

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Long Beach, CA 90802-4302
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Filed: 10/02/01
49th Day: 11/16/01
180th Day: 3/27/02
Staff: MS-LB
Staff Report: 12/19/01
Hearing Date: January 8-11, 2002
Commission Action:

**Tu 9 s t****RECORD PACKET COPY****STAFF REPORT: DE NOVO & REGULAR CALENDAR****APPLICATION NUMBER:** 5-01-349 **APPEAL NUMBER:** A-5-VEN-01-392**APPLICANT:** Larry and Yen King**AGENT:** The Land Use Consortium Attn: James J. Crisp, M.S.**PROJECT LOCATION:** 31 26th Avenue, Venice, City of Los Angeles.

PROJECT DESCRIPTION: Appeal of City of Los Angeles approval of Coastal Development Permit No. 2001-1763 to permit a 1,368 square-foot, 33-foot high, 2-story addition to an existing one-story single family residence in lieu of the Venice Certified LUP 28-foot maximum height limit for homes located on walk streets.

LOCAL APPROVAL: City of Los Angeles APCW 2001-1763 SPE-CDP-SPP-ZAA**SUMMARY OF STAFF RECOMMENDATION**

At a public hearing on November 13, 2001, the Commission determined that **a substantial issue exists** with respect to the City's approval of the local coastal development permit on the grounds that the approved local coastal development permit raises issues of consistency with Sections 30251 and 30253 of the Coastal Act, which require protecting community character and visual quality.

Staff is recommending that the Commission grant a de novo permit (A-5-VEN-01-392) and a coastal development permit (5-01-349) for the proposed development with special conditions relating to building height for reasons that the local coastal development permit is inconsistent with the Commission Certified Land Use Plan for Venice and raises issues of consistency with the Coastal Act provisions that require that a coastal development permit shall not prejudice the implementation of a Local Coastal Program. The applicant objects to the recommendation. **See Page Two and Three for motions.**

See Page 4 for the recommended conditions of approval. The recommended special conditions require the permittee to submit revised plans showing the maximum height of the proposed structure to be no greater than 28 feet above the fronting right-of-way as required by the Venice certified Land Use Plan for walk street residences.

SUBSTANTIVE FILE DOCUMENTS:

1. City of Los Angeles Certified Land Use Plan for Venice, 11/14/01.
2. City of Los Angeles Local Coastal Development Permit No. 2001-1763.
3. California Coastal Commission Coastal Development Permit No. 5-89-035
4. California Coastal Commission Coastal Development Permit No. 5-84-595

STAFF NOTE:

The proposed project is also located within 300 feet of the mean high tide line. Therefore, it is within the coastal zone area of the City of Los Angeles, which has been designated in the City's permit program as the "Dual Permit Jurisdiction" area. Pursuant to Section 30601 of the Coastal Act and Section 13307 of the California Code of Regulations, any development located in the Dual Permit Jurisdiction that receives a local coastal development permit from the City must also obtain a permit from the Coastal Commission. The City-approved local coastal development permit for the proposed project was appealed to the Commission on October 2, 2001 (Appeal No. A-5-VEN-01-392). On November 13, 2001, the Commission found that a Substantial Issue exists with the City's approval of the proposed project, thus nullifying the local coastal development permit approval.

The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The City of Los Angeles certified Land Use Plan for Venice is advisory in nature and may provide guidance.

In order to minimize duplication, Commission staff has combined the de novo appeal permit (A-5-VEN-01-392) and coastal development permit application (5-01-349) into one staff report and one Commission hearing. However, the Commission's approval, modification or disapproval of the proposed project will require two separate Commission actions: one action for the de novo appeal permit and one action for the coastal development permit application. Staff is recommending that the Commission grant a de novo permit (A-5-VEN-01-392) and a coastal development permit (5-01-349) for the proposed development with special conditions

STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolutions to **APPROVE** Coastal Development Permits 5-01-349 and A-5-VEN-01-392 with special conditions. Staff recommends two **YES** votes which would result in the adoption of the following resolutions and findings. Affirmative votes by a majority of the Commissioners present are needed to pass the motions.

FIRST MOTION:

"I move that the Commission approve with special conditions Coastal Development Permit 5-01-349 per the staff recommendation as set forth below."

I. Resolution: Approval with Conditions of 5-01-349

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976 and 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. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

SECOND MOTION:

"I move that the Commission approve with special conditions Coastal Development Permit A-5-VEN-01-392 per the staff recommendation as set forth below."

II. Resolution: Approval with Conditions of A-5-VEN-01-392

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976 and 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. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

V. 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.

VI. Special Conditions

1. Building Height

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit revised project plans, subject to the review and approval of the Executive Director, which provide the following:

The roof of the proposed structure shall not exceed 28 feet in height above the elevation of the centerline of the fronting right-of-way, 26th Avenue. No portion of the structure shall exceed 28 feet in height above the elevation of the centerline of the fronting right-of-way (26th Avenue), except for chimneys, ducts and ventilation shafts which are limited to 33 feet.

The permittee shall construct and maintain the proposed project consistent with the revised plans approved by the Executive Director.

V. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The proposed development consists of construction of a two-story addition to an existing one-story single family home located approximately 150 feet inland from the City right-of-way, Ocean Front Walk (Exhibit 3). The addition will increase the height of the home to 33 feet. Total square footage will be 3,559 square feet on a 2,640 square-foot lot situated along a Venice walk street north of Washington Boulevard (Exhibit 1). The neighborhood is comprised of mostly two and three-story single-family residences, condos and a nonconforming duplex. To the east, the house adjacent to the project site is a 28-foot high single family residence (Coastal Development Permit # 5-89-035). Across the street from the site is a 30-foot high double condominium (Coastal Development Permit # 5-84-595). The adjacent lot to the west is a two-story single family home.

B. Venice Walk Streets / 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, and where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30253 of the Coastal Act states in part:

New development shall:

(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

Venice walk streets are a unique scenic resource of Southern California. Walk streets add to the character that maintains the Venice "Special Coastal Community". They provide pedestrian public access to the shoreline and other areas of interest and they preserve views along and from the public right-of-way. The project site is located on Twenty-sixth Avenue, which is one of the nineteen designated Venice walk streets that are west of Pacific Avenue and east of Ocean Front Walk. Walk streets are an important means of access and recreation within Venice coastal communities. The Certified Venice Land Use Plan recognizes the importance of preserving special communities within the City to maintain the unique character of Venice,

which attracts visitors from around the world. The LUP also recognizes the importance of protecting public resources such as pedestrian access to the beach and to Ocean Front Walk. The LUP sets a standard that new residential developments along walk streets enhance both public access and neighborhood character. The project site is located on a LUP designated walk street in the North Venice Subarea.

As mentioned above, designated Venice walk streets are considered by the City of Los Angeles to be of unique character and part of the special community of Venice. The subject project is located along a walk street, and its development would impact the scenic and visual qualities of the area. The applicant contends that the third floor roof top, which is the portion that exceeds the 28-foot height limit for walk street neighborhoods is set back far enough from the walk street that it would not have a significant impact on community character. According to the applicant's submitted architectural plans, the setback is approximately 26 feet from the fronting right-of-way (Exhibit 4, P.1). Commission staff disagrees with the applicant in that the height of the home approved under the City local coastal development permit, combined with the reduced side yard setback, would impact the scenic and visual quality of the pedestrian public right-of-way and the character of the walk street special community. 26th Avenue consists of one, two and three-story single family and multi-family residences with heights up to approximately 30 feet. Allowing a 33-foot high home to be built would be inconsistent with the community scale of the neighborhood. It would stand out and be visible from the pedestrian right-of-way.

Building height and bulk can affect the scenic and visual qualities of coastal areas. In prior actions, the Commission and the City have both consistently limited the height of structures in order to preserve the character of the Venice area. Prior to the City adoption of the Venice Specific Plan and LUP in 1999, the City had limited the heights of buildings in North Venice to a maximum of thirty feet. The Commission has also limited the heights of buildings in North Venice to a maximum of thirty feet as documented in the 1980 Regional Interpretive Guidelines. Prior to 1999, neither the City nor the Commission imposed any further reduced height limit for development along the Venice walk streets.

In 1999, the City adopted the Venice Specific Plan as a precursor to the implementation portion (LIP) of a future Venice Local Coastal Program (LCP) that has not yet been reviewed or certified. The Venice Specific Plan contains a more stringent height limit (28 feet) for development along all walk streets in Venice. The City included the 28-foot height limit for development along the Venice walk streets in its 1999 submittal of the Venice LUP to the Commission.

On November 14, 2000, the Commission approved the City's proposed LUP for Venice with suggested modifications. The Commission's approval of the Venice LUP included the adoption of the City's proposed 28-foot height limit for development along the Venice walk streets. The Commission's findings for the approval of the Venice LUP state that, "the City proposes to reduce the height limit on walk streets to 28 feet for fire safety purposes." Apparently, the City was concerned that the fire fighters, not being able to drive trucks on the narrow walk streets, would have difficulty reaching the upper parts of structures higher than 28 feet using hand-carried ladders.

A 33-foot building height along a walk street is inconsistent with the City's Certified LUP and the development policies of the Coastal Act (Section 30251 and 30253). The City has adopted a Land Use Plan and a Specific Plan where certain regulations are specified including maximum building heights for the Venice Community. The City recommended the 28-foot height limit for walk street neighborhoods in its certified LUP but is now allowing individual exceptions that are not consistent with the LUP. By allowing these exceptions, the City may be creating a pattern of disregarding limits found in the Land Use Plan. This practice may jeopardize its ability to develop an implementation ordinance consistent with the standards of the land use plan, which was adopted by the City in full knowledge of the variety of heights prevalent in Venice neighborhoods. The Commission finds that approval of the proposed development would prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act, and is not consistent with Section 30604(a) of the Coastal Act.

Staff is recommending that the proposed development conform to the standards of the certified Venice LUP, including the 28-foot height limit for development on walk streets. The 28-foot height limit for development on walk streets carries out the requirement of Section 30251 of the Coastal Act to protect the scenic and visual qualities of the walk streets by limiting the height and bulk of development along the walk streets. The 28-foot height limit allows new two-story buildings, which are in character with the historic development of the Venice walk streets. Approval of projects which exceed the provisions of the Venice LUP would prejudice the ability of the City to prepare an LCP that conforms to Chapter 3 policies of the Coastal Act.

Therefore, in order to ensure that the proposed project preserves the unique character of the walk street and does not prejudice the ability of the City to prepare an LCP that conforms with Chapter 3 policies of the Coastal Act, the approval of the permit is conditioned to require revised plans that show that the top of the roof does not exceed 28 feet in elevation above the centerline of the 26th Avenue right-of-way. The applicants shall construct and maintain the project as shown on the plans approved by the Executive Director.

The Commission finds that the proposed project, only as conditioned to conform to the 28-foot height limit, is consistent with the provisions of Section 30251 of the Coastal Act. As conditioned the scenic and visual qualities of the area will not be negatively impacted by the proposed project.

C. Building Height Limit

The Venice LUP contains the following policies with respect to north Venice walk streets:

Policy I. A. 7. North Venice. *Height: Not to exceed 30 feet for buildings with flat roofs; or 35 feet for buildings utilizing a stepped back or varied roofline. The portion that exceeds 30 feet in height shall be set back from the required front yard one foot for every foot in height above 30 feet. Structures located along walk streets are limited to a maximum height of 28 feet. "(Emphasis Added)"*

Policy I. E. 2. Scale: *New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale*

compatible with the community (with respect to bulk, height, buffer, and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods. Lot consolidation shall be restricted to protect the scale of existing neighborhoods. Roof access structures shall be limited to the minimum size necessary to reduce visual impacts while providing access for fire safety. In visually sensitive areas, roof access structures shall be set back from public recreation areas, public walkways, and all water areas so that the roof access structure does not result in a visible increase in bulk or height of the roof line as seen from a public recreation area, public walkway, or water area. No roof access structure shall exceed the height limit by more than ten (10') feet. Roof deck enclosures (e.g. railings, and parapet walls) shall not exceed the height limit by more than 42 inches and shall be constructed of railings or transparent materials. Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts, and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

The proposed project is for the construction of a two-story addition to an existing home increasing the height to 33 feet. The applicant received an approval from the City of Los Angeles for a building height of 33 feet and a side yard setback of 3 feet (Exhibit 5 and 6). The certified LUP allows for a maximum building height of 28 feet along walk streets and a minimum side yard setback of the 4 feet. On October 2, 2001 the Commission appealed the local decision permitting the 33-foot high addition and found Substantial Issue on November 13, 2001. Once it is appealed the whole project is before us. The side-yard setback was not part of the appeal raised by the Commission.

In the variance, the City found that the pitched portion of the roof that exceeds the 28-foot height limit has a 26-foot step back from the front property line and that allowing the height exception for this home design places the smaller portion of the home along the walk street creating a more pedestrian oriented feel. However, a plain reading of the Land Use Plan indicates an intention to set a limit on escalation of heights and encroachments in Venice's more sensitive neighborhoods, such as the walk streets and the canals. Many of the homes on 26th Avenue are prior to the Coastal Act. From 1978 to 1992, the Commission granted permits for additions and construction of two-story homes. These permits were prior to the certification of the Venice LUP. The Venice LUP allows for higher buildings that utilize a stepped back design or varied roofline in other areas of the North Venice Subarea. However, the LUP does not have the same intent for buildings on walk streets (Policy I.A.7. North Venice) where the maximum height for all structures is 28 feet. The proposed project is inconsistent with the approved certified LUP and denial of the project would comply with the City's LUP standards and establish a foundation of consistency for future developments.

D. Public Access and Recreation

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Venice Land Use Plan Policy II.C.7. states in part:

Designated walk streets shall be preserved and maintained at their present widths for public pedestrian access to the shoreline and other areas of interest and to preserve views along and from the public right-of-way. Vehicular access on walk streets shall be restricted to emergency vehicles. The minimum width of the pedestrian path shall be 10-12 feet in the North Venice and Peninsula areas and 4^{1/2} feet in the Milwood area.

Venice Land Use Plan Policy II.C.10. states in part:

New residential development along walk streets shall enhance both public access and neighborhood character.

Shoreline resources in the Venice Coastal Zone are: Venice Beach, Ballona Lagoon, the Venice Canals and the Marina del Rey north jetty which lies partly in the jurisdiction of the City of Los Angeles. Venice Beach is a publicly owned sandy beach, which provides direct access to the entire oceanfront shoreline and is readily accessible to pedestrians and bicyclists. The walk streets in North Venice neighborhoods are some of the amenities that are available for pedestrians that provide excellent vertical access to the beach. It is a goal of the Coastal Commission and the City of Venice to protect these public resources. By allowing residential development along walk streets to ignore the certified Land Use Plan policies, i.e. exceed designated height limits, the cumulative effect is an over developed, crowded feel that may discourage public use and enjoyment of these pedestrian access ways. Discouraging public access is inconsistent with the Venice certified Land Use Plan and public access policies of the Coastal Act.

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 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 proposed Land Use Plan (LUP) for Venice on October 29, 1999. On November 29, 1999, the City submitted the draft Venice LUP for Commission certification. On November 14, 2000, the Commission approved the City of Los Angeles Land Use Plan (LUP) for Venice with suggested modifications. On March 28, 2001, the Los Angeles City Council accepted the Commission's suggested modifications and adopted the Venice LUP as it was approved by the Commission on November 14, 2000. The Venice LUP was officially certified by the Commission on June 12, 2001.

The Certified Venice LUP contains provisions to carry out these policies. The LUP policies are intended to protect coastal views and the character of the North Venice community, including a 28-foot height limit, as established by the City, for residences built along walk streets. The Certified LUP identifies walk streets as important elements of community character and public access. The proposed project does not conform to the policies of the Certified Venice LUP. Moreover, as discussed above, the proposed development is inconsistent with the Chapter 3 policies of the Coastal Act. Therefore, the Commission finds that the approval of the proposed development would prejudice the City's ability to prepare a Local Coastal Program consistent with the policies of Chapter 3 of the Coastal Act, and is not consistent with Section 30604(a) of the Coastal Act.

F. California Environmental Quality Act (CEQA)

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.

In this case, there exists a viable use on the private property: a single family residence. Construction of an addition that does not exceed the 28-foot height limit constitutes a feasible alternative to the construction of the proposed 33-foot high two-story addition. The proposed structure exceeds the 28-foot height limit and is not consistent with character of Venice walk street neighborhoods. The denial of this project would reduce the project's visual impacts from public areas (i.e. public walk streets).

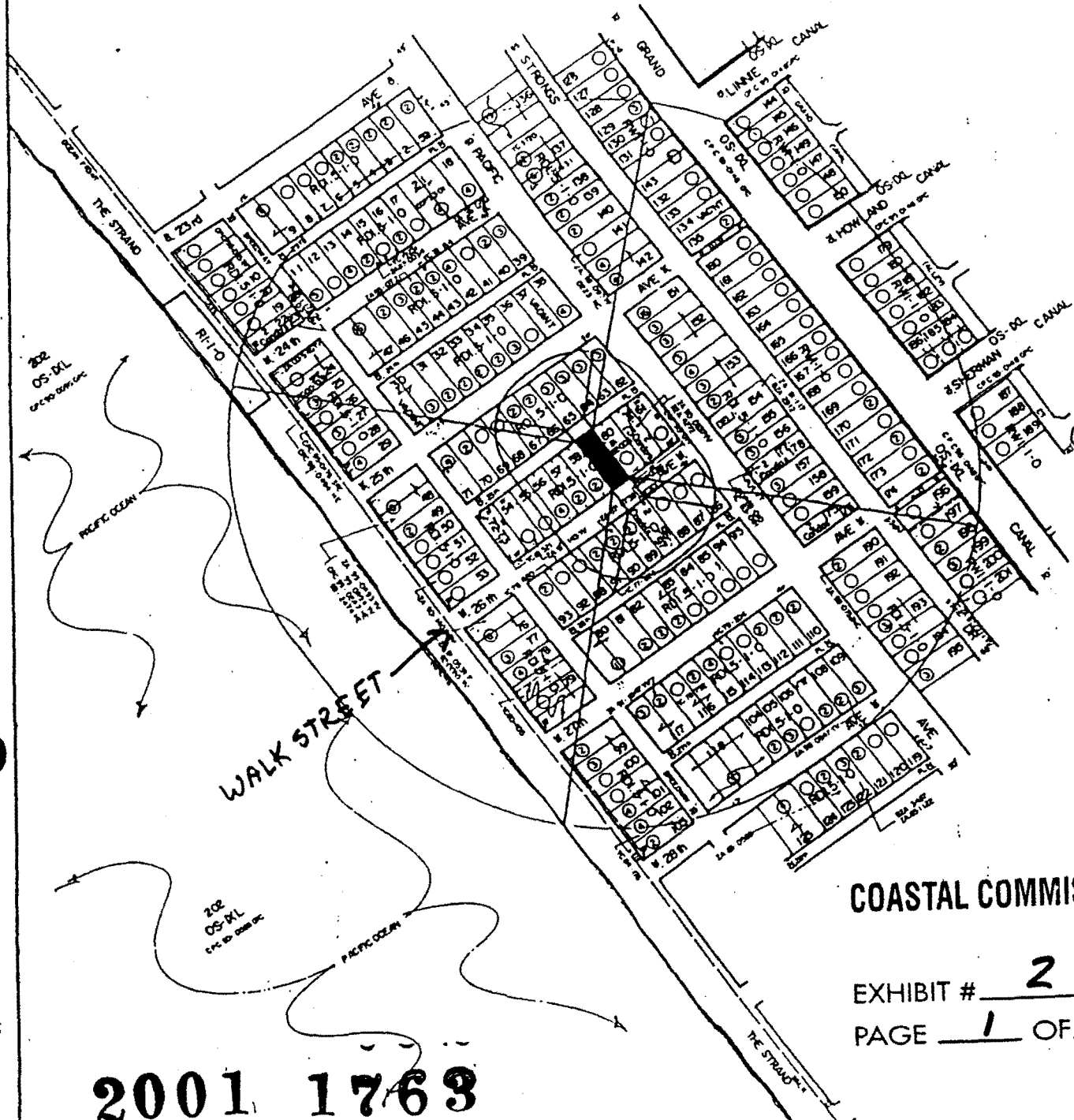
Therefore, there are feasible alternatives or mitigation measures available; which will lessen the significant adverse impacts that the development would have on the environment. Therefore, the Commission finds that the proposed project is not consistent with CEQA and the development policies of the Coastal Act.



Site

COASTAL COMMISSION

EXHIBIT # 1
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COASTAL COMMISSION

EXHIBIT # 2
PAGE 1 OF 1

2001 1763

COASTAL DEVELOPMENT PERMIT, PROJECT PERMIT,
EXCEPTION TO THE SPECIFIC PLAN & VARIANCE



Quality Mapping Service
Surveying Consultants

14548 Archwood St., Suite 301
Van Nuys, California 91405
Phone (818) 997-7949 - Fax (818) 997-0051

DRAWN BY: DIAZ

THOMAS BROTHERS

Page: 671 Grid: H7

LEGAL

LOT: 14 BLK 19

TRACT: SHORTLINE BEACH
SUBDIVISION NO. 2
M.B. 4-42

CONTACT: JAMES CRISP

C.D. 6

C.T. 2739

P.A. 329 (MENICE)

USES: FIELD

CASE NO. 1

SCALE: 1" = 100'

D.M. 1

PHONE: 818 997 7965

DATE: 03-22-01

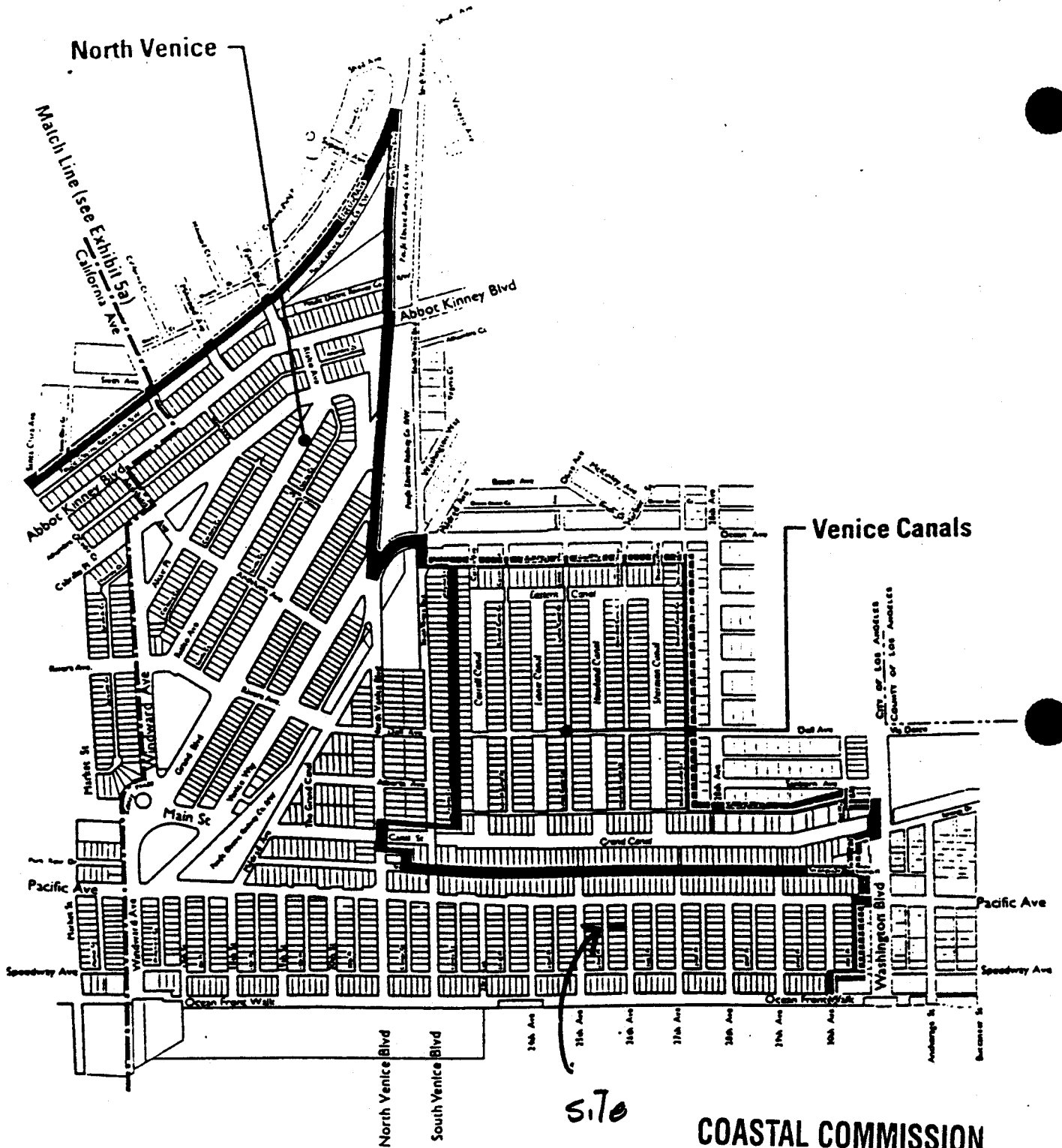
Updated: _____

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01-111
QMS

NORTH

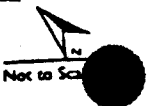


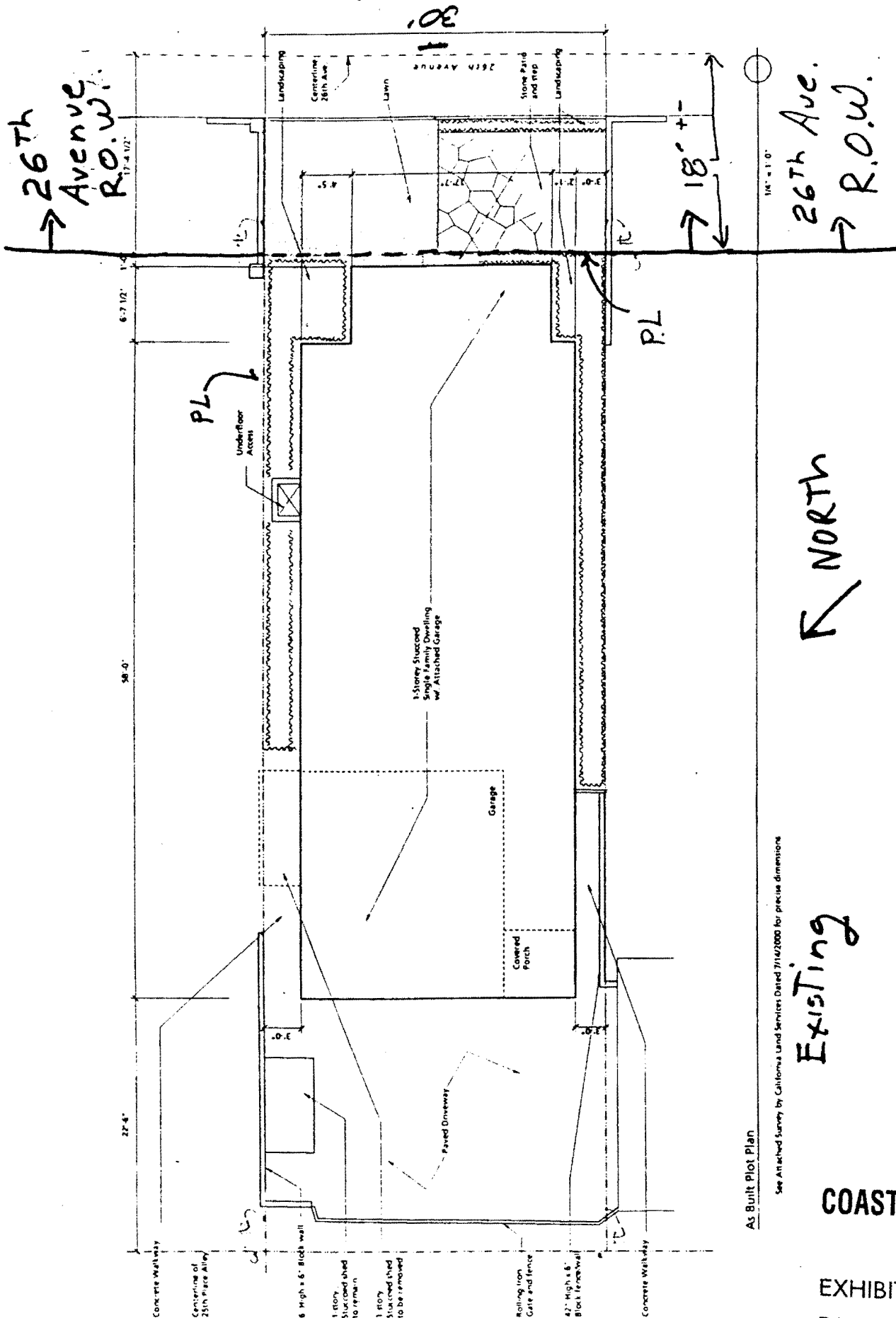
COASTAL COMMISSION

EXHIBIT # 3

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Exhibit 3b
Subarea: North Venice • Venice Canals





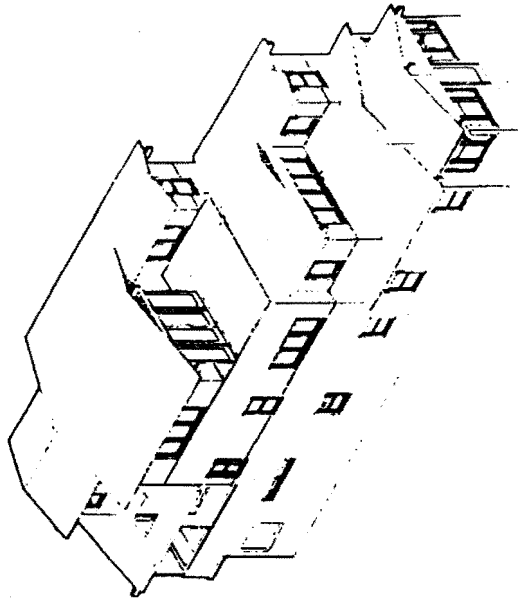
PaysonDenney Architects 1100 Broadway, Suite 1000, San Francisco, CA 94103 (415) 774-1100	Project	King Residence	Project No.	Scale	Reduced	Date	5/7/03	Sheet No.
	Client	31 26th Ave.	31 26th Ave.	Scale	Reduced	Date	5/7/03	Sheet No.

COASTAL COMMISS

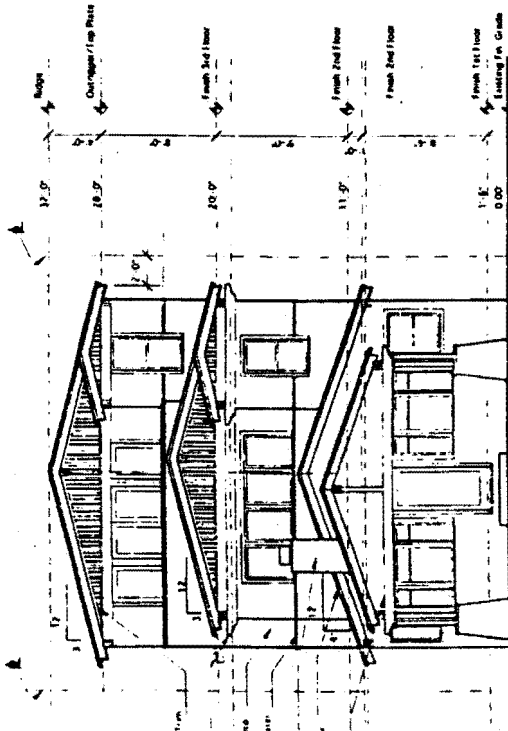
EXHIBIT # 4
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EXHIBIT # 4
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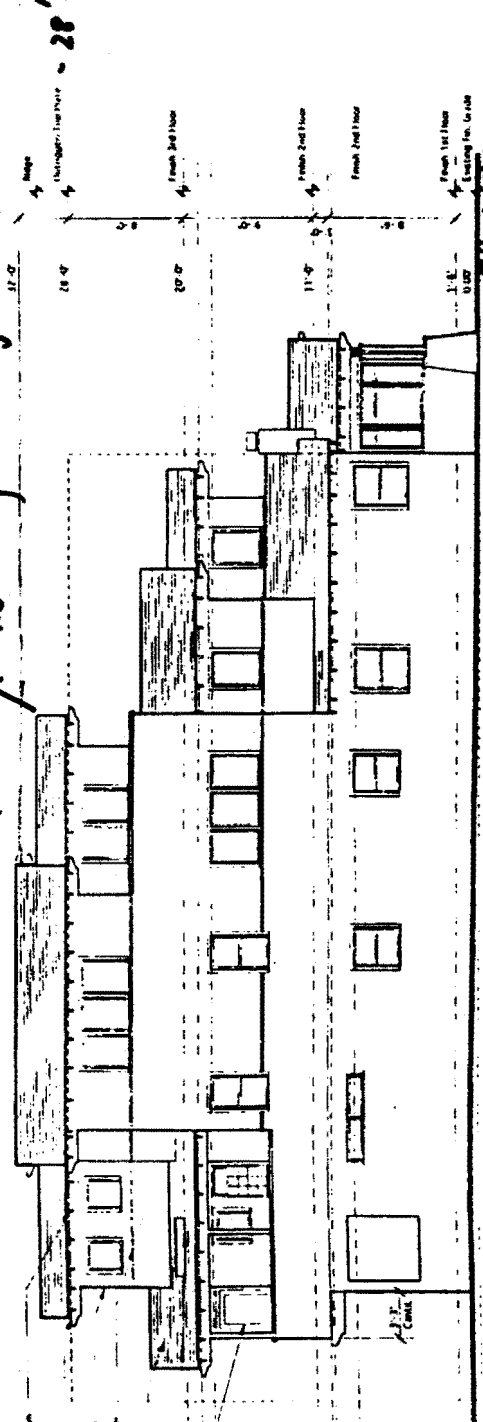
ISOMETRIC VIEW FROM SOUTHWEST



SOUTH ELEVATION

1. Paved Roadway and Cable Turn
2. Paved Roadway to Main
3. 10' 0" Wide Concrete Car Turn
4. Concrete Paved Entrance
5. Existing Openings
6. New 10' 0" Wide Concrete Car Turn
7. Existing First Floor

1/4" = 1'-0"
Exceeding 28' Height Limit



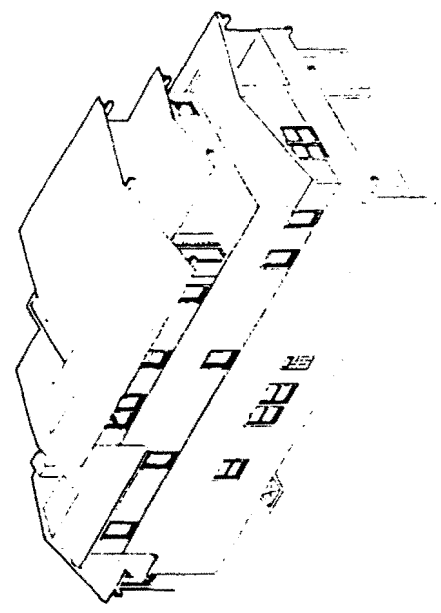
1. Paved Roadway and Cable Turn
2. Paved Roadway to Main
3. 10' 0" Wide Concrete Car Turn
4. Concrete Paved Entrance
5. Existing Openings
6. New 10' 0" Wide Concrete Car Turn
7. Existing First Floor

FRONTING
RIGHT-OF-WAY (26' + h Ave.)
Approx. 26' from WalkSheet

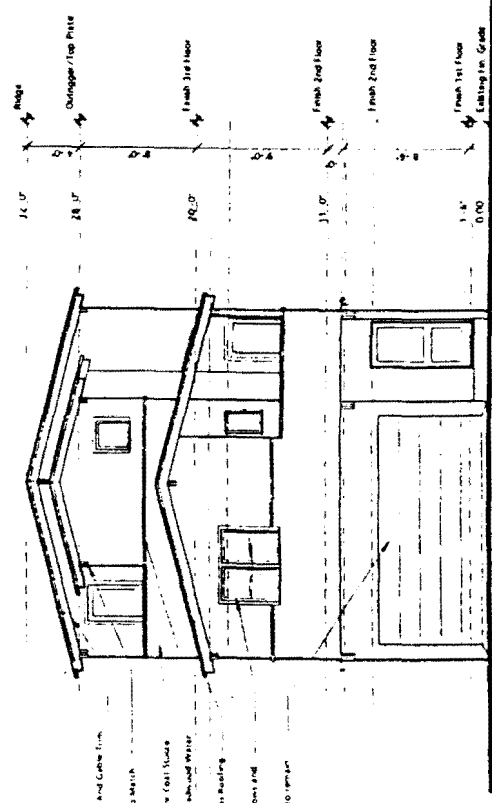
Project Name	Project No.	Sheet No.
Client Name	Client No.	Scale
Architect Name	Architect No.	Date
Engineer Name	Engineer No.	Location
Inspector Name	Inspector No.	Remarks

COASTAL COMMISSION

EXHIBIT # 4
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ISOMETRIC VIEW FROM NORTHEAST

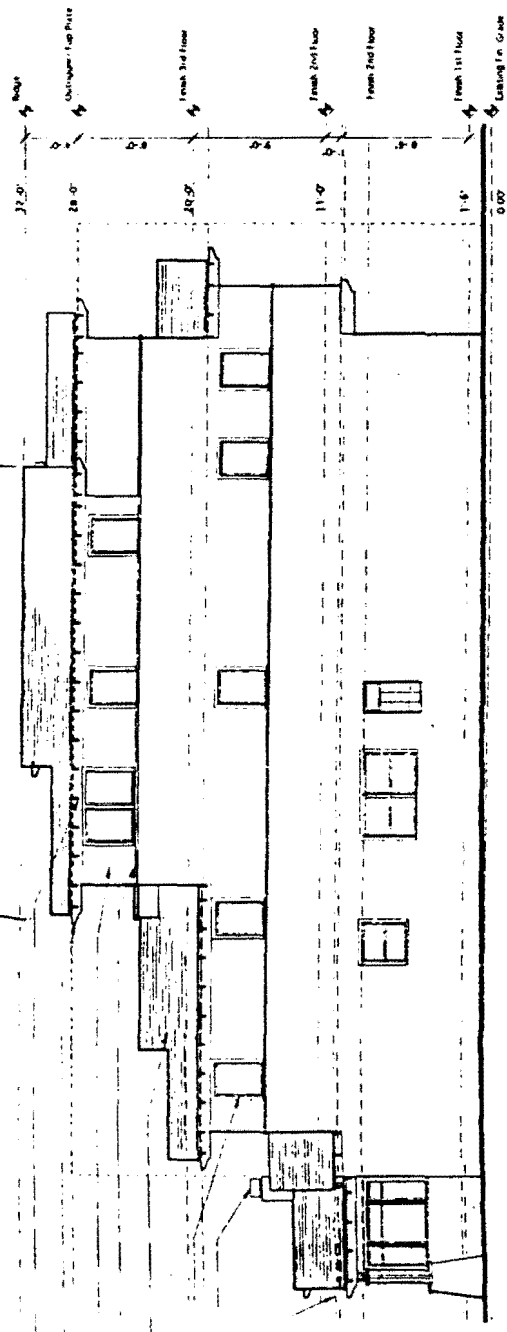


NORTH ELEVATION

1. Painted wood frame and cable trim (Pine)
2. Painted Outriggers to match framing
3. 2x10 Hard Pine Color Coat House
4. Continuous Painted Mahogany Water Table
5. Light A. 2000 Pine Gas Heating
6. Very fine wood windows and exterior glass doors
7. See Ang. 3x4x8 (4x10) section



1/4" = 1'-0"



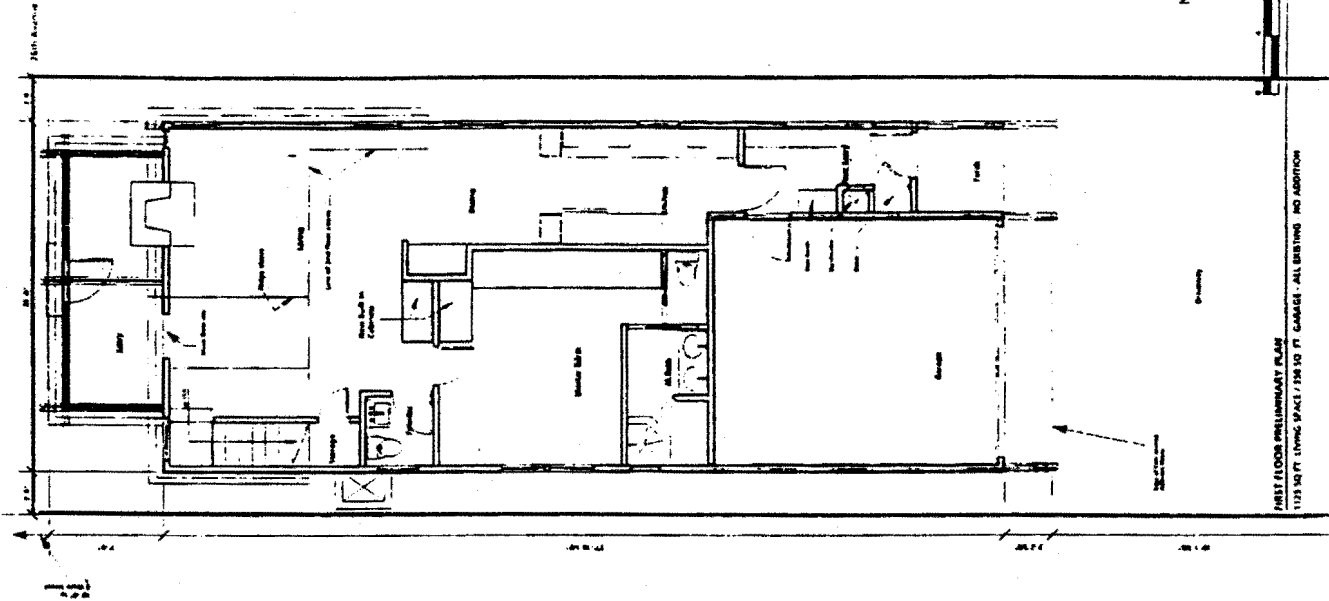
EAST ELEVATION



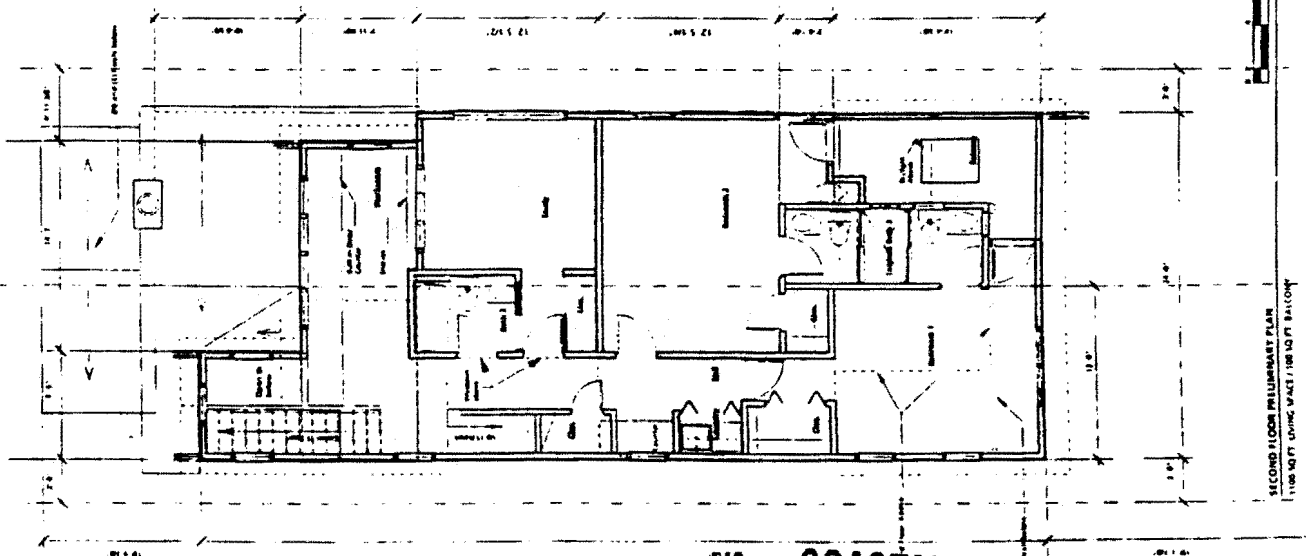
1/4" = 1'-0"

*Walkstreet
this side*

1st Floor

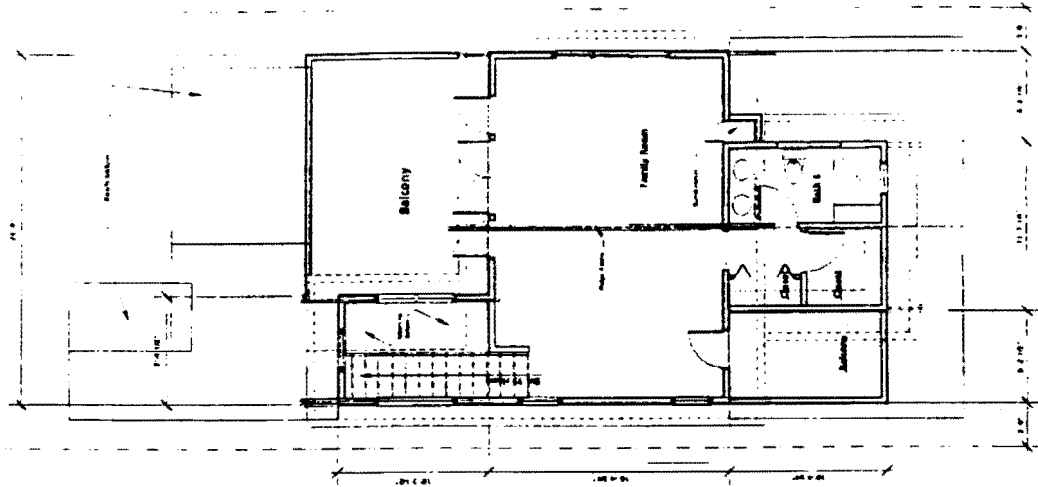


2nd Floor



COASTAL COMMISSION

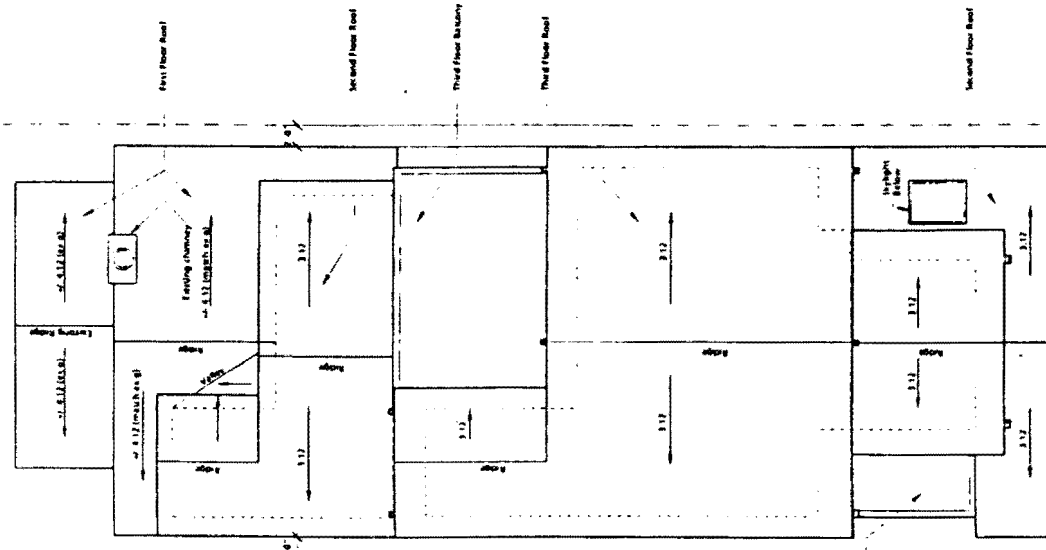
26th Ave.



3rd Floor

THIRD FLOOR PRELIMINARY PLAN
1/4" = 1'-0"

26th Ave



Roof Plan

Preliminary Roof Plan
1/4" = 1'-0"

COASTAL COMMISSION

EXHIBIT # 4
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DETERMINATION OF THE WEST LOS ANGELES AREA PLANNING COMMISSION

Date: August 9, 2001

Council District: 6

Department of Building and Safety
201 N. Figueroa Street
3rd Floor, Zoning Engineer

Plan Area: Venice

Location: 31 26th Avenue

Applicant: Larry and Yen King

AREA PLACE CASE NO. APCW 2001-1763 SPE-CDP-SPP-ZAA

At its meeting of August 1, 2001, the West Los Angeles Area Planning Commission considered a request for a Specific Plan Exception from Section 8.3.G(c) to ~~permit a 33-foot height in lieu of the 28-foot height~~ as required in the Venice Specific Plan (Ordinance No. 172,897), pursuant to Section 11.5.7.H of the Los Angeles Municipal Code. Specific Plan Project Permit Compliance, pursuant to Section 11.5.7.C of the Los Angeles Municipal Code. Zoning Administrators Adjustment per section 12.28 of the Los Angeles Municipal Code to permit a 3-foot setback in lieu of the required 4-foot setback per section 12.09.1B2(a) of the Los Angeles Municipal Code. Coastal Development Permit, pursuant to Section 12.20.2 of the Municipal Code. All these requests are to permit a ~~remodel of an existing single family home~~.

Disapproved the request as filed.

Approved the exception request to the Venice Specific Plan to ~~permit a 33-foot height in lieu of the 28-foot height~~ as required in the Venice Specific Plan (Ordinance No. 172,897), subject to conditions of approval.

Approved a Zoning Administrators Adjustment to permit a 3-foot setback in lieu of the required 4-foot setback per section 12.09.1B2(a) of the Los Angeles Municipal Code, subject to conditions of approval.

Approved the request for a Specific Plan Project Permit Compliance for the project as modified, subject to conditions of approval.

Approved the request for a Coastal Development Permit for the project as modified, subject to conditions of approval.

Adopted the Categorical Exception No. ENV 2001-1764-CE.

Adopted the Conditions of Approval and Findings.

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Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision became final.

This action was approved by the following vote:

Moved: Lopez
Seconded: Hall
Ayes: Krisiloff, Rodman
Absent: Mobley Wright



Carla Crayton, Commission Executive Assistant
West Los Angeles Area Planning Commission

Note: The West Los Angeles Area Planning Commission determination will be final 15 days from the date of this communication unless an appeal is filed within that time on forms provided at the Planning Department Public Counters located at 201 N. Figueroa Street, Third Floor, Los Angeles, or at 6255 Van Nuys Boulevard, First Floor, Van Nuys.

Attachments: Conditions of Approval and Findings

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CONDITIONS OF APPROVALS

Specific Plan Exception, Adjustment, Coastal Development Permit and Project Permit Compliance are as follows:

Entitlement:

1. The project shall be ~~permitted~~ a height of 33-feet, as shown in Exhibit E-3, in lieu of the 28-foot limited required by the Venice Specific Plan.
2. The project shall be permitted a 3-foot side yard setback, as shown in Exhibit E-3, in lieu of the required 4-foot setback per 12.09.1B2(a) of the L.A.M.C.
3. Plan. The subject property shall be developed substantially in conformance with the plot plan, and elevations and floor plans shown on Exhibit No.-3 and dated stamped July 19, 2001, of the subject case file. Deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions and the intent of the subject permit authorization.
4. All roofs shall be pitched roofs as shown in Exhibit E-3. There shall be ~~no flat roofs~~ permitted.
5. Balconies: There shall be no second floor balcony or sundeck fronting onto the walk street. The third floor balcony shall be located as shown on Exhibit E-3 and not be enclosed or cover with any structure or materials.
6. There shall not be any rooftop sundeck or access to the third story roof.
7. The following development restrictions per the Venice Specific Plan shall be fully complied with:

Section 10.A.2.c :Any fence erected in the public right-of-way shall not exceed 42 inches in height as measured from the existing grade of the public right-of-way. New fences shall be located in a straight line with existing fences on the same side of the street.

Section 10.B: Permanent Encroachments.

1. Permanent Encroachments within the existing public right-of-way of a designated Walk Street shall be limited to grade level uses including gardens, patios, landscaping, ground level decks and fences and shall be permitted only by obtaining a revocable encroachment permit from the City Department of Public Works.

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2. No Encroachments, including fences, hedges or other accessory structures, shall be permitted within five feet of the centerline of the existing public right-of-way except in the Milwood area where fences shall be permitted in straight line with the existing fences. Encroachments shall not exceed 42 inches above natural grade.

Administrative:

8. Approval, Verification and Submittals. Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
9. Code Compliance. Area, height and use regulations of the RD1.5-1 zone classification of the subject property shall be complied with, except where herein modified .
10. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
11. Definition. Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
12. Enforcement. Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
13. Building Plans. Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.

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