

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Filed: 4/10/06
 49th Day: 5/29/06
 180th Day: 10/07/06
 Staff: AJP-LB
 Staff Report: 5/17/06
 Hearing Date: 6/13/06
 Commission Action:

STAFF REPORT: CONSENT CALENDAR

APPLICATION NUMBER: 5-06-084

APPLICANT: Richard Loring

AGENT: Predock Frane Architects

PROJECT LOCATION: 16544 Akron Street, Pacific Palisades

PROJECT DESCRIPTION: Demolition of a 930 square foot single-family residence and construction of a three story 33 foot high, 3,674 square foot single-family residence, with 496 square foot attached garage, and landscaping.

Lot Area	7,327 sq. ft.
Building Coverage	2,159 sq. ft.
Pavement Coverage	1,337 sq. ft.
Landscape Coverage	2,015 sq. ft.
Parking Spaces	2
Zoning	Low Density Residential
Ht above final grade	33 feet

LOCAL APPROVALS RECEIVED: City of Los Angeles CDP NO. ZA 2006-881

SUBSTANTIVE FILE DOCUMENTS:

1. Geotechnical and Soils Engineering report prepared by Grover Hollingsworth and Associates, Inc. dated November 2, 2005

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission approve the proposed project with special conditions requiring: 1) conformance with geologic and soil recommendations; 2) submittal of erosion and runoff control plans; 3) submittal of landscaping plans; 4) submittal of an oak tree permit from the City of Los Angeles; 5) an assumption of risk; and 6) recordation of a deed restriction against the property, referencing all of the Standard and Special Conditions contained in this staff report.

STAFF RECOMMENDATION:

Staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application:

MOTION: *I move that the Commission approve 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 permits included on the consent calendar. An affirmative vote of a majority of the Commissioners present is needed to pass the motion.

RESOLUTION TO APPROVE THE PERMIT:

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

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit grading and foundation plans for the review and approval of the Executive Director. The approved foundation plans shall include plans for the retaining walls, subdrains and footings. These plans shall include the signed statement of the geotechnical consultant certifying that these plans incorporate the recommendations contained in the Geotechnical Report prepared by Grover Hollingsworth and Associates, Inc. dated November 2, 2005. The approved development shall be constructed in accordance with the plans approved by the Executive Director. Any deviations from said plans shall be submitted to the Executive Director for a determination as to whether the changes are substantial. Any substantial deviations shall require an amendment to this permit or a new coastal development permit.

2. Erosion and Runoff Control Plans

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for review and approval of the Executive Director, erosion and runoff control plans. The plans shall include:

Erosion Control Plan

I. The erosion control plan shall demonstrate that:

- (a) During construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties.
- (b) The following temporary erosion control measures shall be used during construction: sand bags, a desilting basin and silt fences.
- (c) Following construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent properties and public streets.
- (d) The following permanent erosion control measures shall be installed: a drain to direct roof and front yard runoff to the street; no drainage shall be directed to rear yard slope; no drainage shall be retained in front yard.

II. The plan shall include, at a minimum, the following components:

- (a) A narrative report describing all temporary run-off and erosion control measures to be used during construction and all permanent erosion control measures to be installed for permanent erosion control.

- (b) A site plan showing the location of all temporary erosion control measures.
- (c) A schedule for installation and removal of the temporary erosion control measures.
- (d) A site plan showing the location of all permanent erosion control measures.
- (e) A schedule for installation and maintenance of the permanent erosion control measures.

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

3. Landscape Plan

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, a final landscaping plan. The landscaping plan shall conform with the following requirements: a) all plants shall be low water use plants as defined by the University of California Cooperative Extension and the California Department of Water Resources in their joint publication: "*Guide to estimating irrigation water needs of landscape plantings in California*"; b) The applicant shall not employ invasive, non-indigenous plant species, which tend to supplant native species as identified on the California Native Plant Society publication "California Native Plant Society, Los Angeles -- Santa Monica Mountains Chapter handbook entitled *Recommended List of Native Plants for Landscaping in the Santa Monica Mountains*, January 20, 1996 " and/or by the California Exotic Pest Council; c) on-site replacement of any oaks impacted by the development at a ratio of 2:1; d) No permanent irrigation system shall be allowed on the site. Temporary, above ground irrigation to allow the establishment of the plantings is allowed. Irrigation system shall be connected to an automatic shut-off valve which will limit the amount of water on the slope. The quantity of water shall be based on recommendations by the landscape architect and geologist/soils consultant; e) Use of California native plants indigenous to the Pacific Palisades/Santa Monica Mountains area is encouraged; f) All required plantings shall be maintained in good growing condition throughout the life of the project, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with the landscape plan; and g) Removal of all bamboo located on the property.

The plan shall include, at a minimum, the following components:

- (a) A map showing the type, size, and location of all plant materials that will be on the developed site, topography of the developed site, and all other landscape features, and;

(b) A schedule for installation of plants.

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

4. City of Los Angeles Oak Tree Permit

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, the City of Los Angeles' Oak Tree permit for the proposed removal of one oak tree and the planting of two new oak trees.

5. ASSUMPTION OF RISK, WAIVER OF LIABILITY AND INDEMNITY

By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from erosion, landslide, or earth movement; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

6. Deed Restriction

PRIOR TO 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(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this 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 or parcels governed by this 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 permit shall continue to restrict the use and enjoyment of the subject property so long as either this 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 and Location

The applicant proposes to demolish a 930 square foot single-family residence and construct a three story, 33 foot high, 3,674 square foot single-family residence, with 496 square foot attached garage, and landscaping.

The proposed project is located on Akron Street, one lot east of the intersection of Akron Street and Chattanooga Avenue, in the Pacific Palisades area of the City of Los Angeles. The subject site consists of a single 7,327 square foot lot located on the south side of Akron Street. The property is on a sloping lot of a small canyon that descends approximately 25 to 35 feet from Akron Street, at a gradient ranging from 1.5:1 to 2:1. At the bottom of the canyon is a City of Los Angeles sanitary sewer and storm drain easement. There is no blue line stream within this canyon. The surrounding area is residentially developed with single-family residences on lots varying from 4,200 square feet to 9,000 square feet. Structures are built along both sides of the canyon and at, or near, the bottom of the canyon.

The applicant's geologic report concludes that, from a geotechnical perspective, the proposed residence is feasible. Those recommendations are incorporated in the subject coastal permit application. The City of Los Angeles Department of Building and Safety Grading Division reviewed the geology reports and subsequent updates and found them acceptable. The City's conditional approval included conditions addressing geotechnical issues with specific recommendations for site preparation, grading, foundation design and site drainage.

The sloped property is vegetated with mainly non-native plants, including large palms, and bamboo at the base of the slope. There is an existing oak, measuring approximately 6 inches in diameter near the middle of the property. The applicant is proposing to retain most of the existing vegetation and incorporate new vegetation, but remove the existing oak tree that is within the footprint of the new building. The applicant is proposing to plant two oaks on the property, for a replacement ratio of 2:1, consistent with the City's oak tree replacement ordinance. The applicant has also indicated that they will incorporate into their landscape plan, the removal of all existing bamboo, which is a non-native invasive plant, from the property.

The placement of vegetation that is considered to be invasive which could supplant native vegetation should not be allowed. Invasive plants have the potential to overcome native plants and spread quickly. Invasive plants are generally those identified by the California Invasive Plant Council (<http://www.caleppc.org/>) and California Native Plant Society (www.CNPS.org) in their publications. Furthermore, any plants in the landscaping plan should be drought tolerant to minimize the use of water. The term drought tolerant is equivalent to the terms 'low water use' and 'ultra low water use' as defined and used by "A Guide to Estimating Irrigation Water Needs of Landscape Plantings in California" prepared by University of California Cooperative

Extension and the California Department of Water Resources dated August 2000 available at <http://www.owue.water.ca.gov/landscape/pubs/pubs.cfm>.

B. Access

The proposed development will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Therefore, as proposed the development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

C. 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.

D. Water Quality

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. Furthermore, uncontrolled runoff from the project site and the percolation of water could also affect the structural stability of bluffs and hillsides. To address these concerns, the development, as proposed and as conditioned, incorporates design features to minimize the infiltration of water and the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, the use of non-invasive drought tolerant vegetation, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

E. Geologic Hazard

Under Section 30253 of the Coastal Act new development may occur in areas of high geologic, flood, and fire hazard so long as risks to life and property are minimized and the other policies of Chapter 3 are met. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use his/her property. To minimize risks to life and property and to minimize the adverse effects of development on areas of high geologic, flood, and fire hazard, the development has been conditioned to require one or more of the following: adherence to the geotechnical recommendations, for a drainage and runoff plan to minimize the percolation of water into the hillside or bluff, and to require that the landowner or any successor-in-interest assume the risk of undertaking the development. As conditioned, the Commission finds that the development conforms to the

requirements of Section 30253 of the Coastal Act regarding the siting of development in hazardous locations.

F. Deed Restriction

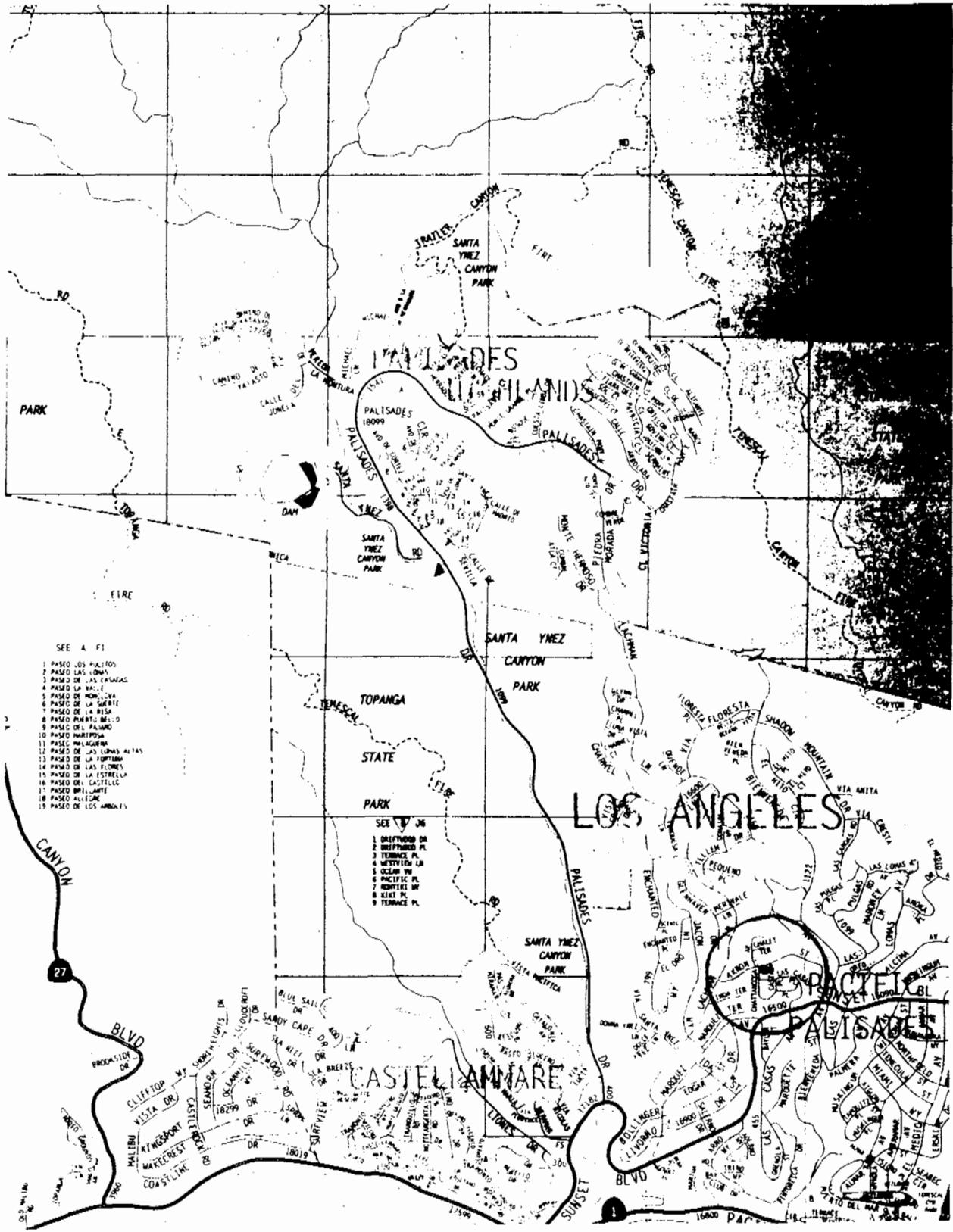
To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes one additional condition requiring that the property owner record a deed restriction against the property, referencing all of the above Special Conditions 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, including the risks of the development and/or hazards to which the site is subject, and the Commission's immunity from liability.

G. 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 Pacific Palisades area of the City of Los Angeles has neither a certified LCP nor a certified Land Use Plan. As conditioned, the proposed development will be consistent with Chapter 3 of the Coastal Act. The proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project 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 of the Coastal Act.

H. California Environmental Quality Act.

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 submitted, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.



VICINITY MAP
SCALE 1" = 2800'

RECEIVED
South Coast Region

FEB 28 2006

CALIFORNIA
COASTAL COMMISSION

EXHIBIT NO. 1
APPLICATION NO. 5-06-084
Vicinity Map
California Coastal Commission

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SCALE 1" = 100'

SCALE IN 1/16 OF AN INCH



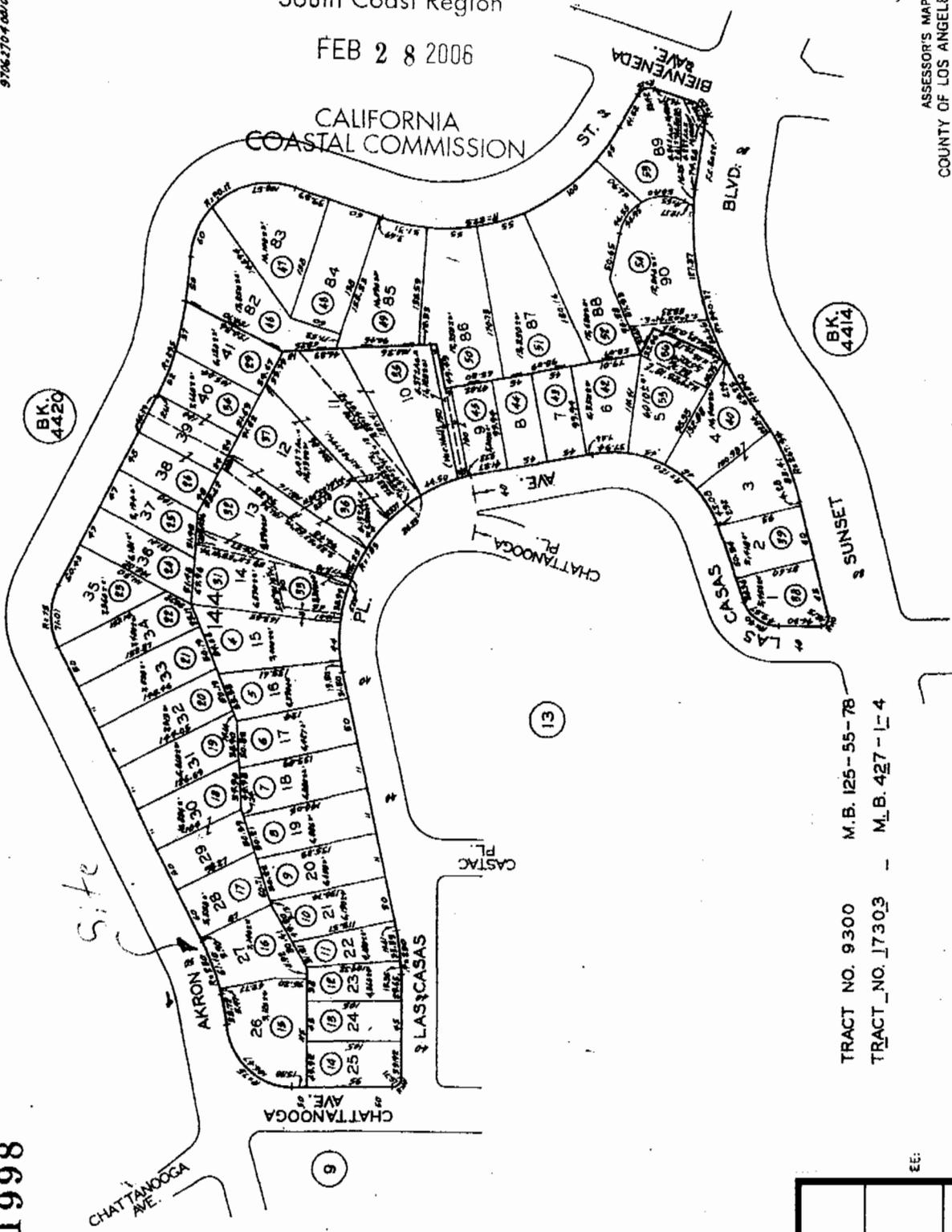
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ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.



TRACT NO. 9300 M.B. 125-55-78
TRACT_NO_17303 - M.B. 427-1-4

EE:

EXHIBIT NO. 2
Application Number 5-06-084
Parcel Map
California Coastal Commission

AKRON STREET RESIDENCE

North Haven, CA 94707

DATE:

ARCHITECT: FRESNO ARCHITECTS, INC.

1400 1/2 STREET

AKRON STREET RESIDENCE

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263	REVISED	08/15/27
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267	REVISED	12/15/27
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269	REVISED	02/15/28
270	REVISED	03/15/28
271	REVISED	04/15/28
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292	REVISED	01/15/30
293	REVISED	02/15/30
294	REVISED	03/15/30
295	REVISED	

AKRON STREET RESIDENCE

16165 PLYMOUTH CIRCLE
 AKRON, OH 44327

ARCHITECT
 JAMES B. LEE
 JAMES B. LEE ARCHITECTURE, INC.
 16165 PLYMOUTH CIRCLE
 AKRON, OH 44327
 (330) 486-1111
 www.jamesblee.com

ENGINEER
 JAMES B. LEE ARCHITECTURE, INC.
 16165 PLYMOUTH CIRCLE
 AKRON, OH 44327
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 www.jamesblee.com

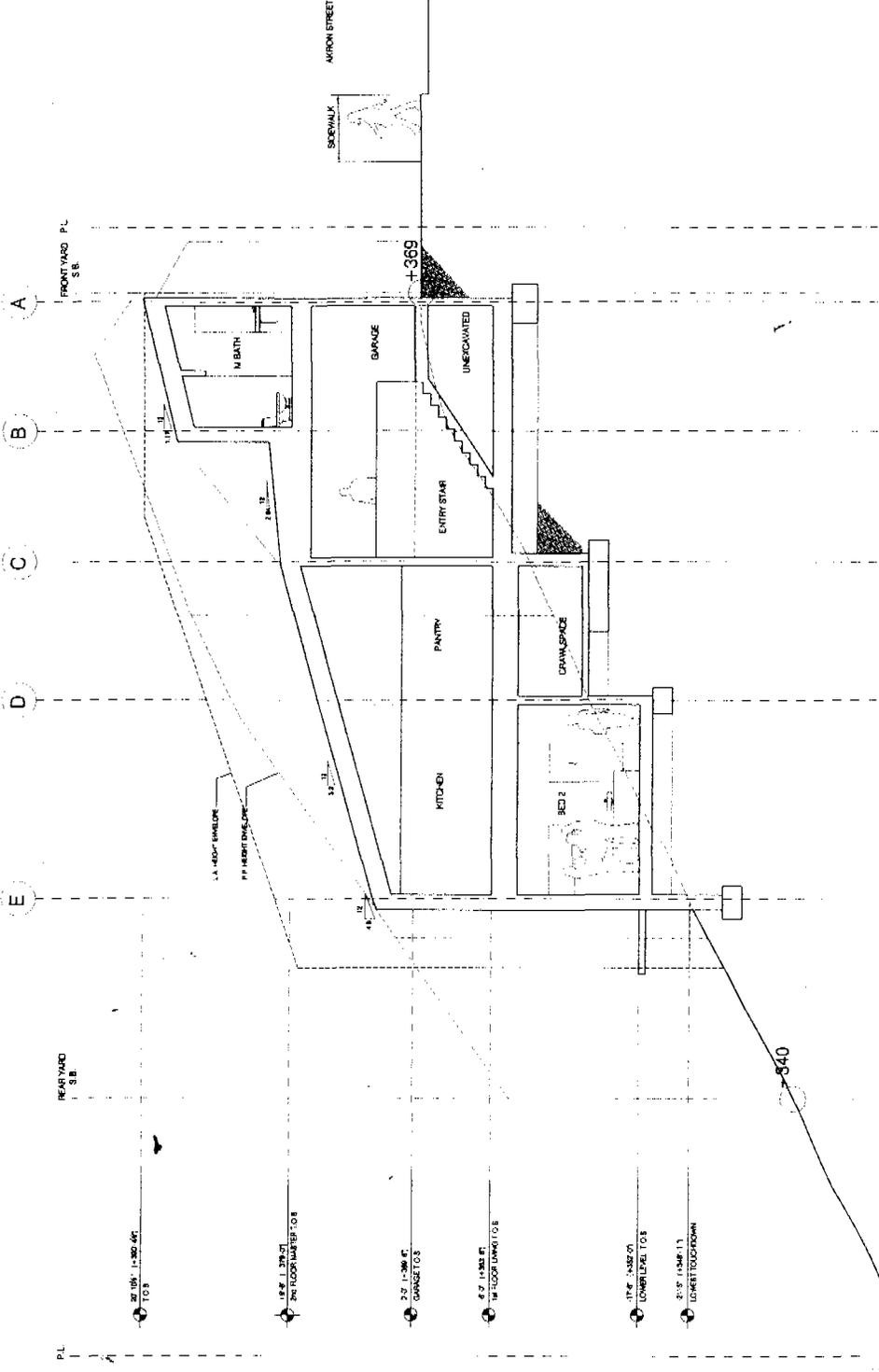
GENERAL CONTRACTOR
 JAMES B. LEE ARCHITECTURE, INC.
 16165 PLYMOUTH CIRCLE
 AKRON, OH 44327
 (330) 486-1111
 www.jamesblee.com

PERMITS
 JAMES B. LEE ARCHITECTURE, INC.
 16165 PLYMOUTH CIRCLE
 AKRON, OH 44327
 (330) 486-1111
 www.jamesblee.com

NO.	DATE	DESCRIPTION
1	10/1/17	ISSUED FOR PERMITS
2	10/1/17	ISSUED FOR PERMITS
3	10/1/17	ISSUED FOR PERMITS
4	10/1/17	ISSUED FOR PERMITS
5	10/1/17	ISSUED FOR PERMITS
6	10/1/17	ISSUED FOR PERMITS
7	10/1/17	ISSUED FOR PERMITS
8	10/1/17	ISSUED FOR PERMITS
9	10/1/17	ISSUED FOR PERMITS
10	10/1/17	ISSUED FOR PERMITS

SECTION
 Scale: 1/4" = 1'-0"

A-3.0



SECTION 1
 SCALE: 1/4" = 1'-0"
 1
 A-3.0

EXHIBIT NO. 4
Application Number 5-06-084
Section
California Coastal Commission

**AKRON STREET
RESIDENCE**

Project Number: CA 18272

Client:
Kroner & LLC, Laguna Hills, CA

Architect:
Kroner & LLC, Laguna Hills, CA

Structural Engineer:
Kroner & LLC, Laguna Hills, CA

Interior Designer:
Kroner & LLC, Laguna Hills, CA

MEP Engineer:
Kroner & LLC, Laguna Hills, CA

Landscaper:
Kroner & LLC, Laguna Hills, CA

Contractor:
Kroner & LLC, Laguna Hills, CA

Photographer:
Kroner & LLC, Laguna Hills, CA

Model Maker:
Kroner & LLC, Laguna Hills, CA

Other:
Kroner & LLC, Laguna Hills, CA

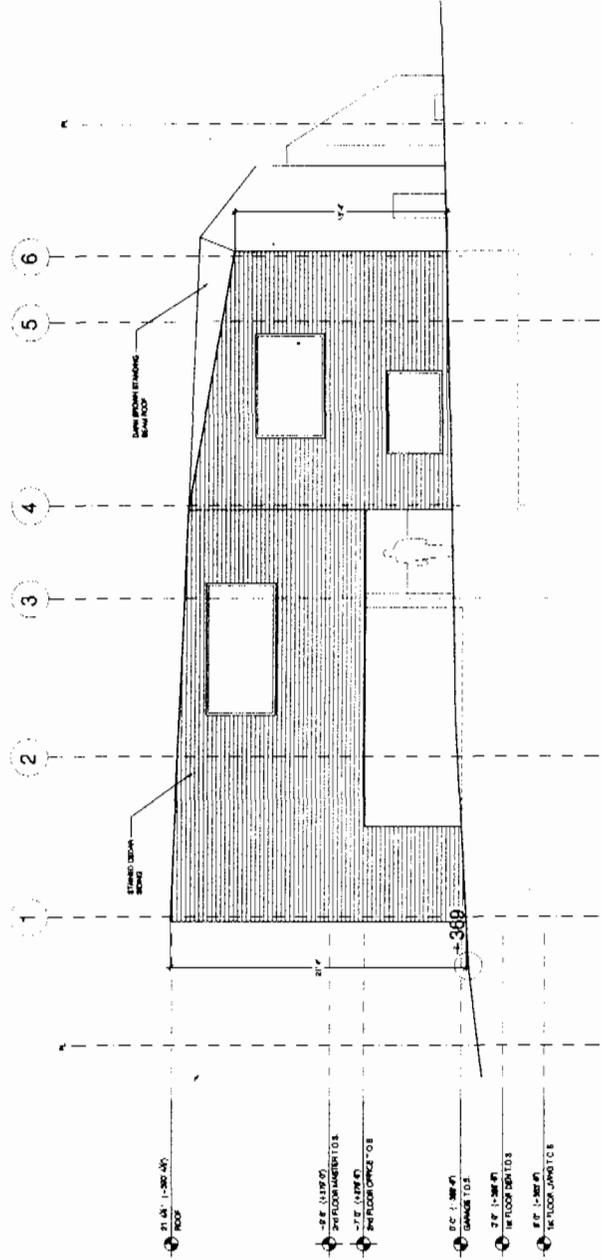
NSM SECTION

NO.	DESCRIPTION	DATE
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ELEVATION

Scale: 1/8" = 1'-0"

A-4.0



NORTH ELEVATION
SCALE 1/8" = 1'-0"

EXHIBIT NO. 5
Application Number 5-06-084
<i>Elevation</i>
California Coastal Commission