

**CALIFORNIA COASTAL COMMISSION**

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

**W7b**

Filed: 2/3/2014  
180th Day: 8/2/2014  
Staff: S. Vaughn -LB  
Staff Report: 2/20/2014  
Hearing Date: 3/12/2014

**STAFF REPORT: CONSENT CALENDAR**

**Application No.:** 5-14-0275

**Applicant:** Jedd Thomas

**Agent:** Mendy Tuhtan

**Location:** 21 27<sup>th</sup> Ave., Venice, City of Los Angeles, Los Angeles County (APN 42260119008)

**Project Description:** Demolition of a two-story duplex and shed on a walk street and construction of a 2,596 square foot, three-story, 28-foot high, single-family residence with an attached one-car garage and one-stall carport. Includes landscaping a portion of the adjoining walk street.

**Staff Recommendation:** Approval with conditions

## I. MOTION AND RESOLUTION

### 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 of the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

### Resolution:

*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. 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

This permit is granted subject to the following 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 on which the Commission voted on the application. 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 of 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

This permit is granted subject to the following special conditions:

1. **Compliance with the Venice Walk Street Requirements.** Coastal Development Permit 5-14-0275 approves the demolition of a single-family residence and shed and construction a three-story, 28-foot high, single-family residence with attached one-car garage and a one-stall carport. 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 Requirements:
  - a) **Building Design.** In order to enhance visual quality and community character, the side of the building facing the 27<sup>th</sup> Avenue 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 #4** of the 2/20/2014 staff report.
  - b) **Building Height.** The maximum height of the structure shall not exceed 28 feet above the centerline of the fronting right-of-way (27<sup>th</sup> Avenue). Chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function are limited to 33 feet above the centerline of the fronting right-of-way.
  - c) **27<sup>th</sup> Avenue Right-of-Way.** In order to enhance visual quality, prevent vehicular access, and to provide a transitional zone between a public walkway in the center of 27<sup>th</sup> Avenue and the private dwelling, the area situated between the 27<sup>th</sup> Avenue walkway and the permittee's property line (i.e., within the 27<sup>th</sup> Avenue 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 (as identified by the California Department of Water Resources - See: [http://www.water.ca.gov/wateruseefficiency/docs/water\\_efficient\\_landscapes.pdf](http://www.water.ca.gov/wateruseefficiency/docs/water_efficient_landscapes.pdf), and enclosed within a 42-inch high decorative fence or wall (e.g. split rail, picket or rustic). Private parking on the right-of-way is not permitted. The permittee and the proposed development shall not interfere with public pedestrian access to and along a public walkway in center of the 27<sup>th</sup> Avenue right-of-way.
  - d) **Landscaping.** 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.

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.

2. **On-site Parking.** A minimum of two (2) parking spaces shall be provided and maintained on the site to serve the approved development. Vehicular access to the site shall be taken only from the rear alley (26<sup>th</sup> Place). Vehicular access is not permitted on the 27<sup>th</sup> Avenue right-of-way.
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:
  - a) No construction or demolition 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 LOCATION & DESCRIPTION**

The applicant proposes to demolish the existing two-story apartment and shed on a walk street fronting lot, and construct a new three-story, 28-foot high, 2,596 square foot single-family residence with an attached one-car garage and one-stall carport, with vehicular access provided by 26<sup>th</sup> Place, the rear alley (**Exhibit #3**).

The project site is a thirty-foot wide, 2,640 square foot lot with a depth of 88 feet situated on 27<sup>th</sup> Avenue walk street (**Exhibit #3**). The neighborhood, where the proposed project is located, is comprised of both old and new one, two and three-story single-family residences, duplexes and apartments. The project site also includes a 30' X 11'10" portion of the 27<sup>th</sup> Avenue right-of-way in the front of the proposed residence, which the applicant has agreed to maintain as a landscaped and permeable yard area (i.e., walk street encroachment) as required by the certified Venice Land Use Plan (LUP) (**Exhibit #4**). The proposed project will not adversely affect the public walkway that runs down the center of the 27<sup>th</sup> Avenue right-of-way.

The proposed project is consistent with the RD1.5 zoning designation and has been approved by the City of Los Angeles Planning Department (Case No. DIR 2013-2043, 2/3/2014). The proposed single-family residence conforms to the 28 foot height limit for Venice walk streets. The proposed project also provides a front yard setback of 15 feet from the property line, in conformance with the Commission-certified building standards for the Venice walk streets. The City of Los Angeles Housing Department determined that there are no affordable housing units on the site (6/6/2013). Therefore, 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 a Local Coastal Program (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.

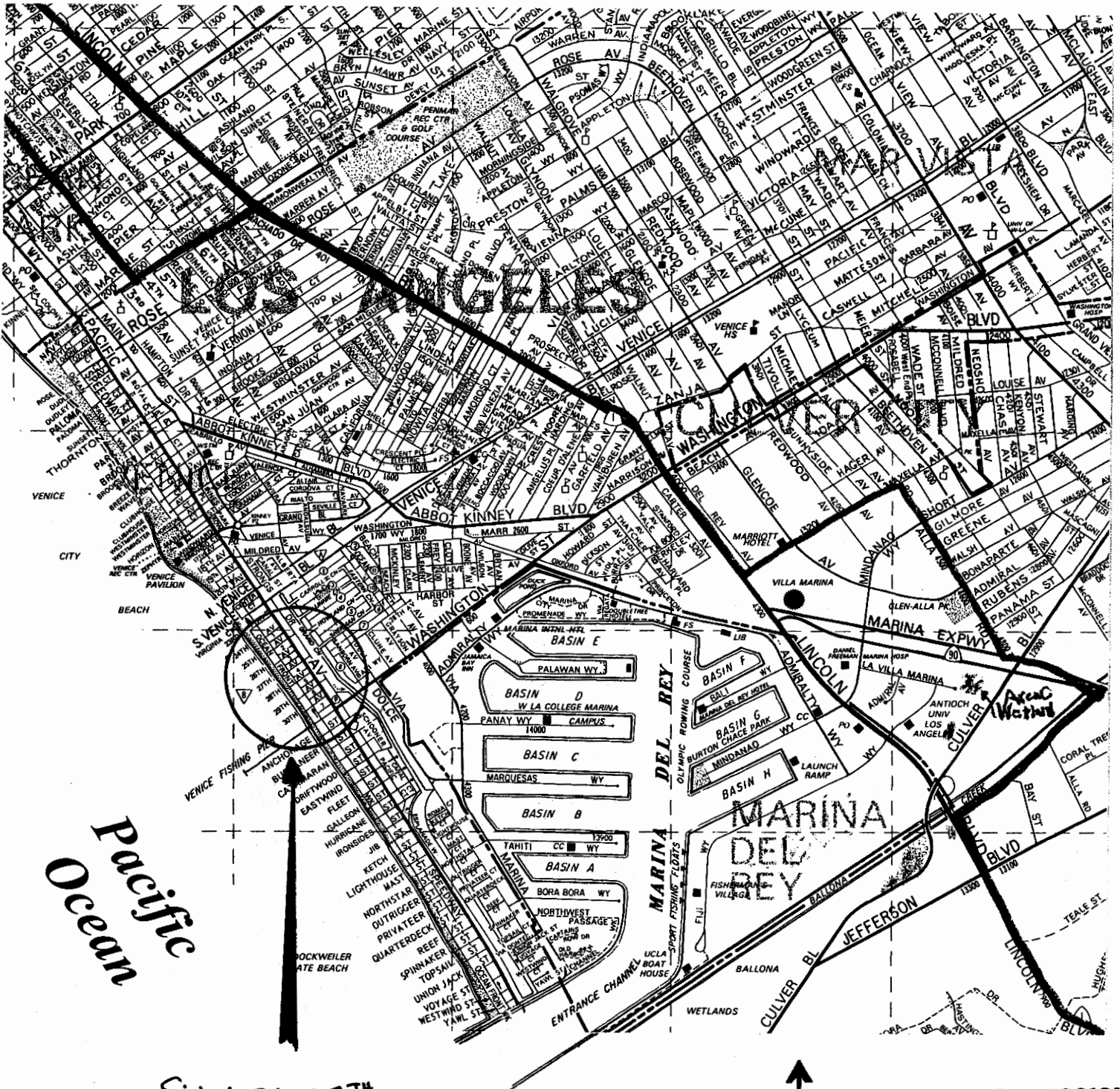
#### **F. LOCAL COASTAL PROGRAM (LCP)**

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 additional feasible mitigation measures available that would substantially lessen any significant adverse effect that 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



Site: 21 27<sup>th</sup> Avenue

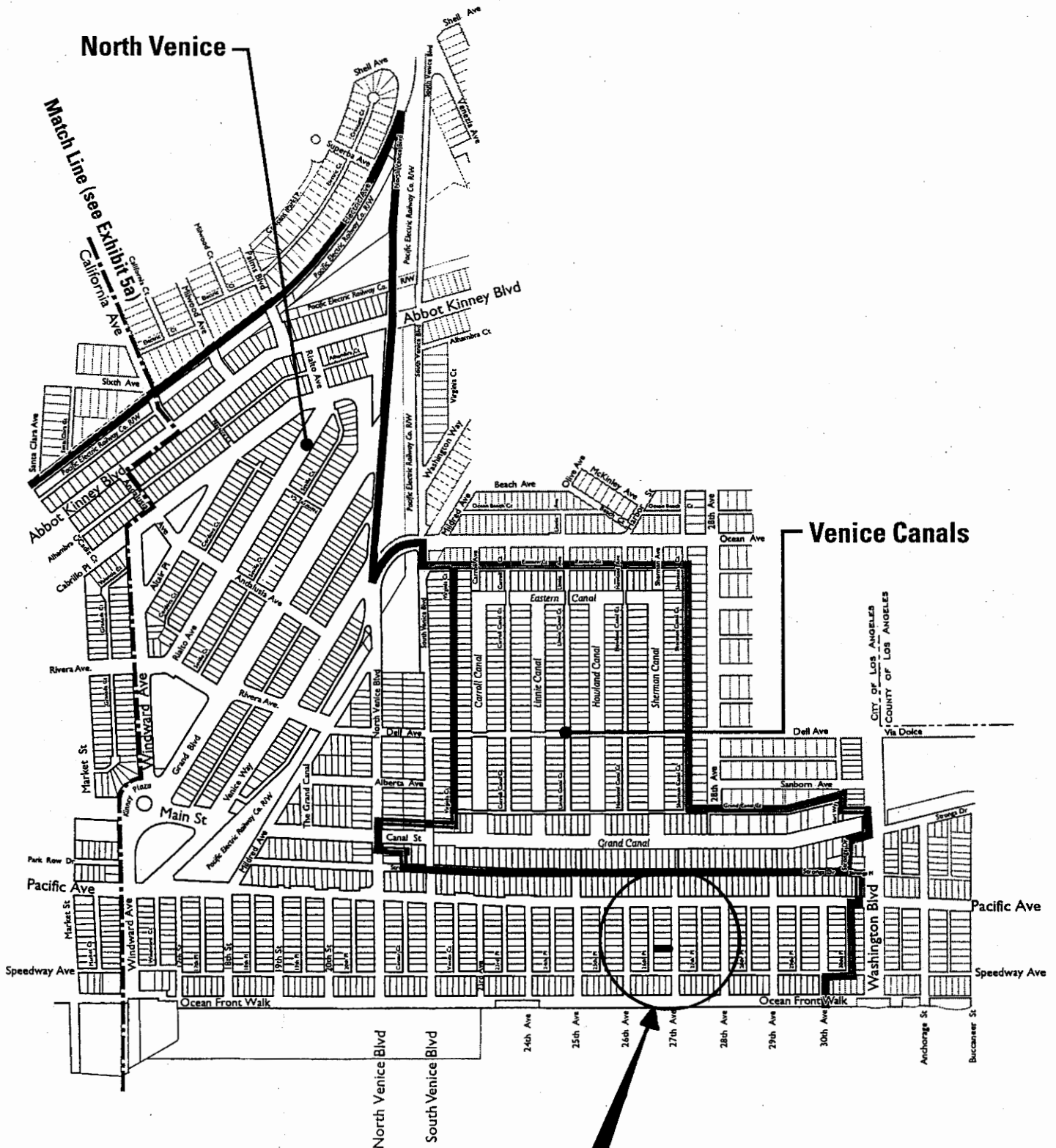


COASTAL COMMISSION

5-14-0275

EXHIBIT # 1

PAGE 1 OF 1



21 27<sup>TH</sup> Avenue



Not to Scale

COASTAL COMMISSION

5-14-0275

EXHIBIT # 2

PAGE \_\_\_\_\_ OF \_\_\_\_\_

LUP  
 Exhibit 5b  
 Subarea: North Venice • Venice Canals

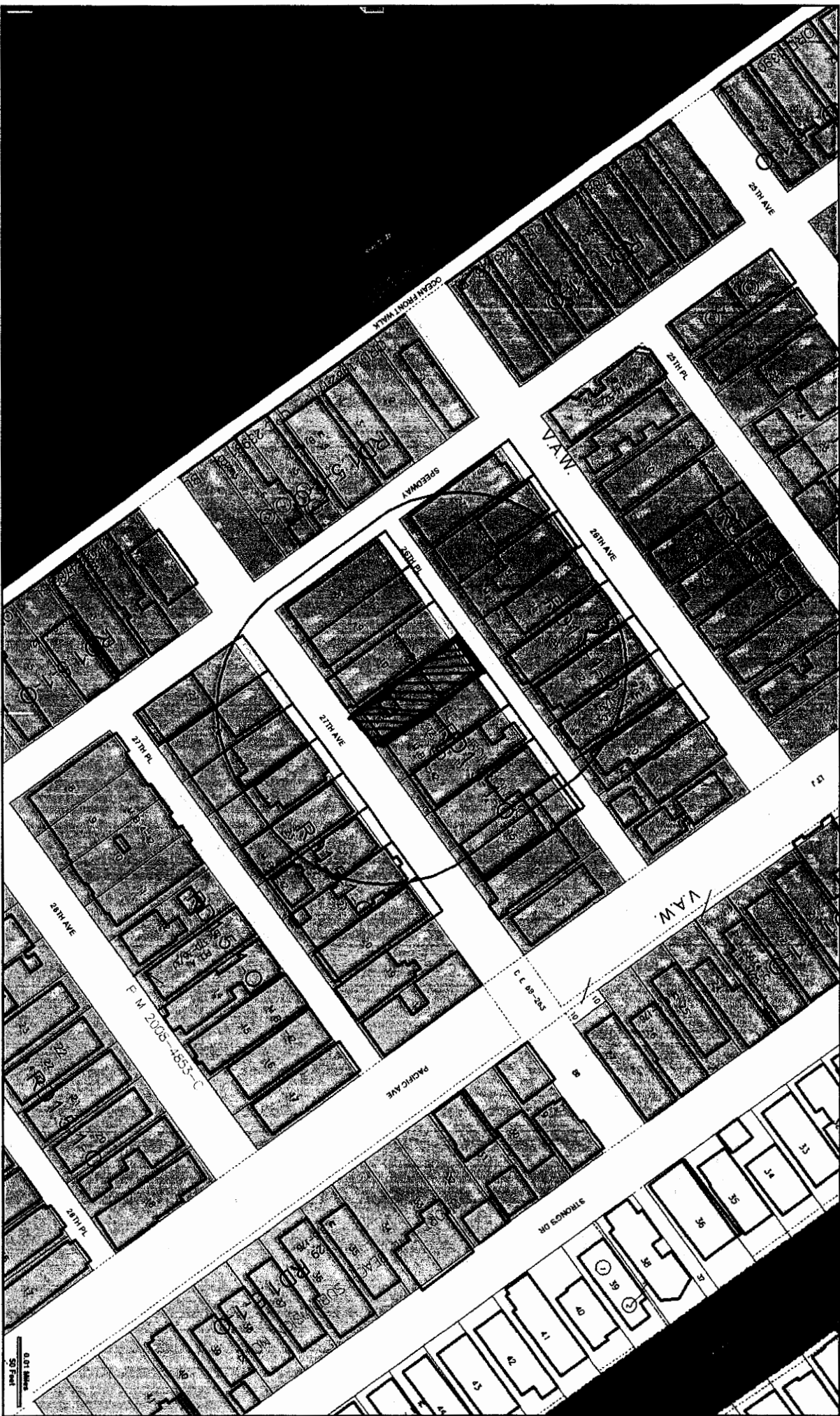


# ZIMAS PUBLIC

Generalized Zoning

07/02/2013

City of Los Angeles  
Department of City Planning



Address: 21 E 27TH AVE

APN: 4226019008

PIN #: 105A145 274

Tract: SHORT LINE BEACH  
SUBDIVISION NO: **COASTAL COMMISSION**  
Zoning: RD1.5-1-O

Block: 20

Lot: 11

Arb: None

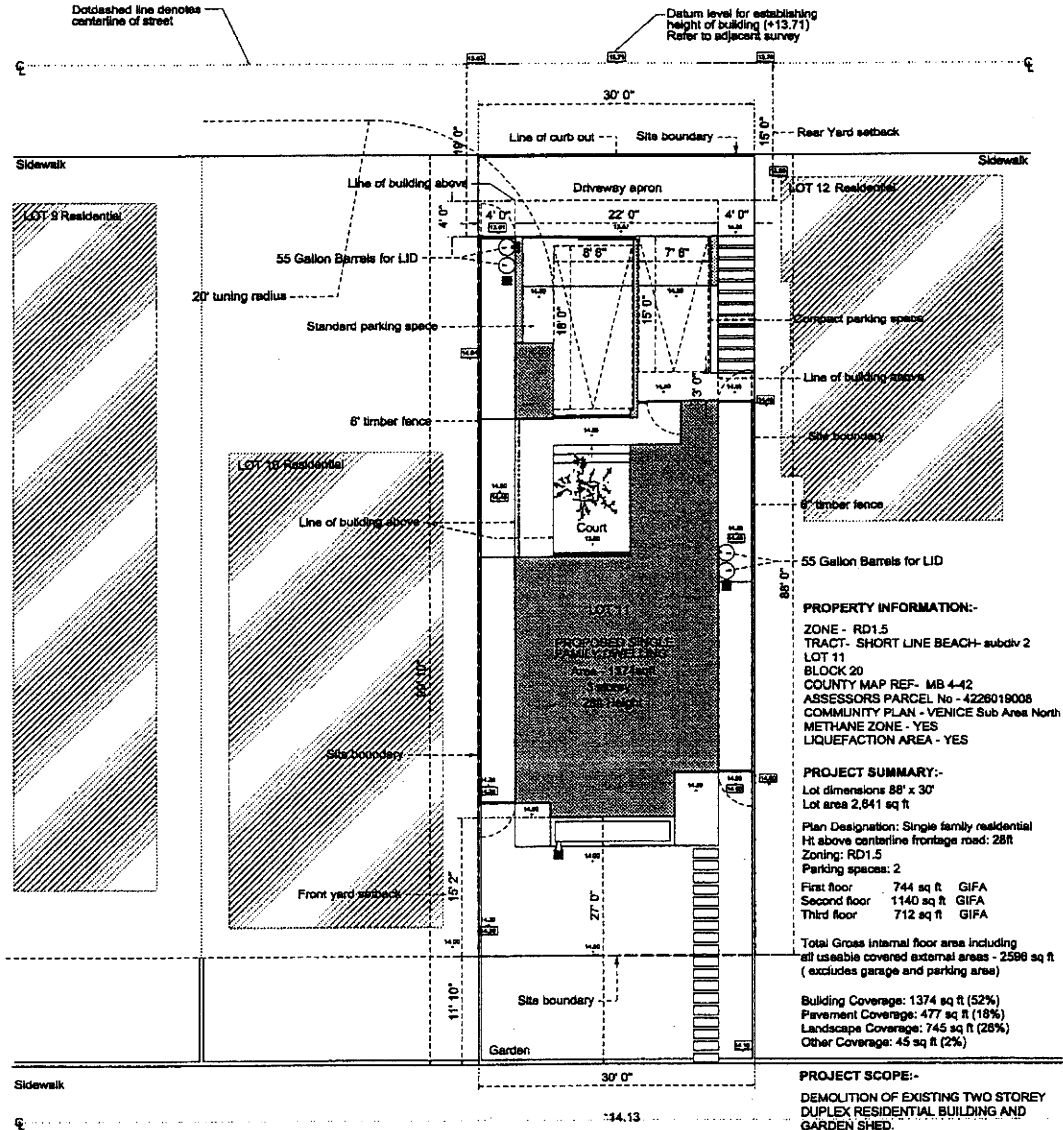
General Plan: Low Medium II Residential

EXHIBIT # 3

PAGE 1 OF 1



26TH PLACE



**PROPERTY INFORMATION:-**  
 ZONE - RD1.5  
 TRACT- SHORT LINE BEACH- subdiv 2  
 LOT 11  
 BLOCK 20  
 COUNTY MAP REF- MB 4-42  
 ASSESSORS PARCEL No - 4228018008  
 COMMUNITY PLAN - VENICE Sub Area North  
 METHANE ZONE - YES  
 LIQUEFACTION AREA - YES

**PROJECT SUMMARY:-**  
 Lot dimensions 88' x 30'  
 Lot area 2,641 sq ft  
 Plan Designation: Single family residential  
 Ht above carterline frontage road: 28ft  
 Zoning: RD1.5  
 Parking spaces: 2  
 First floor 744 sq ft GIFA  
 Second floor 1140 sq ft GIFA  
 Third floor 712 sq ft GIFA

Total Gross Internal floor area including all useable covered external areas - 2588 sq ft (excludes garage and parking area)  
 Building Coverage: 1374 sq ft (52%)  
 Pavement Coverage: 477 sq ft (18%)  
 Landscape Coverage: 745 sq ft (28%)  
 Other Coverage: 45 sq ft (2%)

**PROJECT SCOPE:-**  
 DEMOLITION OF EXISTING TWO STOREY DUPLEX RESIDENTIAL BUILDING AND GARDEN SHED.  
 PROPOSED ERECTION OF A THREE STOREY 2588 SQFT 2 BEDROOM AND STUDIO SINGLE FAMILY DWELLING.

27TH AVENUE

PROPOSED PLOT PLAN

--- denotes proposed spot level  
 --- denotes existing spot level

**LEGEND:-**

ASPHALTIC CONCRETE	OH	OVERHEAD, OVERHANG
CONCRETE WALL	PP	POWER POLE
CHAINLINK FENCE	TC	TOP OF CURB
DOWN SPOUT	TW	TOP OF WALL
EARTH	WDFN	WOOD FENCE
ELECTRIC METER	WH	WATER HEATER
FINISHED FLOOR	WM	WATER METER
FLOWLINE	WP	WOOD POST
GAS METER		
GUARD POST	N	NORTH OF PROPERTY LINE
GRADE	S	SOUTH OF PROPERTY LINE
HOSESIB	E	EAST OF PROPERTY LINE
LIGHT WELL	W	WEST OF PROPERTY LINE

App.	Date	Description	By
A	2013/08/20	Application Issue	CS/IM
B	2013/07/01	Application Issue	CS/IM
C	2013/08/20	Application Issue	CS/IM

**COASTAL COMMISSION**  
 S-14-0275

SUTHERLAND HUSSEY ARCHITECTS

187817  
 @ Arch D 2013/10/23 207 GA-02 C

**BUILDING PERMIT APPLICATION**

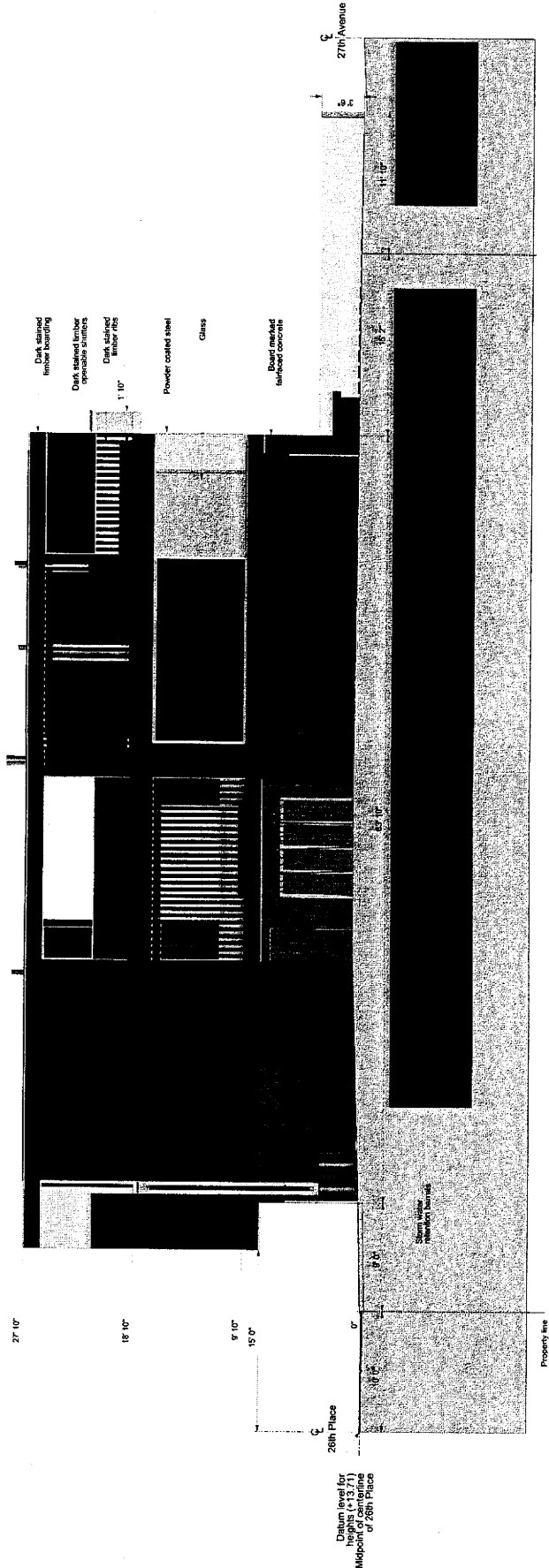
21 27th Avenue  
 Los Angeles 90291

Jedd Thomas  
 Tel-817 349 3241

Plot Plan: Existing and proposed

EXHIBIT # 4

PAGE 1 OF 1



Datum level for heights (+13.71)  
Midpoint of centerline of 28th Place



NOTES/LEGEND

APPROVED  
as required by  
CASE NO.  
Planner  
Community Planning Bureau  
City of Los Angeles Planning Dept.  
Date: 2-14

EXHIBIT 'A'  
Page No. of  
Case No.

SUTHERLAND HESSEY ARCHITECTS  
MATERIALS LIST FOR APPLICATION  
21 27th Avenue  
Los Angeles  
90051  
Lead Thomas  
Tel: 917 349 9241  
Vial Elevation  
9/17/00 207 GA-17 B  
201000207

COASTAL COMMISSION  
S-14-0275

EXHIBIT # 5  
PAGE 1 OF 1