

RECORD PACKET COPY

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San Diego Coast District

CONSENT CALENDAR

Tuesday, December 12, 2000

Table of Contents

6-00-157



CALIFORNIA COASTAL COMMISSION

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



Tue 3a

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 Staff Report: 11/15/00
 Hearing Date: 12/11-15/00

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-00-157

Applicant: Larry Cochran

Description: Demolition of an existing five-unit, two-story, 2,909 sq.ft. apartment building and construction of a three-unit, two-story over basement, 5,750 sq.ft. condominium building on a 4,320 sq.ft. beachfront lot.

Lot Area	4,320 sq. ft.
Building Coverage	2,426 sq. ft. (56%)
Pavement Coverage	1,004 sq. ft. (23%)
Landscape Coverage	890 sq. ft. (21%)
Parking Spaces	6
Zoning	R-S
Plan Designation	Mission Beach (36 dua)
Project Density	30 dua
Ht abv fin grade	30 feet

Site: 3371 Ocean Front Walk, Mission Beach, San Diego, San Diego County.
 APN 423-628-04

Substantive File Documents: Certified Mission Beach Precise Plan and Planned District Ordinance; Certified City of San Diego LCP Implementing Ordinances

I. STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Timing of Construction. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a final construction schedule, which shall be incorporated into construction bid documents. The schedule and construction documents shall specify that no construction will take place between Memorial Day weekend and Labor Day of any year. Notes on the schedule and documents shall state that access corridors and staging areas shall be located in a manner that has the least impact on public access via the maintenance of existing public parking areas and traffic flow on coastal access routes (no street closures or use of public parking as staging areas).

The permittee 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 required.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. The applicant is proposing to demolish an existing five-unit, two-story, 2,909 sq.ft. apartment building and construct a three-unit, two-story over basement, 30-ft. high, 5,750 sq.ft. condominium building on a 4,320 sq.ft. oceanfront lot. The site is located at the northwest corner of Ocean Front Walk and Kingston Court in the Mission Beach community of the City of San Diego which borders on the public boardwalk. Through the proposed redevelopment of the site, a new retaining wall will be constructed on the western property line and a new patio area and landscaping will be installed between the retaining wall and the structure, within the property lines of the subject site. The new proposed structure will be set back 8 1/2 feet from the western property line. Currently, there are private accessory improvements (i.e., concrete slab/patio and fence) that encroach into the public right-of-way of Ocean Front

Walk. These improvements have already been permitted to be removed pursuant to CDP #6-00-123.

The subject site is located in an area of original jurisdiction, where the Commission retains coastal development permit authority. Thus, the standard of review is Chapter 3 policies of the Coastal Act, with the City's LCP used as guidance.

2. Parking/Public Access. Sections 30210 and 30211 of the Coastal Act call for the protection and/or provision of public access opportunities. In addition, Section 30212(a) requires that public access to the shoreline and along the coast be maximized and provided in all new development located between the inland extent of any coastal waters and the first coastal roadway. Further, Section 30252 requires "that the location and amount of new development should maintain and enhance public access to the coast by...providing adequate parking facilities...." The subject site is 4,320 sq.ft. in size and is located on Ocean Front Walk between the first coastal road and the sea. This area is located along the public boardwalk adjacent to the beach and is a popular tourist and visitor-destination area. Vertical access exists at Kingston Court and also one block to the north at San Luis Obispo Court and the proposed development will not encroach onto any existing accessway.

As noted above, the private accessory improvements of the subject site that encroach into the public right-of way east of the existing boardwalk have already been permitted to be removed and will be relocated further inland with this permit. As such, this area will be returned to the public for use as part of the boardwalk. In recent permits approved by the Commission, the City has long-term plans for the eventual expansion of the entire boardwalk that runs from its southern boundary at Asbury Court in Mission Beach all the way north to Thomas Avenue in Pacific Beach. The City has already begun expansion of the boardwalk for the area between Ventura Place and Santa Barbara Place in Mission Beach, several blocks north of the subject site. The proposed redevelopment of the site will not result in any further encroachments into the public right-of-way and all development will be within the property lines of the subject site.

In addition, the Mission Beach Planned District Ordinance (PDO) requires 1.5 parking spaces per unit for residences in the R-S zone. The applicant proposes to provide a total of six on-site parking spaces for the proposed three dwelling units. As such, five required parking spaces plus one extra space will be provided which is adequate to serve the proposed development.

In addition, because the site is located within an area of the coast that draws large numbers of people, particularly in the summer months, construction activity that impedes use of the boardwalk would have a significant adverse impact on public access and recreation. Therefore, the Commission typically restricts work in proximity to public recreational areas to occur outside the summer season, to avoid impacts to the public during the time of highest demand for recreation and public beach access. Therefore, Special Condition #1 requires notes on the construction bid documents notifying the

contractor that no work may occur during the summer peak season between Memorial Weekend and Labor Day. In addition, the condition further requires that access corridors and staging areas shall be located in a manner that has the least impact on public access and public parking spaces (no use of public parking, no closure of streets). As conditioned, no short or long-term impacts to coastal resources are anticipated. In summary, only as conditioned, the proposed project can be found consistent with the public access and recreation policies of the Coastal Act.

3. Visual Resources/Community Character. Section 30251 of the Act calls for the protection of the coastal zone's scenic amenities and requires that new development be visually compatible with the character of the surrounding community. The proposed development is located in a well-established residential neighborhood consisting of apartment units, condominiums and single-family residences of varying heights and architecture. As such, the proposed development will be compatible with the character of the mixed development in this community. Public views will be preserved along existing east-west access corridors, and no view blockages of regional or statewide significance should occur. The Commission therefore finds the proposed project consistent with Section 30251 of the Act.

3. 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. While the City of San Diego has a certified LCP, the subject site is within an area of original jurisdiction, where the Commission retains permanent permit authority. As such, the standard of review is the Chapter 3 policies of the Coastal Act. The site is zoned R-S in the Mission Beach Planned District Ordinance (PDO). The proposed development consisting of a three-unit condominium building is consistent with this designation. The Mission Beach Planned District Ordinance (PDO) requires 1.5 parking spaces per unit for residences in the R-S zone. The applicant proposes to provide a total of six on-site parking spaces for the proposed three dwelling units, consistent with the LCP provisions.

The proposed project can be found consistent with the certified Mission Beach Precise Plan and Planned District Ordinance, and all applicable Chapter 3 policies of the Coastal Act. Therefore, approval of the proposed development, 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.

5. 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.

The proposed project has been conditioned in order to be found consistent with the public access policies of the Coastal Act. Mitigation measures, including conditions addressing timing of construction and staging areas, 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.

Project Site

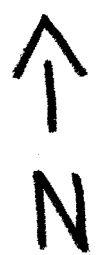
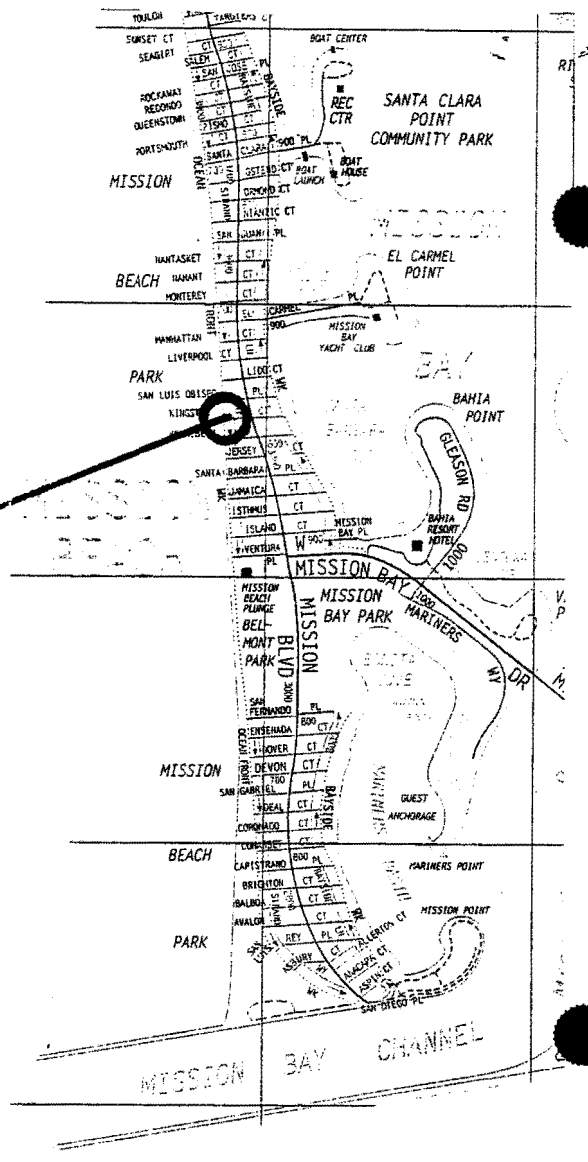
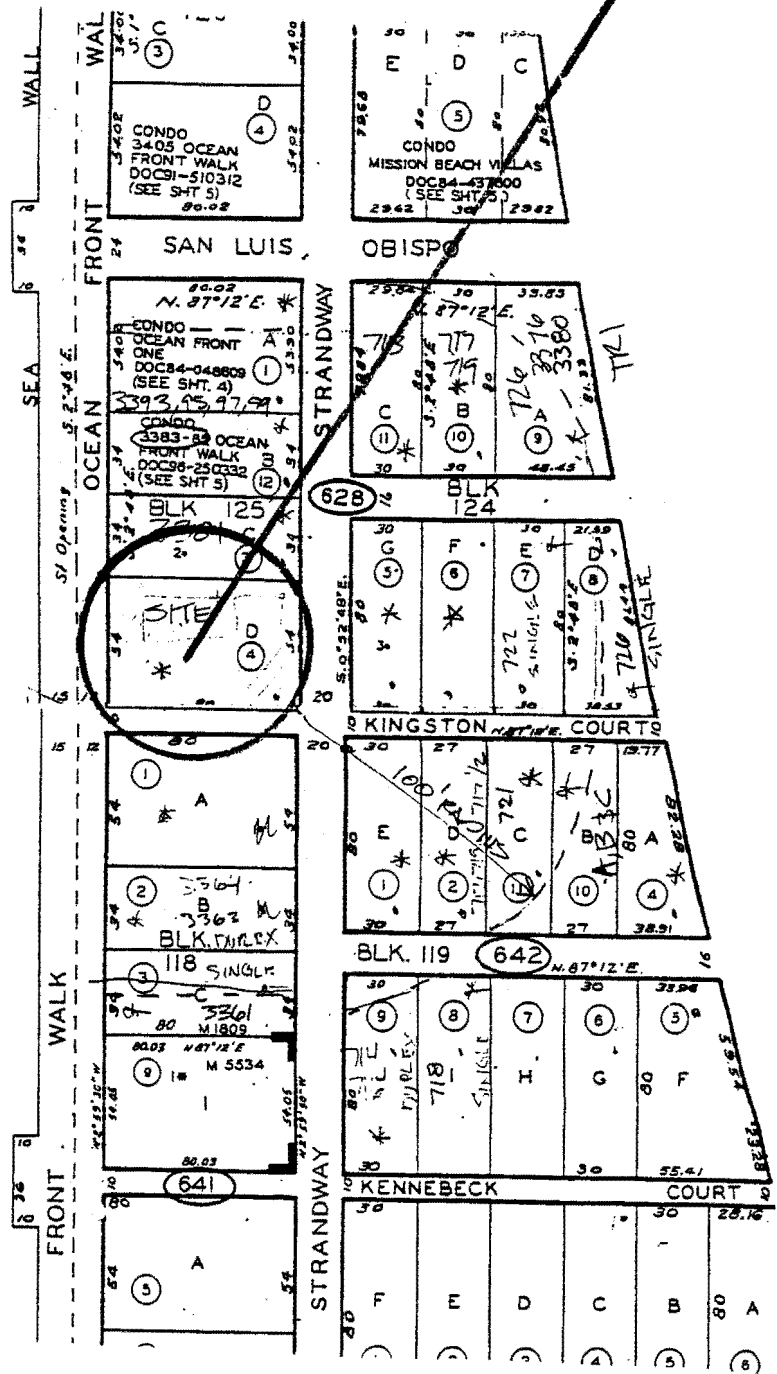


EXHIBIT NO. 1
 APPLICATION NO.
6-00-157
 Location Map

California Coastal Commission

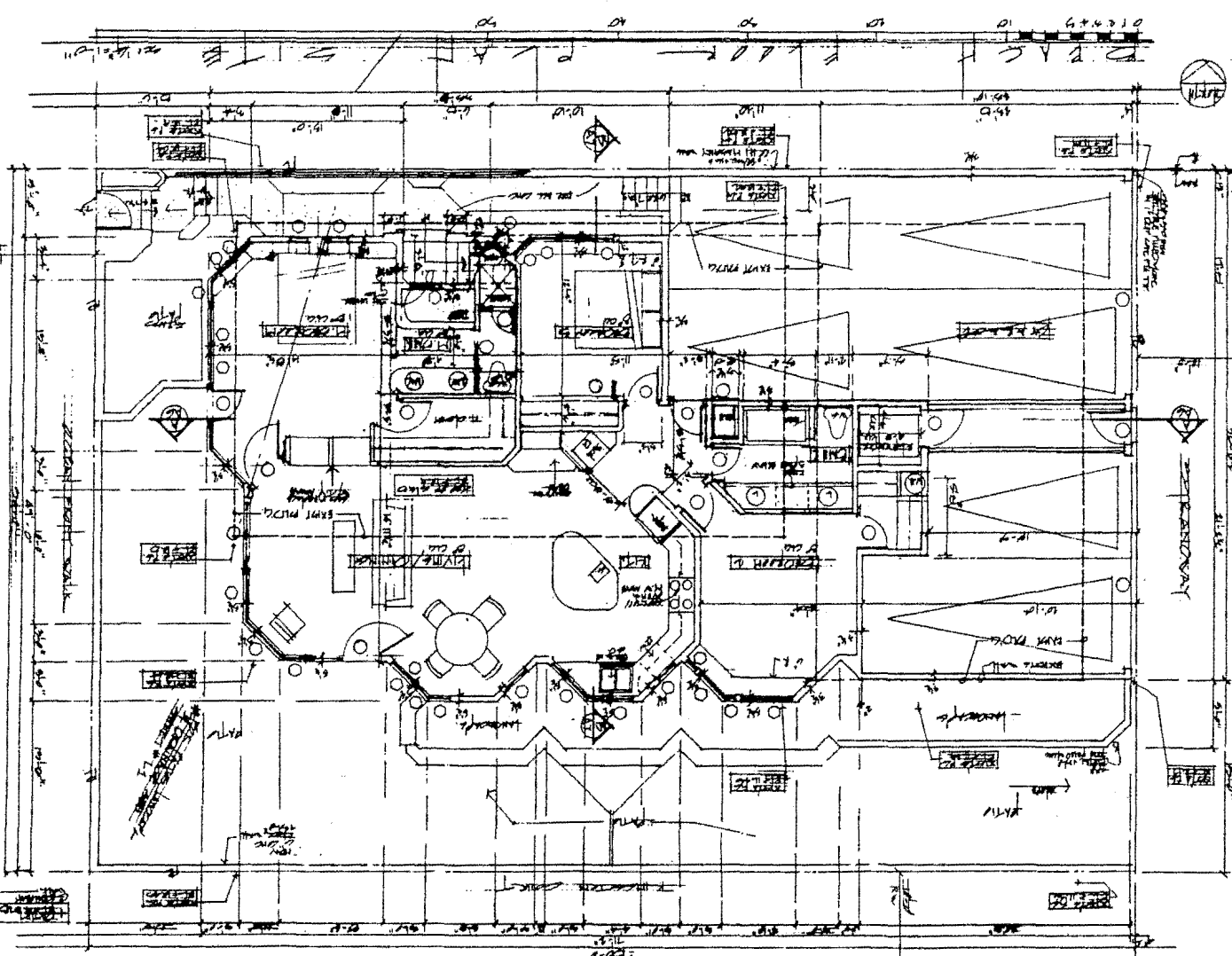



EXHIBIT NO. 2
APPLICATION NO.
6-00-157
Site Plan
 California Coastal Commission

