

CALIFORNIA COASTAL COMMISSION

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**RECORD PACKET COPY**

Filed: 9/5/00
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 Staff: AM-LB AM
 Staff Report: 9/12/00
 Hearing Date: Oct. 10-13, 2000
 Commission Action:

STAFF REPORT: CONSENT CALENDAR

APPLICATION NUMBER: 5-00-353

APPLICANT: Jose Jimenez

PROJECT LOCATION: 809 San Miguel Avenue, Venice, City and County of Los Angeles

PROJECT DESCRIPTION: Construction of a three-floor, 29½-foot high, 2,174 square foot duplex with an attached four-car garage, on a 2177.5 square foot vacant lot.

Lot Area	2,177.5 square feet
Building Coverage	1,300 square feet
Pavement Coverage	100 square feet
Landscape Coverage	774 square feet
Parking Spaces	4
Zoning	RD1.5
Plan Designation	Low Medium Multi-Family Residential
Ht above final grade	29½ feet

LOCAL APPROVAL: Zoning Administrator's Adjustment/Project Permit No. ZA 2000-1450(YV)(PP).

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission grant a coastal development permit for the proposed development with special conditions relating to building height and parking. The applicant agrees with the staff recommendation.

STAFF RECOMMENDATION:

The staff recommends that the Commission approve the following resolution with special conditions.

Motion:

I move that the Commission approve CDP No. 5-00-353 pursuant to the staff recommendation.

Staff Recommends a **YES** vote. Passage of this motion will result in adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

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. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. 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.
5. 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. Height

No portion of the proposed structure shall exceed 30 feet in elevation above the frontage road.

2. Parking

A minimum of four parking spaces shall be provided and maintained on the site to serve the proposed duplex.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The applicant proposes to construction a three-floor, 29½-foot high, 2,174 square foot duplex with an attached four-car carport, on a 2,177.5 square foot vacant lot. (See Exhibits). The 2,177.5 square foot lot is located in the Oakwood, Milwood, Southeast Venice Subarea, approximately 1 ½ miles inland of the beach (Exhibit #1). A four-car garage located on the ground floor will provide on-site parking for both units (Exhibit #2). One unit will consist of a one-room (with bath and kitchen) studio apartment on the first floor and the second unit will consist of a two-floor apartment over the carport and studio (Exhibit #3).

B. Community Character/Visual Quality

Section 3025I 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 the

surrounding areas, and, where feasible, to restore and enhance the visual quality in visually degraded areas.

This section of the Venice Community includes one, two, and three floor single and multi-family residences and some older duplexes. The majority of these structures do not exceed 30 feet in height above the centerline of the fronting road. Allowing building heights above the 30-foot limit would serve to negatively impact the visual quality and the character of the surrounding community. In order to protect community character and visual quality, Special Condition #1 limits the development at a maximum of 30 feet above the frontage road, in this case San Miguel Avenue. This height is consistent with the general height of the area.

However, some new developments have been permitted to construct portions of the dwelling in excess of the 30-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 that have previously been allowed to exceed the height limit include parapet walls and railings around roof decks, small roof access structures and elevator housings, chimneys, air conditioning equipment, and skylights. No living areas, storage spaces, or bathrooms have been permitted above the 30-foot height limit. In this case, the proposed project has a height of 29½ feet and does not contain structures above the 30-foot height limit (Exhibit #4-5).

As proposed, the design of the residence will not adversely effect the visual quality and community character of the coastal area in the Venice Community. No living area or storage space is proposed above 29½ feet (Exhibit #4-5).

In order to ensure that the proposed project complies with Section 30251 of the Coastal Act, special condition #1 limits the height of the structure to 30 feet measured above the centerline of the frontage road. Only as conditioned does the Commission find the proposed project consistent with sections 30251 of the Coastal Act.

C. Public Access/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 of the Coastal Act states, in part:

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

Many of the older developments in the Venice Community do not provide adequate on-site parking. As a result, many residents and guests park on the surrounding streets, where there is a parking shortage, and has negatively impacted public access to the

beach. Residents of the area and their guests are using the small amount of parking that may be available for the general public on the surrounding streets.

To mitigate this problem, Special Condition #2 is imposed to provide for four on-site parking spaces. In this case, the proposed project provides a four-car carport on the ground floor (Exhibit #2). Therefore, the proposed project provides an adequate parking supply for the proposed duplex. The proposed project is consistent with prior Commission decisions for the Venice area that required two parking spaces per residential unit. The Commission finds that, only as conditioned to maintain the proposed four on-site parking spaces, is the proposed project consistent with section 30252 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 (LCP) 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, and has submitted it for Commission certification. The proposed project, as conditioned, conforms to the draft Venice LUP. The proposed project, as conditioned, is also 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).

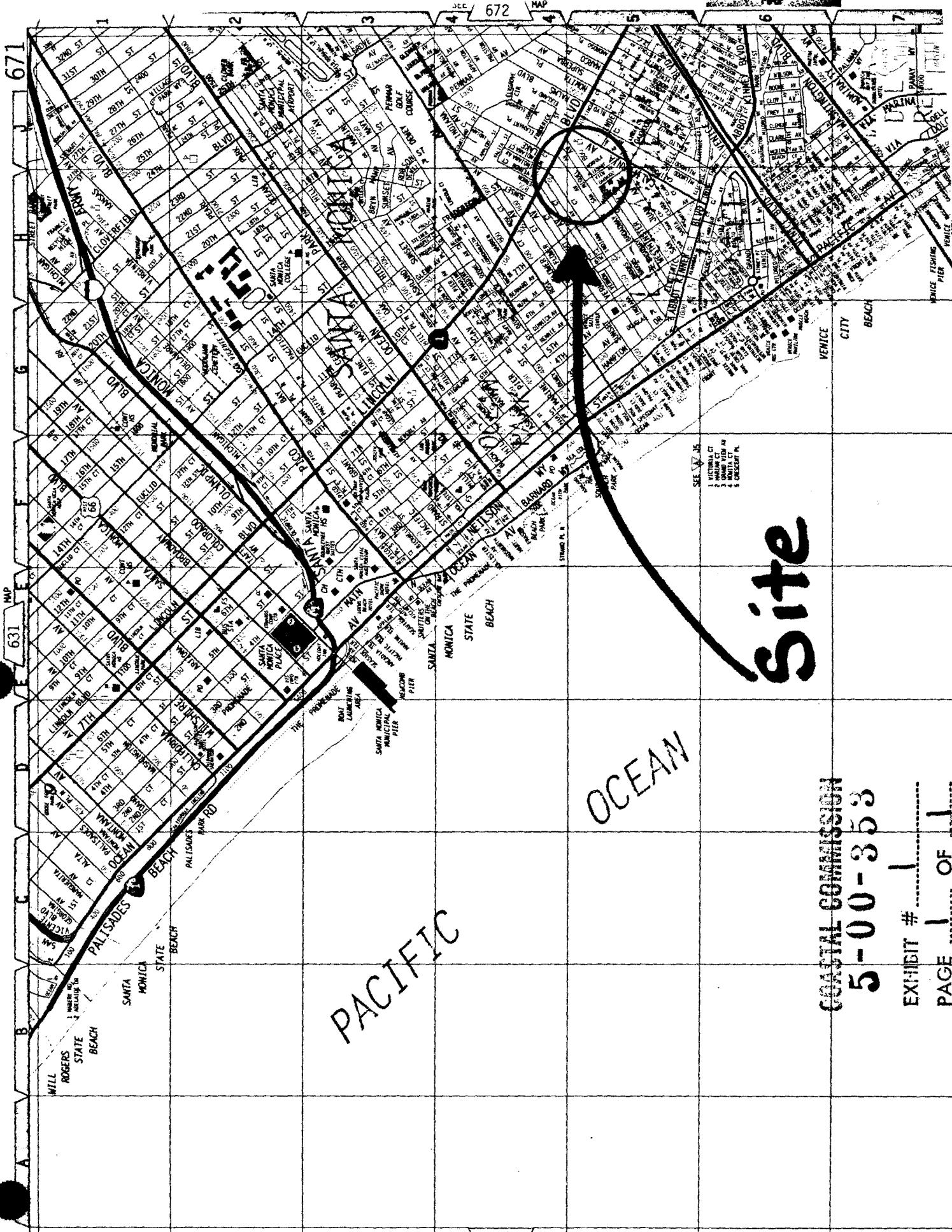
E. California Environmental Quality Act

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 that 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 that 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/am



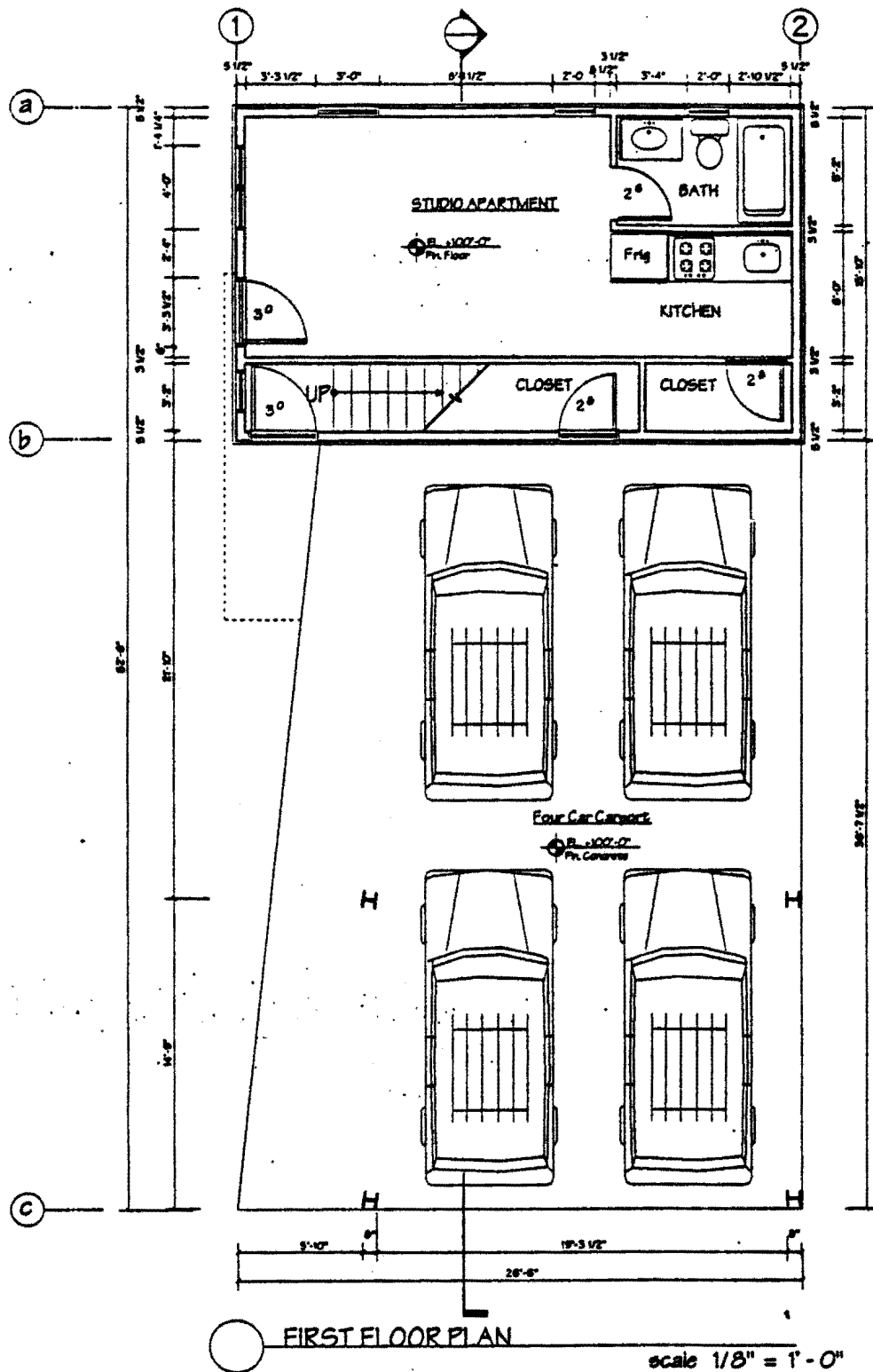
Site

OCEAN

PACIFIC

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EXHIBIT # 1
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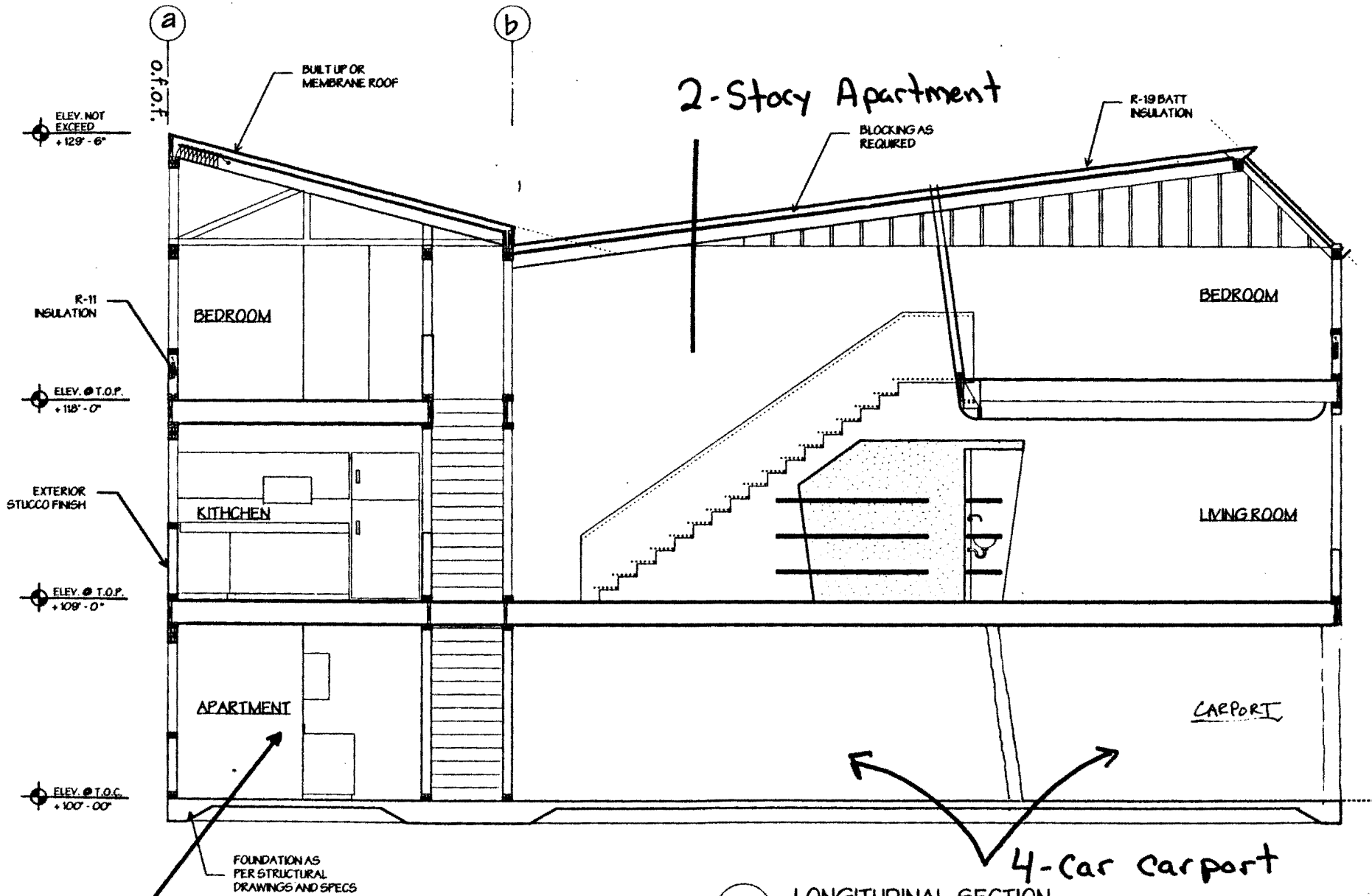


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EXHIBIT # 2

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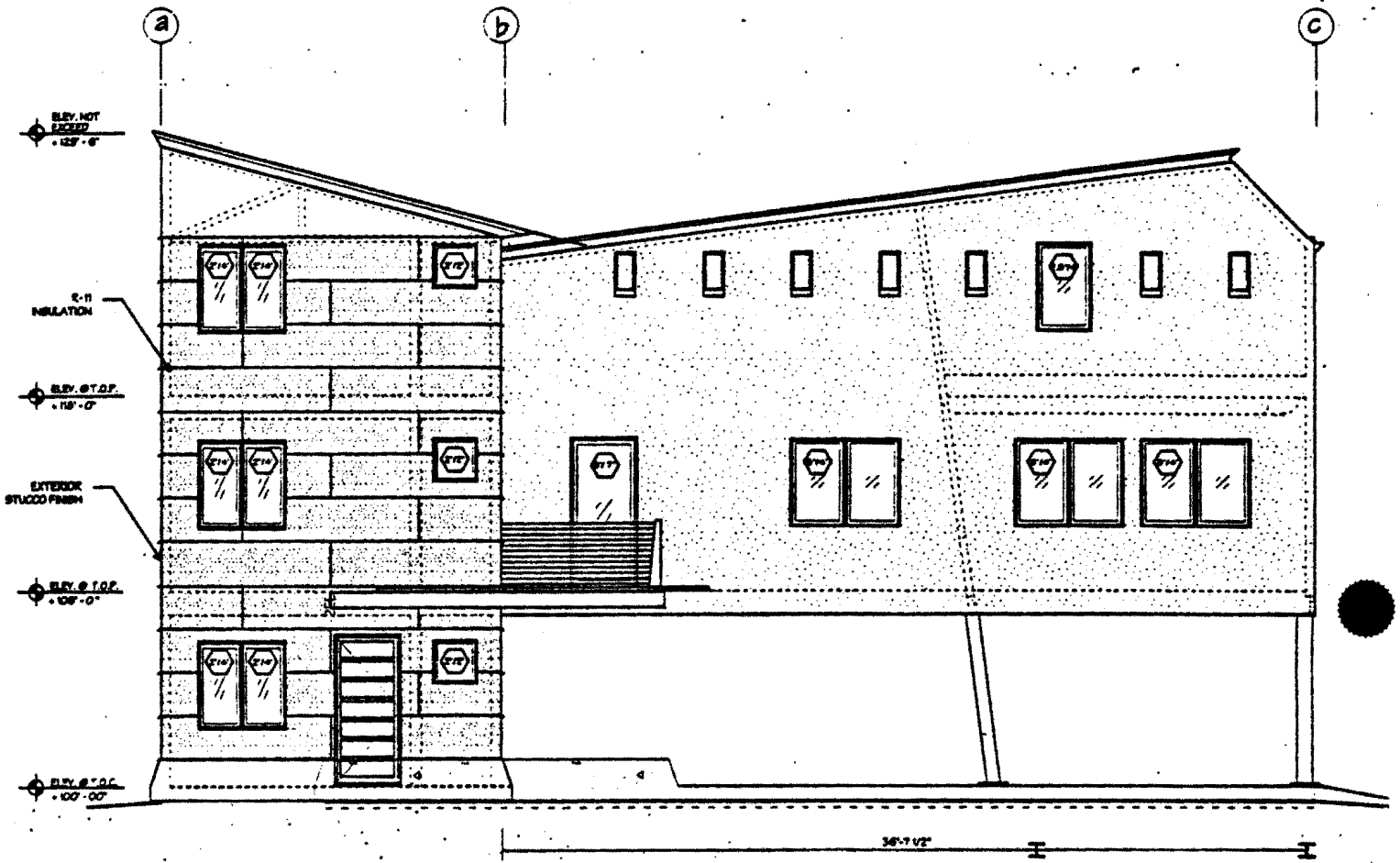


Studio Apartment

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 EXHIBIT # 3
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LONGITUDINAL SECTION
 scale 1/4" = 1'-0"

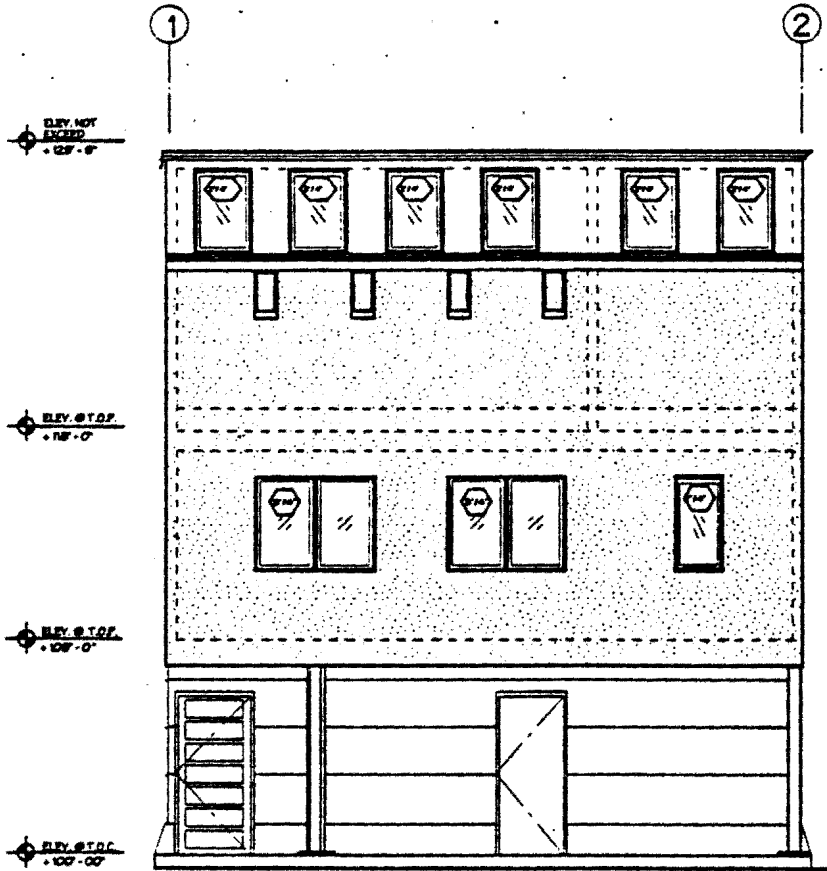
4-Car Carport



○ WEST ELEVATION scale 1/8" = 1'-0"

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EXHIBIT # 4
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○ SOUTH ELEVATION scale 1/8" = 1'-0"

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EXHIBIT # 5

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