

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA  
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# Thu 3c

Filed: 11/7/06  
 49th Day: 12/26/06  
 180th Day: 5/6/207  
 Staff: Laurinda Owens-SD  
 Staff Report: 12/18/06  
 Hearing Date: 1/10-12/07

## STAFF REPORT: CONSENT CALENDAR

**Application No.:** 6-06-137

**Applicant:** Ocean Pacific Jamaica, LLC      **Agent:** Ken Cornell

**Description:** Conversion of existing 10 apartments housed in two detached, two-story structures approximately 27 ft. high and totaling 4,186 sq.ft. to condominium ownership on a 4,320 sq.ft. oceanfront lot.

Lot Area	4,320 sq. ft.
Building Coverage	2,080 sq. ft. (48%)
Pavement Coverage	1,827 sq. ft. (42%)
Landscape Coverage	413 sq. ft. (10%)
Parking Spaces	2
Zoning	R-S
Plan Designation	Residential South (36 dua)
Project Density	100.8 dua
Ht abv fin grade	27 feet (approx.)

**Site:** 3275 Ocean Front Walk, Mission Beach, San Diego, San Diego County. APN 423-646-04-00

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

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### **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 proposed project involves the conversion of 10 existing apartments housed in two, detached two-story structures approximately 27 ft. high and totaling 4,186 sq.ft. to condominium ownership on a 4,320 sq.ft. oceanfront lot. The units will consist of two approximately 893 sq.ft. units and eight, approximately 300 sq.ft. studio units. A total of two on-site tandem parking spaces is currently provided on site in the side south side yard adjacent to the alley (Strandway). The subject site is located on the northeast corner of Ocean Front Walk (the public boardwalk) and Jamaica Court in the community of Mission Beach in the City of San Diego.

The subject project is located within the Residential South (R-S) zone of the Mission Beach Planned District. The subject site is located in an area of original jurisdiction, where the Commission retains permanent permit authority. The subject permit will result in the conversion of the 10 existing unit apartments housed in two separate buildings (two units in the west structure and 8 units in the east structure) to condominium ownership. The existing buildings meet the current minimum side yard area setbacks adjacent to Jamaica Court and observe a 9'1" front yard area setback adjacent to Ocean Front Walk, where typically a 10-foot setback would be required for new development. In addition, two parking spaces are proposed where a minimum of two parking spaces per residential unit (for a total of 20) would typically be required for new development the same size as the existing project. However, in this particular case, the proposed project is for a

condominium conversion only and will not result in an increase in the intensity of use on the site and, as such, is not required to bring the parking up to current zoning standards.

Likewise, because the project is an older non-conforming structure that is being converted to condominium ownership, it is presently over density resulting in a density of 100.8 dwelling units per acre where typically a maximum density of 36 dwelling units per acre is permitted. Current zoning requirements would permit a total of four units on the site for new development. However, the proposed project will not result in an increase to the degree of non-conformity because, as noted previously, it is only for a conversion of apartments to condominium ownership and will not result in an increase in the size of the existing units, number of units, building height or overall square footage of the building.

**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, conforms to Section 30251 of the Coastal Act.

**C. Public Access/Parking.** The proposed development will not have an adverse impact on public access to the coast or to nearby recreational facilities. 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. 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.

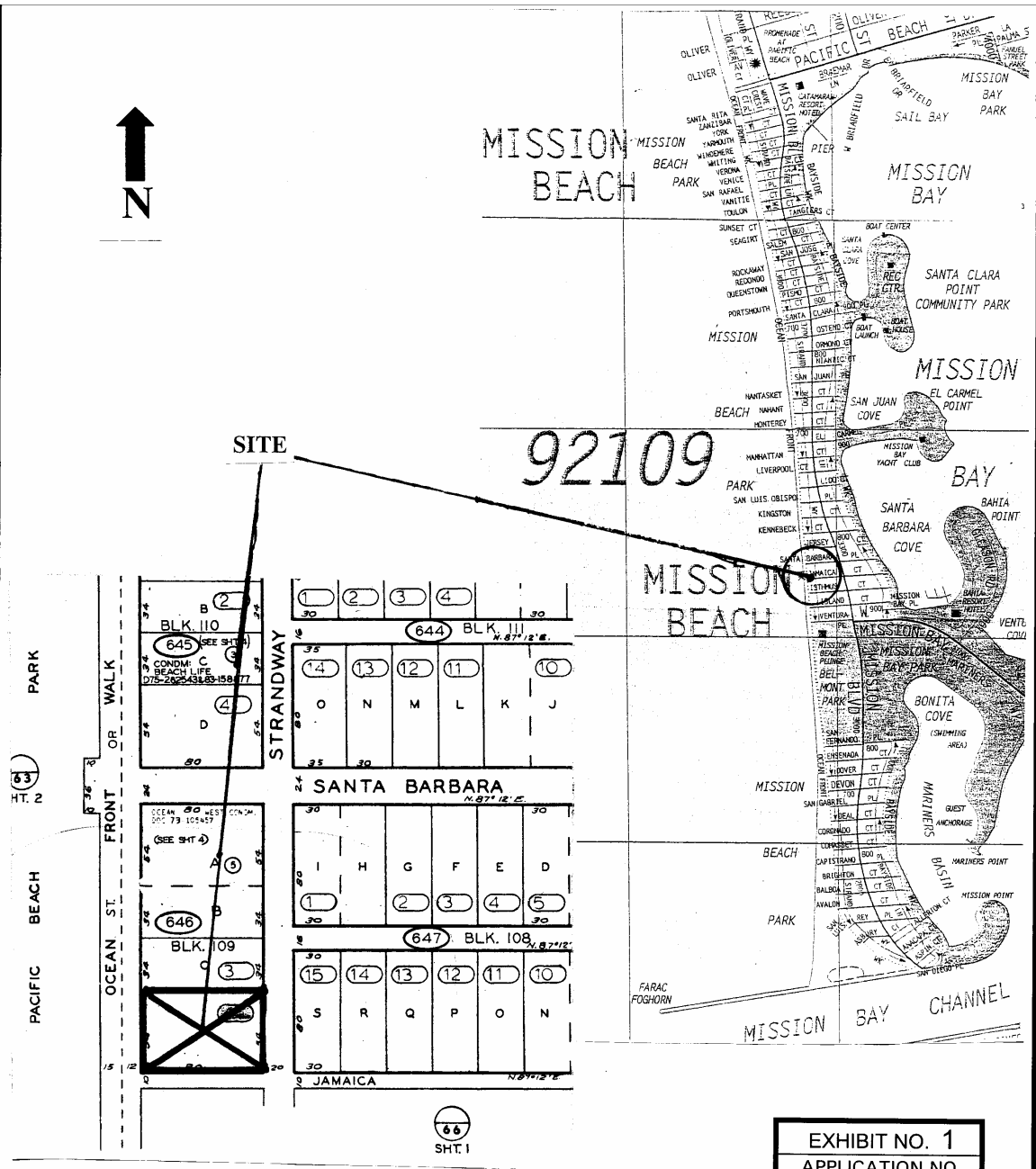
**E. California Environmental Quality Act.** There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.

#### **STANDARD CONDITIONS:**

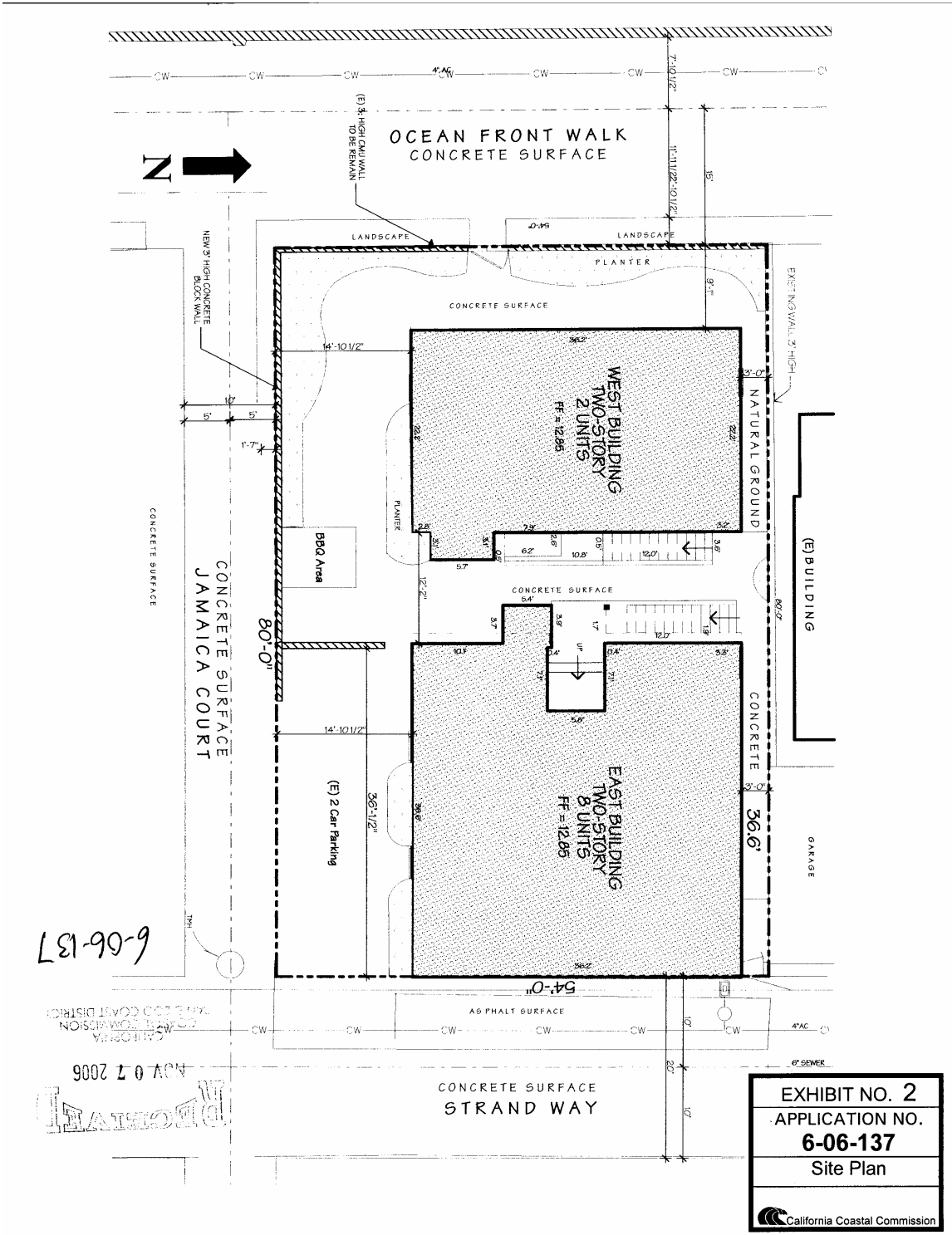
1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** 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.



**EXHIBIT NO. 1**  
**APPLICATION NO.**  
**6-06-137**  
**Location Map**



6-06-137

APPROVED  
NOV 07 2006  
CALIFORNIA COASTAL COMMISSION  
SAN DIEGO COUNTY DISTRICT

EXHIBIT NO. 2
APPLICATION NO.
<b>6-06-137</b>
Site Plan
California Coastal Commission