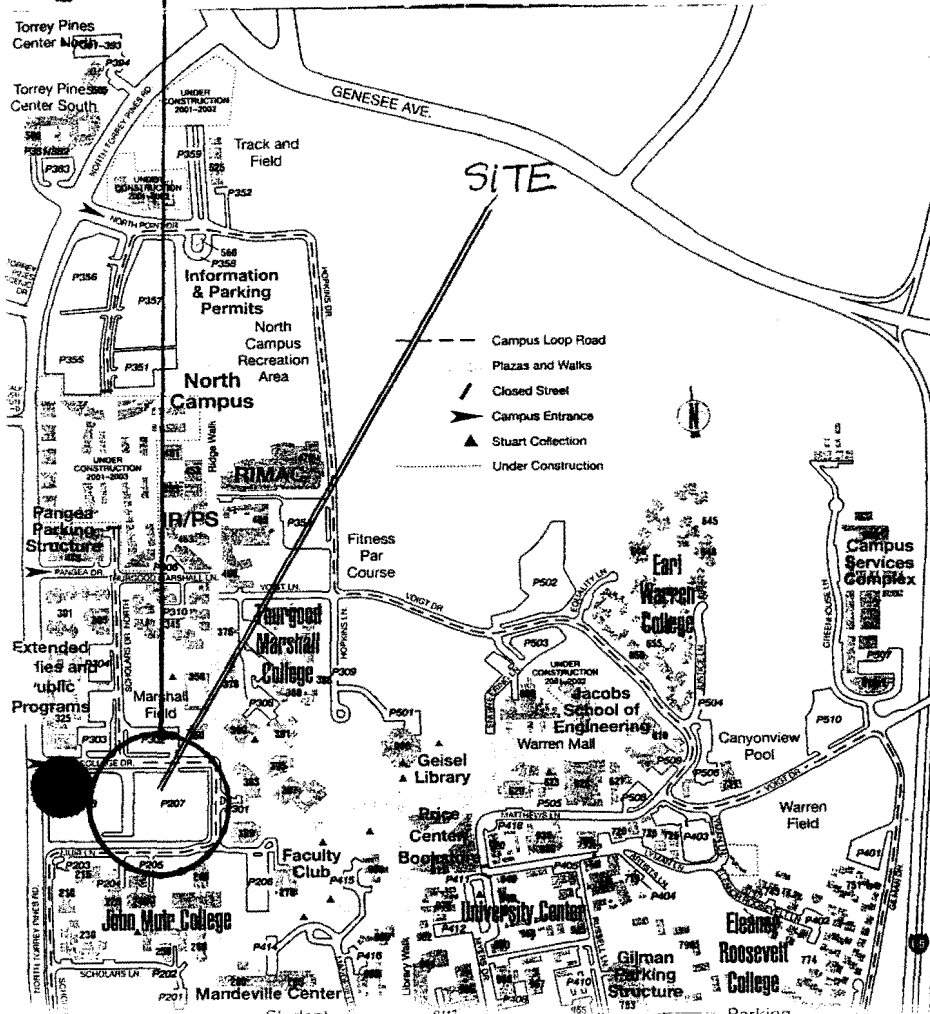
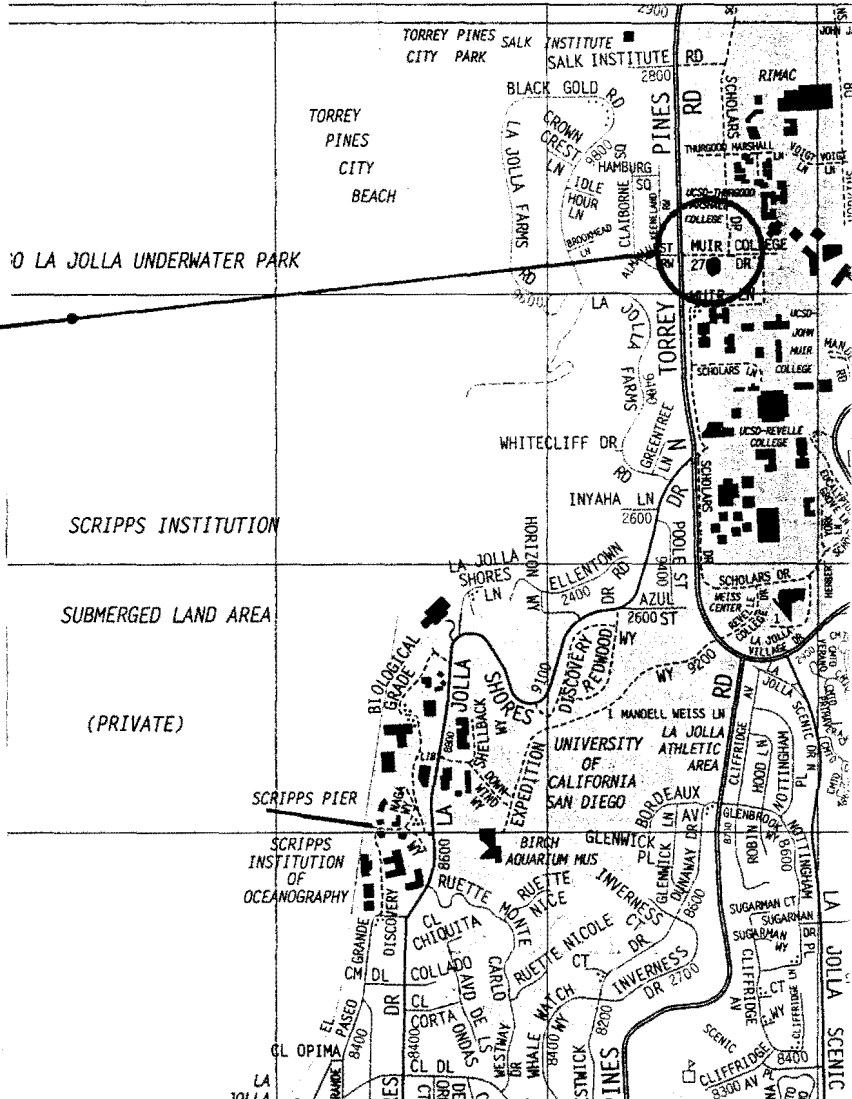
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

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TO LA JOLLA UNDERWATER PARK

SITE



- Campus Loop Road
- Plazas and Walks
- Closed Street
- ▶ Campus Entrance
- ▲ Stuart Collection
- ..... Under Construction



EXHIBIT NO. 1  
 APPLICATION NO.  
**6-02-164**  
 Location Map



NORTH TORREY PINES ROAD



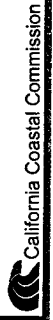
93.0

550 FEET

MUIR COLLEGE DRIVE

EXHIBIT NO. 3  
APPLICATION NO.  
**6-02-164**

Proximity of Project  
Site to North Torrey  
Pines Road



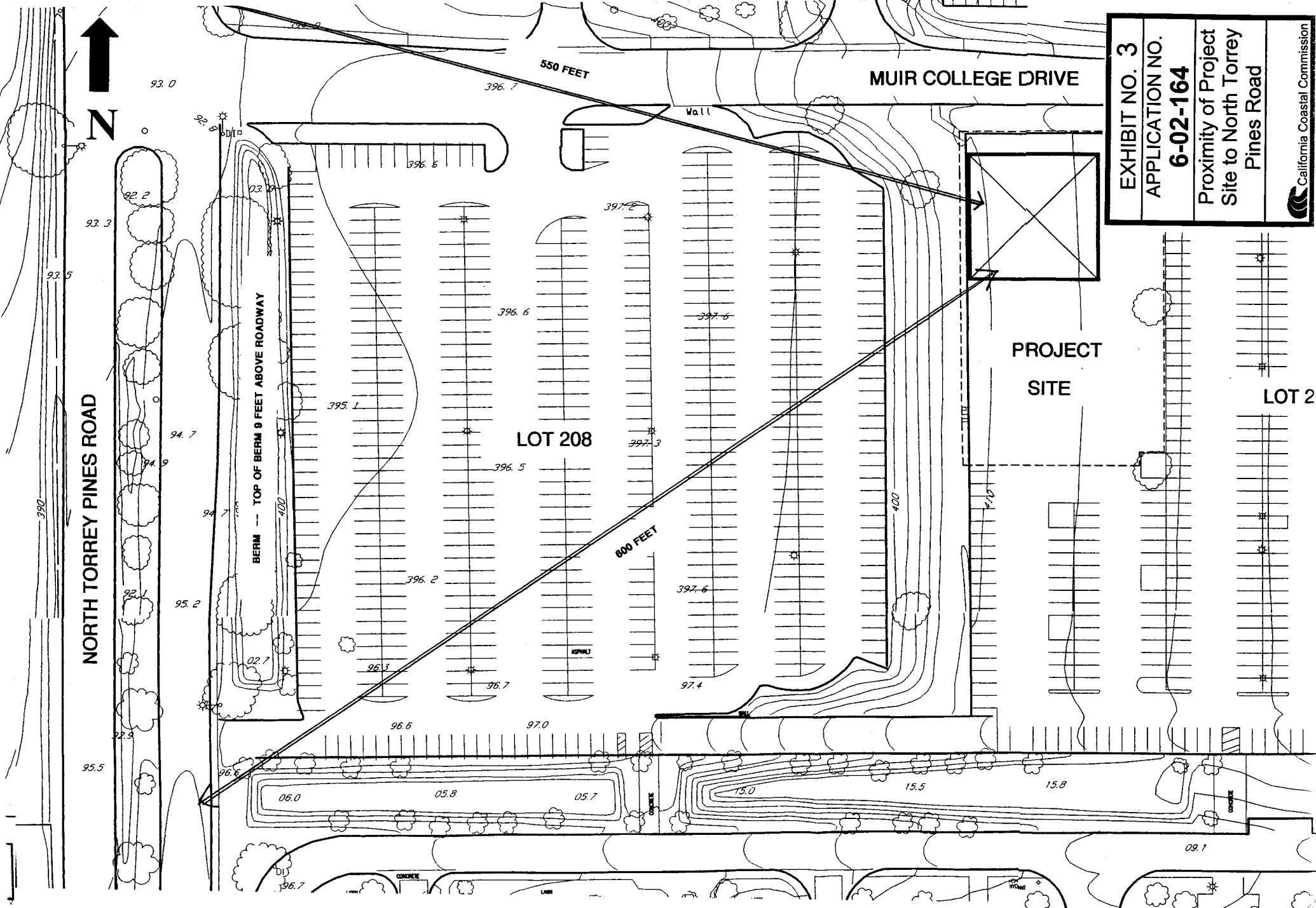
PROJECT  
SITE

LOT 20

LOT 208

800 FEET

BERM -- TOP OF BERM 9 FEET ABOVE ROADWAY



395.1

396.6

397.6

397.2

396.7

396.6

397.3

396.5

397.6

94.7

94.9

94.7

95.2

92.7

96.3

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96.6

97.0

06.0

05.8

05.7

15.0

15.5

15.8

09.1

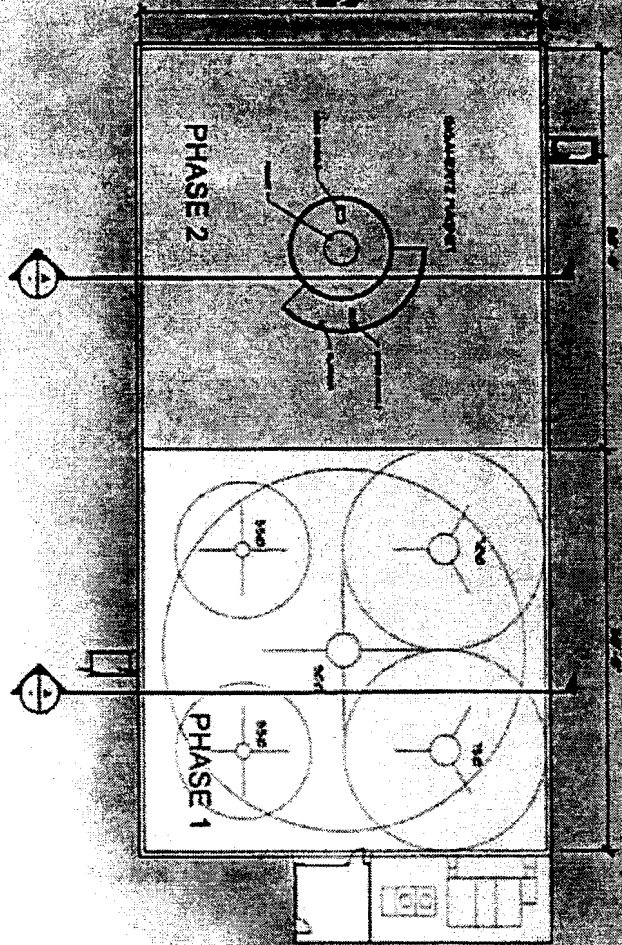
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CONCRETE

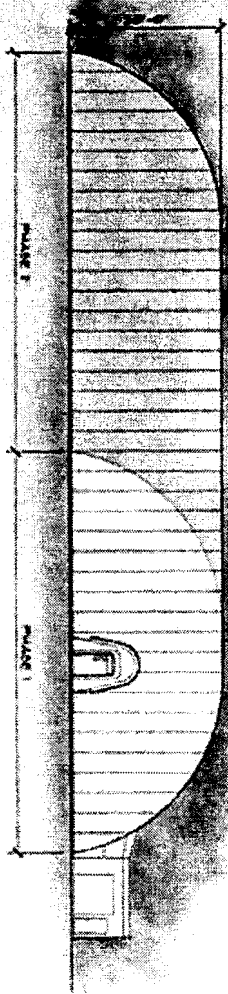
LAWN

CONCRETE

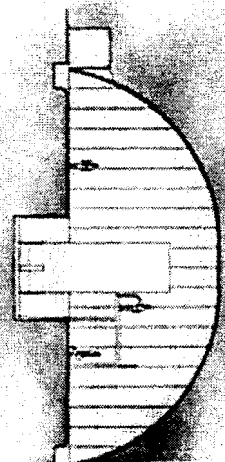
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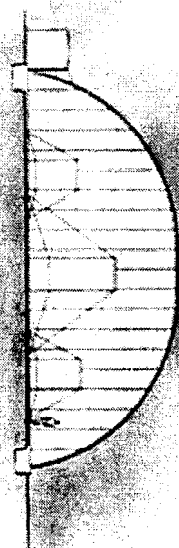
**FLOOR PLAN**  
SCALE: 1/8" = 1'-0"



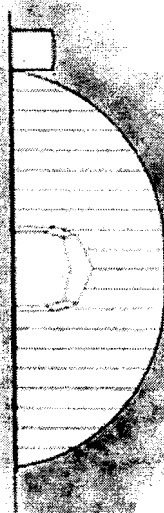
**SIDE ELEVATION**  
SCALE: 1/8" = 1'-0"



**SECTION B**  
SCALE: 1/8" = 1'-0"



**SECTION A**  
SCALE: 1/8" = 1'-0"



**END ELEVATION**  
SCALE: 1/8" = 1'-0"

**PROTEOME NMR IMAGING AND SPECTROSCOPY CENTER**



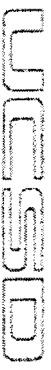
UNIVERSITY OF CALIFORNIA, SAN DIEGO



EXHIBIT NO.  
APPLICATION NO.  
**6-02-164**  
Elevations



PROTEOME NMR IMAGING AND SPECTROSCOPY CENTER



UNIVERSITY OF CALIFORNIA, SAN DIEGO

EXHIBIT NO. 5  
APPLICATION NO.  
**6-02-164**  
Plan View  
(In Concept)

