

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Filed: 8/20/98
49th Day: 10/8/98
180th Day: 2/16/99
Staff: Padilla-LB
Staff Report: 9/18/98
Hearing Date: 10/13-16/98
Commission Action:

**STAFF REPORT: CONSENT CALENDAR**

APPLICATION NUMBER: 5-98-344

APPLICANT: Loyola Marymount

AGENT: Tomas Osinski

PROJECT LOCATION: Parcel #BB, Fiji Way, Marina del Rey, Los Angeles County

PROJECT DESCRIPTION: Remove existing 3,600 square foot, 13 foot high, moored floating barge (boathouse) and replace with a 4,324 square foot, 15 foot high, floating barge (boathouse with 1,260 square foot roof deck, locker room, showers, bathroom, office, and kitchenette)

Lot Area: 11,706 sq. ft.
Building Coverage:
Parking Spaces: N/A
Zoning: Water Parcel
Ht above waterline: 3.5 to 12.5 feet

LOCAL APPROVALS RECEIVED: County of Los Angeles Regional Planning Approval in concept.

SUBSTANTIVE FILE DOCUMENTS: Marina del Rey certified LCP.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the proposed project with no Special Conditions.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval

The Commission hereby GRANTS a permit for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, 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, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions:

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.

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.

Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.

Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.

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.

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: None

IV. Findings and Declarations:

The Commission hereby finds and declares:

A. Project Description and Location

The applicant proposes to remove an existing 3,600 square foot, 13 foot high, moored floating barge (boathouse) and replace it with a 4,324 square foot, 15 foot high, floating barge (boathouse) with 1,260 square foot roof deck, locker room, showers, bathroom, office, and kitchenette.

The existing barge provides an enclosed area for the storage of boats (rowing hulls), training area, bathroom, showers, lockers, and an open deck atop the boathouse.

The proposed site is located off of Fiji Way in Marina del Rey in the County of Los Angeles. The proposed site is situated entirely within the waters of the Marina on a parcel (#BB) designated as a Water Category parcel in the certified LCP. The area is designated as the Fisherman Village Development Zone in the certified LCP. Surrounding development includes Fisherman Village to the west, the eastern portion of Fisherman's Village surface parking lot to the south, and a marine commercial facility to the east.

The exiting moored floating barge is used by Loyola Marymount University (LMU) as a boathouse for storing boats (hulls) for the University's rowing program. The University has been using this water parcel for storing their boats since approximately 1966.

The certified LCP allows boathouses, rowing clubs and facilities associated with crew racing as a conditional use. At the time the boathouse was installed, in approximately 1966, the County did not require conditional use permits for such uses so the County has no permit on record for the use.

The LMU rowing facility is one of two rowing facilities maintained within Marina del Rey. The other rowing facility is operated by the University of California at Los Angeles (UCLA). The UCLA boathouse, however, is located on dry land. The UCLA's facility has a ramp and dock on the water in which to launch boats. All other ancillary facilities are located on dry land.

The proposed project is entirely within the Marina's waters. The Marina's waters are within the Commission's original jurisdiction. The Commission retains permit authority for all development in the Commission's original jurisdiction and all Coastal Development permits must be issued by the Commission. The standard of review is the Chapter 3 policies of the Coastal Act. The certified LCP provides guidance to the Commission on whether projects in the area of original jurisdiction are consistent with the Coastal Act.

The applicant was before the Commission in July 1997 with a similar project. In July the applicant was requesting approval for a replacement barge of 4,480 square feet and 25 feet in height. The Commission denied the project because the project was inconsistent with the LCP's 15 foot height limit for development on the water, and due to the project's adverse impacts to the visual resources of the Marina and to public access. The applicant has revised the proposed replacement barge by reducing the square footage and lowering the height.

B. Visual Impacts

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30253 states that new development shall:

(5) where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

The proposed project is located on the water within the Marina, adjacent to and east of the Marina's visitor-serving Fisherman's Village and directly seaward from the Village's easternmost surface parking lot. Fisherman's Village is a popular visitor-serving destination. Fisherman's Village offers gift and specialty shops, service concessions (i.e., boat rentals, sport fishing), food and drink establishments and full service restaurants.

The Land Use category for the project site is designated Water in the LCP. The LCP provides that the height of development located on parcels designated as Water parcels is limited to 15 feet above the water surface.

The applicant proposes to replace the existing barge, used for the storage of boats, with a new larger barge. The existing barge measures approximately 11 feet in height from the waterline to the top of the roof. Since the barge floats atop the water, the height, as measured from the Marina's bulkhead, varies depending on the tide. The existing barge rises from a minimum of approximately 1 foot to a maximum of 10 feet above the Marina's bulkhead. The new proposed barge will measure 15 feet in height from the waterline to the top of the roof. Depending on the tide, the roof of the proposed 15 foot high barge will rise from a minimum of approximately 5 feet to a maximum of approximately 14 feet above the Marina's bulkhead.

A pedestrian promenade runs atop the Marina's 10 foot high bulkhead. The promenade extends from the eastern end of the subject parcel to the western end of Fisherman's Village, a distance of approximately 100 feet. The promenade provides the only public pedestrian access and marina viewing opportunities along the entire length of Fiji Way from Admiralty Way to the terminus of Fiji Way, a distance of approximately 3,400 feet. Because this area provides the only public walkway for the public to enjoy the scenic views of the harbor and boating related elements, the preservation of the views in this area is paramount.

One of the major issues the Commission dealt with in certifying the LCP was development height and the protection of public views of the marina. To protect views of the harbor the LCP provides height standards for waterside and landside development. The Commission approved building heights that varied from 25-75 feet for landside lots along the waterfront to 225 feet for specific lots located further away from the waterfront. The heights of development depended on the provision of view corridors to the water by the development through the development's property. The size of the view corridors was based on a complicated formula. The view corridors varied from twenty percent up to forty percent of the parcel's water frontage, depending on the height of the development. The view corridors ensure that views of the Marina are enhanced, preserved and protected.

To ensure that views of the marina's waters and scenic resources were further protected and preserved the LCP limits the height of development built on the water (designated as Water category parcels in the LCP), to a maximum height of 15 feet. The 15 foot height limit maintains a low profile for water dependent structures, such as boating-related equipment storage structures, bait shops, and other marine commercial buildings and protects public views of the marina's scenic resources from areas such as public walkways located atop the bulkhead and surrounding streets.

Currently, the Marina contains no structures higher than 15 feet above the water line. With the 10 foot high bulkhead, structures built to the maximum height of 15 feet, as measured from the waterline, would rise approximately a minimum of 5 feet to maximum of 14 feet above the height of the bulkhead, depending on the tide. The proposed project, which will measure 15 feet from the waterline to the top of the roof, will rise 3.5 feet to 12.5 feet above the Marina's bulkhead.

As proposed, the project is consistent with the LCP height limit for water category parcels and with existing development on water category parcels. Furthermore, as proposed, the project will not adversely impact views of the Marina. The Commission, therefore, finds that the proposed project is consistent with the visual resource protection policies of the Coastal Act and with the County's Local Coastal Program.

C. Parking

Section 30252 of the Coastal Act states in part:

The location and amount of new development should maintain and enhance public access to the coast by ... (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation....

The existing barge measures 3,600 square feet in area. The proposed barge will be 724 square feet larger than the existing barge or a total of 4,324 square feet.

According to the applicant the current occupancy of the rowing facility is three coaches and thirty-one students. The applicant has stated that the number of coaches and students will remain the same and that the increase in square footage will not increase the occupancy of the barge.

As with the existing barge the new barge will contain, office, lockers, kitchenette, and boat storage room.

Currently, the students and coaches use public parking lot (W), which provides 483 parking spaces for use by Fisherman's Village, Shanghai Reds (a restaurant adjacent to Fisherman's Village), and the currently vacant parcel 55. According to the County, LMU is allocated one bus parking space within the parking lot. Since the proposed project is keeping the same type of use on the barge and will not increase the current capacity the proposed project will not adversely impact public access and is consistent with Section 30252 of the Coastal Act.

D. Local Coastal Program

Section 30604(a) of the Coastal Act states:

(a) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with Chapter 3 (commencing with Section 30200) and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 (commencing with Section 30200). A denial of a coastal development permit on grounds it would prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for that conclusion.

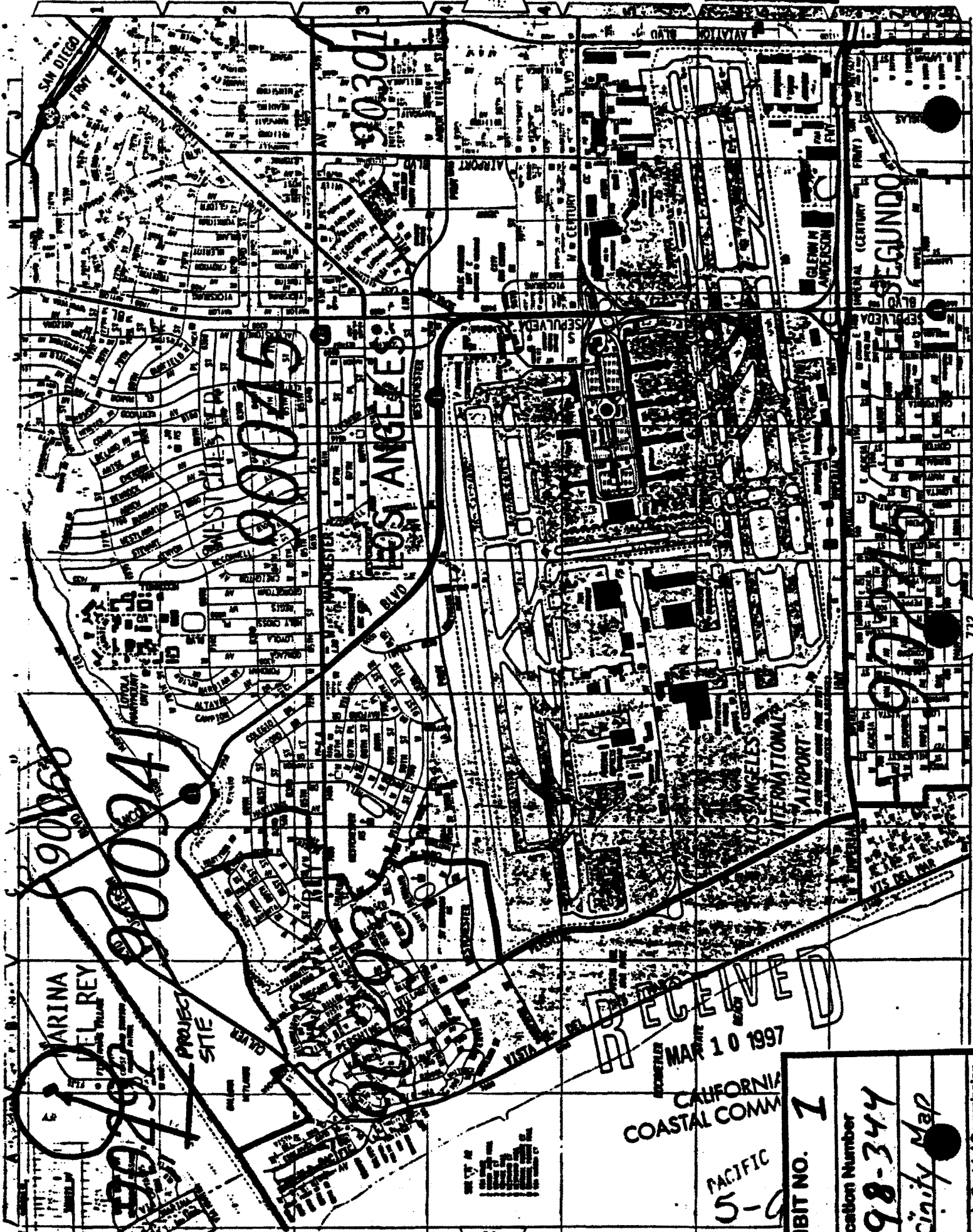
On May 10, 1995, the Commission certified, with suggested modifications, the local Coastal Program for the Marina del Rey area of the County of Los Angeles. The certified LCP contains policies to guide the types, locations and intensity of future development in the Marina del Rey area of the coastal zone. Among these policies are those specified in the preceding section regarding public visual resources. The proposed project is consistent with all relevant policies of the LUP regarding visual impacts and access impacts.

E. CEQA

Section 13096 (a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as

conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5 (d) (2) (A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effects that the activity may have on the environment.

There are no negative impacts caused by the proposed development that have not been adequately mitigated. Therefore, the Executive Director determines that the proposed project is consistent with the requirements of the Coastal Act to conform to CEQA.

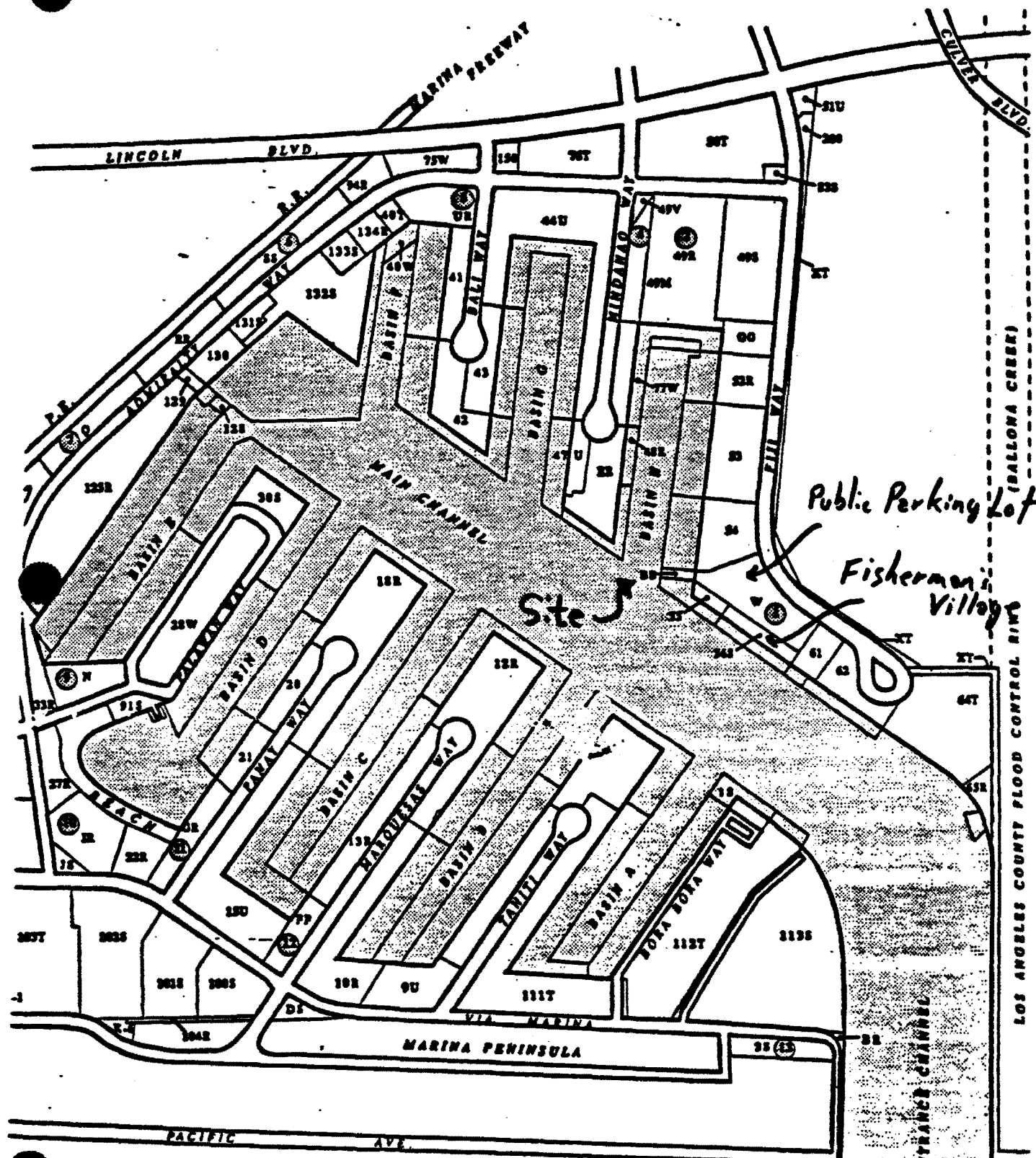


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CALIFORNIA
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EXHIBIT NO. 1
Application Number 5-98-344
Vicinity Map






PUBLIC PARKING LOT NUMBERS

ANGELES COUNTY
T OF DEACHER & MADRONE

EXHIBIT NO. 2
APPLICATION NO.
5-98-344
Parcel Location
In Marina

EXISTING SHORELINE ACCESS

MAP 3

-  OPEN TO PUBLIC (PRIVATE LEASEHOLD)
-  OPEN TO PUBLIC (COUNTY LEASEHOLD)
-  RESTRICTED ACCESS

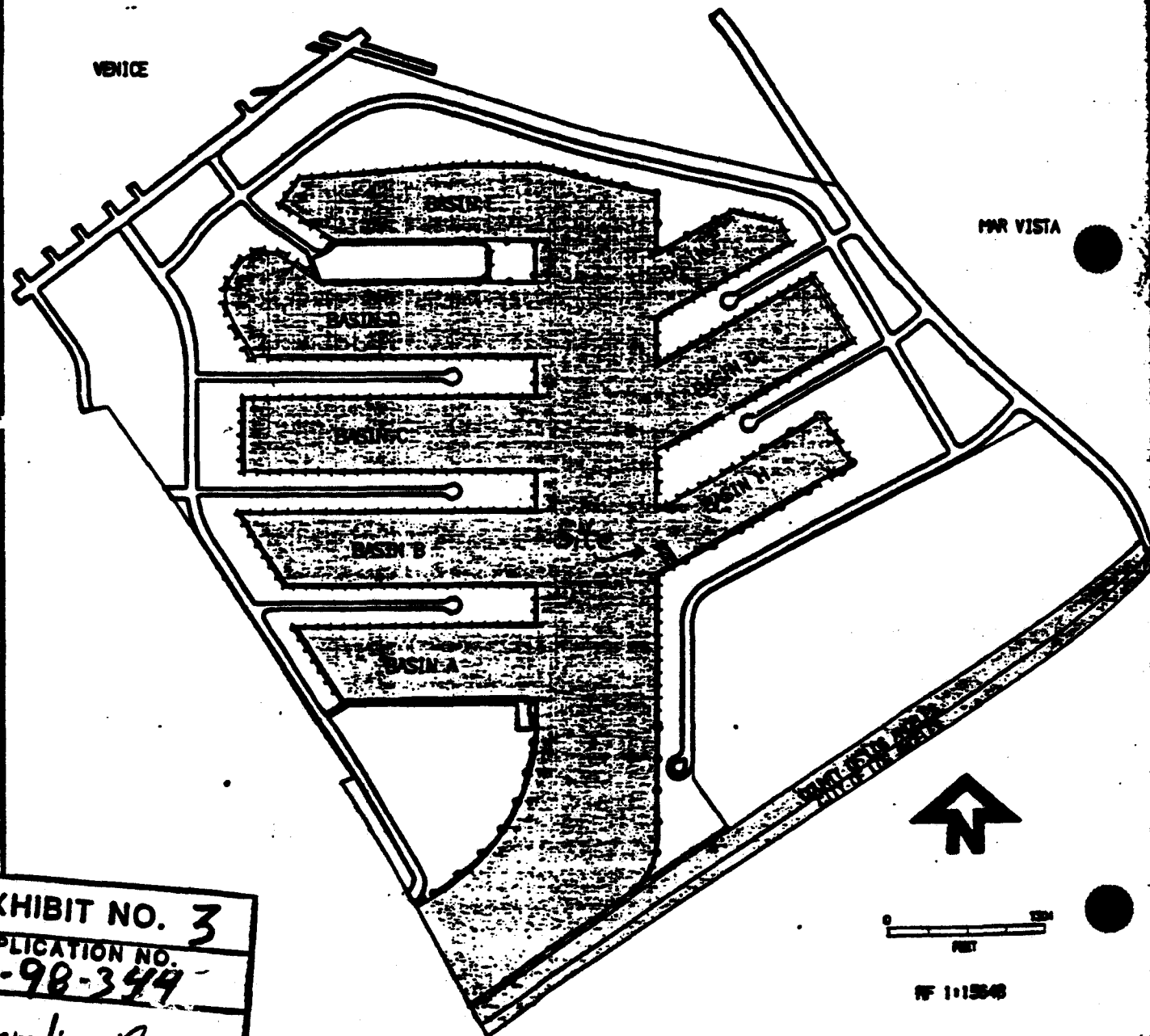
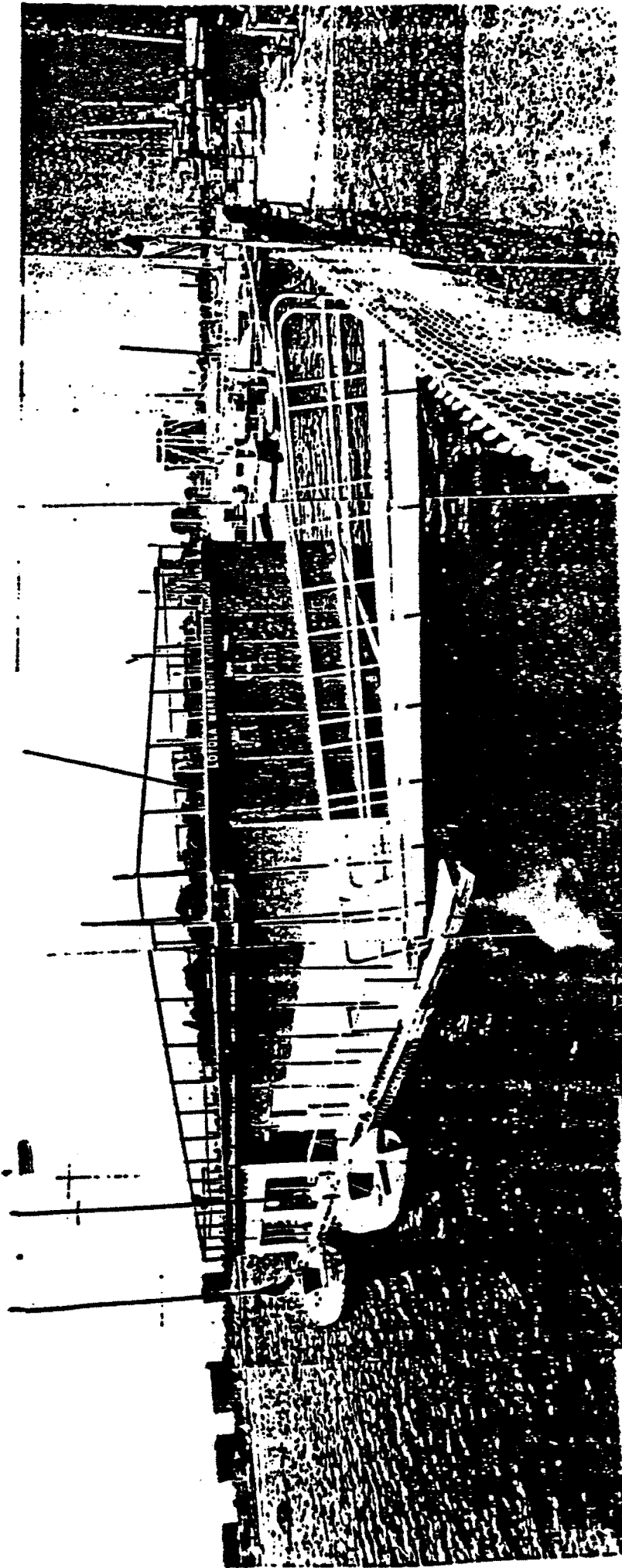


EXHIBIT NO. 3
APPLICATION NO.
5-98-344
Shoreline Access
California Coastal Commission

LOCAL COASTAL PROGRAM



EXISTING

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COASTAL COMMISSION

EXHIBIT NO. 4

Application Number

5-98-344

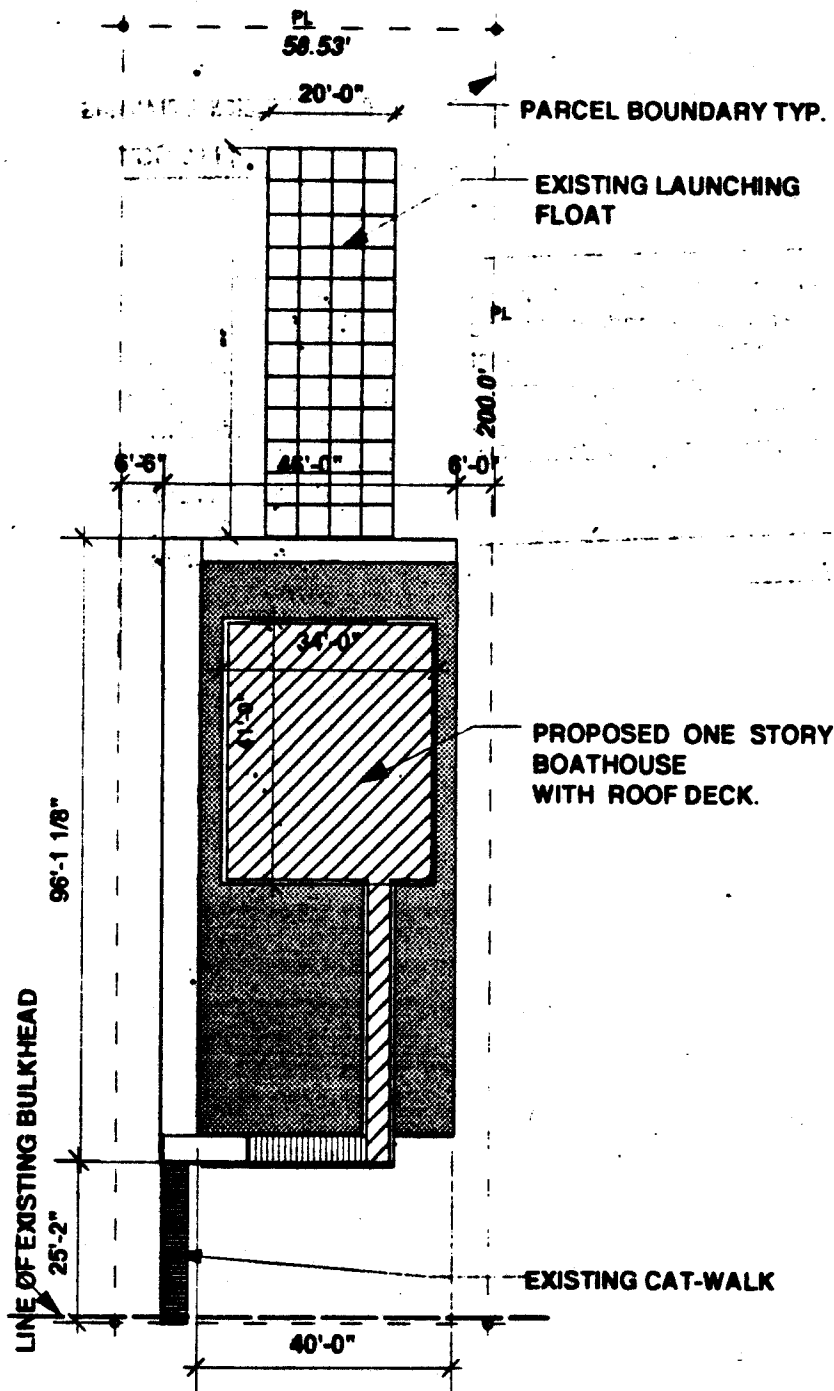
Photo of Existing

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California Coastal Commission

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SOUTH COASTAL

EXHIBIT NO. 5
Application Number 5-98-344
Boathouse Plot Plan
California Coastal Commission



PLOT PLAN - PROPOSED
SCALE 1" = 20'

South Coast District

APPROVED
Permit No.

5-98

By:

EFFECTIVE

LOYOLA MARYMOUNT UNIVERSITY
ROWING TEAM BOATHOUSE - MARINA

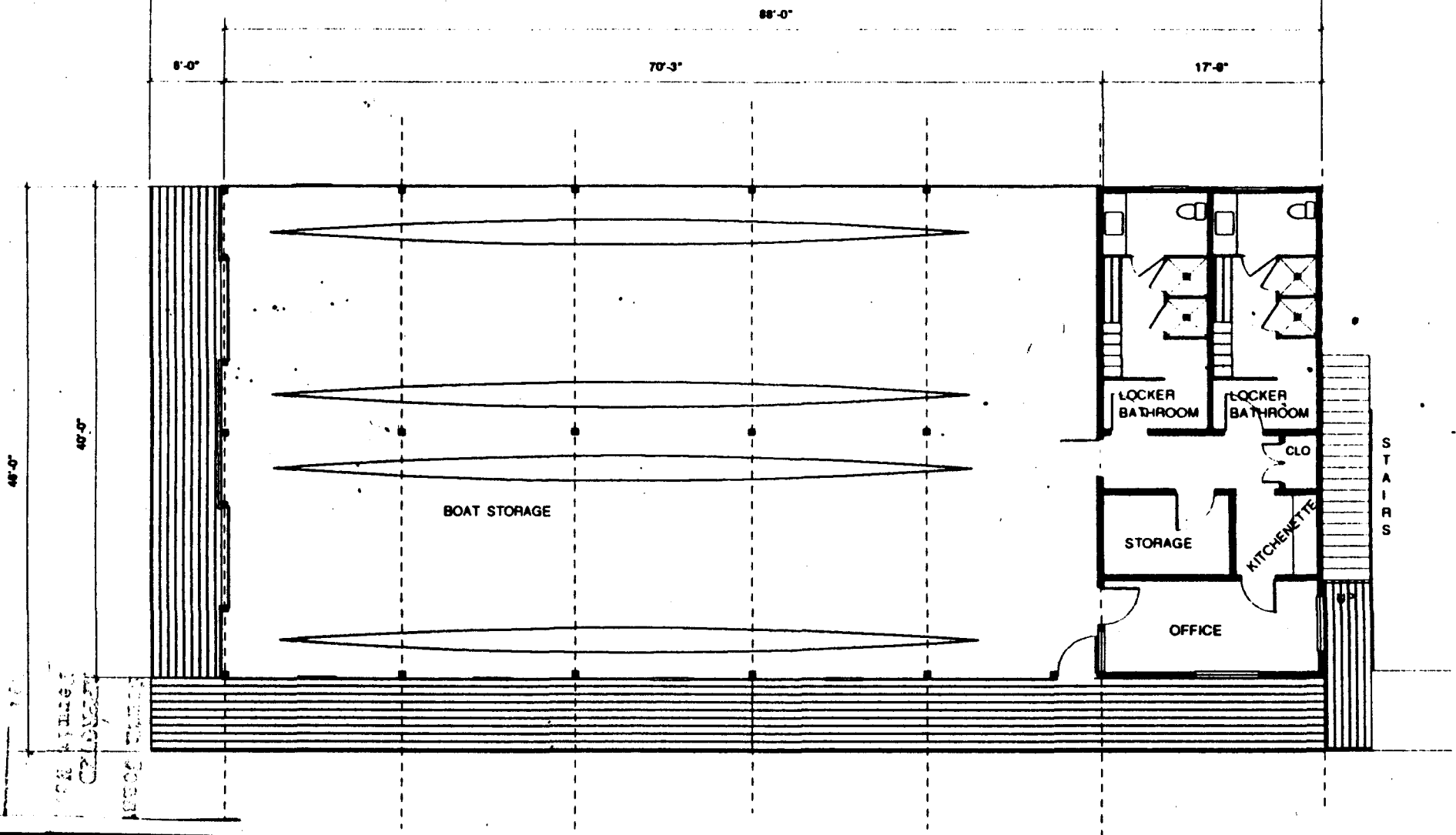
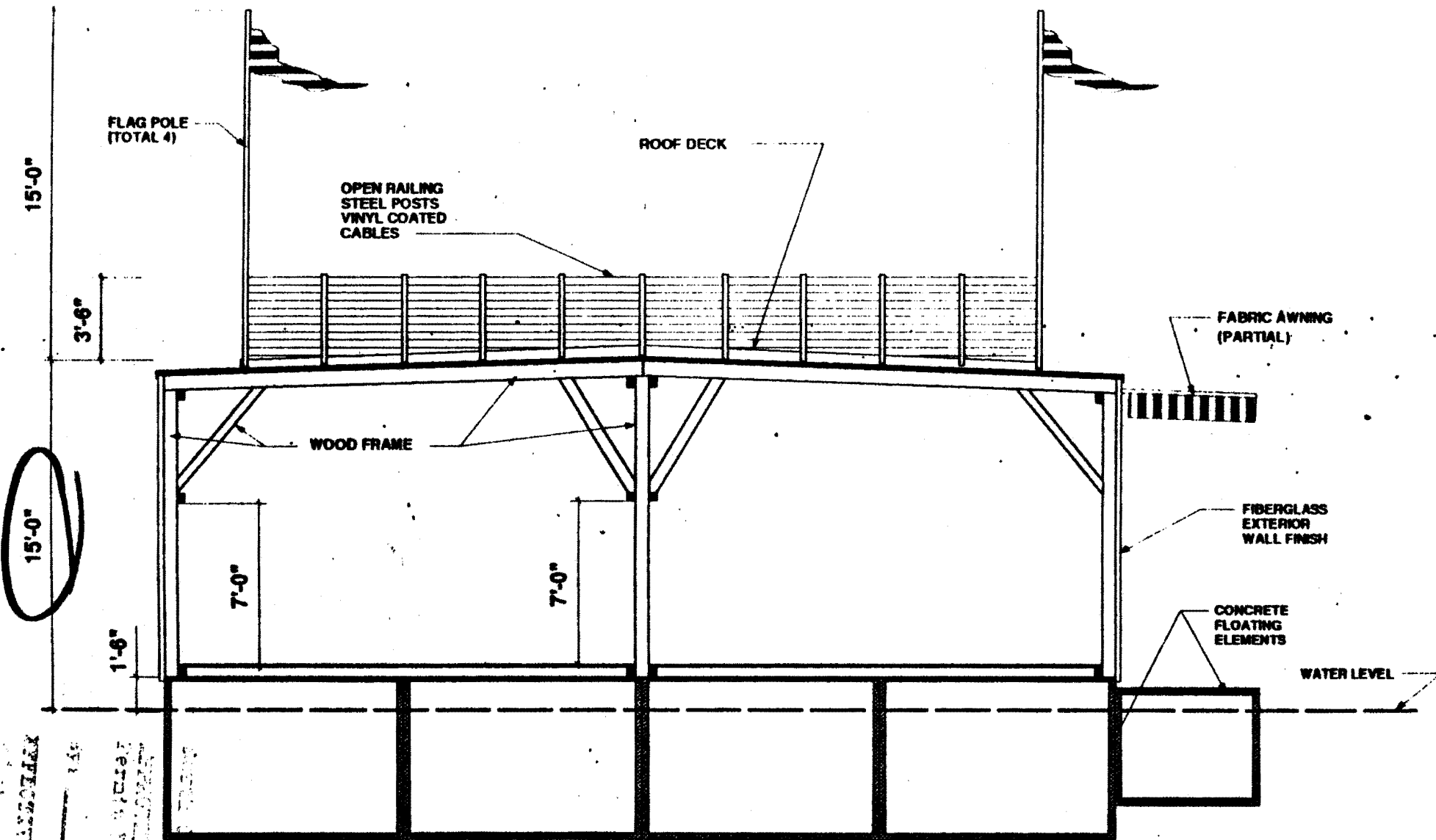


EXHIBIT NO. 6
Application Number 5-98-344
<i>Floor Plan</i>
California Coastal Commission

FLOOR PLAN SCALE: 3/16" = 1'-0"

LOYOLA MARYMOUNT UNIVERSITY ROWING TEAM BOATHOUSE - MARINA



SECTION

SCALE 3/8" = 1'-0"

EXHIBIT NO. 7

Application Number

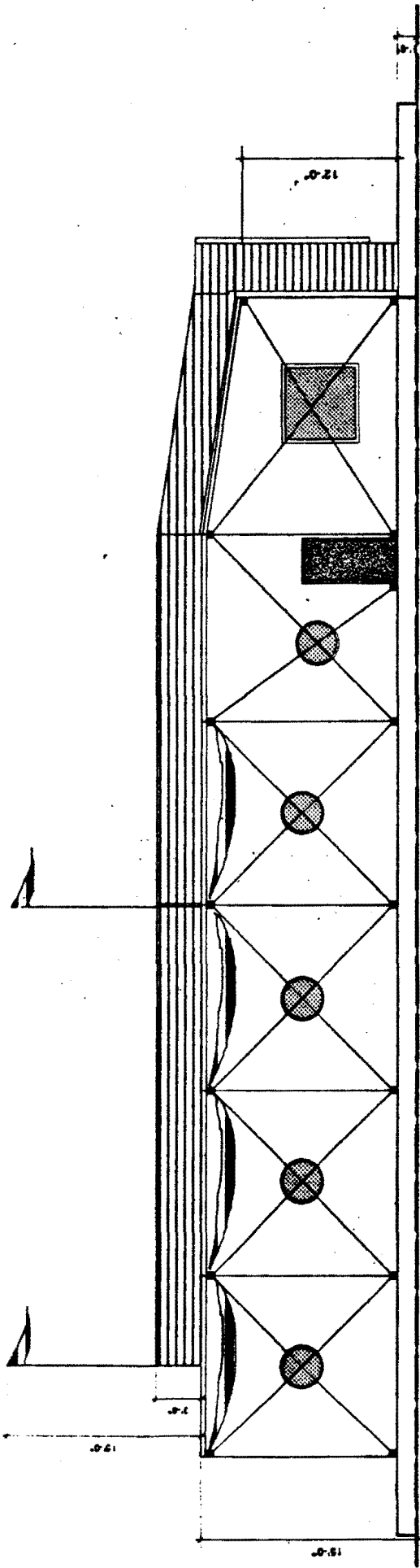
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Section

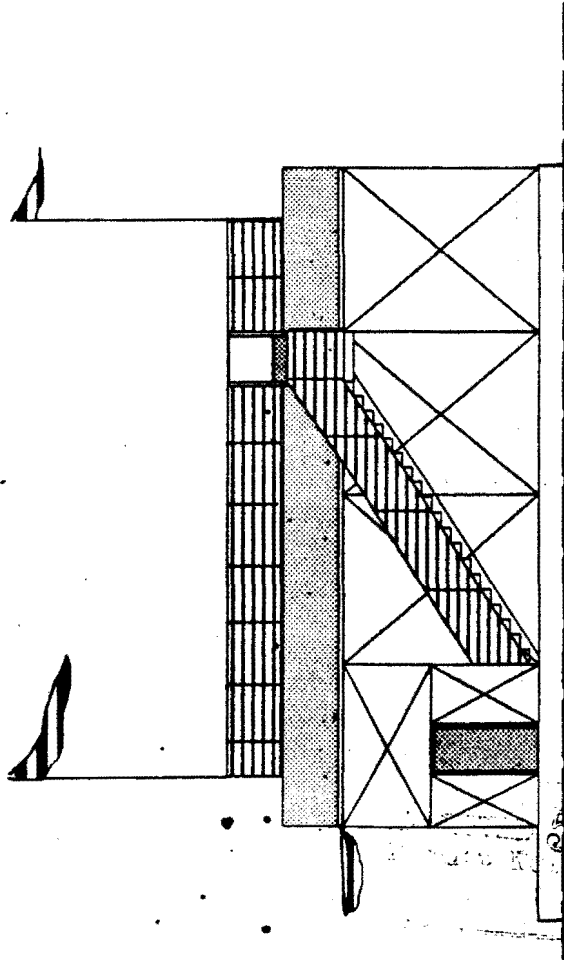
California Coastal Commission

LOYOLA MARYMOUNT UNIVERSITY

ROWING TEAM BOATHOUSE - MARINA



SIDE ELEVATION



FRONT ELEVATION

EXHIBIT NO. 8
Application Number
5-98-344
Elevations
California Coastal Commission

LOYOLA MARYMOUNT UNIVERSITY ROWING TEAM BOATHOUSE - MARINA

