

RECORD PACKET COPY

Fri 4b-c

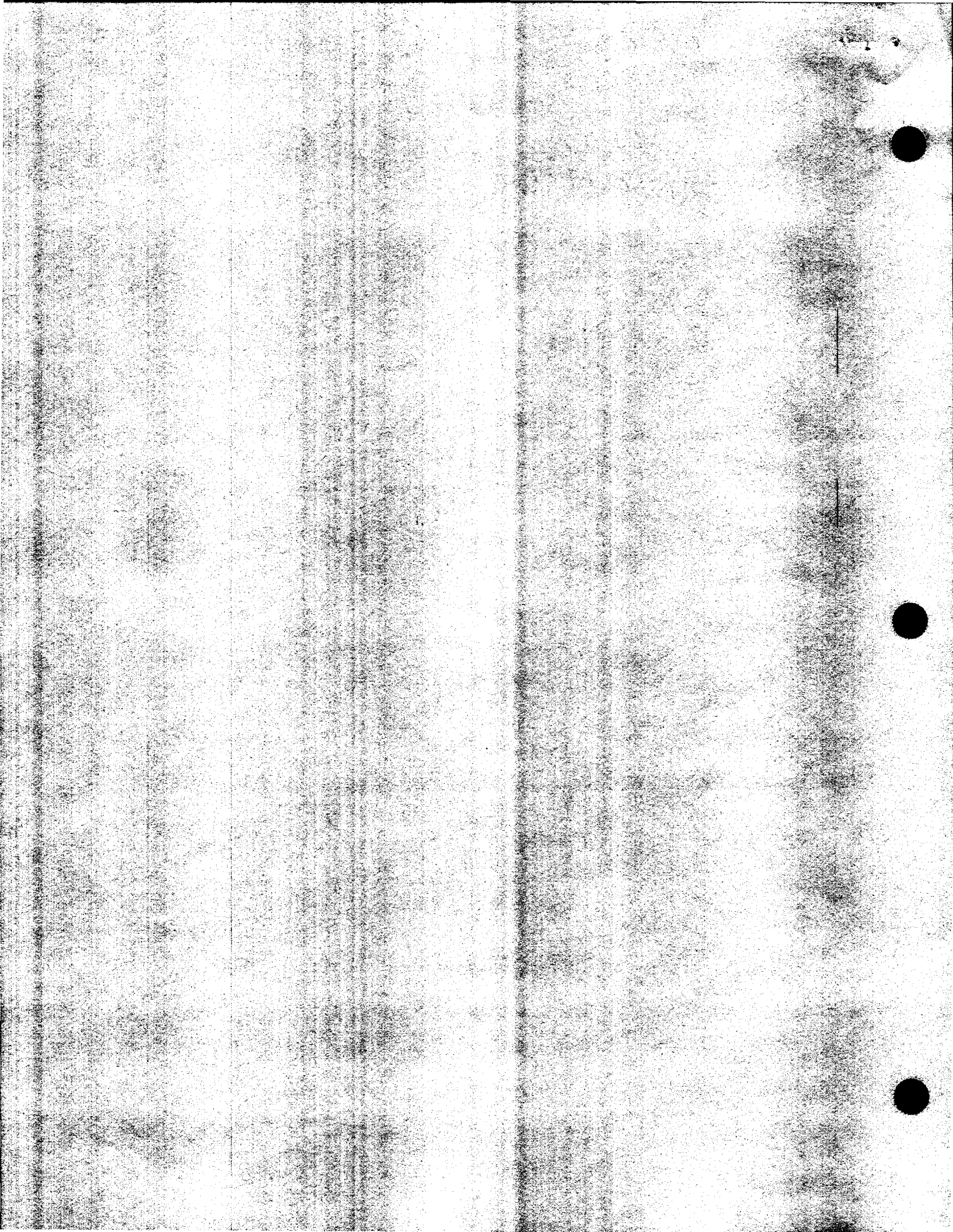
San Diego Coast District

CONSENT CALENDAR

Friday, November 16, 2001

6-01-137

6-01-147



CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

15 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370**Fri 4b**

Filed: 8/24/01
 49th Day: 10/12/01
 180th Day: 2/20/01
 Staff: LRO-SD
 Staff Report: 10/23/01
 Hearing Date: 11/13-17/01

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-01-137

Applicant: Pacific Beach Investment Trust

Agent: Ronald Young

Description: Removal of an existing parking lot and construction of two detached residential structures consisting of a three-story, 2,489 sq.ft. single family residence over a three-car garage and a two-story, 1,642 sq.ft. single family residence over a two-car garage and a 248 sq.ft. office leasehold on the ground floor of an existing 3,008 sq.ft. site.

Lot Area	3,008 sq. ft.
Building Coverage	1,723 sq. ft. (57 %)
Pavement Coverage	800 sq. ft. (27 %)
Landscape Coverage	485 sq. ft. (16 %)
Parking Spaces	5
Zoning	RN (36 dua)/NCN
Plan Designation	Residential North/Neighborhood Commercial North
Project Density	35.9 dua
Ht abv fin grade	29 ½ feet

Site: 728 and 734 Salem Court, Mission Beach, San Diego, San Diego County.
 APN 423-575-19 and -20

Substantive File Documents: Certified Mission Beach Planned District Ordinance

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. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. Construction of two detached residential structures and a small office leasehold consisting of the following: one three-story, 2,489 sq.ft. single family residence over a three-car garage and a two-story, 1,642 sq.ft. single family residence over a two-car garage with a 248 sq.ft. office leasehold on the ground floor. The subject site consists of two contiguous lots totaling 3,008 sq.ft. site which presently contains an existing 12-space parking lot that is proposed to be removed. The site situated at the southwest corner of Salem Court and Mission Boulevard which is 1 ½ blocks inland of the ocean and public boardwalk in the area. The site is within the community of Mission Beach in the City of San Diego

The subject site is within an area of original jurisdiction, where the Commission retains permanent permit authority. As such, the Chapter 3 policies of the Coastal Act are the standard of review.

2. Visual Resources. 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 and commercial neighborhood consisting of apartment units, condominiums, single-family residences of varying heights and architecture as well as retail/commercial leaseholds and restaurant uses. As such, the proposed residential/office development will be compatible with the character of the mixed development in this community. Also, landscaping is proposed along the eastern portion of the site (Mission Boulevard frontage), the southern part of the site and in the area between the two residential structures. This new landscaping will help to visually enhance the area. In addition, 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. Public Access/Parking. Sections 30210 and 30252 of the Coastal Act require that public access to the shoreline and along the coast be maximized and provided in all new development and that adequate parking be provided for new development. The

subject site is located at the southwest corner of Salem Court and Mission Boulevard in the community of Mission Beach. As noted earlier, this community contains a mix of residential and retail/commercial development. As proposed, the development will consist of two single family residential units and a small office leasehold. The residential structure proposed to be sited fronting on Mission Boulevard will contain a two-level garage at the ground elevation and a small, 248 sq.ft. office leasehold. Pursuant to Section 103.0528.1 A.1. of the certified Mission Beach Planned District Ordinance (PDO), residential uses are not permitted on the first story of any building fronting in Mission Boulevard. As the easternmost lot of the subject site fronts on Mission Boulevard, the structure proposed on this lot has been designed to meet this requirement through the provision of a small office leasehold on the ground level. A two-car garage is also proposed at this level. The residential unit will be situated on the upper two floors only.

In addition, Section 101.0528.11 also provides that two spaces are required per residential unit and one space per each 500 sq.ft. (1:500) for business and office leaseholds. The proposed development provides five parking spaces (two for one unit and three for the other). The Mission Beach PDO requires a parking ratio of 1:500 for office use. As such, parking is only required if the size of the leasehold is greater than 250 sq.ft. In this case, however, the size of the leasehold is less than 250 sq.ft. (248 sq.ft.), therefore, no parking is required for the proposed office leasehold.

In addition, although the site presently consists of an improved parking lot with 12 spaces, none of the parking presently provided on site is public parking for beach access. Further, none of the parking on the site is required as a condition of a coastal development permit for off-site parking for other development in the area (i.e., restaurants, etc.). The parking is for private use as is evidenced by existing on-site signage which advertises that the parking is available for lease on a monthly basis. As such, the proposed development on the site will not result in any adverse impacts on public access as it will not usurp public beach parking, consistent with the above cited policies. In addition, with the provision of five on-site parking spaces, more than adequate parking will be provided. The proposed residential/commercial development can be found consistent with Sections 20310 and 30252 of the Coastal Act.

4. 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.

The subject site is zoned RN/NC-N for residential and neighborhood commercial use in the Mission Beach Planned District Ordinance (PDO). The proposed development consisting of two single family residences and a small office leasehold on the ground floor is consistent with this designation. The subject area is designated for a residential density of 36 du/a and the subject development will result in a density of 35.9 dwelling

units per acre, consistent with that designation. In addition, the Mission Beach PDO requires 2.0 parking spaces for residential uses and 1:500 spaces for office/commercial uses. The proposed development will provide a total of five parking spaces for the residential uses and no parking is required for the office use. As such, the proposed project can be found consistent with the certified Mission Beach Precise Plan and the Planned District Ordinance and all applicable Chapter 3 policies of the Coastal Act. Therefore, approval of the proposed development, will not prejudice the ability of the City of San Diego to implement its certified LCP for the Mission Beach community.

5. 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)(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.

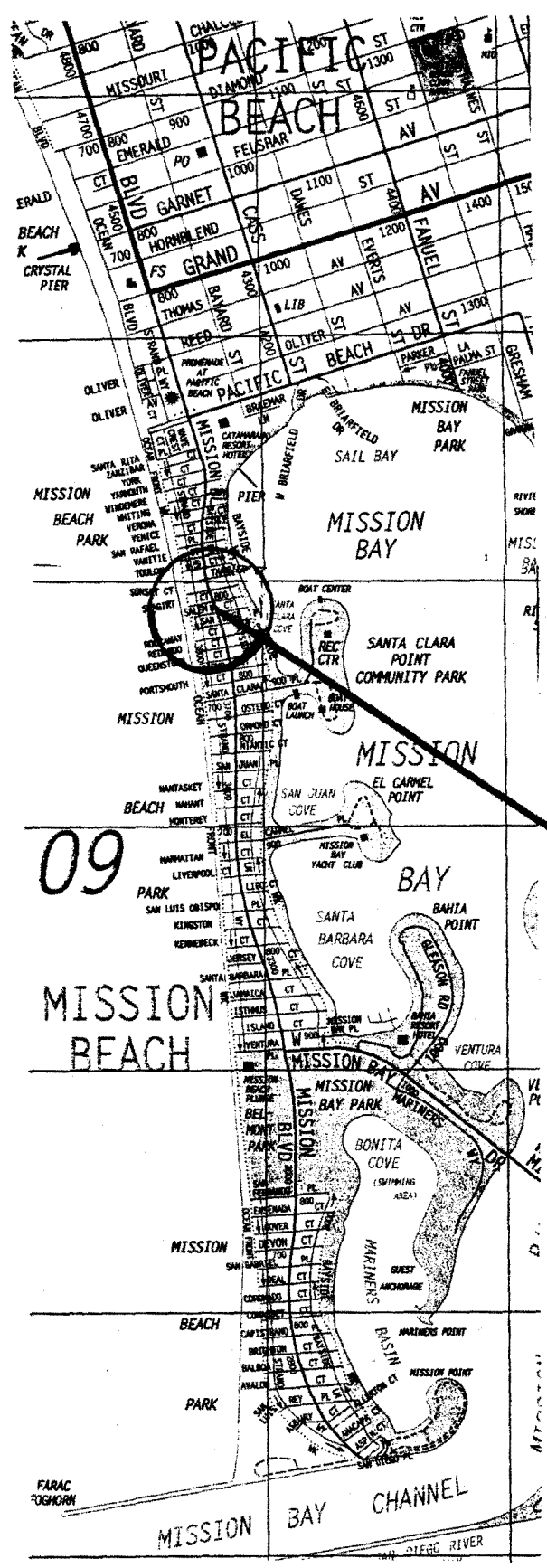
As discussed herein, the proposed project will not cause significant adverse impacts to the environment. Specifically, the project has been found consistent with the public access and community character policies of the Coastal Act. There are no feasible alternatives or mitigation measures available 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:

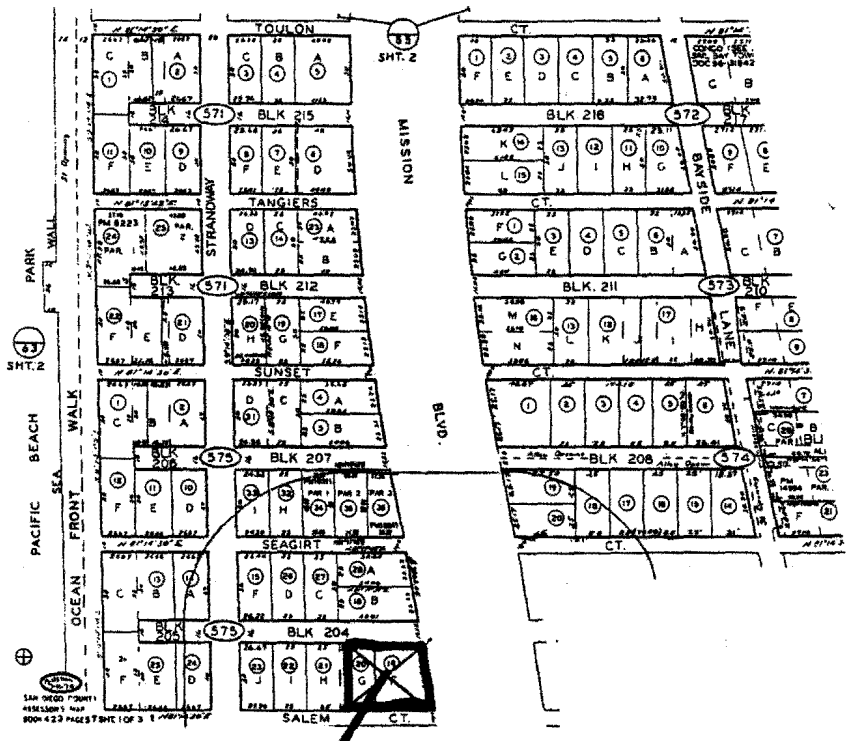
1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. 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.

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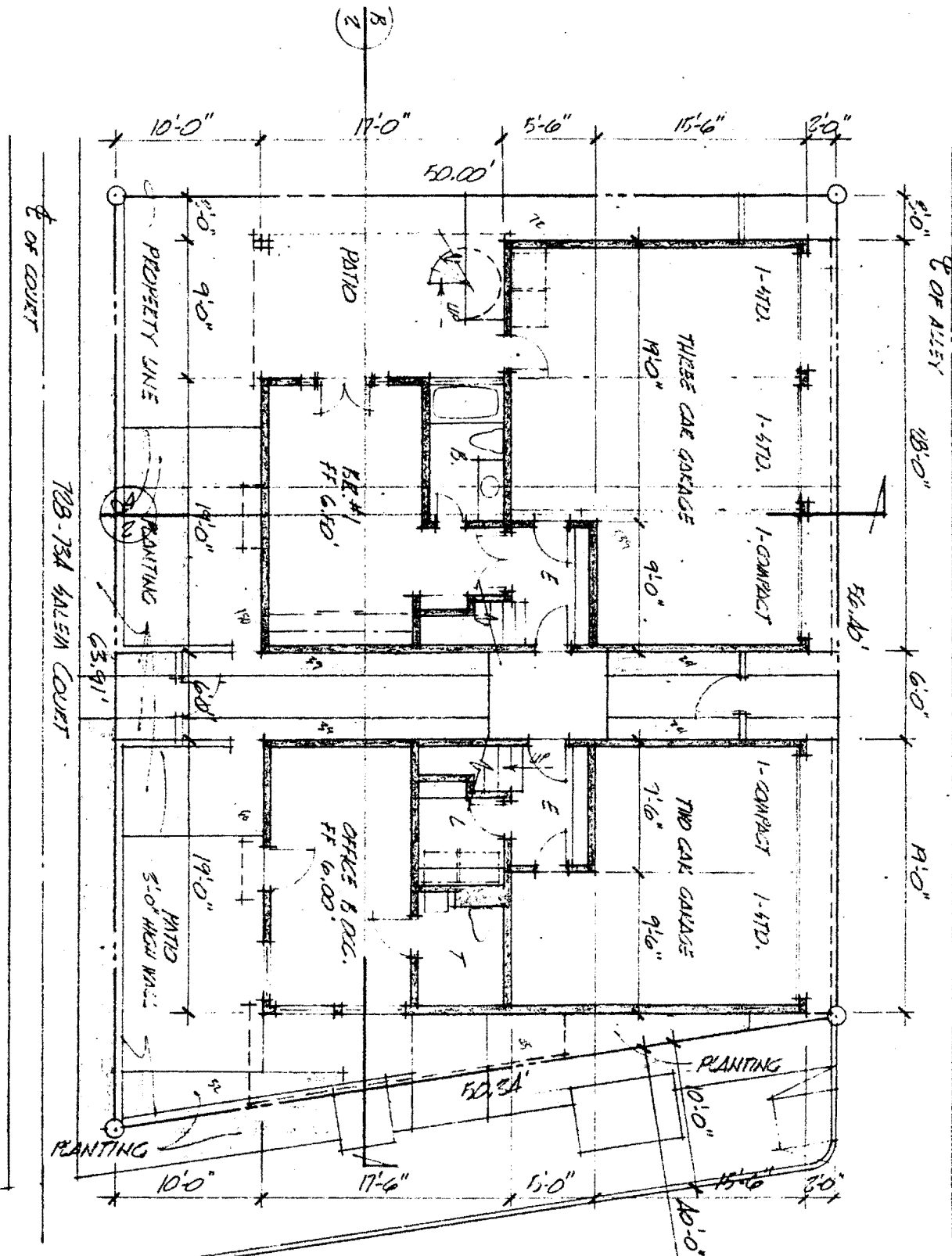


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SITE

EXHIBIT NO. 1
APPLICATION NO.
6-01-137
Location Map
California Coastal Commission



SITE & FIRST FLOOR PLAN 1/8" = 1'-0"

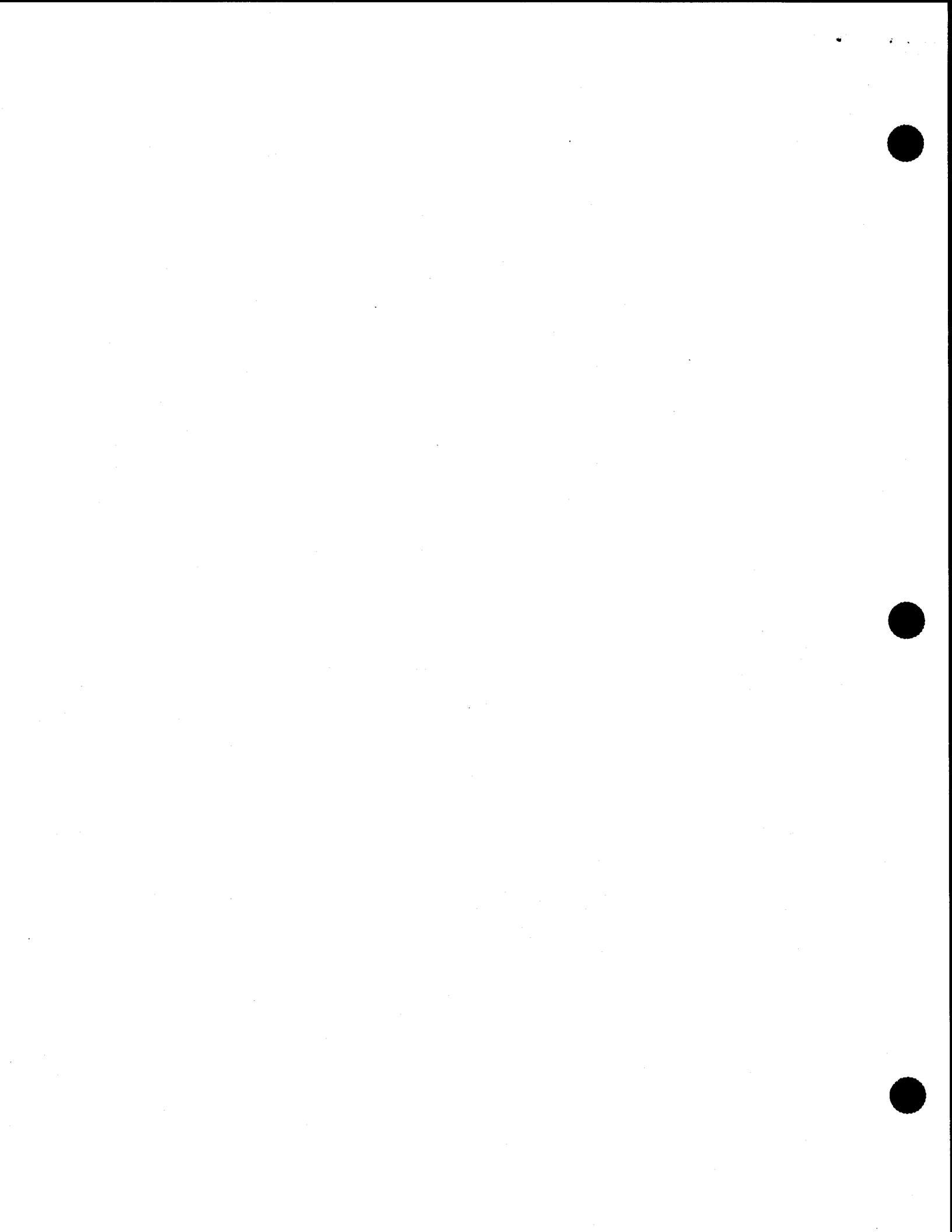
FLOOR AREA 905 S.F.
 GARAGE ALLOWANCE (400 S.F.)
 1/2 FLOOR STAIR (25 S.F.)
 EXT. WALLS (66 S.F.)
 FARE 114 S.F.

FLOOR AREA 282 S.F.
 1/2 FLOOR STAIR (25 S.F.)
 EXT. WALLS 72(S) = (36 S.F.)
 FARE 201 S.F.



MISSION BLVD.

EXHIBIT NO. 2
APPLICATION NO. 6-01-137
Site Plan



CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

15 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370**Fri 4c**

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 Staff: DS-SD
 Staff Report: 10/17/01
 Hearing Date: 11/13-17/01

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-01-147

Applicant: Andres E. Davies

Description: Demolish an existing residence and detached accessory structure and construct new single-level, 1,245 sq. ft. single-family home and 595 sq. ft. accessory building on a 19,538 sq. ft. lot.

Lot Area	19,538 sq. ft. (.44 acres)
Building Coverage	1,840 sq. ft. (9%)
Pavement Coverage	560 sq. ft. (3%)
Landscape Coverage	1,000 sq. ft. (5%)
Unimproved Area	16,138 sq. ft. (83%)
Parking Spaces	3
Zoning	Medium-High Residential (8-12 du/acre)
Plan Designation	Medium-High Residential (8-12 du/acre)
Project Density	2 du/ac
Ht abv fin grade	13 feet

Site: 671 Ida Ave, Solana Beach, Ca, San Diego County. APN: 298-140-13

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

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. Drainage Plan. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and written approval of the Executive Director, a drainage and runoff control plan that has been approved by the City of Solana Beach. This plan shall document that runoff from the roof, driveway and other impervious surfaces shall be directed into pervious areas on the site (landscaped areas) for infiltration and/or percolation, prior to being conveyed off-site in a non-erosive manner.

The permittee shall undertake the development in accordance with the approved program. Any proposed changes to the approved program shall be reported to the Executive Director. No changes to the program 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 subject development includes demolition of an existing residence and detached accessory structure and construction new single-level, 1,245 sq. ft. single-family home and 595 sq. ft. accessory building located on an approximately .44-acre site in the City of Solana Beach. No new landscaping, grading, or paving is proposed and the footprint of the existing structure is to remain unchanged.

The project is located at 671 Ida Ave, one block west of Interstate 5, in the City of Solana Beach. The surrounding area consists of medium sized single-family residences as well as several apartment and condominium complexes

The City of Solana Beach does not yet have a certified Local Coastal Program (LCP) and therefore, the Chapter 3 policies of the Coastal Act are the standard of review. The previously certified County of San Diego LCP is used for guidance in Solana Beach.

2. Runoff/Water Quality. Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

In order to reduce the potential for adverse impacts to water quality resulting from drainage runoff from the proposed development, Special Condition #1 is attached. The condition requires that runoff from the roof, driveway, and other impervious surfaces be directed into the landscaped areas on the site for infiltration and or/percolation, prior to being conveyed off-site. Directing runoff through landscaping is a well-established BMP for treating runoff from small developments such as the subject proposal. As conditioned, the proposed development will serve to reduce any impacts to water quality from the project to insignificant levels, consistent with the above cited Coastal Act policy.

3. Parking/Public Access. Section 30250(a) of the Coastal Act requires that new residential development be located where adequate public services are available and where it will not have significant adverse impacts on coastal resources. Section 30252 requires that adequate parking for new development is provided. The site is planned and zoned for Medium-High Residential use in the City of Solana Beach, which allows eight to twelve dwelling units per acre. The site is also designated for 8-12 units per acre residential development in the previously certified County of San Diego Local Coastal Program, which is used for guidance in the City of Solana Beach.

The proposed development is consistent with the City's regulations. There are currently three parking spaces on the site, and no change in parking space is proposed; thus, adequate parking exists on the site. With the proposed new construction, the development represents a density of 2 dwelling units per acre which is consistent with the zoning and land use designations. The project site is located in an area where all typical urban services such as water and sewer are available.

The site is located on the west side of Interstate 5 in an area that does not have the potential to impact beach or public recreation parking and adequate parking is provided on-site. Thus, the proposed development does not raise any coastal access issues, and the project can be found consistent with Sections 30250(a) and 30252 of the Coastal Act.

4. Visual Impacts. Section 30251 of the Coastal Act provides for the protection of scenic coastal resources and for the compatibility of new and existing development. The site is located within an established residential neighborhood consisting of large and medium scale single-family residences. The proposed structures will be compatible in size and scale with the surrounding development. The subject site is not located within any of the special overlay areas identified in the County LCP, is not visible from Interstate 5 or any other designated coastal access routes or scenic corridors. Therefore, the project will not have an adverse visual impact on the community and the project can be found consistent with Section 30251 and all other applicable Chapter 3 policies of the Coastal Act.

5. No Waiver of Violation. The proposed development has already begun without the necessary coastal development permit(s). The Commission notes that although development may have taken place prior to the submission of this permit request, consideration of the request by the Commission has been based solely upon Chapter 3 policies of the Coastal Act. Commission action upon the permit does not constitute a waiver of any legal action with regard to the alleged violation of the Coastal Act that may have occurred; nor does it constitute admission as to the legality of any development undertaken on the subject site without a coastal development permit.

6. 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.

The subject site was previously in the County of San Diego Local Coastal Program (LCP) jurisdiction, but is now within the boundaries of the City of Solana Beach. While the Commission certified the County LCP, the County never accepted the Commission's modifications and therefore, the LCP was never effectively certified and Chapter 3 policies of the Coastal Act remain the standard of review. However, the Commission will continue to utilize the San Diego County LCP documents for guidance in its review of development proposals in the City of Solana Beach until such time as the Commission certifies an LCP for the City.

The subject site was designated as High-Medium Residential in the previously certified County of San Diego LCP. The City of Solana Beach has zoned and designated this area for residential uses in their draft Land Use Plan and Zoning Ordinance, and the proposed remodel is consistent with these designations. As discussed above, the proposed project can be found consistent with the relevant Chapter 3 policies regarding the protection of public access and visual resources, and no adverse impacts to coastal resources will result. The site was not subject to any of the special area overlays established in the County LCP. Therefore, the Commission finds the proposed development will not

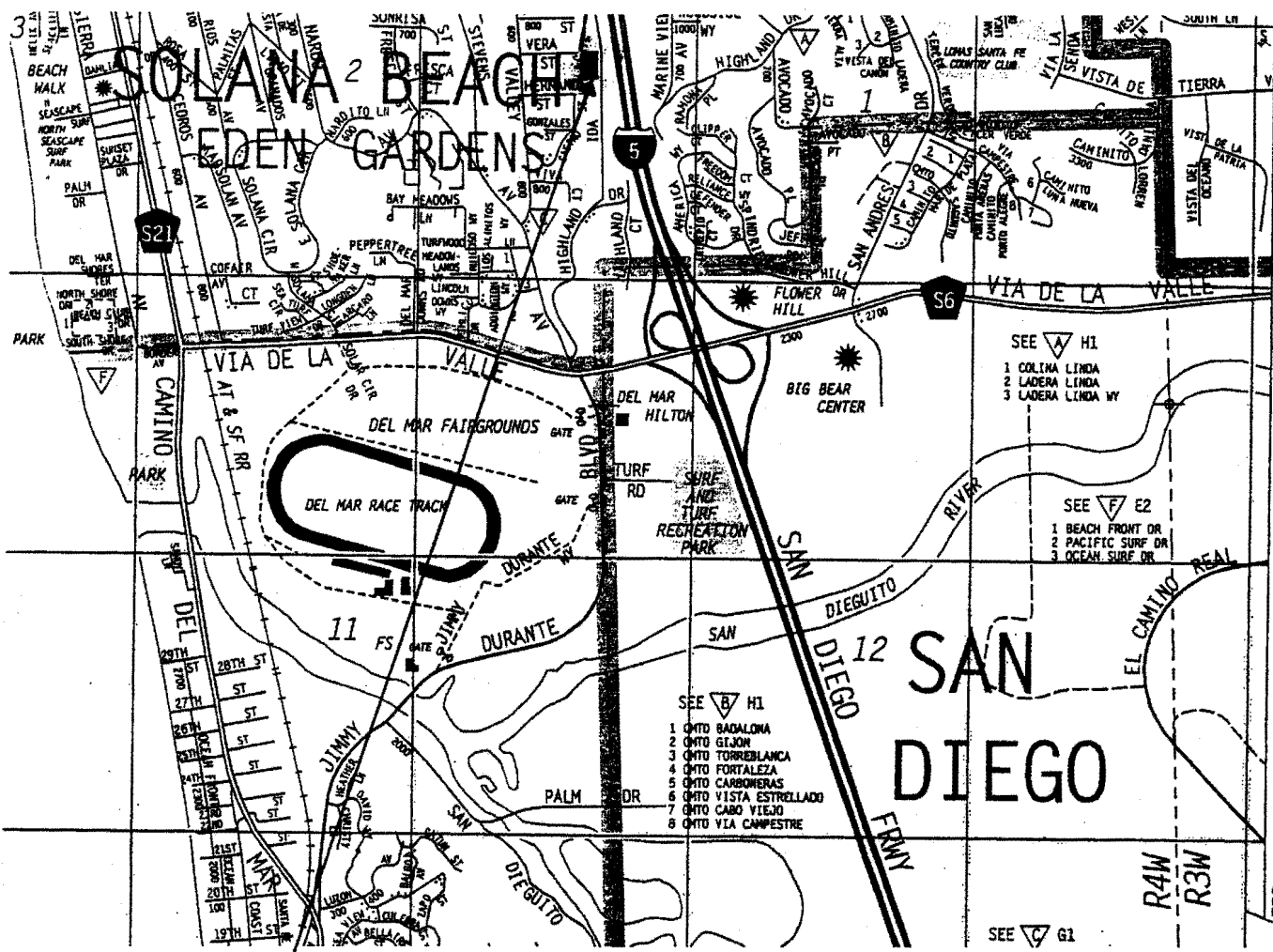
prejudice the ability of the City of Solana Beach to prepare a certifiable Local Coastal Program.

7. 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)(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 that the activity may have on the environment.

As discussed herein, the proposed project will not cause significant adverse impacts to the environment. There are no feasible alternatives or mitigation measures available that would substantially lessen any significant adverse impact that 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 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.



Site

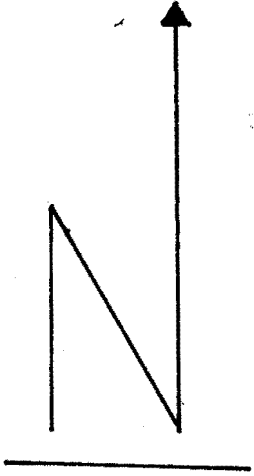
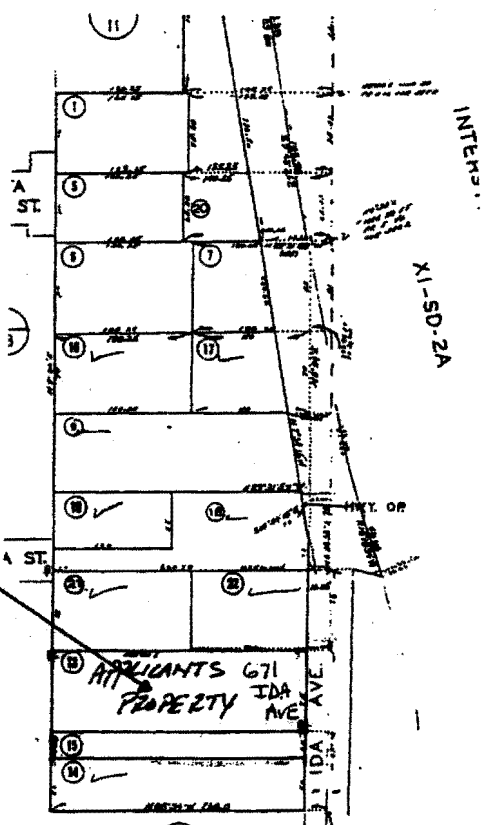


EXHIBIT NO.
APPLICATION NO.
6-01-147
Location Map

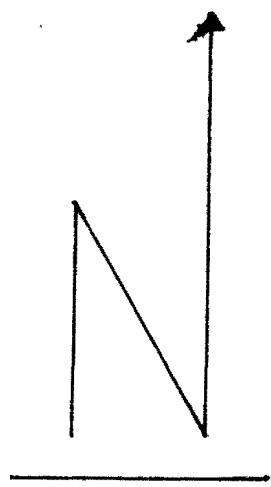
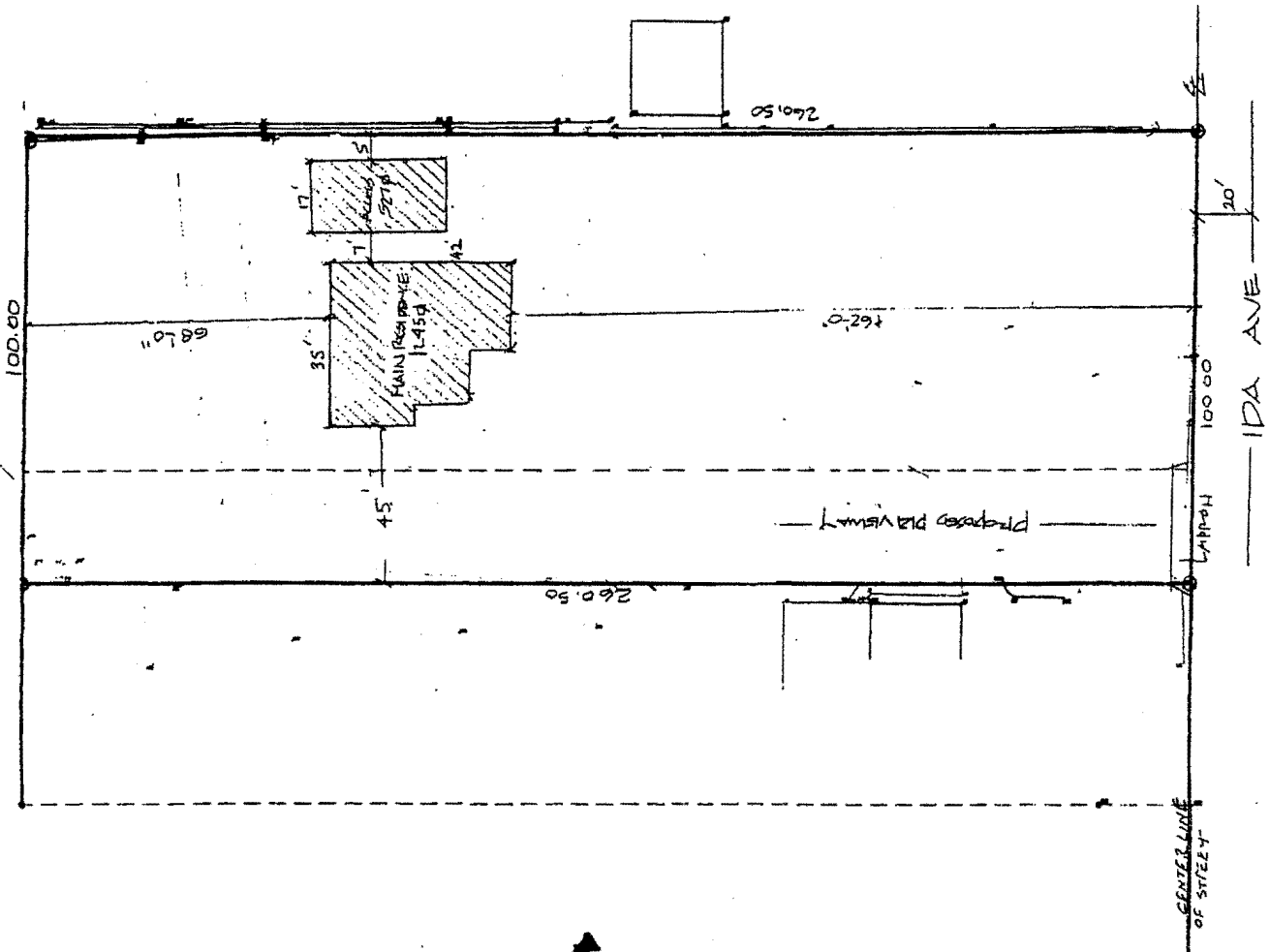


EXHIBIT NO. 2
APPLICATION NO.
6-01-147
Site Plan

