

CALIFORNIA COASTAL COMMISSION

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**RECORD PACKET COPY****Item Th 19i**

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Staff: KT-LB
Staff Report: May 22, 2001
Hearing Date: June 12-15, 2001
Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NUMBER: 5-01-089

APPLICANT: Dorene Rooney Stone

AGENT: Subtec, Attn: Cheryl Vargo

PROJECT LOCATION: 7025/7027 Trolleyway, Playa Del Rey, City and County of Los Angeles

PROJECT DESCRIPTION: Demolition of an existing 1,872 square foot duplex residence and construction of a three-story, 35-foot high, 3,338 square foot duplex residence with an attached 624 square foot three-car garage and two unenclosed guest-parking spaces on a 3,096 square foot R3-1 zoned lot.

Lot Area	3,096 square feet
Building Coverage	1,547 square feet
Pavement Coverage	850 square feet
Landscape Coverage	699 square feet
Parking Spaces	5
Zoning	R3-1
Plan Designation	Medium Density Residential
Ht above final grade	35 feet

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending **APPROVAL** of the proposed project subject to four special conditions, two of which require recordation of an "Assumption of Risk" deed restriction and a "No Future Protective Device" deed restriction. The major issue of this staff report concerns beachfront development that could be affected by flooding during strong storm events.

SUBSTANTIVE FILE DOCUMENTS:

1. Del Rey Lagoon Local Coastal Program, March 1981.
2. Regional Interpretive Guidelines for Los Angeles County adopted October 14, 1980.

3. City of Los Angeles Approval in Concept dated January 18, 2001.
4. Coastal Development Permits A-4-5-77-557 (Weikum), A-80-7267 (Placik), 5-00-446 (Campbell), 5-00-448 (Moloney), 5-00-451 (Scott), 5-00-484 (City of Los Angeles) and 5-01-031 (Greene).
5. *Wave Runup Study, 7025-7027 Trolley Way, Playa Del Rey, CA* prepared by Skelly Engineering dated February 2001.

STAFF RECOMMENDATION:

The staff recommends that the Commission **APPROVE** the following resolution with special conditions.

Motion:

I move that the Commission approve Coastal Development Permit No. 5-01-031 pursuant to the staff recommendation.

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

I. RESOLUTION FOR 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. 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 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 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. Assumption of Risk

- A. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to wave up-rush and flooding; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
- B. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, which reflects the above restriction on development. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

2. No Future Shoreline Protective Device

- A. By acceptance of this permit, the applicant agrees, on behalf of himself and all other successors and assigns, that no shoreline protective device(s) shall ever be constructed to protect the subject property approved pursuant to Coastal Development Permit No. 5-01-031, including future improvements, in

the event that the property is threatened with damage or destruction from waves, erosion, storm conditions or other natural hazards in the future. By acceptance of this permit, the applicant hereby waives, on behalf of himself and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.

- B. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, which reflects the above restriction on development. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

3. **Height**

No portion of the proposed structure shall exceed 37 feet in elevation above the existing grade.

4. **Parking**

A minimum of five parking spaces shall be provided and maintained on the site to serve the approved duplex residence.

5. **Revised Plans**

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit revised plans to the Executive Director for review and approval. The revised plans shall show the following changes to the project:

1. Revised the deck to conform to the City's required rear yard setback.

- a) Revise the deck such that it conforms to the required 15-foot rear yard setback, as measured horizontally from the rear property line.

B. The revised plans shall, prior to submittal to the Executive Director, be reviewed and certified by a qualified professional to ensure that they are consistent with the Commission's approval.

C. The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION

The subject site is located at 7025/7027 Trolleyway in Playa Del Rey within the City and County of Los Angeles (Exhibit #1). The site is a beachfront lot located between the first public road and the sea. The 3,096 square foot lot is located between Trolleyway and Dockweiler Beach (Exhibit #2), and is within an existing urban residential area. A bike path is located on the beach approximately 200 feet seaward of the site. The site is located approximately 500 feet southeast of a groin and 2,500 feet southeast of the jetties for Ballona Creek and Marina Del Rey. Additionally, the southern tip of the breakwater for the marina entrance channel is located approximately 2,500 feet northwest of the project site. There is an approximately 500-foot wide sandy beach between the subject property and the mean high tide line (Exhibit #3, pp.1, 3). Vertical public access to this beach is available to pedestrians via a 10-foot wide public right-of-way at the end of Rees Street approximately 60 feet north of the project site and a 25-foot wide public right-of-way at the end of Surf Street approximately 220 feet south of the project site (Exhibits #2 and 4).

The applicant is proposing demolition of an existing duplex and construction of a three-story, 35-foot high (as measured from the centerline of the frontage road) duplex residence totaling 3,338 square feet of living space (Exhibit #5, pp.1-8). The applicant proposes to place a new retaining wall along portions of the south and north property lines. On-site parking for the proposed duplex residence will be provided by a 624 square foot three-car garage located on the first floor and two open guest-parking spaces on the driveway apron, with vehicular access from Trolleyway (Exhibit #5, pp.1-2). The applicant proposes to construct the duplex residence and guest-parking spaces on a 3,096 square foot R3-1 zoned lot in Playa Del Rey. No grading is proposed. No encroachment into City property is proposed.

B. PREVIOUS COMMISSION ACTION IN PROJECT AREA

The Commission has recently been concerned that applicants for new development and residential renovation projects on beachfront lots should record of an "Assumption of Risk" deed restriction and "No Future Shoreline Protective Device" deed restriction acknowledging the risk of building on the shoreline and agreeing not to seek a seawall in the future to protect the new structure. While this project is the first development project on a beachfront lot in Playa Del Rey since the Commission started requiring recordation of these deed restrictions, the Commission has required beachfront projects nearby communities to record these deed restrictions. In the City of Santa Monica, approximately 5 miles north of the site in Playa Del Rey, the Commission recently approved Coastal Development Permit 5-01-031 (Greene) for the demolition of four existing one-story structures and construction of a three-story single family residence on a beachfront lot with the recordation of these deed restrictions. In the City of Los Angeles the Commission recently approved Coastal Development Permit 5-00-484 (City of Los Angeles) for the demolition of an abandoned oil facility and construction of a public skating venue on the beach in Venice, north of Playa Del Rey. The Commission has imposed the same

requirements on residential projects in Hermosa Beach, which is located approximately ten to fifteen miles south of Playa Del Rey. The most recent include Coastal Development Permits 5-00-446 (Campbell), 5-00-448 (Moloney) and 5-00-451 (Scott).

C. HAZARDS

Section 30253 of the Coastal Act states, in part:

New development shall:

- (1) 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.*

Section 30251 of the Coastal Act states that:

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.

1. Wave Runup and Flooding Hazards

The subject property is on a rectangular beach lot approximately 30 feet by 103 feet located at the northern portion of Dockweiler Beach in Playa Del Rey, which is at the south-central section of the Santa Monica Littoral Cell. The lot is adjacent to a very wide sandy beach (Exhibit #3, p.3) and the Pacific Ocean. This approximately 500-foot wide sandy beach presently provides a measure of protection from wave runup and flooding hazards to the homes and other structures in the area. However, beach erosion is seasonal and is subject to extreme storm events that may expose the project to wave runup and subsequent flood damage.

Section 30253 (1) states that new development shall minimize risks to life and property in areas of high geologic, flood, and fire hazard. Since any development on a beachfront site may be subject to flooding and wave attack, the Commission requires wave runup studies for beachfront development to assess the potential hazard from wave attack, flooding and erosion. The wave runup, flooding, and erosion hazard analyses should anticipate wave

and sea level conditions (and associated wave runup, flooding, and erosion hazards) through the life of the development. For a 75 to 100 year structural life, that would be taking the 1982/83 storm conditions (or 1988 conditions) and adding in 2 to 3 feet of sea level rise. The purpose of this analysis is to determine how high any future storm damage may be so the hazards can be anticipated and so that mitigation measures can be incorporated into the project design.

The applicant provided a Wave Runup Study for the subject property, which was prepared by Skelly Engineering, dated February 2001. The Wave Runup Study concludes that the proposed duplex residence will not be subject to hazards from flooding and wave runup during the life of the development (Exhibit #3, pp.4-5).

According to the consultant, the site is on shoreline located at the south-central section of the Santa Monica Littoral Cell. The Wave Runup Study states:

"A littoral cell is a coastal compartment that contains a complete cycle of littoral sedimentation including sources, transport pathways and sediment sinks. The Santa Monica Littoral Cell extends from Point Dume to Palos Verdes Point, a distance of 40 miles. Most of the shoreline in this littoral cell has been essentially stabilized by man. The local beaches were primarily made by man through nourishment as a result of major shoreline civil works projects (Hyperion Treatment Plant, Marina Del Rey, King Harbor, etc.). The up-coast and down-coast movement of sand along the shoreline is mostly controlled by groins, breakwaters and jetties and is generally to the south. A major sink for the beach sands is the Redondo Submarine Canyon located at the entrance to King Harbor" (Exhibit #3, p.1).

There is currently an approximately 500-foot wide sandy beach in front of the proposed development (Exhibit #3, pp.1, 3). The historical width and stability of the beach in front of the project site were assessed by reviewing aerial photographs from the early 1960's to 1981 and aerial photographs taken annually from 1982 through 1999. The report states that "none of the photographs showed that wave runup reached the site over the four-decade time frame" (Exhibit #3, p.2). The stability of the shoreline in front of the site is attributed to its proximity to several stabilizing coastal structures. There is a groin approximately 500 feet northwest of the site and several other groins spaced 1,000 feet or greater apart for a few miles down coast. The jetties for Ballona Creek and Marina del Rey and the breakwater for the marina entrance channel are located approximately 2,500 feet northwest of the site (Exhibit #3, p.2).

The existing development was not adversely affected by the severe storm activities that occurred during the "400 year" wave event of January 18, 1988 (Exhibit #3, p.2). Since the proposed development is no further seaward of existing development, which has escaped storm damage during severe storm events, the proposed development is not anticipated to be subject to wave hazard related damage. Based upon review of aerial photographs and the presence of the breakwater, jetties and groins, the consultant concluded that the shoreline would not erode enough to allow wave runup to reach the site over the next 100 years. Nonetheless, any development on a beachfront site may be subject to future flooding and wave attack as coastal conditions (such as sand supply and sea level)

change. Therefore, the consultant performed a wave runup and overtopping analysis for the site.

The wave analysis presented several facts that indicate that wave runup and overtopping will not reach the property or adversely impact the property over the life of the structure. The wave runup report concludes the following:

"Wave runup and overtopping will not impact this site over the life of the proposed improvement. The proposed development and existing development will neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or adjacent area. There are no recommendations necessary for wave runup protection. The proposed project minimizes risks from flooding" (Exhibit #3, p.4-5).

The Commission's Senior Coastal Engineer reviewed Wave Runup Studies for several similar projects in Los Angeles County and, based on the information provided and subsequent correspondence, concurred with the conclusion of the studies that the sites were not subject to hazards from flooding and wave runup. The proposed development, therefore, can be allowed under Section 30253 of the Coastal Act, which requires new development to "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 device."

Although the applicant's report indicates that the site is safe for now, beach areas are dynamic environments, which may be subject to unforeseen changes. Such changes may affect beach processes, including sand regimes. The mechanisms of sand replenishment are complex and may change over time, especially as beach process altering structures, such as jetties, are modified, either through damage or deliberate design. Therefore, the presence of a wide sandy beach at this time does not preclude wave runup damage and flooding from occurring at the subject site in the future. The width of the beach may change, perhaps in combination with a strong storm event like those which occurred in 1983 and 1988, resulting in future wave and flood damage to the proposed development.

The applicant has chosen to implement the project despite potential risks from wave attack, erosion, or flooding. By choosing to build on a beach, an unstable environment, the applicant has assumed the risks of development on such a site. The Commission routinely imposes conditions for assumption of risk in areas at high risk from hazards. The condition ensures that the applicant understands and assumes the potential hazards associated with development in or near the water. In this way, the applicant is notified that the Commission is not liable for damage as a result of approving the permit for development. The condition also requires the applicant to indemnify the Commission in the event that third parties bring an action against the Commission as a result of the failure of the development to withstand the hazards. In addition, the condition ensures that future owners of the property will be informed of the risks and the Commission's immunity from liability. As conditioned, the Commission finds the proposed project is consistent with Section 30253 of the Coastal Act.

2. No Future Shoreline Protective Device

The Coastal Act limits construction of protective devices because they have a variety of negative impacts on coastal resources, including adverse effects on sand supply, public access, coastal views, natural landforms, and overall shoreline beach dynamics on and off site, ultimately resulting in the loss of beach. Under Coastal Act Section 30235, a shoreline protective structure must be approved if: (1) there is an existing principal structure in imminent danger from erosion; (2) shoreline altering construction is required to protect the existing threatened structure; and (3) the required protection is designed to eliminate or mitigate the adverse impacts on shoreline sand supply.

The Commission has generally interpreted Section 30235 to require the Commission to approve shoreline protection for development only for existing principal structures. The construction of a shoreline protective device to protect new development would not be required by Section 30235 of the Coastal Act. The proposed project involves the construction of a new duplex residence. In addition, allowing the construction of a shoreline protective device to protect new development would conflict with Section 30251 of the Coastal Act, which states that permitted development shall minimize the alteration of natural land forms, including beaches which would be subject to increased erosion from such a device.

In the case of the current project, the applicant does not propose the construction of any shoreline protective device to protect the proposed development. It is not possible to completely predict what conditions the proposed structure may be subject to in the future. Consequently, it is conceivable the proposed structure may be subject to wave runup hazards that could lead to a request for a protective device.

Shoreline protective devices can result in a number of adverse effects on the dynamic shoreline system and the public's beach ownership interests. First, shoreline protective devices can cause changes in the shoreline profile, particularly changes in the slope of the profile resulting from a reduced beach berm width. This may alter the usable area under public ownership. A beach that rests either temporarily or permanently at a steeper angle than under natural conditions will have less horizontal distance between the mean low water and mean high water lines. This reduces the actual area in which the public can pass on public property.

The second effect of a shoreline protective device on access is through a progressive loss of sand as shore material is not available to nourish the bar. The lack of an effective bar can allow such high wave energy on the shoreline that materials may be lost far offshore where it is no longer available to nourish the beach. A loss of area between the mean high water line and the actual water is a significant adverse impact on public access to the beach.

Third, shoreline protective devices such as revetments and bulkheads cumulatively affect shoreline sand supply and public access by causing accelerated and increased erosion on adjacent public beaches. This effect may not become clear until such devices are constructed individually along a shoreline and they reach a public beach. As set forth in

earlier discussion, Playa Del Rey is currently characterized as having a wide sandy beach (Exhibit #3, p.3). However, the width of the beach can vary, as demonstrated by severe storm events. The Commission notes that if a seasonal eroded beach condition occurs with greater frequency due to the placement of a shoreline protective device on the subject site, then the subject beach would also accrete at a slower rate. The Commission also notes that many studies performed on both oscillating and eroding beaches have concluded that loss of beach occurs on both types of beaches where a shoreline protective device exists.

Fourth, if not sited in a landward location that ensures that the seawall is only acted upon during severe storm events, beach scour during the winter season will be accelerated because there is less beach area to dissipate the wave's energy. Finally, revetments, bulkheads, and seawalls interfere directly with public access by their occupation of beach area that will not only be unavailable during high tide and severe storm events, but also potentially throughout the winter season.

Section 30253 (2) of the Coastal Act states that new development shall neither create nor contribute to erosion or geologic instability of the project site or surrounding area. Therefore, if the proposed structure requires a protective device in the future it would be inconsistent with Section 30253 of the Coastal Act because such devices contribute to beach erosion.

In addition, the construction of a shoreline protective device to protect new development would also conflict with Section 30251 of the Coastal Act. Section 30251 states that permitted development shall minimize the alteration of natural land forms, including sandy beach areas, which would be subject to increased erosion from shoreline protective devices. The development is not subject to wave runup and flooding. Based on the information provided by the applicant, no mitigation measures, such as a seawall, are anticipated to be needed in the future. The coastal processes and physical conditions are such at this site that the project is not expected to engender the need for a seawall to protect the proposed development. There currently is a wide sandy beach in front of the proposed development that provides substantial protection from wave activity.

To further ensure that the proposed project is consistent with Sections 30251 and 30253 of the Coastal Act, and to ensure that the proposed project does not result in future adverse effects to coastal processes, the Commission imposes Special Condition 2. Special Condition 2 requires the applicant to record a deed restriction that would prohibit the applicant, or future land owner, from constructing a shoreline protective device for the purpose of protecting any of the development proposed as part of this application. This condition is necessary because it is impossible to completely predict what conditions the proposed structure may be subject to in the future.

The Commission has required deed restrictions that prohibit construction of shoreline protective devices for new development on beachfront lots throughout Los Angeles County and Orange County. The "No Future Shoreline Protective Device" condition is consistent with prior Commission actions for development along beaches in Los Angeles County. For instance, the Commission approved Coastal Development Permits 5-00-446 (Campbell),

5-00-448 (Moloney), 5-00-451 (Scott) and 5-01-031 (Greene) with the "No Future Shoreline Protective Device" condition.

By receiving recordation of a deed restriction agreeing that no shoreline protective devices shall ever be constructed to protect the development approved by this permit, the Commission makes it clear that its approval is based on the understanding the house will be safe from potential wave runup and flooding damage. Based on Special Condition 2, the Commission also requires that the applicant remove the structure if any government agency has ordered that the structure be removed due to wave runup and flooding hazards. In addition, in the event that portions of the development are destroyed on the beach before they are removed, the landowner shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit.

As conditioned, the Commission finds that the proposed project is consistent with Section 30251 of the Coastal Act, which requires that permitted development shall minimize the alteration of natural land forms, and Section 30253, which requires that geologic and flood hazards be minimized, and that stability and structural integrity be assured.

3. Conclusion

The Commission finds that hazards potentially exist from wave runup and flooding at the subject site. Therefore, to ensure that the proposed project is consistent with Sections 30251 and 30253 of the Coastal Act and to ensure that the proposed project does not result in future adverse effects to coastal processes, Special Conditions 1 and 2 require the applicant to record "Assumption of Risk" and "No Future Shoreline Protective Device" deed restrictions. As conditioned, the Commission finds that the proposed project is consistent with Coastal Act Sections 30251 and 30253.

D. COMMUNITY CHARACTER/VISUAL QUALITY

Section 30251 of the Coastal Act states, in part:

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....

This section of Playa del Rey, referred to as the "Duplex Area" in the LUP (Exhibit #6), consists of mostly older duplex residences (approximately 40 years old) and some newer residences on single lots. The residences on average have a total living area of approximately 3,000 square feet. The proposed 3,338 square foot living area of the proposed duplex residence is consistent with the final area (3,616 square feet) approved by the Commission for an addition to a duplex residence at 6959/6961 Trolleyway permitted under CDP A-4-5-77-557 (Weikum). It is also consistent with the average living

area of approximately 3,000 square feet for duplex residences identified in the Commission approved LUP.

The first floor has a total floor area of 1,582 square feet, composed of a 624 square foot three-car garage and an 858 square foot residential unit. The second and third floors have 1,626 and 853 square feet square feet of floor area, respectively. The floor length of the first and second floors is approximately 67 feet, whereas the floor length of the third floor is approximately 35 feet. The proposed structure, having a top floor that is approximately one-half the length of lower floors, has a layout that is consistent with the layout depicted as "Sample Layout 1" in the approved LUP (Exhibit #7). The Commission, in its approval of the LUP, found that a structure with the proposed layout, floor area and height is consistent with the bulk of other residences in Playa del Rey.

In order to protect community character and visual quality, Special Condition 3 limits the development to a maximum of 37 feet above the grade of the centerline of the frontage road. Although the height exceeds the height limit named in the Regional Interpretive Guidelines of 25 feet for residences seaward of Trolleyway, it is consistent with the height limit approved by the Commission in its approval of the Local Coastal Program. Furthermore, the Commission has referred to the LUP to determine allowable height limits for CDP's approved in the past. For example, the Commission approved CDP A-4-5-77-557 (Weikum) for an addition to a duplex residence at 6959/6961 Trolleyway resulting in an increased height of 31 feet. The Commission also approved CDP A-80-7267 (Placik) for an addition to a duplex at 7025/7027 Trolleyway, the subject site, resulting in an increased height of 29 feet. The proposed roof height of 29 feet combined with the 6-foot high parapet results in a height of 35 feet (Exhibit #5, pp.7-8). The proposed height of 35 feet is consistent with the general height of residences seaward of Trolleyway, which on average range from 20 to 37 feet in height.

The proposed project has a height of 35 feet (Exhibit #5, pp.7-8) as measured from the centerline of the frontage road. Therefore, the proposed duplex residence complies with the 37-foot height limit for Playa Del Rey identified in the Commission approved LUP and previous Commission approvals. The proposed residence is consistent with the bulk of nearby residences in terms of floor area, layout and height. The lot is relatively flat and no grading is proposed; therefore, the proposed project minimizes alteration of landform. A planter will be located along a portion of the south property line and will provide an area for onsite percolation. Drainage from the driveway will be directed to the existing storm drain via a drain located at the bottom of the driveway in front of the garages. All other drainage will be directed to the existing storm drain on Trolleyway.

The proposed residence is setback approximately 20 feet (Exhibit #5, p.2) and the second floor deck is setback approximately 11 feet (Exhibit #5, p.3) from the seaward property line. The proposed deck setback is not consistent with the City's required rear yard setback of 15 feet from the property line. The City and Coastal Commission require minimum rear yard setbacks on beachfront lots to provide a buffer zone between residents and the public on the adjacent beach. Without enforcement of minimum setbacks, homeowners would be able to build decks up to their property line. This would result in a private residential use abutting public property and would not provide a buffer between the residential structure and the public beach. This may serve to negatively impact the

experiences of both residents and visitors to the beach. Additionally, allowing a deck to encroach into the minimum required rear yard setback would negatively impact the visual quality of the lot as viewed by the public on the beach, as opposed to providing an open buffer zone for ground level residential uses. Condition 5 requires the applicant to provide revised plans showing a revised deck set back a minimum of 15 feet from the property line.

As conditioned, the scenic and visual qualities of the area will not be negatively impacted by the proposed structure. In order to ensure that the proposed project is constructed within the allowable height limit, the approval is conditioned to limit the roof height to 37 feet. No portion of the structure shall exceed 37 feet in elevation above the grade as measured from the centerline of the frontage road unless approved by an amendment to this coastal development permit. Only as conditioned is the proposed project consistent with Section 30251 of the Coastal Act.

E. PUBLIC ACCESS/PARKING

The beach and bike path are public recreational resources. The Commission has imposed Special Condition 4 to protect the quality of that recreational experience by preserving public parking that supports public recreational use of the beach and bike path. The Commission has consistently found that a direct relationship exists between residential density, the provision of adequate parking, and the availability of public access to the coast.

Section 30252 of the Coastal Act states, in part:

The location and amount of new development should maintain and enhance public access to the coast by... (4) providing adequate parking facilities....

To assure the development has adequate parking for the owners' uses Special Condition 4 is imposed to provide for five on-site parking spaces. In this case, the proposed project provides a three-car garage and two guest-parking spaces adjacent to the driveway (Exhibit #5, pp.1-2). Therefore, the proposed project provides an adequate parking supply for the proposed duplex residence and preserves on-street public parking. The proposed project is consistent with prior Commission decisions for Playa Del Rey that required two parking spaces per residential unit and provisions for guest parking. The Commission finds that, only as conditioned to maintain the proposed five on-site parking spaces, is the proposed project consistent with Section 30252 of the Coastal Act.

F. LOCAL COASTAL PROGRAM

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act:

(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 (commencing with Section 30200). A denial of a Coastal Development Permit on grounds it would 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) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

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 as conditioned 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, as conditioned, 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).

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096 Title 14 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 that the activity may have on the environment.

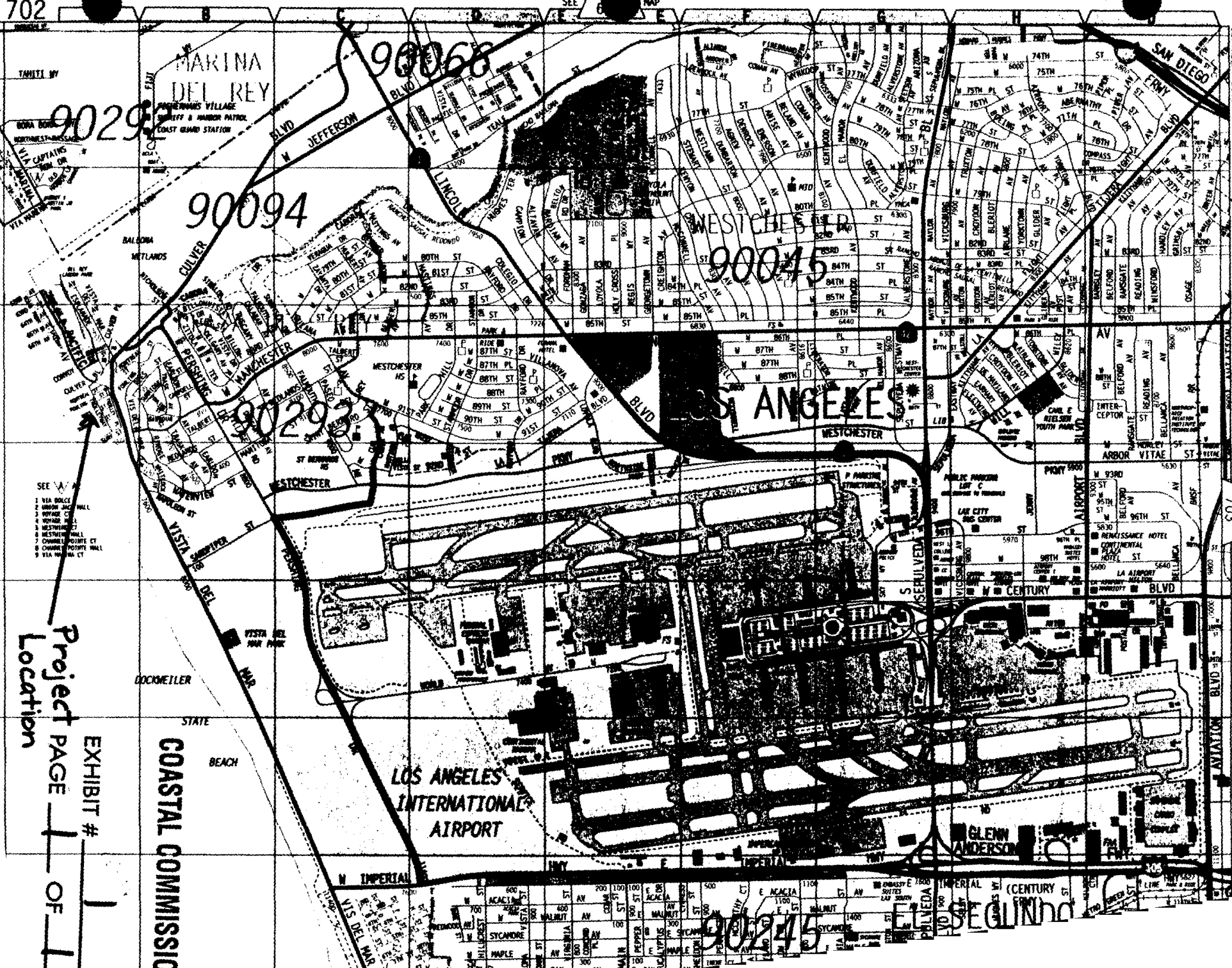
The proposed project, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. All adverse impacts have been minimized and there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

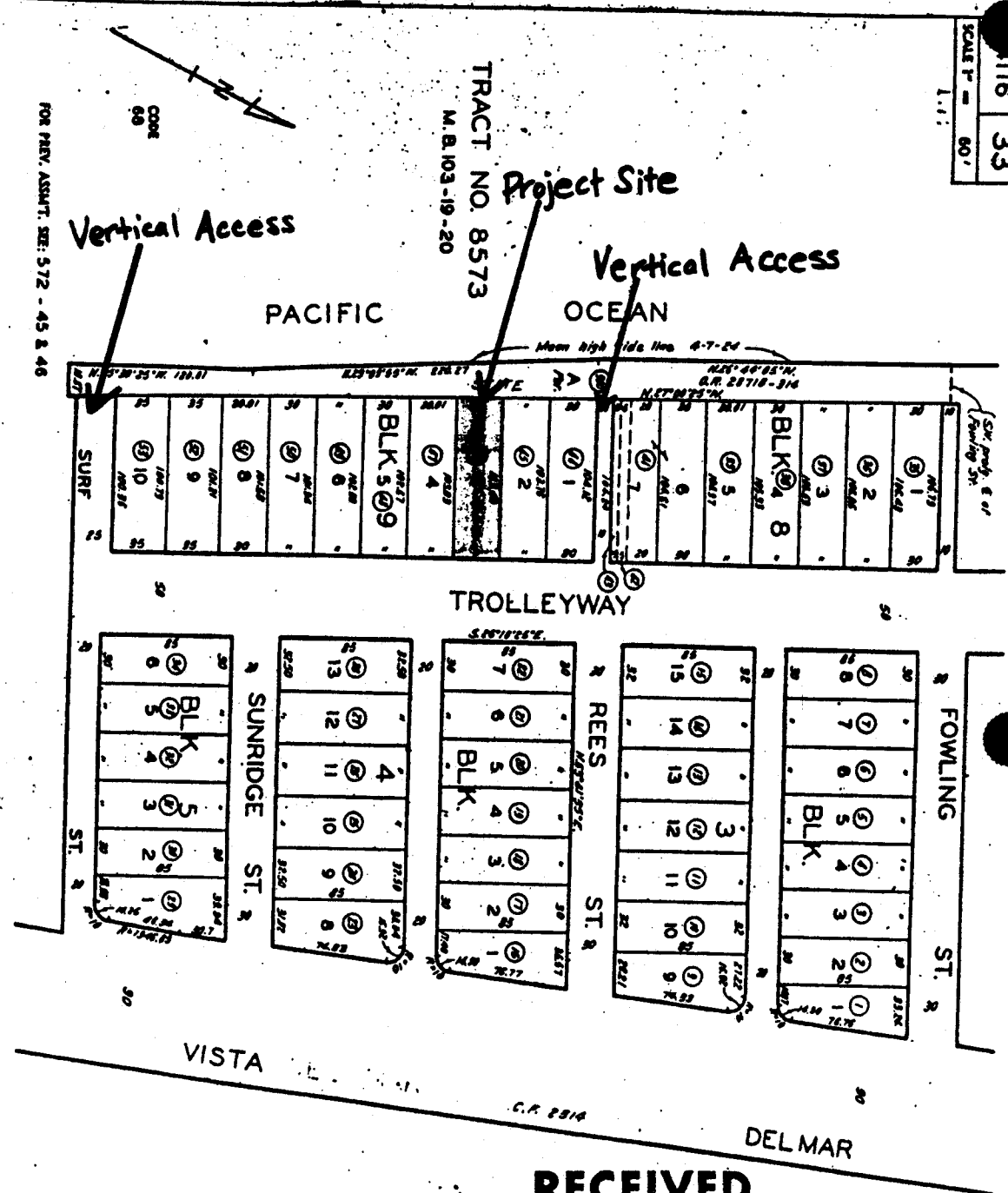
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EXHIBIT # 2
PAGE 1 OF 1

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I. INTRODUCTION

The purpose of this wave runup study is to determine if the proposed development will be subject to wave runup or wave attack over the typical life (75 years) of the development. If the property will be subject to wave runup or wave attack, the analysis will discuss how frequently it will occur, what the predicted water volume and water height will be on the site, and how, if necessary, to manage the overtopping waters. The analysis also will determine if the site will be subject to direct wave attack over the project life. If the site is subject to direct wave attack then the analysis will include design parameters for wave forces. The analysis uses design storm conditions typical of the February 1998, January 18-19, 1988 and winter of 1982-83 type storm waves and beach conditions.

The subject site, 7025-7027 Trolley Way, Playa del Rey, is a rectangular lot approximately 30' X 103'. There is an existing structure on the lot, see Photograph 1. The lot is fronted by a very wide sand beach (approximately 500 feet wide) and the Pacific Ocean. About 200 feet from the ocean front property line is a coastal boardwalk. This shoreline is located at the south central portion end of the Santa Monica Littoral Cell. A littoral cell is a coastal compartment that contains a complete cycle of littoral sedimentation including sources, transport pathways and sediment sinks. The Santa Monica Littoral Cell extends from Point Dume to Palos Verdes Point, a distance of 40 miles. Most of the shoreline in this littoral cell has been essentially stabilized by man. The local beaches were primarily made by man through nourishment as a result of major shoreline civil works projects (Hyperion Treatment Plant, Marina Del Rey, King Harbor, etc.). The up-coast and down-coast movement of sand along the shoreline is mostly controlled by groins, breakwaters, and jetties and is generally to the south and southeast. A major sink for the beach sands is the Redondo Submarine Canyon located at the entrance to King Harbor.



Photograph 1. Site photo January 24, 2001

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The shoreline in front of this site is very stable due to its proximity to several stabilizing coastal structures (see Photographs). To the northwest of the site is a groin (500 feet), the jetties for Ballona Creek and Marina del Rey (2,500 feet), and the breakwater for the marina entrance channel (2,500 feet). Down coast (to the southeast) is a series of groins spaced about 1000 feet or greater apart for a few miles. These structures in combination essentially stabilize the shoreline. However, even though this section of shoreline has been determined to be stable over the long term, the site is subject to short term seasonal erosion from extreme storms. This short term erosion from extreme tides and waves has resulted in the temporary narrowing of the beach, and in some other areas within the littoral cell, damage to the coastal structures.

II. DATUM & DATA

The datum used in this report is Mean Sea Level (MSL), which is +0.14 feet National Geodetic Vertical Datum (NGVD). The units of measurement in this report are feet (ft), pounds force (lbs), and second (sec). A topographic map prepared by Denn Engineers, Dated October 10, 2000 was used for site elevations. The NOAA Nautical Chart #18744 was used to determine bathymetry. Aerial photographs, from the early 1960's to 1981 and aerial photographs taken annually from 1982 thru 1999, were reviewed for shoreline changes. Architectural drawings of the proposed development, prepared by Pat Killen Architect, were also reviewed. The site was inspected by the undersigned on January 24, 2001.

III. SITE BEACH EROSION & WAVE ATTACK

In order to determine the potential for wave runup to reach the site historical aerial photographs over the last four decades were reviewed. None of the photographs showed that wave runup reached site over the four-decade time frame. Photograph 2, taken on January 19, 1988 the day after the "400 year" wave event, shows the eroded beach in front of the site. However, the beach did not erode back to the site and wave runup did not reach the property. Photograph 3, taken in January 1999, shows what could be described as the normal beach width (about 500 feet). A review of the annual aerial photographs over the last 20 years shows a very wide beach even though the photos were taken in the winter and spring, when the beach is seasonally the narrowest. Based upon review of the aerial photographs, it is highly unlikely that the shoreline will erode back far enough to allow direct wave attack or wave runup attack at the site. This is due to the close proximity of stabilizing structures to the site. While extremely unlikely, under severely eroded beach conditions and extreme storms in the future, wave runup may reach the site. In order to determine the impact of runup reaching the site a runup and overtopping analysis will be performed.

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Photograph 2. Coastal setting and wave runup after January 18, 1988 extreme event storm waves.



Photograph 3. Normal beach conditions.

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The calculated overtopping rate for the eroded beach conditions a relatively small 1.3 ft³/s-ft. This flow rate would account for water depths of about 4 inches. These rare event overtopping waters may reach the seaward side of the site under the extreme design conditions. However, the beach in front of the site is at about +13.4' MSL and has a 32 inch high wall on the seaward side so the few inches foot of water will not overtop the wall and impact the site. The frequency of this type of extreme oceanographic conditions is about once every 100 years.

VI. CONCLUSIONS AND RECOMMENDATIONS

Prediction of runup and overtopping on a beach during extreme storm events is a very complex problem. The flow rates presented here represent what is defined as flow which is sustained by continuous volume flow, even though it will actually occur with the cycle of the waves. The calculations made herein use state of the art methods, yet they are based on several simplifying assumptions (see Chapter 7 of SPM). There are several facts that indicate that wave runup and overtopping will not reach the site or adversely impact the site over the life of the structure.

- There is a very wide (500 feet) sandy beach in front of the site 99.9% of the time.
- A review of aerial photographs over the last four decades shows little overall shoreline retreat in general and a wide sand beach even at times when the beach is seasonally at its narrowest.
- The shoreline is stable with no erosion and there is no reason to assume that this will change over the life of the structure. In addition, 200' width of beach (approximately) is recognized by coastal engineers as a sufficiently wide enough beach to provide back-shore protection.
- The site has not been subject to significant wave runup attack in the past, even during the most extreme El Nino events.
- The runup analysis shows that the 100 year wave runup event will not reach the site.
- The presence of the 32 inch high wall on the southwestern side of the site will prevent wave overtopping from reaching the site.

In conclusion, wave runup and overtopping will not impact this site over the life of the proposed improvement. The proposed development and existing development will

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neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or adjacent area. There are no recommendations necessary for wave runup protection. The proposed project minimizes risks from flooding. However, the site is relatively low-lying and proper site drainage and drainage control will be necessary.

VII. CERTIFICATION

This report is prepared in accordance with accepted standards of engineering practice, based on the site conditions, the materials observed and historical data reported. No warranty is expressed or implied.

VIII. REFERENCES

Coastal Construction Manual, 1986 FEMA (Federal Emergency Management Agency) Ref # FEMA-55

Shore Protection Manual, 1984, 4th ed. 2 Vols, US Army Engineer Waterways Experiment Station, Coastal Engineering Research Center, US Government Printing Office, Washington, DC.

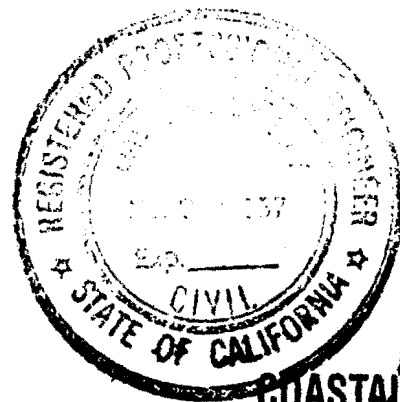
USACOE (US Army Corps Of Engineers), 1986, "Southern California Coastal Processes Data Summary" Ref # CCSTW 86-1.

IX. COPYRIGHT

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Respectfully Submitted,

David W. Skelly, MS
RCE #47857



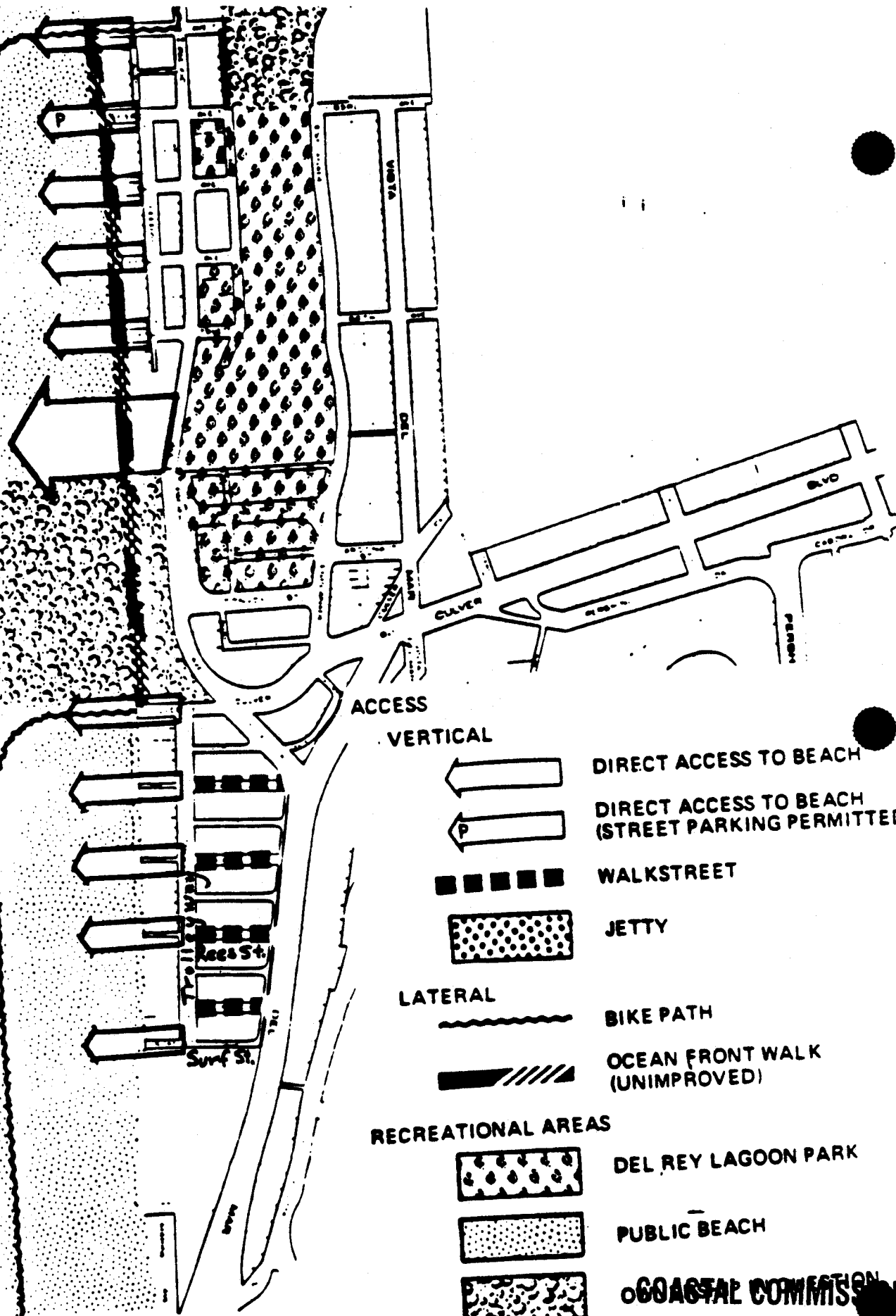
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PAGE 5 OF 5

PACIFIC OCEAN

PACIFIC OCEAN



ACCESS

VERTICAL



DIRECT ACCESS TO BEACH



DIRECT ACCESS TO BEACH
(STREET PARKING PERMITTED)



WALKSTREET



JETTY

LATERAL



BIKE PATH



OCEAN FRONT WALK
(UNIMPROVED)

RECREATIONAL AREAS



DEL REY LAGOON PARK



PUBLIC BEACH



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ACCESS & RECREATIONAL AREAS

EXHIBIT #

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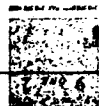
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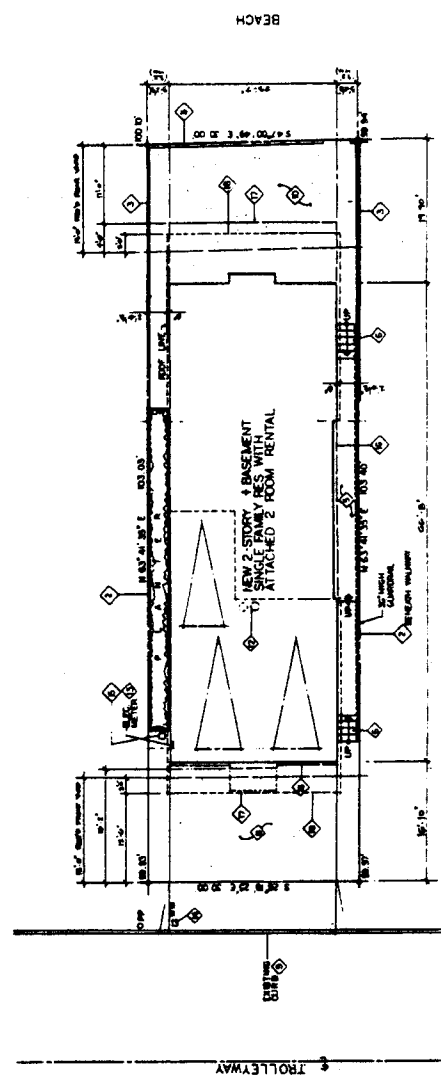
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STONE RESIDENCE
702527 TROLLEYWAY PLAYA DEL REY, CA

STUDIO
ARCHITECTURE



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 2. NEW EXISTING WALL & PROPERTY LINE
 3. EXISTING WALL & PROPERTY LINE
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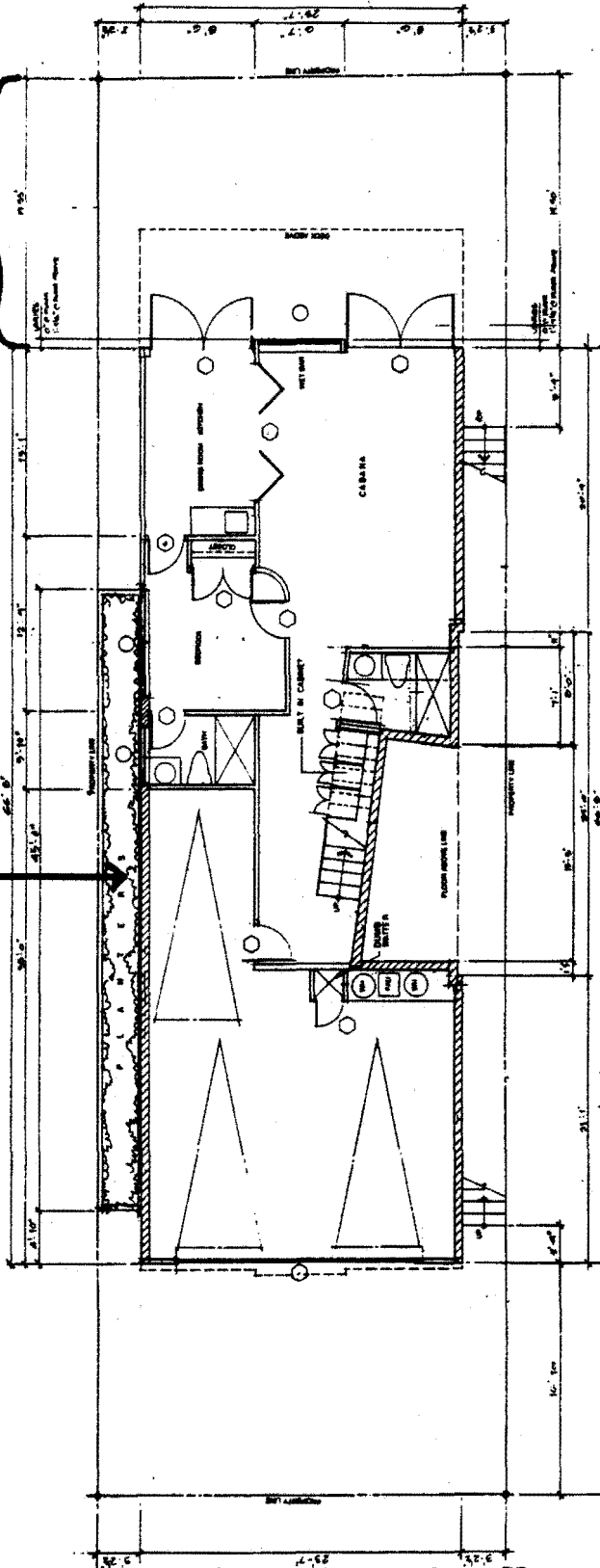


SITE PLAN
1/8" = 1'-0"

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Setback

Landscaping



BASMENT FLOOR PLAN

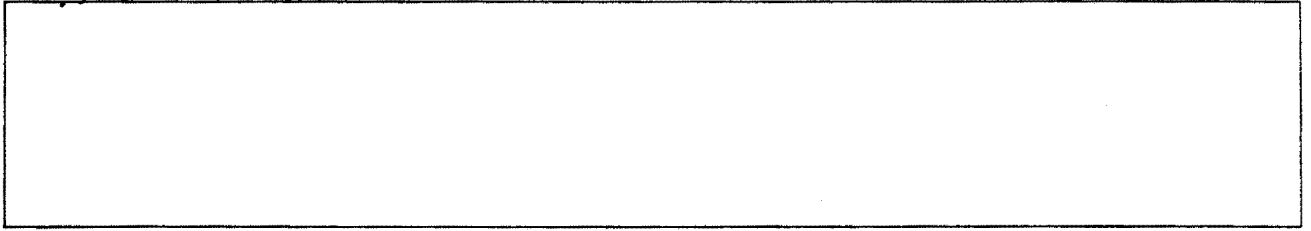
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ARCHITECTS

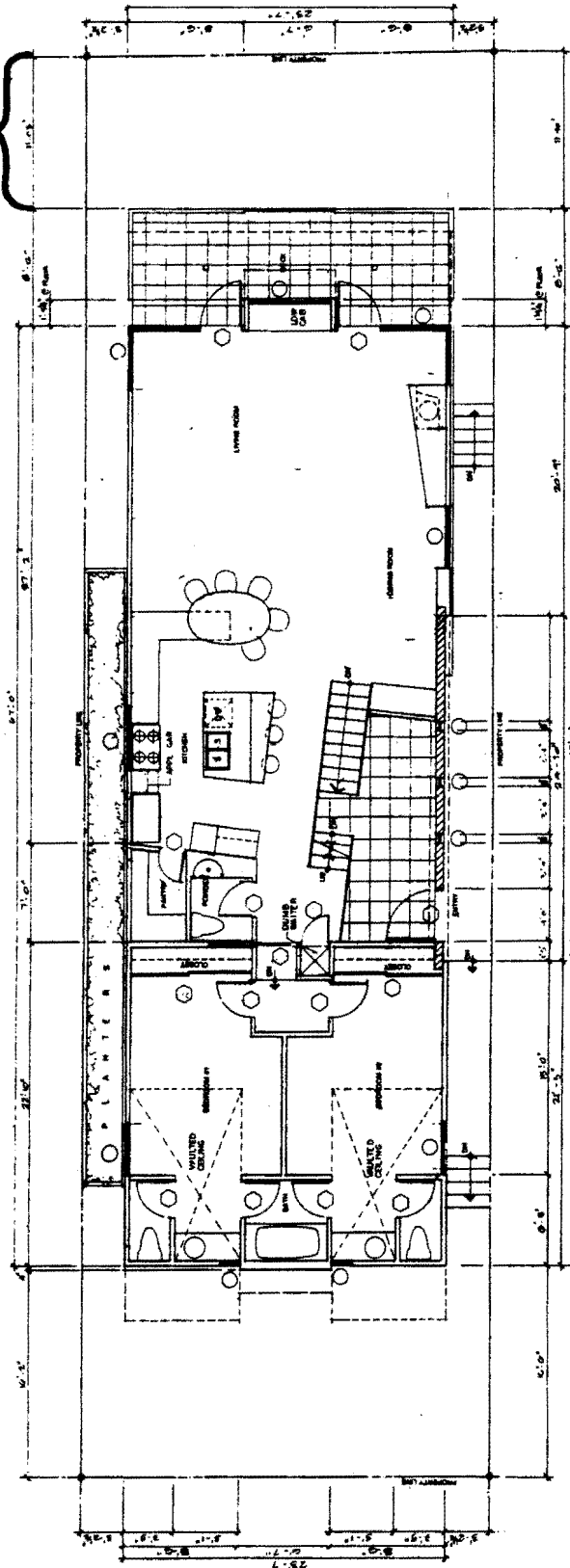
STONE RESIDENCE
7025/27 TROLLEYWAY PLAZA DEL REY, CA

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Deck Setback

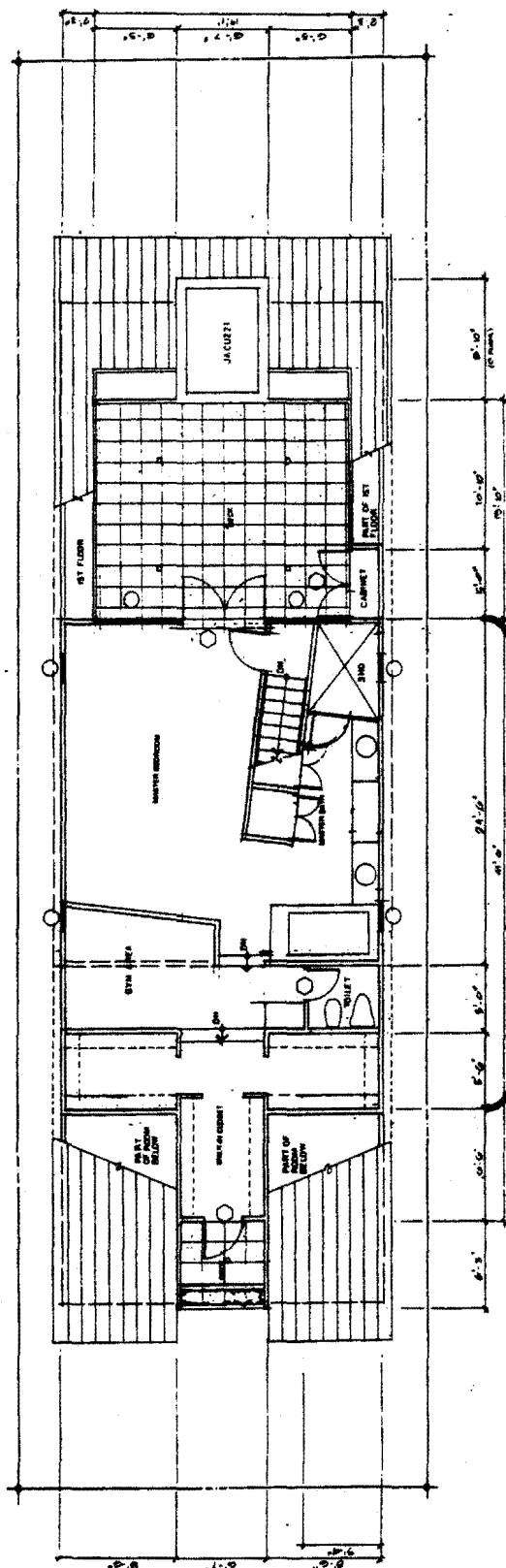
Note: Required
rear yard setback
is 15 feet.



FIRST FLOOR PLAN
1/8\"/>

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SECOND FLOOR PLAN

Length of 3rd Floor

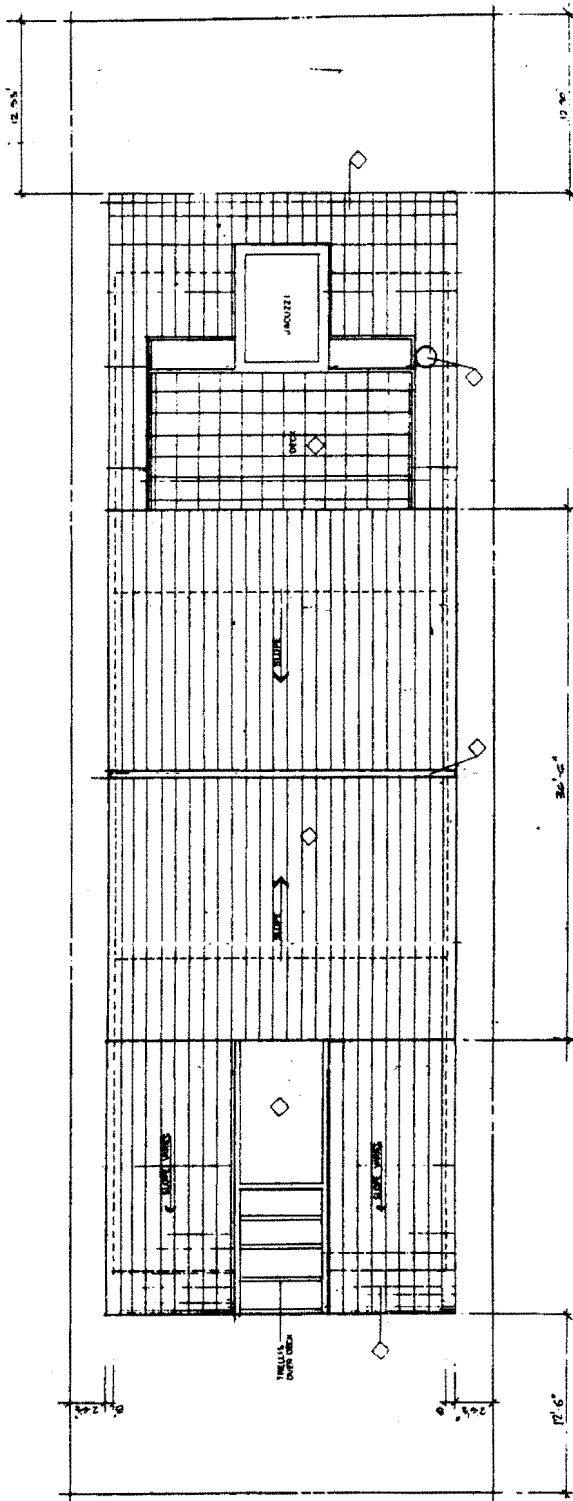
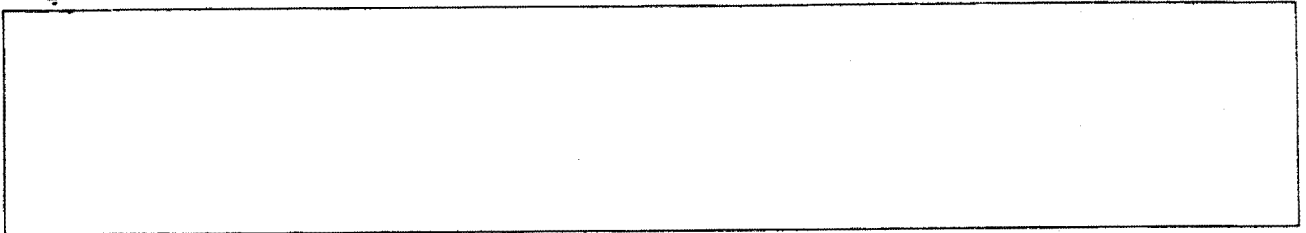
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STONE RESIDENCE
7025/27 TROLLEYWAY PLAYA DEL REY, CA

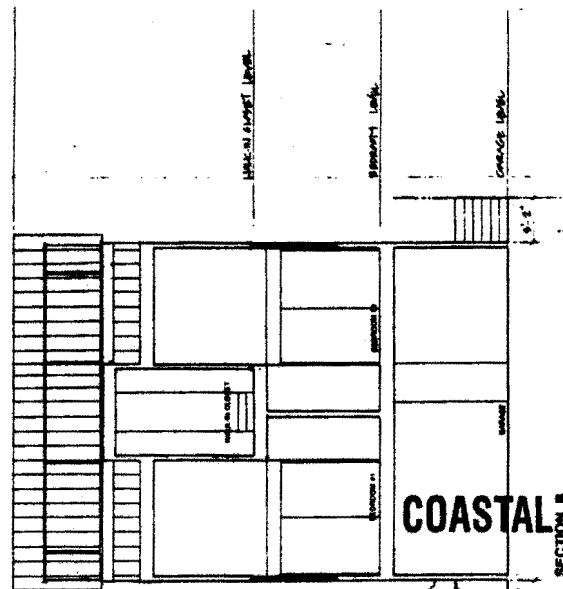
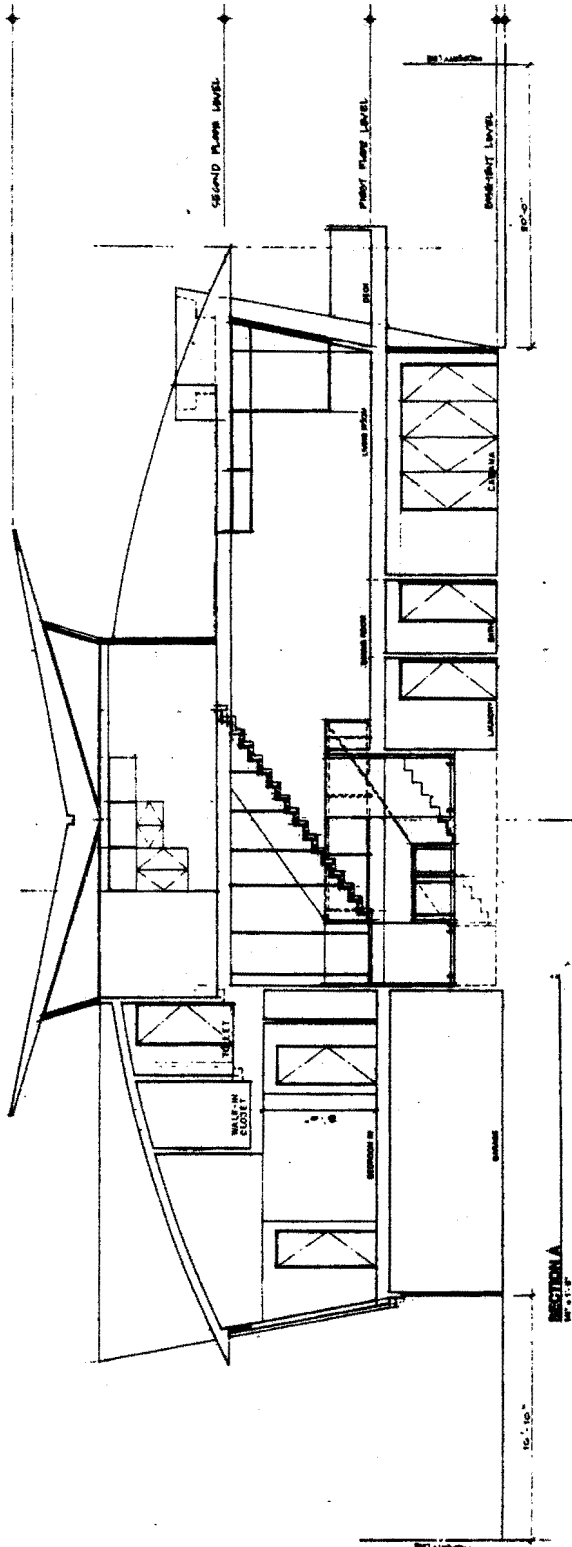
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ROOF PLAN

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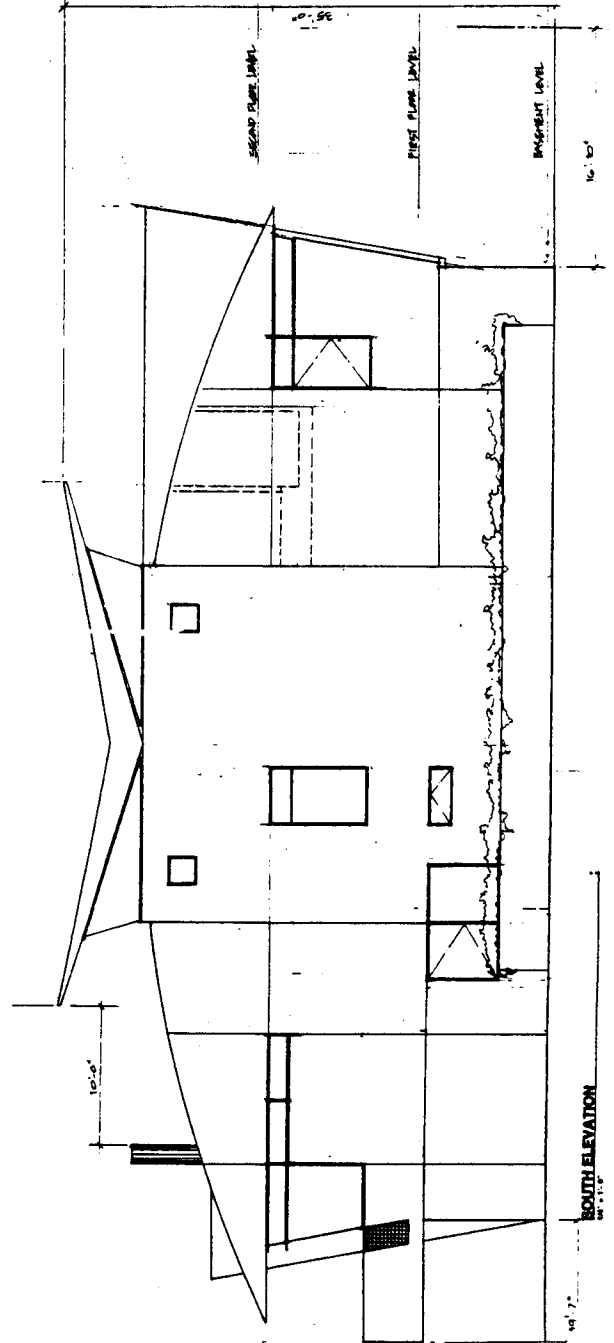
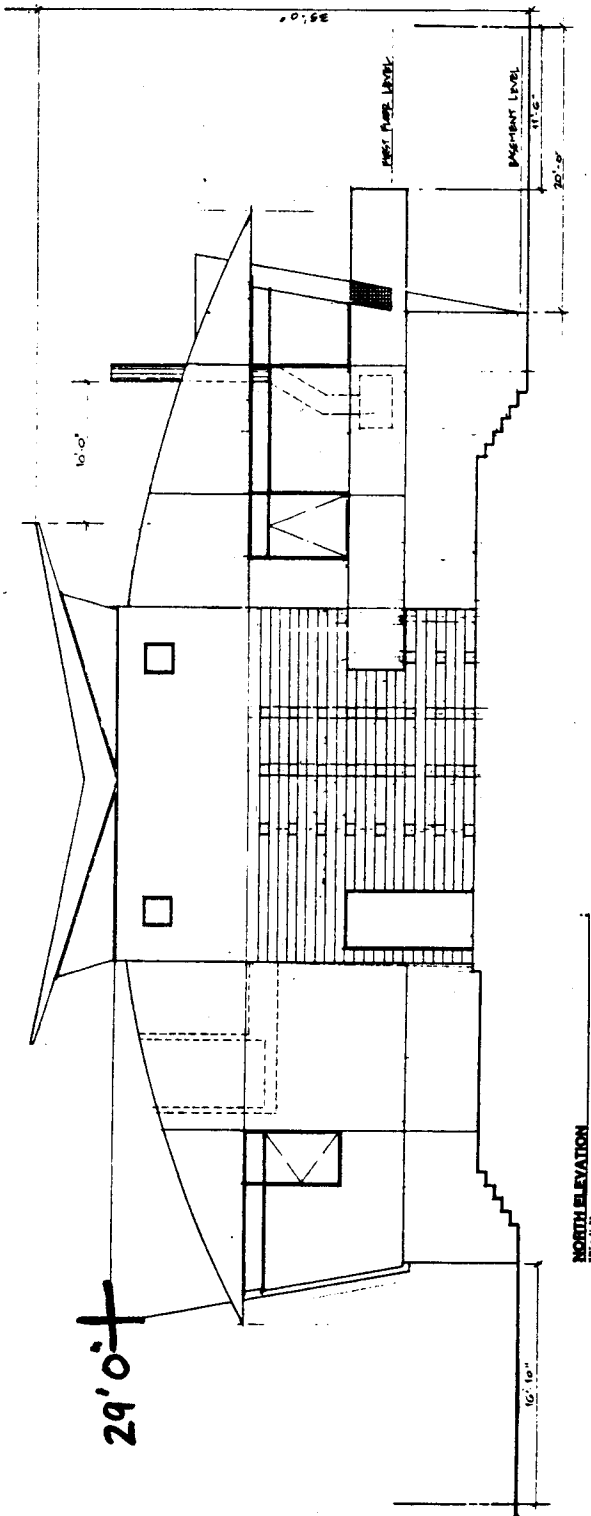
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STUDIO
9 ONE
ARCHITECTS

STONE RESIDENCE
7025/27 TROLLEYWAY PLAYA DEL REY, CA

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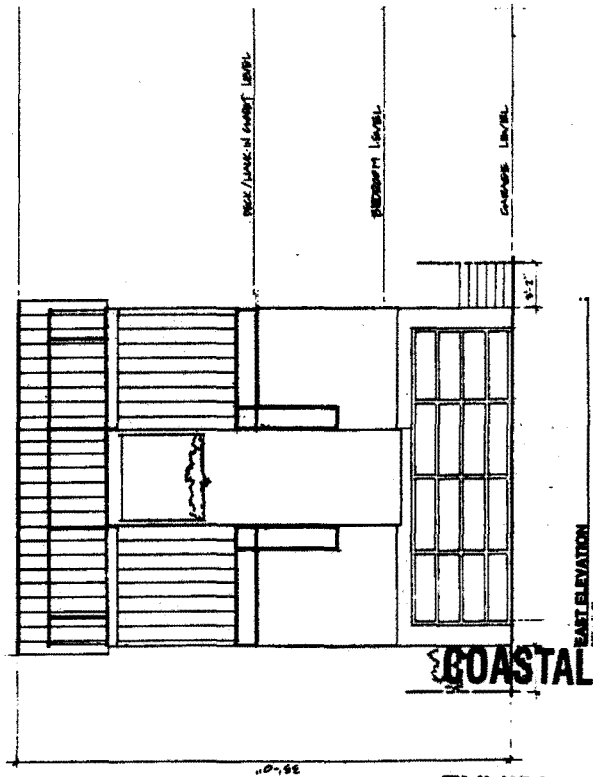
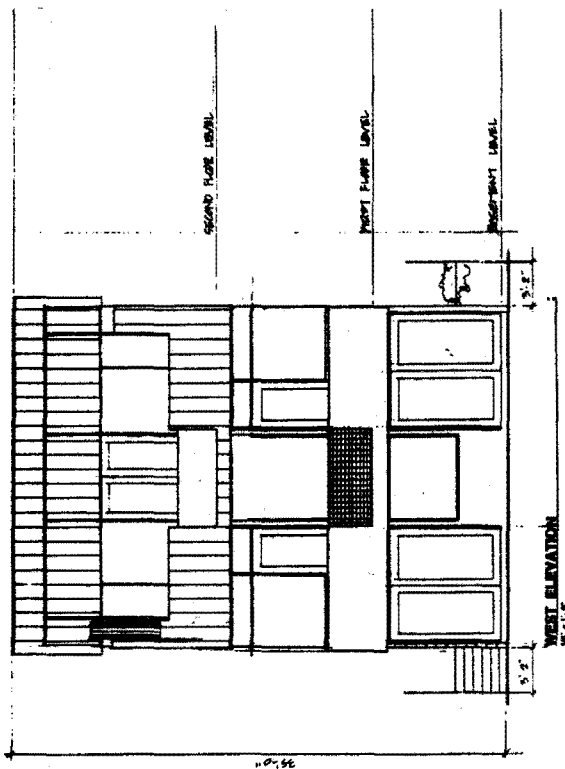
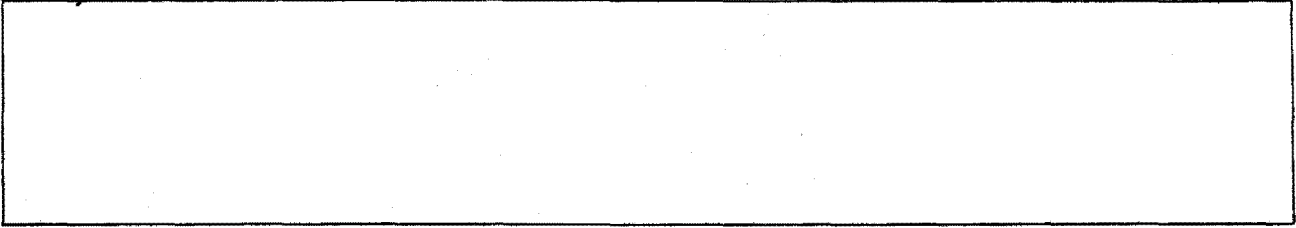


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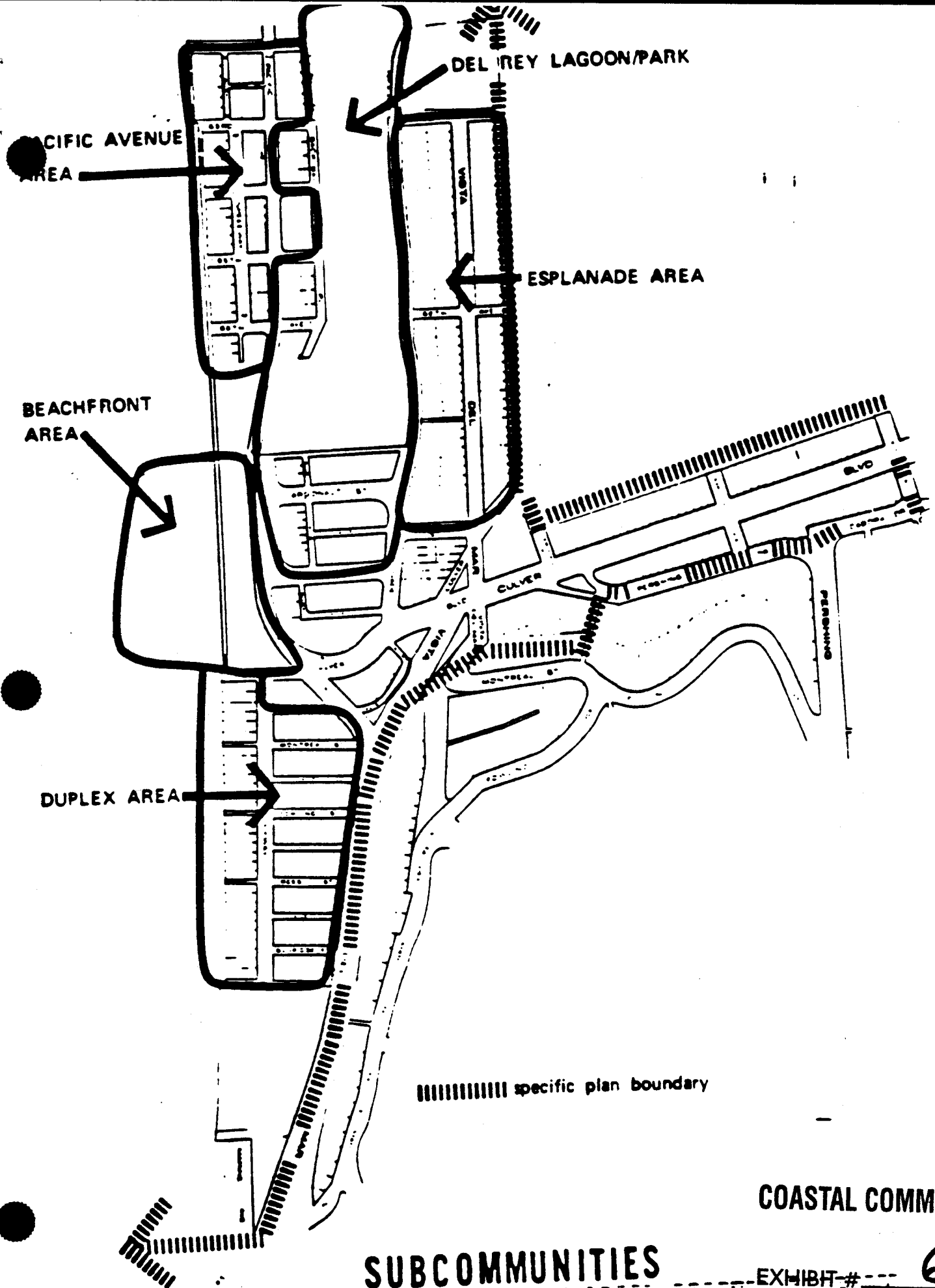
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COASTAL COMMUNITY



specific plan boundary

COASTAL COMMISSION

SUBCOMMUNITIES

EXHIBIT #

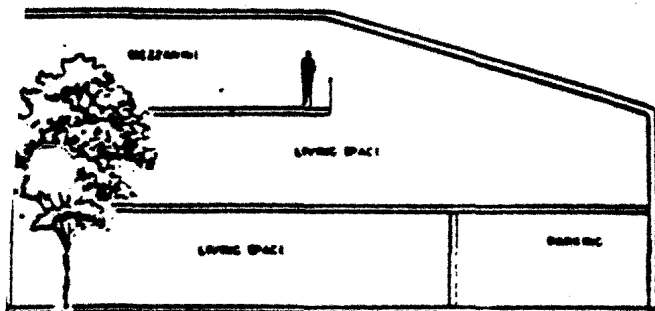
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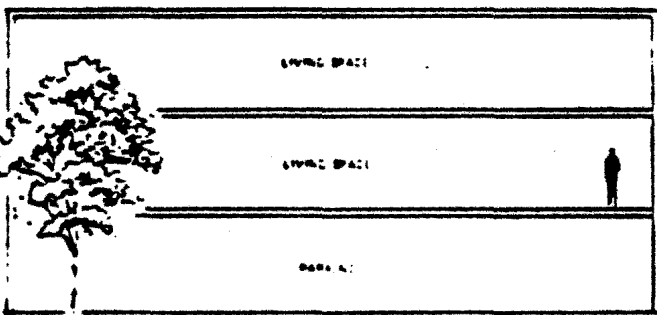
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Sample Layout 1

2 stories
37 30 ft. height limit
 Mezzanine (from 1/3) to 1/2 floor length

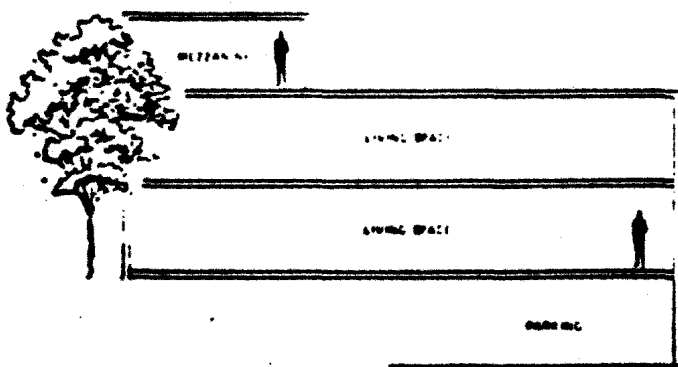
TOTAL LIVING SPACE
 approximately 3000 SQ. FT.



Sample Layout 2

2 stories
37 30 ft. height limit
 Parking not counted as a story

TOTAL LIVING SPACE
 approximately 3000 SQ. FT.



Sample Layout 3

2 stories
37 30 ft. height limit
 Smaller lots
 Sloping topography
 Greater setbacks
 Higher intensity

TOTAL LIVING SPACE
 approximately 3000 SQ. FT.

HEIGHT & BULK: SAMPLE LAYOUTS

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EXHIBIT #

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PAGE

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1

DRAWINGS ARE NOT TO SCALE