

CALIFORNIA COASTAL COMMISSION

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

Permit Application No. **5-08-268**
October 23, 2008
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**F3d****ADMINISTRATIVE PERMIT**

APPLICANT: Helayne Levy

PROJECT DESCRIPTION: Construction of a two-story, 25-foot high, 2,432 square foot single-family residence with an attached two-car garage on a vacant lot fronting a walk street.

LOCATION: 910 Marco Place, Venice, City of Los Angeles, Los Angeles County.

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, 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:

Friday, November 14, 2008, 9:00 a.m.
Long Beach City Hall - City Council Chambers
333 W. Ocean Boulevard
Long Beach, CA 90802

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: Charles R. Posner
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 term or 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: See Page Five.

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

The applicant proposes to construct a two-story, 2,432 square foot single-family residence with an attached 441 square foot garage on the ground floor (See Exhibits). The 3,150 square foot lot is situated one mile inland of the beach in the Milwood area of Venice (Exhibit #1). The height of the proposed two-story residence is 25 feet above the elevation of Marco Place, one of the historic Venice walk streets. The two-car garage, plus another parking space on the driveway, would provide on-site parking for the proposed single-family residence (Exhibit #4).

The rear alley (Marco Court) provides vehicular access to the on-site parking (Exhibit #3). Since Marco Place is a walk street, vehicles are not allowed to use it.

The proposed single-family residence provides a twelve-foot front yard setback (between the house and the property line) that is similar to the depth of the other homes' front yards along Marco Place (Exhibit #4). The distance between the proposed house and the edge of the five-foot wide public sidewalk that runs down the center of the walk street is 24.5 feet (or 27 feet to the *centerline* of the thirty-foot wide Marco Place right-of-way). The setback area between the proposed house and the public sidewalk includes 12.5 feet of the landscaped Marco Place right-of-way and the front yard of the applicant's property (Exhibit #4). The applicant is proposing to maintain the front yard area as a landscaped and permeable yard area as called for by the certified Venice LUP.

The proposed single-family residence has been reviewed and approved by the City of Los Angeles Planning Department (Case No. DIR-2008-1878-SPP). The Planning Department determined on August 4, 2008 that the proposed single-family residence is compatible in character and scale with the surrounding neighborhood and in compliance with the requirements of the Venice Specific Plan. No one appealed the City's determination and the City issued a Venice Specific Plan Project Permit for the proposed single-family residence.

The proposed single-family residence complies with the 28-foot height limit, the density limit, the setback requirements, on-site parking requirements, and all other specific requirements set forth by the Venice Specific Plan, the certified Venice LUP and the Chapter 3 policies of the Coastal Act. The proposed structure's architectural style, design and mass would not have a detrimental effect on community character. A ground floor porch and second floor deck (facing the walk street) provide articulation for visual interest to pedestrians using the public walkway in the center of Marco Place (Exhibit #6). Additionally, the proposed 25-foot high structure would not have a detrimental effect on the historic Marco Place walk street or loom over pedestrians using the public walk street as the proposed house is set back 24.5 feet from the edge of the public sidewalk (Exhibit #4). Therefore, the proposed project is consistent with community character, and will have no negative effects on visual resources or coastal access. As conditioned, the proposed 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. Community Character

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 Executive Director determines that the development, as conditioned, conforms with Sections 30250, 30251, 30252, 30253 and the public access provisions of the Coastal Act.

C. Public Access/Parking

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.

D. Public Recreation

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

E. 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 Executive Director determines that the proposed development conforms with Section 30240(b) of the Coastal Act.

F. Marine Resources and Water Quality

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, the use of non-invasive drought tolerant vegetation to reduce and treat the runoff discharged from the site, and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the Executive Director determines that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

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 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.

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 Executive Director determines 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.

SPECIAL CONDITIONS:

1. Site Access During Construction

The approved development shall not interfere with pedestrian access along the public walkway that runs down the middle of the Marco Place right-of-way. Vehicular access to the project site during construction activities, delivery of building supplies and materials, and removal of debris, shall be from the alley (Marco Court) only. Use of vehicles on Marco Place (a walk street) is not permitted.

2. Compliance with the Venice Walk Street Setback, Design and Parking Standards

Coastal Development Permit 5-08-268 approves the construction of a two-story, 25-foot high single-family residence with three on-site parking spaces. All development must occur in strict compliance with the proposal as set forth in the application, subject to any special conditions. As proposed by the applicant, the approved development shall be constructed in conformance with the following Venice Walk Street Setback, Design and Parking Requirements:

- a) Building Setback. In order to maintain an open and visible access corridor and to enhance visual quality, all balconies, porches and other portions of the structure shall be set back at least 12 feet from the Marco Place right-of-way, **as shown on Exhibit #4 of the 10/23/08 staff report**.
- b) Building Design. In order to enhance visual quality and community character, the front of the building facing the Marco Place walk street shall be designed and constructed with a varied and articulated façade that provides visual interest to pedestrians (e.g. with porches, bays and/or balconies), with frequent windows and the primary ground floor entrance for the residence facing the walk street, **as shown on Exhibit #6 of the 10/23/08 staff report**.
- c) Building Height. The maximum height of the single-family residence shall not exceed 28 feet above the centerline of the fronting right-of-way (Marco Place).
- d) Landscaping. In order to enhance visual quality and to preserve the water quality, the building setback area described in part (a) above shall be maintained as a permeable yard area (except for a minimal paved walkway to the building entrance) landscaped with only 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>).

- e) Marco Place Right-of-Way. In order to enhance visual quality, prevent vehicular access, and to provide a transitional zone between the Marco Place public sidewalk and the private dwelling, the area situated between the Marco Place sidewalk and the permittee's property line (i.e., within the Marco Place right-of-way) shall be maintained as a permeable yard area (except for a minimal paved walkway to the building entrance) landscaped with non-invasive and low water use plants and enclosed within a 42-inch high (maximum) decorative fence (e.g. split rail, picket or rustic). The permittee and the proposed development shall not interfere with public pedestrian access to and along the public sidewalk that runs down the center of the Marco Place right-of-way.
- f) On-site Parking. A minimum of three parking spaces shall be provided and maintained on the site, with vehicular access from the alley only (Marco Court).

Any proposed change or deviation from the approved plans, including change in the number of residential units, change to parking supply 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. No changes to the approved plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. 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) Best Management Practices.

- 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) 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.
- c) 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.
- d) 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.
- e) Washout from concrete trucks shall be disposed of at a location not subject to runoff and more than fifty feet away from all stormdrains, open ditches and surface waters.

- f) All trash generated by construction activities within the project area shall be disposed of at the end of each day, or as soon as possible.
- g) 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.

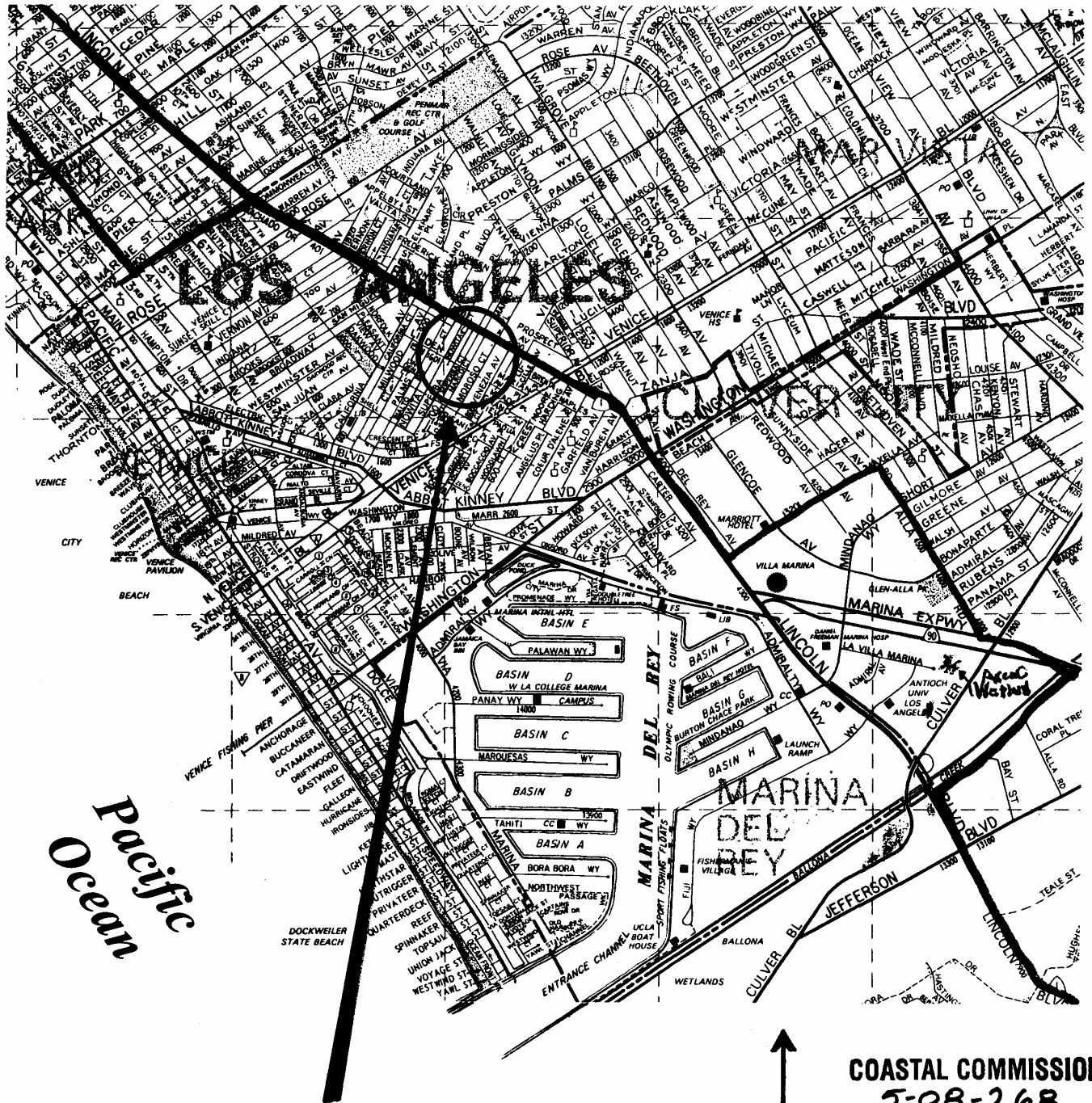
ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing

VENICE, CA

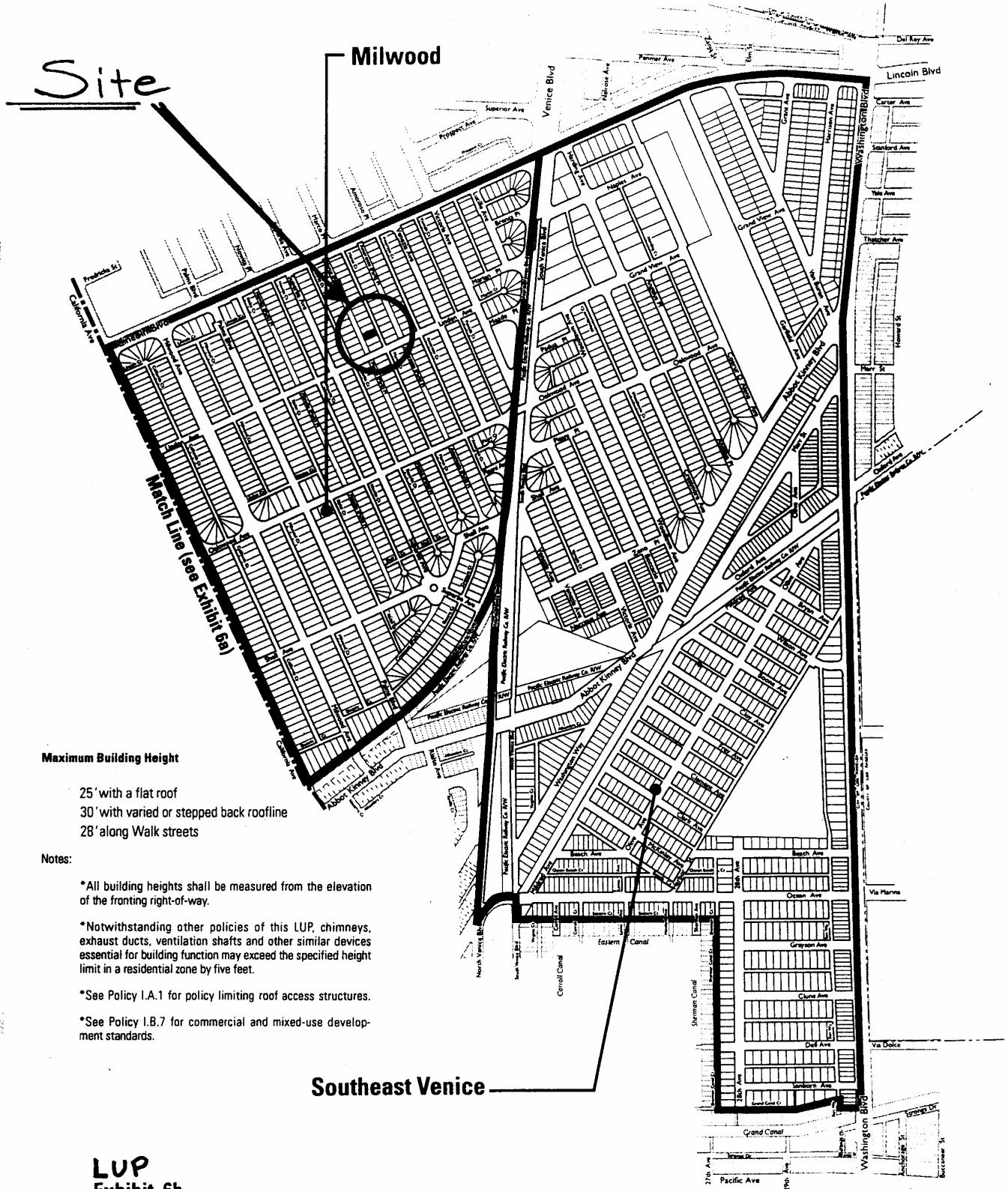


Pacific Ocean

Site: 910 Marco Place

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EXHIBIT # 1
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Maximum Building Height

- 25' with a flat roof
- 30' with varied or stepped back roofline
- 28' along Walk streets

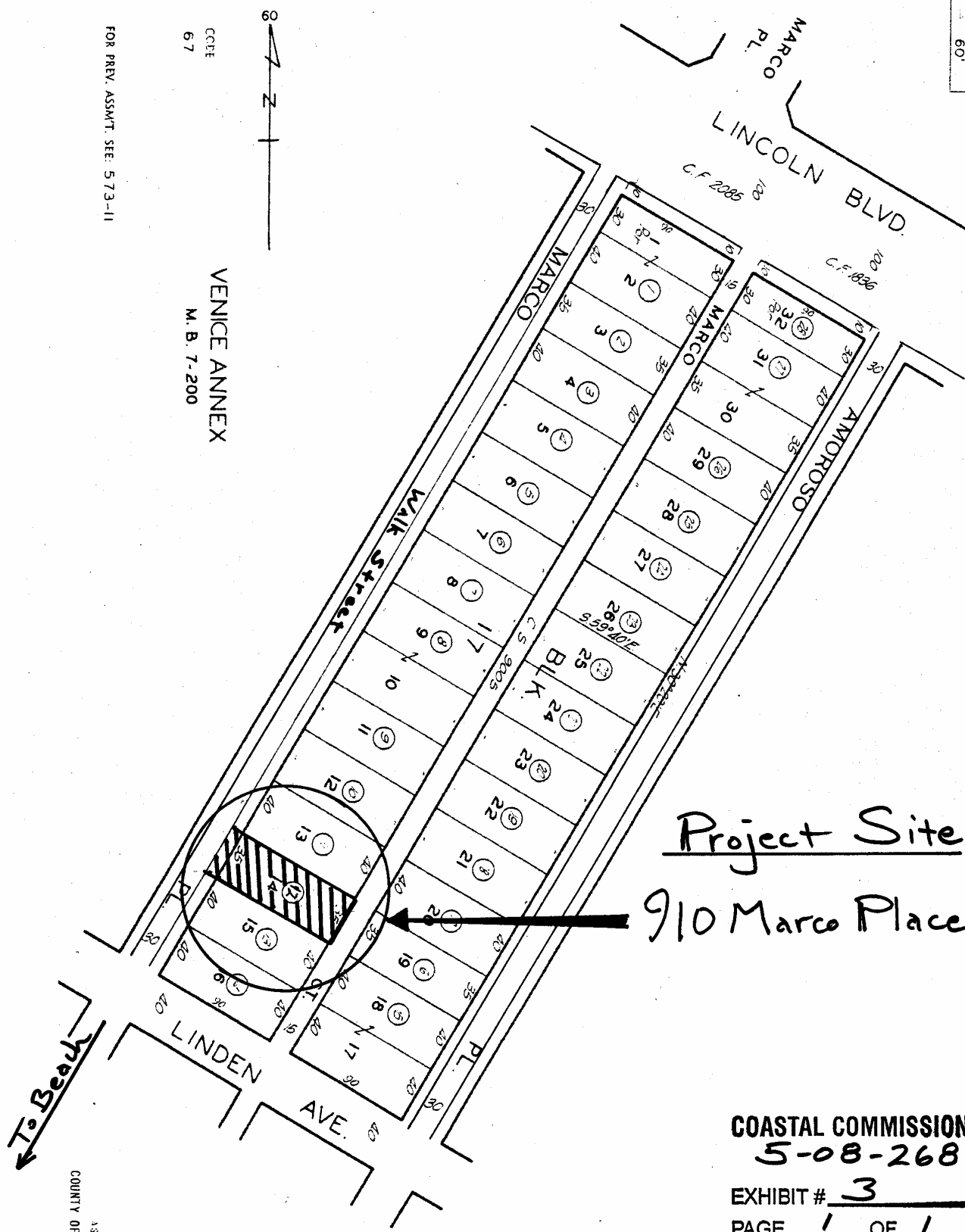
Notes:

- *All building heights shall be measured from the elevation of the fronting right-of-way.
- *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.
- *See Policy I.A.1 for policy limiting roof access structures.
- *See Policy I.B.7 for commercial and mixed-use development standards.

**LUP
Exhibit 6b**

Subarea: Oakwood • Milwood • Southeast Venice





CCTE
67

FOR PREV. ASSM'T. SEE: 573-11

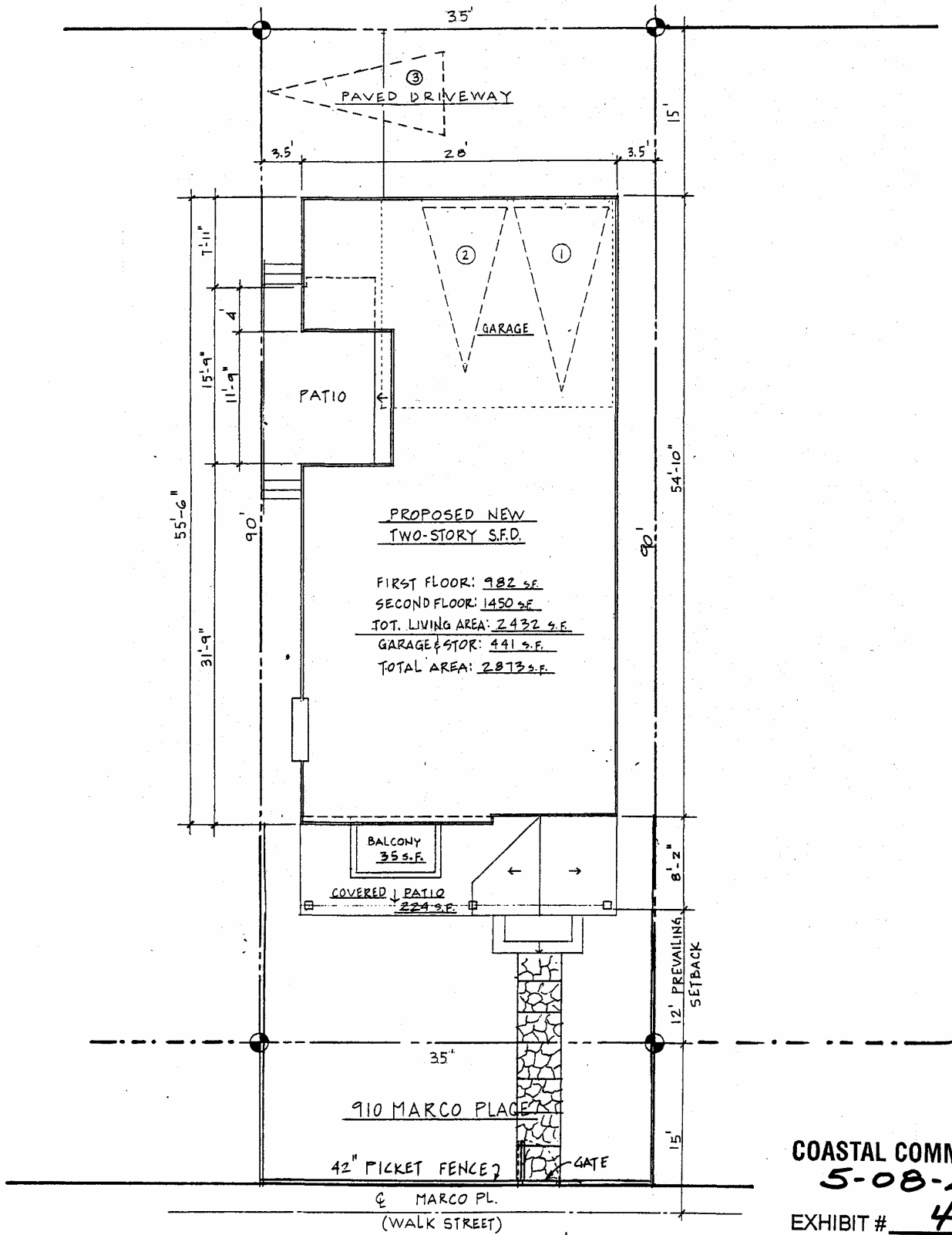
VENICE ANNEX
M. B. 7-200

Project Site
910 Marco Place

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EXHIBIT # 3
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Q MARCO COURT - Alley

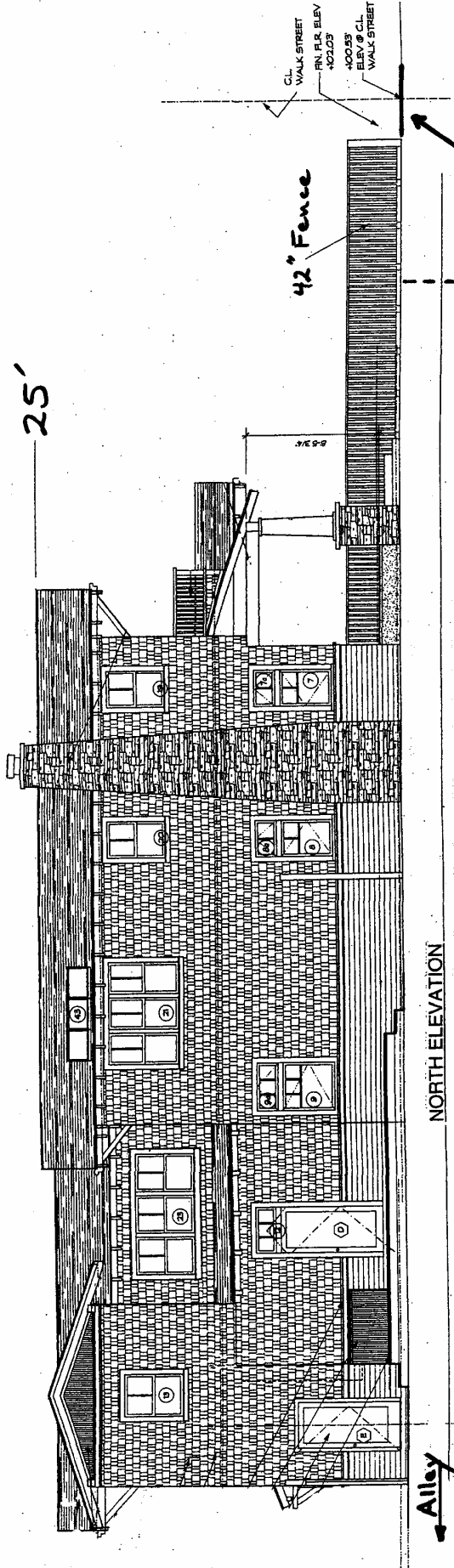


PLOT PLAN

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EXHIBIT # 4

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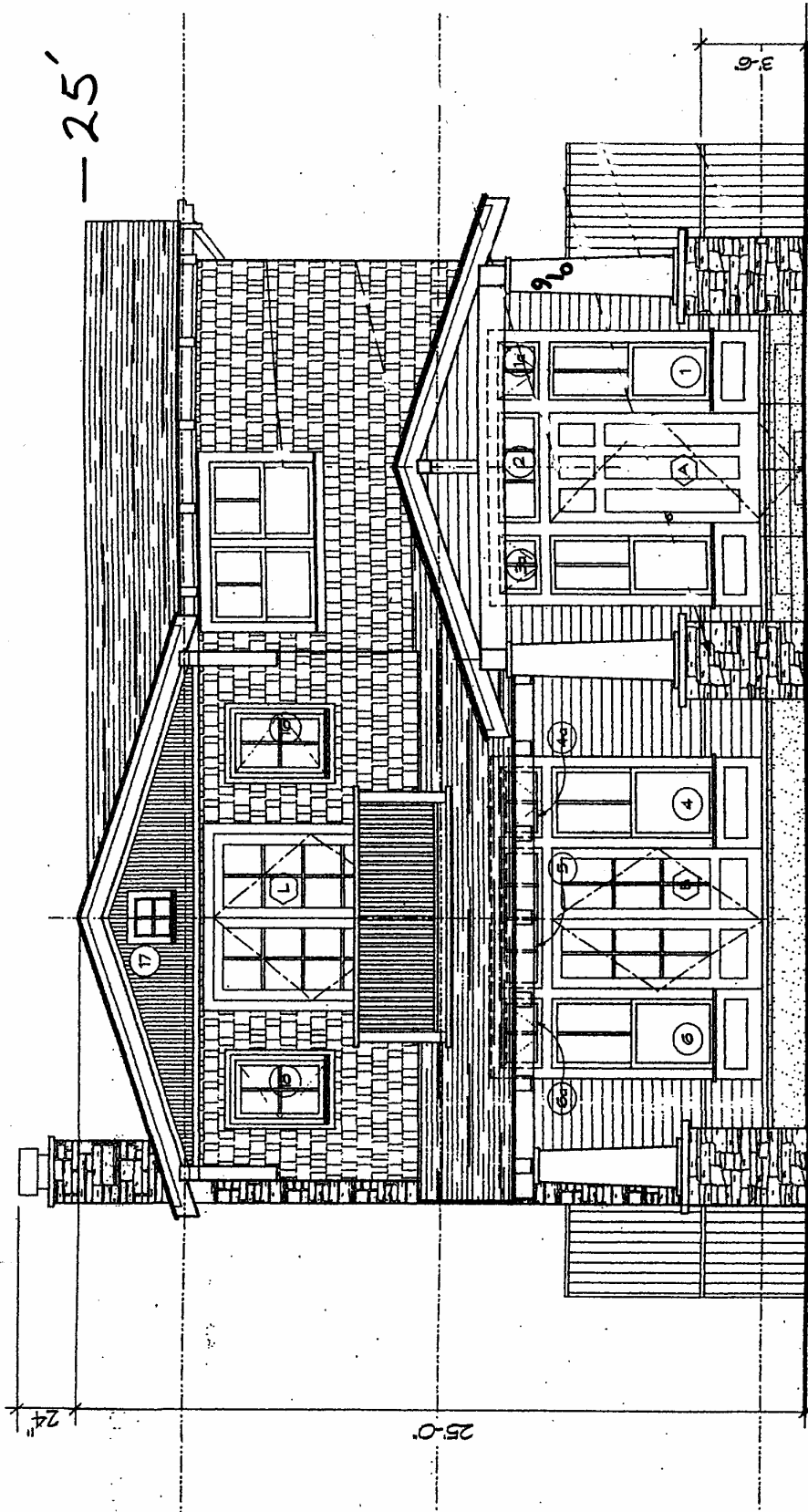
Prop. Line Marco Place

NORTH ELEVATION

Alley

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EXHIBIT # 5
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WEST ELEVATION

Marco Place

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EXHIBIT # 6
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