

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: CONSENT CALENDAR

Application No.: 5-22-0607

Applicant: Grandview Real Estate Investments LLC

Agent: Pacific Crest Consultants, Attn. Chloe Parker

Location: 29 27th Avenue, Venice, City of Los Angeles, Los Angeles County (APN No. 4226-019-010)

Project Description: Redevelopment of an existing 1,212 sq. ft., 1 story, single family residence with a detached 1-car garage and 1-car carport resulting in a 2,190 sq. ft., 2 story, 27 ft. 11.5 in. high single family residence with an attached 2-car garage and additional uncovered parking space on a 2,640 sq. ft. lot. No grading is proposed.

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

The applicant is proposing to redevelop an existing 1,212 sq. ft., 1 story, 22 ft. high single family residence with a detached 1-car garage and 1-car carport originally constructed in 1912, resulting in a 2,190 sq. ft., 2-story, 27 ft. 11.5 in. high single family residence with a 2-car garage and 1 additional uncovered parking space on a 2,640 sq. ft. lot (30 ft. wide x 88 ft. deep). A roof deck is proposed over the portion of the first floor fronting 27th Avenue (Walk Street) ([Exhibit 2](#)). The proposed project includes alteration of less than 50% of the existing foundation, floor structure, and exterior walls, but will

result in alteration to greater than 50% of the existing roof structure. No grading is proposed.

The proposed residential project raises issues concerning compatibility with the character of the surrounding area and impacts to public access and water quality. Therefore, the proposed development has been conditioned to assure that the proposed project is consistent with the Chapter 3 policies of the Coastal Act and the certified Venice Land Use Plan (LUP). The conditions are: 1) Construction Staging Plan, 2) Water Quality, 3) Final Landscaping Plans, and 4) Filing Fee Requirement.

The standard of review is the Chapter 3 policies of the Coastal Act, with the LUP used as guidance.

Staff is recommending **APPROVAL** of the proposed coastal development permit as conditioned.

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EXHIBITS

[Exhibit 1 - Vicinity Map, Project Site, and Aerial View](#)

[Exhibit 2 - Project Plans](#)

[Exhibit 3 - Street View \(Subject Structure and Nearby Structures\)](#)

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 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 permit, subject to the conditions below, for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the provisions of Chapter 3 of the California 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 alternative 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 applicant 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 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 applicant to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. **Construction Staging Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the written review and approval of the Executive Director, two copies of a construction staging plan. The construction staging plan shall incorporate the following:

- A. The plan shall specify where construction equipment is proposed to be stored during construction in order to control erosion and maintain public access along 27th Avenue at all times.
- B. All construction equipment to be stored overnight shall be stored on-site, outside the street travel-way and on-street parking areas.
- C. The plan shall also identify a disposal site outside of the Coastal Zone for waste materials and recyclable materials.

The permittee shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director provides a written determination that no amendment is legally required for any proposed minor deviations.

2. **Water Quality.**

- A. Construction Responsibilities and Debris Removal

- 1) No demolition or construction materials, equipment, 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;
- 2) 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;
- 3) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project;
- 4) 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;

- 5) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day;
- 6) The applicant(s) shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction;
- 7) 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;
- 8) 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;
- 9) 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;
- 10) The discharge of any hazardous materials into any receiving waters is prohibited;
- 11) 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;
- 12) 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;
- 13) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

B. Drainage and Water Quality

- 1) During construction of the proposed project, no runoff, site drainage or dewatering shall be directed from the site into any canal or street that drains into a canal, unless specifically authorized by the California Regional Water Quality Control Board;

- 2) All equipment and materials shall be stored and managed in a manner to minimize the potential of pollutants to enter the canals;
- 3) A French drain, underground cistern, or other similar drainage systems that collect and reduce the amount of runoff that leaves the site shall be installed and maintained on the project site;
- 4) All runoff leaving the site shall be directed into the City storm drain system.

3. Final Landscaping Plans. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for review and written approval by the Executive Director, two (2) full-size sets of final landscaping plans prepared by a licensed landscape architect or a qualified resource specialist. the final landscaping plans shall include the following:

- a. Vegetated landscaped areas shall consist only of native plants and/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 the California Department of Water Resources (See: <http://ucanr.edu/sites/WUCOLS/files/183488.pdf>).
- b. Use of reclaimed water for irrigation is encouraged. If using potable water for irrigation, only drip or microspray irrigation systems may be used. Other water conservation measures shall be considered, such as weather-based irrigation controllers.
- c. Encroachments into the City right-of-way shall be limited to grade level uses including gardens, patios, landscaping, ground level decks and fences. Any new or existing fence, wall or hedge erected in the public right-of-way shall not exceed 42 inches in height. New fences shall be located in line with existing fences on the same side of the street.

The permittee shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director provides a written determination that no amendment is legally required for any proposed minor deviations.

4. Filing Fee Requirement.

- a. Filing Fee Requirement. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit the remaining permit fee of \$2,824.

IV. FINDINGS AND DECLARATIONS

A. Project Description and Background

The applicant is proposing to redevelop an existing 1,212 sq. ft., 1 story, 22 ft. high single family residence with a detached 1-car garage and 1-car carport originally constructed in 1912, resulting in a 2,190 sq. ft., 2-story, 27 ft. 11.5 in. high single family residence with a 2-car garage and 1 additional uncovered parking space on a 2,640 sq. ft. lot (30 ft. wide x 88 ft. deep). A roof deck is proposed over the portion of the first floor ([Exhibit 2](#)). The proposed project includes alteration of less than 50% of the existing foundation, floor structure, and exterior walls, but will result in alteration to greater than 50% of the existing roof structure. No grading is proposed. The standard of review for the proposed development is Chapter 3 of the Coastal Act, with the certified Venice LUP serving as guidance.

The subject site is an existing developed lot at 29 27th Avenue in the North Venice subarea of Venice, Los Angeles ([Exhibit 1](#)). The subject lot is designated as Low Medium II Residential by the certified LUP and fronts 27th Avenue, a Walk Street limited to pedestrian use, to the south and 26th Place to the north. Access to the existing and proposed onsite parking is from 26th Place. Public access to the beach is available at the terminus of 27th Avenue.

The project has obtained a Local Coastal Development Permit (CDP) issued by the City's Planning Department (Case No. DIR-2021-2649-CDP-SPP). The local approval was not appealed to the Commission. The project site is not located between the sea and first public road but is located within 300 ft. of the public beach. Thus, the site is located within the dual permit jurisdiction area of the coastal zone.

The City classified the subject project as a remodel and therefore determined that it was not subject to the requirements of the Mello Act. Regardless, the applicant has clarified that the existing home is owner occupied.

Pursuant to the Commission's adopted 2018 Science Update to its Sea Level Rise Policy Guidance, up to 6.8 ft. of sea level rise may occur within the typical 75-year development lifespan of a residential structure. The site is not located within a FEMA mapped Special Flood Hazard Area.

The LUP allows private encroachment of grade level uses including gardens, patios, landscaping, ground level decks and fences onto the Walk Street the right-of-way. Per the LUP, any fence, wall or hedge in the right-of-way shall not exceed 42 inches in height and new fences shall be located in line with existing fences on the same side of the Walk Street. Consistent with the other properties that front 27th Avenue, the subject property currently has a 60 inch-high fence that encroaches upon approximately 360 sq. ft. of the 27th Avenue right-of-way. The applicant proposes to maintain the same encroachment area. As conditioned by the City, the applicant is required to obtain a revocable encroachment permit from the City of Los Angeles Department of Public Works – Bureau of Engineering (BOE) for any encroachments in the right-of-way. **Special**

Condition 3 requires the applicants to submit a landscaping plan showing that any new or existing improvements in the right-of-way meet the LUP requirements, including a maximum height of 42 inches for any fence, wall or hedge erected in the public right-of-way. **Special Condition 3** also requires native plants and/or non-native drought-tolerant plants, which are non-invasive, and low water use irrigation.

Pursuant to the LUP, residential structures with a land use designation of Multi-family Residential – Low Medium II Density in the North Venice Subarea along Walk Streets are limited to a maximum height of 28 ft. The proposed development will have a maximum height of 27 ft. 11.5 in.

The LUP requires that two parking spaces be provided for a single-family dwelling on lots that are less than 40 ft. in width or less than 35 ft. in width if adjacent to an alley. The subject site has a width of 30 ft. and is adjacent to an alley. As proposed, the site will have a total of three off-street parking spaces, two in the garage and one additional uncovered space. Thus, the proposed development is consistent with the parking requirements of the LUP for the protection of public access.

Regarding the construction staging for the project, construction can adversely impact public access by displacing otherwise available on-street, public parking spaces or by blocking traffic. During construction, measures should be implemented to ensure that temporary impacts to public access are minimized. Therefore, **Special Condition 1** requires that a construction staging plan be submitted for Commission review and approval. All construction equipment to be stored overnight shall be stored on-site, outside the street travel-way and on-street parking and public access along the Walk Street (27th Avenue) shall be maintained at all times.

The LUP requires yards to accommodate the need for fire safety, open space, permeable land area, and on-site recreation. As proposed, the home would include a 5 ft. setback from the rear property line (26th Place), a 9 ft. 11 in. setback from the front property line (27th Avenue), and 3 ft. setbacks from the side property lines. Therefore, the proposed yard space for the subject site is adequate in terms of open space, permeable land area for on-site percolation of stormwater, and on-site recreation, consistent with the existing scale and character of the neighborhood.

The certified LUP, which provides guidance for the Commission's evaluation of the project's consistency with the policies of Chapter 3 of the Coastal Act including community character, protects architectural diversity as a characteristic that makes Venice a special coastal community. Specifically, LUP Policy I.E.2 states, in part, that "all new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods." Additionally, LUP Policy I.E.3 states, in part, that, "varied styles of architecture are encouraged...while maintaining the neighborhood scale and massing." Therefore, new structures should be sited and articulated to maintain visual compatibility with surrounding structures. To determine whether a proposed project is consistent with the community character of the area, the Commission looks, in part, at the existing development in an area to determine whether or not a proposed project is compatible.

The subject block is composed of primarily older single story and multiple story, single and multi-family residential structures of varying architectural styles ([Exhibit 3](#)). The surrounding structures are similar in size to the proposed project. The Commission has approved multiple exemptions for renovations and minor additions to nearby residential structures on 27th Avenue and in 2014 approved a CDP for demolition of an existing duplex and construction of a 2,596 sq. ft. single family residence (Ref: CDP No. 5-14-0275/21 27th Avenue). Commission staff is not aware of future development projects on 27th Avenue. The proposed development will not adversely affect the visual qualities of the area, and the project has been designed to be consistent with the community character by complying with the 28-ft. height limit and by including a significant second story step back for the portion of the structure adjacent to the Walk Street ([Exhibit 2](#)). The proposed project, as conditioned, contributes to the architectural diversity and, for the reasons described above, is unlikely to contribute to any significant adverse cumulative effect on the community character, mass and scale, and visual resources of the surrounding area.

The proposed project has the potential to degrade water quality because the proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters both during and after construction. To ensure the proposed project incorporates and implements measures to address erosion, water quality, and pollution, the Commission imposes construction-related requirements and best management practices under **Special Condition 2**.

An application fee of \$3,530 was submitted as the applicant anticipated the project would be processed as an administrative Coastal Development Permit (CDP). However, during the review of the project, it was determined that the project did not qualify for an administrative CDP. Based on the Commission's Regulations, the application fee was calculated to be \$6,354 (residential development up to 4 units (\$6,354/per residence). As only \$3,530 has been submitted, **Special Condition 4** requires that the full permit fee (\$2,824) be paid prior to the issuance of the permit.

B. Development

As proposed, the development is located within an existing developed area and is compatible with the character and scale of the surrounding area. The project provides adequate parking based on the Commission's typically applied standards. Therefore, the Commission finds that the development conforms with Sections 30250, 30251, and 30252 of the Coastal Act.

C. 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.

D. 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 activities on the marine environment. These design features include, but are not limited to, the appropriate management of equipment and construction materials. Therefore, the Commission finds 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.

E. 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 Venice LUP was certified by the Commission on June 14, 2001, and is advisory in nature and may provide guidance. 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 proposed and 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.

F. California Environmental Quality Act

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

- City of Venice certified Land Use Plan (LUP)
- City of Los Angeles local Coastal Development Permit Case No. DIR-2021-2649-CDP-SPP, dated March 18, 2022

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