

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
 7575 METROPOLITAN DRIVE, SUITE 103
 SAN DIEGO, CA 92108-4421
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W8a

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 49th Day: 10/11/11
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 Staff: M.Ahrens-SD
 Staff Report: 1/19/12
 Hearing Date: 2/8-10/12

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-11-068

Applicant: Richard Uy

Agent: Robert Bateman

Description: Conversion of an existing two-story, 2,645 sq.ft., 8-unit apartment building (including minor interior and exterior renovation) with eight on-site parking spaces into condominium ownership as well as lot consolidation of two existing 2,678 sq. ft. and 2,264 sq. ft. lots, across which the existing apartment structure is located, into a single 4,942 sq. ft. lot.

Lot Area	Total: 4,944sq. ft.;
	Lot A: 2,678 sq. ft.; Lot B: 2,264 sq. ft.
Building Coverage	2,645 sq. ft. (38%)
Pavement Coverage	2,092 sq. ft. (30%)
Landscape Coverage	205 sq. ft. (31%)
Parking Spaces	8
Zoning	R-S
Plan Designation	Residential South (36 dua)
Ht abv fin grade	30 feet

Site: 3540 Mission Boulevard, Mission Beach, San Diego, San Diego County. APN 423-614-06

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 eight proposed condominium units shall have a minimum of one parking space assigned for its exclusive use such that all eight 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 Robert J. Bateman, Professional Land Surveyor, dated 8/23/07, 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.

2. Filing Fee Requirement. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit the remaining permit fee of \$12,500.

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. Detailed Project Description/History. Proposed is the conversion of a two-story, 2,645 sq.ft., 8-unit (5 studio units, 1 one bedroom unit, and 2 two bedroom units) apartment building (including repair and improvements to the existing water main and sewer line) with eight garage parking spaces on an approximately 4,944 sq. ft. parcel into condominium ownership. The proposed renovation will not result in the demolition of any of the exterior walls and will not result in an expansion of the height or square footage of the existing building or any of the 8 units. No other improvements are proposed to the structure. The existing apartment structure and associated parking

facilities currently straddle two adjoining lots. The applicant's proposal also includes a request for a lot consolidation in order to convert these two legally separate 2,678 sq.ft. and 2,264 sq.ft. lots into a single 4,944 sq.ft. legal lot. The subject site is a rectangular shaped parcel of land bordered by Mission Boulevard to the east and Strandway Court to the west. It is located just north of Monterey Court in the community of Mission Beach in the City of San Diego.

Other than the condominium conversion and the lot line consolidation the only other work proposed as part of the project is maintenance of existing sewer and water main lines. The proposed sewer and water main improvements will involve the maintenance and repair of the existing pipeline facilities and associated infrastructure and will not result in an expansion or enlargement of the existing utility lines.

When the CDP application was initially submitted to the San Diego office, an application fee of \$500 was submitted as the applicant anticipated the project would be processed as a standard waiver. However, during review of the project, it was determined that the project did not qualify for a waiver. Based on the Commission's Regulations, the application fee was calculated to \$13,000 (residential development of more than 4 units (\$10,000) and a lot line adjustment (\$3,000)). As only \$500 has been submitted, Special Condition #2 requires that the full permit fee be paid prior to issuance of the permit.

The proposed development is to convert eight existing units to condominium ownership and to consolidate the two legally separate lots that the existing structure and associated parking garages are located on. The structure is an older, non-conforming apartment building that pre-dates the Coastal Act and does not meet current density or parking requirements contained in the certified Mission Beach Planned District Ordinance. Specifically, current zoning would only allow for a total of four units on site and presently there are only eight parking spaces where 11 spaces would currently be required. The structure meets all of the required building setbacks. No changes are proposed to the density, height of the structure or the building setbacks. However, as 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 eight existing parking spaces are proposed to be retained on site. In order to assure that each unit has parking reserved for its owner/tenant such that impacts on public access in the surrounding area are minimized, the project has been conditioned (#1) such that all of the proposed eight condominium units shall have a minimum of one parking space assigned for its exclusive use and all eight 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.

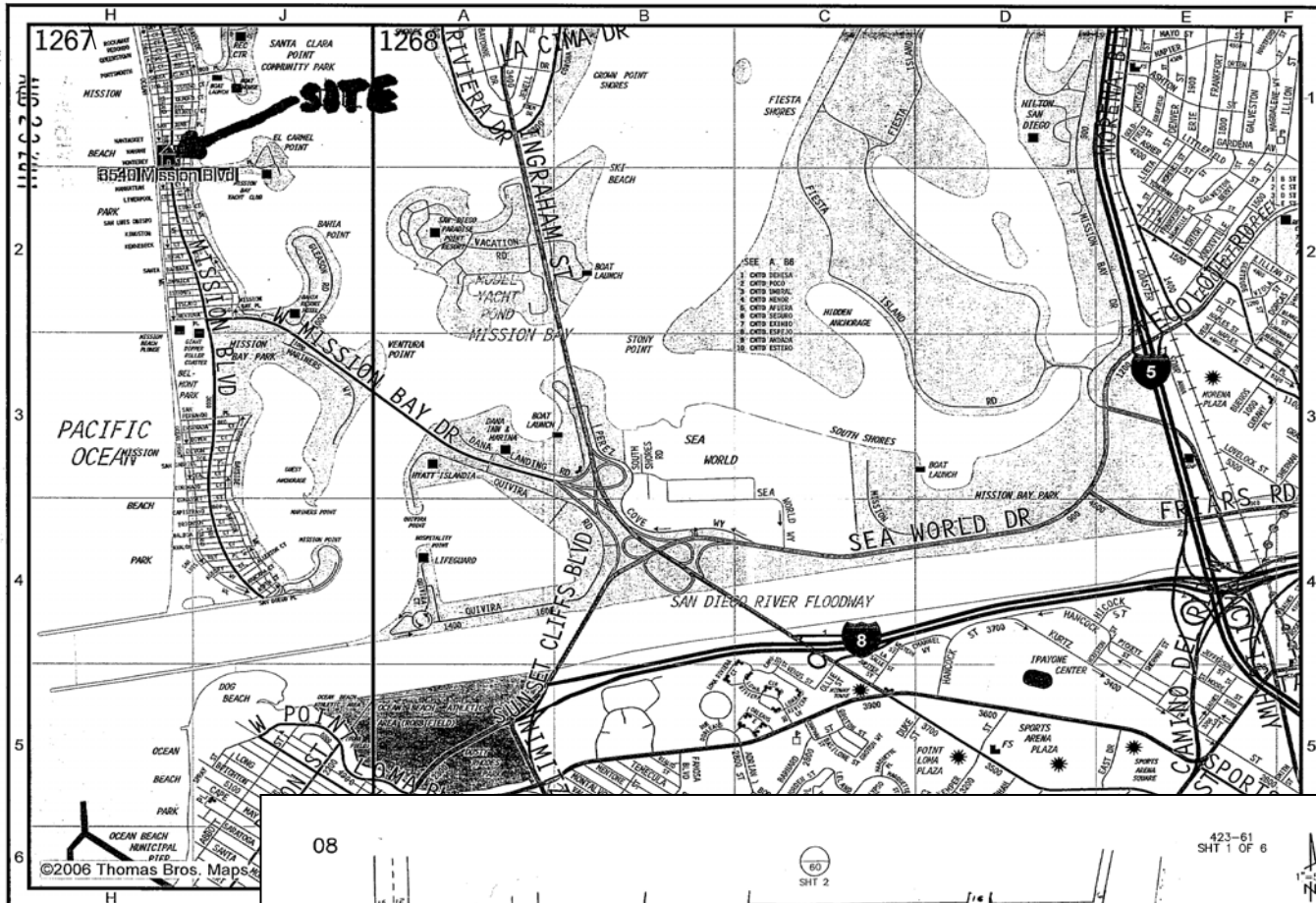
C. Public Access/Parking. As conditioned, the proposed development will not have an adverse impact on public access to the coast or to nearby recreational facilities. As conditioned, the proposed development conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 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 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.



3540 Mission Blvd: San Diego



SITE

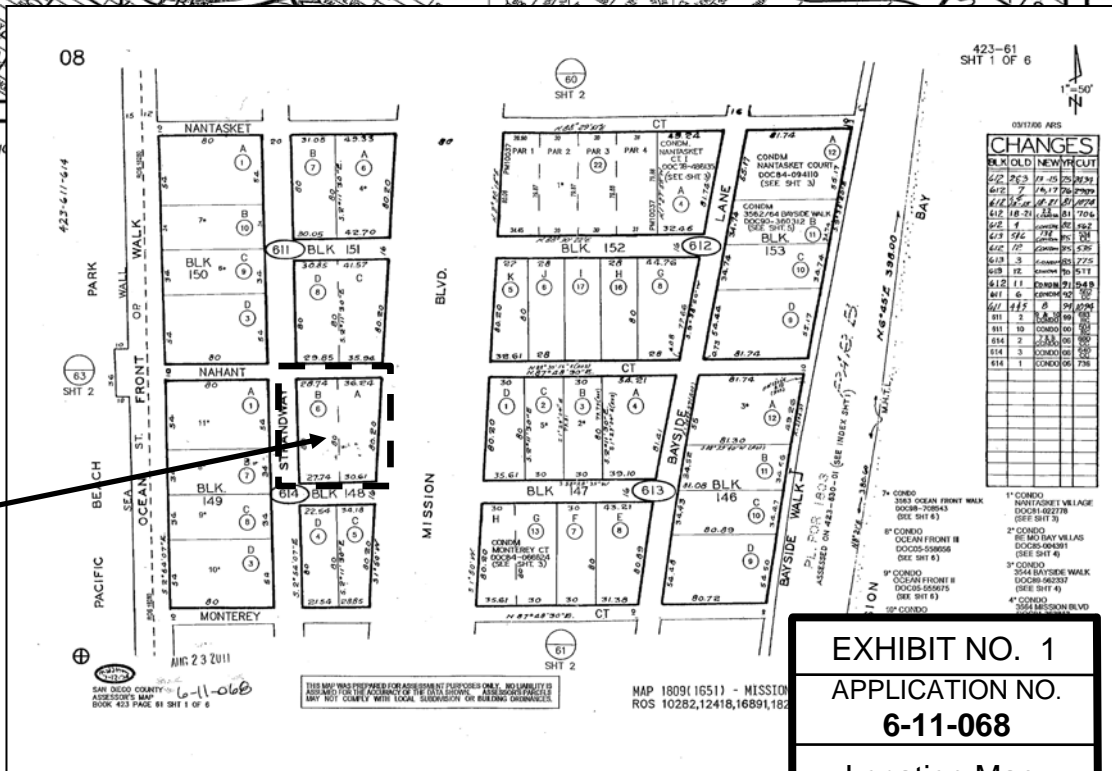


EXHIBIT NO. 1
APPLICATION NO.
6-11-068
Location Map

MAP 18091 (6511) - MISSION
 ROS 10282,12418,16891,182

THIS MAP WAS PREPARED FOR ASSASSIN BY PARCELS ONLY. INACCURACY IS ASSUMED FOR THE ACCURACY OF THE DATA PROVIDED. ASSASSINOR/PROCESOR MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

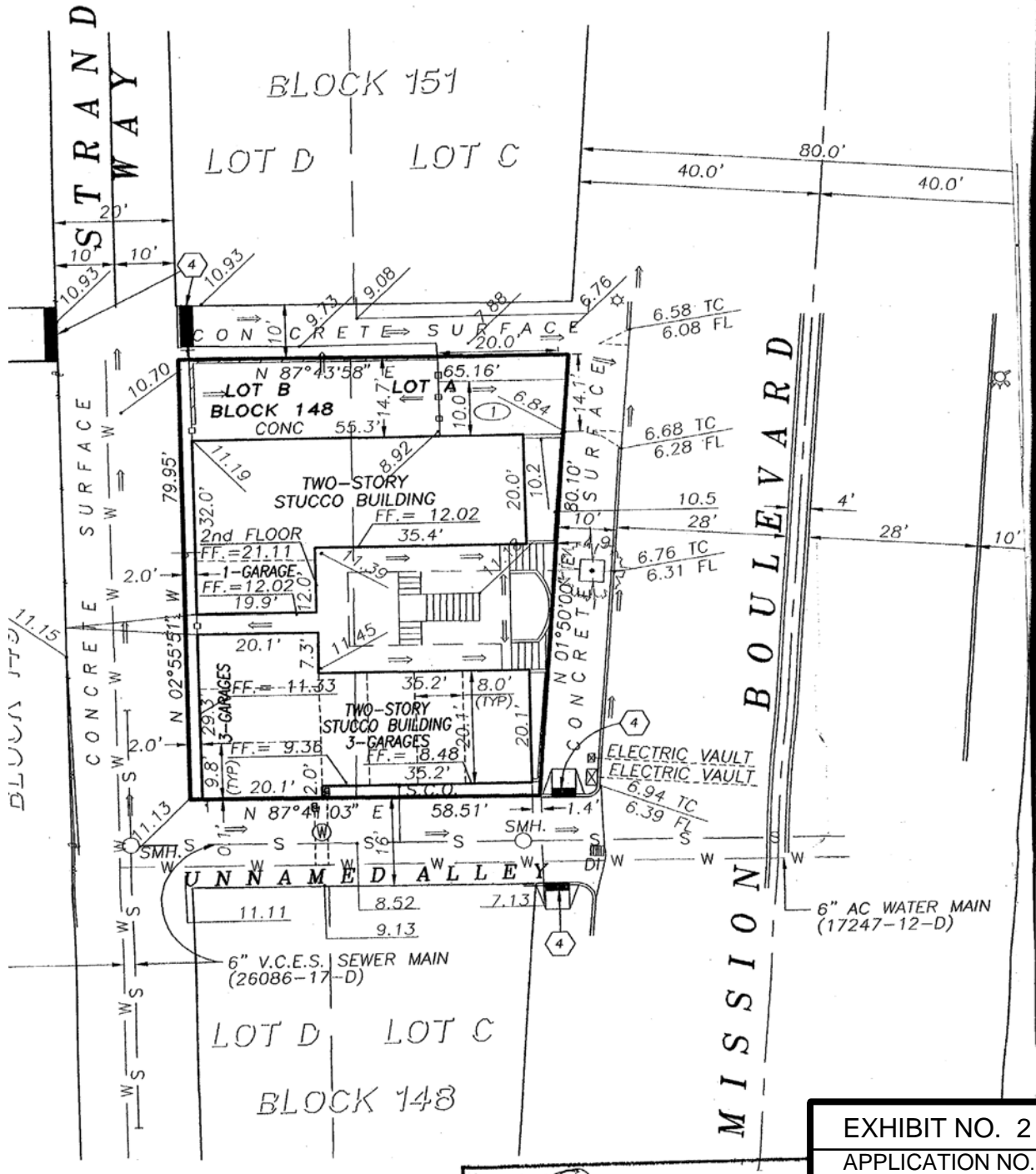


EXHIBIT NO. 2
APPLICATION NO.
6-10-68
Site Plan
California Coastal Commission