

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

7575 METROPOLITAN DRIVE, SUITE 103

SAN DIEGO, CA 92108-4402

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RECORD PACKET COPY

**Tue 6a**

Filed: 7/23/03
49th Day: 9/10/03
180th Day: 1/19/04
Staff: LRO-SD
Staff Report: 9/10/03
Hearing Date: 10/7-10/03

STAFF REPORT: CONSENT CALENDAR**Application No.:** 6-03-69**Applicant:** Steele Sacks**Agent:** Golba Architecture, Inc.

Description: Demolition of four-unit apartment building and construction of two detached buildings consisting of an approx. 29 ½ ft. high, two-story over basement, 3,790 sq.ft. triplex, and an approx. 29 ½ ft. high, two-story over basement, 3,265 sq.ft. duplex with a total of 10 on-site parking spaces on a 6,659 sq.ft. site.

Lot Area	6,659 sq. ft.
Building Coverage	3,375 sq. ft. (51%)
Pavement Coverage	1,304 sq. ft. (19%)
Landscape Coverage	1,980 sq. ft. (30%)
Parking Spaces	10
Zoning	R-S
Project Density	32.7 dua
Plan Designation	Residential South (36 dua)

Site: 2651 Strandway, Mission Beach, San Diego, San Diego County.
APN 423-762-01.

Substantive File Documents: Certified Mission Beach Precise Plan; 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. 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 an existing five-unit apartment building and the construction of two new detached buildings. Building #1 will consist of an approx. 29 ½ ft. high, two-story over basement, 3,790 sq.ft. triplex, and Building #2 will consist of an approx. 29 ½ ft. high, two-story over basement, 3,265 sq.ft. duplex. Also proposed is a lap pool and jacuzzi. A total of 10 on-site parking spaces will be provided for the new development. The project site is 6,659 sq.ft. in size and is located on the southeast corner of Strandway and Asbury Court, one block from the ocean.

Building #2, the most southern of the two proposed structures, is proposed to meet all required building setbacks. Building #1, the most northern of the two proposed structures, will be sited adjacent to Asbury Court. Asbury Court is an east-west running walkway (public right-of-way) similar to many other courts in the Mission Beach community that provides public access to the shoreline. Through the proposed redevelopment of the site, Building #1 will be designed such that it meets the required building setbacks for its southern and western frontages but portions of its northern frontage are proposed to encroach slightly into the required north yard setback area (ref. Exhibit No. 2). Pursuant to Section 103.0526 of the Mission Beach Planned District Ordinance, buildings cannot be wider than 25 feet fronting on a court, place, Oceanfront Walk or Bayside Walk unless a vertical offset is provided. As such, buildings may encroach into the required yard a maximum of 18 inches for a width not more than one-half of the total building width provided that an equal area is left vacant behind the

required setback line. In this particular case, the applicant has designed the northern frontage in this manner, consistent with the Mission Beach Planned District Ordinance.

Although, in general, such encroachments adjacent to major public accessways are not encouraged due to potential impacts on public access or visual access to the shoreline, in this particular case, the existing structure is located on an irregular-shaped lot which does not affect public views of the ocean. Asbury Court between Mission Blvd. and Strandway is slightly angular (running in a northwesterly direction) until it crosses Strandway where it then turns in a more straight east-west direction (ref. Exhibit No. 2). As such, public views of the ocean are not visible from either the project site or Asbury Court between Mission Blvd. and Strandway. Also, due to the presence of numerous other residential structures on the seaward side of Strandway views of the ocean are not visible. Thus, due to its unique orientation to Strandway Court and the ocean, the proposed minor encroachment into the north yard setback area will not result in adverse effects to public views or public access.

In addition, to address potential concerns with regard to construction activities on public access on this oceanfront property and given its proximity to the ocean, the project has been conditioned such that no work shall occur between Memorial Day weekend and Labor Day. As conditioned, 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.

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

C. 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.

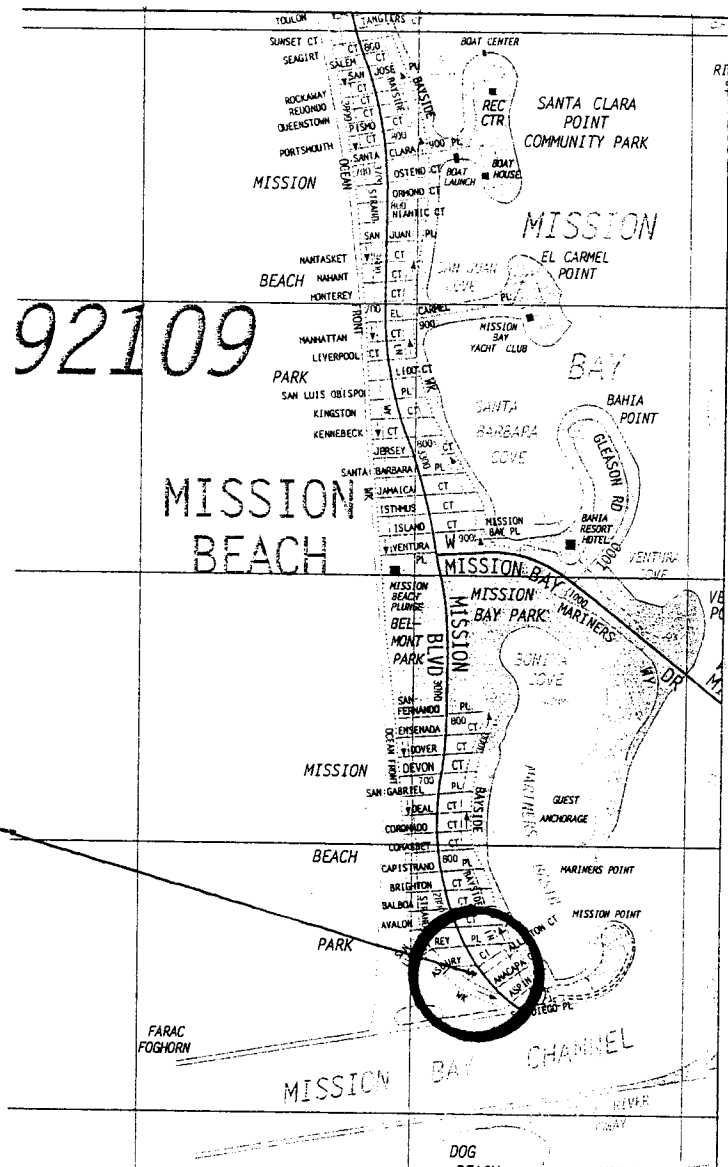
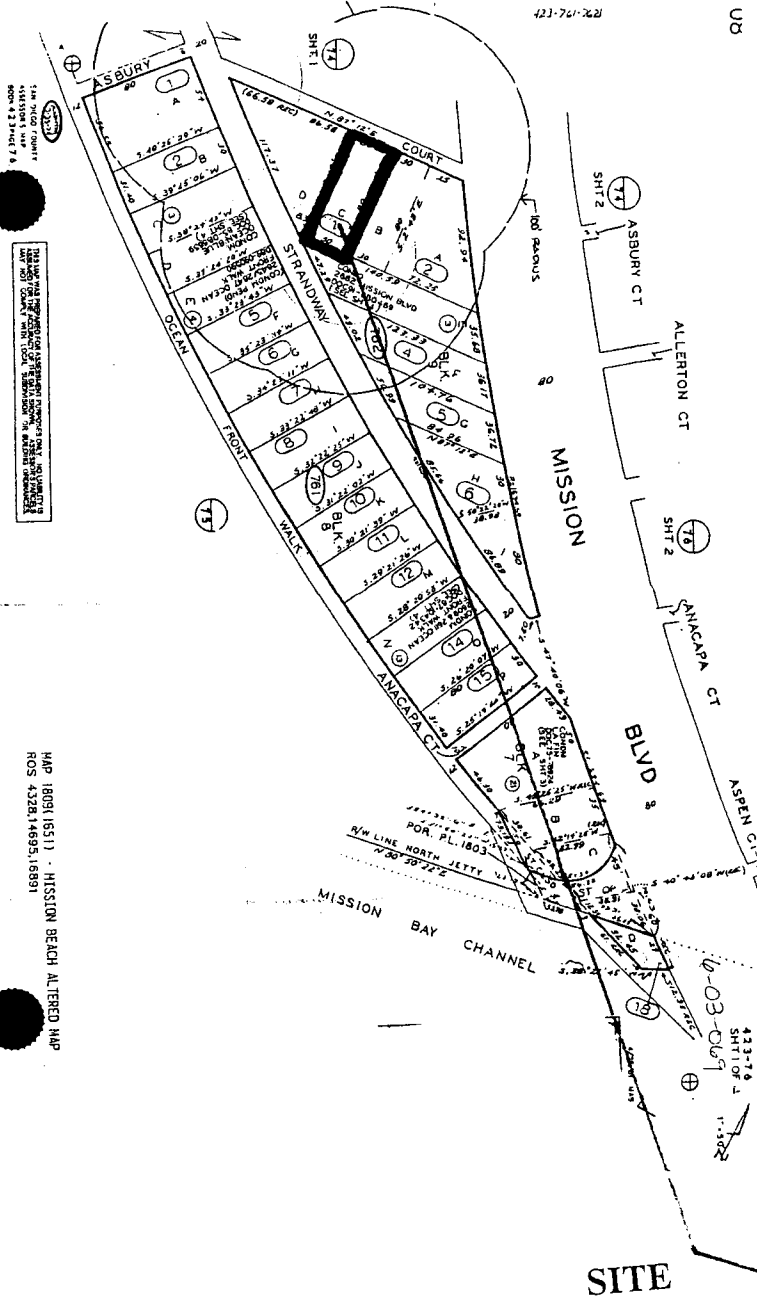
D. Local Coastal Planning. The subject site is located in an area of original jurisdiction, where the Commission retains permanent permit authority and Chapter 3 of the Coastal Act remains the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal 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 continue 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.



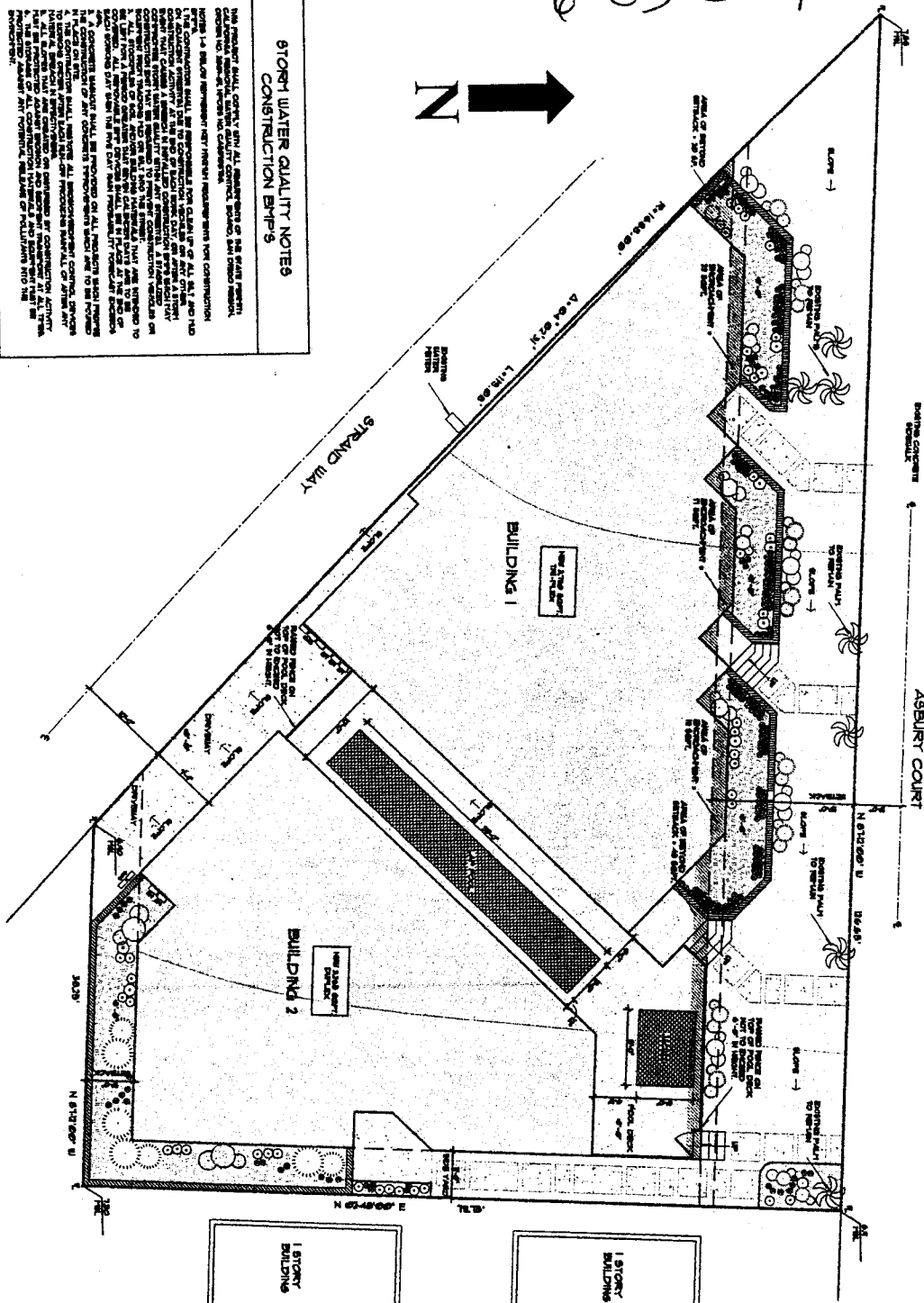
MAP 16091 (5/11) - MISSION BEACH ALTERED MAP
ROS 432814692, 16891

EXHIBIT NO. 1
APPLICATION NO.
6-03-69
Location Map

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STORM WATER QUALITY NOTES

has received M&M Corp.'s full attention and the company is now working to develop a new product line. The company is also working to develop a new product line.



SITE NOTES:

- [illegible]

SITE KEY:

- | | |
|---|---------------------------|
|  | AREA OF PROJECTED NETWORK |
|  | NODE POINT |
|  | NODE ATTACH |
|  | ELECTRIC RETURN |
|  | ELEVATION SPOT |

LANDSCAPING LEGEND:

NOTE: THE DRAFTER
CONFORMS TO THE
NEED TAND TO BE
LANDSCAPED WITH
HAPPDA

FREE



**EXPORTS PAID TO
MILITARY**

CHIRALITY



PRODUCTION DESIGNER
 JOHN B. HARRIS
 COSTUME DESIGNER
 JAMES H. HARRIS
 EDITOR
 JAMES H. HARRIS
 EXECUTIVE PRODUCERS
 JAMES H. HARRIS
 PRODUCED BY
 JAMES H. HARRIS
 WRITTEN BY
 JAMES H. HARRIS
 DIRECTED BY
 JAMES H. HARRIS



5 GAL. PER
PINTETIN MARCH
MARCH 20, 1965

HARDSCAPE:



PHOTOGRAPH BY




CONCRETE

SITE PLAN
SCALE: 3/32"=1'-0"

SCALES 250-2140

EXHIBIT NO. 2
APPLICATION NO. 6-03-69
Site Plan

 California Coastal Commission

GOLBA A
Architecture ■ Space
656 Ninth Avenue, Suite 100
Phone: (619) 231-9900

ASBURY COURT UNITS
2651 STRAND WAY
MISSION BEACH, CA

A.O.O. **Gold** 

DATE: 07-01-03 REV. DATE: 