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## CALIFORNIA COASTAL COMMISSION

WITH COAST AREA  
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 P.O. BOX 1450  
 LONG BEACH, CA 90802-4416  
 (310) 590-5071

Filed: 3/18/97  
 49th Day: 5/6/97  
 180th Day: 9/14/97  
 Staff: CP-LB  
 Staff Report: 4/14/97  
 Hearing Date: May 13-14, 1997  
 Commission Action:



Tulba

STAFF REPORT: PERMIT EXTENSION REQUEST

APPLICATION NO.: 5-91-007-E5  
 APPLICANT: Brooks Company  
 AGENT: Nieves & Associates  
 PROJECT LOCATION: 15 Brooks Avenue, Venice, City of Los Angeles, Los Angeles County  
 PROJECT DESCRIPTION: Construction of a 5,400 square foot, two-unit, three-story condominium on a vacant 3,600 square foot lot with five parking spaces.

Lot Area	3,600 sq. ft.
Building Coverage	2,376 sq. ft.
Pavement Coverage	1,188 sq. ft.
Landscape Coverage	360 sq. ft.
Parking Spaces	5
Zoning	RD1.5-1
Plan Designation	Medium Residential
Ht abv fin grade	39 feet

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission find that the extension request is consistent with the Coastal Act and grant a new one-year term for the permit.

LOCAL APPROVAL RECEIVED:

1. City of Los Angeles Local Coastal Development Permit No. 90-0019.

SUBSTANTIAL FILE DOCUMENTS:

1. Coastal Development Permit 5-90-437 (Brooks Co.).
  2. Coastal Development Permit 5-87-680 (Ofsanko).
  3. Coastal Development Permit 5-86-922 (Nova Development).
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PROCEDURAL NOTE:

Section 13169 of the California Code of Regulations provide that permit extension requests shall be reported to the Commission if:

- 1) The Executive Director determines that due to changed circumstances, the proposed development may not be consistent with the Coastal Act, or,
- 2) Objection is made to the Executive Director's determination of consistency with the Coastal Act.

In this case, the Executive Director determined that there were no changed circumstances which could possibly affect the consistency of the proposed development with the Coastal Act. Subsequently, the Commission received a letter objecting to the Executive Director's determination of consistency with the Coastal Act (Exhibit #3).

If three (3) Commissioners object to an extension request on the grounds that the proposed development may not be consistent with the Coastal Act, the application shall be set for a full hearing as though it were a new application. If three objections are not received, the permit will be extended for an additional one year period.

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STAFF NOTE:

Approval of this Coastal Development Permit extension request will extend the expiration date of Coastal Development Permit 5-91-007 to April 11, 1998, one year from the previous date of expiration, and seven years from the date of the original Commission approval.

I. STAFF RECOMMENDATION

Staff recommends that the Commission grant the extension on the grounds that there are no changed circumstances which could cause the project, as originally approved, to be inconsistent with the Chapter 3 policies of the Coastal Act.

## II. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

### A. Project Description and History

The applicants have requested a one-year extension of Coastal Development Permit 5-91-007 to construct a three-story, 39 foot high, two-unit condominium structure on a vacant lot in North Venice (Exhibits #1&2). Coastal Development Permit 5-91-007 was approved by the Commission with no special conditions on April 11, 1991. The permit was issued on April 17, 1991.

Four previous one-year permit extensions were granted in 1993, 1994, 1995 and 1996. All four previous permit extensions were determined by the Executive Director to be immaterial permit extensions because there were no changed circumstances which could have caused the proposed development to be inconsistent with the Coastal Act. The determination of immaterial for the fourth extension request in 1996 was objected to by George E. Mullin III and was heard by the Commission as a material extension request. On June 13, 1996, the Commission granted the fourth extension on the grounds that there were no changed circumstances which could cause the project, as originally approved, to be inconsistent with the Chapter 3 policies of the Coastal Act.

This, the fifth permit extension request, was also determined by the Executive Director to be an immaterial permit extension because there are no changed circumstances which could cause the proposed development to be inconsistent with the Coastal Act. The Executive Director's determination was noticed on April 4, 1997. On April 11, 1997, a letter from George E. Mullin III objecting to the construction of the proposed project was received in the Commission's Long Beach office (Exhibit #3).

### B. Grounds for Objection

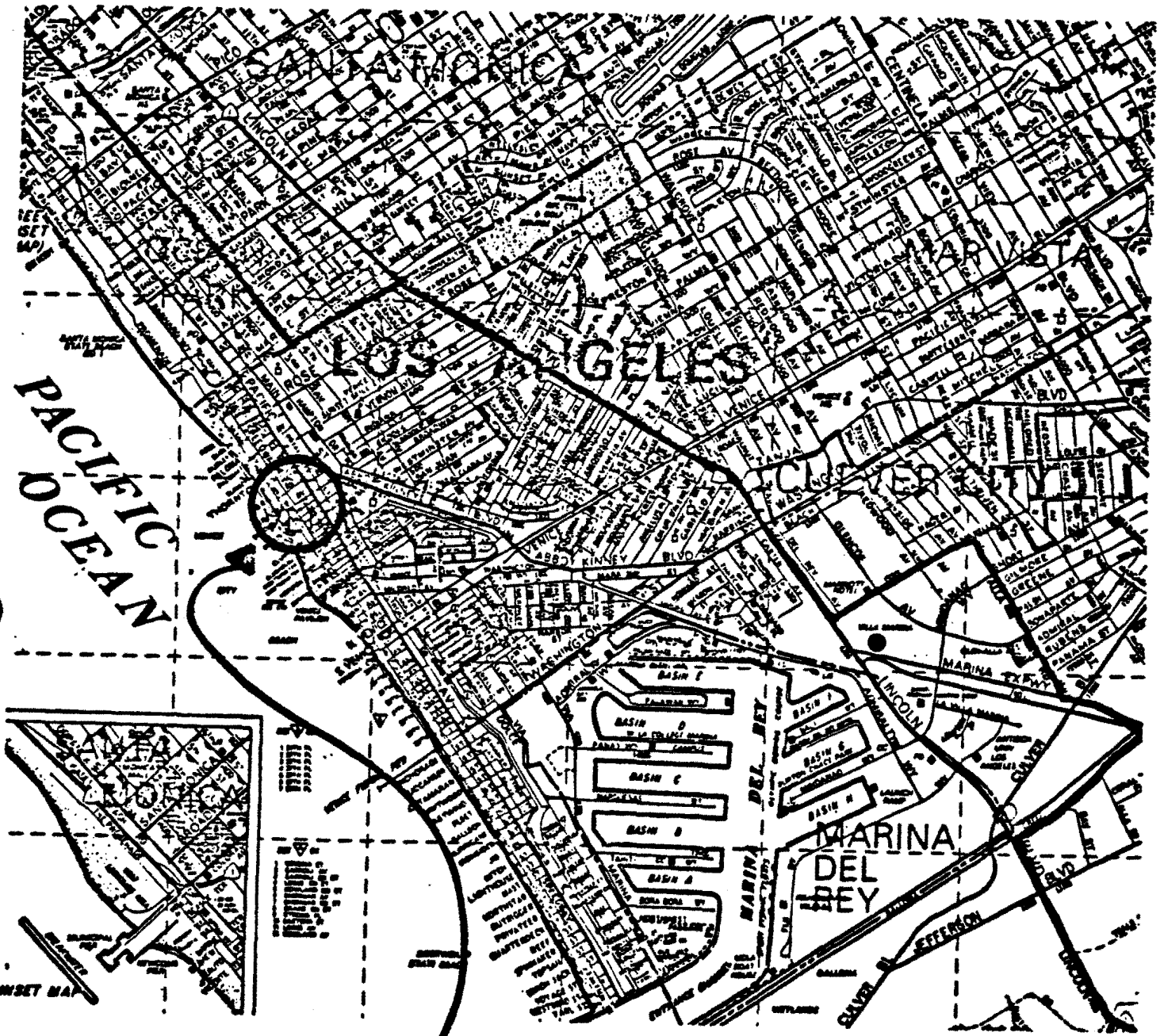
On March 18, 1997, the applicant submitted an application to extend Coastal Development Permit 5-91-007 for a new one-year term. On April 4, 1997, the Executive Director determined and sent notice that there were no changed circumstances which could affect the proposed development's consistency with the Coastal Act.

One objection letter was received within the ten working day period in which an objection could be submitted to the Commission. On April 11, 1997, the Commission received an objection letter from George E. Mullin III, the owner of an adjacent property (Exhibit #3). The objection letter states that the proposed project has an excessive height, will block ocean views, and place additional pressures on local services. The objection letter also states that a better use of the site would be a use which provides additional parking for the existing residents in the area (Exhibit #3). The objection letter does not state that there are any changed circumstances which could possibly affect the consistency of the proposed development with the Coastal Act.

**C. Issue Analysis**

The criteria stated in Section 13169 of the California Code of Regulations for extending a Coastal Development Permit is the determination if there are any changed circumstances which would affect the consistency of the proposed development with the Coastal Act. In this case, the objector has not specified any changed circumstances that could affect the consistency of the proposed development with the Coastal Act. The objector only states that the proposed project has an excessive height, will block ocean views, and place additional pressures on local services. The Commission addressed the height and view issues in the original approval and found that the proposed three-story condominium with 39 foot high roof access structures conforms to the Chapter 3 Policies of the Coastal Act and previous Commission actions.

Staff has reviewed the applicants' extension request and the letter of objection and has determined that there are no changed circumstances which would affect the project's consistency with Chapter 3 of the Coastal Act. Therefore, staff recommends that the Commission grant the extension request on the grounds that there are no changed circumstances which could cause the project, as originally approved, to be inconsistent with the Chapter 3 policies of the Coastal Act.



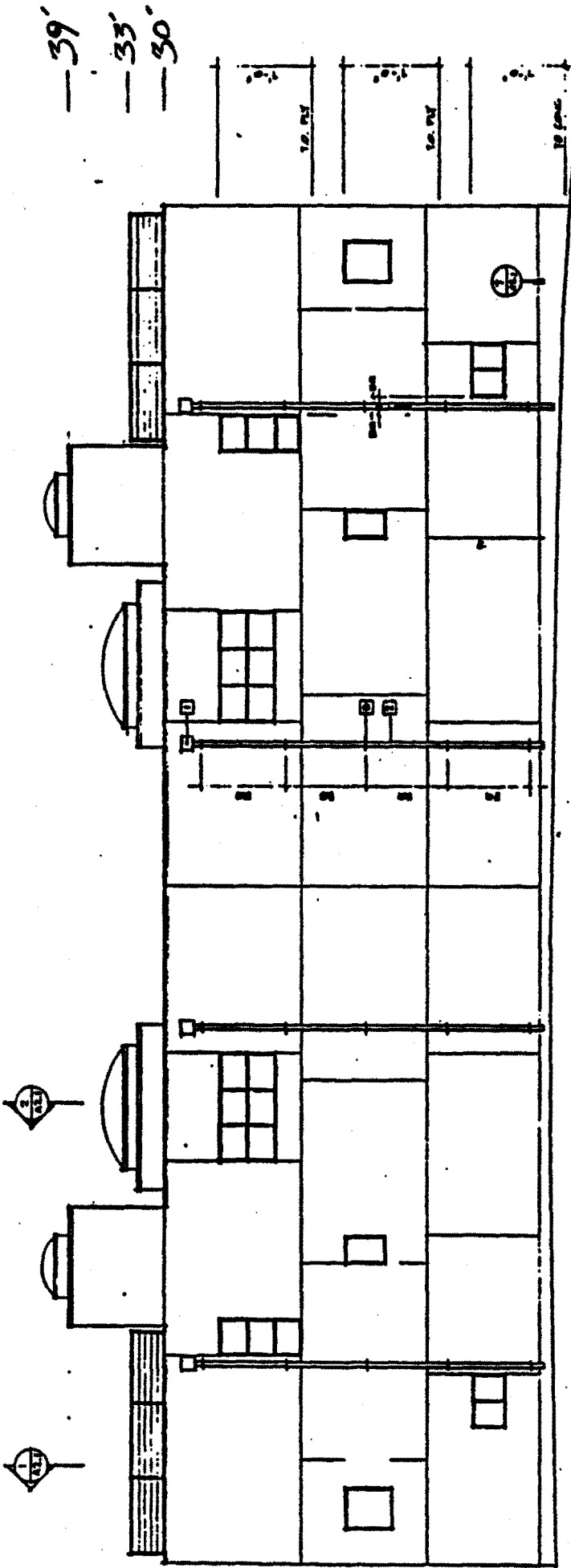
● Site

15 Brooks Avenue

COASTAL COMMISSION  
5-91-007-E5

EXHIBIT # 1

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NORTH ELEVATION

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5-91-007-E5

EXHIBIT # 2  
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# PARK AVENUE INVESTMENTS

22 Park Ave. Venice, Ca. 90291 ☐ (310) 396 2299

☐ ☐ Sean Mullin  
President

Charles Posner  
Coastal Program Analyst  
California Coastal Commission  
South Coast Area  
245 W. Broadway, Ste 380  
P.O. Box 1450  
Long Beach, Ca 90802-4416  
(310) 590-5071

April 8, 1997

RECEIVED  
APR 11 1997

CALIFORNIA  
COASTAL COMMISSION

Re: Extension of Permit No. 5-91-007 for construction at 15  
Brooks Ave., Venice Ca.

Dear Mr. Posner,

I am the owner of 17 Brooks, the 6 unit apartment building located directly east (next door) from the applicant's (Brooks Co.) property at 15 Brooks Ave., Venice Ca. I also own the apartment building located at 22 Park Ave., Venice, Ca. which is located across the Park Ct. ally, three lots east from applicant's property.

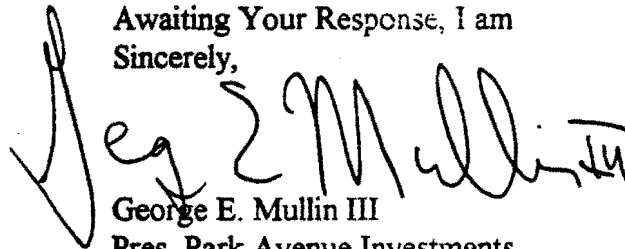
I, along with numerous tenants in both buildings, **object to the proposed construction** for reasons including, but not limited to, the following;

- 1) The excessive height will obstruct the ocean and beach views from both of my buildings.
- 2) Given the severe parking shortage in the area, a better use of the land would be one which provides additional parking for the existing residents of the area.
- 3) It would generally increase the already over crowded conditions which exist in the area and place unnecessary additional pressure on local services such as water, gas, electricity, telephone, fire dept., police dept., trash, etc.

I and most of the tenants at the above said buildings stand firmly **against the proposed construction**. You may contact me at the following address and phone number;

George E. Mullin III  
A.K.A. Sean Mullin  
22Park Ave.  
Venice, Ca. 90291  
Tel. (310) 396-2299

Awaiting Your Response, I am  
Sincerely,



George E. Mullin III  
Pres. Park Avenue Investments