

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370



F 11a

Addendum

November 2, 2011

[Click here to go
to the original staff report.](#)

To: Commissioners and Interested Persons

From: California Coastal Commission
San Diego Staff

Subject: Addendum to **Item 11a**, Coastal Commission Permit Application
#6-11-60 (Haggar), for the Commission Meeting of November 4, 2011.

Staff recommends the following corrections be made to the above-referenced staff report:

1. On Page 6, the first paragraph under **Bulk, Scale, and Community Character** shall be corrected as follows:

Also of concern is the tower design of the proposed building. The functional portion of the building extends no higher than 20 feet; however, the building design includes a barn-shaped decorative element and tower on ~~both~~ the east ~~and west~~ sides of the building that extends the height of the structure from 20 to 40 feet. The design was required by the City of Chula Vista to suggest the form of the Western Salt Works building, to help offset the loss of views of the Salt Works building resulting from the proposed construction. City staff has indicated that the design represents an attempt to incorporate building elements that express the history of the area. The City has stated that the building towers incorporates and preserves the history of the area, and contributes to fulfilling the vision of the Chula Vista General Plan, which calls for incorporation of elements related to the historical architecture and structures in the area. The City indicates that the site is considered a gateway to the city and requires the incorporation of landmark architectural elements.

2. Throughout the report, all references to two building towers shall be corrected to one tower (singular).

Addendum to 6-9X-XX

Page 2

(G:\San Diego\Reports\2011\6-11-060 Palomar Gas & Car Wash addnm.doc)

Fila

Diana Lilly

Subject: FW: Palomar Gas & Carwash. Application #6-11-60/Haggar Service Station
Importance: High
Attachments: Grainger Building.jpg; IMG_1981.jpg

From: Juan Villaseñor [mailto:juan@garyengineeringinc.com]
Sent: Thursday, October 27, 2011 2:40 PM
To: Diana Lilly
Cc: garyengca@aol.com
Subject: FW: Palomar Gas & Carwash. Application #6-11-60/Haggar Service Station
Importance: High

Good afternoon Diana,

Per our conversation can you please forward our comments and the email below to the commissioners.

Comments on Staff Report

1. Staff is referring to two massive, 40-foot high towers. The project is only proposing one, was the analysis based on two towers? Will this change staff recommendations?
2. Staff mentioned on their report that the vicinity area consist mostly of newer warehouse/retail buildings approximately 20 feet in height. They failed to include on their report the 30 foot Grainger building constructed in 2003. (See attached picture and site map)

Please call me if you have any questions

Thank you

Juan Villaseñor. Assistant Engineer | **GE Gary Engineering, Inc.**
 4901 Morena Blvd. #304 | San Diego, CA. 92117 | p:858.483.0620 | f:858.483.2943

From: Miguel Tapia [mailto:mtapia@ci.chula-vista.ca.us]
Sent: Thursday, September 29, 2011 2:10 PM
To: Diana Lilly; Juan Villaseñor
Cc: Bob Faudoa, Jr; Aizen Marrogi; nick_haggar@hotmail.com; Richard Zumwalt
Subject: RE: Palomar Gas & Carwash. Application #6-11-60/Haggar Service Station

Good afternoon Diana. Thank you for sending me copy of your e-mail to the applicant on the Palomar Gas project. I would like to very respectfully make a couple of comments/corrections on your assessment of the project's issues. I am providing the following comments with the purpose of clarifying the criteria and rationale used by City staff to approve the project.

The approved height of the tower is not setting a precedent in the general area of the Bayfront. The precedent has been set by the existing Local Coastal Program (LCP) that was certified by the California Coastal Commission (CCC) in 1993. The LCP allows building heights of 44 feet in the area north and across the street from the subject site. If the proposed project were proposed for one of the sites across Palomar, the project would be consistent with the certified LCP. Granted that the subject site is not

10/27/2011

Applicants Response

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located within the LCP, the LCP does serve as a reference in our analysis and evaluation of the project. Additionally, the Light Industrial zone, which is a city zone equivalent to the M-52 zone allows building heights of 45 feet.

Another precedent in the area is the height of the Salt Works structures. In fact, the proposed project tower represents an attempt to incorporate building elements that express the history of the area. City staff believes that the building tower incorporates and preserves the history and contributes to fulfill the vision of the Chula Vista General Plan, which calls for incorporation of elements related to the historical architecture and structures in the area. The site is considered a gateway to the city and requires the incorporation of landmark architectural elements.

In terms of view corridors, City staff considered the most important view corridor along Palomar Street and the Palomar/Bay Boulevard intersection. The view across the site is interrupted/obscured by a series of elements such as existing buildings, trees, topography, etc. Plus, one of the viewing corridors is the freeway traffic. In this case, the freeway bed is sunken well below the project site, so there is no opportunity for drivers to have a view of the Bay.

You are right that the tower is just a decorative. However, it is functional in the sense that it works to incorporate elements of the Salt Works structures and thus it works to express and preserve the history of the area.

Miguel Z. Tapia, AICP
Development Services Dept.
City of Chula Vista
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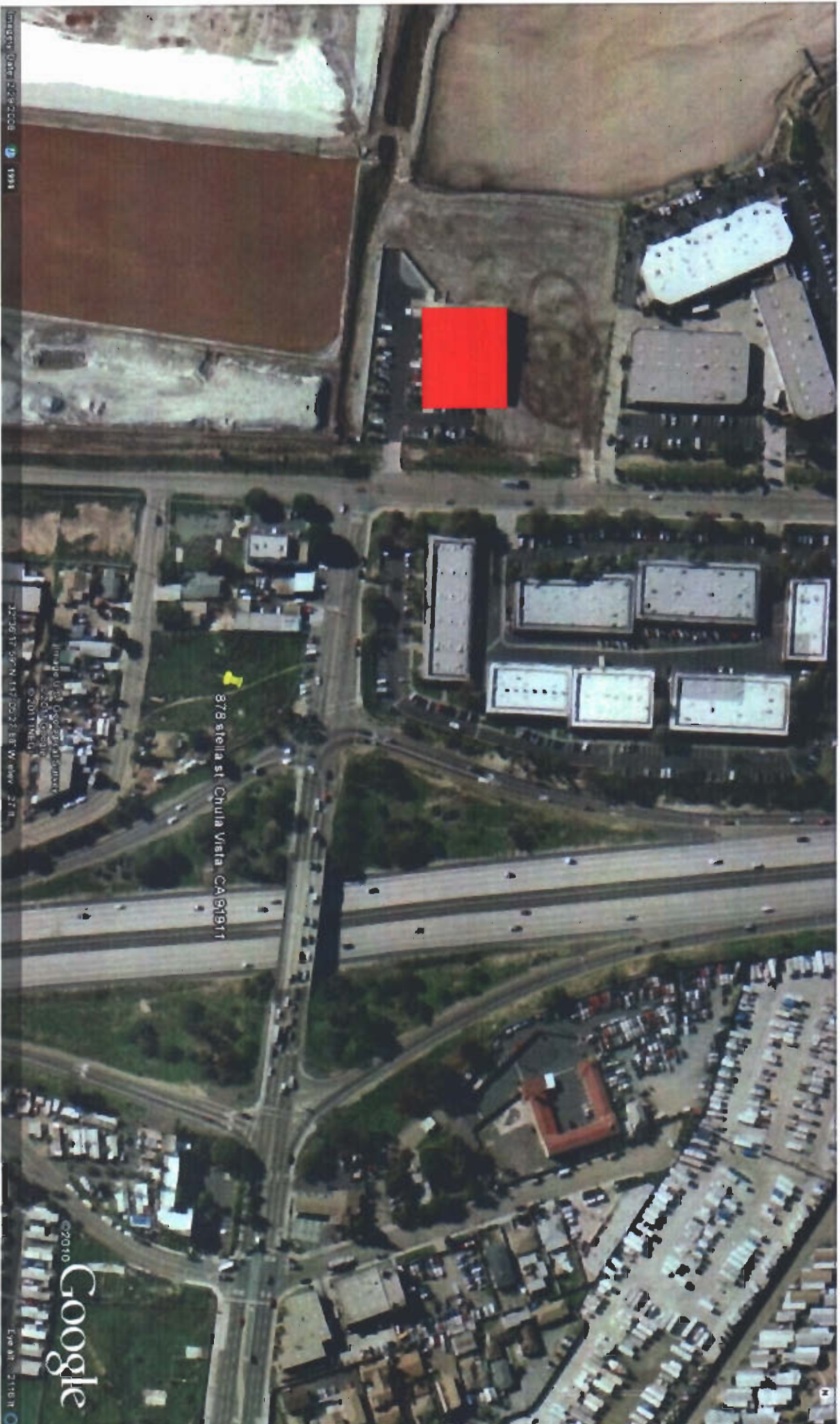


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CALIFORNIA COASTAL COMMISSION

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Filed: September 30, 2011
 49th Day: December 29, 2011
 180th Day: March 28, 2012
 Staff: D. Lilly-SD
 Staff Report: October 19, 2011
 Hearing Date: November 2-4, 2011

REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-11-60

Applicant: Nick Haggar Agent: Juan Villaseñor

Description: Construction of an approximately 5,200 sq.ft., 6-island gas station, car wash, food mart, and restaurant building.

Lot Area	43,201 sq. ft.
Building Coverage	9,635 sq. ft. (22%)
Pavement Coverage	24,533 sq. ft. (57%)
Landscape Coverage	9,033 sq. ft. (21%)
Parking Spaces	24
Zoning	Limited Industrial - M52
Plan Designation	Mixed Use Commercial
Ht abv fin grade	40 feet

Site: 878 Stella Street, Chula Vista, San Diego County. APN 622-011-27.

Substantive File Documents: City of Chula Vista General Plan and Zoning Ordinance, Certified County Islands Local Coastal Program.

STAFF NOTES:

Summary of Staff's Preliminary Recommendation: Staff is recommending approval of the proposed gas station/mini mart building with changes that would remove the decorative 40-foot high tower elements of the building and result in a building no greater than 20 feet in height (with 22 foot high gas station canopies). The vacant subject lot is located between Interstate 5 and the South Bay salt ponds in an area that should be developed with low scale buildings that preserve open sky and water views and are compatible with the surrounding community. The site is currently surrounded by low-scale, one and two story development. As proposed, some existing bay views across the site would be blocked by the project. However, the development has been sited on the lot in such a way as to minimize direct view blockage. In contrast, the bulk and scale of the 40-foot high towers is not consistent with the existing community character. Large,

bulky, 40-foot high towers with commercial signage is not the appropriate scale of development for this scenic area adjacent to and overlooking San Diego Bay. The community is an older neighborhood that is gradually transitioning from residential and industrial to commercial retail, light industrial, and office. The subject site is one of the first lots in the vicinity to undergo development in many years, and development of this site is expected to set the pattern for redevelopment of the surrounding area. As conditioned to eliminate the towers and preserve view corridors through landscape restrictions, the gas station, car wash, and mini-mart will provide services to the community and visitors while being visually compatible with the surrounding community character.

Standard of Review: Chapter 3 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. 6-11-60 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. Revised Final Plans. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for review and written approval by the Executive Director, final plans approved by the City of Chula Vista that are in substantial conformance with the plans by Gary Engineering dated August 3, 2011, except that they shall be revised to reflect the following:

- a. No portion of the proposed gas station/mini mart building shall be greater than 20 feet in height.

The applicant shall undertake 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. Final Revised Landscape Plans. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, final landscaping plans approved by the City of Chula Vista. The plans shall be in substantial conformance with the landscape plans by JPBLA dated 08/30/10 except that they shall be revised to reflect the following:

- a. A view corridor on the northern portion of the lot as shown on Exhibit #3 attached to this permit shall be preserved. All proposed landscaping in the view corridor shall be maintained at a height of five feet or lower to preserve views from the street toward the bay. In addition, all landscape materials within the identified view corridors shall be species with a growth potential not expected to exceed five feet at maturity.
- b. All landscaping shall be (1) drought-tolerant and native or (2) 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).
- c. A written commitment by the applicant that five years from the date of the issuance of the coastal development permit for the residential structure, 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.

The applicant 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.

3. Sign Program. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, a comprehensive sign program, with evidence that the plan has been approved by the City of Chula Vista, 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.

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

4. Future Development Restriction. This permit is only for the development described in coastal development permit No. 6-11-60. Except as provided in Public Resources Code section 30610 and applicable regulations, any future development as defined in PRC section 30106, including, but not limited to, a change in the density or intensity of use land, shall require an amendment to Permit No. 6-11-60 from the California Coastal Commission or shall require an additional coastal development permit from the California Coastal Commission or from the applicable certified local government.

5. Hydrology and Water Quality Mitigation and Monitoring Requirements. The applicant shall comply with and implement all of the conditions, recommendations, and project features included in the Mitigated Negative Declaration dated February 14, 2011 approved by the City of Chula Vista.

The applicant 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. The proposed project is construction of a new 5,200 sq.ft., 6-island gas station, car wash, food mart, and restaurant building on a 43,201 sq.ft. vacant lot. The subject site is located on the north side of Stella Street, south of Palomar Street, adjacent to the southbound on-ramp to Interstate 5 (west of Interstate 5), in the City of Chula Vista. The main building on the site would be the 4,000 sq.ft. food mart that will be a up to 40 ft. in height, with the 1,200 sq.ft. car wash adjacent to this structure. The six gas pumps would be covered by a 22-foot high, 4,435 sq.ft. canopy. Access to the site would be from Palomar Street.

The subject site is within the boundaries of the City of Chula Vista as a result of the Montgomery Annexation, but is not part of the City's certified LCP. It is assumed that the City's certified LCP will eventually be amended to include this area; until that time, the certified County Islands LCP is used as guidance by the Commission in review of new development proposals in this area. However, Chapter 3 of the Coastal Act is the standard of review.

2. Scenic and Visual Quality. The following section of the Coastal Act is applicable to the proposed project and states, in part:

Section 30251

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,...

The subject vacant lot is located at the southwest corner of the on-ramp to Interstate 5 (I-5) and Palomar Street. The subject site is located well above freeway elevation, and development on the site will not be visible from the freeway. The Palomar Street bridge crossing over I-5 (just northeast of the site) is a high point in the vicinity; west of I-5, the terrain slopes down to San Diego Bay. Looking west from the Palomar Street bridge overcrossing and the intersection with the southbound I-5 off-ramp and the northbound I-5 on-ramp, there are existing brief but expansive views across the northern portion of the subject site of the bay and the salt ponds of the South Bay Western Salt Works (see Exhibit #7).

Direct View Blockage

The proposed development consists of a large, up to 40-foot high building located on the southern side of the lot, and gas station bays covered by a 22-foot high canopy on the northern portion of the lot. The development will obstruct some of the existing bay views

across the site, and block views of the historic Western Salt Works building and adjacent salt “mountains.” However, any development that were to occur on this site would likely block some views. The existing bay views are primarily across the northern portion of the site, and the development has been designed so that the bulk of the structures are located on the southern portion of the lot. Some unobstructed bay views will still exist across the northernmost portion of the site, and some views towards the bay will also remain under the proposed 22-foot high gas station canopy.

Thus, as proposed, the siting of the development minimizes direct encroachment on bay views to the extent feasible. However, the project includes landscaping around the northern and northwestern perimeter of the site, including large trees, that would block the views that will remain after construction of the buildings. Therefore, Special Condition #2 identifies a view corridor and requires a revised landscape plan that only includes vegetation within the view corridor (identified on Exhibit #3) that is not expected to exceed 5 feet in height at maturity and that vegetation in this view corridor be maintained at a height of no more than 5 feet. This restriction will protect and preserve views across the site from the sidewalk and public streets. The condition also prohibits the use of any invasive plant species. Special Condition #4 notifies the applicant that this permit is only for the proposed gas station/car wash/restaurant building; future development on the site that is not exempt from permit requirements will require review by the Commission for impacts to coastal resources, including impacts to views.

Bulk, Scale, and Community Character

Also of concern is the tower design of the proposed building. The functional portion of the building extends no higher than 20 feet; however, the building design includes a barn-shaped decorative element and tower on both the east and west sides of the building that extends the height of the structure from 20 to 40 feet. The design was required by the City of Chula Vista to suggest the form of the Western Salt Works building, to help offset the loss of views of the Salt Works building resulting from the proposed construction. City staff has indicated that the design represents an attempt to incorporate building elements that express the history of the area. The City has stated that the building towers incorporate and preserve the history of the area, and contributes to fulfilling the vision of the Chula Vista General Plan, which calls for incorporation of elements related to the historical architecture and structures in the area. The City indicates that the site is considered a gateway to the city and requires the incorporation of landmark architectural elements.

The subject site is located between Interstate 5 and the salt ponds in an area that is currently characterized by a mix of residential, commercial, and industrial uses, with a number of vacant lots. According to the City, the neighborhood has changed over time due to the construction of I-5 from a predominately residential neighborhood with a few businesses, to a transitional area of mixed commercial, industrial, and older single-family residential uses. It is planned for mixed commercial uses in the City’s General Plan; however, the area has never been incorporated into the City’s LCP. The area south of Palomar Street is part of the Montgomery Area, a formerly unincorporated community of

San Diego County that the City annexed in 1985. The area was previously zoned in the County of San Diego as Limited Impact Industrial (M-52), and designated for Mixed Use Commercial in the County LCP, which was adopted by the Commission but never effectively certified.

The previously certified LCP allows heights of up to 45 feet in M-52 area. However, most of the existing development in the area south of Palomar Street, west of I-5, is low-scale, one or two stories in height. North of Palomar Street is within the City's permit jurisdiction, and the existing LCP allows for heights up to 44 feet. However, this area is mostly already developed with newer warehouse/retail buildings approximately 20 feet in height. Thus, the existing pattern of development for the region is clearly less than 40 feet in height.

The area south of Palomar Street appears to be ripe for redevelopment, with many older buildings and vacant lots. The subject site is one of the first sites to be developed in many years, and the development on this site could establish the pattern for future redevelopment of the region. Given the prime location between I-5 and the bay, the existing bay views in the region, and the existing pattern of development, the Commission finds that the appropriate scale of development on the subject site and the surrounding area is lower-profile structures that preserve open sky and water views. The Commission appreciates the City's desire to evoke the image of the iconic salt works structure in this new development. However, the proposed building design consists of two massive, solid, 40-foot high towers with no functional purpose other than to increase the bulk and scale of an otherwise low-profile development. There are other ways to acknowledge the heritage and history of the region that do not adversely impact the character of the existing community.

If it is the City's intention to allow exceptions to the general pattern of low-profile structures for various architectural features, then it should develop land use plan policies for certification by the Commission that establish guidelines and parameters for view preservation, bulk and scale, and community character, that describe when, where, and what variations from typical height requirements may be permitted. In the absence of these constraints and considerations, allowing 40 foot high towers would set an adverse precedence for development of the region, and could prejudice the ability of the City to adopt a land use plan for the subject area.

In addition to the concerns about height, bulk, and scale, the Commission is concerned that the "historical element" approach could be, and has been used in this case, to create "architectural features" that are essentially large billboards for commercial signage. Throughout San Diego County, most jurisdictions limit commercial signage in the Coastal Zone to only façade signs and monuments signs less than 8 feet in height (Special Condition #3 places this limits on signage for this project). The Commission has traditionally restricted the size, number and extent of commercial and industrial signage to avoid adverse visual impacts. After consultation with Commission staff regarding visual character, the applicant revised his proposed project to eliminate a proposed 45-foot high freeway sign from the project, which has reduced the visual impact of the

project. However, the tower elements of the proposed development, while technically within the limits of the typical sign requirements for the Coastal Zone, essentially creates a 40 foot high (façade) sign. Allowing non-functional design elements with commercial signage is contrary to the intent of the Commission's sign policies, which is to limit large signs in scenic coastal areas, particularly where they would block views of the bay (or in this case, a historic structure associated with the bay).

Therefore, Special Condition #1 requires that the building be revised to be no higher than 20 feet, which is the height for all functional parts of the building, and which is consistent with the surrounding pattern of development. As revised, the highest portion of the development would be the 22 foot high gas station canopy. As revised, the bulk and scale of the development would be limited, low-profile and would likely preserve some views across the site to the historic Salt Works structure, consistent with the visual protection and preservation policies of the Coastal Act.

In summary, the proposed development would infringe on existing bay water views across the site, but the structures on the site have been sited in a manner such that direct view blockage is minimized. However, the proposed building has been designed with large, bulky, non-functional towers 40 feet in height, which are out of scale and character with the surrounding 1 and 2 story buildings that make up the majority of the surrounding community. There are many vacant lots in the area surrounding the subject site, and it would set an adverse precedence to allow development on this site with the proposed bulk, scale, and height. Only as revised to limit the height of the building to 20 feet and proposed landscaping in the northern portion of the site to no higher than 5 ft., can the project be found consistent with the visual protection policies of the Coastal Act.

3. Runoff/Water Quality. Section 30231 of the Coastal Act states:

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, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Runoff from service stations often contains oil and other hydrocarbons. If left unfiltered or untreated, these discharges cause problems to downstream coastal resources, and the regulation and treatment of this run-off is necessary to ensure the biological productivity and quality of coastal waters. Three features of the subject development have the potential to adversely affect off-site water quality: (1) the proposed car wash, (2) the refueling areas, and (3) the parking lot drainage. In order to assess potential hydrology and water quality impacts, a Hydrology Study and Water Quality Technical Report were prepared and submitted for the project. As proposed, the carwash will be equipped with a reclaimed water system and a clarifier that will recycle 90% of the water used for the

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carwash. The remaining 10% of the water will evaporate or be drained to the sewer system.

The east portion of the parking lot and building areas will drain through the site's landscaping into a proposed bio-retention facility on the southern edge of the site. The western portion of the parking lot will drain into a vegetated swale and catch basin/filter insert within a landscape planter area on the west side of the site that will treat the runoff water. The project also includes source-control BMP's that will reduce the amount of water pollutants entering the runoff downstream, including integrated pest management, efficient landscape irrigation, sealed trash enclosures, a separate drainage system to separate trash enclosure runoff, stenciling of notices on curbs and drains to discourage illegal dumping, and regular maintenance of the site including sweeping and trash pickup of the parking lot. The fuel dispensing area will be covered with an overhanging canopy. A BMP Maintenance agreement will also be required by the City of Chula Vista. Final grading plans must comply with the provisions of the State Water Resources Control Board National Pollutant Discharge Elimination System General Permit and Municipal Permits, including development and implementation of a Storm Water Pollution Prevention Plan and a Monitoring Program Plan. The Commission's water quality staff have found that the regulations of the municipal and industrial stormwater permits are adequate to protect coastal resources.

Special Condition #5 requires adherence to all of the requirements and recommendations of the mitigated negative declaration approved by the City. As conditioned, BMP's will be incorporated into the development proposal, and with these conditions, the Commission is assured that all runoff and drainage generated by the proposed development is treated to the maximum extent feasible. Therefore, the proposed development is not expected to result in adverse impacts to the biological productivity or quality of coastal waters, consistent with Section 30231.

4. 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 subject site is located within the City of Chula Vista, which has a certified Local Coastal Program. The site was previously within the County of San Diego's County Islands Segment Local Coastal Program jurisdiction, but is now within the boundaries of the City of Chula Vista as a result of the Montgomery Annexation, but has never been incorporated into the City's LCP. It is assumed that eventually the City's certified LCP will be amended to include this area. Until that time, Chapter 3 of the Coastal Act is the 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 Chula Vista to develop a certifiable LCP for this area.

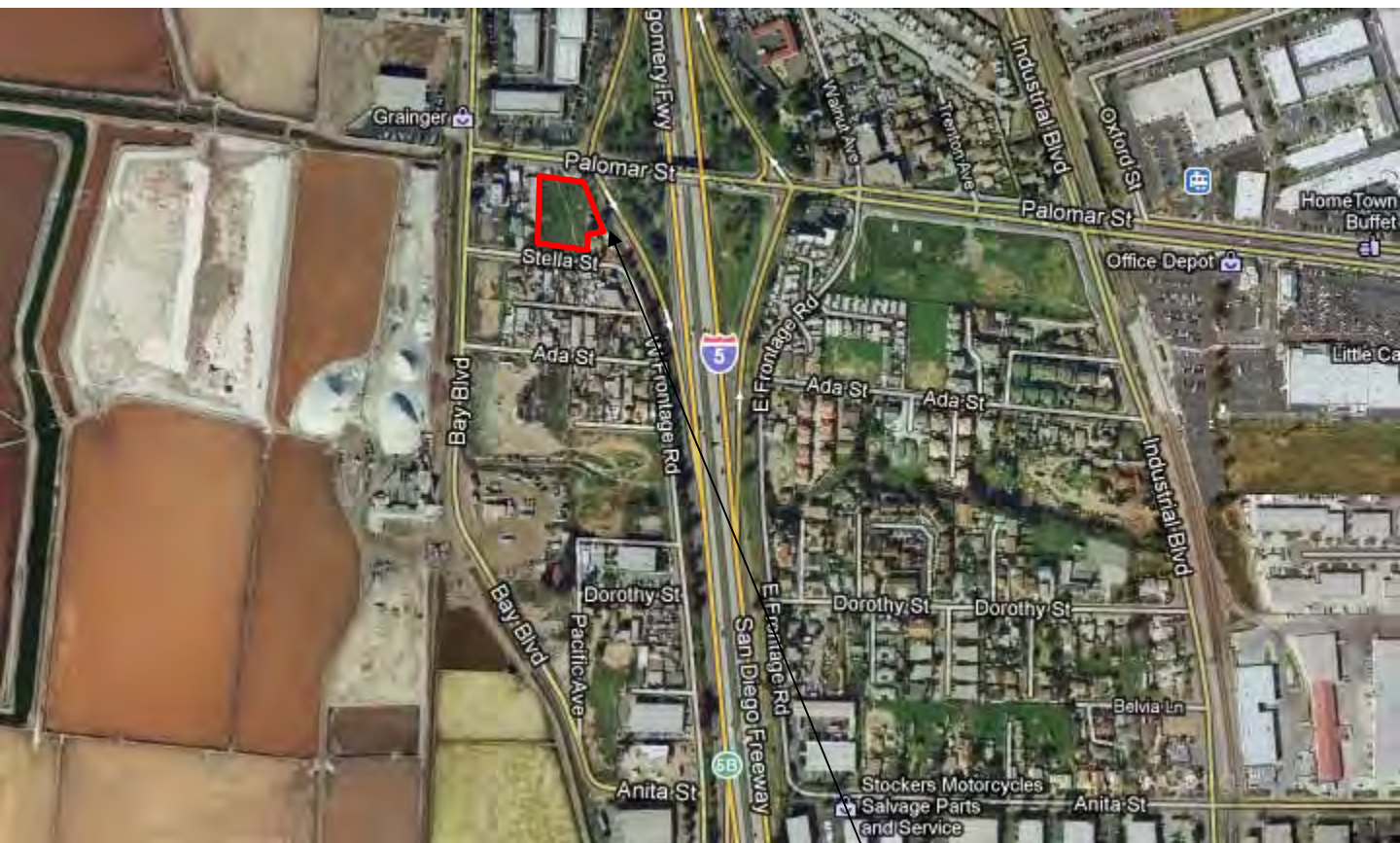
4. Consistency with the California Environmental Quality Act (CEQA).

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. Acting as the lead CEQA agency, the City of Chula Vista approved a mitigated negative declaration for the proposed project.

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 the height, bulk, and scale of the proposed building, 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 can be found 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

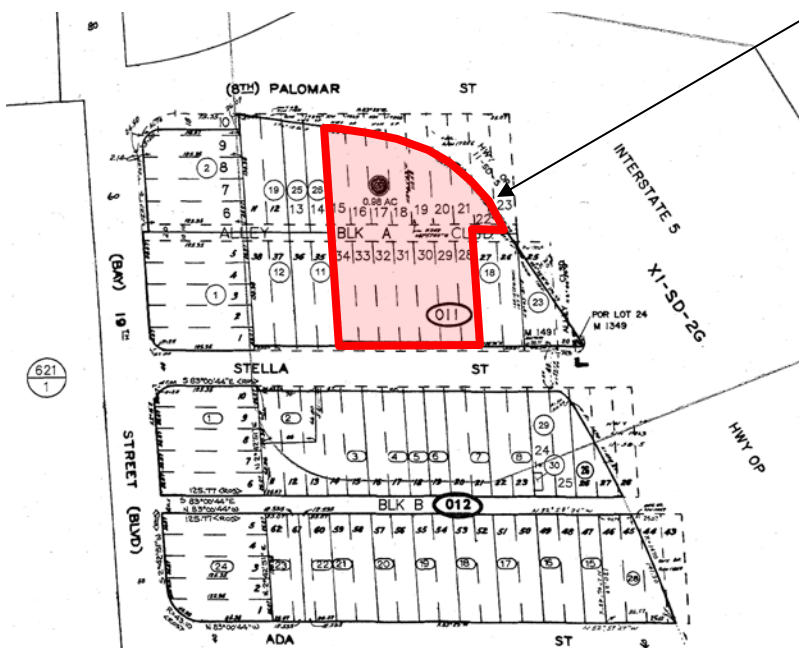


EXHIBIT NO. 1

APPLICATION NO.

6-11-60

Location Map



California Coastal Commission

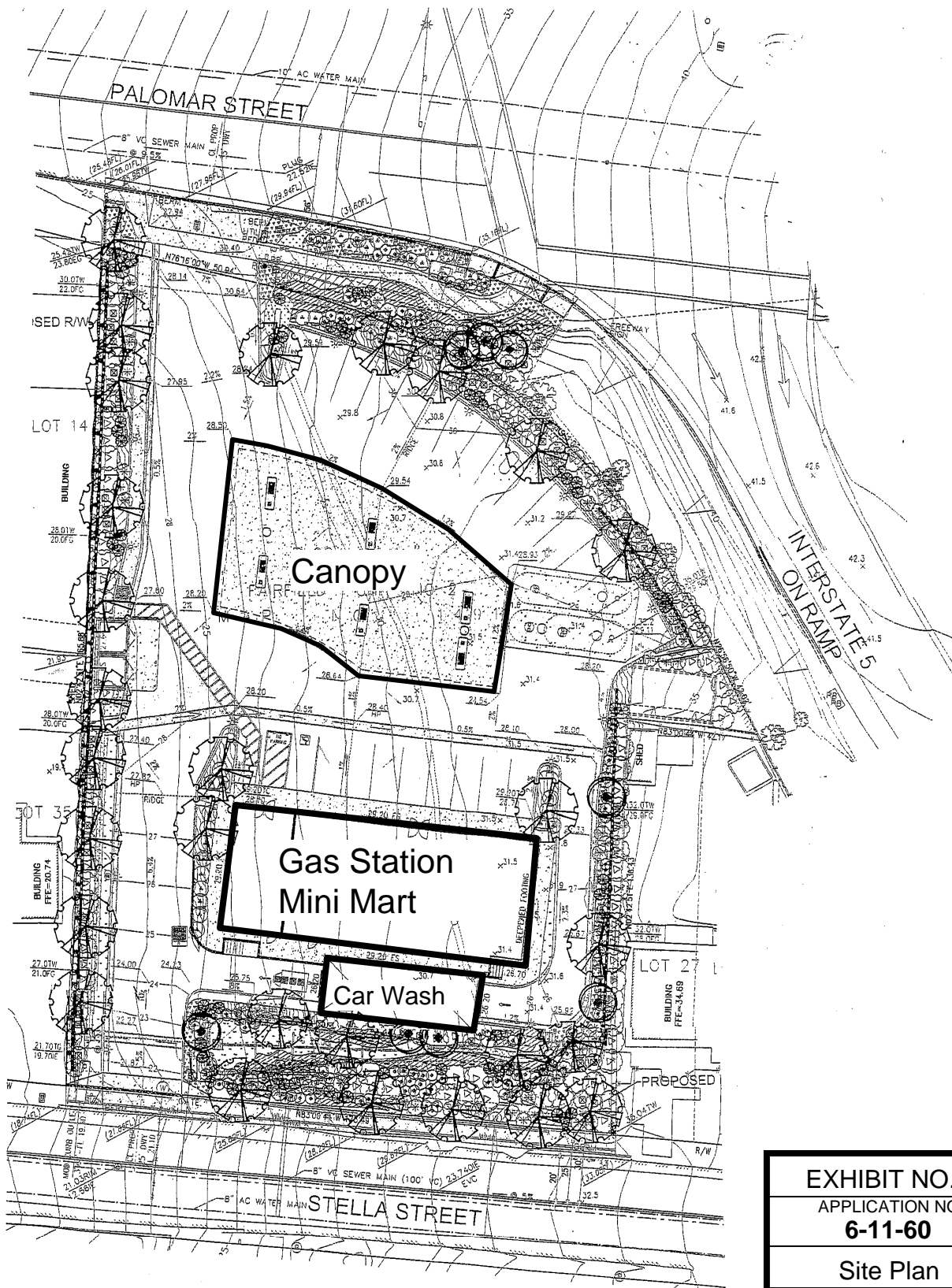


EXHIBIT NO. 2

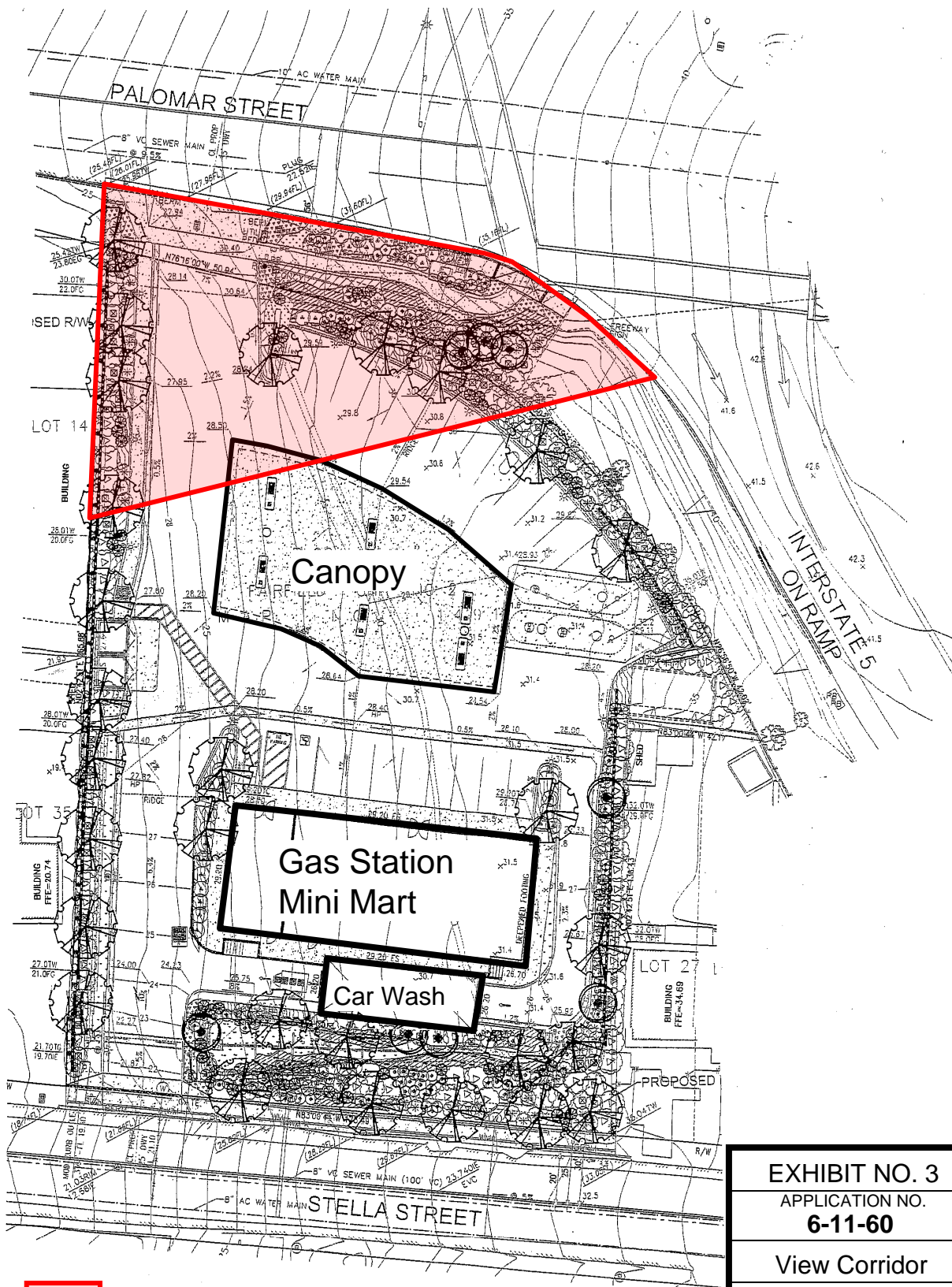
APPLICATION NO.

6-11-60

Site Plan



California Coastal Commission



View Corridor

EXHIBIT NO. 3

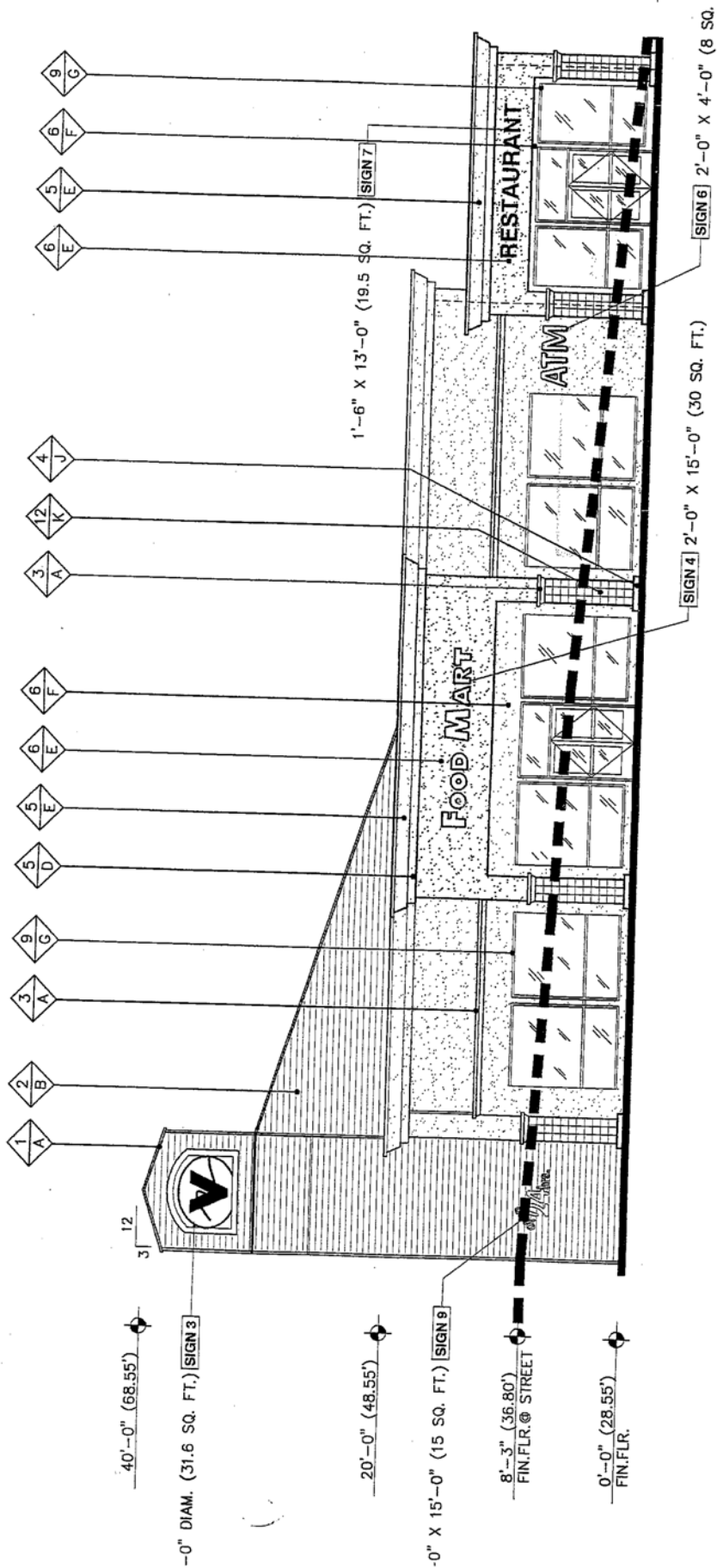
APPLICATION NO.

6-11-60

View Corridor



California Coastal Commission



NORTH/FRONT ELEVATION

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

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A-1

EXHIBIT NO. 4

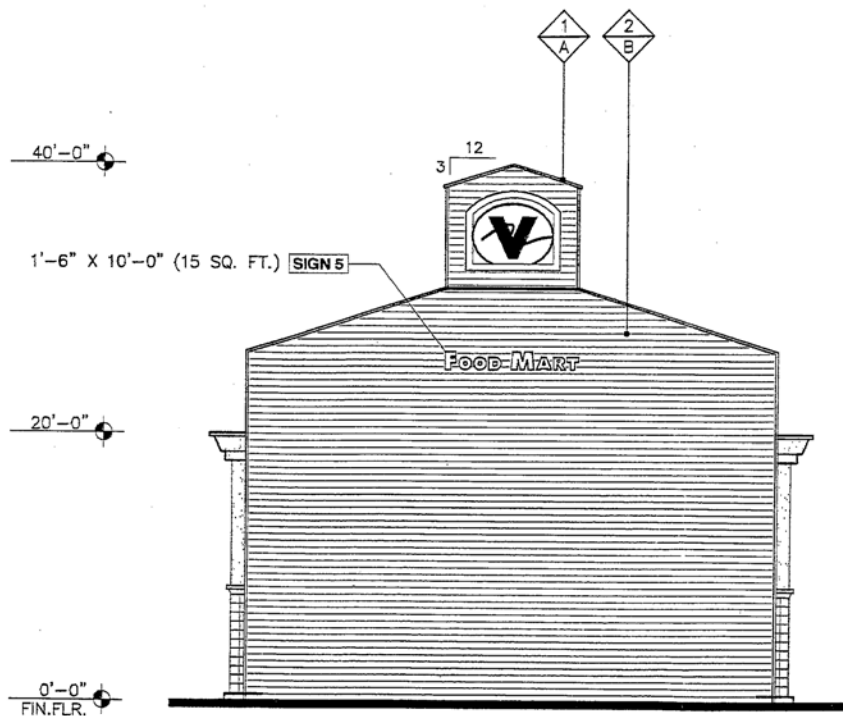
APPLICATION NO.

6-11-60

North Elevation



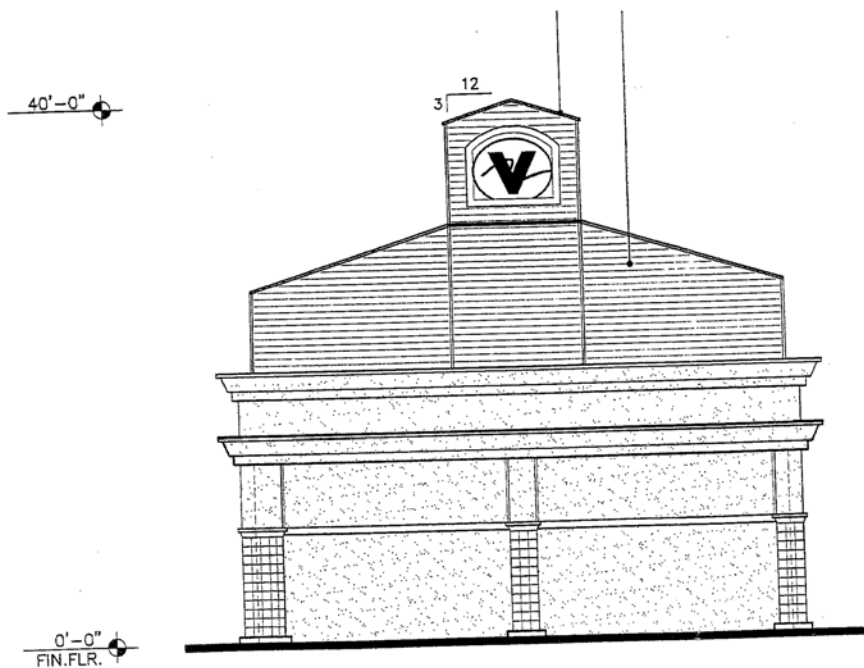
California Coastal Commission



EAST/SIDE ELEVATION

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

3
A-1



WEST/SIDE ELEVATION

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

4
A

EXHIBIT NO. 5

APPLICATION NO.

6-11-60

East & West

Elevations



California Coastal Commission



Looking South from Palomar Street

EXHIBIT NO. 6

APPLICATION NO.

6-11-60

Applicant's Visual

Analysis



California Coastal Commission



Looking west from the Palomar Street intersection with the northbound I-5 on-ramp

EXHIBIT NO. 7

APPLICATION NO.

6-11-60

Existing Views

Across Site



California Coastal Commission



Looking west from the Palomar Street intersection with the northbound I-5 on-ramp
Approximate height and location of proposed canopy shown.

EXHIBIT NO. 8

APPLICATION NO.

6-11-60

Apprx. Encroachment



By Canopy
California Coastal Commission

San Diego Bay



Subject Site

EXHIBIT NO. 9

APPLICATION NO.

6-11-60

Surrounding Pattern

of Development



California Coastal Commission