

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

**W20a**

Filed: 5/18/2011
49th Day: 7/6/2011
180th Day: 11/14/2011
Staff: John Del Arroz - LB
Staff Report: July 25, 2011
Hearing Date: August 10-12, 2011
Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NUMBER: 5-11-125

APPLICANT: Darrach McCarthy and Lucia Singer

PROJECT LOCATION: 160 North Ocean Way, Pacific Palisades, Los Angeles County

PROJECT DESCRIPTION: Demolition of the existing single family residence and construction of a new, 33.5' high, 4600 sq. ft. single family residence.

LOCAL APPROVAL: City of Los Angeles Approval in Concept No. ZA-2011-1039-AIC-MEL

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending approval of a coastal development permit for the demolition of an existing single family residence and construction of a new single family residence, subject to **one (1) special condition** regarding drought tolerant landscaping. As conditioned, the proposed project will not adversely affect the scenic and visual qualities of coastal areas, public access and recreation, or coastal resources. **See Page Two for the motion to carry out the staff recommendation.** Staff recommends that the Commission find that the proposed development, as conditioned, conforms with the Chapter 3 policies of the Coastal Act and previous Commission approvals, and will not prejudice the City's ability to prepare an LCP.

STAFF NOTE:

Eight letters of opposition from members of the public were submitted (**Exhibit 4**), with five (5) main points:

- 1) the proposed project would result in development which is inconsistent with the character of the surrounding neighborhood.
- 2) the proposed residence is not compatible with the Baseline Hillside Ordinance recently passed by the City on March 30, 2011.
- 3) the structure does not comply with required setbacks and square footage requirements
- 4) the proposed residence will result in impacts to private and public views
- 5) the proposed project will result in temporary impacts to parking during construction.

Staff has reviewed the claims made by the opposition, and has determined that they are not sufficient to warrant an alteration of the staff recommendation for approval. The issues raised by the opposition are addressed in more detail in the findings below.

LIST OF EXHIBITS:

1. Vicinity Map
2. Site Plan
3. Elevations
4. Public Comment Letters

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolutions to **APPROVE** the coastal development permit with special conditions:

MOTION: ***"I move that the Commission approve Coastal Development Permit No. 5-11-125 pursuant to the staff recommendation."***

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

I. Resolution: Approval with Conditions

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the 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 of the Coastal Act. 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 alternatives 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 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.

III. Special Conditions

1. Landscaping

All landscaping shall consist of native or non-native drought tolerant non-invasive plant species. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. Native species shall be used to the maximum extent feasible. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.owue.water.ca.gov/docs/wucols00.pdf>).

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The proposed project includes demolition of the existing single family residence and construction of a new, 33.5' high, 4600 sq. ft. single family residence. The proposed project includes retention of one wall of the existing structure and demolition of the rest of the existing, 2 story single family residence. The proposed project would therefore qualify as new development, as it involves substantial demolition of the existing structure. The proposed project would result in a three story with roof deck, 33.5' high, 4600 sq. ft. single family residence.

The proposed project is located approximately 750 feet from the beach on an 8840 sq. ft. inland lot, at 160 North Ocean Way, in the Pacific Palisades region of the City of Los Angeles. The site is located within an existing developed single family residential neighborhood (Exhibit 1). The subject lot is a flag lot, and is set back from Ocean Way by an approximately 80 foot long driveway.

B. Public Access

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

The proposed development would not result in impacts to public access. In the letters of opposition submitted to staff, opponents to the projects state that the proposed project would result in temporary impacts to the public parking supply. The subject site is an inland lot, approximately 750 feet from the beach. The proposed project includes 6 parking spaces, which exceeds the Commission's typically applied requirement of 2 parking spaces per unit. Although the project may result in temporary impacts to the parking supply during construction, these would not exceed the amount of disturbance typically associated with construction on single family residences. The proposed project provides sufficient parking for the proposed use, and will not result in curb cuts or other development which would permanently reduce the amount of street parking. Therefore, the Commission finds that the proposed development will not adversely affect the public's ability to gain access to, and/or to use the coast and nearby recreational facilities. As proposed, the development conforms with Sections 30210 and 30211 of the Coastal Act.

C. Development

Coastal Act Section 30250 states, in relevant part:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources...

In public letters of opposition to the project, opponents to the project contend that the height of the proposed project would be inconsistent with the character of the area. However, the proposed development is located within an existing developed area along Ocean Way and is compatible with the character and scale of the surrounding area. The proposed project meets the City's height requirements, and structures of similar height have been approved in the surrounding area. Waiver of Coastal Development Permit 5-02-212-W was approved for the construction of a 33.5 ft. high from natural grade, 2,896 sq. ft. single family residence at 123 Ocean Way. Waiver of Coastal Development Permit 5-02-214-W was approved for the remodel and addition to a single family residence, resulting in a 36' high (above grade), 6,030 sq. ft. single family residence at 120 Ocean Way. Waiver of Coastal Development Permit 5-07-227-W at 273 Mabery Drive allowed for the construction of a 3,717 sq. ft. single family

residence that was 31' from finished grade at its highest point. Existing, permitted development in the existing residential neighborhood in the subject area consists of residences with similar square footages and heights. The proposed project would result in a residence which is compatible with the City's typically applied height requirements, and would not result in development which is inconsistent with the character of the surrounding neighborhood.

Opponents to the project also contend that the project does not conform to City setback requirements, and that the residence does not comply with the recently passed Baseline Hillside Ordinance. The City has issued an Approval In Concept for the proposed project, indicating that the City has reviewed the appropriate setback and height requirements and found them to be consistent with City policies. The proposed project will not result in impacts to public views or public access as the subject site is a flag lot and is significantly set back from the street, does not provide significant public views of the coast, and contains no public trails.

Development adjacent to the coast has the potential to result in runoff which will ultimately lead to the coast and ocean waters. Water quality at the beach is an important concern for the Commission both for the potential for impacts to the environment, and for potential impacts to public access when beaches are closed due to poor water quality. In order to ensure that the proposed development minimizes the amount of runoff traveling off-site, the Commission imposes Special Condition 1, requiring that landscaping used on site consist of drought-tolerant species, which are non-invasive. The term drought tolerant is equivalent to the terms 'low water use' and 'ultra low water use' as defined and used by "A Guide to Estimating Irrigation Water Needs of Landscape Plantings in California" prepared by University of California Cooperative Extension and the California Department of Water Resources dated August 2000 available at <http://www.owue.water.ca.gov/landscape/pubs/pubs.cfm>. Invasive plants are generally those identified by the California Invasive Plant Council (<http://www.cal-ipc.org/>) and California Native Plant Society (www.CNPS.org) in their publications. Therefore, the Commission finds that the development conforms with Section 30250 of the Coastal Act regarding avoidance of significant adverse effects to coastal resources.

D. Visual Resources

Coastal Act Section 30251 states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30251 of the Coastal Act requires that scenic and visual qualities of coastal areas be considered and protected as a resource of public importance. Opponents to the project state that the proposed project would result in impacts to private and public views. Regarding the

first point, the Commission has consistently found that private views are not protected under the visual protection policies of the Coastal Act. The proposed project will not result in development which would impact public views to or along the ocean, nor would it result in impacts to scenic coastal areas. The site is located within an existing, developed, residential neighborhood with residences of a mix of heights and styles. As noted above, residences of similar height and size have been approved in the project area. The proposed project is on a lot set back significantly from the street, and will blend into the surrounding residential neighborhood when viewed from significant public vantage points. Therefore, the Commission finds that the proposed amendment is consistent with Section 30251 of the Coastal Act with regard to protection of public views.

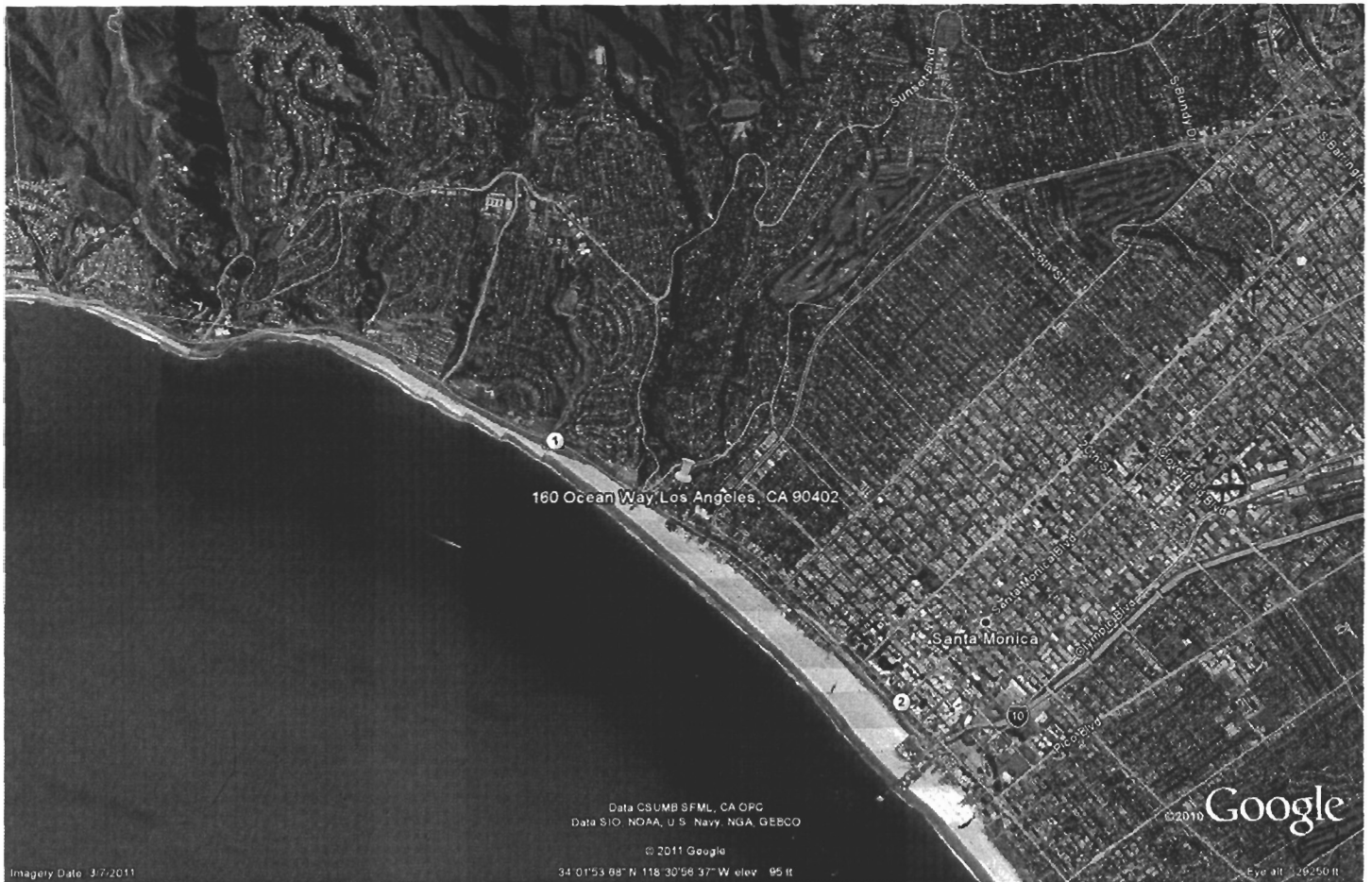
E. Local Coastal Program

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 Pacific Palisades area of the City of Los Angeles has neither a certified LCP nor a certified Land Use Plan. As conditioned, the proposed development will be consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, 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.

F. California Environmental Quality Act (CEQA)

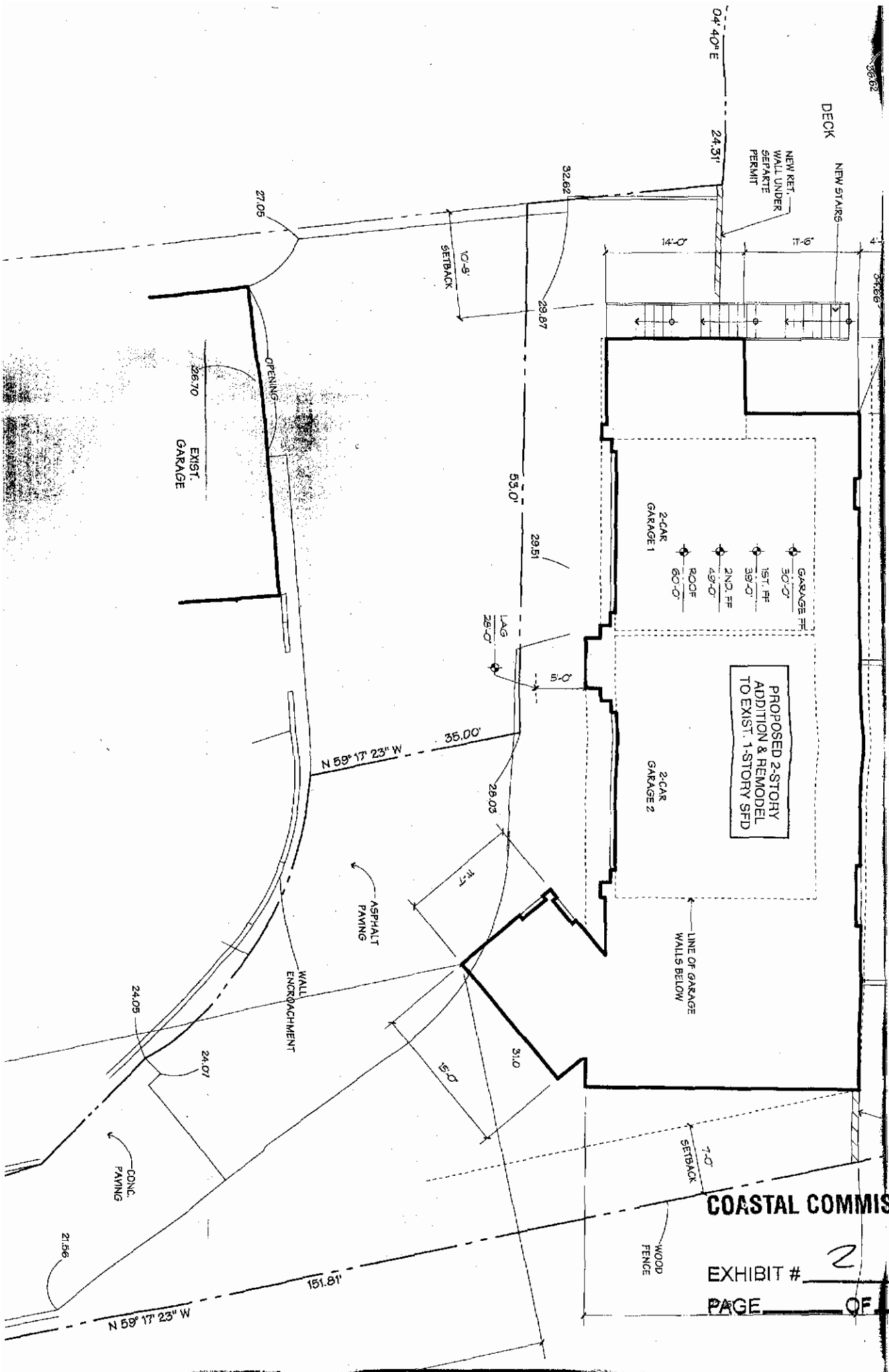
Section 13096 of the California Code of Regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

In this case, the City of Los Angeles is the lead agency and the Commission is the responsible agency for the purposes of CEQA. The City of Los Angeles issued a determination that the project was ministerial or categorically exempt on April 26, 2011. As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that 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 can be found consistent with the requirements of the Coastal Act to conform to CEQA.



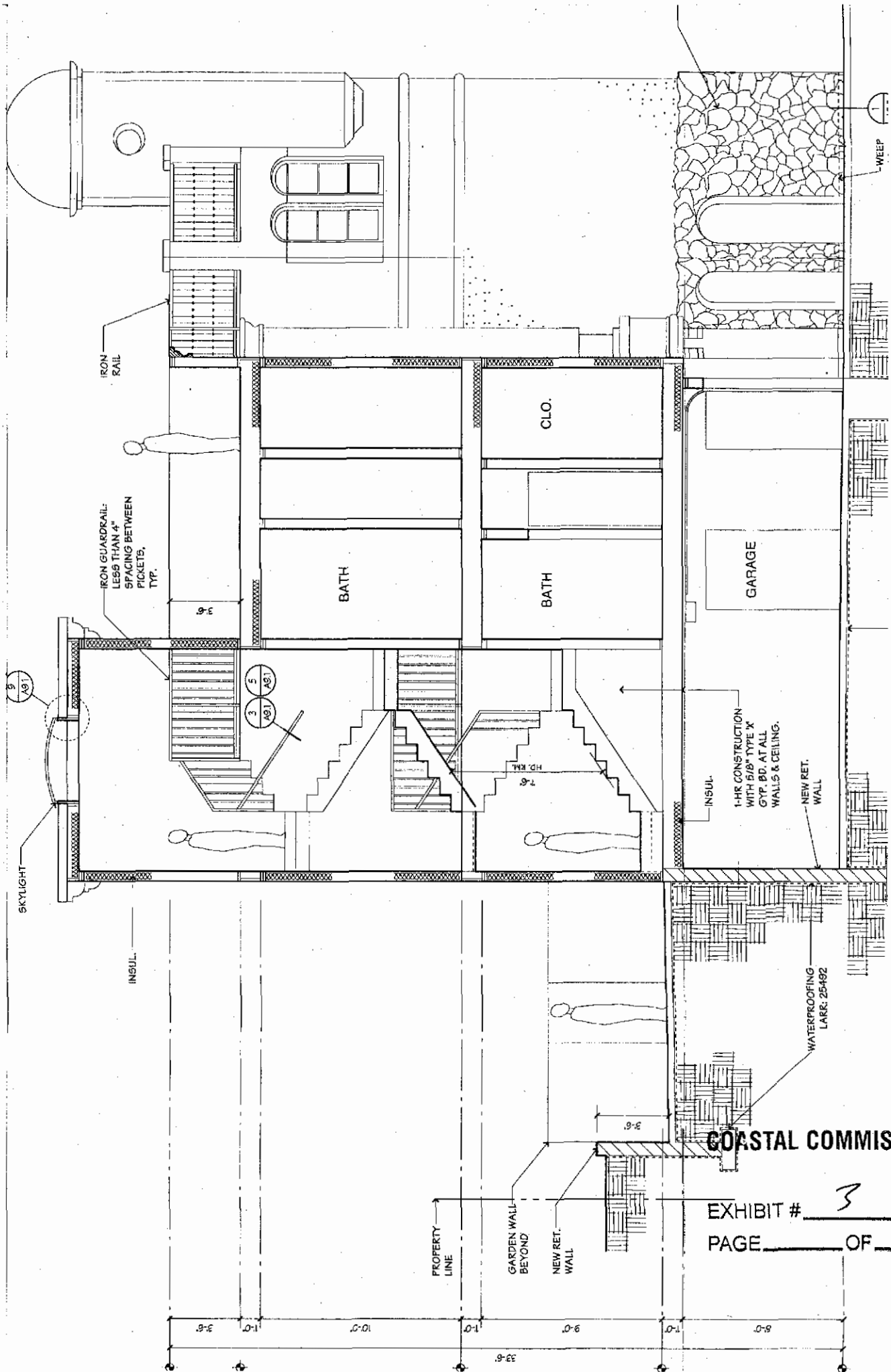
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EXHIBIT # 3

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May 30, 2011

CALIFORNIA COASTAL COMMISSION
South Coast District Office
200 Oceangate, 10th Floor
Long Beach, CA 90802-4402

RECEIVED
South Coast Region

JUN 01 2011

CALIFORNIA
COASTAL COMMISSION

Re: Proposed Construction at : 160 N. Ocean Way, Santa Monica, CA 90402
Building/Grading Permit Application No : 11014-30000-01056
Applicant : Michelle Cardiel

This letter is from the neighbors of 160 N. Ocean Way in Santa Monica Canyon, 90402. Specifically, it is for the purpose of stating our objection, in the strongest terms, to the proposed structure planned for 160 N. Ocean Way. Priscilla Lani Cutting owns 168 Ocean Way and her property shares a driveway with 160 N. Ocean Way. Patricia Murphy Dowling owns 230 Ocean Way which is the property immediately to the East. Mr. and Mrs. Andrew Bogen own the property immediately to the West. Mr. Doug Suisman's property is immediately to the South.

It is our understanding that the purposed structure is a three story, plus roof deck/garden 5000 square foot residence with an elevator. Because of the elevation of the lot, which is significantly higher than the adjoining lots, effectively the resulting height of the structure will be four or five stories.

This type of structure is utterly out of proportion to all the neighboring homes none of which is more than two stories.

We question whether such a structure can be permitted on such a small lot. It shares a driveway with 168 Ocean Way. Was the driveway added to boost the square footage of the lot? This is a small flag lot. It has an easement of 15 feet (not 20 feet) in the driveway for ingress and egress. 168 Ocean Way has a similar easement in the same driveway. We believe it is impermissible to add the square footage of the easement to the lot to make the lot appear larger than it actually is. There may be other misrepresentations in the application of which we are unaware.

We suspect that it violates the recently passed anti mansionization ordinance. It certainly violates the spirit of the new law.

If this proposed structure is built as planned it will dominate the neighborhood. It will deprive the neighbors of views and sunlight. With its roof deck/garden towering over the neighbors it will permanently deprive them of privacy on their own property.

The present structure is one story of living space with a carport underneath. We respect the right of the new owners to modify or rebuild. However, it should be done with some

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EXHIBIT # 4
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respect for the character of the neighborhood and the rights of the neighboring property owners. If built as planned the structure would have a devastating effect on both.

Cc: Councilman Bill Rosendahl

Siavosh (Sia) Poursabastian, Manager
Department of Building and Safety, WLA

NAME: Priscilla Lani Cutting
ADDRESS: 168 Ocean Way, Santa Monica, CA 90402

SIGNATURE: *Priscilla Lani Cutting* 5/30/2011

NAME: Patricia Murphy Dowling
ADDRESS: 230 Ocean Way, Santa Monica, CA 90402

SIGNATURE: *Patricia Murphy Dowling* 5/31/2011

NAME: Judi Davidson
ADDRESS: 165 Mabery Road, Santa Monica, CA 90402

SIGNATURE: *Judi Davidson* 5/31/2011

NAME: Gordon Davidson
ADDRESS: 165 Mabery Road, Santa Monica, CA 90402

SIGNATURE: *Gordon Davidson* 5/31/2011

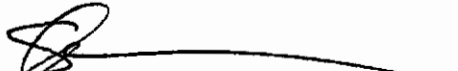
NAME: Reese Relfe
ADDRESS: 686 San Lorenzo, Santa Monica, CA 90402

SIGNATURE: *Reese Relfe* May 30, 2011
COSTAL COMMISSION

EXHIBIT # 4
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CALIFORNIA COASTAL COMMISSION

Re: Proposed Construction at : 160 N. Ocean Way, Santa Monica, CA 90402
Building/Grading Permit Application No.: 11014-30000-01056
Applicant : Michelle Cardiel

NAME: Sharon Kilbride
ADDRESS: 245 ENTRADA DR Santa Monica CA 90402
SIGNATURE: 

NAME: Rosemary Miano
ADDRESS: 245 ENTRADA DR. Santa Monica CA. 90402

SIGNATURE: Rosemary Miano POA

NAME: Jeff Rose
ADDRESS: 129 MABERY RD, SM CA 90402
SIGNATURE: 

NAME: Andrew E Bogen
ADDRESS: 1414 Ocean Way, Santa Monica CA 90402
SIGNATURE: Andrew E Bogen 20 May 2011

NAME: Helen White
ADDRESS: 255 MABERY RD
SIGNATURE: SANTA MONICA - CA 90402

Helen White 5/31/11

COASTAL COMMISSION

EXHIBIT # 4
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CALIFORNIA COASTAL COMMISSION

Re: Proposed Construction at : 160 N. Ocean Way, Santa Monica, CA 90402
Building/Grading Permit Application No.: 11014-30000-01056
Applicant : Michelle Cardiel


NAME : GARY SHEETS
ADDRESS : 136 OCEAN WAY

SIGNATURE :  5/31/11

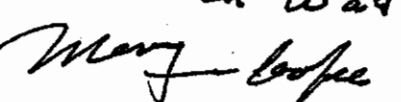
NAME : SAMUEL BAYAR
ADDRESS : 147 MABERY

SIGNATURE :  5/31/11

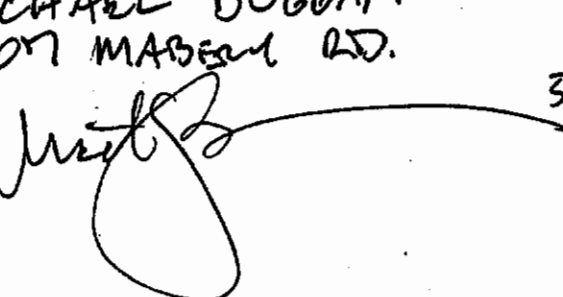
NAME : ERICA DANKO
ADDRESS : 147 Mabery Rd.

SIGNATURE :  5/31/11

NAME : MERVIN COOPER
ADDRESS : 117 Ocean Way

SIGNATURE :  5/31/11

NAME : MICHAEL DUGGAN
ADDRESS : 207 MABERY RD.

SIGNATURE :  5/31/11

COASTAL COMMISSION
EXHIBIT # 4
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CALIFORNIA COASTAL COMMISSION

Re: Proposed Construction at : 160 N. Ocean Way, Santa Monica, CA 90402
Building/Grading Permit Application No.: 11014-30000-01056
Applicant : Michelle Cardiel

NAME: Deborah M. Bogen
ADDRESS: 144 Ocean Way, Santa Monica 90402
SIGNATURE: Deborah M. Bogen May 31, 2011

NAME: BARBARA R. KLEINMAN
ADDRESS: 159 Mabery Rd., Santa Monica 90402

SIGNATURE: Barbara R. Kleinman May 31, 2011

NAME:
ADDRESS:

SIGNATURE:

NAME:
ADDRESS:

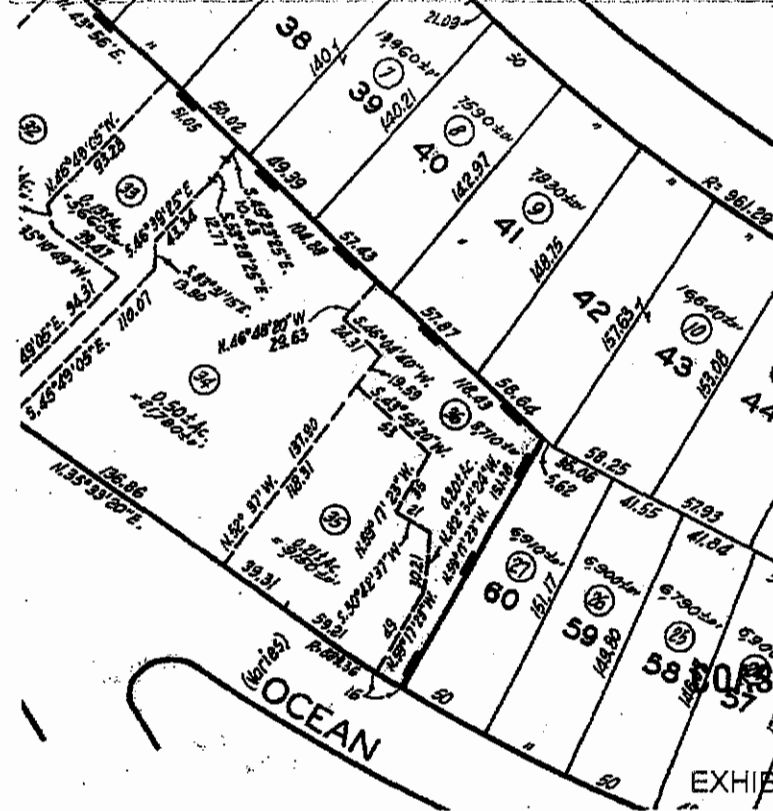
SIGNATURE:

NAME:
ADDRESS:

SIGNATURE:

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EXHIBIT # 4
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EXHIBIT # 4
PAGE 6 OF 14

May 30, 2011

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JUN 2 - 2011

California Coastal Commission
South Coast District Office
200 Oceangate, 10th Floor
Long Beach, CA 90802-4402

CALIFORNIA
COASTAL COMMISSION

Re: Proposed Construction: 160 N. Ocean Way, Santa Monica, CA
90402
Building/Grading Permit Application No.: 11014-30000-01056
Applicant: Michelle Cardiel

Dear Coastal Commission Members:

I reside at 238/242 Entrada Drive in the close vicinity (within 200 feet) of the proposed development at 160 Ocean Way. We have lived in Santa Monica Canyon at our current address for 15 years. I am writing to request that your Commission fully consider the impact that this proposed 4-story structure and elevator tower will have on the coastal environment that residents and visitors to the California coastline enjoy. The lasting impacts will be visual blight caused by an enormous tower structure that is way out of scale with the surrounding area. The short-term impacts will restrict access to scarce street parking used by visitors to the Will Rogers State Beach.

The applicants have rushed this permit request in order to reach the City of Los Angeles Planning Department ahead of the new restrictions on overbuilding in hillside areas in Los Angeles. A house of this enormous scale, completely out of character with the neighborhood and hillside nature of Santa Monica Canyon, would clearly not be permitted under the law as it exists today. **The California Coastal Commission should require that the owners comply with today's laws. Not the laws in effect when they filed their development permit.**

The Coastal Commission should also be concerned with the loss of street parking that the employees and other events related to large scale construction will have. Having lived in Santa Monica Canyon for 15 years, I know of only three new homes that have been built during that time in the Ocean Way/Mabery/Entrada triangle. This activity is going to have an impact.

Finally, the large scale of the structure, especially its height, is going to be noticeable

COASTAL COMMISSION

EXHIBIT # 4
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Letter 2

from many public vantage points. The Coastal Commission should take this into account before approving new development in the coastal zone.

Sincerely,


Wesley Hough, 242 Entrada Drive, Santa Monica, CA 90402

cc: Councilman Bill Rosendahl
Siavosh (Sia) Poursabadian, Department of Building and Safety WLA

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EXHIBIT # 4
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Letter 2

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JUN 15 2011

June 13, 2011

California Coastal Commission
South Coast District Office
200 Oceangate, 10th Floor
Long Beach, CA 90802-4402

CALIFORNIA
COASTAL COMMISSION

Re: Proposed Construction: 160 N. Ocean Way, Santa Monica, CA 90402
Application # 5-11-125

Dear Coastal Commission Members:

I am a resident of the coastal neighborhood of Santa Monica Canyon.

The coastal ambience of the neighborhood has been impacted in a negative way in the past year by overbuilding on small "beach house" lots.

In response to this massive overbuilding, the City Council of Los Angeles wisely enacted prohibitions on overbuilding. These restrictions against "mansionization" are needed to protect the coastal and hillside environment. These new limitations are currently in effect.

However, the proposed construction referenced above is attempting to be "grandfathered" under the old development rules that permit out of scale building on small hillside lots. This house would be the last out of scale house built in our beachside neighborhood.

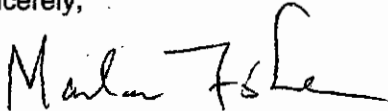
The application before you states that this is a "renovation" and only "2 stories". Actually, the development is a new house that is FOUR STORIES in height and has an elevator tower on the side that is even taller than the house. The "attached 4-car garage" sits BELOW the 2 story house structure. In addition, there is a proposed roof deck. We know that roof decks in our neighborhood become enclosed rooms soon after the paint is dry.

This towering structure will be far taller than anything in the neighborhood.

But why would you let this happen?

The California Coastal Commission should require that the owners comply with today's laws. Not the laws in effect when they filed their development permit.

Sincerely,



Marlow Fisher, 242 Entrada Drive, Santa Monica, CA 90402

cc: Councilman Bill Rosendahl

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EXHIBIT # 4
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JUN 29 2011

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COASTAL COMMISSION

June 27, 2011

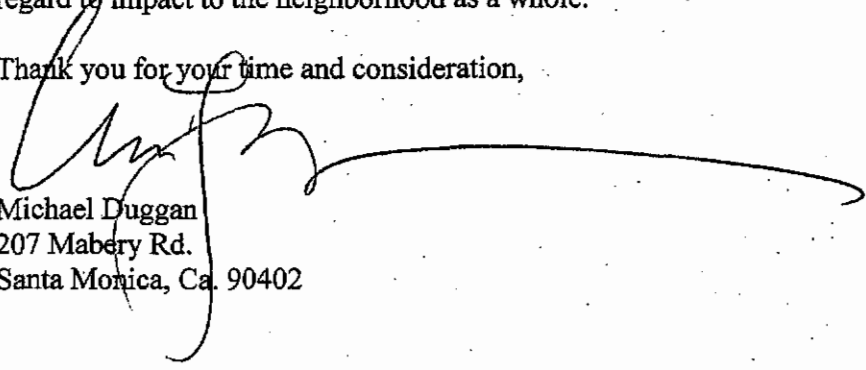
California Coastal Commission
200 OceanGate, 10th floor
Long Beach, CA 90802

RE:
160 North Ocean Way
Santa Monica, CA. 90402
#5-11-125

Members of the Commission:

Please note my opposition to the height and scale of the proposed construction at 160 Ocean Way. The planned building seems to be completely out of scale for the undersized lot (much of which is actually an easement driveway). Though the proposed plans were submitted just days prior to the change of law restricting over-building on hillside properties, it is clearly skirting the spirit of such by maximizing height and scale without regard to impact to the neighborhood as a whole.

Thank you for your time and consideration,



Michael Duggan
207 Mabery Rd.
Santa Monica, Ca. 90402

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EXHIBIT # 4
PAGE 10 OF 14

Letter 4

29 June 2011

re: 160 No. Ocean Way
Santa Monica CA 90402
5-11-125

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South Coast Region

JUL 5 - 2011

Dear Coastal Commission,

CALIFORNIA
COASTAL COMMISSION

Please do not approve the current plans for 160 No. Ocean Way (#5-11-125). As a neighborhood, we are all opposed to the height and look of the project. As a homeowner here, it concerns me that such an extremely tall building, which does not in any way conform to the look or feeling of our small canyon area, could be built here.

It has been stated that the project is within the LA City boundaries of what the law for such structures was when they filed, but since then the City law has changed. Please, could this building come at least closer to what the new rules ask for our area to conform to?

Please help us to retain the gentle look and feeling of our small beach community and ask them to reconsider at least the height of the project.

Thank you for your careful consideration.
Sincerely,

Judi Jensen

JUDI JENSEN, 245 MABERY ROAD, SANTA MONICA 90402
mailing address: PO Box 1976, SANTA MONICA 90406

310 367 9689

jjudiinthosky@yahoo.com

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EXHIBIT # 4

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Letter 5

Andrew and Deborah Bogen
144 Ocean Way
Santa Monica, CA 90402
June 29, 2011

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JUL 7 - 2011

California Coastal Commission
South Coast District Office
200 Oceangate, 10th floor
Long Beach, CA 90802-4402

CALIFORNIA
COASTAL COMMISSION

Regarding: Application No. 5-11-125
Proposed construction at 160 Ocean Way, Santa Monica, CA 90402

Dear Sirs/Madams,

We are writing to express our strong concerns about the above-referenced application, which pertains to the proposed construction of a three-story home with roof deck next door to our home at 144 and 150 Ocean Way, Santa Monica, CA 90402.

Ocean Way is a short street set one block back from Will Rogers State Beach, one of the most heavily used beaches in Los Angeles. Ocean Way is heavily used by beachgoers for parking and for beach access. Existing houses on Ocean Way and surrounding streets, including our house, are no more than two stories high, so the proposed construction at 160 Ocean Way represents a significant change. If allowed, it will undoubtedly set the pattern for future major remodels and new construction in lower Santa Monica Canyon.

Of course we are concerned with the loss of privacy in our own home, but we believe the Coastal Commission should be equally concerned with the impact on views in Santa Monica Canyon of allowing such high buildings on the slope above the beach.

The proposed new construction consists of ground level parking covered by two stories of residential space and, on top of that, a roof deck with a barbecue and hot tub. An elevator tower is proposed to service the house and roof deck with a height of 37 feet – effectively a four story structure. Since the lot at 160 Ocean Way slopes uphill, the visual impact of the proposed construction will be even greater than it's height would otherwise imply. If allowed, the new construction will be the highest and most visible structure on the hillside and have a dramatic, and unwanted, effect on views in the area.

It seems to us that this is exactly the kind of development that the Coastal Commission was created to prevent. We urge that the project be disapproved.

Sincerely yours,

Andrew & Deborah Bogen
Deborah M. Bogen

Andrew and Deborah Bogen

COASTAL COMMISSION

EXHIBIT # 4
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Letter 6

MICHAEL L. WEINBERG
278 Entrada Drive
Santa Monica, CA 90402

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South Coast Region

JUL 7 2011

CALIFORNIA
COASTAL COMMISSION

July 2011

RE:
160 North Ocean Way
Santa Monica, CA. 90402
#5-11-125

Please help!

I am lucky enough to live in a beautiful, coastal area and have been saddened to see folks building new boxes and utilizing every square inch of livable space. Apparently the smaller the lot, the less of a set-back that is required and consequently not only have the new houses been dwarfing their neighbors, but the people who have been living in the older houses (sometimes for generations) have been losing their views and their comfort zones.

I know the law changed (just recently), and the folks at 160 North Ocean Way legally got their paperwork in order, but their proposed design certainly violates the spirit of the laws and many of us feel that the current proposed design is not in keeping with the scale of the surrounding houses.

Wouldn't it be nice if there were a compromise to be found?

Thanks for your time,

Michael L. Weinberg

COASTAL COMMISSION

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Gerry Shapiro
Royal Hemlock Road
Monterey, MA 01245

RECEIVED
South Coast Region

JUL 18 2011

California Coastal Commission
200 OceanGate 10th floor
Long Beach, CA 90802

CALIFORNIA
COASTAL COMMISSION

Re: Case # 5-11-125, 160 No. Ocean Way, Santa Monica, CA 90402

To the Members of the Coastal Commission:

I am writing as the owner of a residence at 219 Mabery Road in the Santa Monica Canyon, within view of the structure referred to, as well as an architect and planner. The building at 160 No. Ocean Way is proposed to be three stories high with a roof deck and an elevator that goes to the roof deck. This arrangement obviously requires an additional structure on the roof deck to receive the elevator, thus bringing the building to a height of four stories. A building of this height would obstruct the canyon and ocean view from my house and others on Mabery Road and is impermissible according to the current building limits. It is, in addition, of a size and height entirely at odds with the historic character of the Santa Monica Canyon neighborhood. I urge you to enforce the current limits and deny permission for the structure as presently planned.

Sincerely yours,

Gerry Shapiro

Gerry Shapiro

COASTAL COMMISSION

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