

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
 200 Oceangate, Suite 1000  
 Hermosa Beach, CA 90802-4302  
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# Mon 11 a

Filed: 3/07/02  
 49th Day: 4/25/02  
 180th Day: 9/03/02  
 Staff: MS-LB MS  
 Staff Report: June 19, 2002  
 Hearing Date: July 8, 2002  
 Commission Action:

**STAFF REPORT: REVISED FINDINGS****APPLICATION NUMBER:** 5-00-271-A1**RECORD PACKET COPY****APPLICANT:** Shawn and Susan Darcy**AGENT:** Stephanie Dall, Dall & Associates**PROJECT LOCATION:** 502 The Strand, City of Hermosa Beach, Los Angeles County**DESCRIPTION OF PROJECT PREVIOUSLY APPROVED (5-00-271):**

Demolition of a garage and separate living unit that is unattached to the existing home, demolition of the rear exterior wall of the existing single family residence (17% of the total exterior wall area of the existing sfr), and construction of an additional 30-foot high, 1,260.8 square-foot, two levels of living area over a new 497.24 square-foot, two-car garage that will be connected to the existing four-floor, 34-foot high, 3,126 square-foot single family home; and 365 square foot addition to the top floor of the existing residence.

**DESCRIPTION OF AMENDMENT (5-00-271-A1):**

Amend the thirty-foot maximum height limit imposed in Coastal Development Permit No. 5-00-271 to allow the extension of the existing hip roof to cover the previously approved 365 square-foot, 3<sup>rd</sup> floor addition. The hip roof extension exceeds the 30-foot height limit by seven inches at the perimeter to 5.6 feet at the ridgeline (spine). In addition to the proposed development, the applicant has offered to record a deed restriction relating to future improvements of the single family residence, to ensure the protection of the structure's future architectural and historic integrity.

**DATE OF COMMISSION ACTION:** June 11, 2002**COMMISSIONERS ON PREVAILING SIDE:** Commissioners Dettloff, Krueer, McClain-Hill, Nava, Ruddock, Reilly & Chairman Wan**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends that the Commission adopt the following revised findings in support of the Commission's action of June 11, 2002 approving the applicant's request to allow the existing 34-foot high roof to extend over the previously approved 365 square-foot addition to the existing single family residence on the basis that the applicant will record a deed restriction relating to future development of the home and maintaining the structure's local historic and architectural significance.

<b>PROJECT SPECIFICS:</b>	Lot Area	2,440 square feet
	Building Coverage	1,240 square feet
	Pavement Coverage	1,200 square feet
	Landscape Coverage	0 square feet
	Parking Spaces	3
	Zoning	R-3
	Plan Designation	High Density Residential
	Ht above final grade	34 feet

**LOCAL APPROVALS RECEIVED:**

1. City of Hermosa Beach Planning Department Approval in Concept, May 17, 2001.
2. Variance (Resolution 01-14) from the City of Hermosa Beach Planning Department, June 19, 2001.

**SUBSTANTIVE FILE DOCUMENTS:**

1. Coastal Development Permit #5-00-271 (Darcy)
2. City of Hermosa Beach Revision to the Certified Land Use Plan and Implementation Ordinance, May 9, 2000.
3. City of Hermosa Beach Certified Land Use Plan, April 21, 1982.

**I. STAFF RECOMMENDATION:**

The staff recommends that the Commission adopt the following motion and resolution:

**MOTION:**        *"I move that the Commission adopt the revised findings in support of the Commission's action on June 11, 2002 in approving coastal development permit amendment application 5-00-271-A1 with conditions."*

**STAFF RECOMMENDATION OF APPROVAL:**

Staff recommends a **YES** vote on the motion. Passage of this motion will result in the adoption of revised findings as set forth in this staff report. The motion requires a majority vote of the members from the prevailing side present at the **June 11, 2002** hearing, with at least three of the prevailing members voting. Only those Commissioners on the prevailing side of the Commission's action are eligible to vote on the revised findings.

**RESOLUTION TO ADOPT REVISED FINDINGS:**

The Commission hereby adopts the findings set forth below for **coastal development permit amendment application 5-00-271-A1** on the ground that the findings support the Commission's decision made on **June 11, 2002** and accurately reflect the reasons for it.

**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**

No special conditions.

**IV. FINDINGS AND DECLARATIONS:**

The Commission hereby finds and declares:

**A. Project Description and Location**

The amendment application requests a revision to the Commission's action in approving the original permit (5-00-271) permitting the demolition of a garage and separate living unit that is unattached to the existing home and construction of a 30-foot high, 1,260 square-foot addition to the rear of the existing 34-foot high single family residence; and another 365 square-foot addition to the top floor of the existing home (Exhibit 8). The applicant has requested a modification to Special Condition 2, of the original permit 5-00-271, which states:

*No portion of the proposed new development shall exceed 30 feet in elevation above the existing grade.*

The applicant has requested to exceed the 30-foot height limit of the approved structure to allow the extension of the pre-existing 34-foot high roofline across portions of the new addition (Exhibit 9). The roof extension would not increase the interior square footage.

The 2,440 square-foot subject lot is located on the inland side of The Strand, an improved public pedestrian right-of-way that separates the residential development from the public beach (Exhibit 2

and 4). The Strand is used by both residents and visitors for recreation activities and access to the shoreline. It extends for approximately 10 miles, from 45<sup>th</sup> Street (the border between El Segundo and Manhattan Beach) to Herondo Street (the border between Hermosa Beach and Redondo Beach). Adjacent to the subject property is the 5<sup>th</sup> Street right-of-way. Also, 6<sup>th</sup> Street, situated approximately 200 feet north of the subject site, has been improved as a pedestrian only beach access way (Exhibit 4).

In addition to the proposed development, the applicant has offered to record a deed restriction relating to future improvements to the structure as part of the project description. The applicant has offered the following language as part of the recorded document: 1) Any structural change to the Property shall be consistent with the architectural integrity of the residence, in conformity with the findings and conditions for approval of the Variance and Permit Amendment; 2) Prior to undertaking any structural alteration that requires a building permit, Owners shall certify to the satisfaction of the City that the alteration is in conformity with the findings and conditions for approval of the Variance and Permit Amendment; 3) Prior to undertaking any development within the meaning of the Coastal Act that requires a coastal development permit, Owners shall certify to the satisfaction of the City, or to the Coastal Commission prior to effective certification of the City's Local Coastal Program, that the development is in conformity with the findings and conditions for approval of the Permit Amendment.

#### **B. Project History**

On September 13, 2000, the applicant received a permit to demolish a garage that was adjacent to an older house located on the Strand in Hermosa Beach and replace the garage with a flat-roofed 30-foot addition that would contain both the garage and additional living area. On October 31, 2000 the applicant accepted the permit and proceeded to construct the addition. On March 7, 2002 the applicant requested an amendment to extend the height to allow a hip (peaked) roof over the new addition. The applicants justify the amendment because (1) adjacent structures are 35 feet high and (2) with a peaked roof, the addition would appear more consistent with the historic architecture of the house, which was recently discovered to have been occupied by a member of one of the early landowner and rancher families of the area. The Executive Director initially rejected the amendment application when it was first submitted in May 2001, as inconsistent with Commission's prior action. However, the applicants then asserted that the historic status of the house was information that they recently discovered (Exhibit 6).

#### **C. Public Access/Parking**

Section 30604(c) of the Coastal Act requires that every coastal development permit issued for any development between the nearest public road and the sea include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3. The proposed development is located between the sea and the nearest public road. As described above, The Strand and the adjacent beaches are a public recreational resource. The walkways provide an urban recreational experience popular throughout the Los Angeles area. The Commission imposed a special condition (5-00-271) requiring adequate parking to protect the quality of that recreational experience. 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 or providing substitute means of serving the development with public transportation....*

Many of the older developments in Hermosa Beach do not provide adequate on-site parking. The City of Hermosa Beach offers some public transportation but it is not enough to offset the amount of inadequate parking that still exists. As a result, many residents and guests park on the surrounding streets, where there is a parking shortage, and this practice has had a negative impact on public access to the beach. Visitors to the beach who arrive by car use these streets for parking. Residents of the area and their guests are using the small amount of parking that may be available for the general public on the surrounding streets.

The Commission imposed Special Condition 3 in the original permit (5-00-271) requiring that the applicant provide for three onsite parking spaces. The previously approved project provides a two-car garage and a nine-foot rear setback for guest parking on the driveway apron. Therefore, adequate parking has been provided. This amendment request does not propose any change in the parking supply for the proposed single-family residence. The proposed project is consistent with section 30252 of the Coastal Act.

#### **D. Community Character/Visual Quality**

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.*

#### **Community Character**

This section of The Strand includes one, two, and three-story single family residences and some older duplexes. The Strand is a heavily used pedestrian path used for, among other things, biking and strolling. The moderate heights of the existing structures have been found by the Commission and the City to enhance the recreational experience. There are some structures that exceed 30 feet along this area of The Strand (i.e. the two homes directly adjacent and north of the applicant's residence are at 35 feet) and some do not exceed the 30-foot height limit (Exhibit 10).

Although we do not know the exact height of every building along The Strand (as some of them were constructed prior to the Coastal Act and therefore received no permit from the Coastal Commission), a typical floor level elevation is approximately 8 feet from the floor to the ceiling. An additional 2 feet is added to each floor level to allow for foundation and structural support. Therefore, 9 to 10 feet per floor is determined to be a conservative high estimate of height (i.e. 2-story house is approximately 20 feet high). There are 4 homes to the north of the project site

(between 6<sup>th</sup> Street and 5<sup>th</sup> Street, which are perpendicular to The Strand) that received permits between 1986 to 1991 allowing a maximum building height of 35 feet. Two of those structures are the two homes mentioned above as being adjacent to the applicant's home. The other two, although approved to 35 feet, are only three stories high, and thus, may not exceed 30 feet. As shown in Exhibit 10, 8 homes along the stretch of The Strand depicted in the exhibit (which is approximately three blocks long) are 2-story (approximately 20 feet high) and 4 homes (including the subject site) were issued permits within the last 5 years for structures not exceeding the 30-foot maximum height limit. One structure that is 3 lots to the south, across the 5<sup>th</sup> Street walk street is 4-story, pre-coastal building. Three other homes to the south are three stories high (approximately 30 feet). Thus, of the twenty parcels depicted in the exhibit, only four (including the subject site) have structures believed to be over 30 feet high, two of which are pre-coastal. The dominant character along this stretch of The Strand is clearly for structures of a maximum height of 30 feet.

The applicant's residence is located on the corner of The Strand and 5<sup>th</sup> Street, which is a designated walk street. The maximum height for development along walk streets in R-3 zoned areas, as proposed by the City, is 30-feet high. The majority, if not all of homes along 5<sup>th</sup> Street do not exceed 30 feet (Exhibit 10).

The City policy in its proposed Land Use Plan amendment states that building heights should be restricted to protect overview and view shed qualities and to preserve the City's existing low-rise profile. Allowing building heights above the 30-foot limit would negatively impact coastal views and the character of the surrounding community. In order to protect community character and visual quality, the Commission imposed the special condition in the original permit for this site (5-00-271) limiting the development at a maximum of 30 feet above the existing grade.

The Commission has taken the same approach with other development along The Strand in the past. Four houses south of the project site, at 420 The Strand, the Commission imposed the same maximum height special condition of 30 feet (5-00-446). The Commission found that the 30-foot height was consistent with community character and consistent with the proposed LUP. In 1997, the Commission approved a 30-foot high structure located 7 lots south of the applicant's home at 402 The Strand (5-97-001-W). Many of the homes in the immediate area of the project site were built prior to the Coastal Act. There has not been much new development since. As mentioned previously, two structures that are located adjacent to and north of the subject lot were approved at a 35-foot maximum height limit in 1986 and 87, which was consistent with the certified LUP at that time. Since then, the City has requested an amendment to the LUP to match changes in its zoning ordinance. One of these changes set the maximum height limit along the Strand at 30 feet. R-1 zoned areas along The Strand (northern end of Hermosa Beach) are limited to a maximum height of 25 feet. When looking at recent action by the Commission regarding other development along The Strand in Hermosa Beach, the Commission has consistently found the 30-foot maximum height limit to be consistent with the Coastal Act.

**Permits issued along the Strand in Hermosa Beach between 1996 to the present:**

<b>Coastal Development Permit</b>	<b>Property Address</b>	<b>Approved Height (feet)</b>
5-01-488	3220 The Strand	30 as conditioned
5-01-186	600 The Strand	30 as conditioned
5-00-451	3116 The Strand	25 as conditioned
5-00-114	2334 The Strand	25 as conditioned
5-00-086	302 The Strand	30 as conditioned
5-00-059	720 The Strand	30 as conditioned
5-99-475-W	22 The Strand	30 as proposed
5-99-202-W	4 The Strand	30 as proposed
5-98-520-W	2040 The Strand	30 as proposed
5-98-357-W	62-64 The Strand	30 as proposed
5-98-105-W	712 The Strand	30 as proposed
5-97-253-W	718 The Strand	30 as proposed
5-97-195-W	1522 The Strand	30 as proposed
5-97-187-W	2530 The Strand	30 as proposed
5-96-282	1302-1304 The Strand	30 as conditioned

However, in this amendment before the Commission, just as important in preserving community character, is the significance of historic structures in a community. The unique architectural design of the applicant's home contributes to the character of the coastal community of Hermosa Beach and provides in itself a visual resource enjoyed by the public.

The applicants made no changes to the part of the existing single family home that faces the Strand (5-00-271). The front part of the house, which is closer to The Strand has a peaked roof that already exceeds the 30-foot height limit. The original permit addressed only the rear addition of the home. The main house was built prior to the Coastal Act and in submitting the application for the addition in July, 2000, (CDP 5-00-271) the applicant proposed a roof height of 30 feet above the existing grade for the approved addition, which has been built. In light of the discovery of the local historic significance of the single family structure, the applicants have requested this amendment to allow the previously approved addition to be covered by an extension of the existing hip roof that would exceed the 30-foot height limit in order to maintain the unique architectural design of the home. In this particular case, the Commission finds that allowing the roof to extend over the previously approved 365 square-foot addition is consistent with the existing 34-foot high hip roof and is compatible with the other homes with various building heights that are located along The Strand.

The proposed amendment to eliminate the maximum height special condition should be approved in order to maintain the historical and architectural significance that contributes to the existing, unique community character of this area.

***Impacts to Views***

The Strand is a place where people from all over come to enjoy recreational activities like walking, jogging and biking while taking in the views of the coastline and the Pacific Ocean. The sandy beach and the unique, low-rise homes that line The Strand and the walk streets add to the scenery

and to the overall beach experience. Lower heights are important along The Strand in order to maintain the visual resources that are here for the enjoyment of the public and residents. Lower heights prevent the buildings along the Strand from looming over the walkways, which are approximately 20 to 30 feet wide.

Photographs submitted by the applicant depict the estimated location of the proposed roof addition (Exhibit 11). The proposed roof extension has minimal visual impacts. Looking northeast from The Strand, one could see added bulk of an even longer 34-foot high peak roof as it extends eastward along the previously approved addition. Walking along 5<sup>th</sup> Street, one could see a small portion of the proposed roof but looking at it from the beach, the proposed roof cannot be seen. There would not be any visual impact looking south from The Strand. The addition would be the same height as the existing structure.

As mentioned previously, the existing pre-coastal, 34-foot high peaked roof is located closest to The Strand. Allowing it to be extended over a portion of the roof that is towards the rear of the house has minimal adverse impacts on public views. Low building heights along The Strand and walk streets provide protection of public views to and along the ocean and scenic coastal areas. In this case, the existing roof that exceeds the height limit will remain and the proposed roof extension is further from The Strand so it will not increase the visual impacts that already exist. It will simply maintain the architectural design that has come to be recognized and deemed important historically by the local government. In order to continue protecting the visual resources and recreational experience of the public, the Commission finds that the proposed amendment will not be inconsistent with the scenic and visual qualities of the Coastal Act.

### ***Historical Significance of Existing Residence***

The California Coastal Commission recognizes statewide "historic resources" in relation to Section 30251 of the Coastal Act to the extent that such resources have aesthetic significance in the context of the surrounding area. With reference to this issue, Commission staff contacted the State Historic Preservation Officer. As of April 9, 2002, the single-family home on 502 The Strand in the City of Hermosa Beach does not hold any historical significance as recognized by the State Historic Preservation Officer. However, the City Council of Hermosa Beach granted a variance to its local 30-foot height limit (Resolution 01-14, June 19, 2001) based on the local Historical Society's evaluation and conclusion that the home is in fact historical (Exhibit 5). The applicant has offered to record a deed restriction regarding future improvements to the structure to ensure that the single family residence will maintain its historical qualities thus its significance as part of a unique and historical community. The Commission accepted the proposed document recordation.

In their March 7, 2002 application request, the applicants submitted copies of local considerations for the historic importance of the structure including a "Genealogy of the Avila Adobe House and 502 The Strand, prepared for presentation to the Planning Commission by the Hermosa Beach Historical Society" and "Official Seal of the City of Hermosa Beach, incorporating the Avila/Rancho Sausal Redondo brand" (Exhibit 7, p.4). The applicant contends that the local Historical Society supports the roof extension. In a letter from the Hermosa Beach Historical Society, it was stated that the home at 502 The Strand should be considered for inclusion in the "Candidates" list of Historic Sites (Exhibit 7, p.2). Although 30 feet is the maximum height for homes in this area, the Commission finds that the proposed addition should be at the same height as the existing hip roof in order to maintain its historic designation. As mentioned above, the project description, which includes a recordation of a deed restriction, assures that the historic significance of this home will not be compromised by any future development.



The Commission's original decision was based on preserving the character and scale of the community by restricting the height of new development. The purpose of the policy is to ensure that new development is consistent with the character and scale of existing and expected future development. The historical significance of the home at 502 The Strand was not known at the time that the Commission took action on the original permit (5-00-271). The new historic designation of the structure emphasizes the importance of older, unique structures. While the structure is not identified as a historic structure by the State, it is regarded locally as historic. In some cases, when alterations to older, locally valued structures that were not official historic structures have been considered, the Commission has relied on Section 30251 of the Coastal Act to evaluate the development. Section 30251 requires the Commission to preserve community character and scale, and the Commission has relied on this section to consider the design of older structures that while not historic, typify certain communities.

In analyzing this case, the Commission finds that an extension of the peaked roof would conform to the "historic" style of the house, and with the character of the existing "historic structure". The Commission further notes that the extension is no higher than the seaward portion of the roof of the existing house, or of several houses in the immediate area. Finally, the Commission notes that the addition will not be visually obtrusive from The Strand. For these reasons, in this case the Commission finds the proposed amendment to the 30-foot height limit for the proposed design, in conjunction with the recorded deed restriction for future development to the structure, will protect community character and coastal visual resources, therefore consistent with Section 30251 of the Coastal Act.

#### **E. 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 Commission conditionally certified the City of Hermosa Beach Land Use Plan on August 19, 1981. The Land Use Plan (LUP) was effectively certified with suggested modifications on April 21, 1982. The modifications were accepted and the LUP is certified. The City submitted a final draft of its zoning and implementation ordinances (LIP) and a revision to their LUP in 2000. The amendment and Implementation ordinance was scheduled for public hearing and Commission action at the October 9, 2001 meeting, but the City withdrew. Therefore, these have not been certified and the standard of review for development in Hermosa Beach is still the Coastal Act.

The proposed development is consistent with the public access, scenic and visual qualities and community character policies of Chapter 3 of the Coastal Act. The proposed development conforms to the LUP with respect to the community character and significance of historic structures. The development is consistent with the public access, community character and land use provisions of the certified LUP and its proposed revisions. Therefore, the Commission finds that approval of the proposed development will not prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

**F. California Environmental Quality Act**

Section 13096 of the California Code of Regulations requires Commission approval of 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.

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.

PACIFIC

OCEAN

Site

PACIFIC

COASTAL COMMISSION

5-00-271-A1 R.F.

EXHIBIT = 1  
PAGE 1 OF 1

OCE



PACIFIC

45th St.

OCEAN

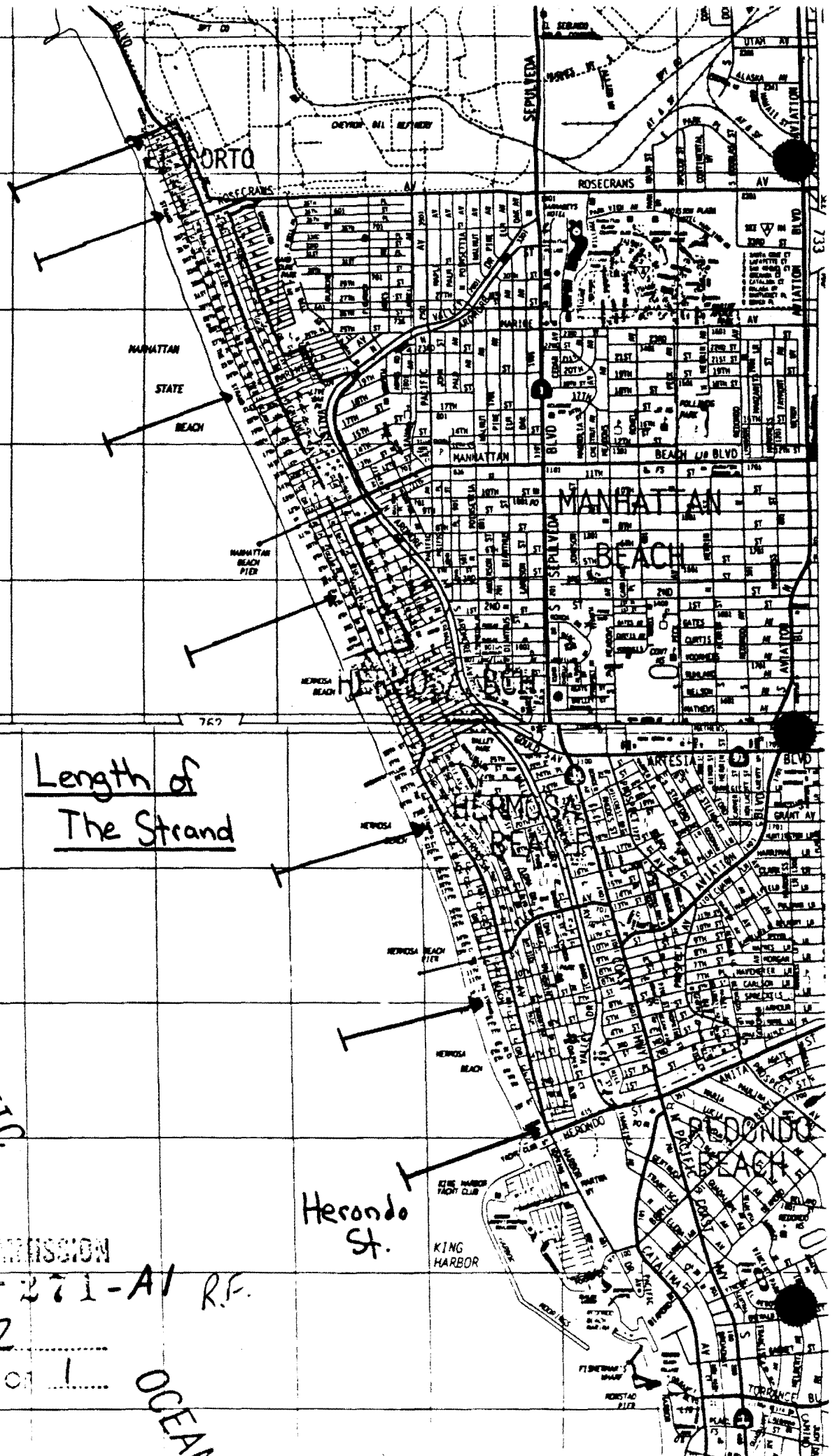
Length of  
The Strand

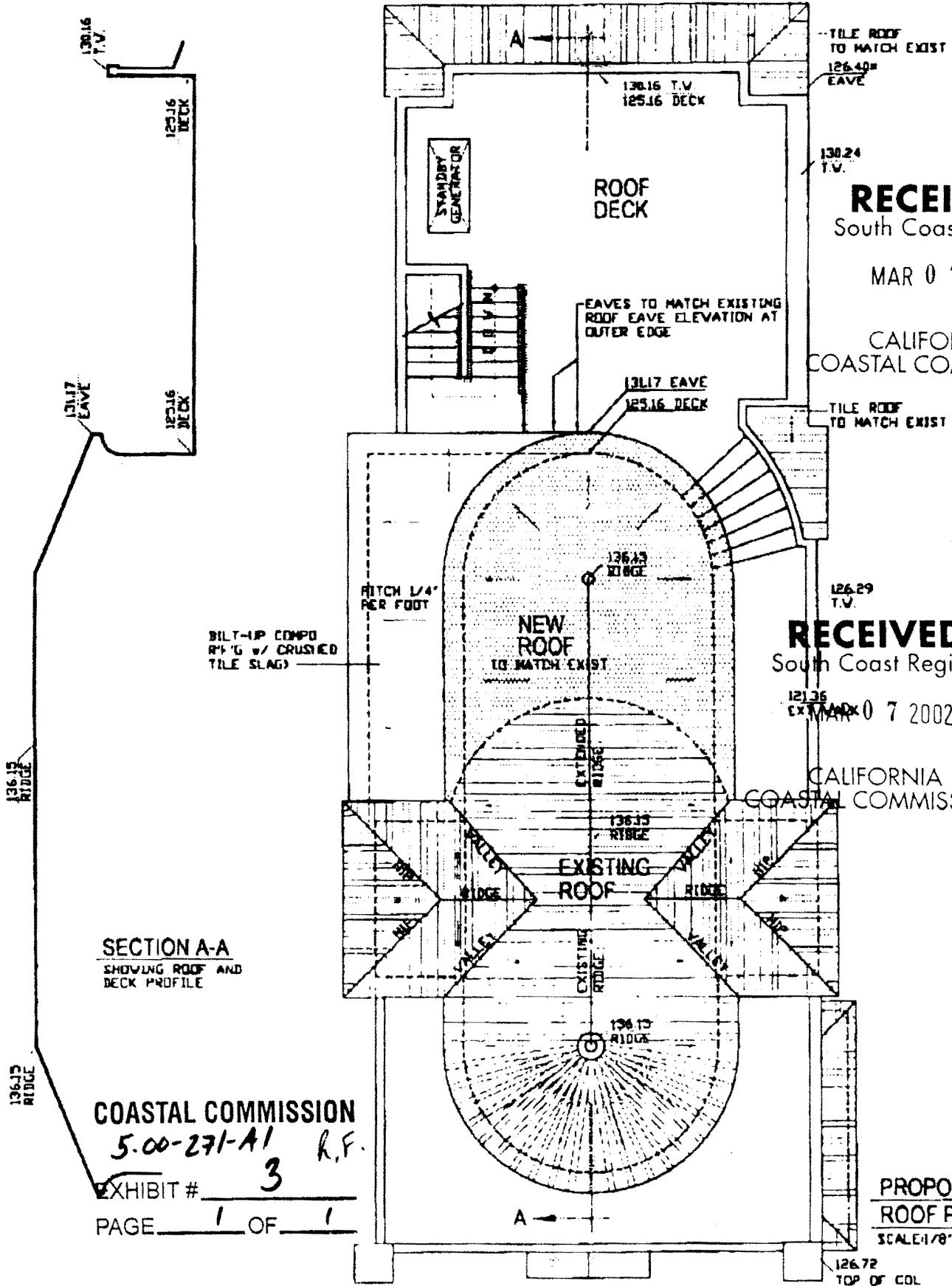
PACIFIC

COASTAL COMMISSION  
5-00-271-A1 R.F.

2  
1 of 1

OCEAN





TILE ROOF TO MATCH EXIST  
126.40 EAVE

130.24 T.V.

**RECEIVED**  
South Coast Region

MAR 07 2002

CALIFORNIA  
COASTAL COMMISSION

TILE ROOF TO MATCH EXIST

126.29 T.V.

**RECEIVED**  
South Coast Region

MAR 07 2002

CALIFORNIA  
COASTAL COMMISSION

SECTION A-A  
SHOWING ROOF AND  
DECK PROFILE

COASTAL COMMISSION  
5.00-271-A1 R.F.  
EXHIBIT # 3  
PAGE 1 OF 1

PROPOSED  
ROOF PLAN  
SCALE: 1/8" = 1'-0"

DARCY RESIDENCE - 502 STRAND - HERMOSA BEACH, CA  
PROPOSED AMMENDMENT TO C.D.P.#5-00-271

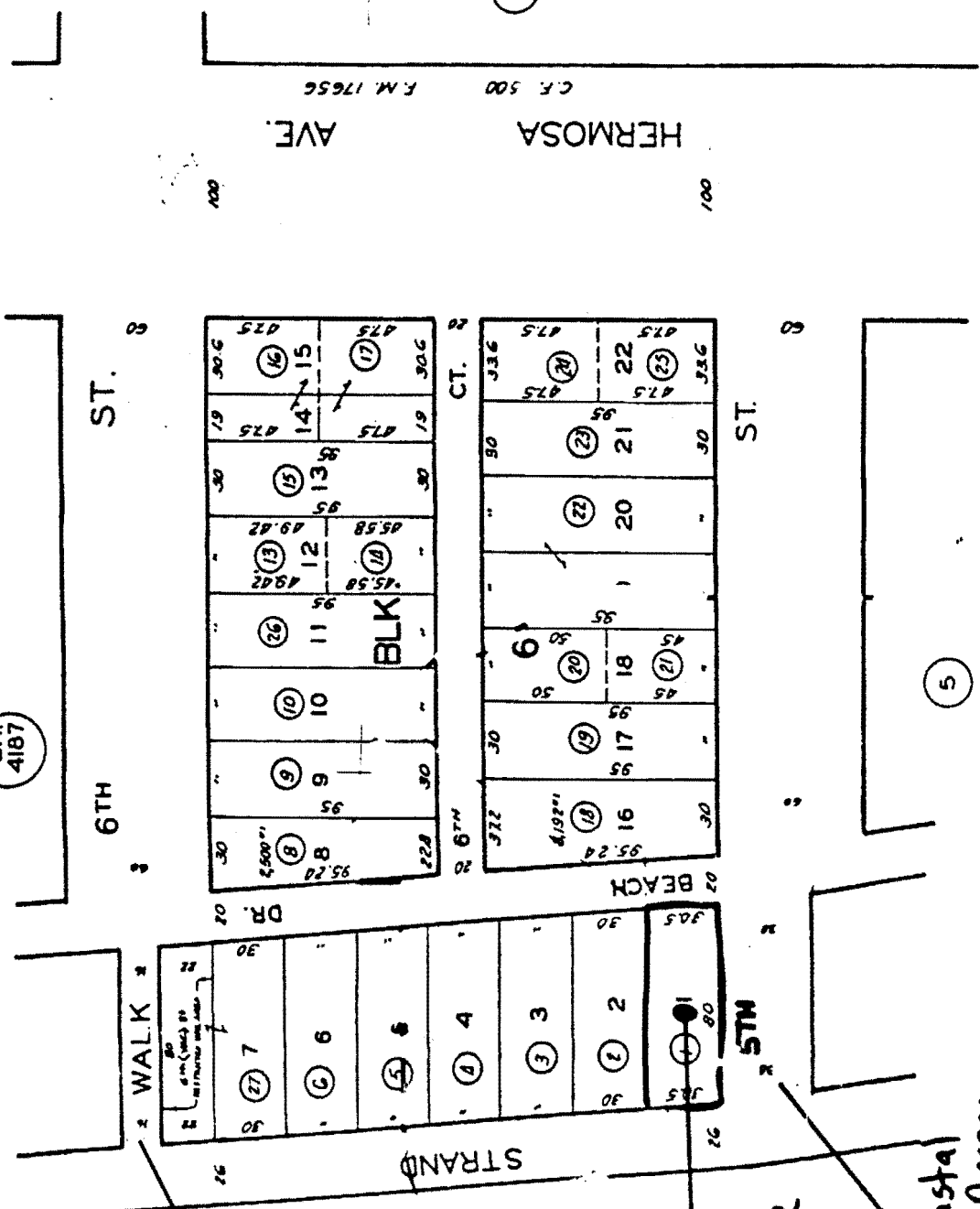
REVISED  
2-04-02

4188 4

SCALE 1" = 50'

1998

BK. 4167



CODE 4340

COASTAL COMMISSION

5-00-271-A1 R.F.

EXHIBIT # 4

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HERMOSA BEACH

M.B. 1-25-26

COASTAL COMMISSION  
5-00-271-A1

EXHIBIT # 4

PAGE 1 OF 1

FOR PREV. ASSMT. SEE: 4188-4

MAR 07 2002

APPENDIX B

LOCAL AGENCY REVIEW FORM

CALIFORNIA  
COASTAL COMMISSION

SECTION A (TO BE COMPLETED BY APPLICANT)

Applicant Shawn D. and Susan M. Darcy

Project Description Residence Roof variance

Location 502 The Strand

Hermosa Beach, CA 90254-4455

Assessor's Parcel Number 4188.4

SECTION B (TO BE COMPLETED BY LOCAL PLANNING OR BUILDING INSPECTION DEPARTMENT)

Zoning Designation R-3 33 du/ac

General or Community Plan Designation HD 33 du/ac

Local Discretionary Approvals

Proposed development meets all zoning requirements and needs no local permits other than building permits.

Proposed development needs local discretionary approvals noted below.

Needed Received

- Design/Architectural review
- \* 5/15/01 Variance for Height (to exceed 30' height limit)
- Planning Commission Rezone from \_\_\_\_\_
- Tentative Subdivision/Parcel Map No. \_\_\_\_\_
- Grading/Land Development Permit No. \_\_\_\_\_
- Planned Residential/Commercial Development Approval
- Site Plan Review
- Condominium Conversion Permit
- Conditional, Special, or Major Use Permit No. \_\_\_\_\_
- Other \_\_\_\_\_

CEQA Status

Categorically Exempt Class 15305(a) Item \_\_\_\_\_

Negative Declaration Granted (Date) \_\_\_\_\_

Environmental Impact Report Required, Final Report Certified (Date) \_\_\_\_\_

Other \_\_\_\_\_

Prepared for the City/County of Hermosa Beach by Ken Roberts

Date 5/17/01 Title Associate Planner

COASTAL COMMISSION

\* Appeal period does not expire until June 1/2001 5-00-271-A1 R.S.

RESOLUTION 01-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, TO APPROVE THE REQUESTED VARIANCE TO ALLOW AN EXTENSION OF THE RIDGE LINE OF AN EXISTING HIP ROOF TO EXCEED THE HEIGHT LIMIT AT 502 THE STRAND LEGALLY DESCRIBED AS LOT 1, BLOCK 6, HERMOSA BEACH TRACT

The Planning Commission does hereby resolve and order as follows:

Section 1. An application was filed by Shawn and Susan Darcy owners of real property located at 502 The Strand, seeking a Variance from Section 17.16.020 to allow the extension of the ridge line of an existing hip roof to exceed the 30-foot height limit.

Section 2. The Planning Commission conducted a duly noticed de novo public hearing to consider the application for the Variance on April 17, and May 15, 2001, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission.

Section 3. Based on the evidence received at the public hearing, the Planning Commission makes the following factual findings:

1. As part of the substantial remodel and expansion to the existing dwelling the applicant is proposing to extend the existing roof ridge which is approximately 36-foot high. A Variance is necessary to construct the roof as proposed, as the new portion will exceed the maximum height of 30 feet in the R-3 zone.

2. The dwelling was originally constructed in 1924, and the applicant desires to preserve the architectural integrity of the building by extending the roof line for approximately 12 feet over the addition rather than using a flat roof.

Section 4. Based on the foregoing factual findings, the Planning Commission makes the following findings pertaining to the application for the Variance.

1. There are exceptional circumstances relating to the property because the property is historically significant in that it is identified with persons or events significant in local and state history and embodies a distinctive style of architecture unique in the City.

2. The Variance is necessary for the enjoyment of a substantial property right possessed other properties in the vicinity because the property and building represent the notable work of a builder, designer and architect and the Variance is necessary to maintain and preserve an example of this notable work as identified by the City's historical society.

3. The project will not be materially detrimental to property improvements in the vicinity and Zone because the Variance is to allow a continuation of an existing roof line, which is necessary to preserve the unique architectural features of the building, and which is not materially detrimental in any way to surrounding properties.

COASTAL COMMISSION

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EXHIBIT # 5

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2 4. The Variance is consistent with the General Plan because it involves a continuation  
3 of the existing roof line of a building that is consistent with the scale and character of surrounding  
4 residential development within in the general plan designation of High Density Residential.

5 Section 5. Based on the foregoing, the Planning Commission hereby approves the Variance  
6 from the height limit subject to the following conditions:

- 7 1. The project shall be consistent with submitted plans reviewed by the  
8 Planning Commission at their meeting of May 15, 2001. Any further minor  
9 modifications to the plan shall be reviewed and may be approved by the  
10 Community Development Director.
- 11 2. The Variance is specifically limited to the situation and circumstances that  
12 result relative to the proposed project and is not applicable to the development  
13 future projects.

14 VOTE: AYES Tucker, Kersenboom, Chairman Perrotti  
 15 NOES: None  
 16 ABSTAIN: None  
 17 ABSENT: Hoffman, Pizer

18 CERTIFICATION

19 I hereby certify that the foregoing Resolution P.C. 01-14 is a true and complete record of the  
20 action taken by the Planning Commission of the City of Hermosa Beach, California at their  
21 regular meeting of May 15, 2001

22 Sam Perrotti  
23 Sam Perrotti, Chairman

24 Sol Blumenfeld  
25 Sol Blumenfeld, Secretary

26 6-19-01  
27 Date

28 Varr502

City of Hermosa Beach. The City of Hermosa Beach "Candidate List of Historic Sites" did not include 502 The Strand. The City's various planning and zoning documents that guide its regulation of development did not identify the Darcy property as being historically significant, and the City did not raise the issue of, or otherwise address, the potential architectural and historical significance of the residence in its review of the Darcy renovation proposal. It appears that the City was not aware of the significance until the completion of the Historical Society's investigation, referenced above, eight months following Commission action on the original permit.

Commission Review and Approval of CDPNO. 05-00-271 (Darcy) The Coastal Commission, with its predecessor agency, has exercised land use and planning authority over The Strand since 1973, and has exercised formidable regulatory authority over the fate of structures with potentially historic significance throughout the California coastal zone pursuant to PRC § 30251. However, despite its twenty-seven years of experience, even the Commission staff was apparently unaware of the potential architectural and historical significance of the Darcy residence in September 2000 when CDP NO. 05-00-271 was approved.

Although Commission staff required the Darcys to submit further studies with respect to other coastal resource issues prior to accepting their application for filing and processing, the staff made no such request for studies relating to the existing structure's historical significance.

In fact, the staff, and subsequently the Commission itself in approving the Darcy coastal development permit application on the September 2000 Consent Calendar, made no mention of, or findings regarding, either the architectural significance of the residence or its connection to the historic Avila family in addressing project consistency with community character.

Information. After Coastal Commission approval of CDP NO. 05-00-271 in September 2000, Susan and Shawn Darcy commenced the approved renovation of their new home.

Some months later, in early 2001 the elderly owners of a neighboring property (Bob and Gladys Blaine), who are long-time residents of Washington state, returned to Hermosa Beach for a visit. The Darcys had not previously met the Blaines, and to the best of their knowledge, the Blaines had not previously been to Hermosa Beach since the Darcys' acquisition of the property.

At that time the Blaines approached the Darcys, praised their decision to save the structure, and requested a tour of the house to admire the progress that had been made. During the course of that tour, the Blaines provided the Darcys with details of the local and regional historical significance of the Avila family who originally built and occupied the house, and expressed regret that the unique design of the top floor roof

CDP NO. 05-00-271 (DARCY) AMENDMENT

5 April 2002

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could not be extended over the small new addition to maintain the architectural integrity of what they considered to be a notable historical structure.

The Blaines provided the Darcys with the name and phone number of an Avila family descendant, Mr. Pat Haskins, who resides in Santa Barbara and has no current connection to Hermosa Beach. Mr. Haskins spoke to the Darcys by telephone, confirming information provided by the Blaines regarding the history of the family and the residence, and subsequently traveled to Hermosa Beach to visit the house, and put the Darcys in touch with his sister, who resides in San Francisco and has no current connection to Hermosa Beach, but was able to provide further detail regarding the family and the house.

Armed with this new oral information regarding the historical significance of their residence, and the consensus of the Avila descendants and the surrounding neighbors that an extension of the historic roof line over the new flat-roofed addition would serve to enhance the the architectural integrity of the structure and have a positive effect on the community character, as well, the Darcys applied to the City for a variance of the 30' height limit with respect to the roof extension.

In April 2001 City staff told the Planning Commission that actual documentation of the historic significance of the residence would be necessary in order for the roof extension to qualify for a variance.

On April 18, 2001 the Hermosa Beach Historical Society commenced an investigation into the historical and architectural merit of the Darcy residence, which it had not previously reviewed, that served to substantiate the oral testimony of the Avila descendants and supplement that information with further relevant detail.

In a letter to the Planning Commission dated 10 May, 2001 (attached, as previously noted) the Historical Society advised the City that "[b]y approval of the Darcy variance, the City will have preserved and perpetuated the unique historical style which has already been identified in the house at 1602 The Strand," and would "surely [be] an enhancement of the City's attraction to residents, tourists, and visitors." (Emphasis added.)

In support of its recommendation the Historical Society reported the following findings:

- 502 The Strand was built and purchased in 1928 by Avila Family direct descendant Isabel Hanran (the genealogy chart prepared by the Historical Society was submitted with the Darcy permit amendment application package.
- The Darcy residence was designed and built by J. MacCrady, another one of whose structures is already contained in the City's "Candidates" List of Historical Sites.

CDP NO. 05-00-271 (DARCY) AMENDMENT

5 April 2002

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- The Darcy home represents quality construction, architectural style, and historical significance by virtue of having been occupied by a direct descendant of the historic Avila Family, on a portion of whose Rancho lands the City of Hermosa Beach is located, and whose registered cattle brand is part of the Hermosa Beach City Seal.

Based on this newly discovered information the Planning Commission accepted the Historical Society's evaluation and recommendation to approve the variance necessary to extend the historic roof over the new 365 square foot addition.

### Conclusion

Prior to Commission action approving CDP NO. 05-00-271, and for some months following, the Darcys, members of the community, the Hermosa Beach Historical Society, the City of Hermosa Beach, and the Coastal Commission had no information regarding the potential architectural and historical significance of their property.

In the absence of community knowledge or regulatory direction to the Darcys to provide a study of the building's potential architectural and historical significance, the Darcys could not reasonably have been expected to identify an issue and pursue further investigation in order to present the material prior to Commission action.

Moreover, it is unlikely that the Historical Society could have provided this new information at that time because it did not as yet have access to the sources that subsequently guided its later investigation, as discussed above.

Attachment: Letter from Hermosa Beach Historical Society to the City of Hermosa Beach Planning Commission, 10 May 2001

CDP NO. 05-00-271 (DARCY) AMENDMENT  
5 April 2002

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EXHIBIT # 6

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HERMOSA BEACH



HISTORICAL SOCIETY

May 10, 2001

Hermosa Beach Planning Commission  
City of Hermosa Beach  
1315 Valley Drive  
Hermosa Beach, CA 90254

Subject: Variance 01-2, 502 The Strand  
Applicants: Shawn and Susan Darcy

To approve the subject variance, your honorable body has raised the issue of whether there exists some historical significance of the property and its architecture. The April 17<sup>th</sup> hearing for the variance was continued to May 15<sup>th</sup> in order to receive input from the Hermosa Beach Historical Society.

At the Society's April 18<sup>th</sup> Board of Directors meeting, John Hales was appointed to investigate the historic and architectural merit of the subject home and to report his findings to the Board. His findings, as reviewed by the Board, are noted below:

- 1 Home was built and purchased in 1928 by its long time resident, Isabel Hanifan. She was a direct descendant of the Avila family, Olvera Street, Los Angeles. See enclosed sketch and story of the Avila Adobe Home as well as the genealogy chart.
- 2 The Darcy home was built in 1928 by J MacCrady, the same builder of the 1602 The Strand residence which is already listed in our City's Ordinance 17.53, "Candidates for Historic Resource Designation." By approval of the variance, the City will have preserved and perpetuated the unique historical style which has already been identified in the house at 1602 The Strand. The diverse architectural styles of these two homes are surely an enhancement of the City's attraction to residents, tourists and visitors.
- 3 Some homes already on the "Candidates" list were built later than 1928. Some have no distinctive architectural style but qualified only because of a celebrity who might have occupied the home briefly.
- 4 The subject home, 73 years old, represents quality construction, architectural style, and was owned and occupied by a direct descendant of the historic Avila Family.

One Avila family member, Antonio Ignacio Avila, in 1823 established Rancho Sausal Redondo, the land of which our Hermosa Beach occupies the very southwest corner. The Ranch is symbolized in our Hermosa Beach City Seal by Senior Avila's registered cattle brand, August 22, 1848.

210 PIER AVENUE - HERMOSA BEACH, CALIFORNIA 90264

COASTAL COMMISSION

EXHIBIT # 7  
PAGE 1 OF 4

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Continued from Page 1

**CONCLUSION:**

Our Historical Society Board members reviewed the City Ordinance 17.53 Historic Resources Preservation and the findings of John Hales. The Board determined that the home at 502 The Strand meets the requirements of the Ordinance, and therefore, should be considered for inclusion in the "Candidates" list of Historic Sites.

Our Historical Society appreciates this opportunity of service to our City and the community in this civic matter.

  
Larry Gray, President

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EXHIBIT # 7  
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# Avila Adobe House and 502 The Strand, Hermosa Beach, home genealogy.

Avila Adobe House  
 Owers St. for Avila  
 (built about 1819. Moved  
 after brother Don Carmelo Avila).  
 1833, Antonio Aguirre  
Avila ashabidina  
 Spanish Spanish Ranch  
 (published 1899).  
 1846-47 U.S. Mexican War  
 Avila house headquarters for  
 O.S. Army Battalion and  
 Commodore A.F. Stockton.

Avila house occupied by  
 four generations of Avilas  
 including Theodore Augustus Avila  
 (founder of Avila and great grand-  
 children of Francisco Avila).

1930, Mrs. Christina Sterling  
 reads Avila house. Shows  
 remnants of Olvera city  
 to present "typical Mexican  
 market place and Plaza."

Olvera Street considered  
 by one author as Southern  
 California's first  
 "Historic Theme Park"  
 (mentioned by Disneyland, etc.)

Isabelita Ramirez  
 (Avila descendant)  
 married P. Peltieri  
 one son, Jerome.  
 husband American born.

Isabelita Ramirez  
 remarried Giacomo Zanoni  
 1888  
Isabel Zanoni  
 born 1888 in  
 Avila Adobe House

1908, Isabel Zanoni  
 sold house to Peltieri  
 (former Avila descendant)  
 Isabel Zanoni married,  
 1889, Michael Joseph Marshall  
 (former Avila descendant)

Mary Catherine Isabel Therese  
Marshall born  
 3-18-1908  
 Met.  
 Mrs. C. Marshall  
 married, 1948.  
Richard R. Marshall

Pat Susan Marshall  
 born here

In 1908, Isabel T. Marshall  
 purchased first lot at Avila,  
 226 The Strand, Hermosa Beach.  
 In July 1928, Isabel T. Marshall  
 purchased lot at 502 The Strand  
 and Avila Marshall and James O. My  
 to both homes. Mr. M.B. Marshall  
 and subsequent  
 owners.

Isabel T. Marshall died.  
 5-10-1917. 1908 house same to  
 1/2 to Michael Joseph Marshall, and  
 1/2 to Mary Catherine Marshall,  
 1/2 to Isabel Therese Marshall

2-14-49 Michael J. Marshall  
 and Isabel T. Marshall give  
 their share of 502 The Strand  
 to Mary Marshall Marshall

12-17-79 Mary M. Marshall  
 and Richard P. Marshall  
 become joint owners

Mary M. Marshall (Avila family  
 dies 8-17-81 descendant)

9-16-88 Richard P. Marshall  
 dies from a R. Marshall Trust

8-26-1997 R.R. Marshall Trust  
 sells 502 The Strand  
 Shown and Susan Denny

**REFERENCES:**

Los Angeles before the  
 Freeway, 1959-1960,  
 Arnold Noyes, 1961.

Sunset Boulevard,  
 Joe Kennedy and  
 Ray Markey, 1961.

Los Angeles from the  
 days of the Pueblo,  
 W.M. Robinson, 1961.

Muestra Pueblo, Los  
 Angeles City of  
 Farmers Co.

Joseph Sawyer War  
 and Charles Owens  
 1946.

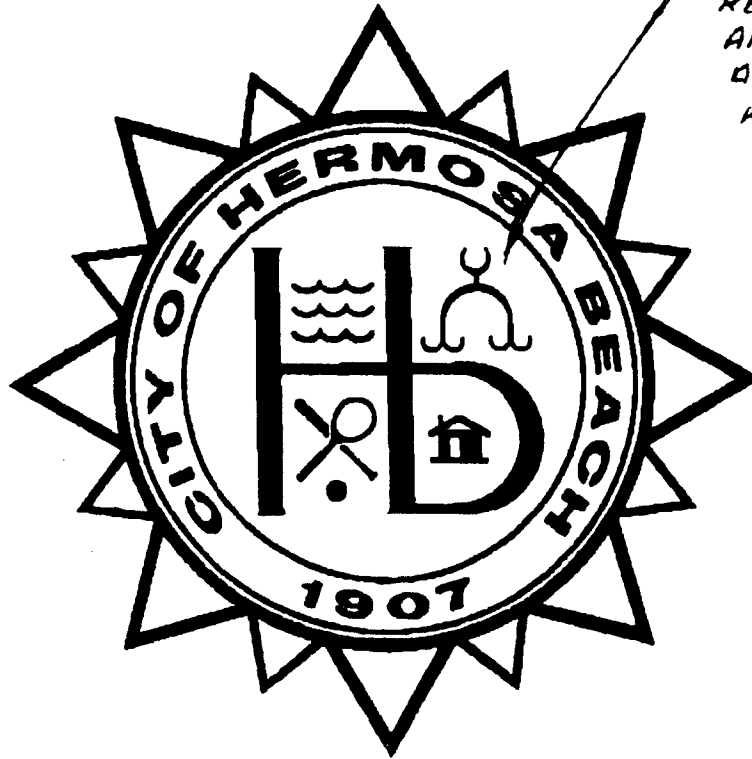
Tops Property Profile,  
 subject property,  
 502 The Strand,  
 Hermosa Beach,  
 90256-4

Assessor's Parcel Map:  
 4188-004-001,  
 5-2-2001.

Compiled by:  
 John T. Hales,  
 Hermosa Beach  
 Historical Society,  
 8-8-2001, Mr. Hales

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CATTLE BRAND  
REGISTERED BY  
ANTONIO IGNACIO AL  
AUGUST 27, 1848  
FOR RANCHO SAUSA  
RE.

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CALIFORNIA COASTAL COMMISSION

South Coast Area Office  
1000 Ocean Gate, Suite 1000  
Hermosa Beach, CA 90802-4302  
(562) 590-5071



COMMISSION ACTION ON 9.13.00

- Approved as Recommended
- Denied as Recommended
- Approved with Changes
- Denied
- Other

Filed: 8/8/00  
 49th Day: 9/26/00  
 180th Day: 2/4/01  
 Staff: AM-LB  
 Staff Report: 8/15/00  
 Hearing Date: Sept. 12-15, 2000  
 Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NUMBER: 5-00-271

APPLICANT: Shawn and Susan Darcy

AGENT: L.A. Young and Associates

PROJECT LOCATION: 502 The Strand, City of Hermosa Beach, Los Angeles County.

PROJECT DESCRIPTION: Demolition of a garage and separate living unit that is unattached to the existing home, demolition of the rear exterior wall of the existing single family home (17% of the total exterior wall area of the existing sfh), and construction of an additional 30-foot high, 1,260.8 square foot, two levels of living area over a 497.24 square foot two-car garage that will be connected to the existing four floor, 34-foot high 3,126 square foot single family home; and 365 square foot addition to the top floor of the existing residence.

Lot Area	2,440 square feet
Building Coverage	1,240 square feet
Pavement Coverage	1,200 square feet
Landscape Coverage	0 square feet
Parking Spaces	3
Zoning	R-3
Plan Designation	High Density Residential
Ht above final grade	30 feet

LOCAL APPROVAL: City of Hermosa Beach, Approval in Concurrence

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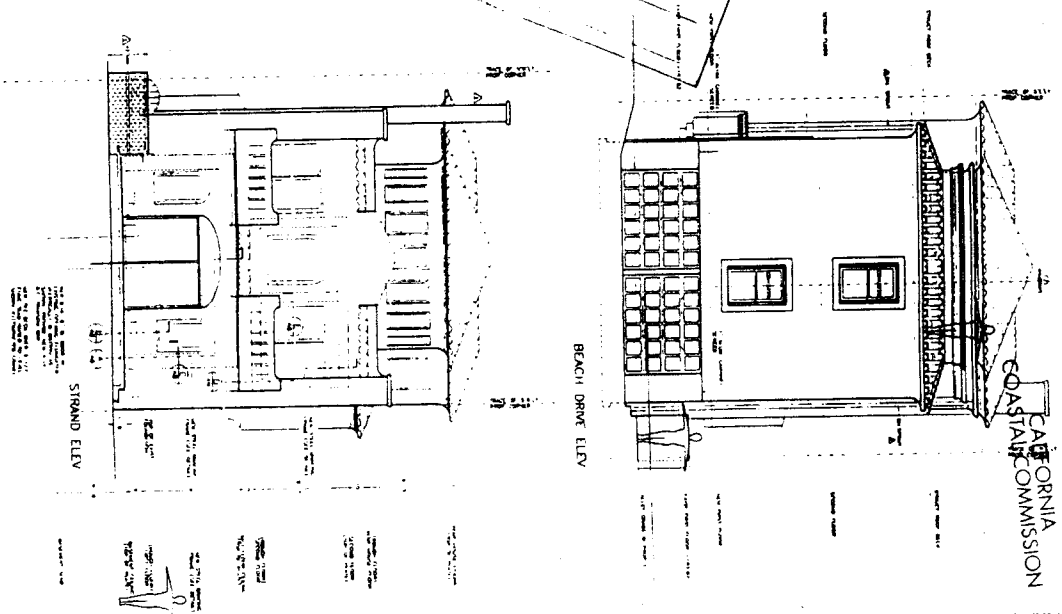
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5-00-271-A1

R.F.

APPROVED IN CONCEPT  
 CITY OF HERMOSA BEACH  
 by *[Signature]*  
 Date *5/17/01*

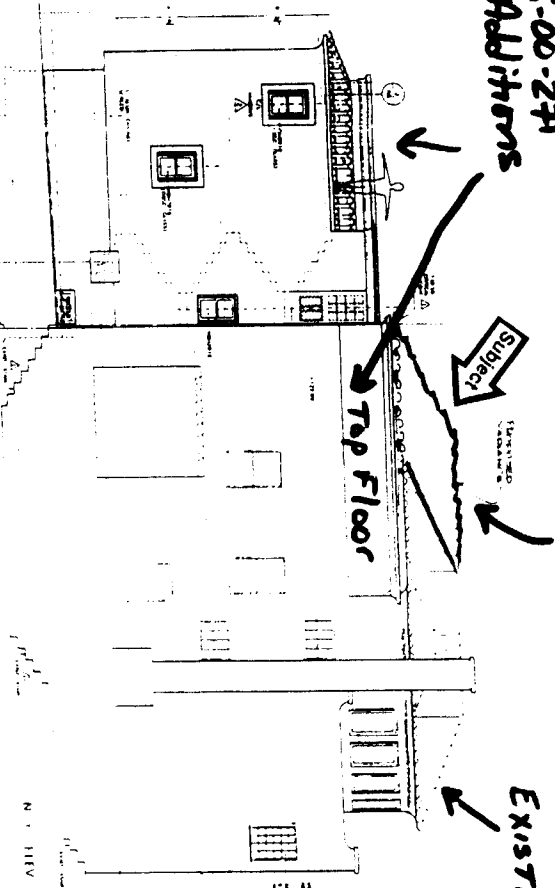
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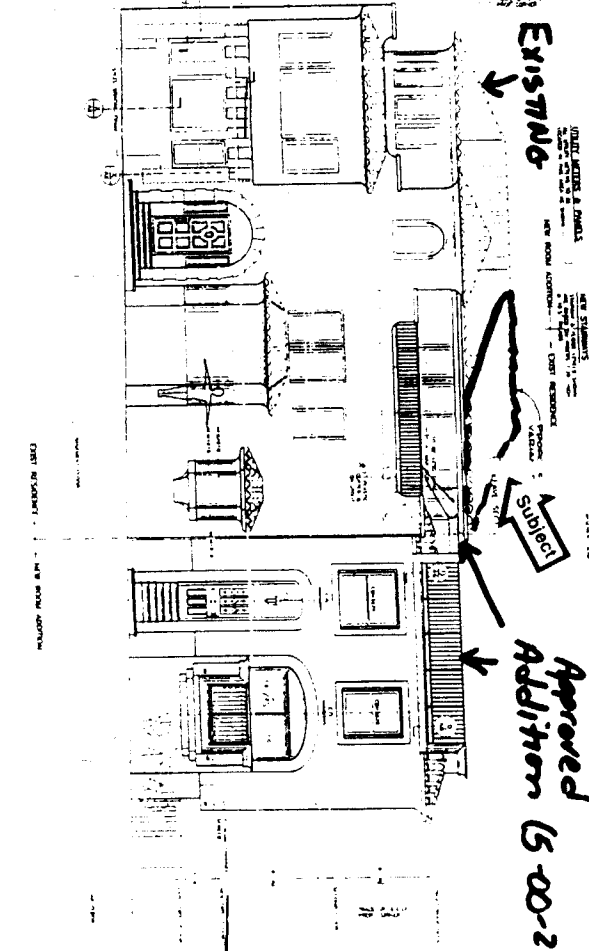
5-00-271  
 Additions

Proposed  
 Roof Addition



EXISTING

Approved  
 Addition (5-00-271)

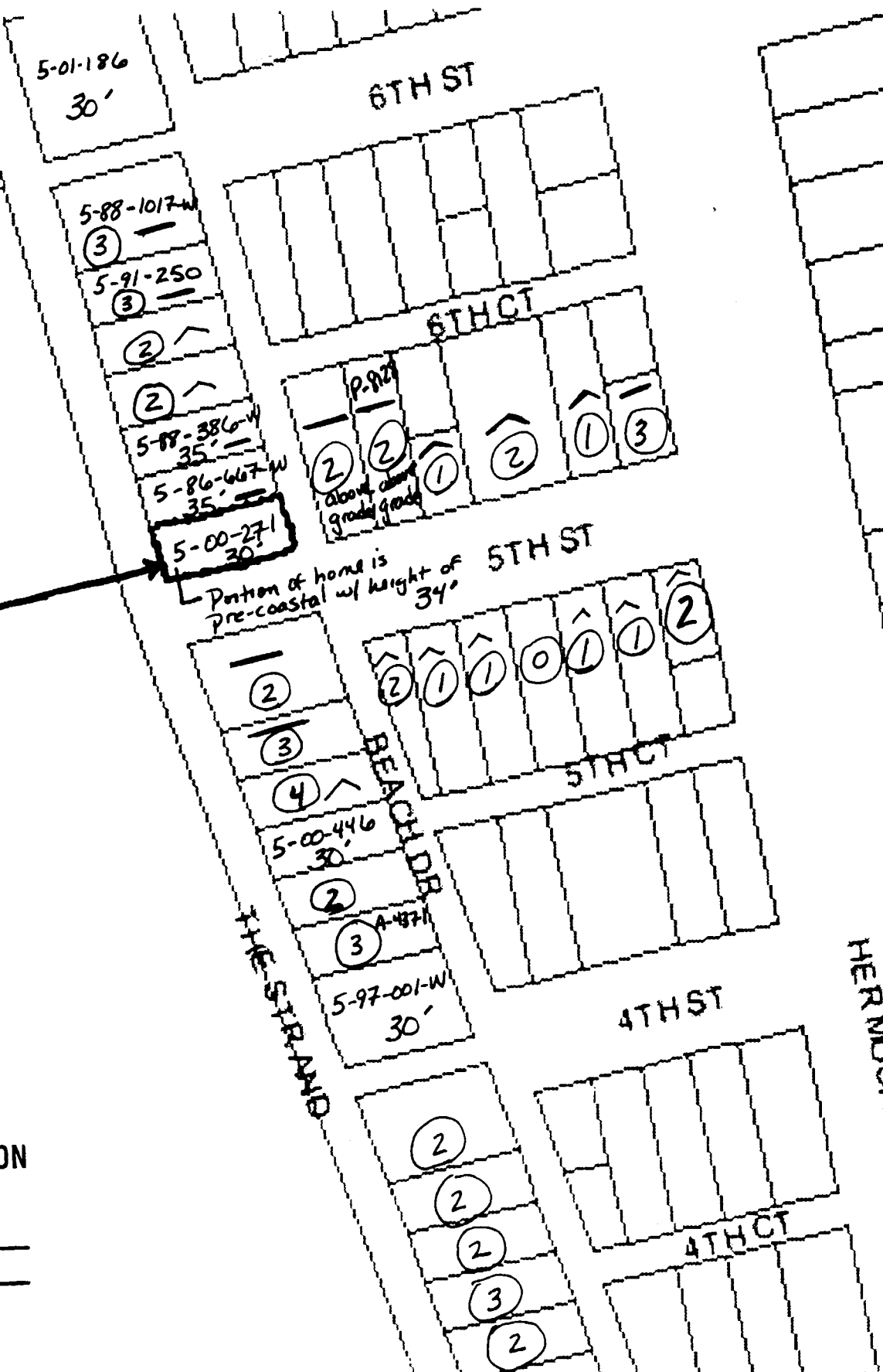


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 5-00-271-A

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NEW EXTERIOR ELEVATIONS

Subject Site



Portion of home is pre-coastal w/ height of 34'

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 PAGE 1 OF 1

(#) = NUMBER OF FLOORS

— FLAT ROOF OR ROOF DECK

^ PEAKED ROOF

[Dashed Box] = Parcels without CDP Possibly Pre-Coastal

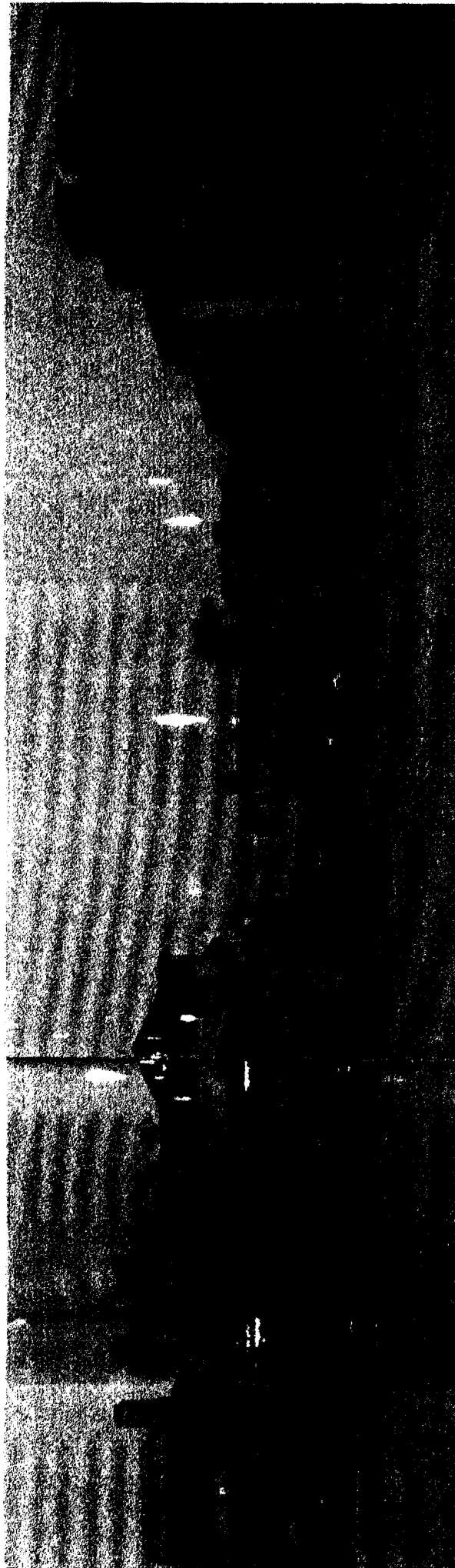
0 [Scale Bar] 0.032m

JS  
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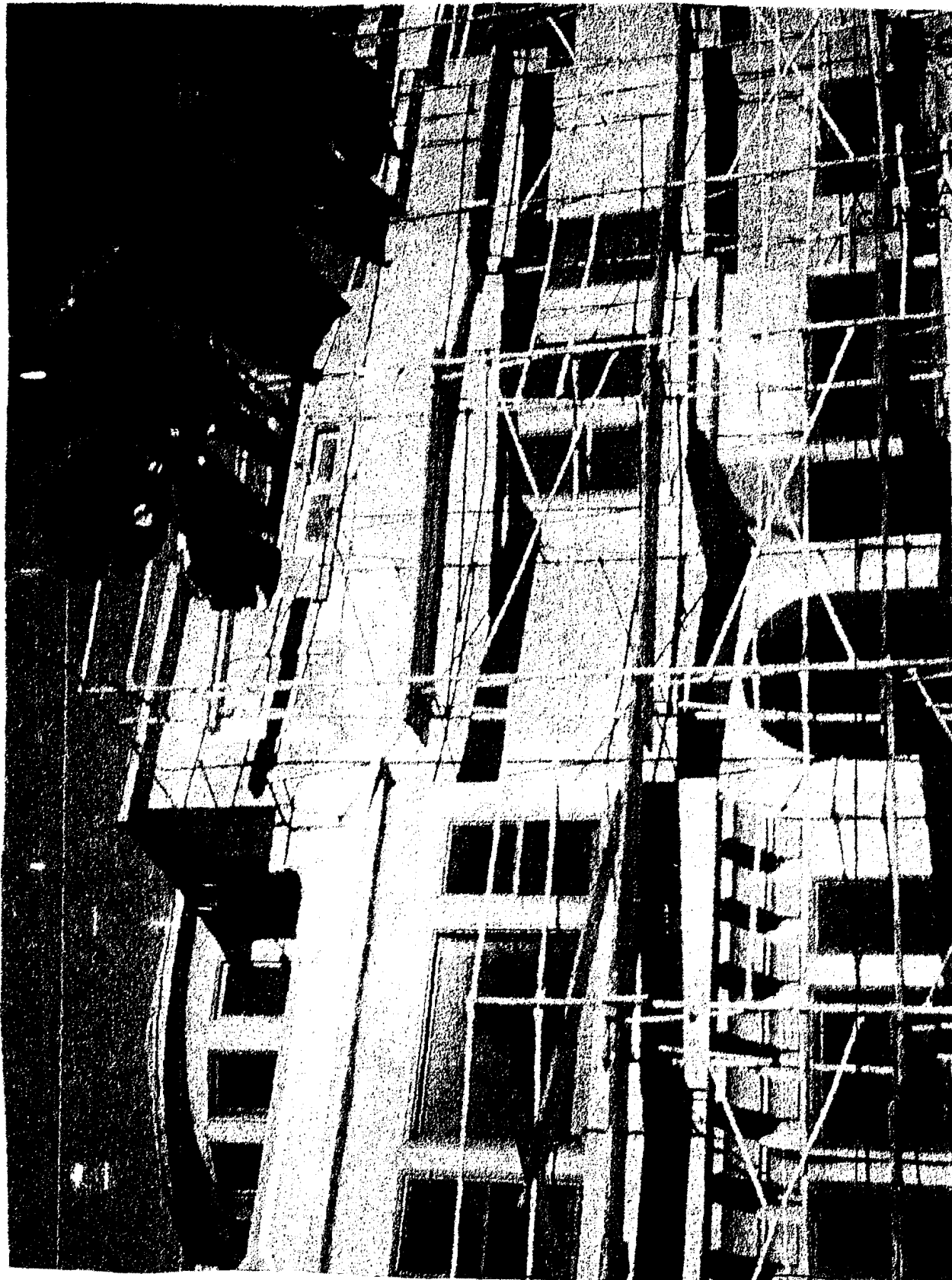
Darcy Residence: 502 The Strand, Hermosa Beach CA  
View of Roof Addition  
Looking East from the Beach  
(NO CHANGE IN EASTERN OR WESTERN ELEVATIONS)

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5-00-271-A1 R.

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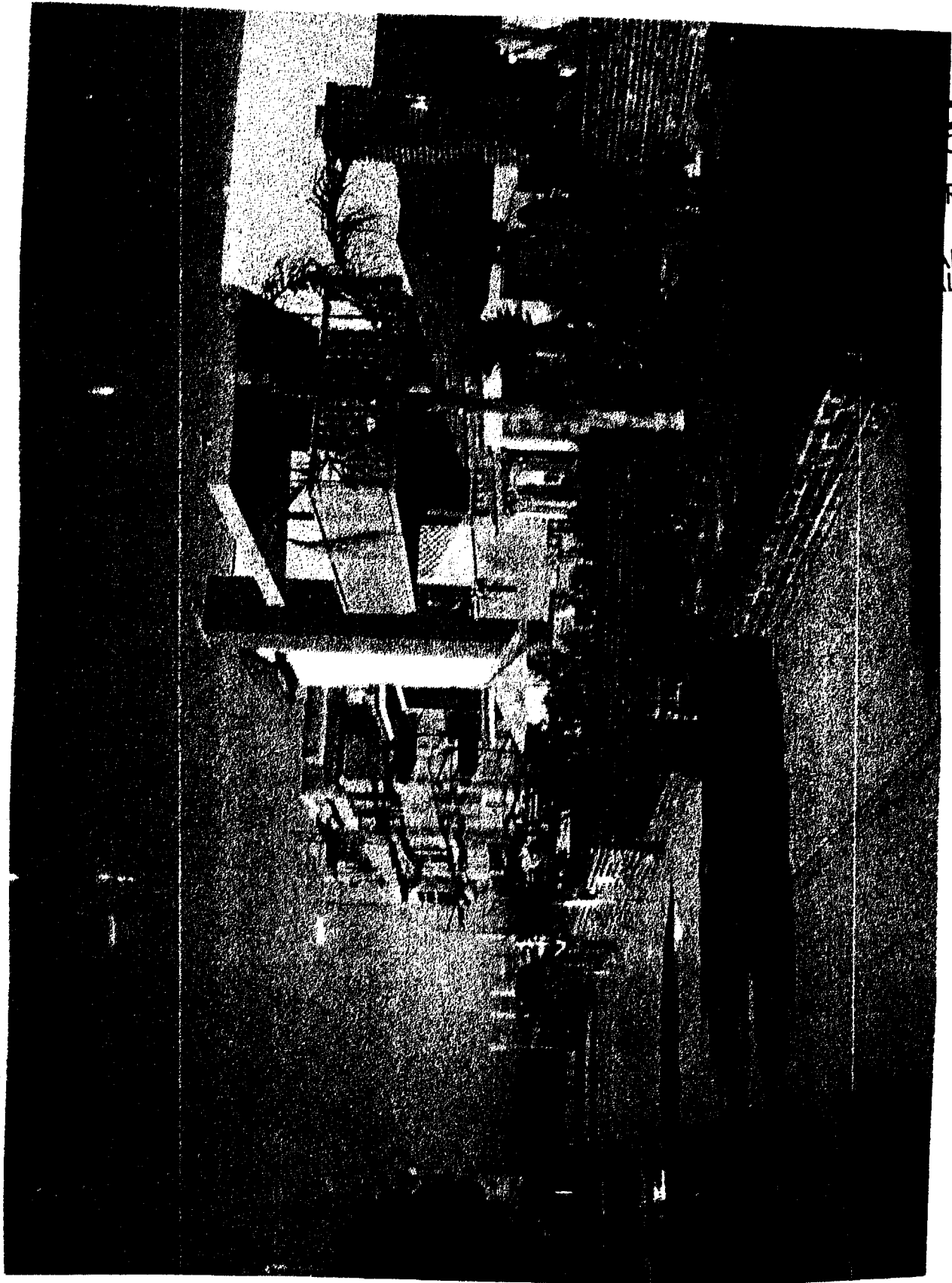
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Darcy Residence: 502 The Strand, Hermosa Beach CA  
View of Roof Addition  
Looking North from 5th Street

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5-00-271-A1 R.F.

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Darcy Residence: 502 The Strand, Hermosa Beach CA  
View of Roof Addition  
Looking Northwest from 5th Street (NO CHANGE)

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Darcy Residence: 502 The Strand, Hermosa Beach CA  
View of Roof Addition  
Looking Northeast from The Strand

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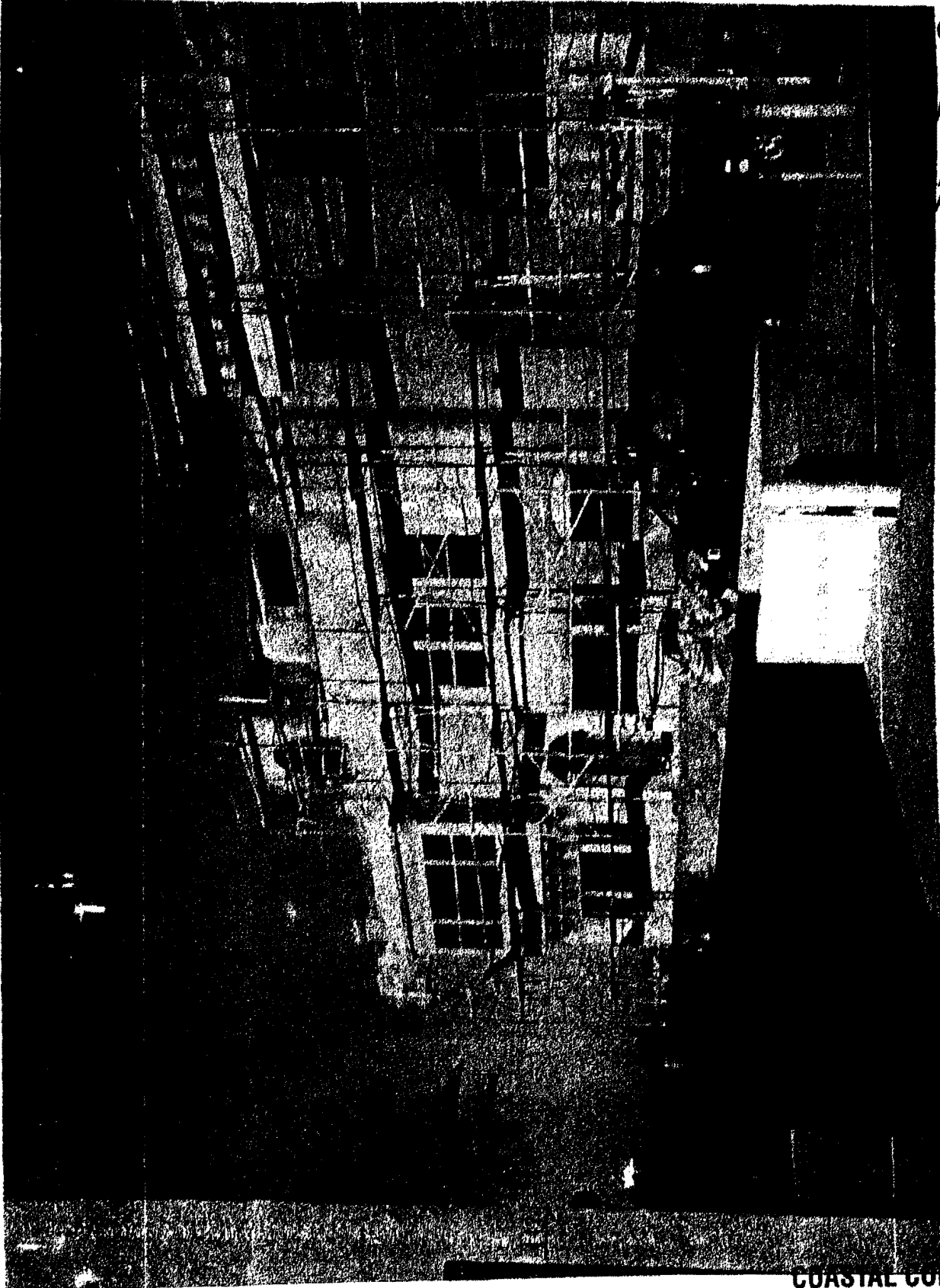
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Darcy Residence: 502 The Strand, Hermosa Beach CA  
View of Roof Addition  
Looking Northwest from Beach Drive



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5-00-271-41 R.F.

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