

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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**W.6c**

Filed: 7/24/08
49th Day: 9/11/08
180th Day: 1/20/09
Staff: Al Padilla-LB
Staff Report: 8/15/08
Hearing Date: 9/10-12/08
Commission Action:

STAFF REPORT: CONSENT CALENDAR**APPLICATION NUMBER:** 5-08-201**APPLICANT:** Mandell Family Trust**PROJECT LOCATION:** 2115 W. Paseo Del Mar, San Pedro**PROJECT DESCRIPTION:** Remodel and addition of 1,075 square feet to an existing 2,209 square foot one-story single-family residence.

Lot Area: 14,640 sq. ft.
Building Coverage: 1,075 sq.ft.
Pavement Coverage: 400 sq. ft. (existing)
Landscape Coverage: 10,956 sq. ft. (existing)
Parking Spaces: 2
Zoning: R1-1XL—Single-Family Residential
Ht above final grade: 22 feet (avg natural grade)

LOCAL APPROVALS RECEIVED: City of Los Angeles Approval in Concept**SUBSTANTIVE FILE DOCUMENTS:** San Pedro certified LUP, with suggested modifications.**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends **APPROVAL** of the proposed development with five special conditions including: 1) future development restriction; 2) conformance of design and construction plans to geotechnical report; 3) erosion and runoff control plans; 4) assumption of risk; and 5) recordation of a deed restriction against the property, referencing all of the Standard and Special Conditions contained in this staff report.

STAFF RECOMMENDATION:

I. 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 term or 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. Future Development Restriction

This permit is only for the development described in coastal development permit No. 5-08-201. Pursuant to Title 14 California Code of Regulations section 13250(b)(6), the exemptions otherwise provided in Public Resources Code section 30610(a) shall not apply to the development governed by coastal development permit No. 5-08-201. Accordingly, any future improvements to the single family house authorized by this permit, including but not limited to repair and maintenance identified as requiring a permit in Public Resources section 30610(d) and Title 14 California Code of Regulations sections 13252(a)-(b), shall require an amendment to Permit No. 5-08-201 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

2. Conformance of Design and Construction Plans to Geotechnical Report

A. All final design and construction plans, including foundations, grading and drainage plans, shall be consistent with all recommendations contained in the Geologic Investigation report prepared by Coast Geotechnical, Inc., dated October 13, 2007. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the Executive Director's review and approval, evidence that an appropriate licensed professional has reviewed and approved all final design and construction plans and certified that each of those final plans is consistent with all of the recommendations specified in the above-referenced geologic evaluation approved by the California Coastal Commission for the project site.

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 legally required.

3. 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.

4. 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 landslide, bluff retreat, erosion, and 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.

5. 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 remodel and add 1,075 square feet of habitable space to an existing 2,209 square foot one-story single-family residence and enlarge existing rear deck (veranda), from 205 square feet to 431 square feet. The project will also include interior remodel and renovation of the existing swimming pool.

The project site is a 14,640 square foot coastal bluff top lot, located on Paseo Del Mar in the San Pedro area of the City of Los Angeles (see Exhibit 1). The bluff area is residentially developed with single-family residences. The parcel extends partly down the approximately 120 foot bluff face. The existing residence is set on top of the bluff and setback approximately 10-12 feet from the bluff edge. The upper portion of the bluff face is developed with a pathway and is landscaped with ornamentals. The addition will mainly take place on the inland, or street side of the existing residence and along the south side yard. A small addition, approximately 40 square feet, will be added to the

southwest corner of the residence. However, the addition will not encroach beyond the structural string line drawn from the nearest corners of the adjacent residential structures.

The addition to the ground level deck (veranda) will be a lateral addition along the rear portion of the residence and will not encroach seaward beyond the existing deck or beyond a deck stringline drawn from the nearest corners of the decks on the adjacent properties. The deck will be covered but will not be enclosed on the three sides.

The applicant has submitted a geotechnical report by Coast Geotechnical, Inc., dated October 13, 2007. The report was reviewed and approved by the City of Los Angeles' Grading Department, which determined that the site can be constructed as proposed.

B. Geology

Development adjacent to the ocean and the edges of coastal bluffs and hillsides is inherently hazardous. Development which may require a bluff, hillside, or shoreline protective device in the future cannot be allowed due to the adverse impacts such devices have upon public access, visual resources, and shoreline processes. To minimize risks to life and property and to minimize the adverse effects of development on coastal bluffs, hillsides, and shoreline processes the development has been conditioned to require one or more of the following: adherence to the geotechnical recommendations, an appropriate set-back from the edge of a bluff or hillside, to prohibit the construction of protective devices (such as a retaining wall or shoreline protective device) in the future, 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 Sections 30235 and 30253 of the Coastal Act regarding the siting of development in hazardous locations.

C. Future Improvements

The development is located within an existing developed area and is compatible with the character and scale of the surrounding area. However, the proposed project raises concerns that future development of the project site potentially may result in a development which is not consistent with the Chapter 3 policies of the Coastal Act. To assure that future development is consistent with the Chapter 3 policies of the Coastal Act, the Commission finds that a future improvements special condition must be imposed. As conditioned the development conforms with the Chapter 3 policies of the Coastal Act.

D. 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.

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. The Land Use Plan for San Pedro was effectively certified on September 12, 1990. 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.

F. California Environmental Quality Act

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.

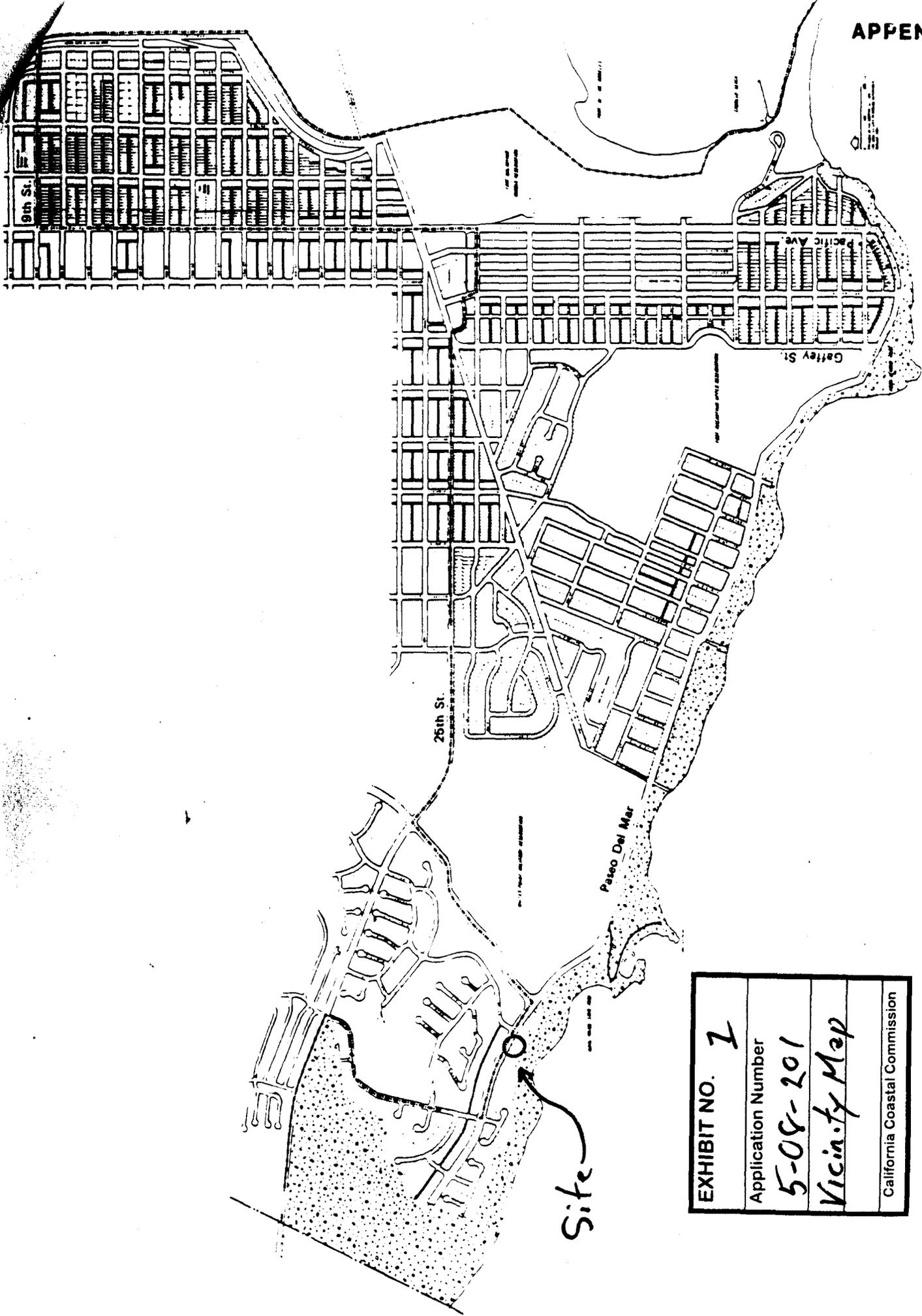


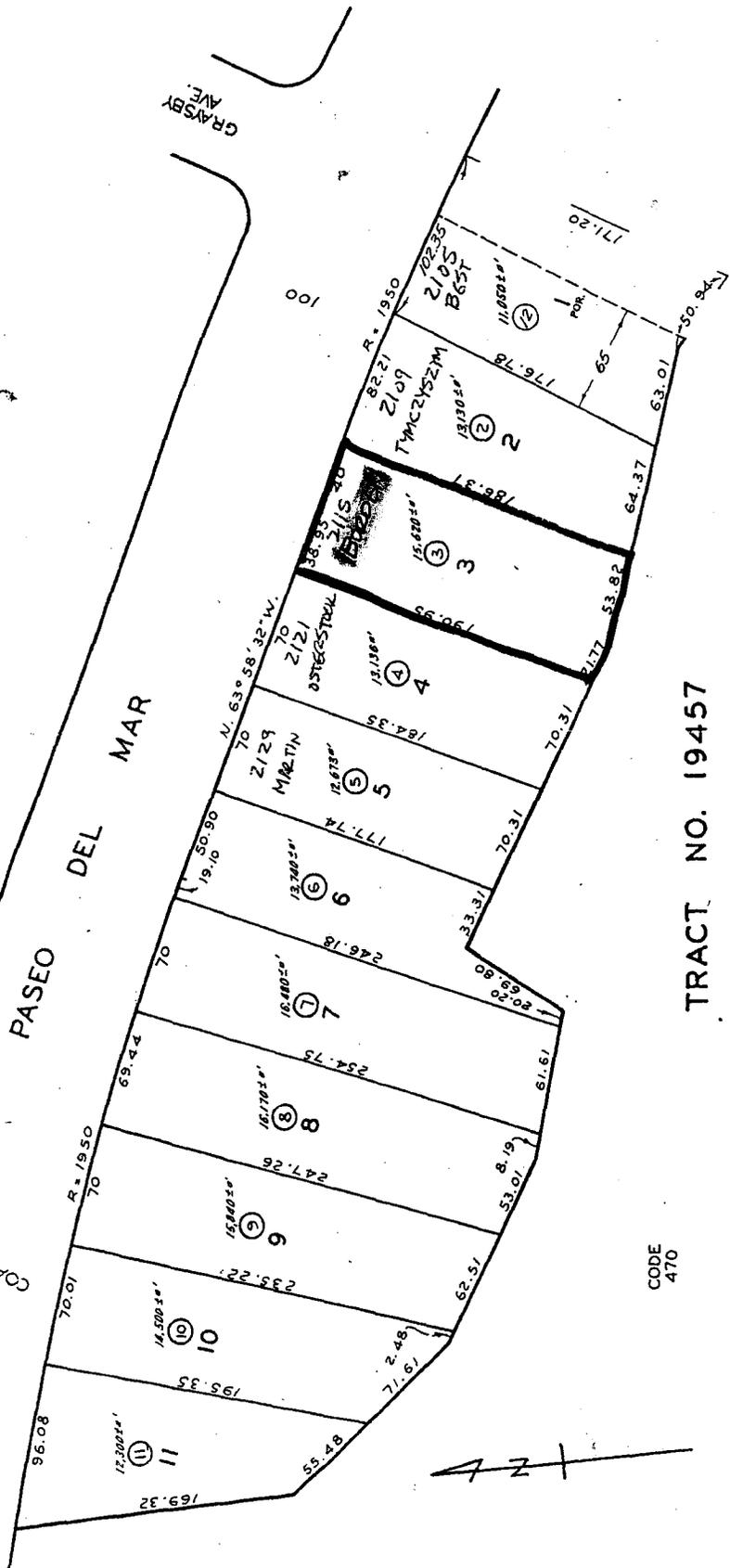
EXHIBIT NO. 1
Application Number 5-08-201
Vicinity Map
California Coastal Commission

REVISED
10-16-57
4-11-59

7563 4
SCALE 1" = 60'

5-08-201

REC
South Coast
JUL 24
CALIFORNIA
COASTAL COMMISSION



TRACT NO. 19457

M. B. 564-1-8

CODE
470

FOR PREV. ASSMT. SEE: 7563 - 4

EXHIBIT NO. 2
Application Number 5-08-201
Parcel Map
California Coastal Commission

OWNERS:
 MR. & MRS. ROBERT BOGREN
 2115 W. PASO DEL MAR
 SAN PEDRO, CA. 90732

PLAN (RESCALE TO 1/8" = 1'-0")
 FLOOR PLAN
 CEILING PLAN
 SECTION PLAN
 ELEVATION PLAN
 UNIFORM PLAN

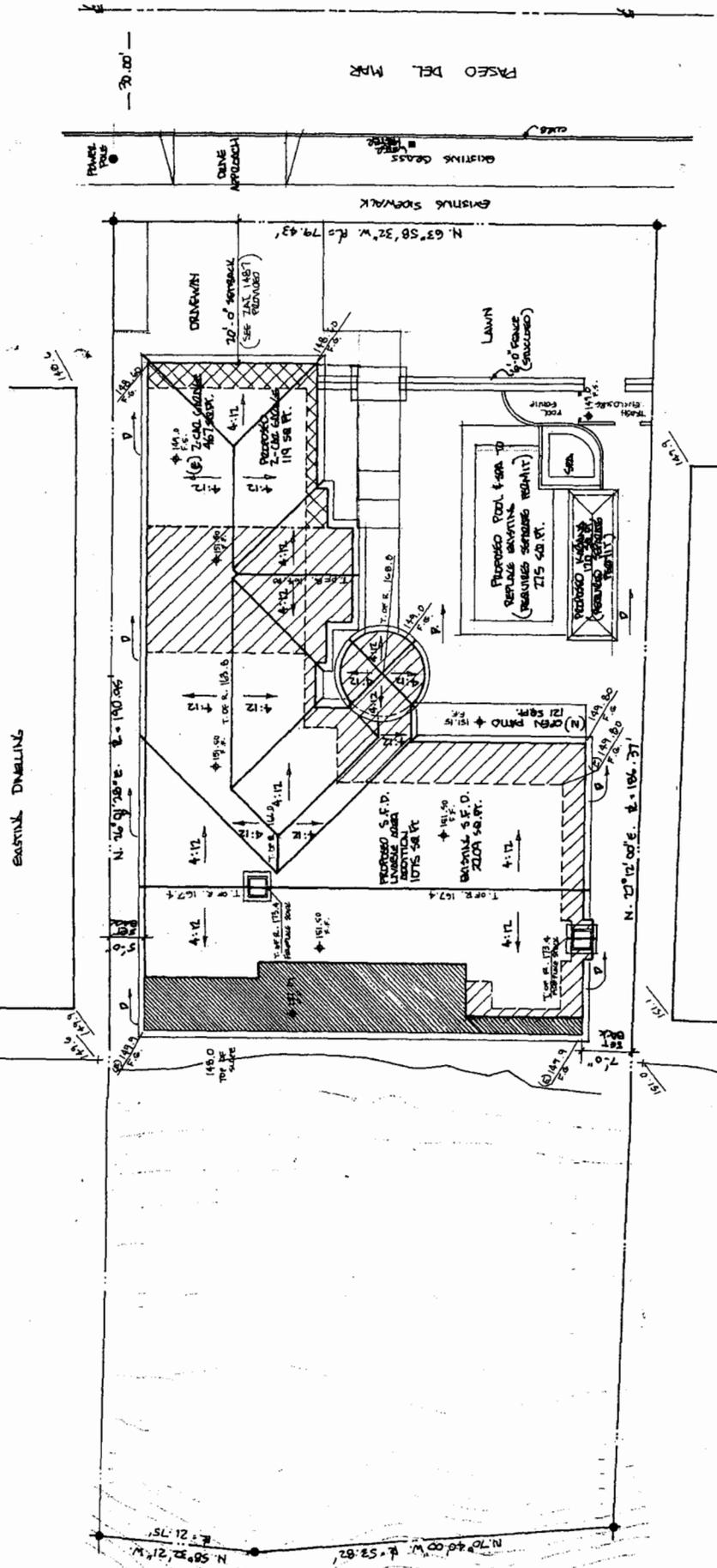


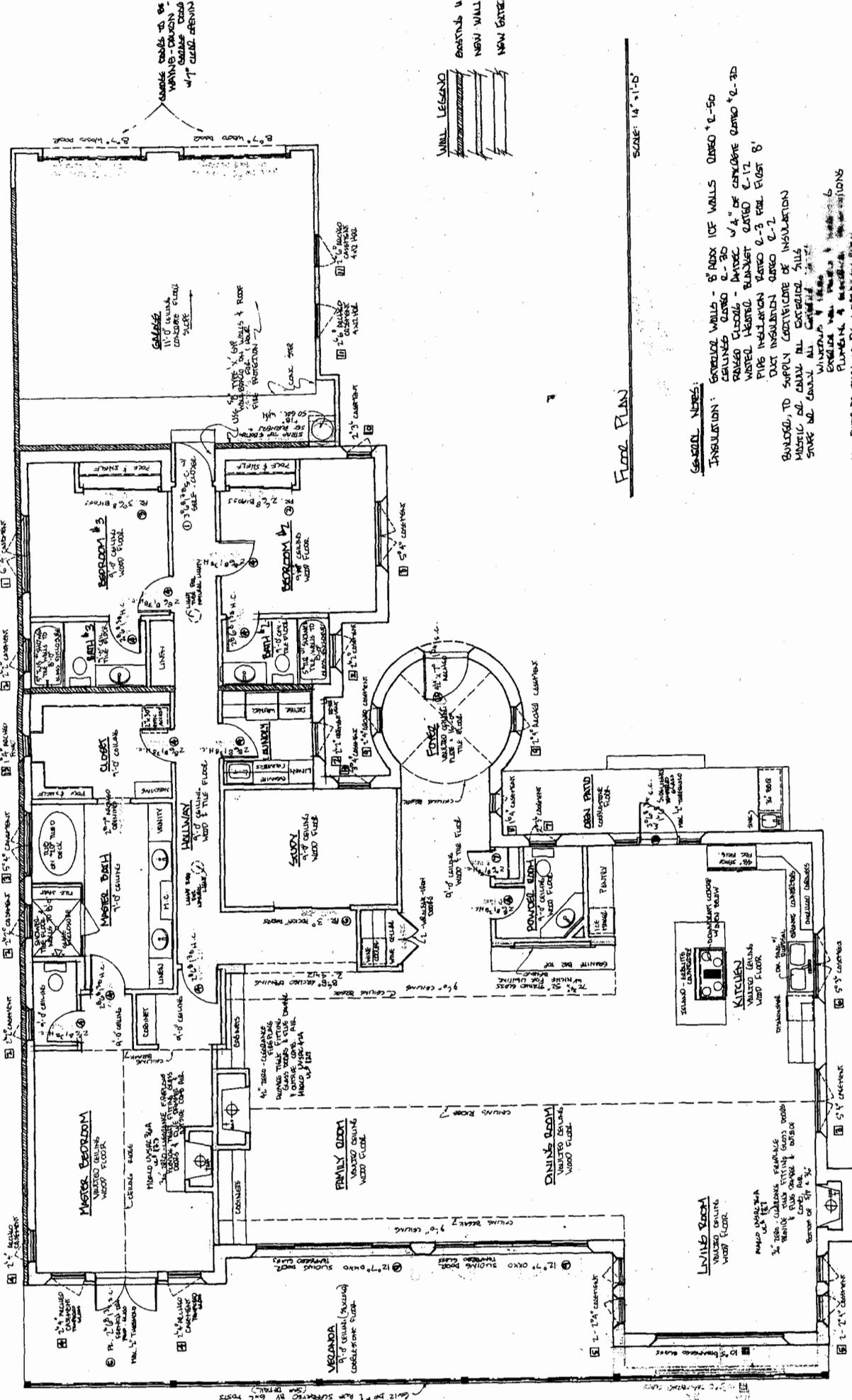
EXHIBIT NO. 3
 Application Number
5-08-201
Site Plan
 California Coastal Commission

SITE PLAN
 SCALE: 1"=10'

KEY NOTES

- EXISTING LIVABLE & GARAGE
- NEW LIVABLE
- NEW GARAGE
- NEW VERANDA
- DIRECTION OF DRAINAGE
- MIN. 18" TO STREET

NO.	DESCRIPTION	TOTAL
1	1075 SQ. FT.	31,004 SQ. FT.
2	726 SQ. FT.	431 SQ. FT.
3	119 SQ. FT.	586 SQ. FT.
4	170 SQ. FT.	170 SQ. FT.
5	121 SQ. FT.	121 SQ. FT.
6	276 SQ. FT.	1,255 SQ. FT.
7	4871 SQ. FT. @ 33% LOT COVERAGE	1,616 SQ. FT.



FLOOR PLAN

SCALE: 1/4" = 1'-0"

GENERAL NOTES:

- INSULATION: EXTERIOR WALLS - 8" REX ICE WALLS OVER 2" G-20 GYPSUM BOARD 2-30 1/2" OF POLYSTYRENE BEANST MAT 2-172 WATER INSULATION BOARD 2-3 POLYESTER 8" DUCT INSULATION BOARD 2-2
- ROOFING: TO SUPPLY COEFFICIENT OF INSULATION MINIMUM AS CALIF. ALL EXTERIOR WALLS SHALL BE CONCRETE ALL CONCRETE SHALL BE FINISHED WITH PLASTER & MORTAR IN ACCORDANCE WITH LOCAL CODES TO BE OBSERVED AT PERMITS
- PLUMBING & MECHANICAL: SEE PLANS FOR DETAILS
- WINDOVS: SEE WINDOW & DOOR SCHEDULE
- DOOR: SEE WINDOW & DOOR SCHEDULE
- CEILING: SEE WINDOW & DOOR SCHEDULE
- FLOOR: SEE WINDOW & DOOR SCHEDULE
- WALL: SEE WINDOW & DOOR SCHEDULE
- PAINT: SEE WINDOW & DOOR SCHEDULE
- GLASS: SEE WINDOW & DOOR SCHEDULE
- SCREEN: SEE WINDOW & DOOR SCHEDULE
- FINISH: SEE WINDOW & DOOR SCHEDULE
- TYPE: SEE WINDOW & DOOR SCHEDULE
- MARK: SEE WINDOW & DOOR SCHEDULE
- ALL: SEE WINDOW & DOOR SCHEDULE
- AN: SEE WINDOW & DOOR SCHEDULE
- PN: SEE WINDOW & DOOR SCHEDULE
- WV: SEE WINDOW & DOOR SCHEDULE

EXHIBIT NO. 4

Application Number
5-08-201

Floor Plan

California Coastal Commission

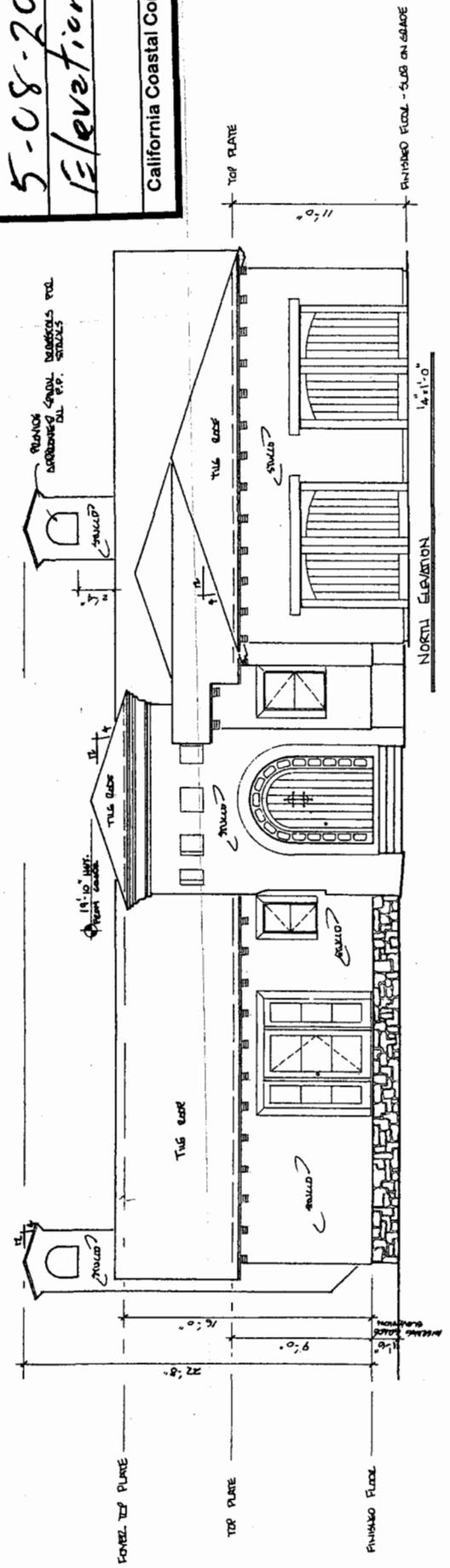
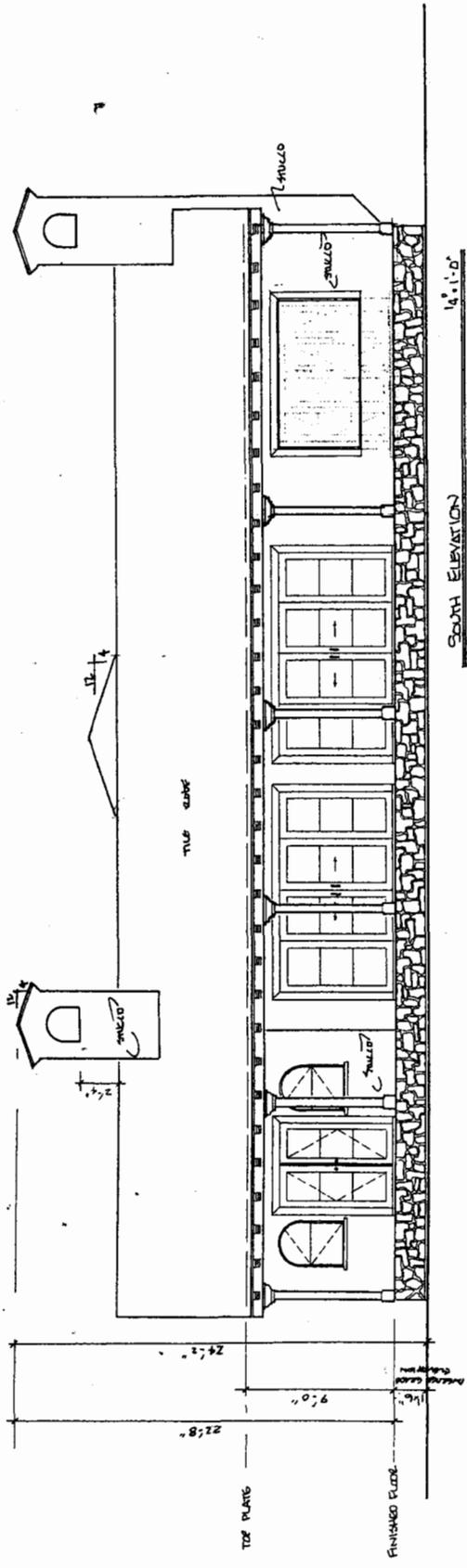
WINDOW & DOOR SCHEDULE

SYM.	SIZE	DESCRIPTION	QTY.	FINISH	MARK	TYPE	SCREEN	GLASS	FINISH
1	12'0" x 14'0"	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	ANDEKON LWN-E
2	12'0" x 14'0"	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	ANDEKON LWN-E
3	12'0" x 14'0"	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	ANDEKON LWN-E
4	12'0" x 14'0"	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	ANDEKON LWN-E
5	12'0" x 14'0"	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	ANDEKON LWN-E
6	12'0" x 14'0"	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	ANDEKON LWN-E
7	12'0" x 14'0"	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	ANDEKON LWN-E
8	12'0" x 14'0"	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	ANDEKON LWN-E
9	12'0" x 14'0"	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	ANDEKON LWN-E
10	12'0" x 14'0"	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	ANDEKON LWN-E
11	12'0" x 14'0"	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	ANDEKON LWN-E
12	12'0" x 14'0"	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	ANDEKON LWN-E
13	12'0" x 14'0"	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	ANDEKON LWN-E
14	12'0" x 14'0"	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	1	ANDEKON LWN-E	ANDEKON LWN-E

ALL TOILETS UNDER LOW-FLOOR
BE TYPED TO CHECK PLUMBING

SEE AND UNDERSTAND ALL
NOTES AND SPECIFICATIONS
BEFORE PROCEEDING WITH
CONSTRUCTION. FAILURE TO
DO SO WILL BE AT OWNERS
RISK AND WILL BE CONSIDERED
AS A WAIVER OF ALL RIGHTS
TO RECOVER & REPAIR DAMAGE
(JC)

EXHIBIT NO. 5
Application Number
5-08-201
Elevations
California Coastal Commission



EXTERIOR ELEVATIONS
 MASON CORNER FINISHED 3 LAYERS OF 5/8" x 5/8" x 1/4" TILE CORNER OVER 3/4" GYPSUM BOARD