

CALIFORNIA COASTAL COMMISSION

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Staff: CP-LB
Staff Report: 9/18/2003
Hearing Date: October 7, 2003
Commission Action:



CP

STAFF REPORT: CONSENT CALENDAR**APPLICATION NUMBER:** 5-03-348**APPLICANT:** Roberto Alegre **AGENT:** Vincent Varela**PROJECT LOCATION:** 118 Union Jack Mall (Lot 8 Block 14, Del Rey Beach Tract), Venice, City of Los Angeles, Los Angeles County.**PROJECT DESCRIPTION:** Construction of a 45-foot high, 5,083 square foot single family residence with an attached three-car garage on a vacant lot.

Lot Area	2,887 square feet
Building Coverage	1,810 square feet
Pavement Coverage	597 square feet
Landscape Coverage	480 square feet
Parking Spaces	3
Zoning	R1-1
Plan Designation	Single Family Residence
Ht above final grade	45 feet

LOCAL APPROVALS: City of Los Angeles Planning Department Approval, Case Nos. 2000-1619 (DD) 5/25/2000 & 2000-2112 (YV) 6/5/2003.**SUBSTANTIVE FILE DOCUMENTS:**

1. Coastal Development Permit A-266-77 (ILA) & amendment.
2. Coastal Development Permit 5-87-112 (Del Rey Assoc.) & amendment.
3. Coastal Development Permits 5-97-150 (Lee).
4. Coastal Development Permits 5-97-204, 5-97-288 & 5-98-050 (Ganezer).
5. Coastal Development Permits 5-91-153, 5-98-204, 287, 288 & 289 (Legg).
6. Coastal Development Permits 5-98-501 & 5-00-431 (Drane).
7. Coastal Development Permit 5-99-186 (Weitz).
8. Coastal Development Permit 5-99-441 (Koplow).

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending that the Commission grant a coastal development permit for the proposed development with special conditions relating to the maintenance of public areas, compliance with underlying permit requirements, water quality, and the provision of adequate parking. The applicant agrees with the recommendation. **See Page Two for Motion.**

STAFF RECOMMENDATION:

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

MOTION: *"I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations."*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

I. Resolution: Approval with Conditions

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date 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. Maintenance of Public Areas

In order to maintain the public areas designated in the Silver Strand and Del Rey Beach tracts, the applicant and all successors in interest shall participate in the private homeowners association established under amended Coastal Development Permit A-266-77 (ILA) on a fair and equitable basis in the maintenance of all public areas and landscaping (including pedestrian malls, parking nodes, and the lagoon buffer and pathway) installed pursuant to Coastal Development Permits A-266-77 (ILA), 5-86-641 (Lee) and 5-87-112 (Del Rey Assoc.). The public areas are identified on the attached "Public Areas Exhibit – Del Rey/Silver Strand" (**Exhibit #9 of the staff report dated 9/18/03**) and repeated as Exhibit #1 to the Notice of Intent that the Executive Director issues for this coastal development permit.

2. Coastal Development Permit A-266-77 (ILA)

Through the acceptance of this coastal development permit, the applicant acknowledges and agrees as follows:

A) The project site is subject to Coastal Development Permit A-266-77 (ILA) and that all development must be consistent with Coastal Development Permit A-266-77 (ILA), and;

B) All public areas provided and improved pursuant to Coastal Development Permit A-266-77 (ILA), including Union Jack Mall, the other landscaped malls, the public streets and alleys, all public parking spaces, and the Ballona Lagoon public access path, shall remain open and available for use by the general public on the same basis as similar public areas within the City.

3. On-site Parking

The applicant shall provide at least three off-street parking spaces on the project site. These parking spaces shall take access from the alleys (also called courts). The courts and street ends shall not be used as parking for the residence approved by this coastal development permit. This condition shall serve as notification that amended Coastal Development Permit A-266-77 (ILA) reserves parking on the street ends in the Silver Strand area for public parking, and that these public parking areas shall not be used for preferential parking. It also serves notice that the street and street ends adjacent to the project site shall not be reserved to any homeowner(s).

4. Permeable Yard Area

In order to reduce the amount of runoff leaving the site and to preserve the water quality and biological productivity of Ballona Lagoon, a permeable yard area shall be maintained in the front yard area between the structure and the front property line. The area within a fifteen-foot front yard setback shall be maintained as the required

permeable yard area as shown on **Exhibit #5 of 9/18/03** staff report. Uncovered means that no building extensions (i.e. balconies, stairs, trellises) shall be placed in or over the permeable yard area. No more than twenty percent (20%) of the permeable front yard area shall be covered with impervious materials (i.e. walkway, fences and garden walls).

5. Water Quality

The storage or stockpiling of soil, silt, other organic or earthen materials, or any materials and chemicals related to the construction shall not occur where such materials/chemicals could pass into the water. Any spills of construction equipment fluids or other hazardous materials shall be immediately contained on-site and disposed of in an environmentally safe manner as soon as possible. Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than fifty feet away from all stormdrains, open ditches and surface waters. All floatable debris and trash generated by construction activities within the project area shall be disposed of at the end of each day, or as soon as possible. All grading and excavation areas shall be properly covered and sandbags and/or ditches shall be used to prevent runoff from leaving the site, and measures to control erosion must be implemented at the end of each day's work.

6. Permit Compliance

All development must occur in strict compliance with the proposal as set forth in the application, subject to any special conditions. Any deviation from the approved plans must be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is required.

7. Deed Restriction

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this coastal development permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the property. The deed restriction shall include a legal description of the entire parcel governed by this coastal development permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this coastal development permit shall continue to restrict the use and enjoyment of the subject property so long as either this coastal development permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The applicant proposes to construct a four-level, 45-foot high, three-story, 5,083 square foot single family residence on a vacant lot situated between the rights-of-way of Union Jack Mall and Voyage Court in the interior of the Del Rey Beach Tract in Venice (Exhibit #2). The proposed residence provides three on-site parking spaces inside a three-car garage which is accessed from Voyage Court, the rear alley (Exhibit #5). Union Jack Mall, which fronts the site, is a landscaped public pedestrian mall that has been improved under the terms of Coastal Development Permit A-266-77 (ILA) (Exhibit #4).

The site and Union Jack Mall are located in the Del Rey Beach Tract (Exhibit #3). The Silver Strand subdivision is located one block north of the site. Ballona Lagoon is located about two hundred feet west of the subject site. The entire area is referred to as the "Silver Strand area".

B. Project Background

The Silver Strand subdivision and the Del Rey Beach tract share a long history before the Coastal Commission. Both subdivisions, referred to together as the Silver Strand area, are located along the east bank of Ballona Lagoon and have only recently been developed with single family residences. Although the subdivisions were created in the early 1900's, the development of the area did not occur until the late 1970's. Therefore, the Commission has reviewed and permitted the development of the subdivisions with single family residences.

The first Commission approval in the area occurred in 1977 when the Commission approved the "Silver Strand Permit", A-266-77 (ILA), which was brought before the Commission on an appeal. Prior to the Commission's action on Coastal Development Permit A-266-77 (ILA) in 1977, the Commission and its predecessor denied several applications to improve the streets and supply utilities within portions of the Silver Strand subdivision and the Del Rey Beach Tract to make residential development possible. The previous projects were denied because of adverse impacts on traffic, recreation and wetland habitat.

The projects were proposed by a consortium of comprised of most of the owners of the approximately three hundred undeveloped lots located on Blocks 7 through 18 of the Silver Strand subdivision and Blocks 13 through 15 of the Del Rey Beach Tract (Exhibit #2). The consortium represented most of the lot owners, although the gas company which owned several lots and a few other individual lot owners refused to join. The consortium was judged to have the legal ability to apply for a permit to grade the lots, improve the streets, and supply utilities within the Silver Strand area so that individual lot owners would eventually be able to build homes under separate permits.

The Commission's 1977 approval of Coastal Development Permit A-266-77 (ILA) permitted the consortium of applicants, the Isthmus Landowners Association (ILA), to develop the infrastructure necessary for the development of single family homes on approximately three hundred lots located on Blocks 7 through 18 of the Silver Strand subdivision and Blocks 13 through 15 of the Del Rey Beach Tract (Exhibit #2). The currently proposed project is located

on a lot (**Lot 8, Block 14, Del Rey Beach Tract**) which is subject to Coastal Development Permit A-266-77 (ILA) (Exhibit #3).

Coastal Development Permit A-266-77 (ILA) was subject to conditions addressing lagoon protection, maintenance of public areas, public access, and public parking. The Commission found that Ballona Lagoon, located adjacent to the Silver Strand and Del Rey Beach subdivisions and about two hundred feet west of the subject site, was critical habitat area and an important coastal resource. The Commission further found that residential development of the Silver Strand area would have major adverse cumulative impacts on the lagoon and that several measures were necessary to mitigate the adverse impacts of development.

One of the mitigation measures was the requirement for the dedication of an easement for a habitat protection and public access as part of a lagoon buffer to reduce the impacts of the residential development on the lagoon. The protective lagoon buffer area was to be restored according to the Ballona Lagoon Preserve Plan in order to improve the degraded habitat area. Another mitigation measure was a condition of Coastal Development Permit A-266-77 (ILA) which required the owners of the lots subject to Coastal Development Permit A-266-77 (ILA) to establish a private homeowners association sufficient to maintain all public areas and landscaping approved and required by the permit. Because all of the owners of the lots subject to Coastal Development Permit A-266-77 (ILA) would benefit from the permitted tract improvements, the Commission required each lot owner to contribute to the maintenance of the improvements.

Coastal Development Permit A-266-77 (ILA) was amended in 1979 in response to litigation (Exhibit #6). The amended permit still allowed the ILA to develop the infrastructure necessary for the development of approximately three hundred lots with single family homes. As amended, Coastal Development Permit A-266-77 (ILA) required the permittee (ILA) to perform all grading in a single contract, to improve a public access path on the east bank of the lagoon, restore the lagoon buffer, to improve the streets and malls for public access and parking, and to establish a private homeowners association sufficient to maintain all public areas and landscaping including the lagoon buffer. A finding stated that the individual lagoon fronting lot owners would be required to dedicate an easement for a habitat protection and public access as a condition of their individual permits for residences.

Since 1980, the approved grading has been completed, the public access path along Ballona Lagoon has been improved, and the permittee (ILA) established itself as the private homeowners association of the Isthmus Landowners Association (ILA) to maintain the lagoon buffer and other public areas. The rights-of-way of Voyage Mall, Union Jack Mall, Westwind Court and Voyage Court were improved in 1999-2000, as required by the terms of Coastal Development Permit A-266-77 (ILA) (Exhibit #8). Most of the vacant lots along the public rights-of-way of Voyage Mall and Union Jack Mall have recently been developed with single family homes under Commission approved Coastal Development Permits (Exhibit #4).

The amendment of Coastal Development Permit A-266-77 (ILA) also required that the lot owners located in the area subject to the permit to contribute equally for the restoration and maintenance of the lagoon buffer. Because all of the owners of the lots subject to Coastal Development Permit A-266-77 (ILA) would benefit from the permitted tract improvements, including the lagoon buffer restoration, the Commission required each lot owner to contribute to the maintenance of the improvements. The Commission found that the development of the

area with homes would have an impact on the lagoon and public access. The improvements would mitigate these impacts. Without the improvements, no lot could be developed. The lagoon buffer was landscaped in an effort to restore the habitat in the mid-1980s, but that effort was not successful.

The conditions of approval for Coastal Development Permit A-266-77 (ILA) provided the basis for the mitigating special conditions which have been routinely applied to all subsequent coastal development permits in the area. This set of special conditions ensures that the Chapter 3 policies of the Coastal Act and the intent of Coastal Development Permit A-266-77 (ILA) are carried out as individual lots are developed. This application is required to meet the special conditions of approval necessary to ensure consistency with the Chapter 3 policies of the Coastal Act and Coastal Development Permit A-266-77 (ILA).

There are also two sets of lots in the southern portion of the Del Rey Beach tract which were not subject to Coastal Development Permit A-266-77 (ILA) (Exhibit #3). The Commission approved two permits, both modeled after Coastal Development Permit A-266-77 (ILA), for the development of the southern portion of the Del Rey Beach Tract which was not subject to Coastal Development Permit A-266-77 (ILA).

Coastal Development Permit 5-86-641 (Lee) allowed the development of ten single family residences on ten lots situated along the east bank of Ballona Lagoon (Exhibit #3). That Commission approval included provisions for the restoration and maintenance of the lagoon buffer areas adjoining the subject lots. The lagoon buffer adjoining the ten lots subject to Coastal Development Permit 5-86-641 (Lee) was successfully improved with a continuation of the east bank public access path and restored with native coastal strand vegetation.

Coastal Development Permit 5-86-641 (Lee) also required the permittee (Lee) to join with the private homeowners association established under Coastal Development Permit A-266-77 (ILA) to participate in the maintenance responsibilities of the public areas and landscaping (including malls, parking nodes, lagoon buffer and path) approved and required by the Coastal Development Permit A-266-77 (ILA).

In 1987, the Commission approved Coastal Development Permit 5-87-112 (Del Rey Assoc.) for the development of streets, utilities, and 36 lots with single family residences on a southern portion of the Del Rey Beach Tract located near the lagoon, but not adjoining it (Exhibit #3). In its approval, the Commission found that residential development of this portion of the Del Rey Beach Tract would have cumulative adverse impacts on the lagoon and mitigation measures were necessary to mitigate those cumulative adverse impacts of development.

One of the mitigation measures was a condition which required the permittee (Del Rey Assoc.) and all members of the Del Rey Association to join with the private homeowners association established under Coastal Development Permit A-266-77 (ILA) to participate equally in the maintenance of the public areas and landscaping (including malls, parking nodes, lagoon buffer and path) approved and required by Coastal Development Permits A-266-77 (ILA), 5-86-641 (Lee), and 5-87-112 (Del Rey Assoc.).

C. Maintenance of Public Areas

When the Commission approved Coastal Development Permit A-266-77 (ILA) in 1977 and amended it in 1979, it found that the residential development of the Silver Strand area would have major cumulative impacts on Ballona Lagoon and that several measures were necessary to mitigate the adverse impacts of development. The mitigation measures included a requirement for the ongoing maintenance of the Silver Strand and Del Rey Beach public areas including the protective lagoon buffer, the public pedestrian malls, public parking spaces, the public access path along the lagoon, and the area's drainage devices. The Commission found that the ongoing maintenance of these public areas was necessary to mitigate the cumulative adverse impacts of the development of the Silver Strand area as a residential area.

Therefore, the Commission required the applicant (ILA) to, among other things, establish a homeowners association to maintain the public areas. The Isthmus Landowners Association (ILA) named themselves as the homeowners association which would maintain the public areas as required. As applicant, the ILA has the responsibility for the ongoing maintenance of the public areas because it is the property owners comprising the ILA who benefit most from the development of the area as a residential area.

After the Commission's approval of the amendment to Coastal Development Permit A-266-77 (ILA) in 1979, the Commission began conditioning all individual coastal development permits for single family residences in the Silver Strand area to require a deed restriction stating that each applicant is required to participate with the other lot owners in the maintenance of the public areas. The purpose of the condition is to ensure that all lot owners who benefit from development of their property participate in the mitigation of the cumulative impacts of the development of the area.

As required on the previous Commission approvals in the area, the applicant is required to record a deed restriction stating that it will participate with the lot owners of the Silver Strand on a fair and equitable basis in the maintenance of the public areas, buffers and drainage devices prescribed by Coastal Development Permit A-266-77 (ILA).

The applicant is also required to acknowledge that the public areas provided and improved pursuant to Coastal Development Permit A-266-77 (ILA) shall remain open and available for use by the general public on the same basis as similar public areas within the City. This requirement is contained in special condition three which has been updated to reflect the completion of the landscaped public malls and the provision of public parking areas within the Silver Strand area. In previous Silver Strand area permits, special condition three had addressed the construction of the landscaped public malls and the provision of public parking areas within the Silver Strand area. In this case, the site is located on the Union Jack Mall right-of-way which has been landscaped and is open for public access. A four-space public parking area is provided on the Union Jack Mall right-of-way where it intersects with Via Donte (Exhibit #4).

Recordation of the required deed restriction will ensure that the applicant meets its obligation to participate in the mitigation of the cumulative impacts which the development of the Silver Strand area, including the subject lot, has had on the coastal resources in the area as identified in Coastal Development Permit A-266-77 (ILA). Only as conditioned is the proposed

development consistent with the Chapter 3 policies of the Coastal Act and Coastal Development Permit A-266-77 (ILA).

D. Public Access and Parking

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 requires that new development should maintain and enhance public access to the coast by providing adequate parking facilities.

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....

The Commission has consistently required that single family residences in the Silver Strand area provide three on-site parking spaces in order to meet the parking demands of the development and comply with Section 30252 of the Coastal Act.

The proposed project provides the required three on-site parking spaces in a three-car garage located on the ground floor (Exhibit #5). In addition, as required on the previous Commission approvals in the area, the applicant is required to record a deed restriction stating that three on-site parking spaces will be maintained on the site. Only as conditioned is the proposed project consistent with the public access policies of the Coastal Act.

In addition, when the Commission approved Coastal Development Permit A-266-77 (ILA), it found that the adverse impacts on public access and recreation caused by the residential development of the Silver Strand area would be offset with the provision of a public access path along the east bank of Ballona Lagoon and with the improvement of the public rights-of-way for parking and pedestrian access.

Therefore, in order to ensure that the public access improvements required by Coastal Development Permit A-266-77 (ILA) are protected for public use, the Commission requires as a condition of approval that the applicant acknowledges that the public areas provided and improved pursuant to Coastal Development Permit A-266-77 (ILA), including Union Jack Mall and the other landscaped pedestrian malls, the public streets and alleys, all public parking spaces, and the Ballona Lagoon public access path, shall remain open and available for use by the general public on the same basis as similar public areas within the City. The public parking areas located at the street and mall ends shall not be used for preferential parking. Only as conditioned is the proposed project consistent with the public access policies of the Coastal Act.

E. Public Recreation

The proposed development, as conditioned, does not interfere with public recreational use of coastal resources. The proposed development, as conditioned, protects coastal areas suited for recreational activities. Therefore, the Commission finds that the proposed development, as conditioned, is in conformity with Sections 30210 through 30214 and Sections 30220 through 30223 of the Coastal Act regarding the promotion of public recreational opportunities.

F. Marine Resources and Water Quality

The proposed work will be occurring in a location where there is a potential for a discharge of polluted runoff from the project site into coastal waters. The storage or placement of construction material, debris, or waste in a location where it could be carried into coastal waters would result in an adverse effect on the marine environment. To reduce the potential for construction and post-construction related impacts on water quality, the Commission imposes special conditions requiring, but not limited to, the appropriate storage and handling of construction equipment and materials to minimize the potential of pollutants to enter coastal waters and for the use of on-going best management practices following construction. As conditioned, the Commission finds that the development conforms with Sections 30230 and 32031 of the Coastal Act.

G. Development

The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area, has been designed to assure structural integrity, and will avoid cumulative adverse impacts on public access. Therefore, the Commission finds that the development, as conditioned, conforms with Sections 30250, 30251, 30252, 30253 and the public access provisions of the Coastal Act.

H. Environmentally Sensitive habitat Areas (ESHA)

As conditioned, the development will not result in significant degradation of adjacent habitat, recreation areas, or parks and is compatible with the continuance of those habitat, recreation, or park areas. Therefore, the Commission finds that the project, as conditioned, conforms with Section 30240(b) of the Coastal Act.

I. Deed Restriction

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes one additional condition requiring that the property owner record a deed restriction against the property, referencing all of the above Special Conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the property. Thus, as conditioned, this permit ensures that any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land in connection with the authorized development.

J. Local Coastal Program

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The City of Los Angeles Land Use Plan (LUP) for Venice was effectively certified on June 14, 2001. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as

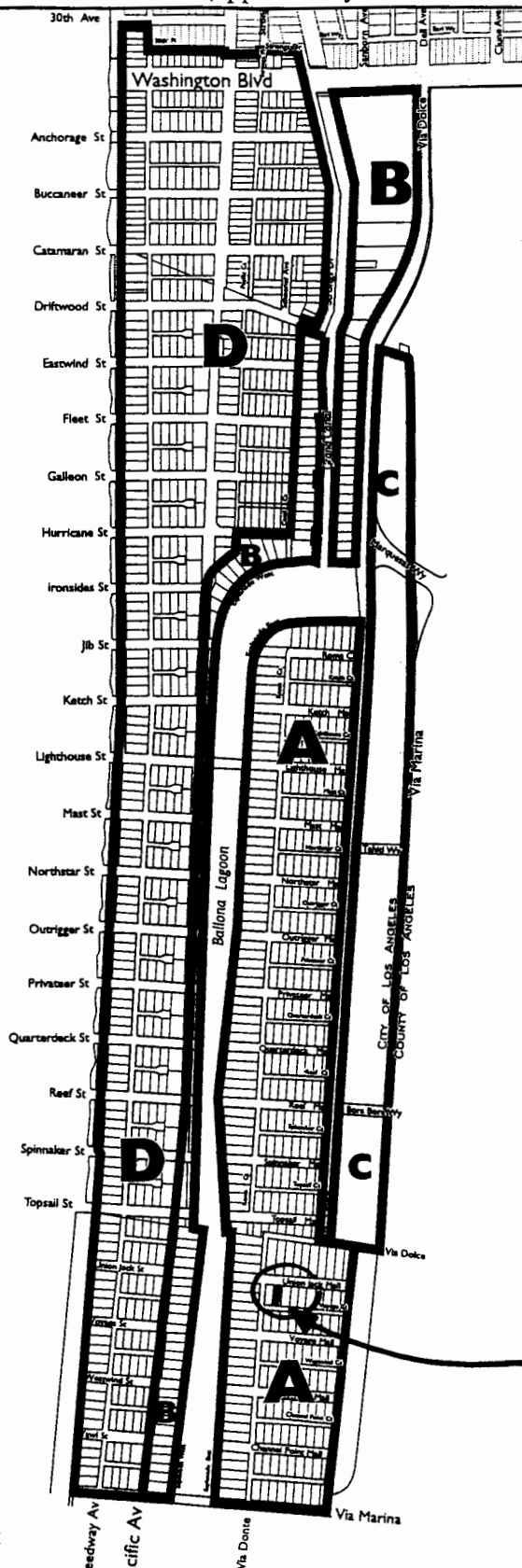
conditioned, will not prejudice the ability of the local government to prepare an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

K. California Environmental Quality Act (CEQA)

As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

End/cp





Maximum Building Height

- A** 30' within 60 horizontal feet of the mean high tide line of Ballona Lagoon or inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 45'. 45-foot limit for structures or portions of structures located further than 60 horizontal feet of the mean high tide line of Ballona Lagoon and the inland side of the Esplanade.
- B** 30' within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal or the inland side of the Esplanade (City right-of-way), whichever is furthest from the water. Beyond 60 horizontal feet, one foot in additional height is permitted for each two additional horizontal feet to a maximum height of 38 feet.
- C** 45'
- D** 35', 28' along Walk Streets.

Notes:

*All building heights shall be measured from the elevation of the fronting right-of-way, except on lagoon lots where all building heights shall be measured from the average existing natural grade.

*No portion of any structure (including roof access structures, roof deck railings and architectural features) shall exceed the 30' height limit within 60 horizontal feet of the mean high tide line of Ballona Lagoon, Grand Canal or the inland side of the Esplanade (City right-of-way).

*Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

*See Policy I.A.1 for policy limiting roof access structures.

*See Policy I.B.7 for commercial and mixed-use development standards.

Site: 118 Union Jack Mall

**LUP
Exhibit 13
Height**

Subarea: Marina Peninsula • Silver Strand •

Ballona Lagoon West • Ballona Lagoon (Grand Canal) East

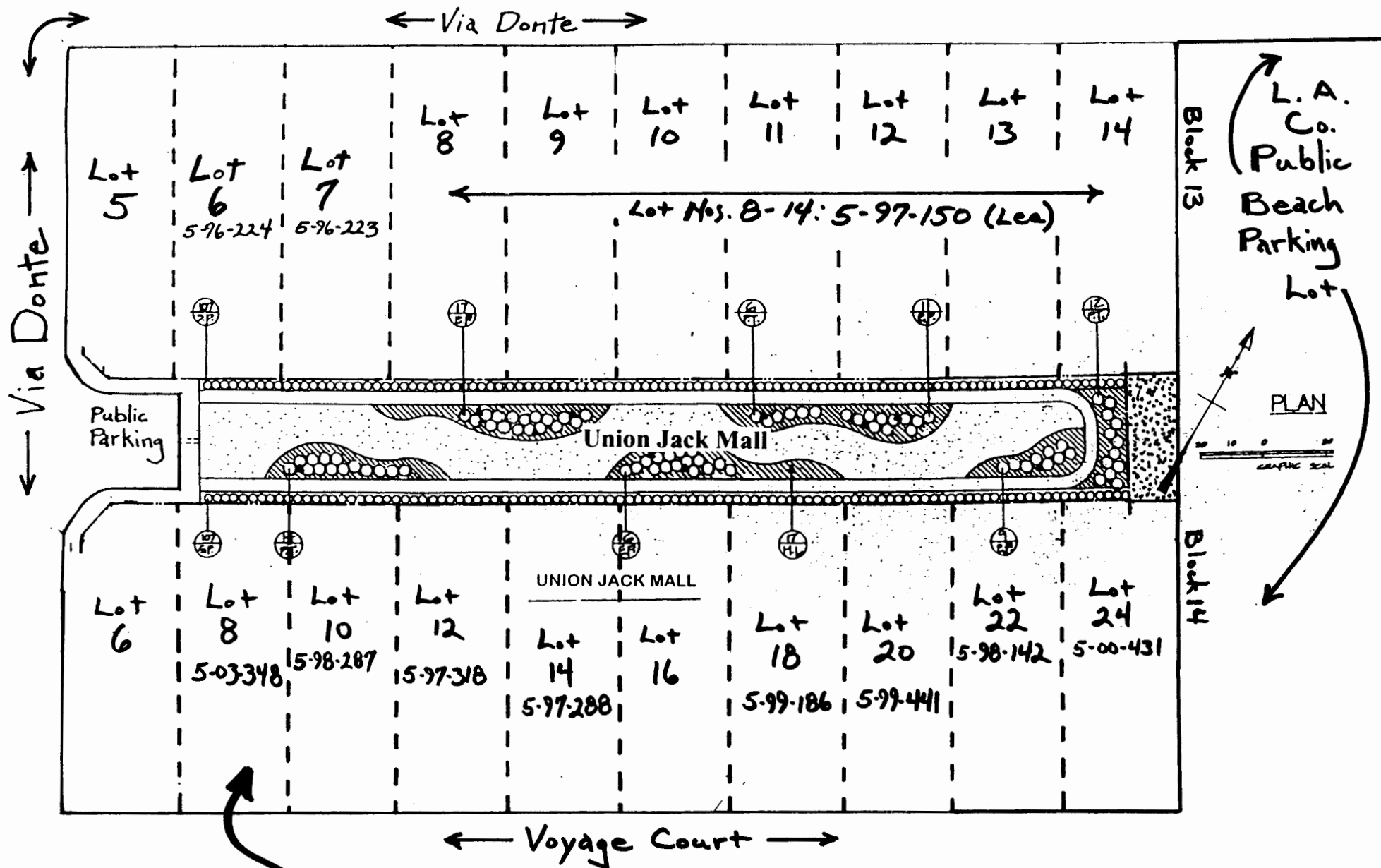
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COASTAL COMMISSION**

Not to Scale

EXHIBIT # 2
PAGE 1 OF 1

EXHIBIT # 3
PAGE 2 OF 2

PUBLIC BUFFFFER and DRAINAGE AREAS / DEL REY STRAND



Site

COASTAL COMMISSION

5-03-348

EXHIBIT # 4

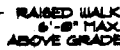
PAGE 1 OF 1

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NOTE:
OWNER HAS OFFERED TO DEDICATE 1.86'
OF REAR PROPERTY FOR STREET
PURPOSES. ALL STREET IMPROVEMENTS
ARE COMPLETE.

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OWNER HAS OFFERED TO DEDICATE 1.86'
OF REAR PROPERTY FOR STREET
PURPOSES. ALL STREET IMPROVEMENTS
ARE COMPLETE.

4-13 2 5 2003



118 UNION JACK MALL
LOT 8- BLOCK 14
DEL REY BEACH TRACT
APN# 4295 007 020
D.M. # 100.5A149

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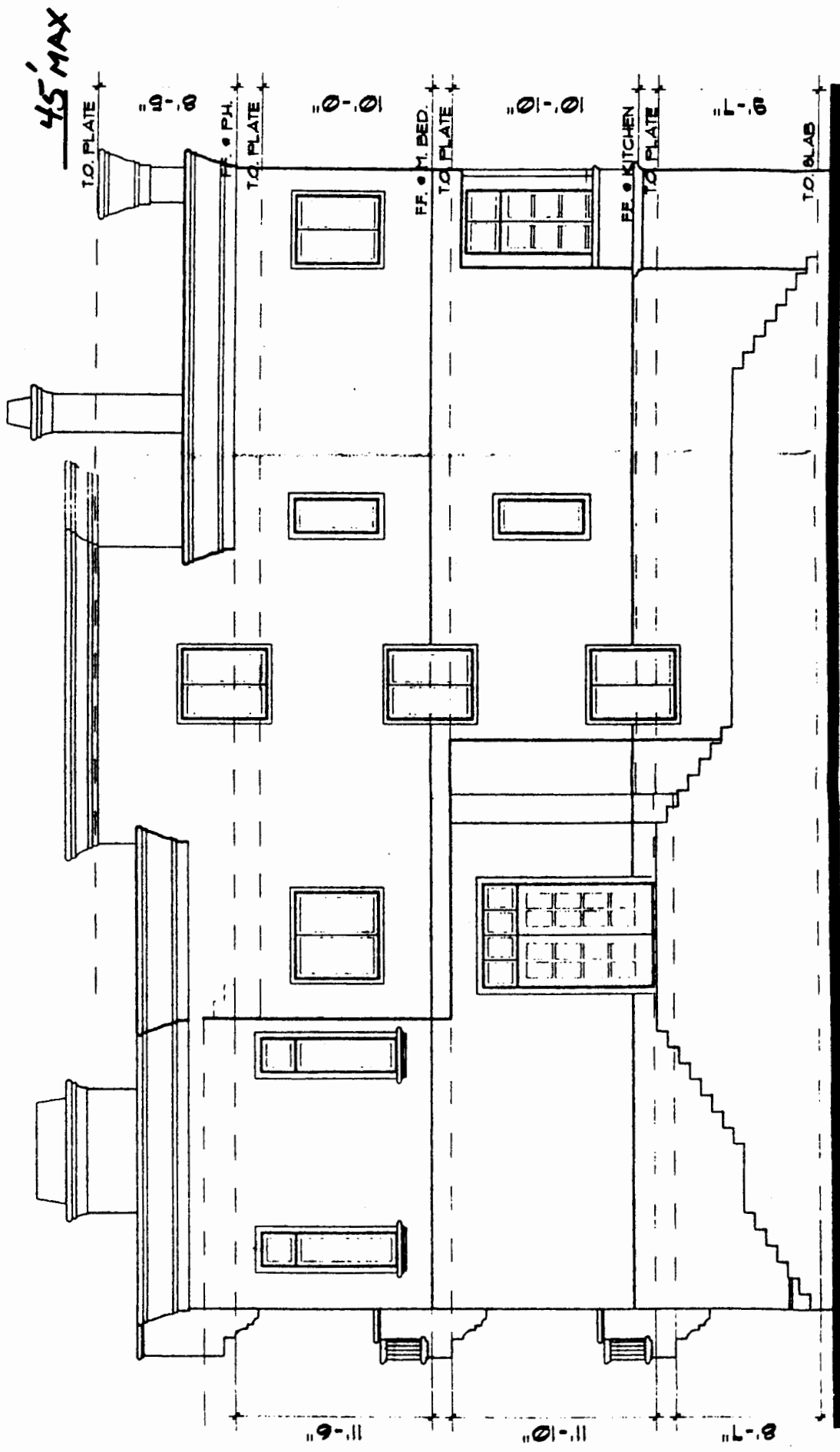
SIDE YARD



NORTH

EXHIBIT # 5

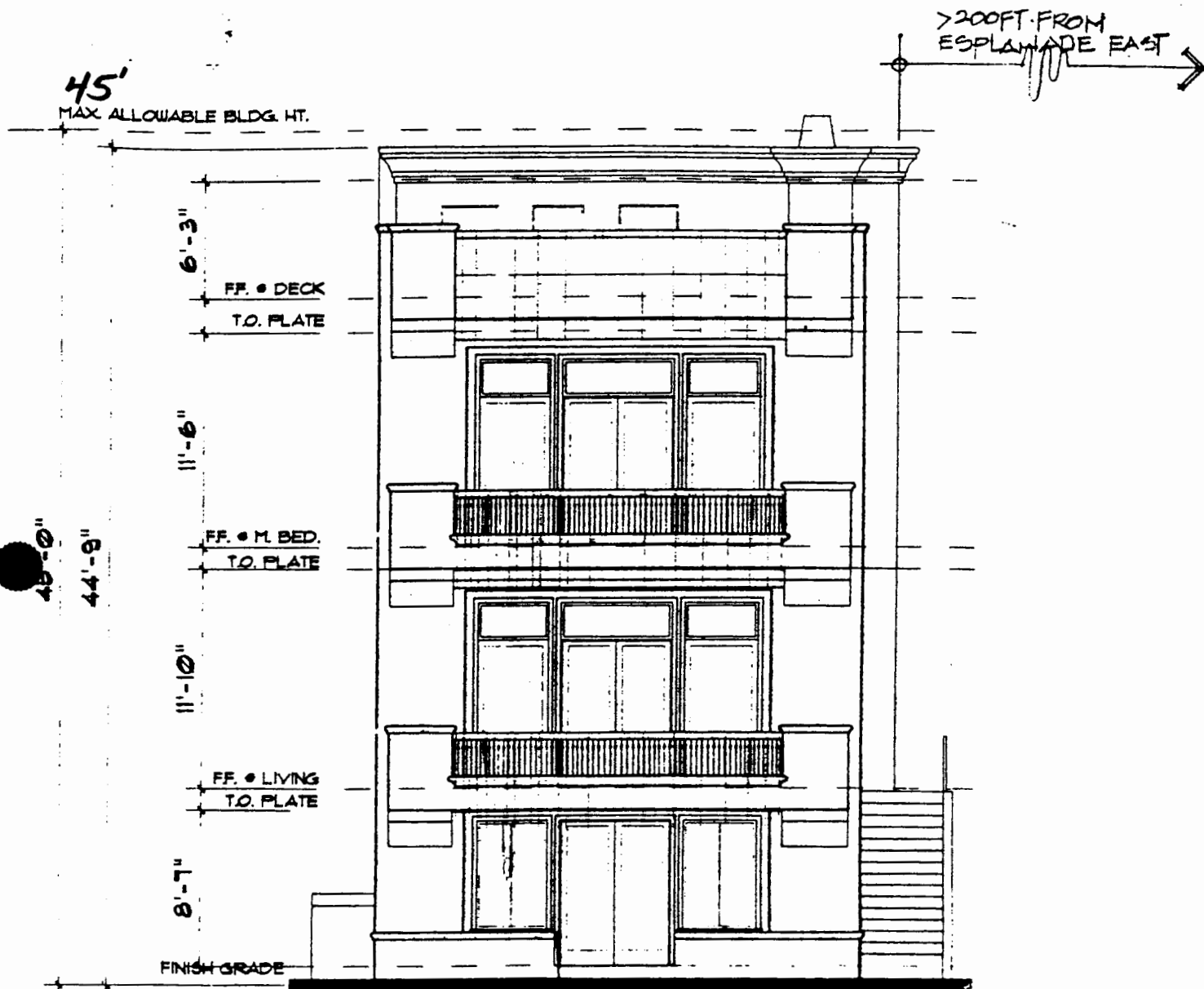
PAGE 1 OF 1



RIGHT SIDE ELEVATION

COASTAL COMMISSION
 5-03-348

EXHIBIT # 6
 PAGE 1 OF 1



FRONT ELEVATION
UNION JACK MALL

COASTAL COMMISSION

5-03-348

EXHIBIT # 7

PAGE 1 OF 1

5-03-304
CALIFORNIA COASTAL COMMISSION

631 Howard Street, San Francisco 94105 - (415) 543-0555

COASTAL DEVELOPMENT PERMIT

On July 16, 1979, by a vote of 8 to 0, the California Coastal Commission granted to Isthmus Landowners Association, Inc. Permit A-266-77, subject to the conditions set forth below, for development consisting of grading, construction of sanitary sewers, storm drains, underground utilities, street improvements, and landscaped malls to allow development of houses on individual lots within the Silver Strand and Del Rey Beach tracts, more specifically described in the application file in the Commission offices.

The development is within the coastal zone in Los Angeles County at Silver Strand and Del Rey Beach Subdivisions, between Ballona Lagoon and Via Dolce, west of Marina Del Rey, City of Los Angeles

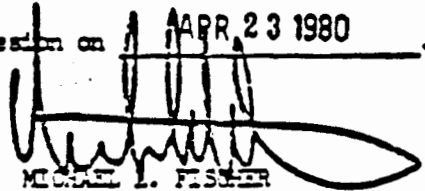
After public hearing held on July 16, 1979, the Commission found that, as conditioned, the proposed development is in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976; will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976; is between the sea and the public road nearest the sea, is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976; and either (1) will not have any significant adverse impact on the environment, or (2) there are no feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse impact that the development as approved may have on the environment.

Issued on behalf of the California Coastal Commission on APR 23 1980

RECEIVED

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CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT


MICHAEL L. FISHER
Executive Director

By James P. McQuinn

The undersigned permittee acknowledges receipt of the California Coastal Commission, Permit A-266-77, and fully understands its contents, including all conditions imposed.

4/23/80
Date


Permittee

COASTAL COMMISSION
5-03-348

EXHIBIT # 8

PAGE 1 OF 4

Permit A- 266-77 , is subject to the following conditions:

A. Standard Conditions.

1. Assignment of Permit. This permit may not be assigned to another person except as provided in the California Administrative Code, Title 14, Section 13170.
2. Notice of Receipt and Acknowledgment. Construction authorized by this permit shall not commence until a copy of this permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of its contents, is returned to the Commission.
3. Expiration. If construction has not commenced, this permit will expire two (2) years from the date on which the Commission voted on the application. Application for extension of this permit must be made prior to the expiration date.
4. Construction. All construction must occur in accord with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviations from the approved plans must be reviewed by the Commission pursuant to California Administrative Code, Title 14, Sections 13164-13168.
5. Interpretation. Interpretation or revisions of the terms or conditions of this permit must be reviewed by the State Coastal Commission or its Executive Director. All questions regarding this permit should be addressed to the State Commission office in San Francisco unless a condition expressly authorizes review by the Regional Commission or its staff.

B. Special Conditions.

1. Overall Condition. Prior to issuance of the permit, the applicant shall submit evidence that the following conditions have been met:
 - a. Improvements. All of the streets, utilities, and drainage facilities for the entire tract north of the mall opposite Westwind will be installed prior to construction of single-family houses.
 - b. Grading. All of the grading for the entire tract north of the mall opposite Westwind must be completed prior to construction of single-family houses. To minimize the adverse effects of soil disturbance, all earthmoving in this tract shall be accomplished in a single contract.
 - c. Lagoon Protection. In order to protect the lagoon from the adverse effects of urban runoff, all runoff from the tract shall be directed to the Marina del Rey Channel. If, with the concurrence of the Executive Director of the Commission, it is determined that it is not feasible to direct runoff to the Marina del Rey Channel, the applicants shall establish a lagoon restoration program. The program shall be subject to the review and approval of the Executive Director and shall consist of a system of in-lieu fee payments for all development within the subdivision sufficient to provide for the value and purchase of the 9 lots at the north end of the tract and the costs of grading and planting the area to create a new area of marsh, as originally proposed by the Isthmus Landowners Association, Inc. The amount of the in-lieu fee contribution shall be established using the highest of three independent appraisals of the nine lots and a detailed cost estimate for improvements by a registered engineer.

COASTAL COMMISSION
- 5-03-348

EXHIBIT # 8
PAGE 2 OF 4

d. Access. As part of the overall improvements, grading shall be completed to the lagoon essentially as provided for in the Ballona Lagoon Preserve Plan. A bond shall be obtained for the development and improvement of an access path at the top of the bank along the perimeter of the lagoon to replace the Esplanade which has largely eroded away. The trail shall consist of decomposed granite or similar material and shall be located, fenced, and landscaped essentially as proposed in the Ballona Lagoon Preserve Plan. The bond shall cover the costs of developing the access path and shall be executed in favor of the State of California.

e. Maintenance. A private homeowners association sufficient to maintain all public areas and landscaping shall be established as part of the above provisions. The association shall have the responsibility and the necessary powers to maintain all improvements that are not accepted by a public agency acceptable to the Executive Director.

f. Parking. In order to provide for public parking and mitigate the effects of additional traffic on coastal access, the areas designated as "malls" in Exhibit 2 shall be paved for public parking in a manner acceptable to the City of Los Angeles. No curb cuts shall be allowed in the improved paved area.

2. Standard Enforcement Condition. Prior to issuance of the permit, revised plans encompassing the above terms shall be submitted to the Executive Director for his review and approval in writing as sufficient to implement the various conditions. All final working drawings submitted to all public agencies shall be accompanied by a Landscape Architect and Engineer's Certificate that said drawings are in substantial conformance with the revised plans approved by the Executive Director.

COASTAL COMMISSION
5-03-348

EXHIBIT # 8
PAGE 3 OF 4

Re: Amended Coastal Development Permit A-266-77

To Whom It May Concern:

This letter will confirm that the California Coastal Commission has today, April 23, 1980, issued to the Isthmus Landowners Association, Inc. ("Isthmus") Amended Coastal Development Permit A-266-77, in complete accordance with and with the identical terms and conditions of the amendment to said coastal development permit granted to Isthmus by vote of the California Coastal Commission on July 16, 1979. This letter will further acknowledge that Amended Coastal Development Permit A-266-77 is being typed and will be dispatched to Isthmus not later than Thursday, April 24, 1980, and that the typed permit will be in all respects as above indicated.

CALIFORNIA COASTAL COMMISSION

Michael L. Fisher,
Executive Director

By James McGrath
James McGrath,
Permit Analyst

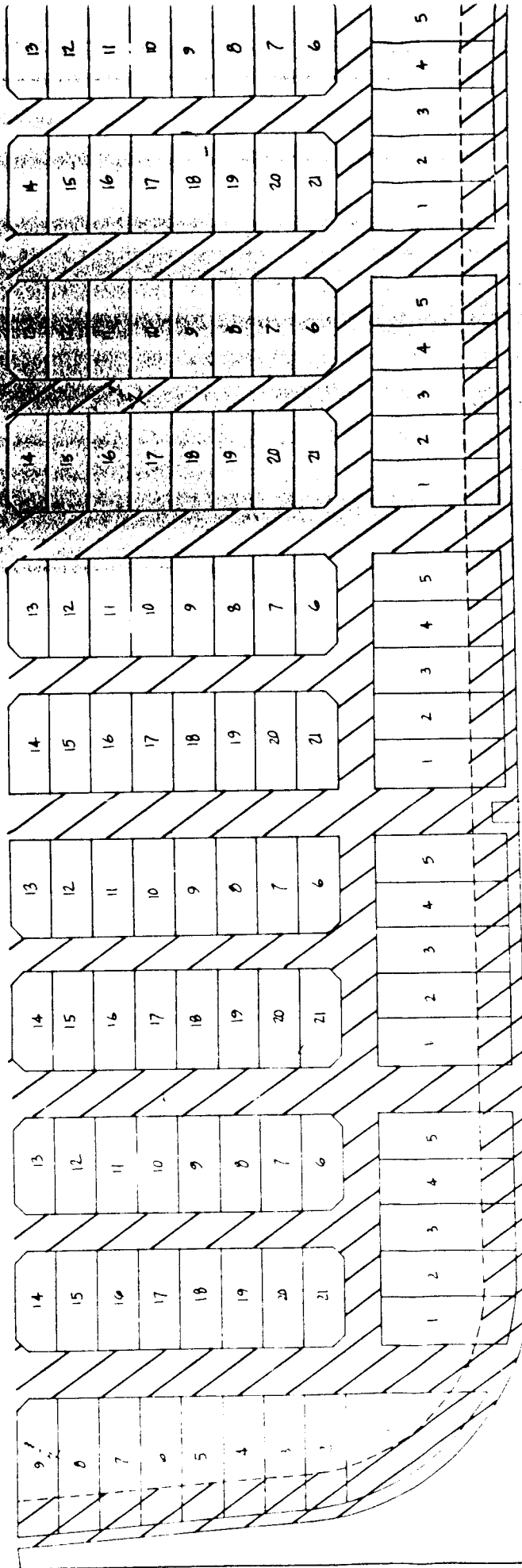
Dated: April 23, 1980

COASTAL COMMISSION
5-03-348

EXHIBIT # 8
PAGE 4 OF 4

VIA DOLCE

VIA



ALLEY NO 45
(COURT)

NORTHSTAR ST.

ALLEY NO 43
(COURT)

MAST ST.

ALLEY NO 41
(COURT)

LIGHTHOUSE ST.
(FOOTPATH)

ALLEY NO 39
(COURT)

KETCH ST.

ALLEY NO 37
(COURT)

PACIFIC AVENUE

PUBLIC BUFFER and DRAINAGE AREAS / DEL REY STRAN

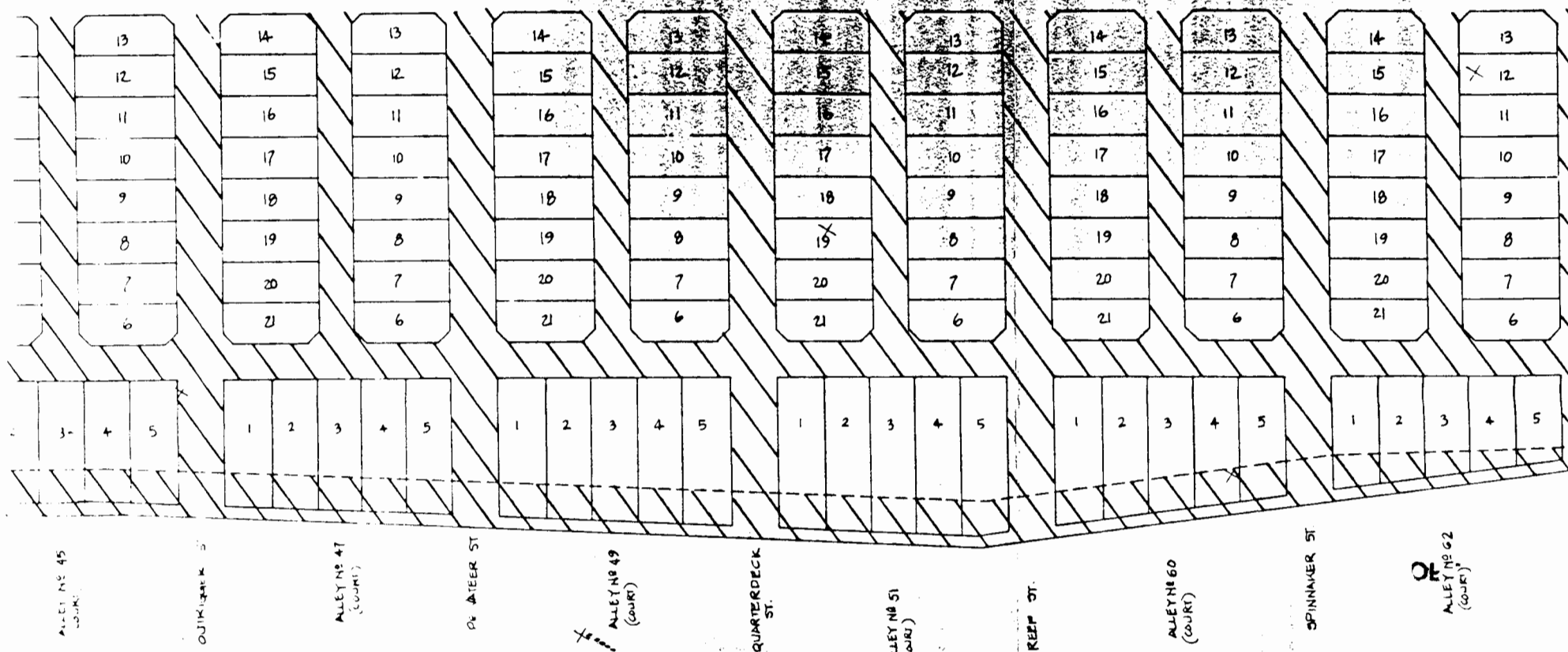
SOURCE: C.C.S. Engineering Service Corporation

Public Areas Exhibit
Del Rey/Silver Strand

Exhibit #9
5-03-348

VIA

DOLCE



STRAND



PUBLIC BUFFER AND DRAINAGE AREAS

PACIFIC AVENUE

CALIFORNIA COASTAL COMMISSION

APPROVED ON 4-18 1980

AS CONFORMING TO PERMIT A-266-77

MICHAEL L. FISCHER
EXECUTIVE DIRECTOR

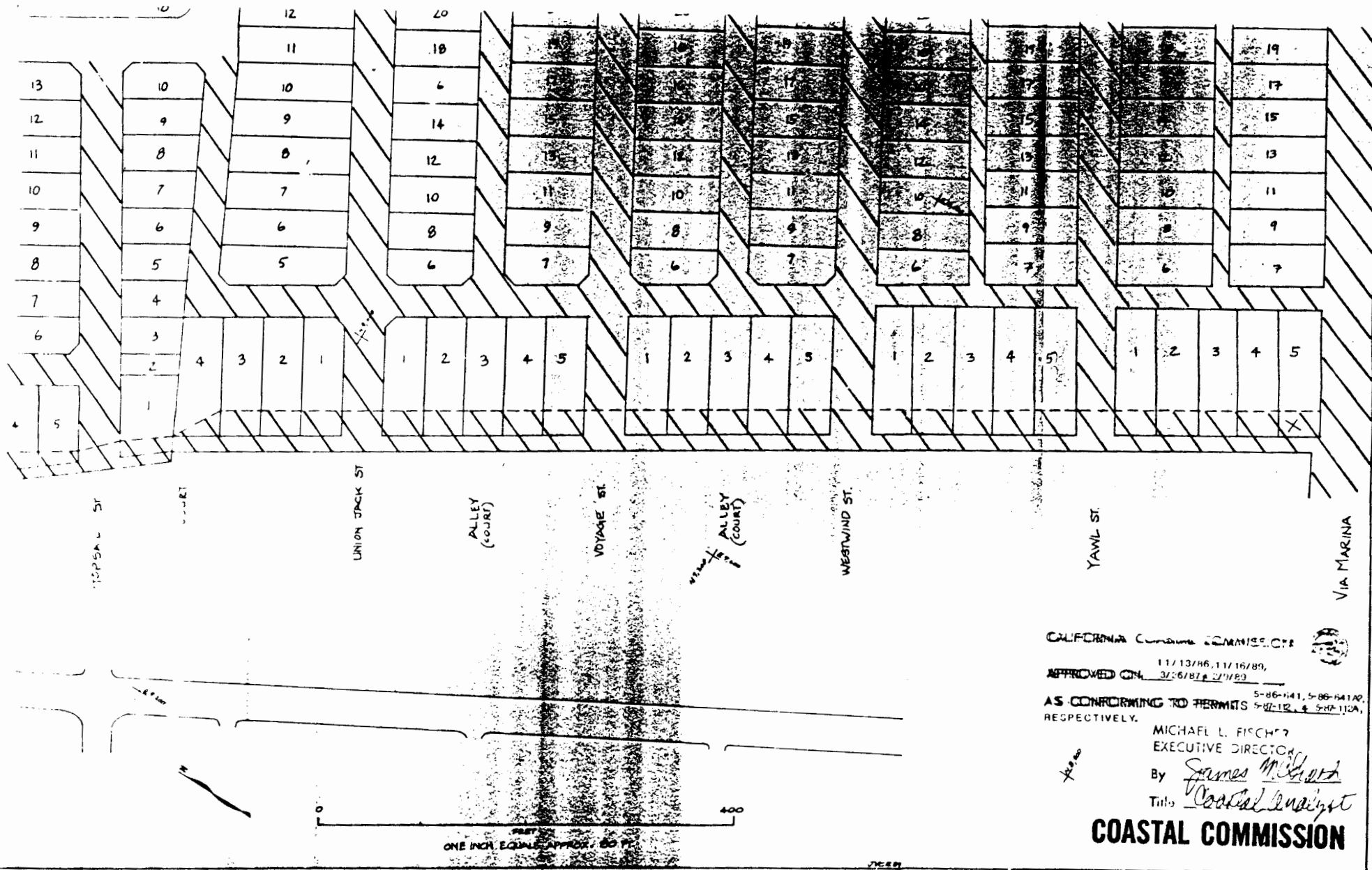
By

COASTAL COMMISSION

Public Areas Exhibit
Del Rey/Silver Strand

EX. #9

PAGE 2 OF 3



CALIFORNIA Coastal COMMISSION

APPROVED ON 11/13/86, 11/16/89,
3/6/87 & 2/1/89

AS CONFORMING TO PERMITS 5-H-112, 5-H-112A, 5-H-112B, & 5-H-112C, RESPECTIVELY.

MICHAEL L. FISCHER
EXECUTIVE DIRECTOR

By James M. [Signature]
Title Coastal Analyst

COASTAL COMMISSION

Ex. #9 Public Areas Exhibit
Del Rey/Silver Strand

PAGE 3 OF 3