

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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Staff: Laurinda Owens-SD
Staff Report: 8/18/09
Hearing Date: 9/9-10/09

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-09-42

Applicant: University of California, San Diego **Agent:** Milton J. Phegley

Description: Construction of a 1.9 acre landscape/open space area known as the "North Campus Wedge Phase IV" consisting of various trees, hardscape and landscaping on a site which was a previous parking lot.

Lot Area	82,244 sq. ft.
Pavement Coverage	3,406 sq. ft. (9%)
Landscape Coverage	78,838 sq. ft. (91%)
Parking Spaces	0
Zoning	Unzoned
Plan Designation	Academic

Site: North of Eleanor Roosevelt College and south of the North Campus Housing, UCSD North Campus, La Jolla, San Diego, San Diego County. APN 342-010-24.

Substantive File Documents: UCSD draft Long Range Development Plan; CDP Nos. 6-07-24; 6-06-146; 6-04-148

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. Final Landscaping Plan. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a final landscape plan for the review and written approval of the Executive Director. Said plan shall be in substantial conformance with the draft landscape plan by Spurlock Poirier dated 6/19/09, and shall include the following:

- a. A plan showing the type, size, extent and location of all trees/shrubs on the site including the proposed irrigation system and other landscape features;
- b. All landscaping shall be drought-tolerant and either native or non-invasive plant species. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive 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. No Eucalyptus trees shall be utilized.
- c. A written commitment by the applicant that all required plantings shall be maintained in good growing condition, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape screening requirements.
- d. Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.
- e. Five years from the date of issuance of the coastal development permit, the applicant shall submit for review and written approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, which certifies 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 written approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or 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 the development in accordance with the approved landscape plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is legally required.

2. Water Quality/BMPs. The applicant shall comply with the Hydrology, Water Quality and Best Management Practices Program received July 10, 2009 which includes, in part: 1) Wedge Phase 4 – Preliminary Hydrology Summary by Nasland Engineering; and, (2) Hydrology and Water Quality Section of the Project Mitigated Negative Declaration.

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

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/History. Proposed is the construction of a 1.9 acre landscape/open space area which will consist of landscaping around the perimeter and throughout the project site known as “North Campus Wedge Phase 4”. Phases 1, 2 and 3 of the “Wedge” have been completed as part of the Eleanor Roosevelt College (ref. Exhibit No. 3). In the case of the subject proposal, previously, the subject site was a parking lot that was removed for the construction of the North Student Housing project (Phase I) immediately north of the site. That project resulted in the removal of all 737 parking spaces in the existing parking lots but also included replacement of nine of those spaces which will be used for guest parking in association with the student housing; thus, resulting in a net loss of 728 parking spaces. The subject site is located at the southern portion of the student housing project site immediately adjacent to the east side of North Torrey Pines Road and north of the Eleanor Roosevelt College.

The removal of parking from the subject site was addressed as part of the North Campus Housing Project (CDP# 6-06-146). As noted in the parking analysis for that permit, the Hopkins and Pangea Parking structures are within walking distance of the north Campus Housing (and the Wedge site) and will recapture the parking loss and will also have a surplus of additional parking spaces that are designed to meet the campus demand based on population growth or new facilities. UCSD has an excellent alternative transportation program with over 54% of the population using alternative means of transportation to the single occupancy vehicle. The proposed wedge site has been used as a staging area for the North Campus Housing Project during construction which is currently underway. The proposed project does not generate a demand for parking. Therefore, the proposed project will not result in any adverse impacts to public access, consistent with Section 30252 of the Coastal Act.

The project will include landscaped open spaces including landscaping around the perimeter of the site and throughout the project site which includes several Torrey Pines trees. Sustainable landscape features will be a major part of the landscaping. The development of the "Wedge" landscape feature will replace an asphalt parking area (currently being used as a staging area, as noted above), thereby providing aesthetic landscape enhancements and a break in the presence of the structures along the street. Pedestrian linkages are proposed between the North Campus Housing and Eleanor Roosevelt College.

Due to the location of the project site (well inland from the coast) as well as the nature of the proposed development itself (i.e., only landscape features being installed), it will not affect any public views to the ocean. The proposed landscaping will visually enhance the area and will be visually compatible with the surrounding area.

Also, all of the proposed landscaping consists of a variety of native, drought-tolerant plant species which does not include any Eucalyptus trees which has been a concern in past projects on the UCSD campus. Typically, projects near the historic grove of Eucalyptus trees on the campus have been permitted to include Eucalyptus trees to keep within UCSD's overall landscape theme. There are three central groves of trees which have been identified on the campus. Projects next to these areas will incorporate Eucalyptus trees to maintain consistency with the existing vegetation. However, for other projects that are further inland, next to, or near the natural preserve areas which contain native habitat and chaparral communities, UCSD proposes to avoid the use of Eucalyptus trees. This particular project is away from the historic groves and no Eucalyptus trees are proposed. Although a landscape plan has been submitted with the application, to ensure that landscaping is installed consistent with the University's landscape theme, Special Condition No. 1 requires submittal of final landscape plans that uses species that are drought tolerant and either native or non-invasive and no Eucalyptus trees. Thus, the project is found consistent with the overall landscape theme for the UCSD campus and Section 30251 of the Coastal Act.

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 will not result in erosion or adverse impacts to water quality, as adequate drainage controls will be provided and a thorough hydrology, water quality and Best Management Practices plan will be implemented. Thus, the Commission finds the project, as conditioned, consistent with the resource protection policies of Chapter 3 of the Coastal Act.

C. Community Character /Visual Quality. The development is located within an existing developed area and the proposed landscaping/open space area will provide aesthetic enhancements and a visual break in the presence of structures along the campus streets. No impacts to public views will occur. Therefore, the Commission finds that the development 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 development is a landscaped/open space area on the north UCSD campus. The Commission finds 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 Planning. The City of San Diego does have a certified LCP for most of its coastal zone. However, the UCSD campus segments in La Jolla are not part of that program and remain an area of deferred certification where the Commission retains coastal development permit authority. UCSD does have a draft Long Range Development Plan (LRDP), but does not plan to submit it for certification. The proposed development will be consistent with Chapter 3 of the Coastal Act, the legal standard of review, and also with the LRDP which is used as guidance. Approval of the project will not prejudice the ability of the University to prepare and implement an LRDP that is in conformity with the provisions of Chapter 3.

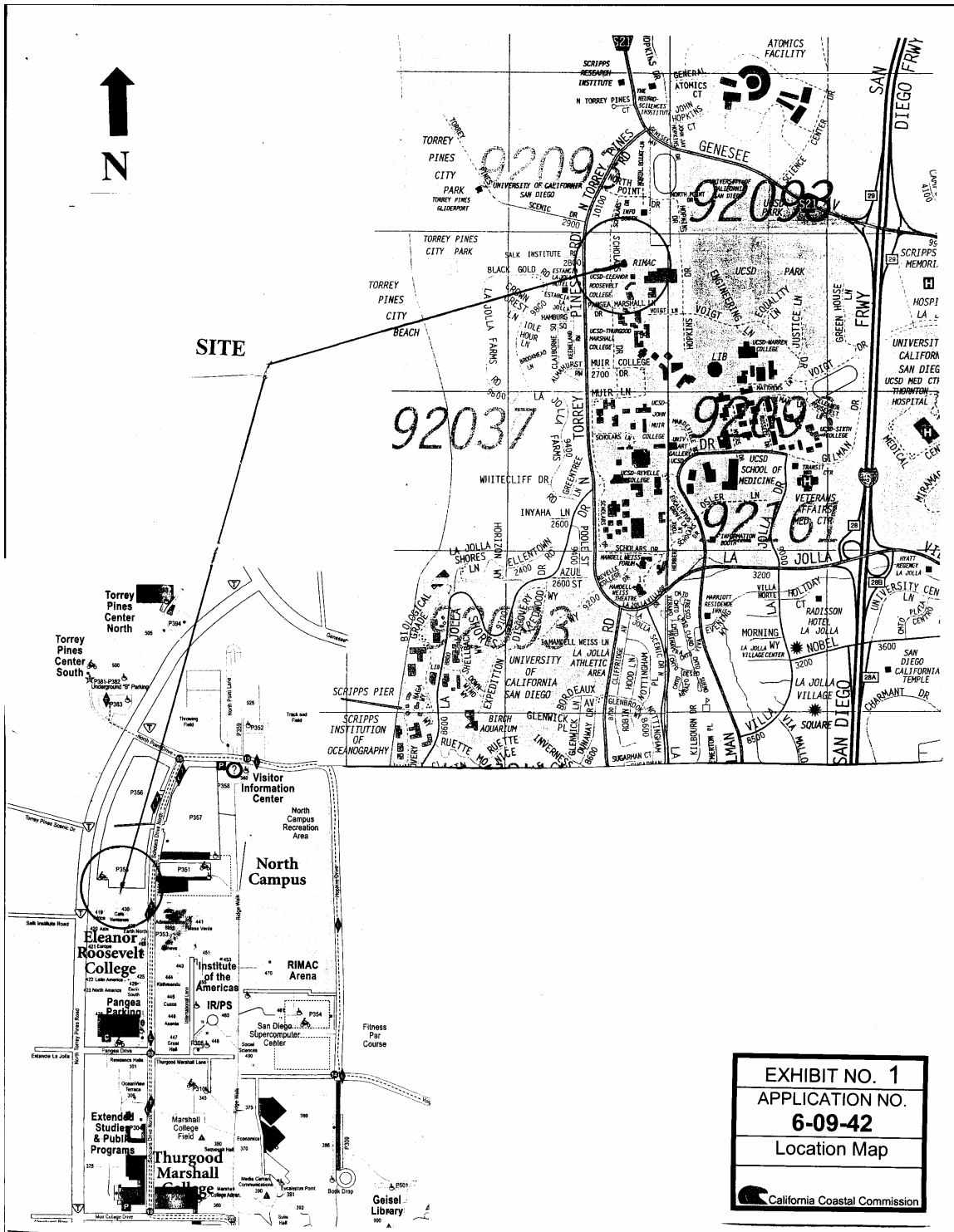
F. California Environmental Quality Act. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least 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.



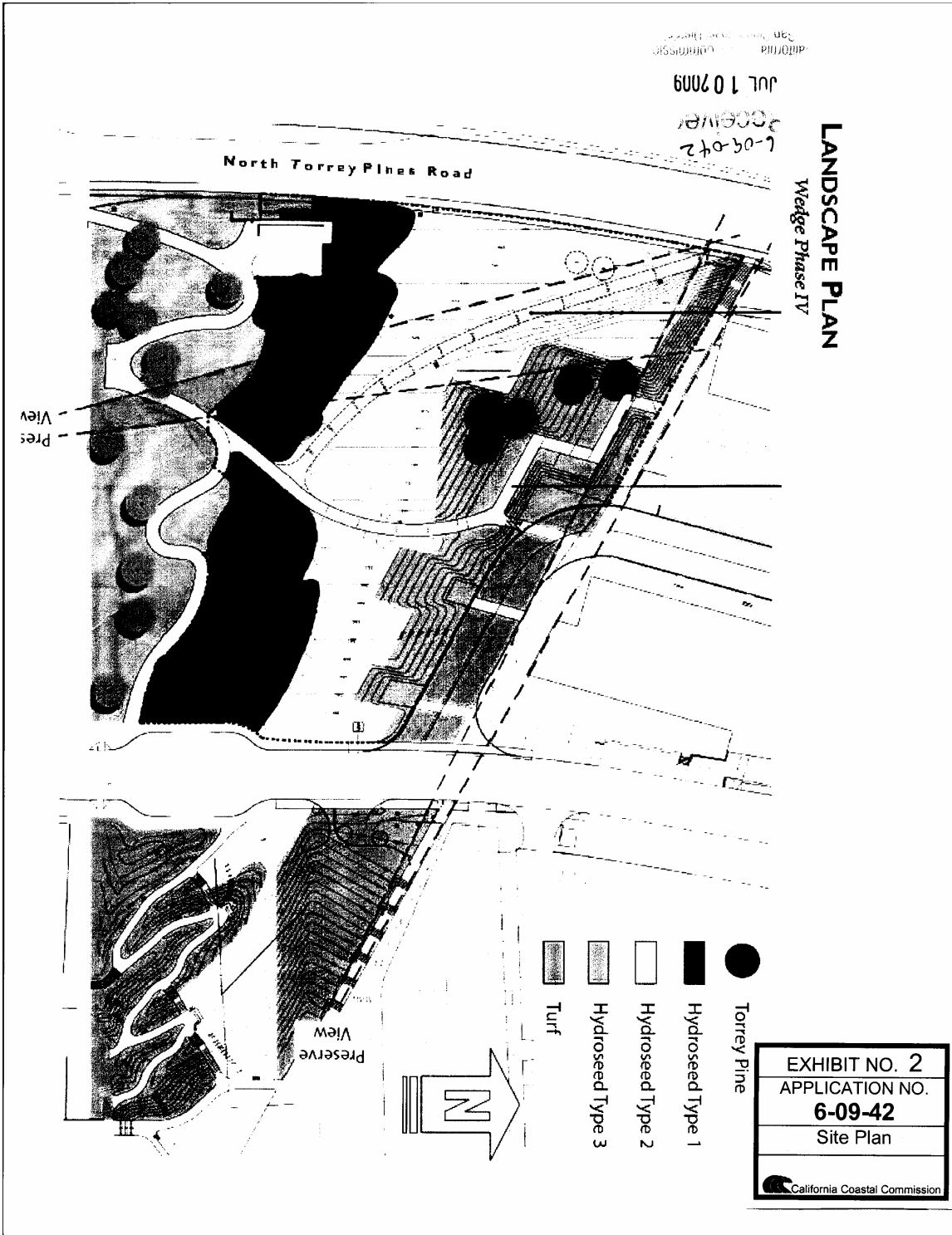


EXHIBIT NO. 2
APPLICATION NO.
6-09-42
Site Plan

California Coastal Commission

THE WEDGE—CONCEPT PHASE PLAN

Wedge Phase IV

