

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

7575 METROPOLITAN DRIVE, SUITE 103

SAN DIEGO, CA 92108-4402

767-2370

## RECORD PACKET COPY

**Thu 3a**

Filed: 9/27/02  
49th Day: 11/15/02  
180th Day: 3/26/03  
Staff: LRO-SD  
Staff Report: 12/17/02  
Hearing Date: 1/8-10/03

**STAFF REPORT: CONSENT CALENDAR****Application No.:** 6-02-141**Applicant:** Michael Turk**Agent:** Paul Ross

**Description:** Demolition of two existing buildings containing two and four residential units each and construction of a new three-story, 30-ft. high, 4,572 sq.ft., 3-unit residential building with 12 on-site parking spaces on a 4,213 sq.ft. oceanfront lot.

Lot Area	4,213 sq. ft.
Building Coverage	2,163 sq. ft. ( 51%)
Pavement Coverage	200 sq. ft. ( 5%)
Landscape Coverage	1,850 sq. ft. (44%)
Parking Spaces	6
Zoning	R-S
Plan Designation	Residential South (36 dua)

**Site:** 701-711 San Rafael Place, Mission Beach, San Diego County.  
APN 423-559-01.

**Substantive File Documents:** Certified Mission Beach Precise Plan

**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.** No construction shall take place for the project between Memorial Day weekend and Labor Day of any year. 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).

**IV. Findings and Declarations.**

The Commission finds and declares as follows:

A. **Detailed Project Description/History.** The project involves the demolition of two existing buildings containing two and four residential units each and construction of a new three-story, 30-ft. high, 4,572 sq.ft., 3-unit residential building with 12 on-site parking spaces on a 4,213 sq.ft. oceanfront lot. The westernmost building proposed to be demolished is presently situated approximately three feet inland of the western property line. Through the proposed redevelopment of the site, the new development will observe the required 7-foot front yard setback, consistent with the Mission Beach Precise Plan. In addition, adequate parking will be provided with covered parking for six cars in tandem sets.

The Commission has approved a number of coastal development permits to remove private encroachments from the public right-of-way and to widen the public boardwalk in an easterly direction. The subject site is located immediately adjacent to the recently widened public boardwalk. However, no encroachment is proposed within the public right-of-way (public boardwalk) and all proposed privacy walls will be located entirely on private property.

In addition, to address potential concerns with regard to construction activities on public access on this oceanfront property and given its proximity to the public boardwalk, the applicant has proposed the phase the proposed construction such that no work shall occur between Memorial Day weekend and Labor Day. As proposed, no impacts to public access are anticipated.

The project site is within the Commission's area of permit jurisdiction. Thus, the standard of review is Chapter 3 policies of the Coastal Act, with the certified LCP used as guidance.

**C. Community Character /Visual Quality.** The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area and will not impact public views. Therefore, the Commission finds that the development, as conditioned, conforms to Section 30251 of the Coastal Act.

**D. Public Access/Parking.** As conditioned, the proposed development will not have an adverse impact on public access to the coast or to nearby recreational facilities. As conditioned, the proposed development conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 30604(c) of the Coastal Act.

**D. Local Coastal Planning.** The subject site is located in an area of original jurisdiction, where the Commission retains permanent permit authority and Chapter 3 of the Coastal Act remains the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the local government to prejudice the ability of the City of San Diego to implement its certified LCP for the Mission Beach community.

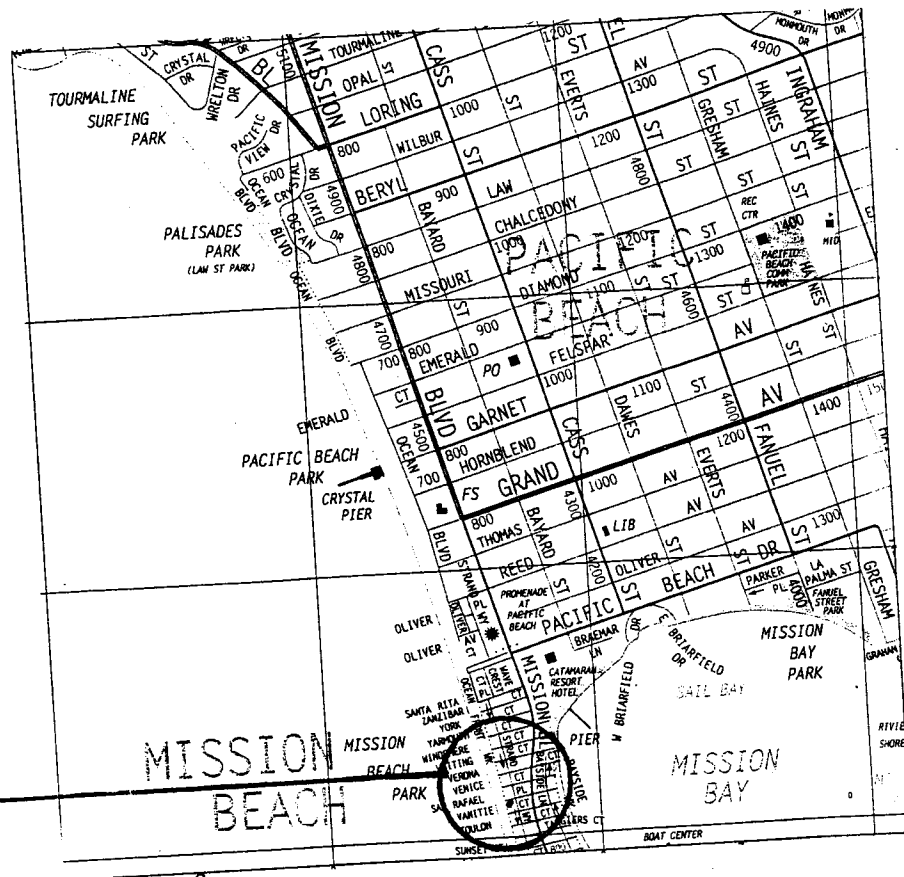
**E. California Environmental Quality Act.** As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, 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.

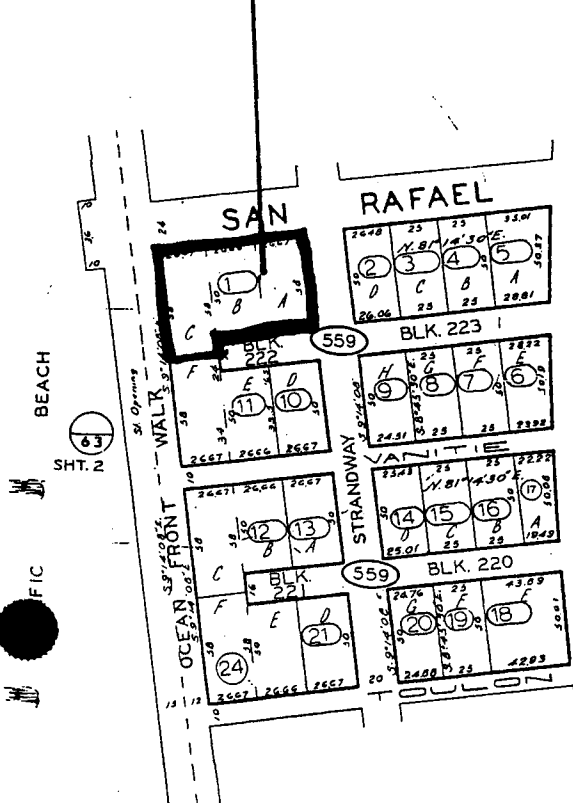
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SITE



MISSION BEACH

MISSION BAY

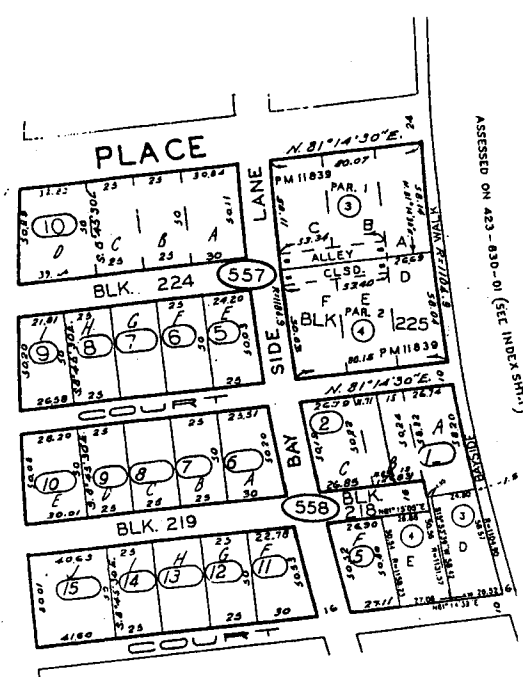


33  
SHT. 1

BLVD.

MISSION

37  
SHT. 1



ASSESSED ON 423-630-01 (SEE INDEX SHT.) POR. PL. 18

EXHIBIT NO. 1  
APPLICATION NO.  
**6-02-141**  
Location Map

SAN RAFAEL PLACE

OCEAN FRONT WALK

STRANDWAY

ALLEY

SITE PLAN  
SCALE: 3/4" = 1'-0"

PROJECT DATA

PROJECT ADDRESS: 121-11 SAN RAFAEL PLACE, MISSION BEACH, CALIFORNIA 92049  
OWNER: ND DEVELOPMENT, 1444 GRAND AVENUE SUITE B, SAN DIEGO, CALIFORNIA 92109, 619.214.9495  
LOT NUMBER: 01  
APN: 423544101  
LEGAL DESCRIP: LOTS A, B, C BKA 222, MAP 1651

FLOOR AREA:	
UNIT 1:	
FIRST FLOOR	955 SF
SECOND FLOOR	856 SF
THIRD FLOOR	363 SF
GARAGE (ENCLPT)	325 SF
TOTAL	1579 SF
UNIT 2:	
FIRST FLOOR	555 SF
SECOND FLOOR	655 SF
THIRD FLOOR	565 SF
GARAGE (ENCLPT)	505 SF
DECK (ENCLPT)	80 SF
TOTAL	1574 SF
UNIT 3:	
SECOND FLOOR	910 SF
THIRD FLOOR	410 SF
GARAGE (ENCLPT)	215 SF
DECK (ENCLPT)	70 SF
TOTAL	1414 SF
TOTAL SQ. FT.	4448 SF

LOT AREA: 42150 SF  
FAR ALLOWED: 4448 SF  
ACTUAL FAR: 101

REQUIRED PERMITS: CALIFORNIA COASTAL DEVELOPMENT PERMIT  
CONSTRUCTION TYPE: V-N  
ZONING DESIGNATION: RN  
OVERLAY ZONE: CA COASTAL 30' HEIGHT TRAIL AREA PARKING IMPACT  
OCCUPANCY CLASSIFICATION: R-3 (PER CBC)  
CALIFORNIA BUILDING CODE: 1943 (1917 LBC)  
TOTAL NO. OF STORIES: 3  
TOTAL HEIGHT OF BUILDING: 24'-0"  
HEIGHT DIFFERENTIAL: 2'-0"  
ALLOWABLE OVERALL BUILDING HEIGHT: 30'-0"  
EASEMENTS: NONE

PREPARED BY: STOSH THOMAS ARCHITECTS  
2510 SAN AVENUE, STE 204  
SAN DIEGO, CALIFORNIA 92103  
619.250.0400  
REVISION 6  
REVISION 5  
REVISION 4  
REVISION 3  
REVISION 2  
REVISION 1  
4-17-02  
8-10-02

LOT NUMBER: 01  
APN: 423544101  
PROJECT NAME: SAN RAFAEL UNITS  
SHEET TITLE: TITLE SHEET / SITE PLAN  
SHEET COUNT: 1 OF 10  
ORIGINAL DATE: 07-16-02  
DEP 1

GRADING NOTE

NO GRADING SHALL BE PERFORMED UNDER THIS PERMIT

PROJECT SCOPE

DEMOLITION OF TWO EXISTING BUILDINGS AND THE CONSTRUCTION OF A NEW THREE STORY 3 UNIT RESIDENTIAL BUILDING.  
NOTE: A SEPARATE PERMIT IS REQUIRED FOR THE REMOVAL OF EXISTING STRUCTURE.  
NO GRADING OUTSIDE FOUNDATIONS PROPOSED

SHEET INDEX

SHEET NO.	SHEET TITLE
A11	TITLE SHEET / SITE PLAN
A21	FIRST FLOOR PLAN
A22	SECOND FLOOR PLAN
A23	THIRD FLOOR PLAN
A24	ROOF PLAN
A3	ELEVATIONS
A3.2	ELEVATIONS
A41	SECTIONS
2	1 OF 10

**EXHIBIT NO. 2**  
**APPLICATION**  
**6-02-141**  
**Site Plan**  
California Coastal Commission

SAN RAFAEL

STOSH THOMAS ARCHITECTS  
1000 LA JOLLA VILLAGE DRIVE, SUITE 100  
LA JOLLA, CALIFORNIA 92037  
619.451.1111  
WWW.STOSHARCHITECTS.COM  
DATE: 07-16-02  
SCALE: 3/4" = 1'-0"  
DESIGNER: JH  
CHECKER: JH  
JOB: 02  
SHEET: A-1