



CALIFORNIA COASTAL COMMISSION

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Filed: 9/30/1999
 49th Day: 11/18/1999
 180th Day: 3/28/2000
 Staff: CP-LB
 Staff Report: 11/17/1999
 Hearing Date: December 9, 1999
 Commission Action:



STAFF REPORT: REGULAR CALENDAR**APPLICATION NUMBER:** 5-99-367**APPLICANT:** Silver Strand Custom Homes, LLC**AGENT:** Patrick Cunningham, C&C Partners**PROJECT LOCATION:** 10 20th Avenue, Venice, City of Los Angeles, Los Angeles Co.**PROJECT DESCRIPTION:** Construction of a three-story, 29.5-foot high, 3,236 square foot duplex with two two-car garages on a vacant lot.

Lot Area	2,657 square feet
Building Coverage	1,390 square feet
Pavement Coverage	1,199 square feet
Landscape Coverage	68 square feet
Parking Spaces	5
Zoning	R3-1
Plan Designation	Medium Density Residential
Ht above final grade	29.5 feet

LOCAL APPROVAL: City of Los Angeles Approval in Concept #99-088, 6/28/99.**SUMMARY OF STAFF RECOMMENDATION**

Staff is recommending that the Commission grant a coastal development permit for the proposed development with special conditions relating to residential density, walk street preservation, parking, and building height. The primary issue of this application is the preservation of the historic 20th Avenue walk street and the Commission's limit on building heights along the Venice walk streets. The applicant proposes to construct a three-story, 29.5-foot high duplex, contending that the proposed project has been designed to conform to the 30-foot height limit as stated in the Commission's Interpretive Guidelines for North Venice and the City of Los Angeles Interim Control Ordinance (ICO). The draft Venice Land Use Plan (LUP), adopted by the Los Angeles City Council on October 29, 1999, limits building heights along the Venice walk streets to 28 feet. Staff is recommending that the proposed project comply with the 28-foot height limit in order to protect the unique character of the walk street and to uphold the standards of the City's draft LUP in order to not prejudice the City's ability to prepare an LCP that conforms to the Chapter 3 policies of the Coastal Act. The applicant objects to the recommended 28-foot height limit.

STAFF NOTE:

Subsequent to the filing of coastal development permit application 5-99-367, Commission staff received notification that the applicant has submitted an application to the City of Los Angeles Planning Department for a local coastal development permit (CDP No. 99-011) and parcel map (Map No. 7339) for a proposed 32.5-foot high two-unit condominium project on the project site. The applicant contends that the proposed condominium structure is identical to the 29.5-foot high structure proposed by this application (See Exhibit #7 for applicant's response). The applicant states that the local coastal development permit and parcel map is being processed only to convert the currently proposed apartment structure into a two-unit condominium. In any case, the project site is located within the "*Dual Permit Area*" of the City of Los Angeles coastal zone. Pursuant to Sections 30600 and 30601 of the Coastal Act, any project approved by the City in the dual permit area pursuant to a local coastal development permit will be appealable to the Commission and will also require a coastal development permit or permit amendment from the Coastal Commission.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application with special conditions:

MOTION

"I move that the Commission approve with special conditions Coastal Development Permit 5-99-367 per the staff recommendation as set forth below."

Staff recommends a **YES** vote which would result in the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

I. RESOLUTION: Approval with Conditions

The Commission hereby grants, subject to the conditions below, a coastal development 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. Residential Density

The permitted use of the approved structure is limited to two residential units. Any change in density, number of units, or change in use shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.

2. Parking

A minimum of five (5) parking spaces shall be provided and maintained on the site to serve the approved duplex. Parking and vehicular access is not permitted on any portion of the 20th Avenue right-of-way.

3. Building Height

Prior to issuance of the coastal development permit, the applicant shall submit revised plans for the review and approval of the Executive Director that show that the top of the roof does not exceed 28 feet in elevation above the centerline of the 20th Avenue right-of-way. The proposed roof deck railings may extend 42 inches over the 28-foot roof height limit. A roof access structure exceeding the 28-foot height limit is not permitted. The applicant shall construct and maintain the project as shown on the plans approved by the Executive Director.

4. Preservation of Venice Walk Streets

Prior to issuance of the coastal development permit, the applicant shall submit for the review and approval of the Executive Director revised project plans that incorporate the following: a) the building façade that faces the 20th Avenue walk street shall be varied and articulated using frequent windows, well-defined and separate walk street level entrances to the two permitted residential units, porches, bays and balconies in order to provide visual interest to pedestrians; b) the yard area and adjacent fronting portion of the 20th Avenue right-of-way shall be improved with grade level landscaping, gardens, patios, and fences not exceeding 42 inches in height in order to provide an area for on-site percolation, provide visual interest to pedestrians, and to prevent parking and vehicular access on the 20th Avenue right-of-way; and c) the landscaping and improvements to the fronting portion of the 20th Avenue right-of-way shall not encroach into or otherwise interfere with the existing pedestrian accessway on the walk-street. The revised project plans shall conform to the requirements of the City of Los Angeles Specific Plan for Venice. The applicant shall construct and maintain the project as shown on the plans approved by the Executive Director.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The applicant proposes to construct a three-story, 29.5-foot high, 3,236 square foot, two-unit apartment building on a vacant lot in North Venice (See Exhibits). Five on-site parking spaces are proposed within two ground floor garages (two-cars each) and a single-space carport (Exhibit #3). Vehicular access to the parking is proposed from Speedway alley, the first public road inland from the sea (Exhibit #2).

The 2,657 square foot lot is located approximately one hundred feet inland of the beach on the corner of Speedway alley and 20th Avenue (Exhibit #2). The fronting right-of-way, 20th Avenue, is a historic walk street that provides direct pedestrian access to Ocean Front Walk and the public beach. The surrounding neighborhood is comprised primarily of two-story and three-story multiple residential structures, with a few remaining single family residences.

The Commission has recognized in both prior permit and appeal decisions that the North Venice area, where the proposed project is located, 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 North Venice area in order to protect public access to the beach. 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 North Venice area in order to protect public access and community character.

On October 29, 1999, the Los Angeles City Council adopted a draft Land Use Plan (LUP) for Venice as part of the current effort to develop a certified Local Coastal Program (LCP) for the Venice area. Although the City's draft Venice LUP maintains the Commission's density limits and parking requirements for the North Venice area, the draft LUP also proposes a new 28-foot height limit for development on the Venice historic walk streets. The former height limit for such development, as imposed by the Venice Interim Control Ordinance (ICO), was 30 feet.

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 coastal development 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 North Venice area, the Commission has consistently limited residential density and structural height. The Commission has also protected the unique character of the Venice community by supporting the community's efforts to preserve the historic Venice walk streets as landscaped pedestrian-only accessways.

Residential Density

In order to preserve the character of the North Venice community, the Commission has limited residential density to two units on lots less than 4,000 square feet in area. The draft Venice Land Use Plan (LUP), recently adopted by the Los Angeles City Council, also limits residential density in North Venice to two units on lots less than 4,000 square feet. The proposed project is situated on a 2,657 square foot lot. Two residential units are proposed. Therefore, the proposed project conforms to the Commission's density limit for the site.

Walk Streets

As previously stated, the proposed project is situated on 20th Avenue, a historic walk street in North Venice. The historic Venice walk streets contribute significantly to the unique character of the Venice community. Since the early 1900's, over sixty of these pedestrian accessways have provided the public with safe shoreline access and play areas for children. Motorized vehicles are prohibited on the walk streets.

The City of Los Angeles defines a walk street as, "a public street in the coastal zone and/or beach area that has been improved for public pedestrian use over part of its width and is landscaped (privately or publicly) over the remainder, but which has not been improved for vehicular access."

The Venice historic walk streets have been considered by the Commission to be a very important coastal resource and an important part of the community's character. The landscaped public rights-of-way provide a valuable visual resource, and the accessways are an important component of the coastal access network. The walk-streets are a popular attraction which often draw curious tourists, as well as local residents, from Ocean Front

Walk to the inland neighborhoods. The walk streets also provide direct pedestrian access between the beach and the inland parking areas.

The City's draft Venice LUP, adopted by the Los Angeles City Council on October 29, 1999, contains the following walk street policies:

Policy II.C.7 Walk Streets. Designated walk streets shall be preserved and maintained at their present widths for public pedestrian access to the Shoreline and other areas of interest and to preserve views along and from the public right-of-way. Vehicular access on walk streets shall be restricted to emergency vehicles. The minimum width of the pedestrian path shall be 10-12 feet in the North Venice and Peninsula areas and 4.5 feet in the Milwood area. The remaining public right-of-way shall be limited to grade level uses including landscaping, patios, gardens and decks.

Policy II.C.10 Walk Streets - Residential Development Standards. New residential development along walk streets shall enhance both public access and neighborhood character. Building materials, colors, massing and scale of new structures shall complement those of existing structures in the neighborhood. Building facades shall be varied and articulated to provide visual interest to pedestrians. Primary ground floor residential building entrances and frequent windows shall face the walk streets. Front porches, bays, and balconies shall be encouraged. In case of duplexes and low density multiple-family buildings, entries shall be located in the exterior building facade for each residential unit, shall face walk streets, and be well-defined and separate.

Section 30251 of the Coastal Act requires that the scenic and visual resources, such as the Venice walk streets, be considered and protected as a resource of public importance. In addition, The Commission's Interpretive Guidelines for Los Angeles County specifically state that the North Venice walk streets should be preserved as walk streets in order to preserve community character and enhance visual resources. The Commission has supported the City's efforts to preserve the walk streets and unique community character by permitting vehicular access only on the rear alleys (not on walk streets), and by prohibiting blank building walls and common wall construction over more than two lots along the walk streets.

In this case, 20th Avenue is a forty-foot wide public right-of-way. An eleven-foot wide sidewalk provides public access down the center of the forty-foot wide public right-of-way (Exhibit #6). The single family and multi-family residences which front the walk street have been allowed to improve and privatize their respective frontage area of the right-of-way with small landscaped yards. Each yard encroaches about 14.5 feet into the right-of-way (Exhibit #6). The City often requires that new development on the walk streets improve the fronting right-of-way areas in order to preserve the special character of the walk streets. A minimum ten-foot wide public sidewalk, however, must be maintained to provide public access down the center of the walk street right-of-way. The lush

landscaping along the walk streets provides a quiet and visually pleasing corridor for pedestrians to stroll through.

The applicant's lot is the first lot on the portion of 20th Avenue that is walk street, and is therefore the entrance to the walk street as one leaves beach area (Exhibit #2). The project as proposed does not adequately protect the special character of the 20th Avenue walk street consistent with Section 30251 of the Coastal Act. The proposed project also does not conform to the draft Venice LUP. The applicant proposes a three-story residential structure with a blank ground-floor wall facing the 20th Avenue walk street. In addition, the applicant has not proposed to landscape or improve the fronting 20th Avenue right-of-way in order to preserve the pedestrian nature of the walk street.

The Commission has consistently required the provision of doorways and windows on the building facades that face walk streets in order to provide visual interest to pedestrians. Blank walls have been prohibited. The City's draft LUP calls specifically for varied building facades with primary ground floor residential building entrances and frequent windows facing the walk streets. Both the City and the Commission encourage private landscaping of the public right-of-way areas that are not occupied by the public sidewalk. Private parking areas are not permitted on the public right-of-way.

In order to ensure that the proposed project preserves the unique character of the 20th Avenue walk street, the approval of the permit is conditioned to require revised plans that incorporate the following: a) the building façade that faces the 20th Avenue walk street shall be varied and articulated using frequent windows, well-defined and separate walk street level entrances to the two permitted residential units, porches, bays and balconies in order to provide visual interest to pedestrians; b) the yard area and adjacent fronting portion of the 20th Avenue right-of-way shall be improved with grade level landscaping, patios, fences not exceeding 42 inches in height, and/or gardens in order to provide an area for on-site percolation, provide visual interest to pedestrians, and to prevent parking and vehicular access on the 20th Avenue right-of-way; and c) the landscaping and improvements to the fronting portion of the 20th Avenue right-of-way shall not encroach into or otherwise interfere with the existing pedestrian accessway on the walk-street. The revised project plans shall conform to the requirements of the City of Los Angeles Specific Plan for Venice.

Therefore, the Commission finds that the proposed project, only as conditioned to preserve the walk-street, is consistent with the provisions of Section 30251 of the Coastal Act, the Interpretive Guidelines, and previous Commission approvals.

Building Height

Building height and bulk can also affect the scenic and visual qualities of the walk streets and coastal areas. In previous approvals, the Commission and the City have both consistently limited new development in the North Venice area to a height of 30 feet measured above the fronting right-of-way. The 30-foot height limit for North Venice is the

standard of the Commission's Interpretive Guidelines and the City of Los Angeles Interim Control Ordinance (ICO) for Venice. The Commission and the City have, however, allowed portions of some structures to exceed the thirty-foot height limit by up to ten feet if the scenic and visual qualities of the area are not negatively impacted.

The Los Angeles City Council recently adopted the draft Venice Land Use Plan (LUP) which would also limit the height of new development in the North Venice area. For North Venice, the draft Venice LUP limits flat-roofed residential projects to a height of 30 feet and peaked roofs to 35 feet. The draft Venice LUP contains a new 28-foot height limit for projects on walk streets.

The proposed project 29.5-foot high apartment building, which is located on a historic Venice walk street (20th Avenue), does not conform to the draft LUP's 28-foot height limit (Exhibit #4). The applicant contends that the proposed project was designed using the Commission's Interpretive Guideline height limit of 30 feet, and the City's ICO height limit of 30 feet. The City did not require the proposed project to conform to the new 28-foot height limit for development along walk streets when it issued a preliminary approval for the proposed project on June 28, 1999. The City Planning Department issued Approval in Concept No. 99-088 for the proposed 29.5-foot high duplex on June 28, 1999, and the draft Venice LUP was adopted by the Los Angeles City Council on October 29, 1999.

The proposed project has a 29.5-foot high flat roof as measured from the centerline of the fronting street, 20th Avenue (Exhibit #5). No roof access stairway enclosures are proposed to exceed the 29.5-foot high roof elevation. Access to the proposed roof deck is provided by two unenclosed spiral stairways (Exhibit #4). The only portions of the proposed structure that exceed the 29.5-foot high roof level are roof deck railings and roof equipment. The highest part of the proposed structure is the roof deck railing that reaches approximately 32.5 feet above the elevation of 20th Avenue (Exhibit #4).

The City's former height limit for such development, as required by the Venice Interim Control Ordinance (ICO), was 30 feet. The two-foot difference between the City's former ICO height limit of 30 feet and the new 28-foot height limit for development on walk streets may not appear to be a significant difference. It is very unlikely, however, that the proposed three-story structure could conform to a 28-foot height limit without being reduced to a two-story structure. Therefore, the implementation of the draft LUP's height limit of 28 feet would likely result in the construction of two-story buildings along the walk streets, instead of the three-story buildings that have been previously permitted by the Commission and City during for the last twenty years in the North Venice area. The proliferation of 30-foot high buildings along the historic walk streets, some with 40-foot high roof access structures, has changed the character of the walk streets which were originally developed with one and two-story structures in the first half of the 20th century.

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

the Coastal Act. In addition, Section 30604(a) of the Coastal Act requires the Commission to ensure that the approval of the proposed project will not prejudice the ability of the City to prepare an LCP that conforms with Chapter 3 policies of the Coastal Act.

Therefore, the question is whether the Commission will enforce the draft LUP's new 28-foot height limit for development along walk streets, or will the Commission continue to approve projects that comply with the 30-foot height limit that has been imposed on previous projects up to the present time?

Commission approval of a development that does not conform to the draft Venice LUP could prejudice the ability of the City to prepare an LCP that conforms with Chapter 3 policies of the Coastal Act. Therefore, staff recommends that the proposed development conform to the standards of the draft LUP including the 28-foot height limit for development on walk streets. The draft Venice LUP's 28-foot height limit for development on walk streets carries out the requirement of Section 30251 of the Coastal Act to protect the scenic and visual qualities of the walk streets by limiting the height and bulk of development along the walk streets. The 28-foot height limit will protect community character by preventing the construction of 30-foot high buildings (with 40-foot high roof access structures) along the historic walk streets. The 28-foot height limit will permit two-story building with 28-foot high roof access structure. Two-story structures are in character with the historic development of the Venice walk streets.

Therefore, in order to ensure that the proposed project preserves the unique character of the 20th Avenue walk street and does not prejudice the ability of the City to prepare an LCP that conforms with Chapter 3 policies of the Coastal Act, the approval of the permit is conditioned to require revised plans that show that the top of the roof does not exceed 28 feet in elevation above the centerline of the 20th Avenue right-of-way. The proposed roof deck railings may extend 42 inches over the 28-foot roof height limit. A roof access structure exceeding the 28-foot height limit is not permitted. The applicant shall construct and maintain the project as shown on the plans approved by the Executive Director. Only as conditioned does the design of the proposed structure adequately protect the visual resources of the walk street.

The Commission finds that the proposed project, only as conditioned to conform to the 28-foot height limit and to preserve the walk-street, is consistent with the provisions of Section 30251 of the Coastal Act.

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 North 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.

To mitigate this problem, the Commission has consistently conditioned new development within the North Venice area to provide two parking spaces per residential unit and provide one guest parking space. All residential parking must be provided on the site. Private parking areas are not permitted on public rights-of-way.

The applicant proposes to provide five on-site parking spaces within two ground floor garages (two-cars each) and a one-space carport (Exhibit #3). Vehicular access to the parking is proposed from Speedway alley (Exhibit #2). The five proposed on-site parking spaces provide an adequate parking supply for the proposed duplex. Therefore, the proposed project conforms to the Commission's parking standards for the North Venice area.

The Commission finds that, only as conditioned to ensure the continued provision of adequate on-site parking, is the proposed project consistent with 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 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.

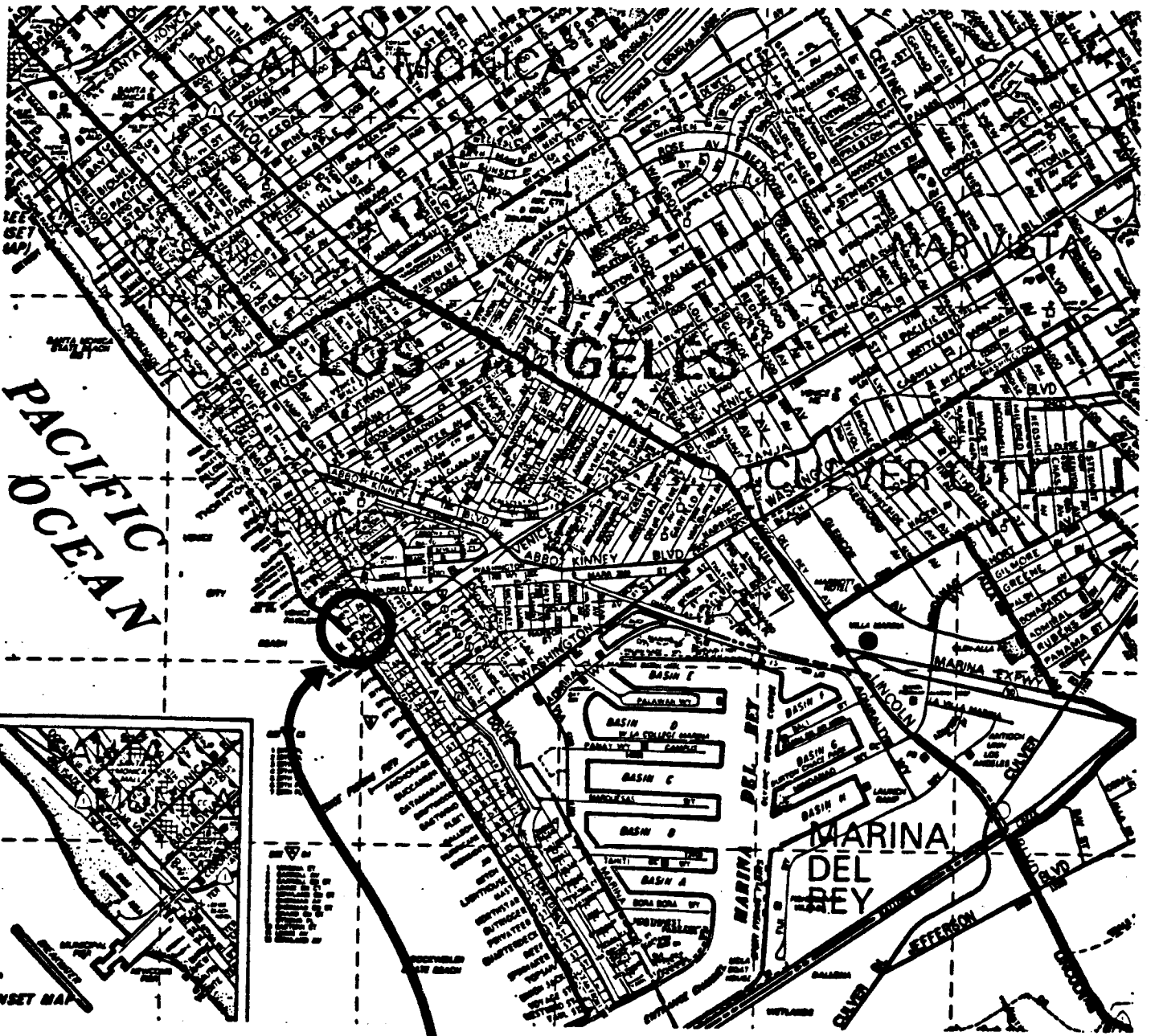
The City of Los Angeles does not have a certified Local Coastal Program for the Venice area. The Los Angeles City Council adopted a draft Land Use Plan (LUP) for Venice on October 29, 1999. The City plans to submit the draft Venice LUP for Commission certification within the coming months. The proposed project, only as conditioned to preserve the 20th Avenue walk street and to conform to the walk street height limit of 28 feet, conforms with the draft Venice LUP.

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 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)(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, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. All adverse impacts have been minimized by the recommended conditions of approval and there are no feasible alternatives or additional 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.



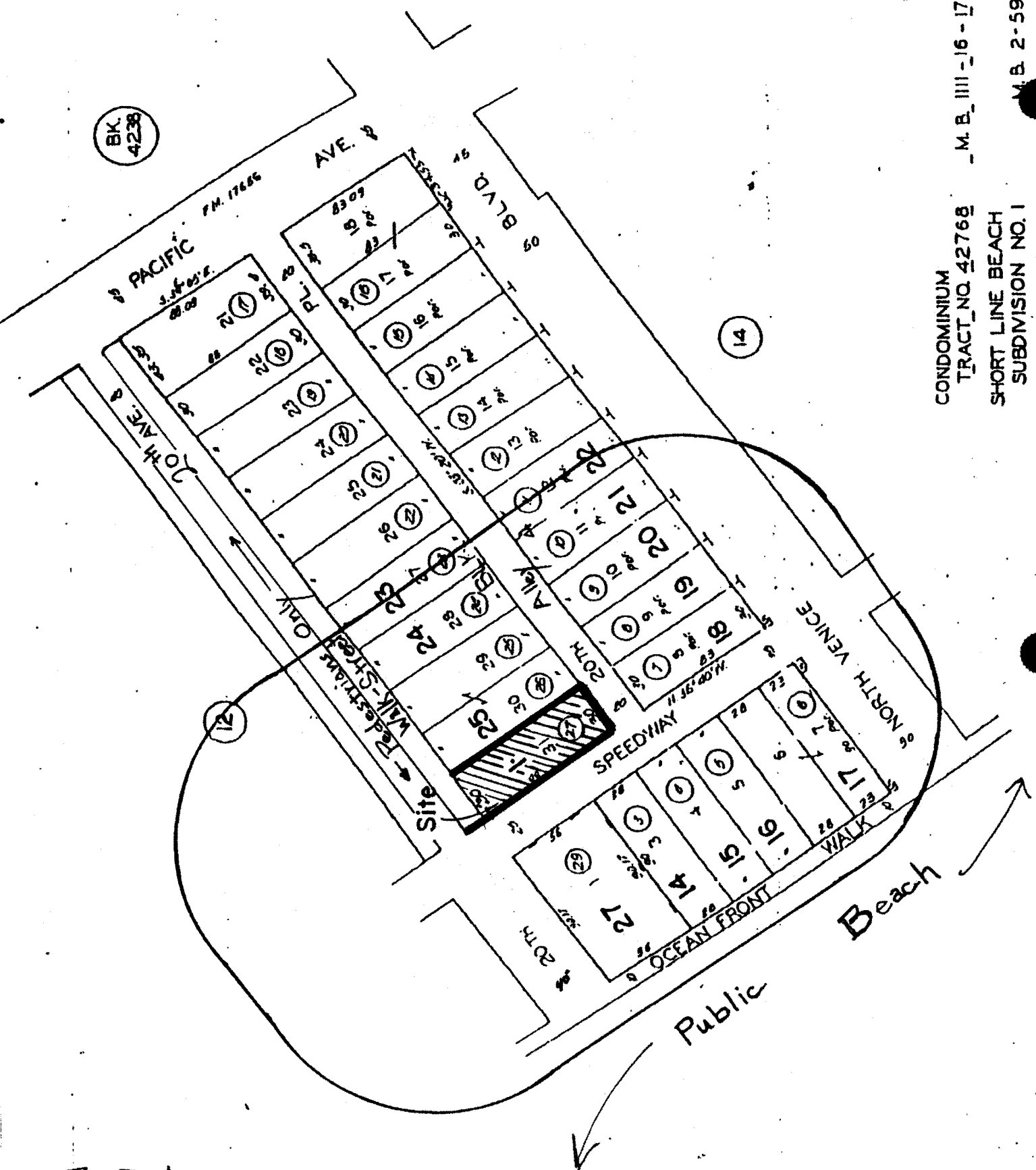
Site

10-20th Avenue

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EXHIBIT # /
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BK. 4238



10-20th Avenue

CONDOMINIUM TRACT NO. 42768
 SHORT LINE BEACH SUBDIVISION NO. 1
 M. B. 1111-16-17
 M. B. 2-59

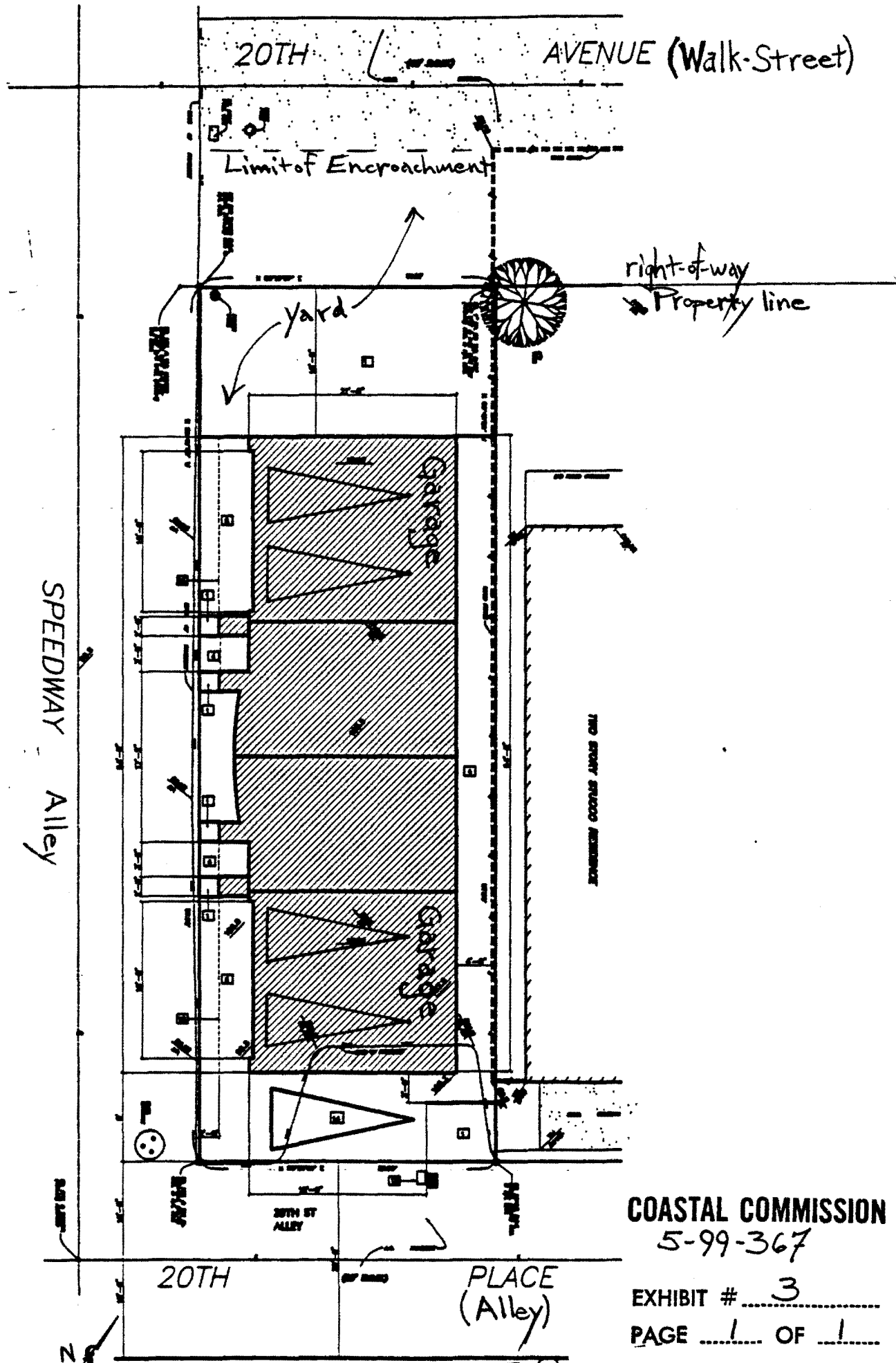
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EXHIBIT # 2

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FOR PREV. ASSM'T SEE 7-5

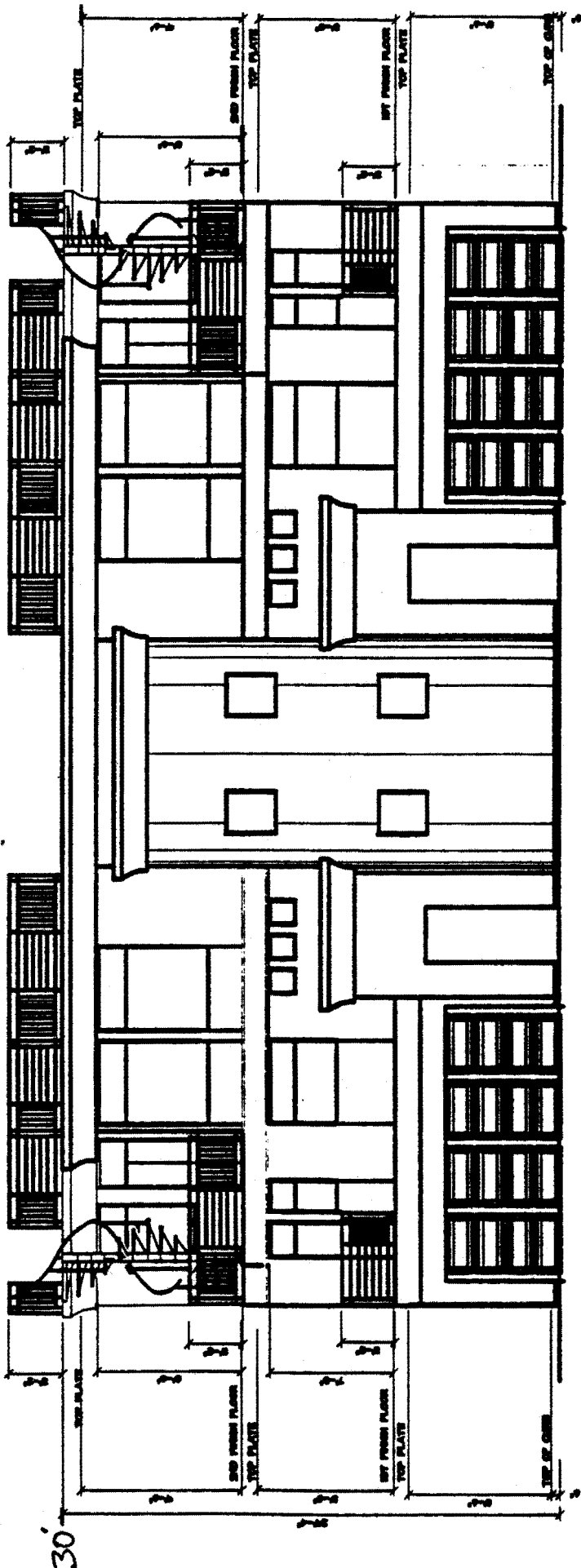


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EXHIBIT # 3

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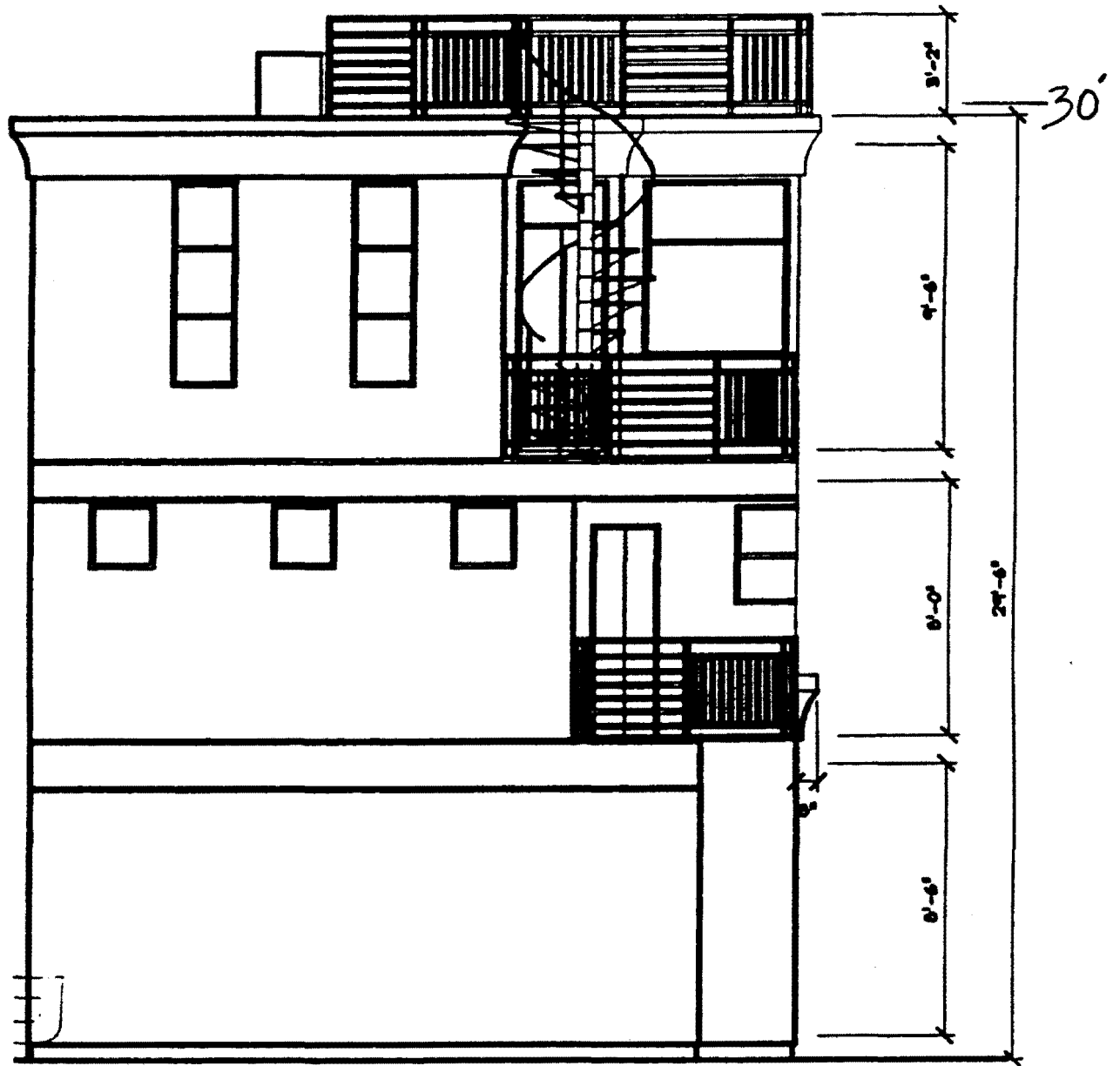
FRONT ELEVATION
 1001 100-100
 Speedway Alley

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EXHIBIT # 4

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LEFT ELEVATION

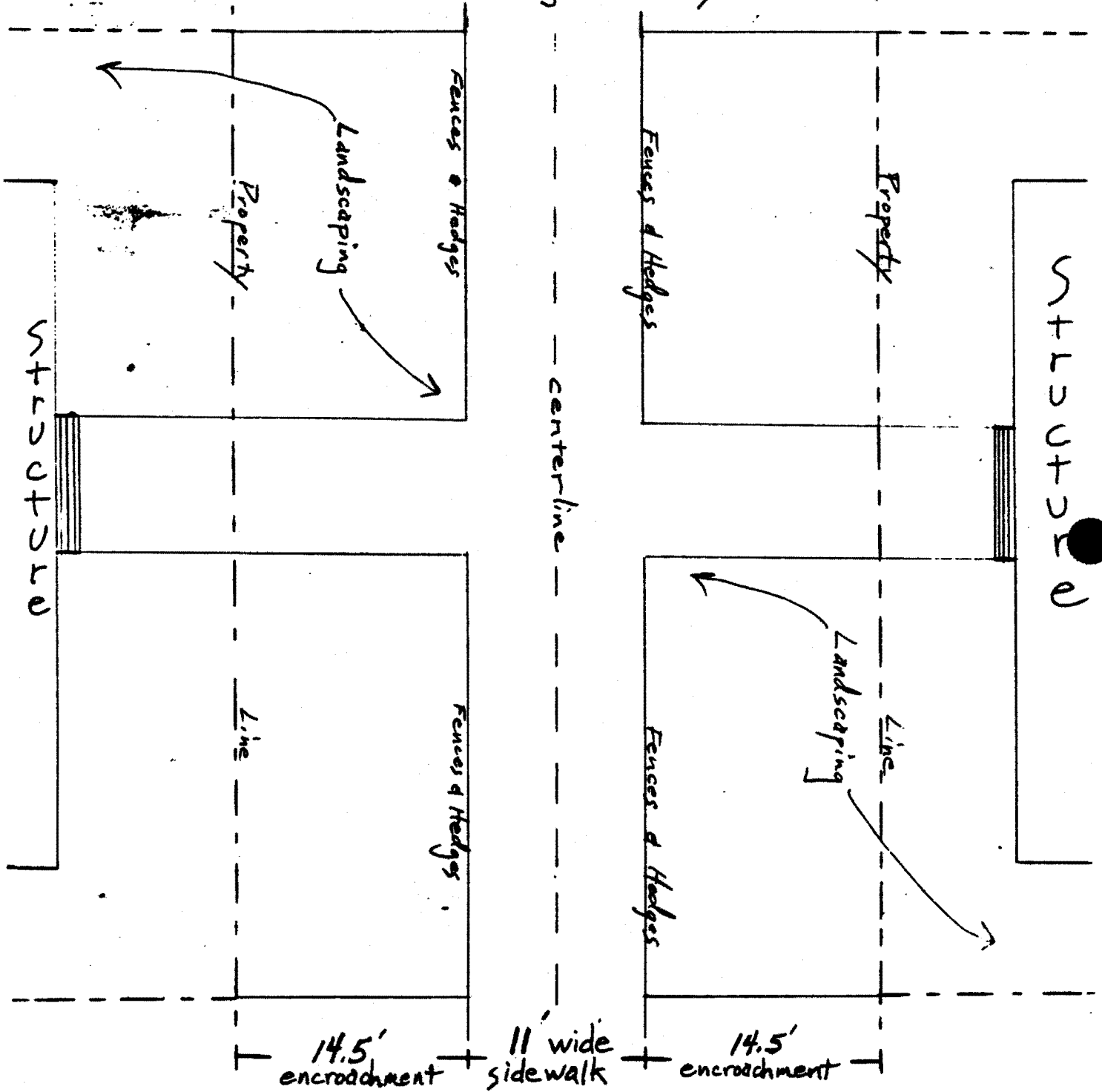
SCALE 20th Avenue

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EXHIBIT # 5
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To Shoreline

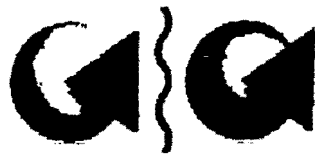
40' wide Right-of-way



Typical Walk-street in Venice

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C & C PARTNERS
DESIGN / BUILD FIRM, INC.

November 16, 1999

California Coastal Commission
South Coast District
200 Oceangate, 10th Floor
Long Beach, Ca 90802

Re: File #5-99-367
10 20th Avenue
Venice, Ca 90291

Dear members of the Coastal Commission,

It has been brought to our attention that the Coastal Commission has received notice from the City of Los Angeles about a Local Coastal Development Permit (99-011) and a Parcel Map Permit (#7339) for the development of a 32 1/2' high building on the property in question. However, it has always been our intention to build a 29 1/2' structure on this property, which would be under the Coastal Commission's maximum 30' height limit in this Venice area. Our application was submitted for this project with the 29 1/2' high building request. Furthermore, we have acquired an Approval in Concept for this building from the City of Los Angeles which also states a 29 1/2' building height. This height does not include the height of the railing on the roof deck, which is an additional 3'-0". The document that you received from the city included the height of the roof deck railing which brings their total height to 32 1/2'. They have made a mistake by including the height of the roof deck railing in their height of building calculation and thus, they are currently working on correcting the paperwork and will send the Coastal Commission the corrected notice.

In addition, our office has been made aware of the fact that as of October 29, 1999, the City of Los Angeles passed a Coastal Act that would limit the height of all structures to a maximum of 28'-0" in the Venice area concerning our project. We believe that our project should not be made to comply with the October 29th Act based on the fact that we received our City of Los Angeles Approval in Concept and submitted our application to you prior to the October date. We received

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notice that our application was complete and we were only recently informed by your staff of this new Act and how it may affect our project. We have designed this project based on the guidelines we were given by the City of Los Angeles and the California Coastal Commission prior to October 29, 1998, thus, we ask that you consider that our project remain at 29 1/2' in height.

Thank you for your time and attention in this matter.
C & C Partners Design/Build Firm, Inc.

Rana Makarem

Rana Makarem
Applicant

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