

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036



Filed: October 5, 1998
 49th Day: November 23, 1998
 180th Day: April 3, 1999
 Staff: EL-SD
 Staff Report: October 9, 1998
 Hearing Date: November 3-6, 1998

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-98-104

Applicant: Mr. & Mrs. Jay Monsef

Agent: Jack Smyer

Description: Removal of two existing, one-story, approximately 14-foot high, single-family residences, and construction of two, three-level, 26-foot high, detached condominium units, with associated carports, guest parking, fencing and landscape features.

Lot Area	7,115 sq. ft.
Building Coverage	2,147 sq. ft. (30%)
Pavement Coverage	3,006 sq. ft. (42%)
Landscape Coverage	1,962 sq. ft. (28%)
Parking Spaces	6
Zoning	R-2 12.5 dua
Plan Designation	High Density Mixed Residential 12.5 dua
Project Density	12.2
Ht abv fin grade	26 feet

Site: 1405 Ocean Avenue, Del Mar, San Diego County. APN 300-011-05

Substantive File Documents: Certified City of Del Mar LCP Land Use Plan
 Design Review Board Approval DRB-98-37/LC-98-08

STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit for the proposed development, subject to the conditions below, 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. Special Conditions.

The permit is subject to the following conditions:

1. Disposition of Existing Homes. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall identify the site(s) for relocation of the two existing homes, or confirm in writing that the structures are to be demolished on-site. If any relocation site is located within the coastal zone, the applicant shall submit a copy of a valid coastal development permit for the placement of the house on that site. Required documentation shall be submitted to the Executive Director for review and written acceptance.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Project Description. The applicants are proposing to redevelop a site currently improved with two detached single-family residences. They propose to either demolish or remove the existing homes and then construct two, three-level, 26-foot high detached condominium units on the 7,115 sq.ft. site. It is possible that one, or both, of the existing houses may be relocated to other sites in Del Mar, and thus in the coastal zone. Since final disposition of the existing houses has not yet been determined, Special Condition #1 requires the applicants to identify said site(s) prior to issuance of this permit. It further requires the submittal of evidence of a valid coastal development permit, allowing placement of one or both homes, for any site located in the coastal zone. The project site is located west of Camino Del Mar, approximately one block inland from the railroad tracks and bluff.

2. Visual Resources/Community Character. Section 30251 of the Coastal Act provides for the protection of scenic coastal resources, and states, in part:

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, and, where feasible, to restore and enhance visual quality in visually degraded areas.

The site is located on the eastern side of Ocean Avenue, which is the first public road in this central portion of the City of Del Mar. It is approximately one block inland from the railroad tracks, ocean bluff and municipal beach. The mid-block site is not visible from any major coastal access route (Camino del Mar and 15th Street being the closest), or from any public recreation areas. The proposed new units will be a maximum of 26 feet in height above existing grade, and of a scale and design similar to others in the area. Therefore, the Commission finds the proposed project will be visually compatible with surrounding development and will not impact any public views. Thus, it is consistent with Section 30251 of the Act.

3. Local Coastal Planning. Section 30604(a) 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 for the proposed development, as conditioned.

The subject site is designated for high density mixed residential development in the certified City of Del Mar LCP Land Use Plan, and is located in the R-2 Zone. The development proposed herein is consistent with that designation. The City's Design Review Board has granted approval of the project, and, as conditioned to require identification of a disposal site for the existing houses, it has been found consistent with all applicable Chapter 3 policies of the Coastal Act. Therefore, the Commission finds the proposed development will not prejudice the ability of the City of Del Mar to complete its implementation program and obtain a fully-certified Local Coastal Program.

4. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's administrative regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, 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 only to identify the location where the existing residences may be relocated, and to require appropriate permits for any site(s) in the coastal zone. No coastal resource impacts have been identified in association with the proposed development. 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, as conditioned, 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. 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.

6-98-104

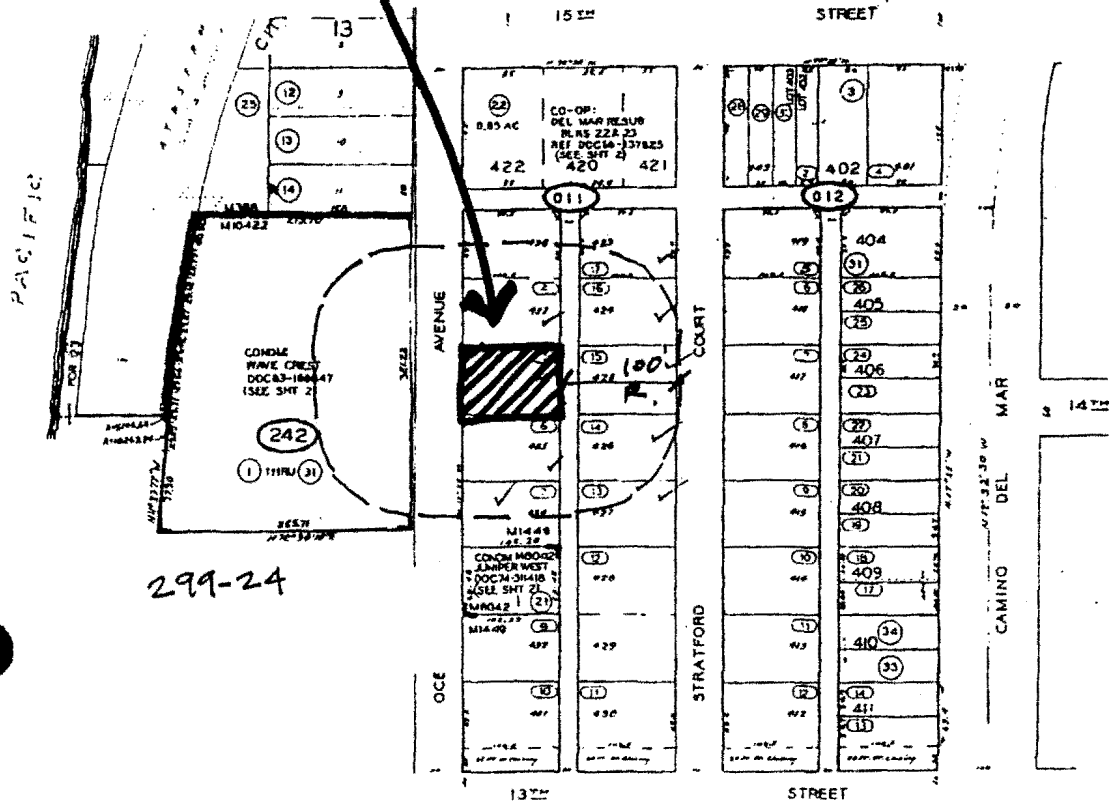


EXHIBIT NO. 1
 APPLICATION NO.
6-98-104
 Vicinity Maps
 California Coastal Commission

6-98-104

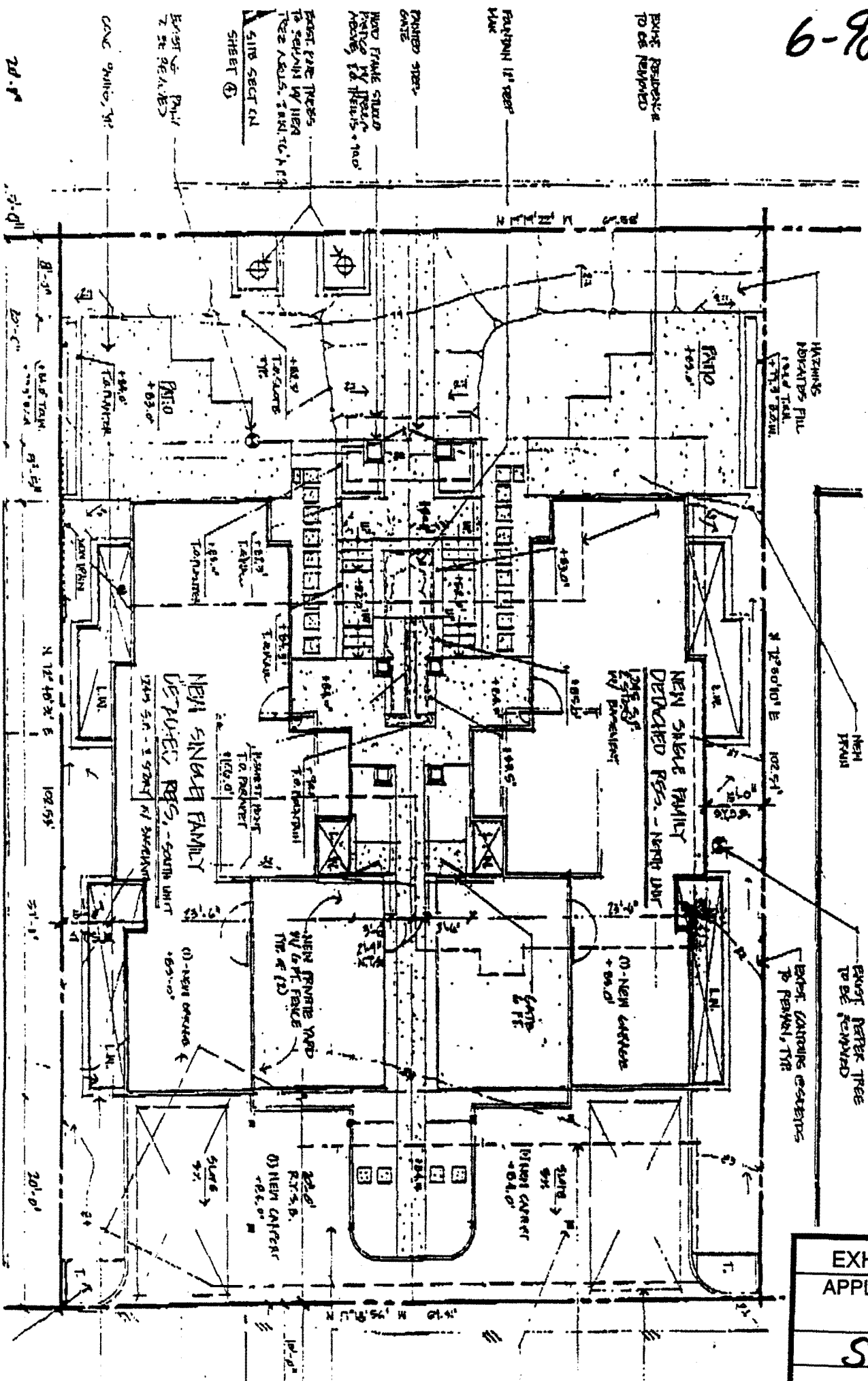
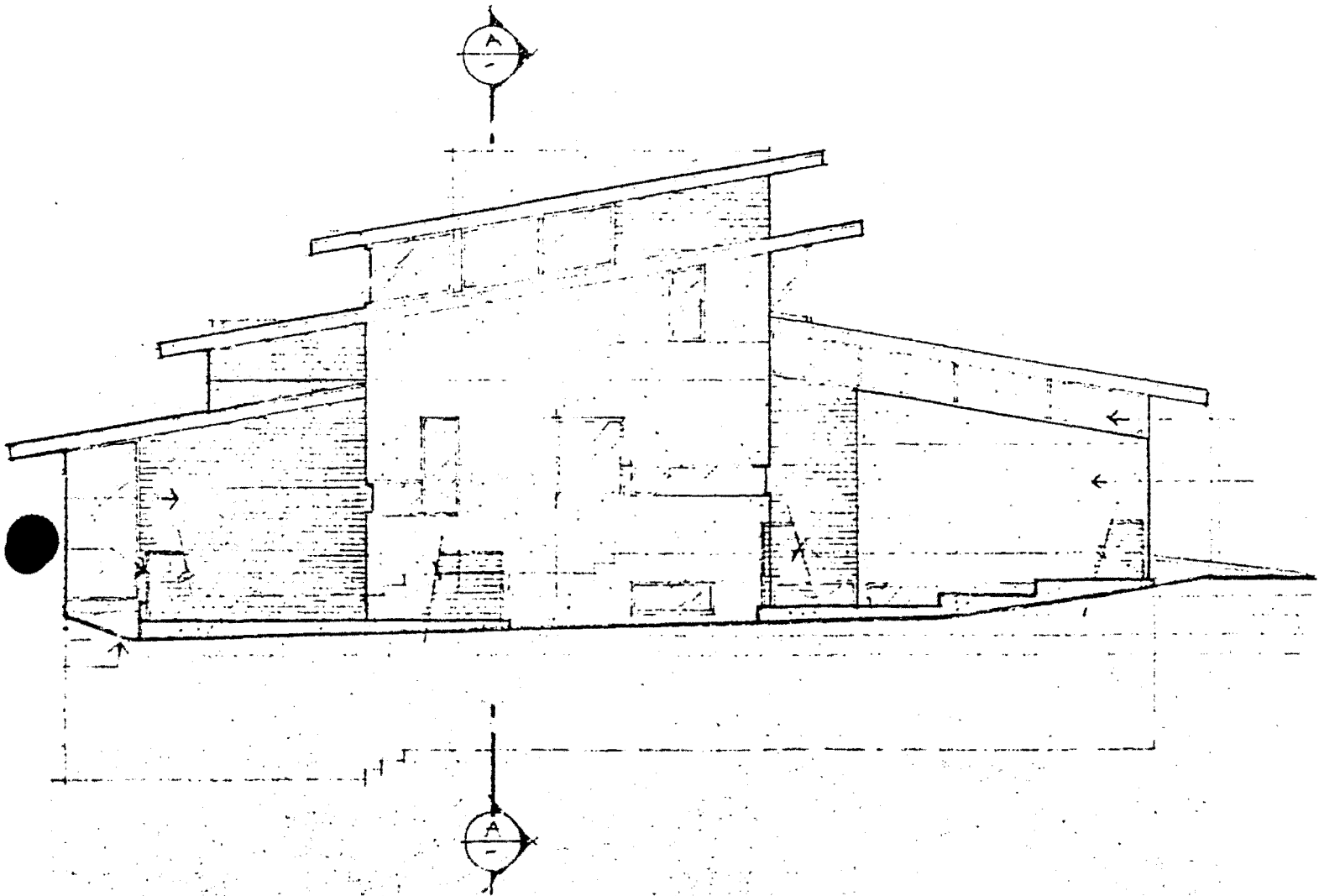


EXHIBIT NO.
APPLICATION NO.
6-98-104
Site Plan

6-98-104



SOUTH ELEVATION

EXHIBIT NO. 3
APPLICATION NO. 6-98-104
Typical Elevation
California Coastal Commission

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

(619) 521-8036



Filed: October 13, 1998
 49th Day: December 1, 1998
 180th Day: April 11, 1999
 Staff: GDC-SD
 Staff Report: October 14, 1998
 Hearing Date: November 3-6, 1998

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-98-120

Applicant: Mr. & Mrs. Tom Scutti Agent: Mike Lloyd

Description: Construction of a two story, 25 ft.-high, 3,523 sq. ft. single-family residence and attached 728 sq. ft. three-car garage and a detached one-story, 13 ft.-high, 713 sq. ft. guesthouse with approximately 199 cu.yds. of grading on a vacant 23,958 sq. ft. lot

Lot Area	23,958 sq. ft.
Building Coverage	3,371 sq. ft. (14%)
Pavement Coverage	1,600 sq. ft. (7%)
Landscape Coverage	6,000 sq. ft. (25%)
Unimproved Area	12,987 sq. ft. (54%)
Parking Spaces	3
Zoning	Estate Residential (ER-2)
Plan Designation	Estate Residential (2 dua)
Project Density	1.8 dua
Ht abv fin grade	25 feet

Site: 839 Avocado Place, Solana Beach, San Diego County
 APN 298-292-19

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.

Substantive File Documents: Certified County of San Diego Local Coastal Program (LCP); City of Solana Beach General Plan and Zoning Ordinance; Solana Beach Structure Development Permit #197.

II. Standard Conditions.

See attached page.

III. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description: Proposed is the construction of a two story, 25 ft.-high, 3,523 sq. ft. single-family residence with an attached 728 sq. ft. three-car garage and a detached one-story, 13 ft.-high, 713 sq. ft. guesthouse on a vacant 23,958 sq. ft. lot. The proposed guesthouse does not include kitchen or cooking facilities. The proposal will include approximately 199 cu. yds. of balanced grading. The project site is located at the top of a south-facing slope, east of Interstate 5 and north of Via De La Valle within the City of Solana Beach. The proposed residence and guesthouse are similar in size and scale to surrounding development. The site is not located within any special overlay areas identified in the certified San Diego County Local Coastal Program, which is used for guidance in review of development in the City of Solana Beach.

2. Visual Resources/Community Character. Section 30251 of the Coastal Act requires that the scenic and visual qualities of coastal areas be protected, that new development be sited and designed to protect views to and along the ocean and scenic coastal areas, and that development be visually compatible with the character of surrounding areas.

The proposed development is located at the top of a south-facing slope above the San Dieguito River Valley, east of I-5. The site is not visible from any public view corridors, including I-5 and Via De La Valle. In addition, because of existing development and terrain, only limited views of the site are available from the San Dieguito River Valley to the south. The site is located within an established residential neighborhood of large-lot residential homes with a large condominium development located adjacent and west of the site.

The City of Solana Beach zoning regulations permit guesthouses on residential lots within the ER-2 zone subject to certain restrictions. These restrictions prohibit kitchen or cooking facilities with guesthouses. The proposed guesthouse does not include kitchen or cooking facilities. Therefore, as proposed, the project is consistent with the community character of the area and will not have an adverse impact on visual resources, consistent with Section 30251 of the Act.

3. Local Coastal Planning. Section 30604(a) 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 site has been planned and zoned for large-lot estate residential uses in the previously certified County of San Diego Local Coastal Program and in the City of Solana Beach General Plan and Zoning Ordinance. The site has a zoning designation of Estate-Residential-2 which permits up to two dwelling units per acre (2 dua). The proposed development with a density of 1.8 dwelling units per acre is consistent with the City's Zoning and Plan Designation. The proposed development is consistent with these designations. As conditioned, the proposed project is consistent with all applicable Chapter 3 policies of the Coastal Act. Thus, the proposed development will not prejudice the ability of the City of Solana Beach to prepare a certifiable local coastal program.

4. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's administrative regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, 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, as conditioned, has been found consistent with all applicable policies of the Coastal Act. 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. 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.

Site

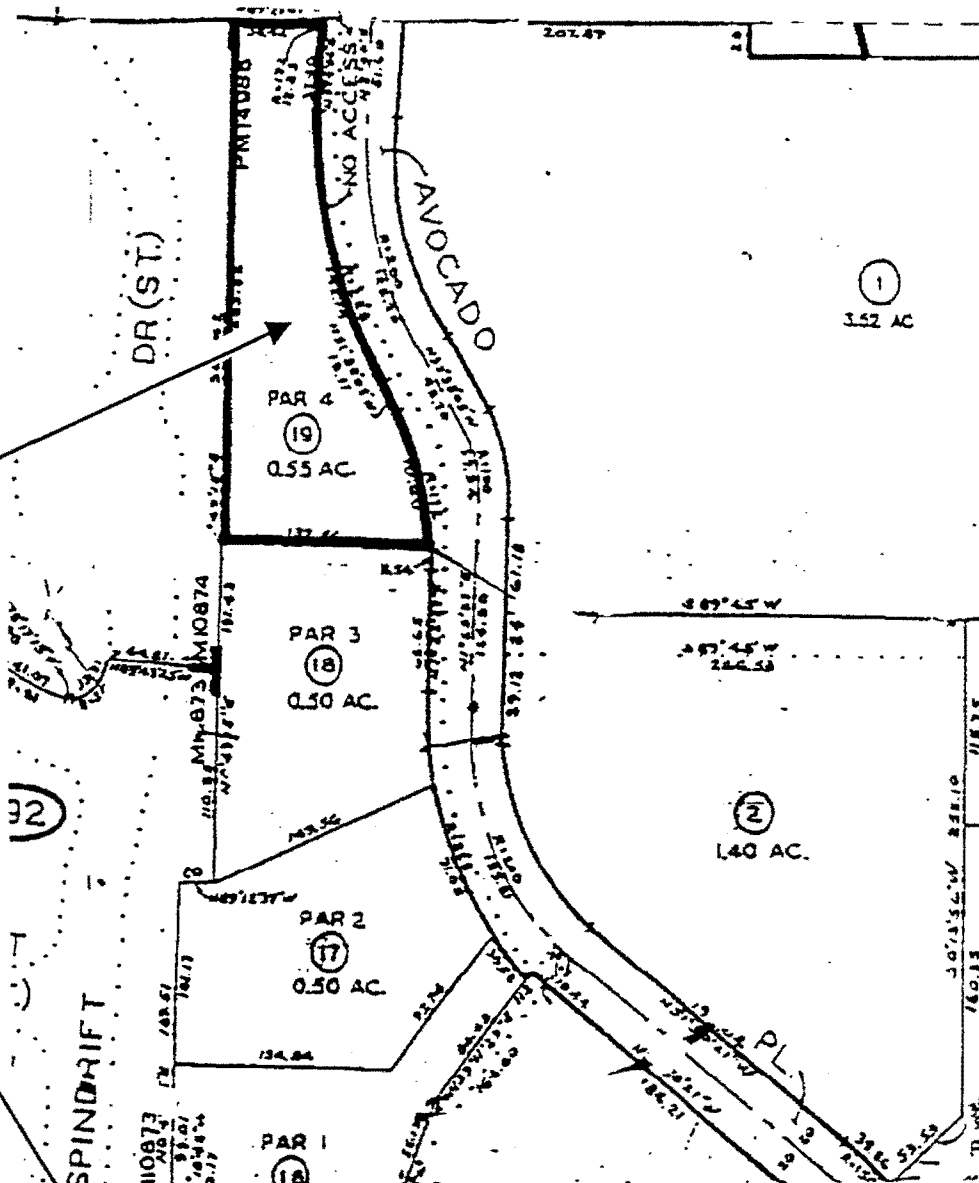
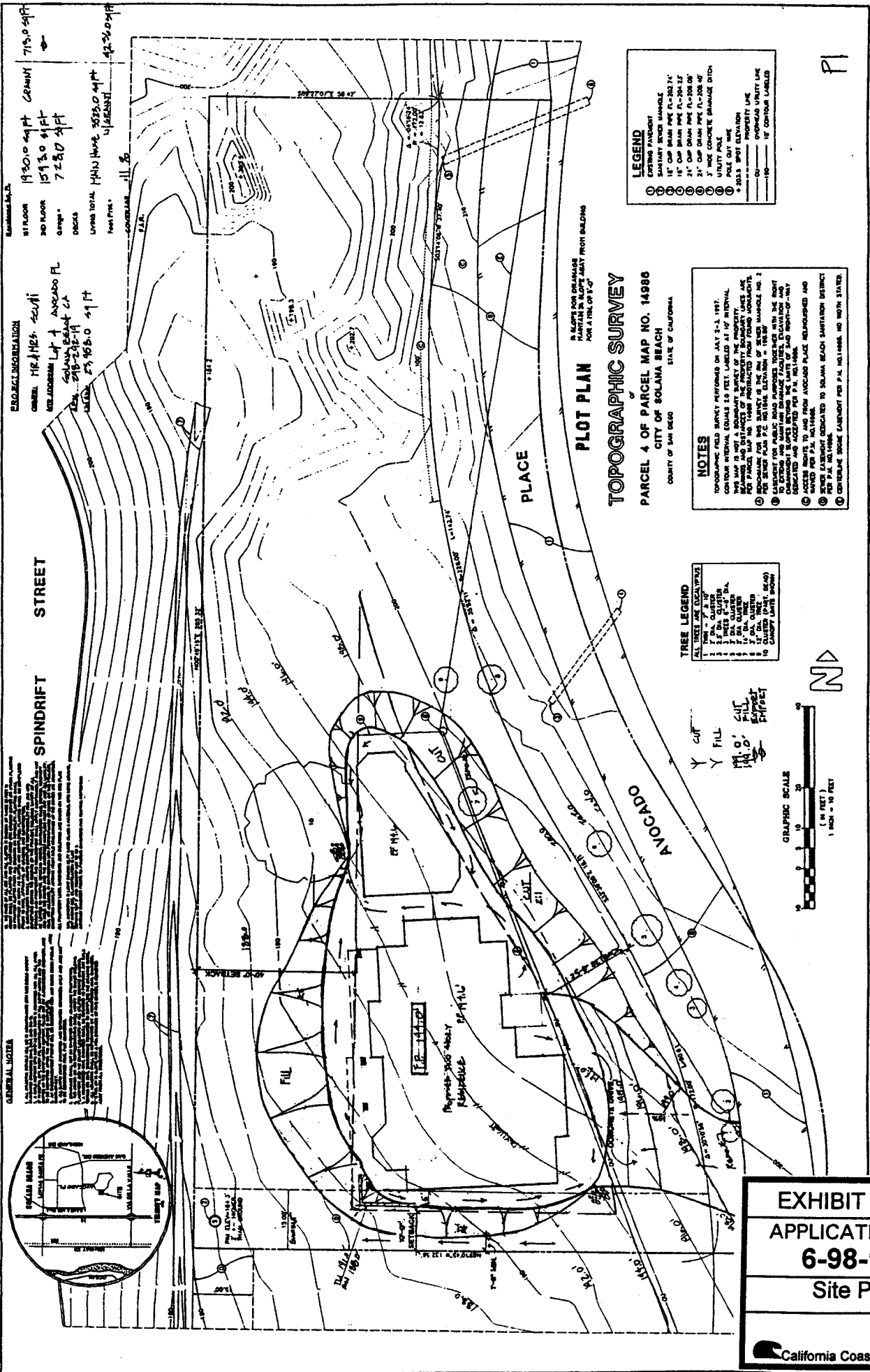


EXHIBIT NO. 1
APPLICATION NO. 6-98-120
Location Map
California Coastal Commission

201-869



GENERAL NOTES
 1. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACTS OF 1907 AND 1941.
 2. THE BOUNDARIES SHOWN ON THIS MAP ARE THE RESULT OF A SURVEY MADE BY THE SURVEYOR.
 3. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY INTERESTS IN THE PROPERTY OTHER THAN THOSE SHOWN ON THIS MAP.
 4. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY ENCUMBRANCES ON THE PROPERTY OTHER THAN THOSE SHOWN ON THIS MAP.
 5. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY EASEMENTS OR RIGHTS OF WAY OTHER THAN THOSE SHOWN ON THIS MAP.
 6. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER MATTERS THAT MAY AFFECT THE INTERESTS OF THE PARTIES TO THIS SURVEY.
 7. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER MATTERS THAT MAY AFFECT THE INTERESTS OF THE PARTIES TO THIS SURVEY.
 8. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER MATTERS THAT MAY AFFECT THE INTERESTS OF THE PARTIES TO THIS SURVEY.
 9. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER MATTERS THAT MAY AFFECT THE INTERESTS OF THE PARTIES TO THIS SURVEY.
 10. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER MATTERS THAT MAY AFFECT THE INTERESTS OF THE PARTIES TO THIS SURVEY.

PROJECTIONS
 GENERAL: NAD 83
 AZIMUTHS: 1st 4 AVOCADO PL
 2nd 218-218-11
 3rd 218-218-11
 4th 218-218-11
 5th 218-218-11
 6th 218-218-11
 7th 218-218-11
 8th 218-218-11
 9th 218-218-11
 10th 218-218-11

PROJECTIONS
 GENERAL: NAD 83
 AZIMUTHS: 1st 4 AVOCADO PL
 2nd 218-218-11
 3rd 218-218-11
 4th 218-218-11
 5th 218-218-11
 6th 218-218-11
 7th 218-218-11
 8th 218-218-11
 9th 218-218-11
 10th 218-218-11

PROJECTIONS
 GENERAL: NAD 83
 AZIMUTHS: 1st 4 AVOCADO PL
 2nd 218-218-11
 3rd 218-218-11
 4th 218-218-11
 5th 218-218-11
 6th 218-218-11
 7th 218-218-11
 8th 218-218-11
 9th 218-218-11
 10th 218-218-11

PROJECTIONS
 GENERAL: NAD 83
 AZIMUTHS: 1st 4 AVOCADO PL
 2nd 218-218-11
 3rd 218-218-11
 4th 218-218-11
 5th 218-218-11
 6th 218-218-11
 7th 218-218-11
 8th 218-218-11
 9th 218-218-11
 10th 218-218-11

PROJECTIONS
 GENERAL: NAD 83
 AZIMUTHS: 1st 4 AVOCADO PL
 2nd 218-218-11
 3rd 218-218-11
 4th 218-218-11
 5th 218-218-11
 6th 218-218-11
 7th 218-218-11
 8th 218-218-11
 9th 218-218-11
 10th 218-218-11

PROJECTIONS
 GENERAL: NAD 83
 AZIMUTHS: 1st 4 AVOCADO PL
 2nd 218-218-11
 3rd 218-218-11
 4th 218-218-11
 5th 218-218-11
 6th 218-218-11
 7th 218-218-11
 8th 218-218-11
 9th 218-218-11
 10th 218-218-11

PROJECTIONS
 GENERAL: NAD 83
 AZIMUTHS: 1st 4 AVOCADO PL
 2nd 218-218-11
 3rd 218-218-11
 4th 218-218-11
 5th 218-218-11
 6th 218-218-11
 7th 218-218-11
 8th 218-218-11
 9th 218-218-11
 10th 218-218-11

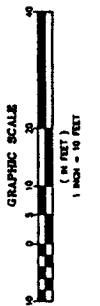
PROJECTIONS
 GENERAL: NAD 83
 AZIMUTHS: 1st 4 AVOCADO PL
 2nd 218-218-11
 3rd 218-218-11
 4th 218-218-11
 5th 218-218-11
 6th 218-218-11
 7th 218-218-11
 8th 218-218-11
 9th 218-218-11
 10th 218-218-11

LEGEND
 EXISTING PAVEMENT
 EXISTING SEWER MAINS
 18" CURB MAIN P.W. 15-202.74
 18" CURB MAIN P.W. 15-202.17
 24" CURB MAIN P.W. 15-202.00
 1" CONCRETE SIDEWALK
 UTILITY POLE
 POLE OUT LINE
 3/4" DASH SPOT ELEVATION
 10' PROPERTY LINE
 10' OVERHEAD UTILITY LINE
 10' IF CONTAIN LABELS

NOTES
 TOPOGRAPHIC FIELD SURVEY PERFORMED ON JULY 2-3, 1987.
 CONTOUR INTERVAL EQUALS 2.0 FEET, LABELED AT 10' INTERVAL.
 THIS MAP IS NOT A GUARANTEE OF THE ACCURACY OF THE PROPERTY.
 THE SURVEYOR HAS NOT BEEN ADVISED OF ANY INTERESTS IN THE PROPERTY.
 THE SURVEYOR HAS NOT BEEN ADVISED OF ANY ENCUMBRANCES ON THE PROPERTY.
 THE SURVEYOR HAS NOT BEEN ADVISED OF ANY EASEMENTS OR RIGHTS OF WAY.
 THE SURVEYOR HAS NOT BEEN ADVISED OF ANY OTHER MATTERS THAT MAY AFFECT THE INTERESTS OF THE PARTIES TO THIS SURVEY.

TREE LEGEND
 ALL TREES ARE IDENTIFIED
 1. 1" DIA. DBH
 2. 2" DIA. DBH
 3. 3" DIA. DBH
 4. 4" DIA. DBH
 5. 5" DIA. DBH
 6. 6" DIA. DBH
 7. 7" DIA. DBH
 8. 8" DIA. DBH
 9. 9" DIA. DBH
 10. 10" DIA. DBH
 11. 11" DIA. DBH
 12. 12" DIA. DBH
 13. 13" DIA. DBH
 14. 14" DIA. DBH
 15. 15" DIA. DBH
 16. 16" DIA. DBH
 17. 17" DIA. DBH
 18. 18" DIA. DBH
 19. 19" DIA. DBH
 20. 20" DIA. DBH
 21. 21" DIA. DBH
 22. 22" DIA. DBH
 23. 23" DIA. DBH
 24. 24" DIA. DBH
 25. 25" DIA. DBH
 26. 26" DIA. DBH
 27. 27" DIA. DBH
 28. 28" DIA. DBH
 29. 29" DIA. DBH
 30. 30" DIA. DBH
 31. 31" DIA. DBH
 32. 32" DIA. DBH
 33. 33" DIA. DBH
 34. 34" DIA. DBH
 35. 35" DIA. DBH
 36. 36" DIA. DBH
 37. 37" DIA. DBH
 38. 38" DIA. DBH
 39. 39" DIA. DBH
 40. 40" DIA. DBH
 41. 41" DIA. DBH
 42. 42" DIA. DBH
 43. 43" DIA. DBH
 44. 44" DIA. DBH
 45. 45" DIA. DBH
 46. 46" DIA. DBH
 47. 47" DIA. DBH
 48. 48" DIA. DBH
 49. 49" DIA. DBH
 50. 50" DIA. DBH
 51. 51" DIA. DBH
 52. 52" DIA. DBH
 53. 53" DIA. DBH
 54. 54" DIA. DBH
 55. 55" DIA. DBH
 56. 56" DIA. DBH
 57. 57" DIA. DBH
 58. 58" DIA. DBH
 59. 59" DIA. DBH
 60. 60" DIA. DBH
 61. 61" DIA. DBH
 62. 62" DIA. DBH
 63. 63" DIA. DBH
 64. 64" DIA. DBH
 65. 65" DIA. DBH
 66. 66" DIA. DBH
 67. 67" DIA. DBH
 68. 68" DIA. DBH
 69. 69" DIA. DBH
 70. 70" DIA. DBH
 71. 71" DIA. DBH
 72. 72" DIA. DBH
 73. 73" DIA. DBH
 74. 74" DIA. DBH
 75. 75" DIA. DBH
 76. 76" DIA. DBH
 77. 77" DIA. DBH
 78. 78" DIA. DBH
 79. 79" DIA. DBH
 80. 80" DIA. DBH
 81. 81" DIA. DBH
 82. 82" DIA. DBH
 83. 83" DIA. DBH
 84. 84" DIA. DBH
 85. 85" DIA. DBH
 86. 86" DIA. DBH
 87. 87" DIA. DBH
 88. 88" DIA. DBH
 89. 89" DIA. DBH
 90. 90" DIA. DBH
 91. 91" DIA. DBH
 92. 92" DIA. DBH
 93. 93" DIA. DBH
 94. 94" DIA. DBH
 95. 95" DIA. DBH
 96. 96" DIA. DBH
 97. 97" DIA. DBH
 98. 98" DIA. DBH
 99. 99" DIA. DBH
 100. 100" DIA. DBH

CUT
 Y
FILL
 Y
 H.L.O. CUT
 H.L.O. FILL
 H.L.O. EFFECT



PLOT PLAN
 TOPOGRAPHIC SURVEY
 PARCEL 4 OF PARCEL MAP NO. 14986
 CITY OF SOLANA BEACH
 COUNTY OF SAN DIEGO
 STATE OF CALIFORNIA

EXHIBIT NO. 2
APPLICATION NO.
6-98-120
Site Plan

California Coastal Commission