

**CALIFORNIA COASTAL COMMISSION**

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**Th11b**

Appeal Filed: 05/18/2016  
49<sup>th</sup> Day: 07/06/2016  
Staff: M. Alvarado-LB  
Staff Report: 05/26/2016  
Hearing Date: 06/09/2016

**STAFF REPORT: APPEAL – NO SUBSTANTIAL ISSUE**

**Appeal Number:** A-5-VEN-16-0056

**Applicant:** John Staff

**Local Government:** City of Los Angeles

**Local Decision:** Approval with Conditions

**Appellants:** Robin Rudisill, Lydia Ponce, George Gineris, Mark Kleiman, Kevin Keresev, Sue Kaplan, and Bill Przylucki

**Project Location:** 1217-1219 Cabrillo Avenue, Venice, City of Los Angeles, Los Angeles County

**Project Description:** Appeal of City of Los Angeles Local Coastal Development Permit (Case No. ZA 2015-1473) for the conversion of a duplex into two condominiums (Parcel Map No. AA-2013-3873-PMLA).

**Staff Recommendation:** No Substantial Issue

**SUMMARY OF STAFF RECOMMENDATION**

The staff recommends that the Commission, after public hearing, determine that **no substantial issue exists** with respect to the grounds on which the appeal has been filed for the following reasons: the development, as approved by the City of Los Angeles, is consistent with the Chapter 3 policies of the Coastal Act, and therefore does not negatively impact coastal resources. Pursuant to Section 30625, the grounds of appeal are limited to whether or not a substantial issue exists as to conformity with Chapter 3 of the Coastal Act when there is an appeal pursuant to section 30602.

**Important Hearing Procedure Note:** This is a substantial issue only hearing. Testimony will be taken **only** on the question of whether the appeal raises a substantial issue. Generally, and at the discretion of the Chair, testimony is limited to 3 minutes **total** per side. Please plan your testimony accordingly. Only the applicants, persons who opposed the application before the local government (or their representatives), and the local government shall be qualified to testify. Others may submit comments in writing. If the Commission determines that the appeal does raise a substantial issue, the de novo phase of the hearing will occur at a future Commission meeting, during which it will take public testimony.

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### APPENDICES

Appendix A - Substantive File Documents

### EXHIBITS

- Exhibit 1 – Project Location
- Exhibit 2 – Preliminary Parcel Map (Exhibit “A”)
- Exhibit 3 – Appeal
- Exhibit 4 – WLAACP Notice of Local Coastal Development Permit Issuance
- Exhibit 5 – De Minimis Waiver CDP No. 5-13-0661-W
- Exhibit 6 – Commission-approved Plans for CDP No. 5-13-0661-W
- Exhibit 7 – Commission Staff Permit Compliance Letter, dated 11/30/2015

## I. MOTION AND RESOLUTION - NO SUBSTANTIAL ISSUE

**Motion:** *I move that the Commission determine that Appeal No. A-5-VEN-16-0056 raises NO Substantial Issue with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act.*

Staff recommends a **YES** vote. Passage of this motion will result in a finding of No Substantial Issue and adoption of the following resolution and findings. If the Commission finds No Substantial Issue, the Commission will not hear the application de novo and the local action will become final and effective. The motion passes only by an affirmative vote of the majority of the Commissioners present.

**Resolution:**

*The Commission hereby finds that Appeal No. A-5-VEN-16-0056 presents NO **SUBSTANTIAL ISSUE** with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act regarding consistency with Chapter 3 policies of the Coastal Act.*

## II. APPELLANTS' CONTENTIONS

On April 20, 2016, the Commission received a valid notice of final local action for Local Coastal Development Permit (CDP) No. ZA 2015-1473, which approves the conversion of two attached single family residences (duplex) into two condominiums; no physical change to the existing structure or change in density is proposed.

On May 18, 2016, within 20 working days of receipt of notice of final local decision, Robin Rudisill, Lydia Ponce, et al., filed an appeal of the local CDP alleging that the proposed project poses potentially adverse impacts to the neighborhood character of Venice and affordable housing ("Mello Act"), and that the City violated its procedures for issuing the permit (**Exhibit 3**). The appellants contend that without the proper procedures, the City-approved development could prejudice the City's ability to prepare a Local Coastal Program (LCP).

The appellants' appeal lists the following issues (**Exhibit 3**):

1. The project does not comply with the lot consolidation policies of the Venice Community Plan and the Venice Land Use Plan (LUP)
2. Angled roofline may not be adequately setback
3. A new CDP is required for the construction of the building along with the change in type of ownership
4. The De Minimis Waiver was intended for two single-family dwellings and not a duplex spanning two lots
5. Existing wall height too high and out of character; not per code
6. Access: Commission-approved project contained 3 parking spaces for each unit, for a total of 6 parking spaces. The property only contains 5 parking spaces
7. Exhibit "A" was not included
8. Mello Determination is invalid
9. VNC recommendation was ignored by City Planning

10. A copy of the permit granting authority's action on a CDP is not being mailed to persons requesting a copy such as the VNC
11. SPP compliance should be prepared for the project
12. Parcel Map Determination "timed out" at the West L.A. Area Planning Commission level which prejudices the ability of citizens to have a fair hearing

No other appeals were received prior to the end of the appeal period on May 18, 2016.

### **III. LOCAL GOVERNMENT ACTIONS**

On April 21, 2015 the applicant submitted to the City of Los Angeles Planning Department a Master Land Use Permit Application for the conversion of a duplex into condominiums; no physical change to the existing structure or change in density is proposed. The coastal development permit (CDP) application was assigned Case No. 2015-1473 and was filed concurrently with the Tentative Parcel Map (AA-2013-3873-PMLA).

On June 6, 2015, the City issued the project a CEQA Negative Declaration (ENV 2013-3872-ND). On October 21, 2015, the Zoning Administrator (ZA) approved with conditions the Local CDP No. 2015-1473 and Parcel Map No. AA-2013-3873-PMLA. The project description of the Local CDP No. 2015-1473 as approved by the ZA reads as follows:

“...a Coastal Development Permit to allow a two-unit residential condominium, in conjunction with Preliminary Parcel Map No. AA-2013-3873-PMLA, located within the single permit jurisdiction area of the California Coastal Zone”

On November 2, 2015, the ZA's determination was appealed to the West Los Angeles Area Planning Commission (WLAAPC) by the appellants, Robin Rudisill, et al. Subsequent to a public hearing held on March 16, 2016, the WLAAPC approved Local Coastal Development Permit No. ZA 2015-1473 and the Preliminary Parcel Map No. AA-2013-3873-PMLA on March 31, 2016 for the proposed conversion of two attached residential units (duplex) into two condominiums; the WLAAPC made no changes to the proposed project or the Local CDP.

On April 1, 2016, Coastal Commission received a Notice of Final Local Action for the Local CDP. However, City's Notice had the incorrect hearing date and did not include Exhibit "A" showing the final approved Parcel Map No. AA-2013-3873-PMLA. Therefore, the notice of final local action received by the Commission on April 1, 2016 was rendered invalid. On April 7, 2016, the Commission issued a Notification of Deficient Notice for the City's Final CDP Action. On April 20, 2016, Coastal Commission received a valid Notice of Final Local Action from for Local CDP No. ZA 2015-1473 from the Department of City Planning. The Commission issued a Notification of Appeal Period on April 21, 2016.

### **IV. APPEAL PROCEDURES**

Section 30600(b) of the Coastal Act provides that prior to certification of its Local Coastal Program (LCP), a local jurisdiction may, with respect to development within its area of jurisdiction in the coastal zone and consistent with the provisions of Sections 30604, 30620 and 30620.5, establish procedures for the filing, processing, review, modification, approval or denial of a coastal development permit. Pursuant to this provision, the City of Los Angeles developed a permit program in 1978 to exercise its option to issue local coastal development permits. Sections 13301-13325 of Title 14 of the California Code of Regulations provide procedures for issuance and

appeals of locally issued coastal development permits. Section 30602 of the Coastal Act allows *any* action by a local government on a coastal development permit application evaluated under Section 30600(b) to be appealed to the Commission. The standard of review for such an appeal is the Chapter 3 policies of the Coastal Act. [Cal. Pub. Res. Code §§ 30200 and 30604.]

After a final local action on a local coastal development permit application, the Coastal Commission must be noticed within five days of the decision. After receipt of such a notice which contains all the required information, a twenty working-day appeal period begins during which any person, including the applicant, the Executive Director, or any two members of the Commission, may appeal the local decision to the Coastal Commission. [Cal. Pub. Res. Code § 30602.] As provided under section 13318 of Title 14 of the California Code of Regulations, the appellant must conform to the procedures for filing an appeal as required under section 13111 of Title 14 of the California Code of Regulations, including the specific grounds for appeal and a summary of the significant question raised by the appeal.

The action currently before the Commission is to find whether there is a “substantial issue” or “no substantial issue” raised by the appeal of the local approval of the proposed project. Sections 30621 and 30625(b)(1) of the Coastal Act require a *de novo* hearing of the appealed project unless the Commission determines that no substantial issue exists with respect to the grounds for appeal.

Commission staff recommends a finding of no substantial issue. If the Commission decides that the appellants’ contentions raise no substantial issue as to conformity with Chapter 3 of the Coastal Act, the action of the local government becomes final. Alternatively, if the Commission finds that a substantial issue exists with respect to the conformity of the action of the local government with the Chapter 3 policies of the Coastal Act, the local coastal development permit is voided and the Commission typically continues the public hearing to a later date in order to review the coastal development permit as a *de novo* matter. [Cal. Pub. Res. Code §§ 30621 and 30625.] Section 13321 of the Coastal Commission regulations specifies that *de novo* actions will be heard according to the procedures outlined in Sections 13114 and 13057-13096 of the Commission’s regulations.

If there is no motion from the Commission to find no substantial issue, it will be presumed that the appeal raises a substantial issue and the Commission will schedule the *de novo* phase of the public hearing on the merits of the application at a subsequent Commission hearing. A *de novo* public hearing on the merits of the application uses the Chapter 3 policies of the Coastal Act. The Venice Land Use Plan (LUP), certified on June 14, 2001, is used as guidance. Sections 13110-13120 of Title 14 of the California Code of Regulations further explain the appeal hearing process.

If the Commission decides to hear arguments and vote on the substantial issue question, those who are qualified to testify at the hearing, as provided by Section 13117 of Title 14 of the California Code of Regulations, will have three minutes per side to address whether the appeal raises a substantial issue. The only persons qualified to testify before the Commission at the substantial issue portion of the appeal process are the applicants, persons who opposed the application before the local government (or their representatives), and the local government. Testimony from other persons must be submitted in writing. The Commission will then vote on the substantial issue matter. It takes a majority of Commissioners present to find that the grounds for the appeal raise no substantial issue.

## **V. DUAL PERMIT JURISDICTION AREA**

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 not located within the *Dual Permit Jurisdiction Area*.

## **VI. FINDINGS AND DECLARATIONS**

### **A. PROJECT DESCRIPTION**

The applicant is proposing to convert an existing three-story duplex consisting of two attached single-family residences into two condominiums. The existing structure will not be physically modified or altered, and no change in density (number of residential units) is proposed. The only change being proposed is the type of ownership.

The project site has a lot area of 4,950 net square feet located at 1217 & 1219 Cabrillo Avenue, approximately 0.44 miles inland of the beach and within the Single Permit Jurisdiction Area of the coastal zone (**Exhibit 1**). The subject site is situated in a highly urbanized, residentially developed area along Cabrillo Avenue within the North Venice Subarea. In addition, the lot is zoned RD1.5-1 (Multiple Dwelling) and designated for Low Medium II Residential by the certified Venice Land Use Plan (LUP). The front property line fronts Cabrillo Avenue and rear property line adjoins the alley, Alhambra Court. The subject site is surrounded by one- to three- story single-family and multi-family residences.

### **B. FACTORS TO BE CONSIDERED IN SUBSTANTIAL ISSUE ANALYSIS**

Section 30625(b)(1) of the Coastal Act states that the Commission shall hear an appeal of a local government action carried out pursuant to Section 30600(b) unless it finds that no substantial issue exists as to conformity with Chapter 3 of the Coastal Act. The term “substantial issue” is not defined in the Coastal Act or its implementing regulations. Section 13115(b) of the Commission’s regulation simply indicates that the Commission will hear an appeal unless it “finds that the appeal raises no significant question.” In previous decisions on appeals, the Commission had been guided by the following factors:

1. The degree of factual and legal support for the local government’s decision that the development is consistent or inconsistent with the relevant provisions of the Coastal Act;
2. The extent and scope of the development as approved or denied by the local government;
3. The significance of the coastal resources affected by the decision;
4. The precedential value of the local government’s decision for future interpretations of its LCP; and,
5. Whether the appeal raises local issues, or those of regional or statewide significance.

Even when the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of the local government’s coastal permit decision by filing petition for a writ of mandate pursuant to Code of Civil Procedure, Section 1094.5.

Staff is recommending that the Commission find that no substantial issue exists with respect to whether the local government action conforms to the provisions of Chapter 3 of the Coastal Act for the reasons set forth below.

### **C. SUBSTANTIAL ISSUE ANALYSIS**

As stated in Section IV of this report, the grounds for an appeal of a Coastal Development Permit issued by the local government prior to certification of its Local Coastal Program (LCP) are the Chapter 3 policies of the Coastal Act. Any local government Coastal Development Permit issued prior to certification of its LCP may be appealed to the Commission. The Commission shall hear an appeal unless it determines that no substantial issue exists as to conformity with Chapter 3 policies of the Coastal Act.

The issues of this appeal relate primarily to the City’s procedural process for the permit and to the proposed project’s potential impacts to the community character of Venice, public access, and to affordable housing (“Mello Act”).

The Commission’s standard of review for determining whether to hear the appeal is only whether the appeal raises a substantial issue as to conformity with Chapter 3 of the Coastal Act. Cal. Pub. Res. Code § 30625(b)(1); 14 C.C.R. § 13321. The Commission’s decision will be guided by the factors listed in the previous section of this report (B. Factors to be Considered in Substantial Issue Analysis).

The Notice of Decision on Local Coastal Development Permit No. ZA 2015-1473 issued by the City of Los Angeles indicates that the City applied the policies of Chapter 3 of the Coastal Act and concluded that the development, as proposed, would be consistent with the Chapter 3 policies, particularly Section 30250, 30251, 30252, and 30253(a) & (b) of the Coastal Act, and would not prejudice the ability of the City to prepare an LCP for the Venice Coastal Zone.

Section 30250 of the Coastal Act states, in part:

*New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources*

Section 30251 of the Coastal Act states:

*The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development*

*in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

Section 30252 of the Coastal Act states:

*The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.*

Section 30253 of the Coastal Act states, in part:

*New development shall do all of the following:*

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area...*

In order for no substantial issue to be found, the proposed project must conform to the requirements of the Chapter 3 policies of the Coastal Act (Cal. Pub. Res. Code §§ 30200-30265.5).

### **Community Character & Public Access**

The appellants contend that the 2013 Commission-approved duplex (De Minimis Waiver CDP No. 5-13-0661-W) is not consistent with the Chapter 3 policies of the Coastal Act and the standards of the Venice LUP because it does not conform to the established community character, and it is out of scale with the surrounding residences within the North Venice subarea. They argue that the Commission’s original intent under CDP No. 5-13-0661-W was for the approval of two single-family dwellings and not the three-story duplex spanning two lots as built. In addition, they maintain that the decision to convert the duplex into two condominiums during construction of the structure requires a new CDP for not only the change in type of ownership but also the construction of the duplex building and its accessory structures (i.e. wall).

The 2013 Commission-approved project, however, was for the construction of a three-story duplex spanning two lots; see **Exhibit 6** for the final approved project plans for CDP No. 5-13-0661-W. The project description of the CDP No. 5-13-0661-W as approved by Commission reads as follows, in part:

*“...(Lot Nos. 7&8; tied), and construction of two attached three-story, 35-foot high, 2,741 square foot single-family residences, each with an attached two-car garage.”*

Two attached residences are by definition a duplex. In addition, on November 30, 2015, Commission staff reviewed the as-built three-story structure on the project site for conformance



with the project approved by the Commission and confirmed no discrepancy between the existing structures and the Commission-approved structures; see **Exhibit 7** for staff's permit compliance letter dated November 30, 2015. Therefore, there are no changed circumstances with regards to this duplex's consistency with the relevant policies of Chapter 3 of the Coastal Act and the certified Venice Land Use Plan, including the two-lot consolidation which is allowable under the certified Venice Land Use Plan and the site's RD1.5 zoning designation. Furthermore, there is no action related to the physical structures to appeal at this time. The mass and scale and density of the project are not issues before the Commission as part of this appeal, and do not raise a substantial issue.

A new permit would only be necessary if substantial deviation to the approved structural plans or change in the number of units were being proposed. However, the construction of the duplex and perimeter wall, which have already been constructed, are not the development at issue. The new development at issue, subject to this appeal of Local CDP No. ZA 2015-1473, is the change in the type of ownership of the duplex from two attached single-family residential units (duplex) into two condominiums. Such conversions are not uncommon and are routinely approved because there are no adverse impacts to the surrounding environment since there will be no physical alteration to the structure, or change in the density (number of residential units) are proposed. Consequently, the appellants' contentions #1-5 enumerated above in Section II of this staff report (see Page 3) that pertain to the 2013 Commission-approved duplex structure are irrelevant and do not raise any grounds relative to this appeal of the Local CDP.

The appellants also argue that the applicants are only providing five on-site parking spaces, albeit the 2013 Commission-approved plans show six on-site parking spaces. The appellants are correct, the applicant proposed six parking spaces in 2013. They are not required, however, to maintain six on-site parking spaces based on the Venice Land Use Plan policies. The certified Venice LUP is not the standard of review for finding substantial issue, but it provides guidance from which the Commission can evaluate a project. In this case, the Venice Land Use Plan (LUP) only requires two on-site parking spaces per unit plus one guest parking space, for a total of five required on-site parking spaces. According to the applicant, the proposed project provides space on-site for six vehicles, but the sixth space falls four inches short of "official" city standard. In any case, the City (and the LUP) parking requirement for the two subject residential units is five spaces. Therefore, the parking issue does not raise a substantial issue.

### **Other Contentions**

The appellants also maintain that Exhibit "A" must be included when issuing a CDP Determination. While this contention does not constitute a substantial issue, Commission staff does agree that Exhibit "A" must be included at least in the Commission's public record. As previously stated in Section III of this report, the City's Notice of Final Action submitted to the Commission on April 1, 2016 did not include Exhibit "A", or the final City-approved plans. On April 7, 2016, the Commission issued a Notification of Deficient Notice for the City's Final CDP Action to rectify for mistakes or missing material.

The contentions relating to the City's Mello Act (affordable housing) determinations do not raise any Coastal Act issues. The Commission has no authority to review and invalidate a lead agency's CEQA determination or its Mello Act determination and thus, the appellants' contention does not constitute a substantial issue.

The appellants' remaining allegations (#8-11) enumerated in Section II of this staff report (see Page 3-4), relate to local procedural issues and other issues that are not related to conformance with Chapter 3 of the Coastal Act. For instance, the appellants argue that the project should be reviewed for compliance with the Venice Coastal Zone Specific Plan (VCZSP). The VCZSP has not been certified by the Coastal Commission, so the SPP is a local authorization and, therefore, does not raise a substantial issue regarding the project's conformity with Chapter 3 of the Coastal Act.

In addition, the appellants' allegation relating to the City's consideration of the Venice Neighborhood Council's recommendation does not raise a substantial issue with conformance to the Chapter 3 policies of the Coastal Act. The VNC is an advisory board that offers the public an additional forum for public participation to assist in local procedures. How the City considers the VNC's recommendation does not relate to whether or not the project complies with Chapter 3 of the Coastal Act, and therefore, does not raise a substantial issue regarding the project's conformity with Chapter 3.

In any case, all pertinent issues have been thoroughly addressed, and due process was provided as this project had hearings conducted by the City's Zoning Administrator, West Los Angeles Area Planning Commission, and now the Coastal Commission.

### **Conclusion**

Applying the five factors listed in the prior section clarifies that the appeal raises "no substantial issue" with respect to Chapter 3 of the Coastal Act, and therefore, does not meet the substantiality standard of Section 30265(b)(1), because the nature of the proposed project and the local government action are consistent with policies of Chapter 3 of the Coastal Act.

The first factor is the degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the relevant provisions of the Coastal Act. The City's conclusion was supported by sufficient evidence and findings. In its analysis, the City discussed consistency with the policies of the Coastal Act and concluded that the development, as proposed, would be consistent with the Chapter 3 policies, particularly Section 30250, 30251, 30252, and 30253, and would not prejudice the ability of the City to prepare an LCP for the Venice Coastal Zone. Furthermore, the proposed project was subject to review by multiple responsible City Agencies and went through the City's local public hearing process. The local coastal development permit for the proposed conversion of the duplex into two condominiums was approved by the City's Zoning Administrator and the West Los Angeles Area Planning Commission. Therefore, the Coastal Commission finds that the City provided an adequate degree of support for its decision.

The second factor is the extent and scope of the development as approved or denied by the local government. The scope of the approved development involves only a change of the type of ownership of the structure. This type of development is consistent with the policies of the Coastal Act and does not intensify the use of the site. Therefore, the scope of the approved development supports a finding that the appeal raises "no substantial" issues.

The third factor is the significance of the coastal resources affected by the decision. The significance is minimal as there are no coastal resources affected. The proposed project does not involve any physical change or change in density.

The fourth factor is the precedential value of the local government's decision for future interpretations of its LCP. The City does not currently have a certified LCP, but it does have a

certified Land Use Plan (LUP). The proposed conversion is consistent with the policies of the certified Venice LUP. The City's decision will not set an adverse precedent or prejudice the LCP. A change in the type of ownership of residential units is not uncommon. This project, as proposed and conditioned, will not prejudice the ability of the City to prepare a Local Coastal Program that is in conformity with Chapter 3 of the Coastal Act.

The final factor is whether the appeal raises local issues, or those of regional or statewide significance. Impacts to coastal resources, including community character, are important statewide issues, but this appeal raises mostly local issues. While there are several local issues that the City addressed, the City's approvals do not raise issues of statewide significance.

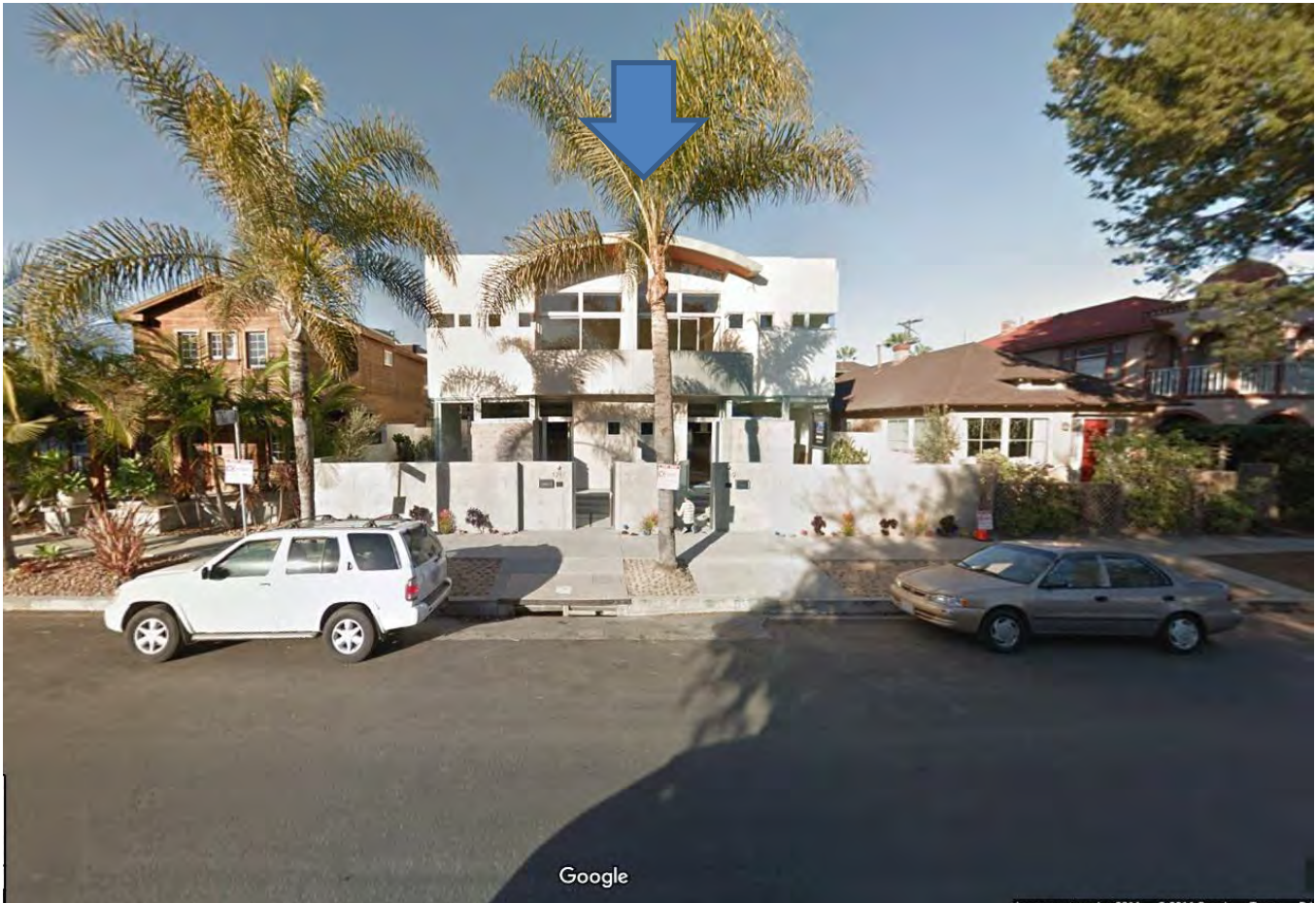
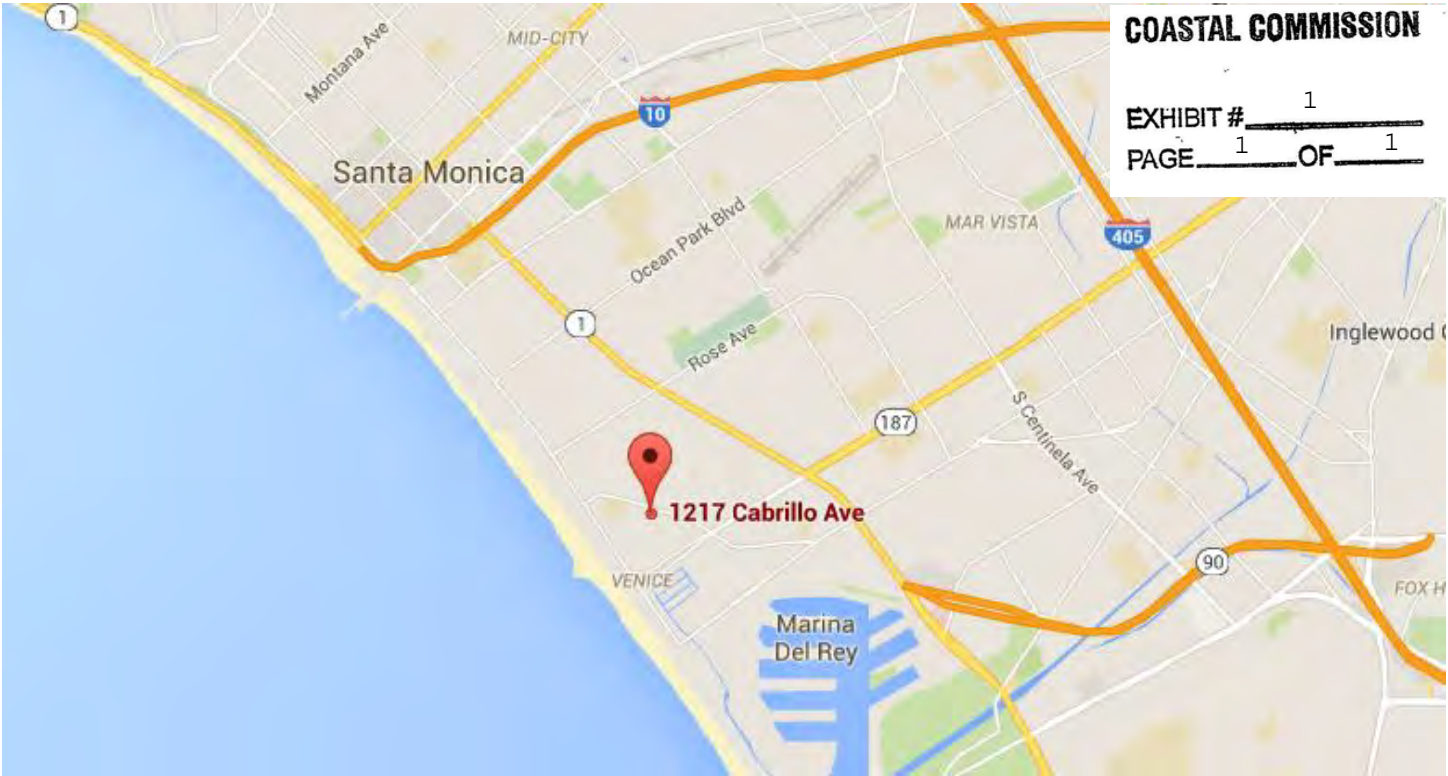
In conclusion, the issues of this appeal relate primarily to the City's procedural process for the permit and to the proposed project's potential impacts to the community character of Venice, public access, and to affordable housing. The Commission has jurisdiction to review local government's actions for consistency with the policies of the Coastal Act. In this case, the proposed project is in conformity with the Chapter 3 policies of the Coastal Act. Therefore, Commission staff recommends that the Commission find that the appeal raises no substantial issue as to conformity with Chapter 3 policies.

A-5-VEN-16-0056

Appeal – No Substantial Issue

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

- Appeal No. A-VEN-16-0056
- City of Venice certified Land Use Plan
- WLAAPC Local CDP No. 2015-1473-CDP/Report
- WLAAPC Appeal Recommendation Report
- ZA Local CDP No. ZA 2015-1473-CDP/Report



**Preliminary Parcel Map No.**

FOR CONDOMINIUM PURPOSES  
 BEING A SUBDIVISION OF LOTS 7 & 8, BLOCK 15 OF VENICE  
 OF AMERICA TRACT IN THE CITY OF AND COUNTY OF LOS ANGELES  
 AS PER MAP RECORDED IN BOOK 6, PAGES 126 & 127 OF MAPS

**Surveyor**

JACK LITTLE CO. INC.  
 17620 SHERMAN WAY  
 VAN NUYS CA. 91406  
 TEL 818 3423271



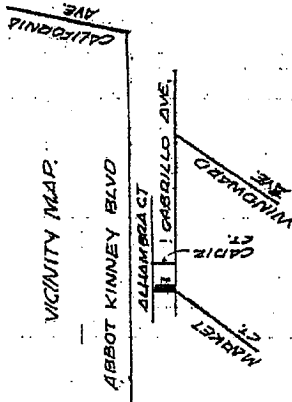
**Owner/Subdivider**

ERWIN AND ESSIE APPEL TRUST  
 2148 W. FEDERAL AVENUE  
 LOS ANGELES, CA 90025  
 310-477-7222

**Notes:**

- (1) PROPERTY ADDRESS IS 1217-1219 S. CABRILLO AVE.
- (2) ZONE: RD 15-1-0
- (3) AREA: 5100 sq ft NET AFTER WIDENING 6' 4" 4"
- (4) E.M.F. IS BEING FILED CONCURRENTLY WITH THIS MAP, IF REQUIRED.
- (5) SEWER MAIN, WATER AND GAS TRUNKS ARE AVAILABLE.
- (6) THERE ARE NO OAKS, CALIFORNIA SYCAMORES, CALIFORNIA BAY, SOUTHERN CALIFORNIA BLACK WALNUT ON SUBJECT PROPERTY.
- (7) THERE ARE NO POTENTIALLY DANGEROUS AREAS ON PROPERTY TO MY KNOWLEDGE.
- (8) PROPOSED DEVELOPMENT, TWO UNIT CONDOMINIUM, TWO COVERED PARKING SPACES PER UNIT, ONE UNCOVERED PARKING SPACE PER UNIT.

PLANNING AREA VENICE  
 D.M. 1081145  
 COUNCIL DISTRICT 11



LOS ANGELES DEPT. OF CITY PLANNING  
 SUBMITTED FOR FILING  
 TENTATIVE MAP

FEB 26 2016

- REVISED MAP
- FINAL MAP UNIT
- TIME EXTENSION
- DEPT. ADVISORY AGENCY
- DIVISION OF LAND

**RECEIVED**  
 South Coast Region

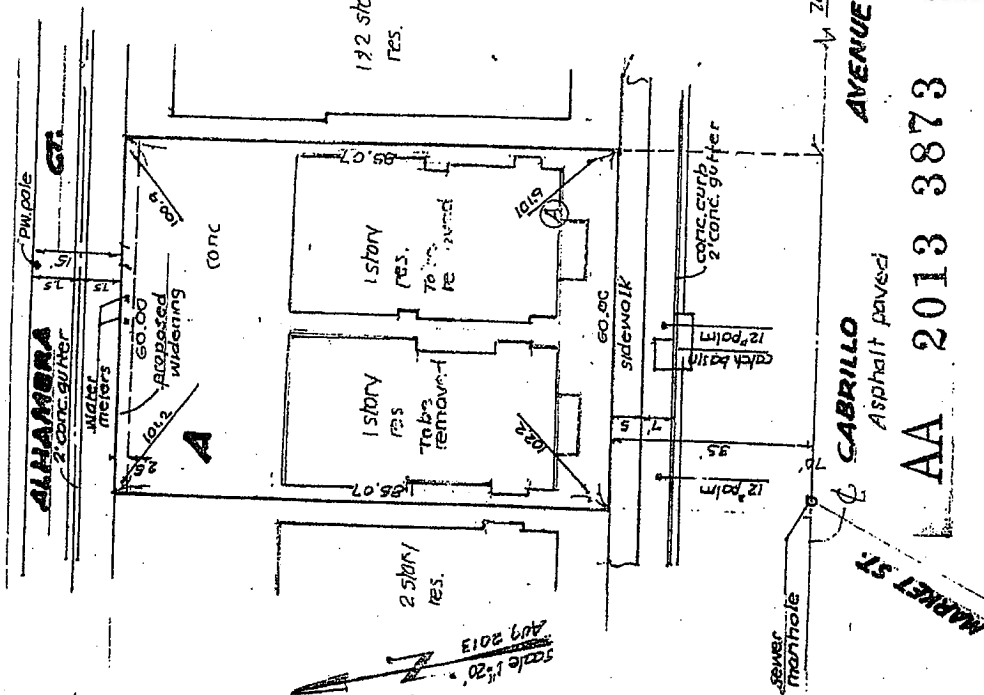
APR 20 2016

CALIFORNIA  
 COASTAL COMMISSION

COASTAL COMMISSION

EXHIBIT # 2  
 PAGE 1 OF 1

AA 2013 3873



CALIFORNIA COASTAL COMMISSION

MAY 18 2016

SOUTH COAST DISTRICT OFFICE  
200 OCEANGATE, 10<sup>TH</sup> FLOOR  
LONG BEACH, CA 90802-4416  
VOICE (562) 590-5071 FAX (562) 590-5084



CALIFORNIA  
COASTAL COMMISSION

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: See attached list

Mailing Address: 3003 Ocean Front Walk

City: Venice

Zip Code: 90291

Phone: 310-721-2343

SECTION II. Decision Being Appealed

1. Name of local/port government:

Los Angeles

2. Brief description of development being appealed:

Request for a Preliminary Parcel Map for a 1-lot subdivision for 2 condominiums, 3 stories each, totaling (difficult to find square footage on any permit, but believe it may be approximately 2,750 per unit) 5,500 sq ft, built over 2 lots, with 2 covered parking spaces and 1 uncovered parking space per condo, for a total of 6 parking spaces, on a 4,950 net sq ft site (5,100 gross sq ft), pursuant to LAMC Section 17.50, Modification of Recorded Parcel Map

3. Development's location (street address, assessor's parcel no., cross street, etc.):

1217-1219 Cabrillo Ave, Cadiz Court, APN: 423-800-3050

4. Description of decision being appealed (check one.):

Approval; no special conditions

Approval with special conditions:

Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO:

A.S.Ven.16.0056

DATE FILED:

5.18.16

DISTRICT:

South Coast

COASTAL COMMISSION

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APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator  
 City Council/Board of Supervisors  
 Planning Commission  
 Other

6. Date of local government's decision: March 31, 2016

7. Local government's file number (if any): ZA-2015-1473-CDP-1A

**SECTION III. Identification of Other Interested Persons**

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

John Staff, J. Staff Architect, 2148-C Federal Ave, L.A., CA 90025

and

Justin Michael Block Esq., Law Offices of Block & Block, APC, 1880 Century Park East, Suite 415, L.A., CA 90067

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1)

(2)

(3)

(4)

**COASTAL COMMISSION**

EXHIBIT # 3  
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Coastal Appeal of City CDP  
ZA-2015-1473-CDP-1A  
May 18, 2016  
1217-1219 Cabrillo Ave  
Appellants

Appellants filing appeal as an individual and not on behalf of the Venice  
Neighborhood Council (VNC) or its Land Use & Planning Committee (LUPC)  
or any other VNC Committee:

Robin Rudisill  
3003 Ocean Front Walk  
Venice, CA 90291

Sue Kaplan  
763 Nowita Place  
Venice, CA 90291

George Gineris  
256 Horizon Ave  
Venice, CA 90291

Mark Kleiman  
2907 Stanford Ave  
Venice, CA 90292

All Other Appellants:

Bill Przylucki  
POWER (People Organized for Westside Renewal)  
235 Hill Street  
Santa Monica, CA 90405

David Ewing  
(street address to follow)  
Venice, CA

Lydia Ponce  
837 1/2 Milwood Ave  
Venice, CA 90291

Kevin Keresey  
1807 11<sup>th</sup> Street  
Santa Monica, CA 90404

**COASTAL COMMISSION**

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APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

I. Project

The General Plan Venice Community Plan Objective 1-3 is "To preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods." Its Policy 1-3.1 is to "Seek a higher degree of architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods."

In addition, the Venice (Local Coastal Program) Land Use Plan's Policy I.E.1 states that, "Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976," and this project does not satisfy that requirement. Policy I.E.2. also states, "new development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a *scale compatible with the community* (with respect to *bulk*, height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods. Lot consolidations shall be restricted to protect the scale of existing neighborhoods."

Policy I.E.2. goes on to say, "Lot consolidations shall be restricted to protect the scale of existing neighborhoods." In addition, the Coastal Commission found in their August 2015 hearing on 416 Grand Blvd and 418-422 Grand Blvd that compounds, which includes large buildings spanning 2 or more lots, are not compatible with the existing Venice coastal neighborhoods in the North Venice Subarea.

Venice Land Use Policy I.A.1.b. states, "In order to preserve the nature and character of existing residential neighborhoods.....no more than two lots may be consolidated in the ....North Venice.....neighborhood.....lot consolidations may be permitted only subject to the following limitations.....building facades shall be varied and articulated to provide a pedestrian scale which results in consistency with neighboring structures on small lots. Such buildings shall provide habitable space on the ground floor, a ground level entrance and landscaping and windows fronting the street. No increase in the number of units shall result from the lot consolidation. Front porches, bays and balconies shall be provided to maximize architectural variety."

Further, with respect to architectural diversity, Policy I.E.3. states, "Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing."

Excerpts of the certified Venice Land Use Plan are enclosed. SEE EXHIBIT A.

The project does not comply with the above policies. In addition, it is not clear that the angled roofline which exceeds 30 feet in height is set back from the required front yard one foot for every foot in height

COASTAL COMMISSION

above 30 feet, and thus it is not clear whether the structure complies with the development standards for the North Venice Subarea.

In addition, the development appears to include a solid front wall that is much higher than 42" and thus would be higher than that allowed by the City of L.A. zoning code and would also not be consistent with the character and walkability of the area.

The project is incompatible with the scale and character of the existing neighborhood and/or would be materially detrimental to adjoining lots or the immediate neighborhood; it cannot be found that the project is compatible with the vast majority of homes in the area which are one- to two-stories and less than 30 feet in height; therefore making the project too tall and massive to be compatible with the surrounding neighborhood, particularly due to the fact that it spans two lots/is a lot consolidation, which is discouraged and restricted, as noted above, to protect the scale of existing neighborhoods. Its bulk and mass are also incompatible, and there is insufficient articulation of the façade, creating a monolithic blank wall type structure that is reminiscent of a Barnes and Noble large and bulky commercial building. See enclosed photo comparison. SEE EXHIBIT B.

It was noted in the City Appeal Hearing that the de minimis waiver considered the compatibility of the project with the mass, scale and character of the neighborhood.

That is not true, as the De Minimis Waiver is a much more high level and cursory review of a project, which essentially only considers the compatibility of a project with the Community, which is a much more homogenous entity. The Coastal Act Chapter 3 and the guidance policies in the certified Venice Land Use Plan require an analysis of compatibility of mass, scale, and character with the surrounding existing neighborhood.

In addition, because the decision to condo-ize the project was made during the construction of the duplex, a new CDP was required. When a new CDP is required during a project (as opposed to some months or years subsequent to a project's completion), this CDP takes the place of any existing CDP or in this case "de minimis waiver." It must take its place. Per both City and State, only one Coastal Clearance for a project is allowed. According to the Zoning Administrator, this is why City Planning required a CDP for the entire project, and not just a CDP approving the conversion from duplex to Condos. Thus, this new CDP must include adequate Findings, including the Findings regarding conformance with Chapter 3 policies and the appropriate Interpretive Guidelines, as well as the Finding that the project does not prejudice the ability of the City to prepare a local coastal program in conformity with Chapter 3. This CDP does not make those Findings. The project's construction should have stopped, as requested by the Venice Neighborhood Council, once it was determined that a CDP and new Coastal Clearance was required. It must be denied and the project reconsidered and changed in light of the need to conform with Chapter 3 policies.

Access: The De Minimis Waiver originally approving the project, dated September 20, 2013, and the CEQA MND both require 3 parking spaces for each unit, or 6 total parking spaces. The project contains 5 parking spaces.

It should be noted that when the Coastal Commission gave the de minimis waiver for this project that they were under the understanding that it was two single-family dwellings. That would have been a very different project than a large, 3-story, bulky duplex spanning two lots. Mistakes happen, but this one should have been caught by the City Planner who provided clearance of the Building Permit using this de minimis waiver, as the waiver was clearly for a different project than that of the Building Permit. In addition, it should have been noted that the project including a parcel map for

**COASTAL COMMISSION**

EXHIBIT # 3  
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condominiums, and thus it should not have been cleared. It is because of this planner's dereliction of duty that the project was built without the proper CDP, and the fact that the project is substantially complete prejudices the CDP decision. In addition, the Advisory Agency should have noted the lack of a CDP application for the related PMLA, and their dereliction of duty also caused the building to be built without the proper permits in place, which, again, prejudices the decisions that were made for the CDP and the PMLA, at both the City ZA and the West L.A. Area Planning Commission levels.

Cumulatively, the City's actions to approve this CDP could prejudice its ability to develop a certified Local Coastal Program as it does not comply with the above-mentioned Coastal Act and certified Venice Land Use Policies.

Lastly, the Findings are conclusory and do not provide an explanation of how any facts provided, in consideration of the applicable policies, lead to the Finding made. For this reason alone, to the extent that any one of the Findings is conclusory and thus inadequate, the CDP MUST be denied. In addition, evidence of the facts of most of the statements made could not be readily found and some of the most important and applicable policy sections of both the Coastal Act and the Venice Land Use Plan were not included in the policies listed as the ones the Decision Maker considered.

## 2. Process:

The Venice Neighborhood Council (VNC) sent two letters to City Planning with regard to this project, and neither were mentioned or addressed in the CDP determination. Neighborhood Councils such as ours exist as per the City Charter and are for the purpose of "aiding in the conduct of the people's business." The VNC makes recommendations that result from a significant amount of hours worked by many dedicated volunteers, who care very much about their Community and who take this work very seriously. We volunteers do all that we do in good faith that it will make a difference, as it should. To ignore these recommendations, particular when there is a recommendation for a denial, is unacceptable. In this case, the assigned LUPC Staff person analyzed the case and the Venice Land Use & Planning Committee heard the case. The VNC Board subsequently also conducted a Public Hearing for the case and ultimately sent an official letter from the VNC President recommending denial. The City does not appear to be required to insist that a Neighborhood Council review every case for which the City issues a determination, however, *they should not be allowed to ignore a Neighborhood Council's recommendations, which are achieved via a very carefully City and Brown-Act controlled process, particularly when it is a denial. The reasons for the denial should be addressed and it should be explained in the Determination why the City Decision Maker does not believe that the concerns are an issue for purposes of their determinations. The Neighborhood Council reports provided to the City also include important evidence and cannot and should not be ignored.*

## May 6, 2015 MOTION:

The VNC Board requests that construction on this project stop until a City CDP together with a parcel map for 2 condominiums and a Venice Coastal Zone Specific Plan compliance review (SPP) are obtained. Once all applications have been submitted, the VNC Board requests that the project be resubmitted to the VNC's Land Use & Planning Committee and the VNC Board will then make a recommendation to you on the project. I would very much appreciate it if you would please confirm with me that construction will stop and that there will be no case Determinations issued prior to the receipt of the VNC recommendation for the project. Once the CDP and SPP applications are filed, please forward the case documents to the VNC (at the PO Box indicated above) for review of the case and issuance of our recommendation, which I will assure is expedited.

**COASTAL COMMISSION**

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September 17, 2015 MOTION:

The VNC Board recommends denial of the CDP and PMLA for the project as presented as it does not meet the qualitative standards of the Coastal Act and the Venice Land Use Plan.

SEE EXHIBIT C

Findings should reference the Venice Community Plan Land Use Plan, which is part of the L.A. General Plan and is certified by the Coastal Commission and as such is used as guidance for determining adherence with Chapter 3 of the Coastal Act.

Exhibit A MUST be included when issuing a CDP Determination. In addition, Condition 2. States that "...Exhibit "A", except as may be revised as a result of this action." If the Exhibit A plans are revised subsequent to the determination then there will be no control over the process and there is no mechanism or process for the Public to receive such revised plans. This process must be evaluated and considered for modification so that the Public is notified of the final plans. For example, if someone wants to do an Appeal of the project, this kind of a statement leaves the plans open ended and they cannot be certain whether the plans in Exhibit A are the final plans that they would be appealing.

City Ordinance 151,603 requires that, "A copy of the permit-granting authority's action approving, conditionally approving or disapproving any application for a Coastal Development Permit, along with any findings made and conditions imposed in connection therewith, shall be mailed to the applicant and to any person or persons who, in writing, request a copy of such action." This is not being done and is a major violation. For just one, the Venice Neighborhood Council always requests in their recommendation letter that:

"Please provide us a copy of the determination letter, *including all Exhibits*, via email to [president@venicenc.org](mailto:president@venicenc.org), vice [vice president@venicenc.org](mailto:vice_president@venicenc.org), and [chair-lupc@venicenc.org](mailto:chair-lupc@venicenc.org), in addition to mailing it to the VNC at the address indicated in the letterhead above...."

The case being approved should be a CDP-SPP-MEL. The Mello Determination was processed with a VSO compliance procedure, which is not appealable, and therefore the Mello Determination is invalid as it is in violation of the Mello Act Interim Administrative Procedures. **SEE EXHIBIT D FOR IMPORTANT DETAILS ON THE MELLO ACT VIOLATION ISSUE**

In addition, the Venice Neighborhood Council Board requested in their May 6, 2015 letter to Kevin Golden and Joey Vasquez that a SPP be prepared for the project, due to the significant errors made to date--by the Coastal Commission on its de minimis waiver, due to the Planner in using that de minimis waiver to clear the building permit for a different project description (duplex, not 2 SFID's), due to the building's size and the significant public concern, including public outcry that the structure resembles Barnes and Noble, a large bulky department store, and in order that the Mello Determination error be corrected; but this request was ignored and construction did not stop for quite some time, causing the building to be substantially completed. Also, VNC President Mike Newhouse asked that Kevin Golden and Joey Vasquez confirm with him that construction would stop pending the CDP processing/issuance; but this request was ignored. These VNC requests/recommendations were ignored and a SPP was not done, nor was the Mello Determination done either as a part of the CDP, which is where it should be included, or as a separate case (albeit a questionable procedure, and possibly only slightly better than being included with a VSO as there is no notice of its issuance....).

See also notes and more details on the attached "Marked" CDP Determination, dated October 21, 2015 -- SEE EXHIBIT E and on the attached "Marked" PMLA Determination, dated October 21, 2015 -- SEE EXHIBIT F

**COASTAL COMMISSION**

EXHIBIT # 3  
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Also of great concern is that the related Parcel Map Determination "timed out" at the West L.A. Area Planning Commission (WLAAPC) level. The City Charter requires an Area Planning Commission to exercise its power to hear such appeals. This timing out of the related parcel map/subdivisions determination prejudices the ability of the citizens to have a fair hearing on the related CDP. Appellant Robin Rudisill pursued the issue with the WLAAPC, City Planning and the Coastal Commission. No valid explanation or offer to correct the problem was given. It is unconscionable that no one at the City would see fit to pursue this obvious violation of the City Charter in order to honor the citizens'/ Appellants right to due process and a fair appeal hearing on the matter. It is shocking that it appears that no one at the City or State level is interested in correcting such problems or abuses, and one can only conclude that they must all condone it, as persons in Public Service are required to act in the Public's Interest at all times and are required to disclose improper governmental activities within their knowledge. SEE EXHIBITS G AND H.

**COASTAL COMMISSION**

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APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

GERARDO GONZALEZ  
Sue Tafan

Mark Nelson  
John Russell Lydia Perce  
Signature of Appellant(s) or Authorized Agent

Date: May 18, 2016  
Kevin Crosby

Note: If signed by agent, appellant(s) must also sign below.

**Section VI. Agent Authorization**

Bill Boylston POWER

I/We hereby authorize

to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date:

**COASTAL COMMISSION**

EXHIBIT # 3  
PAGE 9 OF 9



S. Ven. 16. 0044

# West Los Angeles Area Planning Commission

200 North Spring Street, Room 532, Los Angeles, CA 90012-4801 South Coast Region  
(213) 978-1300; www.planning.lacity.org

RECEIVED

APR 20 2016

CORRECTED COPY (HEARING DATE)

## NOTICE OF COASTAL DEVELOPMENT PERMIT ISSUANCE CALIFORNIA COASTAL COMMISSION

Mailing Date: APR 18 2016

**California Coastal Commission**  
South Coast District Office  
200 Ocean Gate, Suite 1000  
Long Beach, CA 90802

**Case No.:** ZA-2015-1473-CDP-1A  
**CEQA:** ENV-2013-3872-ND  
**Location:** 1217 – 1219 S. Cabrillo Avenue  
**Council District:** 11 – Bonin  
**Plan Area:** Venice  
**Zone:** RD1.5-1-1-O

**Applicant name/address**

John Staff  
2148-C Federal Avenue  
Los Angeles, CA 90025

**Representative name/address**

Justin Block  
1880 Century Park East, # 415  
Los Angeles, CA 90067

The above-referenced **Coastal Development Permit** was **approved** effective **March 31, 2016**, pursuant to a public hearing conducted by the West Los Angeles Area Planning Commission on **March 16, 2016**. An appeal was not filed with the City Council during the mandatory appeal period or no appeal to City Council was permitted from the Commission's action; whichever is indicated in the Commission's Determination Report.

Appeals must be filed within a **20 working-day appeal period**, to be determined by the South Coast District Office of the Coastal Commission in accordance with said Commission's procedures.

- ( ) The proposed development **is in the dual permit jurisdiction area**, and will require an additional permit from the California Coastal Commission upon the expiration of the above 20-working-day appeal period.
- (X) The proposed development **is in the single permit jurisdiction area**, and if the application is not appealed within the 20-working-day period the applicant may proceed with the subject project.

Attachments: Coastal Development Permit/West Los Angeles APC Determination Letter, Zoning Administrator's Determination Letter, miscellaneous relevant documents

cc: Applicant, applicant's representative (Notice, Coastal Permit/APC Determination)  
Determination Letter mailing list (Notice & Coastal Permit/APC Determination)  
Associate Zoning Administrator: Jose Carlos Romero Navarro

**COASTAL COMMISSION**

EXHIBIT # 4  
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# WEST LOS ANGELES AREA PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801  
(213) 978-1300; [www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

**Mailing Date:** MAR 31 2016

**Case No.:** ZA-2015-1473-CDP-1A  
**CEQA:** ENV-2013-3872-ND  
**Related Case:** DIR-2016-524-MEL-1A

**Location:** 1217-1219 S. Cabrillo Avenue  
**Council District:** 11 – Bonin  
**Plan Area:** Venice  
**Requests:** Coastal Development Permit

**Applicant:** John Staff, J. Staff Architect

**Appellant:** Robin Rudisill, Manuel Katz, Stephen Pouliot, Brian Finney, Lydia Ponce, Mark Kleiman, Irv Katz, Sue Kaplan, George Gineris,

**At its meeting on March 16, 2016, the following action was taken by the West Los Angeles Area Planning Commission:**

1. **Denied the appeal.**
2. **Sustained** the determination of the Associate Zoning Administrator in **approving a Coastal Development Permit** to allow a two-unit residential condominium within the single-permit jurisdiction of the California Coastal Zone (attached).
4. **Adopted the Findings** of the Associate Zoning Administrator (attached).
5. **Adopted Negative Declaration No. ENV-2013-3872-ND.**

**Fiscal Impact Statement:** There is no General Fund Impact as administrative costs are recovered through fees.

**This action was taken by the following vote:**

**Motion:** Halper  
**Seconded:** Donovan  
**Ayes:** Margulies, Merritt  
**Absent:** Waltz-Morocco

**Vote:** 4 - 0

  
\_\_\_\_\_  
**James K. Williams, Commission Executive Assistant II**  
**West Los Angeles Area Planning Commission**

**Effective Date/Appeals:** The West Los Angeles Area Planning Commission's determination is final and not further appealable.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachment: Determination of the Associate Zoning Administrator dated October 21, 2016  
City Planner: Jose Carlos Romero Navarro  
City Planning Assistant: Joey Vasquez

**COASTAL COMMISSION**

EXHIBIT # 4  
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LINN K. WYATT  
CHIEF ZONING ADMINISTRATOR

**ASSOCIATE ZONING ADMINISTRATORS**

JACK CHIANG  
LOURDES GREEN  
THEODORE L. IRVING  
CHARLES J. RAUSCH, JR.  
JIM TOKUNAGA  
FERNANDO TOVAR  
DAVID S. WEINTRAUB  
MAYA E. ZAITZEVSKY

**CITY OF LOS ANGELES**  
CALIFORNIA



ERIC GARCETTI  
MAYOR

**DEPARTMENT OF  
CITY PLANNING**

MICHAEL J. LOGRANDE  
DIRECTOR

**OFFICE OF  
ZONING ADMINISTRATION**

200 N. SPRING STREET, 7<sup>TH</sup> FLOOR  
LOS ANGELES, CA 90012

(213) 978-1318

FAX: (213) 978-1334

www.planning.lacity.org

October 21, 2015

John Staff (A)  
J. Staff Architect  
2148-C Federal Avenue  
Los Angeles, CA 90025

Sheldon Appel (O)  
2148-A Federal Avenue  
Los Angeles, CA 90025

Justin Michael Block, Esq. (R)  
Law Offices of Block & Block, APC  
1880 Century Park East, Suite 415  
Los Angeles, CA 90067

CASE NO. ZA-2015-1473(CDP)  
COASTAL DEVELOPMENT PERMIT  
Related Case: AA-2013-3873-PMLA  
1217-1219 South Cabrillo Avenue  
Venice Planning Area  
Zone : RD1.5-1-O  
D. M. : 108B145  
C. D. : 11  
CEQA : ENV-2013-3872-ND  
Legal Description : Lots 7 and 8,  
Block 15, Venice of America Tract

Pursuant to Los Angeles Municipal Code Section 12.20.2, I hereby APPROVE:

a Coastal Development Permit to allow a two-unit residential condominium, in conjunction with Preliminary Parcel Map No. AA-2013-3873-PMLA, located within the single permit jurisdiction area of the California Coastal Zone,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

**COASTAL COMMISSION**

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4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. The conditions of approval established under Preliminary Parcel Map No. AA-2013-3873-PMLA shall be required as conditions of approval of these requests and shall be satisfied prior to the utilization of this grant (see attached Preliminary Parcel Map No. AA-2013-3873-PMLA Conditions of Approval).
7. Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.
8. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City

**COASTAL COMMISSION**

Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement. (b)
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

**COASTAL COMMISSION**

EXHIBIT # 4  
PAGE 5 OF 13

**OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES**

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

**TRANSFERABILITY**

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

**VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR**

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

**APPEAL PERIOD - EFFECTIVE DATE**

The applicant's attention is called to the fact that this authorization is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or not complied with, then this authorization shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Zoning Administrator's determination in this matter will become effective November 5, 2015, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before

**COASTAL COMMISSION**

the above date or the appeal will not be accepted. Forms are available on-line at <http://cityplanning.lacity.org>. Public offices are located at:

Figueroa Plaza  
201 North Figueroa Street,  
4th Floor  
Los Angeles, CA 90012  
(213) 482-7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Boulevard, Room 251  
Van Nuys, CA 91401  
(818) 374-5050

Furthermore, this coastal development permit shall be subject to revocation as provided in Section 12.20.2-J of the Los Angeles Municipal Code, as authorized by Section 30333 of the California Public Resources Code and Section 13105 of the California Administrative Code.

Provided no appeal has been filed by the above-noted date, a copy of the permit will be sent to the California Coastal Commission. Unless an appeal is filed with the California Coastal Commission before 20 working days have expired from the date the City's determination is deemed received by such Commission, the City's action shall be deemed final.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

#### NOTICE

The applicant is further advised that all subsequent contact with this Office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

#### FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on September 9, 2015, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements and prerequisites for granting a coastal development permit as enumerated in Section 12.20.2 of the Municipal Code have been established by the following facts:

**COASTAL COMMISSION**

EXHIBIT # 4  
PAGE 7 OF 13

**BACKGROUND**

The subject property is a level, rectangular-shaped, interior, parcel of land, consisting of two lots, having a frontage of 60 feet on the north side of Cabrillo Avenue and a uniform depth of approximately 85 feet. The subject site has a lot area of 4,950 net square feet. The subject site is zoned RD1.5-1-O and designated Low Medium II Residential in the Venice Community Plan. The property is located within the Venice Coastal Zone Specific Plan (North Venice Subarea) and the Coastal Transportation Corridor Specific Plan.

The subject property is under construction with the proposed project and is 80 percent to 90 percent complete. Surrounding properties to the north are zoned C2-1-O-CA and are developed with single-family and multi-family dwellings, and retail businesses. Surrounding properties to the east, west, and south are zoned RD1.5-1-O and are developed with single-family and multi-family dwellings.

The Preliminary Parcel Map was approved to merge two lots and re-subdivide for a one-lot subdivision for two condominium units. The project is located within the North Venice Subarea of the Venice Coastal Zone Specific Plan. Per the subarea standards, a maximum of two dwelling units per lot are permitted on multiple-family residentially-zoned lots. The lot area per dwelling unit is required to be not less than 1,500 square feet on RD1.5 zoned lots. The lot is 4,950 square feet after dedication. A maximum height of 35 feet is permitted for projects with varied rooflines, provided that any portion of the roof that exceeds 30 feet is set back from the required front yard at least one foot in depth for every foot in height above 30 feet. As designed, the duplex will be three stories with a maximum height of 35 feet. The subarea regulations require a front yard setback consistent with the Los Angeles Municipal Code (LAMC). The project will maintain a 15-foot front yard setback as required in the RD1.5 Zone.

The Venice Specific Plan requires two parking spaces for each dwelling unit plus a minimum of one guest parking space for each four or fewer units for multiple dwellings and a duplex on a lot of 40 feet or more in width. Based on this standard a total of five parking spaces are required. The project will provide two parking spaces per unit within an enclosed garage plus one uncovered space, for a total of five parking spaces. Originally the plan was to provide two uncovered spaces, for a total of six parking spaces, however, during plan check it was determined that there was not enough area for two spaces so one space was eliminated. Vehicular access to the project will be provided from the alley (Alhambra Court) as required by the Specific Plan.

On September 20, 2013, the California Coastal Commission issued a letter waiving the requirements for a coastal development permit. The letter stated that the proposed project, which is located one-half mile inland of the beach, has received approval from the City of Los Angeles Planning Department (Case No. DIR-2013-1784-VSO-MEL, issued on June 14, 2013) and is consistent with the RD1.5-1 zoning designation, the Venice Specific Plan, and the surrounding land uses. The subject Coastal Development Permit, however, is required for the proposed parcel map. The City of Los Angeles

**COASTAL COMMISSION**

Housing Department determined that there are no affordable housing units on the site (Case No. DIR-2013-1784-VSO-MEL).

Cabrillo Avenue, adjoining the property to the south is designated Local Standard dedicated a width of 70 feet and improved with asphalt roadway, concrete sidewalk, curb, and gutter.

Previous related actions on the site include:

Case No. AA-2013-3873-PMLA – On October 21, 2015, the Advisory Agency approved a parcel map composed of one lot, for a maximum two-unit residential condominium.

### **PUBLIC HEARING**

A public hearing on the project was conducted on September 9, 2015. At the public hearing the applicant's representatives spoke. They described the project and stated that the project was approved by the City and the Coastal Commission (waiver). Further, the project was found to be consistent with the Venice Specific Plan and the character of the area. No other persons spoke at the hearing.

### **MANDATED FINDINGS**

In order for a coastal development permit to be granted all of the requisite findings maintained in Section 12.20.2 of the Los Angeles Municipal Code must be made in the affirmative. Following is a delineation of the findings and the application of the facts of this case to same.

1. **The development is in conformity with Chapter 3 of the California Coastal Act of 1976.**

Chapter 3 of the California Coastal Act provides standards by which "...the permissibility of proposed developments subject to the provision of this division are determined." Pertinent to the instant request are the policies with respect to Development.

Section 30250 of the Coastal Act provides that "New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources."

The proposed development is consistent with the above-referenced policy as it is an infill development in a multi-family and commercially zoned area. No deviations from the Municipal Code's zoning regulations with regards to building

**COASTAL COMMISSION**



height, parking, yards, lot coverage, or any other provisions have been requested. On October 18, 2013, a De Minimis Waiver was issued by the Coastal Commission for the project structure.

The proposed project can be accommodated by the existing infrastructure and by existing public services. The area surrounding the project is developed with a mix of single-family and multi-family dwellings, and commercial uses, thereby making the project site contiguous with, and in close proximity to existing developed areas that are able to accommodate it.

Section 30251 of the Coastal Act provides that "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas."

The subject site is not located near the shoreline and therefore will not impact or impair public views. Additionally, the project was found to be in compliance with the Venice Coastal Zone Specific Plan (Case No. DIR-2013-1784-VSO-MEL).

Section 30252 of the Coastal Act provides that the location of new development should maintain and enhance public access to the coast. The proposed project will neither interfere nor reduce access to the shoreline as the site is located approximately one-half mile from the ocean via roadways, and does not have direct access to any water or beach.

Section 30253 of the Coastal Act states that new development shall minimize risks to life and property in areas of high geologic, flood, and fire hazard; and assure stability and structure integrity, and neither create nor contribute significantly to erosion, geologic instability or destruction of the site or surrounding area or in any way require the construction of protective devices that substantially alter natural landforms along bluffs and cliffs.

The proposed project was subject to review by responsible City Agencies, including the Bureau of Engineering, the Department of Building and Safety, Zoning Section and Grading Section. Their conditions of approval have been incorporated into the conditions of approval of the accompanying Preliminary Parcel Map.

2. **The development will/will not prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act of 1976.**

**COASTAL COMMISSION**

EXHIBIT # 4  
PAGE 10 OF 13

The project is consistent with the goals of the California Coastal Act and the project will not prejudice the development, adoption or implementation of a Local Coastal Program (LCP) for the Venice Coastal Zone.

The Land Use Plan portion of the Venice Local Coastal Program has been certified by the California Coastal Commission pursuant to the California Coastal Act of 1976. The adopted Venice Community Plan designates the subject property for Low Medium II Residential density with corresponding zones of RD1.5, RD2, RW2, and RZ2.5. The 0.11 acre property is zoned RD1.5-1. The project is located in the North Venice subarea of the Venice Coastal Zone Specific Plan. The proposed map is consistent with the land use and development regulations of the Specific Plan. Therefore, there is no apparent reason to conclude that the approval of a two-unit condominium would interfere with the implementation of a Local Coastal Program.

3. **The Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed and considered in light of the individual project in making this determination. Such Guidelines are designed to provide direction to decision-makers in rendering discretionary determinations on requests for coastal development permits pending adoption of an LCP. In this instance, the Guidelines standards concerning the following are relevant:**

The Guidelines are designed to provide direction to decision makers in rendering discretionary determinations on requests for coastal development permits pending adoption of an LCP, most specifically associated with new development. In this instance, the project conforms with the Guideline standards for the Venice Community Plan and the Venice Coastal Zone Specific Plan with regards to land use, density, design, and parking. The project was found to be in compliance with the Venice Coastal Zone Specific Plan (Case No. DIR-2013-1784-VSO-MEL). No deviations from any existing, applicable provisions have been requested.

With respect to locating and planning new development, the lot does not provide access to or from the beach as it is removed one-half mile inland and there is no evidence of any previous public ownership of the lot. All of the lots in the vicinity which are classified in the same zone are being, or have been developed with residential uses. The project will not conflict with the goal of providing appropriately located public access points to the coast.

4. **The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local**

**COASTAL COMMISSION**

**governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.**

No outstanding issues indicate any conflict between this decision and any other decision of the Coastal Commission regarding addition to or development of new multi-family dwellings in the Venice area. In addition, on October 18, 2013, a De Minimis Waiver was issued by the Coastal Commission for the project structure.

5. **The development is/is not located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, and the development is/is not in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.**

The project site is located approximately one-half mile from the ocean. The proposed project will neither interfere nor reduce access to the shoreline as the site is not located near any shoreline.

6. **An appropriate environmental clearance under the California Environmental Quality Act has been granted.**

On July 6, 2015, a Negative Declaration (ENV-2013-3872-ND) was prepared for the proposed project. The lead agency found that the proposed project could not have a significant effect on the environment.

#### **ADDITIONAL MANDATORY FINDINGS**

7. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone B, areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than 1 foot or where the contributing drainage area is less than 1 square mile; or areas protected by levees from the base flood.
8. On July 6, 2015, the City Planning Department Environmental Staff Advisory Committee (ESAC) issued Negative Declaration No. ENV-2013-3872-ND (Article V - City CEQA Guidelines) and determined that this project will not have a significant effect on the environment. I hereby adopt that action. This Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. OR The records upon which this decision is based are with the Planning Department in Room 351, 6262 Van Nuys Boulevard.

**COASTAL COMMISSION**

EXHIBIT # 4  
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Inquiries regarding this matter shall be directed to Joey Vasquez, Planning Staff for the Plan Implementation Division at (213) 978-1487.



JACK CHIANG  
Associate Zoning Administrator

JC:JV:thb

cc: Councilmember Mike Bonin  
Eleventh District  
Adjoining Property Owners

**COASTAL COMMISSION**

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PAGE 13 OF 13

**CALIFORNIA COASTAL COMMISSION**

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



September 20, 2013

John Staff, Architect  
 2148-C Federal Avenue  
 Los Angeles, CA 90025

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments  
 Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a coastal development permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER:** 5-13-0661                      **APPLICANT:** E & E Trust of 1975 (Attn: Sheldon Appel)

**LOCATION:** 1217 & 1219 Cabrillo Avenue, Venice, City of Los Angeles, Los Angeles County.

**PROPOSED DEVELOPMENT:** Demolition of a duplex and single-family residence on two abutting 2,550 square foot lots (Lot Nos. 7&8: tied), and construction of two attached three-story, 35-foot high, 2,741 square foot single-family residences, each with an attached two-car garage.

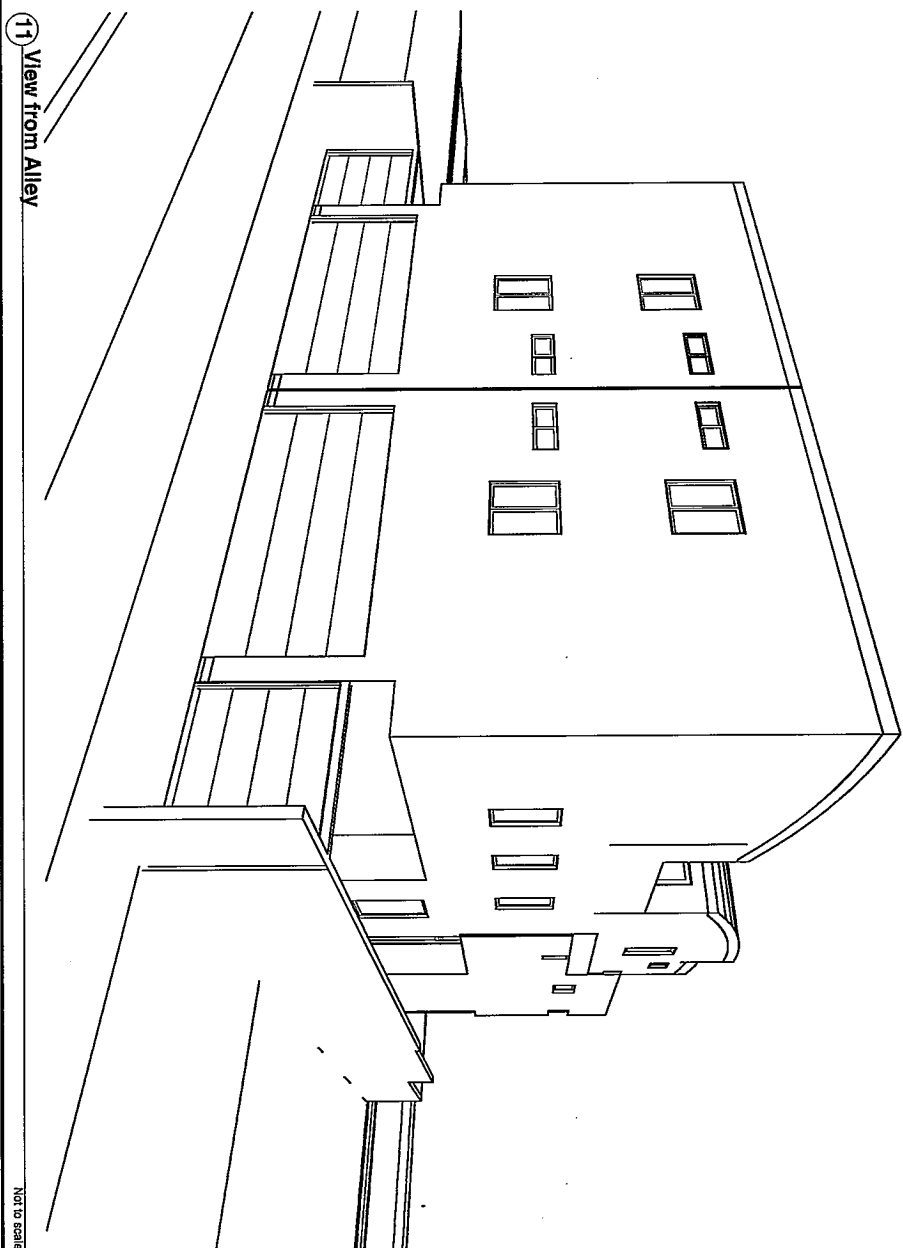
**RATIONALE:** The proposed project, which is located one-half mile inland of the beach, has received approval from the City of Los Angeles Planning Department (Case #DIR-2013-1784, 6/14/13) and is consistent with the RD1.5-1 zoning designation and the surrounding land uses. The City of Los Angeles Housing Department determined that there are no affordable housing units on the site (6/5/13). The proposed project conforms with the Commission's 30-to-35-foot height limit for structures in North Venice, and the two single-family residences conform to the Commission's density limit for the site. Adequate on-site parking is provided (three spaces for each residence). Vehicular access is provided only from Alhambra Court, the rear alley. 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 (910 square feet of permeable landscaped area will be maintained on the 5,100 square foot project site). The proposed project is consistent with community character, and will have no negative effects on visual resources or coastal access. The 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.

This waiver will not become effective until reported to the Commission at its **October 9, 2013 meeting in San Diego** and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

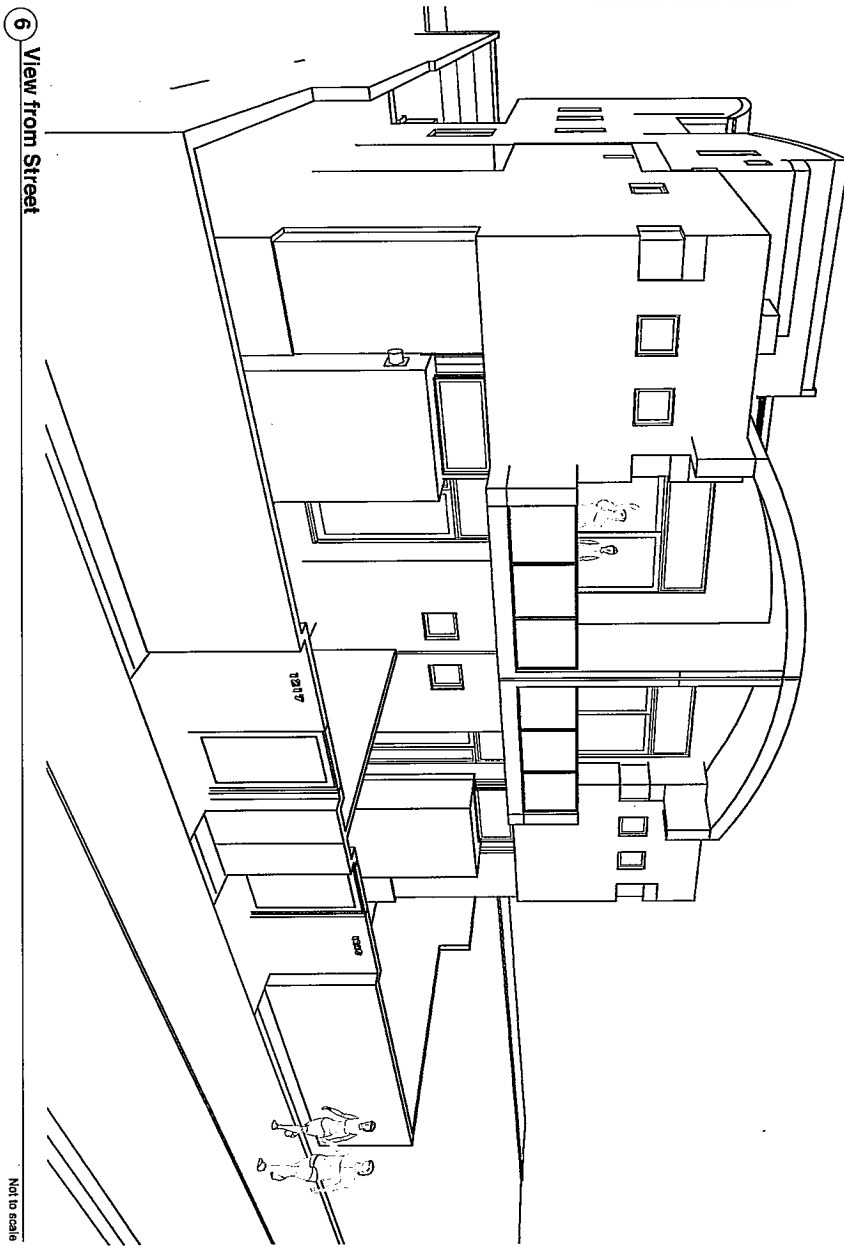
**COASTAL COMMISSION**

CHARLES LESTER  
 Executive Director  
 cc: Commissioners/File

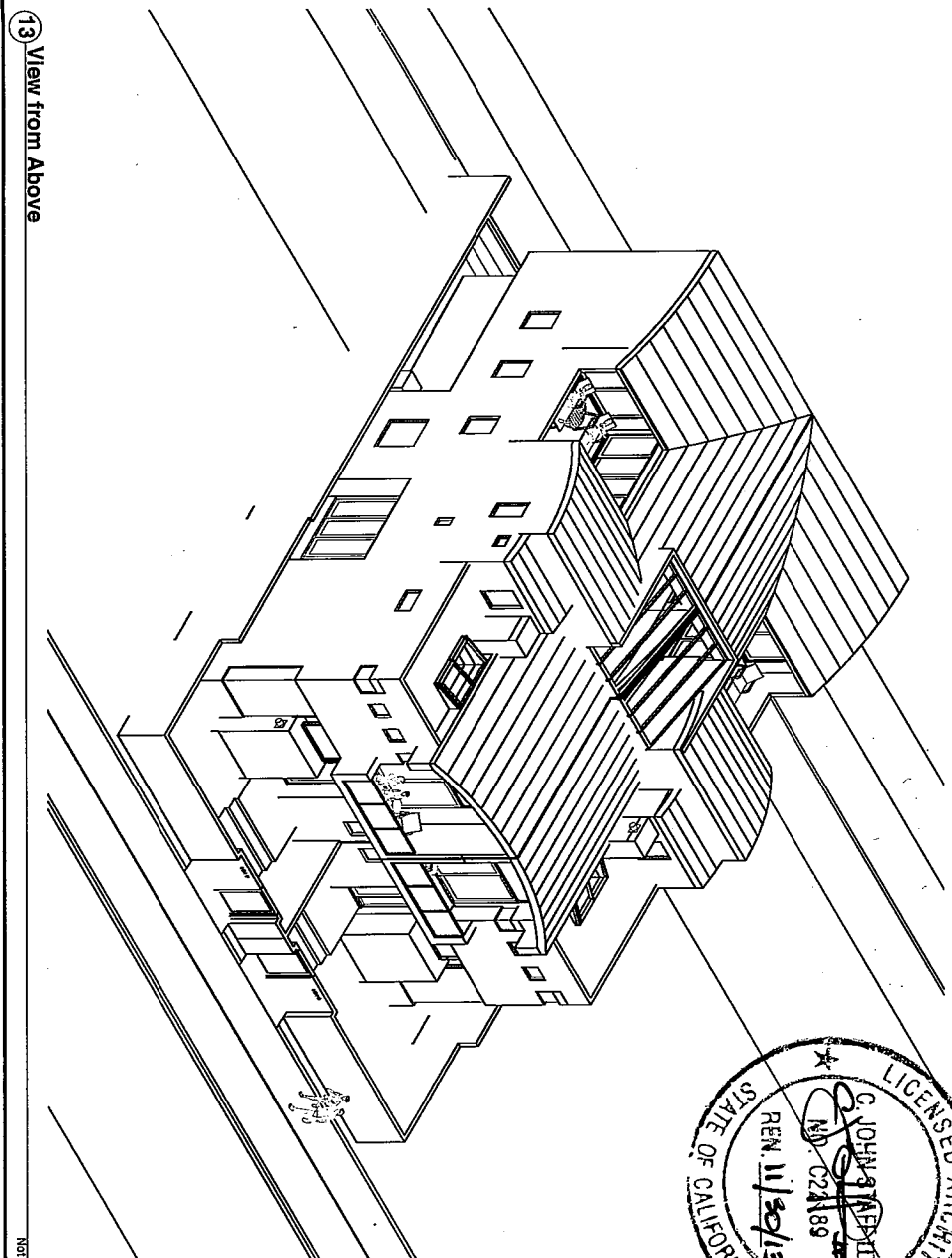
EXHIBIT # 5  
 CHARLES R. PO: PAGE 1 OF 1  
 Coastal Program A



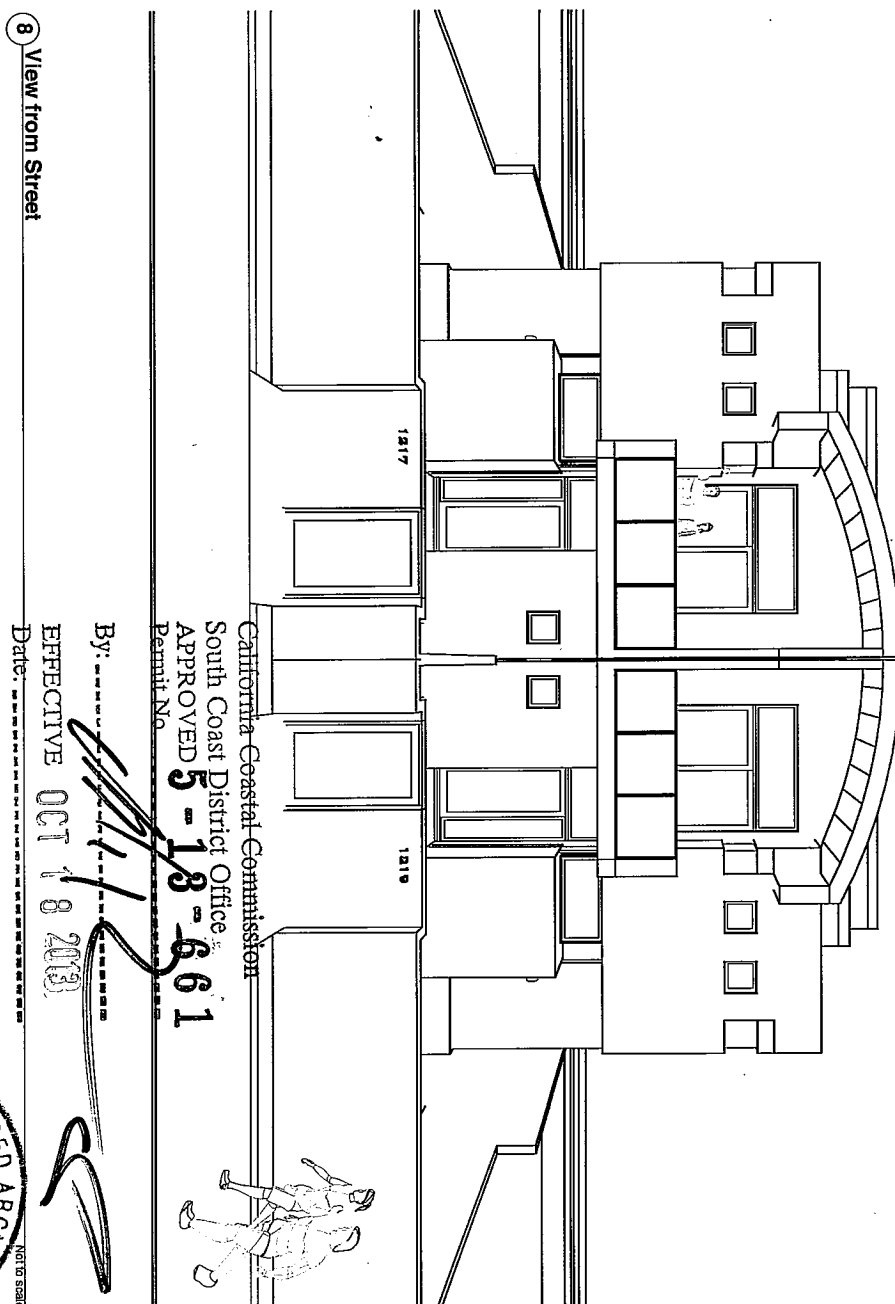
11 View from Alley



6 View from Street

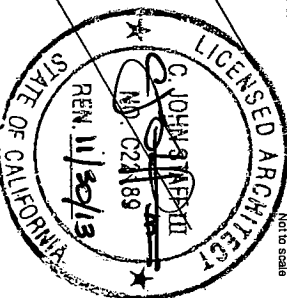


13 View from Above



8 View from Street

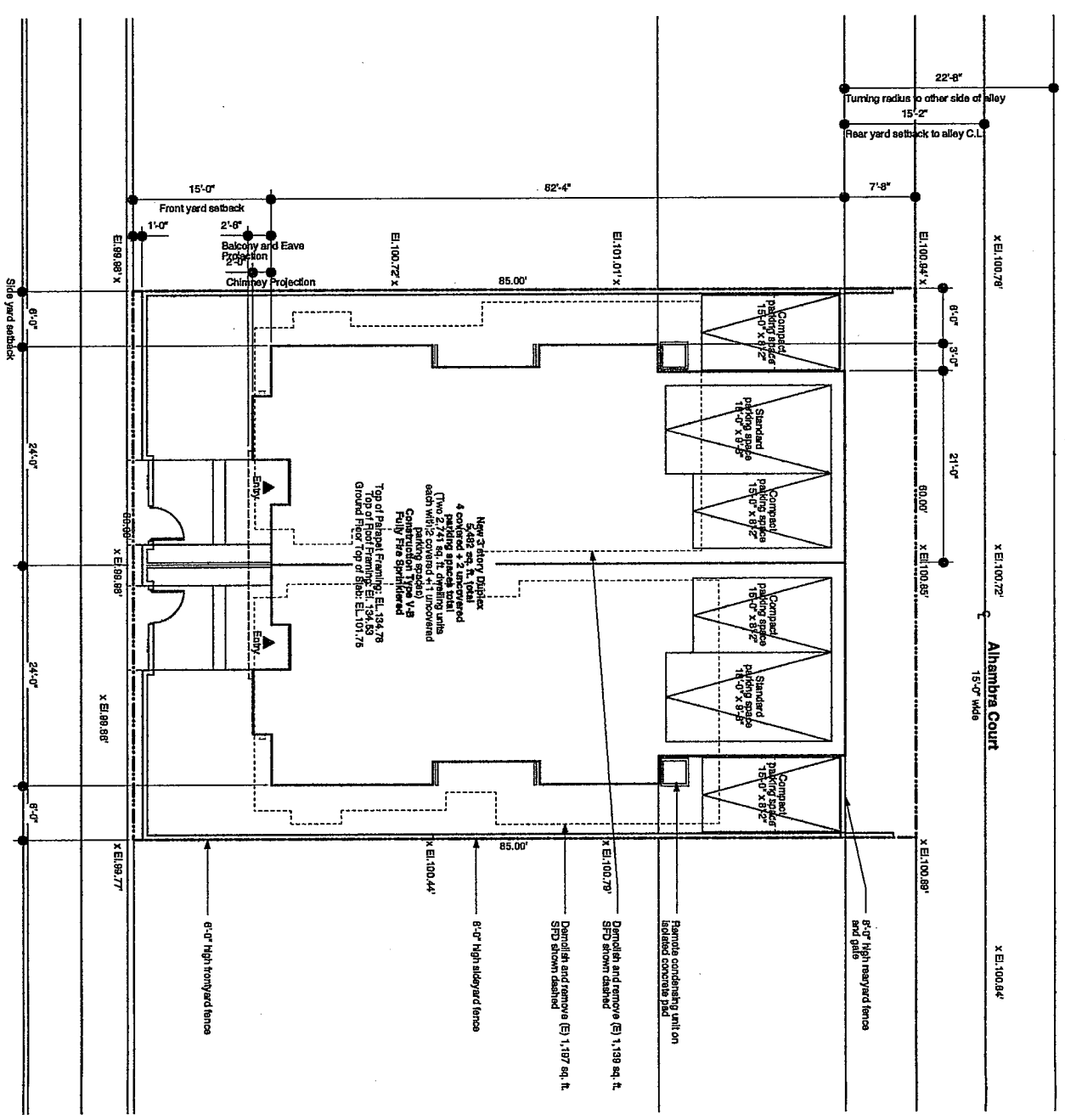
By: *[Signature]*  
EFFECTIVE OCT 18 2013  
Date: *[Signature]*  
California Coastal Commission  
South Coast District Office  
APPROVED **5-18-661**  
Permit No.



CS-1	Scale: Noted	Three Story Duplex Cover Sheet Rendering	Drawing status: City of LA Planning Director and Coastal Commission Submittal Set	Cabrillo Ventures New Duplex Residence 1217 and 1219 S. Cabrillo Avenue Venice, CA 90291	<p><b>JSA</b> BUILDINGS - INTERIORS</p>	<p>J. STAFF ARCHITECT 21484 FEDERAL AVENUE LOS ANGELES, CA 90028 310-477-9972 WWW.JSTAFFARCHITECT.COM</p>	Revisions
	<p>Drawn: CJS III Phase: CD Date: 6/13/13 Time: 6:48:58 PM File name: Cabrillo CD 3 story duplex skylight.vwx</p>						

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California Coastal Commission  
South Coast District Office  
**APPROVED**  
Permit No. **5-13-661**  
By: \_\_\_\_\_  
EFFECTIVE  
Date: \_\_\_\_\_



12 Site Plan

Project North True North  
Scale: 1/8" = 1'-0"

**Project Data**

<b>1. Parcel Legal Description Information:</b>	
Site Address:	1217 S. Cabrillo Avenue, Venice CA 90291
Zip Code:	90291
Pin number:	108B145 1309
Lot Area:	2,550 sq ft
Thomas Brothers Grid Page 671 Grid 198	423003022
Assessors Parcel No.	Verde of America 15
Tract:	15
Block:	7
Lot:	None
Map Reference:	108B145
Map Sheet:	108B145
Site Address:	1219 S. Cabrillo Avenue, Venice CA 90291
Zip Code:	90291
Pin number:	108B145 1315
Lot Area:	2,550 sq ft
Thomas Brothers Grid Page 671 Grid 198	423003033
Assessors Parcel No.	Verde of America 15
Tract:	15
Block:	8
Lot:	None
Map Reference:	108B145
Map Sheet:	108B145

**2. Planning & Zoning Information:**

Zoning:	RD 1.5-1-O
General Plan Use:	Low Medium II Residential
General Plan Footnote:	Yes
Hillside Area:	No
Baseline Hillside Ordinance:	No
Baseline Municipal Ordinance:	Yes
Specific plan Area:	Yes
Historic Preservation Review:	No
Height limit:	30' for full roof / 35' for varied rooflines
Existing building height:	N/A
Proposed building height:	34'9"
Setbacks:	Front: 15'9" Side: 10% of lot width (30' min, 50' max) + 1'0" for each story above 2nd = 6'0" Rear: 15'0" w/ alley setbacks
LA Area:	8,272 sq. ft.
LA Coverage:	- 1 sq. ft.
Coastal Zone:	Clavo Exclusion Area
Coastal Zone:	Coastal Zone Commission Authority
Seismic Hazard:	Yes
Liquefaction:	Yes
Tsunami Inundation Zone:	Yes

**Project Team**

<b>Owner:</b>	Sheldon Appel Enrich + Sells Appel Trust of 1975 2148 - A Federal Avenue Los Angeles, CA 90025 ph: (310) 477-7222	<b>Architect:</b>	C. John Staff III, AIA J. Staff Architects 2148 Federal Avenue - Suite C Los Angeles, CA 90025 ph: (310) 477-9555
<b>Structural Engineer:</b>	Bruce Frazier Parker-Frazier Structural Engineering 1827 Pentium Avenue Los Angeles, CA 90025 ph: (310) 478-4372 fax: (310) 478-5722	<b>Energy Calculations:</b>	Sia Gahleitner SPEC Group Inc. 6800 Owensmouth Ave., Ste. 140 Woodland Hills, CA 91303 ph: (818) 582-4843 fax: (818) 582-8833
<b>Geotechnical Engineer &amp; Geologists:</b>	David Glover Glover - Holmgren & Assoc. Inc. 31129 Via Corona, Suite 707 Van Nuys Village, CA 91382 ph: (818) 888-0244 fax: (818) 888-4770		

**Plot Plan Legend**

(A)	Footprint of new building
(B)	Footprint of (E) building to be demolished under separate permit
(N)	New construction
(E)	Existing

Note: All dimensions shown on plot plan are to face of finish

**Vicinity Map**



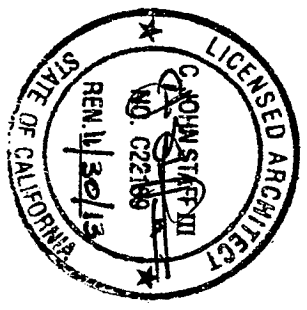
**Project Description:**  
A new 3 story duplex residence with 4 covered and 2 uncovered parking spaces

**Reports incorporated into plans by reference:**  
All recommendations contained within these reports shall be incorporated into the construction of the project:  
1. Soil Engineering Exploration Report for E and E True prepared by Grover Holmgren and Associates, Inc. dated - 2013.  
2. Structural Calculations for Cabrillo Ventures prepared by Parker Frazier Structural Engineering dated - 2013.

**Index of Drawings**

- A-0 Site Plan, Vicinity Map, Project Data, Parcel Profile, and Project Team
- A-0.1 Survey
- A-0.2 General Conditions
- A-0.3 Green Building Code Forms and Notes
- A-0.4 Street Legend and List of Abbreviations
- A-0.5 City of Los Angeles Sales Report Approval Letter
- A-0.6 City of Los Angeles Grading Pre-Inspection Reports
- A-1.0 Ground Floor Plan
- A-1.1 Second Floor Plan
- A-1.2 Third Floor Plan
- A-1.3 Roof Plan
- A-1.4 Longitudinal Sections
- A-2.1 Transverse Sections
- A-2.2 South and North Elevations
- A-3.1 East and West Elevations
- A-3.2 Architectural Details
- A-4.1

**PLANS APPROVED**  
as required by  
CASE NO. **1764-150-1MFL**  
S. SMITH-MANUAL  
Planner  
Community Planning Bureau  
City of Los Angeles Planning Dept.  
Date: **7/13/13**



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**CALIFORNIA COASTAL COMMISSION**

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



November 30, 2015

Alan Robert Block  
Block & Block  
1880 Century Park East, #415  
Los Angeles, CA 90067

**Re: Waiver De Minimis 5-13-0661-W, 1217-1219 Cabrillo Avenue, Venice, City of Los Angeles.**

Dear Mr. Block:

On October 9, 2013, the Coastal Commission approved Coastal Development Permit Application No. 5-13-0661-W, pursuant to Section 30624.7 of the Coastal Act (Waiver for De Minimis Development). Waiver De Minimis 5-13-0661-W authorizes the following development on the Venice property located at 1217 & 1219 Cabrillo Avenue:

*Demolition of a duplex and single-family residence on two abutting 2,550 square foot lots (Lot Nos. 7&8: tied), and construction of two attached three-story, 35-foot high, 2,741 square foot single-family residences, each with an attached two-car garage.*

The approved structure is a three-story duplex consisting of two attached single-family residences. The approved three-story structure has been constructed and appears to conform to the project described in the waiver approved by the Commission. I have compared the façade of the structure as it exists today with the final approved plans that our staff (myself) signed when the Notice of Waiver Effectiveness was issued on October 18, 2013. I can identify no discrepancy between the existing three-story structure and the Commission-approved structure described in Waiver 5-13-0661-W.

You indicate that the owner has applied to the City Planning Department for approval (Parcel Map and Local Coastal Development Permit) to convert the duplex into condominiums. You state that the plans for the actual structure are not being changed – only the type of ownership. Such conversions are not uncommon and are routinely approved because there are no adverse impacts to the surrounding environment since there will be no physical change or change in density (number of residential units).

Our staff will continue to monitor the progress of the local coastal development permit application for the proposed condominium parcel map. The City's final decision on a local coastal development permit can be appealed to the Commission. Our staff will review the City's action when we receive the Notice of Final Action from the City.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Posner'.

Charles R. Posner

Supervisor of Planning **COASTAL COMMISSION**

EXHIBIT # 7  
PAGE 1 OF 1



**Th11b****Letter of Support**

ALAN ROBERT BLOCK  
JUSTIN MICHAEL BLOCK

**BLOCK & BLOCK**  
A PROFESSIONAL CORPORATION  
1880 Century Park East, SUITE 415  
LOS ANGELES, CALIFORNIA 90067-1604  
TELEPHONE (310) 552-3336  
TELEFAX (310) 552-1850

SENDER'S E-MAIL  
justin@blocklaw.net

June 3, 2016

**VIA EMAIL ONLY**

California Coastal Commission  
South Coast Area Office  
200 Ocean Gate, Suite 1000  
Long Beach, CA 90802

**Re: Application No.:** *A-5-VEN-16-0056 (Staff, Los Angeles)*  
**Applicant:** *John Staff*  
**Property Address:** *1217 - 1219 Cabrillo Avenue, Venice*

**Project Description:** *Appeal of City of Los Angeles Local Coastal Development Permit (Case No. 2015-1473) for the conversion of a duplex into two condominiums (Parcel Map No. AA-2013-3873-PMLA).*

**Scheduled:** *June 9, 2016*  
**Agenda Item:** *Th11b*

Dear Commissioners:

Please be advised that this office represents the owner and applicant herein, the Erwin and Essie Appel Trust of 1975 ("Owner") and John Staff ("Staff") of J. Staff Architect ("Applicant") with regard to the pending appeal of the City of Los Angeles' ("City") approval of a Local Coastal Development Permit ("CDP") to convert a previously approved duplex under construction into a condominium form of ownership on the properties located at 1217 and 1219 Cabrillo Avenue, Los Angeles, California ("Subject Property").

As the following facts will evidence, the allegations contained in Appellants appeal are unfounded, frivolous and have no merit as mostly all of Appellants contentions relate to the City and Commission's 2013 approval. As such, we respectfully request that the Commission follow the Staff Recommendation and find that the appeal raises No Substantial Issue.

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California Coastal Commission

*Re: 1217-1219 Cabrillo Avenue (A-5-VEN-16-0056)*

June 3, 2016

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### ***Applicable Facts***

In 2013, the applicant submitted an application to the City of Los Angeles for the demolition of the previously existing structures on both 1217 and 1219 Cabrillo Avenue, a covenant to hold as one parcel (1217 and 1219 Cabrillo Avenue) and the construction of a new 3-story duplex on both lots. The project was approved by City Planning via DIR-2013-1784-VSO-MEL on or about June 14, 2013. A true and correct copy of DIR-2013-1784-VSO-MEL dated June 14, 2013 is attached hereto as **Exhibit 1** and hereby incorporated by reference. Subsequently, the applicant submitted an application for the same project to the Coastal Commission (“Commission”). On or about October 9, 2013, the Commission issued a De Minimis Waiver Number as CDP No. 5-13-0661-W (“CDP No. 5-13-0661-W”). A true and correct copy of the Commission’s Notice of Permit Waiver Effectiveness dated October 9, 2013 is attached hereto as **Exhibit 2** and hereby incorporated by reference. A true and correct copy of the approved stamped plans by the Commission dated October 18, 2013, are attached hereto as **Exhibit 3** and hereby incorporated by reference. Subsequent to obtaining approval from the Commission the City of Los Angeles Department of Building and Safety (“LADBS”) issued demolition permits for the previously existing structures located on the subject properties. Sometime after the demolition permits were issued, LADBS issued the building permit for the duplex.

Sometime during the process, the applicant filed an application with City Planning for the Preliminary Parcel Map (“PPM”), AA-2013-3873-PPM, in order to change the form of ownership from two high end rental units to condominiums. Subsequent to filing the PPM, the applicant filed for a local CDP in conjunction with the PPM. In September 2015, the City conducted a public hearing for the PPM and CDP applications and approved the same. The appellants filed an appeal to the West Los Angeles Area Planning Commission (“WLAAPC”). The WLAAPC held a public hearing on the Appellants appeal of the local CDP on February 17, 2016 and voted unanimously, 4-0, to deny the appeal and sustain the determination of the Associate Zoning Administrator in approving the subject CDP. Appellants then filed an appeal with the Commission.

### ***Applicants Contentions***

The applicant concurs with Staff’s Recommendation that the appeal raises no substantial issue. The Appellants base their appeal on the following contentions which fail to raise a significant question as to the project’s conformity with the Chapter 3 policies of the Coastal Act.

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1. Neighborhood Character & Compatibility: This issue has already been considered by the Commission when they approved CDP No. 5-13-0661-W. See Exhibit 2. The building was constructed under validly issued building permits and the building which will house the condominiums is exactly the same building that was previously approved by City Planning and the Commission for a duplex. If the CDP for the parcel map is withdrawn or not approved, the Applicant will still have a vested right to utilize the same exact structure on the subject properties as a duplex. The Appellants contentions regarding the buildings compatibility with the character of the community is not at issue with regard to the pending application. The time to challenge the aesthetic appearance of the building was during the permitting process in 2013. As such, the Appellants argument regarding the building's compatibility with the character of the community does not raise a substantial issue with the project's conformity to the Chapter 3 policies of the Coastal Act.
2. Lot Consolidations. The Appellants contend that lot consolidations shall be restricted, however, they neglect to mention that the certified Venice Land Use Plan ("LUP"), Policy 1.A.1.b, allows two lot consolidations in the North Venice sub-area but frowns upon lot consolidations which contain more than two lots. In the subject application, there are only two lots. The Appellants also point to the Commission's denial of the project(s) at 416 and 418-422 Grand Boulevard as precedent for denying lot consolidations, however, comparing those projects to the situation at hand is patently misleading. The Grand Boulevard property owners owned seven (7) contiguous lots and the Commission found they were attempting to piecemeal four (4) houses on the seven (7) lots as part of multiple applications. In the present situation, the applicant is proposing two units, on an area which prior to the lot consolidation, comprised two lots. As such, the Appellants argument regarding the lot consolidation does not raise a substantial issue with the project's conformity to the Chapter 3 policies of the Coastal Act.
3. Roofline: The Appellants contend the roofline exceeds the permitted height. The Applicant obtained planning approvals from the City and Commission. They obtained validly issued building permits from LADBS and constructed the building pursuant to those plans and with all proper inspections. The Appellants offer no proof or any substantive evidence that said building exceeds the permitted height. Commission Staff has compared the facade of the structure as it exists today with the final approved plans that Commission Staff signed when CDP 5-13-0661-W was issued and identified no discrepancy

June 3, 2016

Page 4

between the existing structure and the Commission-approved structure in CDP 5-13-0661-W. A true and correct copy of Commission Staff's permit compliance letter dated November 30, 2015 is attached hereto as **Exhibit 4** and hereby incorporated by reference. Regardless of such, anything relating to the construction of the building is a local issue that must be handled with LADBS and does not present a state wide issue. As such, the Appellants argument regarding the roofline does not raise a substantial issue with the project's conformity to the Chapter 3 policies of the Coastal Act.

4. Front Wall: The Appellants contend that the development includes a solid front wall that is higher than 42" and thus not allowed by the City's Zoning Code ("LAMC"). Overlooking the fact that the Commission's jurisdiction on this appeal is to determine whether the appeal raises a statewide issue and the question of the front wall is a local issue, City code allows a front wall to be a maximum of six (6) feet, if it is setback one (1) foot from the property line. In the situation at hand, the front wall is not higher than six (6) feet and is set back one (1) foot from the property line. Moreover, the wall was approved by the City's Planning Department, the Commission in 2013 and LADBS. As such, the Appellants argument regarding the front wall does not raise a substantial issue with the project's conformity to the Chapter 3 policies of the Coastal Act.
  
5. De Minimis Waiver/New CDP: The Appellants contend the Commission did not consider the compatibility of the project with the surrounding neighborhood as part of the waiver process and that the Commission's original intent under CDP No. 5-13-0661-W was for the approval of two single-family dwellings and not a duplex. Both of these allegations are factually incorrect as pointed out in the Commission's Staff Report and Commission's Notice of Permit Waiver Effectiveness. See Exhibit 2. It should be noted that the Applicant did not request a waiver in 2013, they simply submitted an application for a CDP with the Commission and Commission Staff determined that a waiver was appropriate. Said waiver was then reported to the Commission before it became final. The "New CDP" for the subject application is solely for a CDP in conjunction with the preliminary parcel map which is for the change in type of ownership from high rental units to a condominium form of ownership. The "New CDP" is not for the construction of the building as that was already approved and constructed under validly issued building permits. The subject CDP is not requesting any deviations to the previously approved plans for the building structure. As such, the

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Appellants argument regarding the adequacy of review of the De Minimis Waiver and “New CDP” does not raise a substantial issue with the project’s conformity to the Chapter 3 policies of the Coastal Act.

6. Parking: The Appellants correctly point out that the project which was approved by the City and Commission in 2013 contained six (6) parking spaces and that the building now only contains five (5) parking spaces. During the building permitting process with LADBS and after discussing the same with LADBS and an adjacent neighbor, a small privacy wall was added at the rear of the property adjacent to one of the guest parking spaces. The width of that wall made one of the guest compact parking spaces four (4) inches too short in width to be classified as an “official” parking spot. The area designated for the additional guest parking space (“6<sup>th</sup> parking space”) is still there and open to park a car, however, it is technically four (4) inches short in width for LADBS to classify it as an “official” parking space. Prior to adding the eight (8) inch thick privacy wall, the Applicant checked with LADBS and was informed that City code for this project, including the certified Venice Land Use Plan, required the subject building to provide five (5) parking spaces, which the project complies with, so LADBS informed the Applicant they could construct the privacy wall. A true and correct copy of a photograph depicting the area of the “6<sup>th</sup> Parking Space” is attached hereto as **Exhibit 5** and hereby incorporated by reference. Since the project complies with the parking requirements of the City code and the Venice certified LUP, the Appellants contention regarding the parking spaces of the building does not raise a substantial issue with the project’s conformity to the Chapter 3 policies of the Coastal Act.
7. Prejudice City to Develop and Certify a LCP: Considering the subject application is simply about the form of ownership, and as Staff states on Page 9 of the Commission Staff Report, that “such conversions are not uncommon and routinely approved”, approval of this application would not prejudice the City from developing an LCP. Additionally, the Commission would not have approved CDP No. 5-13-0661-W if it was believed that approval of the building would prejudice the City from developing a certified LCP. As such, Appellants contention that the approval of this application would prejudice the City from developing a certified LCP does not raise a substantial issue with the project’s conformity to the Chapter 3 policies of the Coastal Act.
8. Adequacy of Findings: The Appellants contention that the City did not

California Coastal Commission

*Re: 1217-1219 Cabrillo Avenue (A-5-VEN-16-0056)*

June 3, 2016

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adequately make findings is without merit. As stated on page, 7 of the Commission Staff Report, the City's determination stated that the project was consistent with various Chapter 3 policies, including Sections 30250, 30251, 30252 and 30253(a) & (b). As such, Appellants assertion that the City did not make the appropriate findings does not raise a substantial issue with the project's conformity to the Chapter 3 policies of the Coastal Act.

9. *Mello Act*: The Appellants contend the Mello Act determination is invalid. While the Commission does not have jurisdiction and/or authority to invalidate a Mello Act determination, in an effort to set the record straight, the subject project was reviewed for Mello Act compliance, twice. It was first determined by the Los Angeles Housing Department ("LAHD") that no affordable units existed on site in a letter dated June 5, 2013. After the Appellants brought up the issue of the Mello Act determination being invalid, the LAHD, re-opened the matter and there was a Director's Determination, dated February 19, 2016, that no affordable units existed on site. The Appellants then appealed the Director's Determination dated February 19, 2016 that found the project to be Mello Act compliant. The WLAAPC heard the Mello Act compliance appeal on February 17, 2016 and voted unanimously, 4-0, to deny the appeal and sustain the Director's Determination that the project was in compliance with the Mello Act. As such, Appellants assertion that the project does not conform to the Mello Act is not a state wide issue and does not raise a substantial issue with the project's conformity to the Chapter 3 policies of the Coastal Act.
10. *City Process*: The rest of the Appellants allegations are issues the Appellants have with the City and their handling of this matter. All of those represent local issues and do not meet the criteria of raising a substantial issue with the project's conformity to the Chapter 3 policies of the Coastal Act.

### ***Conclusion***

For the reasons stated above, the Applicant is confident the Appellants's appeal does not raise a substantial issue with the project's conformity with the Chapter 3 policies of the Coastal Act. The subject CDP is simply about the form of ownership and not related to the physical structures. As stated on page 9 of the Commission Staff Report, "such conversions are not uncommon and are routinely approved because there are no adverse impacts to the surrounding environment since there will be no physical alteration to the structure, or change in the density." As such, we respectfully request you follow Staff's recommendation and find no substantial issue.

California Coastal Commission

**Re: 1217-1219 Cabrillo Avenue (A-5-VEN-16-0056)**

June 3, 2016

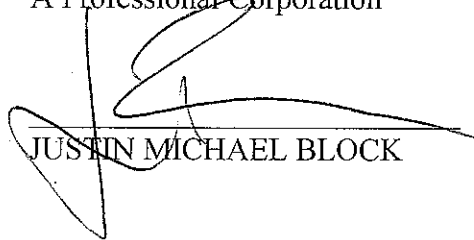
Page 7

Our office will be present at the hearing on June 9<sup>th</sup>, 2016 in order to respond to any of your questions and/or concerns.

Thank you for your anticipated courtesy and cooperation in reviewing this most important matter and the finding of no substantial issue.

Very truly yours,

**LAW OFFICES OF  
BLOCK & BLOCK**  
A Professional Corporation



JUSTIN MICHAEL BLOCK

JMB:sp

cc: Client  
John Staff, AIA

**EXHIBIT 1**





## CITY OF LOS ANGELES PLANNING DEPARTMENT

City Hall • 200 N. Spring Street, Room 621 • Los Angeles, CA 90012



### NEIGHBORHOOD PLAN IMPLEMENTATION DIVISION DIRECTOR OF PLANNING SIGN-OFF

#### Venice Coastal Specific Plan (Ordinance 175,693)

Case Number:	<b>DIR 2013-1784-VSO-MEL</b>	Date:	06/14/13
Applicant Name:	Sheldon Appel (o) / C. John Staff (a); (310) 477-0535		
Applicant Address:	2148 Federal Ave – Ste. C		
	City: Los Angeles	State: CA	Zip: 90025
Project Location:	<b>1217 - 1219 S Cabrillo Avenue</b>		
	Zoning: RD1.5-1-O	Subarea: North Venice	
Existing Use:	1 SFD @ 1217; duplex @ 1219	Proposed Use: lot tie & new 3-story duplex	
Project Description:	Demo (E) structures on both lots. Construct new 3-story duplex on both lots (lot tie) & attached 2-car garage + 1 uncovered pkg space for each unit, all accessed from alley		

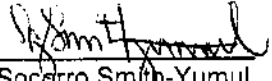
A Specific Plan Project Permit Compliance is not required for the reasons below:

In the Dual Jurisdiction	
	An improvement to an existing single- or multiple-family structure that is not on a Walk Street
In the Single Jurisdiction	
	An improvement to an existing single- or multiple-family structure that is not on Walk Street
X	New construction of one single-family unit, and not more than two condominium units, not Walk Street
	New construction of four or fewer rental units, not located on a Walk Street
X	Demolition of four or fewer units Mello Determination: LAHD's 'no affordable units exist' letter issued 06/05-13.
Anywhere in the Coastal Zone	
	Any improvement to an existing commercial or industrial structure that increases the total occupant load, required parking or customer area by less than 10 percent (10%).
	Any Venice Coastal Development project that has been Categorically Excluded pursuant to a Categorical Exclusion order issued by the Coastal Commission.

This application has been reviewed by the staff of the Community Planning Bureau, and the proposed project complies with the provisions of the Venice Coastal Specific Plan and all development requirements contained in Section 8.A, 10.F, and 13.

North Venice Subarea Development Regulations			
SECTION	STANDARD	REQUIRED	PROPOSED PROJECT
10.F.2	Density	2 units max	New 3-story duplex.
10.F.3	Height	Flat Roof - 30 feet; 35 varied (>2.25:12 slope) Provided any portion of the roof that exceeds 30' is set back from req'd front yard at least 1 foot in depth for every foot in height above 30'	34.92' varied/sloped roof
10.F.4	Front Yard Setback	5' min for residential projects or per LAMC. Fences 6' max may encroach into this setback, provided they observe a setback of 1'	Front yard is 15'; fence is 6' max & is set back 1' from property line
10.F.5	Access	Alley	From alley, Alhambra Ct
13	Parking	SF - 2-3 spaces per unit depending on lot width MF - 2 spaces plus 1 guest depending on lot width	attached 2-car garage + 1 uncovered sp for each unit.

The proposed project shall comply with all other regulations of its subject zone and all other provisions of the L.A.M.C. This Director of Planning Sign-Off is based on the information provided by the applicant. If, at a later date, this information is found to be incorrect or incomplete, this sign-off will become invalid, and any development occurring at that time must cease until appropriate entitlements are obtained.

  
 Socorro Smith-Yumul  
 Venice Unit, 213-978-1208

**EXHIBIT 2**

**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST DISTRICT

200 Oceangate, 10th Floor  
LONG BEACH, CA 90802-4418  
(562) 590-5071 FAX (562) 590-5084  
[www.coastal.ca.gov](http://www.coastal.ca.gov)

**NOTICE OF PERMIT WAIVER EFFECTIVENESS**

DATE: October 18, 2013  
TO: E & E Trust Of 1975 (Attn: Sheldon Appel)  
FROM: Charles Lester, Executive Director  
SUBJECT: **Waiver De Minimis Number 5-13-0661-W**

Please be advised that Waiver Number 5-13-0661-W, which was reported to the Commission on October 9, 2013, became effective as of that date. Any deviation from the application and plans on file in the Commission office may require a coastal development permit for the entire project.

APPLICANT: L & E Trust Of 1975 (Attn: Sheldon Appel)  
LOCATION: 1217 & 1219 Cabrillo Avenue, Venice (Los Angeles County)  
DESCRIPTION: Demolition of a duplex and single-family residence on two abutting 2,550 square foot lots (Lot Nos. 7&8: tied), and construction of two attached three-story, 35-foot high, 2,741 square foot single-family residences, each with an attached two-car garage.

Should you have any questions, please contact our office.

Sincerely,

CHARLES LESTER  
Executive Director

A handwritten signature in black ink, appearing to read 'C. Posner', written over a horizontal line.

By: CHARLES POSNER  
Coastal Program Analyst

cc: Local Planning Dept.

**CALIFORNIA COASTAL COMMISSION**

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



September 20, 2013

John Staff, Architect  
2148-C Federal Avenue  
Los Angeles, CA 90025

**SUBJECT: Waiver of Coastal Development Permit Requirement/De Minimis Developments  
Section 30624.7 of the Coastal Act**

Based on your project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a coastal development permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

**WAIVER:** 5-13-0661                      **APPLICANT:** E & E Trust of 1975 (Attn: Sheldon Appel)

**LOCATION:** 1217 & 1219 Cabrillo Avenue, Venice, City of Los Angeles, Los Angeles County.


**PROPOSED DEVELOPMENT:** Demolition of a duplex and single-family residence on two abutting 2,550 square foot lots (Lot Nos. 7&8: tied), and construction of two attached three-story, 35-foot high, 2,741 square foot single-family residences, each with an attached two-car garage.

**RATIONALE:** The proposed project, which is located one-half mile inland of the beach, has received approval from the City of Los Angeles Planning Department (Case #DIR-2013-1784, 6/14/13) and is consistent with the RD1.5-1 zoning designation and the surrounding land uses. The City of Los Angeles Housing Department determined that there are no affordable housing units on the site (6/5/13). The proposed project conforms with the Commission's 30-to-35-foot height limit for structures in North Venice, and the two single-family residences conform to the Commission's density limit for the site. Adequate on-site parking is provided (three spaces for each residence). Vehicular access is provided only from Alhambra Court, the rear alley. 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 (910 square feet of permeable landscaped area will be maintained on the 5,100 square foot project site). The proposed project is consistent with community character, and will have no negative effects on visual resources or coastal access. The 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.

This waiver will not become effective until reported to the Commission at its **October 9, 2013 meeting in San Diego** and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The enclosed Notice Card shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

CHARLES LESTER  
Executive Director

cc: Commissioners/File

  
CHARLES R. POSNER  
Coastal Program Analyst

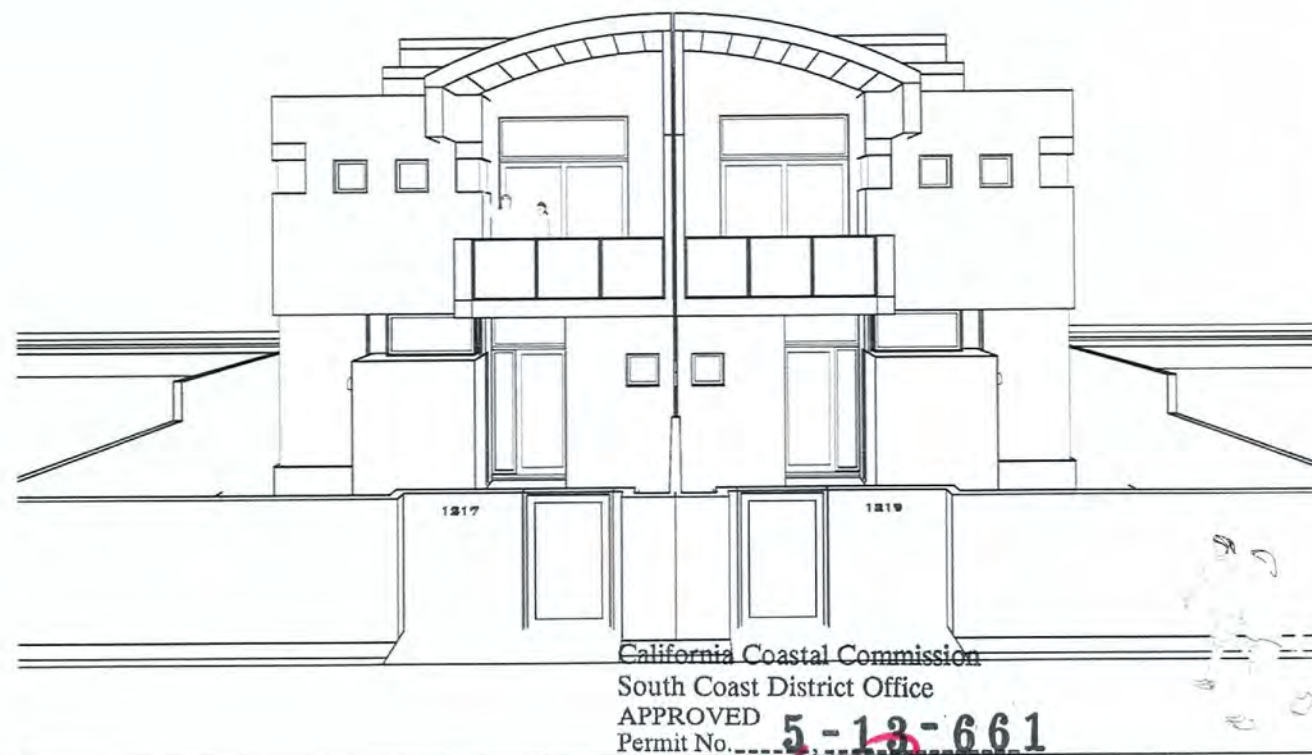
**EXHIBIT 3**





6 View from Street

Not to scale

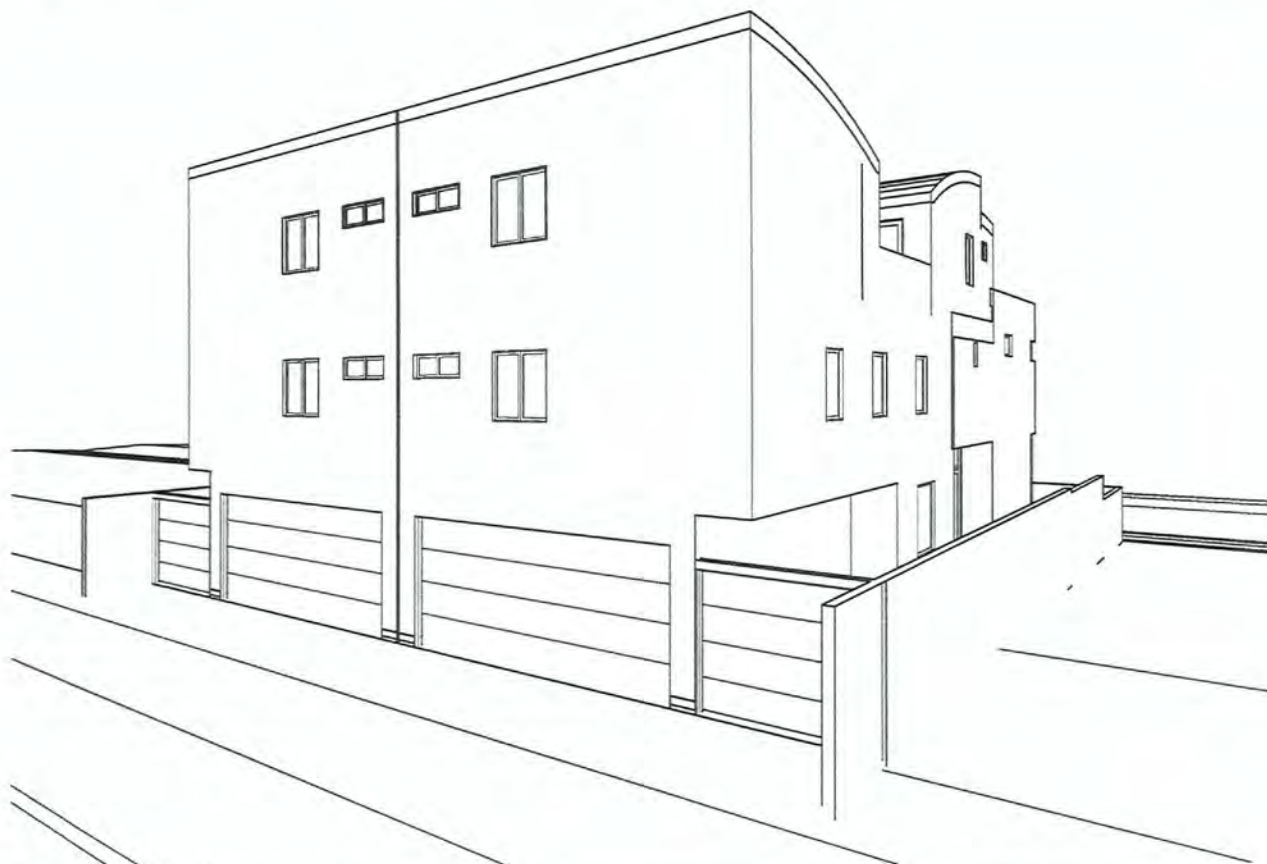


California Coastal Commission  
South Coast District Office  
APPROVED  
Permit No. 5-13-661

By: *[Signature]*  
EFFECTIVE OCT 10 2013  
Date: \_\_\_\_\_

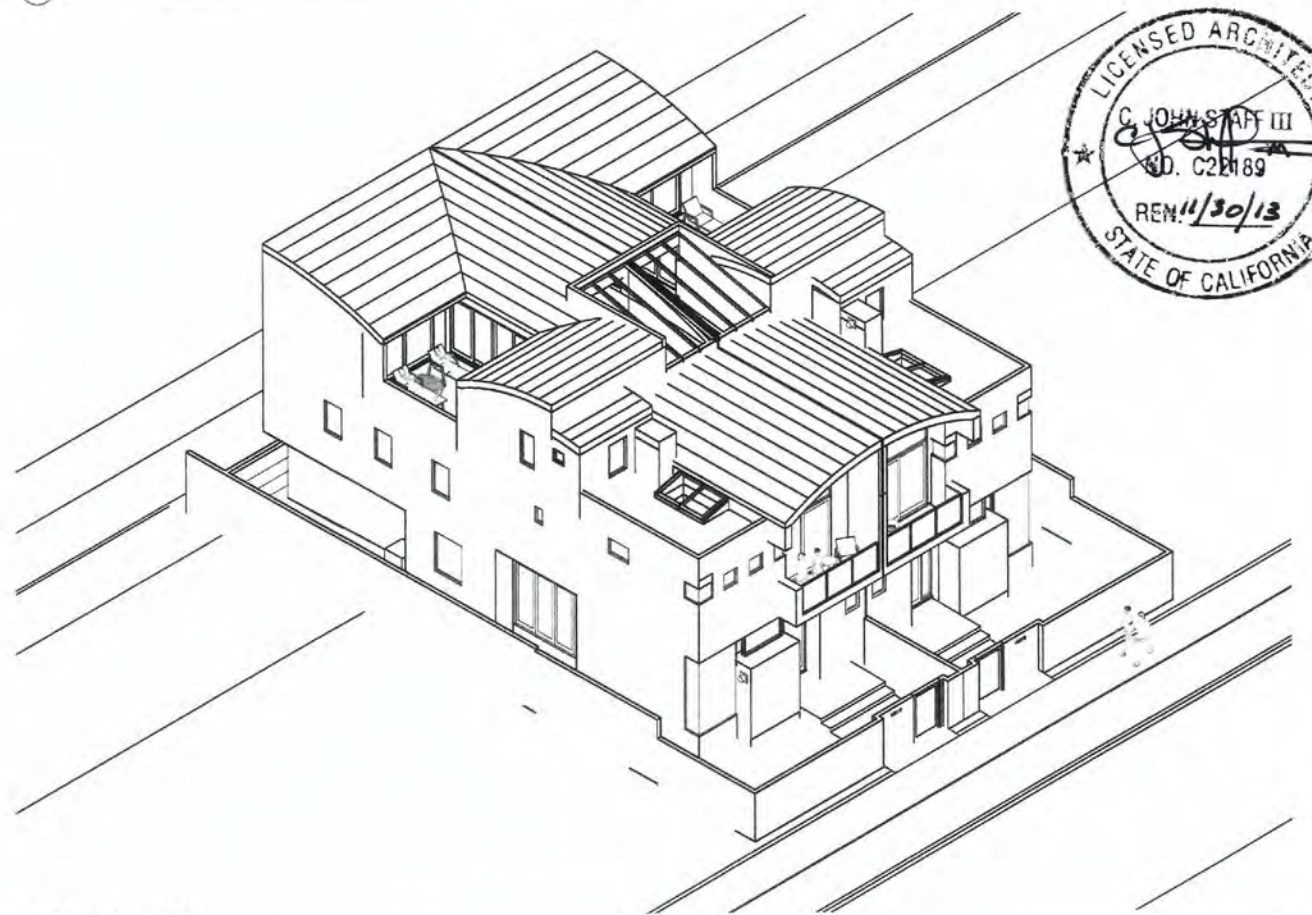
8 View from Street

Not to scale



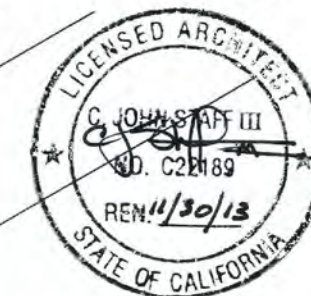
11 View from Alley

Not to scale



13 View from Above

Not to scale



Revisions

J. STAFF ARCHITECT  
21001 E. Imperial Avenue  
Van Nuys, CA 91411  
Tel: 818.709.1111  
www.jstaff.com

**JSA**  
BUILDINGS - INTERIORS

Cabrillo Ventures  
New Duplex Residence  
1217 and 1219 S. Cabrillo Avenue  
Venice, CA 90291

Three Story Duplex Cover Sheet Rendering

Drawing status:  
City of LA Planning Director and  
Coastal Commission Submittal Set

Scale: Noted  
Drawn: CJS III  
Placed: CD

Date: 07/31/13  
Time: 6:48:50 PM  
File name: Cabrillo CD - 3 story duplex skylight vwx

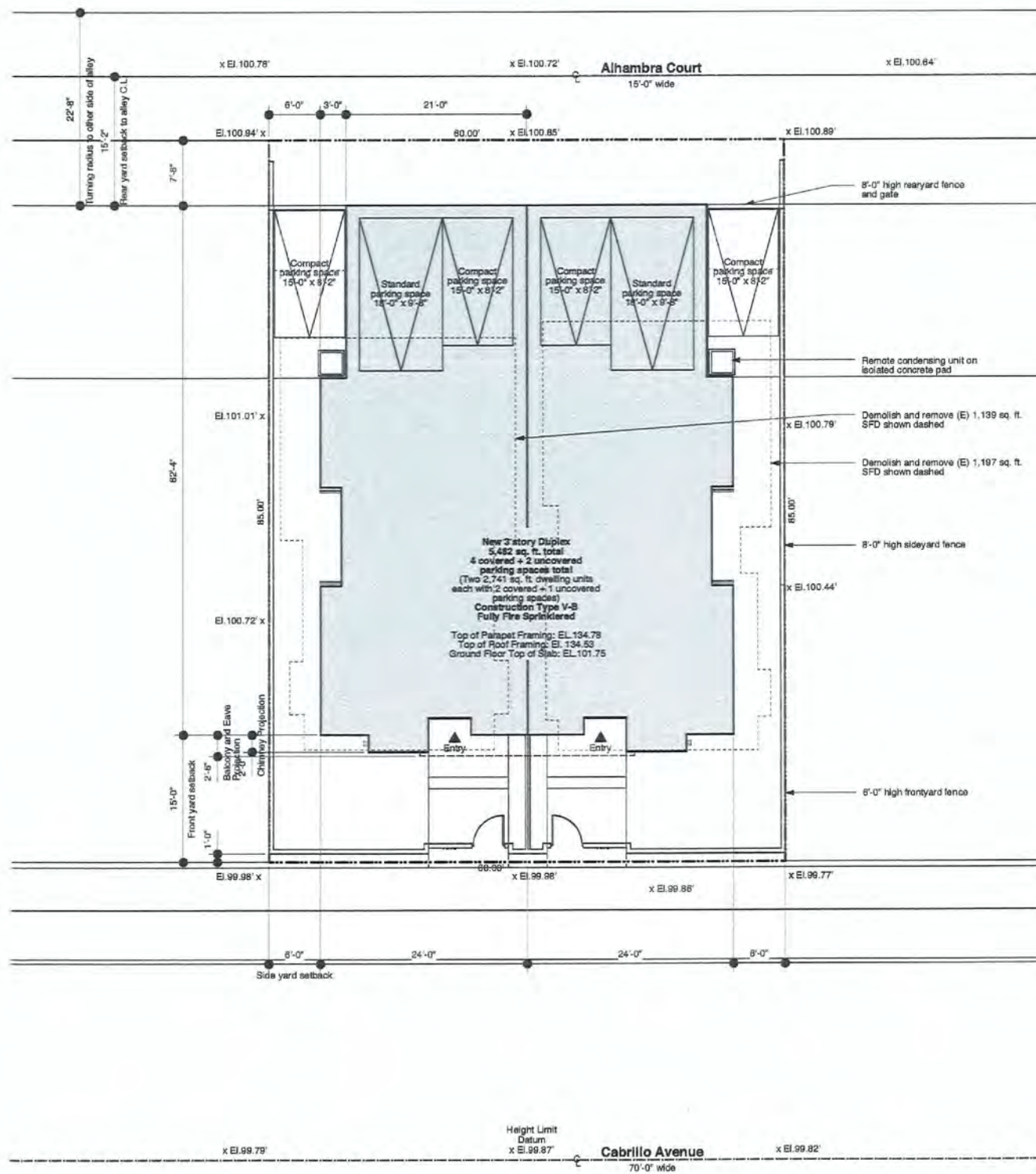
Sheet:  
**CS-1**

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California Coastal Commission  
 South Coast District Office  
 APPROVED  
 Permit No. **3-13-661**

By: \_\_\_\_\_  
 EFFECTIVE **OCT 10 2013**  
 Date: \_\_\_\_\_



12 Site Plan

**Project Data**

<b>Parcel Profile</b>	
<b>1. Parcel Legal Description Information:</b>	
Site Address:	1217 S. Cabrillo Avenue, Venice CA
Zip Code:	90291
Pin number:	108B145 1309
Lot Area:	2,550 sq ft
Thomas Brothers Grid:	Page 671 Grid H6
Assessors Parcel No.:	4238003032
Tract:	Venice of America
Block:	15
Lot:	7
Arb:	None
Map Reference:	
Map Sheet:	108B145
<b>2. Planning &amp; Zoning Information:</b>	
Zone:	RD 1.5-1-O
General Plan Use:	Low Medium II Residential
General Plan Footnotes:	Yes
Hillside Area:	No
Baseline Hillside Ordinance:	No
Baseline Mansions Ordinance:	Yes
Specific plan Area:	Los Angeles Coastal Transport Corridor
Historic Preservation Review:	No
Height limit:	30'0" for flat roof / 35'0" for varied rooflines
Existing building height:	N/A
Proposed building height:	34'9"
Setbacks:	Front: 15'0" Side: 10% of lot width (3'0" min, 5'0" max.) + 1'0" for each story above 2nd = 8'0" Rear: 15'0" to Alley centerline
Lot Area:	2,550 sq. ft.
Lot Coverage:	- / - sq. ft.
Coastal Zone:	Calvo Exclusion Area
Coastal Zone:	Coastal Zone Commission Authority
<b>3. Seismic Hazards:</b>	
Liquefaction:	Yes
Tsunami Inundation Zone:	Yes

<b>Project Team</b>	
<b>Owner:</b> Sheldon Appel Erwin + Estie Appel Trust of 1975 2148 - A Federal Avenue Los Angeles, CA 90025 ph: (310) 477-7222	<b>Architect:</b> C. John Staff III, A.I.A. J. Staff Architect 2148 Federal Avenue - Suite C Los Angeles, CA 90025 ph: (310) 477-0535
<b>Structural Engineer:</b> Bruce Reenick Parker-Reenick Structural Engineering 1927 Pontius Avenue Los Angeles, CA 90025 ph: (310) 478-8372 Fax: (310) 478-5732	<b>Energy Calculations:</b> Sia Garestani SPEC Group Inc. 6800 Owanmouth Ave., Ste. 140 Woodland Hills, CA 91303 ph: (818) 592-6643 fax: (818) 592-6693
<b>Geotechnical Engineer &amp; Geologists:</b> David Grover Grover - Hollingsworth & Assoc. Inc. 31129 Via Colinas, Suite 707 Westlake Village, CA 91362 ph: (818) 888-0844 Fax: (818) 888-4170	

<b>Plot Plan Legend</b>	
	Footprint of new building
	Footprint of (E) building to be demolished under separate permit
(N)	New construction
(E)	Existing

Note: All dimensions shown on plot plan are to face of finish

**Vicinity Map**



**Project Description:**  
 A new 3 story duplex residence with 4 covered and 2 uncovered parking spaces

**Reports incorporated into plans by reference:**  
 All recommendations contained within these reports shall be incorporated into the construction of the project:

- Soils Engineering Exploration Report for E and E Trust prepared by Grover Hollingsworth and Associates, Inc. dated - 2013.
- Structural Calculations for Cabrillo Ventures prepared by Parker Reenick Structural Engineering dated - 2013.

**Index of Drawings**

- A-0 Site Plan, Vicinity Map, Project Data, Parcel Profile, and Project Team
- A-0.1 Survey
- A-0.2 General Conditions
- A-0.2g Green Building Code Forms and Notes
- A-0.3 Symbol Legend and List of Abbreviations
- A-0.4 City of Los Angeles Soils Report Approval Letter
- A-0.4a City of Los Angeles Grading Pre-Inspection Reports
- A-1.1 Ground Floor Plan
- A-1.2 Second Floor Plan
- A-1.3 Third Floor Plan
- A-1.4 Roof Plan
- A-2.1 Longitudinal Sections
- A-2.2 Transverse Sections
- A-3.1 South and North Elevations
- A-3.2 East and West Elevations
- A-4.1 Architectural Details

**PLANS APPROVED**  
 as required by  
 CASE NO. **DIR 2013-1784-WO-MEL**  
 Planner: **J. SMITH-YUMUL**  
 Community Planning Bureau  
 City of Los Angeles Planning Dept.  
 Date: **11-13**



J. STAFF ARCHITECT  
 2148 FEDERAL AVENUE  
 LOS ANGELES, CA 90025  
 TEL: (310) 477-0535  
 WWW.JSTAFFARCHITECT.COM

**JSA**  
 BUILDING - INTERIOR

**Cabrillo Ventures  
 New Duplex Residence  
 1217 and 1219 S. Cabrillo Avenue  
 Venice, CA 90291**

Project Data, Vicinity Map, Site Plan, and Index of Drawings

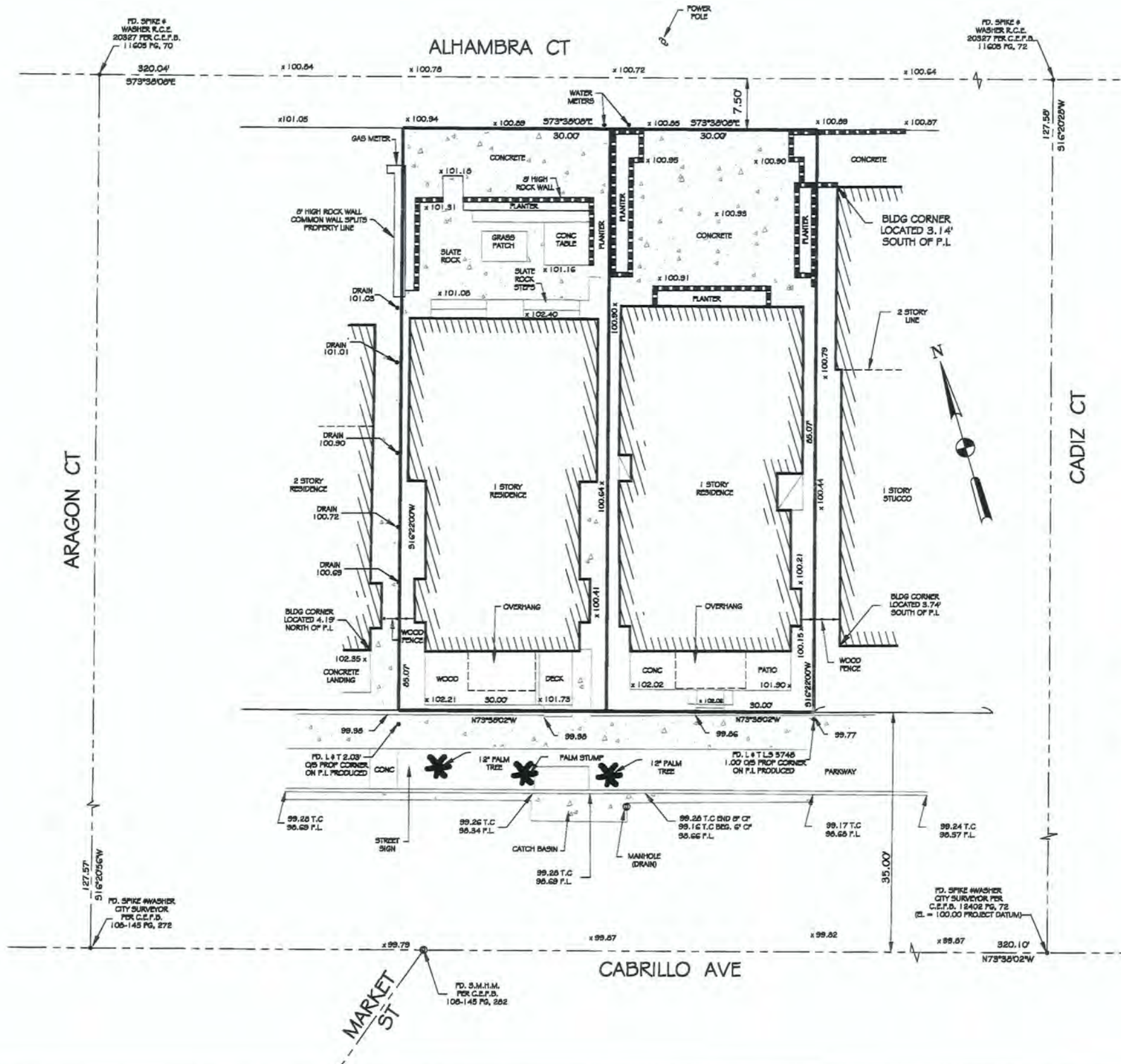
Drawing status:  
 City of LA Planning Director and  
 Coastal Commission Submittal Set

Date: 11/13/13  
 Time: 6:45:56 PM  
 File name: Cabrillo CD 3 story duplex skyline.vwx

Scale: Noted  
 Drawn: CJS III  
 Phase: CD  
 Date: 11/13/13  
 Time: 6:45:56 PM  
 File name: Cabrillo CD 3 story duplex skyline.vwx

Sheet:  
**A-0**





**LEGEND**

- PARCEL BOUNDARY
- BUILDING FOOTPRINT
- EXISTING CONTOUR
- RETAINING / SITE WALL
- CONCRETE RUBLE WALL
- WROUGHT IRON FENCE
- WOOD FENCE
- CHAIN LINK FENCE
- SPOT ELEVATION
- POWER POLE
- SITE LIGHT
- SIGN AS NOTED
- BRICK OR HARDSCAPE
- CONCRETE
- TREE AS NOTED

**GENERAL ABBREVIATIONS**

- NLY - NORTHERLY
- NELY - NORTHEASTERLY
- Ely - EASTERLY
- SELY - SOUTHEASTERLY
- Sly - SOUTHERLY
- SWly - SOUTHWESTERLY
- Wly - WESTERLY
- NWly - NORTHWESTERLY
- BC - BEGIN OF CURVE
- POC - POINT ON CURVE
- POL - POINT ON LINE
- EC - END OF CURVE
- PCC - POINT OF COMPOUND CURVE
- PRC - POINT OF REVERSE CURVE
- C - CENTER LINE
- PL - PROPERTY LINE
- SSDM - STANDARD SURVEY DISK MONUMENT
- SMHM - SEWER MANHOLE MONUMENT
- BM - BENCHMARK
- C.E.F.B. - CITY ENG. FIELD BOOK
- M.B. - MAP BOOK
- A.P.N. - ASSESSOR'S PARCEL NUMBER
- EX. OR EXIST. - EXISTING
- CF - CURB FACE
- CONC. - CONCRETE
- BLDG. - BUILDING
- AC - ASPHALTIC CONCRETE
- N - NORTH
- NE - NORTHEAST
- E - EAST
- SE - SOUTHEAST
- S - SOUTH
- SW - SOUTHWEST
- W - WEST
- NW - NORTHWEST
- FG - FINISH GRADE
- GB - GRADE BREAK
- FS - FINISH SURFACE
- FL - FLOWLINE
- TC - TOP CURB
- FF - FINISH FLOOR
- OH - OVERHEAD

**PLANS APPROVED**  
as required by

CASE NO. \_\_\_\_\_  
Planner \_\_\_\_\_  
Community Planning Bureau  
City of Los Angeles Planning Dept.  
Date: 6/14-13

**PROJECT INFORMATION**

**PROJECT BENCHMARK:**  
FOUND SPIKE AND WASHER AT CABRILLO AVE. + CADIZ COURT.  
ELEVATION = 100.00 AS NOTED ON MAP.

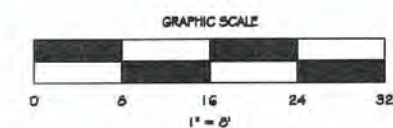
**TOPOGRAPHIC DATA:**  
THE TOPOGRAPHIC INFORMATION SHOWN HEREON WAS PREPARED FROM A FIELD SURVEY BY JACK LITTLE COMPANY ON APRIL 3, 2013.

**LEGAL DESCRIPTION:**  
LOTS 7 & 8, BLOCK 15, OF VENICE OF AMERICA TRACT IN THE CITY OF LOS ANGELES, AS PER MAP RECORDED IN BOOK 6, PG. 126 AND 127 OF MAPS.

PREPARED UNDER THE DIRECTION OF:



JACK LITTLE, L.S. 2883 EXP. 6/30/14



REVISION	BY

JACK LITTLE COMPANY INC.  
LICENSED LAND SURVEYORS  
17620 SHERMAN WAY SUITE 216 VAN NUYS, CA 91406  
PHONE: (818) 342-3277 FAX: (818) 344-5707

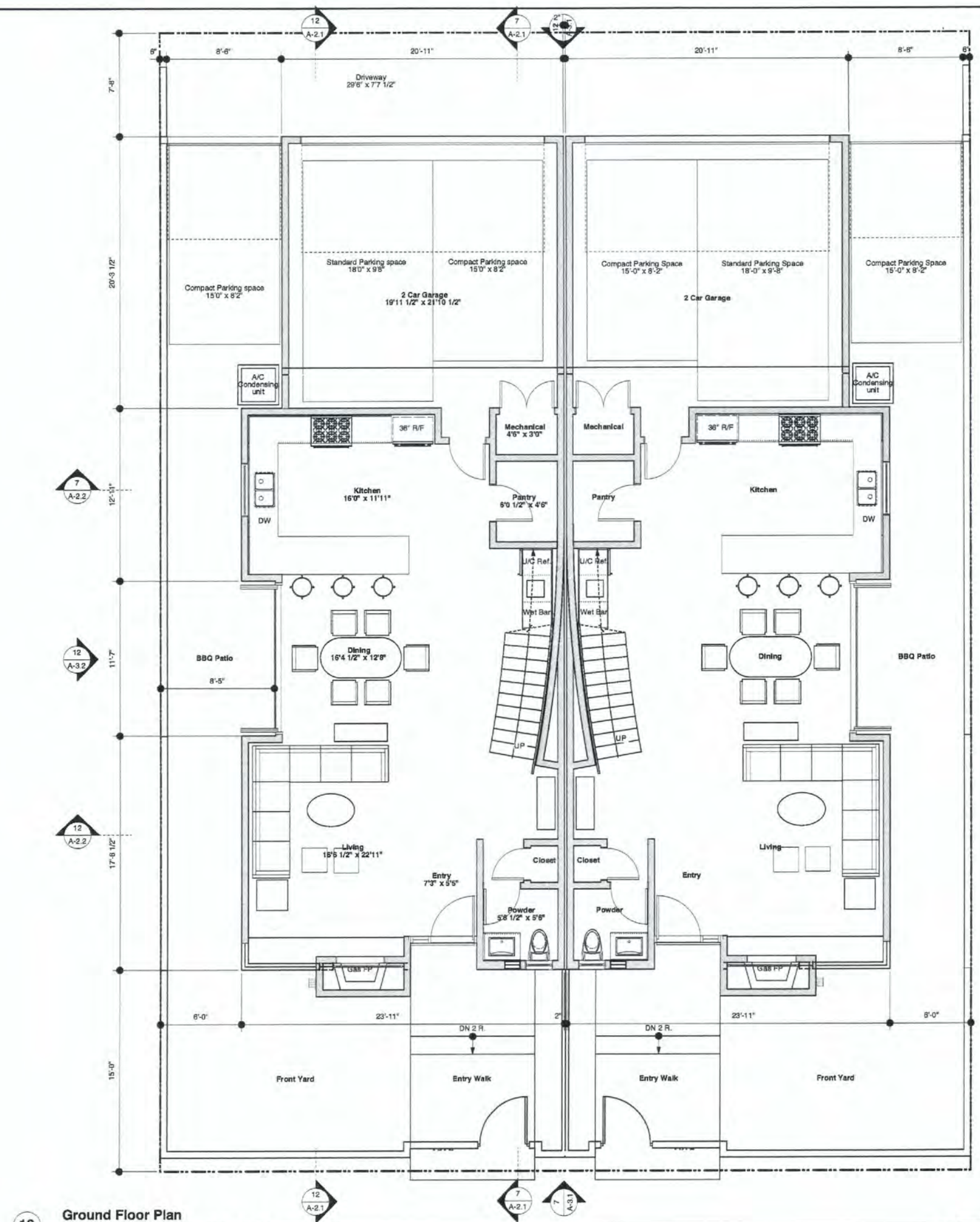
CALIFORNIA

TOPOGRAPHIC SURVEY FOR  
SHELLEY APPEL  
1217 - 1219 S. CABRILLO AVE

VENICE

DATE:	4/8/13
SCALE:	1" = 8'
PROJ.:	43-026-13
DRN. BY:	ML
SHEET NO.:	A-0.1





**12** Ground Floor Plan  
 Floor area this level: 909 sq. ft. + garage: 402 sq. ft. each unit

Scale: 1/4" = 1'-0"



California Coastal Commission  
 South Coast District Office  
 APPROVED **5-13-661**  
 Permit No.

By: *[Signature]*  
 EFFECTIVE **OCT 1 8 2013**  
 Date:

**PLANS APPROVED**  
 as required by

CASE NO \_\_\_\_\_  
 Planner *[Signature]*  
 Community Planning Bureau  
 City of Los Angeles Planning Dept.  
 Date: **6/14/13**



J. STAFF ARCHITECT  
 2130 Central Avenue  
 Los Angeles, CA 90022  
 TEL: 310.759.7122  
 WWW.JSTAFFARCHITECT.COM

JSA

BUILDINGS - INTERIORS

**Cabrillo Ventures  
 New Duplex Residence  
 1217 and 1219 S. Cabrillo Avenue  
 Venice, CA 90291**

Ground Floor Plan

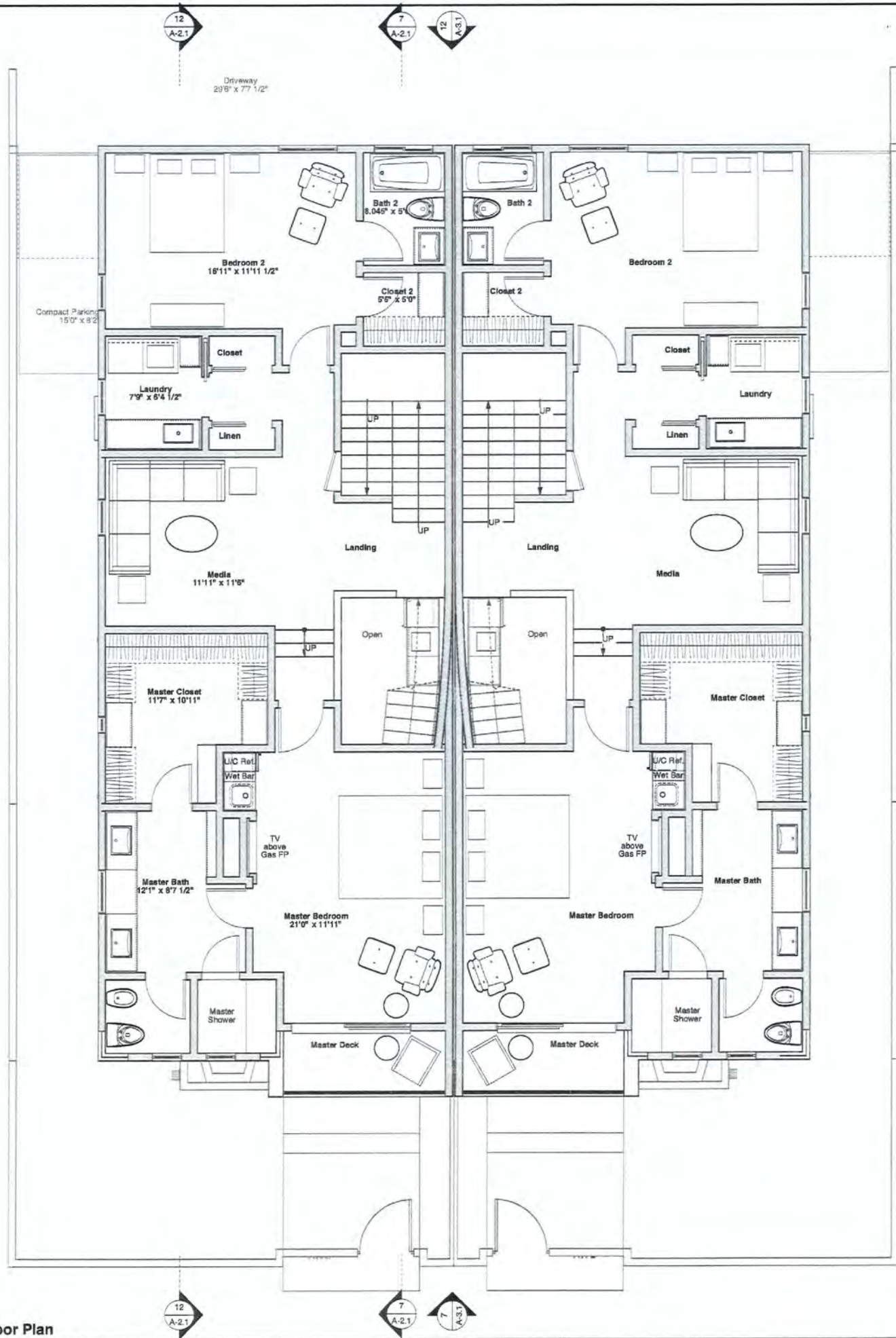
Drawing status:  
 City of LA Planning Director and  
 Coastal Commission Submittal Set

Date: 6/14/13  
 File name: 1217-1219-CD-3 story duplex skylight v02  
 File format: Cabrillo CD 3 story duplex skylight v02

Sheet:  
**A-1.1**

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**12 Second Floor Plan**  
 Floor area this level: 1,313 sq. ft. each unit

Scale: 1/4" = 1'-0"

California Coastal Commission  
 South Coast District Office  
 APPROVED **5-13-661**  
 Permit No. \_\_\_\_\_

By: \_\_\_\_\_  
 EFFECTIVE  
 Date: **OCT 18 2013**

**PLANS APPROVED**  
 as required by  
 CASE NO. \_\_\_\_\_  
 Planner: \_\_\_\_\_  
 Community Planning Bureau  
 City of Los Angeles Planning Dept.  
 Date: **8/14/13**



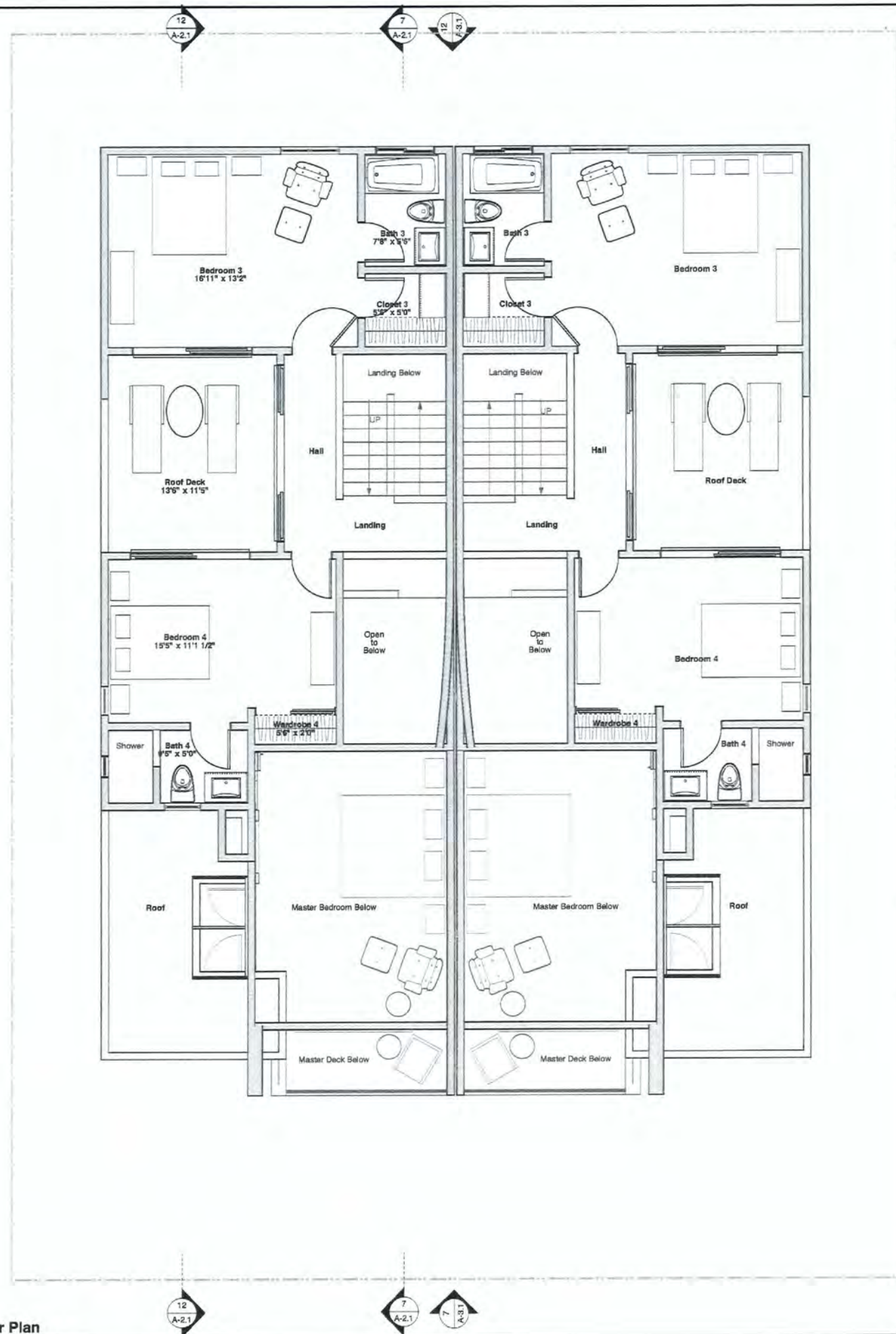
JSA ARCHITECTS  
 BUILDINGS - INTERIORS

**Cabrillo Ventures  
 New Duplex Residence  
 1217 and 1219 S. Cabrillo Avenue  
 Venice, CA 90291**

Second Floor Plan  
 Drawing title: City of LA Planning Director and Coastal Commission Submittal Set  
 Scale: 1/4" = 1'-0"  
 Drawn: CJR III  
 Phase: CD  
 Date: 09/13/13  
 Time: 6:46:50 PM  
 File Name: Cabrillo\_CD 3 story duplex daylight wk

Sheet: **A-1.2**





**12 Third Floor Plan**  
 Floor area this level: 626 sq. ft. each unit

Scale: 1/4" = 1'-0"

California Coastal Commission  
 South Coast District Office  
 APPROVED  
 Permit No. **5-13-66-1**  
 By: \_\_\_\_\_  
 EFFECTIVE **OCT 8 2013**  
 Date: \_\_\_\_\_

**PLANS APPROVED**  
 as required by  
 CASE NO \_\_\_\_\_  
 Planner \_\_\_\_\_  
 Community Planning Bureau  
 City of Los Angeles Planning Dept.  
 Date: **CA-13**



**JSA**  
 BUILDING - INTERIOR  
 J. STAFF ARCHITECT  
 2145 LINDEN BLVD  
 LOS ANGELES, CA 90015  
 TEL: 213-399-2145  
 WWW.JSTAFFARCHITECT.COM

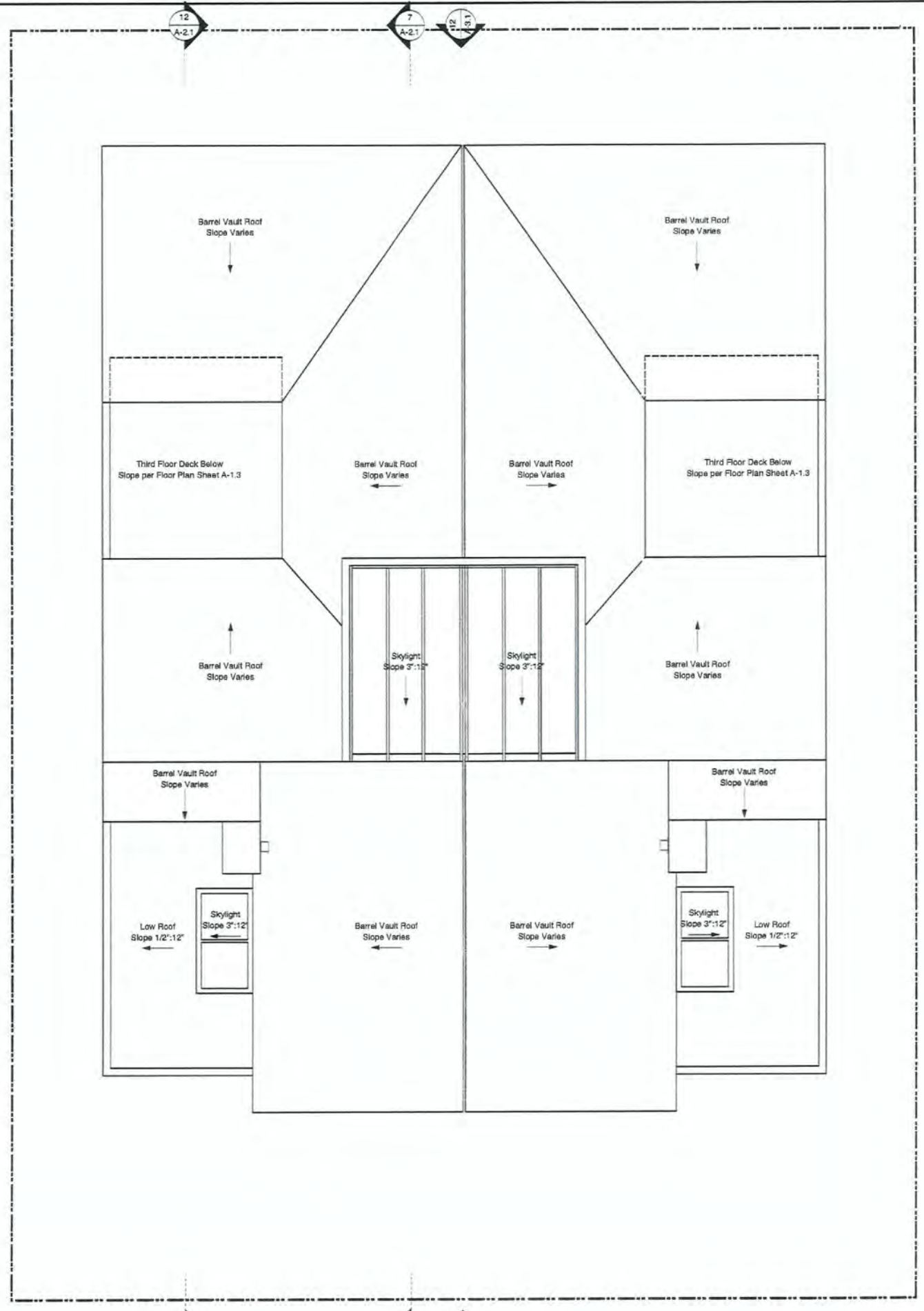
**Cabrillo Ventures**  
**New Duplex Residence**  
 1217 and 1219 S. Cabrillo Avenue  
 Venice, CA 90291

**Third Floor Plan**  
 Drawing status:  
 City of LA Planning Director and  
 Coastal Commission Submittal Set

Scale: Noted  
 Drawn: CJS III  
 Phase: CD  
 Date: 6/19/13  
 Time: 6:46:50 PM  
 File Name: Cabrillo\_CD 3 story duplex skylight.rvt

Sheet:  
**A-1.3**





12 Roof Plan

Scale: 1/4" = 1'-0"



California Coastal Commission  
 South Coast District Office  
 APPROVED  
 Permit No. **5-13-661**

By: \_\_\_\_\_  
 EFFECTIVE Date: **OCT 18 2013**

**PLANS APPROVED**  
 as required by

CASE NO \_\_\_\_\_  
 Planner \_\_\_\_\_

Community Planning Bureau  
 City of Los Angeles Planning Dept.  
 Date: **6/14/13**



J. STAFF ARCHITECT 31100 LINDEN BLVD VAN NUYS, CA 91411 TEL: 818-709-7777 WWW.JSTAFFARCHITECT.COM	
<b>JSA</b> BUILDING - INTERIORS	
<b>Cabrillo Ventures</b> <b>New Duplex Residence</b> <b>1217 and 1219 S. Cabrillo Avenue</b> <b>Venice, CA 90291</b>	
Roof Plan	Drawing status: City of LA Planning Director and Coastal Commission Submitted Set
Scale: Noted Drawn: CJS III Phase: CD	Date: 09/19/13 Time: 6:48:50 PM File Name: Cabrillo_CD 3 story duplex skylight.rvt
Sheet:	A-1.4

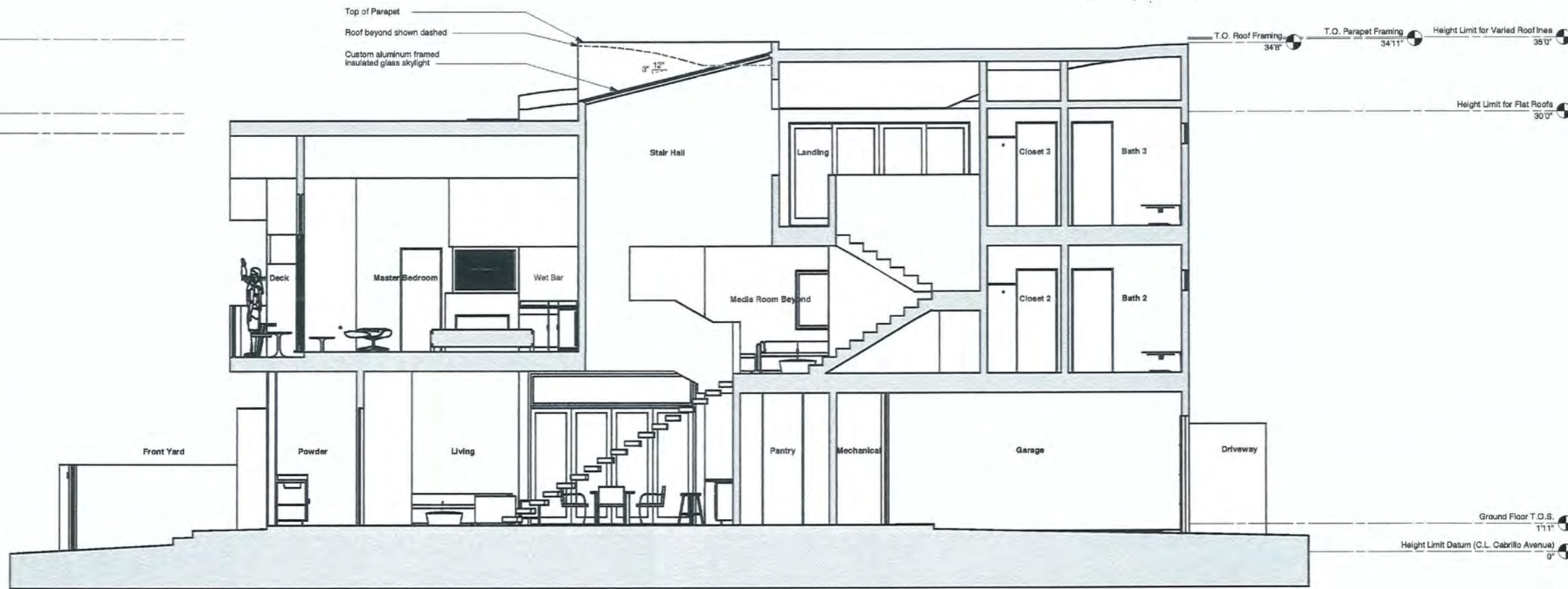
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Height Limit for Varied Roof Lines  
35'0"

Height Limit for Flat Roofs  
30'0"

T.O. Roof Framing adjacent to Front Yard  
287.5'



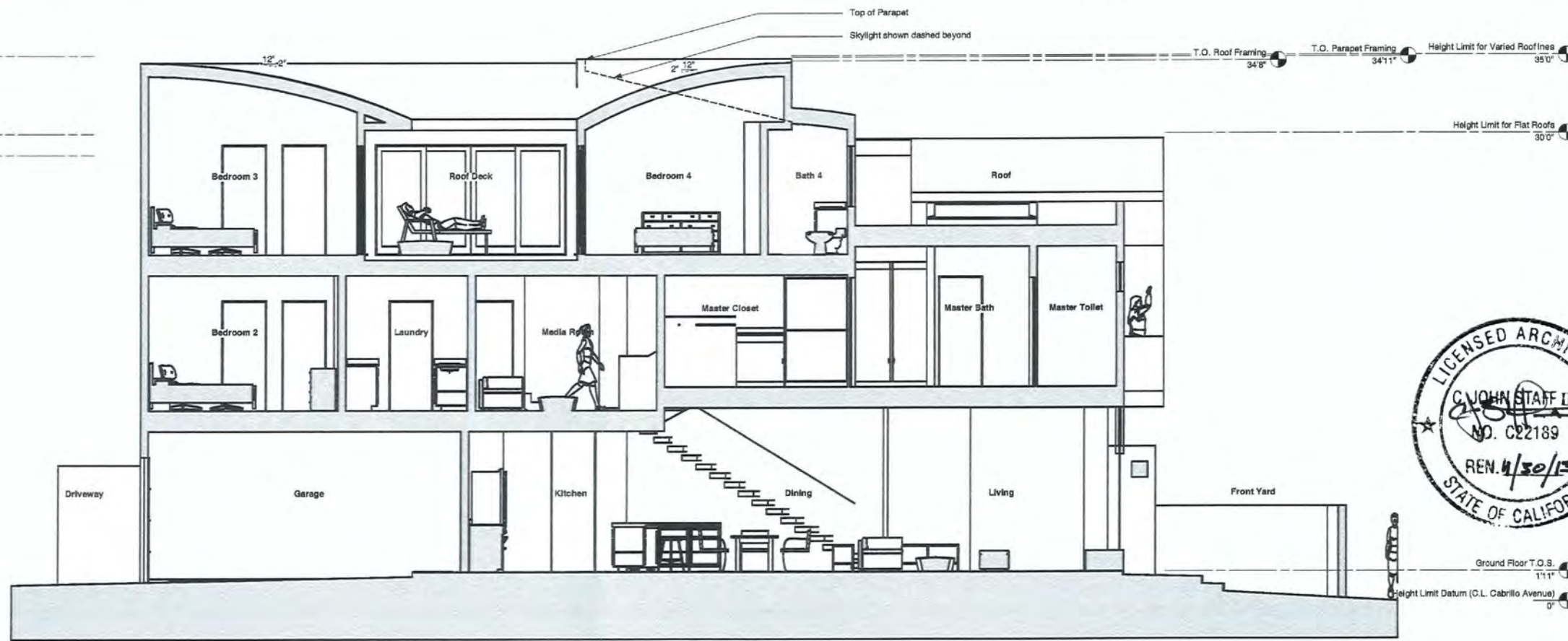
7 Longitudinal Section

Scale: 1/4" = 1'-0"

Height Limit for Varied Roof Lines  
35'0"

Height Limit for Flat Roofs  
30'0"

T.O. Roof Framing adjacent to Front Yard  
287.5'



12 Longitudinal Section

Scale: 1/4" = 1'-0"

Jr. Staff ARCHITECT  
2000 PASEO DEL MAR  
LOS ANGELES, CA 90024  
ARCHITECT  
www.jhsa.com

JSA  
BUILDINGS - INTERIORS

Cabrillo Ventures  
New Duplex Residence  
1217 and 1219 S. Cabrillo Avenue  
Venice, CA 90291

Longitudinal Sections 7 and 12

Drawing status:  
City of LA Planning Director and  
Coastal Commission Submittal Set

Date: 6/13/13  
Time: 6:48:50 PM  
File Name: Cabrillo\_CD 3 story duplex skylight v04

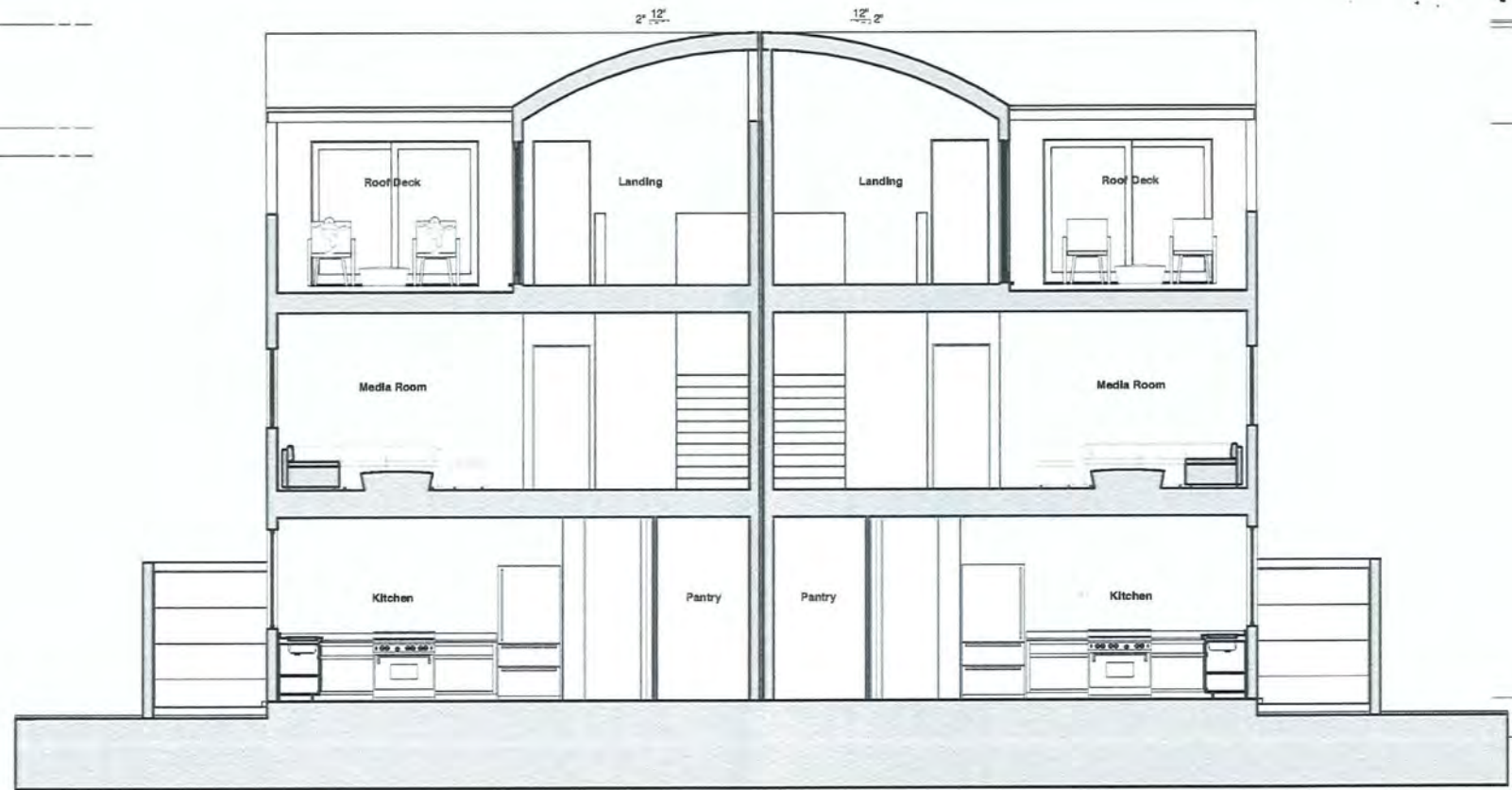
Sheet:  
A-2.1





Revisions

- Height Limit for Varied Roof Lines  
33'1"
- Height Limit for Flat Roofs  
28'1"
- T.O. Roof Framing adjacent to Front Yard  
26'9 1/2"



- T.O. Roof Framing  
32'9"
- T.O. Parapet Framing  
33'0"
- Height Limit for Varied Roof Lines  
33'1"
- Height Limit for Flat Roofs  
28'1"

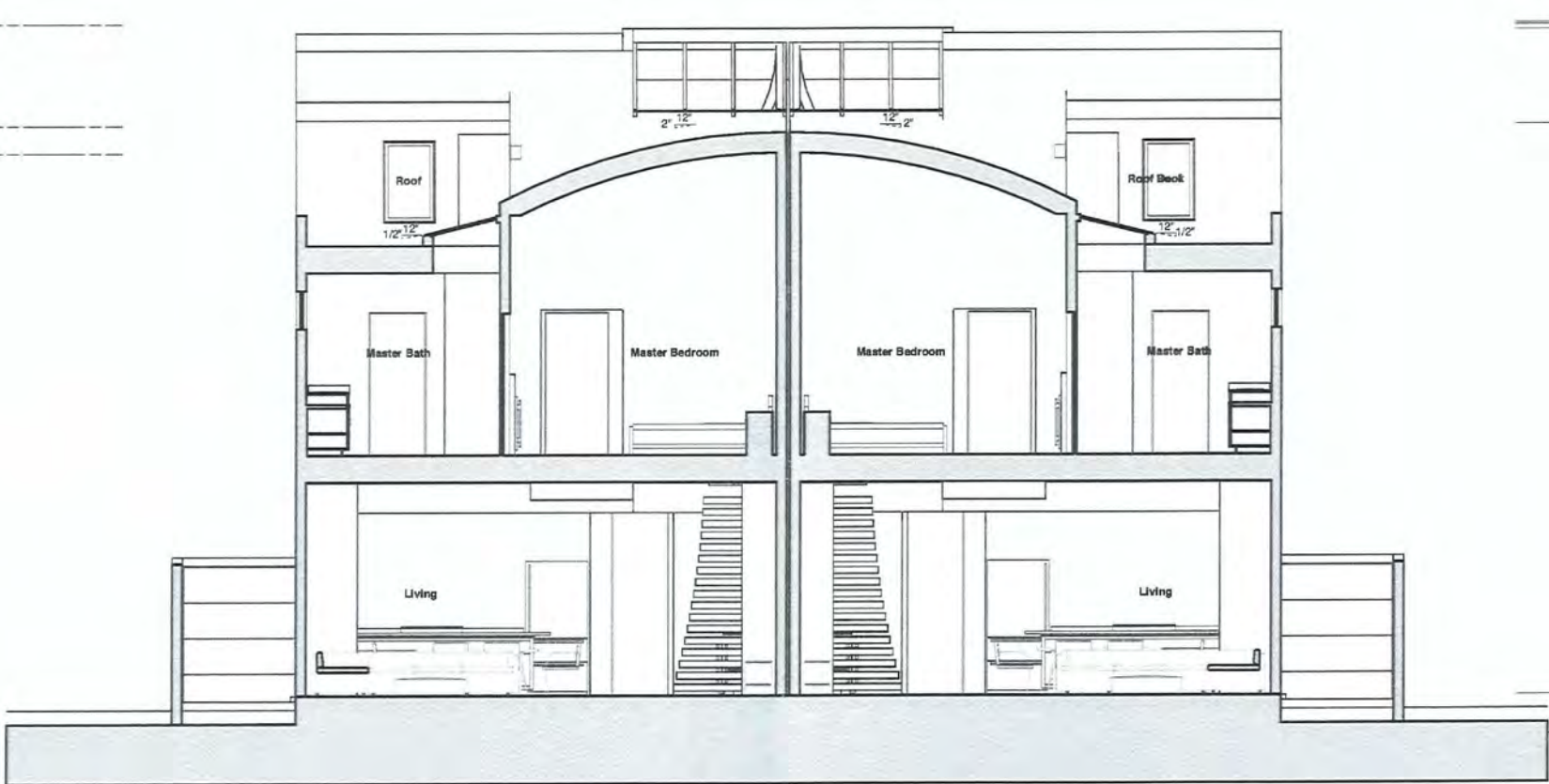
- Ground Floor T.O.S.  
0"
- Height Limit Datum (C.L. Cabrillo Avenue)  
-1'11"

- Ground Floor T.O.S.  
0"
- Height Limit Datum (C.L. Cabrillo Avenue)  
-1'11"

7 Transverse Section

Scale: 1/4" = 1'-0"

- Height Limit for Varied Roof Lines  
33'1"
- Height Limit for Flat Roofs  
28'1"
- T.O. Roof Framing adjacent to Front Yard  
26'9 1/2"



- T.O. Roof Framing  
32'9"
- T.O. Parapet Framing  
33'0"
- Height Limit for Varied Roof Lines  
33'1"
- Height Limit for Flat Roofs  
28'1"

- Ground Floor T.O.S.  
0"
- Height Limit Datum (C.L. Cabrillo Avenue)  
-1'11"

- Ground Floor T.O.S.  
0"
- Height Limit Datum (C.L. Cabrillo Avenue)  
-1'11"

12 Transverse Section

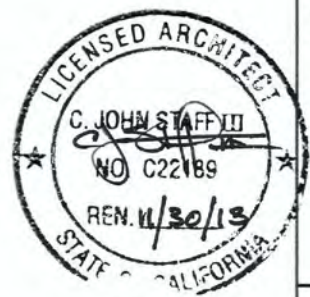
Scale: 1/4" = 1'-0"

JSA  
BUILDINGS - INTERIORS

Cabrillo Ventures  
New Duplex Residence  
1217 and 1219 S. Cabrillo Avenue  
Venice, CA 90291

Transverse Building Sections

Drawing status:  
City of LA Planning Director and  
Coastal Commission Submittal Set



Scale: Noted  
Drawn: CJS III  
Phase: CD  
Date: 6/13/13  
Time: 6:48:50 PM  
File name: Cabrillo\_CD 3 story duplex skylight.vcx

Sheet:  
A-2.2

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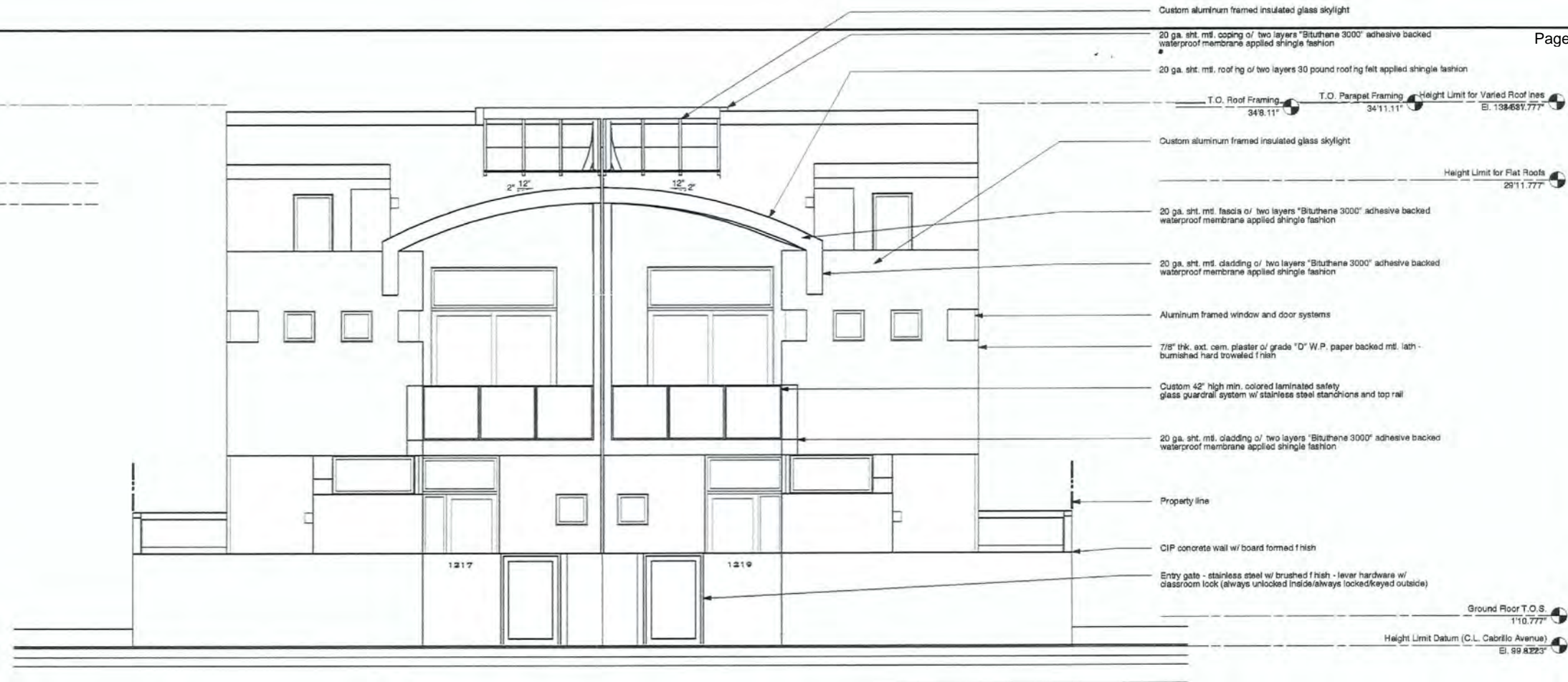
Height Limit for Varied Roof lines  
3411.777'

Height Limit for Flat Roofs  
2911.777'

T.O. Roof Framing adjacent to Front Yard  
287.277'

Ground Floor T.O.S.  
110.777'

Height Limit Datum (C.L. Cabrillo Avenue)  
-223'



Custom aluminum framed insulated glass skylight

20 ga. sht. mtl. coping or two layers "Bituthene 3000" adhesive backed waterproof membrane applied shingle fashion

20 ga. sht. mtl. roof ng or two layers 30 pound roof ng felt applied shingle fashion

T.O. Roof Framing 349.111'

T.O. Parapet Framing 3411.111'

Height Limit for Varied Roof lines El. 139.637.777'

Height Limit for Flat Roofs 2911.777'

Custom aluminum framed insulated glass skylight

20 ga. sht. mtl. fascia or two layers "Bituthene 3000" adhesive backed waterproof membrane applied shingle fashion

20 ga. sht. mtl. cladding or two layers "Bituthene 3000" adhesive backed waterproof membrane applied shingle fashion

Aluminum framed window and door systems

7/8" thk. ext. cem. plaster or grade "D" W.P. paper backed mtl. lath - burnished hard troweled finish

Custom 42" high min. colored laminated safety glass guardrail system w/ stainless steel stanchions and top rail

20 ga. sht. mtl. cladding or two layers "Bituthene 3000" adhesive backed waterproof membrane applied shingle fashion

Property line

CIP concrete wall w/ board formed finish

Entry gate - stainless steel w/ brushed finish - lever hardware w/ classroom lock (always unlocked inside/always locked/keyed outside)

Ground Floor T.O.S. 110.777'

Height Limit Datum (C.L. Cabrillo Avenue) El. 99.8223'

7 South Elevation

Scale: 1/4" = 1'-0"

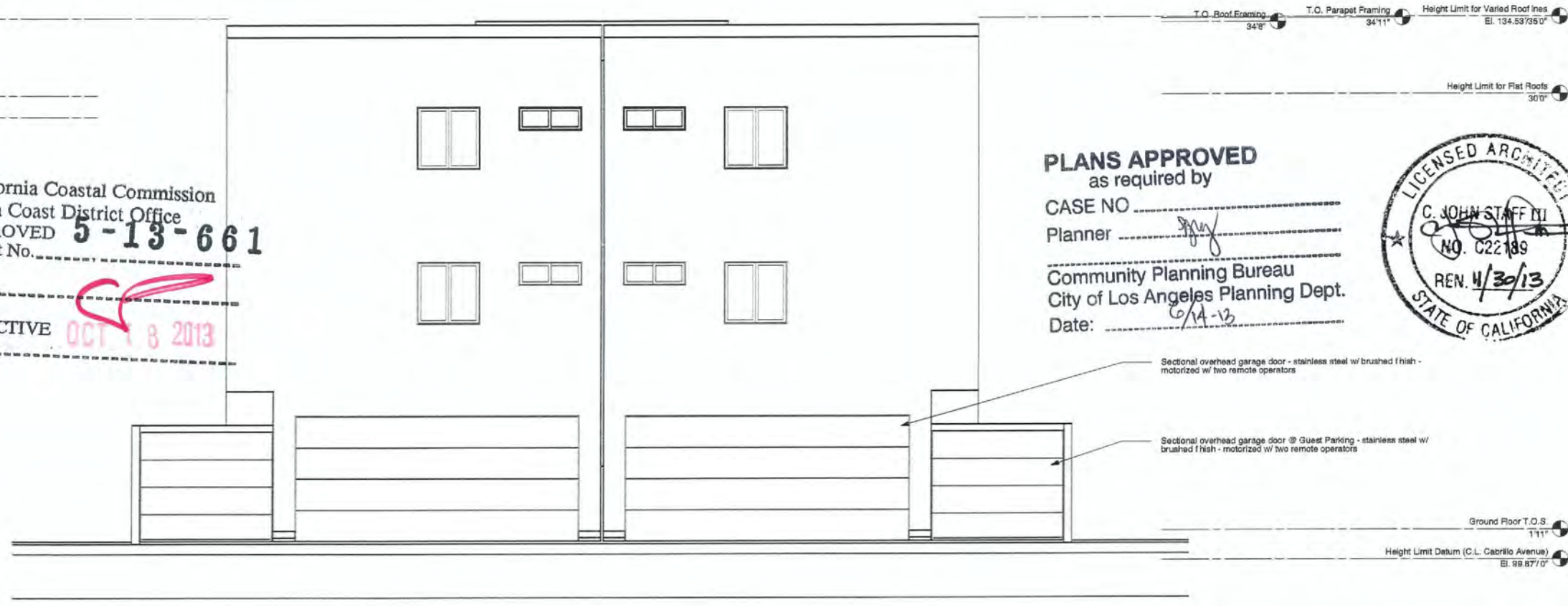
Height Limit for Varied Roof lines  
350'

Height Limit for Flat Roofs  
300'

T.O. Roof Framing adjacent to Front Yard  
287.12'

Ground Floor T.O.S.  
111'

Height Limit Datum (C.L. Cabrillo Avenue)  
0'



T.O. Roof Framing 349'

T.O. Parapet Framing 3411'

Height Limit for Varied Roof lines El. 134.537250'

Height Limit for Flat Roofs 300'

Sectional overhead garage door - stainless steel w/ brushed finish - motorized w/ two remote operators

Sectional overhead garage door @ Guest Parking - stainless steel w/ brushed finish - motorized w/ two remote operators

Ground Floor T.O.S. 111'

Height Limit Datum (C.L. Cabrillo Avenue) El. 99.8710'

12 North Elevation

Scale: 1/4" = 1'-0"

California Coastal Commission  
South Coast District Office  
APPROVED 5-13-661  
Permit No. \_\_\_\_\_  
By: \_\_\_\_\_  
EFFECTIVE OCT 18 2013  
Date: \_\_\_\_\_

**PLANS APPROVED**  
as required by  
CASE NO. \_\_\_\_\_  
Planner \_\_\_\_\_  
Community Planning Bureau  
City of Los Angeles Planning Dept.  
Date: 6/14-13



J. STAFF ARCHITECT  
11101 WILSON AVENUE  
LOS ANGELES, CA 90024  
TEL: 310.409.1234  
WWW.JSTAFFARCHITECT.COM

**JSA**  
BUILDINGS - INTERIORS

Cabrillo Ventures  
New Duplex Residence  
1217 and 1219 S. Cabrillo Avenue  
Venice, CA 90291

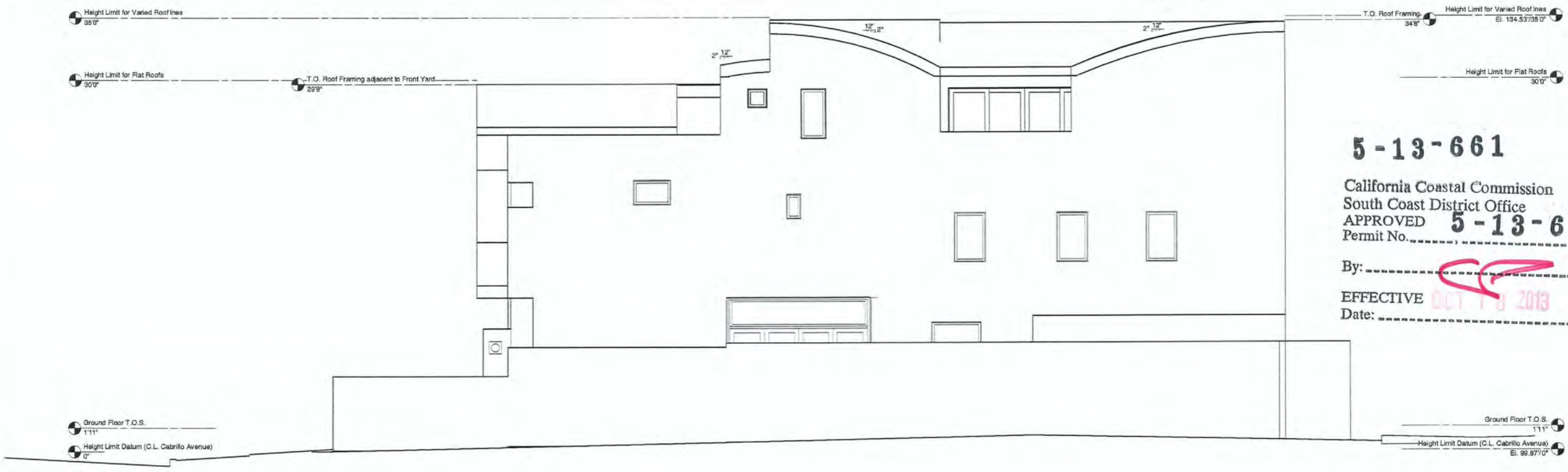
North and South Elevations  
Drawing status: City of LA Planning Director and Coastal Commission Submittal Set

Scale: Noted  
Drawn: CJS III  
Phase: CD  
Date: 6/13/13  
Time: 6:46:56 PM  
File name: Cabrillo\_CD 3 story duplex skylight vwc

Sheet:  
A-3.1

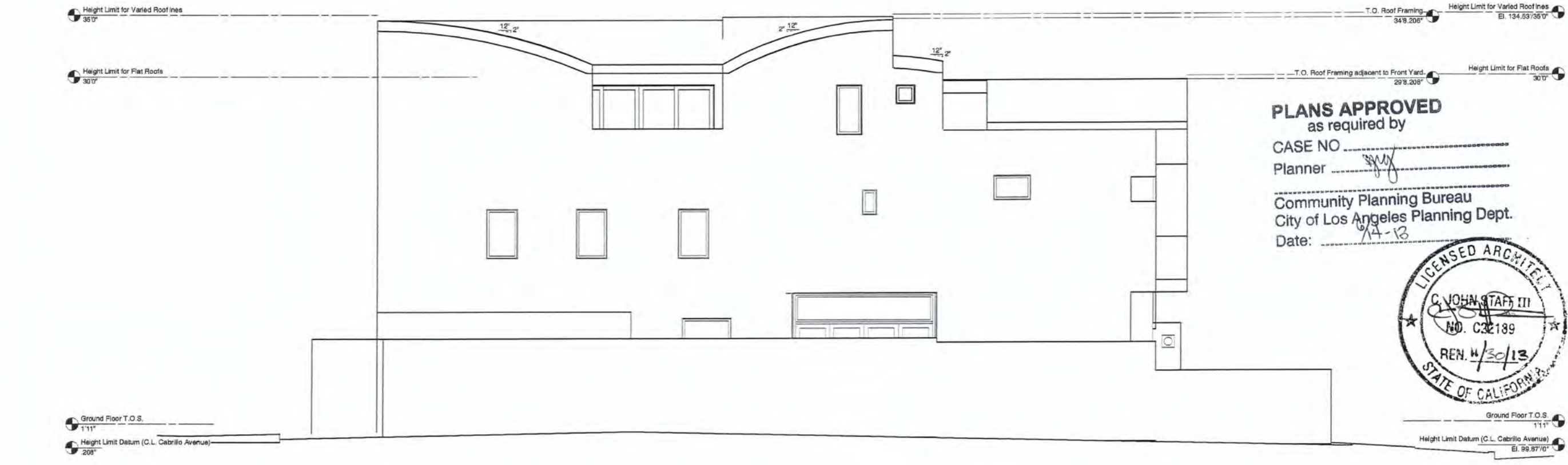
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7 East Elevation

Scale: 1/4" = 1'-0"



12 West Elevation

Scale: 1/4" = 1'-0"

**5-13-661**  
 California Coastal Commission  
 South Coast District Office  
 APPROVED **5-13-661**  
 Permit No. \_\_\_\_\_  
 By: \_\_\_\_\_  
 EFFECTIVE **OCT 15 2013**  
 Date: \_\_\_\_\_

**PLANS APPROVED**  
 as required by  
 CASE NO. \_\_\_\_\_  
 Planner \_\_\_\_\_  
 Community Planning Bureau  
 City of Los Angeles Planning Dept.  
 Date: **11-13**



JSA  
 BUILDINGS - INTERIORS  
 Cabrillo Ventures  
 New Duplex Residence  
 1217 and 1219 S. Cabrillo Avenue  
 Venice, CA 90291  
 East and West Elevations  
 Drawing status: City of LA Planning Director and Coastal Commission Submittal Set  
 Date: 09/19/13  
 Time: 6:46:50 PM  
 File Name: Cabrillo CD 3 story duplex - daylight.wxd  
 Sheet: A-3.2



**EXHIBIT 4**

**CALIFORNIA COASTAL COMMISSION**

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



November 30, 2015

Alan Robert Block  
Block & Block  
1880 Century Park East, #415  
Los Angeles, CA 90067

**Re: Waiver De Minimis 5-13-0661-W, 1217-1219 Cabrillo Avenue, Venice, City of Los Angeles.**

Dear Mr. Block:

On October 9, 2013, the Coastal Commission approved Coastal Development Permit Application No. 5-13-0661-W, pursuant to Section 30624.7 of the Coastal Act (Waiver for De Minimis Development). Waiver De Minimis 5-13-0661-W authorizes the following development on the Venice property located at 1217 & 1219 Cabrillo Avenue:

*Demolition of a duplex and single-family residence on two abutting 2,550 square foot lots (Lot Nos. 7&8 tied), and construction of two attached three-story, 35-foot high, 2,741 square foot single-family residences, each with an attached two-car garage*

The approved structure is a three-story duplex consisting of two attached single-family residences. The approved three-story structure has been constructed and appears to conform to the project described in the waiver approved by the Commission. I have compared the façade of the structure as it exists today with the final approved plans that our staff (myself) signed when the Notice of Waiver Effectiveness was issued on October 18, 2013. I can identify no discrepancy between the existing three-story structure and the Commission-approved structure described in Waiver 5-13-0661-W.

You indicate that the owner has applied to the City Planning Department for approval (Parcel Map and Local Coastal Development Permit) to convert the duplex into condominiums. You state that the plans for the actual structure are not being changed – only the type of ownership. Such conversions are not uncommon and are routinely approved because there are no adverse impacts to the surrounding environment since there will be no physical change or change in density (number of residential units).

Our staff will continue to monitor the progress of the local coastal development permit application for the proposed condominium parcel map. The City's final decision on a local coastal development permit can be appealed to the Commission. Our staff will review the City's action when we receive the Notice of Final Action from the City.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Posner'.

Charles R. Posner  
Supervisor of Planning

**EXHIBIT 5**



# Th11b

## Email of Support

**From:** [Posner, Chuck@Coastal](mailto:Posner_Chuck@Coastal)  
**To:** [Alvarado, Marlene@Coastal](mailto:Alvarado_Marlene@Coastal)  
**Cc:** [Padilla, Al@Coastal](mailto:Padilla_Al@Coastal)  
**Subject:** FW: Item Th11b, 1217 and 1219 S. Cabrillo Avenue in Venice 90291  
**Date:** Monday, June 06, 2016 2:00:52 PM

---

**From:** Manny-Cheri [mailto:uskatz@aol.com]  
**Sent:** Saturday, June 04, 2016 1:11 PM  
**To:** Posner, Chuck@Coastal  
**Cc:** john@jstaffarchitect.com  
**Subject:** Re: Item Th11b, 1217 and 1219 S. Cabrillo Avenue in Venice 90291

Mr. Chuck Posner, Supervisor of Planning  
California Coastal Commission  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302

Re: Item Th11b, 1217 and 1219 S. Cabrillo Avenue in Venice 90291

My name is Manuel Katz. My wife and I own and reside at 1221 Cabrillo Ave, next door to the above project.

We have not been happy with the size and character of the project and how it dominates our street. I have been listed

as an appellant on matters related to the Mello Act. However, since the project is completed and can't be undone, we

have been considering the potential ownership status of the two units (ie, duplex vs condominiums).

On this issue,

my wife and I and our neighbors strongly feel that the units should be separately owned condominiums.

We feel that

it is in our best interest that there should be owner residents in each unit. That would ensure that the integrity of each

unit would be maintained and greatly reduce the chance that one or both of the units are used for short term rentals.

Sincerely,

Manuel Katz  
[uskatz@aol.com](mailto:uskatz@aol.com)