

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

7575 METROPOLITAN DRIVE, SUITE 103

* SAN DIEGO, CA 92108-4421

(619) 767-2370

RECORD PACKET COPY



Thu 3b

Filed: 9/27/04
 49th Day: 11/15/04
 180th Day: 3/26/05
 Staff: LRO-SD
 Staff Report: 12/14/04
 Hearing Date: 1/12-14/05

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-04-115

Applicant: Steven Mumy

Agent: Scott Spencer

Description: Additions to an existing one-story single family residence including removal of existing garage and roof deck and construction of a new two-car garage, two tandem parking spaces and the addition of two stories resulting in a three-story, 2,622 sq.ft. duplex on a 2,445 sq.ft. oceanfront lot.

Lot Area	2,445 sq. ft.
Building Coverage	1,466 sq. ft. (60%)
Pavement Coverage	800 sq. ft. (33%)
Landscape Coverage	179 sq. ft. (7%)
Parking Spaces	4
Zoning	RS
Plan Designation	Residential South (36 dua)
Project Density	35.6 dua
Ht abv fin grade	30 feet

Site: 2617 Ocean Front Walk, Mission Beach, San Diego, San Diego County. APN 423-761-11.

Substantive File Documents: Certified Mission Beach Precise Plan and 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. **No Enclosure of Open Tandem Parking Spaces.** No enclosure of the proposed open tandem parking spaces in the south side yard shall be permitted. The south side yard shall be kept free of permanent enclosures for purposes of minimizing a "walled-off" effect.

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. Detailed Project Description/History. The project involves the remodeling of an existing one-story single family residence including the addition of a second dwelling unit on the project site. Specifically, proposed is the removal of an existing garage and roof deck and the construction of a new two-car garage, two tandem parking spaces and the addition of two new stories resulting in a three-story, 2,622 sq.ft. duplex on a 2,445 sq.ft. oceanfront lot.

The project site is located on Ocean Front Walk just seven lots from its southern terminus in South Mission Beach. Ocean Front Walk is an improved concrete boardwalk that typically runs in a north/south direction along the western limits of oceanfront development in Mission Beach. However, in the area of the subject development (between Asbury Court and Anacapa Court), the improved boardwalk turns seaward of the private properties along Ocean Front Walk in a westerly direction, with a large area of sandy beach between the improved boardwalk and the actual Ocean Front Walk right-of-way which is adjacent to the private properties. This sandy area is owned by the City of San Diego and is part of south Mission Beach park. To the south is the Mission Bay Channel jetty and to the west is a very wide public sandy beach.

Given that the proposal is located on Ocean Front Walk, a major public accessway, and that the site is between the first coastal road and sea, adequate yard area setbacks should be provided pursuant to the City's certified LCP. Side yard areas should remain open to allow views to the ocean and/or to avoid the "walled off" view from public streets. In this particular case, the subject site is located in that portion of Ocean Front Walk that

extends south and veers off from the public boardwalk and pedestrian/bicycle walkway. The right-of-way contains sandy beach area and there is no improved public walkway immediately west of the subject site. In addition, there are no blue-water ocean views looking across the site or adjacent sites in this area. However, views of the beach itself are visible from the project site as well as the Mission Beach jetty toward the south and the Ocean Beach Pier.

Presently, the on-site parking is proposed to be reconfigured such that the two open parking spaces will be converted to a two-car garage and two additional tandem parking spaces will be provided in the south side yard for a total of four spaces. The two new parking spaces will be located adjacent to the south side yard, and in fact, will extend partially into that setback area by a maximum of approximately two feet. Given that the LCP calls for protection of potential public views, and in particular, that the side yards remain free of obstructions, this raises a concern in that there is the potential that the "open" parking spaces could be converted to an enclosed parking structure (i.e., garage) in the future which could block views to the ocean. Therefore, Special Condition No. 1 requires that no enclosure of the proposed open tandem parking spaces in the south side yard shall be permitted. As conditioned, the proposed project is found consistent with Section 30251 of the Coastal Act and the certified LCP addressing protection of visual resources.

Although the City of San Diego has a certified LCP for the Mission Beach community, the subject site is located in an area where the Commission retains permit jurisdiction. Therefore, Chapter 3 of the Coastal Act is the standard of review, with the City's LCP used as guidance.

B. 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.

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.

2109



SITE

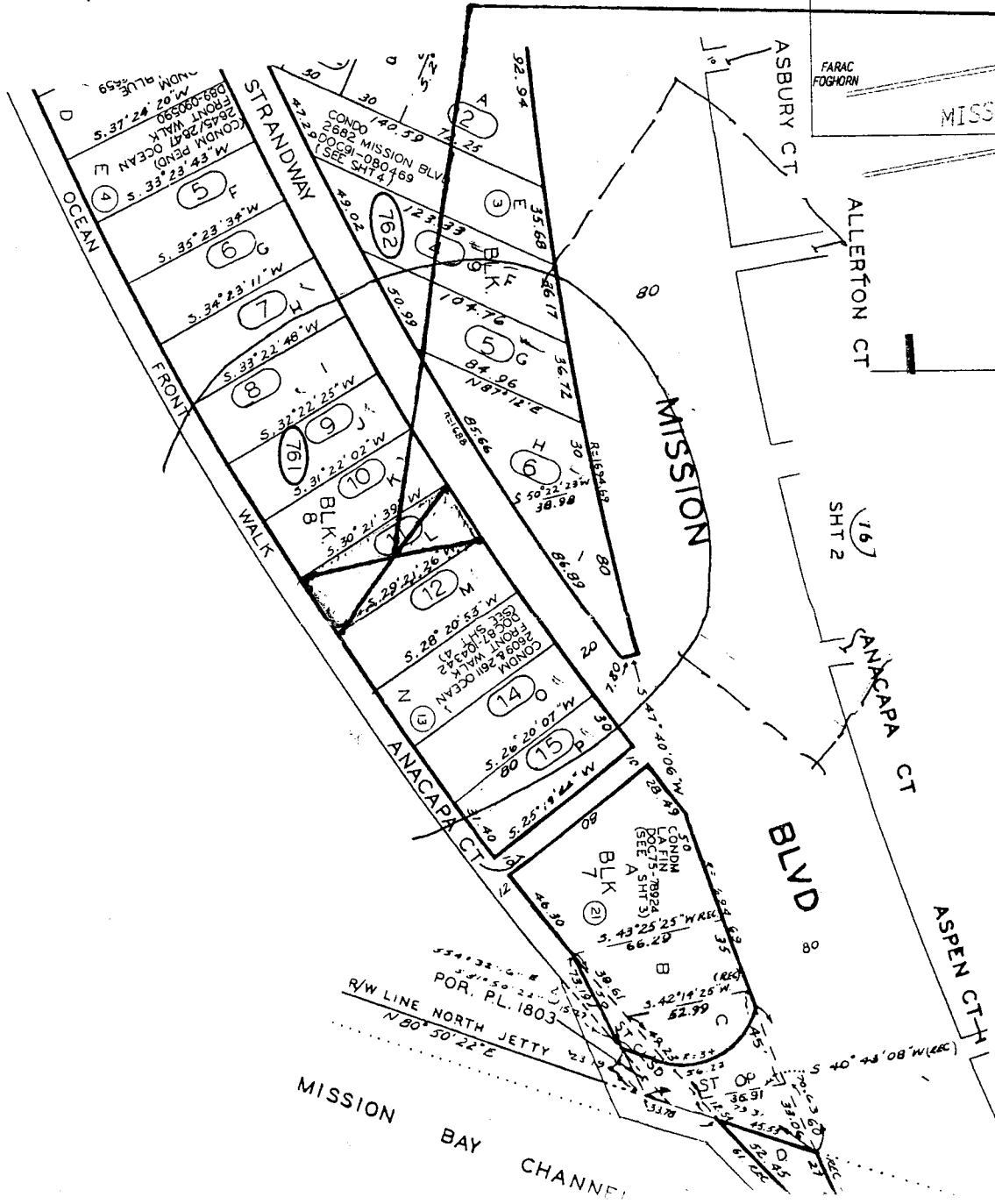
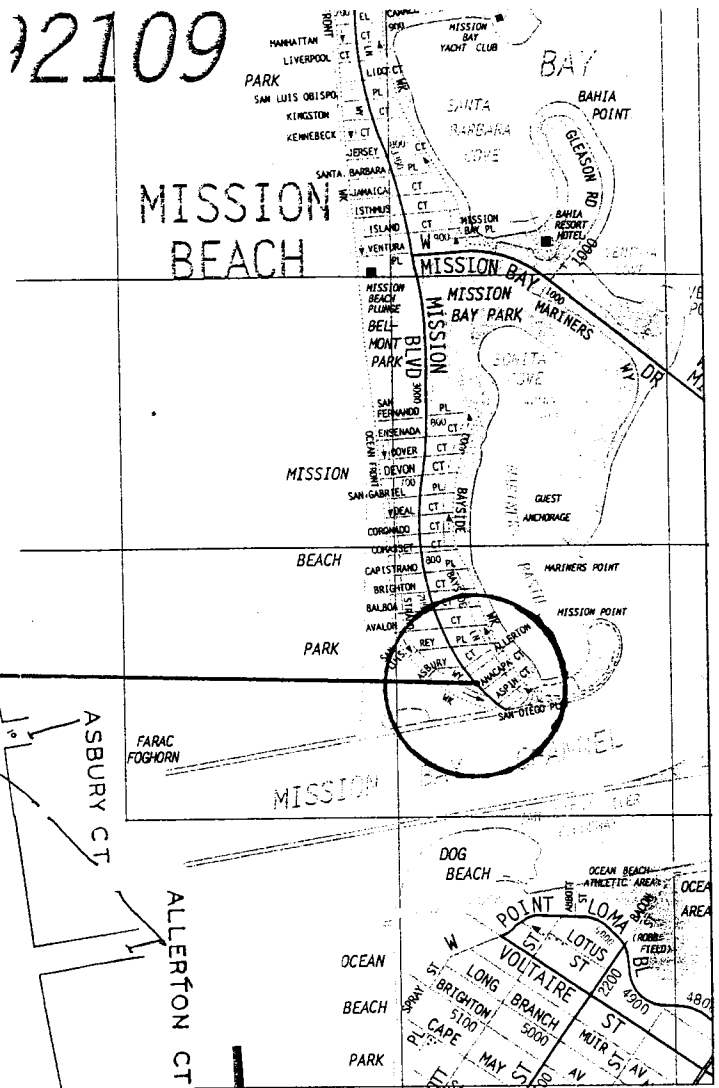


EXHIBIT NO. 1
APPLICATION NO.
6-04-115
Location Map
California Coastal Commission



REVISIONS

PROJECT INFORMATION:

OWNER: MR. STEVE MUIY
 2017 OCEAN FRONT WALK
 SAN DIEGO, CA.
 PH: (619) 459-8719

PROJECT ADDRESS: 2017 OCEAN FRONT WALK

TAX PARCEL NO: E28-101-11

LEGAL DESCRIPTION:

LOT 1, BLOCK 8, MISSION BEACH, ACCORDING TO MAP THEREOF NO. 1084 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, PARCEL 188-114-104.

PROJECT: ALIENATION MARKET P.D. P.R. (SOUTH)
 COMMON AREA

LOT AREA: 2892 SQ. FT.

FLOOR AREA RATIO:

ALLOWED: 1.1 / 2894 SF

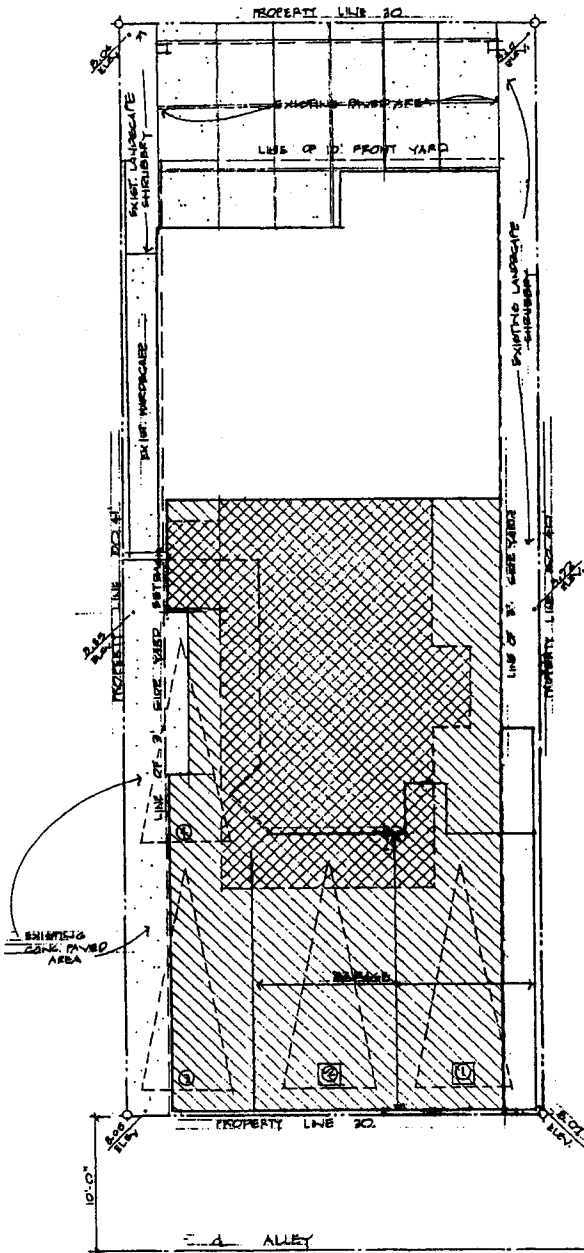
ACTUAL: 2602 SF / 1.002

FOT COVERAGE: 200 / 200.0%




HEIGHT: ALLOWED 30' ACTUAL 20'

BUILDING AREAS:

AREA	AREA	AREA
GROUND AREA	2892 SF	10 SF
FIRST FLOOR	1020 SF	1020 SF
SECOND FLOOR	1104 SF	1104 SF
NET AREA	2124 SF	2124 SF
TOTALS	2602 SF	2602 SF



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

-  FIRST FLOOR
-  SECOND FLOOR
-  DET. LEVEL

Scott A. Spencer & Associates
 Planning
 Architecture
 7827 Girard Avenue
 La Jolla, CA. 92037
 (619) 459-8800

511-10-9

ARCHITECT

DATE: DEPT. 21, 2004

CHART
 A1
 OF

EXHIBIT NO. 2
 APPLICATION NO.
6-04-115
 Site Plan

