

W18B

Go to original staff report.

Agenda Item: 18 b.
Application No. 6-12-18
Mission Beach Precise Planning Board
Opposed to Project

To: California Coastal Commissioners

From: Mission Beach Precise Planning Board

Date: May 2, 2013

Re: 2975 Ocean Front Walk
Removal of the Non-conforming Stairs on Ensenada Court

Dear Honorable Commissioners:

Our Mission Beach community desperately needs your help. We are requesting that you support the removal of the existing concrete stairs encroaching into the required setback on Ensenada Court and not allow the construction of railings for these illegal stairs. These concrete stairs are a material encroachment into the view corridor between Strandway and Ocean Front Walk. This situation can be easily remedied.

The encroaching stairs and the associated railings in this case violate both the California Subdivision Map Act and the Land Development Code of the City of San Diego as follows:

California Subdivision Map Act Section 66473.5 provides that "No local agency shall approve a tentative map, or a parcel map for which a tentative map was not required, unless the legislative body finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan. . . or any specific plan adopted"

Land Development Code General Requirements for Tentative Maps Section 144.0202 states that "the tentative map shall comply with all ordinances, policies, and standards in effect on the date the City has determined that the application is complete pursuant to California Government Code Section 65943."

Our Planned District Ordinance ("PDO") was effective January 2, 1979. This structure was built in 1986, and the construction of these stairs was a zoning violation at that time and thus non-conforming pursuant to the above legislation. [Please See: Photograph of original 1986 structure as **Attachment 1**.] Be clear, our PDO was effective in 1986 when this structure was constructed and equally in effect on the date the tentative map was requested. There is no grandfathering issue. The City of San Diego is obligated to remove this violation even in the absence of a map waiver request. Our planning group has provided a simple remedy at little cost in comparison to the profit being made by the owner/developer. [Please See: Sheet written by Mike Meyer, the Board's co-Plan Reviewer, for a solution summary as **Attachment 2**; and Sheet of photographs of the encroaching stairs on Ensenada Court as **Attachment 3**.]

Letter of Objection B

California Coastal Commissioners
May 2, 2013
Page Two


During the final San Diego Planning Commission Hearing for these encroaching stairs, Matt Peterson, attorney/lobbyist for the owner/developer, showed many PowerPoint pictures of properties in the neighborhood with construction that have a negative impact on the required setbacks and the view corridors. We were not allowed to comment on this display.


The pictures made me cringe. Most all of these were pictures of non-conforming structures that were allowed to be constructed by the City in violation of our community's PDO in the Coastal Commission jurisdiction. Our planning board is not allowed to review and comment on these projects. Or, perhaps some of the pictures showed non-permitted construction by residents.

To allow an illegal non-conforming structure on this project based on examples of other non-conforming structures is wrong. We will remedy these non-conforming conditions in these pictures to the best of our ability. As for the current encroaching stairs on Ensenada Court, ocean side, the time to remedy this situation is now.

Respectfully submitted,

Mission Beach Precise Planning Board

By: (*Signature on File*) 
Dennis Lynch, Plan Reviewer

By: (*Signature on File*) 
Debbie Watkins, Chair

Attachments

cc. Alex Llerandi, Coastal Program Analyst

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Built 1986

1

15

2975 Ocean Front Walk

San Diego

Hopefully the Coastal Commission will have an unbiased opinion. The applicant hired an architect on the Planning Commission and also hired the top real estate lobbyist in San Diego to help him in front of the Planning Commission.

Stairs and railing are in violation 107 inches (almost 9 feet) into the 16 foot 3 inch setback.

Applicant has suggested that they will remove the railing from the first three steps. I would guess with the probability of an older person buying this property that they will be reinstalled for convenience and safety later.

There is a door that goes down to ground level hallway into the garage on the inside.

Only outside steps are needed up to the current steps inside the building.

Thus the four foot landing just outside the building could be eliminated. One step would be added to the existing five steps.

The current steps are 12 inches wide. They could be reduced to 10 inches and create 6 steps which would total 60 inches from the building.

45 1/2
High
42" TV
Long

The planter is 57 inches from the building which with the vegetation would block most of the stairs.

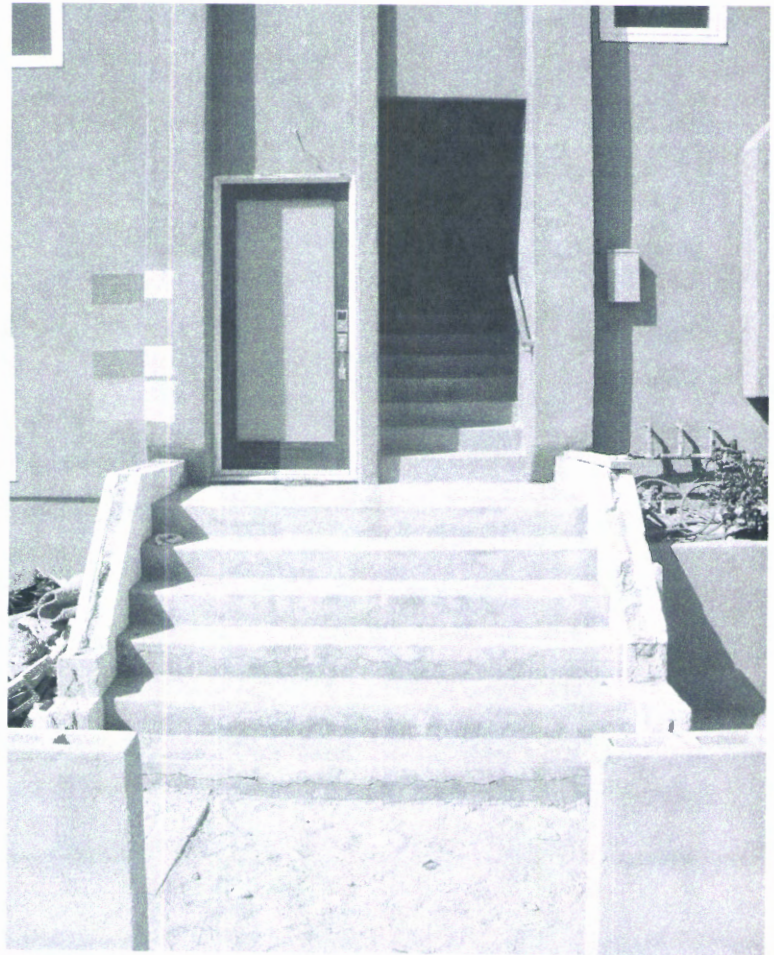
Applicant said the cost to remove the stairs and to rebuild would be \$30,000 at Planning Commission three weeks ago. Now the lobbyist who did all the speaking at the Planning Commission last week said it would now cost \$45,000. I say it is about \$10,000. How much does it cost to hire a bobcat with a device to break up the concrete and haul it away. It will take less than a day. Another day to frame the stairs and to lower the door. Then pour the concrete and restucco.

Cost should not be the determining factor it should be view corridor. Applicant bought this property a year ago at the bottom of the market for \$3.3 million for three units. He replaced the kitchen, bathroom and outside deck. Has already sold two units for around 2 million each and has the third for sale for \$2,175,000.

View corridor is very important at that location. It is between the alley and the boardwalk as people walk by and the last building before the ocean front. There are other violations in Mission Beach. It is time the city and Coastal Commission correct the errors made by plan checkers. These stairs were never legal and should not be allowed to stay. Make six 10 inch steps (which is still illegal but a compromise) and remove the rest of the violation.

Mike Meyer 714 Coronado Ct. San Diego mikem488@hotmail.com

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Blank**

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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SAN DIEGO, CA 92108-4421
(619) 767-2370



W18b

Filed: 4/15/13
180th Day: 10/12/13
Staff: A. Llerandi-SD
Staff Report: 4/15/13
Hearing Date: 5/8-10/13

STAFF REPORT: REGULAR CALENDAR

Application No.: 6-12-018

Applicant: J Crew, LLC

Agent: Robert Bateman

Location: 2975 Ocean Front Walk, Mission Beach, San Diego, San Diego County (APN No. 423-691-04)

Project Description: Convert an existing 3-unit apartment building into three condominium units, revise existing landscaping, remove exterior staircase from the front yard setback, and after-the-fact authorization for removal of unpermitted development within the public right-of-way.

Staff Recommendation: Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending approval of this project, with conditions. The proposed project is to convert three existing rental units in an existing three-unit apartment building into condominium ownership, to revise existing landscaping, remove an exterior staircase from the front yard setback, and after-the-fact authorization for removal of unpermitted development within the public right-of-way at 2975 Ocean Front Walk.

The primary issues raised by the proposed development relate to public access and protection of public views. The presence of workers and equipment in such a densely

populated, popular beach area could impact public access by occupying public parking spaces for storage or blocking public right-of-ways to and along the beach, especially during the summer months when beach use is at its peak. Visual resources could be impacted by blockage of designated view corridors to or along the ocean by the home or landscaping.

Recommended conditions to minimize these impacts include requirements to not conduct any development during the peak summer months, to verify and receive written approval that the residence and landscaping are built according to plans that protect view corridors, and having the applicant record appropriate deed restrictions against the property putting these protections in place.

Commission staff recommends **approval of** coastal development permit application 6-12-018, as conditioned.

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EXHIBITS

Exhibit 1 – Location Map

Exhibit 2 – Aerial View

Exhibit 3 – Site Photo

Exhibit 4 – Landscape Plan

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit No. 6-12-018 pursuant to staff recommendation.*

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:

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

This permit is granted subject to the following 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 applicant 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 of 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 applicant to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

The permit is subject to the following conditions:

1. **Final Plans.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval final project plans. Said plans shall first be approved by the City of San Diego and be in substantial conformance with the plans drafted by Timothy Golba and submitted on 4/15/2013.

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.

2. **Final Landscape/Yard Area Plans.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval final landscaping and fencing plans approved by the City of San Diego. The plans shall be in substantial conformance with the landscape plans drafted by Frontis + Young and submitted on 4/12/2013, and shall include the following:
 - a. A view corridor, 10 feet wide, shall be preserved in the west and south yard area adjacent to Ocean Front Walk and Ensenada Court. All proposed landscaping in the west and south yard area shall be maintained at a height of three feet or lower (including raised planters) to preserve the views from Mission Boulevard toward and along the ocean.
 - b. All landscaping shall be drought tolerant and native or non-invasive plant species. All landscape materials within the identified view corridors shall be species with a growth potential not to exceed three feet at maturity. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, or 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. Any fencing in the western and southern yard setback areas along Ocean Front Walk and Ensenada Court shall permit public views and have at least 75% of its surface area open to light.

- d. 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 landscaping 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.

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 successor 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 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.

3. **Timing of Development.** No development activity may occur between Memorial Day and Labor Day of any year.
4. **Deed Restriction.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property subject to the terms and conditions that restrict the use and enjoyment of that property, and (2) imposing the special conditions of this permit as covenants, conditions, and restrictions on the use and enjoyment of the property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence or with respect to the subject property.
5. **Condition Compliance.** WITHIN 60 DAYS OF COMMISSION ACTION ON THIS COASTAL DEVELOPMENT PERMIT, or within such additional time as the Executive Director may grant for good cause, the applicant shall satisfy all

requirements specified in the conditions of the subject permit that the applicant is required to satisfy prior to issuance of this permit.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION/HISTORY.

The proposed project is to convert three existing rental units in an existing three-unit apartment building into condominium ownership, to revise the landscaping, remove an exterior staircase from the front yard setback, and a request for after-the-fact authorization for removal of unpermitted development within the public right-of-way at 2975 Ocean Front Walk in the Mission Beach community of the City of San Diego.

The approximately 4,320 square foot project site is at the ortheast corner of the intersection of Ensenada Court and Ocean Front Walk (the boardwalk), facing west. The project site contains an existing three-story, three-unit residential building with six off-street parking spaces and western and southern side yards that abut Ocean Front Walk and Ensenada Court, respectively. This segment of Ocean Front Walk extends southward from Belmont Park to the tip of the peninsula and is lined on its eastern side by approximately 65 single and multi-family properties.

The project site, along with most of the properties along the boardwalk in Mission Beach, has a long history of unpermitted private encroachments extending into public right-of-ways.

Starting in 1999, the Commission approved a series of CDPs authorizing the City of San Diego to remove the unpermitted private encroachments and widen the boardwalk to its legal prescribed dimensions (CDP Nos. 6-99-090, 6-00-001, 6-00-123, 6-01-029, 6-01-029-A1). The City of San Diego in turn removed encroachments and widened the boardwalk from Belmont Park northward to just a few blocks short of the border of Mission Beach. However, due to lack of funding, the City of San Diego did not conduct any widening south of Belmont Park, and today this stretch of boardwalk, from Belmont Park all the way to the southern tip of the peninsula, represents the longest, and one of the last, remaining sections of boardwalk that has yet to be widened.

The project site is located in an area of original jurisdiction of the Coastal Commission, as such, the standard of review for the proposed development is Chapter 3 of the Coastal Act, with the City of San Diego's certified LCP used as guidance.

B. PUBLIC ACCESS.

The following Coastal Act policies are most pertinent to this issue, and state in part:

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212 of the Coastal Act states, in part:

- (a) *Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

[...]

- (c) *Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.*

Section 30213 of the Coastal Act states, in part:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

[...]

Section 30604 of the Coastal Act states, in part:

[...]

- (c) *Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).*

The project site is located at the northeast corner of the intersection of Ensenada Court and Ocean Front Walk. It is between the beach to the west and Mission Boulevard to the east. Thus, the project site is located between the sea and first public roadway, where maintaining public access to the municipal beaches is of greatest concern. On the western, front side of the project site is the north-south Mission Beach Boardwalk (Ocean Front Walk). The boardwalk is a popular thoroughfare, especially during the summer, and is frequented by pedestrians, bicyclists, skateboarders, and more. To the south, Ensenada Court, like the other east-west public right-of-ways in Mission Beach, serves as view corridors and access ways for the public to view and reach the aforementioned beach and boardwalk.

In the Mission Beach neighborhood, the public right-of-way of the various courts and places, which are generally east-west running streets, comprise the community's public view corridors. Additionally, the adjacent public boardwalk – Ocean Front Walk – which runs north-south along the beach, serves not only as a highly popular public access way, but also serves as a public view corridor along the shoreline. Because the project is located between the first public road and the sea and there is a long history of unpermitted development within the public right-of-way along both Ocean Front Walk and Ensenada Court, there is the potential for the project to impact views and access to and along the shoreline from Mission Boulevard. The Commission typically reviews projects to ensure that any new development does not encroach into the yard setback areas which could impede public views to and along the ocean.

In this particular project, there is potential for landscaping in the southern and western yard area to impede views to and along the ocean. Additionally, demolition and construction activity could impede public access by occupying public parking spaces or blocking public right-of-ways with development, materials, or debris.

Prior to recent development, the project site contained encroachments into Ocean Front Walk. The encroachment into the boardwalk consisted of a wooden fence projecting approximately ten feet into the boardwalk and enclosing a concrete patio and landscaping. Upon purchasing the project site, the applicant removed the majority of the encroaching, unpermitted development and redeveloped the encroachment area by installing, among other things, a new concrete wall, gas pipelines for fire pits, pavers, and concrete benches. Upon discovery of the unpermitted, encroaching development by both the City of San Diego and the Commission, the applicant was informed that the development was unpermitted and would need to be addressed pursuant to a coastal development permit. To date the applicant has removed the unpermitted development and the encroached-upon space is currently open, and the applicant is requesting after-the-fact authorization of that removal with this application. The space will be open to public use as it is part of the boardwalk right-of-way.

Regarding public parking, the existing, approved three-unit structure has sufficient off-street parking, and as the applicant is not proposing to modify the number of bedrooms or total interior square footage, public parking impacts are avoided.

The majority of the exterior work associated with the remodel and conversion, such as removing dry-rotted decking and roof overhangs and installation of new windows has been completed. Thus, parking and public access impacts from construction and siting activity are unlikely.

To mitigate possible impacts to public access, **Special Condition Nos. 1 and 2** require the applicant to adhere final site and landscaping plans that conform to those approved by the Commission. **Special Condition No. 3** places time restrictions on any development activity left to be done with regards to the condominium conversion, while **Special Condition No. 4** requires the applicant to record this permit as a deed restriction against the subject property.

In summary, the Commission finds the proposed project will not result in adverse impacts to coastal access. Off-street parking remains adequate for the three units, and any work that may remain to be done will be prohibited during the popular summer tourist season. The removal of the encroaching development will increase the stretch of boardwalk in front of the project site to its legally prescribed width, increasing the usable space available to the public. Therefore, the Commission finds that all access and resource concerns associated solely with the development approved herein are adequately addressed, and that the proposed development, as conditioned, is consistent with the applicable Chapter 3 policies of the Coastal Act.

C. COMMUNITY CHARACTER/VISUAL QUALITY

Section 30251 of the Act addresses community character and states, in part:

The scenic and visual qualities of the 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 land forms, to be visually compatible with the character of the surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

[...]

The project site is located at the northeast corner of the intersection of Ensenada Court and Ocean Front Walk, facing west toward the boardwalk and the beach. Save for Belmont Park, the entire boardwalk is lined along the east by single and multi-family buildings, with a small number of commercial uses sprinkled within. These buildings range from single-story beach cottages to three-story single and multi-family units.

North of Belmont Park, the City of San Diego's past removal of unpermitted private encroachments and widening of the boardwalk created a wide public thoroughfare along the beach. However, due to lack of funding, the City of San Diego has not yet pursued encroachment removal and boardwalk widening south of Belmont Park. Thus, in this

stretch of boardwalk, almost all of the properties include some private encroachments into the public right-of-way.

The applicant's removal of his unpermitted, encroaching development makes the property "stick out" in that it is one of the few properties along this stretch of the boardwalk to not have encroachments into the right-of-way. However, as stated before, the property lines in this section of Mission Beach are well back from the line of development, and when the City of San Diego is able to procure the funding it will finish what it started north of Belmont Park by removing the private encroachments and widening the boardwalk to its legally prescribed width. On a related note, the Commission recently approved a similar application for a condominium conversion for the neighboring property on the opposite side of Ensenada court to the south of the project site – 2965 Ocean Front Walk (ref. CDP No. 6-12-017). Thus, this intersection will see further encroachment removal, creating greater public space and opening up viewing lines along the beach.

The location of the property within multiple view corridors and in close proximity to the beach raises the possibility of visual impacts from the landscaping in the required front and side yard setbacks. Landscaping and fixtures could reach a height that obstructs public views. As such, **Special Condition No. 2** imposes multiple limits on the allowable landscaping allowed in the yards, including height limits, so as to protect view corridors while allowing the property to keep with the character of the surrounding properties.

Within the southern side yard setback, the property contains an approximately 46-inch high, 24 square foot concrete landing with 5 steps leading from the building down to grade that provides exterior access to the parking garage. This landing is approximately 10 inches higher than the typical 36-inch height limit placed on improvements allowed within the required side yard setbacks. However, this landing was constructed with the original development of the building and is not being proposed to be modified with this application with the exception on replacing the old wooden railings with transparent glass railings to facilitate views. To protect views, **Special Condition No. 2** requires that any fencing higher than 36 inches within the western and southern yard setbacks be at least 75% open to light.

In summary, the Commission finds that the removal of the unpermitted encroachment will not result in development substantially out of character with the surrounding community. The property will still have a front yard setback for use by the applicant, and when the City of San Diego finishes its boardwalk widening all of the neighboring properties will be brought into line. In addition, conversion of the apartments to condominiums is consistent with the pattern of development in this area. Therefore, the Commission finds the proposed development, as conditioned, consisted with Chapter 3 of the Coastal Act.

D. UNPERMITTED DEVELOPMENT

Development has occurred on the subject site without required coastal development permits, including, but not limited to, construction of private encroachments in the public

right-of-way. To ensure that the matter of unpermitted development is resolved in a timely manner, **Special Condition No. 5** requires that the applicant satisfy all conditions of its permit that are prerequisite to the issuance of this permit within 60 days of Commission action, or within such additional time as the Executive Director may grant for good cause.

Although development occurred prior to the submission of the permit application, consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Commission review and action on these permit applications does not constitute a waiver of any legal action with regard to the alleged violations nor does it constitute an admission as to the legality of any development undertaken on the subject sites without a coastal permit.

E. LOCAL COASTAL PLANNING

The City of San Diego has a certified LCP and issues permits for development in its area of jurisdiction. However, 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 conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act as well as with the certified LCP which the Commission uses as guidance in this area. Approval of the project, as conditioned, will not prejudice the ability of the City of San Diego to continue to implement its certified LCP for the Mission Beach community.

F. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The City of San Diego is the lead agency for purposes of CEQA review for this project, and the Coastal Commission is a responsible agency. 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.

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 landscaping and construction activity, 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 is consistent with the requirements of the Coastal Act to conform to CEQA.

6-12-018 (J Crew LLC)

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SAN DIEGO CO.

92109

MISSION BEACH

Project Site →

OCEAN

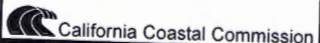
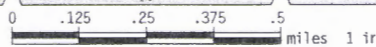
NATIONAL MONUMENT COASTAL CALIFORNIA

92107

MISSION BAY CHANNEL

OCEAN BEACH

EXHIBIT NO. 1
APPLICATION NO.
6-12-018
Location Map

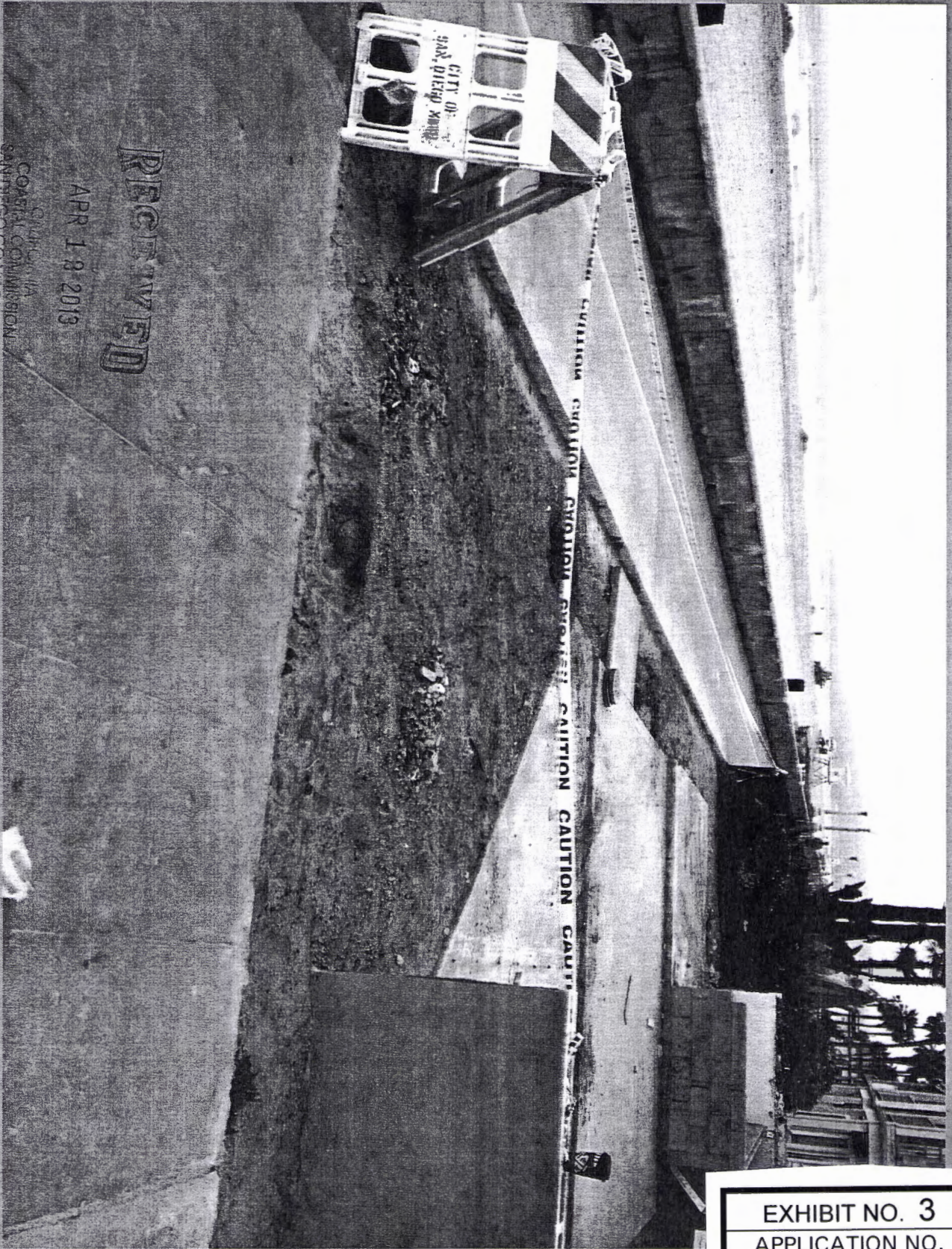





Google earth

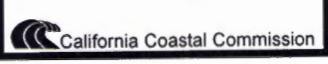


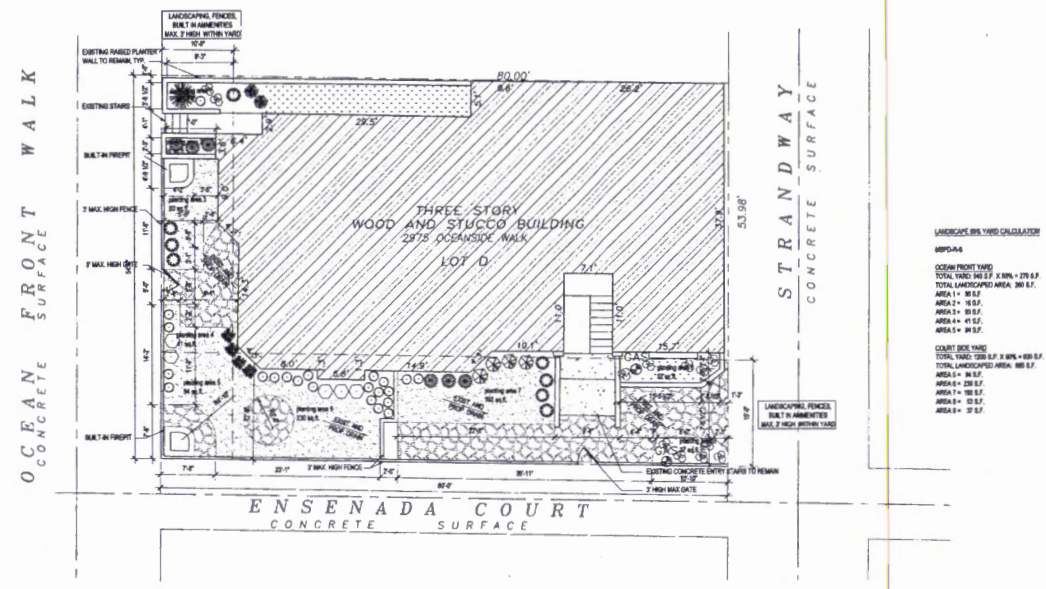
EXHIBIT NO. 2
APPLICATION NO.
6-12-018
Aerial Photo
 California Coastal Commission



Per CCC request, recently installed 3 foot walls in OFW R.O.W. removed

EXHIBIT NO. 3
APPLICATION NO.
6-12-018
Site Photo





LANDSCAPE MATERIALS CALLOUTS

MP-0-04

OCEAN FRONT YARD
 TOTAL TURF: 260 S.F. x 2 IN. = 520 S.F.
 TOTAL LANDSCAPED AREA: 360 S.F.
 AREA 1 = 10 S.F.
 AREA 2 = 10 S.F.
 AREA 3 = 10 S.F.
 AREA 4 = 10 S.F.
 AREA 5 = 10 S.F.

COURT SIDE YARD
 TOTAL TURF: 200 S.F. x 2 IN. = 400 S.F.
 TOTAL LANDSCAPED AREA: 180 S.F.
 AREA 1 = 10 S.F.
 AREA 2 = 10 S.F.
 AREA 3 = 10 S.F.
 AREA 4 = 10 S.F.
 AREA 5 = 10 S.F.

LANDSCAPE DEVELOPMENT PLAN
 1/8" = 1'-0"

GENERAL NOTES	WATER CONSERVATION STATEMENT	PLANT MATERIAL LEGEND
<p>1. ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE CITY OF SAN DIEGO'S LAND DEVELOPMENT MANUAL, LANDSCAPE STANDARDS, THE MISION BEACH PLANNED DISTRICT, AND ALL OTHER CITY AND REGIONAL STANDARDS.</p> <p>2. PROVIDE BUILDING ADDRESS THAT ARE VISIBLE AND LEGIBLE FROM THE STREET FRONTING THE PROPERTY PER PHPS POLICY P-00-6 (JFC 9014.4).</p> <p>3. ALL OUTDOOR LIGHTING SHALL BE SHADED AND ADJUSTED TO FALL ON THE SAME PREMISES WHERE SUCH LIGHTS ARE LOCATED.</p> <p>4. DOWN SPOUTS SHALL BE DIRECTED INTO LANDSCAPED AREAS AND WALKWAYS SHALL SLOPE INTO LANDSCAPED AREAS WHERE FEASIBLE.</p> <p>5. MULCH: ALL REQUIRED PLANTING AREAS SHALL BE COVERED WITH MULCH TO A MINIMUM DEPTH OF 2 INCHES, EXCLUDING SLOPES REQUIRING REVEGETATION AND AREAS PLANTED WITH GROUND COVER. ALL EXPOSED SOIL WITHOUT VEGETATION SHALL ALSO BE MULCHED TO THIS MINIMUM DEPTH.</p> <p>6. ALL PROPOSED IRRIGATION SYSTEMS WILL USE AN APPROVED RAIN SENSOR SHUTOFF DEVICE.</p> <p>7. MINIMUM TREE SEPARATION DISTANCE: IMPROVEMENT/ MINIMUM DISTANCE TO STREET TREE: TRAFFIC SIGNALS (STOP SIGNS): 20' UNDERGROUND UTILITY LINES: 5' ABOVE GROUND UTILITY LINES: 10' DRIVEWAY (ENTRIES): 10' INTERSECTIONS: 20' SEWER LINES: 10'</p>	<p>IN RECOGNITION OF WATER AS A LIMITED RESOURCE IN SOUTHERN CALIFORNIA, THE FOLLOWING MEASURES WILL BE UNDERTAKEN TO REDUCE THIS PROJECT'S DEMAND ON THE CITY OF SAN DIEGO'S AVAILABLE WATER SUPPLY:</p> <p>1. THE IRRIGATION SYSTEM WILL BE AUTOMATIC AND WILL INCORPORATE LOW VOLUME SPRAY EMITTERS AND CONVENTIONAL LOW ANGLE SPRAY HEADS. DRIP IRRIGATION SYSTEMS MAY BE EMPLOYED WHERE CONSIDERED TO BE EFFECTIVE AND FEASIBLE. IRRIGATION VALVES SHALL BE SEGREGATED TO ALLOW FOR THE SYSTEM OPERATION IN RESPONSE TO ORIENTATION AND EXPOSURE.</p> <p>2. TURF WILL BE RESTRICTED TO HIGHLY VISIBLE STREET FRONT AREAS AND/OR AREAS WHICH MAY RECEIVE SIGNIFICANT AMOUNTS OF USE AND ENJOYMENT BY THE HOME OWNER. THE SPECIFIED TURF WILL HAVE RELATIVELY LOW WATER AND MAINTENANCE REQUIREMENTS.</p> <p>3. PLANT MATERIAL WILL BE SPECIFIED IN CONSIDERATION OF NORTH, SOUTH, EAST, AND WEST EXPOSURES.</p> <p>4. SOIL WILL BE AMENDED AND PREPARED TO PROVIDE HEALTHY PLANT GROWTH AND COVERAGE AND TO PROVIDE FOR MAXIMUM MOISTURE RETENTION AND PERCOLATION. PLANTER BEDS WILL BE MULCHED TO RETAIN SOIL MOISTURE AND REDUCE EVAPOTRANSPIRATION FROM THE ROOT ZONES.</p> <p>5. IRRIGATION: AN AUTOMATIC, ELECTRICALLY CONTROLLED IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED FOR PROPER IRRIGATION, DEVELOPMENT, AND MAINTENANCE OF THE VEGETATION IN A HEALTHY, DISEASE-RESISTANT CONDITION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED. ALL PROPOSED IRRIGATION SYSTEMS WILL USE AN APPROVED RAIN SENSOR SHUTOFF DEVICE.</p> <p>PROPOSED IRRIGATION SYSTEM WILL BE A COMBINATION OF SPRAY AND DRIP.</p>	<p>SITE LEGEND:</p> <ul style="list-style-type: none"> AREA OF FIRST FLOOR SLATE PAVERS W/ IRISH MOSS PLANTED BETWEEN 8" SPACING EXISTING CONCRETE TO REMAIN <p>LANDSCAPE LEGEND</p> <p>TYPE: QTY / % / SIZE / PTS. EACH / PTS. TOTAL / FORM / FUNCTION</p> <p>PALM TREES: 1 / 100% / 24" BOX / 5 PTS. / 5 PTS. / NARROW / SHADE</p> <ul style="list-style-type: none"> 8" DIA. PALM QUEEN PALM - <i>Sparganium muscicola</i> 8" dia. tall mature height: 50'; mature spread: 10' 8" DIA. PALM KING PALM - <i>Archontophoenix</i> 8" dia. tall mature height: 40'; mature spread: 10' PONY TAIL PALM - <i>Besseyria rostrata</i> mature height: 20'; mature spread: 8' <p>MEDIUM GROWING PERENNIAL MEDIUM - LARGE SHRUBS: 5 / 100% / 5 GAL. / 2.0 / 10.0 / REED SHAPED / SCALE</p> <ul style="list-style-type: none"> PAPER REED <i>Cyperus Pappus</i> mature height: 8'; mature spread: 6' HORSETAIL <i>Equisetum hyemale</i> mature height: 2'-4'; mature spread: 2'-4' BIRD OF PARADISE (Dwarf) <i>Strelitzia Reginae</i> mature height: 4'; mature spread: 4' <p>LOW GROWING MASSING PERENNIALS AND EVERGREEN SMALL - MED. SHRUBS: 8 / 100% / 1 GAL. / 1.0 PT. EACH / 8.0 PTS. / ROUND / ACCENT</p> <ul style="list-style-type: none"> SAGE <i>Camphorosma floridanum</i> mature height: 6'; mature spread: 3' HYBRID CORAL BELLS <i>Hebe</i> mature height: 1'; mature spread: 3' BUSH POPPY <i>Dioscorea oppositifolia</i> mature height: 4-6'; mature spread: 3' WESTERN REDBUD <i>Cercis occidentalis</i> mature height: 2-3'; mature spread: 3' SEA DAHLIA <i>Coreopsis maritima</i> mature height: 3-4'; mature spread: 4' <p>GRASSY GROUND COVER: - / 100% / 1 SOD / 1 PT. PER SOFT / 22.8 SOFT = 22.8 PTS. / SPREADING / SPECIMEN</p> <ul style="list-style-type: none"> IRISH MOSS <i>Anemone Verne</i> MANZANITA <i>Arctostaphylos</i> SILVER CARPET <i>Convolvulus flagellata</i>
<p>MAINTENANCE RESPONSIBILITY</p> <p>ALL REQUIRED LANDSCAPE SHALL BE MAINTAINED BY THE OWNER. THE LANDSCAPED AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE PROPERLY MAINTAINED IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITION OF THE PERMIT.</p>	<p>DESIGN STATEMENT</p> <p>DESIGN INTENT: TO KEEP WITH NATIVE DROUGHT-RESISTANT PLANTS THAT AREA VISIBLE IN THE COASTAL REGION. SITE AMENITIES INCLUDE FIRE PITS. OPEN SPACE PROVIDED IN COURT YARD WITH SLATE PAVERS. PEDESTRIAN CIRCULATION INCLUDES FRONT YARD AND NORTH COURT YARD.</p>	<p>LANDSCAPE DEV. PLAN</p> <p>PREPARED BY: FRONTIS+YOUNG ARCHITECTURE 630 MISSOURI STREET, #2 SAN DIEGO, CA 92109 619.488.1816</p> <p>LEGAL DESCRIPTION: LOT 17 OF BLOCK 11, MISSION BEACH SUBDIVISION</p> <p>APR: 423 461-044 PROJECT NAME: 2975 OCEAN FRONT WALK CONDO CONVERSION SHEET TITLE: LANDSCAPE DEVELOPMENT PLAN SHEET COUNT: PTS 8</p>

FRONTIS + YOUNG
 architecture



2975 OCEAN FRONT WALK
 CONDO CONVERSION
 2975 OCEAN FRONT WALK
 SAN DIEGO, CALIFORNIA 92109

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Date: 1/27/12
 Job: 10008
 Title: LANDSCAPE DEVELOPMENT PLAN
 Sheet: L-1.1