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**CALIFORNIA COASTAL COMMISSION**

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



Filed: 5/26/99  
49th Day: 7/14/99  
180th Day: 11/22/99  
Staff: AJP-LB  
Staff Report: 6/23/99  
Hearing Date: 7/13-16/99  
Commission Action:

**STAFF REPORT: CONSENT CALENDAR**

**APPLICATION NUMBER:** 5-99-110

**APPLICANT:** Dave & Terry Blaney

**AGENT:** Pete Volbeda

**PROJECT LOCATION:** 1357 35<sup>th</sup> Street, San Pedro

**PROJECT DESCRIPTION:** Construction of a 3-story, 24 foot high as measured from average natural grade, 3,147 square foot single-family residence with a 3-car garage.

Lot Area	6,250 sq. ft.
Building Coverage	2,000 sq. ft.
Pavement Coverage	700 sq. ft.
Landscape Coverage	3,350 sq. ft.
Parking Spaces	3
Zoning	R-1--Residential
Ht above final grade	30 feet

**LOCAL APPROVALS RECEIVED:** Approval In Concept

**SUBSTANTIVE FILE DOCUMENTS:** San Pedro Certified Land Use Plan

**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends approval with a special condition to ensure that the project conforms to the geologic recommendations.

**STAFF RECOMMENDATION:**

The staff recommends that the Commission adopt the following resolution:

**I. APPROVAL WITH CONDITIONS**

The Commission hereby **GRANTS** a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, 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, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

**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. **Compliance.** All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. **Inspections.** The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. **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.
7. **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. Plans Conforming to Geologic Recommendation

All recommendations contained in the Geologic Report prepared by NorCal Engineering (11/18/98) regarding the proposed development shall be incorporated into all final design and construction including foundation and drainage. All plans must be reviewed and approved by the consultants. Prior to authorization to commence work the applicant shall submit, for review and approval by the Executive Director, evidence of the consultants' review and approval of all project plans.

The final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission relative to construction, grading and drainage. Any substantial changes in the proposed development approved by the Commission which may be required by the consultant shall require an amendment to the permit or a new coastal permit.

### IV. Findings and Declarations:

The Commission hereby finds and declares:

#### A. Project Description and Location

The applicant proposes the construction of a 3-story, 24-foot high as measured from average natural grade, 3,147 square foot single-family residence with a 3-car garage. Construction will include foundation piles and retaining walls for structural support of the structure.

The proposed project is located on an approximately 6,250 square foot vacant lot. The proposed project site is located on 35<sup>th</sup> Street, just south of the intersection of Averill Avenue and Twenty-seventh Street in the San Pedro area of the City of Los Angeles. The project site is approximately four blocks from Paseo del Mar, which is the first public road paralleling the coast. The proposed project site is within an established residential neighborhood.

#### B. Geology

Section 30253 of the Coastal Act states in part:

New development shall:

(I) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would Substantially alter natural landforms along bluffs and cliffs.

In addition, the certified LUP states in part that:

New development, including additions to and remodels of existing structures, along coastal bluffs shall not be approved unless it minimizes risk to life and property, assures structural stability and integrity for the economic lifetime of the development...

The geologic report prepared by NorCal Engineering (11/18/98) states that the proposed development is considered feasible from an engineering geologic and soils standpoint.

The reports state that the fill soils overlying colluvial soils and slopewash materials. Shale bedrock underlies the lot. Bedding within the bedrock underlying the site dips horizontal to slightly downslope. The geologic report states that the factor of safety for the existing slope on the subject property exhibits factors-of-safety in excess of 1.5 against gross failure and that the potential for gross failure is considered to be low if the subject site is improved in accordance with the geologic recommendations. The report, however, recommends that due to the presence of fill soils, that soldier piles, driven into competent bedrock, be used for foundations, where fill soils can not be removed and recompacted.

The City of Los Angeles Department of Building and Safety has issued a geotechnical engineering review letter that indicates that the City has reviewed and approved the project's geologic and soils reports and design.

The geologic and soils reports conclude that the proposed development is considered feasible from an engineering geologic and soil standpoint and will be safe from landslide, settlement or slippage, provided the recommendations with respect to excavations and foundation design are incorporated into the plans and implemented. Therefore, to ensure that the recommendations made by the consultants are implemented the applicant shall submit evidence indicating that the consultants have reviewed the plans and all recommendations have been incorporated into the design. The Commission, therefore, finds that only as conditioned will the proposed development be consistent with Section 30253 of the Coastal Act.

### C. Visual Resources

Section 30251 of the Coastal Act 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.

In addition, the certified LUP states in part that:

No building or structure shall be erected or enlarged within that portion of the Coastal Zone designated for residential use which exceeds two stories or a height of 26 feet as measured from the average existing natural grade to the highest point of the roof or parapet wall of the building, whichever is higher...

The subject property and surrounding area is designated residential. The surrounding area consists of single-family residences. The height of existing development within this area varies from approximately 15 to 25 feet. The proposed development will be approximately 24 feet high, as measured from natural grade or 30 feet as measured from the highest point to natural grade.

The proposed project is not located within any of the visual corridors or scenic view sites designated in the certified LUP and will not significantly adversely impact any views to or along the ocean. Furthermore, the proposed addition is consistent with the character and scale of the surrounding development. The Commission finds, therefore, that the proposed development, as conditioned, is compatible with the surrounding development and is consistent with Section 30251 of the coastal Act and the applicable policies of the LUP.

D. Local Coastal Program

Section 30604(a) of the Coastal Act states that:

Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development 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 (commencing with Section 30200).

On September 12, 1990, the Commission certified, with suggested modifications, the land use plan portion of the San Pedro segment of the City of Los Angeles' Local Coastal Program. The certified LUP contains polices to guide the types, locations and intensity of future development in the San Pedro coastal zone. Among these polices are those

specified in the preceding section regarding geology and visual resources. As conditioned the project will not adversely impact coastal resources or access. The Commission, therefore, finds that the project, as conditioned, will be consistent with the Chapter 3 policies of the Coastal Act and will not prejudice the ability of the City to prepare a Local Coastal Program implementation program consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

E. California Environmental Quality Act

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications 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.

As proposed, there are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the proposed project is found consistent with CEQA and the policies of the Coastal Act.

**IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

**A. Project Description and Location**

**California Environmental Quality Act**

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications 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.

**INSERT RATIONALE HERE**

The project as proposed is the least environmentally damaging alternative. Therefore, the Commission finds that the proposed project is consistent with CEQA and the policies of the Coastal Act.

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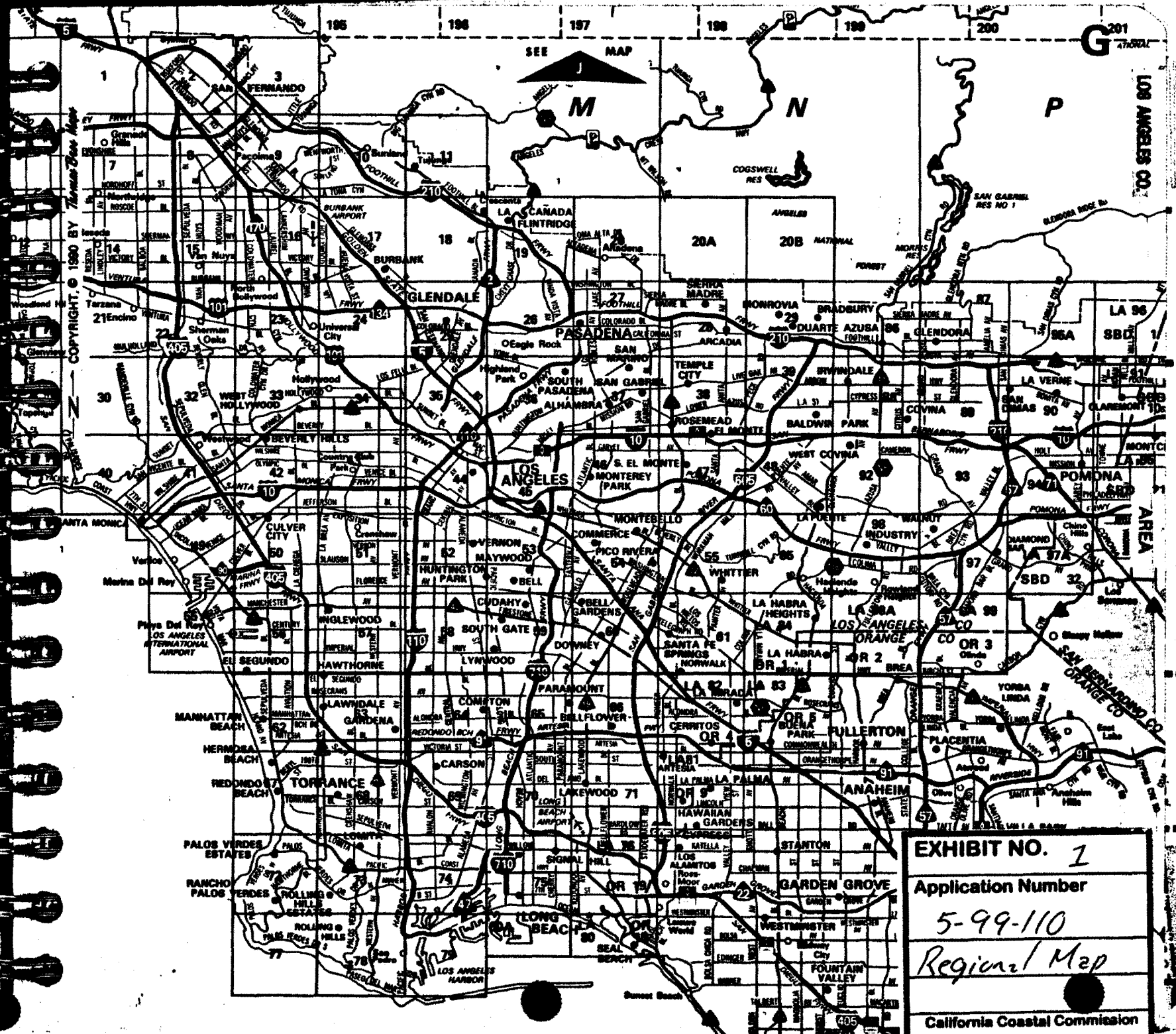


EXHIBIT NO. 1  
Application Number  
5-99-110  
Regional Map  
California Coastal Commission



853

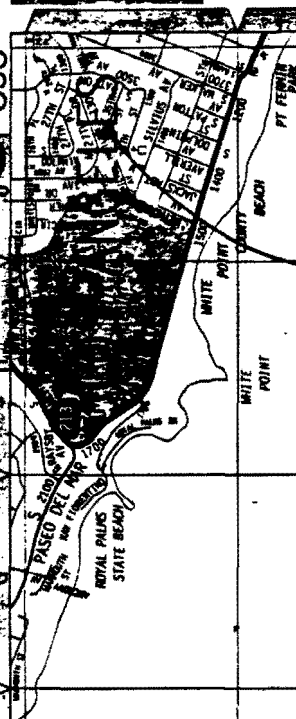
SEE 854 MAP

D

C

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CATALINA

CHANNEL

OCEAN

PACIFIC

5-99-770

**RECEIVED**  
South Coast Region

MAR 17 1999

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EXHIBIT NO. 2
Application Number
5-99-110
Vicinity Map

[illegible]

TRACT

AT DRIVEWAY

335

473 FT P N45 DEG 03'11"

64' 55' 45"

(330)

FS 330.43

FF 329.93

7'-0"

GARAGES

(320)

ROOF LINE

ROOF LINE

630 DOWN SPOUT  
TO GRADE

FF 321.20  
TOP LEVEL

101.33 FT N22 DEG 05'1" E

LINE OF DECK TOP FLR

(300)

LINE OF 1ST BAL

NEW DISPERSAL  
WALL  
TOP OF WALL  
293.8

2 FT WIDE CONC  
SEAL

TOW 293.0

290

(290)

50.01 FT

EXHIBIT NO.	4
Application Number	5-99-110
Site Plan	
California Coastal Commission	

RECEIVED  
South Coast Region

March 17 1999

CALIFORNIA  
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EXHIBIT NO.

5

Application Number

5-99-110

Elevation

12/1/99

California Coastal Commission

