

CALIFORNIA COASTAL COMMISSION

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

W6a

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180th Day: 2/8/2014
Staff: C. Posner - LB
Staff Report: 9/19/2013
Hearing Date: October 9, 2013
Commission Action:

STAFF REPORT: CONSENT CALENDAR

Application Number: 5-13-086

Applicant: Jay Ramras

Agent: Alvaro Ramirez

Project Location: 2715 Ocean Front Walk, Venice, City of Los Angeles, Los Angeles County.

Project Description: Construction of a three-level, 35-foot high (with forty-foot high roof access structure), 3,628 square foot single-family residence with a 624 square foot attached garage on a vacant 2,520 square foot beachfront lot.

Staff Recommendation: Approval with conditions

SUMMARY OF STAFF RECOMMENDATION

The proposed project has received approval from the City of Los Angeles Planning Department and is consistent with the RD1.5 zoning designation and the surrounding residential land uses. Adequate on-site parking is provided in a three-car garage accessed from the rear alley.

Staff is recommending **approval** of the coastal development permit with special conditions (on Page Four) relating to permit compliance, the protection of water quality, on-site parking, landscaping, and no future shoreline protective devices. The applicant agrees with the staff recommendation.

See Page Three for the motion to carry out the staff recommendation.

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EXHIBITS

- Exhibit 1 – Venice, CA Map
- Exhibit 2 – North Venice Subarea Map
- Exhibit 3 – Project Location Map
- Exhibit 4 – Proposed Side Elevation Plan
- Exhibit 5 – Proposed Site Plan
- Exhibit 6 – Proposed Front Elevation Plan

I. MOTION AND RESOLUTION

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.

Resolution:

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

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any 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

This permit is granted subject to the following special conditions:

1. **Approved Development - Permit Compliance.** Coastal Development Permit 5-13-086 approves the construction of a three-level single-family residence with an attached three-car garage. All development must occur in strict compliance with the proposal as set forth in the application, subject to the special conditions. Any proposed change or deviation from the approved plans 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. No changes to the approved plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.
2. **On-site Parking.** The proposed on-site parking supply (a three-car garage) shall be provided and maintained on the site as shown on the final approved plans. Vehicular access to the on-site parking shall be taken only from Speedway Alley.
3. **Construction Responsibilities and Debris Removal.** By acceptance of this permit, the applicant agrees that the permitted development shall be conducted in a manner that protects water quality pursuant to the implementation of the following BMPs:
 - a) No construction materials, equipment, debris, or waste will be placed or stored where it may be subject to wind or rain erosion and dispersion.
 - b) No construction materials, equipment, debris, or waste will be placed or stored on the beach or boardwalk areas seaward of the applicant's private property.
 - c) 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.
 - d) Washout from concrete trucks shall be disposed of at a controlled location not subject to runoff into coastal waters or onto the beach, and more than fifty feet away from a storm drain, open ditch or surface waters.
 - e) Any and all demolition/construction material shall be removed from the site (via the alley only) 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.
 - f) 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.

- g) 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.
4. **Landscaping – No Invasive Plants.** Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a “noxious weed” by the State of California or the U.S. Federal Government shall be utilized within the property.
5. **No Future Shoreline Protective Device.** A) By acceptance of this permit, the applicant agrees, on behalf of themselves and all other successors and assigns, that no shoreline protective device(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit 5-13-086 including, but not limited to, the residence, garage, foundations, and any future improvements, in the event that the development is threatened with damage or destruction from waves, erosion, sea level rise, storm conditions or other natural hazards in the future. By acceptance of this permit, the applicant hereby waives, on behalf of itself and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235. B) By acceptance of this permit, the applicant further agrees, on behalf of itself and all successors and assigns, that the landowner shall remove the development authorized by this coastal development permit, including the residence, garage, and foundations, if any government agency has ordered that the structure is not to be occupied due to any of the hazards identified above. In the event that portions of the development fall to the beach before they are removed, the landowner shall remove all recoverable debris associated with the development from the beach and ocean and lawfully dispose of the material in an approved disposal site. Such removal shall require a coastal development permit.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

The applicant proposes to construct a three-level, 3,533 square foot single-family residence on a vacant beachfront lot in North Venice (See Exhibits). The project site is a 2,520 square foot lot situated on the inland side of Ocean Front Walk (the boardwalk) in North Venice (Exhibit #2). The surrounding neighborhood is comprised of a variety of old and new multi-unit residential structures and single-family residences that vary in height between twenty and fifty feet. Ocean Front Walk is an improved public pedestrian right-of-way situated between the private lots of the residential neighborhood and the open sandy public beach.

The proposed single-family residence is 35 feet high, with one forty-foot high roof access structure (Exhibit #6). The proposed single-family residence conforms to the 35-foot height limit for structures in North Venice. One 100 square foot roof access structure is permitted to exceed the roof height limit. An attached three-car garage provides the required on-site parking, with vehicular access provided by Speedway, the rear alley (Exhibit #5). 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 one hundred square feet of permeable landscaped area will be maintained on the project site. The permit has been conditioned to prohibit construction of protective devices (such as a seawall) in the future.

The proposed single-family residence has been reviewed and approved by the City of Los Angeles Planning Department (Case No. DIR-2012-2713-SPP), and it is consistent with the RD1.5 zoning designation and the surrounding land uses. 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 a Local Coastal Program (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 30231 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. HAZARDS

Development adjacent to the ocean is inherently hazardous. Development which may require a protective device in the future cannot be allowed due to the adverse impacts such devices have upon, among other things, public access, visual resources and shoreline processes. To minimize the project's impact on shoreline processes, and to minimize risks to life and property, the development has been conditioned to prohibit construction of protective devices (such as a seawall) in the future. As conditioned, the Commission finds that the development conforms to the requirements of Sections 30235 and 30253 of the Coastal Act regarding the siting of development in hazardous locations.

G. 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.

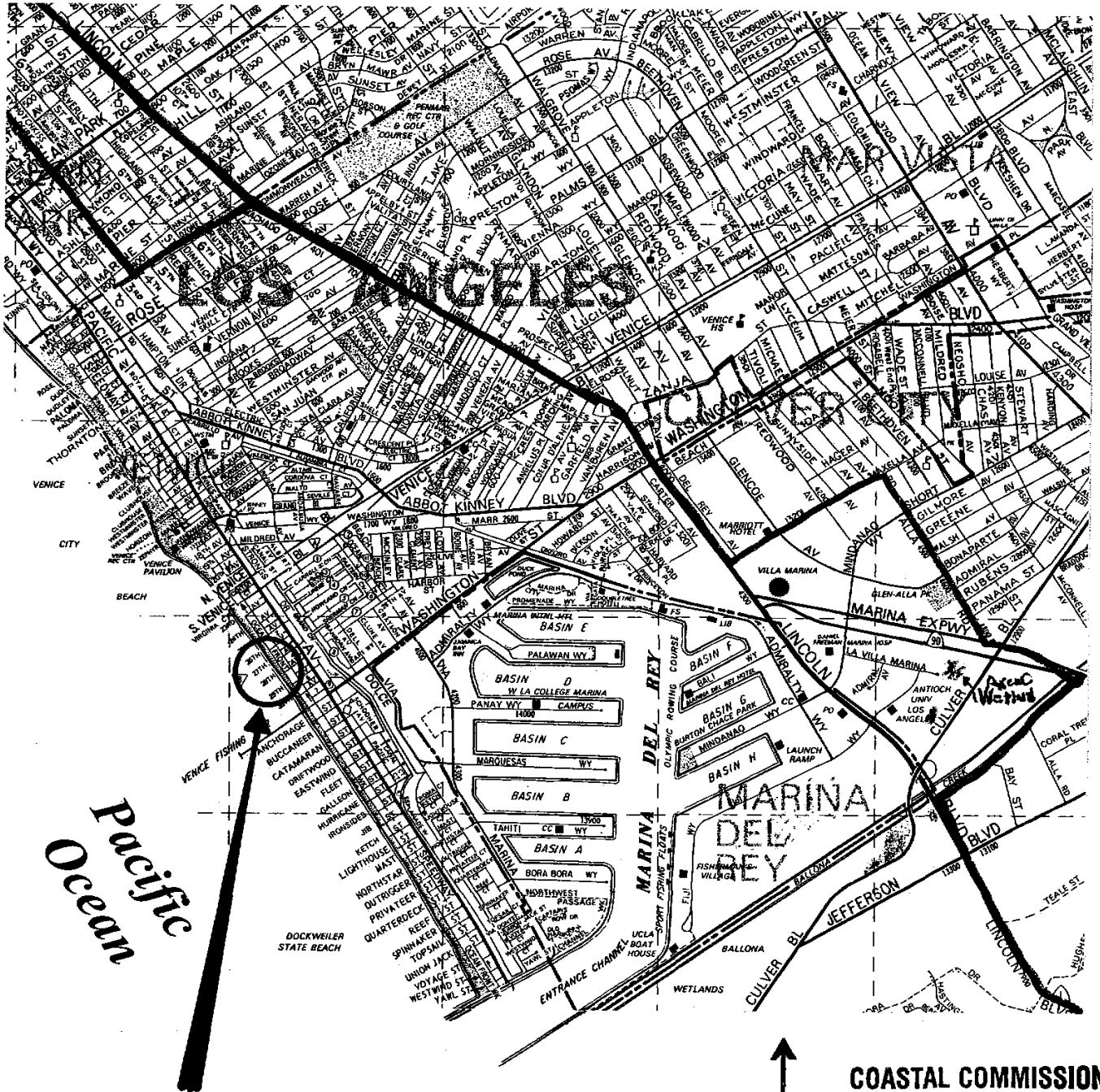
H. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

In this case, the City of Los Angeles is the lead agency and the Commission is the responsible agency for the purposes of CEQA. On January 3, 2013, the City of Los Angeles Planning Department issued CEQA Categorical Exemption No. ENV-2012-2714-CE (Article III, Section 1, Class 1 - Category 1) for the proposed single-family residence. 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.

Appendix A - Substantive File Documents

1. City of Los Angeles certified Land Use Plan for Venice, 6/14/2001.
2. Coastal Development Permit 5-07-093 (Johnson 2617 OFW).
3. Coastal Development Permit 5-11-211 (Sunset Trust: 4607 OFW).
4. Coastal Development Permit 5-11-223 (JK Pacific Group: 4617 OFW).
5. Coastal Development Permit 5-11-304 (Muchin: 5401 OFW).
6. Coastal Development Permit 5-12-123 (Levin: 2709 OFW).
7. Coastal Development Permit 5-13-069 (Vuerings: 2605 OFW).

VENICE, CA



Pacific Ocean

Site: 2715 Ocean Front Walk

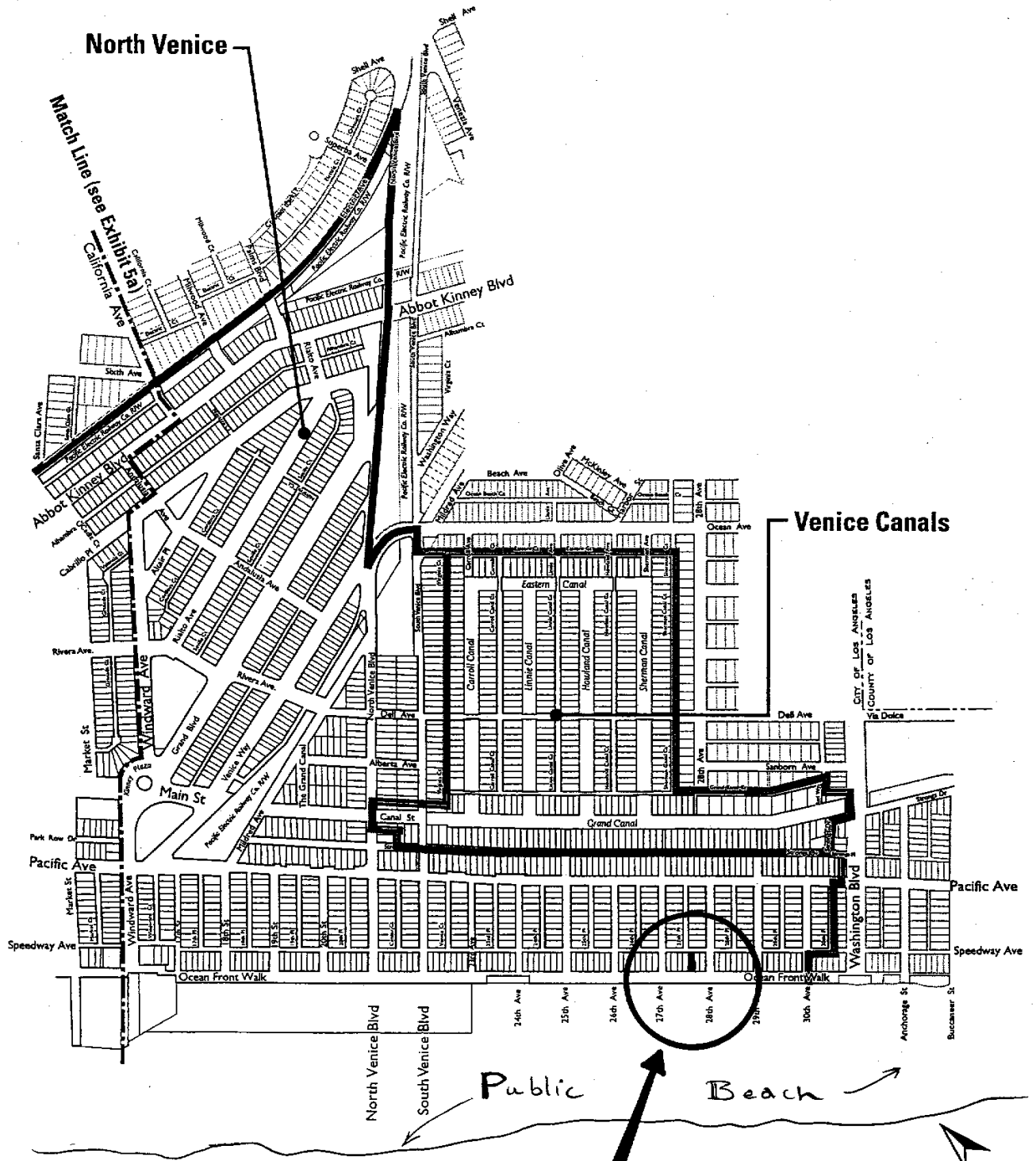


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5-13-086

EXHIBIT # 1

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2715 OFW

LUP
Exhibit 5b
Subarea: North Venice • Venice Canals

Not to Scale
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 EXHIBIT # 2
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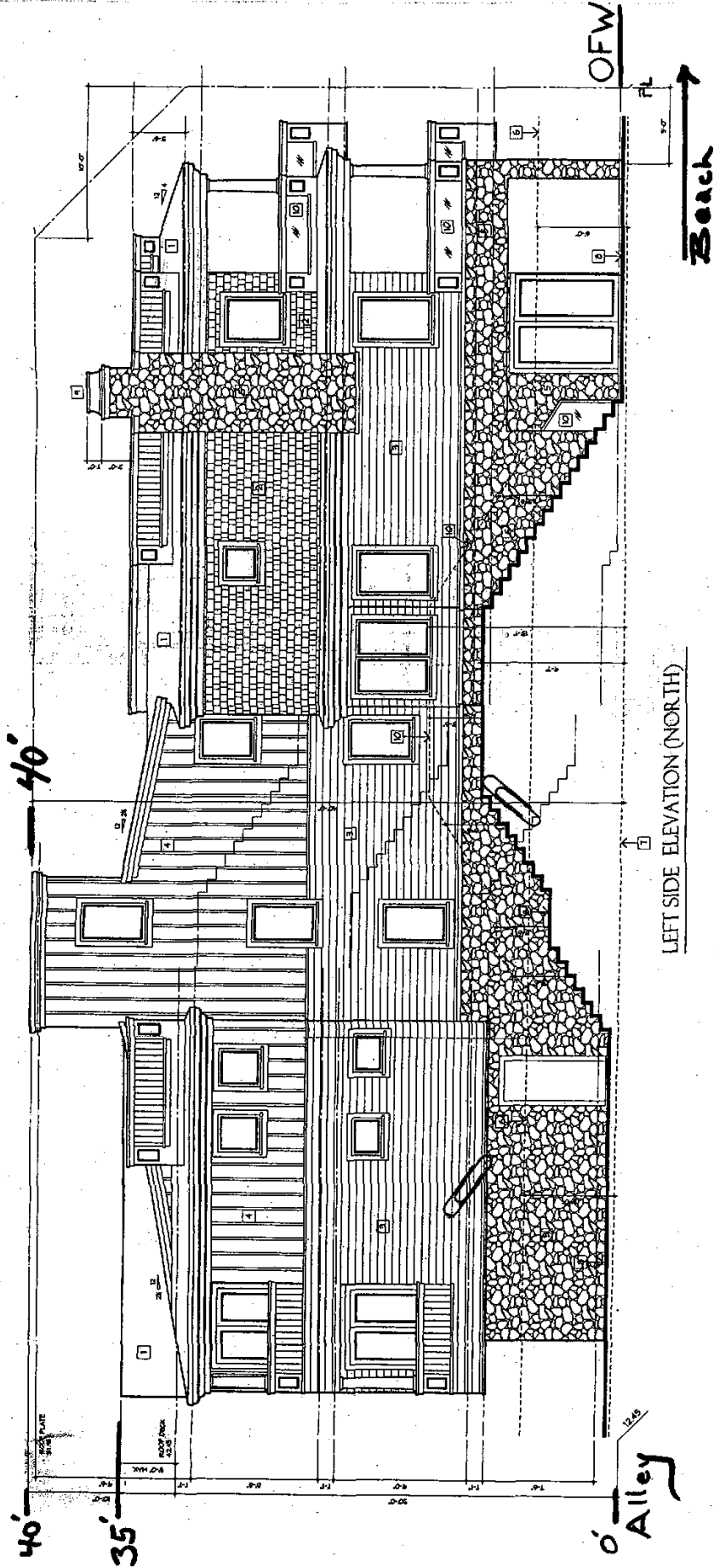


MAPPING AND GIS
SERVICES
SCALE 1" = 60'

Site:
2715 OFW

Public
Beach

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EXHIBIT # 3
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North Elevation

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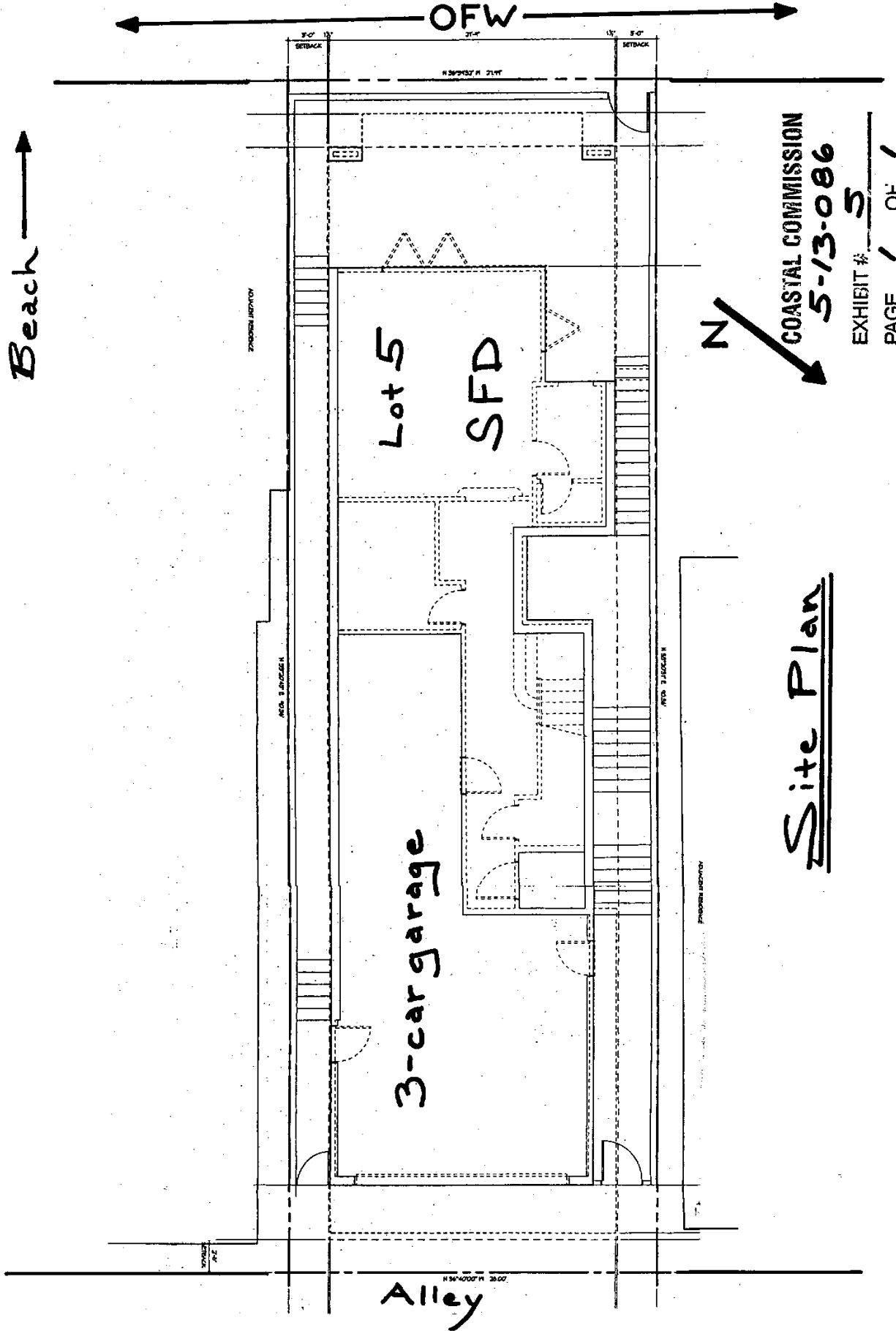
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EXHIBIT #

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Beach →

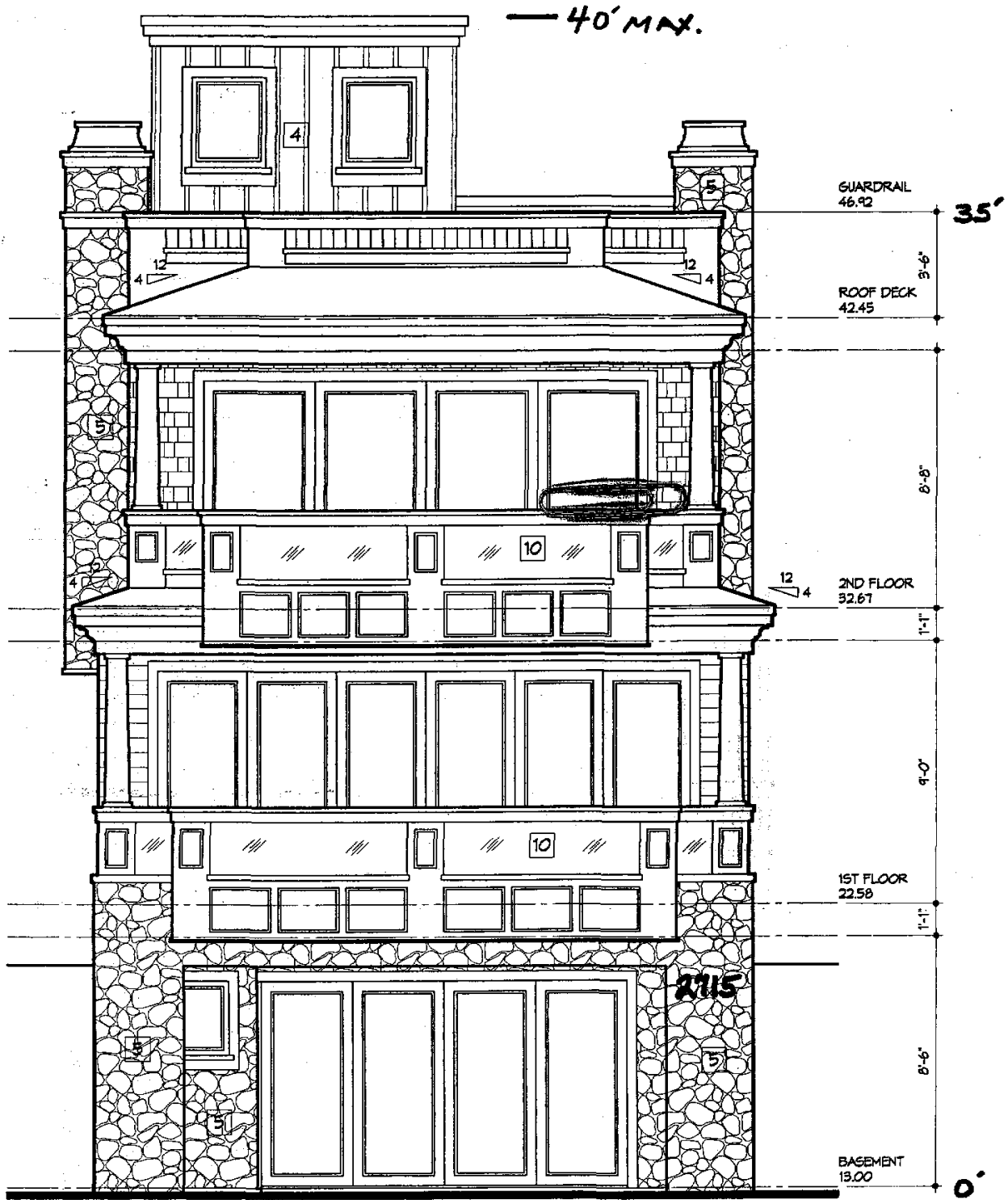


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EXHIBIT # 5
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Site Plan



FRONT ELEVATION (WEST)
(Beach)

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EXHIBIT # 6

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