

RESOLUTION NO. 96-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT MODIFICATION FOR AN INCREASE IN MAXIMUM PERMITTED ENROLLMENT TO 750 STUDENTS, CONSTRUCTION OF A GYMNASIUM AND LOCKER ROOM BUILDING, MODULAR BUILDINGS LOCATED AT 838 ACADEMY DRIVE.

**APPLICANT: SANTA FE CHRISTIAN SCHOOL
CASE NO.: 17-96-04 (CUP)**

WHEREAS, Santa Fe Christian School (hereinafter referred to as "Applicant") has requested issuance of a Conditional Use Permit Modification pursuant to Section 17 of the Solana Beach Municipal Code, and

WHEREAS, on March 4, 1996, the City of Solana Beach, California, held a public hearing to consider the above referenced project, and

WHEREAS, at the hearing the City Council received and considered evidence concerning the proposed application, and

WHEREAS, the public hearing was conducted pursuant to the provisions of Section 17 of the Solana Beach Municipal Code, and

WHEREAS, the City Council of the City of Solana Beach considered a Negative Declaration and supporting documents dated April 15, 1993, pursuant to section 15070 of the State CEQA Guidelines.

WHEREAS, this decision is based upon the evidence presented at the hearing, the Site Plan, and any information the City Council gathered by viewing the site and the area as disclosed at the hearing.

NOW THEREFORE, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the foregoing recitations are true and correct.
2. That the request for a Conditional Use Permit Modification dated February 6, 1996, and on file with the Community Development Department is conditionally approved based on the following findings and subject to the following Conditions:

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3. FINDINGS:

A. In accordance with Section 17.68.010.F of the Solana Beach Zoning Ordinance, the City Council finds the following:

1. That the Conditional Use Permit modification is in accord with the General Plan because the project is permitted within the Medium-High Residential land Use designation through the issuance of a Conditional Use permit. The project is consistent with the intent of the Solana Beach Zoning Ordinance which is to separate incompatible uses and maintain the public health, safety, and welfare because the increase in student population and new gymnasium are compatible with the surrounding medium high density residential and commercial uses in the vicinity.

2. That the use proposed by the Conditional Use Permit modification will not have an adverse effect on and will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity based on the following considerations:

a. The proposed gymnasium and locker room building have a maximum height of 35 feet which is consistent in bulk, height, density, and coverage with that of the two-story multi-family structures and commercial structures in the surrounding neighborhood. The gymnasium will not be harmful to neighborhood character because it maintains architecture and landscaping that is compatible with surrounding uses. The 32 foot height of the gymnasium and 35 foot height of the snack bar/entryway tower is necessary for minimum clearance requirements for the gymnasium and visibility of the entryway from adjacent land at a higher elevation.

b. Additional traffic and street runoff that is generated by this project will be mitigated through the use of traffic improvement fees, construction of curb, gutter, and sidewalk improvements at the southeast corner of the intersection of Academy Drive and Stevens Avenue, and a modification in the storm sewer system. As a result these impacts will not adversely affect adjacent uses and public facilities such as streets and storm sewers will be adequate to accommodate this development. Overflow parking for major events at the gymnasium will be provided for through the use of the school football field and under-utilized parking facilities of adjacent uses on Academy Drive.

c. The project site is level and large enough to accommodate construction of the gymnasium with relatively minor grading, and provide large areas of open space and adequate parking facilities for the gymnasium and the school as a whole.

d. Any significant environmental impacts will be mitigated to a level of insignificance which is verified by the Negative Declaration for this project.

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3. That the Conditional Use Permit modification is in accordance with the provisions of the Solana Beach Zoning Ordinance including, but not limited to, setbacks, height, Floor Area Ratio, and parking regulations.

B. In accordance with section 17.68.040.H of the Solana Beach Zoning Ordinance, the Council finds the following:

1. The development is consistent with the Medium High Residential land use designation and zone through the issuance of a Conditional Use Permit. The development is consistent with all other elements of the General plan and conforms to all requirements of the development regulations for the MHR zone including parking, height, setbacks, and floor area ratio and all other requirements of the Zoning Ordinance.

2. The development complies with the development review criteria set forth in Section 17.68.04.F because the design and architecture of the development is complimentary and compatible with the two-story medium high density residential, and commercial development in the vicinity. Landscaping will be planted around the gymnasium which will serve as a buffer between the development and surrounding uses. Proposed grading for the development will not change the character of the existing natural topography.

3. All required discretionary permits have been acquired for this development as a Conditional Use permit has been granted concurrently with a Development Review permit.

4. CONDITIONS:

A. All conditions stated in Solana Beach City Council resolutions 93-30, 94-27, and 95-62 are superseded by the conditions of this resolution. Prior to obtaining any building permit and prior to commencement of construction in reliance on this Conditional Use Permit modification, the Applicant shall:

I. Submit a grading plan designed by a Registered Civil Engineer for approval by the City Engineer. The grading plan shall show the following:

- a. All grades and drainage flow patterns.
- b. All cut and fill areas.
- c. Retaining walls including wall heights.
- d. A soils engineer's recommendation regarding cut and fill slopes.
- e. Street improvements such as street lights.

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f. Whether modular buildings are temporary or permanent. Show any retaining walls associated with the pad preparation of the modular units. Show the pad grading and drainage to the surrounding areas.

g. A detail of the placement of the modular buildings as attached to the ground with pad elevations.

II. Pay additional sewer fees to the satisfaction of the City Engineer.

III. A required minimum plan check fee of \$800 and minimum inspection fee of \$800 will be required prior to the issuance of a grading permit. Additional fees are dependent on the City's fee schedule and the approved engineer's estimate.

IV. Modify building plans so that the trellis/tower structure does not exceed a height of 30 feet and acquire building permits for all proposed modular buildings.

V. Fire access requirement. Fire lane shall be a minimum of 20 feet in width, 13 feet 6 inches vertical clearance, including any proposed landscaping. Fire lane shall be designed and maintained to support the load of fire apparatus and shall be provided with an approved paved support surface so as to provide all weather driving capabilities.

VI. Fire lane marking and/or signage must be installed.

VII. Project must have a fire alarm installed according to NFPA Standard #72.

VIII. All plans for any fire alarm, fire sprinkler system, fire extinguishing system shall be submitted to the fire department for approval prior to installation.

IX. During formal review of any building plans additional fire department requirements may be imposed.

X. The applicant shall obtain Coastal Commission permits.

XI. Acquire sign permits for any proposed signs pursuant to the sign regulations of the Solana Beach Zoning Ordinance. The location, type, and size of any proposed signs shall be approved by the Community Development Director and City Engineer.

XII. Develop major event operation procedures for the gymnasium for approval by the Community Development Director and City Engineer. These procedures, at a minimum shall address securing parking from under-utilized parking lots in the vicinity and/or utilizing the football field for overflow parking, time of the event, and need for parking control and enforcement to minimize impacts on the community.

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XIII. Be solely responsible for the design of a drainage system by a licensed Civil Engineer which shall be approved by the City Engineer. The applicant shall also be solely responsible for the construction of said system including but not limited to inspection charges.

XIV. Pay a Public Facilities Fee (currently equal to 1% of the building permit valuation). The cost of public improvements that have or will be completed may be credited to this amount, at the discretion of the Community Development Director and City Engineer.

XV. Pay a traffic fee for the future installation of a traffic signal at the intersection of Academy Drive and Stevens Avenue or another nearby location using a fair share traffic improvement fee based on such factors as surrounding land uses, traffic generation factors and a Santa Fe Christian School fair share contribution to the satisfaction of the City Engineer. The collection of said fee may be deferred until the Certificate of Occupancy. If the Applicant and City Engineer do not concur as to the fair share analysis, the City Council may make the final determination.

B. Prior to final occupancy, the following shall be completed:

I. The vehicular access to the football field shall be completed.

II. A drainage system on Academy Drive shall be provided to the satisfaction of the City Engineer.

III. Approved address numbers must be placed in such a position as to be plainly visible and legible from the street fronting the property.

IV. Project must be fire sprinkler protected according to NFPA Standard #13, 13D, 13R, and local amendments.

V. Mechanical equipment such as heating and air conditioning units shall be screened from view if located outside of a structure.

C. The applicant shall provide for and adhere to the following conditions:

I. Proper dust control measures shall be utilized by the Applicant, such as watering down the site operations and periodic sweeping and washing of the streets adjacent to the site to reduce the impact of construction activities on neighborhood properties.

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II. Construction equipment shall only be operated on Monday through Friday between the hours of 7:00 a.m. and 7:00 p.m., and on Saturdays between the hours of 8:00 a.m. and 6:00 p.m.

III. No loudspeaker or sound amplification system shall be used to produce sounds audible beyond the boundaries of the premises (except electric bell or chime system which may be sounded between 9:00 a.m. and sunset one day per week and on religious holidays).

IV. Utilize the school football field as overflow parking for special events subject to the major event operation procedures to be approved by the Director of Community Development and City Engineer.

V. All of the conditions of this conditional use permit modification are continuing conditions. Failure of the Applicant and/or operator to comply with any or all of said conditions at any time shall result in the revocation of the permit granted to use the property.

D. The applicant shall complete curb, gutter, and sidewalk improvements at the southeast corner of the intersection of Stevens Avenue and Academy Drive to the satisfaction of the City Engineer. The Applicant shall receive reimbursement through fees levied on other development projects for the cost of the improvements installed in excess of their allocated fair share responsibility for the intersection improvements.

E. The Conditional Use Permit modification will expire on March 4, 1998 unless the Applicant has obtained building permits and has commenced construction prior to this date, and diligently pursues construction of each phase to completion. An extension of the Conditional Use Permit modification may be granted by the City Council.

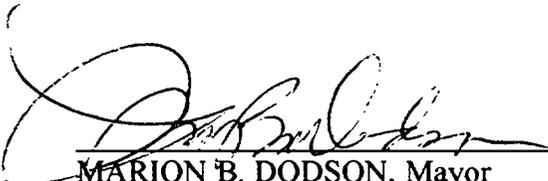
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, held on the 4th day of March, 1996, by the following vote.

AYES: Councilmembers - Campbell, Dodson, Kellejian, Tompkins

NOES: Councilmembers - None

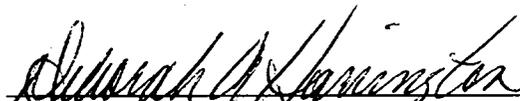
ABSENT: Councilmembers - Renteria

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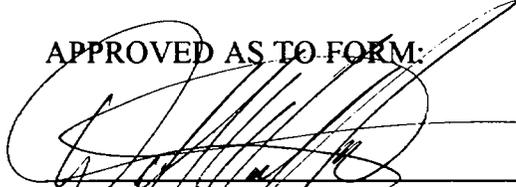
MARION B. DODSON, Mayor

ATTEST:



DEBORAH A. HARRINGTON, City Clerk

APPROVED AS TO FORM:



DANIEL S. HENTSCHE, City Attorney