

CALIFORNIA COASTAL COMMISSION

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W4h

Filed: 9/27/2007
49th Day: 11/15/2007
180th Day: 3/25/2008
Staff: Charles Posner - LB
Staff Report: 11/20/2007
Hearing Date: December 12, 2007
Commission Action:

**STAFF REPORT: CONSENT CALENDAR**

APPLICATION NUMBER: 5-07-338

APPLICANT: Marguerite Olivelle

AGENT: Ron Culver, A.I.A.

PROJECT LOCATION: 487 & 489 Carroll Avenue, Venice, City of Los Angeles, Los Angeles County

PROJECT DESCRIPTION: Remodel and enlargement of an existing one-story, 840 square foot duplex on a 2,700 square foot lot, resulting in a three-level, 30-foot high, 2,918 square foot duplex with four parking spaces.

Lot Area	2,700 square feet
Building Coverage	1,286 square feet
Pavement Coverage	831 square feet
Landscape Coverage	583 square feet
Parking Spaces	4
Zoning	RD1.5-1
Plan Designation	Multi-family Residential/Low Medium II
Ht above Walk Street	30 feet

LOCAL APPROVAL: City of Los Angeles Planning Department Case No. DIR-2007-4397-VSO (9/13/07).

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending **APPROVAL** of the coastal development permit with special conditions relating to compliance, building height, on-site parking, landscaping and water quality. **See Page Two for the motion.** The applicant agrees with the staff recommendation. The proposed project has received approval from the City of Los Angeles Planning Department and is consistent with the RD1.5-1 zoning designation and the surrounding residential land uses. Adequate on-site parking is provided. Staff recommends that the Commission find that the proposed development, as conditioned, conforms with the Chapter 3 policies of the Coastal Act and previous Commission approvals, and will not prejudice the City's ability to prepare an LCP.

SUBSTANTIVE FILE DOCUMENTS:

1. Certified Land Use Plan for Venice, City of Los Angeles, 6/14/2001.
2. Coastal Development Permit 5-03-073 (Ruta: 2508 Ocean Avenue).
3. Coastal Development Permit 5-05-366 (2612 Ocean Avenue, LLC).
4. Coastal Development Permit 5-06-282 (Grill: 2423 Ocean Avenue).
5. Coastal Development Permit 5-06-369 (Sivilla: 2411 Ocean Avenue).
6. Coastal Development Permit 5-07-073 (Sivilla: 2403 Ocean Avenue).

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. Permit Compliance

Coastal Development Permit 5-07-338 permits the remodel and enlargement of an existing duplex (two residential units). 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. All development must occur in strict compliance with the proposal as set forth in the application, 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.

2. Building Height

The maximum height of the structure shall not exceed thirty feet (30') above the centerline of the fronting right-of-way (Ocean Avenue). Chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function are limited to 35 feet above the centerline of the fronting right-of-way. This permit approves no roof access structure that exceeds a height of thirty feet (30').

3. On-site Parking

A minimum of four (4) parking spaces shall be provided and maintained on the site to serve the two residential units. Vehicular access to the site shall be taken only from the rear alley (Eastern Court).

4. Landscaping - No Invasive Plants

Vegetated landscaped areas shall only consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal

Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.owue.water.ca.gov/docs/wucols00.pdf>).

5. **Construction Responsibilities and Debris Removal**

By acceptance of this permit, the applicant agrees that the permitted development shall be conducted in a manner that protects water quality pursuant to the implementation of the following BMPs:

- a) No construction materials, equipment, debris, or waste will be placed or stored where it may be subject to wind or rain erosion and dispersion.
- b) All grading and excavation areas shall be properly covered and sandbags and/or ditches shall be used to prevent runoff from leaving the site, and measures to control erosion must be implemented at the end of each day's work.
- c) Washout from concrete trucks shall be disposed of at a controlled location not subject to runoff into coastal waters or onto the beach, and more than fifty feet away from a storm drain, open ditch or surface waters.
- d) Any and all demolition/construction material shall be removed from the site (via the alley only) within ten days of completion of demolition/construction and disposed of at an appropriate location. If the disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.
- e) Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the sea.
- f) Any spills of construction equipment fluids or other hazardous materials shall be immediately contained on-site and disposed of in an environmentally safe manner as soon as possible.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The applicants propose to remodel and substantially enlarge two existing one-story residential units on a 2,700 square foot lot in Southeast Venice (See Exhibits). The proposed project would result in a three-level, thirty-foot high, 2,918 square foot duplex with four on-site parking spaces (Exhibit #5). The project site is on the corner of Ocean Avenue and Carroll Avenue, one hundred feet east of Eastern Canal and the Venice Canals neighborhood (Exhibit #3).

The existing residences on the site were constructed in 1925, prior to coastal permit requirements. The surrounding neighborhood is comprised of a variety of old and new single-family residences and duplexes that vary in height from a single story to a maximum of thirty feet.

The proposed duplex has three levels, with the third level comprised of a mezzanine and roof deck for each unit (Exhibit #5). No portion of the proposed structure exceeds the thirty-foot height limit set forth in the City of Los Angeles certified Land Use Plan (LUP) for Venice. A proposed carport provides the required four on-site parking spaces (Exhibit #4). The rear alley (Eastern Court) provides vehicular access to the on-site parking.

The proposed project has been approved by the City of Los Angeles Planning Department (Case #DIR-2007-4397) and is consistent with the RD1.5-1 zoning designation and the surrounding land uses. The proposed duplex conforms to the Commission's two-unit density limit for the site, and the proposed four-stall carport provides adequate on-site parking. The proposed project, with its thirty-foot high roof, conforms to the thirty-foot height limit in Southeast Venice (for structures with varied rooflines). The proposed project incorporates best management practices (BMPs) to improve water quality in the watershed, including the minimization of impervious surfaces on the project site (approximately 583 square feet of permeable landscaped area will be maintained on the project site).

As conditioned, the proposed project is consistent with community character, and will have no negative effects on visual resources or coastal access. The proposed project, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act, the policies of the certified Venice LUP, and previous Commission approvals, and approval of the project as conditioned would 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 work will be occurring in a location where there is a potential for a discharge of polluted runoff from the project site into coastal waters. The storage or placement of construction material, debris, or waste in a location where it could be carried into coastal waters would result in an adverse effect on the marine environment. To reduce the potential for construction and post-construction related impacts on water quality, the Commission

imposes special conditions requiring, but not limited to, the appropriate storage and handling of construction equipment and materials to minimize the potential of pollutants to enter coastal waters and for the use of on-going best management practices following construction. As conditioned, the Commission finds that the development conforms with Sections 30230 and 30231 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.

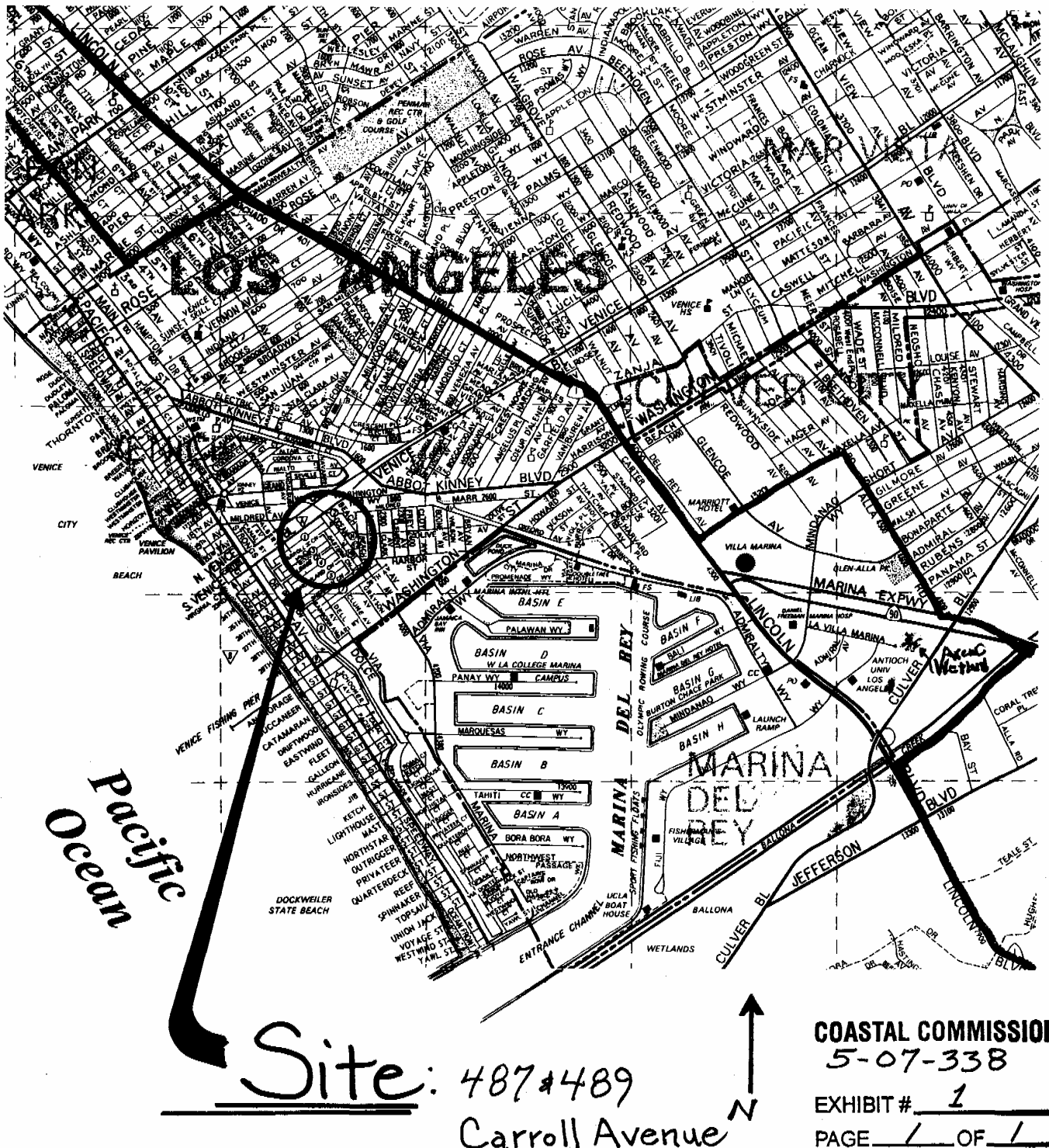
F. Local Coastal Program

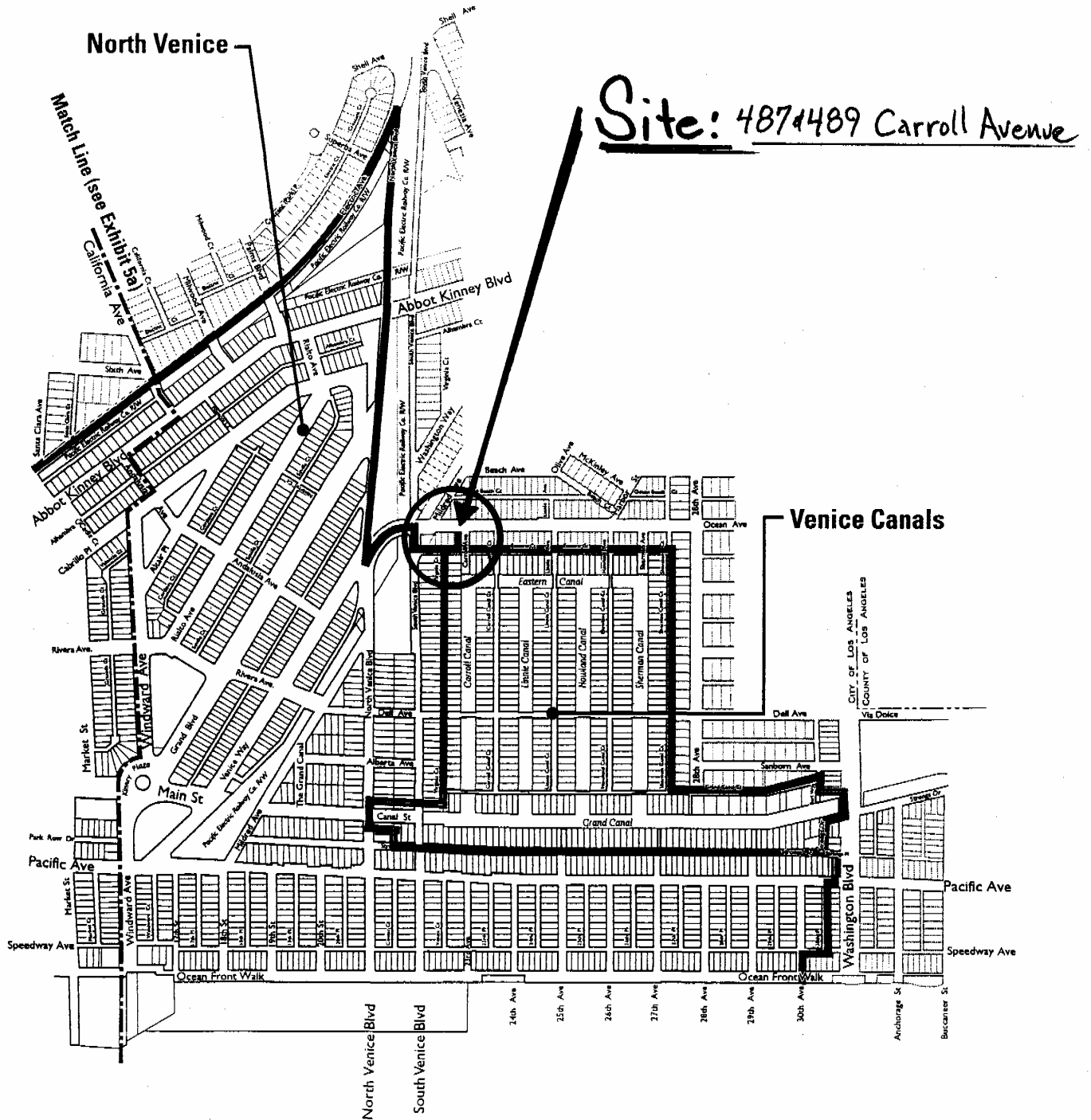
Coastal Act section 30604(a) states that, prior to certification of a local coastal program ("LCP"), a coastal development permit can only be issued upon a finding that the proposed development is in conformity with Chapter 3 of the Act and that the permitted development will not prejudice the ability 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.

G. 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.

VENICE, CA





LUP
Exhibit 5b

Subarea: North Venice • Venice Canal

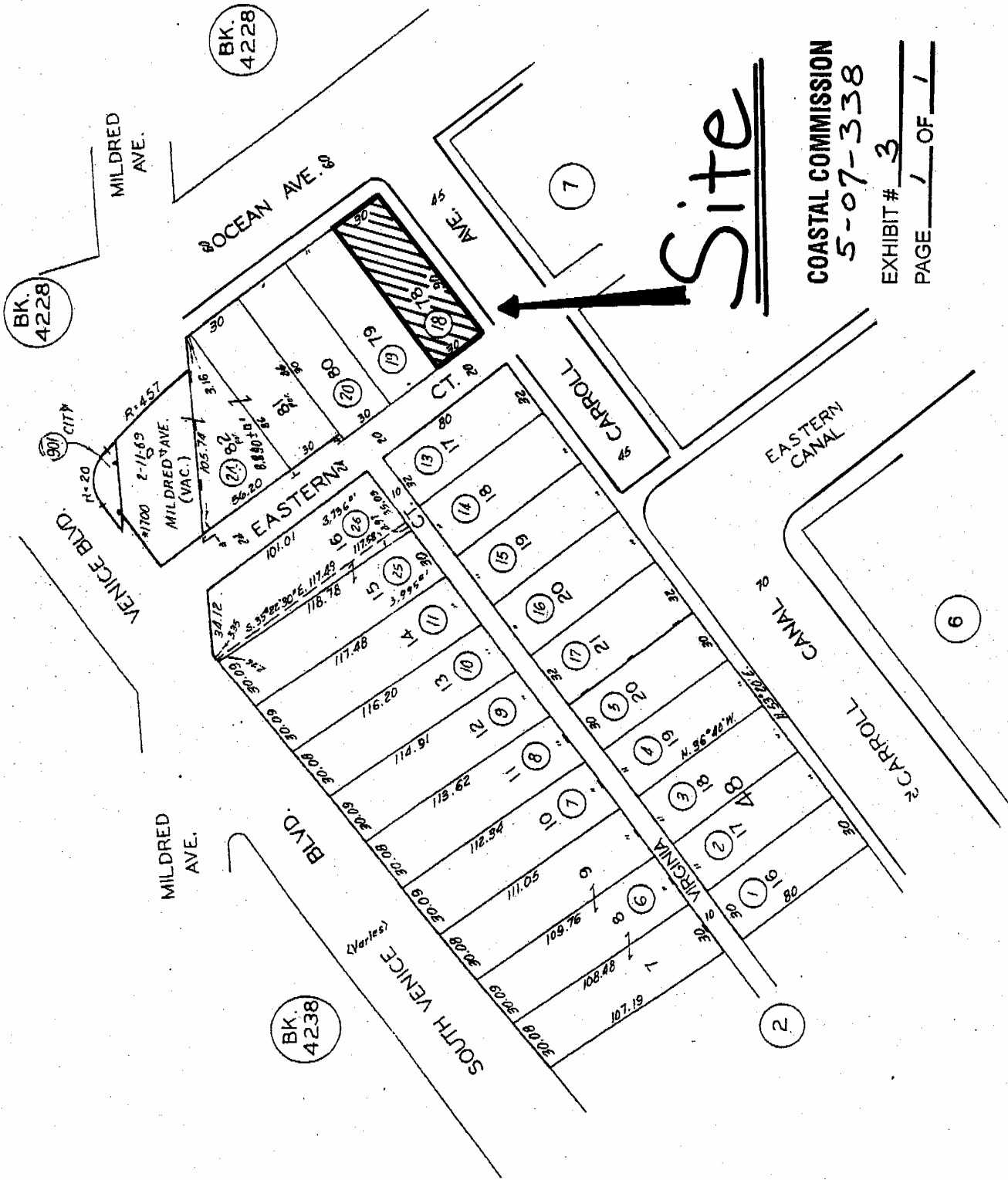
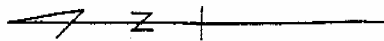


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EXHIBIT # 2
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4227 | 1
SCALE 1" = 60'

1998

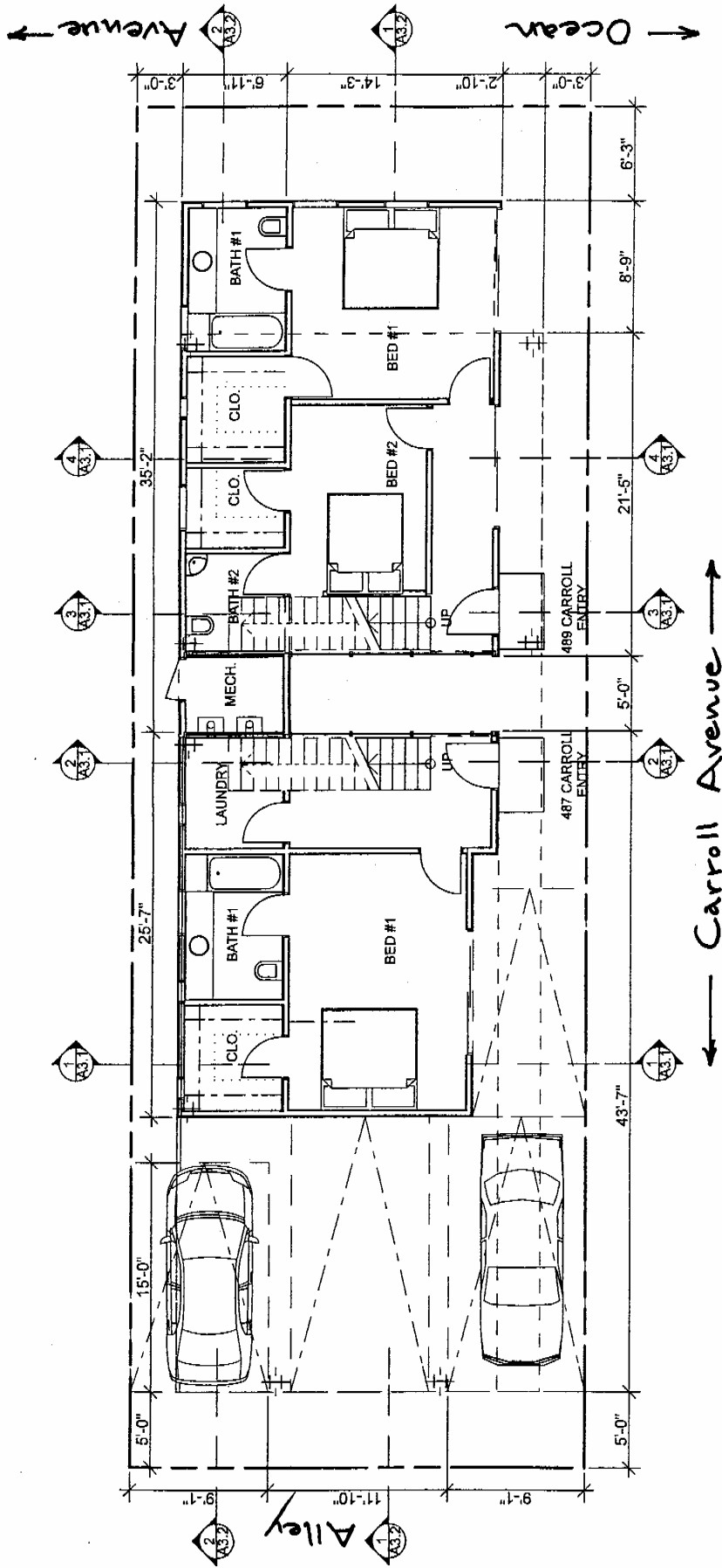


Site

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EXHIBIT # 3

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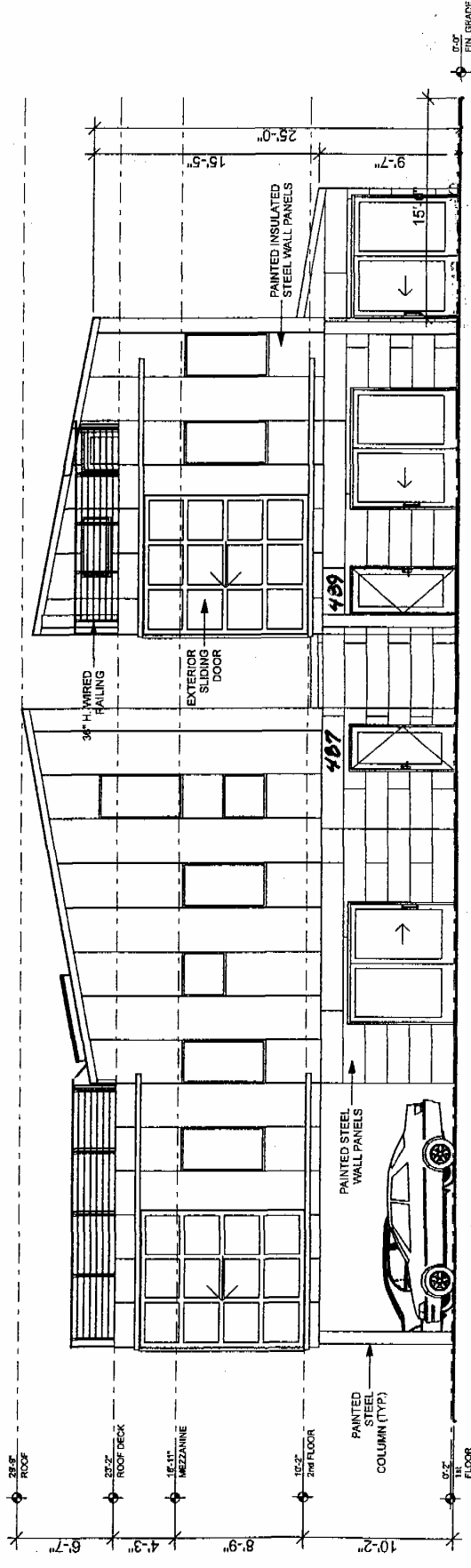
GROUND LEVEL FLOOR PLAN

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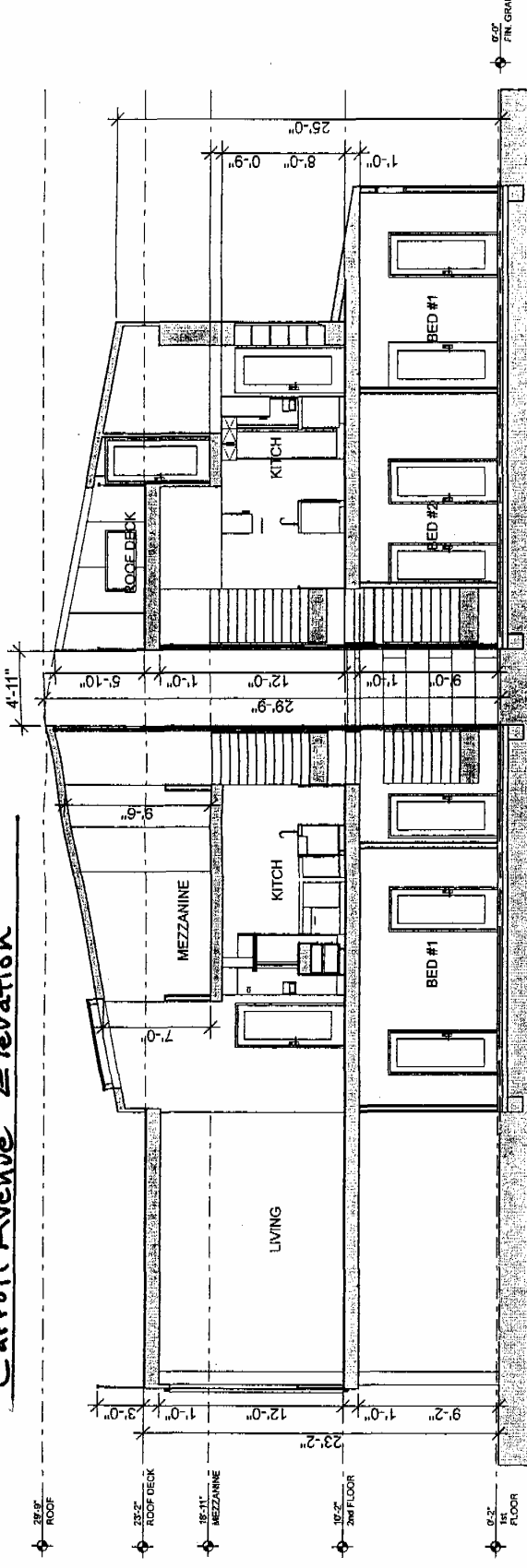
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EXHIBIT # 4

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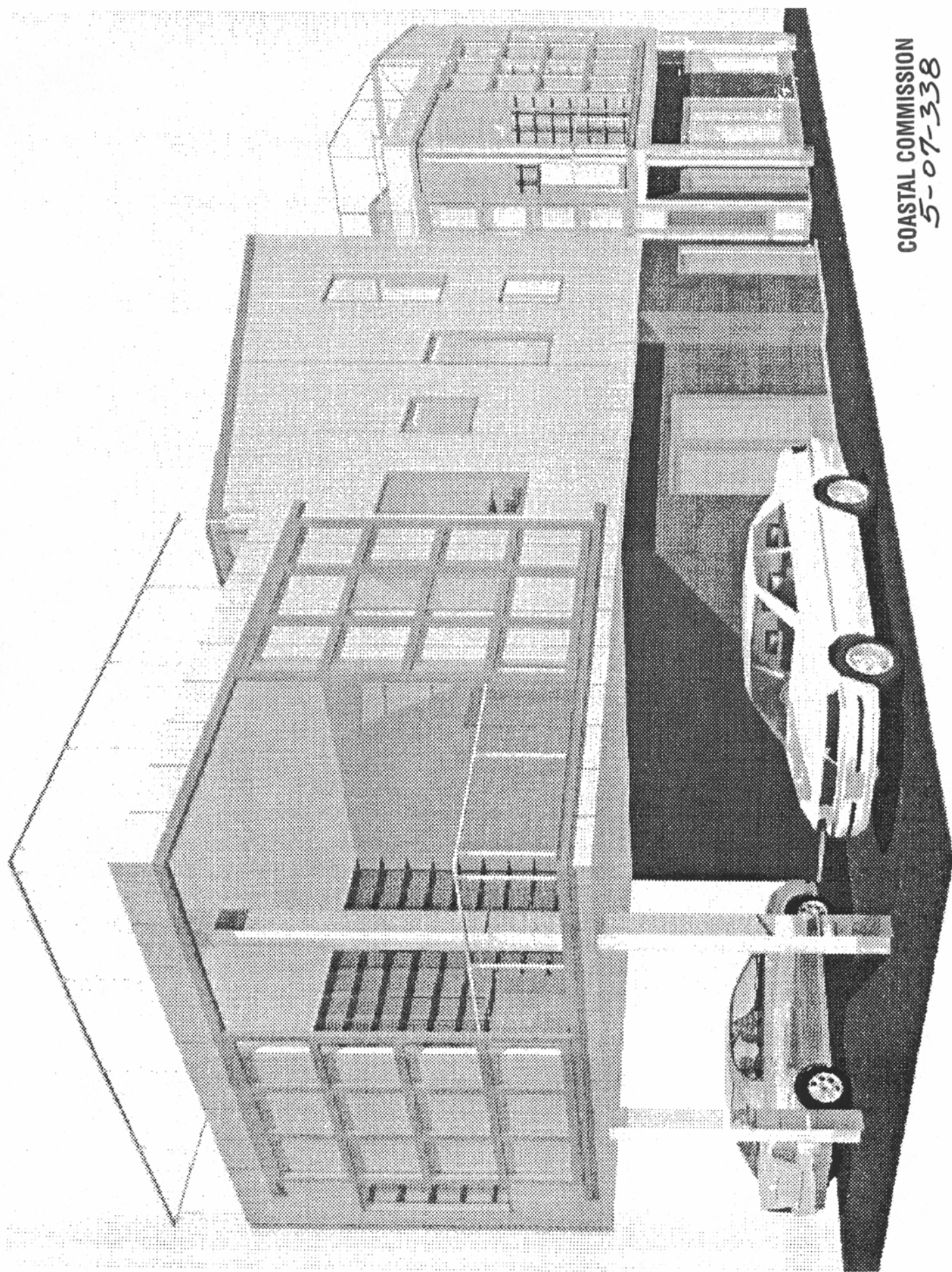
Carroll Avenue Elevation



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E/W SECTION



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EXHIBIT # 6