

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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Staff: BP-SD
Staff Report: 10/28/04
Hearing Date: 11/17-19/04

REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-04-59

Applicant: Anastasi Development Company Agent: Planning Systems

Description: Subdivision of a 5.33-acre property and construction of 33 condominium units all 2,233 sq. ft. with attached 2-car garages. Also proposed is approximately 4,800 cubic yards of grading, 19 guest parking spaces, landscape and drainage improvements, offsite improvements to Harrison Street and vacation of a public street (Locust Avenue).

Site: 4120 Harrison Street, Carlsbad (San Diego County) APN 210-010-38

Substantive File Documents: Certified Agua Hedionda Land Use Plan, Mitigated Tentative Tract Map CT 02-18, Condominium Permit CP 02-10, Site Development Plan SDP 03-03, Coastal Development Permit CDP 03-35, and Hillside Development Permit HDP 02-09

STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the proposed project subject to special conditions. Because of the site's proximity to Agua Hedionda Lagoon (just over 300 feet away), the development raises potential concerns regarding water quality and visual resources. The subject site is located on the hillside overlooking Agua Hedionda Lagoon and is very visible from several public areas including I-5 and the south shore of the lagoon. To address potential visual issues, for that portion of the development most visible from offsite public areas (south facing frontage), the applicant has proposed a "stepped-back" building design and augmented landscaping. In addition to further reduce the project's visual impact, staff recommends that the buildings be colored utilizing earth tone colors. Regarding protection of water quality, the applicant has proposed a revised water quality plan at the request of Commission water quality staff to ensure that project runoff entering the lagoon will be contaminant free. To further protect the lagoon from erosion and sedimentation impacts, a rainy season restriction on grading is proposed by staff. A deed restriction is recommended to ensure the Commission's requirements are part of the

public record in perpetuity. As recommended, the proposed development is consistent with Chapter 3 policies of the Coastal Act.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 6-04-59 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 THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final site, building and elevations plans as well as all off-site improvements, approved by the City of Carlsbad, which shall be in substantial conformance with the preliminary plans submitted by the applicant, dated received July 31, 2004 by O'Day Consultants.

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 an amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Disposal of Graded Spoils. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall identify the location for the disposal of graded spoils. If the site is located within the coastal zone, a separate coastal development permit or permit amendment shall first be obtained from the California Coastal Commission or its successors in interest.

3. Exterior Treatment. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and written approval of the Executive Director, a color board or other indication of the exterior materials and color scheme to be utilized in the construction of the proposed units. This document shall comply with the following requirements:

- a. The color of the proposed units and roofs shall be restricted to colors compatible with the surrounding environment (earth tones) including shades of green, brown, and gray, with no white or light shades and no bright tones except as minor accents.

The permittee shall undertake the development in accordance with the approved colors and building materials. Any proposed changes to the approved colors and/or building materials shall be reported to the Executive Director. No changes to the approved colors or building materials shall occur without a Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

4. Deed Restriction. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

5. Grading/Erosion Control. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and written approval, final grading and erosion control plans that have been approved by the City of Carlsbad. The approved plans shall incorporate the following requirements:

- a. No grading activities shall be allowed during the rainy season (the period from October 1st to March 31st of each year). All disturbed areas shall be replanted immediately following grading and prior to the beginning of the rainy season.
- b. The permittee shall submit a grading schedule to the Executive Director demonstrating compliance with the above restriction.
- c. All permanent runoff and erosion control devices shall be developed and installed prior to or concurrent with any on-site grading activities. All areas disturbed, but not completed, during the construction season, including graded pads, shall be stabilized in advance of the rainy season. The use of temporary erosion control measures, such as berms, interceptor ditches, sandbagging, filtered inlets, debris basins, and silt traps shall be utilized in conjunction with plantings to minimize soil loss during construction.
- d. Landscaping shall be installed on all cut and fill slopes prior to October 1st with temporary or permanent (in the case of finished slopes) erosion control methods. Said planting shall be accomplished under the supervision of a licensed landscape architect, shall provide adequate coverage within 90 days, and shall utilize vegetation of species compatible with surrounding native vegetation (no invasive species), subject to Executive Director approval.

The permittee shall undertake development in accordance with the approved grading and erosion control plans. Any proposed changes to the approved grading and erosion control plans or grading schedule 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.

6. Revised Landscape Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final revised landscape plans which indicate that proposed landscaping shall consist of native drought-tolerant plant materials. No invasive species are permitted. Said plans shall be approved by the City of Carlsbad and developed in consultation with the California Department of Fish and Game and contain written notes stating and/or providing the following requirements:

- a. The plan shall indicate the type, size, extent and location of all plant materials, the proposed irrigation system and other landscape features on the site.

- b. Special emphasis shall be placed on screening the site from views from the south. The number of canopy trees along the south-facing frontage shall not be less than eighteen (18). All proposed canopy trees shall be a minimum 24-inch box size.
- c. A planting schedule that indicates the planting plan will be implemented and completed within 60 days of completion of the residential construction.
- d. A written commitment by the applicant that all required plantings will be maintained in good growing condition, and whenever necessary, will be replaced with new plant materials to ensure continued compliance.
- e. A written commitment by the applicant that five years from the date of the receipt of the Certificate of Occupancy for the residence, the applicant will submit for the review and written approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that certifies whether the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or a qualified Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

The permittee shall undertake development in accordance with the approved landscaping plans. Any proposed changes to the approved landscaping 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 legally required.

7. Water Quality. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for review and written approval of the Executive Director, a final water quality Best Management Practices (BMPs) program approved by the City of Carlsbad which is in substantial conformance with the provisions of the proposed Water Resources Technical Report ("water quality plan") prepared by O'Day Consultants, dated September, 2004, and in addition shall include the following:

1. Repair and re-connection of the existing storm drain at Harrison Street that discharges into existing rip rap adjacent to the lagoon.

2. Pervious pavement (UNI ECO – Stone (or approved equal) shall be used for all open parking spaces.
3. The on-site vegetated swale shall have a longitudinal slope no greater than 2.5%.
4. Check dams shall be added at each step in the vegetated swale to increase the detention time to a minimum of 10 minutes for the flow based BMP intensity of 0.2 in/hr.
5. Required street sweeping shall be performed pursuant to protocol in the street maintenance fact sheet (SC-70).
6. Vegetated swale maintenance shall be performed pursuant to protocol in the fact sheet (TC-30).

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

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/History. Proposed is the subdivision of a 5.33-acre property and construction of 33 condominium units all 2,233 sq. ft. with attached 2-car garages. Also proposed is approximately 4,800 cubic yards of grading, 19 guest parking spaces and landscape and drainage improvements. The site is located at 4120 Harrison Street in Carlsbad. A centralized outdoor active recreation area, including a swimming pool, and open active areas for volleyball and lawn bowling are proposed. The proposed project also includes off-site street improvements to Harrison Street, including the south side at the “bend”. Locust Street, an unimproved publicly dedicated street that runs east and west between Adams Street and Harrison Street, is to be vacated.

The site is an accumulation of eight existing previously developed lots; an abandoned single-family structure with detached garage and two abandoned foundation slabs remain and will be removed for site preparation. The site also has .3 acres of a remnant avocado grove. The property is relatively flat, but slopes downward gradually from north to south to a more steeply sloping portion at the south end. Vehicular access to the project is via private driveways with three separate entrances off of Harrison Street, Locust Street, and Chinquapin Avenue.

Off-site to the north, across Chinquapin Avenue are three existing apartment complexes.

Another apartment complex, a condominium project, and several single-family homes also exist to the west of the subject property across Harrison Street.

The site is split between two segments of the Carlsbad LCP. The northerly half is located within the Mello II segment, which was certified in 1981, and the City of Carlsbad has issued discretionary permits (including a coastal development permit) for this portion of the project. The southerly half of the property, starting at Locust Avenue, is located within the Agua Hedionda segment. The Commission certified the Agua Hedionda Land Use Plan in 1988. However, the Agua Hedionda segment remains as a deferred certification area until an implementation plan is certified. Thus, permit authority remains with the Commission, and Chapter 3 of the Coastal Act is the standard of review, with the certified Agua Hedionda Land Use Plan used for guidance.

The entire project is for 78 units and 183 parking spaces with 12,300 cubic yards of grading. A condition of the City-issued CDP requires approval of a coastal development permit from the Coastal Commission for that portion of the project within the Agua Hedionda LCP segment. The Commission's jurisdiction includes the entire subdivision and the physical improvements within its jurisdiction (i.e., improvements south of Locust Avenue within the Agua Hedionda Lagoon LCP segment).

2. Visual Resources. Section 30251 of the Coastal Act provides for the protection of scenic coastal resources, and 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.

As noted, the project site is just over 300 feet north of the north shore of the lagoon on a gradually rising hillside. Several single family dwellings and Snug Harbor, a commercial recreational water oriented facility on the shoreline, are located between the lagoon and the project site so the project can be described as "infill" development. There is a mix of single and multi-family development in the area of similar size and scale as the proposed development and thus, the project would not be out of character with existing development in the area. Proposed grading within the Commission's jurisdiction is minimal (4,800 cubic yards some of which is export) and no significant landform alteration would occur. Special Condition #2 requires the export site be identified. No fill is proposed to raise the grade beneath the most visible buildings fronting Harrison Street near the site's southern boundary. However, the project site is highly visible to motorists traveling northbound on I-5 based on its hillside location. The proposed 35-foot high buildings would present a wall of development as seen from I-5 which is designated as a scenic highway in the Carlsbad LCP. The peak elevation of the buildings will be approximately 28 feet above the elevation of I-5. The project site is also highly visible from the south side of Agua Hedionda Lagoon which is currently undeveloped but

includes lands designated for visitor serving uses. Thus, the project adds to the cumulative adverse visual impacts of development in this area.

To partially mitigate the project's visual impacts, the 35-ft. high buildings are "stepped-back" to follow the topography of the site. The stepped-back building design reduces the visual impact as viewed from I-5 and the south shore of the lagoon. Additionally, the roof slopes are oriented in the same direction as the slope. To address concerns raised by Commission staff, the landscaping plan has been augmented to include eighteen 24-inch and 36-inch box evergreen trees proposed for south facing units fronting Harrison Street. The proposed trees will reach 25-feet to 40-feet high at maturity and should provide enough height to help break-up the building facades and screen the project from important public views. The goal of the landscaping is to significantly screen the project from I-5 upon maturity of the trees. However, the landscaping plan proposes some non-native invasive vegetation (palms, myoporum) which could adversely affect native vegetation in the area near the shoreline through species migration. Special Condition #6 requires a revised landscaping plan indicating that native drought-tolerant and non-invasive plants are installed to avoid potential indirect adverse effects to nearby sensitive resources. The landscaping plan must also be developed in consultation with the California Department of Fish and Game to assure appropriate species are proposed. To further reduce the project's visual impact, Special Condition #3 requires exterior building materials and color schemes visually consistent with the surrounding environment utilizing earth tone colors and materials. Special Condition #4 requires the recordation of a deed restriction identifying the Commission's permit requirements in perpetuity.

While the project site will be visible from off-site public locations, with the provision of stepped-back building design, augmented landscaping and color treatment, as proposed and required, potential visual impacts associated with the proposed development will be reduced to the maximum extent feasible. Therefore, as conditioned, the Commission finds the proposed project is consistent with Section 30251 of the Coastal Act.

3. Public Access/Traffic/Parking. Section 30250 (a) of the Coastal Act requires, in part:

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

Section 30252 of the Act states:

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, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

The Coastal Act requires that public access/circulation be maintained so that coastal visitors can have access to the shoreline. The project site is not located along the shoreline or between the first public road (Adams Street) and the lagoon. However, it does border on streets as described below that can affect shoreline access. The traffic report submitted by the applicant indicates the project would generate 624 average daily trips and 62 peak hour trips and that project generated traffic will use Harrison Street, Chinquapin Avenue and Adams Street. Adams Street is the first public road in the Agua Hedionda Lagoon area and as such, is an important coastal route. Although Harrison Street and Chinquapin Avenue are inland local streets, they connect with Tamarack Avenue which is designated as a major coastal access route in the Carlsbad LCP and leads to a nearby heavily used public parking lot on the beach. The traffic study analyzed the project's circulation impacts at several key intersections and street segments within the project area and found the project would not result in a reduced level of service on said streets or intersections given the required offsite improvements. Improvements will be made along the frontage on Harrison Street and Chinquapin Avenue. Ten feet will be dedicated to Harrison Street and it will be improved to "half street plus 12-feet," which allows for full improvements on the project side, and an improved 12-foot travel lane on the opposite travel side. The City found that with the improvements no adverse cumulative circulation impacts would occur in the area.

As noted, the project proposes the vacation of a portion of Locust Street between Adams Street and Harrison Street (about 475 feet). The City approved the street vacation because Locust Street is not a circulation element roadway and is not required for local circulation. This street does not provide direct access to the lagoon or Tamarack Avenue and its vacation would not adversely affect public access/circulation in the area.

Regarding parking, each of the units has a 2-car garage and the project includes guest parking, consistent with the City's parking ordinance. Based on the above discussion, the Commission finds the project would not result in unacceptable traffic/parking/circulation impacts that would adversely affect public access to or from the coast. Therefore, the Commission finds the proposed residential development is consistent with the cited Coastal Act policies.

4. Water Quality. The following Coastal Act policies addressing water quality are most applicable to the subject proposal, and state, in part:

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored...Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters....

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum population 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 wastewater discharges and entrainment

The project site is located on the north shore of Agua Hedionda Lagoon just over 300 feet from the lagoon, a CWA Section 303(d) listed impaired water body. Agua Hedionda Lagoon has been identified by the State Department of Fish and Game as one of the 19 highest priority wetland areas for acquisition and, as such, is referenced in Section 30233(c) of the Coastal Act. Also, Agua Hedionda Land Use Element Policy 5.10 provides that projects comply with the Carlsbad Municipal Code Stormwater Management and Discharge Control Ordinance, applicable NPDES standards and Best Management Practices (BMP) procedures.

The project site drains from its higher elevations to the north to its lower elevations to the south. The project hydrology report indicates that all runoff is controlled onsite by draining to a vegetated swale/detention basin which is located along the site's southern boundary adjacent to Harrison Street. From the detention basin, the runoff is filtered through vegetation and then is conveyed into existing storm drain facilities under Harrison Street. The detention basin is designed so no overall off-site increase in velocity of runoff occurs over pre-development levels. The runoff is ultimately discharged into a rock energy dissipater located near the north shore of the lagoon.

The City conditioned the project to implement Best Management Practices, a Storm Water Management Plan and limit grading to the dry season to reduce potential sedimentation and pollutants from entering the lagoon to a level of insignificance. The City found no significant residual chemical or pesticide residues are expected from the abandoned avocado grove, as avocado groves do not require a significant use of pesticides or chemical for production. The proposed storm water quality management plan indicates BMPs will be applied in two phases of the project. Phase 1 will be "construction" and includes a detailed plan and procedure. Phase 2 will be "post construction" and also includes a detailed plan and procedure. The Commission's water quality staff has reviewed the plan and recommends revisions. The following BMPs are required pursuant to Special Condition #7 in response to comments by the Commission's water quality staff: repair and re-connection of the storm drain that discharges into existing rip rap adjacent to the lagoon; conversion of open parking spaces from A.C.

paving to pervious pavement; redesign of vegetated swale at the southern boundary to have a longitudinal slope no greater than 2.5%.; add check dams at each step in the vegetated swale to increase the detention time to a minimum of 10 minutes (for the flow based BMP intensity of 0.2 in/hr); conformance with the street sweeping protocol in the street maintenance fact sheet (SC-70); conformance with vegetated swale maintenance provisions contained in fact sheet (TC-30). With these proposed BMPs and the City required BMPs, the Commission's water quality staff determined that water quality issues for the development are adequately addressed.

Because of the site's proximity to the lagoon, there is a concern that grading during the rainy months could result in off-site sedimentation impacts to the lagoon. To address this concern, Special Condition #5 requires grading and erosion control plans indicating no grading will occur during the rainy season. The Commission finds the project, as conditioned, is consistent with sections 30230 and 30231 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. In this case, such a finding can be made.

The project is being proposed at a density of 14.7 units per acre which includes 10 "very affordable" for sale units. The LCP land use designation of Residential Medium High density (RMH) allows densities to range from 8 to 15 units per acre in this designation. Therefore, project density is consistent with the LCP.

The project site, at Locust Avenue, is bisected by the Mello II and Agua Hedionda Segment boundaries of the Local Coastal Program. The southerly portion is within the Agua Hedionda Segment, an area of Deferred Certification. The northern Mello II section is within the City's coastal permit jurisdiction. As conditioned herein, the proposed project is consistent with Chapter 3 policies of the Coastal Act and applicable policies of the certified Agua Hedionda LUP and will not prejudice the ability of the City of Carlsbad to obtain a certified LCP for this area.

6. 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 that the activity may have on the environment.

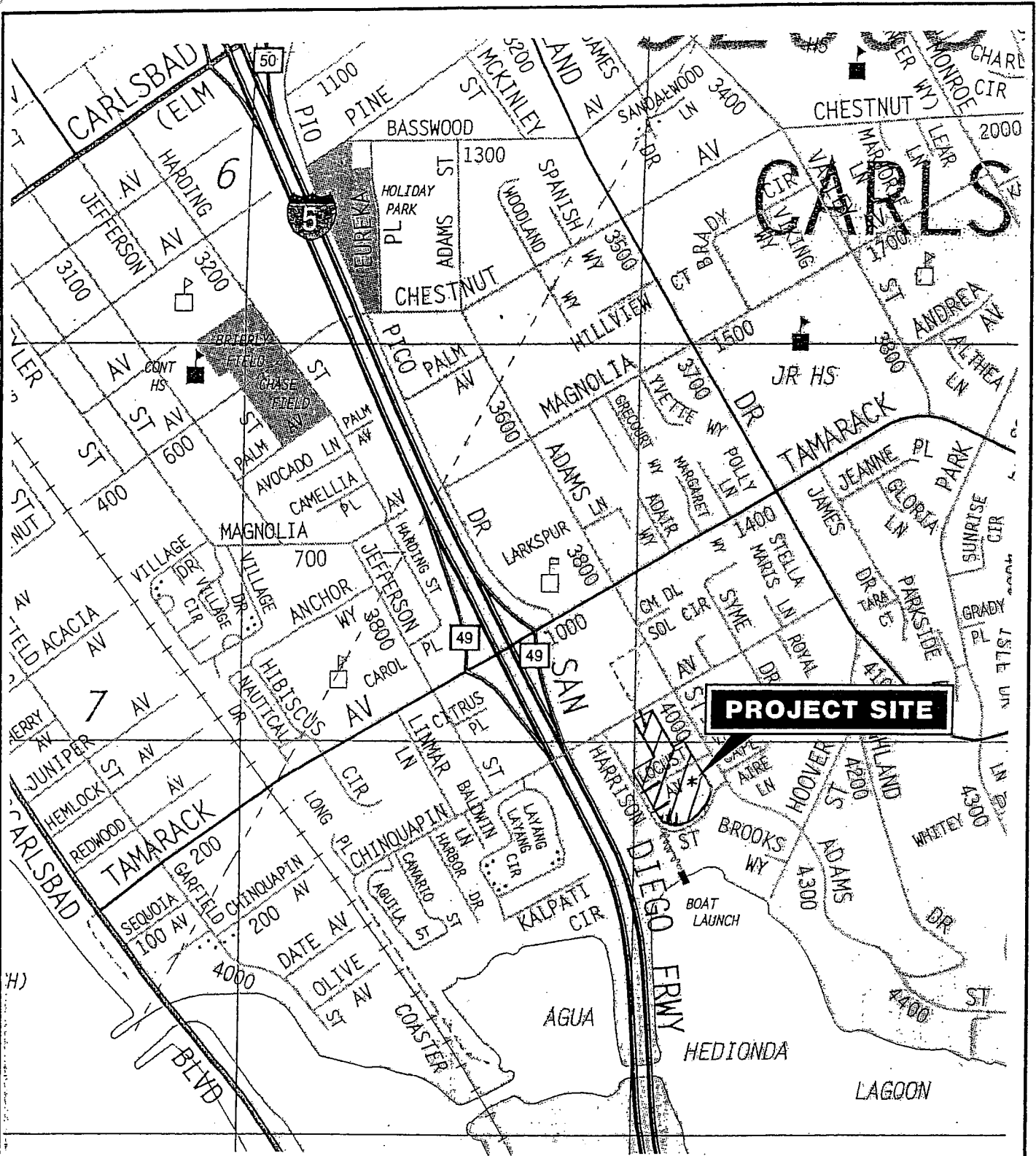
As conditioned herein the proposed project is consistent with the visual resources and water quality policies of the Coastal Act. The mitigation measures addressing the above and recommended herein, will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available

which would substantially lessen any significant adverse impact that 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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SOURCE: Thomas Bros. Maps

**LINSCOTT
LAW &
GREENSPAN**

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| EXHIBIT NO. 1 |
| APPLICATION NO. |
| 6-04-059 |
| Location Map |

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GENERAL NOTES:

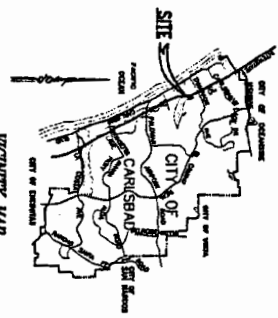
- 1. ALL DISTANCES ARE TO BE MEASURED AS SHOWN ON THIS PLAN.
- 2. THE CENTERLINE OF ALL ALLEYS SHALL BE 10 FEET WIDE.
- 3. THE CENTERLINE OF ALL STREETS SHALL BE 40 FEET WIDE.
- 4. THE CENTERLINE OF ALL DRIVEWAYS SHALL BE 10 FEET WIDE.
- 5. THE CENTERLINE OF ALL SIDEWALKS SHALL BE 5 FEET WIDE.
- 6. THE CENTERLINE OF ALL CURBS SHALL BE 3 FEET WIDE.
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- 30. THE CENTERLINE OF ALL CURBS SHALL BE 3 FEET WIDE.

EXISTING EASEMENTS:

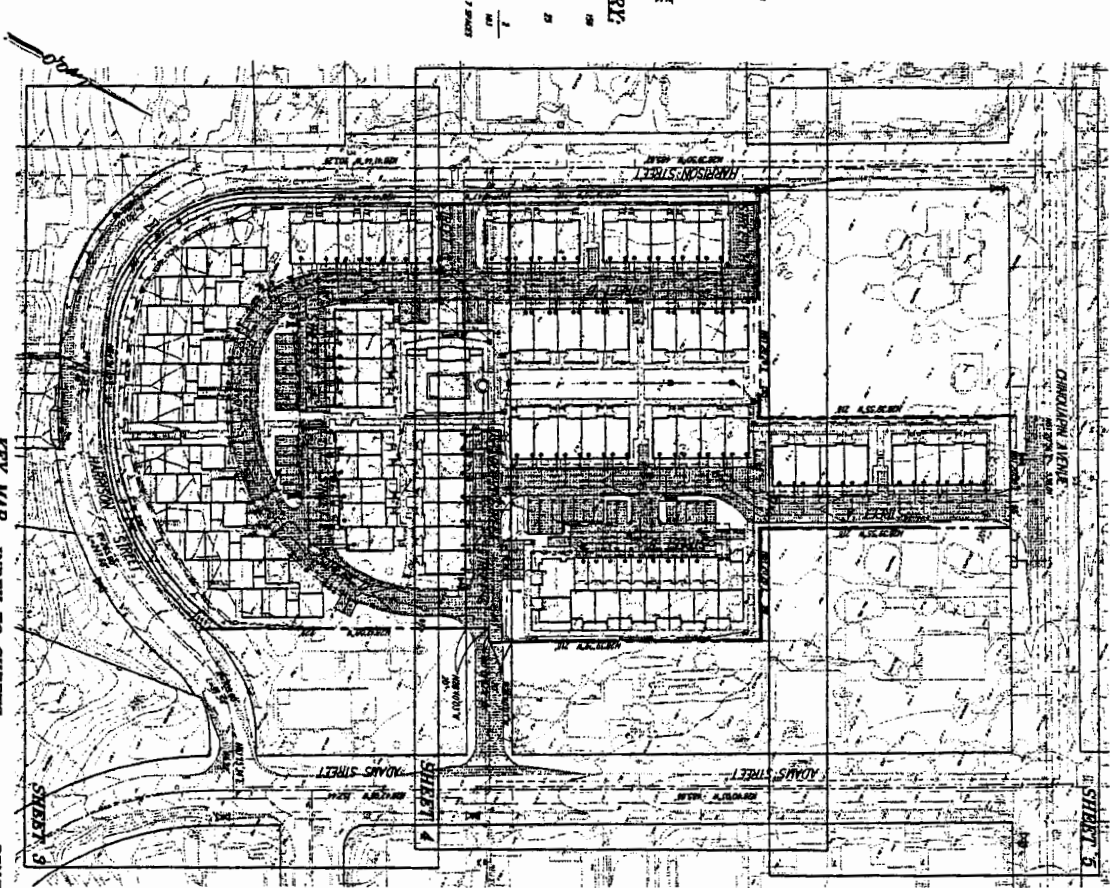
- 1. ALL EASEMENTS ARE TO BE MAINTAINED AS SHOWN ON THIS PLAN.
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- 19. THE CENTERLINE OF ALL DRIVEWAYS SHALL BE 10 FEET WIDE.
- 20. THE CENTERLINE OF ALL SIDEWALKS SHALL BE 5 FEET WIDE.
- 21. THE CENTERLINE OF ALL CURBS SHALL BE 3 FEET WIDE.
- 22. THE CENTERLINE OF ALL DRIVEWAYS SHALL BE 10 FEET WIDE.
- 23. THE CENTERLINE OF ALL SIDEWALKS SHALL BE 5 FEET WIDE.
- 24. THE CENTERLINE OF ALL CURBS SHALL BE 3 FEET WIDE.
- 25. THE CENTERLINE OF ALL DRIVEWAYS SHALL BE 10 FEET WIDE.
- 26. THE CENTERLINE OF ALL SIDEWALKS SHALL BE 5 FEET WIDE.
- 27. THE CENTERLINE OF ALL CURBS SHALL BE 3 FEET WIDE.
- 28. THE CENTERLINE OF ALL DRIVEWAYS SHALL BE 10 FEET WIDE.
- 29. THE CENTERLINE OF ALL SIDEWALKS SHALL BE 5 FEET WIDE.
- 30. THE CENTERLINE OF ALL CURBS SHALL BE 3 FEET WIDE.

PARKING SUMMARY:

| | | |
|----------|----------|-----------------------|
| TYPE | QUANTITY | LOCATION |
| STREET | 10 | ALONG CHANDLER AVENUE |
| DRIVEWAY | 20 | ALONG DRIVEWAYS |
| TOTAL | 30 | |



KEY MAP



KEY MAP INDEX TO SHEETS:

BENCHMARK

LEGAL DESCRIPTION:

OWNER

DEVELOPER:

CIVIL ENGINEER/LAND SURVEYOR:

LEGAL DESCRIPTION:
 LOT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

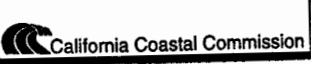
OWNER:
 TENTA HOLDINGS, INC.
 10000 TENTA DRIVE
 CARLSBAD, CA 92008

DEVELOPER:
 TENTA HOLDINGS, INC.
 10000 TENTA DRIVE
 CARLSBAD, CA 92008

CIVIL ENGINEER/LAND SURVEYOR:
 O'DAY CONSULTANTS, INC.
 10000 TENTA DRIVE
 CARLSBAD, CA 92008

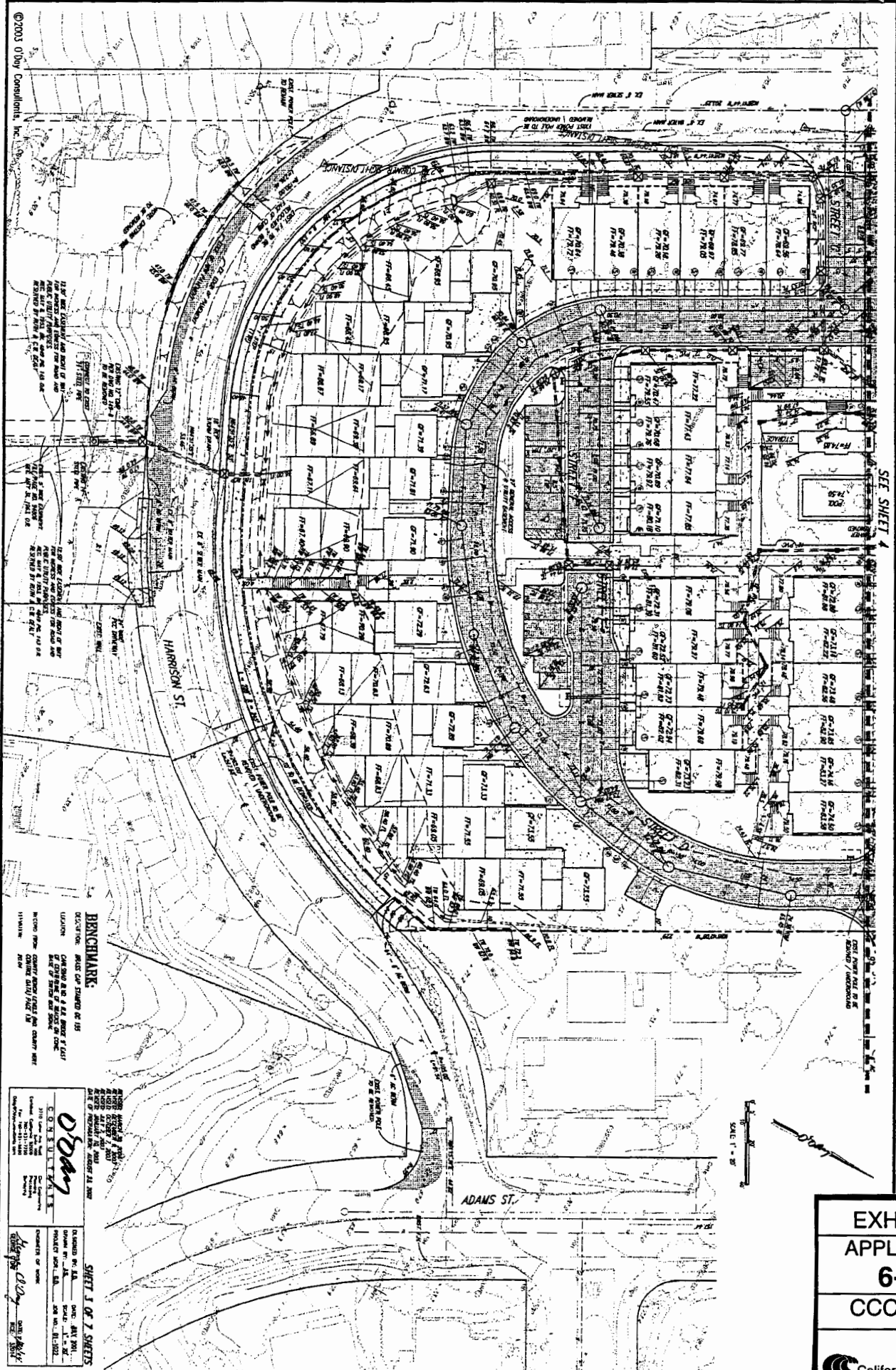
TENTA HOLDINGS, INC.
 THE BUFFS

EXHIBIT NO. 2
 APPLICATION NO.
 6-04-059
 Entire Subdivision



©2003, O'Day Consultants, Inc.

SEE SHEET 4

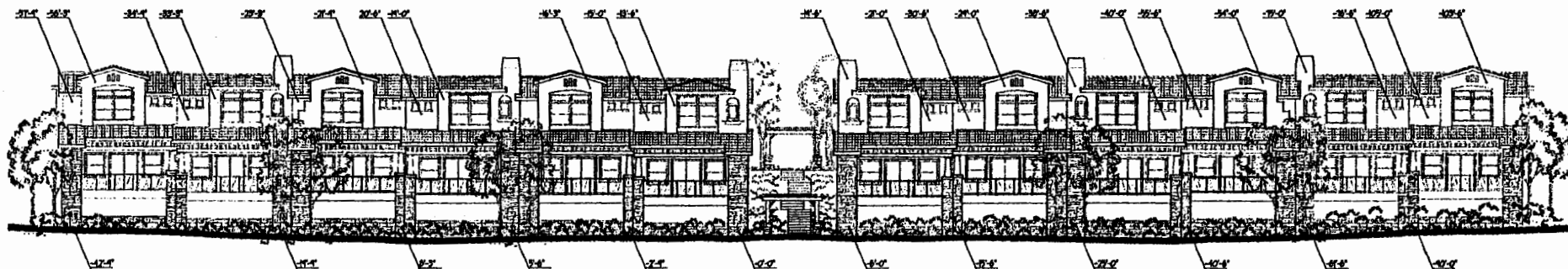


BENCHMARK: BENCH MARK OF 1985
 LOCATION: CORNER OF 2100 S. ST. & 11TH ST.
 ELEVATION: 111.11
 COUNTY: COUNTY OF SAN DIEGO
 DATE: 11/11/85

ODAY
 O'DAY CONSULTANTS, INC.
 11111 MARLBOROUGH BLVD., SUITE 100
 SAN DIEGO, CA 92121
 (619) 594-1111
 FAX: (619) 594-1112
 WWW.ODAYCONSULTANTS.COM

SHEET 1 OF 7 SHEETS
 DRAWN BY: J.A. [Signature]
 CHECKED BY: J.A. [Signature]
 PROJECT NO.: 03-001
 DATE: 11/11/03

| |
|-------------------------------|
| EXHIBIT NO. 3 |
| APPLICATION NO. |
| 6-04-059 |
| CCC Jurisdiction |
| California Coastal Commission |




BUILDING B

BUILDING A

FRONT ELEVATION

SCALE: 3/8" = 1'-0"

| | |
|--|-----------------------------|
|  California Coastal Commission | EXHIBIT NO. 4A |
| | APPLICATION NO. 6-04-059 |
| | Elevations |

BLUFFS
 AD, CALIFORNIA
 ASI DEVELOPMENT CORP.

KAA

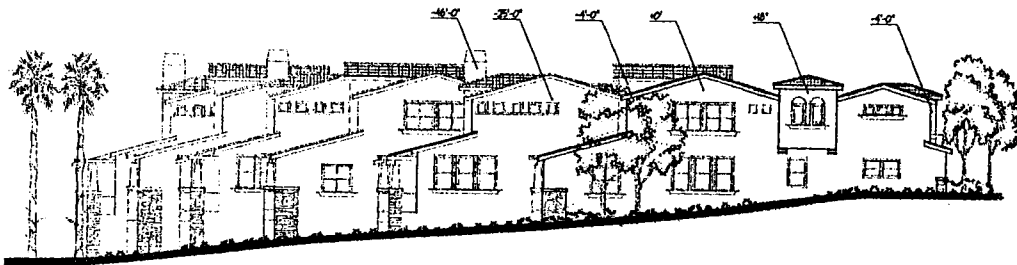
KNITTER &
 ASSOCIATES
 architecture & planning
 PHONE: (949) 752-1177



**BUILDING A
REAR ELEVATION**

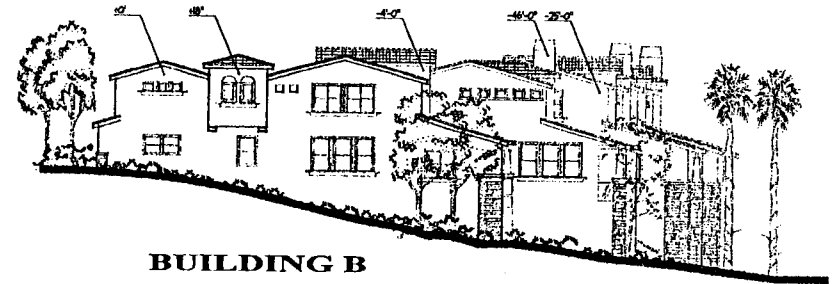
SCALE: 3/32" = 1'-0"

**BUILDING B
REAR ELEVATION**




**BUILDING A
RIGHT ELEVATION**

SCALE: 3/32" = 1'-0"



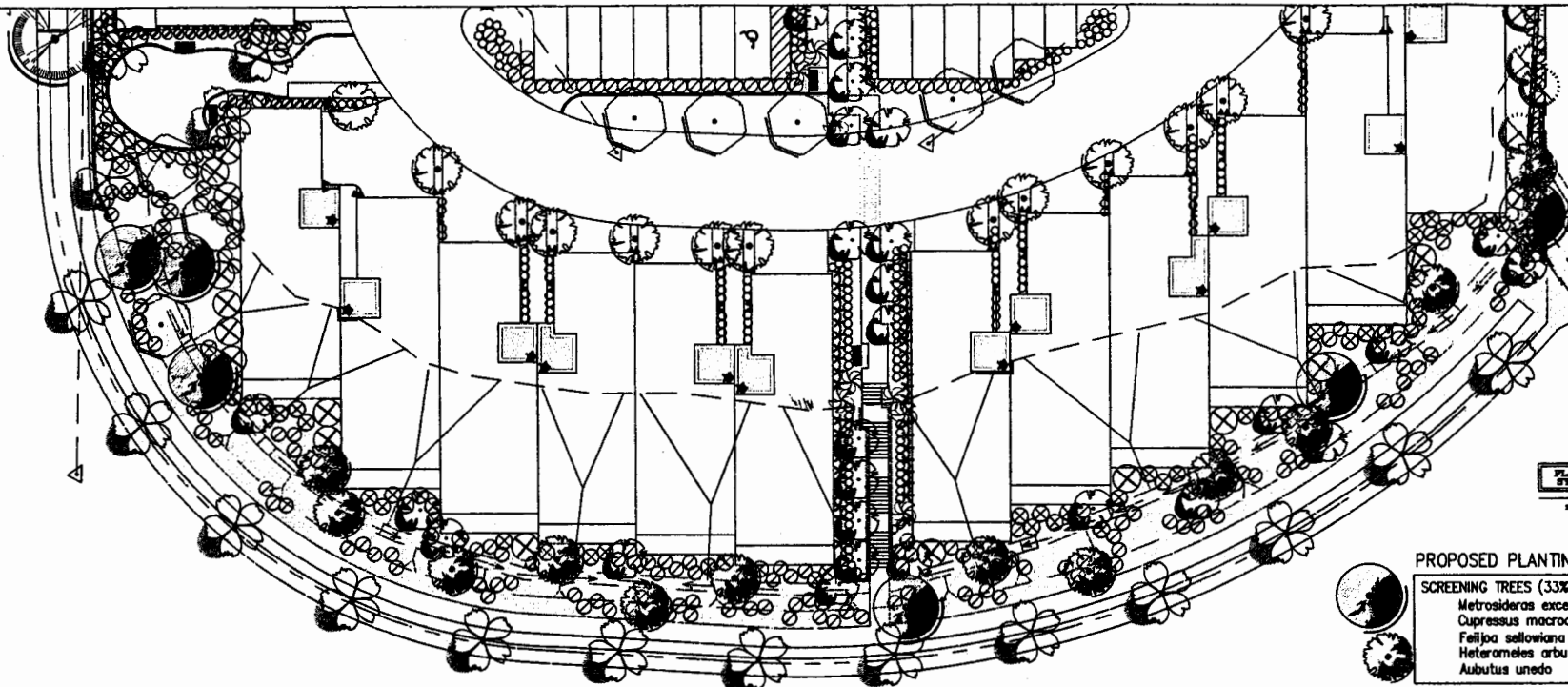
**BUILDING B
RIGHT ELEVATION**

SCALE: 3/32" = 1'-0"

| | |
|--|-----------------|
|  California Coastal Commission | EXHIBIT NO. 4B |
| | APPLICATION NO. |
| | 6-04-059 |
| | Elevations |

BLUFFS
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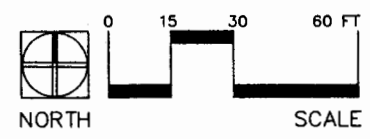
CCC Submitted: 10/6/04
PS NO. 020512



Proposed CCC Revisions

HARRISON STREET

As requested by the California Coastal Commission, a more densely vegetative screen is proposed for south-facing units fronting Harrison Street. This graphic illustrates the City approved planting scheme in black and white, and proposed additional screening trees rendered in color. Six 36" Box trees and twelve 24" box trees are proposed, representing an additional 1-1/2 trees per unit along the frontage to be screened. All trees proposed are evergreen, drought tolerant species. As per Sunset Western Garden Book, the trees at maturity will range in size from twenty-five feet tall to forty or more feet tall. Upon approval by the CCC, this plan will direct landscape construction document preparation.



PROPOSED PLANTINGS

| | |
|---|----------------------------|
| SCREENING TREES (33%-36" Box, 67%-24" box) | |
| Metrosideros excelsus | New Zealand christmas Tree |
| Cupressus macrocarpa | Monterey cypress |
| Faijpa sellowiana | Pineapple guava |
| Heteromeles arbutifolia | Toyon |
| Abutus unedo | Strawberry tree |

APPROVED PLANTINGS

| | |
|--|------------|
| STREET TREES (24" box or 4' brn. trk. min.) | |
| Syagrus romanzoffianum | Queen palm |

| | |
|---|----------------------------|
| SCREENING TREES (24" box or 4' brn. trk. min.) | |
| Metrosideros excelsus | New Zealand Christmas tree |
| Pinus aldarica | Afghan pine |
| Lophostemon confertus | Brisbane box |

| | |
|--|--------------------|
| INTERIOR TREES (24" box or 4' brn. trk. min.) | |
| Hymenosporum flavum | Sweetshade |
| Cassia leptophylla | Gold medalion tree |
| Archontophoenix cunninghamia | King palm |

| | |
|---|------------------|
| SHRUBS (50%-5 gallon and 50%-1 gallon) | |
| Cistus purpureus | Rock rose |
| Echium fastuosum | Pride of Madeira |
| Limonium perezii | Statice |
| Phormium sp. | flax |
| Raphiolepis sp. | Indian Hawthorne |
| Agapathus africanus | Lily of the Nile |
| Lantana montevidensis | Trailing lantana |

| | |
|--|----------------|
| VINES, GROUND COVER (15 gal. vines, 1 gal. shrubs and/or flats) | |
| Myoporum 'Pacificum' | Dwarf myoporum |
| Bougainvillea sp. | Bougainvillea |

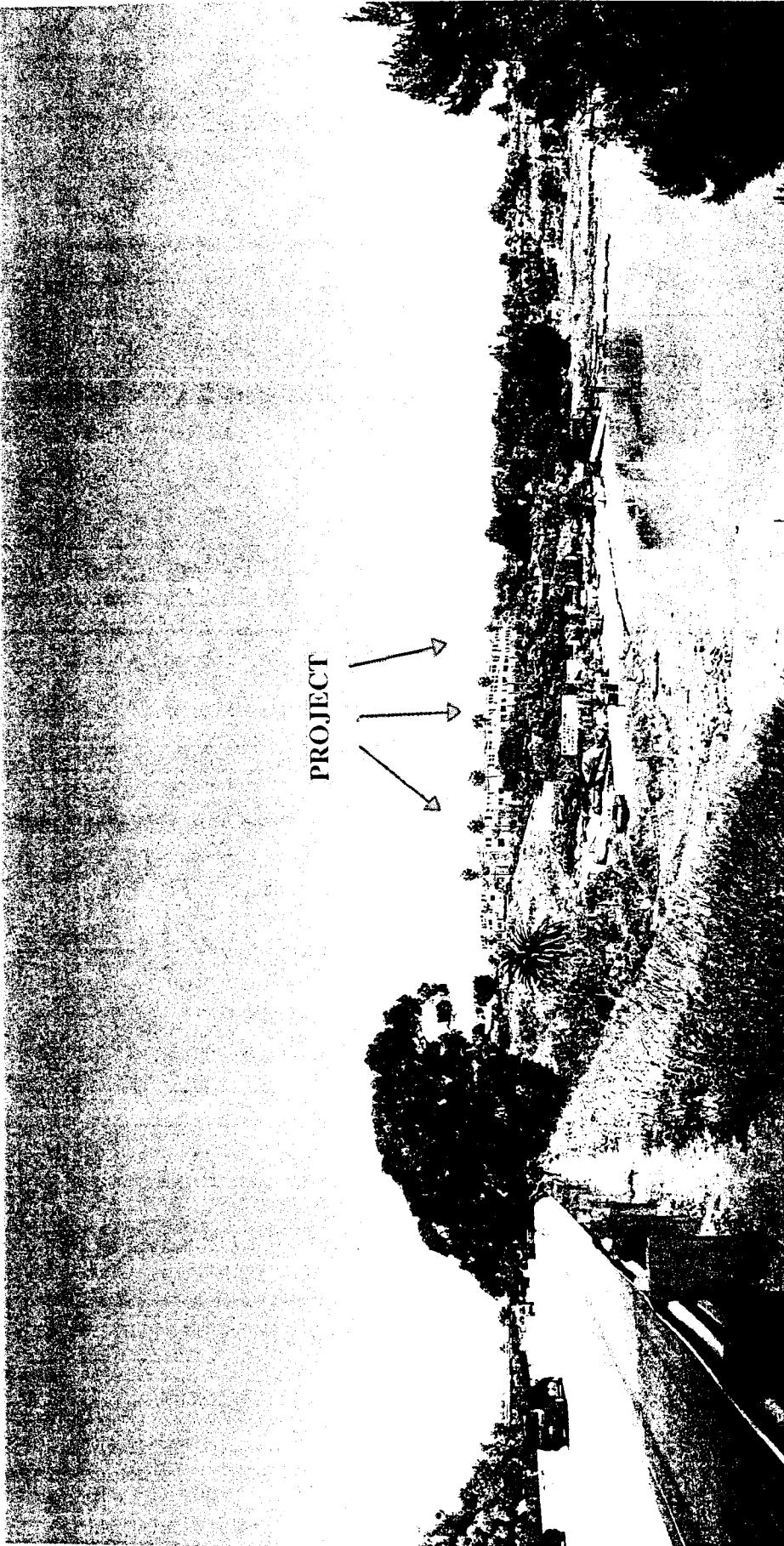
Landscape Concept Plan Revision

California Coastal Commission

Revised
Landscape Plan

APPLICATION NO.
6-04-059

EXHIBIT NO. 5



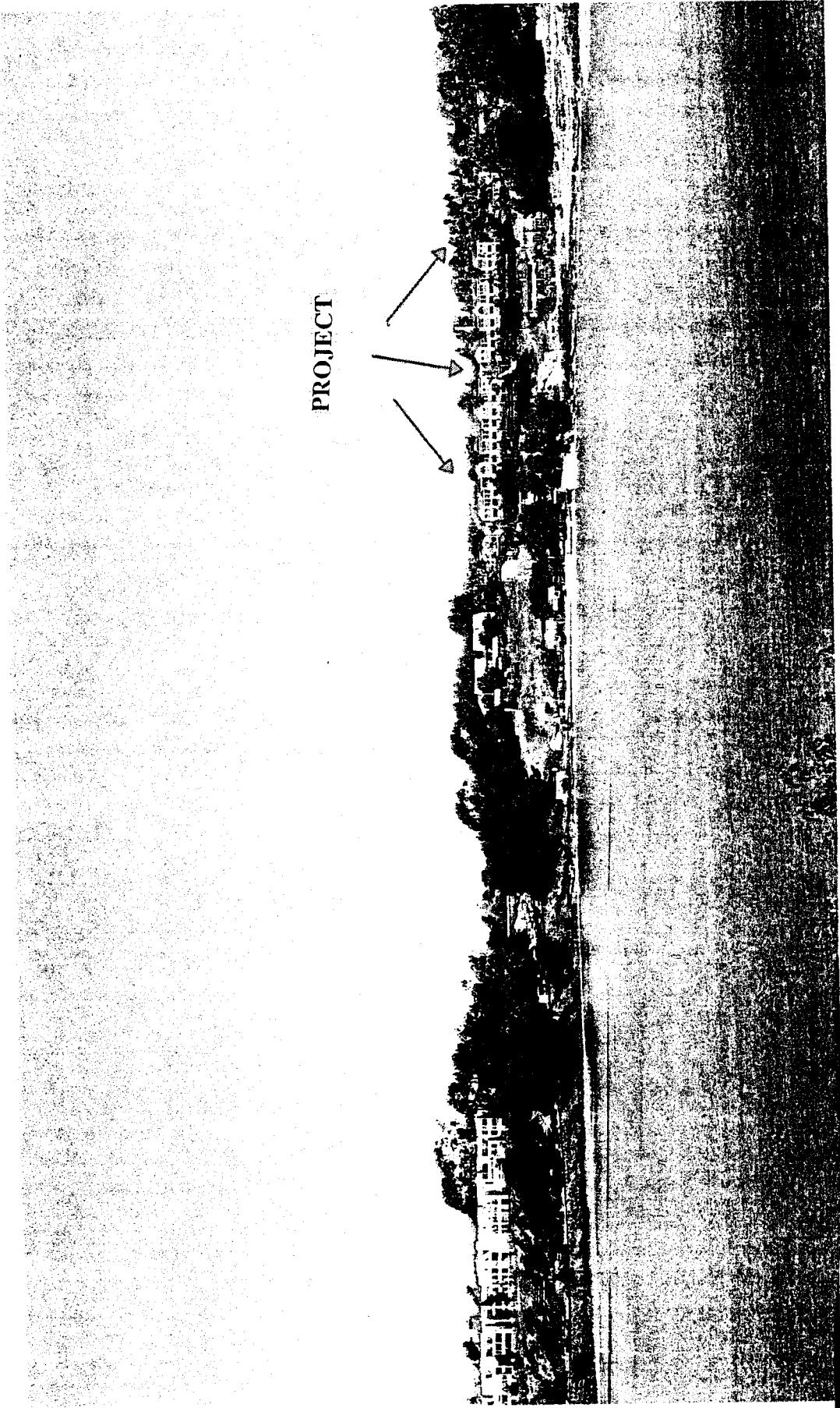
PROJECT

View ONE (Taken from freeway)

ANASTASI DEVELOPMENT CORP.

UJFFS
CALIFORNIA

| |
|-------------------|
| EXHIBIT NO. 6A |
| APPLICATION NO. |
| 6-04-059 |
| Visual Simulation |



PROJECT

View TWO

ANASTASI DEVELOPMENT CORP.

BLUFFS
4D, CALIFORNIA

| |
|------------------------------------|
| EXHIBIT NO. 6B |
| APPLICATION NO. 6-04-059 |
| Visual Simulation |