

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: CONSENT CALENDAR

Application No.: 5-17-0830

Applicant: Eric Owen Moss Living Trust (Eric Owen Moss)

Agent: Eric McNevin, Eric Owen Moss Architects

Location: 211 N. Entrada Drive, Pacific Palisades, City of Los Angeles, Los Angeles County (APN: 4410-011-014)

Project Description: Demolish an approximately 648 sf. single-story single family residence and construct a 32.5 ft. high, 3-story, 1,438 sf. single family residence with roof deck.

Staff Recommendation: Approval with conditions

SUMMARY OF STAFF RECOMMENDATION

The applicant is proposing to demolish a single-story residence and construct a three-story home in a residential neighborhood within the Brentwood area of the Pacific Palisades community of the City of Los Angeles. The subject site is within an area developed with single and multi-family residential structures and is adjacent to a commercially zoned and developed area. The subject project was approved by the City of Los Angeles on June 28, 2017. The soils report approved by the City on November 7, 2016 concluded that the proposed construction is feasible from a geotechnical engineering standpoint if the recommendations from the report are incorporated into project plans and implemented during construction. **Special Condition 1** requires the report's recommendations be adhered to. Landscaping with invasive non-native plant species has been an issue in this area, therefore, **Special Condition 2** has been imposed to require noninvasive, drought tolerant plant species.

Staff is recommending **approval** of the proposed coastal development permit with the **two (2)** aforementioned special conditions.

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APPENDIX

Coastal Development Permit No. ZA-2016-2788-ZV-CDP-MEL

EXHIBITS

Exhibit 1 – Vicinity Map

Exhibit 2 – Project Plans

Exhibit 3 – Streetscape Analysis

I. MOTION AND RESOLUTION

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 of the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

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

This permit is granted subject to the following 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 on which the Commission voted on the application. 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 of 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

This permit is granted subject to the following special conditions:

1. **Geotechnical Recommendations.** All recommendations of the geology and geotechnical report titled “Soils Report,” prepared by Advanced Geotechnical Services and dated July 13, 2016, shall be adhered to including recommendations for site preparation, structural fills, compaction standards, seismic design parameters, foundation design, pavement subgrade preparation, drainage, and all other recommendations.

The permittee shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director provides a written determination that no amendment is legally required for any proposed minor deviations.

2. **Landscaping.** Any future landscaping of the site shall be consistent with the following:
 - A. Vegetated landscaped areas shall consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest 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 on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>).
 - B. Use of reclaimed water for irrigation is encouraged. If using potable water for irrigation, only drip or microspray irrigation systems may be used. Other water conservation measures shall be considered, such as weather based irrigation controllers.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION & LOCATION

The applicant is proposing to demolish the existing single-story residence and construct a 3-story, 1,438 sf. single family residence with two on-site compact covered parking spaces ([Exhibit 2](#)). The residence would be 32.5 feet tall with the maximum height of the stairway housing on the roof deck reaching 36 feet, 2 inches. Six foot concrete walls are proposed on the side property lines with two six foot gates. The proposed landscaping includes permeable concrete pavers with gravel infill, a rain garden, and other planted areas. Issues in the general area include the proliferation of invasive species and drought. Thus, **Special Condition 2** is imposed to require all landscaping to be non-invasive and primarily drought tolerant to minimize water use and adverse impacts to native species.

The City of Los Angeles approved a soils report prepared by Advanced Geotechnical Services for the proposed project on November 7, 2016. According to this geotechnical engineering study, dated July 13, 2016, the proposed development is feasible from a geotechnical engineering standpoint if the report’s recommendations are incorporated into project plans and implemented during

construction. Therefore, **Special Condition 1** is imposed which requires the applicant to adhere to the report's recommendations.

The proposed project is within the Dual Permit Jurisdiction Area of the City of Los Angeles in the Brentwood area of Pacific Palisades ([Exhibit 1](#)). The City approved the project, Coastal Development Permit No. ZA-2016-2788-ZV-CDP-MEL, on June 28, 2017. The proposed project is located approximately 600 feet from Pacific Coast Highway (PCH) and 750 feet from Will Rodgers State Beach on an approximately 2,400 sf. lot designated R1-1 (Low Density Residential) in the City of Los Angeles' zoning code. The site is currently developed with a 648 sf. single-story, single family residence built circa 1948 and abuts the Rustic Creek flood control channel. Proposed site drainage includes roof gutter and rain garden downspouts and a rain garden overflow drain which should have no significant adverse impact on the water quality of Rustic Creek. The surrounding neighborhood is composed of largely one- and two-story single-family residences with multi-family residences and mixed commercial uses seaward of the project site ([Exhibit 3](#)). The project would be consistent with the size and scope of the surrounding development. Given the project's distance from PCH and the surrounding developed area, the proposed project is not significantly visible from public vantage points and is compatible with the character of the surrounding community and will not impact beach access.

B. PUBLIC ACCESS

The proposed development, which is located in a neighborhood inland of PCH and approximately 750 feet from Will Rodgers State Beach, will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Therefore, as proposed the development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

C. PUBLIC RECREATION

The proposed development, as submitted, does not interfere with public recreational use of coastal resources and conforms with Sections 30210 through 30214 and Sections 30220 through 30223 of the Coastal Act regarding the promotion of public recreational opportunities.

D. VISUAL RESOURCES

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 also is not significantly visible from public vantage points, so it will have minimal impacts on visual resources protected by the Coastal Act. Therefore, the Commission finds that the development, as conditioned, conforms with Sections 30250, 30251, and 30252 of the Coastal Act.

E. HAZARDS

The site-specific geotechnical survey and report concluded that the proposed construction is feasible from a geotechnical engineering standpoint if the recommendations from the report are incorporated into project plans and implemented during construction. Therefore, only as conditioned, the development conforms with the Chapter 3 policies of the Coastal Act.

F. LOCAL COASTAL PROGRAM

Coastal Act section 30604(a) states that, prior to certification of a local coastal program (“LCP”), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The Pacific Palisades area of the City of Los Angeles has neither a certified LCP nor a certified Land Use Plan. As conditioned, the proposed development will be consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 of the Coastal Act.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The City determined the proposed project to be categorically exempt from CEQA (Class 3, Section 15303 [new construction of small structures] & Section 15061(b)(3) [the so-called common sense exemption].) 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 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.