

CALIFORNIA COASTAL COMMISSION

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 Staff Report: 5/14/99
 Hearing Date: June 8-11, 1999
 Commission Action:

STAFF REPORT: REGULAR CALENDAR**APPLICATION NUMBER:** 5-99-055**APPLICANT:** Charles Arnoldi**AGENT:** Will Nieves, Nieves & Associates**PROJECT LOCATION:** 11 Brooks Avenue, (a.k.a. 819-827 Ocean Front Walk), Venice, City of Los Angeles, Los Angeles County.**PROJECT DESCRIPTION:** Construction of a 30 foot high (with two 40 foot high roof access structures), 12,000 square foot, four-unit artist-in-residence condominium structure above an existing one-story, 3,000 square foot commercial building and a proposed 16-car parking garage.

Lot Area	12,575 square feet
Building Coverage	11,450 square feet
Pavement Coverage	1,125 square feet
Landscape Coverage	0 square feet
Parking Spaces	20
Zoning	C1-1
Plan Designation	Commercial
Ht above final grade	30-40 feet

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission grant a coastal development permit for the proposed development with special conditions relating to the provision of adequate parking, management of the on-site parking supply, encroachments onto Ocean Front Walk, signage, and building height. The applicant may object to special condition one regarding the management of the on-site parking supply (i.e. requirement for one hour of free parking for customers, and provision of a parking attendant).

LOCAL APPROVALS:

1. City of Los Angeles Coastal Development Permit No. 98-024, 12/24/98.
2. City of Los Angeles Preliminary Parcel Map LA No. 7261, 11/24/98.
3. City of Los Angeles Conditional Use Permit, Area Variance and Project Permit, Case No. ZA 98-0523 (CUZ)(YV)(PP), 12/24/98.

SUBSTANTIVE FILE DOCUMENTS:

1. Coastal Development Permit A-80-7130 (Dontis & Brooks Co.).
2. Coastal Development Permit A-80-7136 (WRB Foundation).
3. Coastal Development Permit A-80-7313 (Curcio & Brooks Co.).
4. Coastal Development Permit 5-88-808 & amendment (Brooks Co.).
5. Coastal Development Permit 5-92-180 (Brooks Co.).
6. Coastal Commission Regional Interpretive Guidelines, Los Angeles County (10/14/80).

STAFF NOTE:

The proposed project is located within the "*Dual Permit Area*" of the coastal zone. The City of Los Angeles has issued Local Coastal Development Permit No. 98-024 for the proposed project. Pursuant to Sections 30600 and 30601 of the Coastal Act, the proposed project also requires an approved coastal development permit issued by the Coastal Commission.

Section 30600(b) of the Coastal Act allows local government to assume permit authority prior to certification of a Local coastal Program. Under that section, local government must agree to issue all permits within its jurisdiction. Section 30601 of the Coastal Act establishes that in certain areas, and in the case of certain projects, a permit from both the Commission and local government will be required. In addition, Section 30602 of the Coastal Act establishes that all local actions on coastal development permits are appealable by any person, by the executive director or by any two commissioners.

In 1978, the City of Los Angeles opted to issue its own coastal development permits except for those permits eligible for issuance as administrative permits by the Executive Director under section 30624. The Commission staff prepared maps that indicate the area in which coastal development permits are required from both the Coastal Commission and the City. The proposed project is located within this area, now referred to as the "Dual Permit Area". Therefore, the proposed project must obtain a coastal development permit from both the City of Los Angeles and the Coastal Commission.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby **GRANTS** a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, is located between the sea and the 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 effects 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**

Prior to issuance of the coastal development permit, the applicant shall execute and record a deed restriction on the project site (APN 4286-027-009), subject to the review and approval of the Executive Director, which shall provide the following:

- a. The applicant shall provide and maintain a minimum of ten on-site public parking spaces for use by the public, customers and employees of the commercial uses located at 819-827 Ocean Front Walk. Access to these ten parking spaces shall not be restricted by gates or other obstacles during normal business hours.
- b. The fee charged for public parking at 819-827 Ocean Front Walk shall not exceed the rate charged by the Los Angeles County public parking lots in North Venice.
- c. Tenants of the commercial establishments at 819-827 Ocean Front Walk shall issue parking validations that grant their customers one hour of free on-site parking.
- d. Employee carpools with two or more employee of the commercial establishments located at 819-827 Ocean Front Walk shall be provided with free on-site parking during their hours of employment.
- e. Prior to occupancy of the four proposed artist-in-residence units, the applicant shall provide and maintain a minimum of ten on-site parking spaces for the exclusive use of the residents and their guests. The ten required residence and guest parking spaces are in addition to the ten public parking spaces required for the commercial uses located at 819-827 Ocean Front Walk (20 total on-site parking spaces).
- f. Upon completion of the proposed parking garage, the applicant shall employ a parking attendant between 12:00 noon and 5:00 p.m. on all weekends, holidays, and on all days during the summer beach season between Memorial Day and Labor Day. The parking attendant shall manage and monitor the use of the twenty required on-site parking spaces by the public, customers, employees, residents, and guests consistent with the requirements of this condition.

The parking for the proposed development and the existing commercial uses shall be maintained and managed consistent with this special condition. The deed restriction shall be recorded on the project site (APN 4286-027-009) free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall run with the land, binding all successors and assigns, and shall not be removed or changed without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Parking Sign Programs

Prior to the issuance of the coastal development permit, the applicant shall submit plans for two parking sign programs, subject to the review and approval of the Executive Director, that carry out and are consistent with condition one above. The first parking sign program shall provide for the use of at least ten on-site public parking spaces for the time period between the issuance of the coastal development permit and the commencement of construction of the four proposed artist-in-residence units and the parking garage. The second parking sign program shall be implemented at the completion of the four proposed artist-in-residence units and the parking garage.

The parking sign programs shall include signs (minimum 4 square feet) that clearly announce the availability of the on-site parking supply for public and customer use, the cost of parking, and the availability of one hour of free parking (with validations) for customers of the commercial establishments located at 819-827 Ocean Front Walk. The signs shall be posted in conspicuous locations on the applicant's property or structure. The signs shall not rotate, flash, or be internally illuminated. The applicant shall maintain the approved development consistent with the approved parking sign programs.

3. Encroachments

There shall be no encroachment onto any portion of Ocean Front Walk or other public right-of-way by the applicant, leaseholders, tenants, or operators of the commercial establishments within the existing or proposed structure. Prohibited encroachments include, but are not limited to, signs, tables, displays and merchandise racks.

4. Signs

The size of each sign placed on the exterior walls of the existing or proposed structure shall not exceed twenty square feet in area. There shall be no more than six signs on the site which exceed ten square feet in area. Rooftop signs and signs that exceed the height of the structure are prohibited. No sign, or any portion of any sign, shall exceed fifteen feet above the elevation of the fronting right-of-way. No sign shall rotate, flash, or be internally illuminated. No freestanding signs are permitted.

5. Height Limit

The roof level of the proposed structure shall not exceed thirty feet above the elevation of Ocean Front Walk. In addition, any visual barriers, future improvements, landscaping, potted plants, or mature trees that may be placed on the roofs or roof decks of the structure shall not exceed five feet in height over the thirty-foot high roof elevations. The proposed skylights shall not exceed five feet in height over the thirty-foot high roof elevations. The two proposed 7'x14' roof access stairway enclosures shall not exceed forty feet in overall height above the elevation of Ocean Front Walk.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The applicant proposes to construct a three-story, 12,000 square foot condominium structure above an existing one-story, 3,000 square foot commercial building on the boardwalk in North Venice (Exhibit #5). The proposed project is situated on a 12,575 square foot commercially zoned parcel (3 lots) on the corner of Ocean Front Walk and Brooks Avenue (Exhibit #2). Ocean Front Walk is a popular commercial and residential pedestrian street (boardwalk) on the beachfront that attracts many tourists and day visitors.

The project site is currently occupied by a one-story, 3,000 square foot commercial building with ten on-site parking spaces (Exhibit #3). The proposed project will retain the existing 3,000 square feet of commercial space on the ground floor as one commercial condominium unit. The ten existing on-site parking spaces will be replaced within the proposed project to serve the existing commercial uses.

The proposed three-story addition contains four 3,000 square foot artist-in-residence condominium units (Exhibit #4). An artist-in-residence unit is a residential use that combines a single residential unit with artist studio workspace. Each of the four proposed artist-in-residence units includes a roof deck on the 30-foot high roof, and skylights that reach 35 feet above Ocean Front Walk (Exhibit #7). The four proposed roof deck areas will be accessed by two 40-foot high, 98 square foot (7'x14') roof access structures (Exhibit #6).

The proposed project will provide a total of twenty on-site parking spaces. Sixteen parking spaces are proposed in a ground-floor parking garage which will be accessed from Brooks Avenue, and four parking spaces are proposed at the rear of the structure next to Speedway Alley (Exhibit #5). Ten of the twenty proposed on-site parking spaces will replace the ten existing on-site parking spaces that are currently used by the existing commercial uses. The other ten proposed on-site parking spaces will serve the four proposed artist-in-residence condominium units and their guests.

The City of Los Angeles has issued Local Coastal Development Permit No. 98-024 and Preliminary Parcel Map LA No. 7261 for the proposed project (Exhibit #4). The City has also issued a conditional use permit, a variance and a project permit for the proposed project. The proposed project requires a coastal development permit from both the City and the Coastal Commission because it is located in the Dual Permit Area of the coastal zone (see Staff Note on page 2). The City variance permits a 0-foot side yard along Brooks Avenue.

The project site has a long history before the Commission. Since 1980, the Commission has acted on and approved the following five coastal development permits for the property:

1. Coastal Development Permit A-80-7130 (Dontis & Brooks Co.).
2. Coastal Development Permit A-80-7136 (WRB Foundation).
3. Coastal Development Permit A-80-7313 (Curcio & Brooks Co.).
4. Coastal Development Permit 5-88-808 & amendment (Brooks Co.).
5. Coastal Development Permit 5-92-180 (Brooks Co.).

The three 1980 permits were approved for previous commercial uses that formerly occupied the site (A-80-7130, A-80-7136 & A-80-7313). Coastal Development Permit 5-88-808 (Brooks Co.) permitted the partial demolition of a larger office building that formerly occupied the site and the structural enhancement of the remaining portion of the structure. The remaining structure is the existing 3,000 square foot commercial building that now contains four commercial units (Exhibit #3). Permit amendment 5-88-808-A1 (Brooks Co.) approved the construction of the existing ten-space parking area on the rear of the site that serves the existing commercial uses (Exhibit #3).

The most recent Commission action affecting the project site was the approval of Coastal Development Permit 5-92-180 (Brooks Co.) on May 13, 1993, for two phases of development:

Phase I: Permit the existing commercial uses [1) 540 square foot pizza restaurant with 100 square feet of service area, 2) 540 square foot T-shirt shop, 3) 1,050 square foot market, and 4) 870 square foot restaurant with 300 square feet of service area] in the existing one-story, 3,000 square foot commercial structure with the provision of ten on-site parking spaces.

Phase II: Construction of a three-story, 40-foot high, 24,650 square foot addition containing seven residential condominium units and a 26-space parking garage onto the existing 3,000 square foot commercial structure.

Coastal Development Permit 5-92-180 (Brooks Co.) was never issued, and the proposed seven unit condominium project was never built. Coastal Development Permit 5-92-180 expired on May 13, 1995.

B. Public Access/Parking

The proposed project is located in the North Venice area on Ocean Front Walk. One of the most important coastal planning issue for the North Venice area is the provision of adequate parking facilities to assure continued public access opportunities to this highly popular coastal area.

Many of the existing commercial and residential structures in this area were constructed decades ago at a time when the parking demands generated by development were significantly less than they are today. Consequently, there is now a severe shortage of available parking spaces in the area. This situation has negatively impacted the availability of

public access to the coast. Visitors and users of the various commercial, residential and recreational uses in the area must compete for the limited number of available parking spaces in the area.

The Commission has consistently found that a direct relationship exists between the provision of adequate parking and 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. In order to conform to the requirements of the Coastal Act, the proposed project is required to provide an adequate on-site parking supply.

Section 30252 of the Coastal Act states, in part:

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

The applicant proposes to replace the ten existing on-site parking spaces that currently serve the existing commercial uses. In its 1993 approval of Coastal Development Permit 5-92-180 (Brooks Co.), the Commission found that ten parking spaces was adequate to serve the 3,000 square feet of existing commercial uses on the site with the following findings:

The parking demands will be calculated according to the Commission's Interpretive Guidelines for North Venice and previous Commission actions in the area to ensure that public access opportunities are not negatively impacted. The 1,050 square foot market located on the site at 825 Ocean Front Walk does not have to provide any parking because the market use predates the Coastal Act and all Commission parking requirements.

Based on the Commission's current parking standards for the area, the parking demand for the existing commercial uses (Phase I) on the subject site is ten parking spaces. The parking demand was calculated as follows:

540 square foot Pizza restaurant with 100 square feet of service area @ 1 space per 50 square feet of service area:	2 parking spaces
540 square foot T-shirt shop (general retail) @ 1 space per 225 square feet of gross floor area:	2 parking spaces
Pre-Coastal Act 1,050 square foot market:	0 parking spaces
540 square foot restaurant with 300 square feet of service area @ 1 space per 50 square feet of service area:	<u>6</u> parking spaces

Total: 10 parking spaces

The currently existing commercial uses on the site are the same as in 1993, except that a Tattoo/Body Piercing store now occupies the 540 square foot unit formerly occupied by the T-shirt shop. Therefore, the current intensity of commercial use and the parking demand on the site is substantially the same as in 1993 when the Commission approved the 3,000 square feet of commercial uses with ten on-site parking spaces. Therefore, the Commission finds that ten on-site parking spaces are an adequate parking supply to meet the demands of the existing commercial uses.

The applicant proposes to provide ten additional on-site parking spaces to serve the proposed four artist-in-residence units. The proposed project will provide a total of twenty on-site parking spaces (Exhibit #5). Based on the Commission's current parking standards for the area¹, the parking demand for the proposed addition of four residential condominiums on the site is nine parking spaces (two spaces per unit plus one guest space for each four units). Therefore, the Commission finds that the proposed twenty parking spaces is an adequate on-site parking supply to meet the demands of the proposed project consistent with Section 30251 of the Coastal Act.

Replacement parking has often been an issue in many new developments in the North Venice area. In its actions on prior permits in this area of Venice, the Commission has found that it is necessary to require fifty percent replacement of parking spaces which were formerly available to the public when new development is proposed. The site currently provides ten on-site parking spaces to meet the demand of the existing commercial uses on the site. As proposed by the applicant, all ten existing on-site parking spaces will be replaced within the project. The currently vacant portion of the lot has been fenced-off and not available for parking since the large office building that formerly occupied the site was demolished in 1988-89. Therefore, no additional replacement parking is required.

In addition, the proposed project is located within the Beach Impact Zone (BIZ) of the North Venice area as outlined in the City of Los Angeles Venice Coastal Interim Control Ordinance (ICO) No. 171,435. The ICO Beach Impact Zone parking requirements apply to new developments in the Beach Impact Zone, and are in addition to the standard parking requirements. The parking spaces generated by the Beach Impact Zone parking requirements help offset the cumulative impacts on public access opportunities caused by the intensification of commercial enterprises in the Venice area. The proposed project provides one parking space over and above the nine spaces that are required by the Venice ICO for the four proposed artist-in-residence units. The City, in its approval of Project Permit Case No. ZA 98-0523, found the proposed project complies with the parking requirements of Venice ICO No. 171,435.

As previously stated, the proposed project will provide a total of twenty on-site parking spaces. Sixteen parking spaces are proposed in a ground-floor parking garage that will be accessed from Brooks Avenue, and four parking spaces are proposed at the rear of the structure next to Speedway Alley (Exhibit #5). Ten of the twenty proposed on-site parking

¹ Coastal Commission Regional Interpretive Guidelines, Los Angeles County (10/14/80).

spaces will replace the ten existing on-site parking spaces that are currently used by the existing commercial uses. The other ten proposed on-site parking spaces will serve the four proposed artist-in-residence condominium units and their guests.

It is imperative that all twenty of the proposed parking spaces are accessible to the users that they are supposed to serve in order to avoid additional competition for the limited parking in the surrounding neighborhood. Therefore, the Commission requires that the on-site parking supply be properly managed to ensure that the parking supply is used to the fullest extent.

Therefore, the permit is conditioned to require that the ten parking spaces required for the commercial uses shall be available for use by the public, customers and employees of the commercial uses located at 819-827 Ocean Front Walk. Access to these ten parking spaces shall not be restricted by gates or other obstacles during normal business hours, and any fees charged for parking shall not exceed the rate charged by the Los Angeles County parking lots in the North Venice area. In addition, the employees who carpool to work shall be provided with free on-site parking during their hours of employment. A condition also requires a sign program to announce the availability of on-site parking for use by the public, customers and employees of the commercial uses.

The permit is also conditioned to require that the commercial tenants issue parking validations granting customers of the commercial uses one hour of free parking. The Commission has required the provision of one hour of free customer parking on other North Venice area coastal development permits including A5-90-789 (Blanchard), 5-92-338 (Elzas and 5-92-339 (Goodfader).

In order to carry out the conditions of this coastal development permit, the applicant shall provide a parking attendant in the parking garage between the hours of 12:00 noon and 5:00 p.m. on all weekends, holidays, and on all days during the summer beach season between Memorial Day and Labor Day. The parking attendant shall manage and monitor the use of the twenty required on-site parking spaces by the public, customers, employees, residents, and guests consistent with the requirements of the conditions of this permit. A parking attendant may increase the capacity of the parking garage by utilizing tandem parking arrangements.

Finally, the Commission finds that the proposed project provides an adequate parking supply for the proposed uses on the site, and that as conditioned to manage the proposed on-site parking to ensure its maximum use, the proposed project is consistent with the public access policies of the Coastal Act.

C. Public Access on the Venice Boardwalk

The proposed project must not inhibit the use of Ocean Front Walk as a pedestrian boardwalk. Although the proposed addition is set back from Ocean Front Walk, the existing

structure is not set back from the front property line at Ocean Front Walk (Exhibit #7). Placement of any object outside of the front doors of the existing commercial units will partially block Ocean Front Walk, a public right-of-way. In order to protect the integrity of the border between the public space of Ocean Front Walk and the private property of the applicant, this permit prohibits any encroachment onto the public right-of-way by signs, tables, racks, or other objects. Only as conditioned can the proposed project be found to be consistent with the Coastal Act.

D. Community Character

As previously stated, the project site is located on Ocean Front Walk at Venice Beach. Venice Beach is a very popular, highly utilized public recreation area, and Ocean Front Walk is a popular public walkway (boardwalk). The beach is a very wide, sandy beach which can accommodate large numbers of visitors. Venice Beach is a popular destination for both international and domestic tourists, as well as Southern California area residents.

As required by the Coastal Act, the visual qualities of this coastal area shall be protected from negative impacts such as excessive building heights and bulks, and unnecessary visual clutter. 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's building standards for the North Venice area are contained in the Regional Interpretive Guidelines for Los Angeles County.

Residential density in the North Venice area is limited to two units per lot. The applicant proposes to add four residential units to a 12,575 square foot, three-lot parcel that currently contains a 3,000 square foot commercial structure (Exhibit #2). The proposed project is similar in character to the existing pattern of development along Ocean Front Walk in North Venice. The North Venice community is comprised of a mix of commercial and residential uses along the boardwalk, with many older one and two-story single and multi-family residences located in the neighborhood inland of Ocean Front Walk. The proposed project complies with the Commission's density limit for the site.

Building height and bulk also affects the scenic and visual qualities of coastal areas. The Commission has consistently limited new development in the North Venice area to a height of thirty feet measured above the fronting right-of-way. The City of Los Angeles Venice Interim Control Ordinance (ICO) also limits building heights in the North Venice area to thirty feet.

The Commission and the City, however, do allow some portions of a structure 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 proposed project has a roof height of thirty feet measured from Ocean Front Walk. However, some parts of the proposed structure exceed the thirty-foot roof height. These portions of the proposed structure include roof deck railings, roof equipment, skylights, and two roof access stairway enclosures. Each of the four proposed artist-in-residence units includes a roof deck on the 30-foot high roof and skylights that reach 35 feet above Ocean Front Walk (Exhibit #7). The proposed roof deck areas are accessed by two 40-foot high, 98 square foot (7'x14') roof access structures (Exhibit #6).

As previously stated, the City and the Commission can permit certain parts of a structure 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 Venice ICO and the Commission guidelines specifically exclude chimneys, some stairway enclosures, roof decks and railings, and skylights from the thirty-foot height limit under certain conditions. In previous approvals, the Commission has required that roof access stairway enclosures contain no living or storage area and be less than one hundred square feet in area. The Venice ICO specifically states that roof structures housing stairways can exceed the thirty foot height limit only if they do not exceed the height limit by more than ten feet, and that they shall be limited to the minimum area required to comply with city and state codes plus ten percent.

More importantly, the Commission must determine whether the proposed project conforms 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. The proposed structure must comply with the visual resource policies of the Coastal Act by minimizing the bulk of the rooftop structures that can be seen from the beach. The visual impacts of roof structures can be reduced by minimizing their size and by locating them near the middle or rear of the building away from the public beach so that they will not be visible from Ocean Front Walk.

As proposed, the design of the proposed structure 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 two 40-foot high roof access structures (98 sq. ft. each) so that they contain no living or storage space. Although they may be partially visible from the fronting street, the two proposed roof access structures have been set back more than fifty feet from Ocean Front Walk (Exhibit #7). The proposed 35-foot high skylights have been set back even farther. Therefore, the Commission finds that the proposed project will not negatively impact the visual resources of the area, and that the proposed roof access structures conform to the Commission's height requirements and previous approvals in the North Venice area.

In order to ensure that the proposed project is constructed as approved, the approval is conditioned to limit the roof level of the proposed structure to thirty feet above the elevatio

of Ocean Front Walk. In addition, any visual barriers, future improvements, landscaping, potted plants, or mature trees that may be placed on the roofs or roof decks of the structure shall not exceed five feet in height over the thirty-foot high roof elevations. The proposed skylights shall not exceed five feet in height over the thirty-foot high roof elevations. The two proposed 7'x14' roof access stairway enclosures shall not exceed forty feet in overall height above the elevation of Ocean Front Walk. Only as conditioned above does the proposed project comply with the visual resource policies of the Coastal Act.

The local community and the Commission are also concerned about the design and appearance of the commercial structures which line the inland side of Ocean Front Walk. Exterior signs and other advertising on structures can negatively impact the visual quality of the area. Therefore, in order to protect against excessive visual impacts caused by signs, the approval of the project is conditioned to limit the size and type of exterior signs that may be attached to the approved structure. The size of each sign placed on the exterior walls of the existing or proposed structure shall not exceed twenty square feet in area. There shall be no more than six signs on the site which exceed ten square feet in area. Rooftop signs and signs that exceed the height of the structure are prohibited. No sign, or any portion of any sign, shall exceed fifteen feet above the elevation of the fronting right-of-way. No sign shall rotate, flash, or be internally illuminated. No freestanding signs are permitted.

Therefore, only as conditioned, does the proposed project adequately protect the scenic and visual qualities of Venice Beach and the North Venice area. Only as conditioned is the proposed project consistent with Section 30251 of the Coastal Act.

E. Land Use

Section 30222 of the Coastal Act requires that visitor-serving commercial uses be given priority over residential uses. Section 30222 of the Coastal Act states:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

In addition, Section 30252 of the Coastal Act encourages a mixture of commercial and residential uses as a way to reduce traffic congestion and maintain public access to the coast.

Section 30252 of the Coastal Act states, in part, that:

The location and amount of new development should maintain and enhance public access to the coast by...(2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads....

The proposed project is consistent with Section 30222 of the Coastal Act because it provides for visitor-serving commercial uses on the site. The proposed project is a mixed-use commercial and residential structure. The current commercial use on the project site, which will be retained within the proposed project, caters mostly to tourists and beach users. The commercial uses enhance public opportunities for coastal recreation.

The proposed project also includes four residential units. If the proposed project was totally residential, it may not be found to be consistent with Section 30222 of the Coastal Act. However, the proposed residential use of the site is balanced by the visitor-serving commercial uses retained within the project. Therefore, because the proposed project is a visitor-serving commercial project that incorporates residential uses within it, the proposed project is consistent with Sections 30222 and 30252 of the Coastal Act.

F. 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 Venice area of the City of Los Angeles does not have a certified Local Coastal Program. A preliminary draft of the North Venice Land Use Plan was prepared by the City of Los Angeles in 1980. However, no action was taken by the City or by the Commission to approve the draft Land Use Plan. The City is currently developing a Local Coastal Program to submit to the Commission for certification.

The proposed project, only as conditioned, is consistent with the coastal access, visual resource, and recreation 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).

G. 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 scenic resource, coastal access, and recreation 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.

End/cp



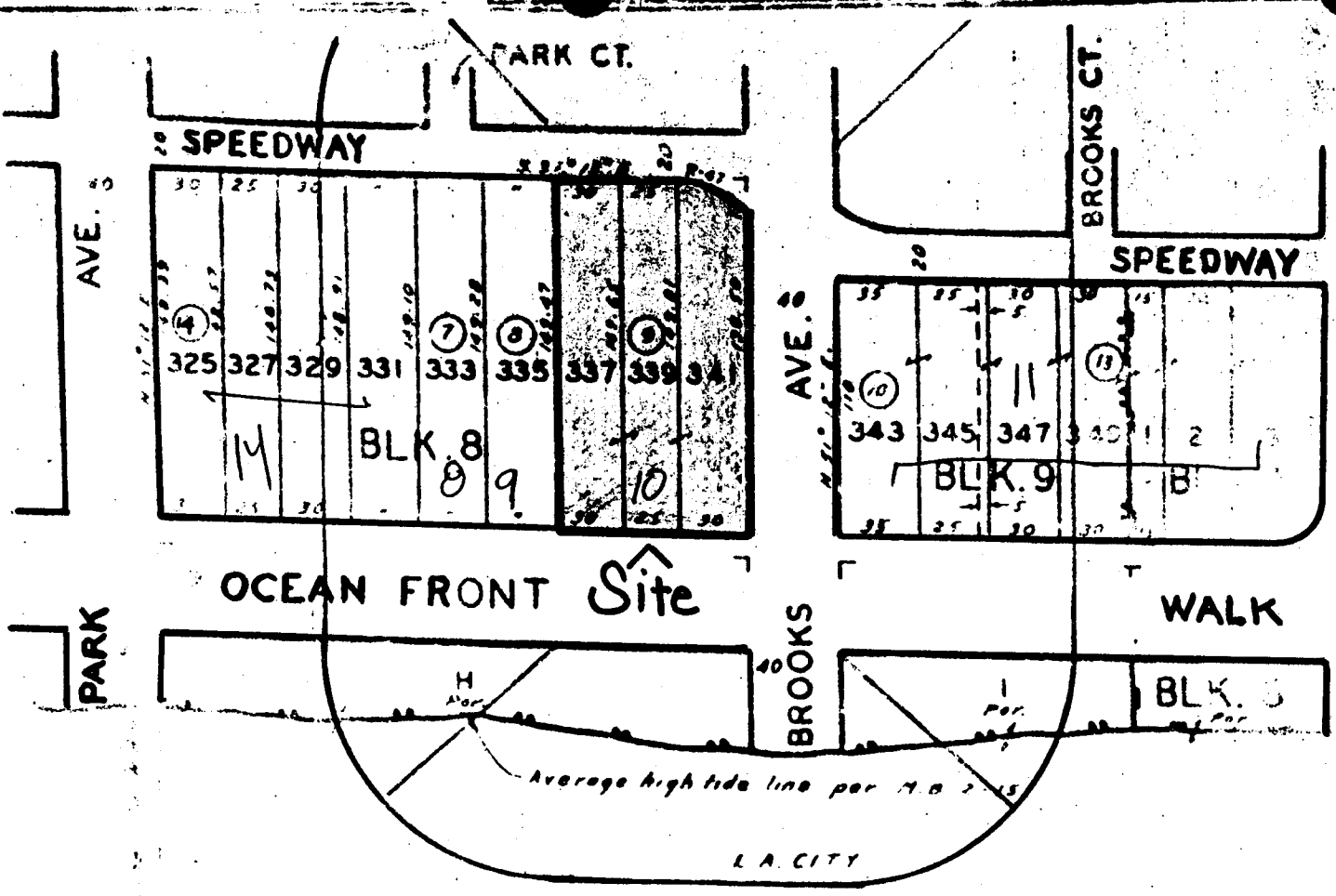
Site

North

EXHIBIT NO. 1
 APPLICATION NO. 5-99-055
 Location Map

230 27
60'

North



Public

302
2,905 AC.

Beach

PACIFIC

Mean high tide line per C.S. A-1029-2 Oct 1935

OCEAN

GOLDEN BAY TRACT

COUNTRY CLUB TRACT

COASTAL COMMISSION
5-99-055
EXHIBIT # 2
PAGE 1 OF 1

Existing 10 space parking area

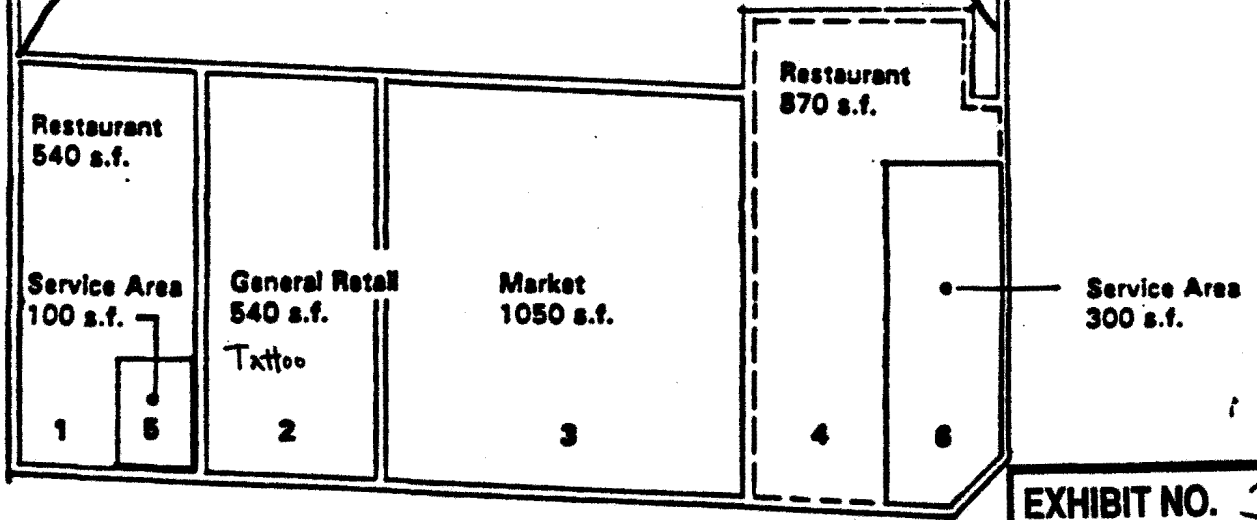


RECEIVED

Vacant

Brooks Avenue

Existing

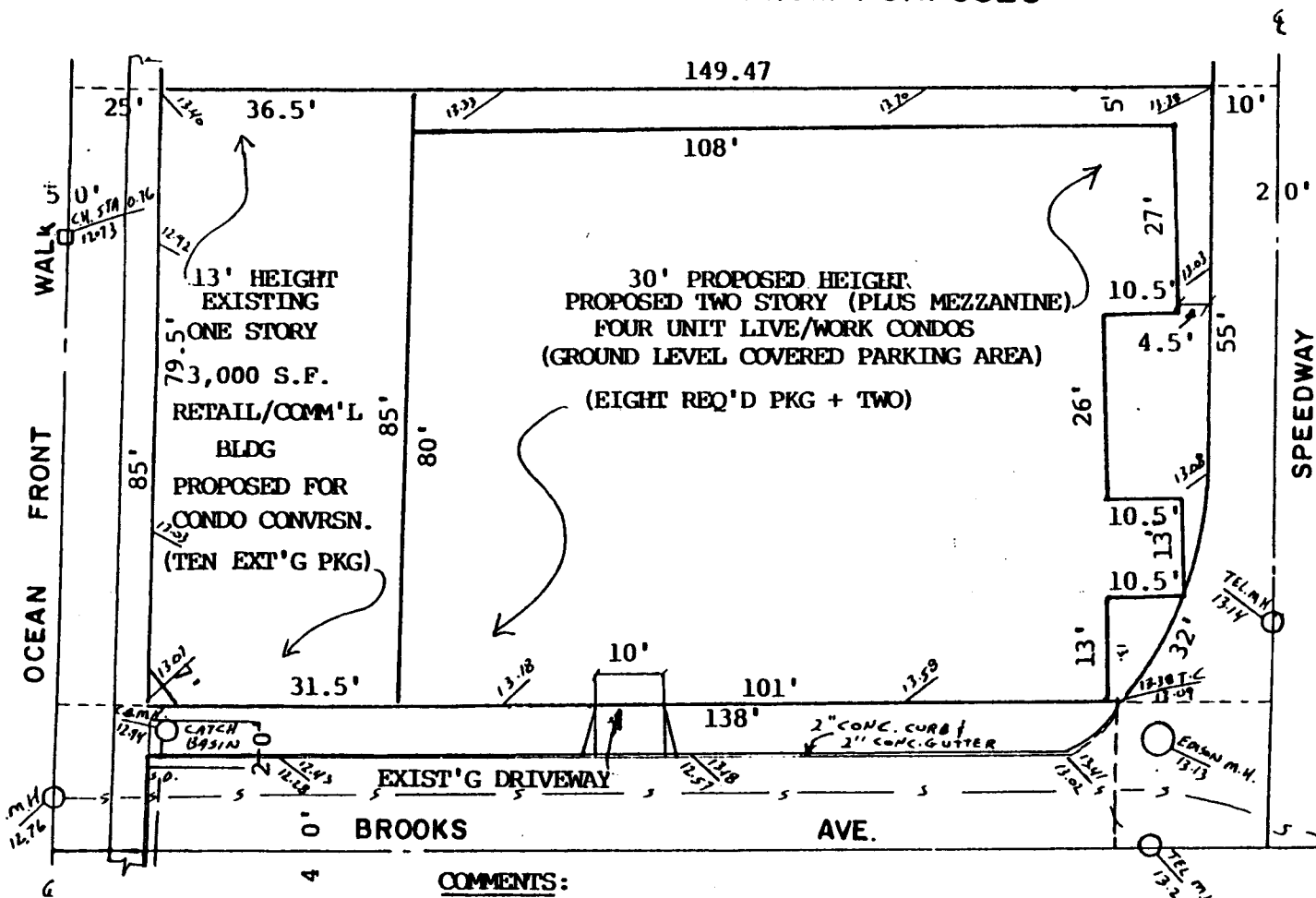


Ocean Front Walk

EXHIBIT NO. 3
APPLICATION NO.
5-99-055
Existing Uses

PRELIMINARY PARCEL MAP LA NO. 7261

FOR CONDOMINIUM PURPOSES



OWNER/SUBDIVIDER:
 CHARLES ARNOLDI
 721 HAMPTON DR
 VENICE, CA 90291
 (310)396-2700

AGENT:
 NIEVES & ASSOCIATES
 115 S JUANITA AVE
 REDONDO BEACH, CA 90277
 (310)375-5925

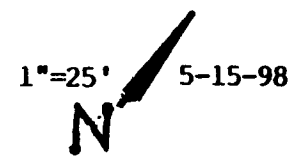
PROPOSED PROJECT:
 ONE PHASE, ONE LOT, FIVE
 CONDOMINIUMS (FOUR RESIDENTIAL
 AND ONE COMMERCIAL CONVERSION)
 20 PKG SPACES. CONCURRENT
 COASTAL DEV PERMIT AND VENICE
 ICO PROJECT PERMIT

LEGAL DESCRIPTION:
 LOTS 337, 339 AND 441 OF BLK
 8, GOLDEN BAY TRACT. M.B. 1-15

STREET ADDRESS:
 11 BROOKS AVE AND 819, 823,
 825, 825-B AND 827 OCEAN
 FRONT WALK, VENICE, CA 90291

COMMENTS:
 THOMAS BROS MAP GUIDE: PAGE 671, GRID G-5,6
 DISTRICT MAP: 108A143
 EXISTING ZONE: C1-1
 PROPOSED: NONE
 COMMUNITY PLAN: VENICE (HWY ORNTD. COMM'L)
 EXISTING ONSITE USE: 3,000 SF RETAIL COMM'L BUILDING
 PROPOSED WATER/POWER FACILITY: DWP
 PROPOSED SEWAGE FACILITY: CITY OF LA
 PROPOSED DRAINAGE: TO BROOKS AVENUE EXISTING FACILITIES
 HILLSIDE AREA NOTE: NOT LOCATED IN HILLSIDE AREA
 OAK TREE NOTE: NO EXISTING TREES ON PROPERTY
 EASEMENT NOTE: NO EASEMENTS OF RECORD
 DANGEROUS GEOLOGICAL NOTE: NOT LOCATED IN HAZARDOUS AREA
 FLOOD HAZARD/INUNDATION NOTE: NOT LOCATED IN SPECIAL FLOOD AREA

LOT AREA CALCULATIONS:
 NET AREA: 12,632 SF (0.29AC)
 GROSS AREA: 18,295 SF (0.42AC)



COASTAL COMMISSION
 5-99-055
 EXHIBIT # 4
 PAGE 1 OF 1

EXISTING 3 STORY BUILDING
 Existing Duplex

Speedway

Proposed parking garage

Existing one-story retail Bldg.

819-827 Ocean Front Walk

- 20 Parking Spaces**
- P1 RECALCULATED EXISTING CONDITIONS (SPACE 18 TOTAL)
 - P2 UNIFORM BUILDING LOT OF 100 SQ FT
 - P3 MATCH EXISTING LOT RECALCULATION OF EXISTING BUILDING AND EXISTING PARKING RECALCULATION OF 1974

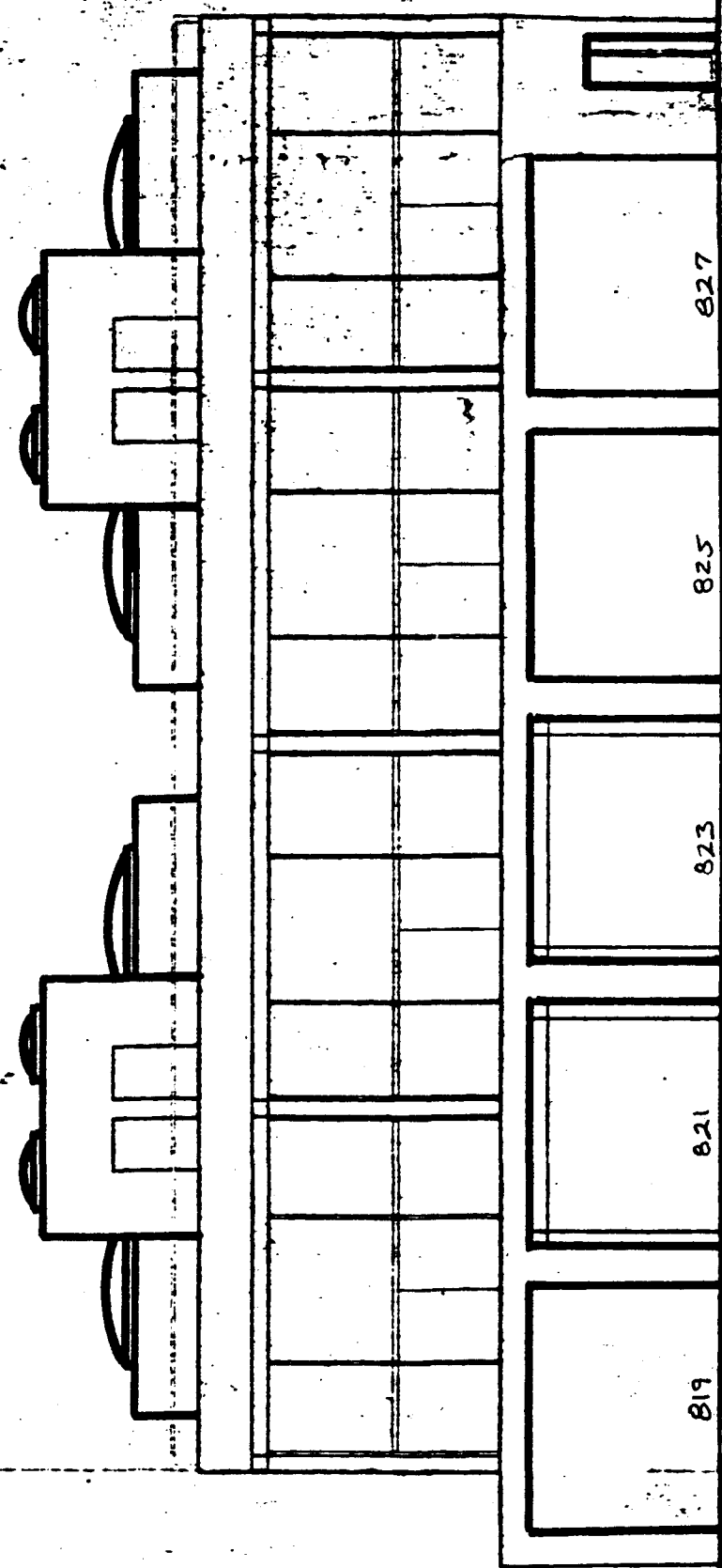
Brooks Avenue

Site/Parking Plan

COASTAL COMMISSION
 5-99-055

EXHIBIT # 5
 PAGE 1 OF 1

- 40'
- 35'
- 30'



819

821

823

825

827

WEST ELEVATION

Ocean Front Walk

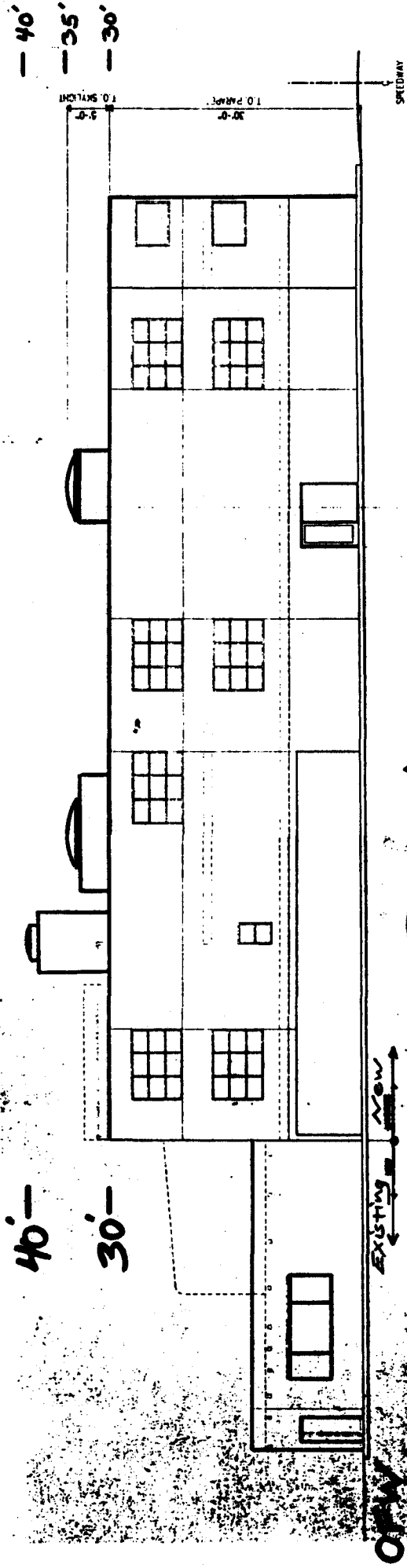
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~~SCALE: 1/8" = 1'-0"~~

COASTAL COMMISSION
5-99-055

EXHIBIT # 6

PAGE 1 OF 1

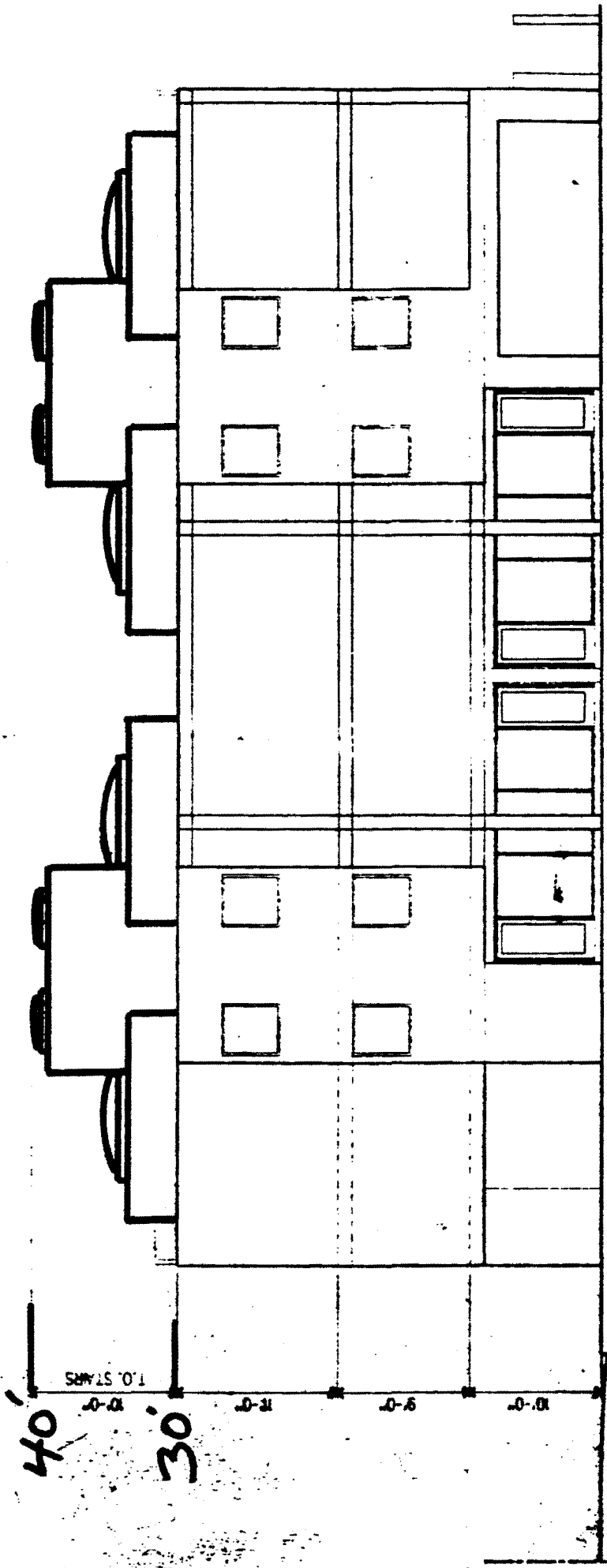


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5-99-055

EXHIBIT # 7

PAGE 1 OF 1



1 EAST ELEVATION

SCALE: 1/8" = 1'-0"

Speedway Alley

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5-99-055

EXHIBIT # 8

PAGE 1 OF 1

