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STATE OF CALIFORNIA - THE RESOURCES AGENCY

PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION

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

Filed: 4/18/97
49th Day: 6/6/97
180th Day: 10/15/97
Staff: CP-LB
Staff Report: 6/9/97
Hearing Date: July 8-11, 1997
Commission Action:



STAFF REPORT: PERMIT EXTENSION REQUEST

APPLICATION NO.: 5-94-074-E2

APPLICANT: Venice Senior Housing Corporation

AGENT: Benjamin F. Beckler, III, Director of Project
Development, Southern California Presbyterian Homes

PROJECT LOCATION: 151-187 Ocean Front Walk, Venice, City of Los Angeles,
Los Angeles County

PROJECT DESCRIPTION: Construction of a four-story, 45 foot high, 64 unit very
low and lower income senior citizen apartment building
with 37 parking spaces provided in a subterranean
parking garage. (as approved and conditioned by the City
of Los Angeles)

Lot Area	22,600 sq. ft.
Building Coverage	21,985 sq. ft.
Pavement Coverage	0 sq. ft.
Landscape Coverage	615 sq. ft.
Parking Spaces	37
Zoning	C1-1
Plan Designation	Commercial
Ht abv fin grade	54 feet

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission find that there are no changed
circumstances affecting the project's consistency with the Coastal Act, and
grant a new one-year term for the permit.

LOCAL APPROVALS RECEIVED:

1. City of Los Angeles Local Coastal Development Permit No. 93-001,
3/2/94.
2. Project Permit No. ZA 93-0084-PP, 3/2/94.
3. Hardship Exemption No. CPC 93-0020 ICO, 3/2/94.
4. Density Bonus No. CPC 93-0239 DB, 3/2/94.

SUBSTANTIAL FILE DOCUMENTS:

1. Coastal Development Permit Transfer No. T-5-94-074 (Safran to Venice Senior Housing Corporation).
 2. Mitigated Negative Declaration No. MND 92-0500.
 3. California Coastal Commission Regional Interpretive Guidelines for Los Angeles County, 10/14/80.
 4. City of Los Angeles Venice Interim Control Ordinance No. 169,239.
 5. Coastal Development Permit Application P-81-7755 (Safran).
 6. Coastal Development Permit Application 5-81-359 (Safran).
 7. Coastal Development Permit Appeal No. 173-81 (Safran).
 8. Coastal Development Permit Application 5-82-253 & amendments (Safran).
 9. Coastal Development Permit Application A5-85-701/5-85-710 & amendment (Safran).
 10. Coastal Development Permit Application 5-89-1001 (Safran).
-

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 three letters objecting to the Executive Director's determination of consistency with the Coastal Act (Exhibits #6-8).

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.

STAFF NOTE:

Approval of this Coastal Development Permit extension request will extend the expiration date of Coastal Development Permit 5-95-074 to May 12, 1998, one year from the previous date of expiration, and four 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

The applicant has requested a one-year extension of Coastal Development Permit 5-94-074 to construct a four-story, 64 unit apartment building on Ocean Front Walk in North Venice near the border of the City of Santa Monica (Exhibits 1-5). The proposed project will provide publicly subsidized rental housing for very low and lower income senior citizens and handicapped persons. Thirty-seven parking spaces are proposed in a subterranean parking garage. The proposed project has a roof height of 45 feet, but a three hundred square foot elevator and stairway enclosure structure on the roof will extend the height of the structure to 54 feet above Ocean Front Walk (Exhibit #4).

Coastal Development Permit 5-94-074 was approved with conditions by the Commission on May 12, 1994 (Exhibit #9). The permit cannot be issued until a deed restriction required by special condition one is recorded. The first one-year permit extension was granted by the Executive Director in 1996. The permit extension was determined by the Executive Director to be an immaterial permit extension 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 first extension request in 1996 was not objected to.

This, the second 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 May 6, 1997. On May 12, 1997, a letter from Paul Resnick objecting to the construction of the proposed project was received in the Commission's Long Beach office (Exhibit #6). On May 13, 1997, a second objection letter was received from James Arrington (Exhibit #7). A third objection letter from Esther Lynn was received on May 16, 1997 (Exhibit #8).

B. Grounds for Objection

On April 18, 1997, the applicant submitted an application to extend Coastal Development Permit 5-91-007 for a new one-year term. On May 6, 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. Three objection letters were received within the ten working day period in which an objection could be submitted to the Commission (Exhibits #6-8).

On May 12, 1997, a letter was received from Paul Resnick objecting to the construction of the proposed project (Exhibit #6). The objection letter states that the proposed project will burden the local neighborhood, add to the already overburdened traffic situation, and block ocean views and sunlight.

James Arrington's objection letter, received on May 13, 1997, states that the proposed project should not have been granted the hardship exemption, density bonus, and variances from building standards which it has received from both the City of Los Angeles and the Commission (Exhibit #7). The letter also states that the proposed project will destroy ocean views, eliminate a community parking supply, become a flood and safety hazard.

The objection letter from Esther Lynn, received on May 16, 1997, simply requests that the permit not be extended (Exhibit #8).

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 objectors have not specified any changed circumstances that could affect the consistency of the proposed development with the Coastal Act. The objectors state 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 four-story, 54 foot high low income senior citizen apartment building conforms to the Chapter 3 Policies of the Coastal Act and previous Commission actions.

Staff has reviewed the applicant's 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.

D. Project History

The site of the proposed project has a long and complicated history. The proposed project is situated on ten commercially zoned lots which occupy the entire block between Ocean Front Walk, Navy Street, Ozone Avenue, and Speedway, the rear alley (Exhibit #2). Ocean Front Walk is a popular commercial and residential pedestrian street on the beachfront which attracts many tourists and day visitors. The public beach and a public beach parking lot are located across Ocean Front Walk in front of the site.

The immediate neighborhood has long been popular for elderly persons living on fixed incomes because of the numerous old hotels which have been converted to affordable residential units. The displacement of the low income elderly population by newer development has long been an issue of local importance.

The Commission has taken several actions affecting the site beginning in the early 1980's. All of the previous Commission actions have addressed the following planning issues: 1) land use, 2) coastal access, 3) replacement parking, 4) parking demand, 5) building density, 6) building height, and 7) low income and senior housing.

The earliest Commission records show that in 1980 the site was being used as a parking lot providing one hundred parking spaces for use by area residents and visitors. On June 1, 1981, the Commission acted on, and approved with conditions, Coastal Development Permit P-81-7755 (Safran) for the demolition of a one hundred space parking lot and the construction of a 46 foot high mixed-use project consisting of fourteen market rate residential condominium units, twelve low and moderate income residential units, one resident manager unit, and 2,100 square feet of commercial space. A total of fifty parking spaces were to be provided on-site for the approved uses. The Commission granted the project a sixteen foot height incentive (over the Commission's Interpretive Guideline height limit of thirty feet) for the provision of the twelve low and moderate income residential units. However, the applicant (Safran) did not undertake the development approved in Coastal Development Permit P-81-7755. The site continued to be used as a parking lot.

On January 22, 1982, the Commission approved with conditions a revised project for the site in Coastal Development Permit 5-82-253 (Safran), also referred to as Appeal No. 173-81 (Safran). The revised project consisted of the demolition of the one hundred space parking lot and the construction of a three-story commercial building with commercial retail uses on the ground floor, offices on the second and third floor, and one residential unit also located on the third floor. As required by the Commission, two subterranean levels of the structure were to provide 160 parking spaces. The 160 parking spaces would have provided replacement parking for the demolished parking lot, and parking for the approved uses on the site. The Commission also required the first floor of the structure to be utilized for visitor-serving commercial retail uses.

Coastal Development Permit 5-82-253 (Safran) was amended in 1983 to allow a different architectural design, add an additional residential unit, and to modify the parking arrangements to increase the amount of parking provided in the structure. However, this project was not built, and the permit lapsed.

On December 17, 1985, the Commission approved with conditions Coastal Development Permit 5-85-701 (Safran) for the demolition of the one hundred space parking lot and the construction of a 56 foot high mixed-use building with 35 market rate residential condominium units, 21 low income senior residential units, one resident manager unit, and 4,600 square feet of ground floor commercial space. A total of 144 parking spaces were to be provided on-site for replacement parking and the approved uses on the site. The applicant did not undertake the approved development, and in 1988 the Commission denied an extension request for Coastal Development Permit 5-85-701

(Safran) due to changed circumstances in regards to the local LCP planning process.

The Commission again acted on an application for development of the site in 1990. On March 13, 1990, the Commission approved with conditions Coastal Development Permit 5-89-1001 (Safran) for the demolition of the one hundred space parking lot and the construction of five thirty foot high duplexes, each with a four-car garage. As a condition of approval, the Commission required the applicant to pay an in lieu fee of \$108,000 to the Venice Coastal Parking Impact Fund in order to mitigate the loss of public parking opportunities which would result from the demolition of the one hundred space parking lot on the site. Once again, the applicant did not undertake the approved development, and Coastal Development Permit 5-89-1001 (Safran) lapsed in 1993.

Then in 1994, the currently approved project came before the Commission on appeal, A-5-VEN-94-074 (Safran). On May 12, 1994, the Commission approved on appeal Coastal Development Permit 5-94-074 for the construction of a 45 foot high, 64 unit apartment building for very low and lower income senior citizens. In 1994, the project received several approvals from the local government including: 1) Local Coastal Development Permit No. 93-001; 2) Project Permit No. ZA 93-0084-PP pursuant to Venice Interim Control Ordinance No. 169,239; 3) Hardship Exemption No. CPC 93-0020 ICO for exemption from the requirements of Venice Interim Control Ordinance No. 169,239 to allow a building height of 45 feet instead of thirty feet, 64 units instead of thirty, a lot tie exemption, a zero foot setback from Ocean Front Walk instead of five feet, a one foot setback from Navy Street instead of five feet, a one foot setback from Ozone Avenue instead of five feet, and 37 parking spaces instead of 145; 4) zoning code variances for the front, rear and side yard setbacks, and parking requirements; and 5) Density Bonus No. CPC 93-0239 DB allowing 33 additional dwelling units (for a total of 64 units). The local approvals are conditional upon the provision of housing for very low and low income senior citizens and handicapped persons.

In its approval of Coastal Development Permit 5-94-074, the Commission addressed the issues contained in the objectors' letters including: elimination of the parking currently provided on the site, allowing reduced parking requirements for low income senior citizens, height and density bonuses for low income senior housing, and impacts on private and public ocean views. The Commission addressed the previously stated issues in the original approval and found that the proposed four-story, 54 foot high low income senior citizen apartment building conforms to the Chapter 3 Policies of the Coastal Act and previous Commission actions.

In March of 1997, the Coastal Development Permit was transferred from the original applicant, Safran, to the new property owners, Venice Senior Housing Corporation (see File No. T-5-94-74). The Venice Senior Housing Corporation is the permittee now before the Commission requesting a one-year permit extension.

Staff visited the site on June 3, 1997 and observed that the site of the proposed project continues to be used as a parking lot.

Finally, 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.

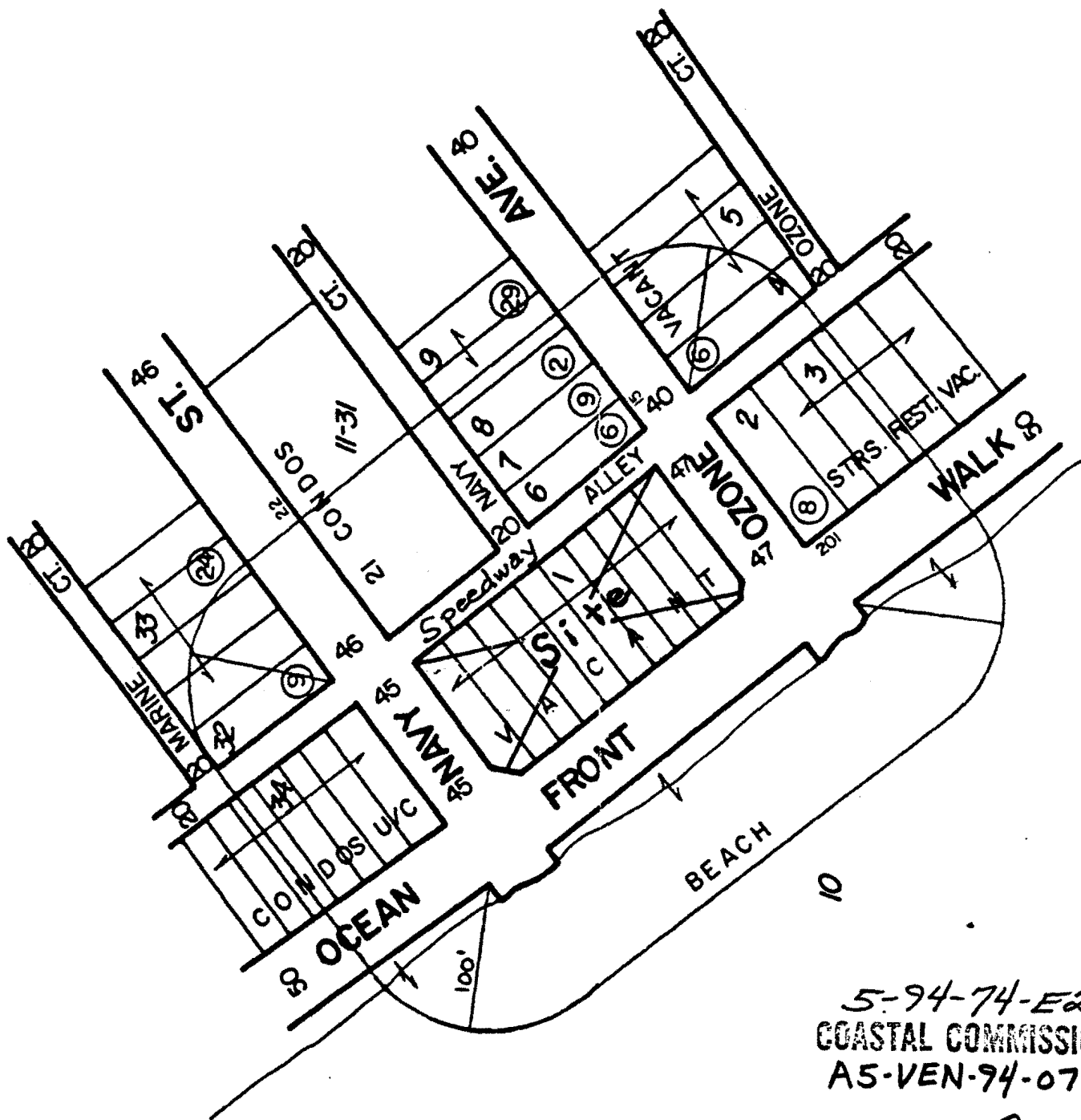
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Site

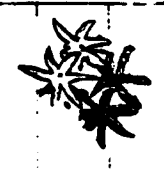
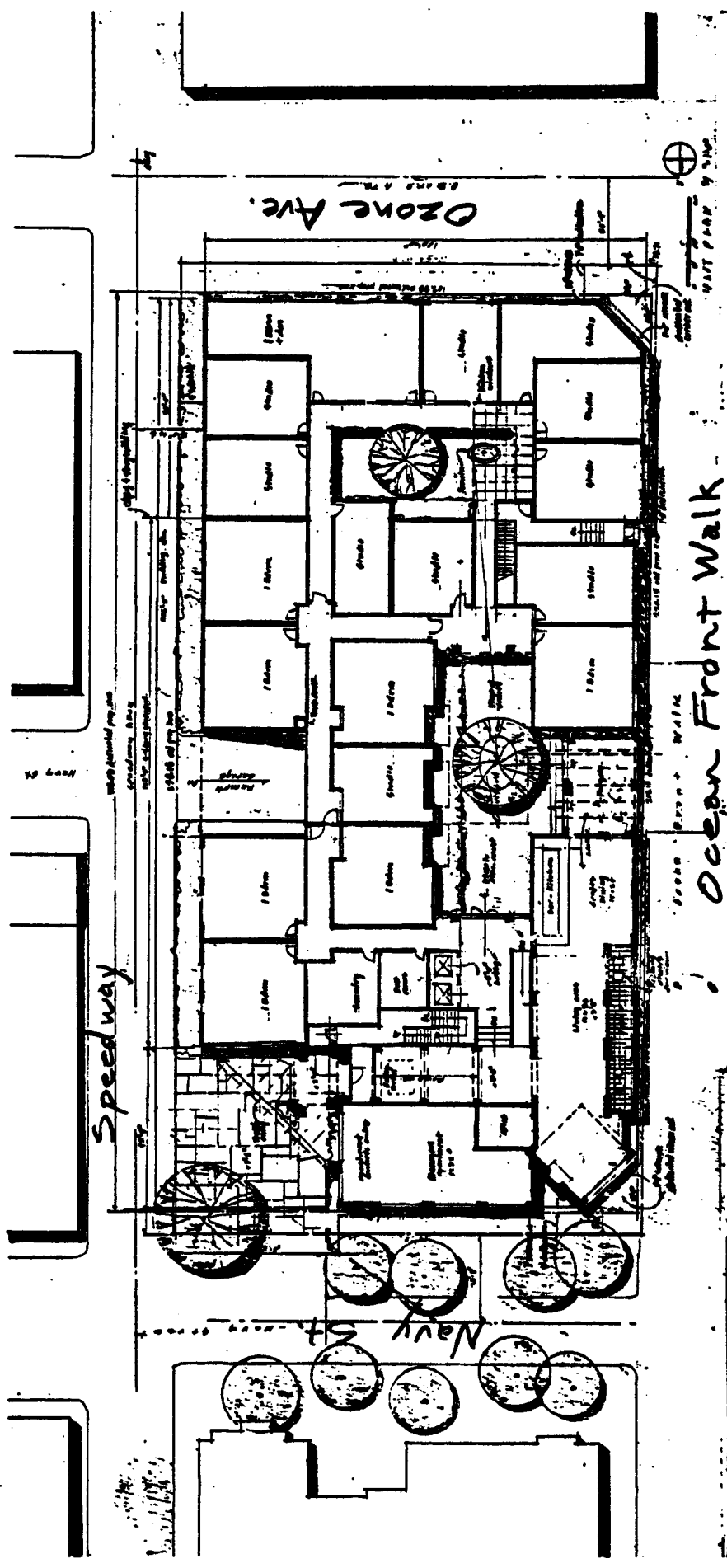
5-94-74-E2
COASTAL COMMISSION
A5-VEN-94-074

EXHIBIT # 1
PAGE 1 OF 1



5-94-74-E2
 COASTAL COMMISSION
 A5-VEN-94-074

EXHIBIT # 2
 PAGE 1 OF 1



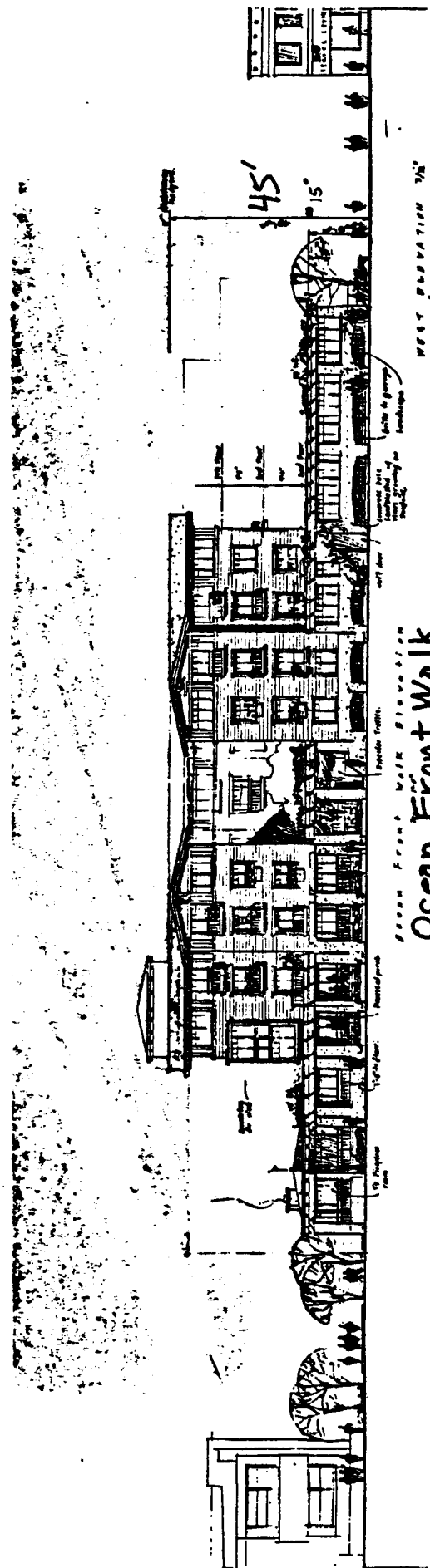
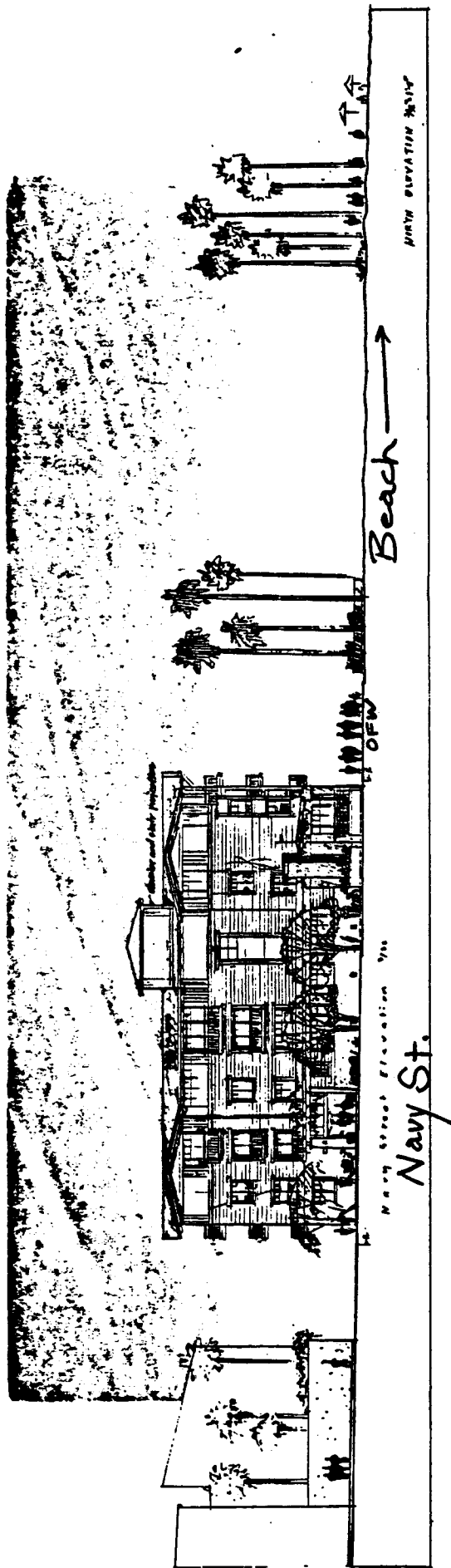
Site Plan
 COASTAL COMMISSION
 A5-VEN-94-074

VENICE
 DESIGN SERVICES
 4000
 1000
 4000

GIANNETTI
 ARCHITECTS
 4000
 1000
 4000

EXHIBIT # 3
 PAGE 1 OF 1

Beach



Elevations

COASTAL COMMISSION
AS-VEN-94-074

EXHIBIT # 4
PAGE 1 OF 1

VENICE
SENIOR HOUSING
DEVELOPER
THOMAS SARANT
& ASSOCIATES

GIANNETTI
ARCHITECTS
11221
BROADWAY
SUNSHINE

5-94-74-E2
COASTAL COMMISSION
A5-VEEN-94-074

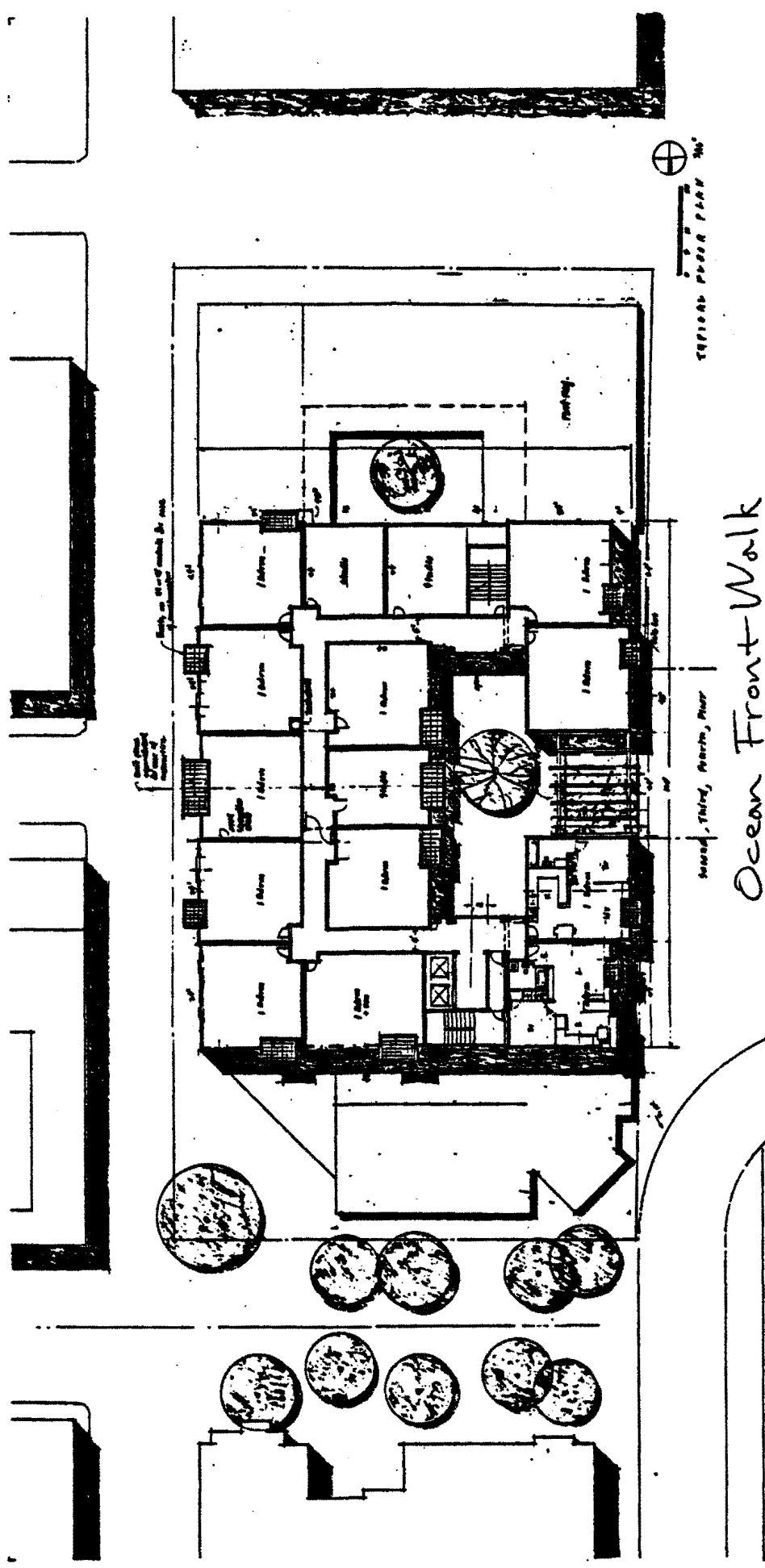
EXHIBIT # 5
PAGE 1 OF 1

2nd, 3rd
d 4th
Floors

~~RECEIVED~~

APR 20 1994

**CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT**



RESNICK

9952 SANTA MONICA BLVD., BEVERLY HILLS, CA 90212

May 7, 1997

RECEIVED
MAY 12 1997

CALIFORNIA
COASTAL COMMISSION

California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302

RE: 151 - 187 Ocean Front Walk, Venice, Los Angeles County

Gentlemen:

I have received your notice dated May 6, 1997 regarding the Venice Senior Housing Corporation proposed project.

I am the owner of 11 Navy Street, and I wish to file an objection to the construction of this proposed 4-story, 45 ft. high, 64-unit building with 37 parking spaces. I believe construction of this building would put an unbelievably high burden on the local neighborhood, and would add to the already over burdened traffic situation.

Additionally, a 45 ft. high building would not only block any view which is left of the ocean in this general vicinity, but would block the sun to the extent it would keep the street relatively sunless from mid afternoon through sunset

Sincerely,


Paul Resnick.

COASTAL COMMISSION

5-94-074-E2

EXHIBIT # 6

PAGE 1 OF 1

May 11, 1997

RECEIVED
MAY 13 1997

Peter M. Douglas
Executive Director
California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302

CALIFORNIA
COASTAL COMMISSION

Dear Mr. Douglas:

This is in reference to your letter of May 6th, giving concerned property owners in the effected area of your permit No. 5-94-074, a chance to register concerns about the impact of the proposed project on the local community.

For many years, The Coastal Commission and the City of Los Angeles, have faithfully notified me of various plans for the development of 151-187 Ocean Front Walk. It is my firm belief, that the owner of this property, should be allowed to develop it, within the confines of existing zoning regulations. Buyers of surrounding real-estate, made their decisions based on that information. When a project is allowed, that does not conform, it injures the trust, we citizens have with our government. I agree, however, in a few instances, there are needs so compelling, with benefits so obvious to the general community that variances are in order. Only then, should these protective zoning regulations be waived. In my opinion, this level of "need", in this case, has not been met. Therefore, I must respectfully OBJECT to the project as proposed by Venice Senior Housing Corporation (VSHC).

The developer and the California Coastal Commission are to be commended, for trying to make it possible, that low income seniors might live at the beach. But to do so, as I understand the concept, it is necessary for government to play a major role, with taxpayer funds now and for the life of the project. Who can predict the future ramifications, brought on by changing spending priorities, by the electorate on this project?

Following is an outline of additional reasons, I believe this building should not go ahead as proposed:

1) OCEAN VIEW. Anything constructed between 15 Ozone, 22 Navy (where I live) and the ocean will destroy the views of all living in these buildings. The right to build is not being challenged here. It is only being brought up to illustrate the point that priorities do change. Wasn't it the California Coastal Commission that championed the protection of ocean views only 20 years ago? 2) PARKING. There is little doubt, that the most critical need in Venice North Beach, is adequate parking. Venice was developed before the automobile assumed it's present importance. In fact, boats were used for transportation. Large buildings were constructed with little or no thought about parking cars. When Navy Estates was built in 1973-74, the City and your Commission made sure that this project had an abundance of parking: two spaces for each unit. So strict were these restrictions that the living area covers only about 38% of the plot. The balance is committed to the parking structure, a garage and pool area. The proposed structure would have 3 times the number of units, with only 88% of the parking as Navy Estates. I believe that the VSHC project covers only one more lot

COASTAL COMMISSION

5-94-074-E2

EXHIBIT # 7


PAGE 1 OF 2

than does Navy Estates. As you know, the property is, and has been for many many years, a parking lot. Local residents use it on a daily basis. In fact, there were 74 cars parked in the lot at 8:15 AM yesterday (a Saturday). That is almost full capacity! Where will these people park in the future? As it is today, probably, the most productive of City employees are those in Parking Enforcement. What are the parking ramifications, if this project is ever converted to regular apartments? 3) FLOODING. Every time it rains, for more than a day, the intersection of Speedway and Navy Ct becomes filled with water. This is probably due to the inability of the storm drains to do their job. This water, gradually flows across the VSHC lot on it's way to the ocean. How much flooding can we expect when this water cannot pass, and is joined by the runoff from the roof of the VSHC building? How much water will find its way into their underground parking from this runoff, and what is the ground water level there? 4) SAFETY. To be economically viable, the developers are proposing a building with a very large footprint. It goes from property line to property line, I have been told. At 45 feet tall, most of the sunlight will be blocked from the buildings across Speedway, especially those at 15 Ozone. Another potential problem is at the corner of Navy St and Ocean Front Walk. Fire engines have difficulty turning there now. What will happen when there is a building in the way? Furthermore, Venice Beach is vulnerable to severe earthquake damage, due to the sandy fill nature of the ground. This particular location was once a landmark bathhouse. Presumably, the fill and danger there is especially acute.

As a property owner at Navy Estates since 1974, and a senior, with almost no view to protect, I thank you for the opportunity to express my views.

Don't you believe that if the proposed project were indeed viable, it would have been built many years ago.

Sincerely,


James Arrington
22 Navy St, unit 101
Venice, CA 90291
(310) 399-8676

COASTAL COMMISSION

594-074-E2

EXHIBIT # 7

PAGE 2 OF 2

- Coastal Com: 5-13-97

Re: Permit # 5-94-074
for 151-187 Ocean Front Walk
Venice, Ca.

Do Not Extend the permit

RECEIVED
MAY 16 1997
CALIFORNIA
COASTAL COMMISSION

Mrs. Esther Lynn
3166 Sepulveda Rd
LA Ca 90034

Please inform me of the
hearing (re: denying the
request for a 1 yr ex-
tention) at the above
address.

COASTAL COMMISSION
594-074-E2

EXHIBIT # 8
PAGE 1 OF 1