

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370



Th 3b

Addendum

August 2, 2007

To: Commissioners and Interested Persons

From: California Coastal Commission
San Diego Staff

Subject: Addendum to **Th 3b**, Coastal Commission Permit Application
#6-07-41 (Cheng), for the Commission Meeting of 8/9/07

Staff recommends the following changes be made to the above-referenced staff report:

1. On Page 2 of the staff report, Special Condition No. 1 shall be revised as follows:

1. Assignment of On-Site Parking Spaces. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a parking plan. Said plan shall identify that each of the ~~seven~~ four proposed condominium units shall have a minimum of one parking space assigned for its exclusive use such that all seven parking spaces are utilized for exclusive use by the tenants/owners. Signage and/or painted wheel stops shall also be implemented to reserve the parking, as described above. Said plans plan shall be in substantial conformance with the plans submitted by Leppert Engineering Corporation, dated 8/24/06, submitted with this application and shall be subject to the review and written approval of the Executive Director.

[...]

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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Th 3b

Filed: 3/23/07
49th Day: 5/11/07
180th Day: 9/19/07
Staff: Laurinda Owens-SD
Staff Report: 7/11/07
Hearing Date: 8/8-10/07

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-07-41

Applicant: Jean Cheng **Agent:** Leppert Engineering Corp.

Description: Conversion of a two-story, approximately 22-ft. high, four-unit, 3,992 sq.ft. apartment building to condominium ownership on a 4,312 sq.ft. oceanfront lot.

Lot Area	4,312 sq. ft.
Building Coverage	2,352 sq. ft. (55%)
Pavement Coverage	958 sq. ft. (21%)
Landscaping Coverage	1,002 sq.ft. (23%)
Parking Spaces	7
Zoning	RS
Plan Designation	Residential South (36 dua)
Project Density	40 dua
Ht abv fin grade	22 feet (approx.)

Site: 3225 Ocean Front Walk, Mission Beach, San Diego, San Diego County. APN 423-661-07.

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. Assignment of On-Site Parking Spaces. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a parking plan. Said plan shall identify that each of the seven proposed condominium units shall have a minimum of one parking space assigned for its exclusive use such that all seven parking spaces are utilized for exclusive use by the tenants/owners. Signage and/or painted wheel stops shall also be implemented to reserve the parking, as described above. Said plans plan shall be in substantial conformance with the plans submitted by Leppert Engineering Corporation, dated 8/24/06, submitted with this application and shall be subject to the review and written approval of the Executive Director.

The permittee shall undertake the development in accordance with the approved parking plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the plan shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is legally required.

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. Detailed Project Description/History. Proposed is the conversion of a two-story, approximately 22 ft. high, four-unit, 3,992 sq.ft. apartment building to condominium ownership on a 4,312 sq.ft. oceanfront lot. No other improvements are proposed to the structure. A total of seven on-site parking spaces exist on site. The subject site is a beachfront lot located at the northeast corner of Ocean Front Walk (the public boardwalk) and Island Court in the community of Mission Beach in the City of San Diego.

The proposed development is only to convert four existing units to condominium ownership. The structure is an older, non-conforming apartment building that pre-dates the Coastal Act and does not meet current height, density or parking requirements contained in the certified Mission Beach Planned District Ordinance. The structure meets

all of the required building setbacks. No changes are proposed to the density, height of the structure or the building setbacks. The structure does not meet current parking requirements in that there are only a total of seven on-site parking spaces where eight would be required pursuant to zoning. Specifically, there are four single-car garages, one open parking space and one set of open tandem parking spaces. Because the proposed development is not increasing the degree of non-conformity of the existing structure, it is not required to bring the building up to current zoning standards through the provision of more on-site parking standards, etc. In addition, all seven existing parking spaces are proposed to be retained on site. However, in order to assure that each unit has parking reserved for its owner/tenant such that impacts on public access in the surrounding area is minimized, the project has been conditioned (#1) such that all of the proposed four condominium units shall have a minimum of one parking space assigned for its exclusive use and all seven parking spaces are utilized for exclusive use by the tenants/owners. Therefore, the proposed development, as conditioned, does not interfere with public access opportunities and is consistent with the public access and recreation policies of the Coastal Act.

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.

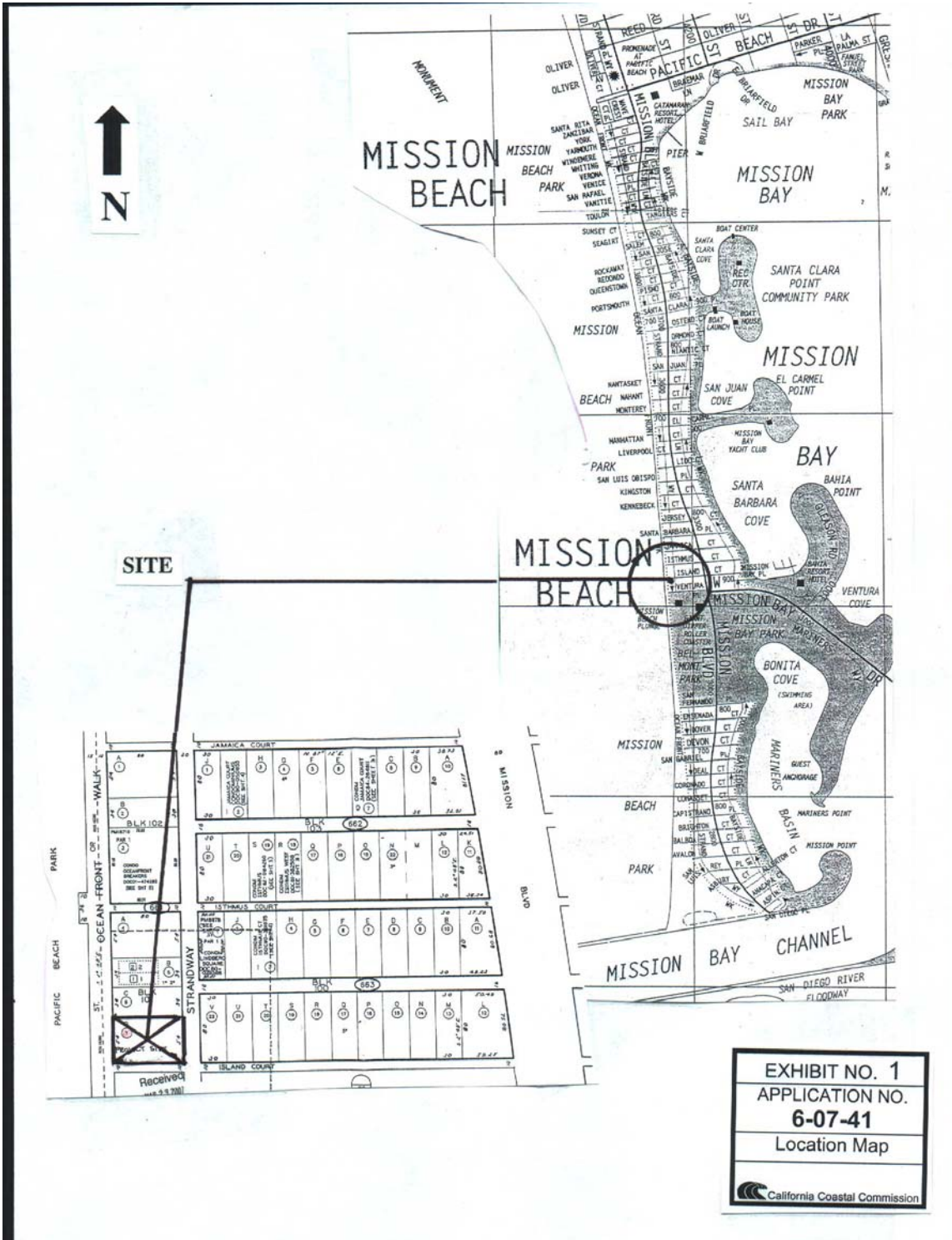


EXHIBIT NO. 1
APPLICATION NO.
6-07-41
Location Map
California Coastal Commission

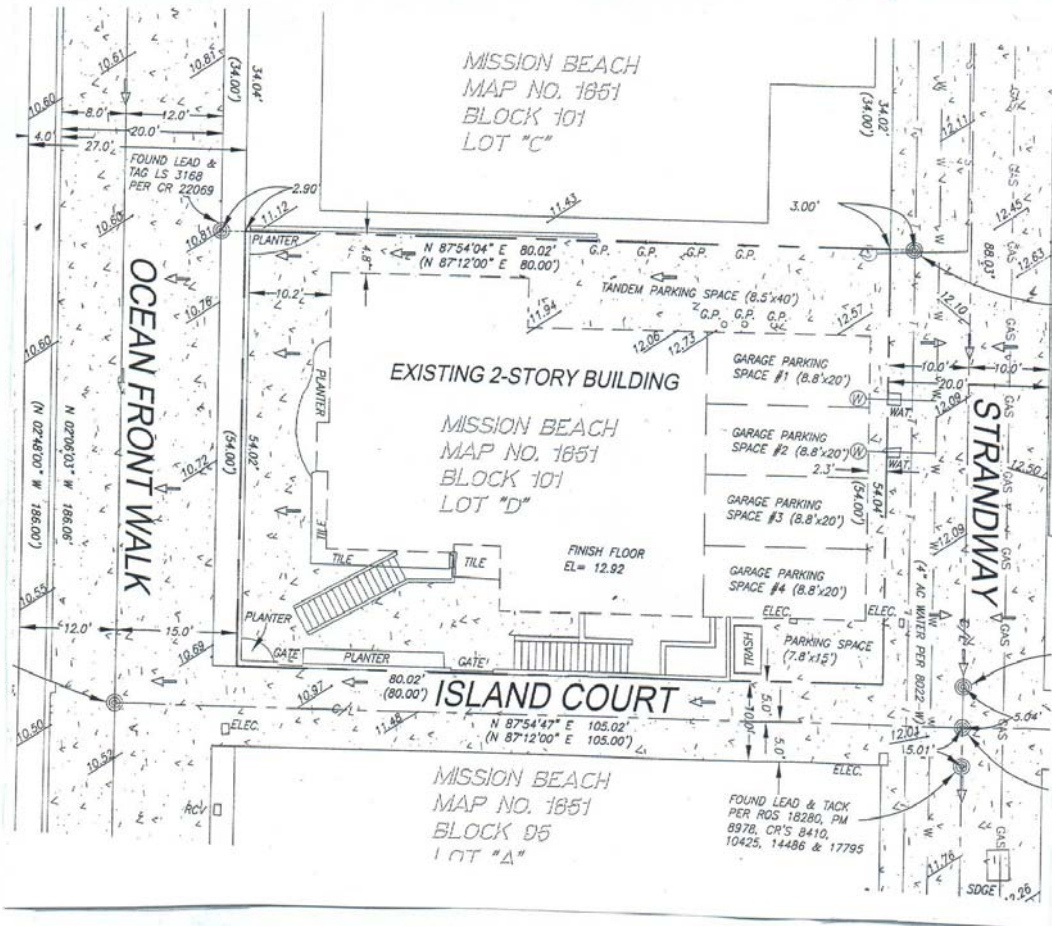


EXHIBIT NO. 2
APPLICATION NO.
6-07-41
Site Plan