

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
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Filed: 3/2/2007  
49th Day: 4/20/2007  
180th Day: 8/29/2007  
Staff: Charles Posner - LB  
Staff Report: 4/19/2007  
Hearing Date: May 10, 2007  
Commission Action:

**Th3a****STAFF REPORT: CONSENT CALENDAR**

**APPLICATION NUMBER:** 5-07-073

**APPLICANTS:** Armando & Carmen Sivilla

**AGENT:** N/A

**PROJECT LOCATION:** 2403 Ocean Avenue, Venice, City of Los Angeles, Los Angeles County.

**PROJECT DESCRIPTION:** Demolition of a one-story, 808 square foot single-family residence on a 3,600 square foot lot, and construction of a three-level, thirty-foot high, 3,966 square foot duplex with an attached four-car garage.

Lot Area	3,600 square feet
Building Coverage	1,970 square feet
Pavement Coverage	560 square feet
Landscape Coverage	1,070 square feet
Parking Spaces	4
Zoning	RD1.5-1
Plan Designation	Multi-family Residential/Low Medium II
Ht above Street	30 feet

**LOCAL APPROVAL:** City of Los Angeles Planning Department Case No. DIR-2006-9644-SPP-MEL, 1/29/2007.

**SUMMARY OF STAFF RECOMMENDATION**

Staff is recommending **APPROVAL** of the coastal development permit with special conditions relating to compliance, building height, on-site parking and water quality. **See Page Two for the motion.** The applicants agree with the staff recommendation. The proposed project has received approval from the City of Los Angeles Planning Department and is consistent with the RD1.5-1 zoning designation and the surrounding residential land uses. Adequate on-site parking is provided. Staff recommends that the Commission find that the proposed development, as conditioned, conforms with the Chapter 3 policies of the Coastal Act and previous Commission approvals, and will not prejudice the City's ability to prepare an LCP.

**SUBSTANTIVE FILE DOCUMENTS:**

1. Certified Land Use Plan for Venice, City of Los Angeles, 6/14/2001.
2. Coastal Development Permit 5-03-073 (Ruta: 2508 Ocean Avenue).
3. Coastal Development Permit 5-05-366 (2612 Ocean Avenue, LLC).
4. Coastal Development Permit 5-06-282 (Grill: 2423 Ocean Avenue).
5. Coastal Development Permit 5-06-369 (Sivilla: 2411 Ocean Avenue).

**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. Permit Compliance

Coastal Development Permit 5-07-073 permits the demolition of a single-family residence and the construction of a duplex (two residential units). Any proposed change in the number of units or change in use shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations. 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.

#### 2. Building Height

The maximum height of the structure shall not exceed thirty feet (30') above the centerline of the fronting right-of-way (Ocean Avenue). Chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function are limited to 35 feet above the centerline of the fronting right-of-way. This permit approves no roof access structure that exceeds a height of thirty feet (30').

#### 3. On-site Parking

A minimum of four (4) parking spaces shall be provided and maintained on the site to serve the two permitted residential units. Vehicular access to the site shall be taken only from the rear alley (Eastern Court).

#### 4. Construction Responsibilities and Debris Removal

By acceptance of this permit, the applicants agree that the permitted development shall be conducted in a manner that protects water quality pursuant to the implementation of the following Best Management Practices:

- (a) No demolition/construction materials, equipment, debris, or waste will be placed or stored where it may be subject to wind or rain erosion and dispersion.
- (b) Any and all demolition/construction material shall be removed from the site within ten days of completion of demolition/construction and disposed of at an

appropriate location. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

- (c) Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the sea.
- (d) No runoff, site drainage or dewatering shall be directed from the site into any canal or street that drains into a canal, unless specifically authorized by the California Regional Water Quality Control Board.

#### **IV. Findings and Declarations**

The Commission hereby finds and declares:

##### **A. Project Description**

The applicants propose to demolish a one-story single-family residence and construct a thirty-foot high, 3,966 square foot duplex with an attached four-car garage (See Exhibits). The 3,600 square foot project site is located in Southeast Venice, one hundred feet east of Eastern Canal and the Venice Canals neighborhood (Exhibit #2). The existing residence on the site was built in 1953, prior to coastal permit requirements. The surrounding neighborhood is comprised of a variety of old and new single-family residences and duplexes that vary in height from a single story to a maximum of thirty feet.

The proposed duplex has three levels, with the third level comprised of a roof deck and one hundred square feet of enclosed floor area (Exhibit #5). No portion of the proposed structure exceeds the thirty-foot height limit set forth in the City of Los Angeles certified Land Use Plan (LUP) for Venice. The proposed ground floor garage provides the required four on-site parking spaces (Exhibit #4). The rear alley (Eastern Court) provides vehicular access to the proposed garage. An area for guest parking is provided by the driveway in the rear setback.

The proposed project has been approved by the City of Los Angeles Planning Department (Case #DIR-2006-9644) and is consistent with the RD1.5-1 zoning designation and the surrounding land uses. The proposed duplex conforms to the Commission's two-unit density limit for the site, and the proposed four-car garage provides adequate on-site parking. The proposed project, with its thirty-foot high roof, conforms to the thirty-foot height limit in Southeast Venice (for structures with varied rooflines). The proposed project incorporates best management practices (BMPs) to improve water quality in the watershed, including the minimization of impervious surfaces on the project site (approximately 1,070 square feet of permeable landscaped area will be maintained on the project site).

As conditioned, the proposed project is consistent with community character, and will have no negative effects on visual resources or coastal access. The proposed project, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act, the policies of the certified Venice LUP, and previous Commission approvals, and approval of the project as conditioned would not prejudice the City's ability to prepare an LCP.

**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.

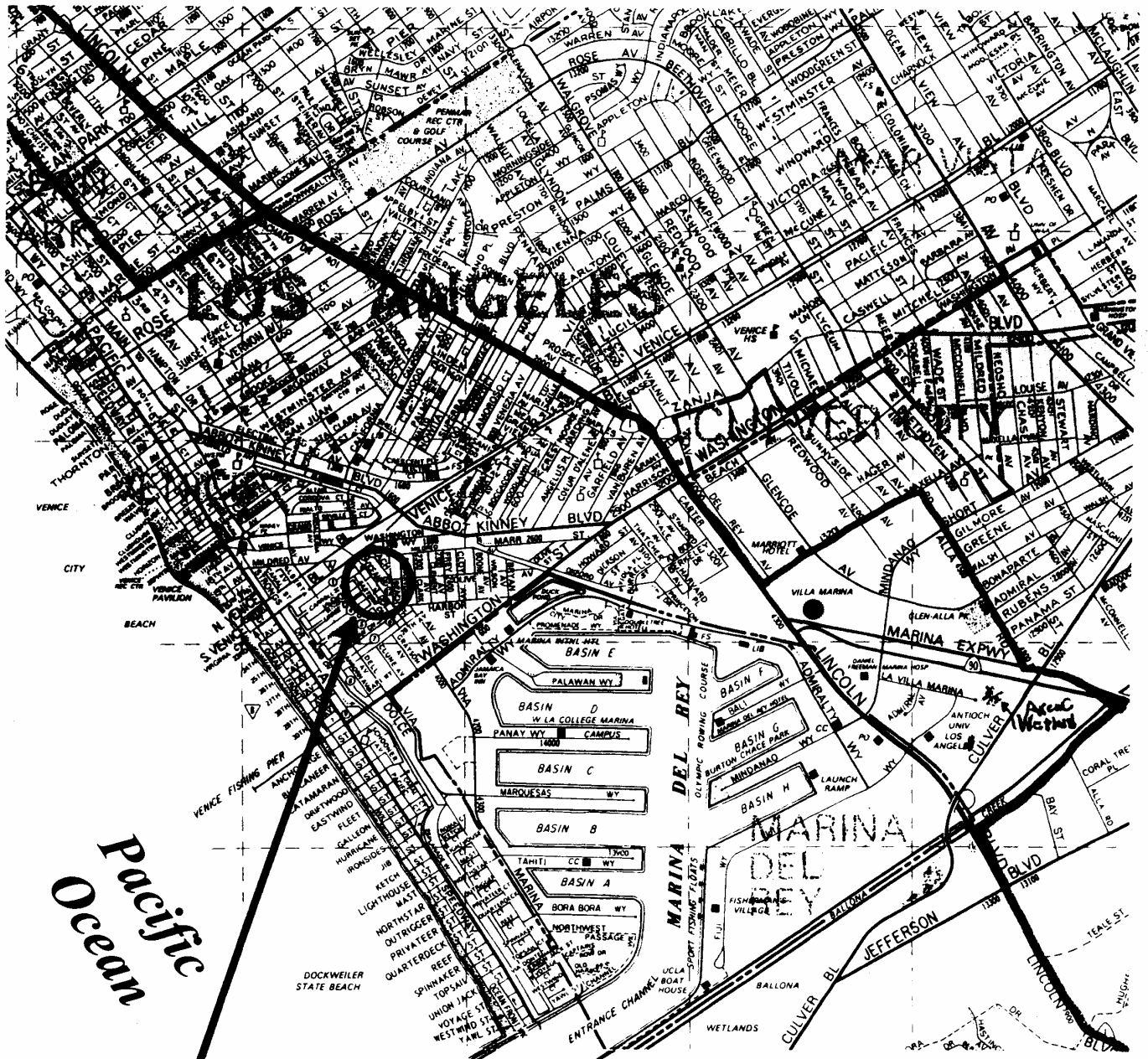
**F. Local Coastal Program**

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.

**G. 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

North

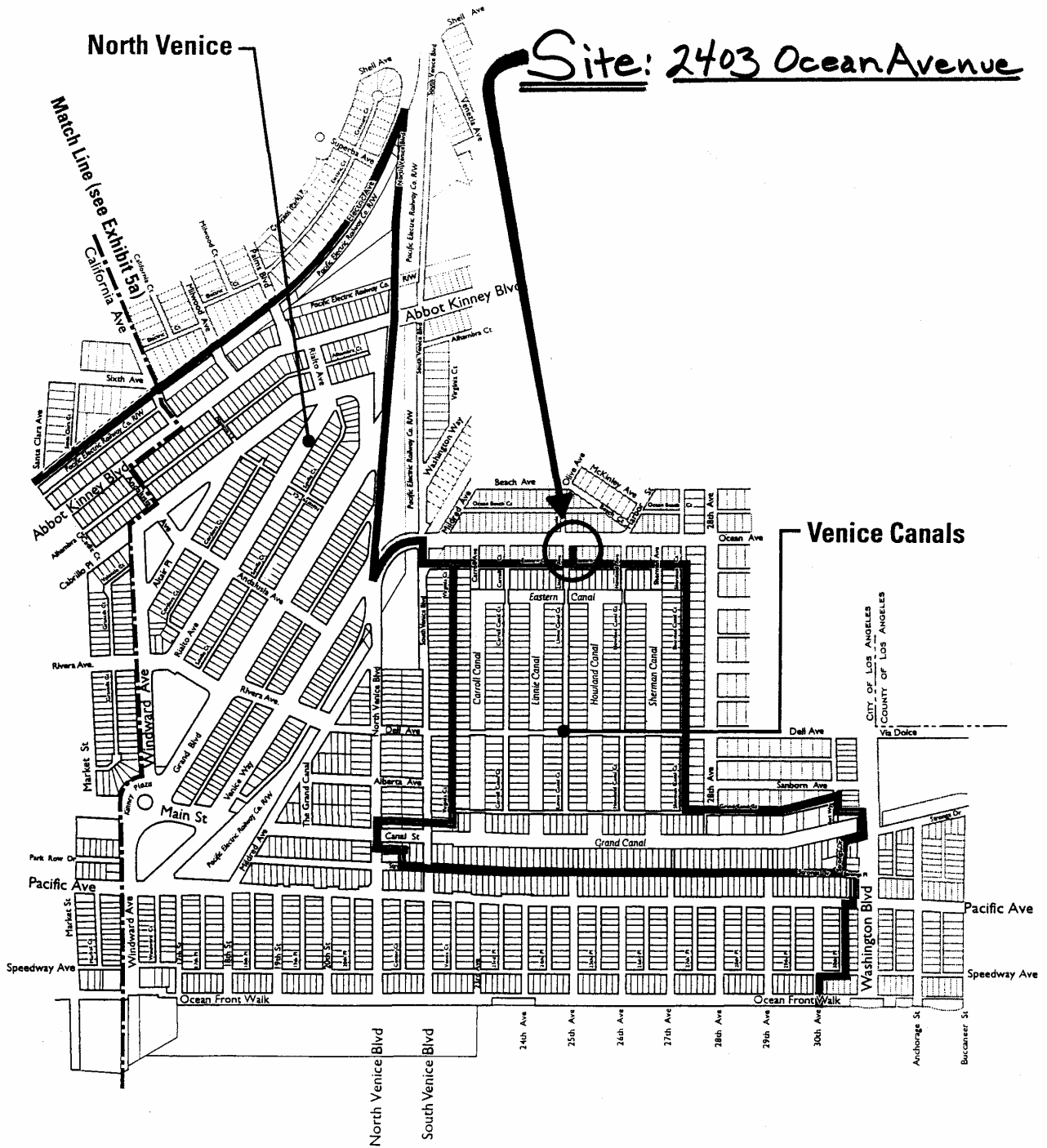
Site: 2403 Ocean Avenue

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EXHIBIT # 1

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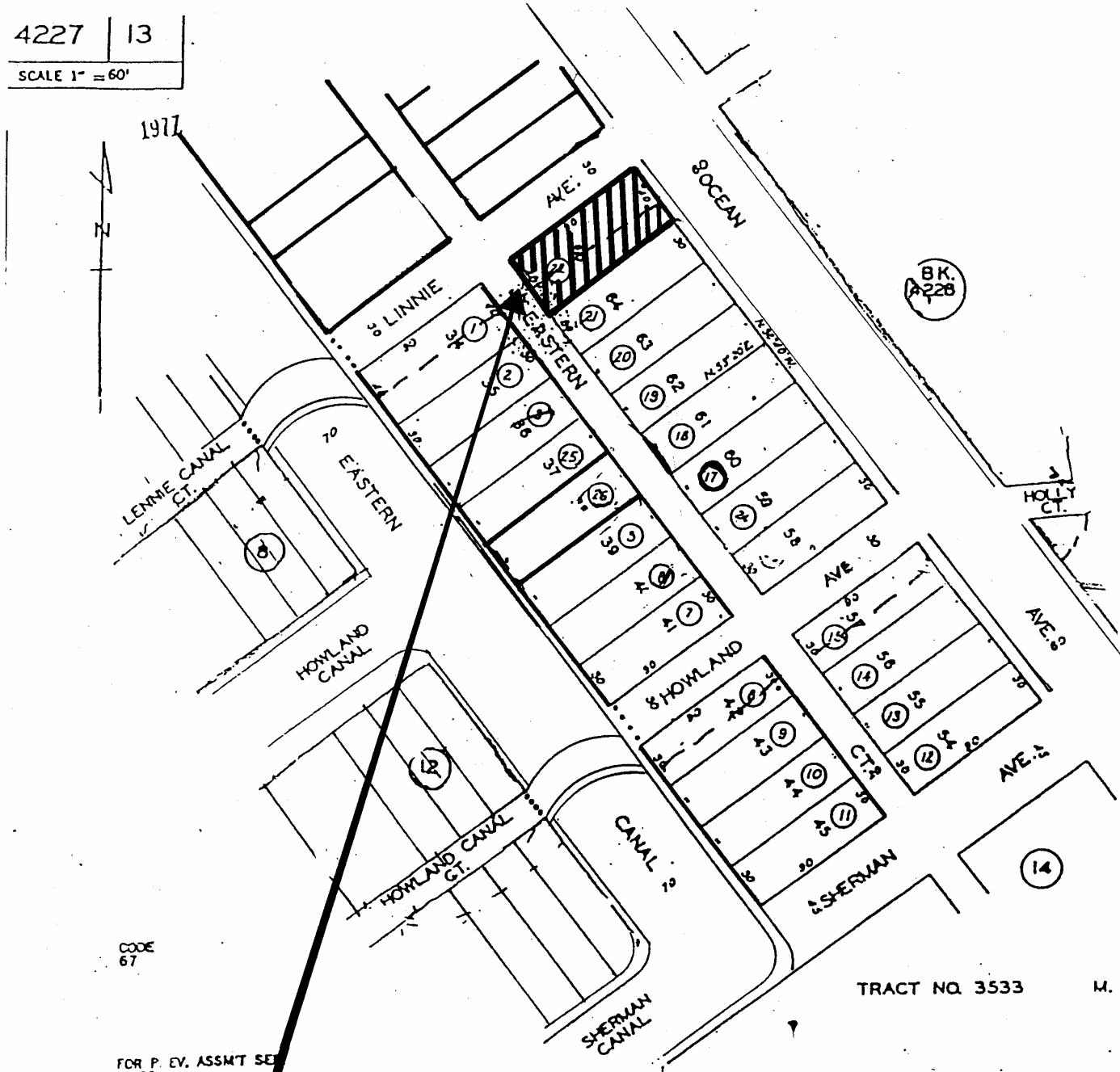


LUP  
 Exhibit 5b  
 Subarea: North Venice • Venice Canal

Not to Scale  
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 EXHIBIT # 2  
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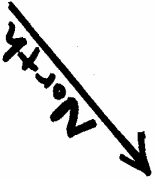
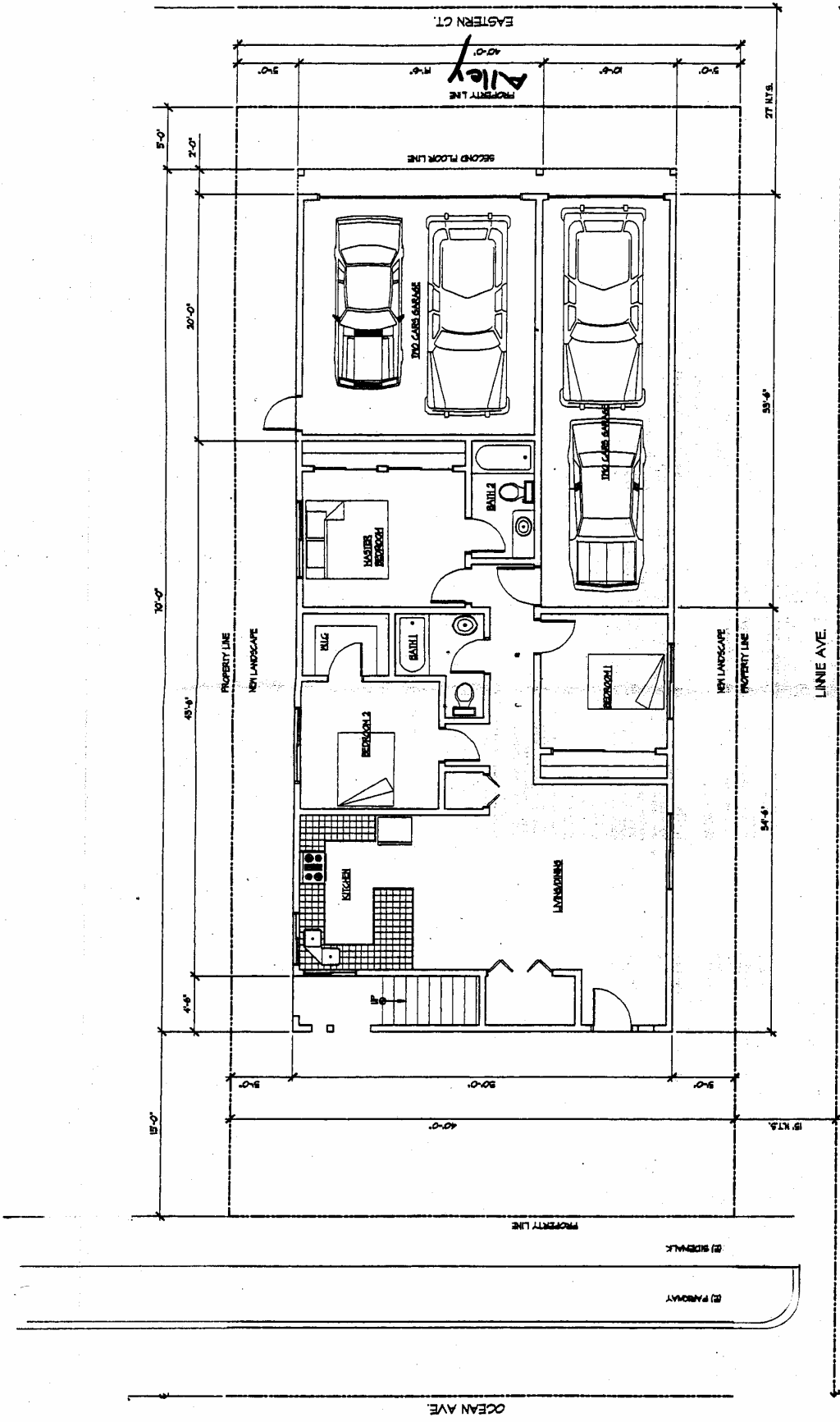


4227 | 13  
SCALE 1" = 60'



Site: 2403 Ocean Avenue

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EXHIBIT # 3  
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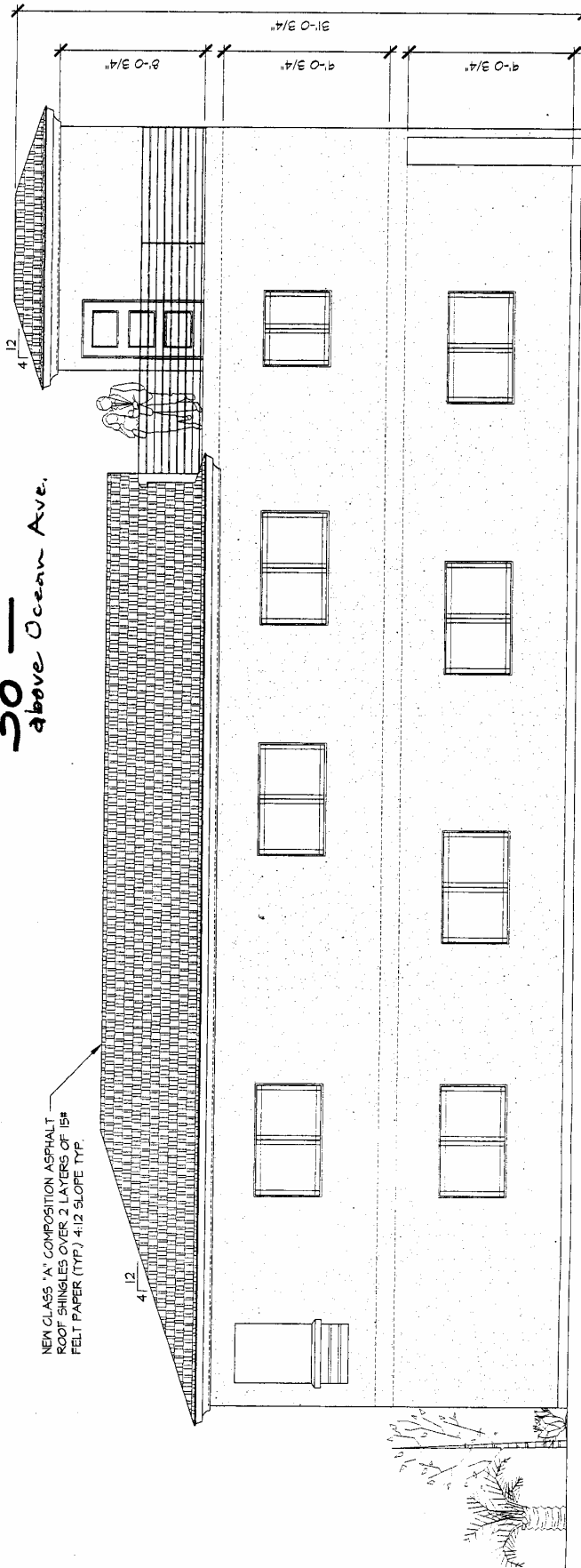


# Proposed Site Plan

SITE PLAN

30' above Ocean Ave.

NEW CLASS "A" COMPOSITION ASPHALT  
ROOF SHINGLES OVER 2 LAYERS OF 15#  
FELT PAPER (TYP) 4:12 SLOPE TYP.



SIDE ELEVATION



FRONT ELEVATION

Ocean Avenue Elevation

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EXHIBIT # 6

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