

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
1000 Ocean Gate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

**RECORD PACKET COPY**

Filed: 8/2/00
49th Day: 9/20/00
180th Day: 1/29/01
Staff: AM-LB *AL*
Staff Report: 8/16/00
Hearing Date: Sept. 12-15, 2000
Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NUMBER: 5-00-269

APPLICANT: Sunset Lofts, Richard Ehrman

PROJECT LOCATION: 35 Sunset Avenue, Venice, City and County of Los Angeles

PROJECT DESCRIPTION: Construction of a two-floor over garage, 28-foot high 3,550 square foot single family home on a vacant 3,660 square foot lot with an attached two-car garage and three open guest parking spaces and one 4' 4" x 21' 5" roof access structure 33 feet high above the frontage walk street.

Lot Area	3,660 square feet
Building Coverage	1,647 square feet
Pavement Coverage	1,171 square feet
Landscape Coverage	841 square feet
Parking Spaces	5
Zoning	RD1.5-1
Plan Designation	Low Medium II Residential
Ht. above walk street	28 feet

LOCAL APPROVAL: Venice Coastal Zone Specific Plan Director of Planning Determination and Findings, June 12, 2000.

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. 5-00-269 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.
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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 28 feet in elevation above the centerline of the frontage walk street except one 33-foot high roof access structure.

2. Parking

A minimum of three parking spaces shall be provided and maintained on the site to serve the approved single family residence.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The applicant proposes to construct a two-floor over garage, 28-foot high 3,550 square foot single family home on a vacant 3,660 square foot lot with an attached two-car garage and three open guest parking spaces (See Exhibits). Also proposed is a 4' 4" x 21' 5" roof access structure that is 33 feet above the frontage walk street (Exhibit #4-5). The 3,660 square foot lot is located on a walk street approximately 350 feet from Ocean Front Walk and Venice Beach (Exhibit #2). Residents and visitors use the walk streets to access Ocean Front Walk and the adjacent beaches. Ocean Front Walk is used for recreation activities and access to the shoreline. It extends for approximately 5 miles, and connects with the Promenade in Santa Monica (Exhibit #2). On-site parking for the proposed single family residence will be provided by a two-car garage located on the ground floor and three open guest parking space on the driveway apron, with vehicular access from Paloma Court (Exhibit #3).

B. Community Character/Visual Quality

Section 30251 of the Coastal Act states:

⁰⁵
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 family residences and some older duplexes. Ocean Front Walk, which is approximately 350 feet away, is a heavily used pedestrian path used for biking and strolling. Several walk streets connect Pacific Avenue, a major coastal route seaward of Pacific Coast Highway, to Ocean Front Walk and the adjacent beaches (Exhibit #2). The moderate heights have been found by the Commission and the City to enhance the recreational experience. The majority of these structures do not exceed 28 feet along the walk street. Allowing building heights above the 28-foot limit would serve to negatively impact coastal views 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 28 feet above the frontage walk street, in this case Sunset Avenue walk street. 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 28-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 28-foot height limit.

In this case, the proposed residence has a roof height of 28 feet measured from the elevation of the centerline of the walk street (Exhibit #4-5). In addition, a roof deck is proposed above the 28-foot high structure (measured from the walk street). The proposed 96 square foot roof access structure (4' 4" x 21' 5") exceeds the 28-foot roof elevation by five feet (Exhibit #4-5). The walk street facing side of the roof access structure is 4' 4" (Exhibit #3). If the structure were wider, allowing excessive and unnecessary space, the home would appear to have a fourth floor. Reducing the width of the access structure lessens the impact on visual quality and community character of the coastal area.

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. The roof access structure has a width of 4' 4" that allows only the space necessary to house the stairwell and entryway to the roof deck and is situated five feet above the 28-foot height limit. No living area or storage space is proposed above the 28-foot height limit.

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 28 feet measured above the centerline of the walk street, limits the height of all railings and roof equipment housing to 42 inches, and limits the height of the roof access structure to 33 feet above the centerline of the walk street. Only as conditioned does the Commission find the proposed project consistent with sections 30251 of the Coastal Act.

C. Public Access/Parking

As described above, the walk streets in the Venice area, Ocean Front Walk and the adjacent beaches are a public recreational resource. The walkways provide an urban recreational experience popular throughout the Los Angeles area. The Commission has imposed Special Condition #2 to protect the quality of that recreational experience. 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. Visitors to the beach use these streets for parking. 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 three onsite parking spaces. In this case, the proposed project provides a two-car garage and three open guest parking spaces on the driveway apron (Exhibit #3). Therefore, the proposed project provides an adequate parking supply for the proposed single family residence. The proposed project is consistent with prior Commission decisions for the Venice area that required two parking spaces per single family residence and provisions for guest parking. The Commission finds that, only as conditioned to maintain the proposed five 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.

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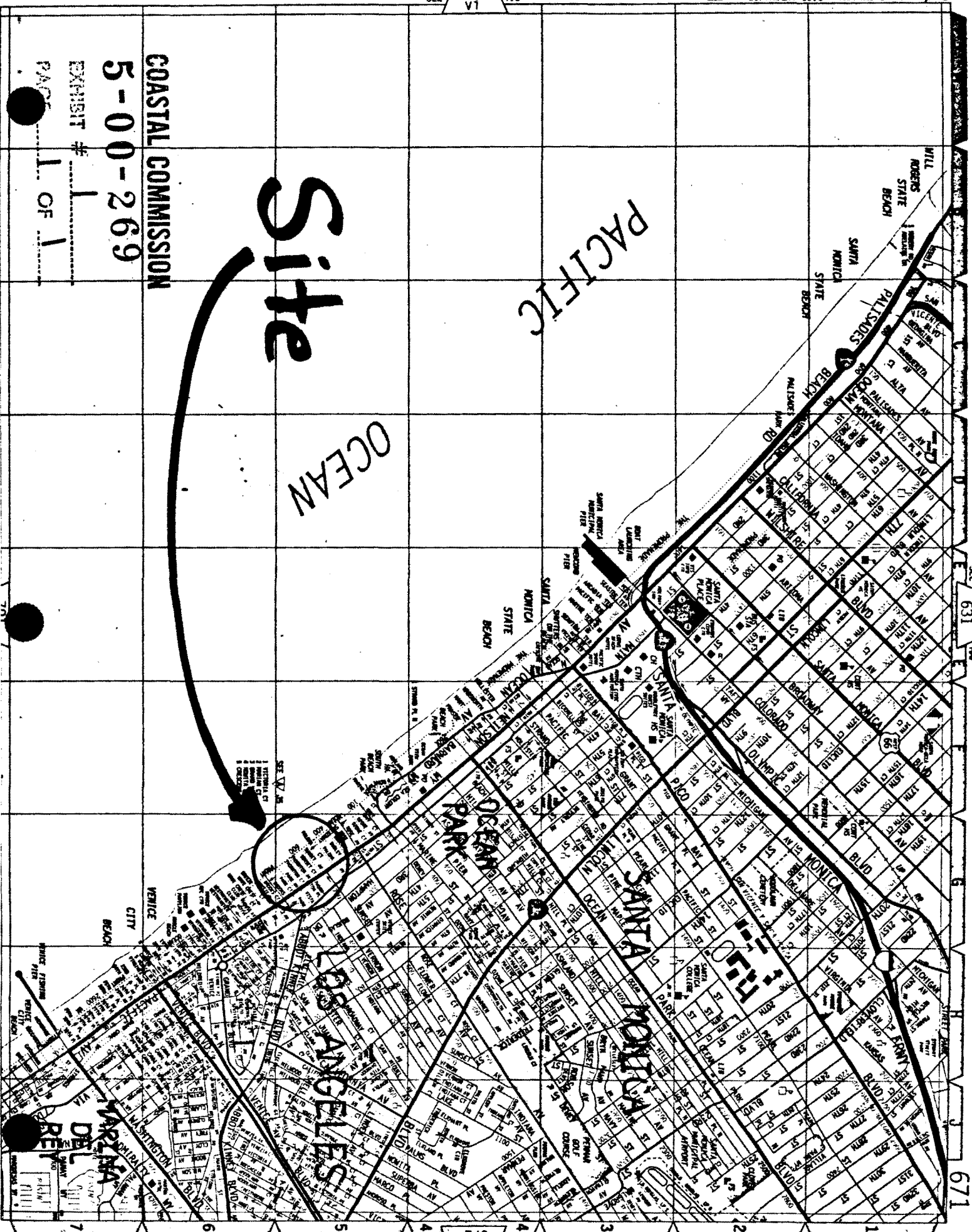
EXHIBIT # 1

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Site

OCEAN

PACIFIC



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EXHIBIT # 2

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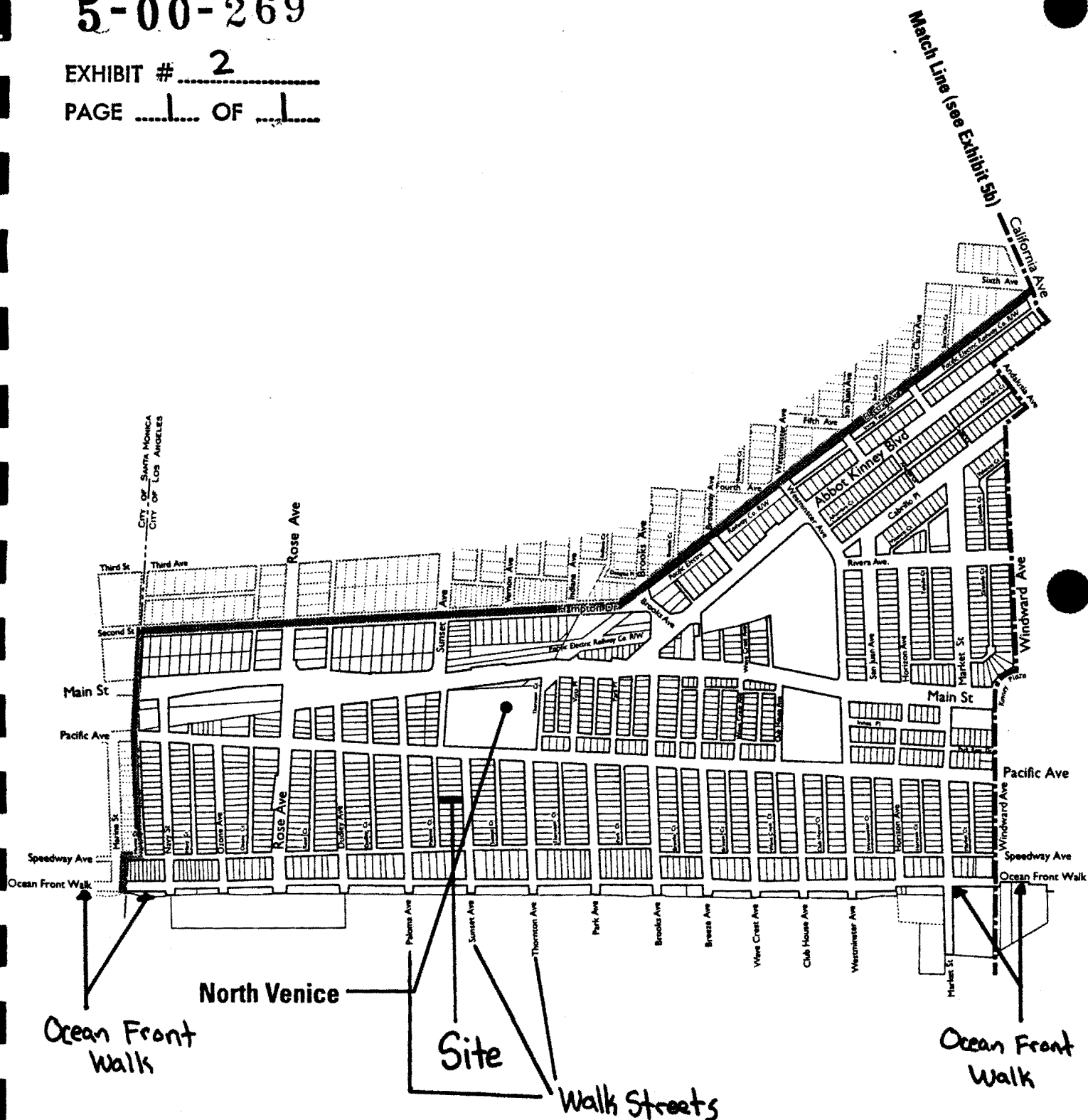


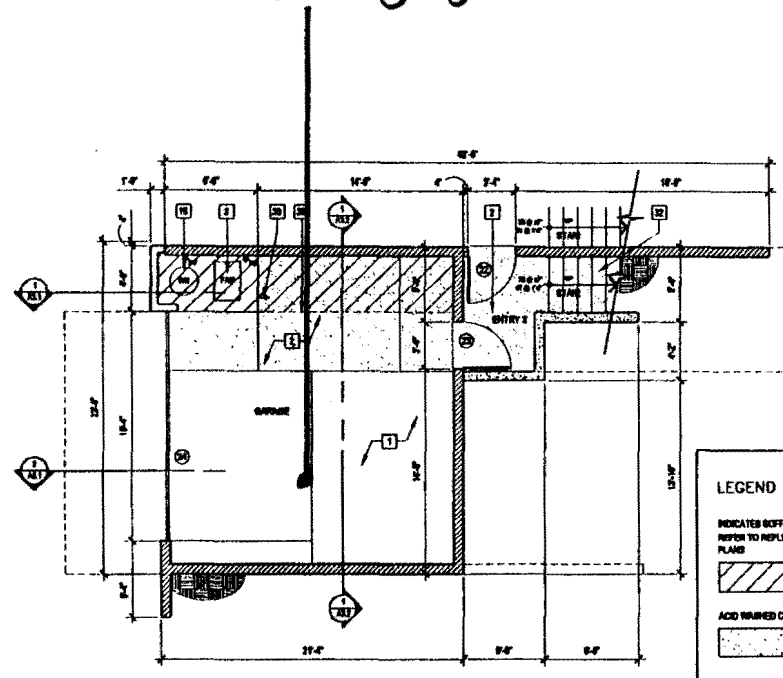
Exhibit 5a
Subarea: North Venice • Venice Canals



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2-car garage



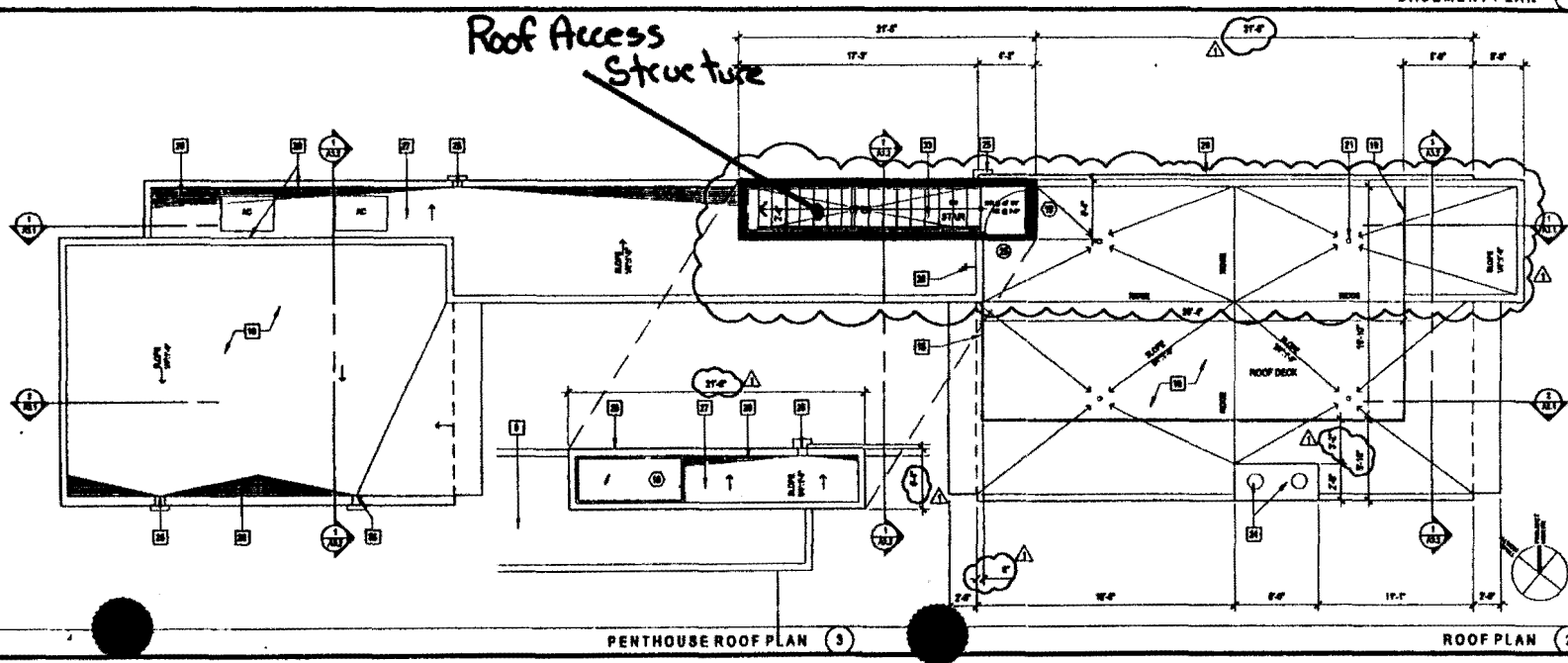
LEGEND
INDICATES ROOF ABOVE
REFER TO REFLECTED CEILING
PLANS
ACID TREATED CONCRETE

- PLAN NOTES
1. CONC. SLAB PER STRUCT. W/ SAWCUT JOINTS PER PLAN. LIGHT BRICKM. FINISH AND SEAL.
 2. CONCRETE SLAB PER STRUCT. W/ SAWCUT JOINTS PER PLAN. ACID WASH AND SEAL.
 3. FIN. REFER TO TITLE 24.
 4. PEDERSTAL BSK.
 5. CERAMIC TILE SHOWER W/ HOT MOP PAN. REFER TO INTERIOR ELEVATIONS.
 6. LINE OF FLOOR ABOVE.
 7. PREFAB METAL FIREPLACE "MAJESTIC" SUPERHEARTH BSK. ICBO RIA-4037.
 8. PREFAB METAL FIREPLACE "MAJESTIC" COIL UL B904818.
 9. MASTOLITE "THERMO-WELD" BULKHEAD MODEL A2000 ICBO LARW 2300.
 10. BUILT-IN CABINETS. REFER TO INTERIOR ELEVATIONS.
 11. BSK.
 12. LOW FLOW TOILET.
 13. GAS RANGE AND HOOD. REFER TO INTERIOR ELEVATIONS.
 14. DOUBLE STAINLESS STEEL BSK. W/ GARBAGE DISPOSAL.
 15. WATER HEATER. REFER TO TITLE 24 FOR REQUIREMENTS.
 16. "DICK-O-TEX" WATERPROOF AND DECK MATERIAL. ICBO #1303 LARW # 2300.
 17. CERAMIC TILE NICHE. REFER TO INTERIOR ELEVATIONS.
 18. METAL GUARDRAIL. REFER TO DETAILS-PAINTED.
 19. METAL HANDRAIL. REFER TO INTERIOR ELEVATIONS-PAINTED.
 20. NOT USED.
 21. FLUSH 6" S. DECK DRAIN.
 22. WASHER. OWNER PROVIDED. NEEDED GRAB AND HOOKUPS IN WALL.
 23. DRYER. OWNER PROVIDED. VENT TO EXTERIOR. REFER TO EXTERIOR ELEVATION.
 24. APPROVED METAL CHIMNEY TERMINATION CAP w/ GALV. MTL. CAP FLASHING.
 25. GALV. METAL SCUPPER AND DOWNSPOUT.
 26. CRACKED w/ BUILT-UP ROOFING.
 27. CLASS "B" BUILT-UP BUTYRADOME ROOFING w/ GRAVEL BALLAST.
 28. PARAPET w/ GALV. MTL. FLASHING. REFER TO DETAILS.
 29. MDF. SHELVES. REFER TO INTERIOR ELEVATIONS.
 30. MORE BSK.
 31. PAINTED STEEL COLUMN. REFER TO STRUCTURAL.
 32. CAST-IN-PLACE CONC. STAIR.
 33. MTL. STAIR. REFER TO DETAIL.
 34. TUB.
 35. CHIMNEY FLUE.
 36. LINE OF ROOF ABOVE.
 37. PIERCEMENT LIGHT FIX. REFER TO ELECTRICAL PLAN.

OVERSEER: BRUNSON
ARCHITECTS
1100 S. MAIN ST., SUITE 100
LOS ANGELES, CA 90014
TEL: 213.550.0700
FAX: 213.550.0707

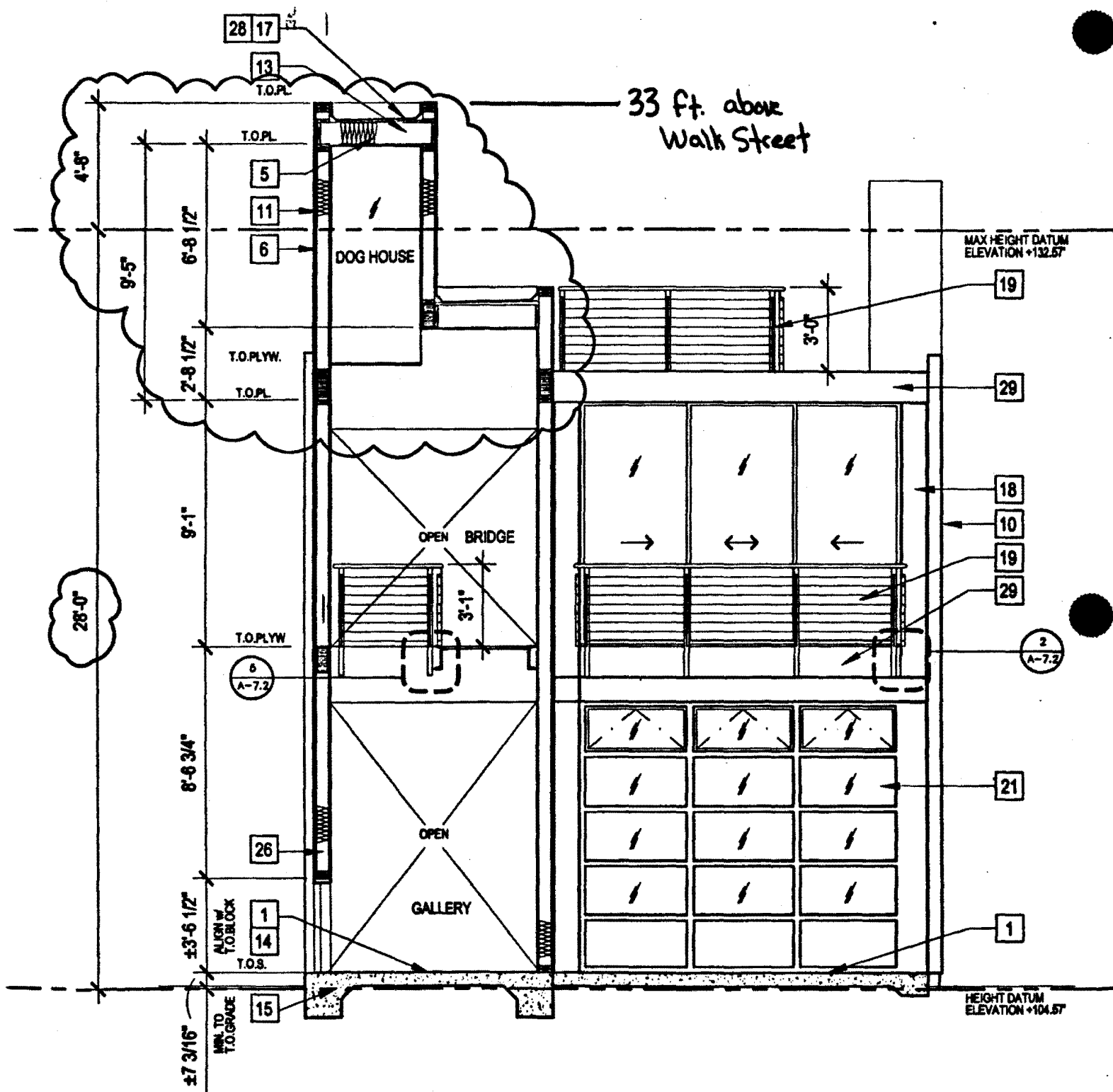
38. SUNSET AVENUE
38. SUNSET AVENUE
38. SUNSET AVENUE

Roof Access
Structure



PENTHOUSE ROOF PLAN 3

ROOF PLAN 2



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EXHIBIT # 4
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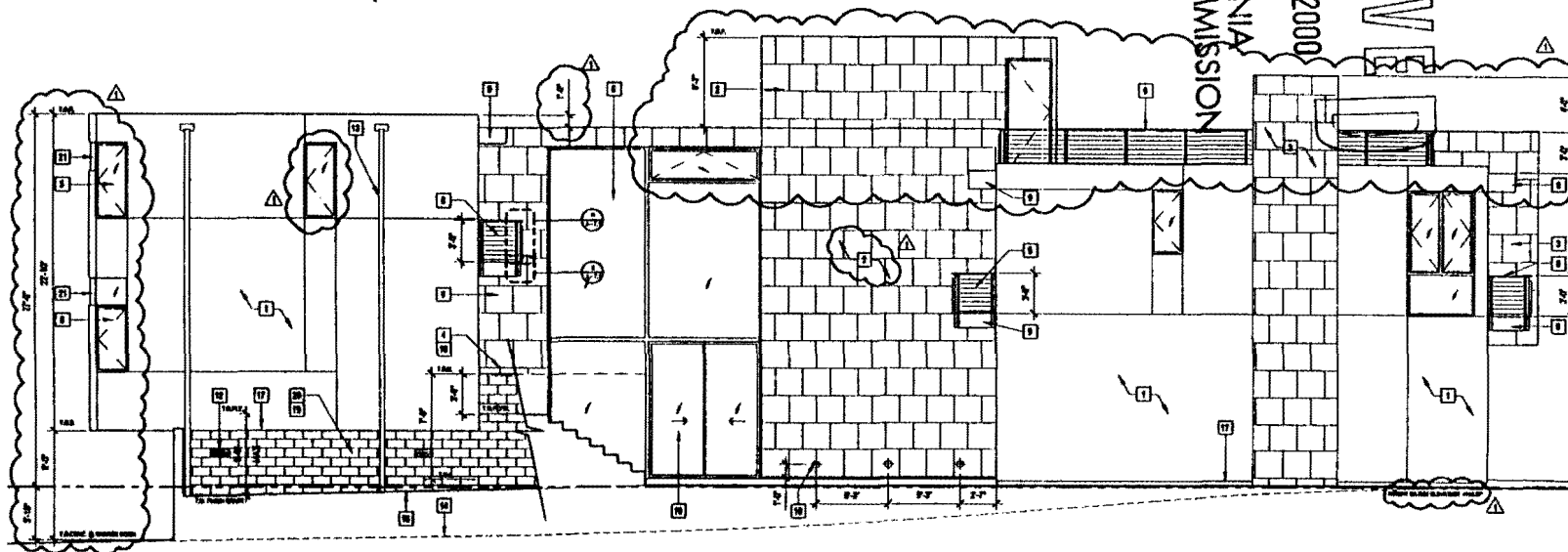
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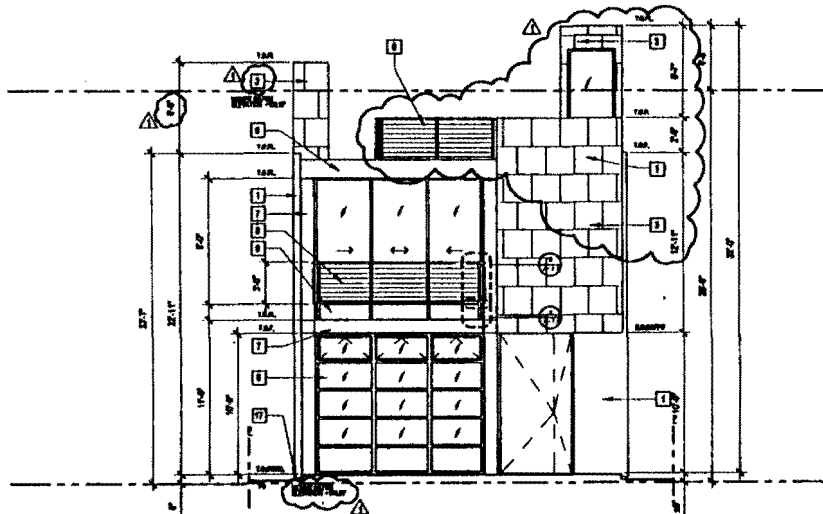
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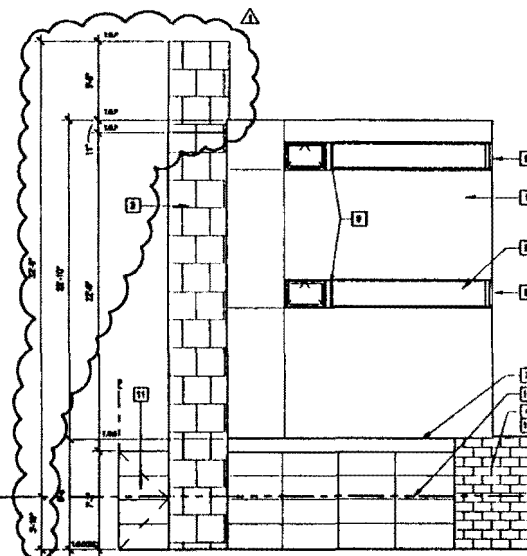
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SOUTH ELEVATION 1



WEST ELEVATION 2



EAST ELEVATION 3

ELEVATION NOTES

1. BRUCCO "DASH OTE" NATURAL CONCRETE COLOR w/ EXPANDED JOINTS AS SHOWN
2. 1/2" DIA. GALV. PIPES
3. 3/4" DIA. GALV. PIPES
4. 1/2" DIA. "ORCO PRECISION BLACK BOY" w/ TOP CAP
5. CLEAR ANODIZED ALUMINUM WINDOW SYSTEM- REFER TO WINDOW SCHEDULE
6. CLEAR ANODIZED ALUMINUM ROLL-UP GARAGE DOOR- REFER TO DOOR SCHEDULE
7. EXPOSED GALT STEEL BEAM PAINT- REFER TO STRUCTURAL
8. ONLY METAL GUERINER- REFER TO DETAIL
9. GALVANIZED METAL PARCH
10. DOOR- REFER TO DOOR SCHEDULE
11. GALVANIZED METAL GATE- DETAIL TO MATCH GARAGE DOOR
12. ONLY METAL VENT
13. ONLY MET. DOWNPOUT
14. 1/2" GRADE
15. PROPOSED NEW GRADE
16. SECTIONAL GARAGE DOOR w/ GALVANIZED METAL EXTERIOR FACE- REFER TO DOOR SCHEDULE
17. GALVANIZED METAL WEEP SCREEN
18. SURFACE MOUNTED LIGHT FIXTURE
19. BRICK CORP. ANTI GRAFFITI PROTECTION SYSTEM (GPP) APPLIED TO ALL EXTERIOR EXPOSED CONCRETE BLOCK LAMB # 25146.7
20. 1/2" DIA. "ORCO PRECISION BLACK BOY"
21. CLEAR ANODIZED ALUMINUM BREAK METAL

STEVEN BRILLIANT
ARCHITECTS

100 WEST 10TH AVE. SUITE 100
LOS ANGELES, CA 90015
TEL: 213 480 0100
FAX: 213 480 0101

38 SUNSET AVENUE
SUNSET AVENUE
SUNSET AVENUE

1/8" = 1'-0" PLAN CHECK

ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE ORDINANCES.

EXTERIOR ELEVATIONS

DATE: 8/11/00
DRAWN: J.B.
CHECKED: J.B.
APPROVED: J.B.
SCALE: 1/8" = 1'-0"

1/8" = 1'-0"

A-4.1

11

11

11