

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Filed: 12/5/97
49th Day: 1/23/98
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Staff: CP-LB
Staff Report: 1/8/98
Hearing Date: Feb. 3-6, 1998
Commission Action:



CP

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 5-97-392
APPLICANT: Elaine Spierer
AGENT: Mark Mack, Architect
PROJECT LOCATION: 1320 Abbot Kinney Boulevard, Venice, City of Los Angeles, Los Angeles County.

PROJECT DESCRIPTION: Construction of a three-story, 30 foot high, 4,393 square foot single unit artist residence with work space and attached three-car garage on a vacant lot. No retail component.

Lot Area	2,700 sq. ft.
Building Coverage	3,340 sq. ft.
Pavement Coverage	360 sq. ft.
Landscape Coverage	0 sq. ft.
Parking Spaces	3
Zoning	C-2-1
Plan Designation	Commercial-Artcraft
Ht abv fin grade	30 feet

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission grant a Coastal Development Permit for the proposed development with special conditions relating to the permitted use and the provision of adequate parking. The applicant agrees with the recommendation.

LOCAL APPROVAL RECEIVED:

1. City of Los Angeles Approval in Concept #97-096, 11/16/97.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, 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

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. 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.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. 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.
7. 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. Parking

A minimum of three parking spaces shall be provided and maintained in the ground floor garage, and an area for loading and guest parking shall be maintained in the twelve foot rear setback located between the structure and the alley.

2. Height

The height of the structure shall not exceed thirty feet above the centerline of the fronting roadway.

3. Use of Structure

The permitted use of the approved structure is limited to one single family residential unit with a combined living and working area for the resident and family. No commercial retail use is permitted. Any intensification or change in use of the structure will require an amendment to the permit or a new Coastal Development Permit.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The applicant proposes to construct a three-story, 30 foot high, 4,393 square foot artist residence on a vacant lot in Venice (See Exhibits). The proposed structure combines one single family residential unit with a large artist studio work space. Three on-site parking spaces are provided inside a ground floor garage which is accessed from Alhambra Court (Exhibit #2). No retail sales from the structure are proposed.

The site is one of three contiguous vacant lots on the south side of Abbot Kinney Boulevard which are proposed to be developed with similar artist in residence structures (Exhibit #2). This section of Abbot Kinney Boulevard in Venice was developed with single family homes early in the 1900's. The street is now comprised of a mix of small retail establishments and residential uses. Several artist in residence structures have been established in the area in the past few years. Abbot Kinney Boulevard is a pedestrian oriented street with most of the buildings built with a zero front yard setback between the sidewalk and the facade. The garages and parking areas are accessed from the rear alleys. The site is located approximately one-half mile from the beach (Exhibit #1).

B. Public Access and Parking

The Commission has consistently found that a direct relationship exists between residential density, the provision of adequate parking, and the availability of public access to the coast. Section 30252 requires that new development should maintain and enhance public access to the coast by providing adequate parking facilities.

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....

The Commission has consistently required that single family residences in the Venice area provide at least two on-site parking spaces in order to meet the parking demands of the development and comply with Section 30252 of the Coastal Act. Commercial uses are generally required to provide more parking than residential uses. Artist work spaces inside of artist's homes are not considered commercial uses by the Commission and do not usually increase the parking demand above that of the residential use. Artist studios with art sales components are considered commercial retail uses and must provide additional parking to meet the needs of the commercial component.

The proposed project is a residential use with an artist's work area included in the floor plan (Exhibit #3). The applicant states that there will be no retail sales use in the proposed structure. The proposed project provides three on-site parking spaces in a three-car garage located on the ground level (Exhibit #3). In addition, a twelve foot rear setback located between the structure and the alley provides additional area for loading and guest parking. The proposed on-site parking supply is adequate to meet the needs of the proposed artist residence. However, the parking supply is not adequate to meet the needs of a retail establishment.

Therefore, in order to limit the use of the proposed structure to the use proposed by the applicant, and to ensure that the use of the site does not overburden coastal access parking supply in the area, the permitted use of the approved structure is limited to one single family residential unit with a combined living and working area for the resident and family. No commercial retail use is permitted. Any intensification or change in use of the structure will require an amendment to the permit or a new Coastal Development Permit. In addition, a condition of approval requires the maintenance of the three proposed on-site parking spaces and the twelve foot rear setback for loading and guest parking.

As proposed, the proposed project will not overburden street parking or impede beach access. Only as conditioned is the proposed project consistent with the public access policies of the Coastal Act.

C. Community Character and Scale

Section 30251 of the Coastal Act states in part that:

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...be visually compatible with the character of surrounding areas...

Section 30253 of the Coastal Act states:

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 situated on Abbot Kinney Boulevard (formerly West Washington Boulevard) in the North Venice area of Los Angeles. The North Venice community is comprised of both old and new one to three story single and multi-family residences as well as commercial structures of varying heights and age.

Abbot Kinney Boulevard is a commercial street in the area comprised of small shops and community institutions, many of which inhabit older converted single family residences. The North Venice area has historically been a prime destination for tourists and day users since the late nineteenth century when the area was developed as a beach resort. Even though the area has undergone profound change, the area still retains its unique character and popularity. Artist residences are currently part of the existing unique character of the area.

Many of the older structures in the area are being replaced by new development. It is important that the new developments are carefully planned so that the area can be improved while still retaining its special character. For this reason, the Commission has adopted Interpretive Guidelines for developments in the North Venice area which limit building design and scale.

The Commission's Interpretive Guidelines for the North Venice area state that building heights should be limited to thirty feet above street level in order to maintain the existing character of the neighborhood. The applicant's proposal to construct a three-story, 30 foot high artist residence is consistent with the height and density standards contained in the Commission's Interpretive Guidelines (Exhibits #4&5).

The proposed project, as conditioned to maintain the thirty foot height limit, conforms to the Commission's guidelines and previous actions, and is consistent with Sections 30253 and 30251 of the Coastal Act.

D. Local Coastal Program

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act:

- (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 the provisions of Chapter 3 (commencing with Section 30200) of this division 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 the provisions of 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 the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

The Venice area of the City of Los Angeles does not have a certified Local Coastal Program. The proposed project, as conditioned, is consistent with the coastal access and community character policies of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

E. California Environmental Quality Act

Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a Coastal Development Permit application 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)(i) 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 impact which the activity may have on the environment.

The proposed project, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. All adverse impacts have been minimized and there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

SPRIER #17
LOT 13, Block 16
MAN # 4238-004-011
330 ABBOT KINNEY

5-97-392

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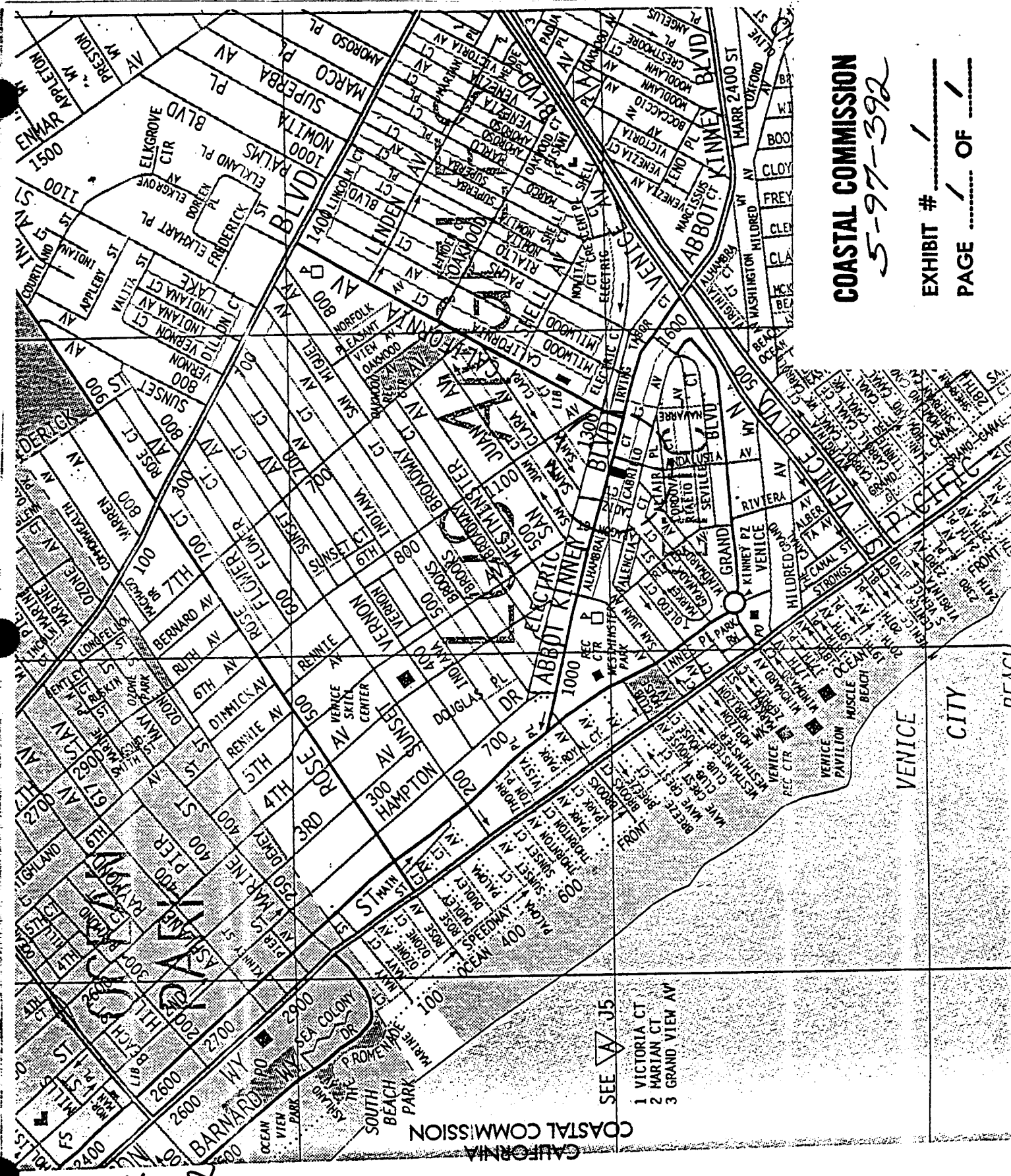
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- 1 VICTORIA CT
- 2 MARTAN CT
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EXHIBIT # /

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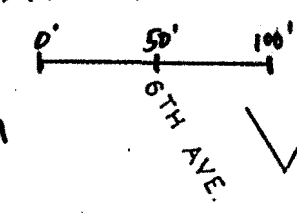
SANTA CLARA CT.

1320 ABBOT KINNEY BLVD.

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LOT 13, BLOCK 16
APN # 4238-004-011

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F.R. R/W

AVE. 40

2 ABBOT KINNEY

BLK

CALIFORNIA AVE.

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GT. 2

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AVE. 6

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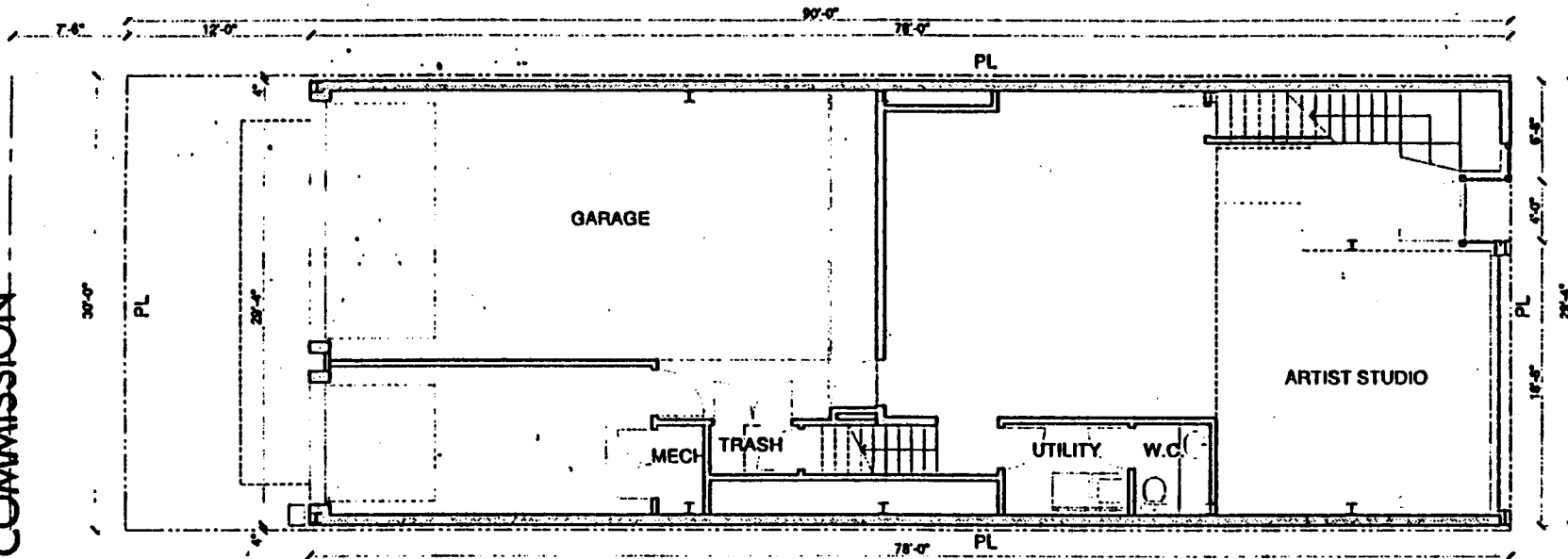
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EXHIBIT # 2

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AVE. 2



Abbot Kinney Blvd.

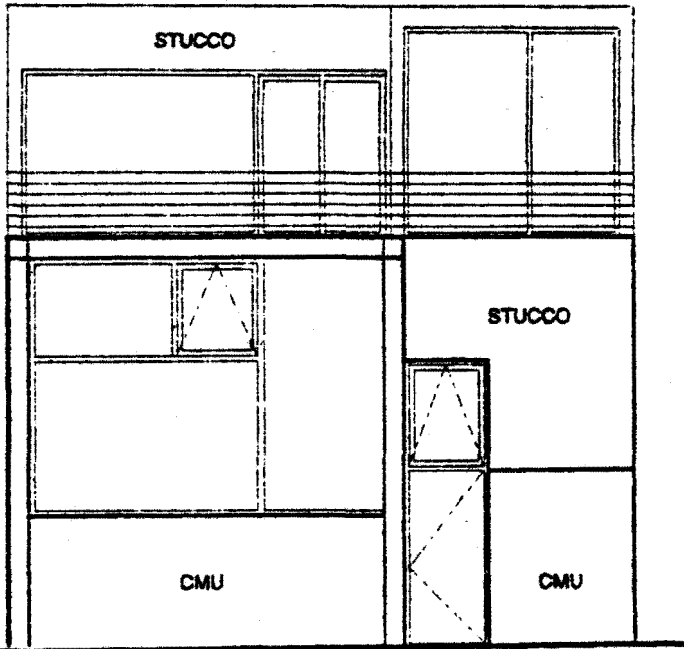
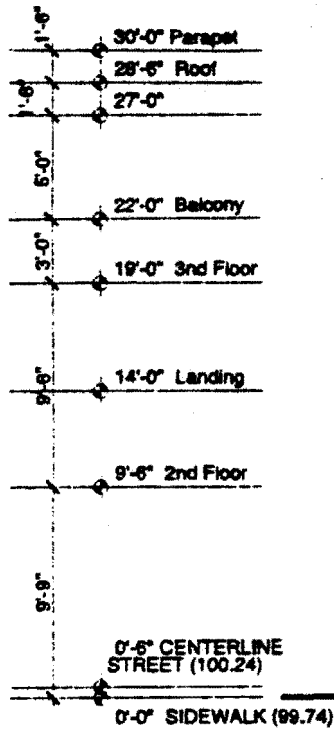
1ST FLOOR PLAN

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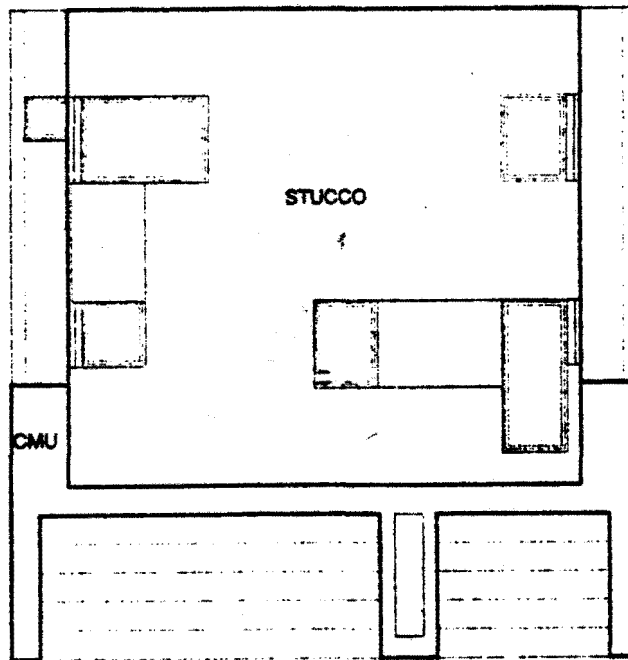
EXHIBIT # 3
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VENICE, CALIFC

Lot 13, Block 16, Venice of An
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NORTH ELEVATION



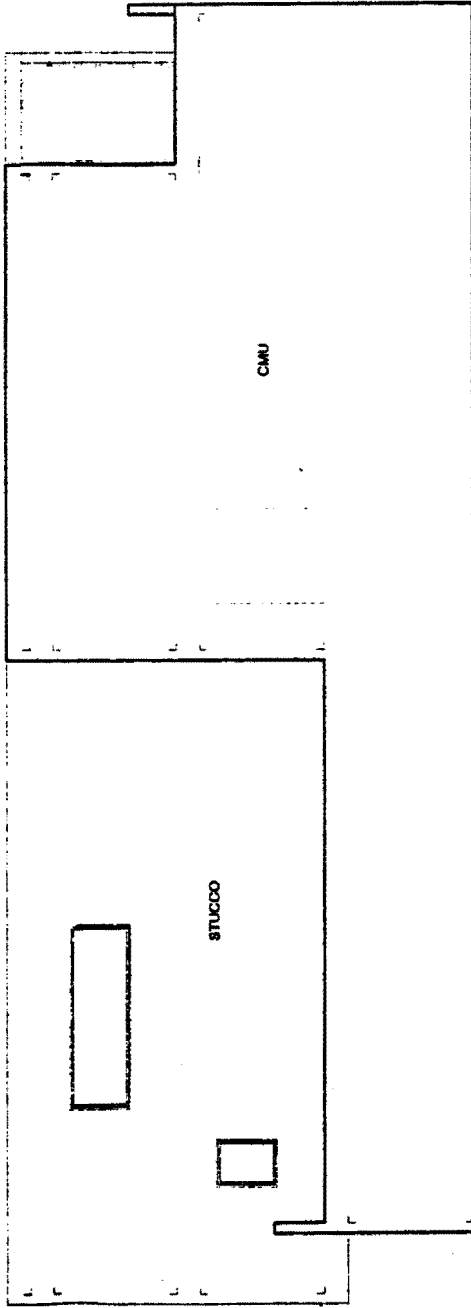
SOUTH ELEVATION

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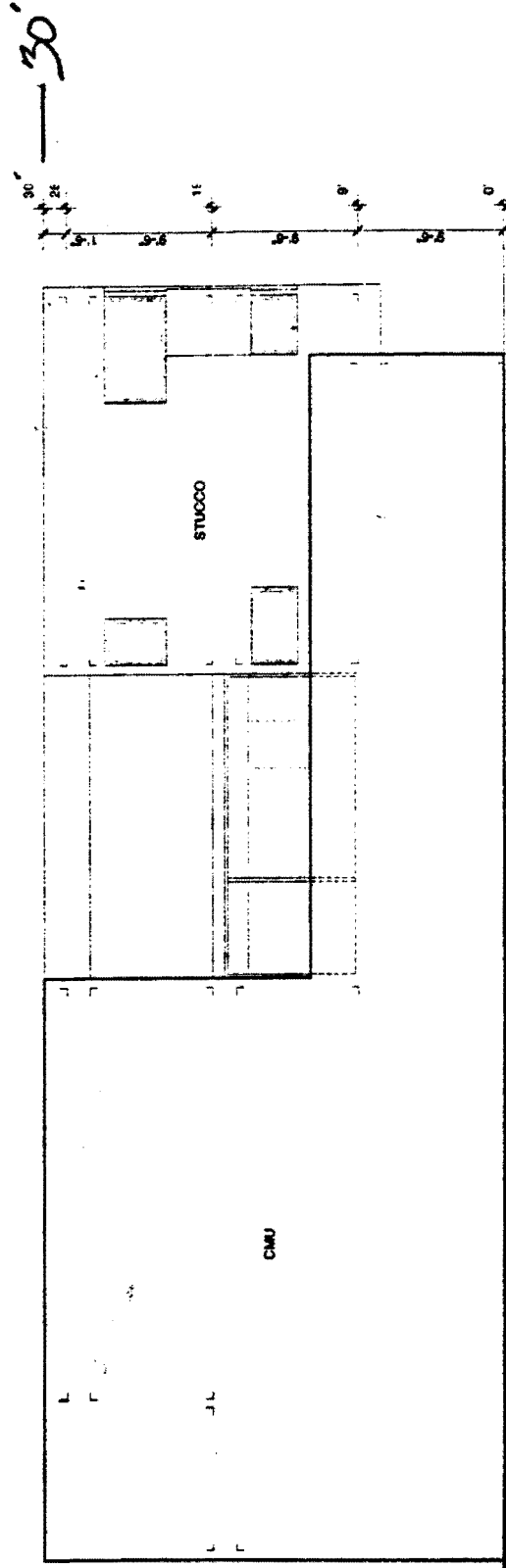
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EXHIBIT # 4

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EAST ELEVATION



WEST ELEVATION

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EXHIBIT # 5

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