

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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Filed: 12/17/2004  
49th Day: 2/4/2005  
180th Day: 6/15/2005  
Staff: CP-LB  
Staff Report: 1/27/2005  
Hearing Date: February 17, 2005  
Commission Action:



CP

# Th4e

## RECORD PACKET COPY

### STAFF REPORT: CONSENT CALENDAR

**APPLICATION NUMBER:** 5-04-475

**APPLICANT:** Kathleen Magee      **AGENT:** Robert Thibodeau, DU Architects

**PROJECT LOCATION:** 2812-2818 Grand Canal, Venice, City of Los Angeles.

**PROJECT DESCRIPTION:** Remove fire-damaged portion of detached four-car garage and renovate as a two-car garage, and construct a second detached two-car garage to serve four existing residential units (two duplexes) on a 5,310 square foot canal fronting lot. Also, remove and replace the second floor balconies and exterior stairways on the two residential structures.

Lot Area	5,310 square feet
Building Coverage	2,416 square feet
Pavement Coverage	581 square feet
Landscape Coverage	2,313 square feet
Parking Spaces	5
Zoning	RW-1
Plan Designation	Single Family - Waterway
Ht above final grade	11 feet (Garages)

**LOCAL APPROVAL:** City of Los Angeles Planning Department Project Permit Case No. DIR2004-5598-VSO, 9/7/2004.

#### **SUBSTANTIVE FILE DOCUMENTS:**

1. City of Los Angeles certified Venice Land Use Plan, 6/14/01.
2. Coastal Development Permit Amendment 5-01-485-A (2316 Strong's Drive).
3. Coastal Development Permit 5-92-013 (2304 Strong's Drive).

### SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission grant a coastal development permit for the proposed development with special conditions to address permeable yard area, water quality and permit compliance. The applicant agrees with the recommendation. **See Page Two for the motion.**

**STAFF RECOMMENDATION:**

The staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application with special conditions:

**MOTION:** *"I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations."*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

**I. Resolution: Approval with Conditions**

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

**II. Standard Conditions**

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. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

### III. Special Conditions

#### 1. Permeable Yard Area

In order to maintain an open and visible access corridor, to enhance visual quality, and to preserve the water quality and biological productivity of the canals, an uncovered and permeable yard area totaling no less than fifteen times the width of the site (in this case, 15'x 59'= 885 square feet) shall be maintained in the front yard area between the structures and the front (Grand Canal) property line (as generally shown on **Exhibit #4 of the 1/27/05** staff report). Uncovered means that no fill or building extensions (i.e. chimneys, balconies, stairs, trellises) shall be placed in or over the permeable yard area with the exception of fences (not to exceed 42 inches in height) and permeable decks at grade (not to exceed 18 inches in height). The precise boundaries of the area that must remain uncovered and permeable yard area will be described and depicted in the exhibit attached to the Notice of Intent to Issue Permit (NOI) that the Executive Director issues for this permit.

**PRIOR TO ISSUANCE, BY THE EXECUTIVE DIRECTOR, OF THE NOI FOR THIS COASTAL DEVELOPMENT PERMIT**, and prior to the recording of the deed restriction required by Special Condition Four below, the applicant shall provide a site plan, subject to the approval of the Executive Director, which complies with all of the above terms of this condition and clearly identifies the location and dimensions of the required permeable yard area, in accordance with the general description of that area in **Exhibit #4 of the 1/27/05** staff report. Once the Executive Director approves the site plan, the plan will be included as an exhibit to the NOI.

#### 2. Water Quality

The storage or stockpiling of soil, silt, other organic or earthen materials, or any materials and chemicals related to the construction shall not occur where such materials/chemicals could pass into the water. Any spills of construction equipment fluids or other hazardous materials shall be immediately contained on-site and disposed of in an environmentally safe manner as soon as possible. Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than fifty feet away from all stormdrains, open ditches and surface waters. All floatable debris and trash generated by construction activities within the project area shall be disposed of at the end of each day, or as soon as possible. All grading and excavation areas shall be properly covered and sandbags and/or ditches shall be used to prevent runoff from leaving the site, and measures to control erosion must be implemented at the end of each day's work.

#### 3. Permit Compliance

All development must occur in strict compliance with the proposal as set forth in the application, subject to any special conditions. Any deviation from the approved plans must be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is required.

#### 4. Deed Restriction

**PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this coastal development permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the property. The deed restriction shall include a legal description of the entire parcel governed by this coastal development permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this coastal development permit shall continue to restrict the use and enjoyment of the subject property so long as either this coastal development permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

#### IV. Findings and Declarations

The Commission hereby finds and declares:

##### A. Project Description

On the rear portion (alley side) of a canal fronting lot, the applicant proposes to renovate an existing detached garage and also build a new garage (Exhibit #4). The existing garage is a fire-damaged detached four-car garage that would be partially demolished and renovated as a two-car garage. The proposed new garage would also hold two cars (Exhibit #5). Therefore, the proposed project would result in two detached two-car garages on the lot, each eleven feet tall and accessed from the rear alley. The four enclosed parking spaces, plus one uncovered parking space situated between the two garages, would serve the two existing duplexes on the 5,310 square foot canal fronting lot. The fire-damaged garage formerly provided all four of the on-site parking spaces that served the four residential units.

The proposed project also includes some exterior work on the two existing residential structures, including removal and replacement of the second floor balconies and exterior stairways (Exhibit #6). Los Angeles County Assessor records indicate that the two-story buildings were constructed in 1948. The number of residential units (four) would remain the same, and the number of on-site parking spaces would increase from four to five. The proposed project maintains 885 square feet (15'x 59'= 885 square feet) of permeable yard area in the eighteen-foot deep front yard adjacent to the Grand Canal public walkway (Exhibit #4).

The project site is a double-sized lot (5,310 square feet) situated on the northeast bank of Grand Canal in the Venice Canals residential area (Exhibit #2). The neighborhood is comprised of both old and new one, two and three-story single-family residences, and a few non-conforming duplexes like this one. Public sidewalks currently provide public access along all banks of the canals.

The proposed project is an improvement to an existing residential use that does not involve the removal of more than fifty-percent of the exterior walls. Therefore, the existing structures are permitted to maintain their non-conforming density of four residential units on a site designated for two single-family residences. The proposed project conforms to the thirty-foot height limit, maintains adequate on-site parking, provides the required permeable front yard, and is consistent with community character. The project will have no negative effects on visual resources or coastal access and is consistent with Chapter 3 policies of the Coastal Act and the policies of the certified City of Los Angeles Land Use Plan (LUP) for Venice.

**B. Public Access**

As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

**C. Public Recreation**

The proposed development, as conditioned, does not interfere with public recreational use of coastal resources. The proposed development, as conditioned, protects coastal areas suited for recreational activities. Therefore, the Commission finds that the proposed development, as conditioned, is in conformity with Sections 30210 through 30214 and Sections 30220 through 30223 of the Coastal Act regarding the promotion of public recreational opportunities.

**D. Marine Resources and Water Quality**

The proposed work will be occurring in a location where there is a potential for a discharge of polluted runoff from the project site into coastal waters. The storage or placement of construction material, debris, or waste in a location where it could be carried into coastal waters would result in an adverse effect on the marine environment. To reduce the potential for construction and post-construction related impacts on water quality, the Commission imposes special conditions requiring, but not limited to, the appropriate storage and handling of construction equipment and materials to minimize the potential of pollutants to enter coastal waters and for the use of on-going best management practices following construction. As conditioned, the Commission finds that the development conforms with Sections 30230 and 32031 of the Coastal Act.

**E. Development**

The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area, has been designed to assure structural integrity, and will avoid cumulative adverse impacts on public access. Therefore, the Commission finds that the development, as conditioned, conforms with Sections 30250, 30251, 30252, 30253 and the public access provisions of the Coastal Act.

**F. Environmentally Sensitive habitat Areas (ESHA)**

As conditioned, the development will not result in significant degradation of adjacent habitat, recreation areas, or parks and is compatible with the continuance of those habitat, recreation, or park areas. Therefore, the Commission finds that the project, as conditioned, conforms with Section 30240(b) of the Coastal Act.

**G. Deed Restriction**

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this permit, the Commission imposes one additional condition requiring that the property owner record a deed restriction against the property, referencing all of the above Special Conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the property. Thus, as conditioned, this permit ensures that any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land in connection with the authorized development.

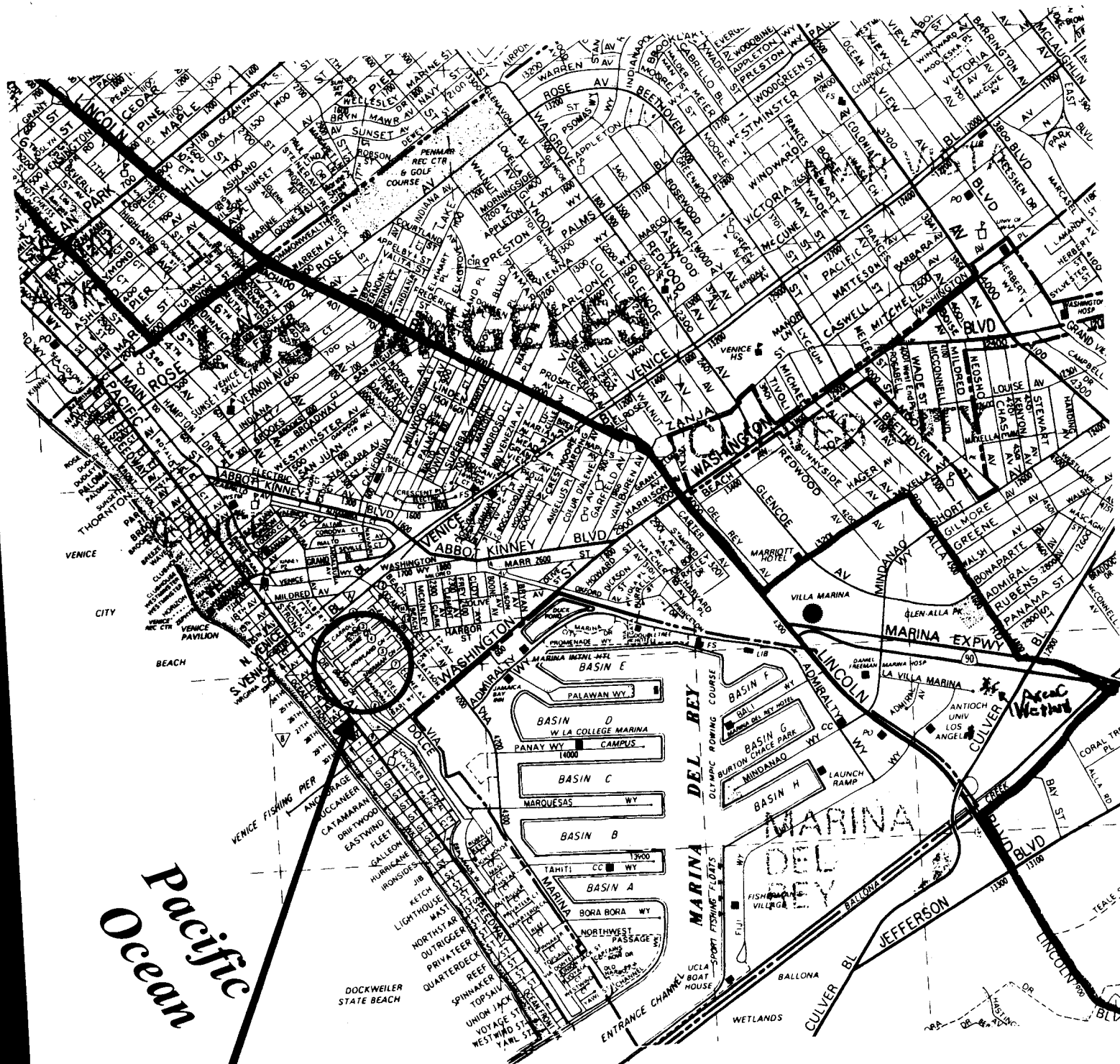
**H. Local Coastal Program**

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The City of Los Angeles Land Use Plan (LUP) for Venice was effectively certified on June 14, 2001. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

**I. California Environmental Quality Act (CEQA)**

As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

# VENICE, CA



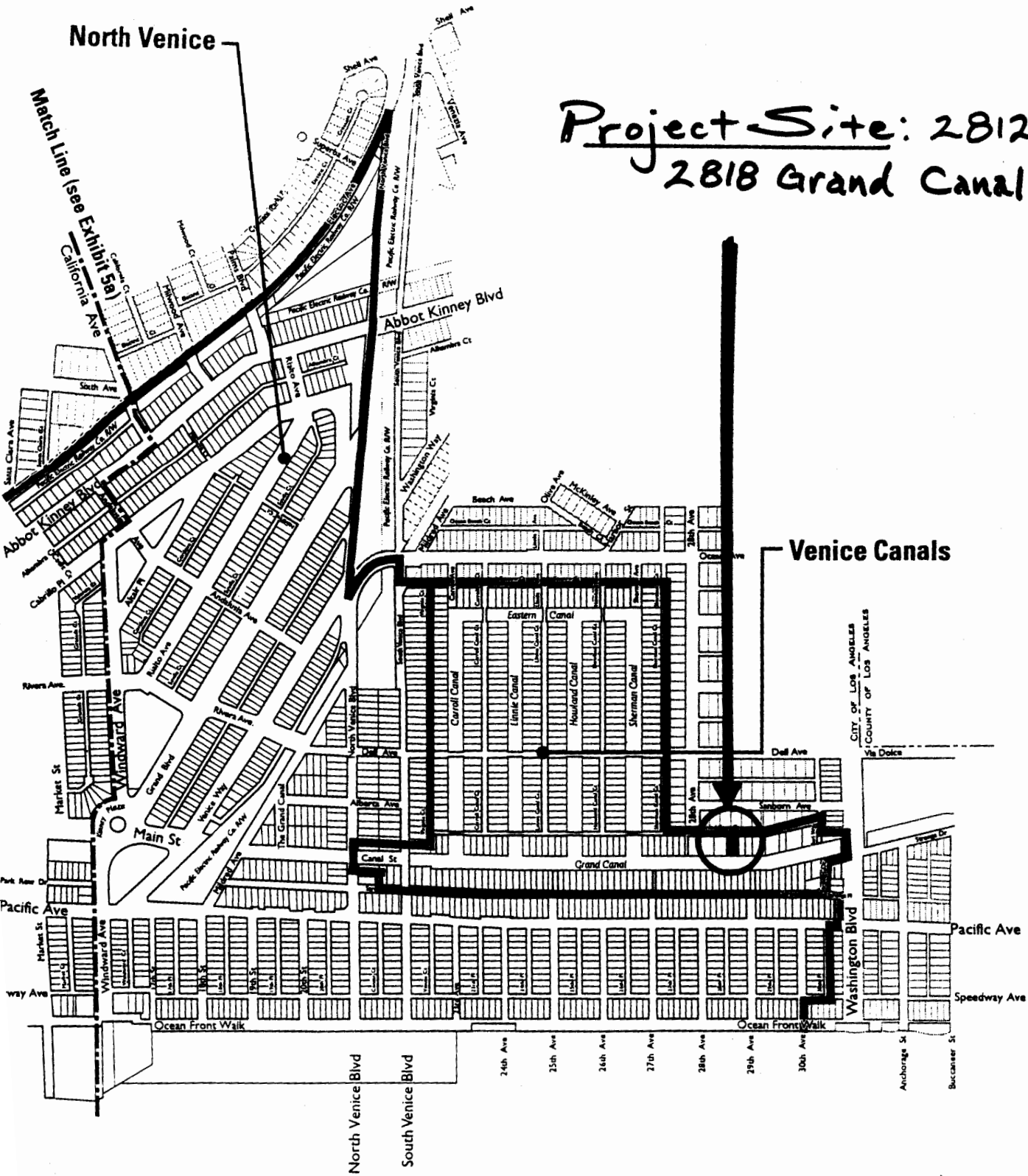
Pacific  
Ocean

Site: 2812-2818 Grand Canal


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EXHIBIT # 1  
PAGE 1 OF 1

Project Site: 2812-2818 Grand Canal

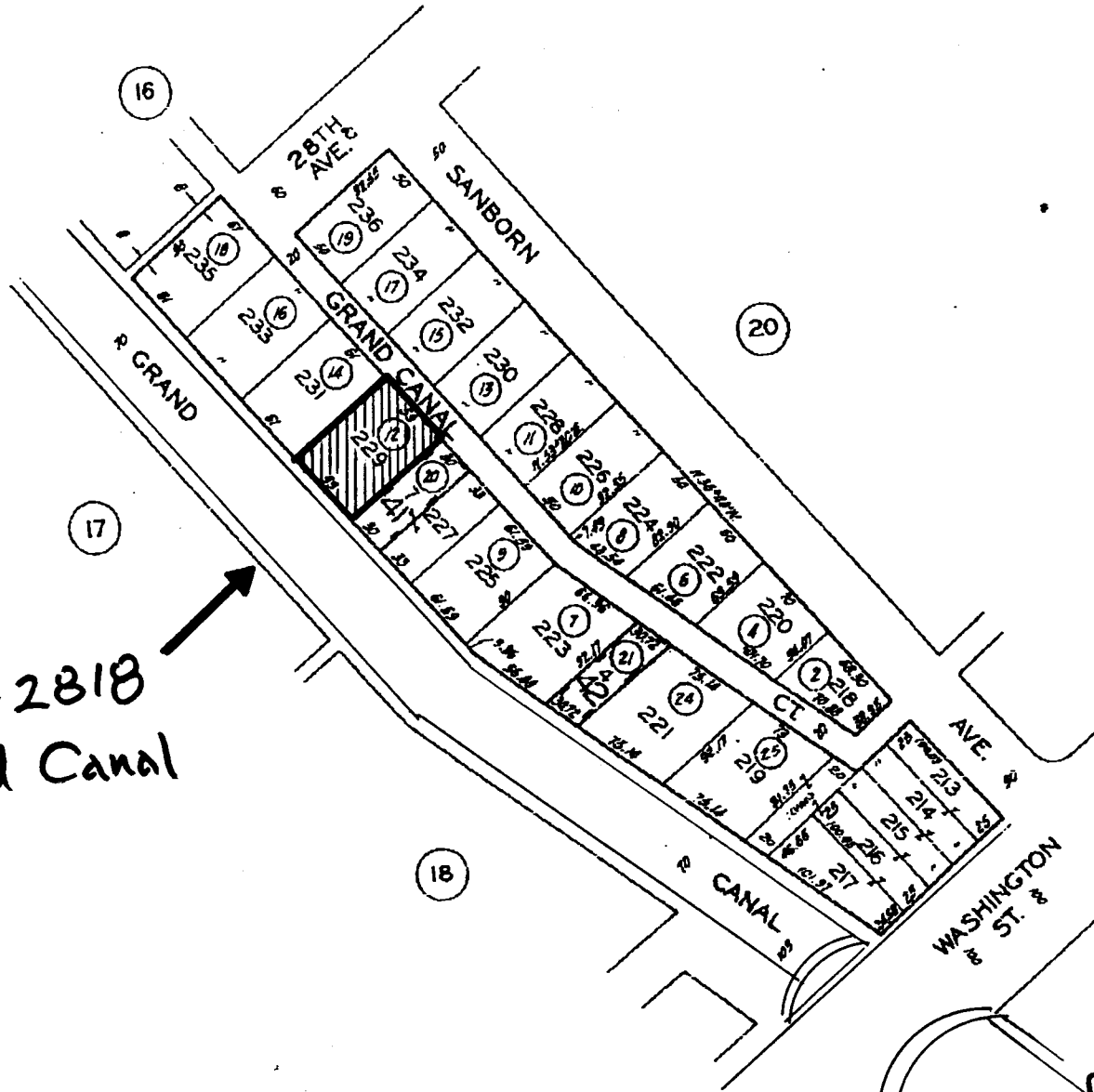


LUP  
Exhibit 5b  
Subarea: North Venice • Venice Canal

  
 Not to Scale  
**COASTAL COMMISSION**  
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 EXHIBIT # 2  
 PAGE 1 OF 1



4227 | 19  
SCALE 1" = 100'



Site: 2812-2818  
Grand Canal

CODE  
67

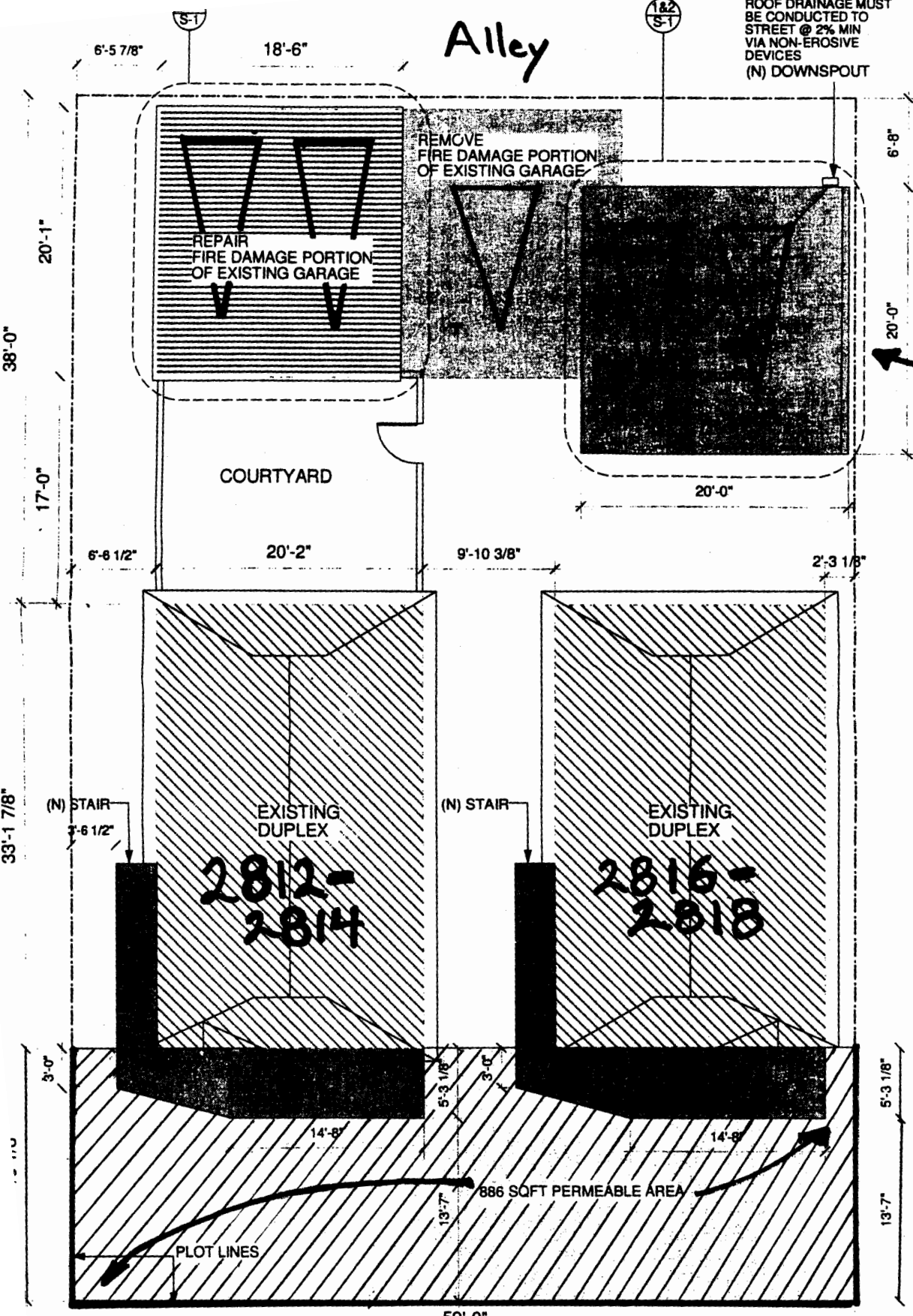
SHORT LINE BEACH VENICE CANAL  
SUBDIVISION NO 1 - M.B. 7-126-127  
TRACT NO. 6098 M.B. 108-58-59

BK.  
4225

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EXHIBIT # 3  
PAGE 1 OF 1

ALL CONCENTRATED ROOF DRAINAGE MUST BE CONDUCTED TO STREET @ 2% MIN VIA NON-EROSIVE DEVICES (N) DOWNSPOUT

Alley



New 2-car Garage

North

Public GRAND CANAL Sidewalk

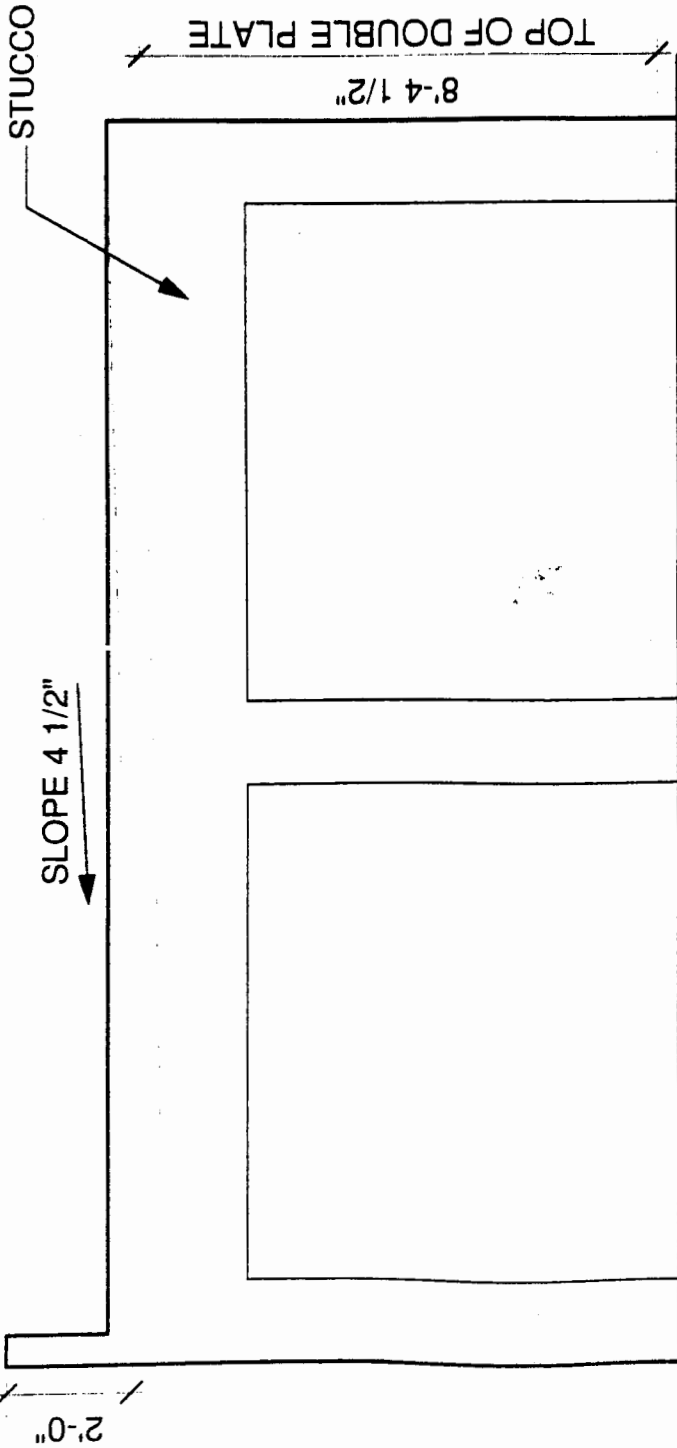
FRONT YARD PERMEABLE AREA FRONT 15' (15x59= 885) 886 SQ.FT.

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ADDITION

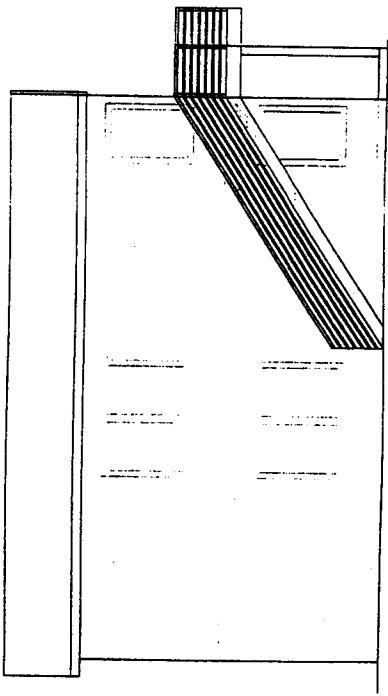
EXHIBIT # 4 PAGE 1 OF 1

11'

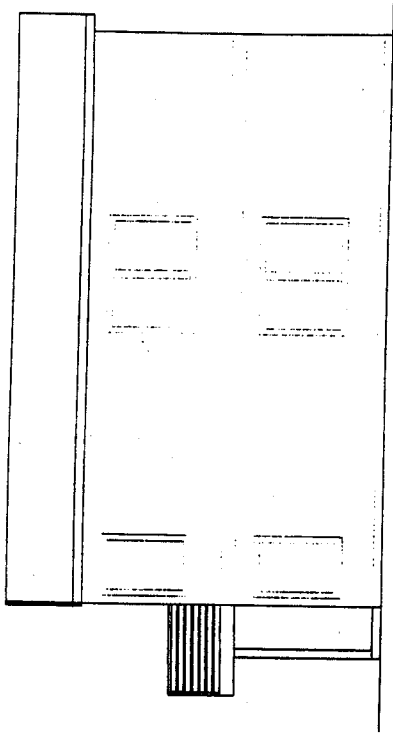


ALLEY ELEVATION (EAST) (6)

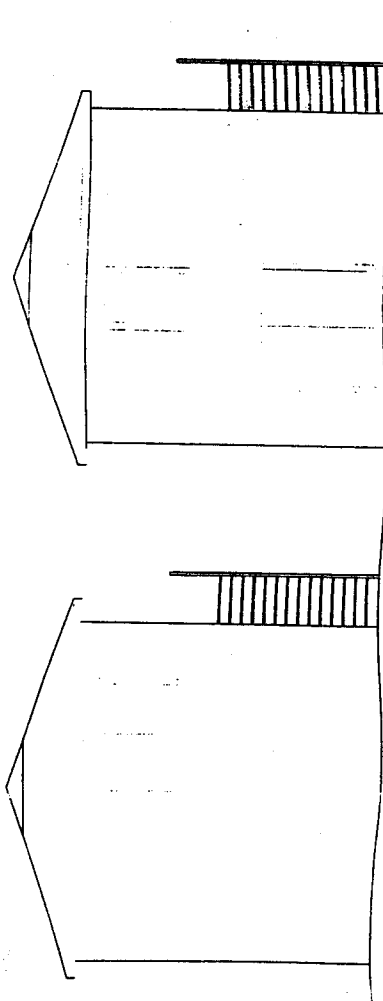
Proposed Garage



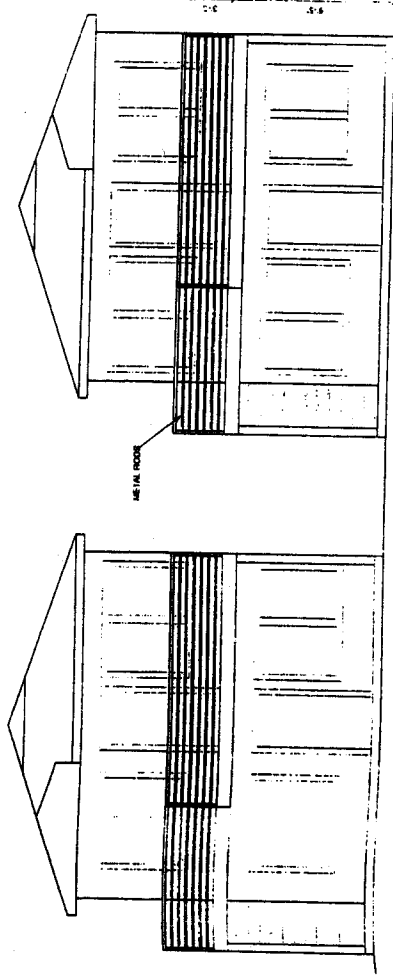
NORTH ELEVATION (4)



SOUTH ELEVATION (3)



REAR ELEVATION (2)



FRONT ELEVATION (1)

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EXHIBIT # 6

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Existing Duplexes