

## CALIFORNIA COASTAL COMMISSION

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# Wed 3b

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 Staff: LRO-SD  
 Staff Report: 11/19/05  
 Hearing Date: 12/14-16/05

## STAFF REPORT: CONSENT CALENDAR

**Application No.:** 6-05-102

**Applicant:** John Belanich **Agent:** Jasna Belanich, Architect

**Description:** Demolition of a duplex and construction of a three-story, 30-ft. high, 2,925 sq.ft. duplex with an attached garage (two single-car spaces), two carports and landscaping/hardscaping on a 2,721 sq.ft. oceanfront lot.

Lot Area	2,721 sq.ft.
Building Coverage	1,412 sq. ft. (52%)
Pavement Coverage	1,139 sq. ft. (42%)
Landscape Coverage	170 sq. ft. ( 6%)
Parking Spaces	4 or 6?
Zoning	R-S
Plan Designation	Residential-South (36 dua)
Project Density	32 dua
Ht abv fin grade	30 feet

**Site:** 3363 Oceanfront Walk, Mission Beach, San Diego, San Diego County. APN 423-641-02

**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:

**Detailed Project Description/History.** The proposed project involves the demolition of an existing duplex and the construction of a three-story, 30-ft. high, 2,925 sq.ft. duplex with an attached garage (two single-car spaces), two carports (with two tandem spaces each) for a total of six on-site parking spaces and landscaping/hardscaping on a 2,721 sq.ft. oceanfront lot. The subject site is located on Ocean Front Walk, next to the public boardwalk, between Kingston and Jersey Courts in the community of Mission Beach in the City of San Diego. The subject site is an interior lot and as such, there are no view corridors identified across the site.

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 of any year.

**B. Community Character /Visual Quality.** The development is located within an existing developed area on an interior lot 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.