

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
 7575 METROPOLITAN DRIVE, SUITE 103
 SAN DIEGO, CA 92108-4421
 (619) 767-2370



Thu 3c

RECORD PACKET COPY

Filed: 9/7/05
 49th Day: 10/26/05
 180th Day: 3/6/06
 Staff: GDC-SD
 Staff Report: 10/27/05
 Hearing Date: 11/16-18/05

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-05-90

Applicant: Oakhurst on Valley, LLC.

Description: Construct an approximately 3,375 sq. ft., three-story office building on an approximately 9,938 sq. ft. lot that is currently paved for parking.

Lot Area	9,938 sq. ft.
Building Coverage	1,792 sq. ft. (18%)
Pavement Coverage	4,826 sq. ft. (49%)
Landscape Coverage	3,320 sq. ft. (33%)
Parking Spaces	15
Hgt abv fin grade	34 ft.
Zoning	Commercial
Plan Designation	Commercial

Site: 663 Valley Avenue, Solana Beach, San Diego County. APN 298-131-13.

Substantive File Documents: Certified County of San Diego Local Coastal Program (LCP); City of Solana Beach General Plan and Zoning Code; City of Solana Beach Structural Development Permit #439

I. STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:

Staff recommends a YES vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Revised 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, elevation and landscaping plans for the proposed development. Said plans shall be stamped and approved by the City of Solana Beach and be in substantial conformance with the plans submitted with this application dated 5/3/05 by H2A Architects and 3/16/05 by Gary Stone, Landscape Architect, and shall include the following.

- a. The landscape plan shall identify that only drought-tolerant native or non-invasive plants shall be used.

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 legally required.

2. Sign Program. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a comprehensive sign program, documenting that only monument signs, not to exceed eight (8) feet in height, or facade signs are proposed. No tall, freestanding pole or roof signs shall be allowed. Said plans shall be subject to the review and written approval of the Executive Director.

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

3. Drainage and Polluted Runoff Control Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, final drainage and runoff control plans approved by

the City of Solana Beach, including supporting calculations. The plan shall be prepared by a licensed engineer and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

- (a) Provide descriptions of the pollutants of concern based on the proposed use of this site.
- (b) Provide the basis for selection and description of Site Design, Source Control and any required Treatment Control BMPs to be implemented.
- (c) Treatment Control BMPs using the numerical sizing criteria described below are required for priority projects identified in the San Diego Municipal NPDES Stormwater Permit (Order No. 2001-01) or the latest approved version of that permit.
- (d) Selected Treatment Control BMPs (or suites of Treatment Control BMPs) shall be designed to treat, infiltrate or filter stormwater from each runoff event, up to and including the 85th percentile, 24-hour runoff event for volume-based BMPs, and/or the 85th percentile, 1-hour runoff event, with an appropriate safety factor, for flow-based BMPs.
- (e) Runoff shall be conveyed off site in a non-erosive manner. Energy dissipating measures shall be installed at the terminus of all outflow drains.
- (f) Drainage from all roofs, parking areas, driveway area, and other impervious surfaces on the building pad shall be directed through vegetative or other media filter devices effective at removing and/or mitigating contaminants such as petroleum hydrocarbons, heavy metals, and other particulates.
- (g) Opportunities for directing stormwater into pervious areas on-site for infiltration shall be maximized where geotechnical concerns would not otherwise prohibit such use.
- (h) The plan shall include provisions for maintaining the drainage system, including structural BMPs, in a functional condition throughout the life of the approved development. The plan shall include an identification of the entity(ies) responsible for maintaining the various drainage systems over its lifetime and shall include written acceptance by the responsible entity(ies). Such maintenance shall include the following: (1) BMPs shall be inspected, cleaned and repaired when necessary prior to and during each rainy season, including conducting an annual inspection no later than September 30th each year and (2) should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the eroded area. Should

repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work.

The permittee shall undertake development in accordance with the approved drainage and runoff control plans. Any proposed changes to the approved drainage and runoff control 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.

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. Detailed Project Description/History. The applicant proposes to construct an approximately 3,375 sq. ft. three-story commercial office building on an approximately 9,938 sq. ft. lot that is currently paved. The existing paved area will be removed for the building construction and the remaining parking area will be resurfaced. Approximately 3,320 sq. ft. is proposed to be landscaped. No grading is proposed.

The site is located on the east side of Valley Avenue, one lot south of Vera Street, in Solana Beach approximately 1 mile inland of the coast and approximately ¼ mile west of Interstate 5 and is not located along a coastal access corridor. The applicant proposes 15 onsite parking spaces to accommodate the approximately 3,375 sq. ft. commercial development which is consistent with the parking requirements of the City (1 space per 225 sq. ft. of commercial). Surrounding development includes office, restaurants and residences. The proposed development will be compatible with these surrounding uses. The City of Solana Beach does not have a certified LCP at this time and, therefore, Chapter 3 of the Coastal Act remains the legal standard of review for new development in Solana Beach.

Special Condition #1 requires the submission of final plans consistent with the preliminary plans submitted with the subject application except that the landscape plan is required to be revised to include only drought-tolerant native or non-invasive plants. A sign program was not submitted with the application, therefore, Special Condition #2 requires the submission of a sign program documenting that only monument signs not exceeding eight feet in height or facade signs will be installed.

Since all runoff from the subject site eventually flows into San Dieguito Lagoon and the ocean, Special Condition #3 has been attached which requires the submission of final BMP's that will be subject to review and approval by the Executive Director and the City of Solana Beach to assure all runoff is effectively controlled and filtered before leaving the site.

B. Biological Resources. Coastal Act policies 30240 and 30251 restrict the alteration of natural landforms and protect sensitive habitats. Section 30231 of the Coastal Act requires that coastal waters are protected and runoff minimized.

The proposed development will not have an adverse impact on any sensitive habitat, and, as conditioned, will not result in erosion or adverse impacts to water quality, as adequate drainage controls will be provided. Thus, the project is consistent with the resource protection policies of Chapter 3 of the Coastal Act.

C. Community Character /Visual Quality. The development will be compatible with the character and scale of the surrounding area and will not impact public views. Therefore, the Commission finds that the development, as conditioned, conforms to Section 30251 of the Coastal Act.

D. Public Access/Parking. The proposed development will not have an adverse impact on public access to the coast or to nearby recreational facilities. The proposed development conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 30604(c) of the Coastal Act.

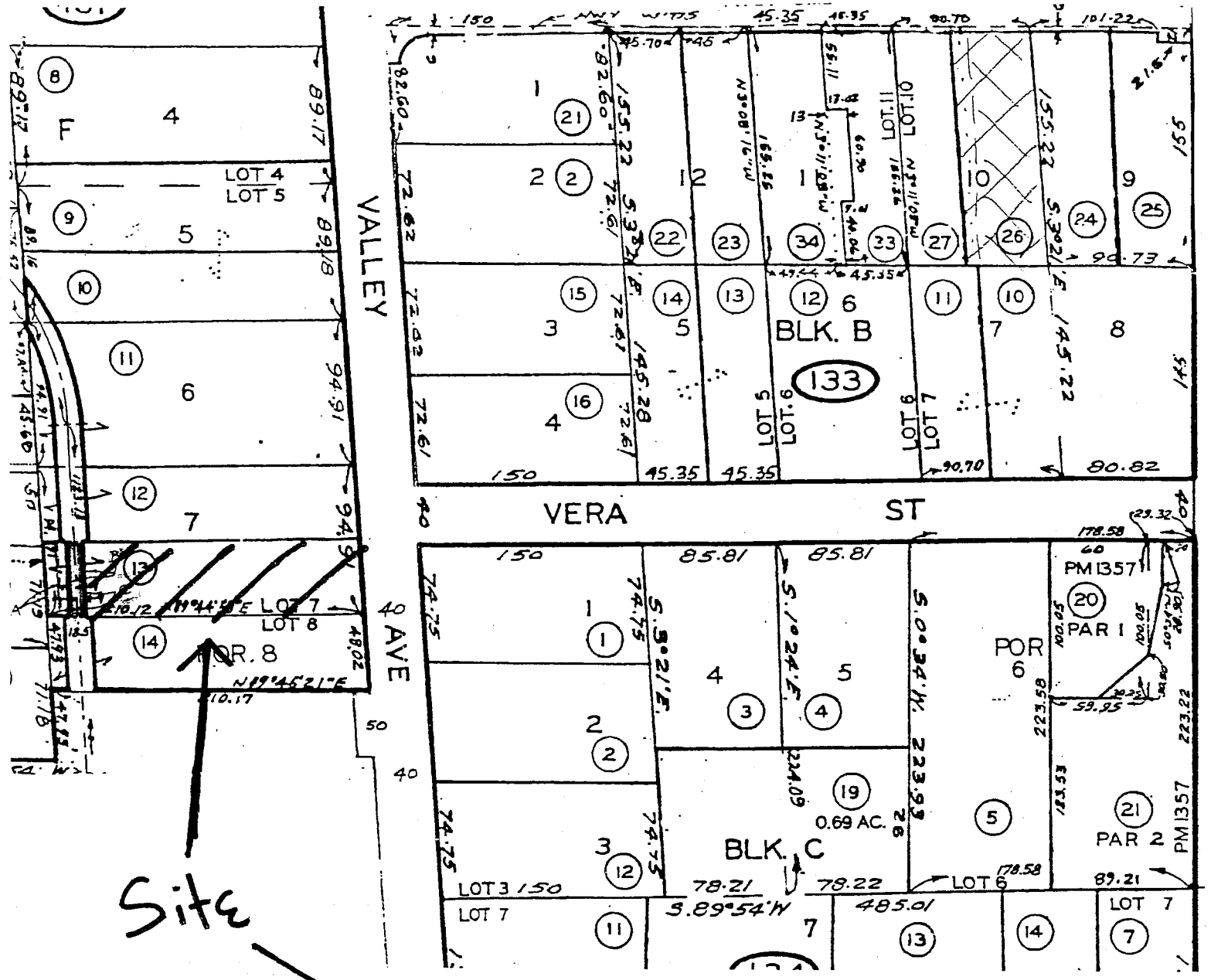
E. Local Coastal Program. The City of Solana Beach does not have a certified LCP at this time. Thus, the Coastal Commission retains permit jurisdiction in this community and Chapter 3 of the Coastal Act remains the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the City of Solana Beach to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

F. 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 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.



Site

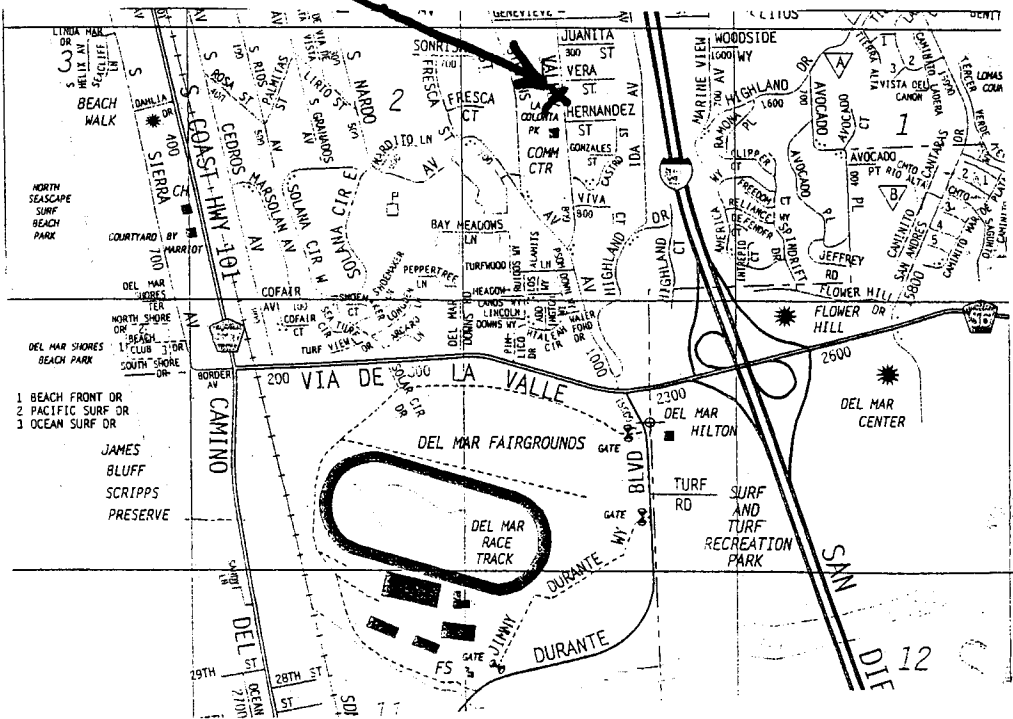


EXHIBIT NO. 1
 APPLICATION NO.
6-05-90
 Location Map

APN: 298-131-12

EXISTING BUILDING
NOT A PART

47.49'

- 9 | LIPOCYPRIUM NATENS
8gal | PIN CUSHION PLANT
- 10 | CHONDROPETALUM TECTORUM
8gal | CAPE RUSH
STUCCO WALL SECTION 6" HIGH
TO MATCH BUILDING

- 8 | PETREA VOLLIBILIS
8gal | QUEEN'S BREATH
- 16 | PROTEA CYNAROIDES
8gal | KING PROTEA

B | WOOD POST & WIRE FENCING

N89°36'37"W 209.78"

2x4 PTFP HEADER
2" WIDE SONORA SHINE ROCK 2" DEEP

INTERLOCKING PAVERS
BALCONY PARAPET FLTR

PROPOSED A.C.
DRIVEWAY

- RUBELLA EQUISET FORMS | 4
- CORAL FOUNTAIN | 8gal
- SCAVOLA SPECIES | 10
- NEW BLUE WONDER | 8gal
- 2- TERRACOTTA URNS W/ SONORA
SHINE ROCK TO COVER 4 10-1 GAL
EACH URN AVAILABLE AT MACO
POTTER
- H.L. SCULPTURE BY OWNER

PROPOSED BLDG



15
H.C.

14 13 12 11 10 9 8 7 6 5 4 3 2 1

2" WIDE SONORA SHINE ROCK 2" DEEP
2x4 PTFP HEADER
EXISTING FENCE

TRASH ENCLOSURE

S89°37'11"E 209.85'

- STUCCO WALL SECTION 6" HIGH
TO MATCH BUILDING
- 33 | ANIGOZANTHOS SPECIES
8gal | BIG TEAR

- 8 | PETREA VOLLIBILIS
8gal | QUEEN'S BREATH
- 30 | ANIGOZANTHOS FULVUS
8gal | KANGARRO PAW YELLOW

- 8 | TRACHECARPUS FORTUNII
5 | 10' H. WINDMILL PALM
- 20 | SENECIO CIPRINS
4 | 10' H. BLUE SENECIO 12" D.Z. EACH PALM

N02°45'00"W 47.42'

VALLEY AVE



California Coastal Commission

EXHIBIT NO. 2
APPLICATION NO.
6-05-90
Site Plan