

CALIFORNIA COASTAL COMMISSION

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

Permit Application No.: **5-01-342**

Date: December 17, 2000

Page: 1 of 9

**TU 3a****RECORD PACKET COPY****ADMINISTRATIVE PERMIT****APPLICANT:** Del Rey Development**PROJECT DESCRIPTION:** Convert three residential units of an existing 81-unit apartment complex into six units, provide six new on-site parking spaces, and replace existing balconies.**PROJECT LOCATION:** 6204 Vista Del Mar, Playa del Rey**EXECUTIVE DIRECTOR'S DETERMINATION:** The findings for this determination appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

***Tuesday, January 8, 2002
9:00am
Westin Hotel-LAX
5400 West Century Blvd.
Los Angeles, CA 90045***

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER DOUGLAS
Executive Director

By: Al J. Padilla
Title: Coastal Program Analyst

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.

SPECIAL CONDITIONS:

1. Drainage Plan.

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a Drainage Plan documenting that the runoff from the roof, driveway and other impervious surfaces shall be collected and directed into pervious areas on the site (landscaped areas) for infiltration to the maximum extent practicable in a non-erosive manner, prior to being conveyed off-site.

The permittee shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Lighting Plan

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a lighting plan documenting that all new lighting for the proposed development of the parking spaces shall be directed onto the property and shielded from off-site areas to minimize off-site illumination.

The permittee shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

A. Project Description and Background

The applicant proposes to convert three residential units of an existing 81-unit apartment complex into six units, provide six new on-site parking spaces, and replace existing balconies.

To convert the three units to six units, the work will involve all interior modifications. All three units consist of three bedroom units. The applicant will convert the units to three two-bedroom units and three one-bedroom units with new interior walls and interior doors for the new units.

Approximately 85 existing balconies will be replaced due to age and deterioration of the wood. The balconies will be replaced in same location and size. The balconies are approximately 14 feet in length and extend out 4 feet. Some interior renovation work has been on-going. This work is interior modifications, does not include intensification of the site, and therefore, would be exempt from Coastal Commission permit requirements.

The subject property is located along the northern terminus of Vista del Mar and Esplanade, immediately south of the Ballona Creek channel, in the subcommunity of the Del Rey Lagoon planning area, in the City of Los Angeles (Exhibit No.1). The area is developed with multi-story multi-family and single-family development.

The existing 81-unit apartment complex consists of a mix of three and two bed-room units and studio units located within two separate main buildings. The apartment buildings were originally constructed in two phases. The first phase, consisting of 42 units and 42 parking spaces, was constructed in 1965 (see Exhibit No. 5, Certificate of Occupancy). The second phase, consisting of 75 units and 6 guest rooms (studio units) and 100 parking spaces, was constructed in 1970 (see Exhibit No. 6, Certificate of Occupancy).

In March 1981, the City of Los Angeles submitted a draft Local Coastal Program (LCP) for Commission approval. Commission staff recommended denial of the total LCP as submitted and conditional certification of the total LCP with conditions. At its December 18, 1981 hearing, the Commission denied the City's LCP submittal. Therefore, the standard of review for this planning area is the Chapter Three policies of the Coastal Act.

B. Public Access/Recreation

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

One of the strongest goals of the Coastal Act is to protect, provide and enhance public access to and along the coast. The existing 81-unit apartment complex (two residential buildings) consists of a mix of three and two bed-room units and studio units, with 142 on-site parking spaces, based on the Certificate of Occupancy for the two separate apartment buildings. The City's parking requirements, at the time of approval of these structures, was based on number of bedrooms, therefore, the 142 spaces was determined to be consistent with the City parking requirements for that time. However, the applicant has indicated that there are actually 208 parking spaces on-site (66 more than required by the City). Approximately 45 of the 66 additional parking spaces are included on the applicant's original plans within the parking garages of the apartment buildings, and have existed since the development of the two buildings. The remaining 21 additional spaces are located along the eastern property line. Although these spaces are not shown on the original plans, the applicant has indicated that the area has been used for parking since the construction of the buildings. The oldest aerial photographs available in the South Coast District office that show the project site were taken in 1986, and they show that the area was used as parking since that time.

Although the 21 spaces have existed for a number of years, they are not included on the original plans and it is not clear if the spaces meet the City's parking construction

standards, and are considered by the City as official spaces. Therefore, the 21 spaces should not be counted as part of the applicant's parking total.

Based on the current parking standards of two parking spaces per unit, that has been established by the Commission through past coastal development permit approval, the proposed project would be required to provide 162 parking spaces, 20 more than required by the City for the original project. However, taking into account the additional 45 parking spaces that were added within the parking garages, the project provides 25 more spaces than would be required under the Commission parking standards. However, the additional spaces were added to meet a demand generated by the 142 units, and the applicant has benefited from the use of those spaces for over 30 years. Therefore, the existing parking supply should not be counted toward the intensification of the site. The intensification of the site with three additional residential units should require six additional parking spaces beyond what is currently provided.

As part of this project the applicant will provide six new spaces within an open gravel area adjacent to the street Esplanade, in the western portion of the property. The proposed parking plan for the addition of three parking spaces has been reviewed and approved by the City's Traffic Division.

The proposed project is located approximately 3 blocks from the beach, separated from the beach by Del Rey Lagoon/park and three rows of residential development. On the west side of the lagoon, along Pacific Avenue there is public parking provided for the park. The parking is used by park visitors, and beachgoers due to its proximity to the beach. There are also two beach parking pay lots at the western terminus of Pacific Avenue. The proposed project will not adversely impact beach or recreational access within this area and will not significantly impact traffic. Therefore, the Executive Director determines that the proposed project is consistent with Section 30211 of the Coastal Act.

C. Control of Polluted Runoff

Section 30230 states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste

water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The project site is located adjacent to the Ballona Creek channel and Del Rey Lagoon, which is connected to Ballona Creek through a tide gate. The channel is separated from the project site by an approximately fifteen-foot wide flood control access road, and cinder block wall located along the property line. The proposed project poses a potential source of pollution due to contaminated runoff from the proposed parking areas.

The applicant has indicated that five of the parking lots will be improved so that drainage will flow onto an adjacent existing 500 square foot pervious area. Runoff from parking area will be able to percolate into the pervious area and minimize any runoff from the site. The remaining single space, which is located separate from the other five spaces will drain into an existing on-site drain. Because of the age of the drain system, it is most likely that the development's drain system does not include any filter system or other Best Management Practices that would reduce the amount of pollutants draining from the site. However, the single space, which will drain an area approximately 180 square feet, will not significantly increase the amount of runoff from the site. Furthermore, the area for the six new spaces will total less than 1,000 square feet. This area constitutes less than 2% of the total property area. Therefore, the impact from the six parking spaces will not be significant as long as the applicant directs drainage from the five spaces to the pervious area. The applicant has not submitted drainage plans, therefore, to ensure that drainage for at least five of the six spaces is directed to the pervious area and the single space is directed to the on-site drain, the applicant shall provide a drainage plan indicating that drainage is directed to on-site pervious areas or drains. The applicant shall also agree to undertake the development in accordance with the approved plans. The Commission, therefore, finds that, as conditioned, the development will be consistent with Section 30230 and 30231 of the Coastal Act.

D. Environmental Resources

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30240 of the Coastal Act states in part:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The proposed project is located adjacent to Ballona Creek and Del Rey Lagoon, which provide habitat for many marine species, such as the California Least Tern, Great blue Heron, and various species of fish. Exterior lighting from the proposed project for the parking areas could adversely impact on birds and fish that are found along the creek and lagoon.

The applicant proposes to install some minor lighting to the existing building to illuminate the proposed parking areas. Because of the orientation of the existing building in relation to the proposed parking, lighting will not significantly impact the surrounding off-site area. However, to ensure that lighting is directed to the site and will minimize the amount of light escaping into the surrounding area, the applicant shall provide and implement a lighting plan which shows the type of lights proposed and the use of light shields to ensure that light is mainly directed on-site. The Commission finds that, only as conditioned by this permit, will the project minimize any substantial adverse environmental impacts and be consistent with Section 30230 and 30240 of the Coastal Act.

D. Public Comments

A tenant of one of the apartments has contacted staff to object to the project. The tenant concern is with the existing parking, indicating it is not adequate, work that has been in progress, and rent increases due to upgrades.

The issue regarding existing on-site parking has been addressed above. The apartment units and parking supply were permitted by the City prior to the Coastal Act, parking ratios are vested and not subject to Commission's authority, therefore, the use and number of City approved parking spaces have been "grandfathered". Generally, projects that have been approved prior to the Coastal Act, are not required to bring existing development up to current Commission standards. However, intensification of existing uses have been required by the Commission to provide parking based on current Commission parking requirements to accommodate new development. In this particular case, the applicant is providing parking, based on Commission parking standards, to support the demand generated by the new units.

With regards to work in progress, interior renovation work is exempt from Coastal Commission permit requirements. At this time, staff is not aware of any work occurring on the site that would require a Coastal Commission permit.

Finally, with regards to residential rental rate increases, the Coastal Act does not address this issue, therefore, the Commission has no jurisdiction over this issue.

E. 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 Playa del Rey area. The City of Los Angeles submitted its Local Coastal Program in March 1981. The Commission denied the submitted LCP on December 18, 1981. The City has not planned the submittal of a revised LCP. As proposed the development will not prejudice the City's ability to prepare a Local Coastal Program in conformity with Chapter 3 of the Coastal Act. The Executive Director, therefore, determines that the proposed project is consistent with the provisions of Section 30604 (a) of the Coastal Act.

F. 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 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 Executive

Director determines that the proposed project can be found consistent with the requirements of the Coastal Act to conform to CEQA.

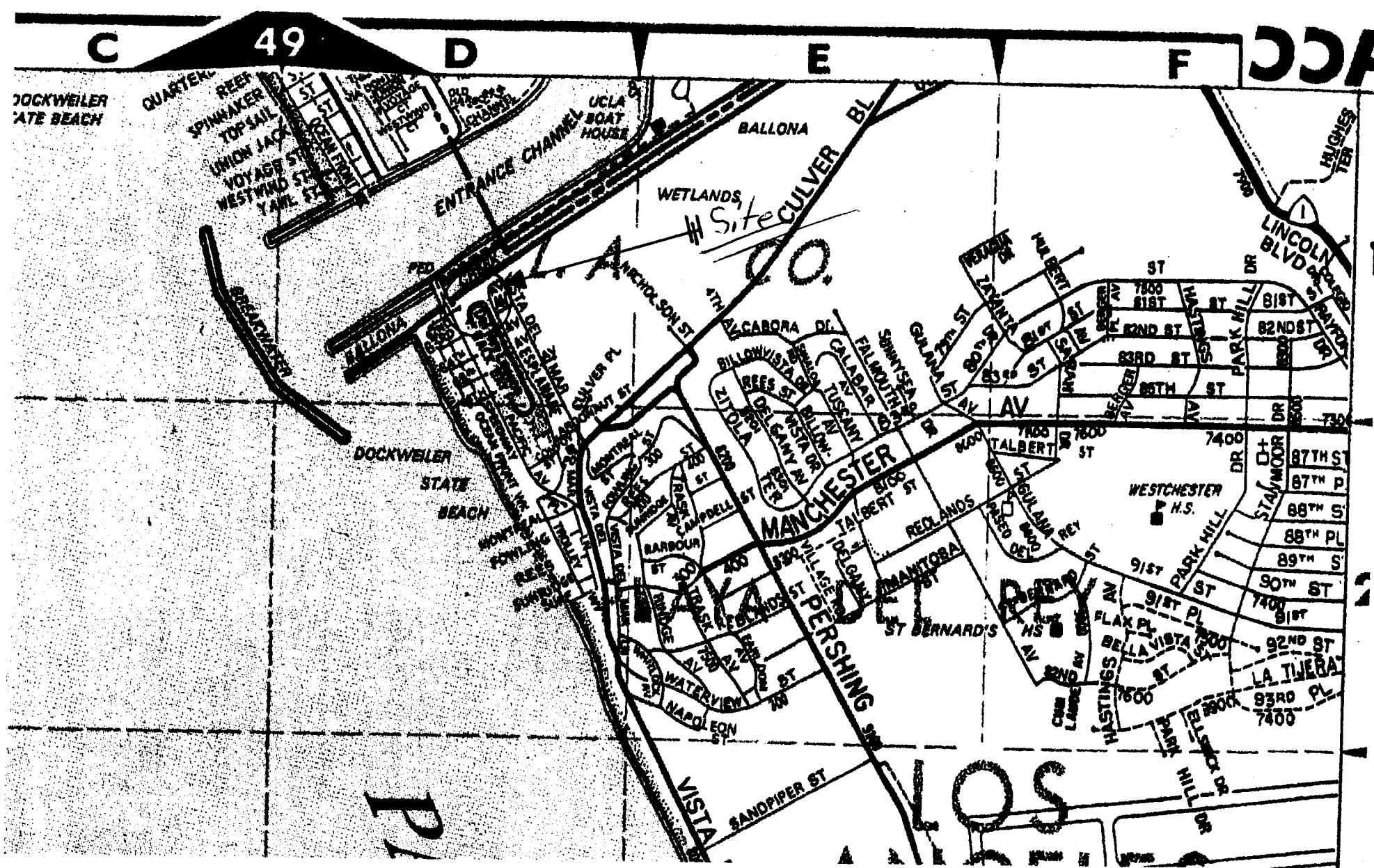


EXHIBIT NO.

1

Application Number

5-01-342

Vicinity Map

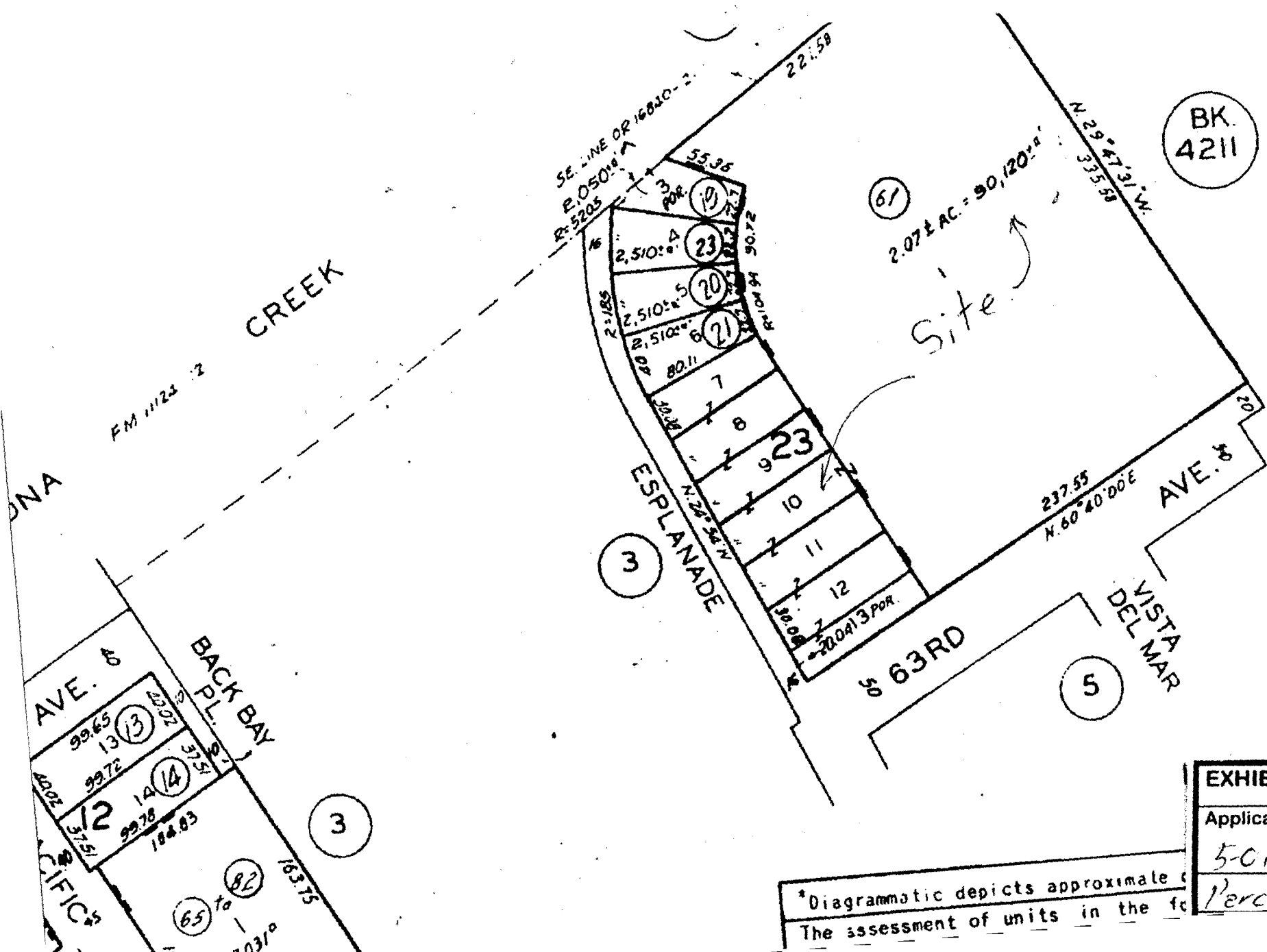


EXHIBIT NO. 2

Application Number

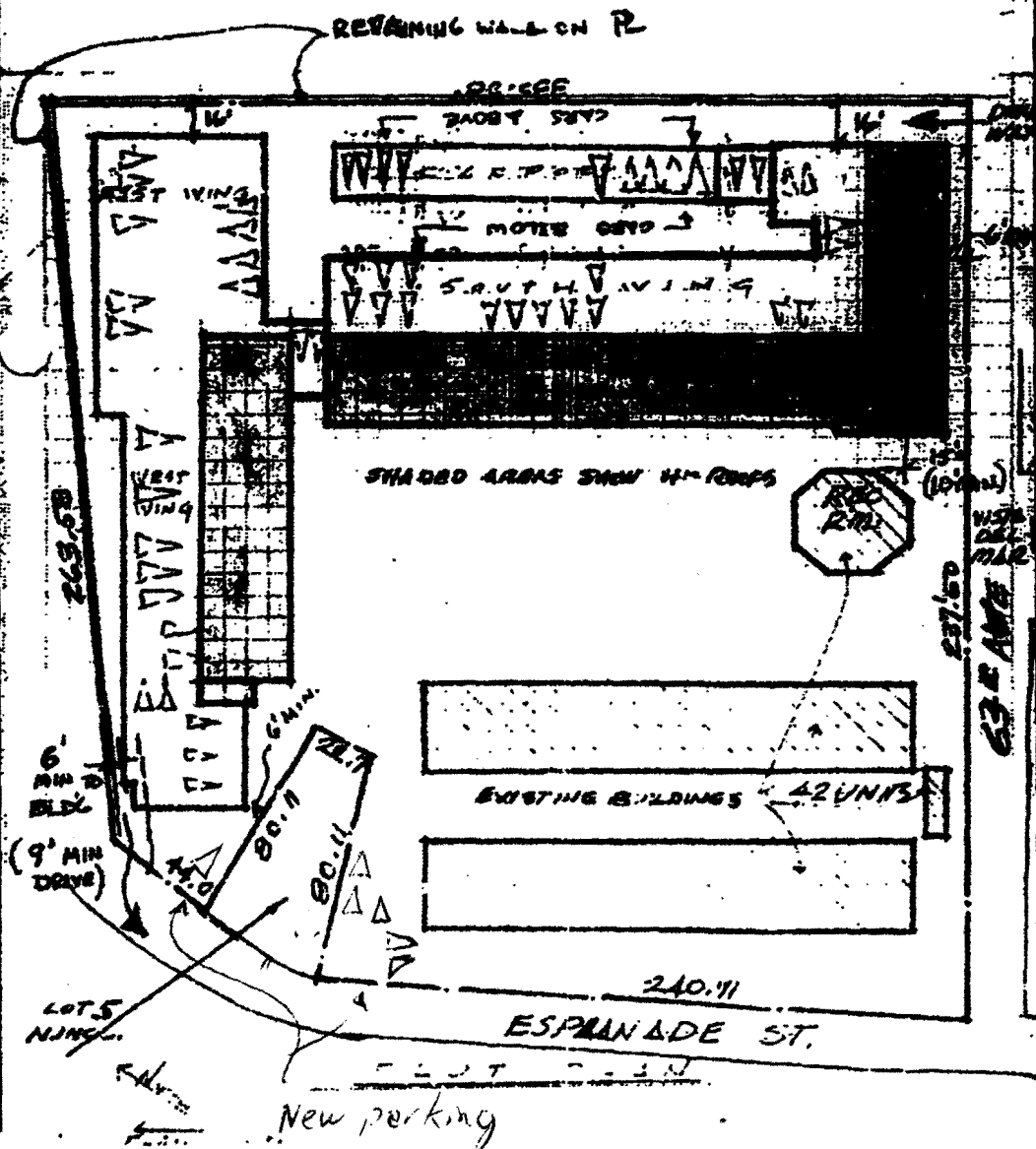
5-01-342

Parcel Map -

*Diagrammatic depicts approximate
The assessment of units in the fe

ADMINISTRATIVE "INSTANT" BOARD LETTER
DATED 1-13-69 APPROVES EXTENSION OF
~~THE~~ TIME FOR PLAN CHECK FEE. 1

19 CARS TANDEM
PARKING: 81 CARS ACCESSIBLE
100 CARS TOTAL



Proposed Parking

Address of Building 6200 Vista Del Mar



CITY OF LOS ANGELES
Certificate of Occupancy

NOTE: Any change of use or occupancy must be approved by the Department of Building and Safety. This certifies that, so far as ascertained by or made known to the undersigned, the building at the above address complies with the applicable requirements of the Municipal Code, as follows: Ch. 1, as to permitted uses; Ch. 9, Arts. 1, 3, 4, and 5; and with applicable requirements of State Housing Act—for following occupancies:

Issued 5-24-65 Permit No. and Year WLA48017/63

Three story, type I & V, 176x105
42 apartments with attached 42 required
parking spaces
Except Board Modification
H-2 and F-1 occupancy

Owner Del Rey Development Co.
Owner's 10889 Wilshire Blvd.
Address Los Angeles 24, California

EXHIBIT NO.	5
Application Number	5-01-342
Cert. of Occupancy	42-un. + Apts.
California Coastal Commission	

Address of 6200 Vista Del Mar

Building

CITY OF LOS ANGELES

CERTIFICATE OF OCCUPANCY

NOTE: Any change of use or occupancy must be approved by the Department of Building and Safety. This certifies that, so far as ascertained by or made known to the undersigned, the building at the above address complies with the applicable requirements of the Municipal Code, as follows: Ch. 1, as to permitted uses, Ch. 9, Arts 1, 3, 4, and 5; and with applicable requirements of State Housing Act—for following occupancies:

Issued 4-20-70 Permit No. and Year WLA75562/69

Three story, Type V, 240' x 310', apartment house and attached 100-car garage, 75 apartments and 6 guest rooms, 100 parking spaces required and provided, H-2/J-1 occupancy.

FIRE SPRINKLERS REQUIRED: BASEMENT STORAGE AREA.
EXCEPT FOR DEVIATION APPROVED PER SECTION 9A 0407 L.A.M.C.

Owner Del Rey Development Co.
Owner's Address 10889 Wilshire Blvd.
Los Angeles, California 90024

A. R. MENDENHALL

EXHIBIT NO.

6

Application Number

5-01-342

Cert. of Occupancy

75-Unit Apt. Condominiums

California Coastal Commission

