

CALIFORNIA COASTAL COMMISSION

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Filed: 9/11/3
49th Day: 10/30/3
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Staff: CP-LB
Staff Report: 11/20/3
Hearing Date: Dec. 11, 2003
Commission Action:

**Th4c****STAFF REPORT: CONSENT CALENDAR****APPLICATION NUMBER:** 5-03-377**APPLICANT:** Charles Michael Zacha**AGENTS:** David Reddy, Architect**PROJECT LOCATION:** 1345 Abbot Kinney Boulevard, Venice, City of Los Angeles.

PROJECT DESCRIPTION: Demolition of an existing two-story commercial building, and construction of a two-story, 35-foot high, 4,602 square foot single unit artist residence with artist workspace and a three-car garage on the ground floor. No retail component.

Lot Area	3,350 square feet
Building Coverage	2,882 square feet
Pavement Coverage	28 square feet
Landscape Coverage	440 square feet
Parking Spaces	3
Zoning	C2-1
Plan Designation	Commercial Artcraft
Ht above final grade	35 feet

LOCAL APPROVAL: City of Los Angeles Project Permit Case No. APCW-2003-2109, 8/8/2003.

SUBSTANTIVE FILE DOCUMENTS:

1. City of Los Angeles certified Land Use Plan for Venice, 6/14/01.
2. Coastal Development Permit 5-97-390 (Artist Residence - 1322 Abbot Kinney Blvd.).
3. Coastal Development Permit 5-97-391 (Artist Residence - 1318 Abbot Kinney Blvd.).
4. Coastal Development Permit 5-97-392 (Artist Residence - 1320 Abbot Kinney Blvd.).
5. Coastal Development Permit 5-99-088 (Artist Residence - 1346 Abbot Kinney Blvd.).

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, provision of adequate parking, building height and permit compliance. The applicant agrees with the recommendation. **See Page Two for the motion.**

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application with special conditions:

MOTION: *"I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations."*

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

I. Resolution: Approval with Conditions

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 policies of Chapter 3 of the Coastal Act 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.

II. Standard Conditions

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. Permitted Use of Structure

The permitted use of the approved structure is limited to one single family residential unit with a combined living and working area for the resident and family. No commercial retail use is permitted. Any proposed change in use, intensification of use, or change in the number of residential units 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. Parking

The proposed on-site parking supply (three spaces) shall be provided and maintained in the garage of the approved structure as shown on the proposed project plans. Vehicular access to the on-site parking shall be taken only from the rear alley.

3. Building Height

The roof of the approved structure shall not exceed thirty-five feet (35') in elevation above the Abbot Kinney Boulevard right-of-way. Chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may extend up to forty feet (40') in elevation above the Abbot Kinney Boulevard right-of-way. No roof deck or roof access structure is permitted by this action.

4. Permit Compliance

All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions. Any deviation from the approved plans must be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is required.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The applicant proposes to demolish an existing two-story commercial building on the project site, and to construct a two-story, 35-foot high, 4,602 square foot artist-in-residence (See Exhibits). The proposed artist-in-residence use combines one single-family residential unit with a large artist studio workspace. The artist workspace and a three-car garage comprise the ground floor of the proposed structure, which is set back five feet from the Abbot Kinney sidewalk, except for the front stairwell (Exhibit #3). No retail sales from the structure are proposed or permitted as part of the project.

The project site is a 3,350 square foot lot located on the north side of Abbot Kinney Boulevard about one-half mile inland of Venice Beach (Exhibit #2). This section of Abbot Kinney Boulevard in Venice was originally developed with single-family homes early in the 1900s. The street is now comprised of a mix of small retail establishments and residential uses. Several new artist-in-residence structures have been established in the area in the past ten years (See Coastal Development Permits 5-97-390, 391 & 392). Abbot Kinney Boulevard is a pedestrian oriented street with most of the buildings built with a zero-foot front yard setback between the sidewalk and the building facade. The garages and parking areas are accessed from the rear alleys.

The Commission has recognized in both prior permit and appeal decisions that the North Venice area, where the proposed project is located, is a unique coastal community. In 1980, the Commission adopted the Regional Interpretive Guidelines for Los Angeles County which included specific building standards for the various Venice neighborhoods, including the North Venice neighborhood. These building standards, which apply primarily to density, building height and parking, reflect conditions imposed in a series of permits heard prior to 1980. The Commission has consistently applied these density, height and parking standards to development in the Venice coastal zone in order to protect public access to the beach and to preserve the special character of the community.

On June 14, 2001, the Commission certified the City of Los Angeles Land Use Plan (LUP) for Venice. The certified Venice LUP maintains the City's and Coastal Commission's previous density limits and parking standards for the North Venice area. The height limit was increased from thirty feet to 35 feet for buildings with varied or steeped-back rooflines. The policies and building standards contained in the certified Venice LUP reflect the Commission's prior actions in the area, the Commission's 1980 Interpretive Guidelines, and the existing character of each Venice neighborhood.

The standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The certified Venice LUP provides specific guidance for the Commission's interpretation of the relevant Chapter 3 policies. Special conditions are imposed on coastal development permits to ensure that approved developments are consistent with the Coastal Act and the certified LUP, when necessary. In order to mitigate the identified impacts, the appropriate special conditions have been applied to this coastal development permit. The proposed project, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act and the certified Venice LUP.

B. Land Use

The certified Venice LUP designates the project site with the Commercial Artcraft land use designation, which allows and emphasizes artists' residences that include on-site work areas.

Policy I.B.3 of the certified Venice LUP states:

- **Policy I. B. 3. Commercial Artcraft Land Use Designation.** *The purpose of this land use designation is to create enclaves in which the artisan segments of the population may live, create, and market their work, to maintain the variety and distinctiveness of Venice's lifestyles. Residential density in the Commercial Artcraft*

designation shall not exceed one unit per 800-1200 square feet of lot area. Land designated Commercial Aircraft in the Venice Coastal Zone shall include the following areas:

North Venice: *As indicated on the Land Use Policy Maps (Exhibits 10a and 10b), properties located along Abbot Kinney Boulevard from North Venice Boulevard to Westminster Avenue, along Windward Avenue from Ocean Front Walk to Pacific Avenue, and along Ocean Front Walk in that vicinity, including a small site at North Venice Boulevard and Pacific Avenue.*

Uses: Aircraft activities including mixed-use, combining residential and commercial uses which emphasize artist-in-residence uses, small businesses, light industrial and artisan activities are permitted in these areas. Drive-thru facilities and billboards shall be prohibited in the Commercial Aircraft land use designation.

The applicant is proposing to use the structure as a residence and artist studio with no on-site commercial sales. Therefore, the proposed project conforms with the land use designation set forth for the project site by the certified Venice LUP. The proposed use is also consistent with the Chapter 3 policies of the Coastal Act and prior Commission actions in the North Venice area.

C. Community Character

In order to protect public access, community character and visual quality in the North Venice area, the Commission has consistently limited residential density and structural height.

Residential Density

The proposed single-family residential unit conforms to the Commission's density limit for the site and to the Venice LUP. In order to ensure that the proposed project is constructed and used as proposed, the permit is conditioned to limit use of the approved structure to a single-family residential unit with a combined living and working area for the resident and family. No commercial retail use is permitted. Any proposed change in use, intensification of use, or change in the number of residential units 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. Only as conditioned is the proposed project consistent with the provisions of Section 30251 of the Coastal Act.

Building Height

The proposed project has a 35-foot high sloped metal roof that meets the definition of a varied roofline (Exhibit #5). The proposed project does not include any roof deck, roof access structure or other projection above the 35-foot height limit. In order to ensure that the proposed project is constructed as approved, the permit approval is conditioned to limit the roof height and any chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function. Only as conditioned is the proposed project consistent with the provisions of Section 30251 of the Coastal Act.

D. Parking

The applicant proposes to provide three on-site parking spaces within garage accessed from the rear alley. No curb cuts are proposed on Abbot Kinney Boulevard. The three proposed on-site parking spaces provide an adequate parking supply for the proposed project. A special condition is necessary to ensure that a parking deficiency does not occur as a result of converting the ground floor to another more intense use or creating additional residential units. 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.

E. Marine Resources and Water Quality

The proposed project incorporates best management practices (BMPs) to improve water quality in the watershed, including the provision of a pervious landscaped area within the courtyard of the proposed project site (Exhibit #3). The Commission finds that the development conforms with Sections 30230 and 32031 of the Coastal Act.

F. Public Recreation

The proposed development does not interfere with public recreational use of coastal resources. As proposed, the development and permit amendment protect coastal areas suited for recreational activities. Therefore, the Commission finds that the proposed development and permit amendment are in conformity with Sections 30210 through 30214 and Sections 30220 through 30223 of the Coastal Act regarding the promotion of public recreational opportunities.

G. Recreation Areas and Parks

The proposed development will not result in significant degradation of adjacent habitat, recreation areas, or parks and are compatible with the continuance of those habitat, recreation, or park areas. Therefore, the Commission finds that the proposed development and permit amendment conform with Section 30240(b) of the Coastal Act.

H. Development

The development is located within an existing developed area and will be compatible with the character and scale of the surrounding area and will avoid cumulative adverse impacts on public access. Therefore, the Commission finds that the proposed development and permit amendment conform with Sections 30250, 30251, 30252, and the public access provisions of the Coastal Act.

I. Local Coastal Program

Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability of the local government to prepare an LCP that is in conformity with Chapter 3. The City of Los Angeles Land Use Plan (LUP) for Venice was effectively certified

on June 14, 2001. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and the certified Venice LUP. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

J. 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.

The proposed project, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. All adverse impacts have been minimized by the recommended conditions of approval and there are no feasible alternatives or additional 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 as conditioned can be found consistent with the requirements of the Coastal Act to conform to CEQA.

End/cp

VENICE, CA

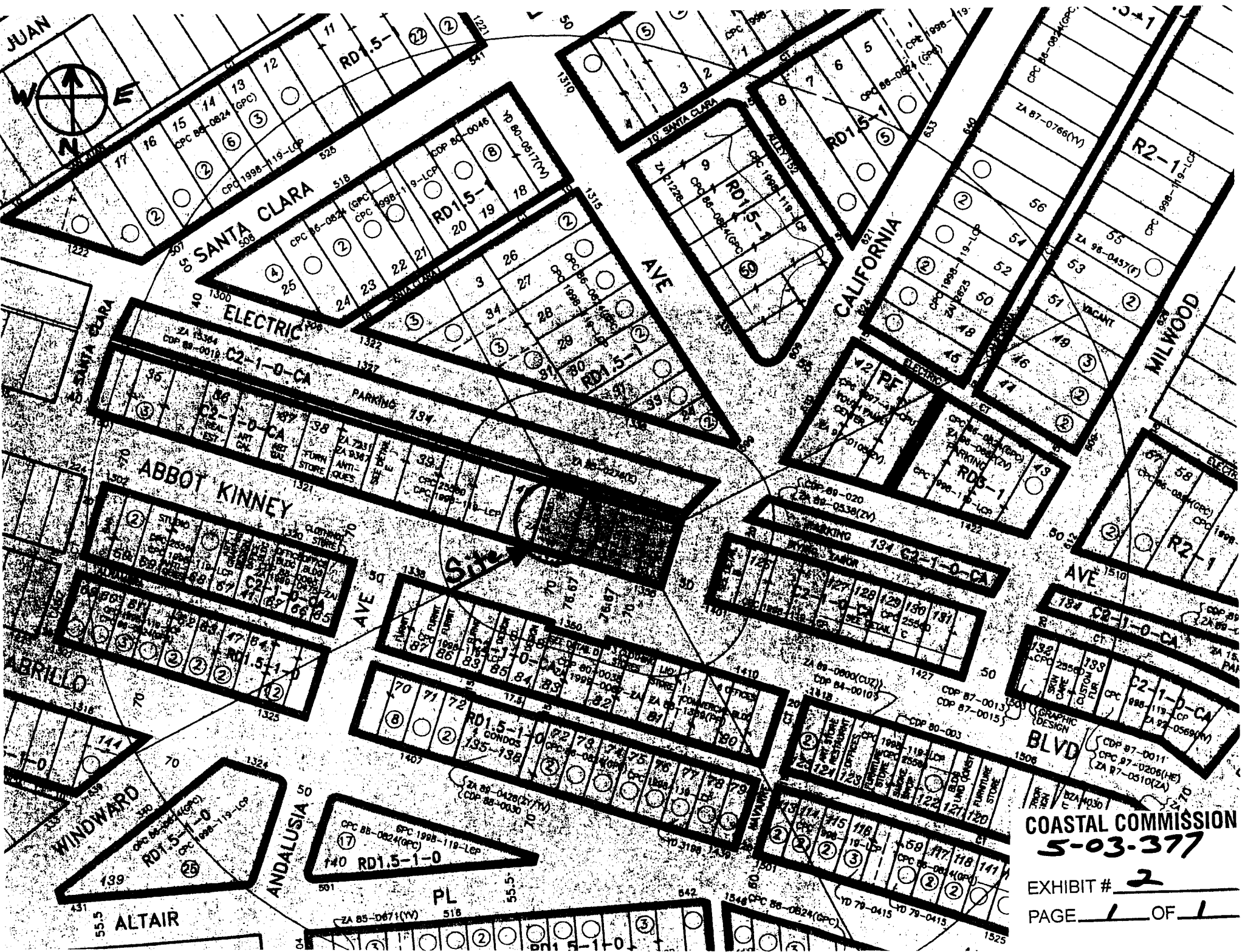
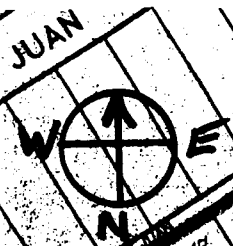


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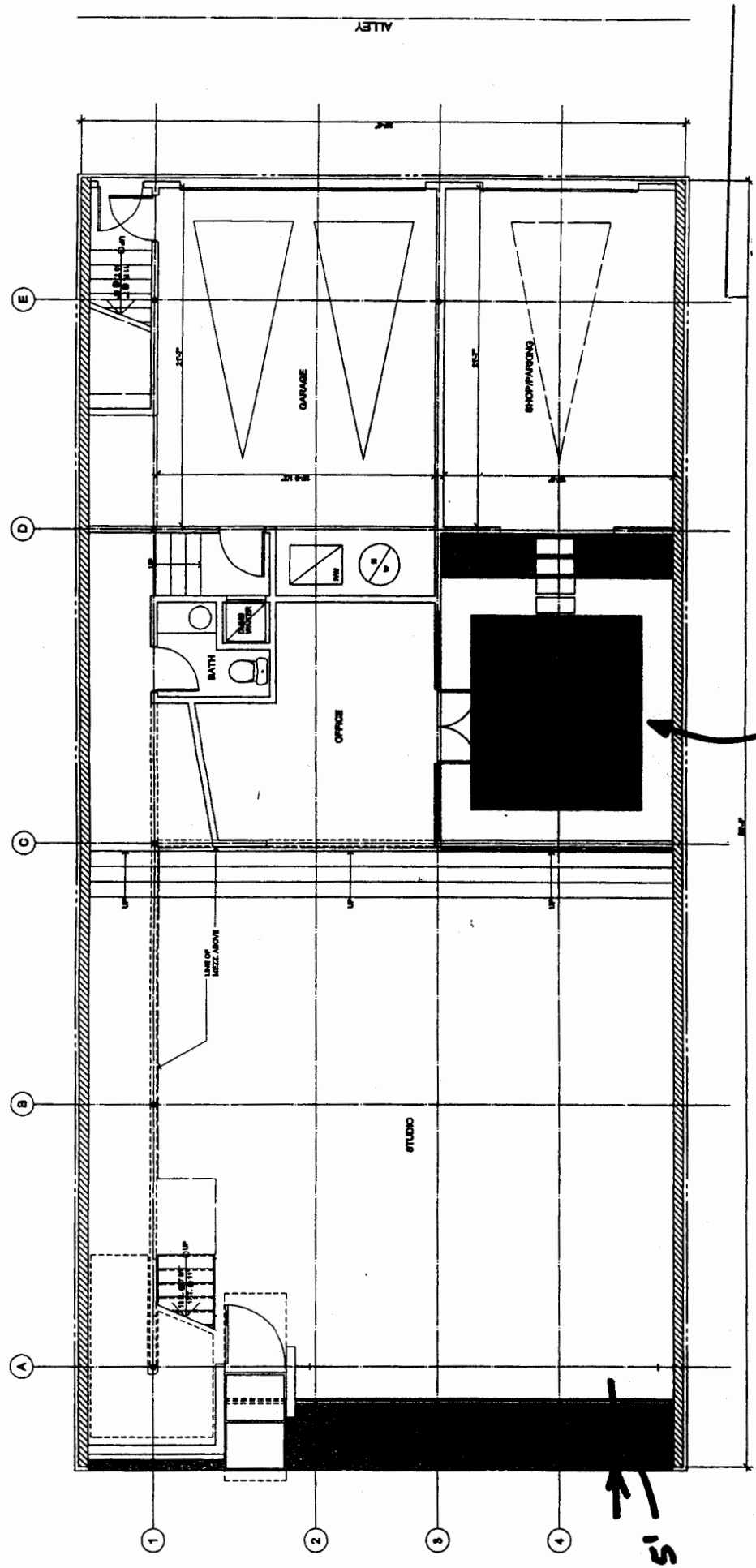
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EXHIBIT # 1
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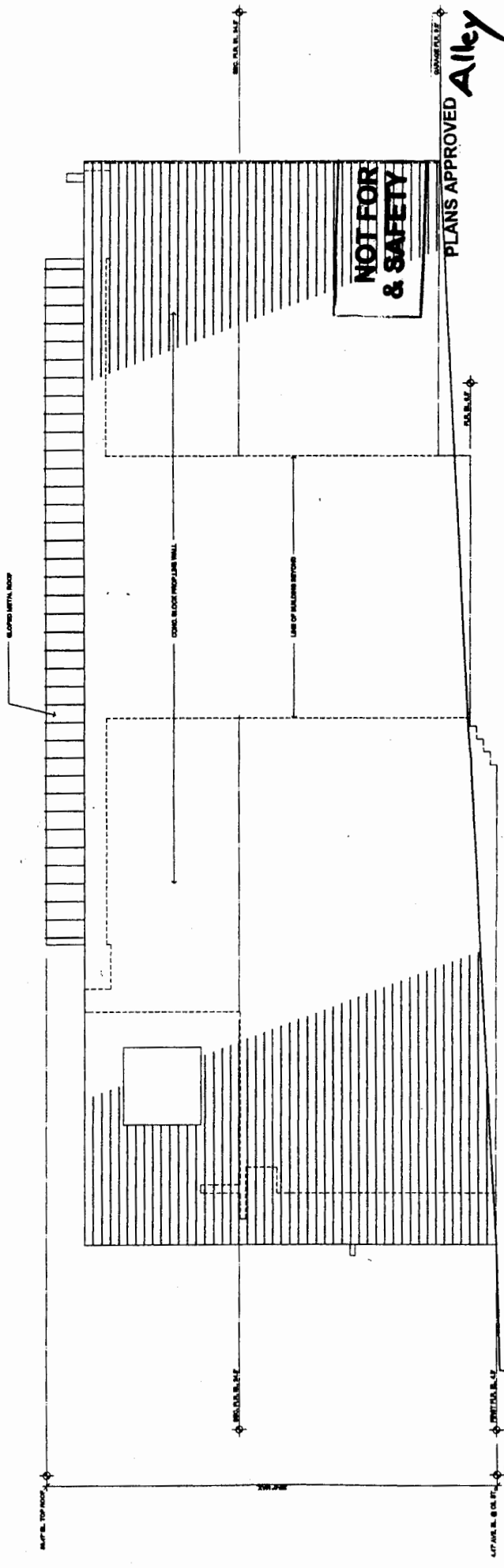


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 EXHIBIT # 2
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GROUND FLOOR PLAN
 4'-0" FLOOR AREA THIS LEVEL
 1000 SQ. FT.
 871 SQ. FT.

Open Courtyard



PLANS APPROVED **Alley**

EAST ELEVATION

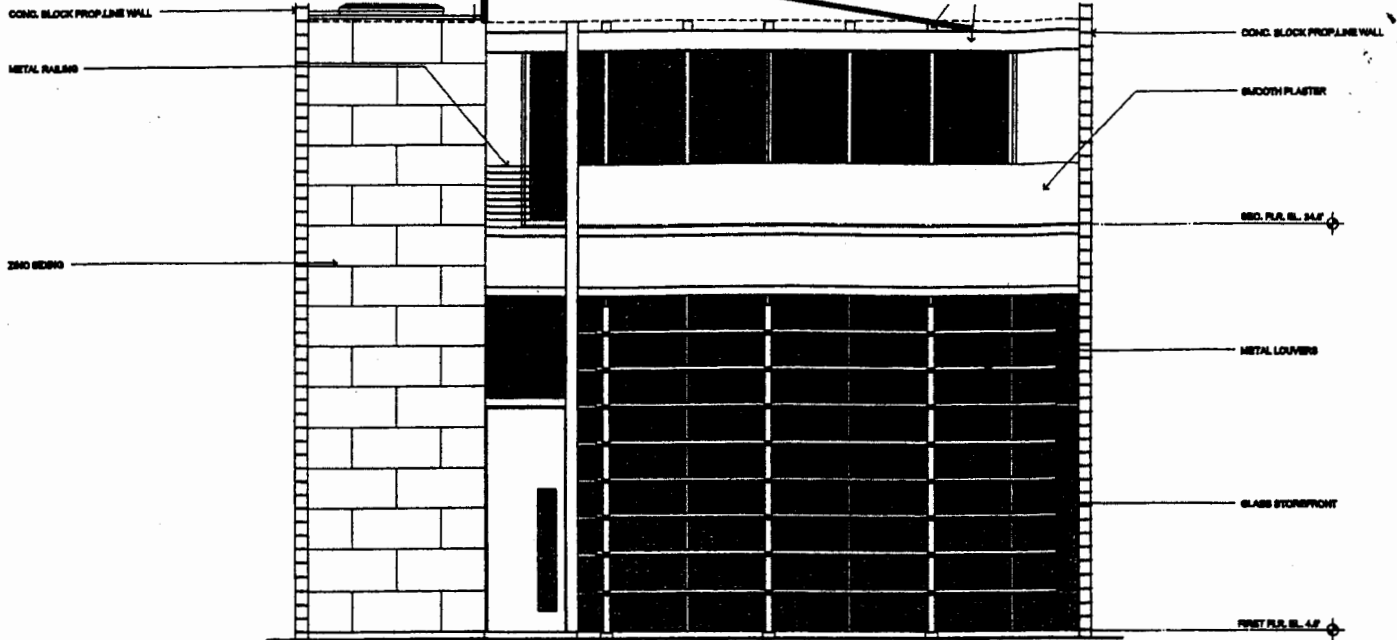
**Abbot
Kinney
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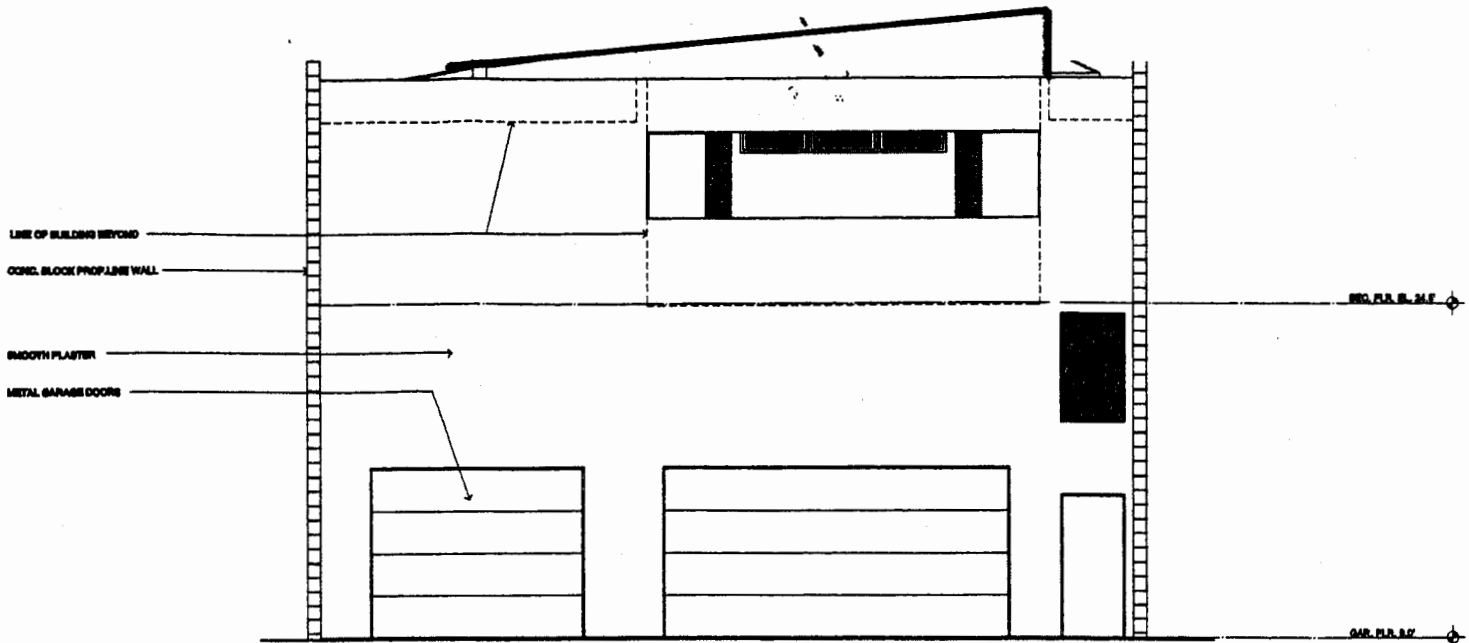
EXHIBIT # **4**

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MAX. HT.



SOUTH ELEVATION - Abbot Kinney Blvd.



NORTH ELEVATION - Alley

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EXHIBIT # 5

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