

## CALIFORNIA COASTAL COMMISSION

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

# Th5a



Staff: D. Truong – LB  
Date: March 22, 2018

## ADMINISTRATIVE PERMIT

**Application No.** 5-18-0086

**Applicant:** MDR Silicon Beach Dell Investors, LLC

**Agent:** Addison Schierbeek, ATTN: Jefferson Schierbeek

**Project**

**Description:** Demolition of a 1-story, 1,199 sq. ft. single-family dwelling, and construction of a 2-story, 24-foot high (with 27-foot high skylight), 3,330 sq. ft. single-family dwelling with an attached 2-car garage.

**Project**

**Location:** 2800 Dell Avenue, Venice, City of Los Angeles, Los Angeles County  
(APN: 4227021002)

### EXECUTIVE DIRECTOR'S DETERMINATION

The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

**Thursday, April 12, 2018, 9:00 am**

**Redondo Beach Public Library**  
303 North Pacific Coast Highway  
Redondo Beach, CA 90277

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

**BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.**

JOHN AINSWORTH  
Executive Director

By: Denise Truong  
Title: Coastal Program Analyst

**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 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 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.

**SPECIAL CONDITIONS:** See pages **five** through **six**.

**EXECUTIVE DIRECTOR'S DETERMINATION (continued):**

The Executive Director hereby determines that the proposed development is a category of development, which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

## **FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION**

### **A. PROJECT DESCRIPTION**

The applicant proposes to demolish a one-story, 1,199 sq. ft. single-family dwelling and construct a new two-story, 24-foot high, 3,330 sq. ft. single-family dwelling with an attached 2-car garage. Vehicular access to the garage is taken from the rear alley, and a third parking space is located on the driveway apron. The proposed project includes solar panels on the roof towards the rear of the property. The proposed structure will be set back 20 feet from the front yard property line, the side yards are set back 4.5 feet and the rear yard is set back 15 feet from the property line ([Exhibit 2](#)).

The project site is a 5,212 sq. ft. corner lot located in Southeast Venice, one block from the Venice Canals and a quarter mile inland of Venice beach ([Exhibit 1](#)). The site is zoned R1-1 and designated by the certified Venice Land Use Plan (LUP) as a Residential Low land use. The project site is not located on a Walk Street. The existing single-family residence was built in 1942. No historic resources are known to have been identified on site.

The proposed height of the roof is 24 feet, measured the centerline of the road, with a 3-foot high sloped roof skylight extending to 27 feet. The proposed building height is consistent with the maximum LUP allowable height limit of 30 feet for varied or stepped back rooflines. The project contains one dwelling unit consistent with the LUP density requirements of one unit per 5,000 sq. ft. of lot area.

The project contains approximately 200 sq. ft. of planter area and 1,030 sq. ft. of landscape area in the front yard. The side yard patio area and rear yard includes approximately 1,675 sq. ft. of permeable paving. Roof drainage is gravity fed towards the side yard planters and permeable pavers which is consistent with the requirement for yards reserved for fire safety, open space, and permeable land area (LUP Policy I.A.3).

The façade fronting Dell Avenue shows a break in the vertical plane by imposing various step backs on the first and second stories as shown on the renderings provided by the applicant ([Exhibit 3](#)). The second floor balcony is enclosed with glass railings to increase the transparency of the second floor step back, which is 30 feet from the front yard property line. The front yard will be enclosed with a 42-inch high wooden fence.

The applicant provided a streetscape analysis ([Exhibit 4](#)) to illustrate the proposed project's visual compatibility with the neighborhood. Even though the neighboring properties have older one-story houses, the surrounding neighborhood is comprised primarily of a mix of one and two-story houses. Since the site is located on a corner lot, it is also appropriate to analyze compatibility with structures located across the street on 28<sup>th</sup> Avenue. The residences fronting 28<sup>th</sup> Avenue are one to three-story structures with a variety of architectural types and façades. The proposed project is visually compatible with the existing scale and character of the neighborhood because the project maintains the prevailing setbacks and includes various articulations and indentations of the building's mass on the side elevations and front elevations as observed from Dell Avenue. The project has been sensitively designed to reduce the massing of the proposed structure compared to the neighboring one-story and two-story structures on the block and, therefore, is consistent with the "*scale, massing, and landscape of existing residential neighborhood[s]*" (LUP Policy I.E.2).

The permit includes three special conditions. **Special Condition 1** has been imposed to assure that the applicant does not deviate from the plans under which the project has been approved. **Special Condition 2** is imposed to protect water quality. Furthermore, **Special Condition 3** limits fence heights and requires that landscaped areas consist only of native plants or non-native drought tolerant plants which are non-invasive.

Within the areas specified in Section 30601 of the Coastal Act, which is known in the City of Los Angeles permit program as the *Dual Permit Jurisdiction Area*, the Coastal Act requires that any development which receives a local coastal development permit also obtain a second (or “dual”) coastal development permit from the Coastal Commission. The Commission’s standard of review for development in the Dual Permit Jurisdiction area is the Chapter 3 policies of the Coastal Act. For projects located inland of the areas identified in Section 30601 (i.e., projects in the Single Permit Jurisdiction area), the City of Los Angeles local coastal development permit is the only coastal development permit required.

In this case, the project site is within the *Dual Permit Jurisdiction Area*. The City of Los Angeles completed its final action to approve and issue Local Coastal Development Permit No. DIR-2016-2999-CDP-MEL-SPP on December 6, 2017 ([Exhibit 5](#)). A notice of final action for the local coastal development permit was received in the Coastal Commission Long Beach office on December 26, 2017. The City’s findings indicate that the approved development is consistent with the character of the area and will not prejudice its ability to prepare a local coastal program. There were no appeals of the local action submitted to the Commission within the 20 working day appeal period. A notice of no appeals was sent from the Commission Long Beach office to the City of Los Angeles on December 27, 2017. In addition, letters of support were submitted from two members of the public ([Exhibit 6](#)).

## **B. PUBLIC ACCESS**

The proposed development will not affect the public’s ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Therefore, as proposed the development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

## **C. DEVELOPMENT**

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

## **D. 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 to 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 Venice area. However, the City of Los Angeles Land Use Plan (LUP) for Venice was effectively certified on June 14, 2001. As conditioned, the proposed development conforms to the policies set forth in the certified Venice LUP and is 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 an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

### **E. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The local government is the main jurisdiction for CEQA review. 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.

### **SPECIAL CONDITIONS**

This permit is granted subject to the following special conditions:

1. **Permit Compliance.** The permittee shall undertake development in accordance with the approved final plans, specifically including the site plan, building plans, landscaping plan, and drainage plan. 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-approved amendment to Coastal Development Permit No. 5-18-0086 unless the Executive Director determines that no amendment is legally required.
2. **Construction and Pollution Prevention Plan. Construction Responsibilities and Debris Removal.** The permittee shall comply with the following construction related requirements:
  - a) No demolition or construction materials, equipment, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain or tidal erosion and dispersion.
  - b) Any and all debris resulting from demolition or construction activities, and any remaining construction material, shall be removed from the project site within 24 hours of completion of the project.
  - c) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.

- d) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
  - e) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
  - f) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.
  - g) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
  - h) The discharge of any hazardous materials into any receiving waters shall be prohibited.
  - i) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
  - j) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity.
  - k) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.
3. **Landscaping.** Vegetated landscaped areas shall only 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>).
- a) 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.
  - b) The front wall/fence within the front yard setback area shall be constructed no higher than 42 inches above grade as measured from the public sidewalk adjacent to Dell Avenue. The side and rear yard wall/fence, beyond the front yard setback, shall be constructed no higher than six feet at any point as measured from natural grade.

**ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS**

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date of Signing