

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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(562) 590-5071



F15c

A-5-PPL-17-0007 (JANICK)

MAY 11, 2017

EXHIBITS

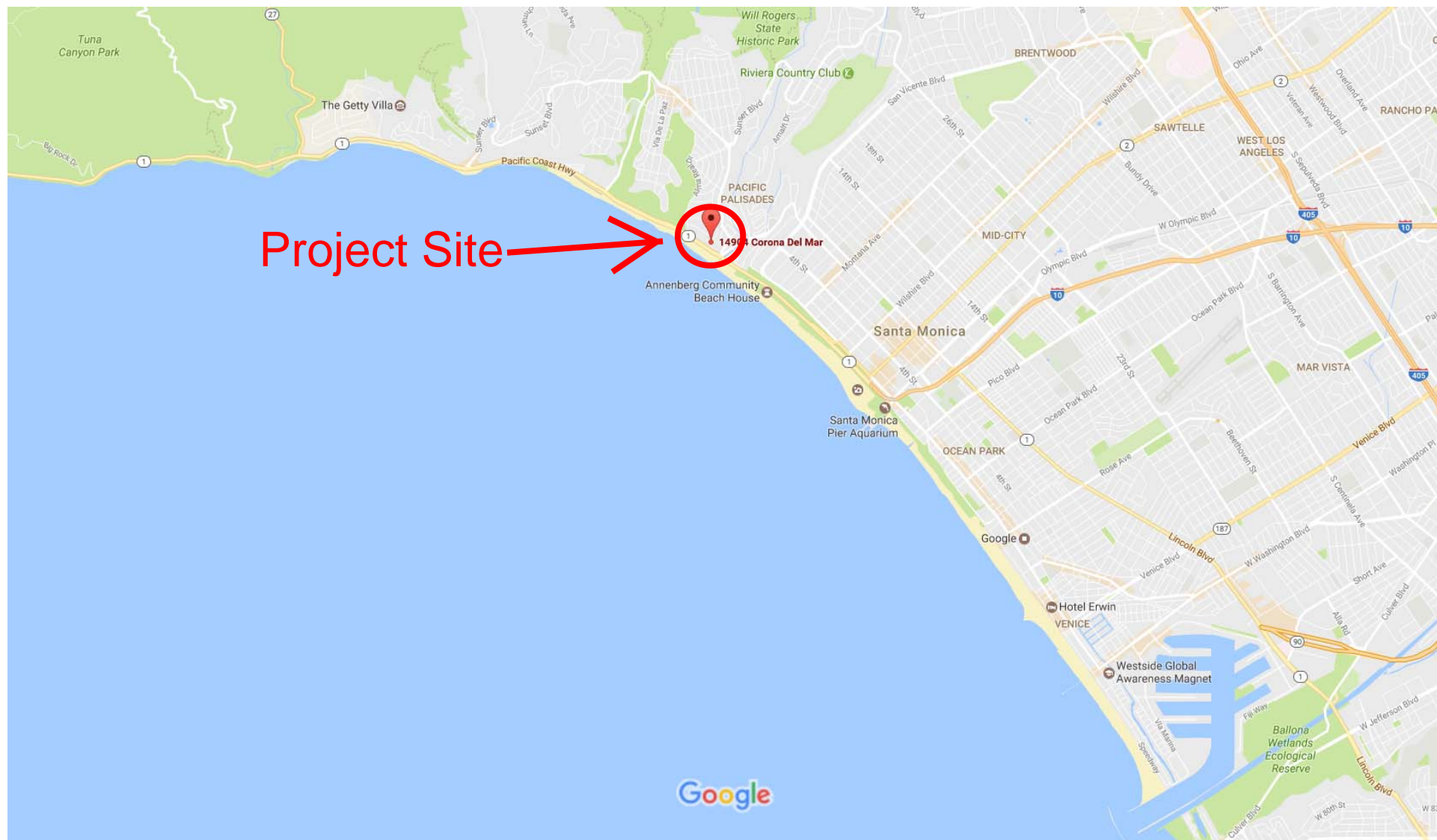
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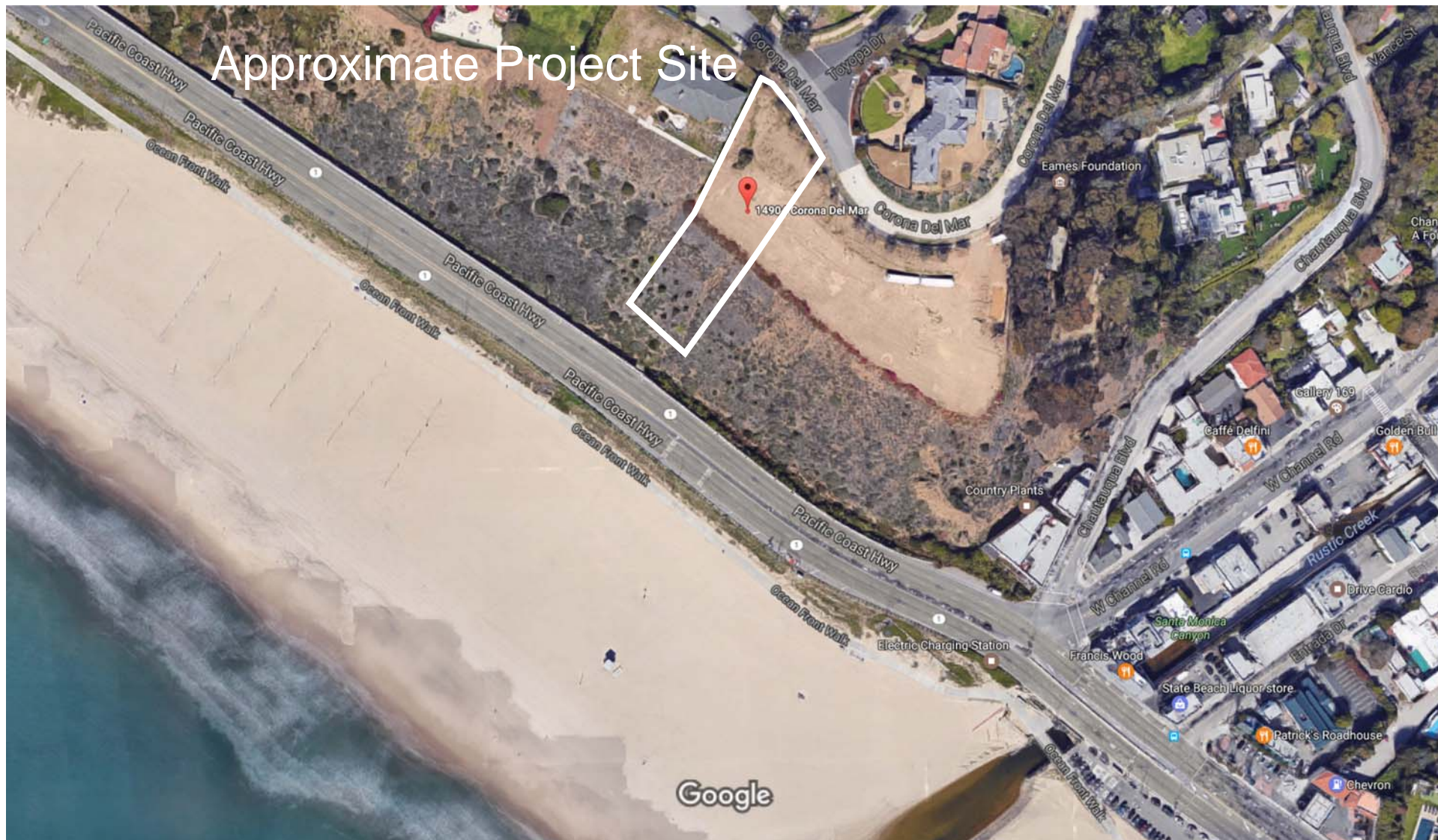
Google Maps 14904 Corona Del Mar



Map data ©2017 Google 2000 ft

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Google Maps 14904 Corona Del Mar



Imagery ©2017 Google, Map data ©2017 Google 100 ft

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CITY PLANNING**

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**DIRECTOR'S DETERMINATION
COASTAL DEVELOPMENT PERMIT**

December 30, 2016

Owner/Applicant

John Janick
MBJJ LLC
21300 Victory Boulevard
Woodland Hills, CA 91367

Representative

John J. Parker
Pacific Crest Consultants
2197 Stacy Lane
Camarillo, CA 93012

Case No. DIR-2016-1377-CDP-MEL

CEQA: ENV-2016-1378-CE

Location: 14904 West Corona Del Mar

Council District: 11-Mike Bonin

Community Plan Area: Brentwood-Pacific Palisades

Land Use Designation: Very Low I Residential

Zone: RE20-1

Legal Description: Lot 2, Block 6, Tract: 6753

Last Day to File an Appeal: January 18, 2017

DETERMINATION – Coastal Development Permit

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.20.2, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

1. **Approve** a Coastal Development Permit for the proposed construction of a 33-foot 7-inch tall, 9,310 square foot single-family dwelling with basement and attached garage (inclusive) on a vacant 31,194 square foot lot, and on-site grading and haul route of approximately 3,880 cubic yards of earth, all located in the dual permit jurisdiction of the Coastal Zone, and

Pursuant to Government Code Sections 65590 and 65590.1, I hereby:

2. **Approve** a Mello Act Compliance Review for construction of a residential unit in the Coastal Zone.

The project is Categorically Exempt from environmental review pursuant to Article III, Section I, and Class 3, Category 1 and Class 32 of the City of Los Angeles CEQA Guidelines.

The project approval is based upon the attached findings, and subject to the attached Conditions of Approval:

CONDITIONS OF APPROVAL

1. Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Plan Implementation Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Director of Planning to impose additional corrective Conditions, if, in the Director's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. Approved herein is the construction of a 33-foot 7-inch tall, 9,310 square foot single-family dwelling with basement and attached garage (inclusive) on a vacant 31,194 square foot lot, and grading/haul route for the export of approximately 3,880 cubic yards of earth.
7. Outdoor lighting shall be designed and installed with shielding so that light does not overflow into adjacent residential properties.
8. Prior to the commencement of site excavation and construction activities, construction schedule and contact information for any inquiries regarding construction activities shall be provided to residents and property owners within a 100-foot radius of the project site. The contact information shall include a construction manager and a telephone number, and shall be posted on the site in a manner, which is readily visible to any interested party.
9. Prior to the sign-off of plans by the Development Services Center, the applicant shall submit the plans for review and approval to the Fire Department. Said Department's approval shall be included in the plans submitted to the Development Services Center.
10. Within 30 days of the effective date of this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the

Recorder's number and date shall be provided to the Director of Planning for attachment to the subject case file.

Administrative Conditions

11. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
12. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
13. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
14. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
15. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
16. **Condition Compliance.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
17. **Indemnification and Reimbursement of Litigation Costs.** Applicant shall do all of the following:
 - (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
 - (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of

- any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
 - (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
 - (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

BACKGROUND

The subject site is a rectangular-shaped lot that slopes down from the front property line, and totals 31,194 square feet of lot area and zoned RE20-1. The site is located within the Brentwood-Pacific Palisades Community Plan and within the dual permit jurisdiction area of the California Coastal Zone. The site is within a fault zone, landslide zone, and a very high fire hazard severity

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zone, but not within a liquefaction or tsunami inundation zone. The site is currently vacant, and not considered a hazardous waste site according to Envirostor. The site is subject to the Hillside Ordinance and conforms the floor area regulations contained therein. According to the slope analysis, the maximum floor area allowed for the site is 9,526.8 square feet, after a 20% bonus by using the cumulative side yard setback option.

The request is to allow the construction 33-foot 7-inch tall, two-story over basement, 9,310 square foot single-family dwelling with attached garage (inclusive) and grading/haul route for the export of approximately 3,880 cubic yards of earth.

The Brentwood-Pacific Palisades Community Plan designates the property for Very Low I Residential land uses, with the corresponding zone of RE20-1. Adjacent lots to the west, north, and northeast are developed with single-family dwellings. The lot adjacent to the east is undeveloped. The proposed project is consistent with the underlying zone, and no deviations from the Code are requested. The site is approximately 780 feet from the shoreline.

Corona Del Mar is a Local Street with a 70-foot right of way and fully improved with streetlights, curbs, gutters, and sidewalks.

Previous zoning related actions on the site/in the area include:

ZA-2014-2127-CDP-MEL – On March 25, 2015 the Zoning Administrator approved a Coastal Development Permit and Mello Determination for the proposed demolition of a single-family dwelling and the construction of a new single-family dwelling at 14949 Corona Del Mar.

ZA-2013-3422-CDP – On May 27, 2014 the Zoning Administrator approved a Coastal Development Permit for the construction of underground piles, caissons, and grade beam system for an existing single family dwelling at 14947 Corona Del Mar.

Public Hearing

The public hearing was held on November 21, 2016 at the West Los Angeles Municipal Building, with Kenton Trinh acting as Hearing Officer. The project representative and project architect were in attendance.

Marc Welch (Project Architect)

- The proposed project involves the construction of a two-story single-family dwelling on Corona Del Mar.
- The second story will only be visible from the rear yard.
- A three-car garage is proposed.
- The house is rural Tuscany-style with natural stone and stucco.
- The house will have a varying roof line, not be bulky and will be broken up with multiple roof lines.

John Parker (Project Representative)

- The proposed project will be on a graded lot.
- The subject property descends 70 feet down to the coastal bluffs along PCH.
- There will be 4,078 cubic yards of total grading and net export of 3,774 cubic yards. A haul route will be required for the proposed project.

- The proposed project will be located in a well-developed residential area, approx. 750 feet inland.
- There will be no encroachment into undeveloped land.
- The proposed project will conform with all applicable provisions of the Code, connected to public infrastructure and utilities.
- Compliance with the Geology and Soils Approval Letter will minimize risk.
- There will be no reduced access or direct access to PCH from Corona Del Mar.
- Views will not be compromised by the proposed project.
- The project is in compliance with the Interpretive Guidelines as it relates to parking, bluff top development, and setbacks, etc.
- There will be no alteration of land forms; grading is not significant.
- The proposed project is in conformity with public access as there is no physical connection to PCH.

At the end of the hearing, the hearing officer kept the case under advisement for one week, and no decision was made on the project.

Correspondence

No correspondence was received regarding the proposed project.

MANDATED FINDINGS

In order for a coastal development permit to be granted all of the requisite findings maintained in Section 12.20.2 of the Los Angeles Municipal Code must be made in the affirmative. Following is a delineation of the findings and the application of the facts of this case to same.

1. The development is in conformity with Chapter 3 of the California Coastal Act of 1976.

The project site is located in a single-family neighborhood of one to two stories in height, and is approximately 780 feet from the shoreline. The site is undeveloped. No cultural resources are affected or impacted by the project. The proposed project is consistent with the underlying zone, and no public views will be affected. Therefore, the proposed project would not have a significant adverse impact on coastal resources, and is located in a single-family neighborhood that permits the project as described, and is able to accommodate the proposed request.

Surrounding homes vary in size, according to County Assessor data. The property to the northwest at 200 N. Toyopa Drive is developed with a single-family dwelling featuring 10,144 square feet of floor area. The property to the west at 14914 Corona Del Mar features 3,500 square feet. The property to the north at 14914 Corona Del Mar features 3,185 square feet. Another property to the northeast at 208 Toyopa Drive features 4,511 square feet. Thus, the size of the proposed project falls within the range of the properties surveyed.

The site is subject to the Baseline Mansionization Ordinance, and a maximum floor area of 9,526.8 is allowed, according to the slope analysis, after a 20% bonus is included by using the cumulative side yard setback option. Thus, the 9,310 square foot single-family dwelling is 2% less than the maximum floor area the owner is allowed to develop.

The proposed project will have no adverse effects on public access, recreation, public views, or the marine environment as the property is located slightly more than 780 feet

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from the shoreline, and separated from the coastline by a residential neighborhood, a coastal bluff, Pacific Coast Highway and local streets. As a result, the project will not interfere or reduce access to the shoreline or beach. There will be no dredging, filling or diking of coastal waters or wetlands associated with the request, and there are no sensitive habitat areas, archaeological or paleontological resources identified on the site. A haul route is required for export of approximately 3,800 cubic yards of earth, which will fall under regulatory compliance measures to ensure adverse impacts are minimized.

Chapter 3 of the Coastal Act contains provisions that address the impact of development, public services, recreational opportunities, public access, scenic views, infrastructure, the environment, and significant resources. Applicable provisions are as follows:

Section 30220 requires preservation of water oriented land uses. The subject site is located within a residential zone and located over 780 feet away from the shoreline. It is currently vacant and zoned for residential uses, and water oriented activities are not feasible.

Section 30230 requires maintenance of marine resources. The site is within the dual-jurisdiction area but is not adjacent to any waterbody, shore line, habitat, or open space. The site is zoned residential uses and currently developed with a residential building, and surrounded by residential development on all sides. The proposed project will result in no impact on marine resources.

Section 30240 requires the protection of environmentally sensitive habitat areas and to prevent significant impacts on such areas. The subject property is zoned for residential uses and currently vacant. No mature trees or vegetation are on-site. The site is not adjacent to any open space, water body, or any form of habitat. Further, migratory non-game native bird species are protected under federal and state law. The project is not expected to disrupt habitat values on environmentally sensitive habitat areas.

Section 30244 requires reasonable mitigation measures to reduce potential impacts on archeological or paleontological resources. The subject site is currently vacant but located within a developed residential area. No new archeological or paleontological resources are anticipated to be identified with the implementation of the project, as the site is currently developed.

Section 30250 states that new development shall be located in areas able to accommodate it, areas with adequate public services, and in areas where such development will not have significant adverse impacts on coastal resources. The subject site is located within a developed area. The proposed project is the construction of a new single-family dwelling on a vacant lot. The site is surrounded by residential development on three sides.

Section 30251 states the importance of preserving and protecting the scenic and visual qualities of coastal areas, protecting views to and along the ocean, requiring development to be visually compatible with the character of surrounding areas, and minimizing the alteration of natural land forms. The project's location results in no impact on scenic or visual qualities of coastal areas or prominent natural landforms. The site is not located along or near a designated scenic corridor.

Section 30252 states that new development should maintain and enhance public access to the coast. The proposed project results in the construction of a single-family dwelling on residential zoned land, and is located approximately 780 feet from the shoreline. The

project does not interfere with public access to the ocean.

Section 30253 requires new development to minimize risks to life and property in areas of high geologic, flood, and fire hazard, minimize impacts along bluffs and cliffs, and protect special communities and neighborhoods that are popular visitor destination points for recreational uses. The subject property is located on a coastal bluff that slopes down from street level, but the project is required to comply with state and local building codes that would minimize structural and seismic impacts. Regulatory compliance measures are in place to reduce any adverse impacts. Further, the project has a Geology and Soils Report Approval letter dated February 24, 2016 which contains conditions of approval that must be followed during the construction phase.

Section 30260 encourages Coastal-dependent industrial facilities to locate or expand within existing sites. The subject property is vacant and zoned for residential uses. The project has no impact on the location or operations of any coastal-dependent industrial facilities.

Therefore the proposed project would not have a significant adverse impact on coastal resources, is located in a single-family neighborhood that permits and is able to accommodate proposed request, and is in conformity with Chapter 3 of the California Coastal Act.

2. The development will not prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act of 1976.

The City does not have an approved Local Coastal Program for this area. In the interim, the Brentwood – Pacific Palisades Community Plan, a portion of the Land Use Element of the City's General Plan, serves as a functional equivalent. The Brentwood-Pacific Palisades Community Plan designates the property for Very Low I Residential land uses, with the corresponding zone of RE20-1. Policy 1-1.46 of the Community Plan is intended "to promote neighborhood conservation, particularly in existing single-family neighborhoods" The use of the property for residential purposes is consistent with the Community Plan land use and zoning, as well as applicable policies for preserving single-family residential neighborhoods.

The proposed development will be consistent with Policy 1-3 of the Community Plan which states: "To preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods." Since the proposed project will be adding a new single-family dwelling, the project will be compliant with the existing character of the community. Therefore, it will not alter or vary the character of the neighborhood, and will be consistent with the Community Plan policy. The proposed project is consistent with the policies of the Community Plan and the zoning regulations for the property, and will not prejudice the ability of the City to prepare a Local Coastal Program.

3. The Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed and considered in light of the individual project in making this determination.

California Coastal Commission's interpretive guidelines have been reviewed and considered in preparation of these findings. However, following prevailing case law (e.g., Pacific Legal Foundation v. Coastal Commission (1982) 33 Cal.3d 158), the City's determination is based on the cited provisions of the California Coastal Act and other

legally established laws and regulations. Such Guidelines are designed to provide direction to decision makers in permits pending adoption of an LCP. In this instance, the Guidelines standards concerning the following are relevant.

The subject property is located in the Brentwood – Pacific Palisades Community Plan Area. The property is not immediately adjacent to the shoreline. The project site and neighborhood are fully developed. The proposed project is the construction of a new dwelling on vacant land. The guidelines address adequate public access and the appropriate recreational activities in the area. The proposed project will not affect visual, scenic, or ecological coastal resources, nor archeological or paleontological resources.

4. **The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.**

The proposed project is consistent with the previous decisions of the City and the California Coastal Commission that included improvements and remodels consisting of additions to existing residential structures.

- a. In December 2015, the Commission approved with conditions Application No. 5-15-1638 for the demolition of two single-family dwellings on two lots and a lot tie and construction of a new single-family dwelling at 301 and 321 Swarthmore Avenue.
- b. In February 2015, the Commission approved with conditions Application No. 5-14-1858 for a partial demolition, remodel and addition to 2,863 square foot single story single family residence, including a 1,429 square foot basement located at 17880 Vicino Way.
- c. In February 2014, the Commission approved with conditions Application No. 5-13-0771 for the construction of a 4-level 3,783 square foot single-family home with 2-car garage.

Therefore, the decision of the permit granting authority has been guided by applicable decisions of the California Coastal Commission.

5. **The development is not located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, and the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.**

The subject property is located approximately 780 feet from the closest body of water within the coastal zone. The proposed use will have no adverse impacts on public access, recreation, public views, or the marine environment. The project will neither interfere nor reduce access to the shoreline or beach. There will be no dredging, filling, or diking of coastal waters or wetlands, and there are no sensitive habitat areas, or archaeological or paleontological resources identified on the site. Therefore, as proposed, the project will not conflict with any public access or public recreation policies of the Coastal Act.

6. **An appropriate environmental clearance under the California Environmental Quality Act has been granted.**

The proposed project is determined not to have a significant effect on the environment and is therefore categorically exempt from the provisions of the California Environmental Quality Act ("CEQA"), per Class 3, Category 1. Article III, Section 1, and Class 32 of the City CEQA Guidelines (Sections 15300-15333, State CEQA Guidelines). That action is hereby adopted.

MELLO FINDING

7. **The project is consistent with the special requirements for low and moderate income housing units in the Coastal Zone as mandated by California Government Code Section 65590 [Mello Act].**

The project site is undeveloped, thus no affordable units are proposed to be demolished. The new dwelling unit is not expected to be utilized as an affordable dwelling unit. Further, the project is considered a small new housing development pursuant to Part 2.4.2 of the Interim Administrative Procedures as the project proposes nine or fewer residential units. Thus, the proposed project is categorically exempt from further Mello Act compliance review.

ADDITIONAL MANDATORY FINDINGS

7. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
8. On October 24, 2016, the subject project was issued a Notice of Exemption, log reference ENV-2016-1376-CE, for a Categorical Exemption, Class 3, Category 1. Article III, Section 1, and Class 32 of the City CEQA Guidelines (Sections 15300-15333, State CEQA Guidelines). That action is hereby adopted.

TIME LIMIT – OBSERVANCE OF CONDITIONS

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. Pursuant to LAMC Section 12.25 A.2, the instant authorization is further conditional upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code, or the approval may be revoked.

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Constituent Service Center in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077, (818) 374-5050, or through the Department of City Planning website at <http://cityplanning.lacity.org>. The applicant is further advised to notify any consultant representing you of this requirement as well.

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this authorization is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or not complied with, then this authorization shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Director's determination in this matter will become effective after 15 days, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Director of Planning's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://cityplanning.lacity.org>**. Public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

Furthermore, this coastal development permit shall be subject to revocation as provided in Section 12.20.2-J of the Los Angeles Municipal Code, as authorized by Section 30333 of the California Public Resources Code and Section 13105 of the California Administrative Code.

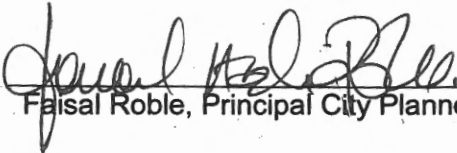
Provided no appeal has been filed by the above-noted date, a copy of the permit will be sent to the California Coastal Commission. Unless an appeal is filed with the California Coastal Commission before 20 working days have expired from the date the City's determination is deemed received by such Commission, the City's action shall be deemed final.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

VINCENT P. BERTONI, AICP
Director of Planning

Approved by:

Reviewed by:


Faisal Roble, Principal City Planner


Debbie Lawrence, AICP, Senior City Planner

Prepared by:


Jason Chan, City Planner

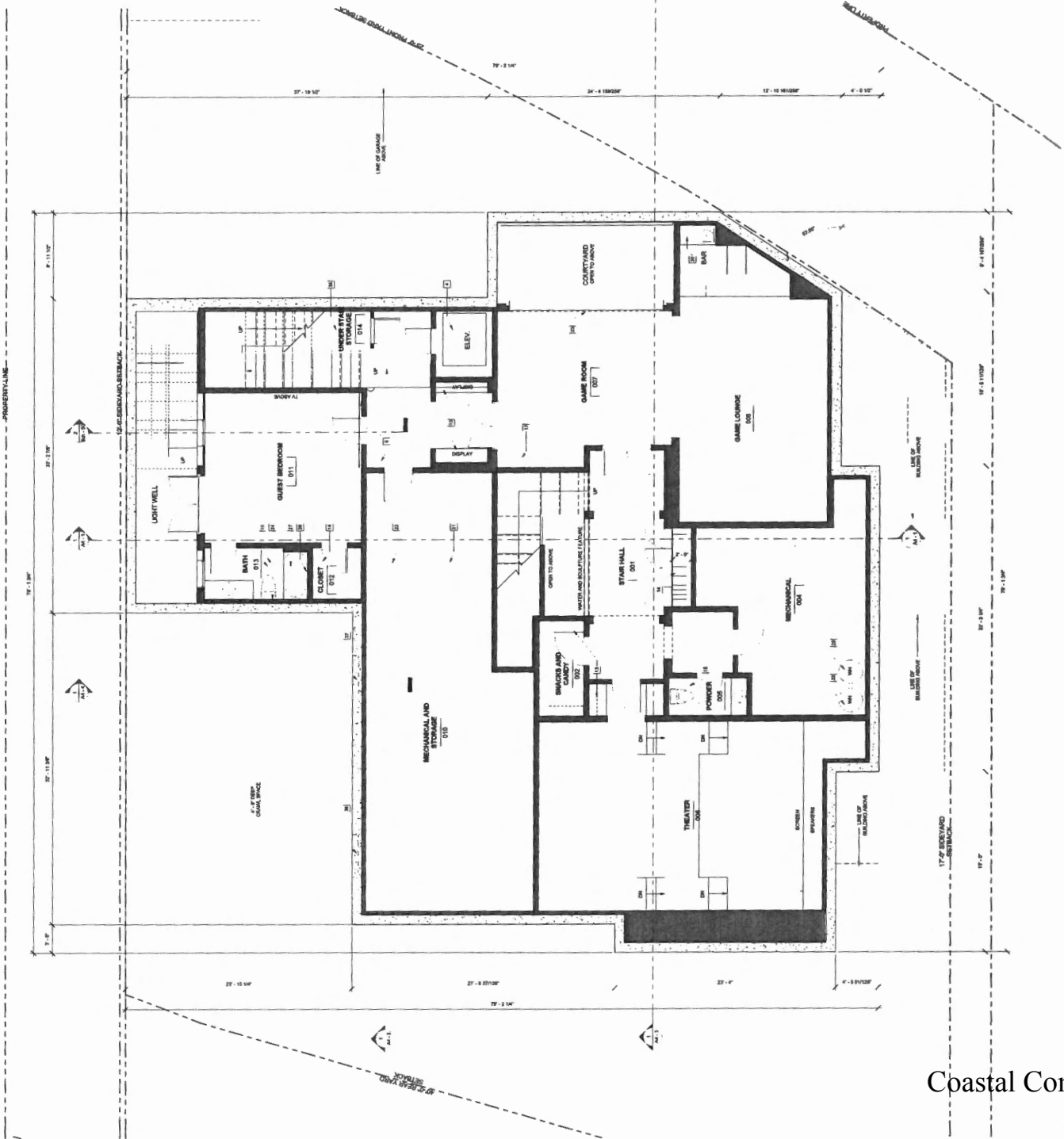
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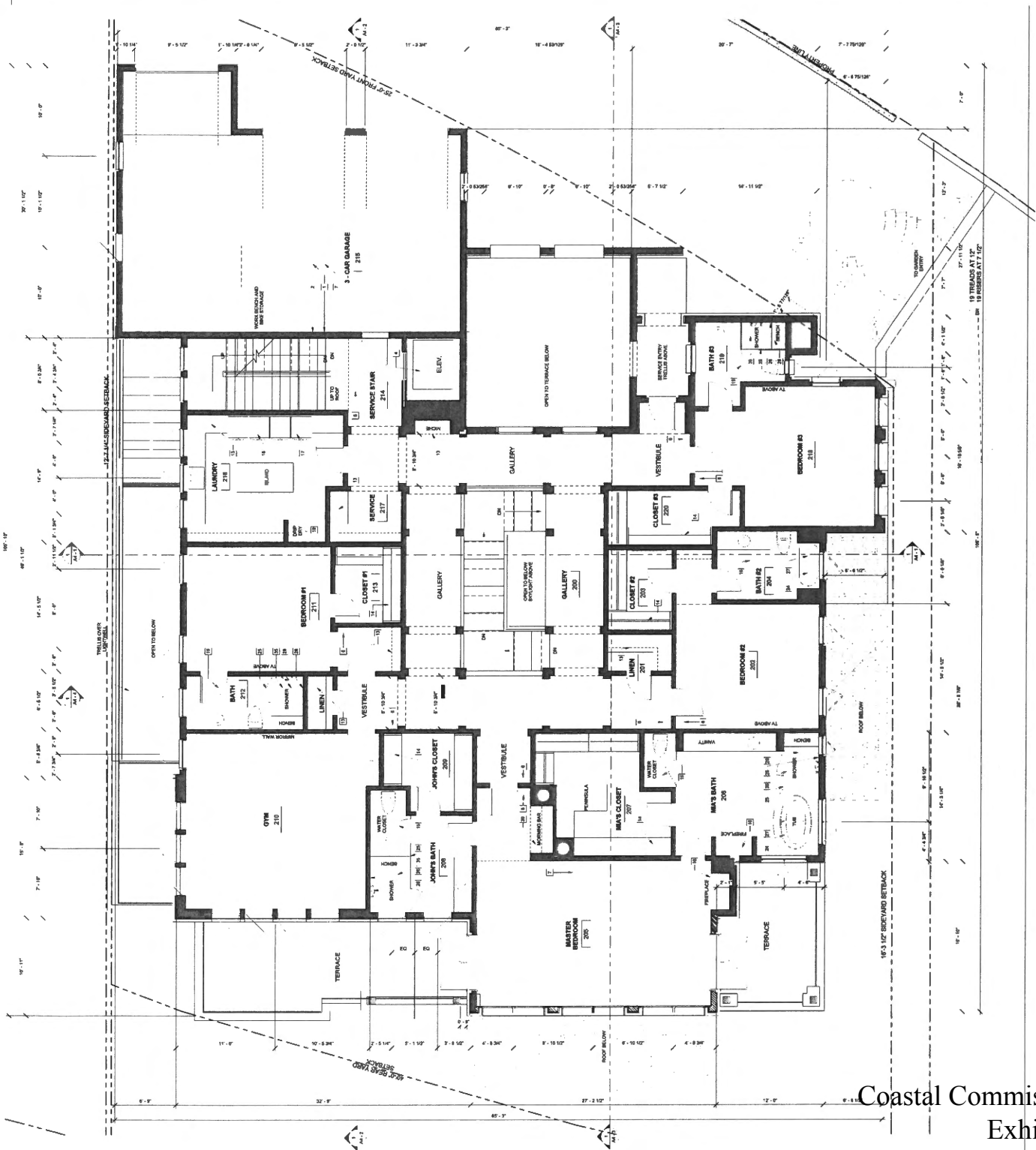
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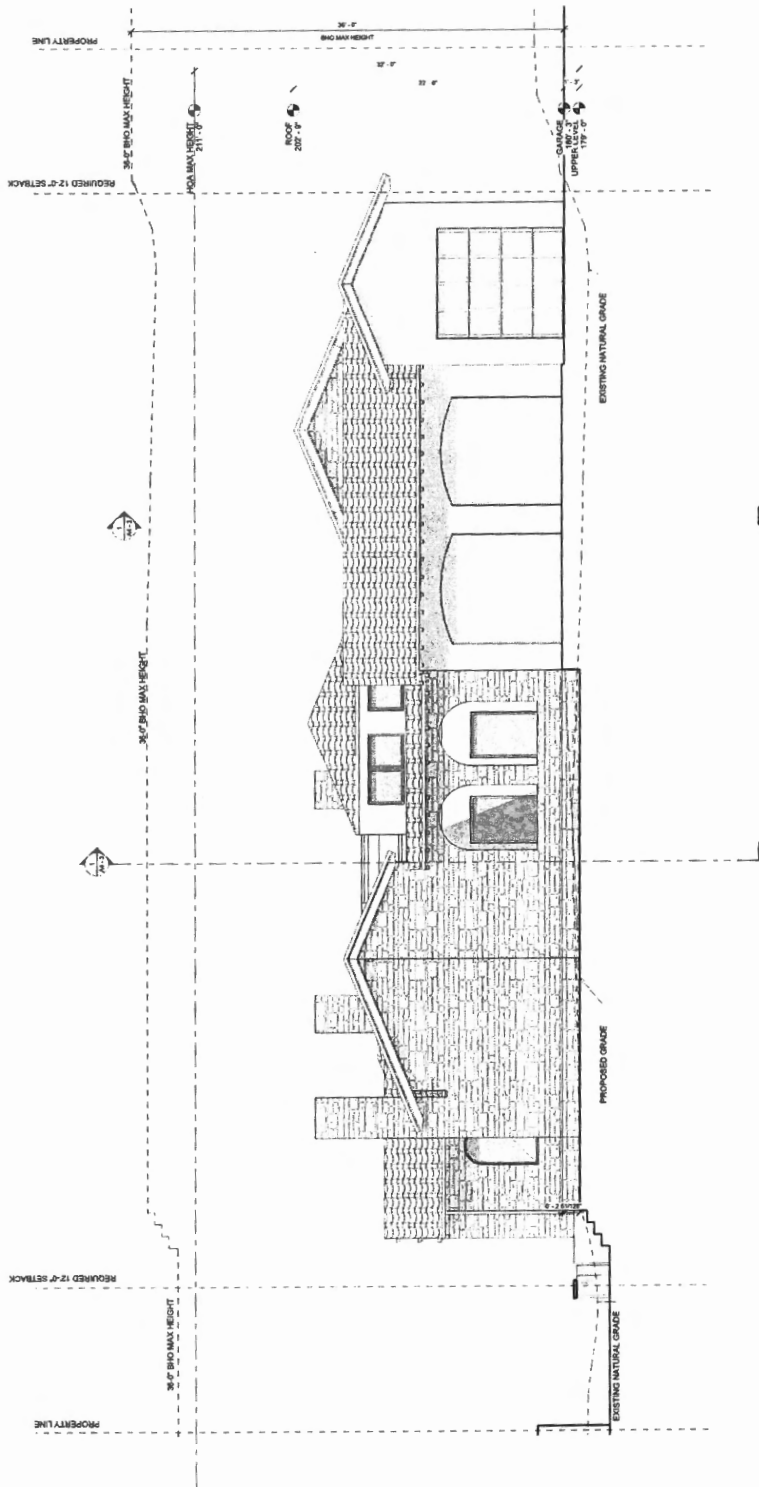
1. DO NOT SCALE DIMENSIONS. REFER TO DIMENSIONS AS SHOWN.
2. VERIFY ALL CONSTRUCTION CONDITIONS AND MATERIALS SPECIFICATIONS OF ANY DISCREPANCIES.
3. VERIFY FINISHES FOR ANY DISCREPANCIES OF INFORMATION.
4. ALL DIMENSIONS ARE TO FACE OF CONSTRUCTION UNLESS NOTED OTHERWISE.
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FLOOR PLAN NOTES

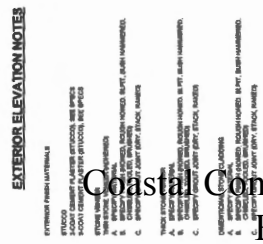
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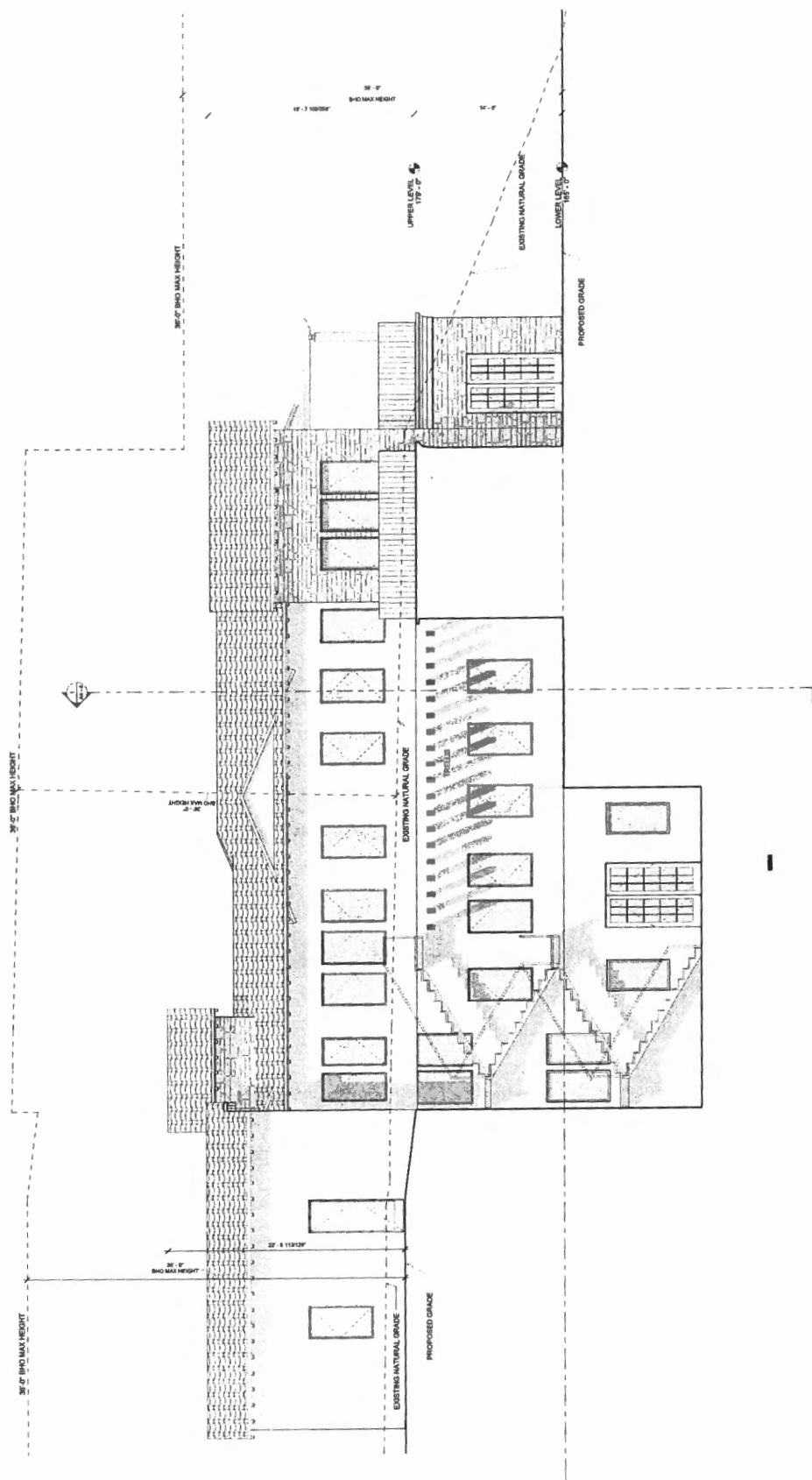






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EXTERIOR ELEVATIONS
(WEST)

SHEET TITLE

ELEVATION NOTES

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EXTERIOR ELEVATION NOTES

- a. consistent to the intent of the project, and not in violation of any applicable laws, codes, ordinances, rules, regulations, or standards.
- b. consistent with the intent of the project, and not in violation of any applicable laws, codes, ordinances, rules, regulations, or standards.
- c. consistent with the intent of the project, and not in violation of any applicable laws, codes, ordinances, rules, regulations, or standards.
- d. consistent with the intent of the project, and not in violation of any applicable laws, codes, ordinances, rules, regulations, or standards.

EXTERIOR ELEVATION NOTES

- [illegible]

EXTERIOR ELEVATION NOTES

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EXTERIOR EVALUATION NOTES

- [illegible]

Page 22 of 22

CALIFORNIA COASTAL COMMISSION

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

RECEIVED
South Coast Region



MAR 10 2017

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT CALIFORNIA COASTAL COMMISSION

SECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

Coastal Commissioner Executive Director
200 Oceangate, Suite 1000
Long Beach, CA 90802 (562) 590-5071

SECTION II. Decision Being Appealed

1. Name of local/port government: City of Los Angeles
2. Brief description of development being appealed: Construction of a 33-foot 7-inch high, 9,310 sq. ft. single-family residence on a caisson foundation including a basement and an attached 851 sq. ft. three-car garage on a 33,194 sq. ft. lot with retaining walls and 3,880 sq. ft. of grading.
3. Development's location (street address, assessor's parcel no., cross street, etc.):
14904 West Corona del Mar, Pacific Palisades, City of Los Angeles, Los Angeles County. APN#4411029002
4. Description of decision being appealed:
 - a. Approval; no special conditions: _____
 - b. Approval with special conditions: XX
 - c. Denial: _____

NOTE: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO:

A-5-PPL-17-0007

DATE FILED:

3.10.17

DISTRICT:

South Coast

Coastal Commission

Exhibit 3

A-5-PPL-17-0007

Page 1 of 5

5. Decision being appealed was made by (check one):
- a. Planning Director/Zoning Administrator: XX
 - b. City Council/Board of Supervisors: _____
 - c. Planning Commission: _____
 - d. Other: _____
6. Date of local government's decision: December 30, 2016
7. Local government's file number: DIR-2016-1377-CDP-MEL

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties.
(Use additional paper as necessary.)

1. Name and mailing address of permit applicant:
John Janick, MBJJ LLC
21300 Victory Boulevard
Woodland Hills, CA 91367
2. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.
- a. John Parker, Project Representative, Pacific Crest Consultants
2197 Stacy Lane, Camarillo, CA 93012
 - b. Marc Welch, Project Architect

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government Coastal Permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section, which continues on the next page. Please state briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Coastal Act Section 30240 (b) states:

Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Coastal Act Section 30251 states in part:

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 public 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 surrounding areas, and, where, feasible, to restore and enhance visual quality in visually degraded areas.

Coastal Act Section 30253 states in part:

New development shall do all of the following:

(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(b) Assure stability and structural integrity, and integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Development on a coastal bluff is inherently dangerous due to the potential for bluff failure. Bluff development poses potential adverse impacts to the geologic stability of bluffs and the stability of residential and ancillary structures. The proposed project is located on Corona del Mar, an approximately 150- foot high bluff top site, inland of Pacific Coast Highway, in the Pacific Palisades area of the City of Los Angeles. The subject coastal bluff is highly visible from Pacific Coast Highway and the beach below. It is an integral part of the vast public views to and along the coast.

The City's Geology and Soils Report Approval Letter (LOG # 83320-01), dated February 24, 2016, states that "... the site is situated on top of a coastal bluff slope where a previously existing residence was damaged due to the 1994 Northridge Earthquake and subsequently removed." The Coastal Commission

Exhibit 3

A-5-PPL-17-0007

Page 3 of 5

elevation [of the] lot was lowered about 13 feet by exporting soil...” Lowering the 31,194 sq. ft. bluff top lot by 13 feet would require a coastal development permit that would analyze the impacts of the grading on coastal resources and ensure that it is consistent with the hazards and the scenic and visual resource policies of the Coastal Act. The City provided no such evidence that a coastal development permit was approved or issued for the previous grading of the lot and no such permits exist in the Coastal Commission’s records. As such, the City should have acknowledged that deficiency and treated the applicant’s project as an after-the-fact request that included the previous grading of the lot and completed an analysis of the impacts that the grading had on the relevant coastal resources. The City took no such action. Therefore, the City’s approval is inadequate and an analysis of the impacts that the unpermitted grading had on coastal resources in the area must be conducted in observation of Coastal Act Sections 30240, 30251, and 30253. As such, the City’s action is lacking legal support and raises a substantial issue.


Additionally, the City’s approval includes development within ten feet of the bluff edge, including retaining walls and hardscaping. Past Commission actions have limited development within ten feet of the bluff edge to landscaping to minimize erosion and reduce the potential for hardscape falling down the bluff. This limitation is in observation of geologic hazards including incremental and episodic erosion and other irregular geologic events. The City failed to provide justification for the development within ten feet of the coastal bluff. As such, the City’s action raises a substantial issue with regard to the coastal resources affected by the City’s action.

Furthermore, the City’s Planning Department Advisory Agency approved a lot line adjustment. The local coastal development permit does not include the lot line adjustment. Before a single-family residence can be approved on the lot, the lot line adjustment needs to be approved through the City’s coastal development permit process.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



Signature of Appellant(s) or Authorized Agent

Date: _____

3/10/17

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize _____
to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date: _____