

Fri 3a

San Diego Coast District

ADMINISTRATIVE CALENDAR

Friday, June 14, 2002

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6-02-052

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
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RECORD PACKET COPY

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Permit Application No. 6-02-52
Date 5/23/02

ADMINISTRATIVE PERMIT**Fri 3a**

APPLICANT: Pacific Beach Investment Trust

PROJECT DESCRIPTION: Demolition of an existing 1,910 sq.ft. commercial building and construction of a three-story, 1,290 sq.ft. single family residence with two-car garage and a three-story, 2,177 sq.ft. single family residence with three garage and a 278 sq.ft. retail store on the first floor, on two contiguous lots totaling 2,797 sq.ft.

PROJECT LOCATION: 731 and 733 Pismo Court, Mission Beach, San Diego, San Diego County. APN 423-591-08

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, are discussed on subsequent pages.

NOTE: The Commission's Regulations provide that this permit shall be reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, a permit will not be issued for this permit application. Instead, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

DATE and TIME: June 14, 2002
9:00 a.m., Friday

LOCATION: The Queen Mary
1126 Queens Highway
Long Beach, CA 90802

IMPORTANT - Before you may proceed with development, the following must occur:

For this permit to become effective you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you an authorization to proceed with development. BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE PERMIT AUTHORIZATION FROM THIS OFFICE.

PETER DOUGLAS
Executive Director

By: Laurinda Owens

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. 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.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

Pursuant to Public Resources Code Section 30624, the Executive Director hereby determines that the proposed development, subject to Standard and Special Conditions as attached, is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. Any development located between the nearest public road and the sea is in conformity with the public access and public recreation policies of Chapter 3.

The applicant is proposing to demolish an existing 1,910 sq.ft. commercial building consisting of a café and retail store and to then construct two detached single family residences with a small retail store. The proposed residences will consist of a three-story, 1,290 sq.ft. single family residence with two-car garage and a three-story, 2,177 sq.ft. single family residence with three garage. The retail store will be 278 sq.ft. in size and will be located on the ground floor of the larger residential unit (with the living area on the upper two floors only) and will front on Mission Boulevard. The subject site consists of two contiguous lots totaling 2,797 sq.ft. The site is located at the southwest corner of Pismo Court and Mission Boulevard in the Mission Beach community of the City of San Diego.

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.

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 and retail and commercial uses of varying heights and architecture. The certified Mission Beach PDO requires that no residential uses be permitted on the ground floor of any structure fronting on Mission Boulevard. The proposed residence to be located at the southwest corner of Pismo Court and Mission Boulevard will be consistent with this provision as the ground floor will consist of a garage and the proposed retail use with the retail use fronting on Mission Boulevard. The living area of the residential unit will comprise the upper two stories. As such, the proposed residential remodel 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 Executive Director therefore finds the proposed project consistent with Section 30251 of the Act.

Section 30252 of the Act requires that new development should maintain and enhance public access to the coast by providing adequate parking facilities. Two parking spaces are required for each of the proposed residential units pursuant to the certified Mission Beach Planned District Ordinance (PDO). However, the PDO does not require any parking for retail uses in the Mission Beach community. This is largely due to the fact that many of the retail uses in this beach community are pedestrian-oriented in nature and the parking demand for these neighborhood retail uses is lower than those establishments located in less pedestrian-oriented communities. A total of five parking spaces (one excess space) are proposed to serve the proposed development, consistent with these requirements. The smaller residential unit will have a two-car garage and the larger unit will have a three-car garage which will all receive access from the alley to the south. In addition, although the subject site is located inland of the first coastal road and the sea, the proposed development on the site will not alter or impede existing access to the shoreline in the area. Therefore, the project is consistent with all applicable public access policies of the Coastal Act.

The subject site is located at the southwest corner of Pismo Court and Mission Boulevard and is bounded by an alley to the south. Vertical access exists along Pismo Court as well as Portsmouth Court to the south and Queenstown Court to the north, all of which extend to the west to the Ocean Front Walk public boardwalk. The proposed development will not affect public access consistent with the above cited policy.

Section 30230 and 30231 of the Coastal Act require that the biological productivity of coastal waters, streams, etc., be maintained by, among other means, controlling runoff. The proposed development will occur approximately one-and-a-half blocks from the

ocean. As such, drainage and run-off from the development could potentially affect water quality of the ocean.

In order to reduce the potential for adverse impacts to water quality resulting from drainage runoff from the proposed development, Special Condition No. 1 has been attached which requires submittal of a drainage plan which documents that runoff from the roof, driveway and other impervious surfaces will be directed into the landscaped areas on the site for infiltration and/or percolation, prior to being conveyed off-site. Directing on-site runoff through landscaping for filtration of on-site runoff in this fashion is a well-established Best Management Practice for treating runoff from small developments such as the subject proposal. As conditioned, the final drainage plan will serve to reduce the potential for impacts to water quality from the project to insignificant levels. Therefore, the Commission finds the proposed project is consistent with Section 30231 and 30231 of the Coastal Act.

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 with Chapter 3 policies of the Coastal Act used as the standard of review and the certified LCP as guidance. The site is zoned Neighborhood Commercial-North (NC-N) in the Mission Beach Planned District Ordinance (PDO). The PDO requires that no residential use be permitted on the ground floor of any building abutting Mission Boulevard. The proposed development consisting of two residential dwelling units and a small retail leasehold space on the ground floor of one of the units (with the residential living area on the upper two floors) is consistent with this designation. As noted above, a total of four parking spaces are required and five spaces are being provided. The proposed project is consistent with the certified Mission Beach Planned District Ordinance (PDO) 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.

SPECIAL CONDITIONS:

1. Drainage Plan. PRIOR TO AUTHORIZATION TO PROCEED WITH DEVELOPMENT, the applicant shall submit to the Executive Director for review and written approval, a drainage plan, approved by the City, which shows that drainage and runoff from the roof, driveway and other impervious surfaces shall be collected and directed into pervious areas on the site (landscaped areas) for infiltration and/or percolation, prior to being conveyed off-site to storm drain(s).

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.

ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:
I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing

(Document5)