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CALIFORNIA COASTAL COMMISSION

South Coast Area Office
 200 Oceangate, Suite 1000
 Long Beach, CA 90802-4302
 590-5071



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 49th Day: 9/30/99
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 Staff: CP-LB
 Staff Report: 8/20/99
 Hearing Date: Sept. 14-17, 1999
 Commission Action:

STAFF REPORT: CONSENT CALENDAR**APPLICATION NUMBER:** 5-99-273**APPLICANT:** Dr. Marcia Bieber**AGENT:** Lord-Swanborn Architects**PROJECT LOCATION:** 2401 Ocean Front Walk, Venice, City of Los Angeles, Los Angeles County.**PROJECT DESCRIPTION:** Construction of a three-level, 30 foot high, 3,594 square foot single family residence with an attached three-car garage on a vacant lot.

Lot Area	2,529 square feet
Building Coverage	1,557 square feet
Pavement Coverage	584 square feet
Landscape Coverage	387 square feet
Parking Spaces	3
Zoning	RD1.5-1
Plan Designation	Medium Density Residential
Ht above final grade	30 feet

LOCAL APPROVAL: City of Los Angeles Approval in Concept #99-074, 7/23/99.**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, building height and parking. The applicant agrees with the staff recommendation.

SUBSTANTIVE FILE DOCUMENTS:

1. California Coastal Commission Regional Interpretive Guidelines for Los Angeles County, 10/14/80.
2. Coastal Development Permit 5-95-173 (Wilton Corp.).
3. Coastal Development Permit application 5-99-274 (Bieber).

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, is located between the sea and first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.

4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. Residential Density

The permitted use of the approved structure is limited to one single family residence. 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 three parking spaces shall be provided and maintained on the site to serve the approved single family residence.

3. Height

The top of the roof shall not exceed thirty (30') feet in elevation above the centerline of the Speedway Alley right-of-way. The proposed roof deck railings, parapet wall and roof access stairway may extend up to 34 feet in elevation above the centerline of the Speedway Alley right-of-way as shown on the approved plans. No portion of the structure shall exceed 34 feet in elevation above the centerline of the Speedway Alley right-of-way unless approved by an amendment to this coastal development permit.

IV. Findings and Declarations

(s82)

The Commission hereby finds and declares:

A. Project Description

The applicant proposes to construct a three-level, 30 foot high, 3,594 square foot single family residence on a vacant beachfront lot in North Venice (See Exhibits). A roof deck is proposed on top of the structure. The 2,529 square foot lot is located on the inland side of Ocean Front Walk. Ocean Front Walk is an improved public pedestrian right-of-way that separates the residential development from the public beach (Exhibit #2). On-site parking for the proposed single family residence is provided within a three-car garage located on the ground floor, with vehicular access from Speedway Alley (Exhibit #3). The 24th Avenue right-of-way, situated on the north side of the site, has been improved as a pedestrian only beach accessway (Exhibit #3).

The Commission has recognized in both prior permit and appeal decisions that the North 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 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. 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/Density

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. Residential density in the North Venice area is limited to two units per lot. The proposed single family residence complies with the density limit for the site.

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. Both the Commission and the City allow 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 portions of structures which have been previously allowed to exceed the thirty-foot height limit include parapet walls and railings around roof decks, roof access structures (100 sq. ft. max.), chimneys, air conditioning equipment and skylights. These rooftop structures must be sited upon the roof in a manner which minimizes their visibility from Ocean Front Walk and the public beach. Roof access structures have been permitted to exceed the thirty-foot height limit only if they contain no living or storage space and if they do not negatively impact the area's visual resources.

The proposed project has a roof height of thirty feet (Exhibit #4). A roof access stairway, parapet wall, and railings extend above the thirty-foot roof height in order to enclose and provide access to the proposed roof deck. No portion of the proposed structure exceeds 34 feet in elevation above the fronting right-of-way, Speedway Alley (Exhibit #5).

Therefore, the proposed single family residence complies with the thirty-foot height limit for North Venice, and the scenic and visual qualities of the area will not be negatively impacted. In order to ensure that the proposed project is constructed as approved, the approval is conditioned to limit the roof height to thirty feet above the centerline of the Speedway Alley right-of-way. The proposed roof deck railings, parapet wall and roof access stairway may extend up to 34 feet in elevation above the centerline of the Speedway Alley right-of-way as shown on the approved plans. No portion of the structure shall exceed 34 feet in elevation unless approved by an amendment to this coastal development permit. Only as conditioned is the proposed project consistent with the Coastal Act's visual resource policies.

C. Parking

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

Section 30252 of the Coastal Act states, in part:

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

Many of the older developments in the 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. The proposed project provides three on-site parking spaces within the ground floor garage which is accessed from Speedway Alley (Exhibit #3). The proposed three-car garage provides an adequate parking supply for the proposed single family residence. Therefore, the proposed project conforms to the Commission's parking standards for North Venice.

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 North Venice area of the City of Los Angeles does not have a certified Local Coastal Program. 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).

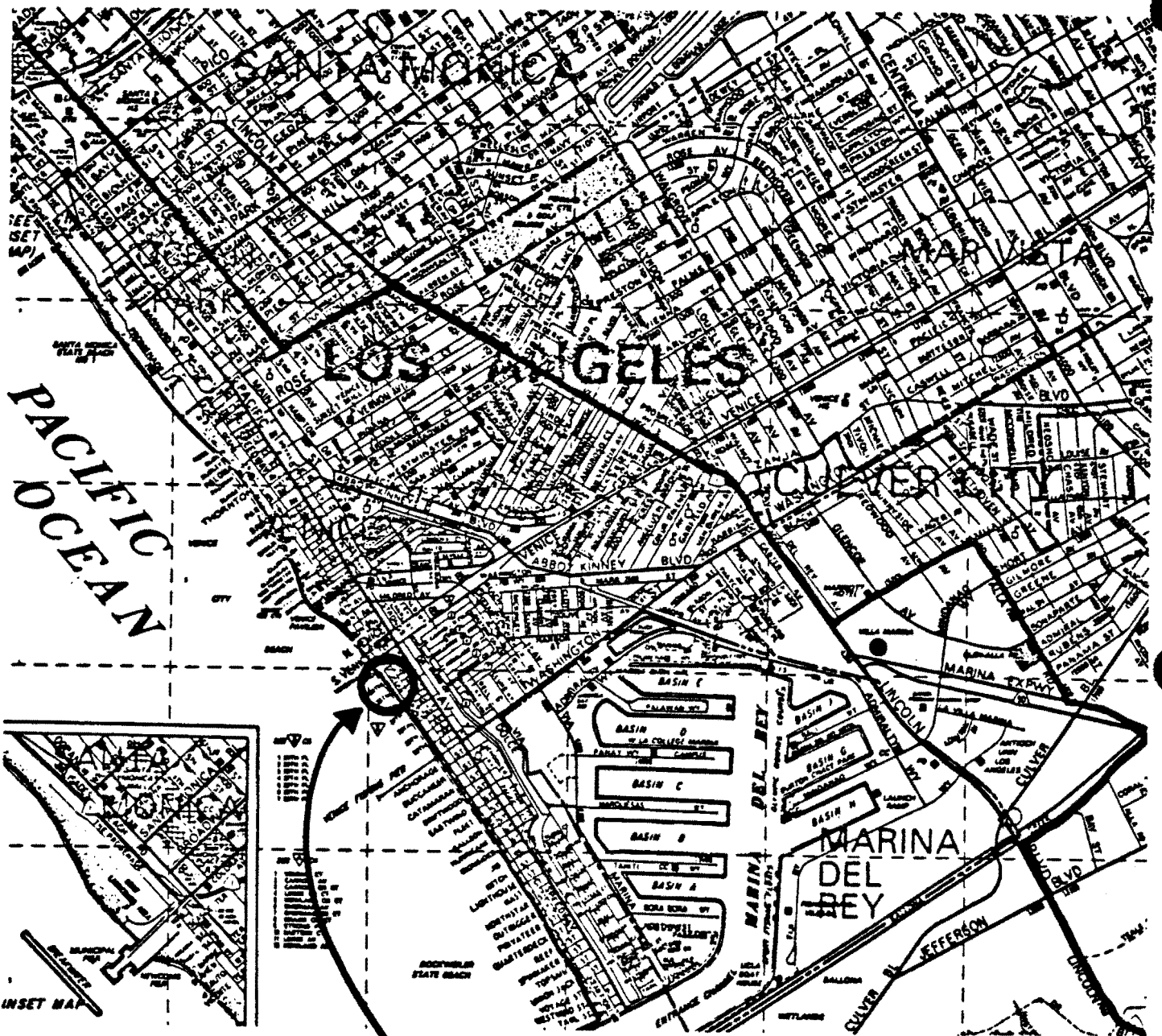
E. California Environmental Quality Act

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

End/cp

VENICE BEACH, CA



Site

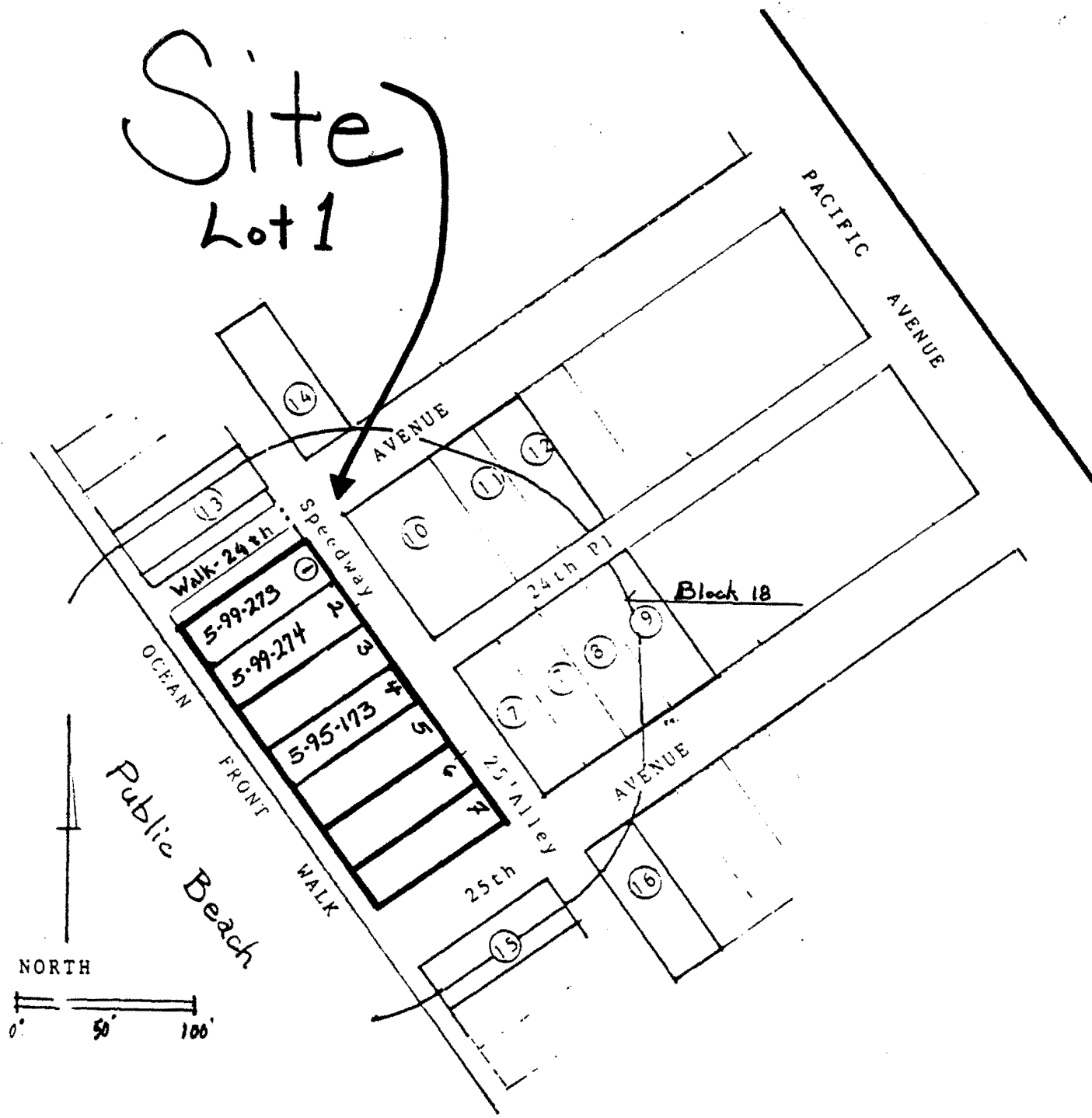
COASTAL COMMISSION

5-99-273

EXHIBIT # 1

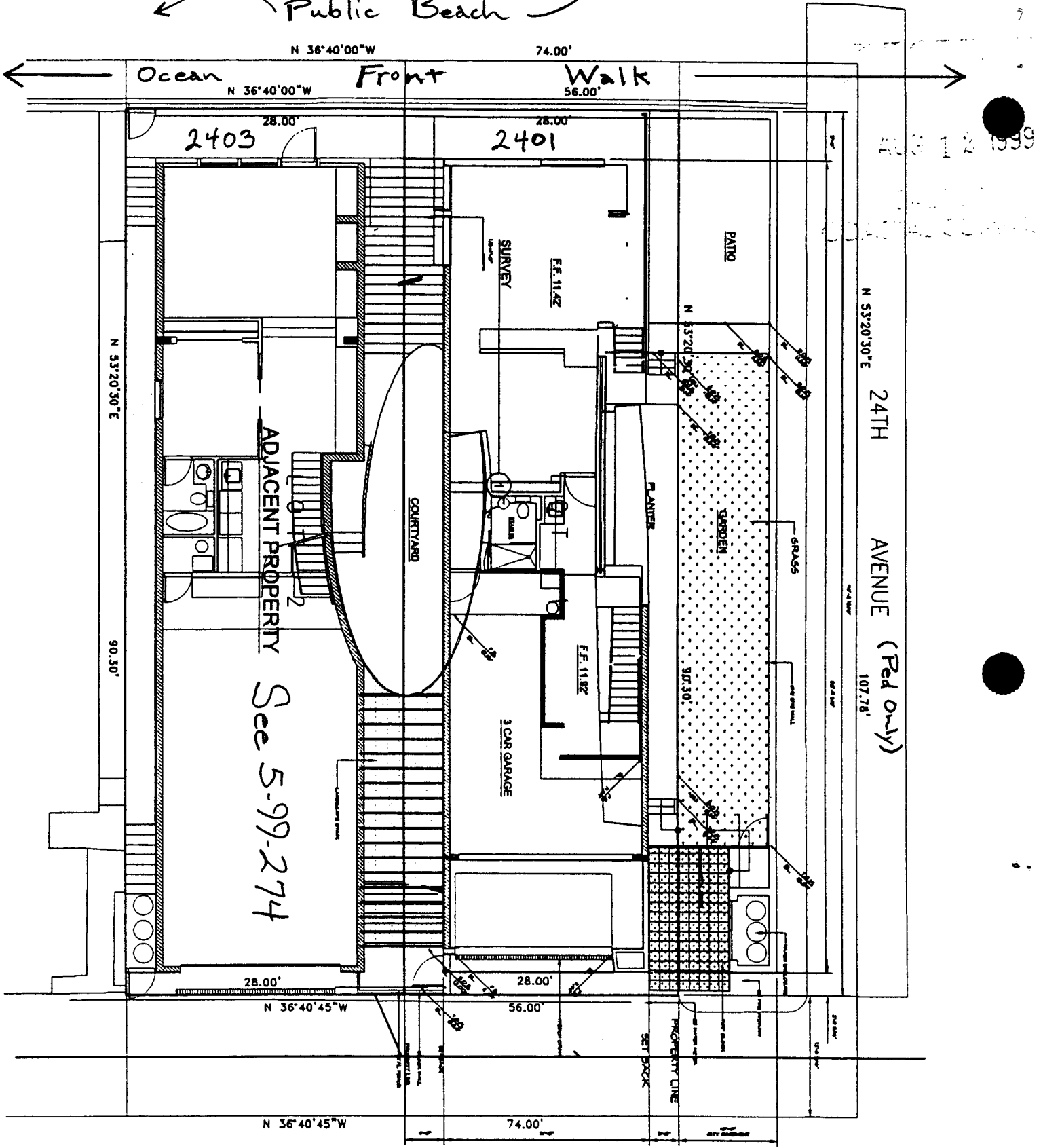
PAGE 1 OF 1

Site
Lot 1



COSTAL COMMISSION
5-99-273
EXHIBIT # 2
PAGE 1 OF 1

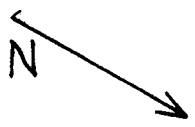
Public Beach



1999

ADJACENT PROPERTY See 5-99-274

24TH AVENUE (Ped Only) 107.78'



SPEEDWAY

Site Lot 1

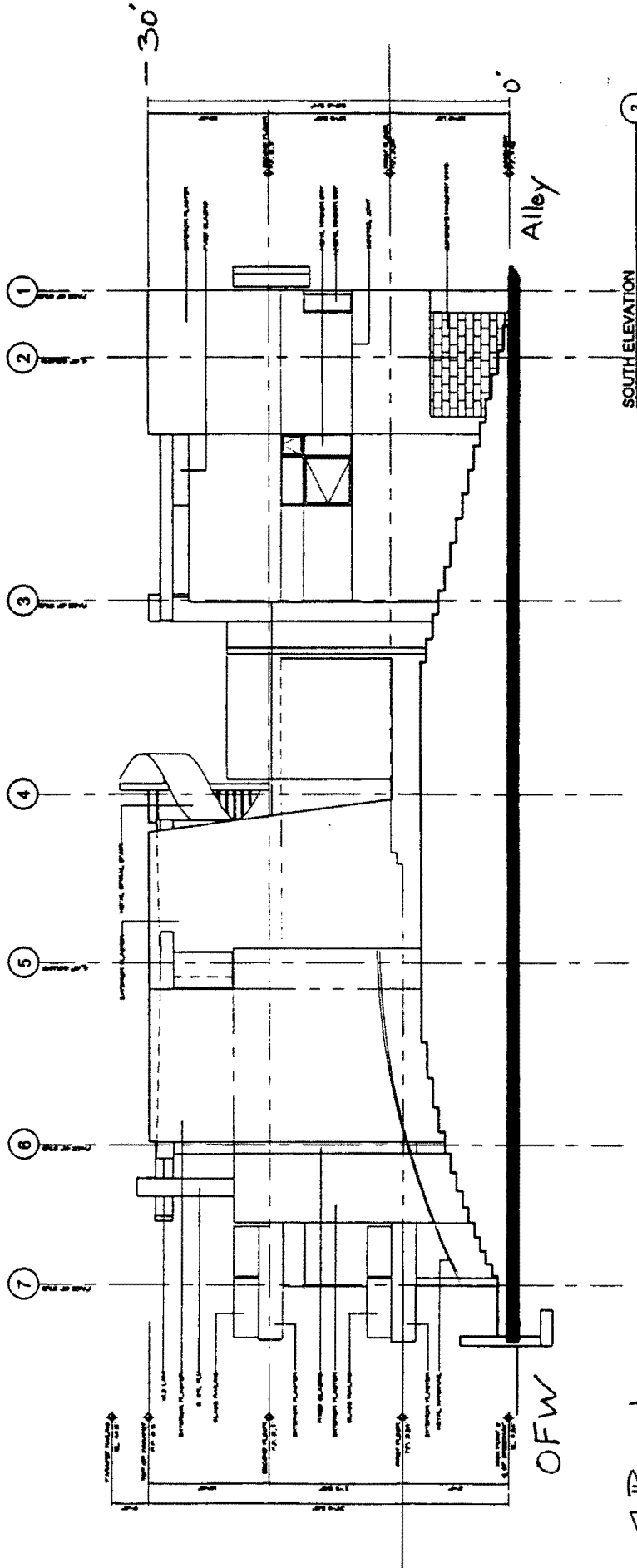
COASTAL COMMISSION

5-99-273

EXHIBIT # 3

PAGE 1 OF 1

Top



COASTAL COMMISSION

5-99-273

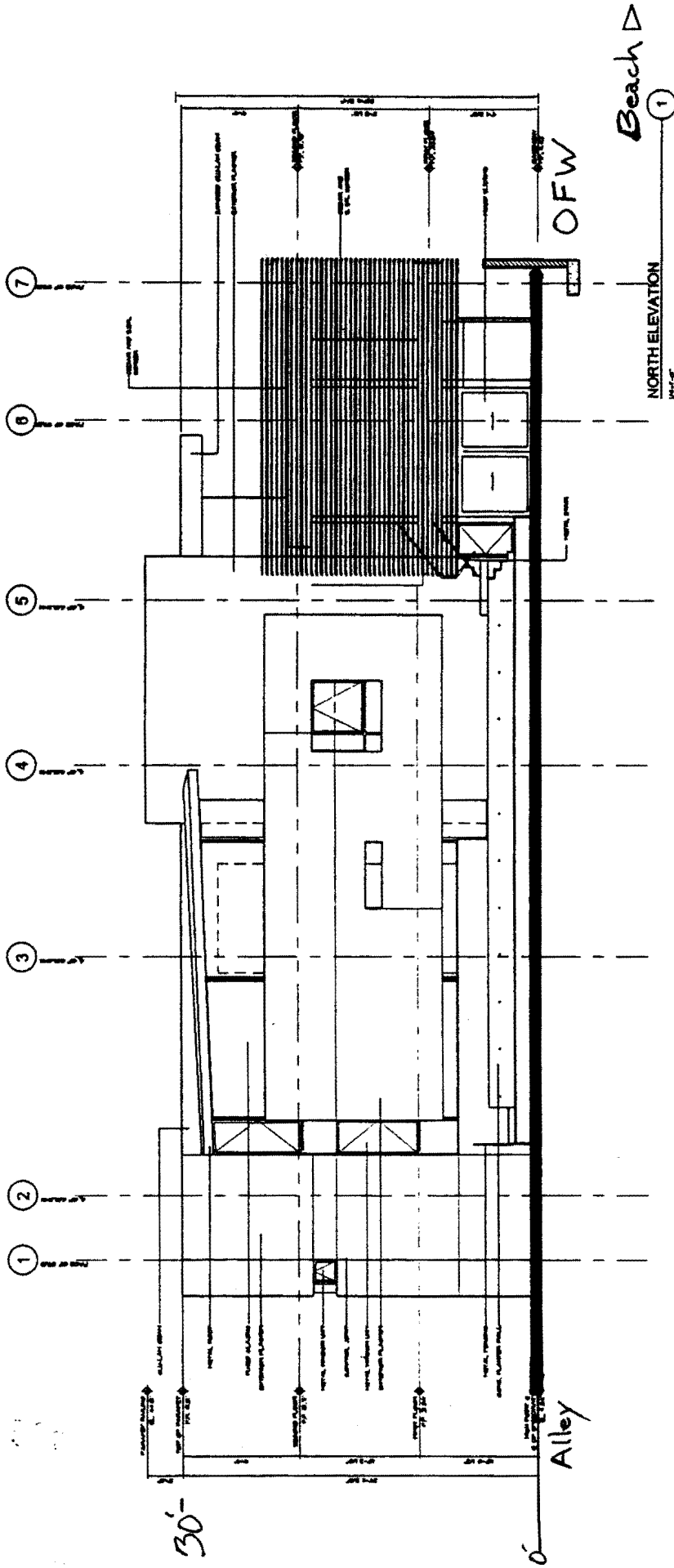
EXHIBIT #

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PAGE 1 OF 1

Top

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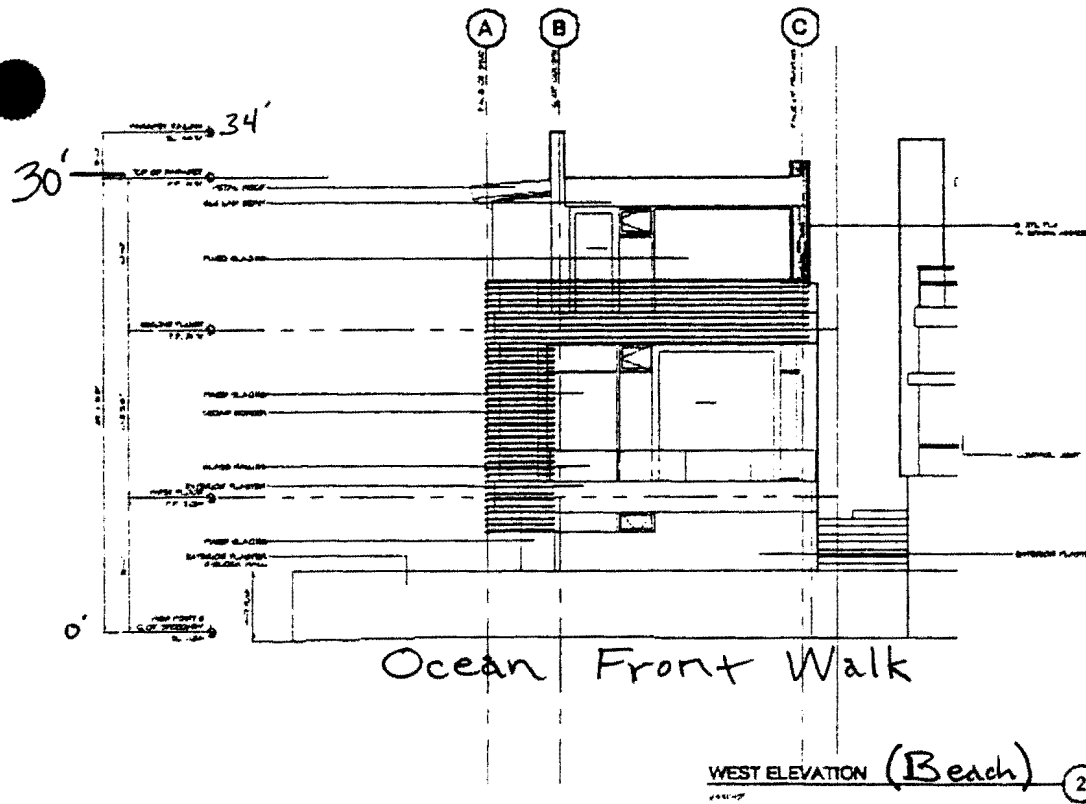
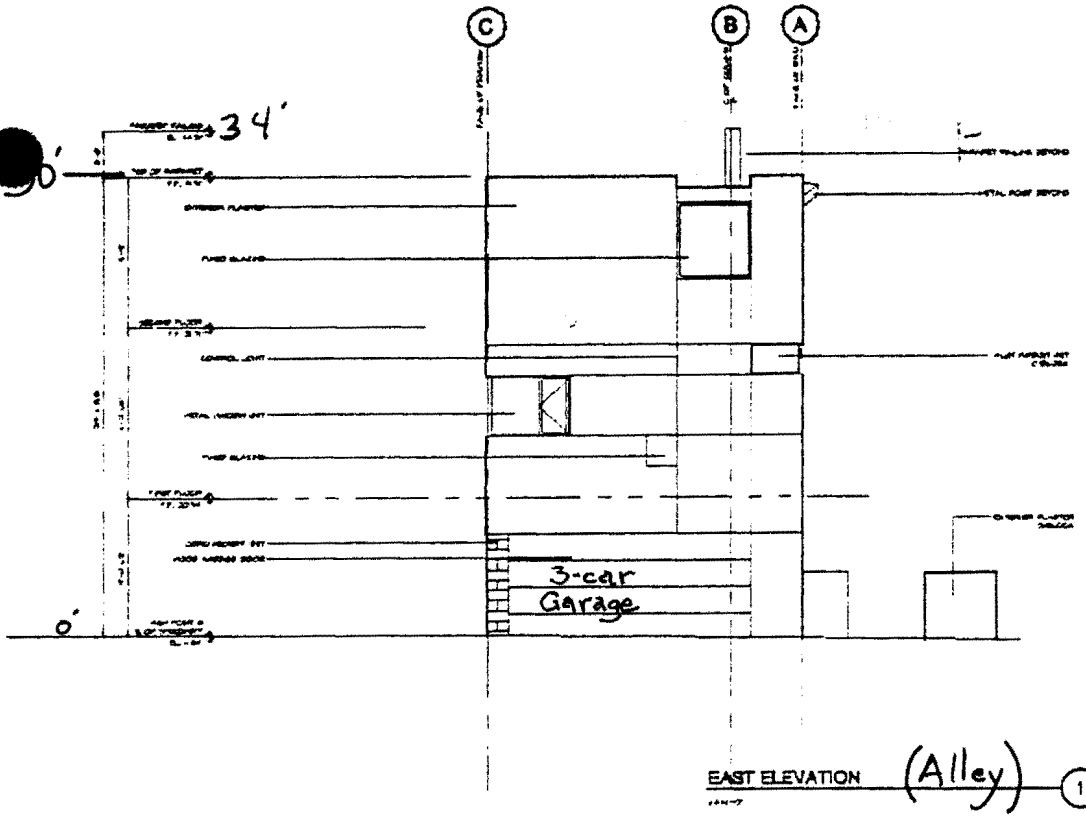


COASTAL COMMISSION

5-99-273

EXHIBIT # 5

PAGE 1 OF 1



THE
BIEBER BEACH HOUSE
 2401 OCEAN FRONT WALK
 VENICE, CALIFORNIA

SHEET
 EXTERIOR ELEVATIONS

SCALE: 1/8" = 1'-0"
 A3.02

2401 OFW

COASTAL COMMISSION
 5-99-273
 EXHIBIT # 6
 PAGE 1 OF 1