

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA
 CAMINO DEL RIO NORTH, SUITE 200
 SAN DIEGO, CA 92108-1725
 (619) 521-8036



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 49th Day: May 5, 1997
 180th Day: September 13, 1997
 Staff: EL-SD
 Staff Report: March 18, 1997
 Hearing Date: April 8-11, 1997

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-97-12

Applicant: A. Lewis Dominy

Agent: Darrold Davis

Description: Subdivision of one 23,510 sq.ft. lot into two lots (eastern lot = 11,641 sq.ft.; western lot = 11,869 sq.ft.), demolition of an existing single-family residence and construction of two, three-level, approximately 3,000 sq.ft. (including parking) single-family residences (one on each lot), with construction of pool and spa on eastern lot and landscaping improvements on both lots.

	Eastern Lot	Western Lot
Lot Area	11,641 sq.ft.	11,869 sq.ft.
Building Coverage	2,665 sq.ft. (23%)	2,858 sq.ft. (24%)
Pavement Coverage	2,500 sq.ft. (21%)	1,470 sq.ft. (12%)
Landscape Coverage	6,476 sq.ft. (56%)	7,541 sq.ft. (64%)
Parking Spaces	3	2
Zoning	R1-10 3.7 dua	
Plan Designation	Low Density Residential	1-4 dua
Ht abv fin grade	26 feet	

Site: 1640 and 1644 Stratford Way, Del Mar, San Diego County.
 APN 299-220-49

Substantive File Documents: Certified City of Del Mar LCP Land Use Plan
 Conditional Certificate of Compliance
 Resolutions 95-64 and 96-23 (Design Review)

STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval.

The Commission hereby grants a permit for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, 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 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

See attached page.

III. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/Visual Resources. The applicant proposes to subdivide one 23,510 sq.ft. lot into two legal lots, the eastern lot proposed at 11,641 sq.ft. and the western lot proposed at 11,869 sq.ft. Also proposed is the demolition of an existing residence, which currently straddles the proposed lot lines, and construction of a new single-family residence on each lot. The proposed residence on the eastern lot will be 2,901 sq.ft. in gross floor area, including an attached three-car garage. The proposed residence on the western lot will be 2,967 sq.ft. in gross floor area, including an attached two-car garage. Both homes will be three levels (two-stories over basement), but will not exceed the City of Del Mar's height limit of twenty-six feet, as certified in its LCP land use plan. The project includes landscaping improvements on both lots and a swimming pool and spa on the eastern lot.

Section 30251 of the Coastal Act provides for the protection of scenic coastal areas and for the compatibility of new and existing development. The site is located east of, but adjacent to, Camino del Mar, a scenic roadway and major coastal access route. The proposed structures will be similar in bulk and scale to many newer homes in the surrounding community, and will observe all required setbacks. Moreover, adequate landscaping is proposed in the project plans, including the retention of existing landscaping improvements along the Camino del Mar frontage. Therefore, the Commission finds the proposal consistent with Section 30251 of the Act.

2. 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. Such a finding can be made for the proposed development.

The subject site is zoned R1-10 and designated for Low Density Residential development in the certified City of Del Mar LCP Land Use Plan. The City of Del Mar has an approved categorical exclusion covering this area which exempts the construction of new single-family residences on existing lots as delineated on the adopted categorical exclusion map; demolition of structures would still require a coastal development permit. However, because the proposal includes a subdivision, and thus modifies the property lines for

the subject site, the categorical exclusion does not apply. Therefore, the subject coastal development permit application includes the subdivision, the demolition of an existing home and the construction of two new residences on the two resulting legal lots.

The proposed development is consistent with the identified zoning and land use designations; it has been found consistent with applicable Chapter 3 policies of the Coastal Act as well. Therefore, the Commission finds that approval of the proposal will not prejudice the ability of the City of Del Mar to develop an implementation program and thus complete a fully-certifiable LCP.

3. 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 to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) 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 impact which the activity may have on the environment.

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

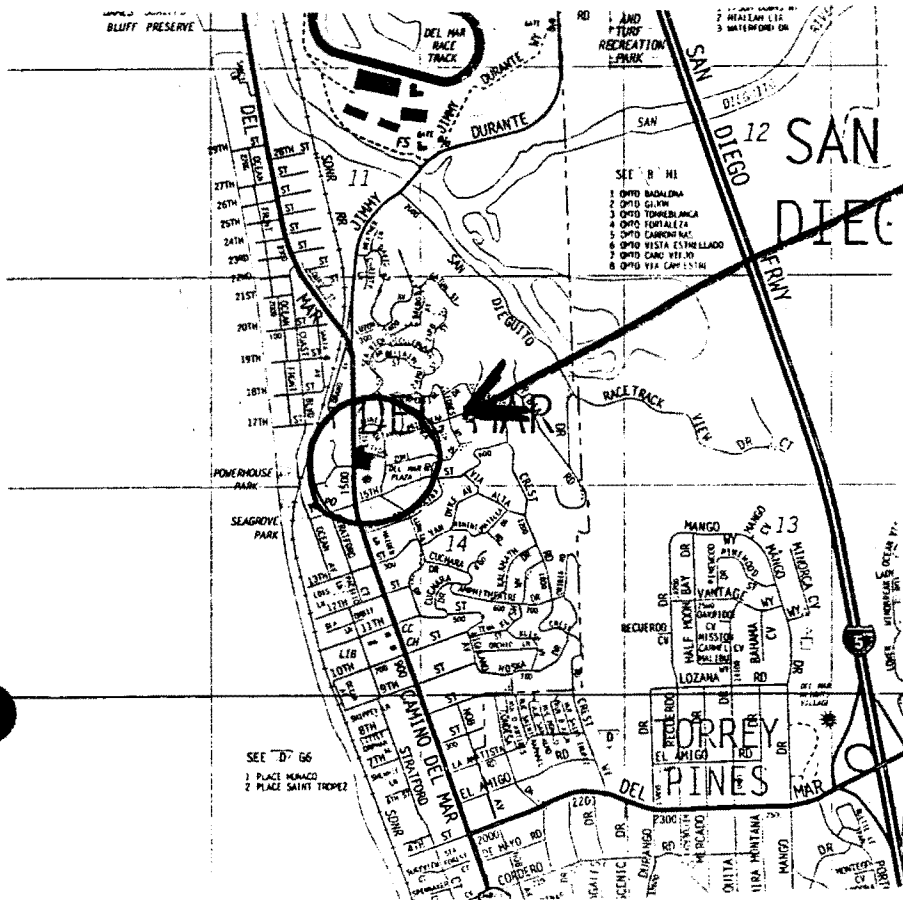
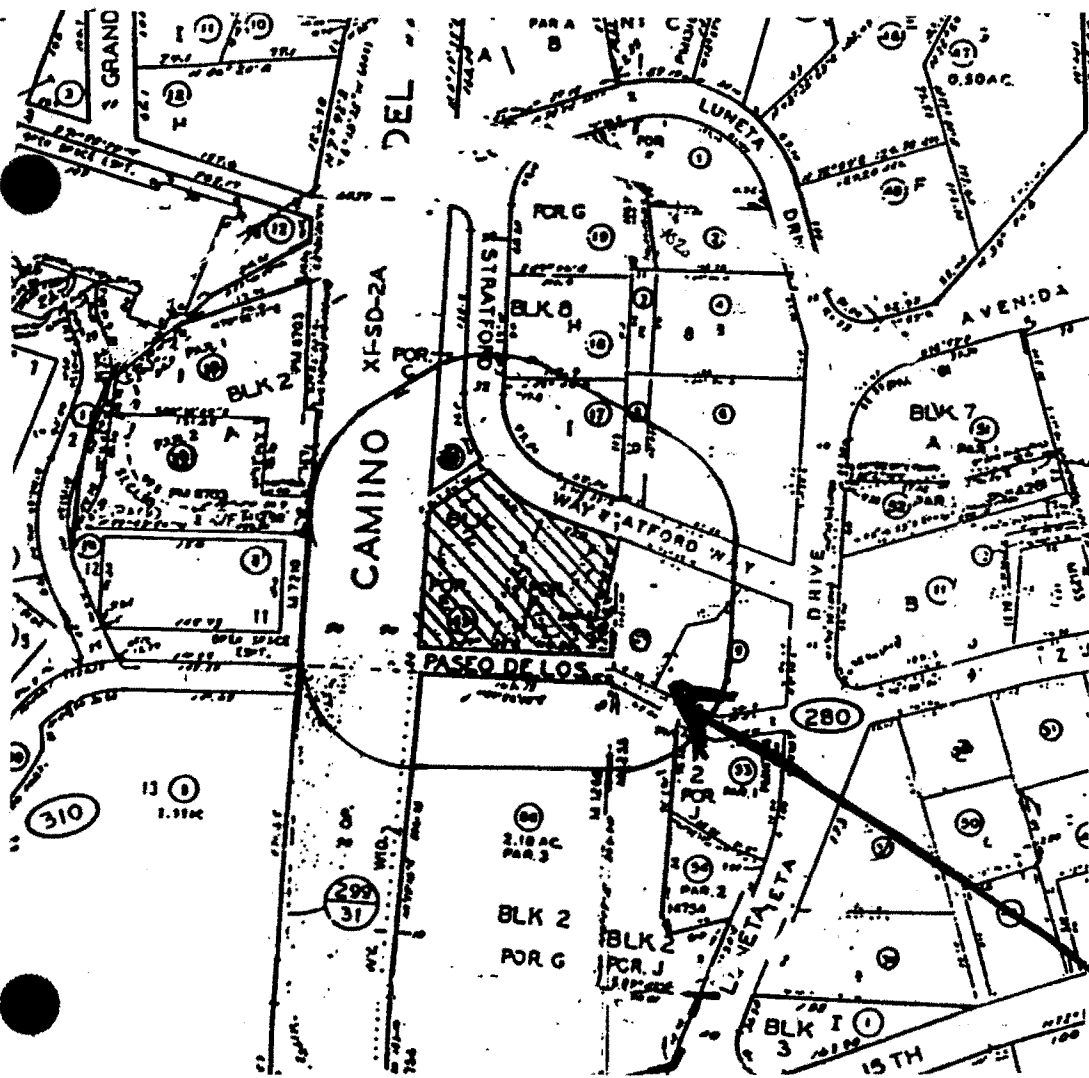
STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. 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. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.

4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. 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.
7. 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.

(7012R)

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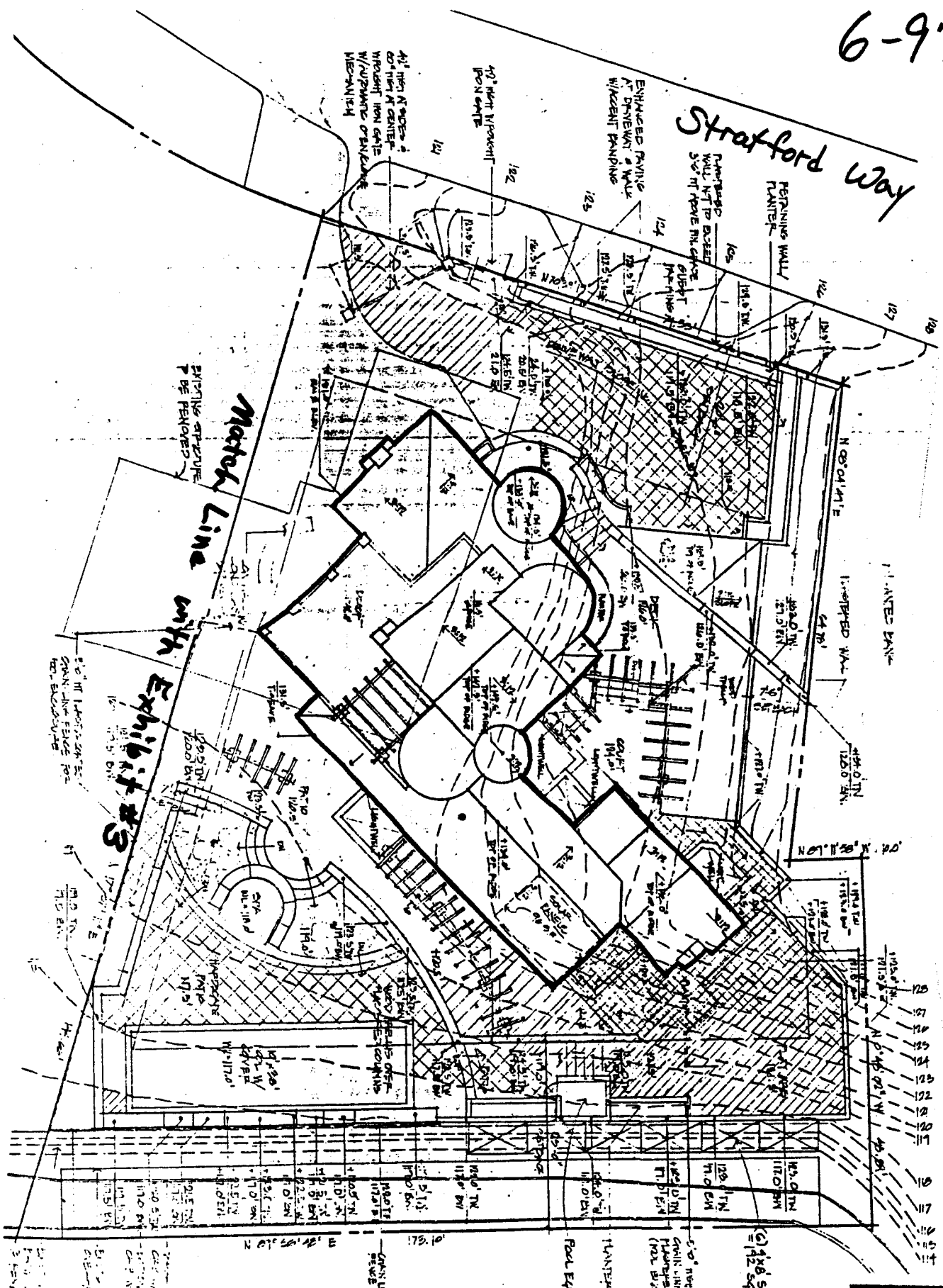


Site

EXHIBIT NO. 1
APPLICATION NO.
6-97-12
Vicinity Maps
California Coastal Commission

6-97-12

Stratford Way



Paseo de Las Flores

EXHIBIT NO.
APPLICATION NO.
6-97-12
Site Plan
Eastern Lot
California Coastal Commission

6-97-12

Stratford Way

Con del Mar

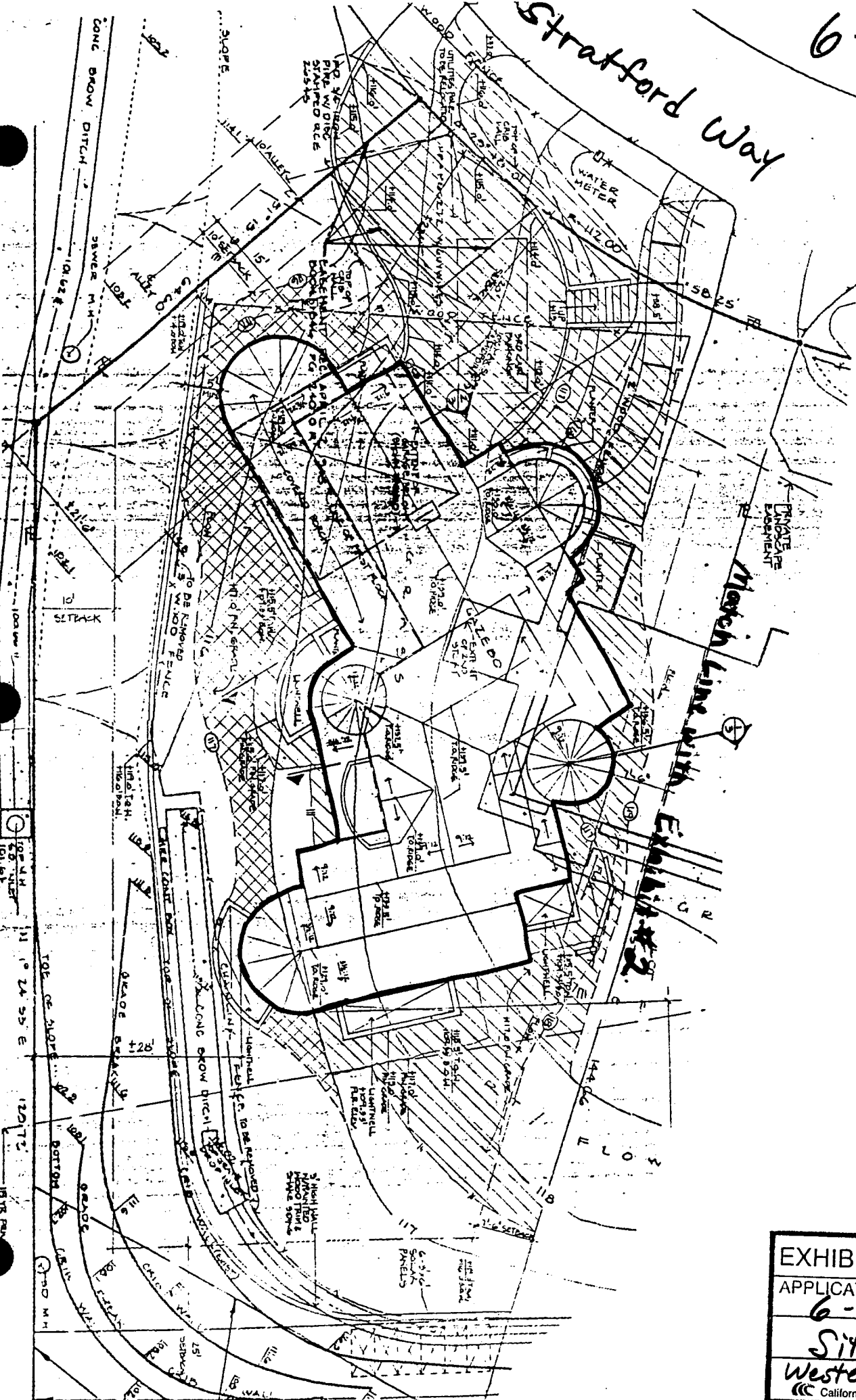


EXHIBIT NO.	3
APPLICATION NO.	6-97-12
Site Plan	
Western Lot	
California Coastal Commission	