

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Filed: 12/22/2003
49th Day: 2/9/2004
180th Day: 6/19/2004
Staff: CP-LB
Staff Report: 1/28/2004
Hearing Date: February 18, 2004
Commission Action:

**W4g****STAFF REPORT: CONSENT CALENDAR****APPLICATION NUMBER:** 5-03-520**RECORD PACKET COPY****APPLICANT:** Ennis Living Trust**AGENT:** David Randall Hertz, Architect**PROJECT LOCATION:** 2911 Ocean Front Walk, Venice, City of Los Angeles.

PROJECT DESCRIPTION: Demolition of a two-story single-family residence, and construction of a three-level, 30-foot high (with 38-foot high roof access structure), 3,050 square foot single-family residence with an attached three-car garage on a beach front lot.

Lot Area	2,520 square feet
Building Coverage	1,732 square feet
Pavement Coverage	370 square feet
Landscape Coverage	418 square feet
Parking Spaces	3
Zoning	RD1.5-1
Plan Designation	Multi-Family Residential – Low Med II
Ht above final grade	30 feet (plus 38-foot high roof access)

LOCAL APPROVAL: City of Los Angeles Planning Department Approval, Case No. DIR2003-5603 (SPP), 10/22/2003 & 12/17/2003.

SUBSTANTIVE FILE DOCUMENTS:

1. City of Los Angeles certified Venice Land Use Plan, 6/14/01.
2. Coastal Development Permit 5-03-068 (Farid: 4615 OFW).
3. Coastal Development Permits 5-01-267 & 268 (Villa Lido: 2201-2205 OFW).
4. Coastal Development Permit 5-95-050 (Snipper: 2811 OFW).

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission grant a coastal development permit for the proposed development with special conditions relating to residential density, parking, building height, the Ocean Front Walk right-of-way that abuts the front of the site, and permit compliance. The applicant agrees with the recommendation. **See Page Two for 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. Residential Density

The permitted use of the approved structure is limited to a single-family residential unit. Any proposed change in the number of units or change in use shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations.

2. 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 Speedway Alley.

3. Building Height

The roof of the approved structure shall not exceed thirty feet (30') in elevation above the Ocean Front Walk right-of-way. Roof deck railings of an open design shall not exceed 42 inches above the 30-foot roof height limit. Chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may extend up to thirty-five (35') feet in elevation above the Ocean Front Walk right-of-way. One roof access stairway enclosure, with a footprint not to exceed one hundred square feet in area, may extend up to forty feet (40') in elevation above the Ocean Front Walk right-of-way. No portion of any structure shall exceed forty feet (40') in elevation above the Ocean Front Walk right-of-way.

4. Public Rights-of-Way

The development approved by this coastal development permit is limited to the applicant's private property. Private use or development of the public right-of-way of Ocean Front Walk is not permitted. Unpermitted off-site development includes, but is not limited to, construction, landscaping and posting of signs.

5. 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 the existing two-story single family residence on a beachfront lot in North Venice, and to construct a new three-level, 30-foot high, 3,050 square foot single family residence (See Exhibits). One 38-foot high roof access stairway enclosure is proposed in order to provide access to the roof deck (Exhibit #5). A ground floor garage, accessed from Speedway alley, would provide three on-site parking spaces (Exhibit #4).

The project site is a 2,520 square foot lot situated on the inland side of the Venice boardwalk (Ocean Front Walk), an improved public walkway situated between the private lots of the residential neighborhood and the open sandy public beach (Exhibit #3). The proposed single-family residence is set back one foot from the Ocean Front Walk right-of-way (Exhibit #4). The surrounding neighborhood is comprised primarily of two-story and three-story single and multiple family residential structures.

The proposed project conforms to the thirty-foot height limit for flat-roofed structures, provides the required three on-site parking spaces, is consistent with community character, and will have no negative effects on visual resources or coastal access. The project is consistent with Chapter 3 policies of the Coastal Act and previous Commission approvals, and will not prejudice the City's ability to prepare an LCP.

B. Public Access

As conditioned, the proposed development will not have any new adverse impact on public access to the coast or to nearby recreational facilities. Thus, as conditioned, the proposed development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

C. Public Recreation

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

D. Marine Resources and Water Quality

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

E. Development

The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area, has been designed to assure structural integrity, and will avoid cumulative adverse impacts on public access. Therefore, the Commission finds that the development, as conditioned, conforms with Sections 30250, 30251, 30252, 30253 and the public access provisions of the Coastal Act.

F. Environmentally Sensitive habitat Areas (ESHA)

As conditioned, the development will not result in significant degradation of adjacent habitat, recreation areas, or parks and is compatible with the continuance of those habitat, recreation, or park areas. Therefore, the Commission finds that the project, as conditioned, conforms with Section 30240(b) of the Coastal Act.

G. 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 with the certified Land Use Plan for the area. 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.

H. California Environmental Quality Act (CEQA)

As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

End/cp

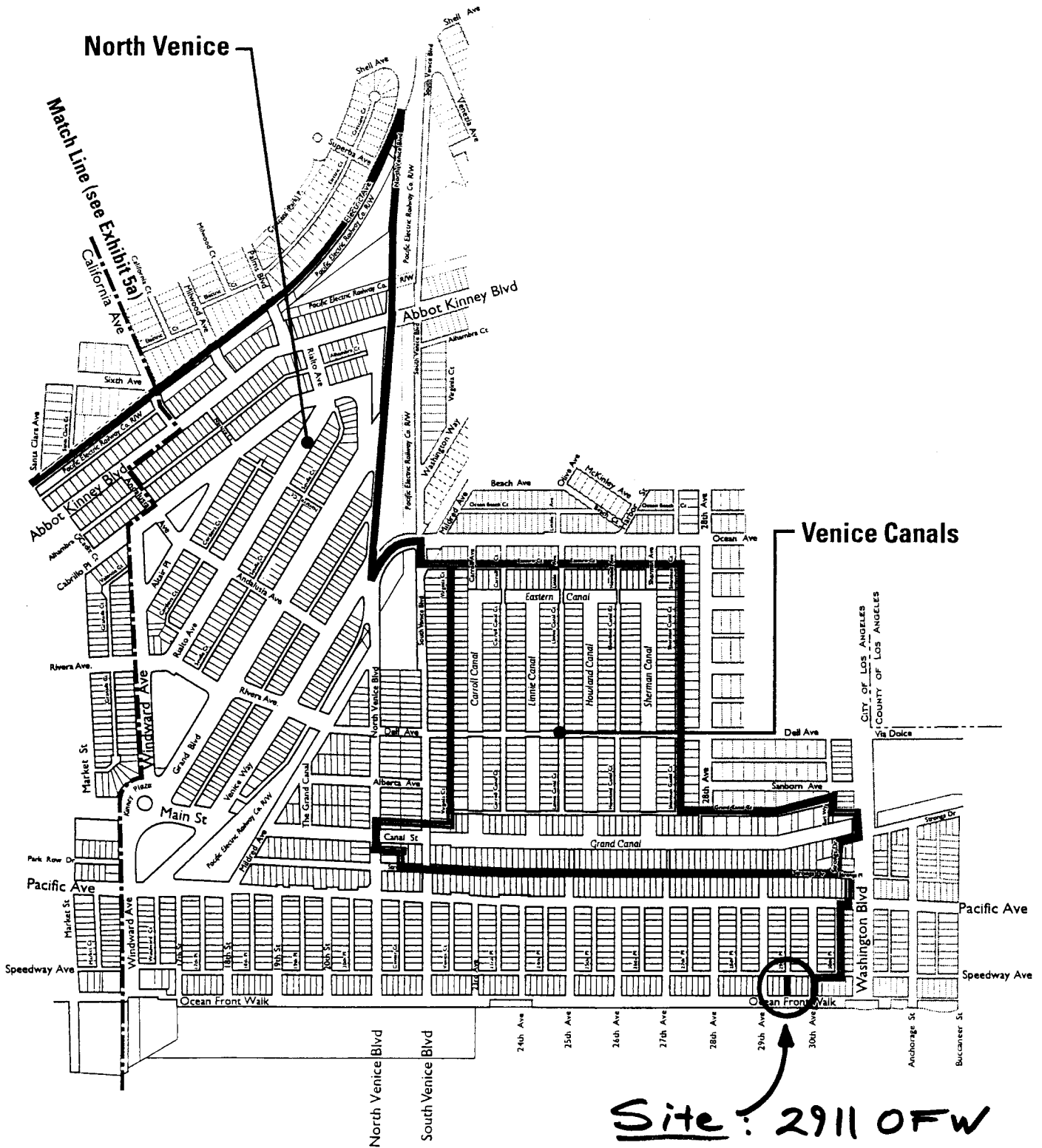
VENICE, CA



Site: 2911 OFW
Ocean Front Walk

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EXHIBIT # 1
PAGE 1 OF 1



Site: 2911 OFW



LUP
 Exhibit 5b
 Subarea: North Venice • Venice Canal

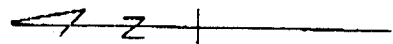
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 EXHIBIT # 2
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4226

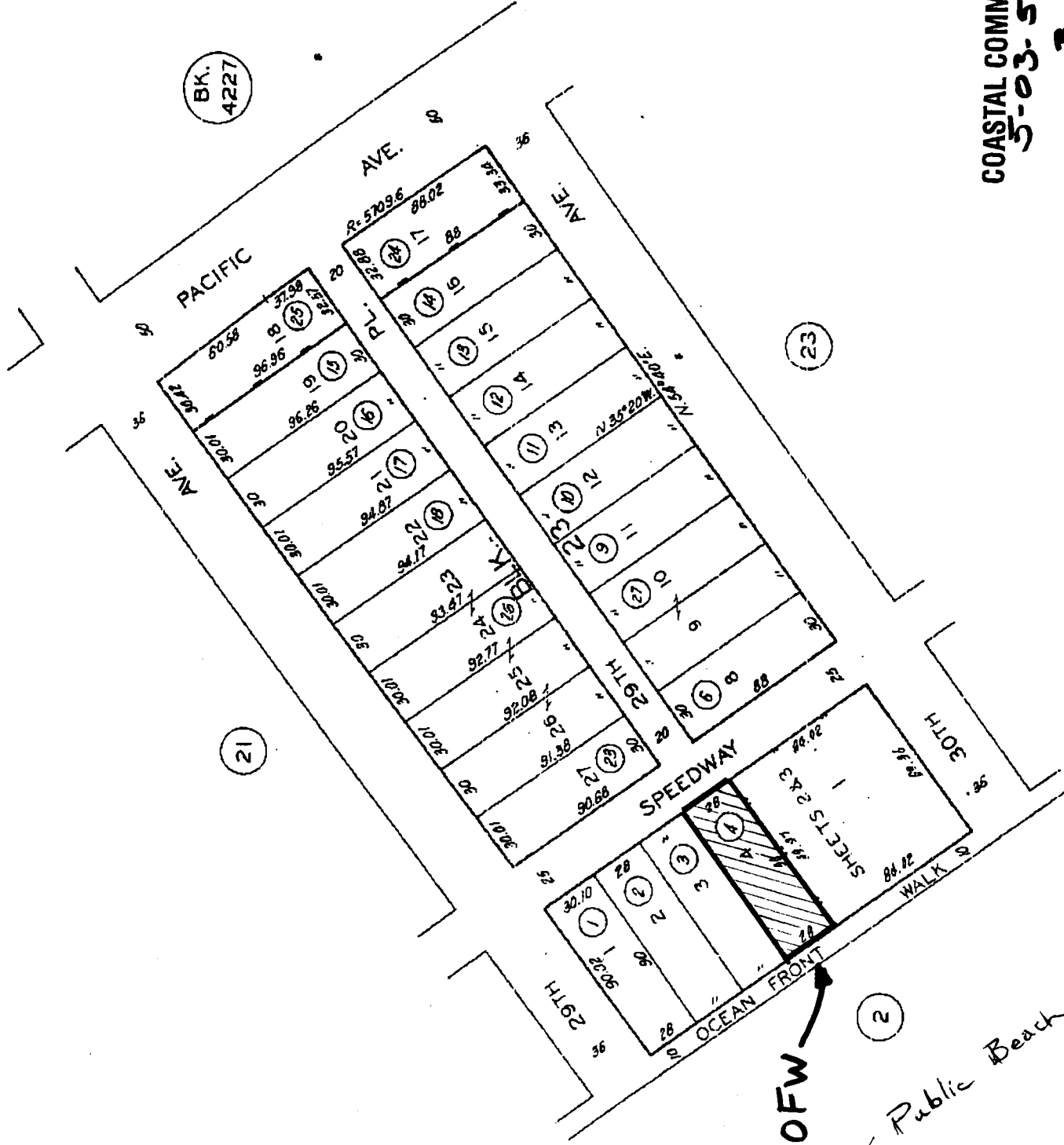
22
SHEET 1

SCALE 1" = 60'

1991



BK.
4227



Site: 2911 OFW

Public Beach

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EXHIBIT # 3

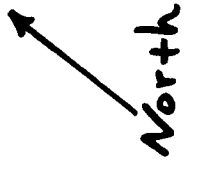
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CODE
67

SHORT LINE BEACH
SUBDIVISION NO. 3 M.B. 5-116

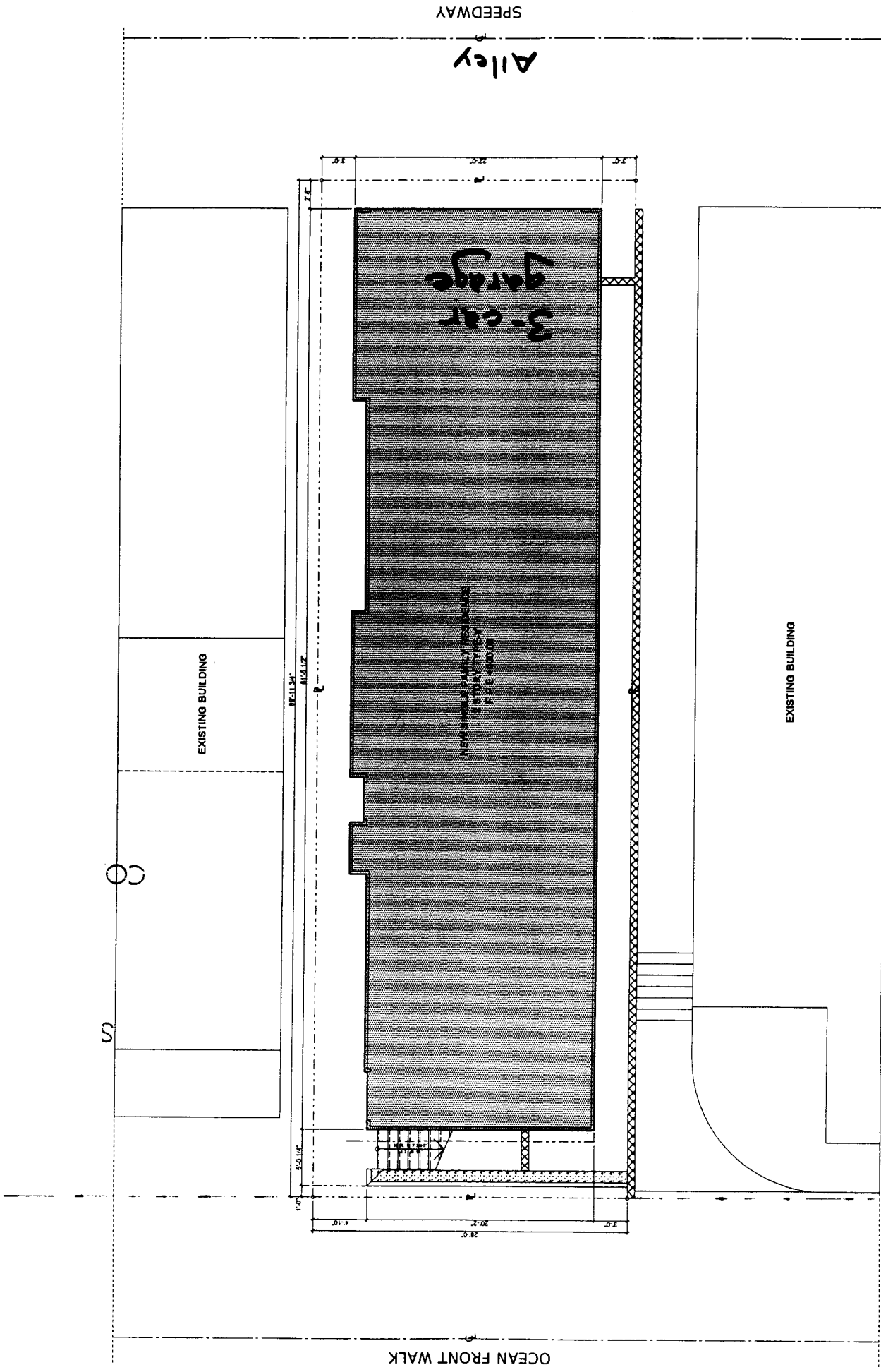
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EXHIBIT # 4
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Site Plan

Beach



OCEAN FRONT WALK

SPEEDWAY

Alley

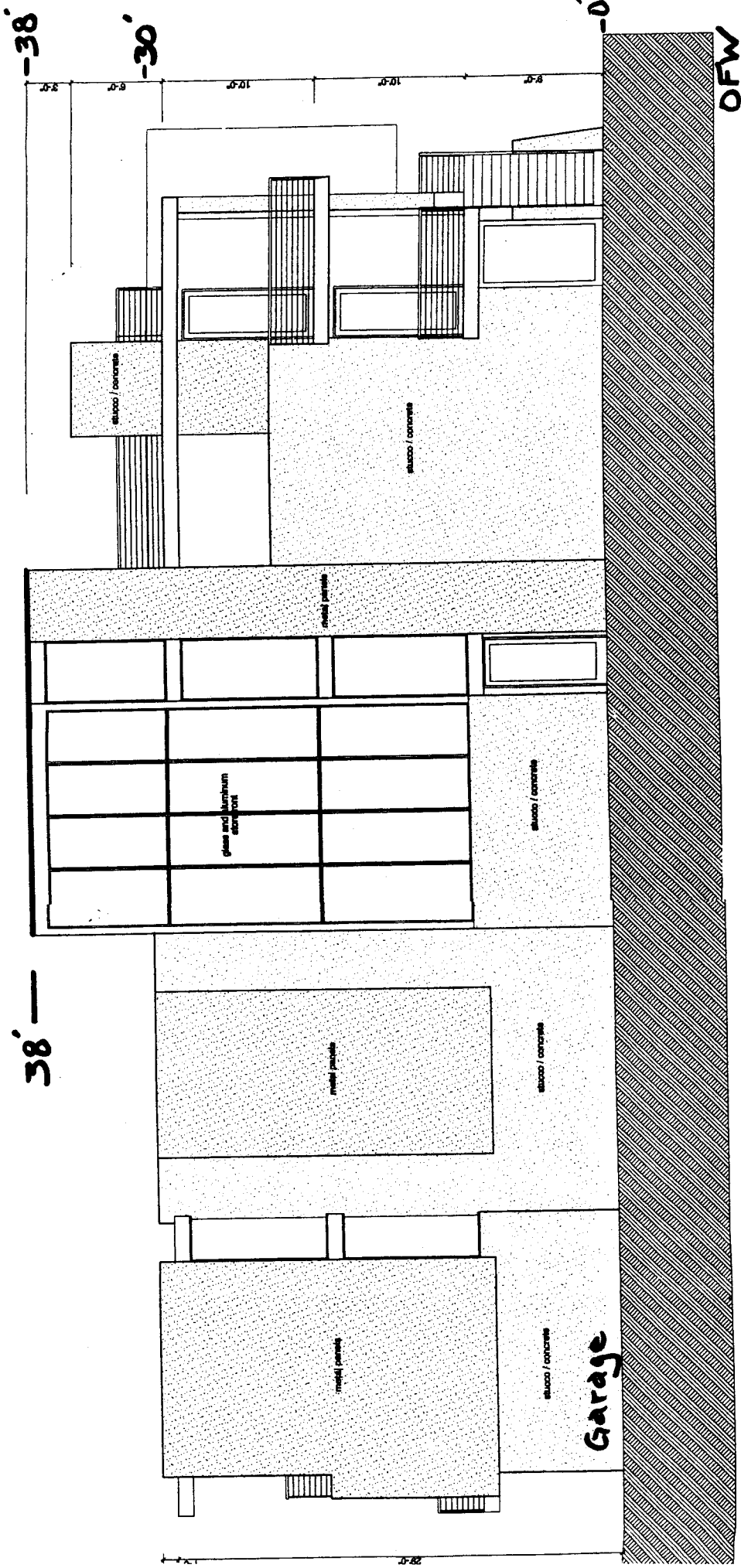
EXISTING BUILDING

EXISTING BUILDING

3-car
Garage

NEW SIMONS FAMILY RESTAURANT
STUDY KITCHEN

S
CO



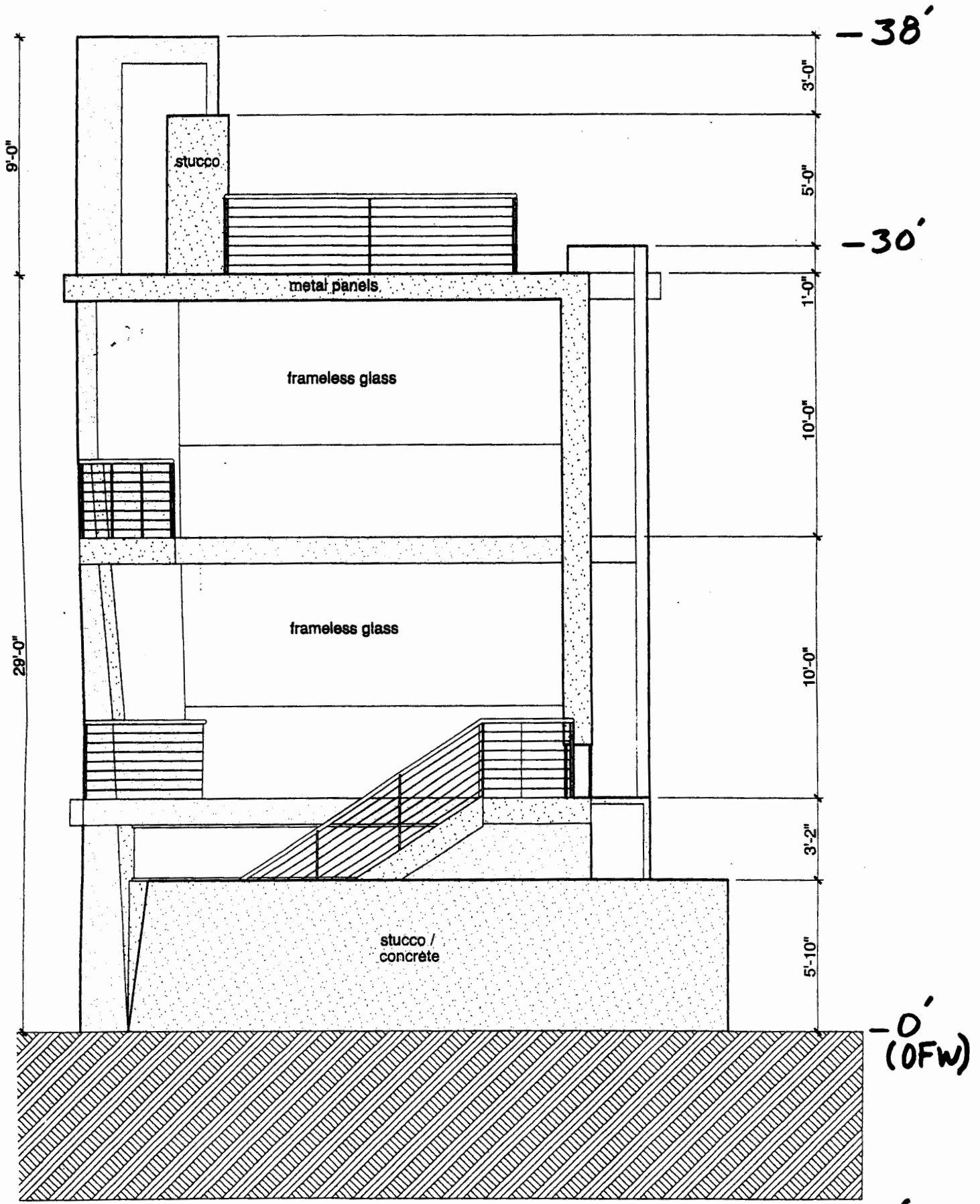
Alley

North Elevation

Beach →

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EXHIBIT # 5
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West (Beach) Elevation

