

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370

RECORD PACKET COPY



Wed 3b

Filed: 3/30/05
49th Day: 5/18/05
180th Day: 9/26/05
Staff: LRO-SD
Staff Report: 5/18/05
Hearing Date: 6/7-10/05

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-05-35

Applicant: Marengo Morton Architects **Agent:** Ken Cornell

Description: Demolition of an existing two-story, 2,105 sq.ft. single-family residence and construction of a new three-story, 30 ft. high, 2,970 sq.ft. single-family residence with patio, balconies and on-site parking for two vehicles on a 2,739 sq.ft. oceanfront lot.

Lot Area	2,739 sq. ft.
Building Coverage	1,665 sq. ft. (61%)
Pavement Coverage	1,038 sq. ft. (38%)
Landscape Coverage	36 sq. ft. (1%)
Parking Spaces	2
Zoning	R-S
Plan Designation	Residential South (36 dua)
Project Density	31.8 dua
Ht abv fin grade	30 feet

Site: 3637 Ocean Front Walk, Mission Beach, San Diego County.
APN 423-604-03.

Substantive File Documents: Certified Mission Beach Precise Plan and Planned District Ordinance

Standard of Review: Chapter 3 policies of the Coastal Act.

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 two-story, 2,105 sq. ft. single-family residence and the construction of a new three-story, approx. 30-ft. high, 2,970 sq. ft. single-family residence with patio, balconies and on-site parking for two vehicles on a 2,739 sq. ft. oceanfront lot. The subject site is adjacent to the public boardwalk (Ocean Front Walk) between Ormond and Niantic Courts in the community of Mission Beach in the City of San Diego.

The proposed new residence will observe all of the required yards setbacks, consistent with the Mission Beach Precise Plan and Planed District Ordinance, which is used for guidance in the review of development proposals in this area. The proposed new development will observe the required 10-foot setback from Ocean Front Walk at the ground level of the structure. The second level will observe a 13'9" setback which terraces the development back and results in opening up views along the public boardwalk. The third level is not a complete story and is situated over the eastern half of the structure (such that the new building will appear as a three-story structure from the east and a two-story structure from the west). The proposed development will preserve public views to and along the ocean 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.

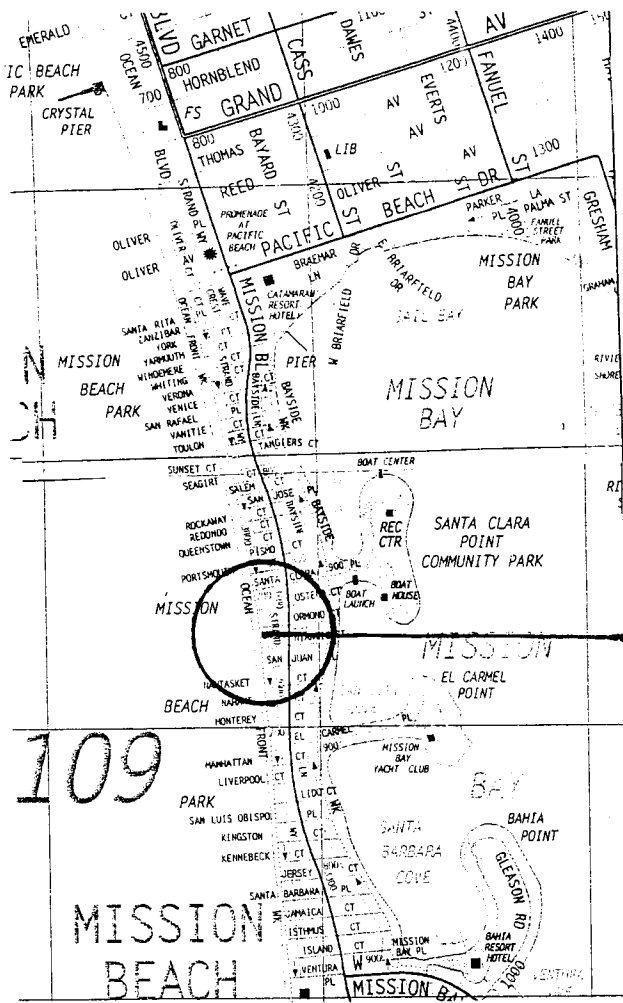
E. California Environmental Quality Act. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, 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.

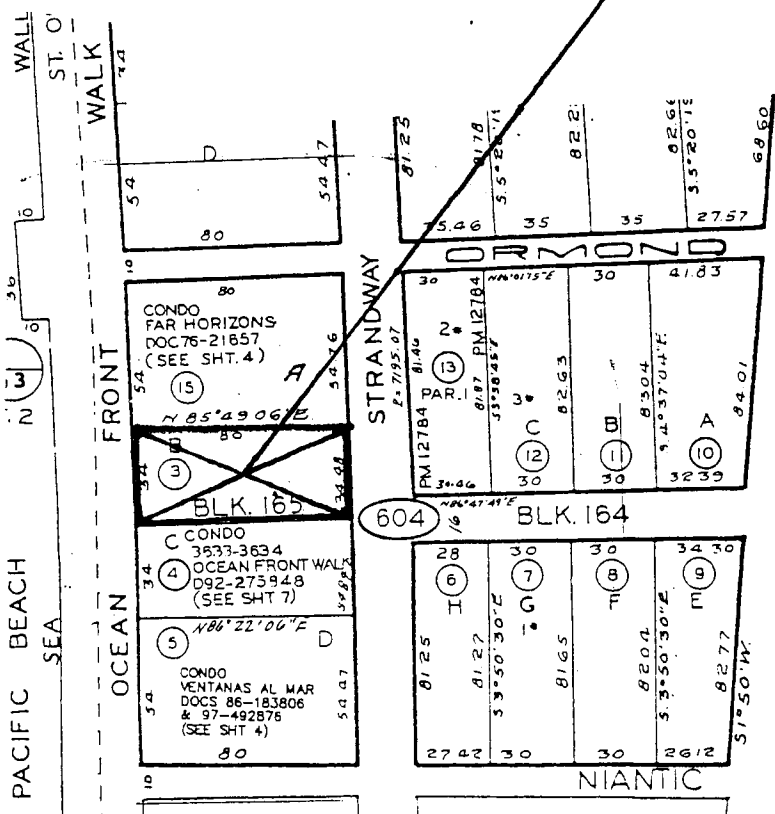
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

(G:\San Diego\Reports\2005\6-05-035 Marengo Morton stfrpt.doc)



SITE

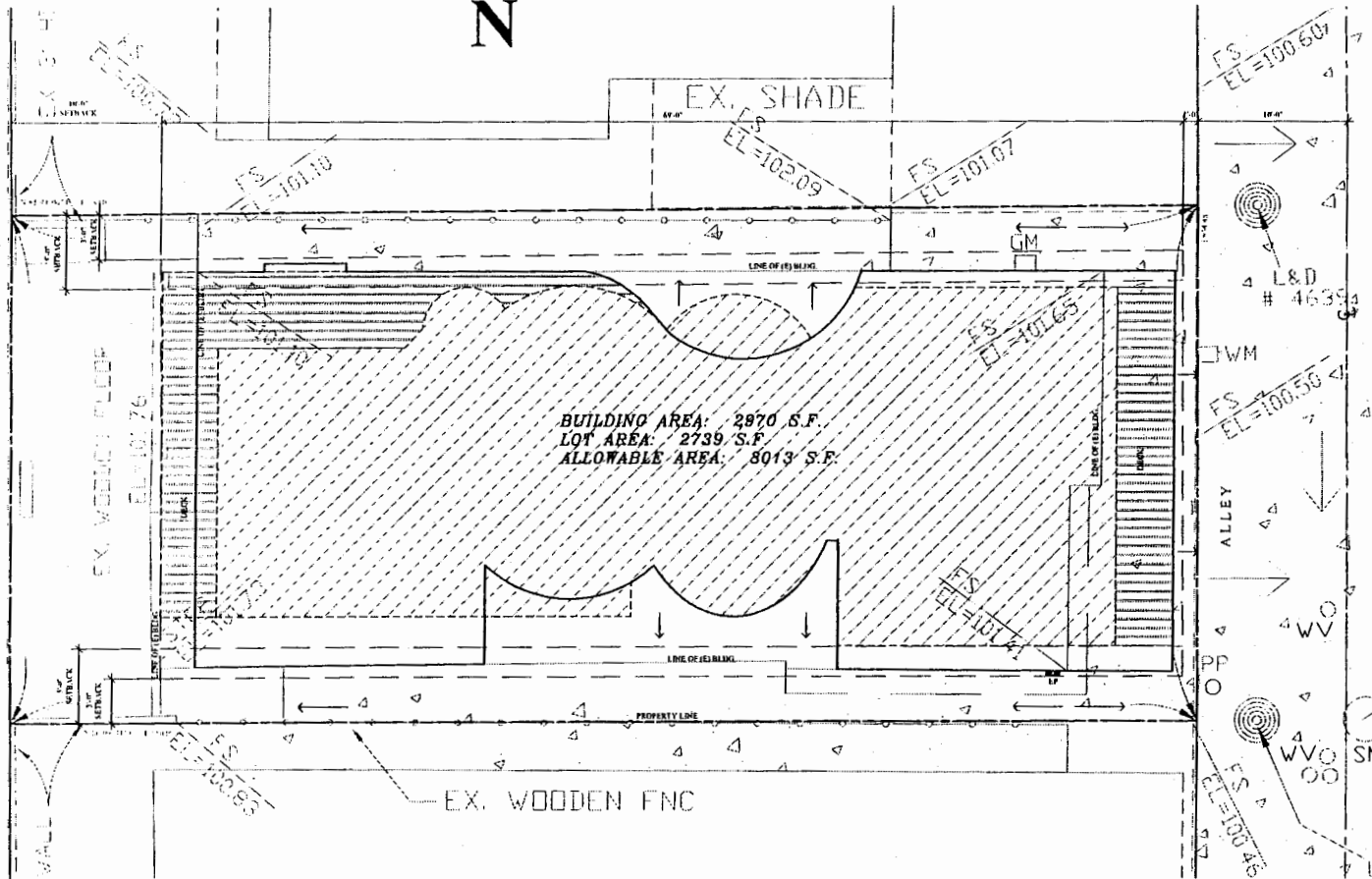
109



MISSION BLVD.

51°50'14"

EXHIBIT NO. 1
APPLICATION NO.
6-05-35
Location Map
California Coastal Commission



STORM WATER QUALITY NOTES CONSTRUCTION BMP'S

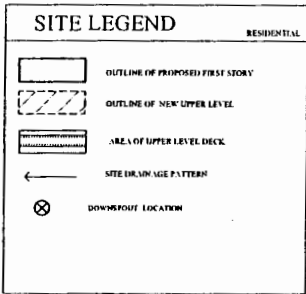
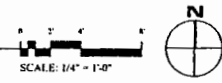
This project shall comply with all requirements of the state permit, California Regional Water Quality Control Board, San Diego Region, order NO. 2001 01 NPDES NO. CAS01835 (<http://www.sandag.org/npdes/npdeswater.html>) and the City of San Diego Land Development Code. (<http://cityofsaniego.gov/npdes/npdescontent/local.pdf> dmv objectid=790014518066e41)

- Notes 1-6 below represent key minimum requirements for construction BMP's
1. Sufficient BMP's must be installed to prevent silt, mud or other construction debris from being tracked into the adjacent street(s) or storm water conveyance systems due to construction vehicles or any other construction activity. The contractor shall be responsible for cleaning any such debris that may be in the street at the end of each work day or after a storm event that causes a breach in the installed construction BMP's.
 2. All stock piles of uncompacted soil and/or building materials that are intended to be left unprotection for a period greater than seven calendar days are to be provided with erosion and sediment controls. Such soil must be protected each day when the probability of rain is 40 % or greater.
 3. A concrete washout shall be provided on all projects which propose the construction of any concrete improvements that are to be poured in place on site.
 4. All erosion sediment control devices shall be maintained in working order at all times.
 5. All slopes that are created or disturbed by construction activity must be protected against erosion and sediment transport at all times.
 6. The storage of all construction materials and equipment must be protected against any potential release of pollutants into the environment.

PERMANENT STORM WATER BMP'S

1. No new sidewalks proposed
2. Direct runoff, driveway and/or sidewalk runoff in pervious areas such as yards, open channels, or vegetated areas, and avoid routing runoff to the roadway or the urban runoff conveyance system.

1 SITE PLAN
1/4" = 1'-0"



California Coastal Commission

EXHIBIT NO. 2
APPLICATION NO. 6-05-35
Site Plan



Margero Morton Architects
7855 Ivanhoe Ave.
La Jolla, CA 92037
Tel. (858) 459-3769
Fax. (858) 459-3768



Robert's Residence
3537 Ocean Front Walk
San Diego, CA

ROBERT'S RESIDENCE
3537 OCEAN FRONT WALK
SAN DIEGO, CA

DATE: 08/05/05
SCALE: AS SHOWN
SHEET NO. 26

Wed 3b

RECEIVED

JUN 02 2005

May 31, 2005

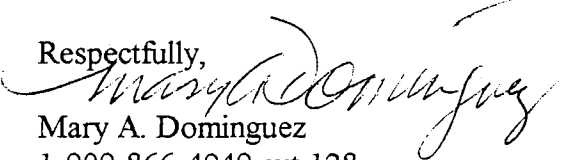
CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

To The California Commissioners,

This letter is in reference to the hearing on property at 3637 Oceanfront Walk, APN 423-604-03, permit number 6-05-035, that the existing 2 story property be demolished and a new 3 story property be built.

I own a property at 711 Ormond Court APN423-604-13, and I am against the construction of a building higher than 2 stories.

Respectfully,


Mary A. Dominguez
1-909-866-4949 ext 128

LETTER OF OPPOSITION