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PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Long Beach, CA 90802-4302
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Filed: 2/5/98
49th Day: 3/26/98
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Staff: CP-LB
Staff Report: 4/22/98
Hearing Date: May 12-15, 1998
Commission Action:



RECORD PACKET COPY

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 5-98-036
APPLICANT: The Oceanstrand Collection, LLC.
AGENT: Gerald Marcil
PROJECT LOCATION: 113, 115, 116 & 119 Fleet Street, Venice, City of Los Angeles, Los Angeles County.
PROJECT DESCRIPTION: Construction of four 35 foot high (with 44 foot high roof access structures) two-unit condominiums (8 units total) on four vacant lots with 20 total parking spaces.

Lot Area	10,454 sq. ft. (2,614 sq.ft. per lot)
Building Coverage	1,670 sq. ft. (per building approx.)
Pavement Coverage	960 sq. ft. (per lot approx.)
Landscape Coverage	0 sq. ft.
Parking Spaces	20
Zoning	R3-1
Plan Designation	Medium Density Residential
Ht abv fin grade	44 feet

SUMMARY OF STAFF RECOMMENDATION:

The proposed project conforms to all density, height and parking standards contained in the Commission's Regional Interpretive Guidelines for Venice, Los Angeles County. Therefore, staff recommends that the Commission grant a permit for the proposed development. The recommended special conditions require that the approved development be constructed and maintained in a manner consistent with the Commission's density, height and parking standards. The applicant agrees with the staff recommendation.

LOCAL APPROVALS RECEIVED:

1. City of Los Angeles Local Coastal Development Permit No. 97-010.
2. City of Los Angeles Tentative Tract Map No. 52332.
3. City of Los Angeles Yard Variance Case Nos. 97-0420(YV), 97-0421(YV), 97-0422(YV) & 97-0423(YV).

SUBSTANTIVE FILE DOCUMENTS:

1. California Coastal Commission Regional Interpretive Guidelines for Los Angeles County, 10/14/80.
2. City of Los Angeles Venice Interim Control Ordinance (ICO) #171,435.
3. Coastal Development Permits 5-98-001, 5-98-002, 5-98-028, 5-98-067 & 5-98-068 (Oceanstrand Collection).

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, is located between the sea and first public road nearest the shoreline and is in conformance with the public access and public recreation policies 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. Number of Units

The permitted use of each structure is limited to two residential condominium units.

2. Height

The height of the roofs shall not exceed 35 feet above the centerline of the Fleet Street right-of-way. Only roof deck railings, parapet walls, chimneys, roof access housings, air conditioning equipment, and solar collectors may extend above the 35 foot roof height limit (as shown on the approved plans). No portion of the structures shall extend more than 44 feet above the centerline of the Fleet Street right-of-way.

3. Parking and Garage Access

Five on-site parking spaces shall be provided for each duplex. The access to all on-site parking spaces shall be taken from the rear alley. No curb cuts are permitted on Fleet Street.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The applicant proposes to construct four four-level, 35 foot high condominium buildings on four vacant lots in the Marina Peninsula area of Venice (Exhibit #3). Each proposed structure will contain two 2,100 square foot (approx.) residential condominium units. The eight proposed condominium units will be served by 20 parking spaces: five parking spaces on each lot. The parking spaces will be accessed from the rear alleys, not from Fleet Street.

The City of Los Angeles Department of Planning has issued Tentative Tract Map No. 52332 and Local Coastal Development Permit No. 97-010 for the proposed project. A second Coastal Development Permit must be obtained from the Coastal Commission because the proposed project is located in the dual permit area of Venice in the City of Los Angeles. There is not a certified Local Coastal Program (LCP) for Venice.

The City has also issued a Yard Variance for each of the four lots (Yard Variance Case Nos. 97-0420, 97-0421, 97-0422 & 97-0423). The variances permit: 1) three foot side yards in lieu of the required four foot side yards; 2) lot areas of 2,629 square feet in lieu of 5,000 square foot lots; 3) lot widths of 30 feet in lieu of 50 feet; and 4) six foot high stucco covered block walls with wrought iron gates enclosing the front patio areas in the front yards along Fleet Street.

The City approved Tract Map No. 52332 only creates the proposed eight condominium units. The existing four vacant lots were originally created when the Silver Strand subdivision was established in the early 1900's. The small size of the lots, which is typical of this area of Venice, is not the result of any recent City or Commission actions.

The Commission has recognized in both prior permit and appeal decisions that the Marina Peninsula area of Venice area is a special coastal neighborhood. In 1980, when the Commission adopted the Regional Interpretive Guidelines for Los Angeles County, a set of building standards was adopted for the Marina Peninsula area of Venice in order to protect public access to the beach and community character. These building standards, which apply primarily to density, height and parking, reflect conditions imposed in a series of permits heard prior to 1980. Since then, these density, height and parking standards have been routinely applied to Coastal Development Permits in the area in order to protect public access and community character. Special conditions are imposed on Coastal Development Permits ensure that the projects are consistent with the Coastal Act and the Commission's guidelines. In order to mitigate the identified impacts, the appropriate special conditions have also been applied to this permit.

B. Community Character

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....

In order to protect public access, community character and visual quality in the Marina Peninsula area of Venice, the Commission has consistently limited residential density and structural height. The Commission's building standards for the Marina Peninsula area of Venice are contained in the Regional Interpretive Guidelines for Los Angeles County.

Residential density in this area of Venice is limited to two units per lot. The applicant proposes to construct two residential condominium units on each of the four subject parcels. City of Los Angeles Tentative Tract Map No. 52332 approved two condominium units on each lot in compliance with the density limit for the area. A six foot wide space (two 3-foot side yards) separates the three proposed structures on the north side of Fleet Street (Exhibit #3). A condition of approval on this permit states that the permitted use of each of the proposed structures is limited to two residential condominium units.

The Commission has consistently limited new development in the Marina Peninsula area of Venice to a height of 35 feet measured above the fronting right-of-way. The Commission has, however, allowed portions of some structures to exceed the 35 foot height limit by up to ten feet if the scenic and visual qualities of the area are not negatively impacted.

All four of the proposed structures have a roof height of 35 feet (Exhibit #4). However, some parts of the proposed structures exceed the 35 foot roof height. These portions of the proposed structures include roof equipment boxes, chimneys, and two roof access housings. These structures do not extend more than 44 feet above the fronting right-of-way (Exhibit #4).

The City of Los Angeles Venice Interim Control Ordinance (ICO) also limits building heights in the area to 35 feet. The City may grant exceptions to its height limit for specific parts of structures like chimneys, roof equipment, roof access structures, deck railings, parapet walls, and skylights. In this case, the City has approved Local Coastal Development Permit No. 97-010 for the proposed project.

The Commission must, however, determine whether the proposed project conforms to the visual resource policies contained in Section 30251 of the Coastal Act. Section 30251 of the Coastal Act requires that the scenic and visual qualities of coastal areas shall be considered and protected.

As previously stated, the Commission has allowed portions of some structures to exceed the 35 foot height limit by up to ten feet if the scenic and visual qualities of the area are not negatively impacted. The portions of structures which have been previously allowed to exceed the 35 foot height limit include parapet walls and railings around roof decks, roof access structures, chimneys, air conditioning equipment and skylights. These rooftop structures shall be sited upon the roof in a manner which minimizes their visibility from public areas. Roof access structures have been permitted to exceed the height limit only if they contain no living or storage space and if they do not negatively impact the visual resources of the area.

As proposed, the design of the proposed project adequately protects the visual resources along Venice Beach. The proposed project complies with the visual resource policies of the Coastal Act by minimizing the bulk of the rooftop structures. The proposed rooftop structures do not extend above the heights of nearby roof deck structures and will not be visible from the beach which is located approximately four hundred feet west of the site. In addition, the proposed project does not include any enclosed living or storage space over the 35 foot height limit. Therefore, the Commission finds that the proposed

project will not negatively impact the visual resources of the area, and that the proposed proposed project conforms to the Commission's height requirements and previous approvals in the Marina Peninsula area of Venice.

In order to ensure that the proposed project is constructed as approved, the approval is conditioned to limit the roof height of the four proposed structures to 35 feet above the centerline of the Fleet Street right-of-way. Only roof deck railings, parapet walls, chimneys, roof access housings, air conditioning equipment, and solar collectors may extend above the 35 foot roof height limit (as shown on the approved plans). No portion of the structures shall extend more than 44 feet above the centerline of the Fleet Street right-of-way. Only as conditioned is the proposed project consistent with the Coastal Act's visual resource policies.

Another community character issue is the provision of front yard areas in newly designed homes in the Marina Peninsula area. Most of the existing homes in the area provide a small front yard area between the structure and the fronting street. Garage access is typically provided by the alleys, not the fronting streets (Exhibit #3). The landscaped front yard areas that already exist in the neighborhood give the area a more attractive appearance than it would have if all of the street fronting areas were paved over for driveways. In addition, any curb cuts on the fronting streets would reduce the amount of public on-street parking that is used for beach access and guest parking.

The proposed project does provide front yard areas along Fleet Street for all four proposed structures. The front yard areas are enclosed by six foot high walls with two wrought iron gates per lot as is the typical design for new homes in the neighborhood. No curb cuts are proposed on Fleet Street. The 20 required on-site parking spaces are accessed from the rear alleys (Exhibit #3). Therefore, the proposed project conforms with the character of surrounding area, and as conditioned, is consistent with the Coastal Act's visual resource policies.

C. 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...

Many of the older developments in the Venice area do not provide adequate on-site parking. As a result, there is a parking shortage in the area and public access has been negatively impacted. The small amount of parking area that may be available for the general public on the surrounding streets is

being used by guests and residents of the area. Because of the shortage of parking in the Venice area, the protection of existing public parking is of primary importance.

To help mitigate the shortage of parking in the area, the Commission has consistently conditioned new development within the Marina Peninsula area of Venice to provide two parking spaces per residential unit and provide provisions for guest parking. The proposed project provides five on-site parking spaces on each of the four lots for 20 total parking spaces. Two parking spaces are provided for each proposed residential unit (eight condominium units), and four additional spaces are proposed for guest parking. As stated above, the proposed parking spaces are accessed from the alleys and no curb cuts are proposed on Fleet Street.

In order to maximize public parking opportunities in this coastal area, the Commission finds that the lot frontage on Fleet Street shall not be utilized for private garage access, but reserved for public on-street parking. Garage access should be taken from the side or rear alleys. Most of the existing buildings in the area are designed with garage access in the rear only. Curb cuts for garage access are prohibited in order to preserve the possibility of maximum on-street public parking for beach access.

The project proposes adequate on-site parking spaces to meet the needs of the proposed condominium units. In addition, the design of the proposed parking supply is compatible with community character and will not result in the loss of any on-street public parking along Fleet Street. Therefore, the proposed project consistent with the Commission's parking standards for the Marina Peninsula area and the public access policies of the Coastal Act.

D. Local Coastal Program

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal 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 proposed project, only as conditioned, is consistent with the Chapter 3

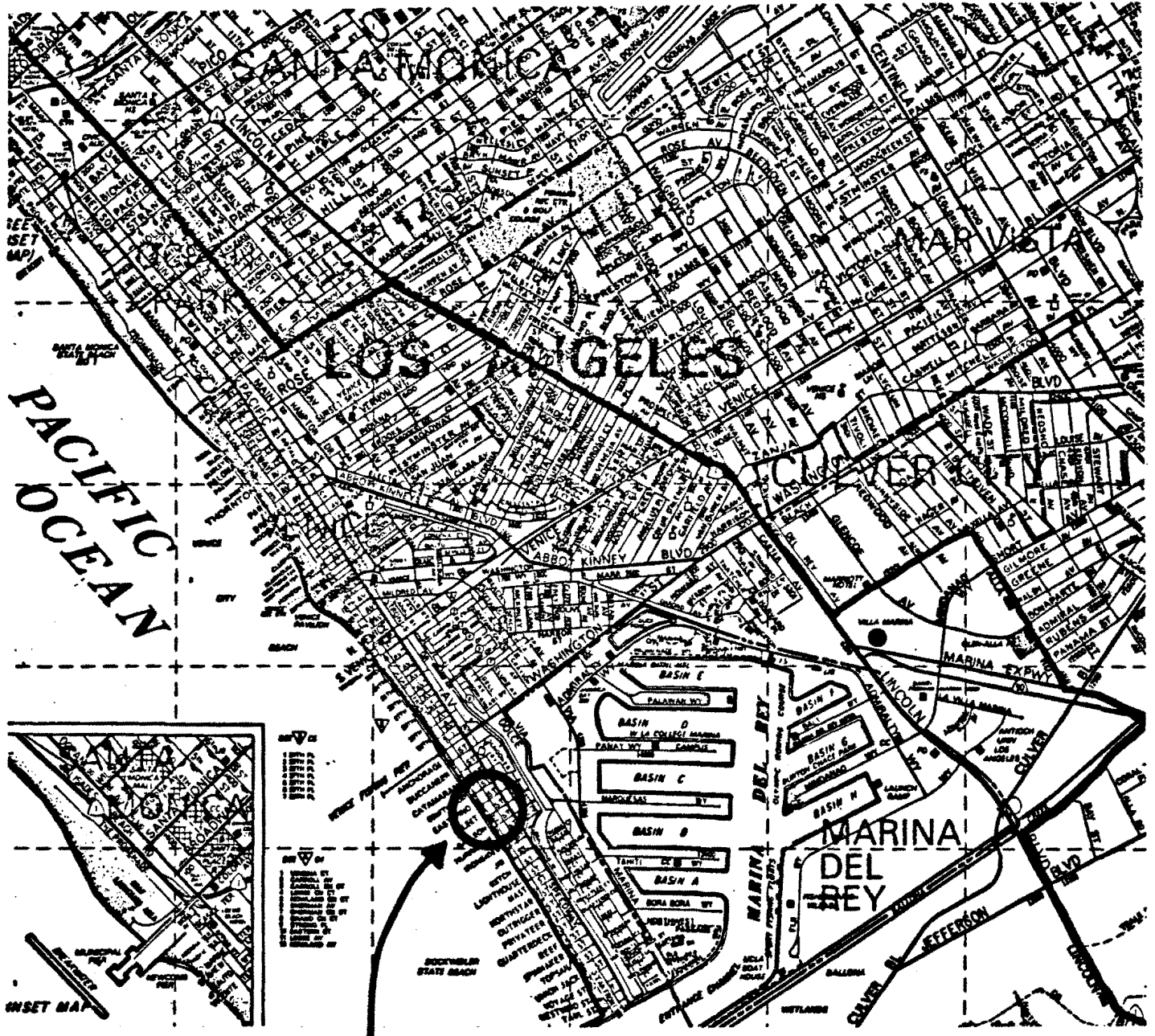
policies of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

E. California Environmental Quality Act

Section 13096 of the California Code of Regulations requires Commission approval of 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)(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 effect which the activity may have on the environment.

The proposed project, only as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. 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.

0460G:CP



Site

COASTAL COMMISSION

5-98-036

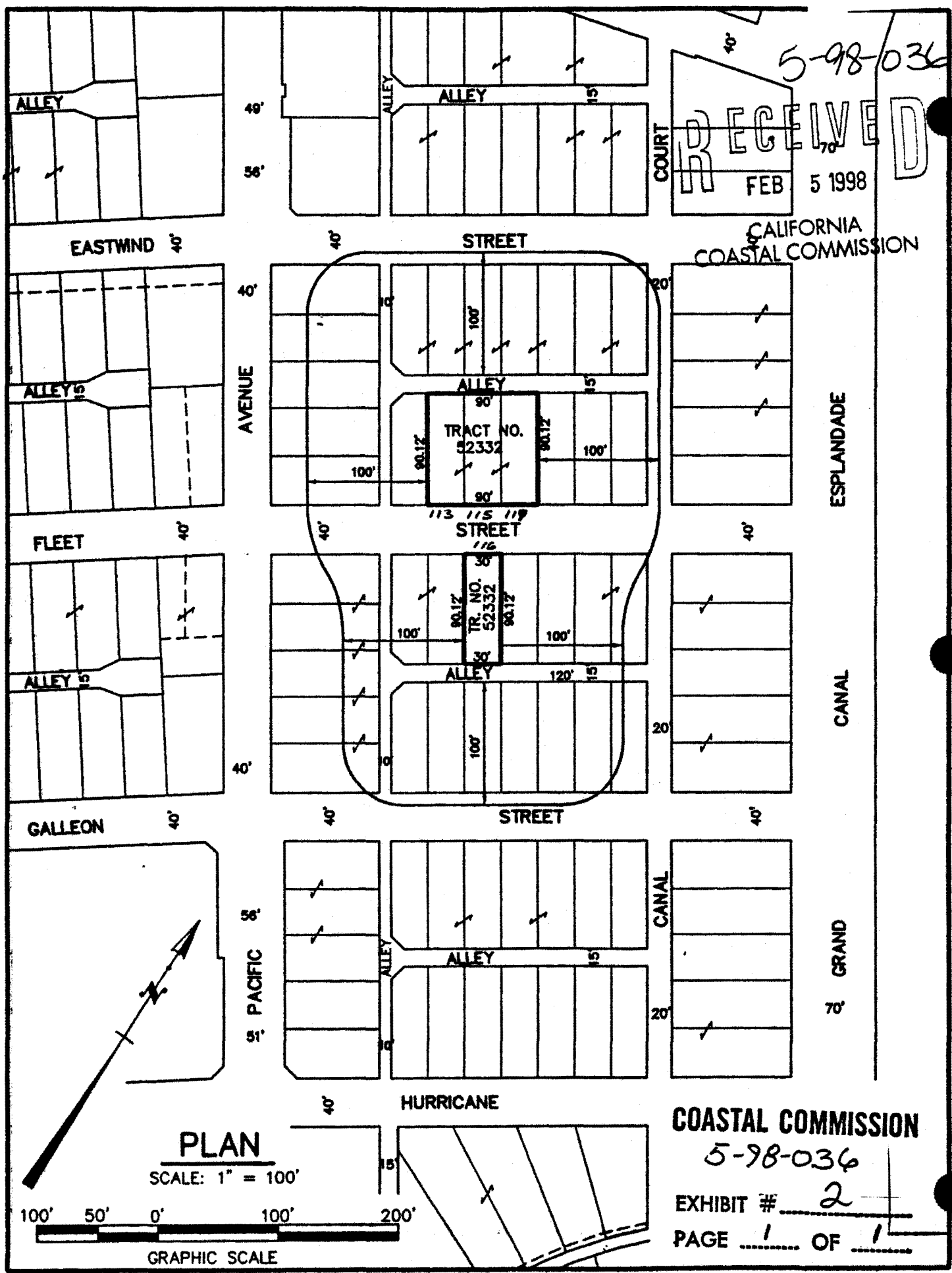
EXHIBIT # 1

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5-98-036

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CALIFORNIA COASTAL COMMISSION



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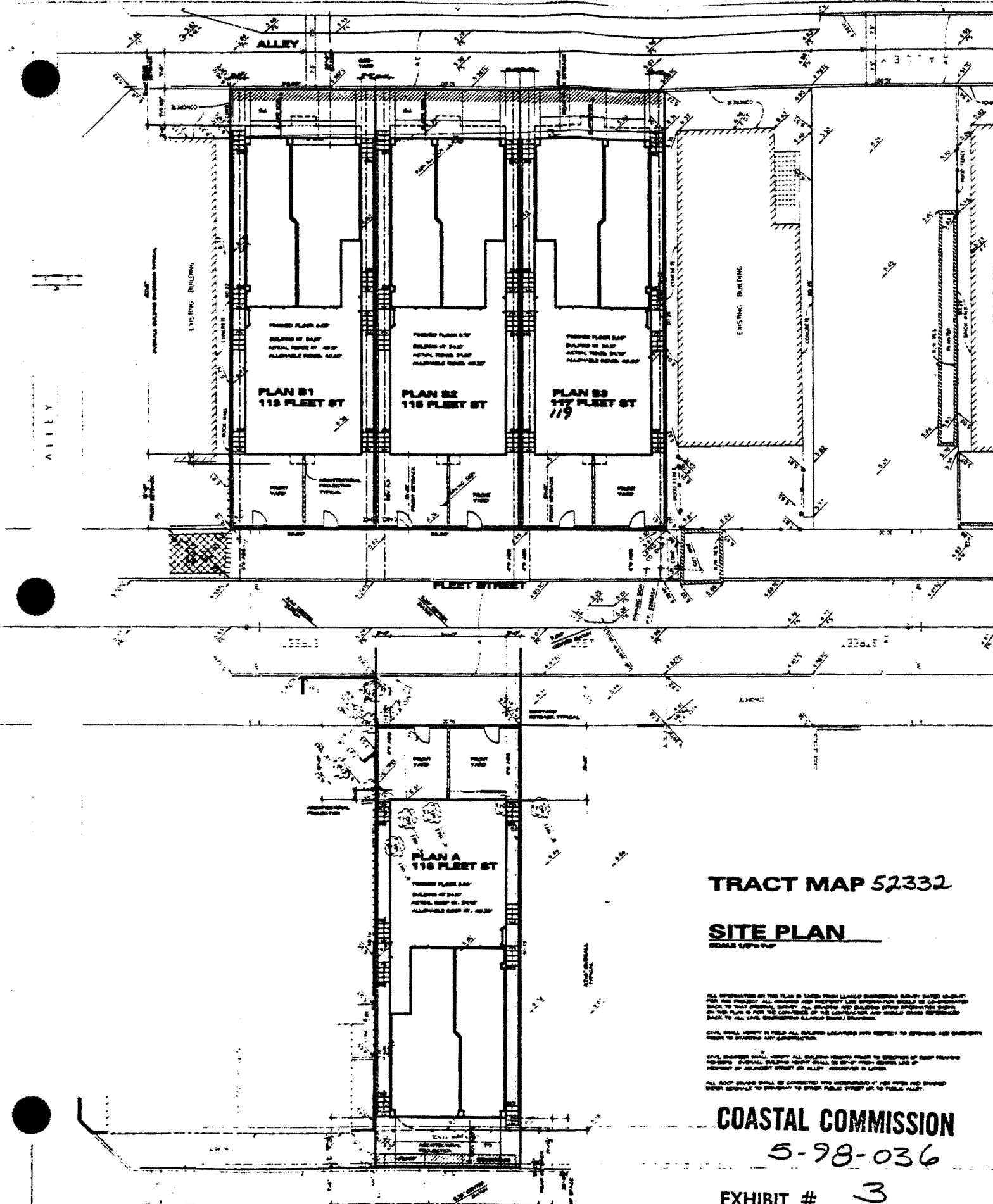
GRAND

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5-98-036

EXHIBIT # 2

PAGE 1 OF 1



TRACT MAP 52332

SITE PLAN

SCALE 1/8" = 1'-0"

ALL INFORMATION ON THIS PLAN IS TAKEN FROM LATEST BUILDING DEPARTMENT RECORDS AND SURVEY. ALL CHANGES AND PROPERTY LINE ADJUSTMENTS SHALL BE CONFIRMED BACK TO THE ORIGINAL SURVEY. ALL CHANGES AND ADJUSTMENTS SHALL BE CONFIRMED BACK TO THE ORIGINAL SURVEY. ALL CHANGES AND ADJUSTMENTS SHALL BE CONFIRMED BACK TO THE ORIGINAL SURVEY.

CIVIL ENGINEER SHALL VERIFY ALL BUILDING LOCATIONS WITH RESPECT TO SETBACKS AND EASEMENTS FROM TO EXISTING ANY CONSTRUCTION.

CIVIL ENGINEER SHALL VERIFY ALL BUILDING SETBACKS FROM TO EXISTING OF NEAR FUTURE EXISTING. EXISTING BUILDING SETBACK SHALL BE 3'-0" FROM CENTER LINE OF HIGHWAY OR ADJACENT STREET OR ALLEY, WHICHEVER IS LARGER.

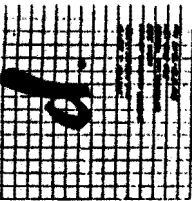
ALL ROOF DRAINS SHALL BE CONSTRUCTED WITH UNDERDRAIN AT 45 DEGREE AND SHOWN THERE APPROPRIATE TO DRAINAGE TO OTHER PUBLIC STREET OR TO PUBLIC ALLEY.

COASTAL COMMISSION

5-98-036

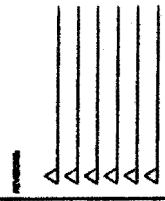
EXHIBIT # 3

PAGE 1 OF 1



notes:
 ALL DIMENSIONS IN FEET UNLESS OTHERWISE NOTED.
 ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND REGULATIONS.
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
 THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE DIMENSIONS OR THE COMPLETION OF THE WORK.

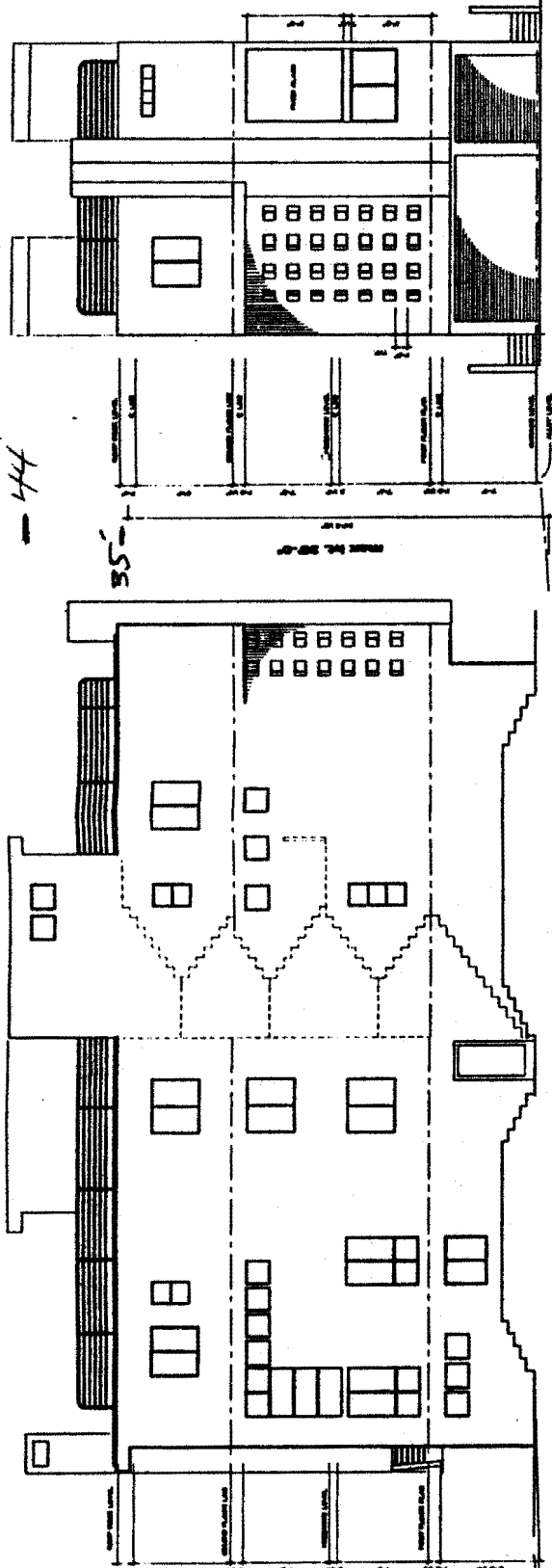
notes:



DOOR
 WINDOW

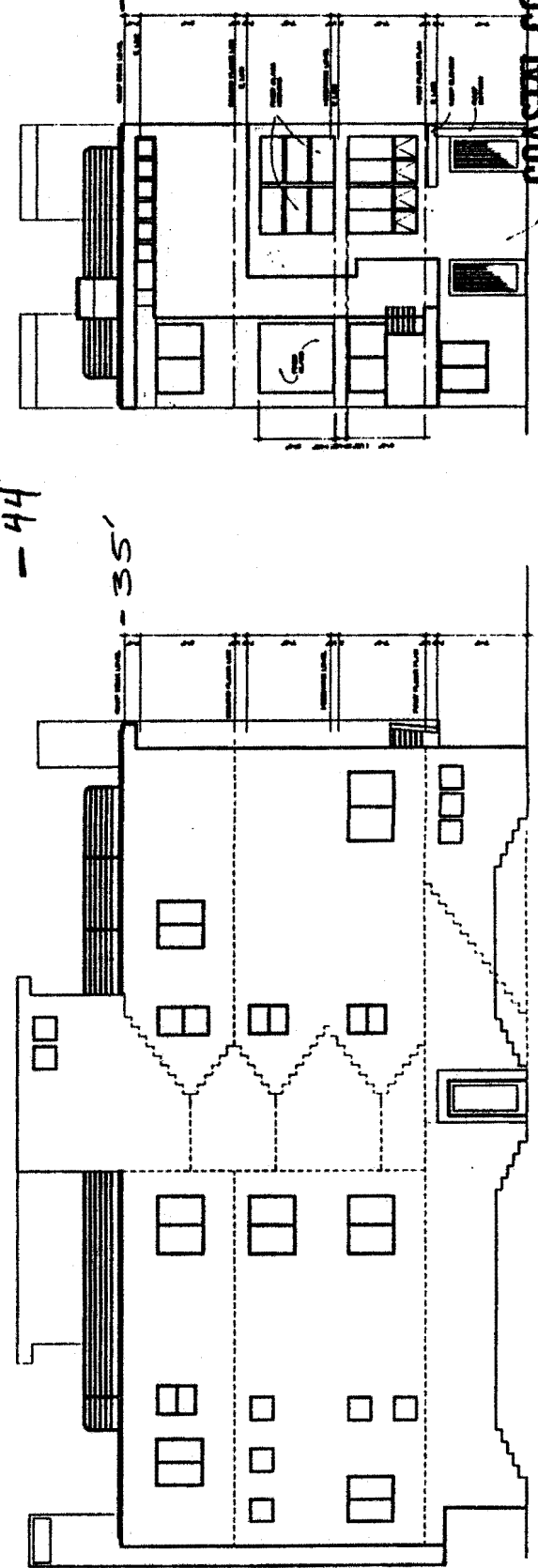
STAIR
 ELEVATOR

STAIR W/LO
 BUILDING ELEVATION



Right Elevation

Alley



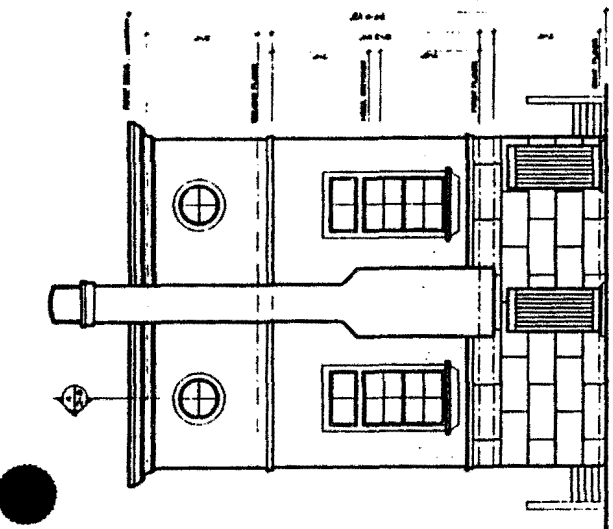
Left Elevation

COASTAL COMMISSION

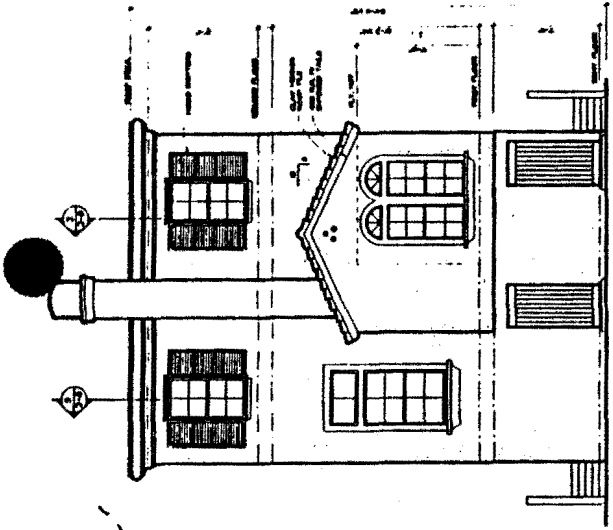
Project Number: 5-98-036
 Fleet Street

EXHIBIT # 4

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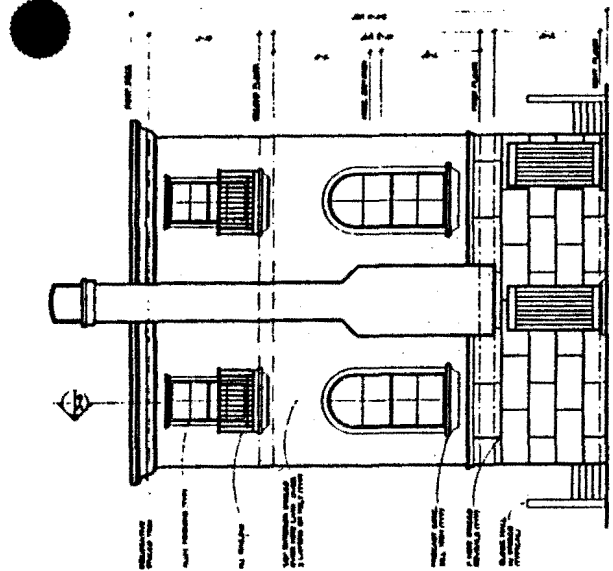


FRONT ELEVATION
PLAN B3

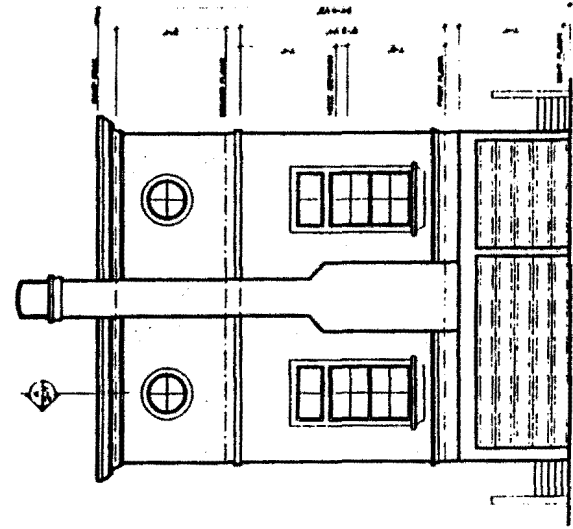


FRONT ELEVATION
PLAN B2

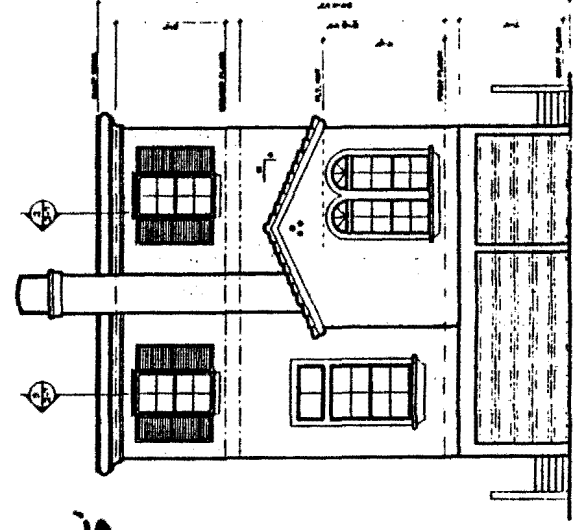
Fleet Street



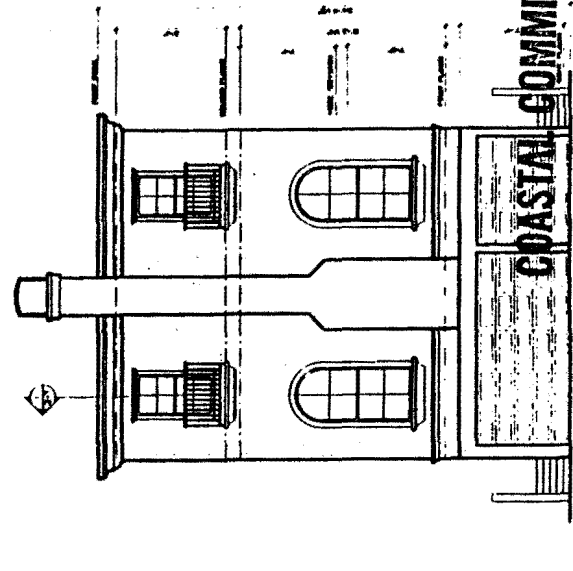
FRONT ELEVATION
PLAN B1



REAR ELEVATION
PLAN B3



REAR ELEVATION
PLAN B2



REAR ELEVATION
PLAN B1

COASTAL COMMISSION

Alley
REAR ELEVATION EXHIBIT # 4
5-96-036
PAGE 2 OF 2

NOI

PROJECT NO.
DATE
SHEET NO.
SCALE

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APR 1 1998

124 Fleet Street, #1
Marina del Rey, CA 90292
March 29, 1998

CALIFORNIA
COASTAL COMMISSION

Tu 4c

California Coastal Commission
South Coast Area
P.O. Box 1450
200 Oceangate, 10th Floor
Long Beach, CA 90802-4416

Re: Permit No. 5-98-036. Location: 113, 115, 116, 117
Fleet Street Venice (APNs 4225-008-918, 4225-007-
16, 4225-007-62, 4225-007-63

Dear Commissioners:

I am writing regarding the proposed construction/development cited above. A construction permit at this time would severely impact the quality of life in the neighborhood, and the Commission should take a hard look at the current construction situation in that neighborhood before allowing further construction to proceed at this time.

Specifically, allowing construction of the proposed project at this time would have, at a minimum, the following impacts:

(1) Parking. Limited street parking exists now in the neighborhood for residents and guests. Because of recent construction at 128 or 130 Fleet Street, street parking during the day is very hard to find. The vehicles used by construction workers clog the narrow streets of the neighborhood, making both parking and driving difficult. To add both the construction and personal vehicles of workers for a project of the size proposed would make the parking situation in this neighborhood unbearable.

(2) Noise. The noise from the construction already under way continues non-stop from 7:00 a.m until late afternoon. Several people in the neighborhood work from their homes, and the constant noise denies them the quiet

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Page 2

enjoyment of their homes. The addition of vehicle and construction noise from another large project in the neighborhood would severely impact the quality of life in the neighborhood.

(3) Street Condition. The condition of the streets in the neighborhood, which was already poor to begin with, has been exacerbated by both the recent rains and nearby construction. The streets now have many potholes, as well as other problems caused by utility and construction excavation. Introducing still more heavy construction vehicles into this area will cause a further deterioration of these streets.

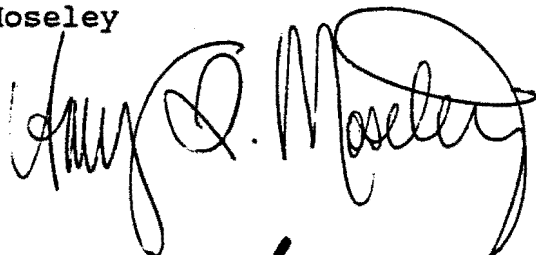
The street conditions have further worsened as the result of at least one contractor's actions this past week. After recent rains, construction workers removed water from the undeveloped property at issue by pumping it onto the street, where it ponded. The street drainage in this area is poor enough without pouring more water onto the streets in an attempt to accelerate construction.

Allowing additional construction in our neighborhood at this time will cause a significant negative impact to the quality of life here. Because of all the problems which additional construction will bring to our neighborhood at this time, I strongly urge you not to grant a permit now. In the alternative, I request that you (1) require contractors to make alternative parking arrangements, (2) delay any construction until the completion of other construction in the neighborhood, and (3) ensure that Fleet Street and the adjoining streets and alleys are repaired immediately.

Thank you for your consideration of this request.

Sincerely yours,

Amy L. Moseley



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