

VIA FACSIMILE 619-767-2384
June 11, 2007

Th9e

Diana Lilly
San Diego Area
California Coastal Commission
7575 Metropolitan Drive, Suite 103
San Diego, CA 92108-4421

Re: Th9e Staff Report / Coronado Animal Care Facility
Application No. 6-07-50
Applicant: City of Coronado Agent: Eric Davy

Dear Ms. Lilly and Commissioners,

The Staff Report and Preliminary Recommendation makes no mention of the 1650 sq. ft. reduction in useable lot size due to an "easement" to be granted to the adjacent condominiums. The Staff Report incorrectly states that a 6' high concrete block wall will be built on the EAST LOT LINE. Stating this makes a declaration that there will be no reduction in Public Access to the property, which the Commission may view as a false statement.

As depicted on the Site Plan included in the Staff Report, the 6' high concrete block wall will be built 10' INSIDE the East Lot Line, and this 10' x 165' parcel will be closed off from PUBLIC ACCESS.

Further, as shown in the Staff Report, the Zoning is Civic Use, and the Plan Designation is Civic Use. The Commission may view this conversion of the 10' x 165' parcel from Civic Use to Residential Use as an illegal conversion of public property.

The Coastal Commission surely would not grant approval of a project without having all available facts in the case, such as the Memorandum of Understanding entered into between the City of Coronado and the adjoining Coronado Village Home Owners Association, Inc. Many residents of Coronado are questioning the legality of the 1650 sq. ft. "easement", and the wall construction and landscaping will benefit only the adjoining condo owners.

The Commission may question why neither Agent nor Applicant chose to make this agreement known to the Commission.

Yours truly,

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JUN 11 2007

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Gerald Toci
901 Balboa Ave.
Coronado, CA 92118
ph 619-522-0510 email: jtoci@san.rr.com

Letter of Objection

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CALIFORNIA COASTAL COMMISSION

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



The

Filed: April 20, 2007
 49th Day: June 8, 2007
 180th Day: October 17, 2007
 Staff: D. Lilly-SD
 Staff Report: May 23, 2007
 Hearing Date: June 13-15, 2007

REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-07-50

Applicant: City of Coronado

Agent: Eric Davy

Description: Construction of a 4,170 sq.ft. one-story animal care facility on a 13,200 sq.ft. vacant lot.

Lot Area	13,200 sq. ft.
Building Coverage	4,170 sq. ft. (31%)
Pavement Coverage	4,853 sq. ft. (37%)
Landscape Coverage	4,177 sq. ft. (32%)
Parking Spaces	8
Zoning	Civic Use
Plan Designation	Civic Use
Ht abv fin grade	14 feet

Site: 1395 First Street, Coronado, San Diego County. APN 563-110-13.

Substantive File Documents: City of Coronado Certified Local Coastal Program

STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the proposed animal shelter. The project will provide adequate parking and landscaping will be added to the site to improve the visual quality of the area. No impacts to beach access, visual quality, or water quality are anticipated.

Chapter 3 of the Coastal Act is the standard of review.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 6-07-50 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. 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, sign and landscaping plans for the proposed development. Said plans shall be stamped and approved by the City of Coronado and in substantial conformance with the plans submitted with this application by Davy Architecture dated 4/04/07, and shall include the following:

- a. All landscaping shall be drought-tolerant and native or non-invasive plant species (i.e., no plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized within the property).

- b. Only monument signs, not to exceed eight (8) feet in height, or facade signs are permitted. No tall, free-standing pole or roof signs shall be allowed.

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. Drainage and Polluted Runoff Control Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final drainage and runoff control plans that have been stamped and approved by the City of Coronado. The plan shall document that the runoff from the roof, walkways and other impervious surfaces will flow into the landscaped areas on the site for infiltration and/or percolation prior to being conveyed off site in a non-erosive manner.

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.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/History. The proposed project is construction of a 4,170 sq.ft., one-story City animal care facility. The 13,200 sq.ft. vacant lot is located on the north side of First Street, across from the northern terminus of A Avenue, in the City of Coronado.

The proposed facility will replace the former City animal care facility that was previously located on Sixth Street. The current temporary animal care facility is operating in the basement of the Coronado Police Station. The building will consist of animal care spaces, administrative offices, an attached garage and technical support and storage spaces. Concrete walkways will surround the building on the south and east sides of the building, providing an area for visitors to view the animals from the exterior. The north side of the building will be a dog exercise area surfaced with an artificial turf especially designed for pet use that incorporates a comprehensive drainage system. The existing wood/concrete wall on the east side of the site will be demolished and replaced with a 6-foot high concrete block wall running the entire length of the east side, in order to provide a buffer between the proposed structure and the adjacent residences.

Previously, the site was occupied by trailers housing the City's Engineering and Project Development Department (#6-93-167; 6-93-167-A1). All trailers have been removed, and only asphalt paving and landscaping remain.

Although the City has a certified Local Coastal Program, the site is located within the Commission's original jurisdiction; thus, Chapter 3 of the Coastal Act is the standard of review.

2. Visual Resources. Section 30251 of the Coastal Act addresses visual resources, and states, in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas....

The one-story proposed building will be located at the terminus of A Avenue, approximately 400 feet southwest of the Bay. There are no bay views from A Avenue because of existing buildings located on Port property bayward of the proposed site. A Avenue is not a designed view corridor in the certified LCP. The majority of the existing mature landscaping on the site will remain, although one existing tree where the new building is proposed will be removed. New landscaping proposed includes approximately five new trees, as well as shrubs, vines, and grasses. To ensure no impacts to visual resources result from the project, Special Condition #1 requires the submittal of final site, sign and landscaping plans prohibiting monument signs greater than eight feet in height. Therefore, the Commission finds the project consistent with Section 30251 of the Act.

3. Public Access/Parking. Many policies of the Coastal Act address the provision, protection and enhancement of public access opportunities, particularly access to and along the shoreline, including Section 30210 and Section 30213. Section 30604(c) of the Act requires that a specific access finding be made for any development located between the sea and the first public roadway.

The proposed project will provide 8 parking spaces. Under City code requirements, only 5 parking spaces would be required for the facility. In addition, a traffic study done by the City determined that the facility would not cause significant adverse impacts to traffic circulation. Public access to the bay is available at public streets surrounding the site, and development of the site will not block access to the shoreline. Therefore, the proposed development would have no adverse impacts on public access opportunities, consistent with the public access policies of the Coastal Act.

4. Runoff/Water Quality/Sensitive Resources. Section 30231 of the Coastal Act requires that the biological productivity of coastal waters be maintained by, among other means, controlling runoff.

Currently, the project site contains both pavement and existing landscaping. As noted above, the project includes the provision of new landscaping. Special Condition #2 requires that final plans be submitted indicating that runoff from the site will be directed into the landscaped areas. Special Condition #1 requires that the landscaping be drought-tolerant and native or non-invasive plant species. Therefore, the Commission finds the proposed development consistent with the water quality and resource protection policies of the Coastal Act.

5. Local Coastal Planning. The subject site is zoned and designated for Civic Uses (CU) and is within the Tidelands Overlay Zone (TOZ) in the City's certified LCP. The TOZ was adopted by initiative in the early 1980's, and restricts land uses to either "public parkland and public open-space" or "commercial/recreation." However, the majority of the area designated TOZ is on the northeast side of Coronado, covering the Ferry Landing commercial recreation development, the Marriott hotel, and Tidelands Park, all on Port District property outside the jurisdiction of the City of Coronado. The small area of TOZ designated land that is within the City's jurisdiction has traditionally been used for community service type uses, including health care facilities on Glorietta Boulevard next to Tidelands Park, the City administration buildings adjacent to Glorietta Bay on Strand Way, and the subject site. The City has long interpreted civic uses that are available for public use in some manner as consistent with the TOZ regulations.

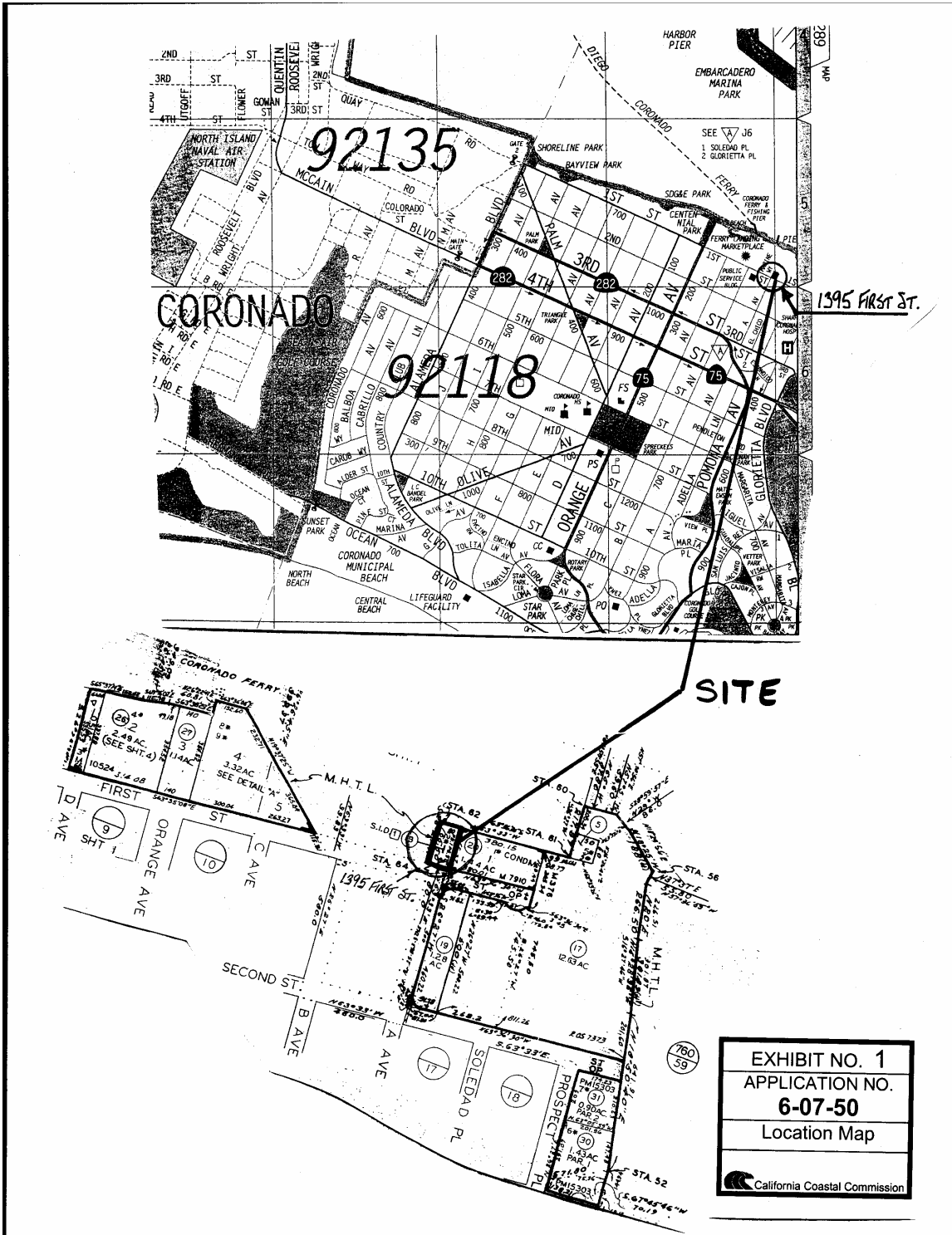
The subject site is located in an area of original jurisdiction, where the Commission retains permanent permit authority and Chapter 3 of the Coastal Act remains the legal standard of review. As described above, as conditioned, the proposed animal control shelter will not have any adverse impacts on coastal resources and is consistent with the Coastal Act. Allowing civic uses to continue on the subject site does not have the potential to reduce the availability or provision of high priority park, or open space in the City of Coronado. With the one exception of the health care facility site, the entire TOZ area is either within the Port District or within the Commission's original or appeal jurisdiction, and projects in this area, as elsewhere, will continue to be reviewed by the Commission for impacts to high-priority coastal uses. Thus, approval of the project, as conditioned, will not prejudice the ability of the City of Coronado to continue to implement its certified LCP.

6. California Environmental Quality Act. Section 13096 of the Commission's Code of Regulations requires Commission approval of coastal development permits to be supported by a finding showing the permit to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

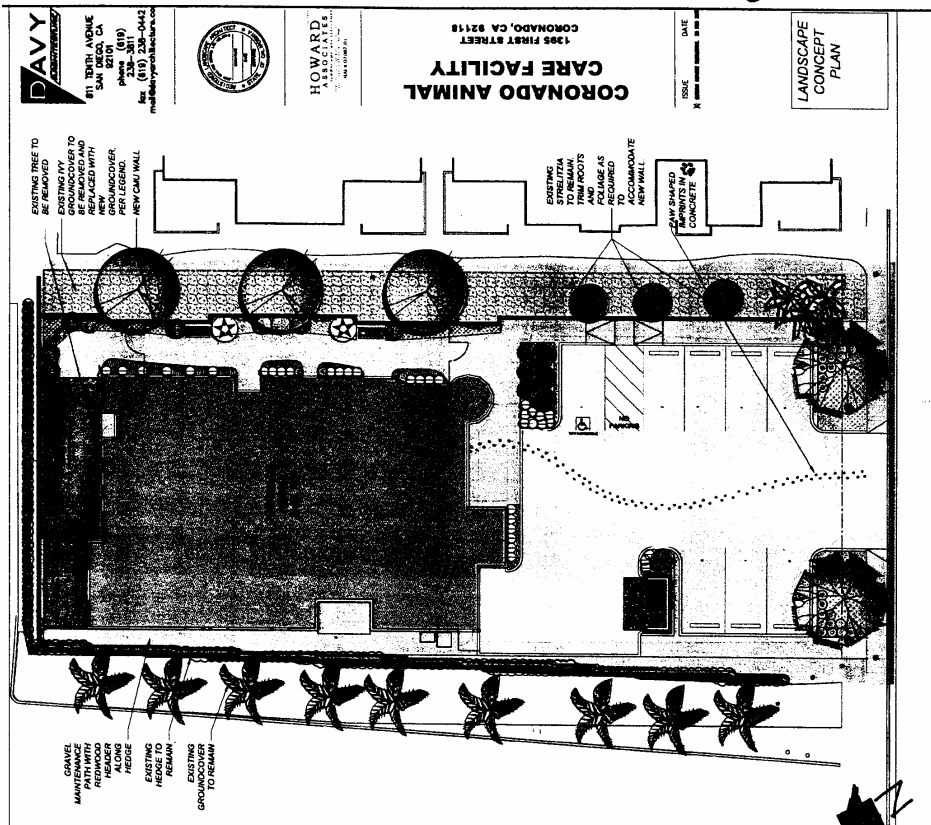
As discussed herein, the proposed project will not cause significant adverse impacts to the environment. Specifically, the project has been found consistent with the visual resource, water quality, and public access policies of the Coastal Act. There are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the activity might have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally damaging feasible alternative and 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.



6-07-050



BASIS OF DESIGN STATEMENT

The landscape at this facility will play an important role in providing a sense of well-being to the staff and the animals. The selected plant material palette reflects the botanical richness afforded by the area. The landscape design is a strategic, place-based approach to providing an inviting street image as well as visual screening and privacy. The existing mature hedge will remain to offer screening for the adjacent commercial property. New trees and shrubs will remain in place with appropriate

trimming, thus offering a sense of continuity and beauty to the project. The landscape design includes decorative grasses, colorful shrubs with seasonal interest, as well as evergreen vines on walls and trellis structures. The landscape design strategically located decorative stone will serve as a much to add texture and color to the landscape. The landscape design includes an irrigation system which includes water conservation features. In addition, the landscape design will remain in place with appropriate

SYMBOL	SYMBOL NAME	CAREER NAME	SIZE / QUANTITY
	STREET TREES		
	STROBILUS SPINATUS	PIERCE TREE	24" BOX TO REMAIN
	EXISTING STRONG SPANISH PALM	SPANISH PALM	TO REMAIN
	EXISTING PALM SPANISH PALM	SPANISH PALM	TO REMAIN
	SCREENING TREES, SUCH AS		
	EXISTING STRUTTERIA	BRONZE LOGAN	24" BOX
	FOUNDATION SHRUB - SUN		
	CAREX VITROFOLIA	PALE REATHER	1 GAL
	SELEBRIA ANTHRALIS	AUTUMN TOON BRASS	1 GAL
	EXISTING TRANSFORMER'S	EXTERMINATOR	9 GAL PLANT 8" D' O.C.
	EXISTING STRUTTERIA	STRUTTERIA	PLANT 8" D' O.C. TO REMAIN
	EXISTING STRUTTERIA	STRUTTERIA	TO REMAIN
	EXISTING STRUTTERIA	STRUTTERIA	TO REMAIN
	FOUNDATION SHRUB - SHADE		
	PHILODENDRON 'MAMBO'	DMWF PHLODENDRON	9 GAL
	GLYCYRRHIZA	GLYCYRRHIZA	1 GAL 8" D' O.C.
	GLYCYRRHIZA	GLYCYRRHIZA	1 GAL 8" D' O.C.
	EXISTING PHOENIX ACERBERRY	PHOENIX ACERBERRY	TO BE RELOCATED
	SCREENING SHRUBS		
	ANNOBIUM HYBRID	DMWF ANNOBIUM PAK	9 GAL
	DIETELA BRITTONI	DIETELA	1 GAL 8" D' O.C.
	FRAXINUS CHLORIS	FRAXINUS	1 GAL 8" D' O.C.
	TREE & PALM		
	ARTIFICIAL TREE - 60 BRASS	SI FORMATION, NY	-444-443-3978
	GRAVEL ROCK PALM SPRINGS BOLD	27 GAL ROCK 1800-666-8000	30" SIZE
	VINES		
	BLUISHED TRUMPET VINE	BLUISHED TRUMPET VINE	15 GAL
	STATE JASMINE VINE	STATE JASMINE VINE	15 GAL
	BURSE ROSEMOSS	BURSE ROSEMOSS	15 GAL

EXHIBIT NO. 2
APPLICATION NO.
6-07-50
Site/Landscape Plan

California Coastal Commission

ATTACHMENT L11