

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Long Beach, CA 90802-4302
(562) 590-5071

**TH 4b****RECORD PACKET COPY**

Filed: 12/6/04
49th Day: 1/24/05
180th Day: 6/4/05
Staff: RCT-LB
Staff Report: 1/20/05
Hearing Date: 2/16-18/05
Commission Action:

STAFF REPORT: CONSENT CALENDAR**APPLICATION NUMBER:** 5-04-407**APPLICANT:** Susan and Carl Robertson**PROJECT LOCATION:** 237 Palisades Beach Road, Santa Monica (Los Angeles County)

PROJECT DESCRIPTION: Demolish existing single-family residence and accessory structure and construct a two-story, 30-foot high, 7,500 square foot single-family residence, with 2 two-car garages, with guesthouse and recreation room above garages.

Lot Area:	24,535 sq. ft.
Building Coverage:	6,500 sq.ft.
Pavement Coverage:	6,000 sq. ft.
Landscape Coverage:	5,000 sq. ft.
Zoning:	RVC-Residential-Visitor Commercial
Ht above final grade:	30 feet

LOCAL APPROVALS RECEIVED: City of Santa Monica Approval in Concept

SUBSTANTIVE FILE DOCUMENTS: CDPs 5-99-401(Check Investments); (5-97-199(Risa, Inc); 5-97-112(Ephraim); 5-96-109(Warschaw); 5-03-369(Rosenthal)

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends **APPROVAL** of the proposed development with no special conditions.

I. STAFF RECOMMENDATION:

Staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application:

MOTION: *I move that the Commission approve coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all permits included on the consent calendar. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a permit, subject to the conditions below, for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the provisions of Chapter 3 of the California Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a local coastal program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/ or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternative that would substantially lessen any significant adverse impacts of the development on the environment.

II. 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 this permit is reported to the Commission. 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 term or 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.

III. SPECIAL CONDITIONS

None

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Location

The proposed project involves the demolition of an existing single-family residence and accessory structure and construction of a two-story, 7,500 square foot single-family residence, which includes 2 two-car garages, with guesthouse and recreation room above the garages. In addition to the residence, the 24,535 square foot lot is improved with a swimming pool and spa on the northwest side of the residence, landscaping, perimeter property fence/wall. The project includes removal of a fence, which currently encroaches past the mean high tide line (described in further detail below). Removal of this fence ensures that the project will be entirely within the applicant's property. The proposed single-family residence will be 30 feet in height, within the Commission's 50-foot height limit and the City's 40-foot maximum height limit.

The proposed project site is located at 237 Palisades Beach Road (Pacific Coast Highway), in the City of Santa Monica. The lot, measuring 129.13 feet wide by 190 feet deep, is a beach fronting lot located north of the Santa Monica Pier, in the North Beach area of the City of Santa Monica, on the western (seaward) side of Palisades Beach Road in the RVC (Residential-Visitor Commercial) District.

The North Beach area contains the City's northern sandy beach area, beach clubs, the "Gold Coast" single-family residential neighborhood, and multi-family residential development. The subject lot is located within a row of residentially developed lots and public beach parking lots. The beach area in front of the property is a broad beach, over 500 feet in width. Due to the width of the beach and the Santa Monica breakwater, properties are protected from storm wave impacts and have not required shoreline protective devices.

The applicant submitted plans showing removal of a fence, which encroaches past the 1921 mean high tide line, which was formally established by survey as the legal property line between public and private property in this location, as part of a settlement (lease agreements) between State Lands, City of Santa Monica and the various property owners. Although the Commission was not a party to the lease agreements, the Commission has required that no private, permanent improvements extend beyond the 1921 mean high tide

line. In this particular case all proposed development is located inland of the 1921 mean high tide line.

The subject lot and surrounding area is located within the City's Beach Overlay District. The Beach Overlay District includes the area west (seaward) of Ocean Avenue and Neilson Way (excluding the Pier area). The Beach Overlay District was created with the passage of a voter initiative (referred to as Proposition S). The initiative allows residential development but prohibits hotel and motel development, and restaurants over 2,000 square feet, in the Beach Overlay District.

B. Access

The proposed development will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Therefore, as proposed the development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

C. Development

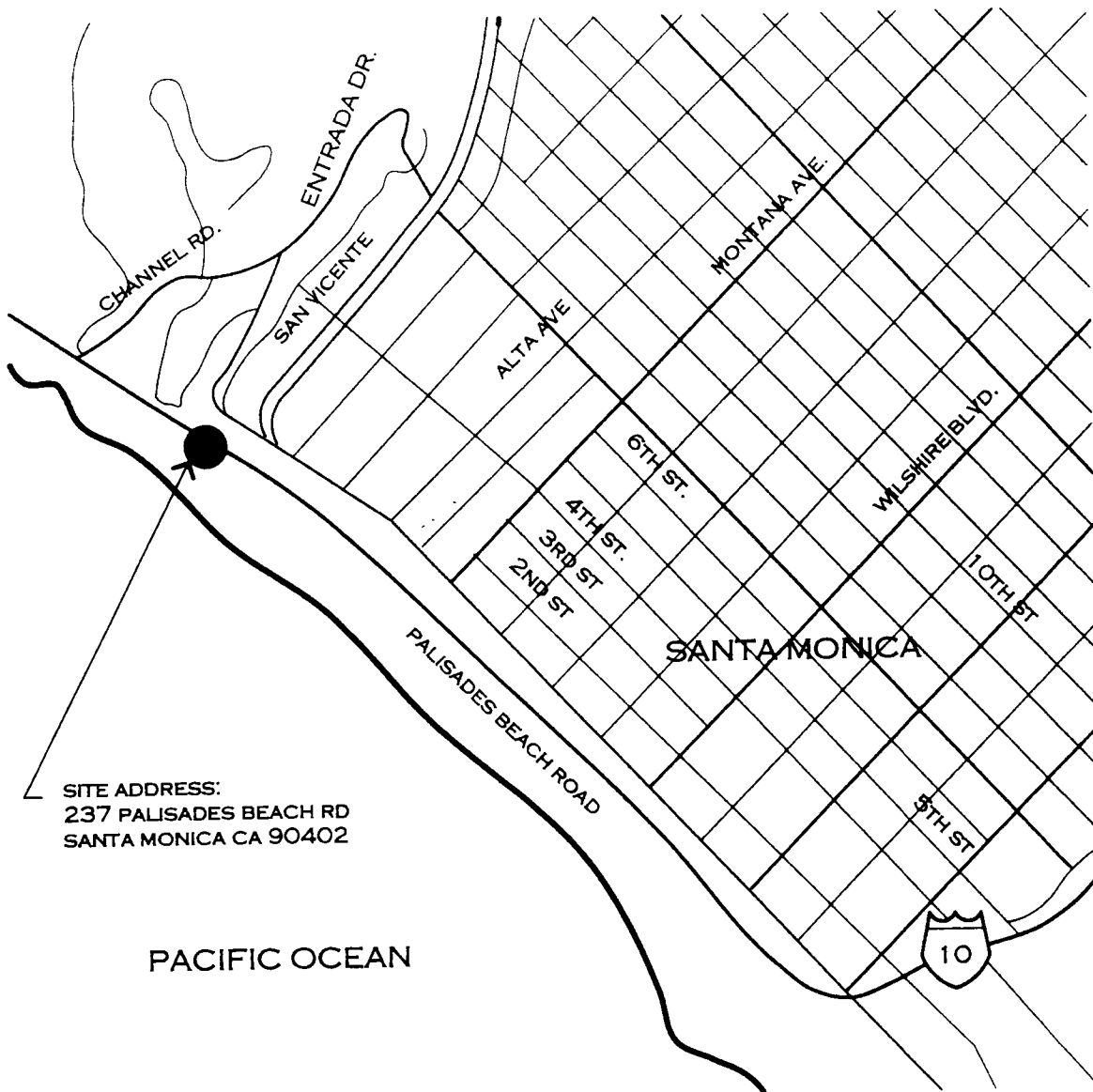
As proposed, the development is located within an existing developed area and is compatible with the character and scale of the surrounding area. The project provides adequate parking based on the Commission's typically applied standards. Therefore, the Commission finds that the development conforms with Sections 30250, 30251, and 30252 of the Coastal Act.

D. Local Coastal Program

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The City of Santa Monica has neither a certified LCP nor a certified Land Use Plan for the North Beach area. The proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 of the Coastal Act.

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, as submitted, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.



SITE ADDRESS:
237 PALISADES BEACH RD
SANTA MONICA CA 90402

PACIFIC OCEAN

VICINITY MAP

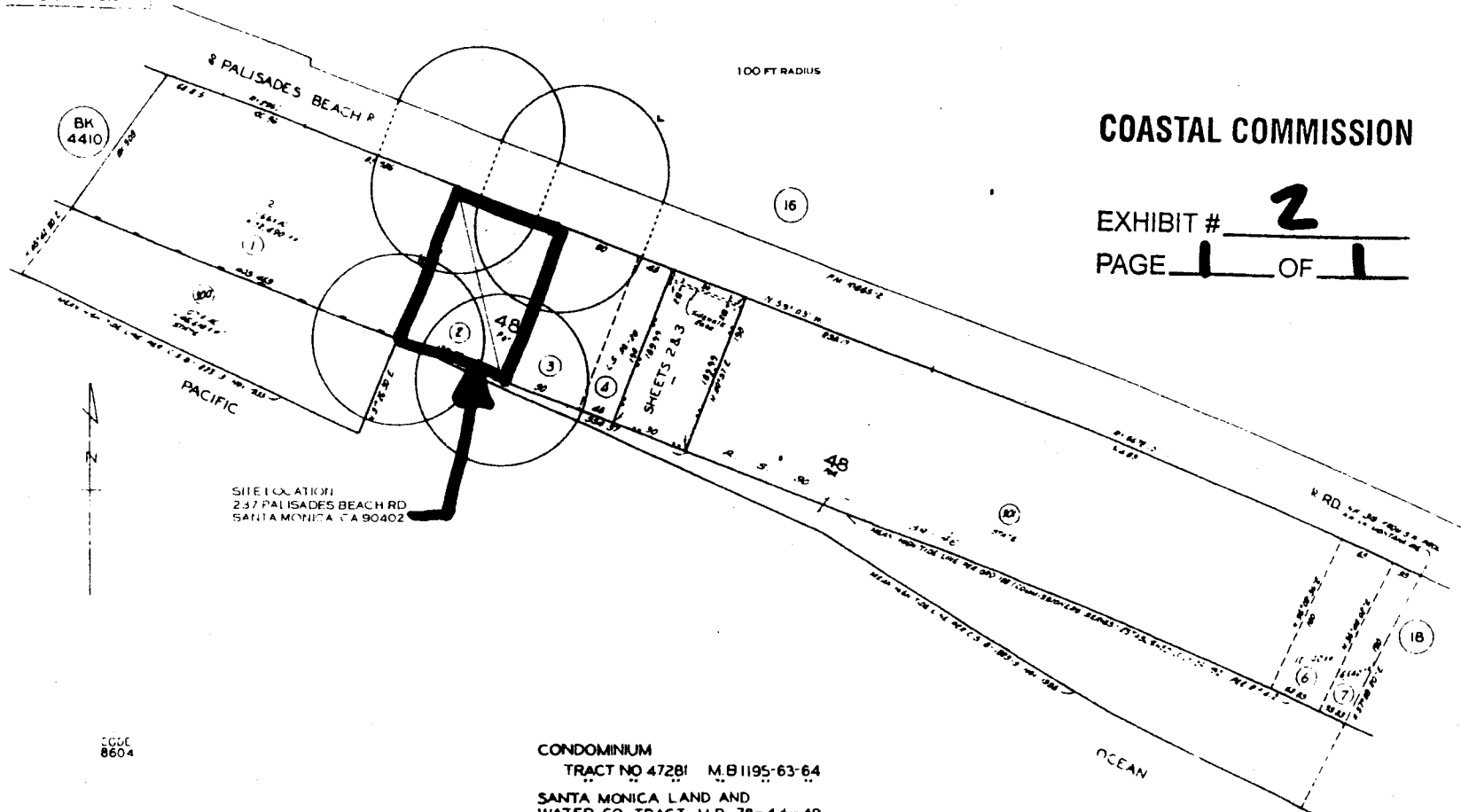
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EXHIBIT # 1
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4293 17
SHEET 1
SCALE 1" = 200'

1996

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93642005002301 07
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93051785002301 07



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EXHIBIT # **2**
PAGE **1** OF **1**

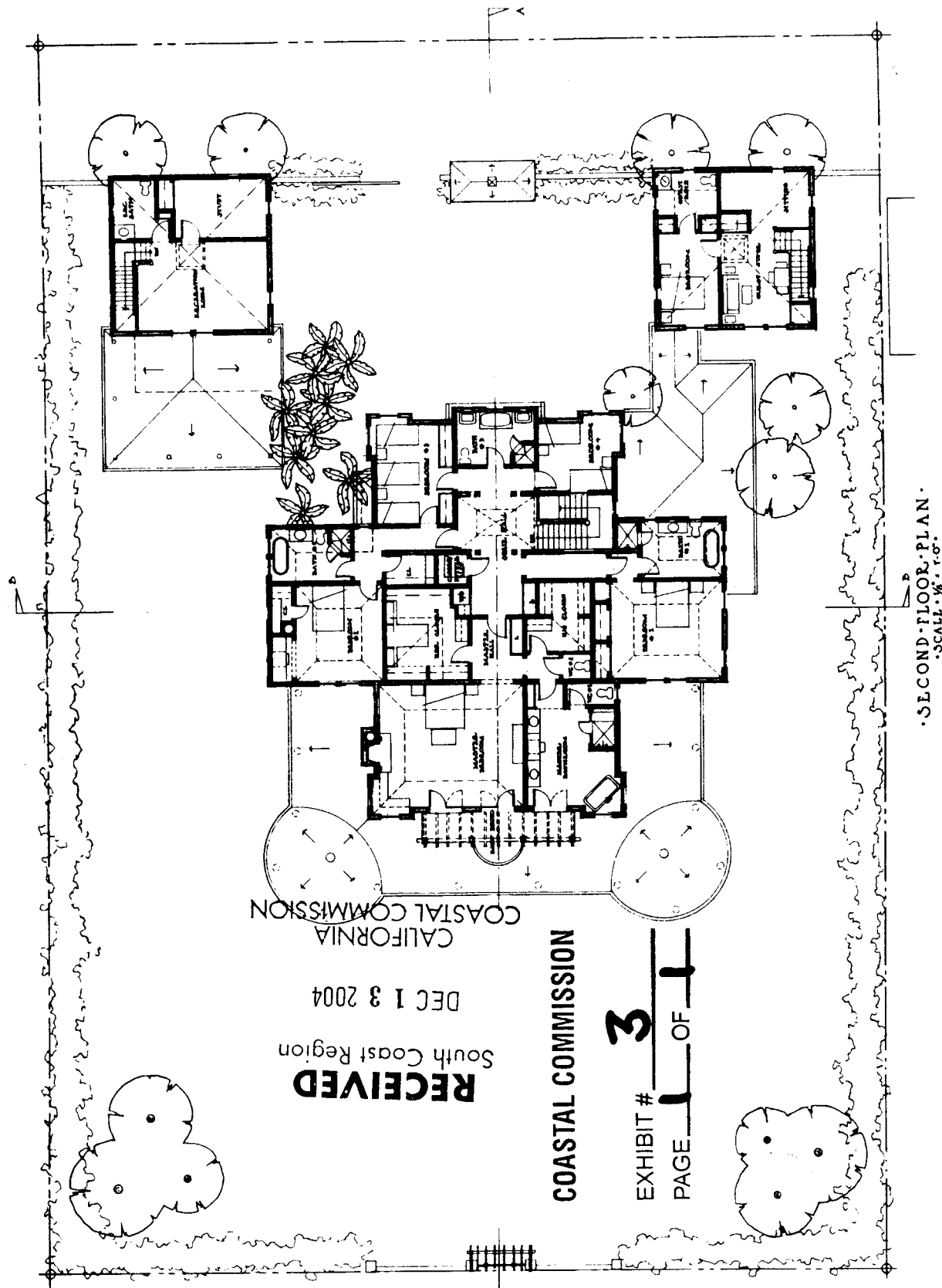
SITE LOCATION
237 PALISADES BEACH RD
SANTA MONICA CA 90402

CGDC
8604

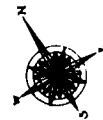
CONDOMINIUM
TRACT NO 47281 M.B. 1195-63-64
SANTA MONICA LAND AND
WATER CO TRACT M.R. 78-44-49
TRACT NO 11243 M.B. 199-39-40

NO 1393 FOR PREV ASSMT SEE
57-1

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.



SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



ROBERTSON RESIDENCE
SANTA MONICA CALIFORNIA

LEWIN WERTHEIMER ARCHITECT
AUGUST 12 2004

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RECEIVED
South Coast Region
DEC 13 2004

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EXHIBIT # 3
PAGE 1 OF 1

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South Coast Region

DEC 13 2004

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Architectural Survey

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EXHIBIT #

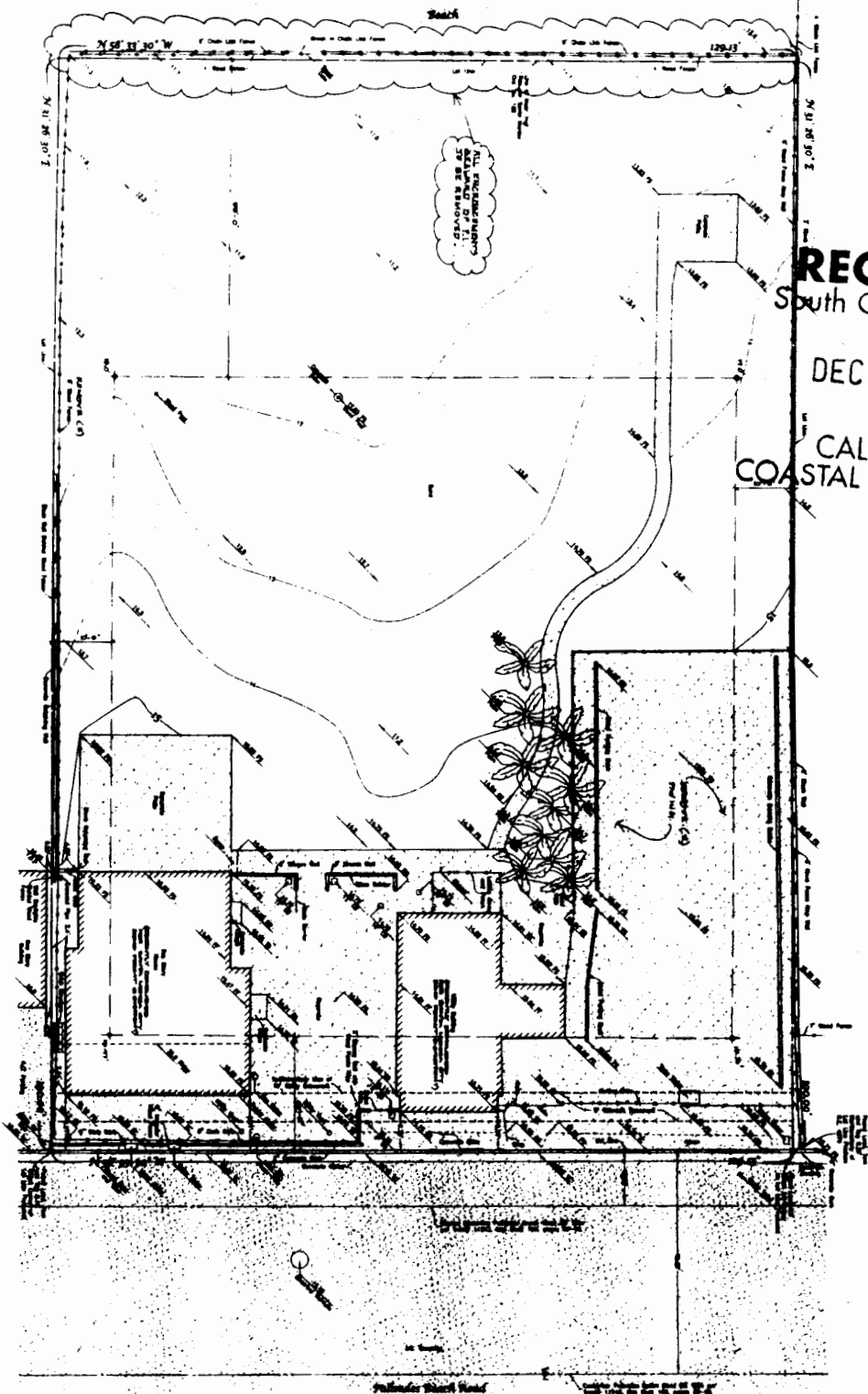
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OF

2



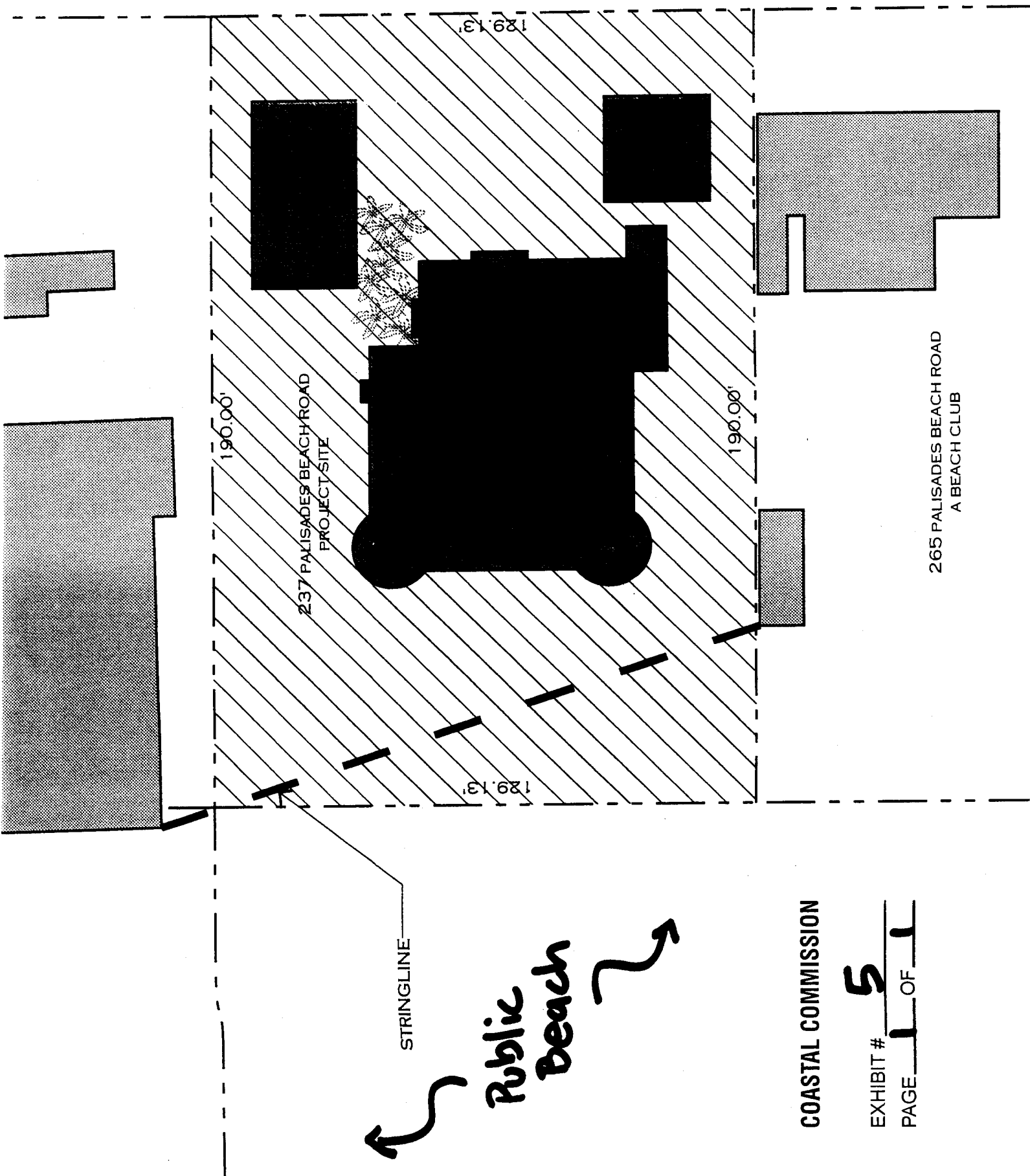
Scale: 1" = 4'
Legend

Legend Description: A portion of Parcel 100, Santa Monica, Map Sheet 1, page 12-15.
Parcel 100-15: The location of Parcel 100, Santa Monica, Map Sheet 1, page 12-15, as shown on CTR 1986, page 12, was used as datum for this survey.
Boundary: Survey information obtained in field survey measurements.
Date of Survey: July 1, 2003.
Site Address: 337 Palladium Beach Road, Santa Monica.
Area: 14,535 square feet, 0.33 acres.

Plan Prepared By: Susan & Carl W. Robertson
337 Palladium Beach Road
Santa Monica, CA 90402

Plan Prepared By: M & N & Co.
6447 Ventura Avenue
Northridge, CA 91355
(818) 887-1100
Michael J. Robertson, L.S. 1592





Public Beach

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EXHIBIT # 5
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