

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Long Beach, CA 90802-4302
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W 11h

Filed: July 31, 2006
49th Day: September 18, 2006
180th Day: January 27, 2007
Staff: Ryan Todaro-LB
Staff Report: August 24, 2006
Hearing Date: September 13-15, 2006
Commission Action:

**STAFF REPORT: CONSENT CALENDAR**

APPLICATION NUMBER: 5-06-250

APPLICANTS: Nicholas and Laura Kahrilas

AGENT: William Shepphird

PROJECT LOCATION: 463 Wynola Street, Pacific Palisades, Los Angeles County

PROJECT DESCRIPTION: Construction of a 7,597 square-foot, 28 foot high, two-story over basement level single-family residence and pool on a vacant lot.

SUMMARY OF STAFF RECOMMENDATION:

Commission staff is recommending **APPROVAL** of the proposed project with **One (1) Special Condition** regarding: **1)** the use of non-invasive plants.

LOCAL APPROVALS RECEIVED: City of Los Angeles Approval-in-Concept dated June 29, 2006.

LIST OF EXHIBITS:

1. Location Map
2. Assessor's Parcel Map
3. Site Plan
4. Elevations

STAFF RECOMMENDATION:

Staff recommends that the Commission **APPROVE** the 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. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION:

I. APPROVAL WITH CONDITIONS

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

II. STANDARD CONDITIONS

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. Non-Invasive Plants

No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org>), the California Invasive Plant Council (<http://www.cal-ipc.org>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist within the development footprint. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized

within the development footprint. Any existing landscaping within the development footprint that doesn't meet the above requirements shall be removed.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION

The site of the proposed project is located at 463 Wynola Street, approximately ½ mile inland from Will Rogers State Beach, in an established residential area in Pacific Palisades (see Exhibit #1). The applicant is proposing to construct a 7,597 square-foot, 28 foot high, two-story over basement level single-family residence and pool on a vacant lot (see Exhibits #3 and #4). Parking is provided for the residence within a 681 square-foot, two-car garage. Grading will consist of approximately 990 cubic yards of cut to accommodate the basement.

In 2005, The City of Los Angeles vacated right-of-way adjoining the applicant's property, which included a 20-foot wide alley between Almar Avenue and Wynola Street and an approximately 6-foot wide portion of Almar Plaza (see Exhibit #2). As a result of the vacation, the applicant now owns half (10-foot wide portion) of the alley and the 6-foot wide portion of Almar Plaza and a small portion of the proposed single-family residence will sit on the vacated alley.

The City of Los Angeles has not prepared a draft Land Use Plan for this planning subarea. The applicant has received an Approval in Concept (No. ZA-2006-4319-AIC-MEL) from the City of Los Angeles Planning Department, dated June 29, 2006. The site is designated as low-density (R1-1) residential land use in the Brentwood-Pacific Palisades Adopted Community Plan. The proposed single-family residence is a permitted use in the R1-1 zone. The proposed single-family residence provides the required two parking spaces and is designed to be compatible with the character of the surrounding pattern of development.

The City of Los Angeles does not allow infiltration of water on sites in Pacific Palisades, therefore, the project includes a drainage plan that directs rooftop runoff to the storm drain system. The placement of vegetation that is considered to be invasive, which could supplant native vegetation is not allowed under the terms of the special conditions of this permit. Invasive plants have the potential to overcome native plants and spread quickly.

B. DEVELOPMENT

As proposed, the development is located within an existing developed area and is compatible with the character and scale of the surrounding area. The project provides adequate parking based on the Commission's typically applied standards. Therefore, the Commission finds that the development conforms with Sections 30250, 30251, and 30252 of the Coastal Act.

C. PUBLIC 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.

D. WATER QUALITY

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed, incorporates design features to minimize 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, reducing runoff through the use of permeable surfaces, the use of non-invasive vegetation to reduce and treat the runoff discharged from the site, 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 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. 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.

In 1978, the Commission approved a work program for the preparation of Local Coastal Programs in a number of distinct neighborhoods (segments) in the City of Los Angeles. In the Pacific Palisades, issues identified included public recreation, preservation of mountain and hillside lands, and grading and geologic stability.

The City has submitted five Land Use Plans for Commission review and the Commission has certified three (Playa Vista, San Pedro, and Venice). However, the City has not prepared a Land Use Plan for Pacific Palisades. In the early seventies, a general plan update for the Pacific Palisades had just been completed. When the City began the LUP process in 1978, with the exception of two tracts (a 1200-acre and 300-acre tract of land) which were then undergoing subdivision approval, most private lands in the community were subdivided and built out. The Commission's approval of those tracts in 1980 meant that no major planning decision remained in the Pacific Palisades. The tracts were A-381-78 (Headlands) and A-390-78 (AMH). Consequently, the City concentrated its efforts on communities that were rapidly changing and subject to development pressure and controversy, such as Venice, Airport Dunes, Playa Vista, San Pedro, and Playa del Rey.

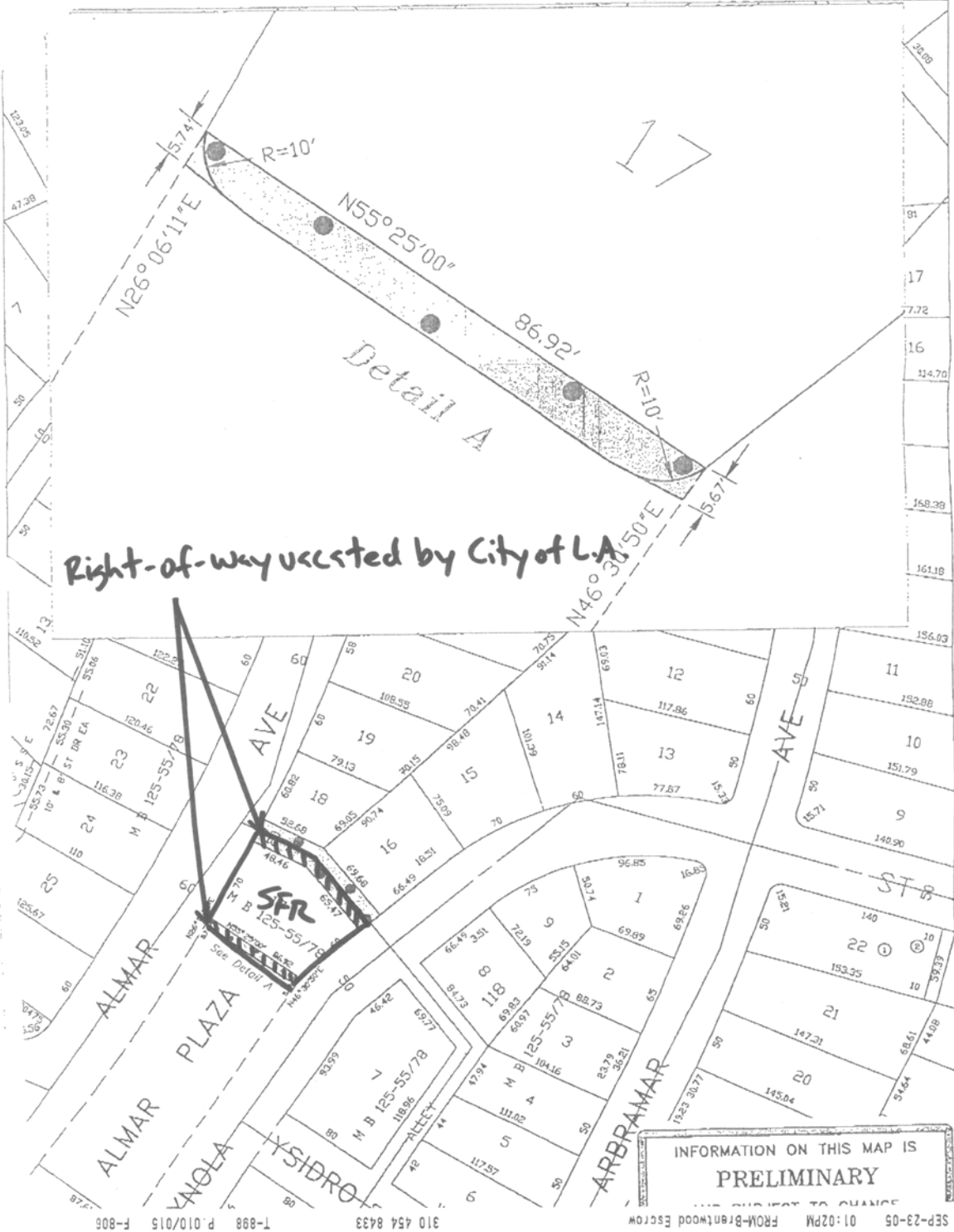
As conditioned, the proposed development will not prejudice the City's ability to prepare a Local Coastal Program in conformity with Chapter 3 of the Coastal Act. The Commission, therefore, finds that the proposed project is consistent with the provisions of Section 30604 (a) of the Coastal Act.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that 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.

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EXHIBIT # 2
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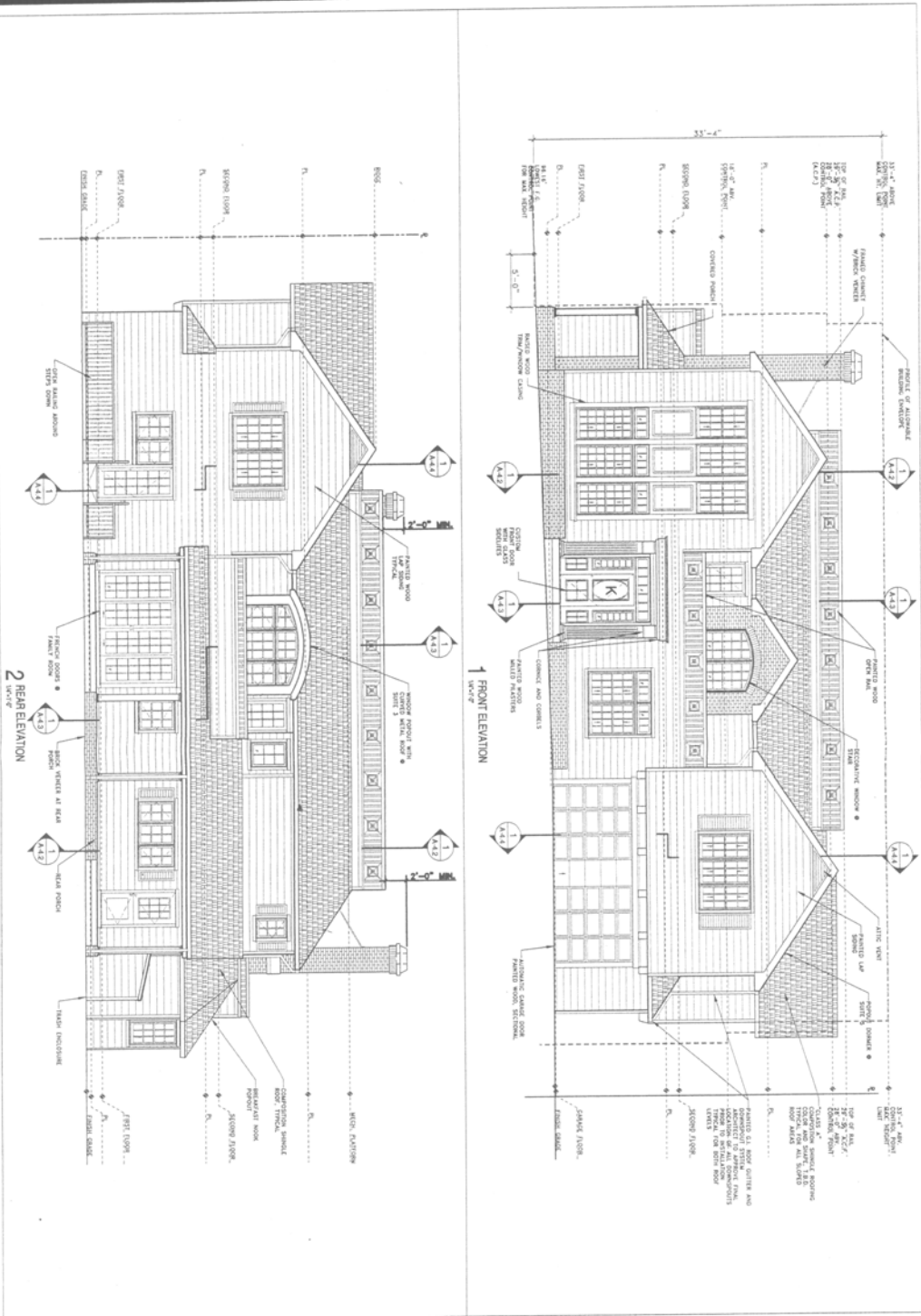




not for construction

COASTAL COMMISSION
 EXHIBIT # 4
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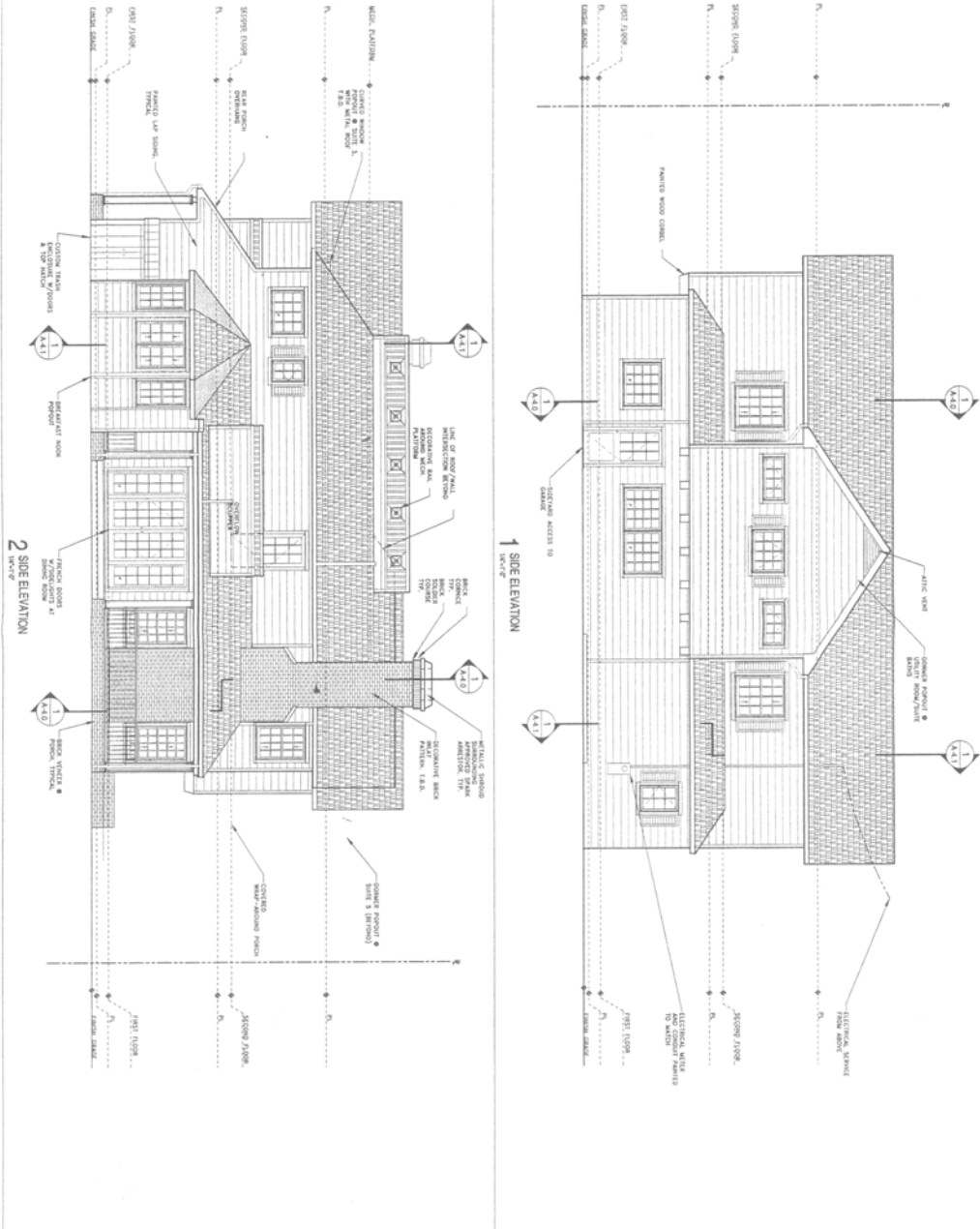


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Kahrilas
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Front & Rear Elevations
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