

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
 7575 METROPOLITAN DRIVE, SUITE 103
 SAN DIEGO, CA 92108-4421
 767-2370



Fri 3b

Filed: 10/8/03
 49th Day: 11/26/03
 180th Day: 4/5/04
 Staff: LRO-SD
 Staff Report: 11/16/03
 Hearing Date: 12/10-12/03

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-03-101

Applicant: KD Development

Agent: Golba Architecture

Description: Demolition of two residential buildings housing three units and construction of a new three-story, approx. 30-ft. high, 4,622 sq.ft. triplex with six on-site parking spaces on a 4,217 sq.ft. lot.

Lot Area	4,217 sq. ft.
Building Coverage	2,510sq. ft. (61%)
Pavement Coverage	988 sq. ft. (6%)
Landscape Coverage	719 sq. ft. (33%)
Parking Spaces	6
Zoning	R-N (36 dua)
Plan Designation	Residential North (30.9 dua)

Site: 3901-03 Ocean Front Walk & 710 San Rafael Place, Mission Beach, San Diego, San Diego County. APN 423-555-29

Substantive File Documents: Certified Mission Beach Precise Plan; CDP #6-03-46

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. SURRENDER OF ALL PREVIOUS PERMITS APPLYING TO THIS PROPERTY INCLUDING CDP NO. 6-03-46. PRIOR TO ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant(s) and all legal owners of the property shall surrender in writing all rights to construct under the previous coastal development permit that applies to this property including but not limited to Coastal Development Permit No. 6-03-46.

2. 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 three residential units housed in two detached buildings and the construction of a new three-story, approx. 30-ft. high, three-unit, 4,622 sq.ft. triplex with six on-site parking spaces on a 4,217 sq.ft. lot. The new development will observe all of the required yard setbacks, consistent with the Mission Beach Precise Plan. In addition, adequate parking will be provided through the provision of a two-car garage for each unit, for a total of six on-site parking spaces. Presently, there is only four on-site parking for the existing development. The Commission approved a similar project on the subject site pursuant to CDP #6-03-46 on 6/12/03. However, the property owner is obtaining a new coastal development permit for a different project design. Since CDP #6-03-46 is still a valid permit, Special Condition No. 1 requires that the applicant/legal owner of the property surrender in writing all rights to construct under the previous coastal development permit that applies to this property. The subject site is located on the northeast corner of Oceanfront Walk and San Rafael Place in the community of Mission Beach in the City of San Diego.

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 ocean, the project has been conditioned such that no work shall occur between Memorial Day weekend and Labor Day.

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 that 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 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 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 is consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

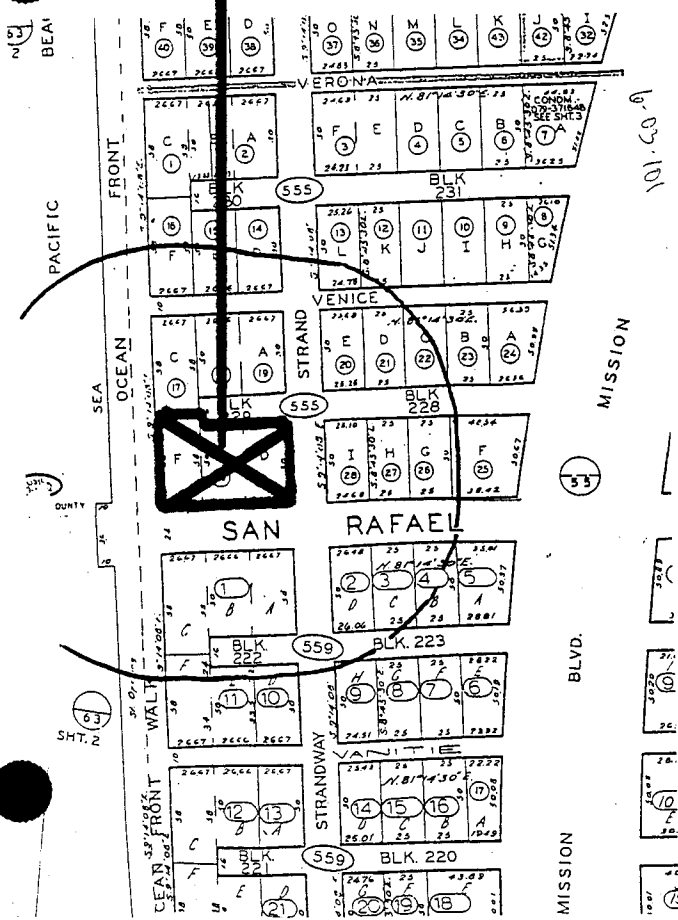
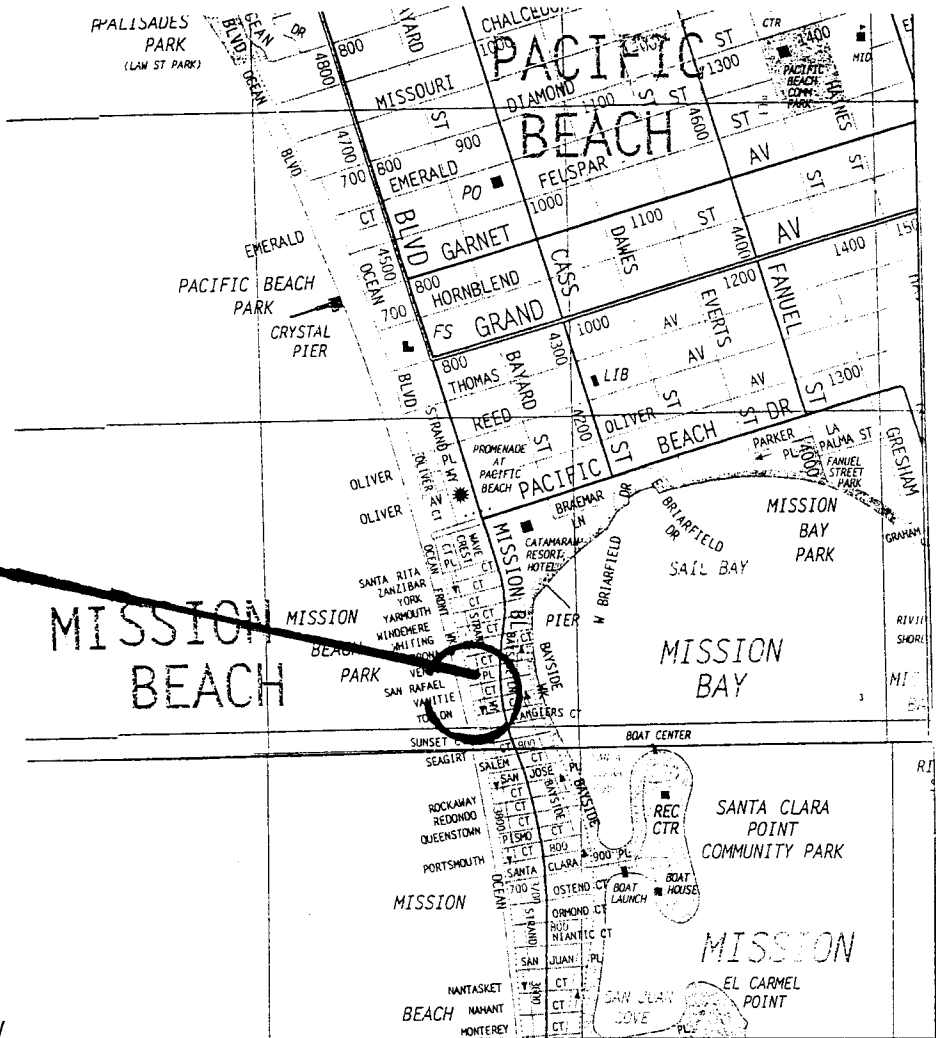
1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized

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.



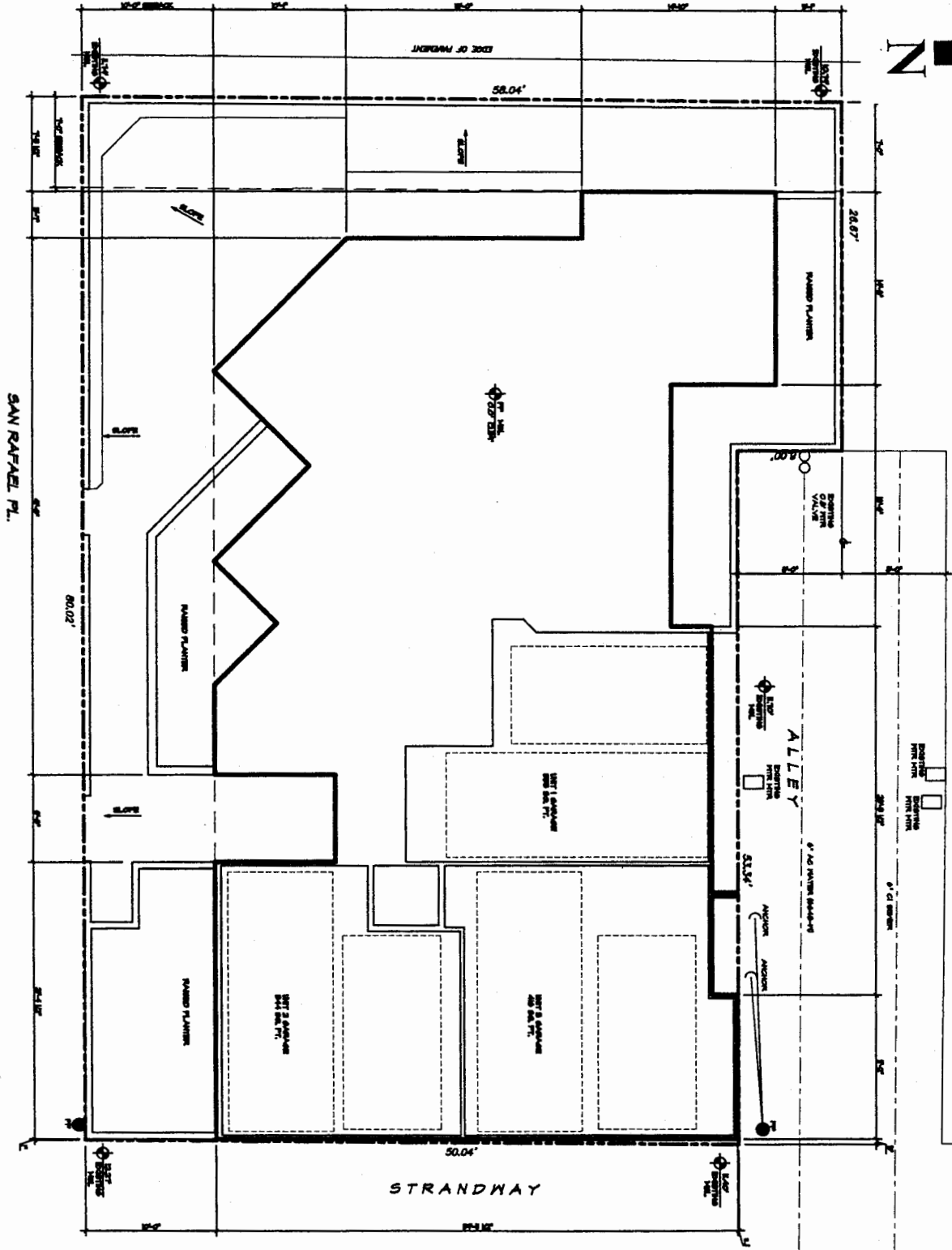
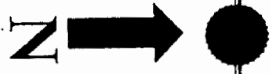
SITE



101-60-0

EXHIBIT NO. 1
 APPLICATION NO.
6-03-101
 Location Map

6-03-101



SITE PLAN
SCALE 1/8" = 1'-0"

EXHIBIT NO. 2
APPLICATION NO.
6-03-101
Site Plan

A00



SAN RAFAEL TRIPLEX
 3901 OCEAN FRONT WALK
 MISSION BEACH, CALIFORNIA 92109

GOL
 Architect
 656 Ninth
 Phone: (619) 435-1111

