

CALIFORNIA COASTAL COMMISSION

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Staff: JLR-LB
Staff Report: 6/19/97
Hearing Date: Sept. 9-12, 1997
Commission Action:

STAFF REPORT AND RECOMMENDATION ON APPEAL
SUBSTANTIAL ISSUE

LOCAL GOVERNMENT: City of Los Angeles
LOCAL DECISION: Approval with Conditions
APPEAL NUMBER: A-5-VEN-97-184
APPLICANT: Dean Hull
AGENT: Don Wilkins, Architect
PROJECT LOCATION: 658 Venice Boulevard, Venice, City of Los Angeles, Los Angeles County.

PROJECT DESCRIPTION: Local Coastal Development Permit No. 96-003 approved with conditions for the construction and use of a two-story, 85,000 square foot self-storage building.

The proposed project description has been amended for the De Novo hearing. The applicant is proposing to offer to dedicate land for 5 public on-street parking spaces at the front of the property along the frontage road (See Exhibit F).

APPELLANT: Ronald Swepston

SUMMARY OF STAFF RECOMMENDATION:

The staff recommends that the Commission, after public hearing, determine that a Substantial Issue exists with respect to the grounds on which the appeal has been filed for the following reasons: The project, as approved by the local government, raises issues regarding adequacy of on and off-site parking, direct impact on support parking required in a previous Commission permit 5-90-664 (Venice Blvd. improvements) and adequacy of local requirements to maintain the use described in the application. This raises issues of consistency with the beach access and development policies of the Coastal Act, namely, Sections 30210, 30212 and 30252 of the Coastal Act which were not adequately addressed by the local government. Inadequate

parking provisions will prejudice the ability of the local government to prepare a Local Coastal Program consistent with the provisions of the Coastal Act.

Substantive File Documents

1. Venice Interim Control Ordinance (No. 163,472) adopted March 21, 1989.
 2. Coastal Development Permit 5-90-664 (Caltrans) Venice Blvd. Roadway improvements.
 3. Coastal Development Permit 5-97-004 (Abernethy) Self-storage facility located in Redondo Beach.
 4. City issued Coastal Development Permit CDP 86-010 (Swepston) Two industrial buildings in Venice.
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I. APPELLANT'S CONTENTIONS

The appellant, Ronald Swepston, has appealed the City of Los Angeles decision to approve Local Coastal Development Permit CDP 96-003 for a 2-story, 85,000 sq. ft. self-storage building. The basic issues raised by the appellant are loss of on-street parking spaces, lack of adequate on-site parking provisions and inconsistency with a previously approved Commission permit. Staff has attached, as Exhibit B, the appellant's contentions. Also attached, as Exhibit C, are the applicant's response to those contentions.

II. APPEAL PROCEDURES

Section 30600(b) of the Coastal Act provides that prior to certification of its Local Coastal Program, a local jurisdiction may, with respect to development within its area of jurisdiction in the coastal zone and consistent with the provisions of Sections 30604, 30620 and 30620.5, establish procedures for the filing, processing, review, modification, approval, or denial of a Coastal Development Permit. Pursuant to this provision, the City of Los Angeles developed a permit program in order to exercise its option to issue Local Coastal Development Permits in 1978.

Sections 13302-13319 of the California Code of Regulations provide procedures for issuance and appeals of locally issued Coastal Development Permits. Section 30602 of the Coastal Act allows any action by local government on a Coastal Development Permit application evaluated under Section 30600(b) to be appealed to the Commission.

After a final local action on a Local Coastal Development Permit, the Coastal Commission must be noticed within five days of the decision. After receipt of such a notice which contains all the required information, a twenty working day appeal period begins during which any person, including the applicant, the Executive Director, or any two members of the Commission, may appeal the local decision to the Coastal Commission (Section 30602).

At this meeting, the Commission will have a public hearing to determine whether a substantial issue exists with respect to the grounds on which the appeal has been filed. The Commission may decide that the appellants' contentions raise no substantial issue of conformity with the Chapter 3 policies of the Coastal Act, in which case the action of the local government stands. On the other hand, the Commission may find that a substantial issue does exist with the action of the local government if it finds that the proposed project may be inconsistent with the Chapter 3 policies of the Coastal Act of 1976.

If the Commission finds that a substantial issue does exist, then the hearing may be opened and heard as a de novo permit request. Section 13321 specifies that de novo actions will be heard according to the procedures outlined in Section 13114 of the Code of Regulations.

III. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE

The staff recommends that the Commission determine that a Substantial Issue exists with respect to the City's approval of the project with the provisions of Chapter 3 of the Coastal Act (commencing with Section 30200), pursuant to PRC Section 30625(b)(1).

MOTION. Staff recommends a NO vote on the following motion:

I move that the Commission determine that Appeal No. A-5-VEN-97-184 raises No Substantial Issue with respect to the grounds on which the appeal has been filed.

A majority of the Commissioners present is required to pass the motion.

IV. FINDINGS ON SUBSTANTIAL ISSUE

The Commission hereby finds and declares as follows:

A. Project Description and Background

The applicant proposes to construct a 2-story, 85,000 sq. ft. self storage building with 48 on-site parking spaces on a 1.41 acre parcel located approximately 0.8 mile from the Venice Beach. The proposed facility will contain 548 storage units that range in size from approximately 25 sq. ft. to 800 sq. ft. The proposed self storage facility will also include an 800 sq. ft. office and a 1,000 sq. ft. caretaker unit.

The subject site is currently vacant and is located on the southerly frontage road adjacent to the south side of Venice Boulevard between Lincoln Boulevard and Abbot Kinney Boulevard in the Venice community of the City of Los Angeles. The parcel is zoned manufacturing (M1). The proposed self-storage facility is a permitted use within the corresponding industrial plan and zone designation. The surrounding uses include light industrial, retail and residential. Following is a more detailed description of the project site excerpted from a city staff report:

The subject property is a level, irregular-shaped, interior parcel of land consisting of approximately 61,240 square feet, having a frontage of approximately 285 feet on the south side of Venice Boulevard and an approximate depth of 220 feet. The subject site is vacant.

Surrounding properties are within the M1, R4, R2, C2, and C1 Zones and are characterized by level topography and improved streets. The surrounding properties are developed with one- and two-story single-family dwellings, apartments, commercial and industrial buildings.

B. Substantial Issue Analysis

As stated in Section II of this report, any local government Coastal Development Permit may be appealed to the Commission. However, the grounds for an appeal of a Coastal Development Permit issued by the local government prior to certification of its Local Coastal Program are limited to the Chapter 3 policies of the Coastal Act. The Commission shall hear an appeal unless it determines that no substantial issue exists as to conformity with Chapter 3 policies of the Coastal Act. In this case, staff has recommended that a Substantial Issue exists with respect to the grounds on which the appeal has been filed.

The basic issues raised by the appellant, Ronald Swepston, are loss of on-street parking spaces and inadequate on-site parking provisions. Although the appellant has not addressed any specific policies in the Coastal Act, the appellant's contentions do allude to the Coastal Act issue that new development not adversely impact public access to the coast. Specifically, Section 30252 of the Coastal Act states, in part:

The location and amount of new development should maintain and enhance public access to the coast... (4) by providing adequate parking facilities ...

The appellant contends that the proposed project will remove 10 public on-street parking spaces that were required to be retained in a previously approved Coastal Development Permit (5-90-664).

In September, 1990, the Commission approved a permit, 5-90-664 (Caltrans), to repair and resurface Venice Boulevard, a major east-west artery that gives access to Venice Beach. A special condition of 5-90-664 required the Department of Transportation to maintain all "formal and informal existing Street parking spaces" during construction of improvements. Another special condition required Caltrans, after construction, to replace the same number of spaces on the project site. The project site extended from Lincoln Boulevard to the Beach. Caltrans estimated that 536 spaces existed on the median strip and along the shoulders of the road. For permit compliance, Caltrans submitted maps and charts showing 26 spaces on the southerly frontage road located between Abbot Kinney Blvd. and Shell Avenue. Five parking spaces were located on the north side of the frontage road adjacent to the applicant's parcel (See Exhibit D).

The applicant's representative states that there is no loss of any public street parking, specifically, the applicant's representative states:

Assertion: The project will remove approximately 10 public parking spaces from the street and access road fronting the site

Response: THIS ASSERTION IS NOT TRUE. There is no loss of any public parking. This project uses existing curb breaks at the street for site access and as such has no effect on street parking. Coastal Permit #5-90-644 established five informal parking spaces on

the public access road fronting this site along Venice Boulevard and those five spaces have been maintained in this area. See drawing sheet 1A. There have never been more than five spaces in this area, never the ten spaces that the appellant contends. This has been confirmed by documents within Coastal Permit records.

The applicant's plans, as now submitted, indicate that those five spaces will be provided on the south side of the frontage road partly adjacent to the applicant's parcel and partly on the applicant's lot. The applicant has neglected to state that the proposed project will remove five parking spaces from the north side of the frontage road to be relocated to the south side of the frontage road. As a result of the need for a wider right-of-way, the spaces can only be accommodated if a portion of the width of each space is located on the applicant's property. However, no dedication of these spaces is required by the City permit. Therefore, there is no guarantee that the spaces will be available for public use. The applicant states that these spaces cannot be provided on the north side of the frontage road because vehicular access to the proposed storage facility would be severely restricted. The frontage road is approximately 20 feet in width. Therefore, according to the applicant, the City required the applicant to not provide parking on the north side of the street in order to provide adequate sight distance to access the subject site.

As noted above, the applicant is proposing five on-street parking spaces. Therefore, there will be no net loss of parking spaces consistent with the Commission's approval of permit 5-90-664. However, the applicant's plans indicate that these parking spaces will straddle both the applicant's property and a portion of the right-of-way. As noted, the applicant has not provided nor was required by the City to provide a dedication to ensure that these spaces will be retained as public parking spaces. Therefore, while the applicant has expressed an intention to replace the parking spaces removed, the City's action does raise a substantial issue concerning these public parking spaces because their retention as public spaces was not required in the City's approval.

The appellant's second major concern is that the applicant is not providing adequate on-site parking. The City required 48 on-site parking spaces for the proposed 85,000 square feet storage facility, or .056 space per 1,000 square feet.

Currently, there is no adopted LCP for Venice. In the interim, the Commission's guidelines and the City's Venice Interim Control Ordinance (ICO) require almost identical parking standards based on type of use. The Commission's guidelines would require one space per 1,000 sq. ft. for a warehouse use which would equate to 85 spaces. The City's ICO would require 88 spaces. However, the applicant was granted a hardship exemption as provided for in Section 14 of the Venice ICO ordinance. That exemption allowed the applicant to provide 48 on-site parking spaces rather than 88 spaces.

The hardship exemption was granted by the City because the applicant provided a parking analysis that demonstrated that 48 spaces were more than adequate for a proposed self-storage facility. In 1988, approximately one mile northwesterly of the subject site, the City issued a Coastal Development Permit for a 126,150 sq. ft. self-storage facility. That project was located in the single-permit jurisdiction area and was not appealed to the Commission. That facility has 1,300 storage units and provides 59 on-site parking spaces. That project

provides 0.46 spaces per 1000 sq. ft. whereas the subject appeal will provide 0.56 spaces per 1000 sq. ft.

That action was similar to a recent Coastal Commission permit decision. In June, 1997, the Commission approved a 100,000 sq. ft. storage building with 24 parking spaces (5-97-004) located in Redondo Beach. That project equates to 0.24 parking spaces per 1000 sq. ft. whereas, the proposed project will provide 0.56 parking space per 1000 sq. ft.

Thirdly, the appellant raises the issue that the project conditions do not adequately require the development to remain a self-storage facility. The appellant believes the development could convert to a commercial use with no further review. The appellant further contends that the proposed project will impact beach access because the proposed storage facility will be used by beach vendors which will adversely impact the beach and create a "swap meet type atmosphere". In response, the applicant states that the proposed storage facility "will do no more to create congestion or aggravation at the beach than any other storage facility within driving distance".

The City's conditions of approval do not prevent conversion to a more intensive commercial use. Letters received by staff indicate that other industrial uses in the area have recently converted to retail use, with the city requiring no additional parking for the conversion. Since the City did not require a coastal development permit for these conversions, staff has not been able to determine the number of spaces that were required (CDP 86-10. & CDP 101-79). However, the regulations authorizing local government approval of coastal development permits before certification of an LCP requires that the City review permits consistent with the Commission's actions.

In the above cited case in Redondo Beach 5-97-004 Abernethy, the Commission considered the identical issue that a space approved with less parking because of a less intensive use could convert to a more intensive use. Such a conversion could impact public parking and beach access because the self storage parking standard is one eighth of the standard for retail use. The City did not examine this issue or identify or deal with this potential problem. The City has no conditions to require the use remain as described in the application. For that reason the City's approval raises substantial issue with respect to assuring adequate parking.

C. Summary of Substantial Issue

Based on the issues of non-conformance with the public access and new development policies of the Coastal Act, and the lack of full mitigation of the impacts on loss of on-street public parking spaces as noted above, the Commission finds that the development as approved by the City raises a substantial issue with respect to its conformance with the public access policies of the Coastal Act.

STAFF RECOMMENDATION ON DE NOVO HEARING

Summary of Staff Recommendation:

Staff recommends approval of the proposed project with a special condition to dedicate a strip of land to provide for five public parking spaces located at the front (street side) of the subject

parcel. Staff is also recommending a special condition that any change in intensification of use will require a coastal permit from the Commission.

Staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, 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 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

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. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. 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.
7. 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. Offer to Dedicate Five Public On-Street Parking Spaces

Prior to issuance of the coastal development permit, the landowner shall execute and record a document, in a form and content acceptable to the Executive Director,

irrevocably offering to dedicate to the City of Los Angeles, an easement for five public parking spaces. The easement area offered to be dedicated shall be the a portion of the applicant's parcel that parallels the south side of the frontage road along Venice boulevard as shown on Exhibit D. The easement shall provide for five public parking spaces and will, at a maximum, not exceed an area 8 feet in depth and 120 feet in width.

The easement area shall be described in metes and bounds. The offer shall be recorded free of prior liens and encumbrances which the Executive Director determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of the State Of California, binding all successors and assigns, and shall be irrevocable for a period of 21 years, such period running from the date of recording.

2. Future Development

Prior to the issuance of the coastal development permit, the applicant shall execute and record a document, in a form and content acceptable to the Executive Director, stating that the subject permit is only for the development described in the Coastal Development Permit No. A-5-VEN-97-184; and that any future development on the property, including but not limited to change in use to housing, vending, general commercial, light manufacturing, studio or restaurant use unless exempt as repair and maintenance under Coastal Act Section 30610(d), will require an amendment to this permit from the Coastal Commission or an additional coastal development permit from the Coastal Commission or a certified local government. The improvements to the approved development are not exempt from permit requirements under Coastal Act Section 30610(d). The document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens.

3. Conformance with City Conditions

Those conditions which have been placed on the proposed project by the City Council of the City of Los Angeles on April 23, 1997 (File No. 97-0357) and which do not conflict with the Special Conditions above are incorporated herein as conditions to this permit and are attached hereto as Exhibit E.

IV. Findings and Declarations on De Novo Hearing

The Commission hereby finds and declares as follows:

A. Project Description and Background

The applicant proposes to construct a 2-story, 85,000 sq. ft. self storage building with 48 on-site parking spaces on a 1.41 acre parcel located approximately 0.8 mile from the Venice Beach. The proposed facility will contain 548 storage units that range in size from approximately 25 sq. ft. to 800 sq. ft. The proposed self storage facility will also include an 800 sq. ft. office and a 1,000 sq. ft. caretaker unit.

The applicant also proposes to offer for dedication to the City of Los Angeles a strip of land for on-street public parking purposes along the front of the subject property. The dedicated land

will provide parking for five parking spaces and will not exceed an area 8 feet in depth and 120 feet in width.

The subject site is currently vacant and is located on the southerly frontage road adjacent to the south side of Venice Boulevard between Lincoln Boulevard and Abbot Kinney Boulevard in the Venice community of the City of Los Angeles. The parcel is zoned manufacturing (M1). The proposed self-storage facility is a permitted use within the corresponding industrial plan and zone designation. The surrounding uses include light industrial, retail and residential. Following is a more detailed description of the project site excerpted from a city staff report:

The subject property is a level, irregular-shaped, interior parcel of land consisting of approximately 61,240 square feet, having a frontage of approximately 285 feet on the south side of Venice Boulevard and an approximate depth of 220 feet. The subject site is vacant.

Surrounding properties are within the M1, R4, R2, C2, and C1 Zones and are characterized by level topography and improved streets. The surrounding properties are developed with one- and two-story single-family dwellings, apartments, commercial and industrial buildings.

B. Public Access

The appellant contends that the proposed project will remove 10 public on-street parking spaces that were required to be retained in a previously approved Coastal Development Permit.

In September, 1990, the Commission approved a permit, 5-90-664 (Caltrans), to repair and resurface Venice Boulevard, a major east-west artery that gives access to Venice Beach. A special condition of 5-90-664 required the Department of Transportation to maintain all "formal and informal existing Street parking spaces" during construction of improvements. Another special condition required Caltrans, after construction, to replace the same number of spaces on the project site. The project site extended from Lincoln Boulevard to the Beach. Caltrans estimated that 536 spaces existed on the median strip and along the shoulders of the road. For permit compliance, Caltrans submitted maps and charts showing 26 spaces on the southerly frontage road located between Abbot Kinney Blvd. and Shell Avenue. Five parking spaces were located on the north side of the frontage road adjacent to the applicant's parcel (See Exhibit D).

Staff has reviewed the background documents for permit 5-90-664. That permit was approved to require retention of five parking spaces in front of and across the frontage road (north side) of the applicant's parcel. The applicant's plans, as now submitted, indicates that those five spaces will be provided on the south side of the frontage road adjacent to the applicant's parcel. The applicant states that these spaces cannot be provided on the north side of the frontage road because vehicular access to the proposed storage facility would be severely restricted. The frontage road is approximately 20 feet in width. The City's conditions required the applicant to not provide parking on the north side of the street in order to provide adequate physical and visual sight distance to access the subject site. Therefore, as a result of

construction of the proposed development, the City will no longer allow 5 public parking spaces in it's right-of-way. Thus, there will be 5 fewer spaces available to beachgoers.

As noted above, the applicant is proposing to replace the loss of five on-street parking spaces on the north side of the frontage road by allowing the public to park in spaces on the south side. Therefore, there will be no net loss of parking spaces consistent with the Commission's approval of permit 5-90-664. The applicant's plans indicate that these parking spaces will straddle both the applicant's property and a portion of the right-of-way. However, the applicant was not required by the City to provide a dedication to ensure that these spaces will be retained as public parking spaces. Subsequently, the applicant revised the project description for the De Novo hearing. The applicant is proposing to offer to dedicate land for 5 public on-street parking spaces at the front of the property along the frontage road (See Exhibit F). If the City requires a narrower strip of land to provide the spaces, only the portion of land required by the City will be dedicated.

Therefore, the Commission finds that the impacts of removing the spaces can be mitigated if the applicant dedicates additional land adjacent to the South Venice Blvd. frontage road so that no fewer than 5 spaces can be provided for and accepted by the City along the right-of-way. Therefore, the Commission finds that, as conditioned, to offer a land dedication to provide 5 public parking spaces, the proposed project is consistent with the relevant public access provisions of Chapter 3 of the Coastal Act.

Regarding on-site parking standards, the Commission's guidelines would require one space per 1,000 sq. ft. for a warehouse use which would equate to 85 spaces. The City's ICO would require 88 spaces. Based on past permit actions, those standards require too many spaces for a self storage use.

The Commission has also found that one space per 1,000 sq. ft. is excessive for a self storage use. Recently, in June, 1997, the Commission approved a 100,000 sq. ft. storage building with 24 parking spaces (5-97-004) located in Redondo Beach. That project equates to 0.24 parking spaces per 1000 sq. ft. whereas, the proposed project will provide 0.56 parking space per 1000 sq. ft.

The appellant further raises the issue that the project conditions do not adequately require the development to continue to remain a self-storage facility. The appellant further contends that the proposed project will impact beach access because the proposed storage facility will be used by beach vendors which will adversely impact the beach and create a "swap meet type atmosphere". In response, the applicant states that the proposed storage facility "will do no more to create congestion or aggravation at the beach than any other storage facility within driving distance".

The City's conditions of approval do not prevent conversion to a more intensive commercial use. Letters received by staff indicate that other industrial uses in the area have recently converted to retail use, with the city requiring no additional parking for the conversion. Since the City did not require a coastal development permit for these conversions, staff has not been able to determine the number of spaces that were required (CDP 86-10. & CDP 101-79).

The Commission in granting reduced parking has also required that development approved with reduced parking not convert to a more intensive use. The regulations authorizing local

government approval of coastal development permits before certification of an LCP requires that the City review permits consistent with the Commission's actions. In the above cited case in Redondo Beach 5-97-004 Abernethy, the Commission considered the identical issue that a space approved with less parking because of a less intensive use could convert to a more intensive use. Such a conversion could impact public parking and beach access because the self storage parking standard is one eighth of the standard for retail use. The City did not examine this issue or identify or deal with this potential problem. The City has no conditions to require the use remain as described in the application.

Although the Commission found that on-site parking provisions raised no substantial issue, the Commission is requiring a special condition that the proposed use remain as a storage facility. Therefore, the Commission finds that, as conditioned, to require a new coastal permit for any change in intensification of use, will assure adequate parking provisions, consistent with the public access policies of the Coastal Act.

C. Local Coastal Program:

Section 30604 (a) of the Coastal Act states that:

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).

The City of Los Angeles has prepared a draft Land Use Plan for this planning subarea. The City's draft Local Coastal Program considers on-street public beach parking spaces as an issue for this area of the City. Approval of the proposed development, as conditioned to mitigate loss of on-street parking, will not prejudice the City's ability to prepare a certifiable Local Coastal Program. Further, the development approved with conditions to assure that development will remain as proposed to be a self storage building will not impact adjacent beach parking. The Commission, therefore, finds that the proposed project is consistent with Section 30604 (a) of the Coastal Act.

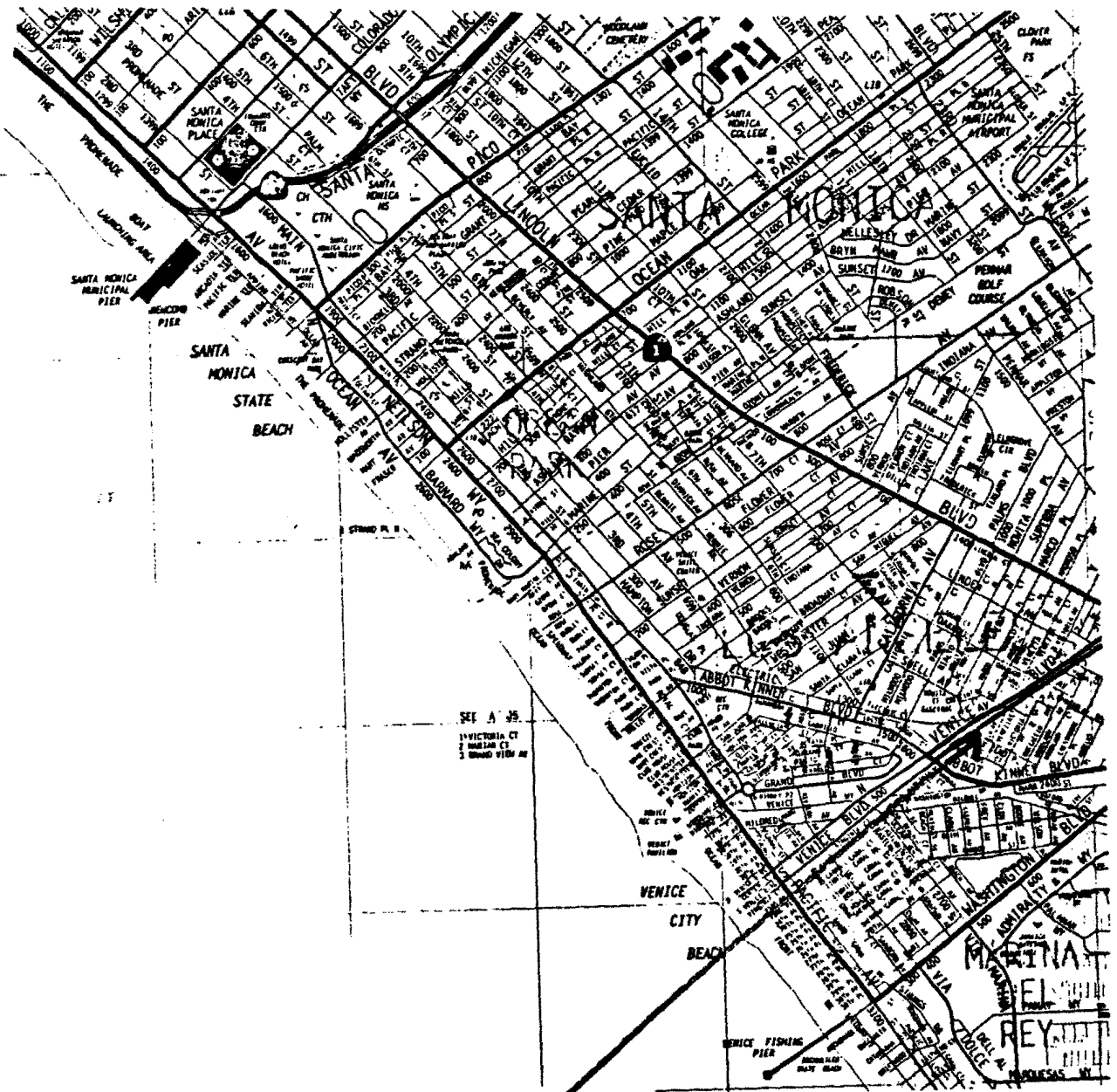
D. Consistency with the California Environmental Quality Act (CEQA).

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5 (d) (2) (i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the public access policies of the Coastal Act. Mitigation measures to retain on-street public parking spaces will minimize all adverse impacts. As conditioned, there are no feasible alternatives or

feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.ⁱ

ⁱ 9375F



A 5-VEN-97-184

EXHIBIT A

State briefly your reasons for this appeal. Include a summary.

By allowing the development of the mini-storage as it is currently proposed, I feel you are severely breaching the intent of the California Coastal Plan in two major ways: with the removal of much needed on-street and on-site parking in the area; and the potential for creating more congestion (and aggravation) for those wanting to visit and enjoy the nearby popular beach.

The first problem is that the project will involve the removal of public on-street and access road parking (approximately 10 spaces). Prior to the re-aligning of Venice Blvd. by the California Department of Transportation, an 85 car parking lot existed in the median directly in front of the site. In a prior ruling, the California Coastal Commission moved these spaces to the west about 1/2 mile. But this has left a deficit of parking in the immediate area of the proposed site. Under the present parking requirements, a lack of parking will persist until all of the properties in this area are re-developed. And yet this project has been approved by the City with a reduction of about 45 on-site spaces, accepting the "justification" that the proposed usage has little parking needs. But what will happen with a future change of usage later on from a mini-storage to another commercial venture? This potential change would devastate the surrounding properties when the new commercial venture's parking can not be met on site, and their overflow will therefore be pushed onto the already too few public on-street spaces.

Our second major concern is that the proposed project will hinder coastal access and negatively impact visitor serving and beach related uses. The California Department of Transportation has just spent an enormous amount of money to improve the traffic flow and appearance in this area with the re-design of Venice Blvd. and an abundance of landscaping between Lincoln Blvd. (U.S. Route 1) and the beach. We believe that with this proposed mini-storage usage, a swap-meet type atmosphere will be created by those who intend to store their merchandise in this mini-storage and bring out their goods on week-ends to capitalize on the crowds that visit the beach. This will only create more congestion and aggravation for those who want to have a relaxing day and use the beach. In addition, with limited on-site parking, the proposed project does not offer any space for outdoor storage of coastal-related property such as boats and trailers. If this project is passed, it will be setting a new precedence in coastal commercial usage which we strongly oppose.

CERTIFICATION

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

Signature of Appellant(s) or
Authorized Agent

6/13/97

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 _____

Exhibit B
AS-VEN-97-18

DON WILKINS
ARCHITECT
& ASSOCIATES

July 14, 1997

California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802

RECEIVED
JUL 18 1997

Attention: Jim Ryan
Case Planner

CALIFORNIA
COASTAL COMMISSION

Subject: Appeal #A-5-VEN-97-184
Self Storage Facility
658 Venice Boulevard, Venice, CA. (City of Los Angeles)

Dear Sir:

This letter and the accompanying document package constitutes the project applicant's response to the above referenced appeal of our Coastal Development Permit filed by Ronald Swebston on June 13, 1997. Accompanying this letter are copies of documents and drawings processed by the City of Los Angeles for the Project Permit, Coastal Development Permit, and Hardship Exemption as well as the two previous appeals of this project by Mr. Swebston. Please call our office if you need any additional information or if we can be of assistance in clarifying any of documents contained herein.

RESPONSE TO THE APPEAL

The appeal contends that there are two violations of the intent of the Coastal Act: (A) removal of off-site and on-site parking in the area; and (B) a potential to create congestion for beach visitors. The specific appeal issues are outlined and responded to as follows:

ITEM #1

Assertion: The project will remove approximately 10 public parking spaces from the street and access road fronting the site

Response: THIS ASSERTION IS NOT TRUE. **There is no loss of any public parking.** This project uses existing curb breaks at the street for site access and as such has no effect on street parking. Coastal Permit #5-90-644 established five informal parking spaces on the public access road fronting this site along Venice Boulevard and those five spaces have been maintained in this area. See drawing sheet 1A. There have never been more than five spaces in this area, never the ten spaces that the appellant contends. This has been confirmed by documents within Coastal Permit records (see Support Documents, Section "A").

July 14, 1997

California Coastal Commission, Jim Ryan

Page 2.

ITEM #2

Assertion: The improvements to Venice Boulevard (circa 1991-3) as permitted by the Coastal Commission left a deficit of public parking in the area of the site.

Response: **THIS ASSERTION IS NOT TRUE.** The 1991-1993 improvements to Venice Boulevard relocated many of the informal spaces that from the median between North Venice Blvd. and South Venice Blvd. to a paved parking lot approximately 1000 feet west of our site. This lot provided much closer beach-access parking still leaving adequate street parking along the remaining length of Venice Boulevard. The available street parking fronting this site is almost never used except for beach visitor parking only on summer weekends. With available street parking almost never used, it is evident that there is sufficient parking to serve the needs of adjacent businesses.

ITEM #3

Assertion: This project removes needed on-site parking.

Response: **THIS ASSERTION IS NOT TRUE.** This site is a vacant lot which has been fenced and unused for parking or any purpose for several years. I assume that what the appellant meant to say is that the reduction in on-site parking granted by the City as a hardship exemption from parking standards will cause a spill over of on-site parking on to the street, thus usurping public parking for private needs. This assertion is also not true.

The parking standards established by the Venice Interim Control Ordinance (essentially the same as parking per Coastal guidelines) provides for a hardship exemption by City Council where it can be determined that the exemption is reasonable and will not adversely impact others. The Ordinance would require 88 parking spaces for this project in Venice, whereas the same project located elsewhere in the city would required only 35 spaces. We proposed and were granted a Coastal Permit with 48 spaces. A key element in the City's decision to grant this reduction was a Parking Demand Study that studied four similar storage facilities in the Venice area (please see Support Documents Section "B") which indicated that the maximum number of on-site spaces that would be occupied at any time is 9 spaces. With 48 spaces provided and a maximum of 9 needed it is evident that this facility will at no time need to utilize any street parking for its needs. It is also evident that parking requirements for self storage contained within the Coastal standards is certainly overstated.

July 14, 1997

California Coastal Commission, Jim Ryan

Page 3.

ITEM #4

Assertion: The parking reduction granted by the City for self storage will result in substandard parking if the project is converted to another commercial use, thus taking away parking meant for the public.

Response: **THIS ASSERTION IS NOT TRUE.** It is clear from the conditions of approval that the Project Permit and Coastal Development Permit are granted only for this use, self storage. A conversion to another use is not allowed. An acknowledgment of this and all conditions will be executed by the Owner and recorded on the property. In addition the structural system of the building with storage partitioning at 5 ft. or 10 ft. on center will preclude conversion to other uses. The conversion of this facility to another parking-intensive use is a non-issue.

ITEM #5

Assertion: The facility will be used by street vendors who sell goods on the weekend thus creating congestion and "aggravation" for beach users.

Response: **THIS ASSERTION IS NOT RELEVANT.** There is no place on the site that can be used for street vendors to sell their wares, nor would this be permitted on site. Whether or not storage spaces are available to street vendors for interim storage of goods that can be transported to the beach on weekends is irrelevant. This facility is 8/10 mile from the beach and will do no more to create congestion or "aggravation" at the beach than any other storage facility within driving distance.

ITEM #6

Assertion: The project does not offer outdoor storage spaces for coastal related uses such as boats or trailers.

Response: **THIS STATEMENT IS TRUE BUT IRRELEVANT.** The facility by design does not provide for outside vehicle storage. The facility provides interior storage units only and in its design responded to specific requests from adjacent homeowners' associations not to provide exterior storage which could increase noise and security light pollution. There is a surplus of vehicle and boat trailer storage areas within the Marina Del Rey area to the south, appropriately closer to the water. Again outside vehicle storage on this site is irrelevant.

DON WILKINS
ARCHITECT
& ASSOCIATES

July 14, 1997

California Coastal Commission, Jim Ryan

Page 4.

ITEM #7

Assertion: This project sets a new precedent in coastal usage.

Response: **THIS ASSERTION IS NOT TRUE.** While I am not clear as to what the appellant is trying to say, it is not true that a self storage facility in this area sets a "precedent". A similar but much larger self storage facility at 4th Street and Rose Avenue, Venice, was granted a Coastal Development Permit, a hardship exemption for parking and was constructed in 1989 (City of Los Angeles CDP 88-002). The Rose Avenue project is larger (126,000 sq.ft.) with proportionally less parking and is located closer to the beach (approximately 4/10 mile). Our project is smaller, provides proportionately more parking and is located twice as far from the beach. Our project sets no "precedents" for coastal development.

SUMMARY

This proposed self storage facility at 658 Venice Boulevard in the Venice area of Los Angeles was designed in late 1995 and incorporated feedback from the Council office, homeowner's associations, the local Citizens Planning Advisory Board and the community at large in a neighborhood meeting on the site. We applied for development permits with a public hearing in July, 1996 and received conditional approvals in September. Mr. Ron Swepston appealed the project approval to the Board of Zoning Administrators with his appeal heard in December, 1996 and his appeal denied in February, 1997. Mr. Swepston again appealed the determination of the Board of Zoning Administrators to the City Council, where his appeal was heard and denied in April, 1997. Mr. Swepston has again appealed the approvals of project to the California Coastal Commission in June, 1997. This document is in response to his appeal.

We met and attempted to work with the appellant, Mr. Swepston, very early in the project's history but found that his concerns and issues were constantly changing. He has consistently opposed the project and provided incorrect and sometimes false information during the public hearing process in an attempt to prevent the project from going forward. He is a part owner in the adjoining commercial center to the west which has substandard parking and I believe he is clearly motivated to obtain additional off-site parking that will benefit his commercial center and restaurant. Mr. Swepston has had a contentious and adversarial relationship with the project applicant (Hull Family Trust) for many years and I believe this is a key factor in his repeated appeals. Mr. Swepston lives in Fresno, California and despite his statements to the contrary has never lived in the Venice area.

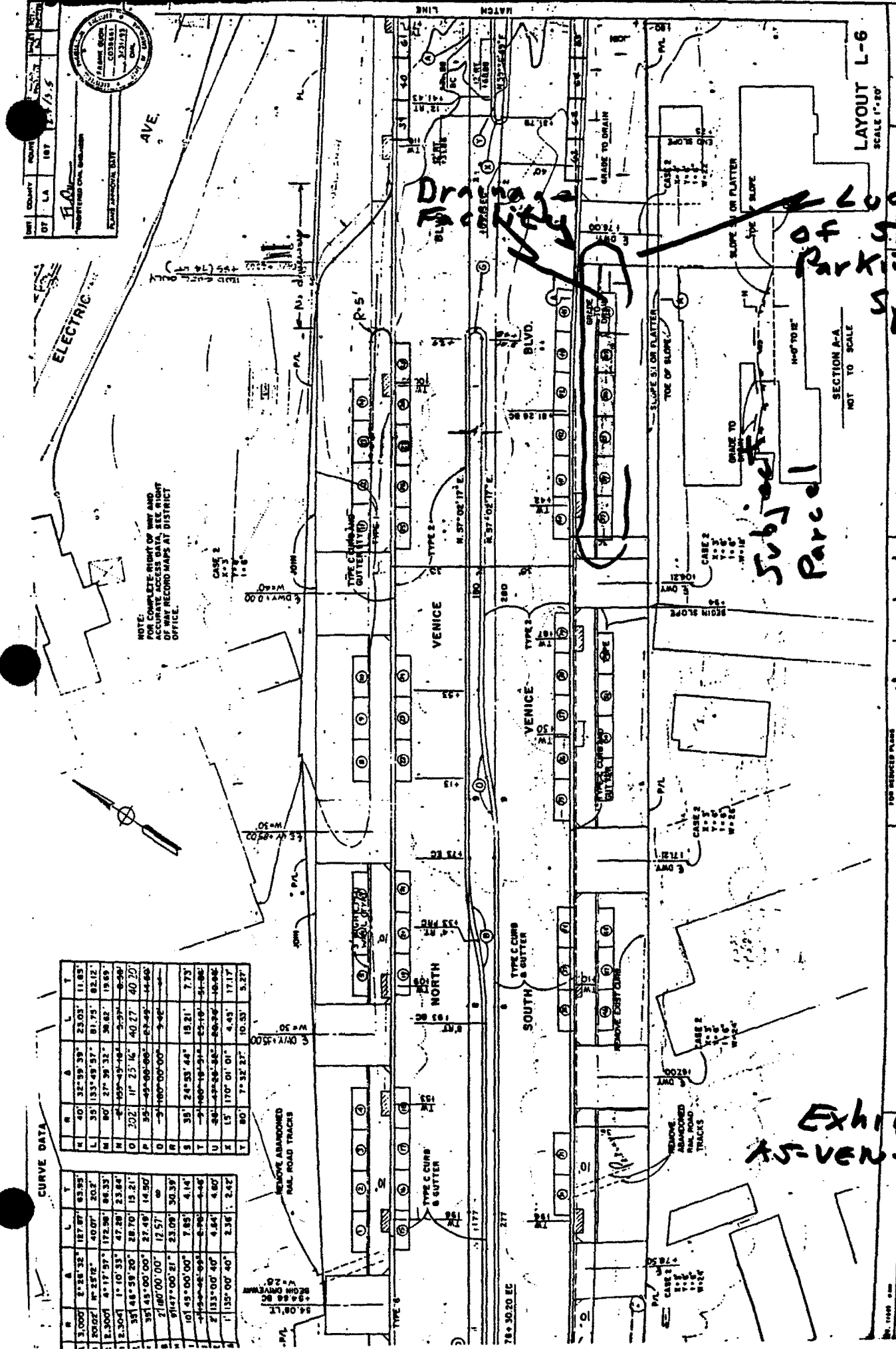
COUNTY OF LOS ANGELES
 DEPARTMENT OF PUBLIC WORKS
 DIVISION OF TRAFFIC ENGINEERING
 DATE: 1/15/55
 PROJECT: VENICE BLVD. IMPROVEMENTS
 SHEET: 187 OF 187

NOTE:
 FOR COMPLETE RIGHT OF WAY AND
 ACCURATE ACCESS DATA, SEE RIGHT
 OF WAY RECORD MAPS AT DISTRICT
 OFFICE.

CURVE DATA

	H	A	L	T
1	3.000'	2° 24' 32"	187.87'	69.95'
2	1 30.02'	1° 25' 12"	40.07'	20.2'
3	2.000'	1° 17' 59"	172.58'	86.33'
4	2.500'	1° 10' 53"	47.28'	23.84'
5	1 2.504'	35° 48' 59' 20"	28.70'	15.21'
6	1 35' 43' 00' 00"	27.49'	14.50'	
7	1 1° 00' 00' 00"	12.57'	00'	
8	91° 47' 00' 21"	23.09'	30.39'	
9	1 101° 45' 00' 00"	7.85'	4.14'	
10	1 1° 49' 42' 00"	8.96'	4.46'	
11	2 2° 13' 00' 40"	4.64'	4.07'	
12	1 1° 13' 00' 40"	2.36'	2.47'	

	H	A	L	T
14	40	32° 59' 39"	23.03'	11.93'
15	35	133° 49' 37"	81.75'	82.12'
16	80°	27° 35' 32"	38.82'	19.69'
17	4°	40° 49' 48"	0.27'	0.80'
18	302°	11' 25' 16"	40.17'	40.30'
19	35°	49' 00' 00"	23.49'	14.60'
20	9°	16' 00' 00"	9.46'	
21	35°	24' 53' 44"	18.21'	7.73'
22	9°	16' 00' 00"	23.16'	51.86'
23	84°	43' 54' 54"	80.56'	100.94'
24	15°	17' 01' 01"	4.43'	17.17'
25	7°	32' 37"	10.53'	5.27'



Location
 of Street
 Parking
 Spaces

Subject
 Parcel

Exhibit D
 AS-VEN-97-186

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

FILE NO. 97-0357

Your PLANNING AND LAND USE MANAGEMENT Committee
reports as follows:

	<u>Yes</u>	<u>No</u>
Public Comments	<u>XX</u>	<u> </u>

MITIGATED NEGATIVE DECLARATION AND PLANNING AND LAND USE
MANAGEMENT COMMITTEE REPORT relative to a coastal development
permit and project permit appeal for property located at 658
Venice Boulevard.

Recommendations for Council action:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and in compliance with the California Environmental Quality Act of 1970; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council File 97-0357 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration.
[MND No. 96-0134-CDP(PP)(HE)]
2. ADOPT the FINDINGS of the Board of Zoning Appeals as the FINDINGS of the Council.
3. RESOLVE TO DENY the APPEAL filed by Ronald Swebston, et al., protestants, against the entire determination of the Board of Zoning Appeals which sustained the decision of the Zoning Administrator to grant (1) a coastal development permit to allow the construction, use and maintenance of a new self-storage building within the "single permit area" of the California Coastal Zone, and (2) a project permit to allow the construction, use and maintenance of a new self-storage building on property located at 658 Venice Boulevard, within the Venice Community Plan area, subject to Conditions of Approval described in the attached sheets.

Applicant: Dean Hull
(Don Wilkins Architects & Associates)

Exhibit E
1 of 6

BZA 5326
ZA 96-0363-PP

AS-VEN-97-184

CONDITIONS OF APPROVAL

The conditions and requirements of Zoning Administration Case No. 96-0363-PP and Coastal Development Permit No. 96-0003 shall be established as follows:

1. 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.
2. The use and development of the property shall be in substantial conformance with the plot/site/elevation/landscape plans to be submitted to the satisfaction of the Zoning Administrator for review and approval prior to the issuance of any permits and marked Exhibit "A-1".
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 Zoning Administrator to impose additional corrective conditions, if, in the Administrator'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 wall surface to which it is applied within 24 hours of its occurrence.
5. The maximum floor area of the subject project shall not exceed 85,000 square feet.
6. The height of the subject project shall not exceed 25 feet.
7. No vehicular or pedestrian access shall be permitted from or onto Zeno Place or Narcissus Court.
8. The walls of the subject project shall be painted with graffiti resistant paint.
9. The storage units in the proposed project shall contain no lights, power, plumbing or heat. No outside storage unit doors shall be permitted. All storage unit doors shall be located within the interior of the building.
10. A caretaker's unit shall be maintained on the subject property.

Exhibit E

2066

AS-VEN-97-184

11. Entrance to the storage and the patrons' parking area shall be accessed via a security gate controlled by an entry code or key.
12. The hours of operation for patrons of the subject project shall be from 7 a.m. to 7 p.m., seven days a week. Office hours shall be from 9 a.m. to 6 p.m., Monday to Saturday, and 10 a.m. to 3 p.m. Sunday.
13. A community room for the use of area residents shall be provided on the ground floor of the subject building.
14. Prior to any sign-off of plans by the Zoning Administrator, the applicant shall submit a landscape and irrigation plan prepared by a licensed landscape architect, licensed architect or landscape contractor for all open areas of the subject property not required for buildings, driveways, parking areas or walks. Said landscape plan shall conform to the provisions of the Landscape Ordinance and to Appendix A of the Venice Interim Control Ordinance (Ordinance No. 170,556), as applicable. Landscaping shall not be conducive to overnight camping. Along the Venice Boulevard frontage of the subject facility, a minimum of eight 36-inch box trees shall be planted.
 - a. The property/facility owner shall provide landscaping (and/or by an in lieu means) to the satisfaction of the Department of Transportation and the Zoning Administrator, in consultation with the District Council Office, on a "to be designated" portion of the City owned area parallel to Venice Boulevard.
 - b. All landscaping shall be maintained in a healthy condition.
15. Existing trees within the parkway abutting the subject property shall be protected and preserved during construction of the subject facility. In the event that in the future, the City owned land used for the parkway reverts to private ownership of the abutting property owners along Venice Boulevard, the existing trees shall be preserved and may only be relocated or replaced in kind after permission is granted by the Department of Public Works after a recommendation from the Council Office and the Venice CPAC has been obtained.

Exh. 6, 4 E

3 of 6

AS-VEN-97-184

16. Parking shall be prohibited along the north side of the City owned area(s) parallel to Venice Boulevard abutting the subject property between the two driveways, as determined by the Department of Transportation. Costs associated with signs necessary to implement this prohibition shall be paid by the applicant.
17. The Department of Building and Safety and the Department of Transportation shall review and determine that the subject facility provides an adequate queuing area so that vehicles, including any large size vehicles, do not block the City owned area(s) parallel to Venice Boulevard as drivers wait for the gate to be opened. Such review may include but not be limited to a relocation of the gate to a more southerly location, as appropriate.
18. The Department of Building and Safety shall review and determine that the subject facility provides an adequate on-site turn around area for large size vehicles and adequate aisle width between the two rows of parking stalls. The Department of Building and Safety shall also review and determine the adequacy of loading areas.
19. Prior to any sign-off of plans by the Zoning Administrator, the applicant shall have secured the approvals of the concerned Departments in conjunction with Conditions Nos. 16-18 noted above and shall indicate any necessary revisions on revised plans submitted for the Zoning Administrator's sign-off.
20. All loading activities shall be conducted on-site and not along the driveway to the facility nor along the City owned area(s) parallel to Venice Boulevard.
21. The trash enclosure shall be enclosed by an 8-foot high concrete block wall with a key operated steel door. The wall shall be painted in a color that matches the main building.
22. No pole signs, off-site commercial signs, roof signs, flashing or blinking signs, projecting signs, pennants, banners, ribbons or streamers shall be permitted. Only one monument sign, having an area not to exceed 50 square feet per side, and only one building sign located on the building facade, having an area not to exceed 75 square feet, shall be permitted.

Exhibit E

4046

AS-VEN-97-184

23. Prior to any sign-off of plans by the Zoning Administrator, the applicant shall submit plot plans for the review and approval of the Fire Department.
24. The following dedications have been required by the Bureau of Engineering and shall be provided to the satisfaction of the Bureau prior to the sign-off of plans by the Zoning Administrator: 1) dedicate 10-foot wide strips of land for public sewer easement purposes within the subject property over the existing public sewers satisfactory to the City Engineer; 2) along Venice Boulevard, close unused driveways along the property.
25. The project shall comply with all the mitigation measures listed in the environmental clearance case No. MND 96-0134-CDP(PP) (HE) attached to the file and summarized below:
 - a. Illumination - Shielding of outdoor lighting.
 - b. Access - Requires submittal of parking and driveway plan to the Bureau of Engineering and the Department of Transportation. This shall be done prior to sign-off of plans by the Zoning Administrator.
 - c. Fire - Review by Fire Department (Also included in Condition No. 24)
 - d. Energy - Incorporation of feasible energy conservation measures.
 - e. Water - Incorporation of water conservation measures.
 - f. Landscaping - Requires landscape and irrigation plan. (Also included in Condition No. 14)
 - g. Landscaping parking - Requires a minimum of one tree for every four parking spaces.
26. Prior to any sign-off of plans by the Zoning Administrator, clearance shall be obtained from the Planning Department with respect to the Venice Area Interim Control Ordinance (Ordinance No. 170,556).
27. Prior to the issuance of a building permit in conjunction with the herein authorization, clearance shall be obtained from the Department of Transportation and the Bureau of Engineering, with respect to the Coastal Transportation Corridor Specific Plan (Ordinance No. 168,999)

Exhibit E
5046
AS-VEN-97-184

CF 97-0357
BZA 5326
ZA 96-0363-PP
CDP 96-0003

Page 5

28. The grant clause and all conditions of approval shall be provided in the "Notes" portion on the building plans submitted to the Zoning Administrator and the Department of Building and Safety.
29. Prior to the issuance of any permits relative to this matter, an acknowledgment and agreement to comply with all the terms conditions established herein shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement must be submitted to the Zoning Administrator for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

970357.con

Exhibit E
6 of 6
AS-VEN-97-184

**DON WILKINS
ARCHITECT
& ASSOCIATES**

August 20, 1997
VIA FAX (562) 590-5084

California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802

Attention: Jim Ryan
Case Planner

Subject: Appeal #A-5-VEN-97-184
Self Storage Facility
658 Venice Boulevard, Venice, CA (City of Los Angeles)

Dear Mr. Ryan:

This letter is intended to further clarify the disposition of the five off-site parking spaces which will be maintained on the strip of land fronting our proposed project (the frontage road area between our front property line and the sidewalk along the south side of Venice Boulevard).

This property is owned by the City of Los Angeles and is the area where five informal parking stalls were provided to satisfy Special Condition #1 of Coastal Development Permit #5-90-664 (regarding improvements to Venice Boulevard). The City of Los Angeles Conditions of Approval #16 - 19 for our project specify that access, circulation and parking in this area be reviewed and approved by City departments prior to plan sign-off. We will be working with City departments to determine precise locations of these five off-site parking spaces and in the event the City determines it necessary we are willing to set back our building in order to accommodate these spaces partly or wholly on site. The most likely arrangement of these spaces per our earlier conversations with City Department of Transportation is indicated on our revised site plan, sheet #1A.

EXHIBIT F

1 of 2

AJ-VEN-97-184

22241 Pacific Coast Highway
Malibu, California 90265

(310) 456-1442 FAX: (310) 317-4220

**DON WILKINS
ARCHITECT
& ASSOCIATES**

August 20, 1997
California Coastal Commission, Jim Ryan
Page 2.

We have consistently committed to maintaining the five off-site parking spaces and in the interest of being perfectly clear, I offer the following statement which may be considered by the Commission as a supplemental condition of approval:

If deemed necessary by the City Department of Transportation, the Owner will offer to dedicate to the City of Los Angeles a portion of the property adjoining the City owner strip of land on the southerly side of Venice Boulevard in order to accommodate any additional width required for City specified access road and parallel parking spaces, beyond the width of City property that currently exists. The maximum extent of said dedication will be sufficient to accommodate five parallel parking stalls of 8 ft. by 24ft. or a total maximum site area of 8 ft. x 120 ft.

I need to emphasize that such a dedication may not be required. The City may determine that the existing strip of City land is adequate to accommodate both drive and parking, and therefore no dedication would be required, or the City may want a partial width dedication. In any event, any new condition of approval should in its wording have flexibility to accommodate these possibilities.

I hope this letter serves to further clarify this issue. Please call if I can help to provide any additional information.

Best regards,



Don Wilkins
DON WILKINS ARCHITECT & ASSOCIATES

3065.032

Exhibit F
2 of 2

AS-VEN-97-184



Los Angeles City Board of Zoning Appeals

Room 1540, 221 North Figueroa Street, Los Angeles, Ca 90012 (213) 580-5527

Date: August 14, 1997

To: California Coastal Commission

Attention: Jim Ryan

From: CHRIS KEZIOS, CHAIR
BOARD OF ZONING APPEALS

[Signature]
David Kuntzman, City Planner
Staff to the Board

Post-It™ brand fax transmittal memo 7671		# of pages > 1
To: <i>Jim Ryan</i>	From: <i>D. Kuntzman</i>	
Co: <i>Coastal Commission</i>	Co:	
Dept:	Phone: <i>(213) 580-3770</i>	
Fax: <i>(562) 590-5084</i>	Fax:	

REQUEST REGARDING: Commission Appeal No. A5-VEN-97-184/Local Permit No. 96-003

BOARD OF ZONING APPEALS CASE NO. 5326 & CP 168
ZONING ADMINISTRATION CASE NO. 96-0363-PP & CDP 96-003
SELF-STORAGE FACILITY
658 VENICE BOULEVARD

This memorandum responds to your telephone request to the Board's staff on August 7, 1997 concerning the alleged loss of ten (10) informal parking spaces and the Board's related finding linking lost informal parking to a public benefit by requiring mitigating landscaping on a public right of way.

The purpose of the Board's finding and the reference to ten informal parking spaces was to provide a clear nexus for the additional landscaping required by the Board's Condition No. 14.a. of its determination action for the subject project.

There was conflicting testimony before the Board on the number of informal parking spaces. The appellant before the Board stated there was the loss of ten informal parking spaces. The City's Department of Transportation advised the Board that there were ten informal parking spaces total on the parking strips on both sides of Venice Boulevard and that the subject parallel parking strips are lightly parked and Venice Boulevard in front of the site is lightly parked.

The Board made no further investigation or query on the number of informal parking spaces and it was left unclear to the Board how many informal parking spaces existed. The alleged ten informal parking spaces was used as a worst case for the purpose of establishing an unequivocal nexus rationale for the Board's landscaping mitigation pursuant to the referenced Condition No. 14.a.

If your staff have any questions in regard to this matter, please contact David Kuntzman, Staff to the Board, at phone number (213) 580-3770.

cc: L. Green
BZA Case No. 5326
CP 168
ZA 96-0363-PP
C.P. 96-003

Exhibit G
A5-VEN-97-184



State of California

CATEGORY: 421

OFFICE MEMO

DATE: May 19, 1992

TO: KREIG S. LARSON
Environmental Planning Branch

PHONE NUMBER
213-897-0675

FROM: ART CORREA
Project Development Branch D

PHONE NUMBER
213-897-0127
LOCATION: 3-5F

SUBJECT: 07-LA-187 2.4/3.5
Venice Boulevard from Pacific Avenue to Lincoln Boulevard
Relinquishment Project
Parking Spaces Summary
EA 07-062221

This is in response to your request on May 13, 1992 for an analysis of the existing and proposed parking conditions along the Venice Boulevard Corridor and information about the temporary parking lot in the median between Dell Avenue and Ocean Avenue.

PARKING SPACES						
FROM - TO	OFF-STREET PARKING			STREET PARKING		
	EXIST	PROP	DIFF	EXIST	PROP	DIFF
Pacific Avenue to Dell Ave	191	191	0	45	40	- 5
Dell Avenue to Ocean Avenue	0	187 ***	+187	48	26	-22
Ocean Avenue to Abbott Kinney Blvd	0	44 □ ****	+ 44	50	47	- 3
Abbott Kinney Blvd to Shell Avenue	50 *	26 *****	- 24	47	62	+15
Shell Avenue to Lincoln Boulevard	50 *	78 □ **	+ 28	55	76	+21
TOTAL	291	526	+235	245	251	+ 6

NOTES:

- * Illegal Parking Lots - Non Standard Lots
- ** Pisani Lot, City Lot No. 613. When completed this lot is expected to have capacity for 78 vehicles. On August 26, 1991 this lot was re-striped to handle 56 cars in

Note:

Compliance letter
from Caltrans
regarding Permit 5-90-664

Exhibit H
AS-VEN-97-184

**DON WILKINS
ARCHITECT
& ASSOCIATES**

July 30, 1997

California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802

Attention: Jim Ryan, Case Planner

Subject: Appeal #A-5-VEN-97-184
Self Storage Facility
658 Venice Boulevard, Venice, CA (City of Los Angeles)

Dear Sir:

Thank you for meeting with us yesterday to discuss the convoluted history of this project and its many appeals by Mr. Swepston. We have started the process of collecting the additional support documents we discussed and will deliver them to you as soon as possible.

Per your request I am enclosing the pertinent data regarding the similar self storage facility at Fourth Avenue and Rose Avenue (315 S. Fourth Ave) in Venice. As we discussed, this project is larger, has less parking per square foot and is closer to the beach than is our project. I have copies of the City Staff Report, Project Approval, Hardship Exemption for parking as well as the Coastal Commission's Notice of the appeal period expiration and will send these to you along with our other support documents.

Comparative data is as follows:

658 VENICE BOULEVARD

Bldg. Area = 84,600 Sq. Ft.
No. Storage Units = 548
On-Site Parking = 48 Spaces
Parking per 1,000 Sq.Ft. = .56
Parking per Unit = .087

315 S. FOURTH AVENUE

Bldg. Area = 126,150 Sq. Ft.
No. Storage Units = 1,300
On-Site Parking = 59 Spaces
Parking per 1,000 Sq.Ft. = .46
Parking per Unit = .045

I hope this information proves useful for your staff meeting today. Also please know that the owners are insistent that this appeal be heard at the first available date and would appreciate your help in ensuring that we will be heard in September.

Best regards,



DON WILKINS ARCHITECT & ASSOCIATES

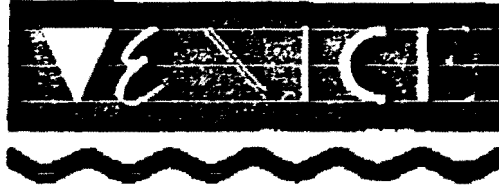
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22241 Pacific Coast Highway

Malibu, California 90265

(310) 456-1442 FAX: (310) 317-4220

Exhibit I
A5-VEN-97-184



August 18, 1997

Mr. Jim Ryan
Coastal Planner
California Coastal Commission
200 OceanGate, 10th Floor
Long Beach, Ca 90802-4416

Dear Mr. Ryan:

I am writing to you at the request of the Board of Directors of the Venice Chamber of Commerce. We are concerned about the development of a public storage building in Venice. As an organization dedicated to serving and protecting businesses in our area we do not believe that the proposed project will serve our community.

We understand that a number of aspects of this proposal are in direct conflict with the draft Local Coastal Plan for Venice. Of particular concern is the lack of employment opportunities, a factor which we feel is important to the well-being of our entire community. The project is not pedestrian serving nor is the exterior designed to give any illusion of same. The request for a reduction in parking of over 40% would prohibit any vehicle or boat storage, and it would appear to have no form of any coastal related use.

We are proud of our communities and neighborhoods, and all have a vested interest in making Venice a better place to live, work, and play. There are so many alternative uses for this property that could be encouraged. Many of us have experienced the problems generated by the Public Storage facility on Rose Ave. at the northern edge of our area. Should we have to endure a repeat performance at the heart and gateway to our community?

To my knowledge, the Venice Chamber has never taken a negative stand on any development in our area. We ask that you support this appeal.

Sincerely,

Carol Tantau-Smith
President, Venice Chamber of Commerce

Exhibit J
A5-VEN-97-184

VENICE AREA CHAMBER OF COMMERCE & VISITORS BUREAU P.O. BOX 202 VENICE, CA 90294

August 18, 1997

Mr. Jim Ryan
California Coastal Commission
200 Oceangate, 10th Floor
Long Beach, Ca 90802-4416
(v)562/590-5071 (F)562/590-5084

Dear Mr. Ryan:

I am writing you to express my opposition to the development of a public storage building in Venice. I live and work in the area where this proposed project is located and I do not feel it will serve our community.

This type of usage on this zoned property is in direct conflict with the first, second and third revisions of the draft Local Coastal Plan for Venice. The project is not pedestrian serving, it does not employ people, it is requesting a reduction in parking of over 40% as specified in the LCP and Venice ICO and it does not offer any form of a coastal related use. To the contrary, it will have no windows or entrances on the street other than a large iron bar automobile gate, only the caretaker will be employed and the developer has through virtue of reduced parking prohibited any vehicle or boat or other coastal related storage.

This project will be setting a precedence by having a public storage of non coastal related usage within this near proximity of the beach and the newly refurbished Venice Pier. However, your department required a public boat launch on the recently redeveloped Venice Canals just two city blocks from this proposed development site.

The city has ignored the majority of the local residents, next door neighbors and community groups' appeals to reject this project. The council office who collected letters of opposition and heard testimony in local hearings did not bring those complaints forward but instead selectively presented the only viewpoints in support of the project. They chose to ignore the draft LCP claiming it is only a draft plan although the point of non coastal, non employment uses on industrial lots has always been supported in all prior revisions both by the city and the community.

This project stands to bring only negative issues to the beach. Please support this appeal so we don't all have to live with these problems for another 75 years.

Sincerely,

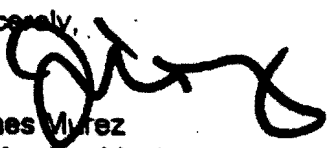

James Murex
Venice Resident
804 Main St, Venice Ca 90291-3218
310/399-1490 (H); 310/399-1901 (FAX)

Exhibit K
AS-VEN-97-184

Derek Penfield
220 Horizon Ave.
Venice, CA 90291
(310)399-8322

August 20, 1997

Coastal Commission
FAX (562)590-5084

Attn: Pam Emerson

I am writing to express concern over the proposed development of the old Hull Lumber site on Venice Blvd. by Public Storage. Their requested reduction in parking by 80% has me alarmed given the already stressed parking issues our community experiences. I would also question the advisability of such a proposed project given the nature of the surrounding community which is predominantly residential. In my personal experience such storage facilities have become a substitute for those without permanent addresses to call home and hang out. Unfortunately because these facilities are not inherently designed for such "hanging out" the overflow permeates the surrounding residences with unwanted loitering.

I urge you to strongly consider rejecting this proposed project and instead promote a project which will not adversely affect our community.

Derek Penfield

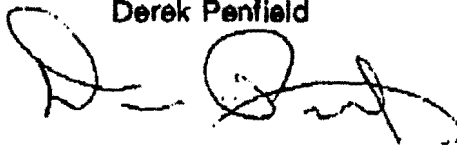


Exhibit L
AS-VEN-97-184

FROM : SOCM FINANCIAL, INC.

PHONE NO. : 310 399 3995

Aug. 15 1997 03:45PM P1

ROBERT SLAYTON

INVESTMENTS

P.O. BOX 2099

VENICE, CA 90291

TEL: 310-399-3994 FAX: 310-399-3995

August 15, 1997

California Coastal Commission
South Coast Area
P.O. Box 1450
200 OceanGate, 10th Floor
Long Beach, CA 90802-4416

Attention: Jim Ryan, Coastal Planner

RE: Proposed Self Storage Development
658 S. Venice Blvd., Venice, CA 90291

Gentlemen:

I am the owner of approximately 500 feet of frontage on the north side of Venice Boulevard, opposite the proposed project, and have personally officed there for thirty-six years. Therefore, I believe that I know the area intimately and am well qualified to express an opinion on the current and future traffic and parking problems pertaining.

Having attended City of Los Angeles hearings on this proposed project, I am aware that the original prison-like rendering of the project has been softened up and that some access modifications have been made.

No adequate consideration has been given to ingress and egress to the site. There is a left turn lane in the westbound roadway, constructed for the Hull Lumber Yard which formerly occupied the site. Then, the left turn resulted in a straight shot into the lumber storage area. Now, the proposed project has a frontage road-type approach which would require vehicles to make a ninety degree right turn from the driveway approach, into the "service road", not a safe maneuver for a heavy truck.

An undetermined number of existing parking spaces have been eliminated, thought to be eleven, which can only aggravate the lack of parking in the area.

Venice is generally recognized as a unique area. That includes unique problems. A self-storage facility built in recent years on Rose Avenue in the coastal zone has turned out to be a magnet for drug peddlers and

Exhibit M

10f2

AS-VEN-97-124

FROM : SCOM FINANCIAL, INC.

PHONE NO. : 310 399 3995

Aug. 15 1997 03:46PM P2

consumers, workshop artists, and vagrants. It is a busy place. And yet, a parking variance has been requested cutting the already low warehouse parking requirements in half to about one car per 2000 square feet on construction. And this is in a beach area with an ever growing traffic and parking problem. What may seem reasonable today may well appear short-sighted tomorrow.

To the best of my knowledge of Venice over the last thirty-seven years, no hardship parking exemption has ever been granted for a commercial or industrial project. Surely this is hardly the time to start?

Three years ago and only two hundred yards from the site of this proposed self-storage facility, we built a small complex of industrial studios and thought we would have ample parking with the Coastal Commission parking requirements. Such has not been the case. Owners of businesses have cars, employees have cars, clients have cars and delivery services such as the U.S. Post Office, United Parcel, Federal Express and courier services all need temporary parking. There is never enough.

We are also in the planning stage of an industrial development on a one acre site exactly opposite the proposed self-storage facility. A hardship exemption for parking is the furthest thing from our thoughts. We know from our long experience of the immediate area that we will need the full Coastal Commission requirements.

For all the above reasons, we object firmly to the proposed hardship exemption, which we believe would be detrimental to the immediate area and a matter of regret and concern in the future.

Thank you for the opportunity to voice our concerns.

Sincerely,



Robert Slayton

bcc: Ron Swayston via fax

Exhibit M

2 of 2

AS-VEN-97-184

TEST FOR RECEIVED
AUG 15 1997

AUG 15 1997

CALIFORNIA
COASTAL COMMISSION

- | | | |
|------------------|-----------------|------------|
| Connie Misner | Connie Misner | Venice |
| Dorothy Dwyer | | Venice |
| Lena Korbman | Lena Korbman | Venice |
| Philip Turner | | |
| Mike Hagen | Mike Hagen | Venice |
| Samuel Weller | Samuel Weller | Venice |
| Janice Alexander | | Venice |
| John L. Lurak | SR GOMEZ | VENICE |
| John L. Lurak | JOHN L. LURAK | VENICE |
| Howard L. Klein | HOWARD L. KLEIN | VENICE |
| Brad Holden | BRAD Holden | 595 Venice |

AS-VEN-97-184

DIANE BUSH
3811 OCEAN FRONT WALK
VENICE, CALIFORNIA 90292
PHONE 310-578-6555 FAX 310-305-8524

December 13, 1996

Planning & Land Use Management Committee
Of the Los Angeles City Council
200 North Spring Street, Room 340
Los Angeles City Hall
Los Angeles, Ca 90012

Re: Variance - 658 Venice Blvd.

Attention: William J. Speedie

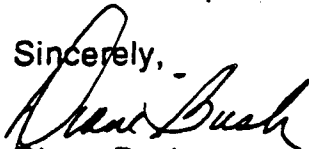
Dear Mr. Speedie:

I am the chair of the Ocean Front Walk Committee, a subcommittee of the Venice Action Committee. Our group is a representation of residents, property owners, and the business community. I have made a concerted effort to find one person or group that feels the "hardship" exemption, requested by Dean M. Hull, is warranted or should be granted. The Venice Boys & Girls Club is 3/4 of a mile east and was not granted a variance for parking and it is costing this nonprofit group an additional \$986,000 to provide parking for children who do not drive. It is much farther from the beach. This property is closer to the beach and on the shuttle route for beach access. Their "hardship" is certainly not for a "non-profit" and will, indeed, take parking away from beach parking. It will also remove 10 free parking spaces on Venice Blvd..

We are now in the process of developing an LUP for the Venice community. This exemption, if granted, will be a slap in the face to the people who live in the coastal access zone and are told that the beach must be further paved to allow parking for more and more beach goers. Your positive consideration would be in direct opposition to the wishes of the property owners and residents alike.

This "hardship" exemption must be denied. Our community is angry.

Sincerely,



Diane Bush
for The Venice Action Committee

cc: The Honorable Mayor Richard J. Riordan
Councilperson Ruth Galanter

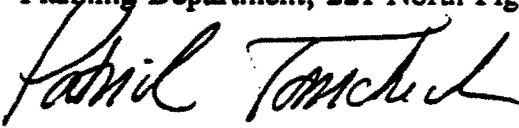
Exhibit 0
A5-VEN-97-184

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

6 - Western
Venice Boulevard
E/O Abbot Kinney Blvd

DATE: October 3, 1996

TO: Lourdes Green, Associate Zoning Administrator
Planning Department, 221 North Figueroa Street, Suite 1500


FROM: Patrick Tomcheck, Transportation Engineer
Department of Transportation

SUBJECT: 658 VENICE BOULEVARD - REVISION OF LETTER DATED 8/26/96

In my letter to you dated August 26, 1996, I made recommendations concerning the access for the proposed self-storage facility at 658 Venice Boulevard. Subsequent to that date, I have been in discussions with Mr. Ron Swepston, the property owner immediately to the west of the 658 Venice Boulevard property, to address his concerns regarding the proposed development. Per his request, the proposed access plan and my August 26, 1996 letter to you were reviewed by my supervisor, Mr. Jack Reynolds, Senior Transportation Engineer. Mr. Reynolds has inspected the site and has decided to revise my previous recommendations.

First, a point of clarification. In my August 26, 1996 letter, I referred to the strip of land between Venice Boulevard and the private property line as a "service road." Although this area is paved and used by drivers to access the adjacent properties, Mr. Swepston correctly reminded me that the intent of these paved areas was for parking. In this letter, I will refer to this piece of land as "the City-owned parking strip parallel to Venice Boulevard."

In my letter, I recommended that the City owned parking strip parallel to Venice Boulevard in front of 658 Venice Boulevard be converted to one-way westbound to insure adequate maneuvering room for trucks. It is now believed that this one-way conversion will not be necessary. Per the plan submitted by Mr. Don Wilkins, Don Wilkins Architect and Associates, the storm drain inlet and pipe barriers in the City owned parking strip parallel to Venice Boulevard will be replaced with a flush drain inlet with traffic grating. In addition, Mr. Reynolds recommends prohibiting parking on both sides of the City owned parking strip parallel to Venice Boulevard between the two driveways in front of 658 Venice Boulevard. These two changes should provide for the width necessary for two-way travel.

If you have any questions, please contact me at (310) 575-8138.

a:green2(59)

cc: Mr. Ron Swepston, P.O. Box 338, Pacific Palisades, CA 90272
Jack Reynolds

Exhibit P
AS-LEN-97-184

Ronald J. Lascoe DMD

Real Estate Investments
3470 Daniella Court
Calabasas, CA 91302
(818) 222-0256 fax (818) 222-7870
Enclosure

December 10, 1996

The Board of Zoning Appeals
City of Los Angeles
Room 350, City Hall
200 North Spring Street
Los Angeles, CA 90012

BZA Case No. 5326
ZA Case No. 96-0363-PP/CDP 96-003
Plan: Venice

Dear Board,

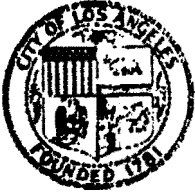
I am a partner in the ownership of the property located at 585 Venice Blvd. This letter is to express my opinions regarding the granting of a hardship exemption to the parking requirement at the proposed self storage facility to be located at 658 Venice Blvd. First of all, the board need to remember that the entire City of Los Angeles and especially the beach area is constantly suffering from a lack of parking. Also I wonder why without so much as a traffic or parking study this hardship is even being considered. I think allowing a decrease in the existing public parking spaces for this project without adding addition parking spaces is very unwise.

Please accept this letter as my opinion that this hardship should definitely not be granted.

Sincerely,


Ronald J. Lascoe DMD

Exhibit Q
AS-VEN-97-184



RUTH GALANTER
COUNCILWOMAN
SIXTH DISTRICT

City Council
of the
City of Los Angeles
City Hall
90012

200 N. SPRING ST.
ROOM 239, CITY HALL
LOS ANGELES, CA 900
485-3357
FAX (213) 237-0549

DISTRICT OFFICE
7166 W. MANCHESTER AVE
LOS ANGELES, CA 90012
(310) 524-1150
FAX (213) 237-0553

September 27, 1996

Diane Bush
3811 Ocean Front Walk
Marina del Rey CA 90292

Dear Ms. Bush:

You recently contacted my chief of staff, Adi Liberman, regarding the Boys and Girls Club of Venice, the proposed storage facility at 658 Venice Blvd. and parking variances for both. I have been involved with the Boys and Girls Club for many, many years and have helped the Club in many various ways. I am at a loss to understand how anyone could interpret our involvement as anything but helpful and supporting the best interests of the community in this matter.

If you remember, the Boys and Girls Club had difficulty gathering community support for the project that was proposed in 1993 for a 3-story, 30,000 square foot facility with underground parking that would need parking and height variances. I submitted a letter supporting the proposed project and the requested variances to the Zoning Administrator. The hearing was on February 3, 1994 and was taken under advisement without rendering a decision. The request for variances was dismissed on September 22, 1994 at the request of Wayne Smith of Psomas and Associates on behalf of the Boys and Girls Club. According to Boys and Girls Club staff, there was an overwhelming opposition by the area residents concerning the size of the building, the extent of the proposed activities and the substantial reduction of parking. The Club was not able to get the needed support from the community and decided to withdraw the application.

With regard to the hardship exemption for the proposed facility at 658 Venice Blvd., it has not been granted nor has it been scheduled. This facility meets and exceeds parking required by the City Code in that they will provide 48 spaces and the Code requires 36 spaces; however, the Venice Interim Control Ordinance doesn't distinguish mini-storage facilities from normal storage facilities, as does the Code, which was probably an oversight in the ICO.

Exhibit R
1042

A5-VEN-97-184

Diane Bush
September 27, 1996
Page 2

I hope this clarifies your understanding of the situations concerning both the Boys and Girls Club facility and the mini-storage facility. If I can be of assistance in the future, please don't hesitate to call Niki Tennant at (310) 524-1150.

Sincerely,



RUTH GALANTER
Councilmember, Sixth District

RG:nlr

Exhibit R
2 of 2
AS-LEN-97-184

HUDSON-ESSEX-TERRAPLANE

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600 VENICE

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RES. (310) 577-0114



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ANY CAR IN THE WORLD

December 15, 1996
Venice, Ca

RUTH GALLANTER
CITY COUNCILWOMAN

I have been in business at 600 and 604 Venice Blvd., Venice, Ca for 38 years.

I feel as a business man that reducing parking spaces is not appropriate.

The Local Coastal Commission has stated that Venice has inadequate on and off street parking. Therefore I think it wrong to compound it further by granting a 40 per cent reduction in parking to a developer who is proposing to build a mini-storage project at 658 Venice Blvd., Venice, Ca.

Yours Truly.

Keith Chamberlin

Exhibit 5

AS-VEN-97-184

MANUFACTURING AND RELATED USES:

<u>Warehouse or Storage Building</u>	1 space for each 1000 sq. ft. of gross floor area, but not less than 1 space for each employee.
Public Utility Facilities, Including Electric, Gas, Water, Telephone, and Telegraph.	1 space for each employee, but not less than 2 spaces for each such facility.
Facilities Not Having Business Offices on the Premises	

General:

1. Parking Space, 9 ft. by 19 ft.
2. Aisle width 90° parking = 25 ft. (reduce proportionally for angle.
3. Residential parking should be on-site.
4. Commercial parking may be within 300 ft. of site when on-site parking is infeasible.
5. Generally parking should take access from alleys or secondary streets.
6. Parking management districts which provide adequate parking for existing and proposed uses shall be acceptable.
7. Tandem parking shall be considered on a case by case basis.
8. Compact spaces will be considered on a case by case basis.

HABITAT PROTECTION:

Development in "significant ecological areas" should be permitted only when it can be demonstrated that no significant and cumulative disruption of habitat value or environmental damage will occur. (30230, 30231, 30250)

Permitted development in or near "significant ecological areas" should minimize the amount of land vegetation altered to avoid unnecessary impact on life resources with particular regard to the cumulative impact of potential buildout. (30240, 30230, 30231, 30250)

A minimum 50-foot buffer strip (measured from the outer limit of riparian vegetation; or if the waters are estuarian, a minimum of 100 feet from the outer limit of the estuarian vegetation) shall be required in new development to protect habitat value of riparian areas where the opportunity exists. (30251, 30240, 30230, 30231)

New development should restore the life resource value of the parcel if the opportunity exists. (30001.5)

Development that disturbs or destroys shoreline or intertidal habitats or dune vegetation should not be allowed. (30230, 30231, 30240)

continued...

Exhibit T

AS-VEN-97-184

