

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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**RECORD PACKET COPY**

Filed: 4/10/2000
 49th Day: 5/29/2000
 180th Day: 10/7/2000
 Staff: AM-LB
 Staff Report: 4/19/2000
 Hearing Date: May 9-12, 2000
 Commission Action:

STAFF REPORT: CONSENT CALENDAR

APPLICATION NUMBER: 5-00-097

APPLICANT: C. Avery Duff

AGENT: Toby Watson, Architect

PROJECT LOCATION: 30 Fleet Street, Venice, City of Los Angeles, Los Angeles County.

PROJECT DESCRIPTION: Remodel and two-story addition to an existing one-story, 620 square foot single family dwelling to a 22½ foot high, 1,216 square foot single family dwelling and construction of a detached one-car garage.

Lot Area	1662 square feet
Building Coverage	990 square feet
Pavement Coverage	20 square feet
Landscape Coverage	652 square feet
Parking Spaces	1
Zoning	R3-1
Plan Designation	Medium Density Residential
Ht above final grade	22½ feet

LOCAL APPROVAL: City of Los Angeles Director's Determination, CPC #2000-949, April 6 2000.

SUBSTANTIVE FILE DOCUMENTS:

1. Draft Venice Local Coastal Program (LCP) 10/29/99.
2. Venice Specific Plan 11/9/99.
3. Coastal Development Permit 5-99-285 (Duff).
4. Coastal Development Permit 5-98-073 (Gelman).

5. California Coastal Commission Regional Interpretive Guidelines for Los Angeles County, 10/14/80.

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 permitted use, building height, and the provision of adequate on-site parking. The applicant agrees with the 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. 5-00-097 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, 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. Permitted Use

The permitted use of the approved structure is limited to a 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. Height

The height of the approved structure shall not exceed 28 feet above the centerline elevation of the Fleet Street right-of-way.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The applicant proposes to remodel and build a two-story addition to the existing 620 square foot single family dwelling and build a one-car detached garage. The remodeled single family dwelling will be 1,216 square feet. The proposed project is located on 30 Fleet Street in the Marina Peninsula area of Venice (Exhibit #1). Venice Beach, a popular recreation area, is located about three hundred feet west of the site.

The proposed project includes a detached one-car garage with vehicular access obtained from Pacific Avenue (Exhibit #2A). The City, for traffic safety purposes, does not usually permit vehicular access from Pacific Avenue, but in this case there is no alternative because no other street or alley frontage exists on-site. There is no alley next to the site, and this block of Fleet Street (between the beach and Pacific Avenue) is a walk-street, which is closed to motorized vehicles (Exhibit #3). The curb cut on the Pacific Avenue frontage already exists for vehicular access to the site.

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....

The Commission has recognized in both prior permit and appeal decisions that the Marina Peninsula area of Venice is a special coastal neighborhood. In 1980, when the Commission adopted the Regional Interpretive Guidelines for Los Angeles County, the guidelines included building standards for the Marina Peninsula area of Venice. These standards reflected the conditions that the Commission usually imposed on permits in the area in order to protect public access to the beach and community character. These building standards, which apply primarily to density, height and parking, reflect conditions imposed in a series of permits heard prior to 1980. Since then, these density, height and parking standards have been routinely applied to coastal development permits in the area in order to protect public access and community character and to ensure that the projects are consistent with the Coastal Act policies. In order to mitigate the identified impacts, the appropriate special conditions have also been applied to this coastal development permit.

In order to protect public access, community character and visual quality in the Marina Peninsula area of Venice, the Commission has consistently limited residential density and structural height. To further protect the character and safety of the community, the City of Los Angeles' adopted Specific Plan has reduced maximum height limits for developments fronting Walk Streets (Exhibit #6).

Residential density in this area of Venice is limited to two units per lot, based on a standard 35'x 90' lot. Standard lots in this area of Venice are typically 3,000 square feet in area. The applicant proposes to build on a substandard lot that is only 1,662 square feet. The applicant proposes to remodel and add to a single residential unit on the subject lot.

In the past the Commission has consistently limited new development in the Marina Peninsula area of Venice to a height of 35 feet measured above the fronting right-of-way. The Commission has, however, allowed portions of some structures to exceed the 35-foot height limit by up to ten feet if the scenic and visual qualities of the area are not negatively impacted. The newly proposed Venice LCP and the Venice Specific Plan set maximum building heights along Walk Streets at 28 feet responding from recent testimony from the fire department that its ladders were not adequate to reach 35-foot high structures located on Walk Streets. Since 30 Fleet Street fronts a Walk Street, the city standard for this project is 28 feet.

The proposed structure is 22½ feet tall (Exhibit #4). No portion of the proposed structure exceeds 28 feet in height and the project is consistent with local plans. Its height is consistent with the City's intention of protecting Walk Streets for pedestrian access. As proposed, the design of the proposed project complies with the Commission's height limit for the area and adequately protects the visual resources along Venice Beach. In order to ensure that the proposed project is constructed as approved, the approval is conditioned to limit the height of the proposed structure to 28 feet above the centerline elevation of the Fleet Street right-of-way. 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 Venice area do not provide adequate on-site parking. As a result, there is a parking shortage in the area and public access has been negatively impacted. The small amount of parking area that may be available for the general public on the surrounding streets is being used by guests and residents of the area. Because of the shortage of parking in the Venice area, the protection of existing public parking is of primary importance.

To help mitigate the shortage of parking in the area, the Commission has consistently conditioned new development within the Marina Peninsula area of Venice to provide two parking spaces per residential unit and provide provisions for guest parking. Since the proposed development is a remodel of an existing structure with the removal of less than 50% of the existing walls it is not considered a new development. In this case, the existing single family dwelling has no on-site parking. The proposed development includes the addition of a one-car garage and will therefore increase the on-site parking from no spaces to one space. The applicant, within limits of the lot, is improving parking. Considering the size of the lot and the addition to the existing structure, creating three on site parking spaces is not feasible (Exhibit #2A).

As stated above, the proposed parking space is accessed from Pacific Avenue because there is no other frontage on the site that could provide vehicular access. An easement is proposed across 32 Fleet Street (which is also owned by the applicant). A curb cut already exists for vehicular access from Pacific Avenue for the existing garage at 32 Fleet Street. The garage, as well as the existing structure, will be demolished (CDP #5-99-285) to create space for the easement and a new single family dwelling with an attached garage (Exhibit #2B). This easement will not deprive the adjacent lot of parking. The permit for 32 Fleet Street provides parking for that lot consistent with the easement. There is no alley next to the site, and this block of Fleet Street (between the beach and Pacific Avenue) is a Walk Street, which is closed to motorized vehicles (Exhibit #3). In order to maximize public open space and preserve the community character in this coastal area, the Commission has found that the lot frontage on walk-streets like Fleet Street shall not be utilized for private garage access, but reserved for public pedestrian access.

The project proposes on-site parking spaces to meet the needs of the proposed single family residence. Therefore, the proposed project is consistent with the Commission's parking standards for the Marina Peninsula area and the public access policies of the Coastal Act. 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:

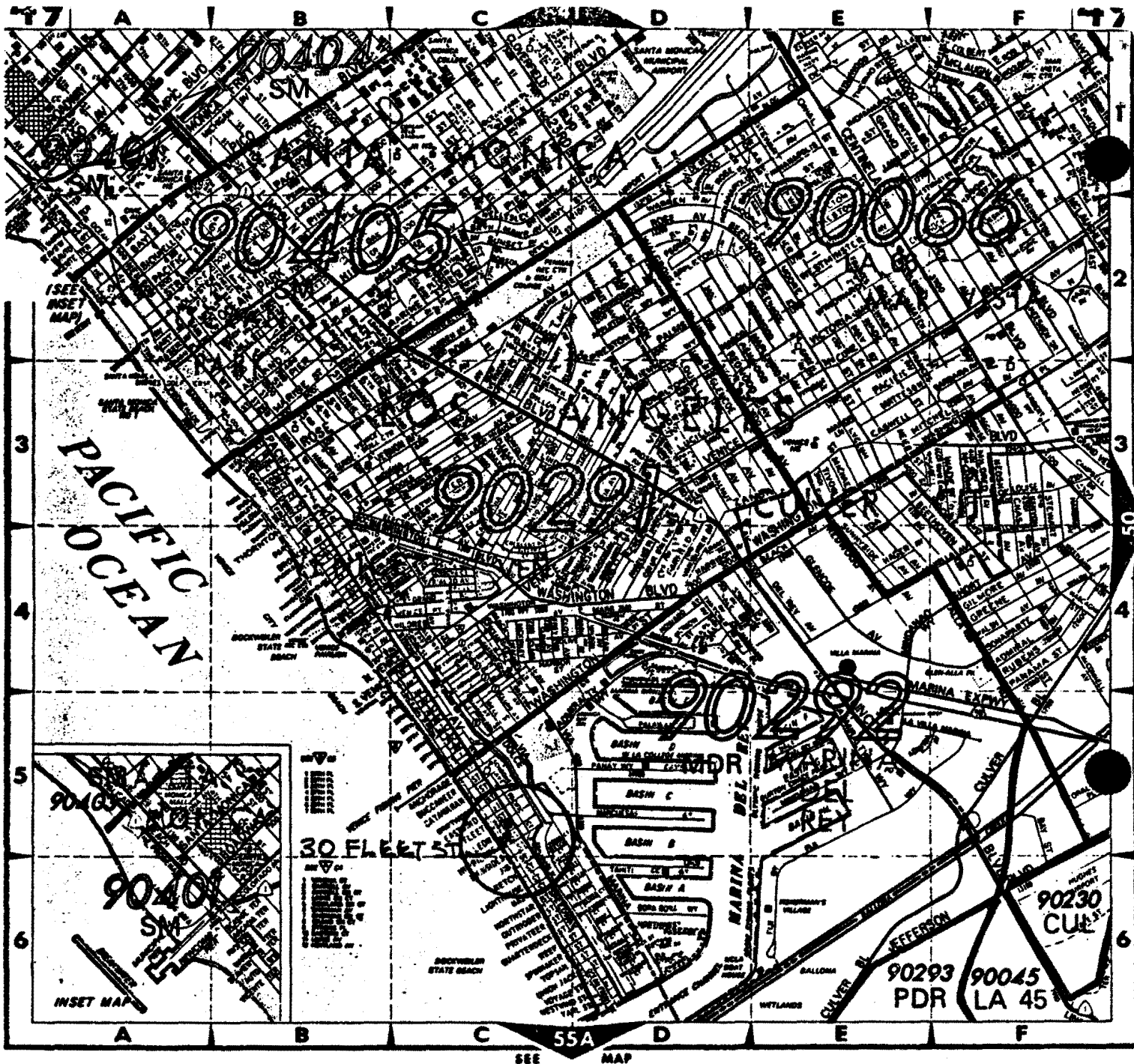
- (a) Prior to certification of the Local Coastal Program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the 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, 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 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.



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EXHIBIT # 1

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← FLEET STREET 40' WIDE →

EDGE OF WALKSTREET

DUFF REMODEL
30 FLEET ST. VENICE.
TOBY WATSON, ARCHITECT
205 VENICE WAY
VENICE, CA 90291
(310) 306-5095

REMOVE WALLS

20.55'

PORCH

LINE OF EXISTING ONE-STORY HOUSE

NEW SECOND FLOOR

NEW FIRST FLOOR

66.50'

66.62'

3'

3'

10'

NEW 11' X 20' ONE-CAR GARAGE

23.40'

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EXHIBIT # 2A

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32 FLEET ST.

COASTAL PERMIT NO. 5-99-285

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← PACIFIC AVENUE →

NEW PRIVATE DRIVEWAY EASEMENT

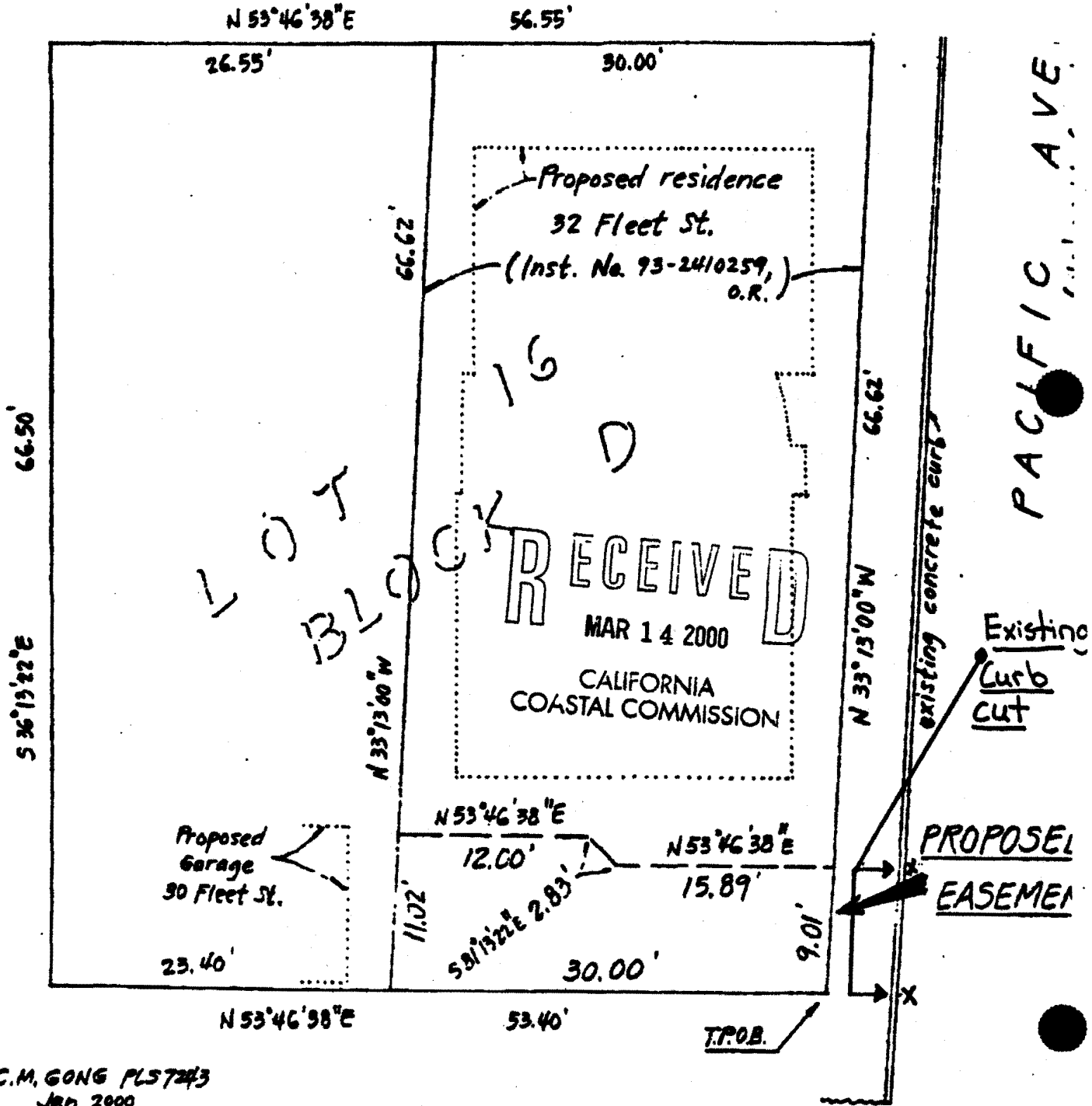
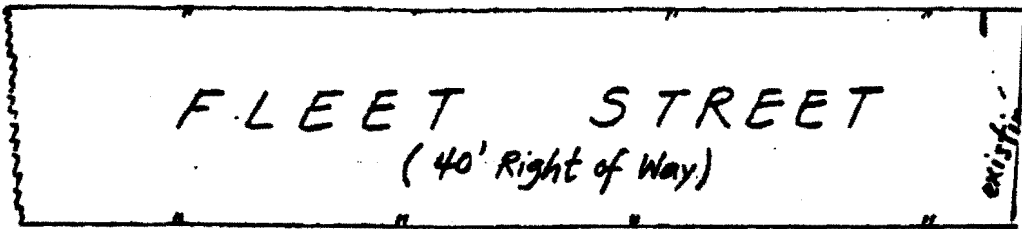
EXHIBIT : EASEMENT

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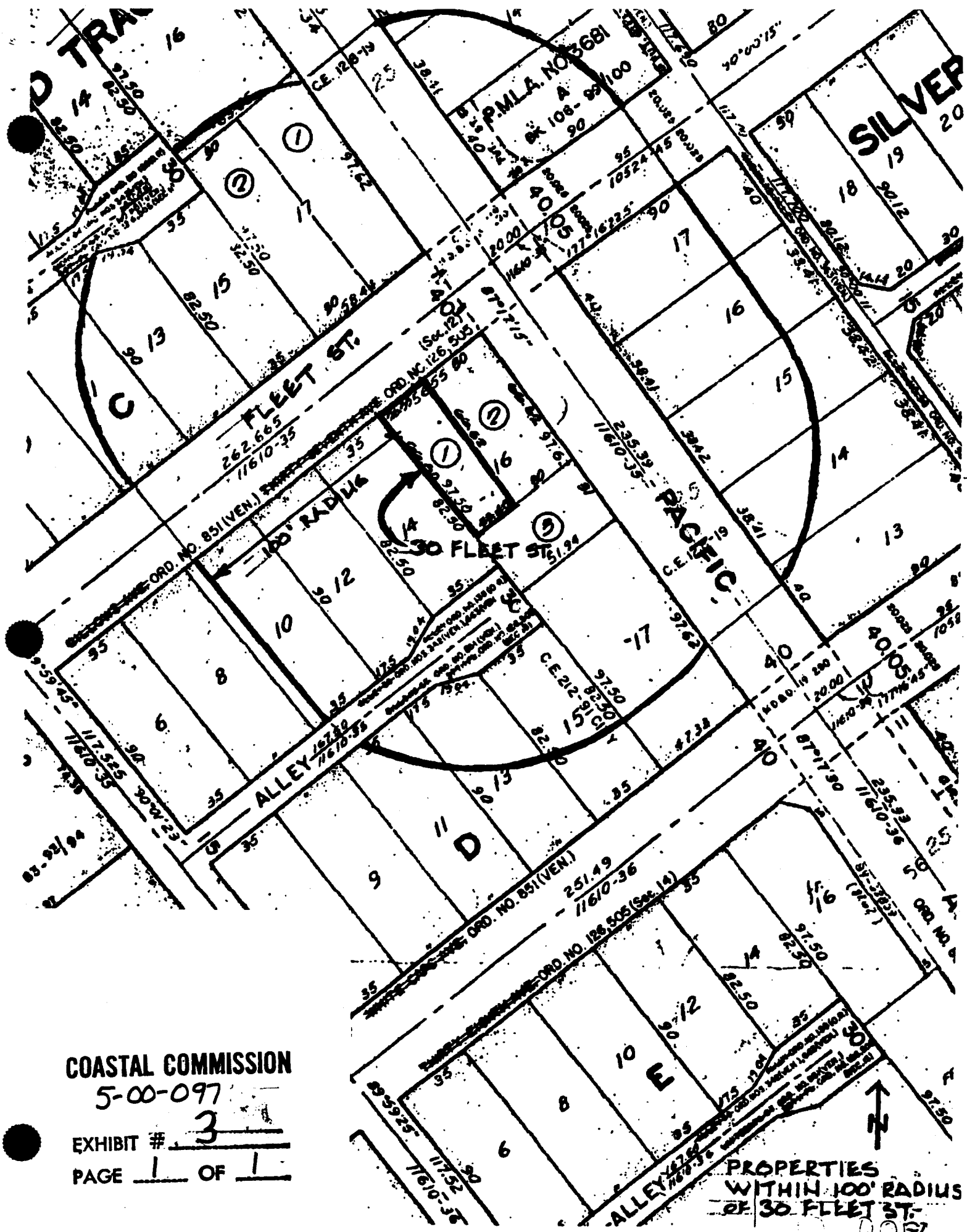
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EXHIBIT # 2B

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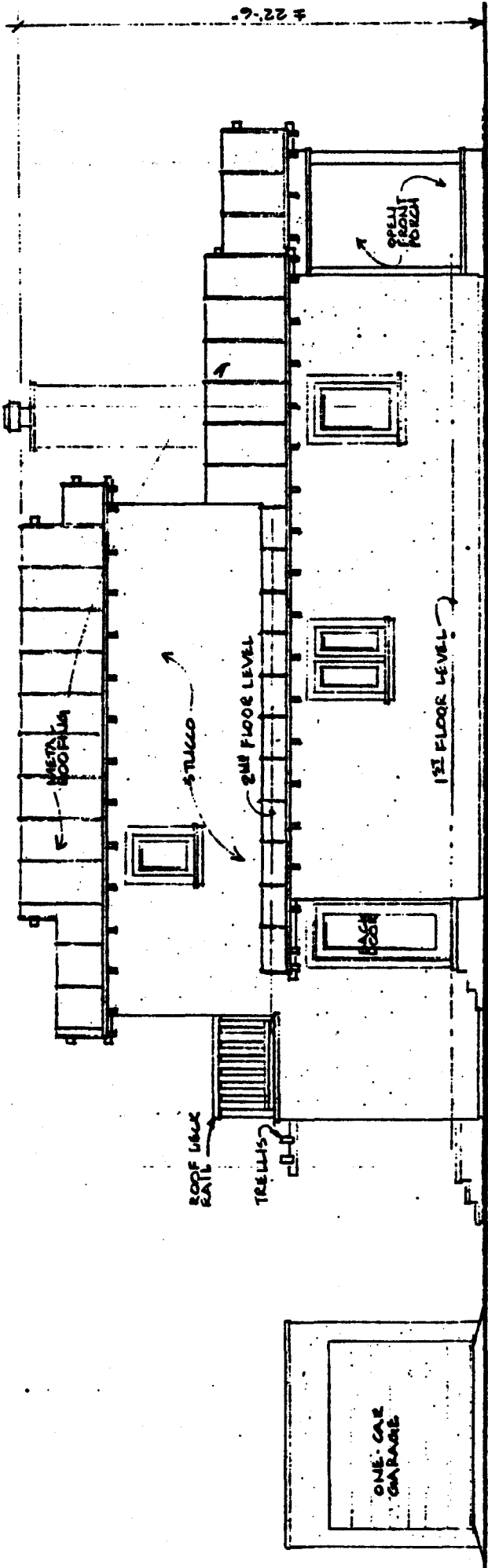
C.M. GONG PL57243
Jan. 2000



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PROPERTIES
 WITHIN 100' RADIUS
 OF 30 FLEET ST.

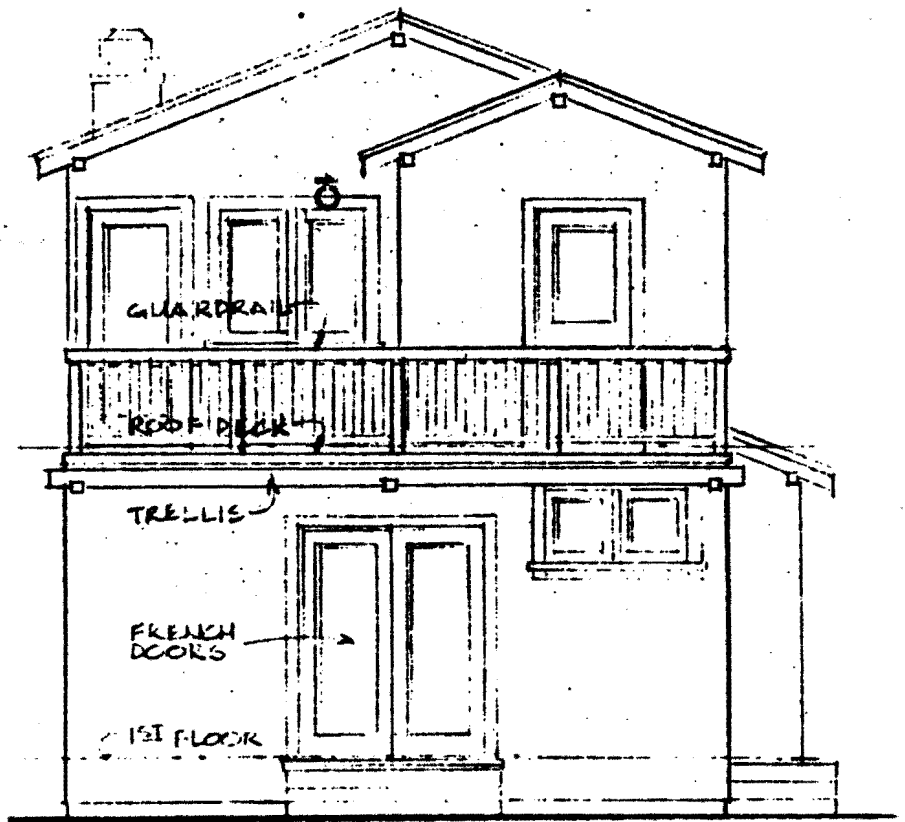
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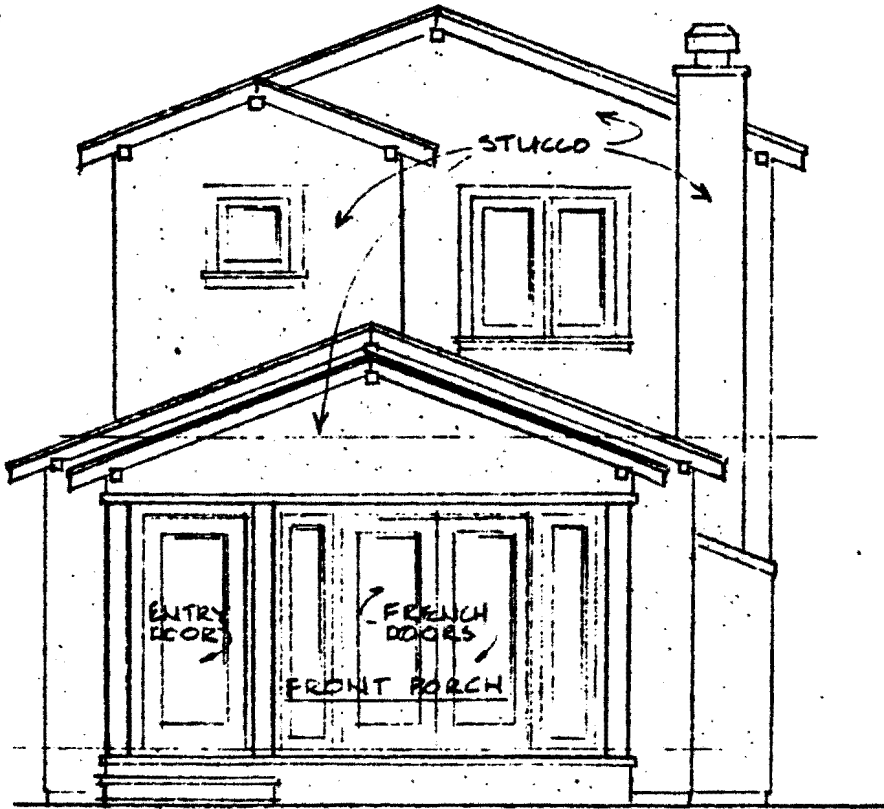
EAST ELEVATION

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SOUTH ELEVATION



NORTH ELEVATION

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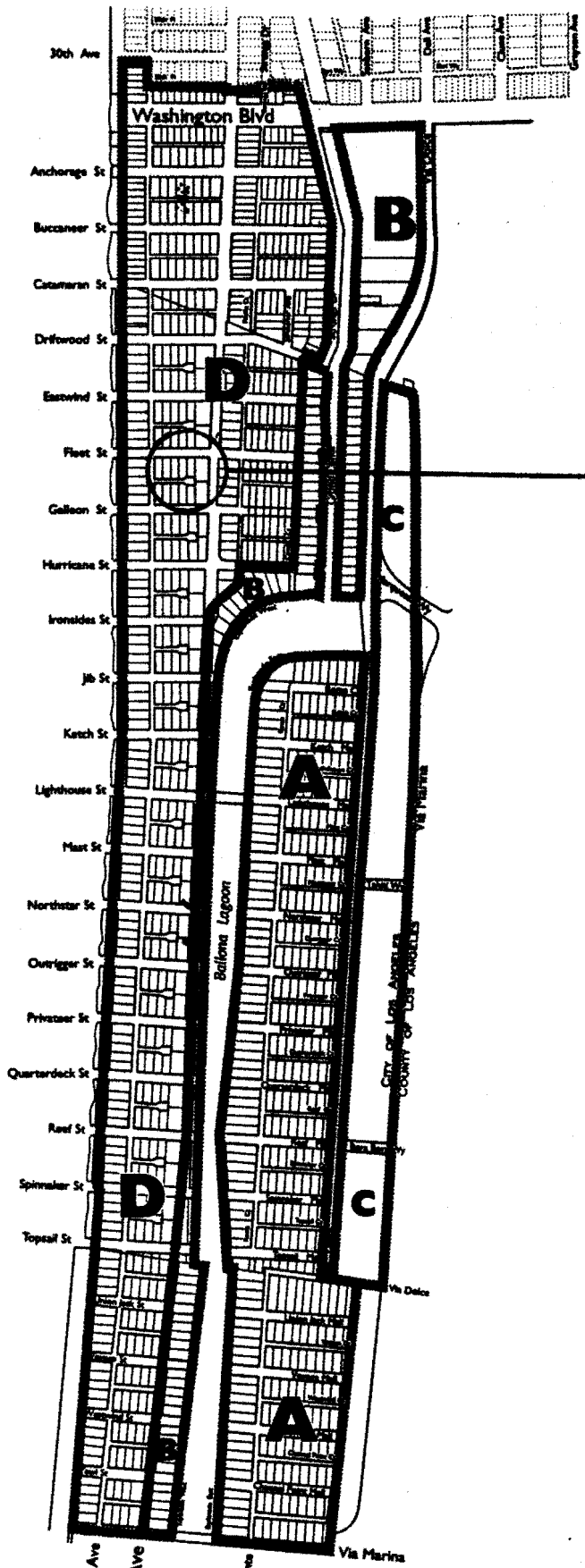
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EXHIBIT # 6

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Project Area

Maximum Building Height

- A** 30'-45'
- B** 38' North of Ironsides St
30'-45' South of Ironsides St
- C** 45'
- D** 35'
28' along Walk Streets ←

Exhibit 13
Height

**Subarea: Marina Peninsula • Silver Strand •
Ballona Lagoon West • Ballona Lagoon East**

