

**CALIFORNIA COASTAL COMMISSION**

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

**F6b**

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original staff report

**ADDENDUM**

February 8, 2016

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **ADDENDUM TO ITEM F6b, CDP NO. 5-15-1708 (Tony Bill Living Trust)  
FOR THE COMMISSION MEETING OF FRIDAY, FEBRUARY 12, 2016.**

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**CHANGES TO STAFF REPORT**

Commission staff recommends modifications to the staff report dated January 21, 2016. Language to be added to the findings and conditions is shown in ***underlined italicized bold text***, and language to be deleted is identified by ~~strike-out~~.

**A. Pages 5 – 6 – Special Condition 2 of Staff Recommendation, as follows:**

- 2. Landscaping-Drought Tolerant, Non-Invasive Plants.** Vegetated landscaped areas shall only consist of native plants (preferably native to ~~Orange~~ ***Los Angeles*** County and appropriate to the habitat type) 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.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>). If potable water is used for irrigation only drip or micro spray irrigation systems may be used. Other water conservation measures shall also be considered, such as use of weather based irrigation controllers.

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Filed:	11/12/2015
180th Day:	05/10/2016
Staff:	S. Vaughn-LB
Staff Report:	1/21/2015
Hearing Date:	2/12/2016

**STAFF REPORT: CONSENT CALENDAR**

**Application No.:** 5-15-1708

**Applicant:** The Tony Bill Living Trust

**Agent:** Clare Bronowski, Glaser Weil

**Location:** 29 – 47 Windward Ave., Venice Beach, Los Angeles (APNs: 4226008015, 4226008016, & 4226008017)

**Project Description:** Installation of 30 electric-powered hydraulic automobile lifts to an existing 9,265 square foot private surface parking lot with 38 existing parking spaces. Lifts will increase the number of parking spaces in the lot from 38 spaces to 68 spaces.

**Staff Recommendation:** Approval with conditions

**SUMMARY OF STAFF RECOMMENDATION**

The applicant is proposing to install 30 electric-powered hydraulic automobile lifts to an existing privately owned and operated 9,265 square feet surface parking lot with 38 existing parking spaces. The lifts will allow automobiles to be parked in double-decker fashion. Each lift is approximately 12' by 8' in area and 14 feet high, including automobile height. Footings for the lifts will be excavated by hand. Water quality and operational issues are associated with this project and are addressed with special conditions regarding construction BMPs, required maintenance, and removal of the lifts should they become non-operational.

Staff is recommending **APPROVAL** of the proposed coastal development permit with **(5) five Special Conditions** regarding **(1) Construction Best Management Practices; (2) Landscaping; (3) Local Approval; (4) removal of Lifts; and (5) Future Improvements.**

The City exercises the options provided in Section 30600(b) or 30600.5 of the Coastal Act to issue its own permits without having a certified Local Coastal Program. Within the areas specified in Section 30601, which is known in the City of Los Angeles permit program as the *Dual Permit*

*Jurisdiction* area, the Coastal Act requires that any development which receives a local coastal development permit also obtain a second (or “dual”) coastal development permit from the Coastal Commission. The Commission's standard of review for the proposed development in the *Dual Permit Jurisdiction* area is the Chapter 3 policies of the Coastal Act. For projects located inland of the areas identified in Section 30601 (i.e., projects in the *Single Permit Jurisdiction*), the City of Los Angeles local coastal development permit is the only coastal development permit required. The proposed project site is located within the *Dual Permit Jurisdiction Area*. On September 9, 2015, the City of Los Angeles issued Local Coastal Development Permit Case No. ZA 2014-3650(CDP) for the proposed project.

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**EXHIBITS**

Exhibit 1 – Project Location

Exhibit 2 – Project Plan

## 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. **Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris.** The applicant shall comply with the following construction-related requirements:
  - A. No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion;
  - B. No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers;
  - C. Any and all debris resulting from demolition or construction activities shall be removed from the subject site within 24 hours of completion of the project;
  - D. Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters;
  - E. All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day;
  - F. The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction;
  - G. Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the Coastal Zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required;
  - H. All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil;
  - I. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems;
  - J. The discharge of any hazardous materials into any receiving waters shall be prohibited;
  - K. Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible;
  - L. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity; and
  - M. All BMPs shall be maintained in a functional condition throughout the duration of construction activity.
2. **Landscaping-Drought Tolerant, Non-Invasive Plants.** Vegetated landscaped areas shall only consist of native plants (preferably native to Orange County and appropriate to the habitat type)

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.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>). If potable water is used for irrigation only drip or micro spray irrigation systems may be used. Other water conservation measures shall also be considered, such as use of weather based irrigation controllers.

3. **Local Approval.** The permittee shall comply with all requirements, requests and mitigation measures from the City of Los Angeles Department of Building and Safety and the City of Los Angeles Department of City Planning with respect to maintenance performance and inspection.
4. **Removal of Car Lifts.** In the event the car lifts are no longer operational or their use is discontinued, the car lifts and all of their associated components shall be removed from the site within three months. The applicant shall inform the Executive Director of the pending removal of the car lifts to determine if an amendment to Coastal Development Permit No. 5-15-1708 is required or if the removal of the car lifts would require an additional coastal development from the California Coastal Commission or from the applicable certified local government.
5. **Future Improvements Restriction.** This permit is only for the development described in Coastal Development Permit No. **5-15-1708**. Except as provided in Public Resources Code section 30610 and applicable regulations, any future development as defined in PRC section 30106, including, but not limited to, a change in the density or intensity of use land, shall require an amendment to Permit No. **5-15-1708** from the California Coastal Commission or shall require an additional coastal development permit from the California Coastal Commission or from the applicable certified local government.

## IV. FINDINGS AND DECLARATIONS

### A. PROJECT DESCRIPTION & LOCATION

The Tony Bill Living trust proposes to install 30 electric-powered hydraulic automobile lifts to an existing 9,265 square foot surface parking lot located at 29 – 47 Windward Avenue, Venice, City of Los Angeles, Los Angeles County (**Exhibit 1**). The existing parking lot currently provides 38 vehicle surface parking spaces and is privately owned and operated as a public parking lot. Twenty of the existing parking spaces are required by the City to be maintained for the use of occupants of 72 Market Street (per ZA 1986-040, Covenant No 88-1670989). The remaining 18 spaces are used primarily for Venice Beach parking. The proposed lifts will allow automobiles to be parked in a double-decker fashion and will increase parking capacity to 68 vehicles. When a car lift is intended to be used, a car will park onto the ramp of the lift and the lift will raise the car directly up. A second car can then be parked under the lifted car. All car lift operations will take place on site. The proposed lifts are approximately 12 feet by 8 feet in area and 14 feet high, including vehicle height (**Exhibits 2 & 3**). The lifts would be assembled on site. No grading is required and hand-excavated

footings would be used to support the lifts. All parking would be valet and valet would operate the lifts. The lifts would be powered by standard available electrical power. No additional power sources or upgrades would be required.

Maintenance would be performed on the lifts at least once every six months. Maintenance would include inspection of all hydraulic fittings and hoses, greasing machines as required, and inspecting all lifts. Oil changes would be performed annually. Additionally, as part of the City's permit (ZA 2014-3650), the applicant is required to comply with the following conditions:

*6. The vehicle Lift System shall be installed and maintained in strict compliance with the manufacturer's instructions by trained, authorized and qualified personnel only.*

*7. Maintenance of safety mechanisms indicated in the manufacturer's manual shall be recorded and included in the maintenance record.*

*15. The "transportation system" shall be cleared from foreign objects at all times, and the safety sensing devices shall prevent operation of the equipment when an object is blocking its path.*

*21. A component, when replaced, shall be of identical original manufacturer's part that was approved by the Los Angeles City Electrical Testing Laboratory.*

*25. If the equipment is no longer in service, it shall be disconnected and removed, and the electrical supply shall be permanently de-energized.*

To ensure that the applicant adheres to the conditions imposed by the City, the Commission imposes **Special Condition 3**, requiring the applicant to comply with the conditions of the local approval.

The parking lot was built and has been operational for over 50 years, as such, water quality measures were not considered as they are today. Currently runoff is directed toward the street and the City's storm drain system. Additionally, there is no landscaping within or around the parking lot. The City is requiring the applicant to introduce landscaping along the Windward Avenue frontage of the parking lot. **Special Condition 2** requires landscaping be drought tolerant and noninvasive. The introduction of landscaping, where currently none exist, will increase permeability within the project site. Furthermore, some surface runoff will be captured by the new landscaped areas, which will contribute to an increase in water quality in the area.

## **B. 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 32031 of the Coastal Act.

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

Coastal Act section 30604(a) states that, prior to certification of a local coastal program (“LCP”), a CDP 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 LUP 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.

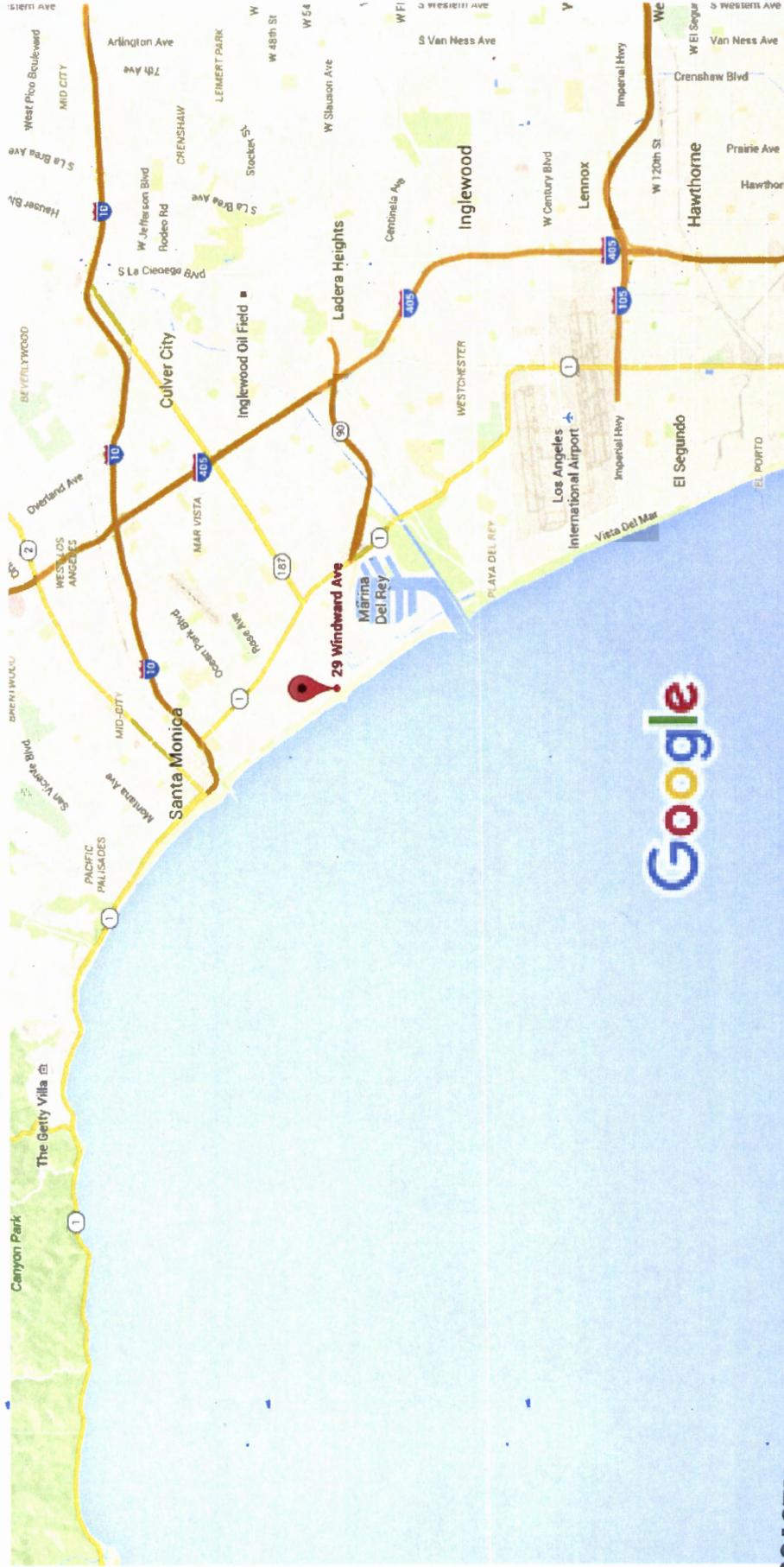
### **D. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The proposed project received a CEQA determination (ENV 2014-3651-CE) from the City of Los Angeles on October 7, 2014 and was determined to be exempt under Class 11, Category 2. 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.

## **Appendix A - Substantive File Documents**

1. City of Los Angeles Coastal Development Permit Case No. ZA 2014-3650(CDP), dated August 19, 2015
2. City of Los Angeles Department of Building and Safety Research Report No. 930501, dated October 9, 2015

# Google Maps 29 Windward Ave



COASTAL COMMISSION

5-15-1708

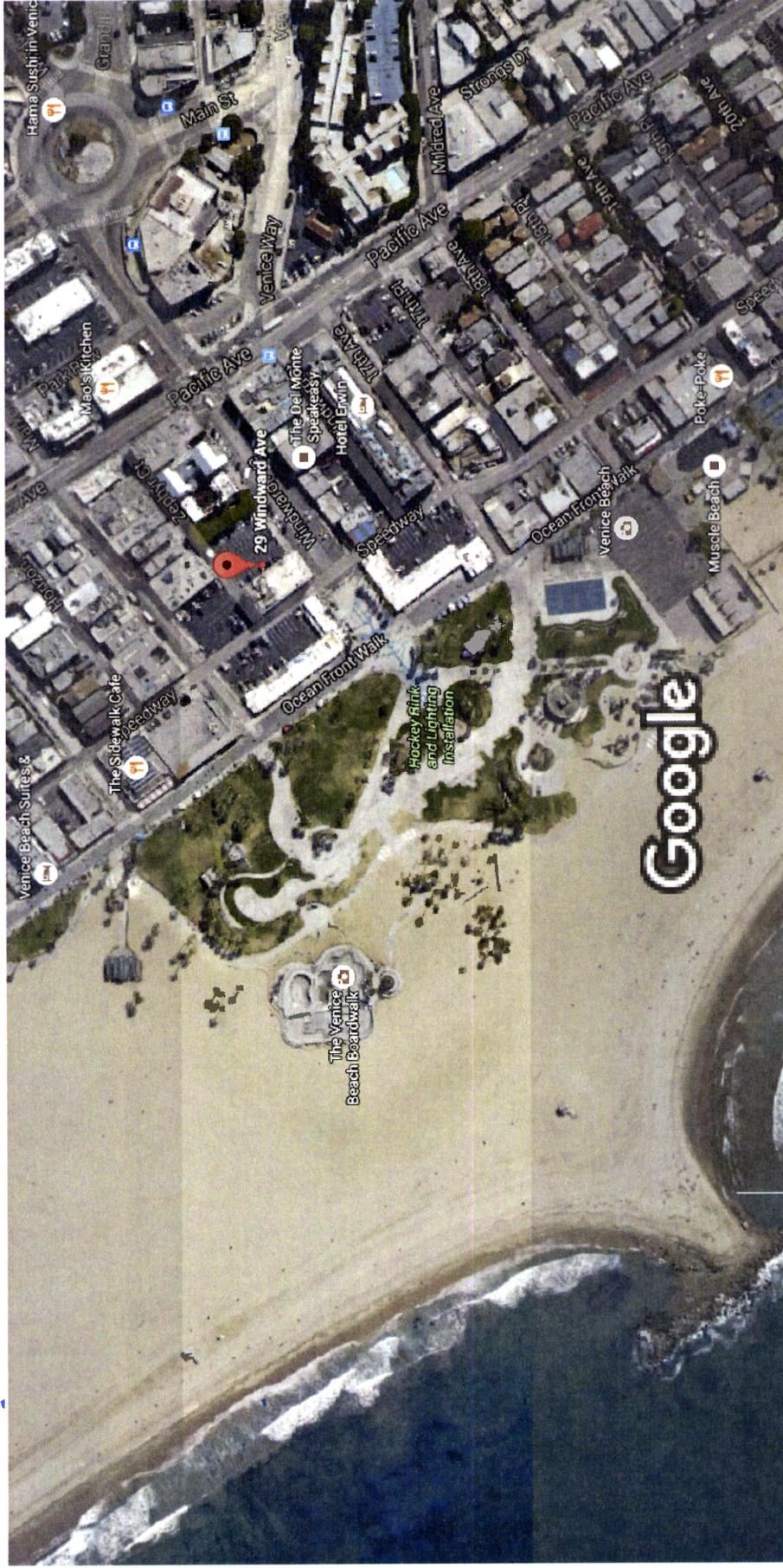
EXHIBIT # 1

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Map data ©2016 Google

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# Google Maps 29 Windward Ave



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5-15-1708

EXHIBIT #

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