

Attachment No. PC 5

Minutes of the August 10, 2023 Zoning
Administrator Meeting

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Action: Approved as amended

ITEM NO. 7 Dawson Residence Coastal Development Permit, Modification Permit, and Staff Approval (PA2022-0315)
Site Location: 2741 Ocean Boulevard Council District 6

David Lee, Senior Planner, provided a project description stating that the application is for a Coastal Development Permit, Modification Permit, and Staff Approval. The request is for a residential remodel and addition of 2,511 square feet to an existing 5,781-square-foot single-unit residence, for a total of 8,292 square foot gross floor area. Mr. Lee described the existing conditions of the residence. The proposed addition and remodel would provide interior access between floors, and includes a new entry way, various rooms, and an outdoor swimming pool above the garage. Furthermore, he addressed the approved variances from 1961 and 1986 (VA1137).

Mr. Lee discussed the facts in support of findings for the Coastal Development Permit. The subject property is located within a row of uniquely oriented single residences between Ocean Blvd and Way Lane, with a steep slope that descends toward Way Lane. This project is consistent with surrounding development since neighboring residences have developed into the bluff with the purposes of establishing access from Ocean Boulevard. Mr. Lee stated that the development is considered existing non-conforming with the aspects authorized from previous variances. However, the proposed area of addition has a building height of 20 feet and complies with applicable development standards. Mr. Lee stated that the project is located on a bluff, however, the site is not part of the Bluff Overlay as indicated by the Local Coastal Program Implementation Plan. The project includes 1,400 cubic yards of cut and exporting to accommodate this remodel and addition and has been reviewed pursuant to Coastal Land Use Plan Policy 4.4.1-3. Alterations to the bluff are not visible from Way Lane, as the bluff is behind existing residences, and visibility will not be reduced from Ocean Boulevard as the project will remain under curb height from the Ocean Boulevard surface grade. The bluff portion to the southeast and southwest will remain preserved. Mr. Lee stated that a preliminary geotechnical study has been provided which includes a constructability plan to minimize potential impacts to the bluff. Mr. Lee discussed how coastal access is not impeded even though the location is between First Road and the sea, due to coastal access points adjacent to the property, such as a path and stairway at Lookout Point to the south of the property. The project includes a reduction in massing from existing to enhance public views of the ocean by offering removal of three (3) existing chimneys and additional massing to be removed which will improve views from Ocean Boulevard viewpoint above. Additionally, a reduction in massing from the existing 55-foot guardrails are to be replaced by a 33-foot wide guardrail, which improves coastal views for both motorists and pedestrians on Ocean Boulevard. Mr. Lee stated that a condition of approval has been included to maintain all landscaping including trees, to be below highest point of residence. The subject property does not affect coastal views or access from Lookout Point or public beach access as the property is not between the park and the beach.

Mr. Lee provided facts in support of findings for the requested Modification Permit. He discussed the necessity of the taller retaining walls and guard rails due to the steep slope. The retaining walls, which support the entryway stair system, are relatively small compared to the setback area and overall lot width. The guardrail system will serve as fall protection for pedestrians traveling along the edge of Ocean Boulevard as well as those residents and guests entering the property. The guardrail will have a maximum height of three (3) feet above curb elevation along Ocean Boulevard. Staff proposed a condition that the railing consists of a wrought iron with a minimum of 40 percent open design to maintain views of ocean and bay.

Mr. Lee discussed the Staff Approval for the substantial conformance to Variance No. VA1137, which authorized a building height of 54 feet from existing grade and floor area which exceeded the previous floor area limit. The proposed addition does not exceed the existing height and complies with height requirements. The proposed floor area, including the addition, does not exceed the floor area limit. Landscaping including trees and shrubs was originally permitted to reach heights matching the top of the railings along Ocean Boulevard, and the project is conditioned so that all vegetation growth does not exceed the height of the residence to improve sightlines and coastal views.

Mr. Lee addressed written correspondence from Jim Mosher. Mr. Lee stated that the Zoning Administrator is the appropriate review body. The record is unclear regarding possible previous coastal development permits. However, Mr. Lee stated that Coastal Commission staff had reviewed the staff report and corresponded that all concerns regarding the project scope and public views were addressed in the staff report. The Local Coastal Program includes maps that indicate the property as proposed, which includes the land which was previously abandoned as a public right-of-way by the City. Finally, staff considers the project to be consistent with the predominant line of existing development. The applicant proposes to maintain a large portion of the existing bluff. Although the project is not in the bluff overlay, staff has still analyzed the project to be applicable to the Coastal Land Use Plan policies for protection of natural landforms.

Applicant Sara Pijuan and Timothy Reynolds of KAA Design group, on behalf of the Owner, stated that they have reviewed the draft resolution and agree with all the required conditions.

Zoning Administrator Zdeba opened the public hearing.

A member of the public, Jim Mosher, spoke and stated that he has concerns regarding the City Council action in 1999 and questioned who maintains the landscaping in the abandoned right-of-way area. Mr. Mosher also questioned if the homeowner paid for the increase of their lot size or if it was gifted by the City. He also questioned if the proper analysis was completed since the project is located on a bluff. Mr. Mosher requested to review the correspondence from Coastal Commission staff. Mr. Mosher questioned if the project could be accomplished with less alteration to the bluff. In addition, he stated that Ocean Boulevard is a public view road and that it applies to both motorists and pedestrians. Mr. Mosher stated his concern about the proposed pilasters and how they appear to be out of scale.

Another member of the public, Catherine Callender, spoke and stated her concerns regarding the upkeep of the charm of China Cove. She stated her concerns about the access issues for delivery trucks on Way Lane, and if the building mass is increasing on Way Lane.

Mr. Lee responded and stated that staff has provided appropriate analysis of the project and does not have concerns regarding the property lines of the subject property. The project is not in the Bluff Overlay of the Implementation Plan, which implements certain Coastal Land Use Plan policies regarding bluff properties. Staff believes that there are thorough renderings and analysis for the public views for both motorists and pedestrians. Staff believes that the reduction of the number of pilasters is improving the public views. Mr. Lee clarified that there is no added massing to the Way Lane side of the project, and that the addition is occurring on the Ocean Boulevard side. Zoning Administrator Zdeba confirmed with the applicant that there is no projection past the existing structure on Way Lane. Zoning Administrator Zdeba confirmed with Mr. Lee that City departments have reviewed the project and have no concerns on access on Way Lane.

Zoning Administrator Zdeba added a standard condition of approval regarding a construction management plan prior to approval to building permit issuance that would be reviewed by Planning and Public Works. The applicant agreed to the proposed condition.

Zoning Administrator Zdeba closed the public hearing.

Action: Approved as amended

V. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

VI. ADJOURNMENT

The hearing was adjourned at 11:06 a.m.