

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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**TU 4i**

Filed: 10/31/01
49th Day: 12/19/01
180th Day: 4/29/02
Staff: AJP-LB
Staff Report: 11/19/01
Hearing Date: 12/11-14/01
Commission Action:

STAFF REPORT: CONSENT CALENDAR**APPLICATION NUMBER:** 5-01-427**RECORD PACKET COPY****APPLICANT:** Michael Sarlo**AGENT:** M.A. Samara**PROJECT LOCATION:** 223 E. Rees Street, Playa del Rey

PROJECT DESCRIPTION: Demolition of a two tier retaining wall system and construction of a single 48 foot long, 10 foot high cinder block retaining wall, with 36 inch high fence, across the back portion a lot, with 6 foot high side walls along the side property line, tying back into the slope, on a lot improved with a single-family residence.

Lot Area:	5,662 square feet.
Building Coverage:	2,450 square feet
Pavement Coverage	600 square feet
Landscape Coverage	1,500 square feet
Parking Spaces:	2
Zoning:	Single-family residential
Ht above final grade	

LOCAL APPROVALS RECEIVED: Approval in Concept; Yard Variance ZA 2001-0763(YV)

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval with no special conditions.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. APPROVAL

The Commission hereby **GRANTS** a permit 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. 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 applicant proposes to demolish a two tier retaining wall system and construct a single 48 foot long, 10 foot high cinder block retaining wall, with a 36 inch high fence atop the wall, across the back portion of a lot, with 6 foot high side walls along the side property line, tying back into the slope. The lot is improved with a single-family residence.

The proposed retaining wall will be located in the back portion of a lot developed with a single-family residence in the community of Playa del Rey, in the City of Los Angeles. The residential lot fronts on Rees Street and backs up onto the adjacent street, Fowling Street. The lot has a depth varying from 115 to 123 feet. The rear 30 feet of the property slopes to Fowling Street. The residence is located atop a flat building pad, at an elevation of approximately 102 feet above sea level, which immediately descends approximately 12 feet to Fowling Street.

The proposed retaining wall will be sited along the rear property line, which is setback approximately 6 feet from the City improved cement walkway that runs along Fowling Street. The applicant proposes to landscape the setback area.

The surrounding area is residentially developed, with one and two story structures. The surrounding area is a hilly Pleistocene sand dune, ranging in height from approximately 75 feet to 150 feet above sea level.

B. Visual Impacts

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.

Section 30253 states that new development shall:

(5) where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

The proposed project is located within a residentially developed neighborhood, approximately a quarter mile from the beach. The proposed project will replace an existing two-tier retaining wall system with a new single retaining wall across the back portion of the property. The area between the wall and the cement walkway will be landscaped and maintained by the applicant.

The City of Los Angeles restricts walls within the rear yard setback area to 6 feet. However, the City granted a variance [ZA 2001-0763(YV)] to allow the proposed 10 foot high wall because of the steep slope, unusable rear yard, and lack of privacy.

Due to the sloping topography, the neighboring properties have retaining walls along Fowling Street to support the rear yard areas. Because the area is developed, there are limited views of the ocean. Furthermore, there are no scenic highways or scenic viewing sites in this area. Therefore, the wall will not adversely impact any scenic coastal views or adversely impact the scenic quality of the area. The Commission, therefore, finds that the proposed project is consistent with the visual resource protection policies of the Coastal Act and with the County's Local Coastal Program.

C. Access

Section 30211 of the Coastal Act states that:

Development shall not interfere with the public's right of access to the sea where acquired through use of 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 retaining wall will be located on the back property, which is set back approximately 6 feet from existing public cement sidewalk. The area between the property line and the sidewalk will be landscaped and maintained by the applicant, as required by the City. The walkway provides public neighborhood access around the residential neighborhood. Rees and Fowling Streets do not provide access to the beach. As proposed, the retaining wall will not adversely impact access along the walkway. Therefore, the Commission finds, that as proposed the project will be consistent with Section 30211 of the Coastal Act.

D. Natural Hazards

Section 30253 of the Coastal Act provides in part:

New Development shall:

- (1) *Minimize risks to life and property in areas of high geologic, flood, and fire hazards.*

(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.

The proposed retaining wall will be located along the rear property line. The purpose of the wall is to retain and support the rear yard area. The existing residential structure is supported by an existing retaining wall, which is located approximately 2 to 5 feet from the foundation for the residence and 12 feet from the proposed retaining wall. The existing retaining wall for the residence will not be altered.

The proposed wall has been designed by a civil and structural engineer, and has been reviewed by the City of Los Angeles. As proposed, the project will not create nor contribute to erosion and will provide geologic stability to the site. Furthermore, the project will be located in an area previously altered, and will not substantially alter the existing landform. The Commission, therefore, finds the project consistent with Section 30253 of the Coastal Act.

E. Local Coastal Program

(a) 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.

The Del Rey Lagoon Specific Plan, which encompasses the Westchester-Playa del Rey area, was approved by the General Plan Advisory Board of the City of Los Angeles on May 21, 1980. Revisions were incorporated into the plan based on comments from Citizen Advisory Committee meetings on July 9, 1980 and October 21, 1980, a public meeting on July 22, 1980, and a City Planning Commission hearing on October 27, 1980. The policy portion of the plan was reformatted into a District Plan Amendment and approved by the General Plan Advisory Board on March 4, 1981. The Commission reviewed and approved with modifications the Local Coastal Program, however, the City did not accept the Commission's approval. Neither the Land Use Plan nor the Implementation Plan portions of the Local Coastal Program are certified.

The proposed development is consistent with the public access, recreation, and community character policies of Chapter Three of the Coastal Act. The Commission finds that approval of the proposed development will not prejudice the City's ability to prepare a certified Land Use Plan or a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

F. CEQA

Section 13096 of the Commission's 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 impact 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.

MAP

RECEIVED
OCT 31 2001

CALIFORNIA
COASTAL COMMISSION

5-01-427

PROJECT LOCATION
223 E. REES
PLAYA del RET

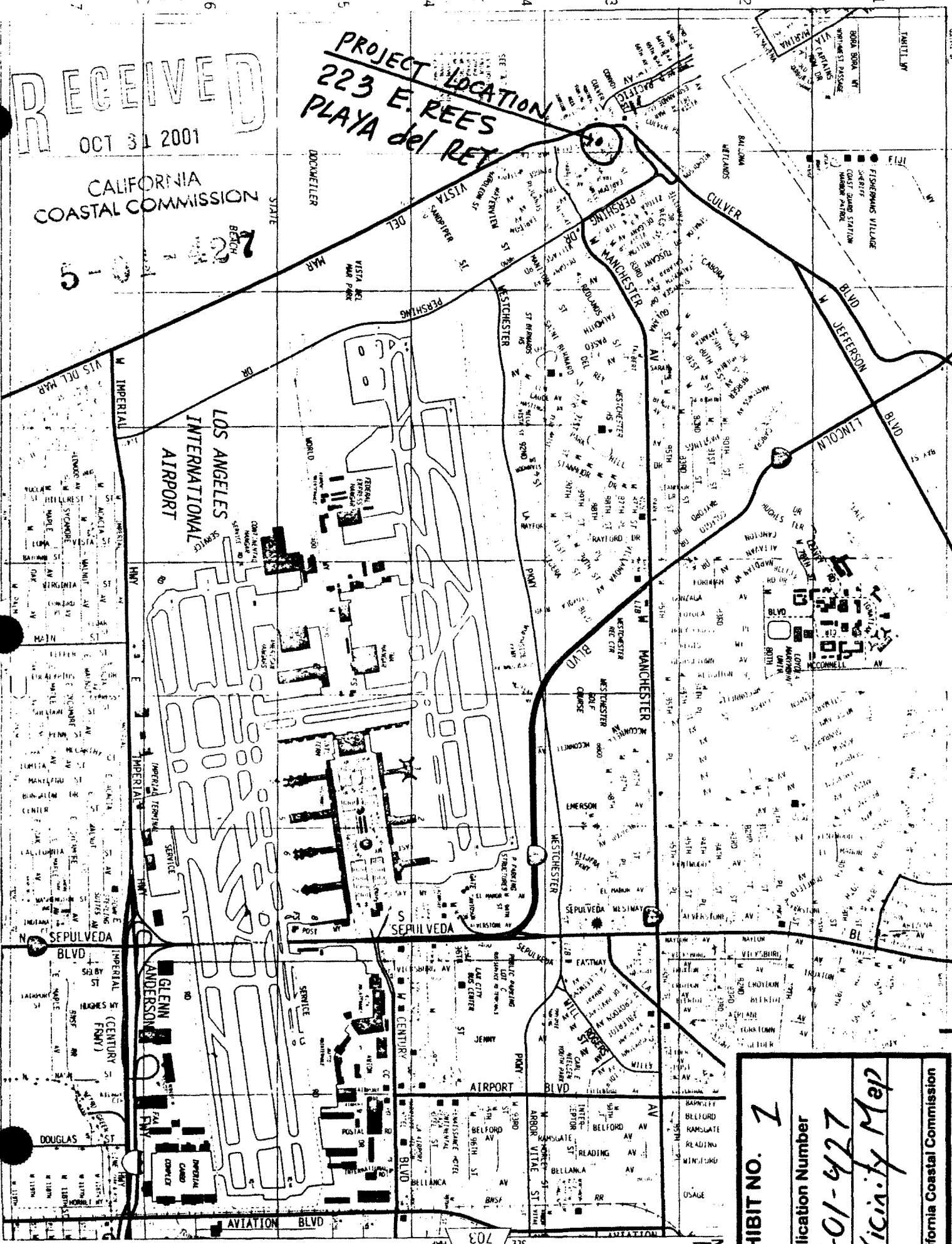


EXHIBIT NO. 1
Application Number
5-01-427
Vicinity Map
California Coastal Commission

THIS MAP MAY OR MAY NOT BE A SURVEY OF THE LAND DEPICTED HEREON. YOU SHOULD NOT RELY UPON IT FOR ANY PURPOSE OTHER THAN ORIENTATION TO THE GENERAL LOCATION OF THE PARCEL OR PARCELS DEPICTED. FIRST AMERICAN EXPRESSLY DISCLAIMS ANY LIABILITY FOR ALLEGED LOSS OR DAMAGE WHICH MAY RESULT FROM RELIANCE UPON THIS MAP.

4116 14
SCALE 1" = 60'

REVISED
1945-53

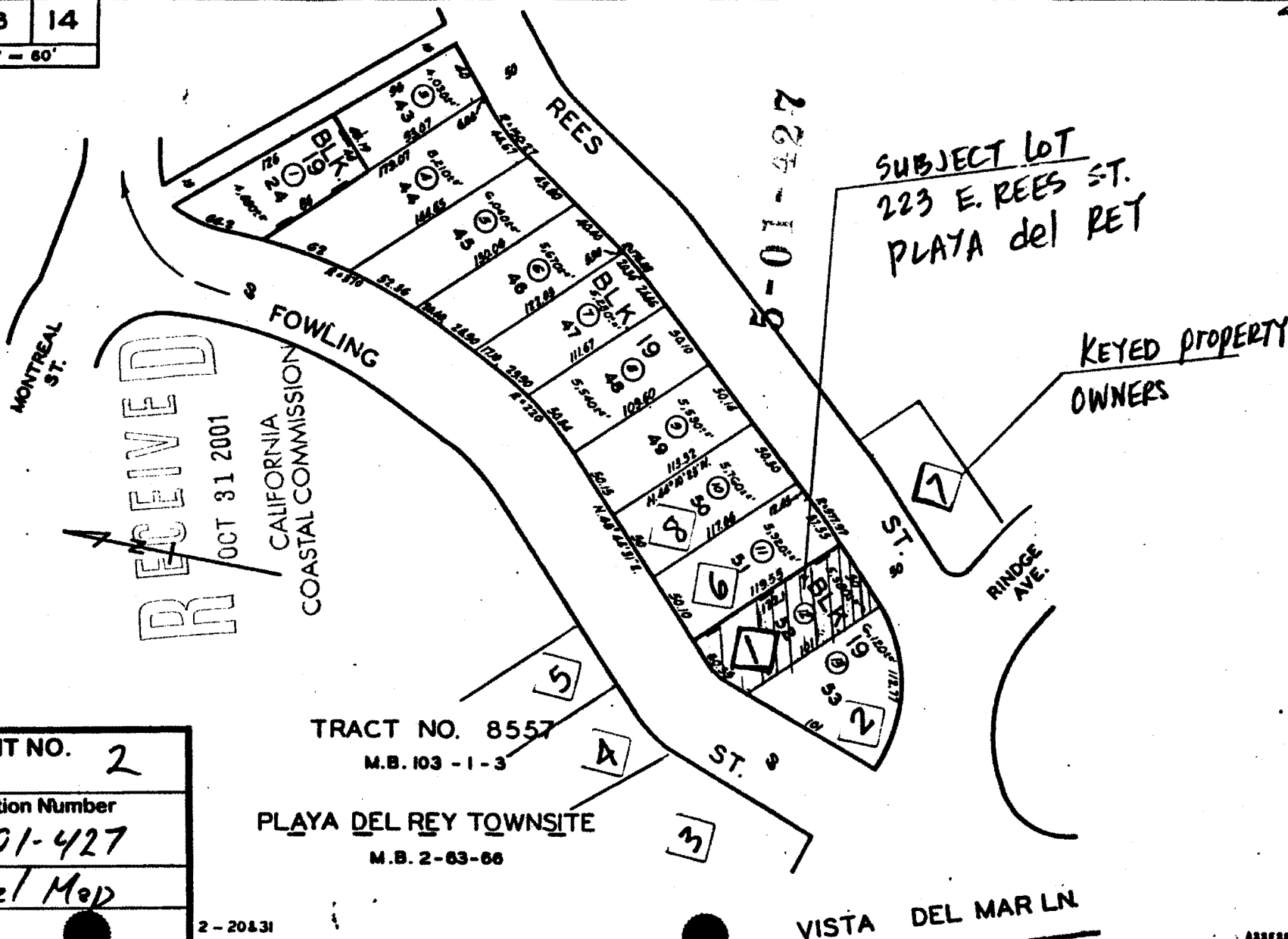


EXHIBIT NO.	2
Application Number	5-01-427
Parcel Map	
California Coastal Commission	

TRACT NO. 8557
M.B. 103 - 1 - 3
PLAYA DEL REY TOWNSITE
M.B. 2 - 63 - 66

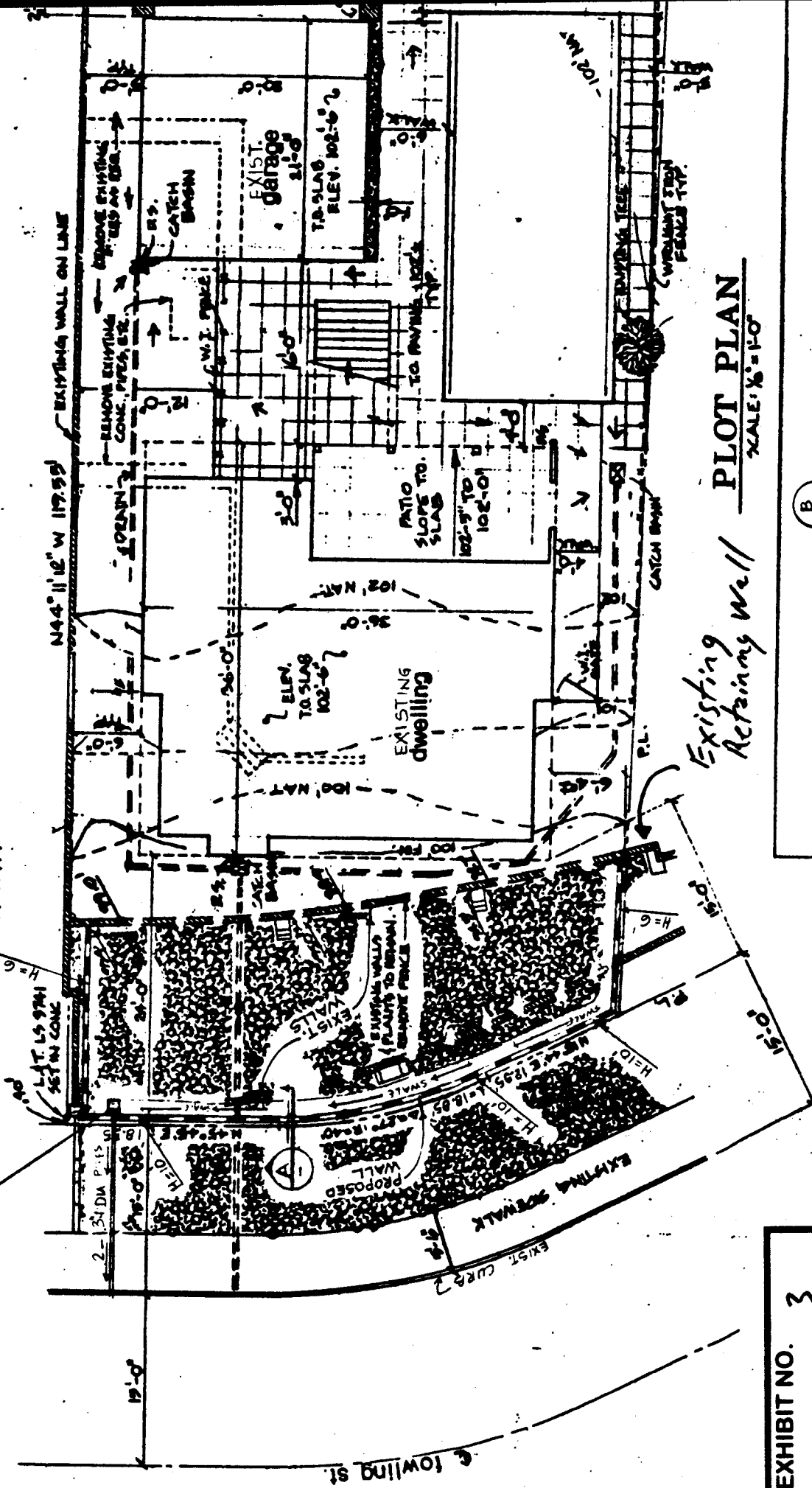
2 - 20431

VISTA DEL MAR LN

ADDRESS
COUNTY OF LOS ANGELES, CALIF.

Proposed Retaining Wall

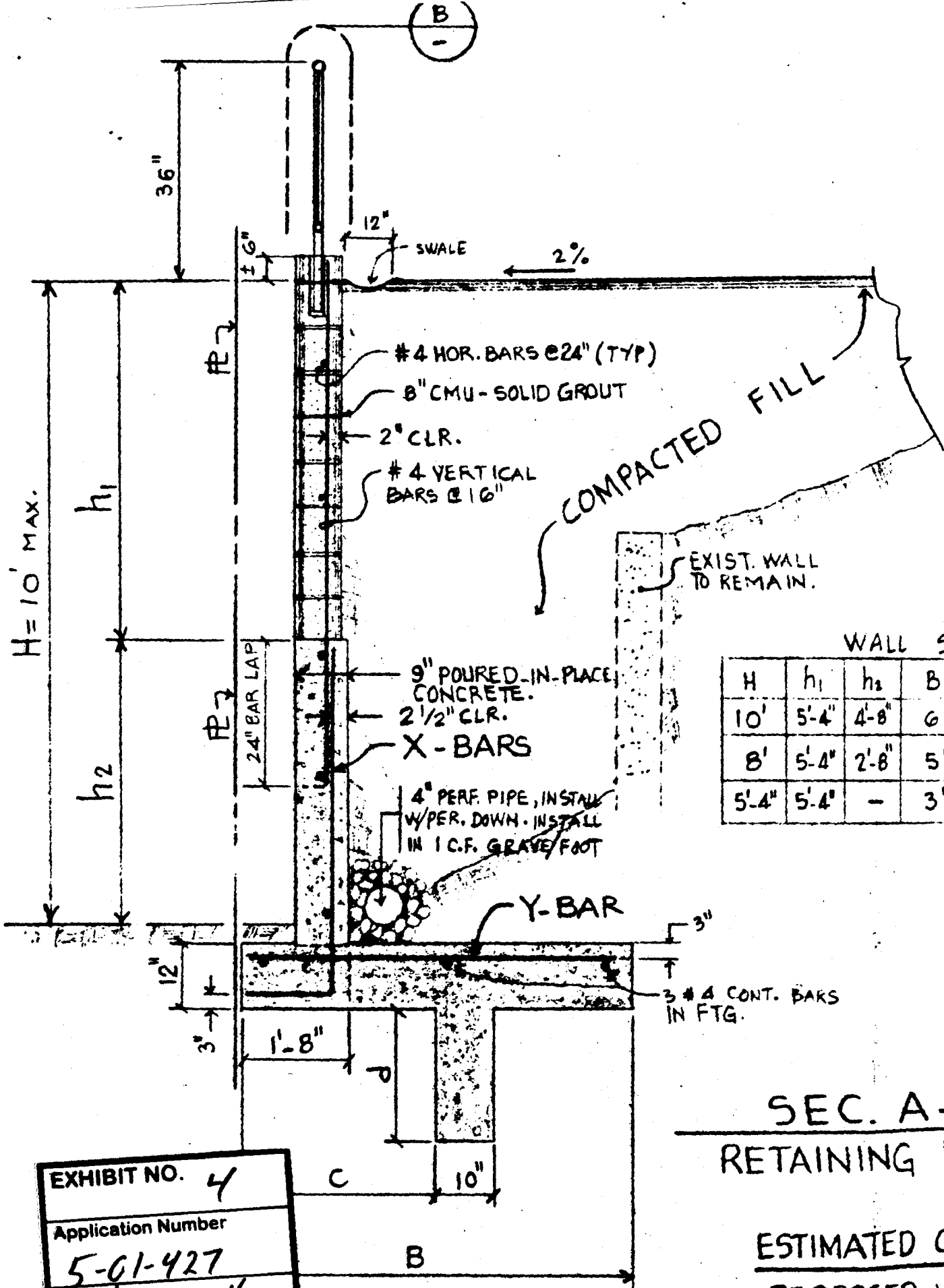
PROJECT NORTH



PLOT PLAN
SCALE: 1/8" = 1'-0"

Existing Retaining Wall

EXHIBIT NO.	3
Application Number	501-427
Site Plan	
California Coastal Commission	



WALL SC				
H	h ₁	h ₂	B	
10'	5'-4"	4'-8"	6'	24
8'	5'-4"	2'-8"	5'	18
5'-4"	5'-4"	-	3'	15

SEC. A-A RETAINING WALL

ESTIMATED QUANTITY
PROPOSED WORK

EXHIBIT NO. 4
Application Number 5-01-427
Retaining Wall
Design Plan
California Coastal Commission