

CALIFORNIA COASTAL COMMISSION

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Filed: 5/5/98
49th Day: 6/23/98
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Staff: CP-LB
Staff Report: 6/15/98
Hearing Date: July 7-10, 1998
Commission Action:



STAFF REPORT: PERMIT AMENDMENT

APPLICATION NO.: 5-98-028-A1
APPLICANT: The Oceanstrand Collection, LLC.
AGENT: Gerald Marcil
PROJECT LOCATION: 15 Ketch Street (Lot 7 in Block H of Oceanstrand Tract),
Venice, City of Los Angeles, Los Angeles County.

DESCRIPTION OF PROJECT ORIGINALLY APPROVED (5-98-028):

Abandonment of oil wells and construction of a 35 foot high duplex (with 44 foot high roof access structure) with five enclosed parking spaces on a vacant lot.

DESCRIPTION OF AMENDMENT REQUEST (5-98-028-A1):

Conversion of a two unit apartment building into two condominium units with five enclosed parking spaces.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission determine that the proposed amendment, subject to the conditions below, is consistent with the Chapter 3 policies of the Coastal Act. The applicant agrees with the recommendation.

LOCAL APPROVALS RECEIVED:

1. City of Los Angeles Local Coastal Development Permit No. 97-013.
2. City of Los Angeles Parcel Map L.A. No. 7217-C.

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 5-98-028 (Oceanstrand Collection).
4. Coastal Development Permits 5-98-001, 5-98-002, 5-98-067 & 5-98-068 (Oceanstrand Collection).
5. Coastal Development Permit 5-88-178 (Yaker).

PROCEDURAL NOTE: The Commission's regulations provide for referral of permit amendment requests to the Commission if:

- 1) The Executive Director determines that the proposed amendment is a material change,
- 2) Objection is made to the Executive Director's determination of immateriality, or
- 3) The proposed amendment affects conditions required for the purpose of protecting a coastal resource or coastal access.

In this case, the Executive Director has determined that the proposed amendment is a material change in the project description. If the applicant or objector so requests, the Commission shall make an independent determination as to whether the proposed amendment is material. [14 California Code of Regulations 13166].

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Condition

The Commission hereby grants, subject to the conditions below, an amendment to the permit for the proposed development on the grounds that the development and the amendment, 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. Special Conditions

1. Number of Units

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

2. Parking

A minimum of five on-site parking spaces shall be provided on the site. The access to all on-site parking spaces shall be taken from the rear alley. No curb cuts are permitted on Ketch Street.

2. Height

The height of the roof shall not exceed 35 feet above the centerline elevation of the Ketch Street right-of-way. Only roof deck railings, parapet walls, chimneys, roof access structures, 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 structure shall extend more than 44 feet above the centerline elevation of the Ketch Street right-of-way.

III. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The applicant proposes to convert a recently constructed four-level apartment building into two condominium units. The existing duplex is located one hundred feet from the beach in the Marina Peninsula area of Venice (Exhibit #2). Each proposed unit will contain about 3,000 square feet of living area. Two garages on the ground floor contain five parking spaces accessed from the rear alley, not from Ketch Street (Exhibit #3). Ketch Street is a walk-street closed to vehicles. Venice Beach, a popular recreation area, is located about one hundred feet west of the site.

On March 10, 1998, the Commission approved Coastal Development Permit 5-98-028 for the abandonment of an oil well on the site, and the construction of a four-level duplex. The permit was issued on March 16, 1998.

The City of Los Angeles issued Local Coastal Development Permit No. 97-013 and Parcel Map L.A. No. 7217-C for the proposed condominium conversion on April 3, 1998. A condition of the City's approval requires the applicant to dedicate a 2.5 foot wide strip of land along the rear alley, including a 5-foot by 5-foot cut corner, for public alley purposes. The alley dedication is part of the applicant's amendment application.

The applicant has applied for a second Coastal Development Permit from the Coastal Commission because the proposed project is located in the dual permit

area of Venice in the City of Los Angeles. Two Coastal Development Permits, one from the City and one from the Commission, are required for development in the dual permit area. The City of Los Angeles does not have a certified Local Coastal Program (LCP) for Venice.

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 two condominium units. A condition of approval states that the permitted use of the proposed structure is limited to two 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.

The Commission's approval of Coastal Development Permit 5-98-028 for the existing structure allows a roof height of 35 feet with a 44 foot high roof access structure (Exhibit #4). A condition of approval limits the roof height of the structure to 35 feet above the centerline elevation of the Ketch

Street right-of-way. Only roof deck railings, parapet walls, chimneys, roof access structures, 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 structure shall extend more than 44 feet above the centerline elevation of the Ketch Street right-of-way. Only as conditioned is the proposed project consistent with the Coastal Act's visual resource policies.

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

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 in two ground floor garages (Exhibit #3). Two parking spaces are provided for each proposed residential unit (two units), and an additional space is proposed for guest parking. The rear setback area may also be used for guest parking. As stated above, the proposed parking spaces are accessed from the alley. The Ketch Street right-of-way will not be affected by the proposed project.

In order to maximize public parking opportunities in this coastal area, the Commission finds that the lot frontage on Ketch Street shall not be utilized for private garage access, but reserved for public pedestrian access and/or public 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.

Ketch Street is a walk-street closed to vehicles except at the intersection with Speedway where public parking nodes are located on the Ketch Street right-of-way. The parking and pedestrian walkway located within the Ketch Street right-of-way will not be affected by the proposed project.

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 Ketch 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.

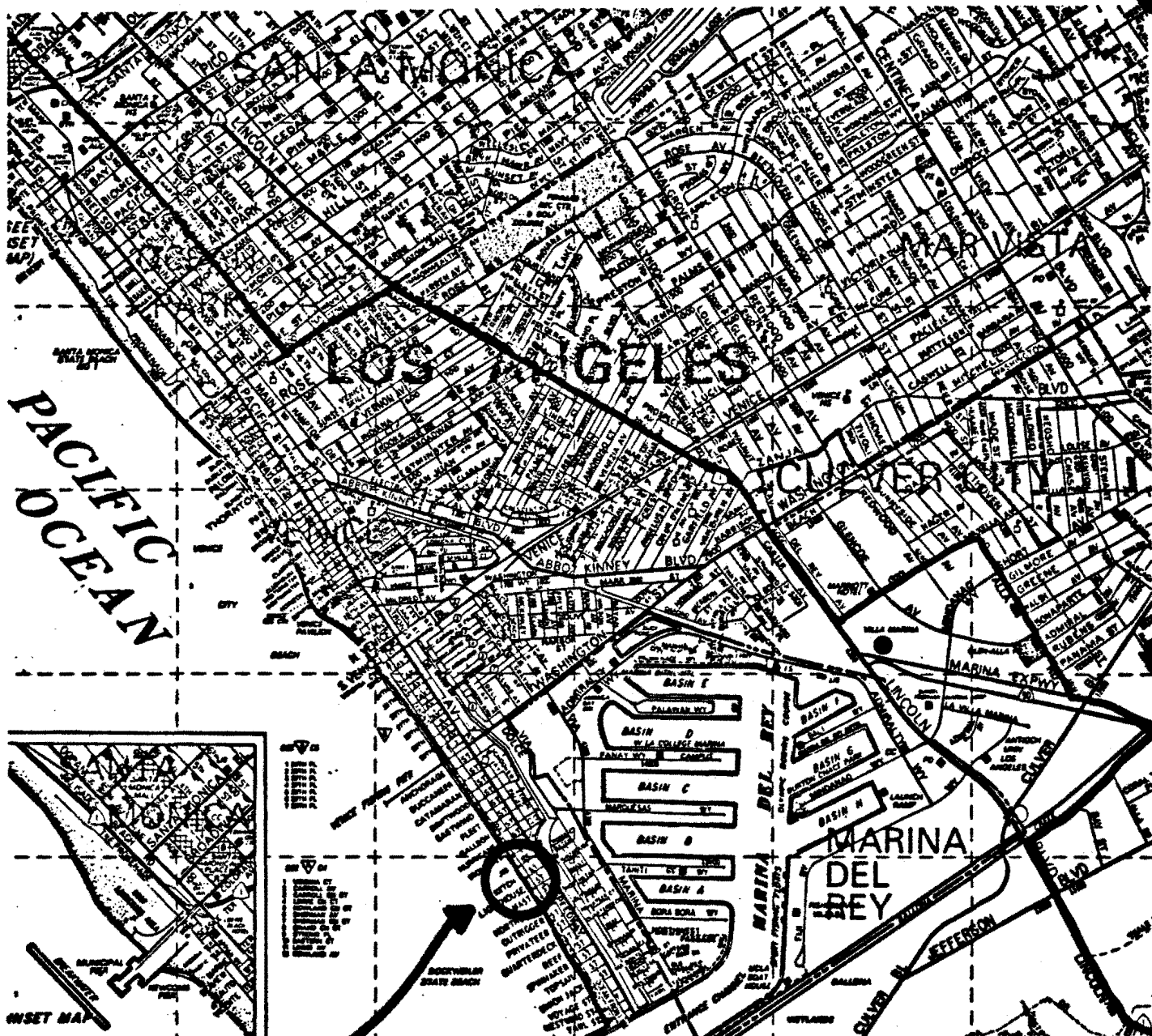
The proposed project, only as conditioned, is consistent with the Chapter 3 policies of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of 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.

0788G:CP



Site
15 Ketch Street

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5-98-028-A
EXHIBIT # 1
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5-88-028

RECEIVED
JAN 29 1998
CALIFORNIA
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PACIFIC OCEAN

FRONT

OCEAN

IRONSIDES STREET

STREET

ALLEY

ALLEY

JIB STREET

ALLEY

ALLEY

KETCH STREET

ALLEY

LIGHTHOUSE STREET

ALLEY

ALLEY

AVENUE

PACIFIC

PLAN

SCALE: 1" = 100'

100' 50' 0' 100' 200'

GRAPHIC SCALE

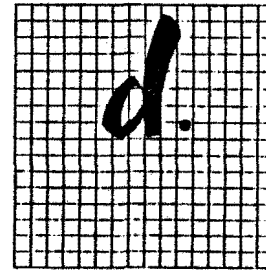
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EXHIBIT # 2

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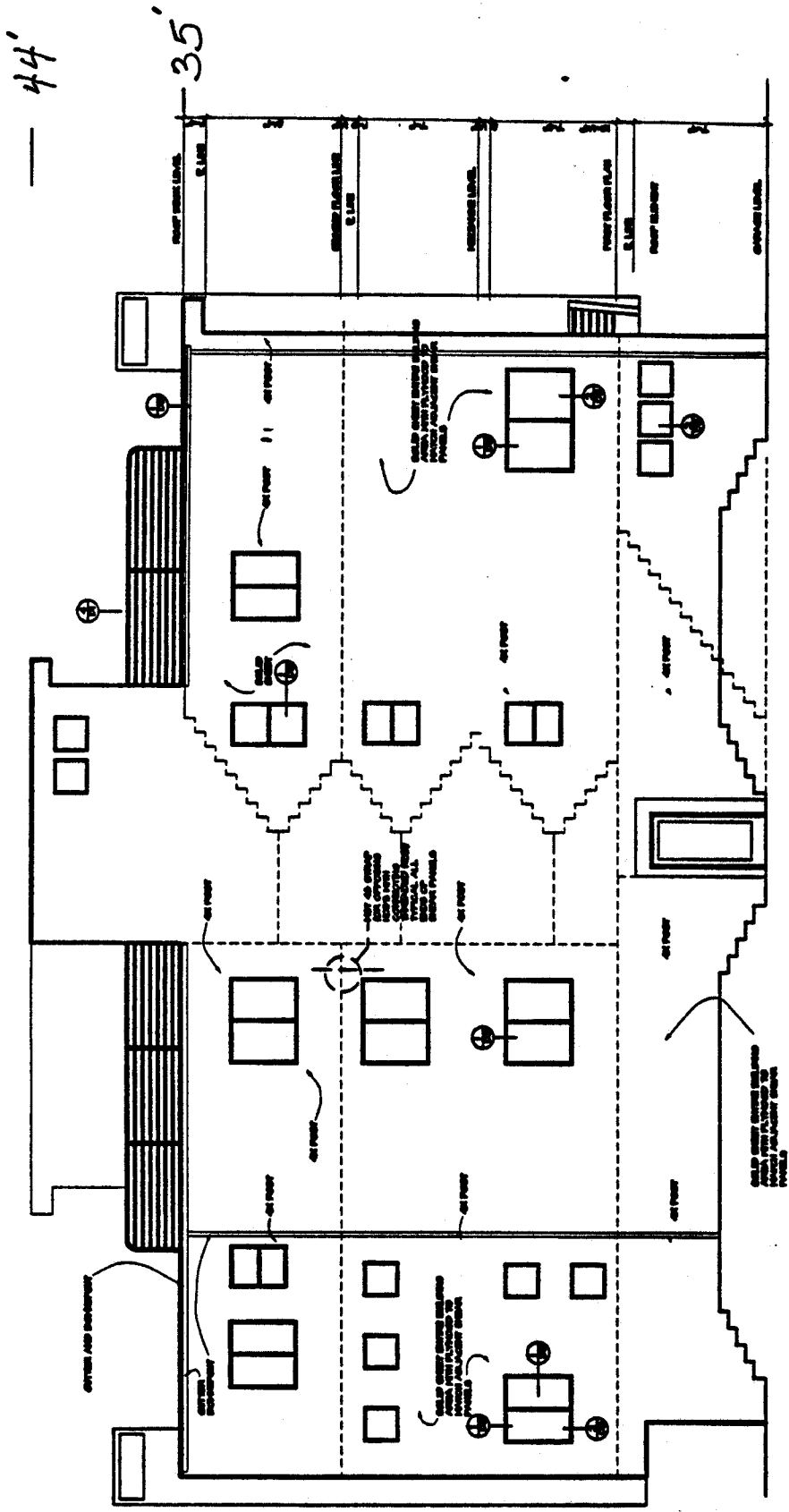
STREET



notes:

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PLAN D

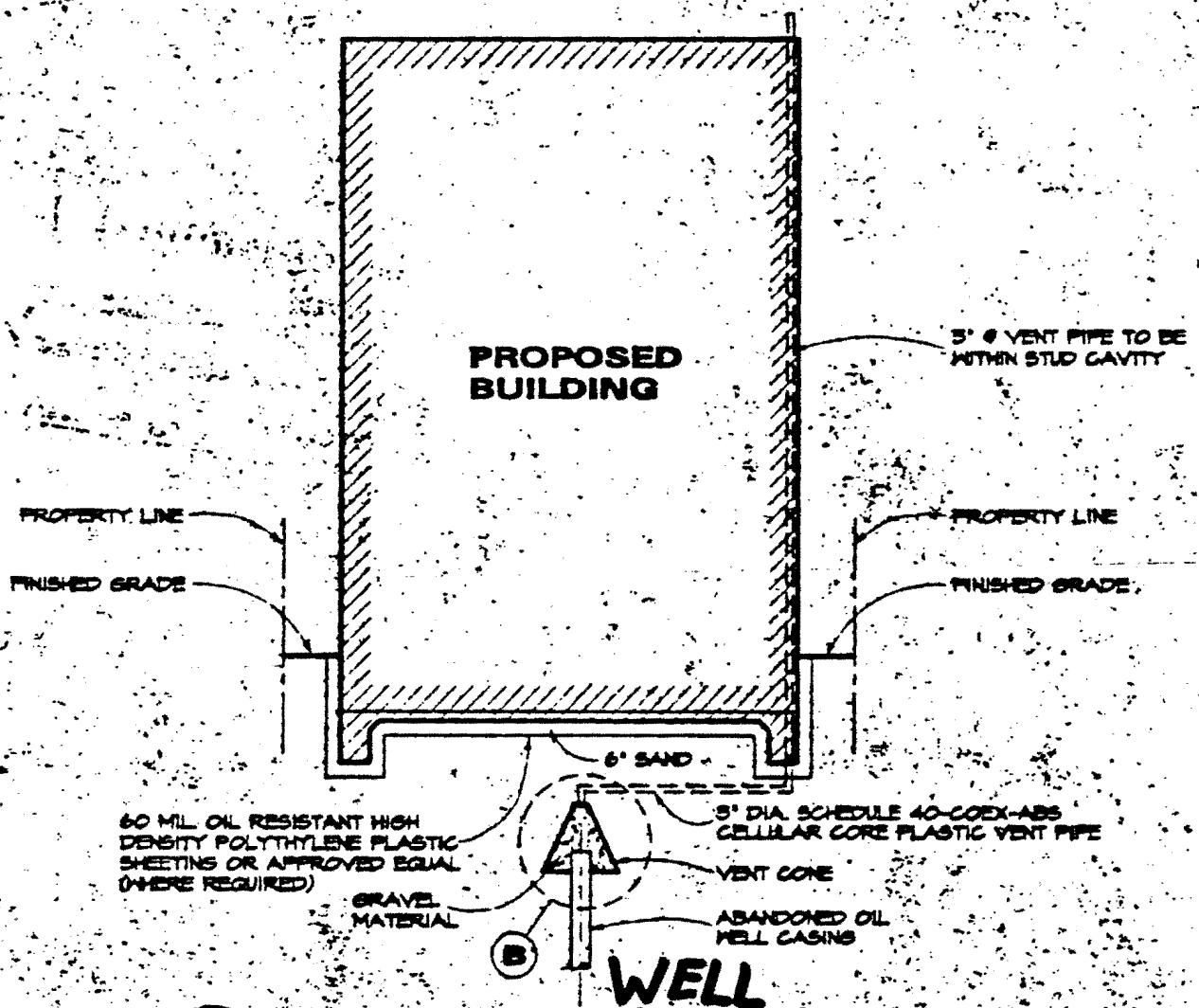


#15 KETCH

Left Elevation

NOTES:

1. INSTALL A FIBERGLASS VENT CONE ON TOP OF THE ABANDONED OIL WELL CASING AS SHOWN IN DETAIL 'B', WHICH EXTENDS AT LEAST 2 FEET ABOVE THE TOP OF THE CASING. GRAVEL MATERIALS SHOULD BE PACKED INSIDE THE VENT CONE AND COMPACTED ON-SITE SILTY SANDS MAY BE PLACED OUTSIDE THE CONE. A METAL FLANGE SHOULD BE PLACED ON TOP OF THE VENT CONE AND CONNECT TO THE VENT PIPE.
2. INSTALL A 3 INCH DIAMETER SCHEDULE 40-COEEX-ABS CELLULAR CORE PLASTIC VENT PIPE FROM THE TOP OF THE VENT CONE, THEN BENEATH THE BUILDING SLAB AND UP TO THE ROOF LINE. CAULK THE VENT CONE/PIPE CONNECTION WITH WATERPROOF SILICONE AND CAP THE TOP OF THE PIPE WITH A RAIN GUARD ABOVE THE ROOF LINE. THE VENT CONE PIPE IS NOT TO BE EXPOSED TO THE WEATHER.
3. INSTALL A MEMBRANE SHEILD MATERIAL UNDER THE BUILDING, WITH A MINIMUM 60 MIL THICKNESS, CONSISTING OF AN APPROVED OIL RESISTANT HIGH DENSITY POLYTHYLENE (HDPE) PLASTIC SHEETING OR APPROVED EQUAL SEAMS SHALL BE LAPPED A MINIMUM OF 4 INCHES AND SEALED IN ACCORDANCE WITH THE MEMBRANE MANUFACTURE'S WRITTEN SPECIFICATIONS.



(A)

SECTION

SCALE: 1/4\" = 1'

COASTAL COMMISSION

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EXHIBIT # 5

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VENT CONE