

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
 200 Oceangate, Suite 1000  
 Long Beach, CA 90802-4302  
 (562) 590-5071

**TH 17b**

Filed: 4/18/07  
 49th Day: 6/06/07  
 180th Day: 10/15/07  
 Staff: Al Padilla-LB  
 Staff Report: 5/16/07  
 Hearing Date: 6/13-15/07  
 Commission Action:

**STAFF REPORT: REGULAR CALENDAR**

**APPLICATION NUMBER:** 5-07-082

**APPLICANT:** Linda Pierce

**PROJECT LOCATION:** 6619 Esplanade, Playa del Rey, City and County of Los Angeles

**PROJECT DESCRIPTION:** Demolition of a three story 30 foot high, 1,616 square foot single-family residence and construction of a 2,021 square foot, 40 foot high, three-story single family residence with attached two-car garage.

Lot Area:	2,022 square feet
Building Coverage:	895 square feet
Pavement Coverage:	906 square feet
Landscape Coverage:	111 square feet
Parking Spaces:	2
Zoning:	R3-1
Plan Designation:	Medium Residential
Ht above frontage road:	40 feet

**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends **APPROVAL** of the proposed development with a special condition regarding future improvements. As conditioned, the proposed project conforms with all applicable policies of the Coastal Act. The applicant is in agreement with all special conditions.

**LOCAL APPROVAL:** City of Los Angeles Approval In Concept #ZA 2007-373

**SUBSTANTIVE FILE DOCUMENTS:** 1) Coastal Development Permits: 5-98-335; 5-98-334; 5-99-039; 5-04-455

**STAFF RECOMMENDATION OF APPROVAL:**

**Motion:**

***I move that the Commission approve Coastal Development Permit No. 5-07-082 pursuant to the staff recommendation.***

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

**I. RESOLUTION TO APPROVE THE PERMIT**

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.

**1. No Future Improvements Restriction**

This permit is only for the development described in coastal development permit No. **5-07-082**. Except as provided in Public Resources Code section 30610 and applicable regulations, any future development as defined in PRC section 30106, including, but not limited to, a change in the density or intensity of use land, shall require an amendment to Permit No. **5-07-082** from the California Coastal Commission or shall require an additional coastal development permit from the California Coastal Commission or from the applicable certified local government.

**III. Findings and Declarations**

The Commission hereby finds and declares:

**A. Project Description and History**

The applicant proposes to demolish an existing single-family residence and construct a three-story, 40 foot high, 2,021 square foot, single-family residence. The first floor is a semi-subterranean two car garage. The residential structure has a step-back design, with the front of the building measuring approximately 28 feet, with an open deck railing, and the mid and rear portion measuring a maximum of 40 feet, as measured from the street elevation.

The subject property is located on Esplanade, east of Del Rey Lagoon Park, in the Del Rey Lagoon sub-community planning area, in the City of Los Angeles. Esplanade is a 40 foot wide residential street providing access to the single and multi-family residential development located northeast of Del Rey Lagoon Park and the street provides public access to the park and the park's public parking lot.

**B. 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 the surrounding areas, and, where feasible, to restore and enhance the visual quality in visually degraded areas.*

This area of Playa del Rey consists of one to four story single and multi-family residences. The pattern of development is a mixture of older and recycling construction. Most lots are developed with duplexes, as it was originally subdivided.

While the Commission has consistently conditioned development on beach fronting lots in Playa del Rey to 37 feet, local zoning allows up to 45 feet. Along the inland side of the Esplanade, where development is set into a low ascending hill, the Commission has approved development with height limits ranging from 40 to 45 feet in locations where the surrounding existing development is higher than 37 feet.

The City of Los Angeles and the Coastal Commission have approved a limited number of coastal development permits in this immediate area, almost all of which came after the City's submitted LCP in 1981. The Commission has approved developments between 30 feet and 45 feet in the Esplanade area of Playa del Rey. In certain cases (CDP no.: 5-99-038, 5-97-400, 5-87-344, 5-86-169) projects were submitted with proposed heights from 30 to 37 feet. Other projects (CDP no.: 5-98-334, 5-98-335) were conditioned to reduce the height of the proposed development to 37 feet because of surrounding development and the impacts to community character. Finally, other developments ( CDP no.: 5-04-455, 5-91-053, 5-90-216, 5-85-421) were approved by the Commission with proposed heights between 37 and 45 feet.

The proposed single-family residence will be a maximum of 40 feet in height, as measured from the frontage road. The lots within the immediate area of the subject site consists of two and three-story residential structures, varying from 27 feet to 40 feet. There are two lots with 40 foot heights, to the south and north of the project site. While the proposed structure is 9 and 13 feet higher than the developments immediately to the north and south, the height of the proposed structure is consistent with other nearby structures.

Del Rey Lagoon Park is adjacent to and west of Esplanade. This is a predominately passive recreational park separated from the beach by three blocks of residential development. The park is used by the public for walking, bird watching and occasionally boating (such as kayaks and small sailboats). The project site is separated from the park by Esplanade, which is approximately 40 feet wide adjacent to the project site. The project measures approximately 29 feet along the front of the building, adjacent to Esplanade, and 40 feet high towards the rear of the property, as measured from Esplanade. Development behind the project site, because the ascending slope, tend to be taller structures, three and four stories, extending 15 to 20 feet above the roof line of structures along Esplanade, as viewed from the park and Esplanade. The height of proposed project will not impact the visual quality from Del Rey Lagoon Park and is consistent with the scale of the surrounding community. However, additional development may be inconsistent with the surrounding area and adversely impact the visual quality of the area. Therefore, a future improvement condition is necessary. The Commission finds that, as conditioned, the design of the residence will not adversely affect the visual quality and community character in the Esplanade area of Playa Del Rey.

### **C. Public Access/Recreation**

Section 30211 of the Coastal Act states:

*Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

The proposed project is located across the street from Del Rey Lagoon and Lagoon Park. The lagoon is located between the beach and the Esplanade. The proposed demolition of the existing single-family residence and construction of a new single-family residence will not impact public access to the beach or to the Lagoon Park. The proposed project will also not impact the continued use of the recreational facilities of the park. Therefore, the Commission finds that the proposed project is consistent with Section 30211 and the relevant recreation policies of the Coastal Act.

#### **D. Water Quality**

Section 30231 of the Coastal Act states:

*The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

The Del Rey Lagoon is connected to Ballona creek by a series of tidal gates. The lagoon is also a drainage area for the Ballona Wetlands. The project site is across South Esplanade (a vehicular roadway) from the lagoon. There is approximately 111 square feet of landscaping on the site, most of which is located in the rear yard. The remainder of the landscaping is located along the north side yard.

Roof drainage will be taken from roof gutters to drains, which direct runoff to the landscaped areas of the property, and to non-erosive drainage devices and directed to the street. Therefore, the proposed project minimizes impacts to the Del Rey Lagoon by maintaining permeable surfaces in the rear yard and is found consistent with Section 30231 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 (LCP) 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 City of Los Angeles does not have a certified Local Coastal Program for the Playa del Rey area. The City of Los Angeles submitted its Local Coastal Program in March 1981. In March 1981, the City of Los Angeles submitted a draft Local Coastal Program (LCP) for Commission approval. Commission staff recommended denial of the total LCP as submitted and conditional certification of the total LCP with conditions. At its December 18, 1981 hearing, the Commission denied the City's LCP submittal. Therefore, the standard of review for this planning area is the Chapter Three policies of the Coastal Act. The City has not planned the submittal of a revised LCP. As conditioned the 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 development, as conditioned is consistent with the provisions of Section 30604 (a) of the Coastal Act.

#### **F. California Environmental Quality Act**

Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect that the activity may have on the environment.

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

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ANGELES CO.

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B

C

MARQUESAS WY

TAHITI WY

BORA BORA WY

NORTHWEST PASSAGE

VIA CAPTAINS ROW DR

MARINA

VIA MARINA

FIJI WY

MARINA DEL REY

FISHERMANS VILLAGE

SHERIFF

COAST GUARD STATION  
HARBOR PATROL

UCLA

BOAT

HOUSE

BLVD W JEFFERSON

8000

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3

Site

BALLONA WETLANDS

CULVER

62ND AV

63RD AV

64TH AV

65TH AV

66TH AV

VISTA AV

DEL ANDE

6600

ESPLANADE

6600

PACIFIC ST

ARGONAUT ST

CONVOY

CULVER PL

MONTREAL ST

FOWLING ST

REES ST

SUNRIDGE ST

TRASK ST

CAMPEL ST

BARBOUR ST

AV TALBERT

WATERSIDE

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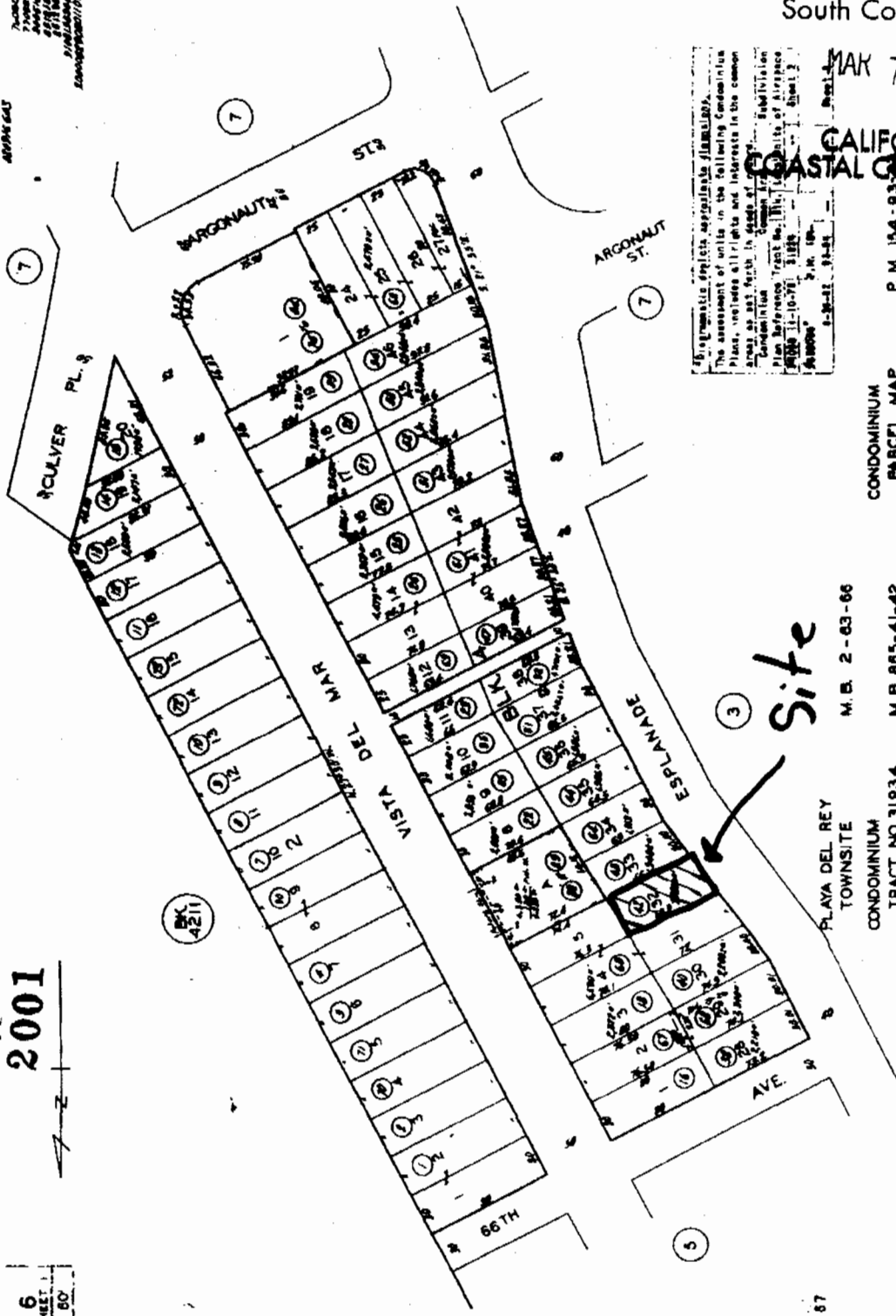
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County of Los Angeles: Rick Auerbach, Assessor

4116 6 SHEET 60 SCALE 1" = 60'

2001

Assessor's Office  
Los Angeles  
1215 N. G Street  
Los Angeles, CA 90012  
Phone: (213) 473-1000  
Fax: (213) 473-1001



Information specific to this map. The assessment of units in the following Condominium Plan, reflects all rights and interests in the common areas, which shall be subject to the provisions of the Condominium Act, Chapter 10, Article 10, Section 10010-10011, of the California Civil Code, and the provisions of the California Civil Code, Chapter 10, Article 10, Section 10010-10011, of the California Civil Code, and the provisions of the California Civil Code, Chapter 10, Article 10, Section 10010-10011, of the California Civil Code.

RECEIVED South Coast Region

MAR 7 2007

CALIFORNIA COASTAL COMMISSION

CONDOMINIUM PARCEL MAP

P. M. 154-93

Site

M.B. 2-63-66

M.B. 885-41-42

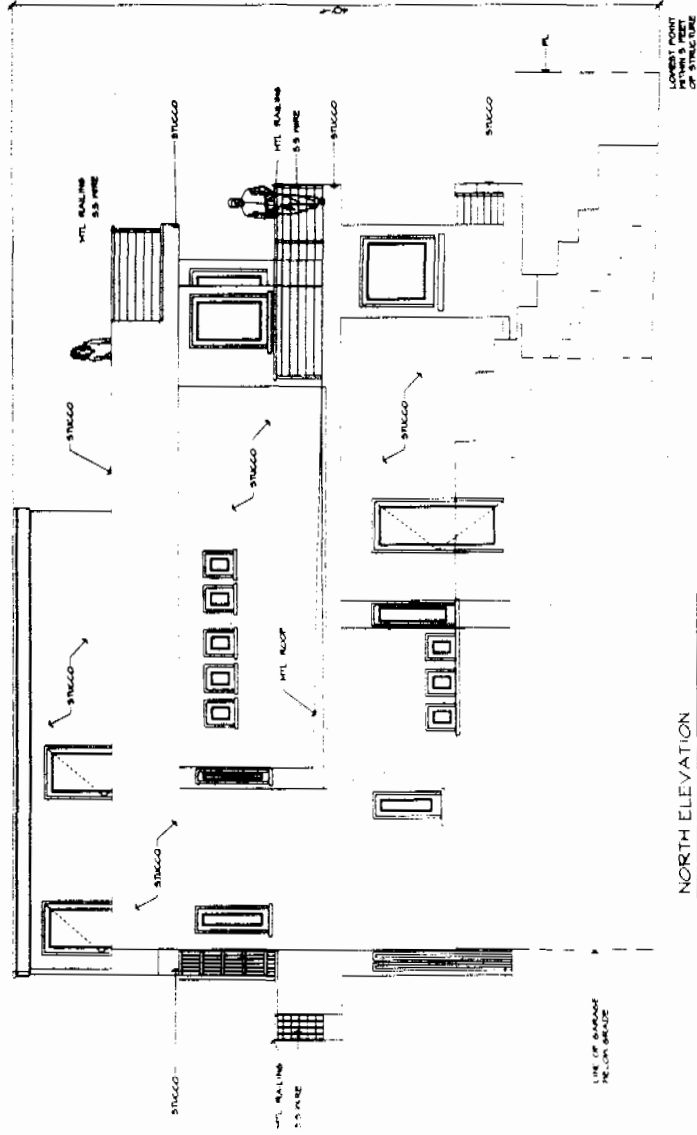
PLAYA DEL REY TOWNSITE

CONDOMINIUM TRACT NO. 31934

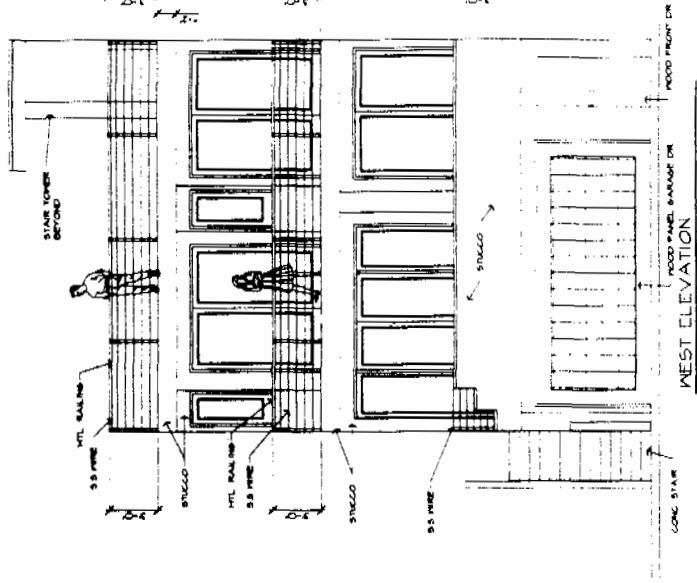
EXHIBIT NO. 2
Application Number 5-07-082
Parcel Map
California Coastal Commission



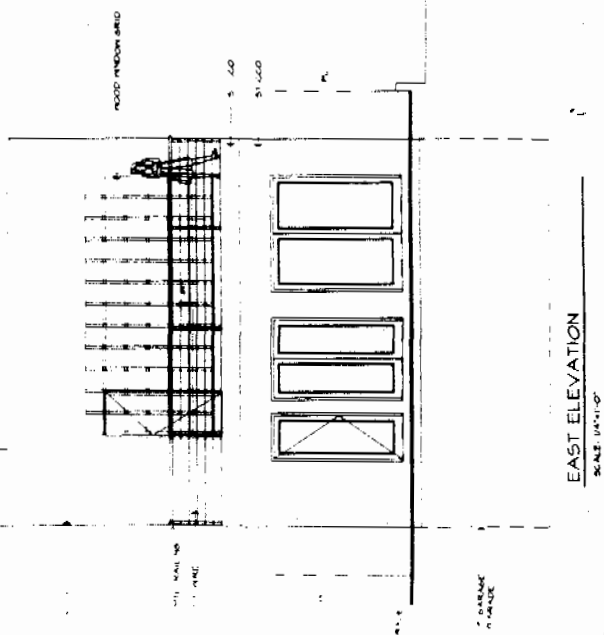




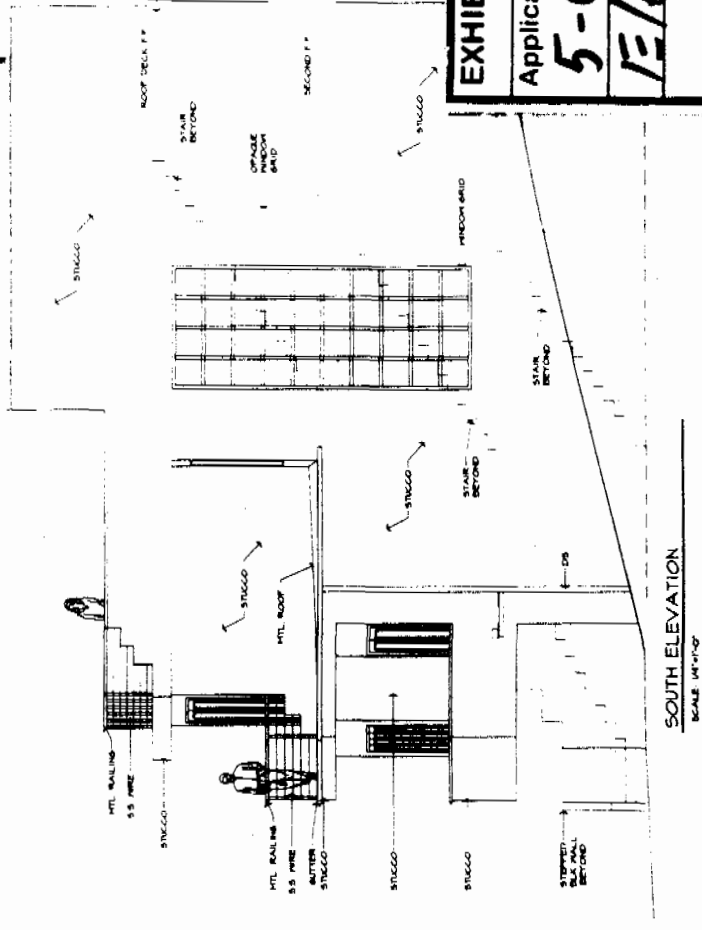
NORTH ELEVATION  
SCALE 1/4" = 1'-0"



WEST ELEVATION  
SCALE 1/4" = 1'-0"

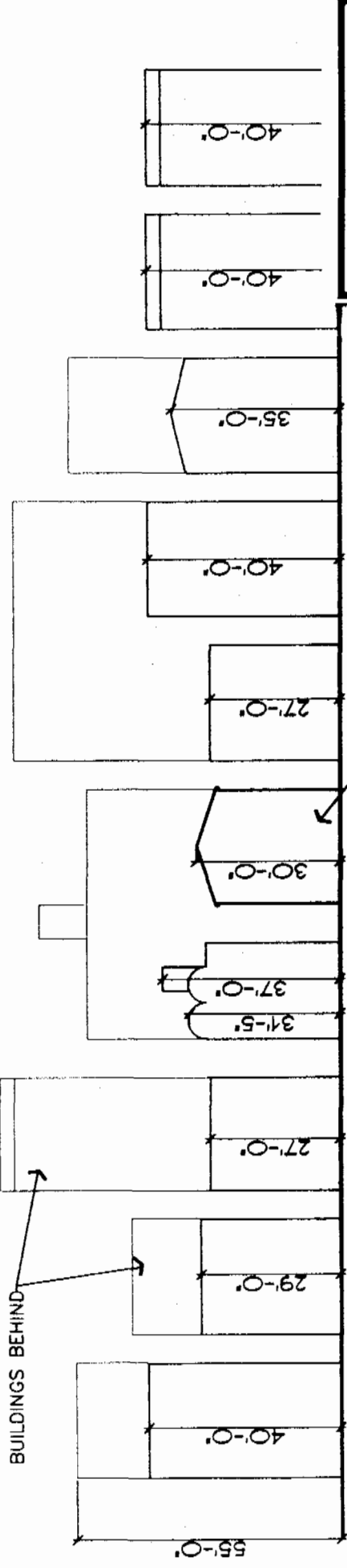


EAST ELEVATION  
SCALE 1/4" = 1'-0"



SOUTH ELEVATION  
SCALE 1/4" = 1'-0"

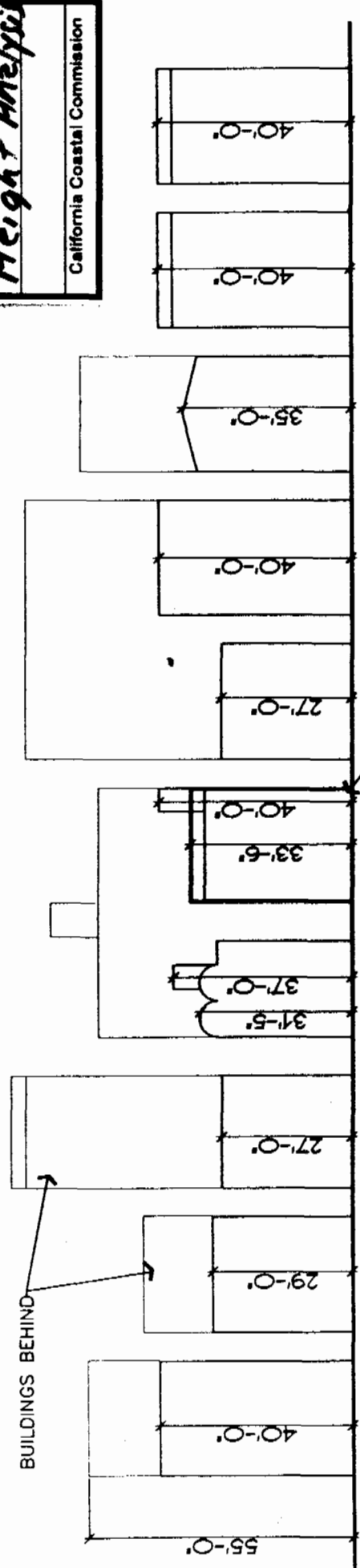
**EXHIBIT NO. 4**  
 Application Number  
**5-07-082**  
*Elevations*  
 California Coastal Commission



**EXHIBIT NO. 5**  
 Application Number  
**5-07-082**  
*Height Analysis*  
 California Coastal Commission

EXISTING STRUCTURE TO BE DEMOLISHED

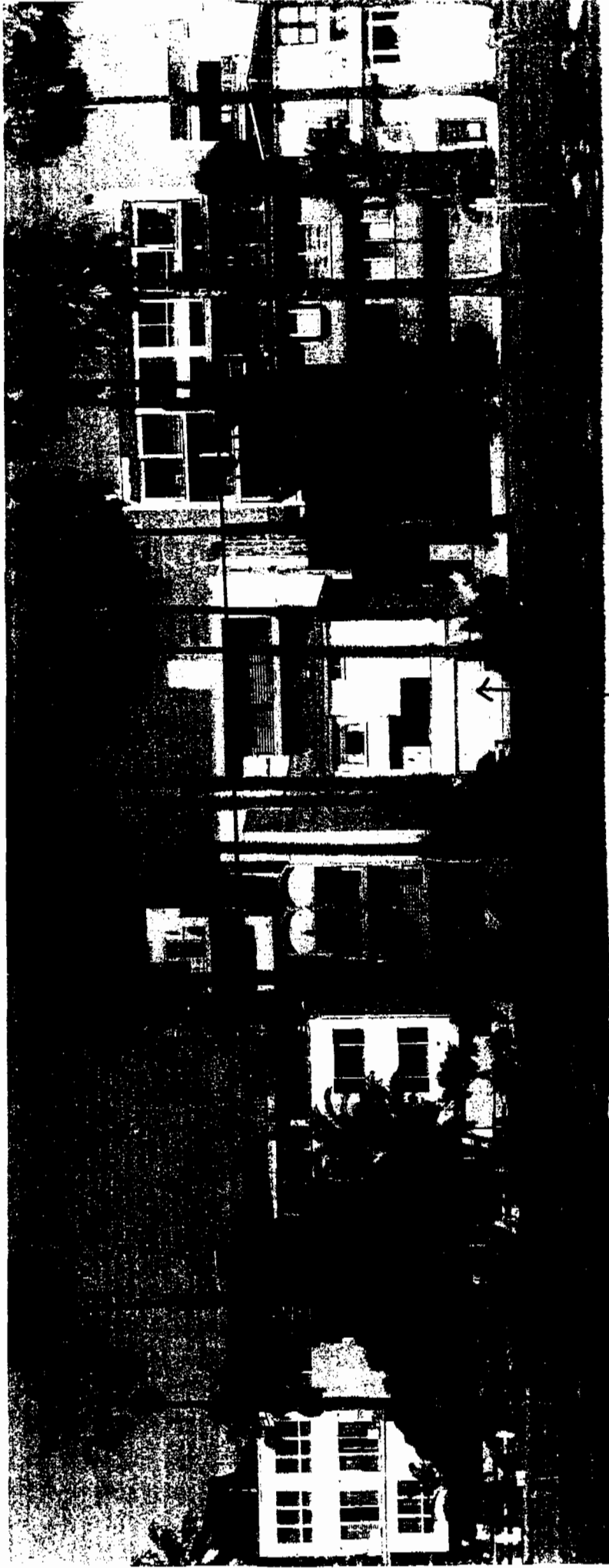
HEIGHT ANALYSIS OF SURROUNDING STRUCTURES  
 SCALE: 1/32"=1'-0"



PROPOSED STRUCTURE

HEIGHT ANALYSIS OF SURROUNDING STRUCTURES  
 SCALE: 1/32"=1'-0"

LINDA PIERCE  
 6619 ESPLANADE  
 PLAYA DEL REY, CA 90293  
 FILE # 5-07-082



EXISTING STRUCTURE  
TO BE DEMOLISHED

LINDA PIERCE  
6619 ESPLANADE  
PLAYA DEL REY  
FILE # 5-07-082

EXHIBIT NO. 6
Application Number 5-07-082
Photo looking east from park
California Coastal Commission

