

CALIFORNIA COASTAL COMMISSION

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Staff: LRO-SD
Staff Report: 9/21/04
Hearing Date: October 13-15, 2004

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-04-90

Applicant: California Beach Properties **Agent:** Affordable Design & Drafting

Description: Demolition of an existing single-family residence and garage and construction of a three-story, approx. 30 ft. high, 3,333 sq.ft. duplex on a 2,723 sq.ft. oceanfront lot.

Lot Area	2,723 sq. ft.
Building Coverage	1,555 sq. ft. (57%)
Pavement Coverage	938 sq. ft. (35%)
Landscape Coverage	230 sq. ft. (8%)
Parking Spaces	4
Zoning	R-S
Plan Designation	Residential South (36 dua)
Project Density	31.9 dua
Ht abv fin grade	29'8" feet

Site: 3233 Ocean Front Walk, Mission Beach, San Diego, San Diego County. APN 423-661-06

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 single-family residence and garage and the construction of a three-story, approx. 30 ft. high, 3,333 sq.ft. duplex on a 2,723 sq.ft. oceanfront lot. An existing 3'0" high privacy wall is located on the western property line and will remain. 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 with covered parking for four cars. The subject site is located adjacent to the public boardwalk (Ocean Front Walk) between Isthmus Court to the north and Island Court to the south 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. There are a number of residences/businesses along the boardwalk that were built at a time before minimum building setbacks were required. Over time, as these properties are redeveloped, the new development is designed to meet the current building setbacks such as the subject case. The proposed development represents one of these developments as it will result in the removal of development from the site and replacement with new development that is consistent with current building setbacks. Specifically, the new development will result in an improvement in setbacks from the public boardwalk through the replacement of an existing non-conforming single family residence situated adjacent to the public boardwalk, which observes an 8 ft.

setback from Ocean Front Walk, with a new structure which will observe the required 10-foot setback from Ocean Front Walk. As such, the proposed development will increase public views to and along the ocean as well as reducing the seaward encroachment of structures along the boardwalk, consistent with Coastal Act policies.

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

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.

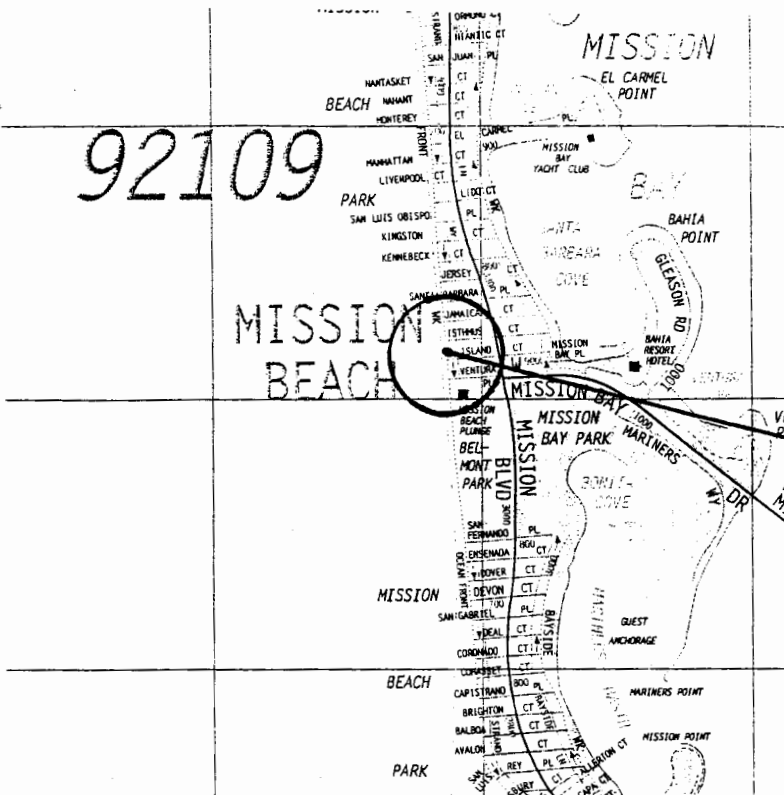
D. Local Coastal Planning. The subject site is located in an area of original jurisdiction, where the Commission retains permanent permit authority and Chapter 3 of the Coastal Act remains the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal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

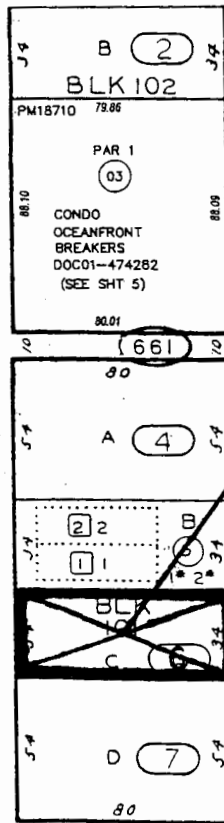


SITE

PARK
SHT. 2

PACIFIC BEACH

OCEAN FRONT WALK



STRANDWAY

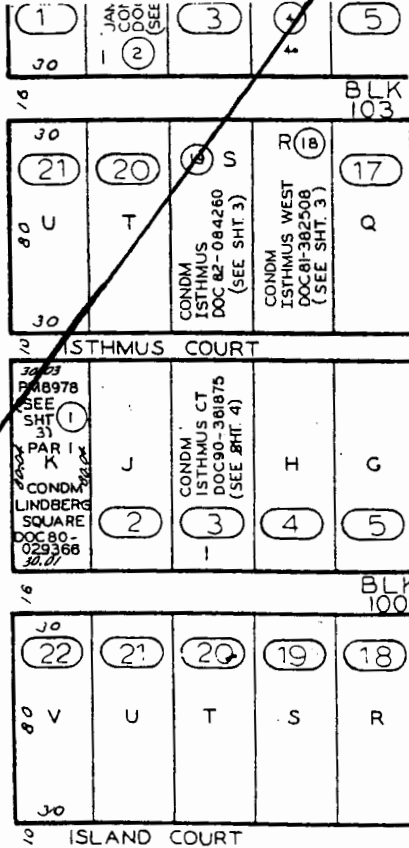



EXHIBIT NO. 1

APPLICATION NO.

6-04-90

Location Map

 California Coastal Commission

VIC



California Coastal Commission