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following the correspondence received.



Venice Neighborhood Council

PO Box 550, Venice CA 90294

[/www.VeniceNC.org](http://www.VeniceNC.org)

Email: president@VeniceNC.org,

Phone or Fax: 310.606.2015

Th 22a



RECEIVED
South Coast Region

JUL 07 2011

**CALIFORNIA
COASTAL COMMISSION**

July 7, 2011

Members of the California Coastal Commission
California Coastal Commission California Coastal Commission
200 OceanGate - Tenth Floor
Long Beach, CA 90806
cposner@coastal.ca.gov, gtimm@coastal.ca.gov

RE: A-5-VEN-10-281 534 Victoria Avenue – De Novo

Dear members of the California Coastal Commission and staff

At the request of Harris Levy, a Venice stakeholder and president of the Presidents Row Neighborhood Association, I am requesting a postponement of this item until the CCC's next meeting in this area so that it will be easier for Venice stakeholders to participate.

Thank you.

A handwritten signature in cursive script that reads "Linda Lucks".

Linda Lucks, President
310-505-4220

Cc: Board, Venice Neighborhood Council
Board@Venicenc.org
Harris Levy, Presidents Row Neighborhood Association
PRNA1@hotmail.com

RECEIVED
South Coast Region

JUL 07 2011

CALIFORNIA
COASTAL COMMISSION

Item Th 22a: A-5-VEN-10-281

Hi Chuck.

7/5/2011

Hope you had a good 4th.

Had we been able to see the applicant's modified proposal, it might also change the terms of our appeal. Unfortunately, the applicant has neither presented it, nor even communicated that it exists.

This is not an isolated case, but a precedent setting issue, and it would open the door for other businesses to intensify their use and usurp parking in the coastal zone.

Since the city and the community, and not the coastal commission, would be responsible for policing and enforcing the requirements and restrictions, we all need time to study the contents and the ramifications of the modified proposal.

In an equitable system, both parties have the opportunity to evaluate all documents and relevant information, before being subjected to a hearing which would decide the matter. It is unfair to have this hearing before all participants have been notified of the changes, and given sufficient time to respond.

The applicants were given extra time to submit the modified proposal at their convenience. The appellants should be given the same courtesy, and the hearing should be postponed until it can be held in Southern California, and they are able to attend without hardship.

The applicants have converted parking to office use, and have been operating without approvals for three years. They would not be harmed by waiting three months.

Please forward this to the commissioners and anyone else involved in the decision making process.

Thanks again for all your help,

Harris.

Chuck Posner

From: Presidents Row Neighborhood Association [prna1@hotmail.com]

Sent: Thursday, July 07, 2011 12:46 PM

To: Chuck Posner

Cc: prna1@hotmail.com

Subject: a-5-ven-10-281

Dear Mr. Posner.

The Presidents Row Neighborhood Association requests a postponement of this matter until it can be heard somewhat locally.

There has been new information submitted by Prologue, which we haven't had time to go over.

Sincerely,

Lindsey Folsom,
PRNA.

Chuck Posner

From: Mike Newhouse [mnewhouse@newhouseseroussi.com]

Sent: Thursday, July 07, 2011 5:28 PM

To: Chuck Posner; Gary Timm

Cc: 'Linda Lucks'

Subject: Re: A-5-VEN-10-281

Messrs. Posner and Timm:

As President Emeritus of the Venice Neighborhood Council, and as a resident of the President's Row neighborhood in Venice, it has come to my attention that the appellate hearing on the above referenced matter is unexpectedly being heard tomorrow. I respectfully request that the hearing on this matter be postponed, ideally until your October meeting so it may be considered in Southern California. The hearing should be postponed because:

- 1) The modified proposal was not part of the original application for a CDP. The staff report was just received, and the appellants and the community should have reasonable time for evaluation before they appear at a hearing where a decision is to be rendered.
- 2) The Council District 11 office, the Venice Neighborhood Council, Presidents Row Neighborhood Association and others have requested a postponement.
- 3) There needs to be a mechanism for oversight and enforcement before the transportation management plan is adopted.
- 4) The applicant has allegedly ignored warnings from the Department of Building and Safety, and has been allegedly operating in non-compliance for several years. Since the Coastal Commission would be responsible for dealing with any violations, it would not be prudent to render a decision until all the factors are considered.

Thank you for your time.

Michael R. Newhouse
Attorney

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Please consider the environment before printing this email.

7/8/2011

Chuck Posner

From: Presidents Row Neighborhood Association [prna1@hotmail.com]

Sent: Friday, July 08, 2011 2:09 PM

To: Chuck Posner

Cc: prna1@hotmail.com

Subject: A-5-VEN-10-291

To the Commissioners:

I finally received the meeting notice and staff report yesterday.

It is even more important that the hearing be postponed.

The analysis by Schmitz has some erroneous assumptions. Does anyone really believe that out of 35 employees, only 2 vehicles drive to work?

This is new territory and precedent setting. The proposed mitigation measures need time to be evaluated so that they will give the community the protection it needs.

Also there is no provision for oversight and compliance. Prologue had ignored all requests from DBS regarding their non-permitted construction, until the City Attorney threatened action. They filed several continuances with the APC, but never tried to work things out with the community, as requested. Then the APC couldn't meet because of a lack of quorum, and the communities' appeal was denied.

The Coastal Commission will be responsible for enforcement, in case of non-compliance of the conditions. The applicant has a history of non-compliance and, any approval needs to contain provisions for oversight and consequence.

This proposed traffic mitigation plan is a good concept. It just need to be done right.

The hearing should be postponed until the community, the council office, and other agencies have time for evaluation and input.

There is no need to rush to judgment.

Sincerely,

Harris Levey
President PRNA.

7/8/2011

July 8, 2011

RE: Agenda Item: TH 22 A

Application Number: A-5-VEN-10-281

534 Victoria Ave, Venice, CA

My Name: Stewart Oscars, Appellant

To: California Coastal Commission (CCC):

I ask you to please postpone any action regarding this project until it can be heard in a location in Southern California near Venice so that we local affected residents could:

- 1) have time to study in depth and comment intelligently on this parking proposal of the Applicant.
- 2) be allowed to participate in the actual hearing.

As the Applicant's proposed plan has only come to light in the past week, I know of very few people who have had a chance to look at it. I understand the City Council Office has had no chance to read it much less comment on it. I do not believe the City Attorney has weighed in on possible effects to Los Angeles. Personally I am still waiting for a copy of the Staff Report to be sent to me by the CCC. There has been virtually no discussion of this proposed plan.

This lack of discussion weighs on the process because:

- 1) The City should consider that a precedent may be established regarding in lieu parking fees. What does the City Attorney say about possible loss of revenues?
- 2) What is a plan for enforcement of the plan? Who will monitor, who will arbitrate? This will take someone's time. A solid plan needs to be in place before any decision is made.

Thank you,

Stewart Oscars
810 Angelus Place
Venice, CA 90291

RECEIVED
South Coast Region

JUL 11 2011

July 10, 2011

Appeal Number: A-5-VEN-10-281

Project Location: 534 Victoria Av, Venice 90291

CALIFORNIA
COASTAL COMMISSION

Dear Coastal Commissioners:

My name is James Murez, I live and work in Venice about a mile from the project site. I oppose approving this CDP and support Approval of the Appeal.

I made the 200 mile drive last year when this project first came before you. I wanted to speak in person at this hearing but cannot afford to make the two day drive to attend. Therefore, I'm writing to ask that either you postpone this hearing until it can occur closer to Los Angeles or outright deny the project and uphold the appeal. This project has been out of conformance for several years and postponing the hearing will not make any new impacts on the community.

I object to the plan the applicant is now offering for several reasons. I will outline my thinking very briefly.

- Unenforceable, the proposed mitigation measures cannot be monitored other than by the applicant. Are the 35 employees they are now claiming will carpool, bike... and not just parking around the corner somewhere else in the Coastal Zone? This will be an ongoing argument for all concerned.
- I am a member of the Land Use and Planning Committee of the Certified Venice Neighborhood Council. When this project was heard by our branch of local government the proposal was much different and the project was denied. The applicant has NOT presented this new proposed plan to the local community or our Board. Delaying the CCC action would allow the community to publicly hear the applicants New Proposal and make an official recommendation.
- The applicant has said in prior public hearings that this is only a short term fix and Her production company is seeking larger space in other parts of the City. Since the proposal runs with the land, the conditions will remain in effect for any new owner and therefore, will become enforcement issue to the CCC and local government in the future since the site does not address the parking needs of the underlying usage.
- The proposal is minimizing the Coastal impacts to meet "code" but not addressing the needs of the daily operation. The business is doing very well and growing fast. The proposed conditions talk about having 35 employees but stops short of describing peak production periods when as many as twice this number of employees may be on hand trying to meet a deadline nor does the proposal address any future growth.

Please postpone the hearing until it can be heard in So. California so those of us wishing to be can be heard can do so before your commission. This seems like the only fair solution to everyone involved. If it is not possible to delay, I urge you to APPROVE THE APPEAL and Deny the CDP.

Sincerely,
James Murez



CALIFORNIA COASTAL COMMISSION

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

Th22a

Appeal Filed: 11/22/2010
49th Day: Waived
180th Day: N/A
Staff: Charles Posner-LB
Staff Report: 6/30/2011
Hearing Date: July 14, 2011
Commission Action:

**STAFF REPORT: APPEAL - DE NOVO HEARING**

APPEAL NUMBER: A-5-VEN-10-281

APPLICANT: The Leader Camel Cheech, LLC

AGENT: Donna Tripp, Schmitz & Associates, Inc.

APPELLANTS: Harris Levey & Stewart Oscars

PROJECT LOCATION: 534 Victoria Avenue, Venice, City of Los Angeles, Los Angeles Co.

PROJECT DESCRIPTION: Conversion of a warehouse use (6,653 square feet) to manufacturing office use in an existing two-story building.

Lot Area	5,000 square feet
Building Coverage	5,000 square feet
Landscape Coverage	0 square feet
Parking Spaces	10 (including two on lifts)
Zoning	M1-1 Commercial
Plan Designation	Limited Industry
Building Height	30 feet above fronting street

SUMMARY OF STAFF RECOMMENDATION

On February 9, 2011, the Commission determined that the appeals raised a substantial issue with regards to the adequacy of the project's parking supply to meet the demands of the proposed development. Subsequent to the February 9, 2011 hearing, the applicant revised the proposal by agreeing to implement a Transportation/Parking Demand Management Program for the employees of the proposed manufacturing office use in order to reduce the parking demands generated by the proposed project (See Exhibit #9).

Staff is recommending **APPROVAL** of the coastal development permit with special conditions because the proposed project is located in an area designated for industrial uses by the Venice Land Use Plan, and as conditioned the proposed project will not adversely affect coastal access. The recommended special conditions, which begin on Page Three, would require: a) the provision of ten on-site parking stalls; b) the implementation of a Transportation/Parking Demand Management Program for the employees of the proposed manufacturing office use; and, c) the recordation of a deed restriction. As conditioned, the proposed project will protect coastal access and conform with the Chapter 3 policies of the Coastal Act. The applicant agrees with the staff recommendation. **See Page Two for the motion to carry out the staff recommendation.**

SUBSTANTIVE FILE DOCUMENTS:

1. City of Los Angeles certified Land Use Plan for Venice, 6/14/2001.
2. City of Los Angeles Specific Plan for Venice, Ordinance No. 175,693.
3. Commission Appeal Case A-5-VEN-07-200 (Amuse Café, 796 Main Street).
4. Commission Appeal Case A-5-VEN-10-138 (ADC Development, 1305 Abbot Kinney Blvd.).
5. City of Los Angeles Local Coastal Development Permit No. ZA-2009-3190-CDP-A1.
6. City of Los Angeles Specific Plan Project Permit No. DIR-2006-10495-SPP.
7. Transportation/Parking Demand Management Proposal for 534 Victoria Avenue, Venice, CA, by Schmitz & Associates, Inc. (June 21, 2011).

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application with special conditions:

MOTION: *"I move that the Commission approve with special conditions Coastal Development Permit Application No. A-5-VEN-10-281 per the staff recommendation."*

The staff recommends a **YES** vote. Passage of the motion will result in **APPROVAL** of the coastal development permit application with special conditions, and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of Commissioners present.

I. Resolution: Approval with Conditions

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. Approved Development: 6,653 square feet of manufacturing office use

Coastal Development Permit A-5-VEN-10-281 approves 6,653 square feet of manufacturing office use and a total of ten on-site parking stalls in an existing two-story building (as shown on Exhibit No. 5, Page 2 of the Staff Report dated June 30, 2011). The approved manufacturing office use is contingent upon the permittee's implementation and continued operation of the Transportation/Parking Demand Management Program described in Special Condition Two of this permit. In the event of non-compliance with the required Transportation/Parking Demand Management Program, the permittee's right to use 6,653 square feet of the structure for a manufacturing office use shall terminate.

All development must occur in strict compliance with the special conditions and the final plans approved by the Executive Director. Any deviation from the approved plans, any proposed change in use, change to the approved parking program, change in number of parking stalls, or any other deviation from the approved development, shall be submitted for review by the Executive Director to determine whether an amendment to this coastal development permit is legally required pursuant to the requirements of the Coastal Act and the California Code of Regulations. If the Executive Director determines that an amendment is necessary, no changes shall be made until a permit amendment is approved by the Commission and issued by the Executive Director.

2. Transportation/Parking Demand Management Program

In order to protect nearby public parking facilities from the parking impacts of the proposed development, the permittee shall implement the proposed Transportation/Parking Demand Management Program (by Schmitz & Associates, Inc., dated June 21, 2011) consistent with the following provisions:

- a) The permittee shall provide at least ten (10) parking stalls on the site for use by employees and customers. Two of the required ten stalls may be provided by vehicle lifts. There shall be no charge or fee for customers and employees to use the on-site parking while working or patronizing the approved use.

- b) The permittee shall provide incentives for employees to use public transportation, including the provision of public transit passes to employees (the public transit passes shall be paid for by the permittee).
- c) The permittee shall provide at least fifteen bike racks and encourage employees to ride bicycles to work.
- d) The permittee shall organize a carpool program and encourage employee participation using coordinated work schedules, daily reminders, and other incentives.
- e) The permittee shall provide a driver and vehicle (at the permittee's expense) during inclement weather and after dark to transport employees who ordinarily use alternative modes of transportation.
- f) The permittee shall provide evening meals on-site, communal bicycles and a company vehicle for use by employees during business hours (to discourage the use of private automobiles).

The Transportation/Parking Demand Management Program shall be implemented at all times consistent with the terms of this condition. Any proposed change to the required Transportation/Parking Demand Management Program shall be submitted to the Executive Director to determine whether an amendment to this permit is legally required pursuant to the requirements of the Coastal Act and the California Code of Regulations.

3. Local Government Approval

The proposed development is subject to the review and approval of the local government (City of Los Angeles). This action has no effect on conditions imposed by a local government pursuant to an authority other than the Coastal Act, including the conditions of the City of Los Angeles Department of City Planning Case No. DIR-2006-10495-SPP (Specific Plan Project Permit). In the event of conflict between the terms and conditions imposed by the local government and those of this coastal development permit, the terms and conditions of Coastal Development Permit A-5-VEN-10-281 shall prevail.

4. Deed Restriction

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this coastal development permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the special conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the property. The deed restriction shall include a legal description of the entire parcel governed by this coastal development permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this coastal development

permit shall continue to restrict the use and enjoyment of the subject property so long as either this coastal development permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

5. Condition Compliance

Within ninety (90) days of Commission action on this coastal development permit application, or within such additional time as the Executive Director may grant for good cause, the applicant shall satisfy all requirements specified in the conditions hereto that the applicant is required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. Project Description and Background

The project site, which fronts Victoria Avenue, is about one-half mile inland of the beach and boardwalk in Venice (Exhibit #1). The project site is comprised of two lots developed in 1999 with a two-story, 6,653 square foot warehouse with a ground-floor parking garage (Exhibit #5). The development authorized by the City of Los Angeles West Los Angeles Area Planning Commission's approval of Local Coastal Development Permit No. ZA-2009-3190 is a change of use from warehouse distributor to a manufacturing office use. The project plans indicate that both floors of the structure have been partitioned into various sized offices (Exhibit #5). The proposed use is a multi-media company that employs 30-35 people (on flexible work schedules) to manufacture art work, graphics, posters and T-shirts for the movie industry. The business hours generally run from 9 a.m. to midnight, Monday through Friday.

The property is zoned M1-1 (Limited Industry). The surrounding properties are improved primarily with automobile repair shops and other manufacturing uses, but the industrial area is bordered by the residential neighborhood situated north of Zeno Place (Exhibit #3). The community was established early in the nineteenth century and many of the businesses have very little or no on-site parking. The competition for the limited amount of on-street parking is intense, especially in the evenings and on weekends when many of the residents of the surrounding neighborhood are in their homes.

The proposed project includes the provision of ten on-site parking spaces in a tandem arrangement in the ground-floor garage of the structure, with two of the ten spaces provided by mechanical lifts (Exhibit #5, p.2). The parking garage is accessed from the rear alley, Victoria Court. Bicycle racks will be provided for employees who ride bikes to work. The applicant also proposes to provide employees incentives for using public transportation and to encourage carpools. The incentives are described in the attached document entitled, Transportation/ Parking Demand Management Proposal for 534 Victoria Avenue, Venice, CA, by Schmitz & Associates, Inc. (Exhibit #9).

The City's approval of the proposed project requires the applicant to pay fees into the Venice Coastal Parking Impact Trust Fund in lieu of providing twelve of the 22 required parking spaces, as no variance from the City's parking requirements has been granted (Specific Plan Project Permit Case No. DIR-2006-10495-SPP). The Commission is not requiring the payment of the in lieu fees. The in-lieu fee program is a City program implemented under the uncertified Venice Specific Plan (Ordinance No. 175,693). The City-imposed in-lieu parking fees are not subject to repeal by this coastal development permit action, so they will remain in place, despite not being required in this coastal development permit.

This case, which involves a change of use, has been proceeding through the permitting process for several years. The case has come to the Commission as an appeal of a local coastal development permit after working its way through the City Planning Department's approval process. It started on September 6, 2006 when the City of Los Angeles Department of Building and Safety issued an Order to Comply (Case No. 1248892) in response to complaints about construction without permits at the project site.

On November 5, 2007, pursuant to the requirements of the Venice Specific Plan, the City of Los Angeles Planning Department issued the applicant a Specific Plan Project Permit (Case No. DIR-2006-10495-SPP) to change the use of a two-story warehouse to a manufacturing office use (with a new façade and balcony). The City's Project Permit approval requires the applicant to provide ten parking spaces on the site and to pay an in-lieu fee into the Venice Coastal Parking Impact Fund for twelve of the 22 required parking spaces. On November 14, 2007, Harris Levey appealed the City's approval of the Project Permit to the City of Los Angeles West Los Angeles Area Planning Commission. On February 11, 2009, the West Los Angeles Area Planning Commission denied the appeal because the Planning Commission failed to act on it within the required time period (Exhibit #8).

On August 3, 2010, the City Zoning Administrator approved Local Coastal Development Permit No. ZA-2009-3190 for the conversion of the warehouse use (6,653 square feet) to manufacturing office use. The City's coastal development permit approval also required the applicant to provide ten parking spaces on the site and to pay an in-lieu fee into the Venice Coastal Parking Impact Fund for twelve of the 22 required parking spaces.

On August 16, 2010, Harris Levey appealed the City Zoning Administrator's approval of the local coastal development permit to the City of Los Angeles West Los Angeles Area Planning Commission. On October 20, 2010, after a public hearing, the West Los Angeles Area Planning Commission denied the appeal and upheld the City Zoning Administrator's approval of the local coastal development permit (Exhibit #4).

Harris Levey and Stewart Oscars then appealed the City's approval of the local coastal development permit to the Commission. On February 9, 2011, the Commission determined that the appeals raised a substantial issue with regards to the adequacy of the project's parking supply to meet the demands of the proposed development.

B. Certified Venice Land Use Plan

The City of Los Angeles does not have a certified Local Coastal Program (LCP) for the Venice area. The City of Los Angeles Land Use Plan (LUP) for Venice was effectively certified on June 14, 2001. The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The certified Venice LUP is advisory in nature and may provide guidance.

The land use designation for the project site, as set forth by the certified Venice LUP, is Limited Industry. The property is zoned M1-1 (Limited Industry). The certified Venice LUP sets forth the following policy for industrial land uses:

Policy I. C. 1. Industrial Land Use. *The Land Use Plan designates approximately 53 acres of land for Limited Industry land uses. It is the policy of the City to preserve this valuable land resource from the intrusion of other uses, and to ensure its development with high quality industrial uses. Commercial use of industrially designated land shall be restricted. Artist studios with residences may be permitted in the Limited Industry land use category. Adequate off-street parking shall be required for all new or expanded industrial land uses consistent with Policies II.A.3 and II.A.4. The design, scale and height of structures in areas designated for industrial land uses shall be compatible with adjacent uses and the neighboring community.*

Policies II.A.3 and II.A.4 of the certified Venice LUP provide guidance for determining parking requirements for projects within the Venice coastal zone, as follows:¹

Policy II. A. 3. Parking Requirements. *The parking requirements outlined in the following table shall apply to all new development, any addition and/or change of use. The public beach parking lots and the Venice Boulevard median parking lots shall not be used to satisfy the parking requirements of this policy. Extensive remodeling of an existing use or change of use which does not conform to the parking requirements listed in the table shall be required to provide missing numbers of parking spaces or provide an in-lieu fee payment into the Venice Coastal Parking Impact Trust Fund for the existing deficiency. The Venice Coastal Parking Impact Trust Fund will be utilized for improvement and development of public parking facilities that improve public access to the Venice Coastal Zone.*

MANUFACTURING & RELATED USES:

<i>Manufacturing and Industrial Establishment, including offices and other than incidental operations. Software, music, film and video manufacturing.</i>	<i>3 spaces; plus 1 space for each 350 square feet of floor area.</i>
<i>Warehouse Storage Building</i>	<i>3 spaces plus; 1 space for each 1,000 square feet of floor area</i>

¹ The parking standards in the certified Venice LUP are identical to the parking standard contained in the Commission's Regional Interpretive Guidelines for Los Angeles County, adopted 1980.

Policy II. A. 4. Parking Requirements in the Beach Impact Zone. *Any new and/or any addition to commercial, industrial, and multiple-family residential development projects within the Beach Impact Zone shall provide additional (in addition to parking required by Policy II.A.3) parking spaces for public use or pay in-lieu fees into the Venice Coastal Parking Impact Trust Fund.*

The proposed use is a manufacturing office where art work, graphics, posters and T-shirts for the movie industry are manufactured. The proposed manufacturing use is an appropriate land use for the project site. It is located more than one-half mile from the beach. The site is not situated within the Beach Impact Zone. The parking requirement table in the certified LUP requires manufacturing and industrial uses to provide more parking than warehouses. The issue of whether the proposed project's parking supply is adequate to meet the demands of the proposed development is addressed in the following section.

C. Public Access/Parking

The primary Coastal Act policy raised in this case is the parking demand of the proposed project and the project's affect on the public's ability to access the shoreline. The Commission has consistently found that a direct relationship exists between the provision of adequate parking and availability of public access to the coast. The Coastal Act requires that new development shall not interfere with public access to the coast.

The standard of review in this case is the Chapter 3 policies of the Coastal Act. The following public access polices are relevant in this case:

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30213 of the Coastal Act states:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

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.

The appellants assert that there is a shortage of available on-street parking in the neighborhood, and they have provided evidence to support this assertion (Exhibit #6, p.10). The Venice community was established early in the twentieth century and many of the older residences and businesses do not have on-site parking. Since many of the residential and industrial buildings do not provide enough off-street parking to meet parking demands, the residents, employees and visitors have to compete for the limited amount of on-street parking. The competition for the limited amount of on-street parking is intense, especially in the evenings and on weekends when many of the residents of the surrounding neighborhood are in their homes. Beach goers may also compete for the use of the limited number of on-street parking spaces on some busy summer weekends.

The appellants contended in their appeal that the proposed change of use has adversely impacted the public's ability to park on the City streets because the employees (of the applicant's company) utilize the public streets for parking while they work (Exhibits #6&7). The appellants also contended that the City's requirement that the applicant pay fees in lieu of providing twelve of the 22 required parking spaces will not mitigate the parking impacts of the proposed project because the City's in-lieu fee of \$18,000 per space is not equivalent to the cost of providing an actual parking space, and the City's in-lieu fees are not being used to provide any new parking or to improve coastal access. The in lieu parking fees previously collected by the City have allegedly been transferred to the City's general fund and used for more general purposes.

Because of the development's distance from the shoreline (approximately one half mile), the primary parking issue in this case is one that involves the competition between the neighborhood's residents and employees of the businesses in one of Venice's few industrial areas. Coastal access will not be substantially affected by the parking impacts of the proposed project because of the long distance to the beach and because the general operations at the site occur on weekdays, not weekends when peak beach use occurs (Exhibit #9, p.4).

Section 30252 of the Coastal Act requires that the proposed project shall provide adequate parking facilities or provide substitute means of serving the development with public transportation so that the development does not adversely affect the public parking supply that supports public access to Venice Beach. In general, the amount of parking that is "adequate" is determined by calculating the parking demand of a specific project using a parking standard. The parking standard is typically part of a certified local coastal program or zoning ordinance. The parking table contained in Policy II.A.3 of the certified Venice LUP calculates the parking requirement of the proposed project to be 22 parking spaces.

However, in this case, the project's parking demand has been substantially reduced by the recent implementation of the applicant's mitigation measures described in the application [Transportation/Parking Demand Management Proposal for 534 Victoria Avenue, Venice, CA, by Schmitz & Associates, Inc. (Exhibit #9)]. The actual parking demand for the proposed project, as described by the applicant, will be accommodated entirely on the project site in the ten-stall garage so that there will be no adverse impact to nearby on-street parking supply. The applicant states that, on a typical day, the employees' parking demand is only one or two parking spaces at any given time because of the company's flexible work schedules and use of carpools and other modes of transportation: two employees ride motorcycles and park in the

garage, two employees skateboard to work, eighteen employees ride bicycles to work, and three employees use public transportation (Exhibit #9, p.10).

The mitigation measures proposed by the applicant to reduce the employees' use of private automobiles to commute to work include: 1) providing employees with free public transit passes, 2) providing communal bicycles and a company vehicle for use by employees during business hours (so they do not need to bring their own vehicles to go out to eat), 3) providing fifteen bike racks and a free bike maintenance and repair service for employees who ride bicycles to work, 4) providing evening meals on-site so employees do not need to bring their own vehicles to go out to eat, 5) organizing a carpool program and encouraging participation with coordinated work schedules and reminders, and 6) providing a driver and vehicle (at the applicant's expense) during inclement weather and after dark to transport employees who ordinarily use alternative modes of transportation. The project site is close to two public bus routes and bus stops along Venice Boulevard and Abbot Kinney Boulevard (Exhibit #9, p.11).

In order to protect nearby public parking facilities from the parking impacts of the proposed development, Special Condition Two of the permit requires the permittee to implement the proposed Transportation/Parking Demand Management Program consistent with the following provisions:

- The permittee shall provide at least ten (10) parking stalls on the site for use by employees and customers. Two of the required ten stalls may be provided by vehicle lifts. There shall be no charge or fee for customers and employees to use the on-site parking while working or patronizing the approved use.
- The permittee shall provide incentives for employees to use public transportation, including the provision of public transit passes to employees (the public transit passes shall be paid for by the permittee).
- The permittee shall provide at least fifteen bike racks and encourage employees to ride bicycles to work.
- The permittee shall organize a carpool program and encourage employee participation using coordinated work schedules, daily reminders, and other incentives.
- The permittee shall provide a driver and vehicle (at the permittee's expense) during inclement weather and after dark to transport employees who ordinarily use alternative modes of transportation.
- The permittee shall provide evening meals on-site, communal bicycles and a company vehicle for use by employees during business hours (to discourage the use of private automobiles).

The required Transportation/Parking Demand Management Program shall be implemented at all times consistent with the special condition. In the event of non-compliance with the required Transportation/Parking Demand Management Program, the permittee's right to use 6,653 square feet of the structure for a manufacturing office use shall terminate. In that event, the pre-existing permitted use as a warehouse could continue, or the amount of proposed

office space on the ground floor of the structure could be reduced in order to minimize its parking demands. A reduction of ground-floor office space would also preserve additional area within the existing parking garage for parking vehicles.

The Commission is not requiring the payment of in lieu fees for any of the parking requirements because the in lieu fees can do nothing to mitigate parking impacts unless the fees are spent on improvements to the public parking supply. At this time, the Commission is not aware of any City plan to fund improvements to the public parking supply in Venice. If the City had identified any plan or specific project for which the mitigation fees would be used to increase parking in the coastal zone, then a finding could be made that the parking impacts of the project were being mitigated. In this case, the City does not identify any plan or project for which the mitigation fees would be used. It must be noted, however, that the City-imposed in-lieu parking fees are not subject to repeal by this coastal development permit action, so they will remain in place, despite not being required in this coastal development permit.

The Commission finds that, only as conditioned to mitigate the parking demands of the proposed project by implementing the required Transportation/Parking Demand Management Program, does the proposed project protect the public parking supply from the impacts of the approved development. As conditioned to mitigate the parking demands of the project, the Commission finds that the proposed development is consistent with Section 30252 of the Coastal Act and the public access policies of the Coastal Act.

D. Unpermitted Development

Prior to applying for this coastal development permit, some of the development on the site occurred without the required coastal development permit. The unpermitted development is conversion of a warehouse use and ground floor parking to manufacturing office use. To ensure that the matter of unpermitted development is resolved in a timely manner, a special condition requires that the applicant satisfies all conditions of this permit which are prerequisite to the issuance of this permit within ninety days of Commission action, or within such additional time as the Executive Director may grant for good cause. Although development has taken place prior to Commission action on this permit application, consideration of the application by the Commission is based solely upon Chapter 3 policies of the Coastal Act. Commission action on this permit application does not constitute a waiver of any legal action with regard to the alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal development permit.

E. Deed Restriction

To ensure that any prospective future owners of the property are made aware of the applicability of the conditions of this coastal development permit, the Commission imposes one additional condition requiring that the property owner to record a deed restriction against the property, referencing all of the above special conditions of this permit and imposing them as covenants, conditions and restrictions on the use and enjoyment of the property. Thus, as conditioned, this permit ensures that any prospective future owner will receive actual notice of the restrictions and/or obligations imposed on the use and enjoyment of the land in connection with the authorized development.

F. Local Coastal Program

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act:

- (a) Prior to certification of the Local Coastal Program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200). A denial of a Coastal Development Permit on grounds it would prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

The City of Los Angeles does not have a certified Local Coastal Program for the Venice area. The City of Los Angeles Land Use Plan (LUP) for Venice was effectively certified on June 14, 2001. The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The certified Venice LUP is advisory in nature and may provide guidance. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act. As a result of the proposed project's consistency with the Coastal Act, approval of this project will not prejudice the City of Los Angeles' ability to prepare an LCP that is consistent with Chapter 3 of the Coastal Act.

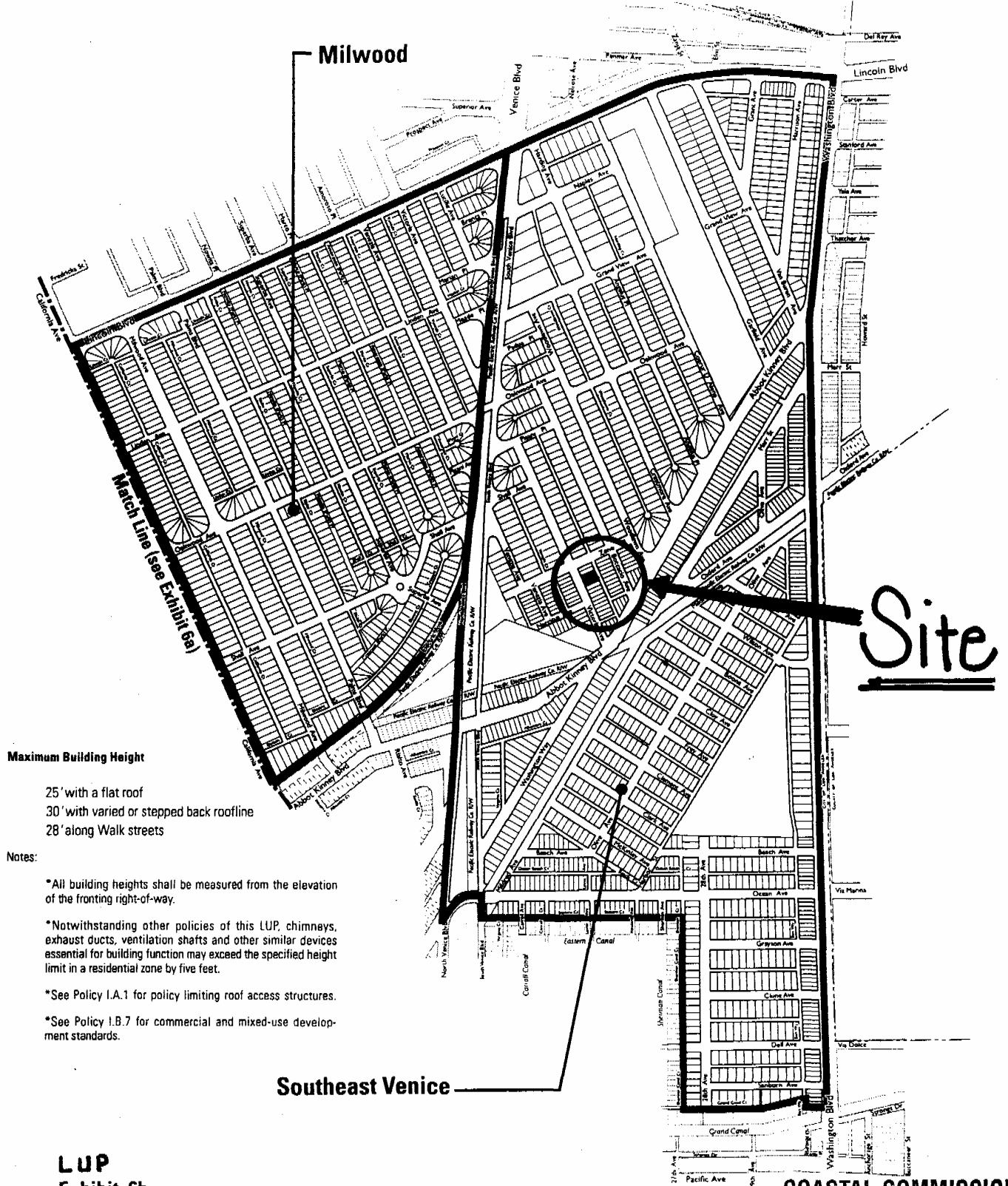
G. California Environmental Quality Act (CEQA)

Section 13096 of the California Code of Regulations requires Commission approval of coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

In this case, the City of Los Angeles is the lead agency and the Commission is the responsible agency for the purposes of CEQA. The City of Los Angeles has determined that the proposed project is categorically exempt from the California Environmental Quality Act pursuant to Article VII, Section 1, Class 1, Category 1 of the City CEQA Guidelines. On October 8, 2009, the Los Angeles Department of City Planning issued CEQA Notice of Exemption No. ENV-2009-3191-CE. As conditioned by this permit, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

VENICE, CA





LUP

Exhibit 6b

Subarea: Oakwood • Milwood • Southeast Venice

A-5-VEN-10-281

COASTAL COMMISSION

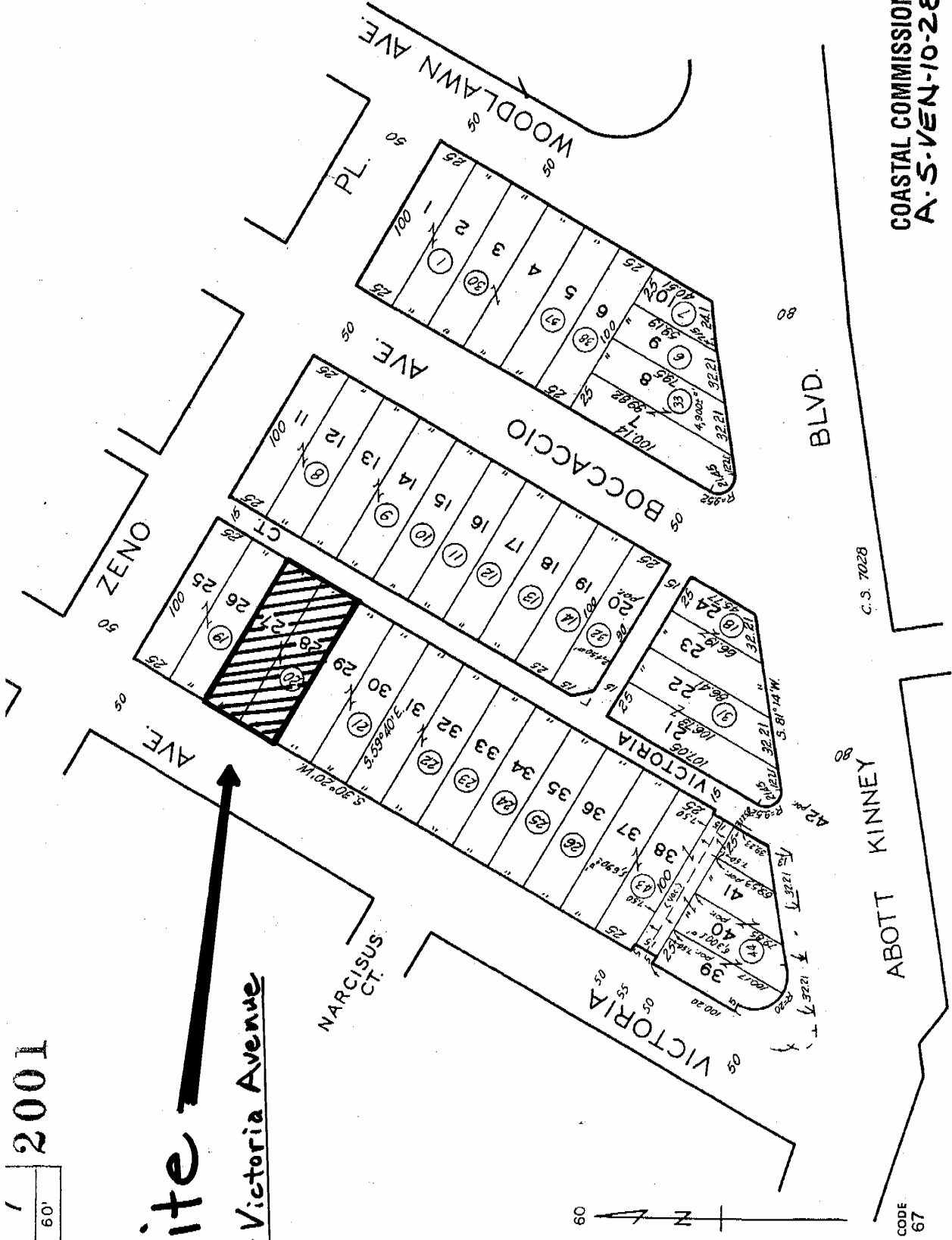
Not to Scale

EXHIBIT # 2

PAGE 1 OF 1

4231 / 2001
 SCALE 1" = 60'

Site
534 Victoria Avenue



COASTAL COMMISSION
 A-S-VEN-10-281

EXHIBIT # 3

PAGE 1 OF 1

TRACT NO. 6002

M. B. 63 - 79 - 80

FOR PREV. ASSMT. SEE: 571 - 32



WEST LOS ANGELES AREA PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.lacity.org/PLN/index.htm

Determination Mailing Date: OCT 29 2010

CASE NO: ZA 2009-3190-CDP-1A
CEQA: ENV-2009-3191-CE

Location: 534 Victoria Avenue
Council District: 11
Plan Area: Venice
Zone: M1-1
District Map: 108B145

Applicant: The Leader Carmel Cheech, LLC
Representatives: Mitchell J. Dawson and Justin Michael Block

Appellant: Harris J. Levey, Presidents Row Neighborhood Assn.

At its meeting on **October 20, 2010**, the following action was taken by the West Los Angeles Area Planning Commission:

1. **Denied** the appeal.
2. **Sustained** the Zoning Administrator's decision and approved a Coastal Development Permit to allow a change of use of an existing warehouse distributor to a manufacturing office located within the single jurisdiction of the California Coastal Zone, subject to the Conditions of Approval with an additional Condition No. 13.
3. **Adopted** the Modified Conditions and revised Findings.
4. **Found** the environmental clearance Categorical Exemption ENV-2009-3191-CE.

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

This action was taken by the following vote:

Moved: Donovan
Seconded: Foster
Ayes: Donovan, Foster, Lee
Nays: Linnick
Absent: Martinez

Vote: 3 - 1

Effective Date

Effective upon the mailing of this notice

Appeal Status

Not further appealable to City Council


Rhonda Ketay, Commission Executive Assistant
West Los Angeles Area Planning Commission

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: Modified Conditions and Findings

cc: Notification List
Sue Chang

COASTAL COMMISSION
A-5-VEN-10-281

EXHIBIT # 4
PAGE 1 OF 7

CONDITIONS OF APPROVAL**[THE WEST LOS ANGELES AREA PLANNING COMMISSION
AT THE MEETING ON OCTOBER 20, 2010]**

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.
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 Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.
6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
7. Prior to any sign-off of plans by the Zoning Administrator, the applicant shall submit the plot plan for review and approval to the Fire Department. Said Department's approval shall be included in the form of a stamp on the plans submitted to the Zoning Administrator.
8. The project shall not exceed 30 feet in height and 6,653 square feet of floor area, as shown on Exhibit "A" and as approved in the project permit under Case No. DIR 2006-10495-SPP-1A.
9. Parking shall be provided in compliance with the Venice Specific Plan and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein.

COASTAL COMMISSIONEXHIBIT # 4PAGE 2 OF 7

Prior to the issuance of any building permit, evidence of compliance with this condition such as communication from the Community Planning staff clarifying the parking requirement shall be submitted to the satisfaction of the Zoning Administrator.

10. Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
11. The project shall comply with the conditions of a Project Permit, which was approved under Case No.2006-10495-SPP-1A, in conformance with the Venice Specific Plan (Ordinance No. 175,693 or its subsequent amendments, if any)

Prior to the issuance of any permits, evidence of compliance with this condition shall be submitted to the satisfaction of the Zoning Administrator such as a clearance letter from the Community Planning Staff.

12. Prior to 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 Zoning Administrator 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.
13. **[ADDED BY THE WLA APC]** The privileges granted herein shall become null and void three years from the effective date of this determination unless a new coastal development permit that extends such privileges is "approved" for the manufacturing office prior to that date.

The applicant is advised that he/she should allow appropriate time for a new coastal development permit application to be processed and the application should be approved prior to the expiration date of this grant in order to continue the manufacturing office use on the subject property.

COASTAL COMMISSION

EXHIBIT # 4
PAGE 3 OF 7

FINDINGS:**[THE WEST LOS ANGELES AREA PLANING COMMISSION MEETING
ON OCTOBER 20, 2010]****MANDATED FINDINGS FOR COASTAL DEVELOPMENT PERMIT:**

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 (commencing with Section 30200 of the California Public Resources Code).

The applicant is requesting a Coastal Development Permit to allow the conversion of an existing building, which has been used for a warehouse distributor into a manufacturing office. The project contains approximately 6,653 square feet of floor area with within a single jurisdiction of the California Coastal Zone.

- a. Shoreline Access: The subject property is located within the single jurisdiction of the California Coastal zone and will clearly not interfere with or obstruct any access to coastal resources or ocean use.
- b. Recreation and Visitor Serving Facilities: The project site has no adjacent or nearby recreational facilities for visitors.
- c. Water and Marine Resources: This project will not impact any marine resources. The project is well above the high tide line and will not have any identifiable effect on the Pacific Ocean, or on the sandy inter-tidal zone.
- d. Environmentally Sensitive Habitat Area. The project is within a fully developed residential and commercial community with no such areas nearby. The project is limited to the boundary of the private property in an area that is fully developed with residential homes and commercial/industrial buildings.

2. The development will not prejudice the ability of the City of Los Angeles to prepare a Local Coastal Program in conformity with said Chapter 3 of the California Coastal Act of 1976.

Currently, there is no adopted Local Coastal Plan (LCP) for this portion of the Coastal Zone. In the interim, the adopted Venice Community Plan serves as the functional equivalent. The Venice Community Plan Map designates for Limited Manufacturing with a corresponding zone of M1 and Height District No. 1. The property is within the area of the Los Angeles Coastal Transportation Corridor Venice Coastal Zone Specific Plan. The subject property is zoned M1-1 and is consistent with the community plan in terms of the use and the density.

The proposed use is permitted in the M-1 zone and plan designation of the Venice Community Plan.

3. **The Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments (revised October 14, 1980) thereto have been reviewed, analyzed and considered in light of the individual project in making this determination.**

The referenced interpretive guidelines are designed to provide direction to the decision-making authority when rendering discretionary determinations on requests for coastal development permits, pending the adoption of a Local Coastal Program. The project does not conflict with any of the guideline provisions for the involved area. The project will provide parking that is in compliance with the Venice Specific Plan and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein. The Project Permit for the proposed project has been approved under Case No. DIR2006-10495-SPP-1A in compliance with the Venice Specific Plan. A total of 22 parking spaces are required for the project, 10 of which will be provided on site and the remaining 12 parking spaces will be satisfied through the payment of the parking in-lieu fee as allowed in the Venice Specific Plan. The in-lieu fee will be paid into the Venice Coastal Parking Impact Trust Fund. At the April 8, 2010 hearing, the residents in the area expressed concerns about the in-lieu fee of \$18,000 for each parking space not provided on site. The residents feel that due to an increase in the value of the property and the construction cost for parking facilities, the in-lieu-fee of \$18,000 for each parking space is not sufficient to mitigate parking deficiencies in the Venice Community. The residents also stated at the hearing that the subject site is located in the Parking Impact Zone within the Venice Specific Plan; therefore, the proposed 22 parking spaces do not meet the parking requirements of the Specific Plan, which requires additional parking spaces in the Parking Impact Zone. It is clarified that the subject site is NOT located within the Parking Impact Zone. The applicant previously proposed 10 parking spaces on site and the payment of in-lieu fees for 22 parking spaces. At the hearing, the applicant proposed 11 parking spaces on site, 6 of which will be in vertical tandem, and the payment of in-lieu fees for 11 parking spaces. The project will provide parking spaces in compliance with the applicable provisions of the code and the Venice Specific Plan, therefore, minimizing the use of on-street and coastal access roads.

The guidelines also require visual compatibility with the surrounding topography and vegetation. Visual compatibility of the proposed use building will be achieved by maintaining a similar roof color and type, similar building design and window treatment and the continuation of similar landscaping with the present vegetation and landscaping in the surrounding area. Views from the neighboring or adjacent properties will not change in any significant manner because the distance to the ocean currently does not provide any views to the ocean. The Coastal Act protects public views of the ocean, but not private views. No public views will be impacted by this project.

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.**

The Coastal Commission has consistently indicated concerns for the public views, important resources, accessibility, and improved access to recreational opportunities for the public and the impacts to marine resources or sensitive habitats. No outstanding

issues have emerged which would indicate a conflict between this requested conversion and any other decision of the Coastal Commission. In as much as the property has no physical connection to the beach or any body of water, there are no Commission actions related to marine resources, wetlands, fishing, diving or other water related issues.

5. **The development 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 in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.**

The property is OUTSIDE the area between the sea and Pacific Coast Highway, the nearest highway. The subject property is located within the single jurisdiction of the California Coastal zone, and a few miles from the shoreline. The proposed development will have no impact on public access or public recreation as described in Chapter 3 of the California Coastal Act.

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

The proposed project will not be materially detrimental to the property or the improvements in the same zone or vicinity in which the property is located. The conversion of a warehouse distributor into a manufacturing office will not cause a traffic increase, a loss of view or privacy for any neighboring properties, or any soil or environmental problems for local residents. The City environmental review process has not identified any significant impacts caused by the proposed project.

7. **Mello Act**

The proposed project is located in the Coastal Zone, as defined in California Public Resources Code, Division 20 (commencing with Section 30000), as depicted on the City of Los Angeles Coastal Zone Maps. ~~The proposed project involves the demolition of a two family dwelling and its replacement by a new two family dwelling. Therefore, the proposed project is subject to the Mello Act, as set forth in California Government Code Section 65590 and 65590.1.~~

The Mello Act (California Government Code Sections 65590 and 65590.1) is a Statewide law which mandates local governments to comply with a variety of provisions concerning the demolition, conversion, and construction of residential units in California's Coastal Zone. The Mello Act requires that very low, low, and moderate income housing units that are demolished or converted must be replaced and that new residential developments must reserve at least 20% of all new residential units for low or very low income persons or families or reserve at least 10% of all new residential units for very low income persons or families.

Accordingly, pursuant to the settlement agreement between the City of Los Angeles and the Venice Town Council, Inc. the Barton Hill Neighborhood Organization, and Carol Berman concerning the implementation of the Mello Act in the Coastal Zone portions of the City of Los Angeles, the following finding is provided.

COASTAL COMMISSION

EXHIBIT # 4
PAGE 6 OF 7

There are no affordable dwelling units on the project site. The project does not meet or exceed the threshold of ten or more new dwelling units to require the inclusion of affordable dwelling units. The project is exempt from Mellow Act requirements to provide replacement or inclusionary housing because the project does neither propose to demolish or convert existing affordable or market rate dwelling units nor does it include the development of new dwelling units.

ADDITIONAL MANDATORY FINDINGS

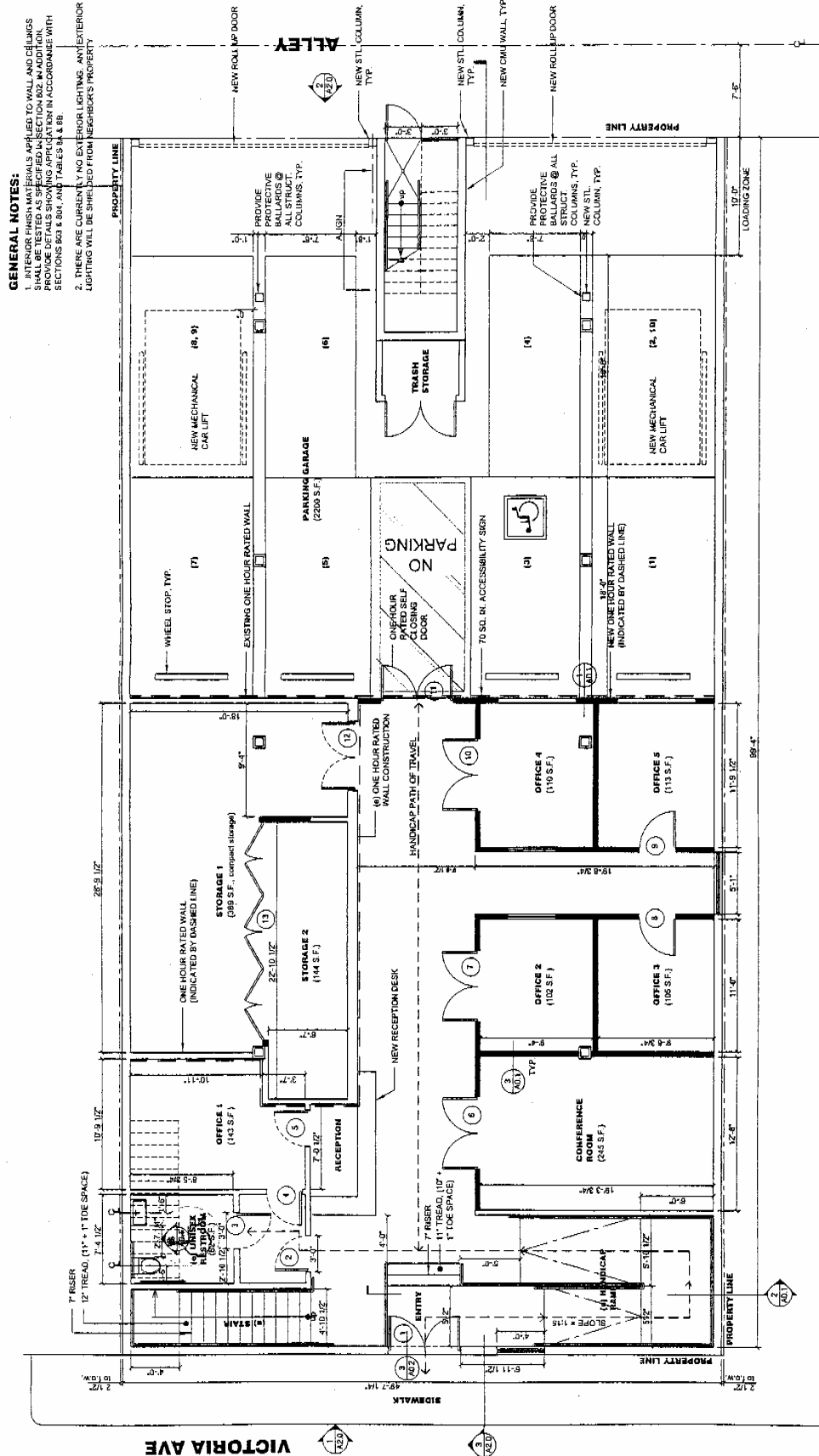
8. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
9. On October 8, 2009, the project was issued a Notice of Exemption (Article III, Section 3, City CEQA Guidelines), log reference ENV 2009-3191-CE, for a Categorical Exemption, Class 1, Category 1, City CEQA Guidelines, Article VII, Section 1, State EIR Guidelines, Section 15100.

COASTAL COMMISSION

EXHIBIT # 4
PAGE 7 OF 7

GENERAL NOTES:

1. INTERIOR FINISH MATERIALS APPLIED TO WALL AND CEILINGS SHALL BE TESTED AS SPECIFIED IN SECTION 802. IN ADDITION, PROVIDE DETAILS SHOWING APPLICATION IN ACCORDANCE WITH SECTIONS 804 & 807, AND TABLES 804 & 807.
2. THERE ARE CURRENTLY NO EXTERIOR LIGHTING. ANY EXTERIOR LIGHTING WILL BE SHIELDED FROM NEIGHBOR'S PROPERTY.



1 first floor plan
A1.0 scale: 1/8" = 1' - 0"

DATE 2006 190

LEGEND
 — NEW PARTITION WALL
 — EXISTING WALL

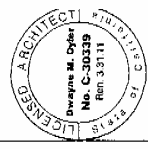
A-1.0

COASTAL COMMISSION
 A-S-VEN-10-281

EXHIBIT # 5
 PAGE 2 OF 4

cyler wu collaborative
 2404 WILSON BLVD #50 LOS ANGELES, CA 90057 (310) 212 752-1277

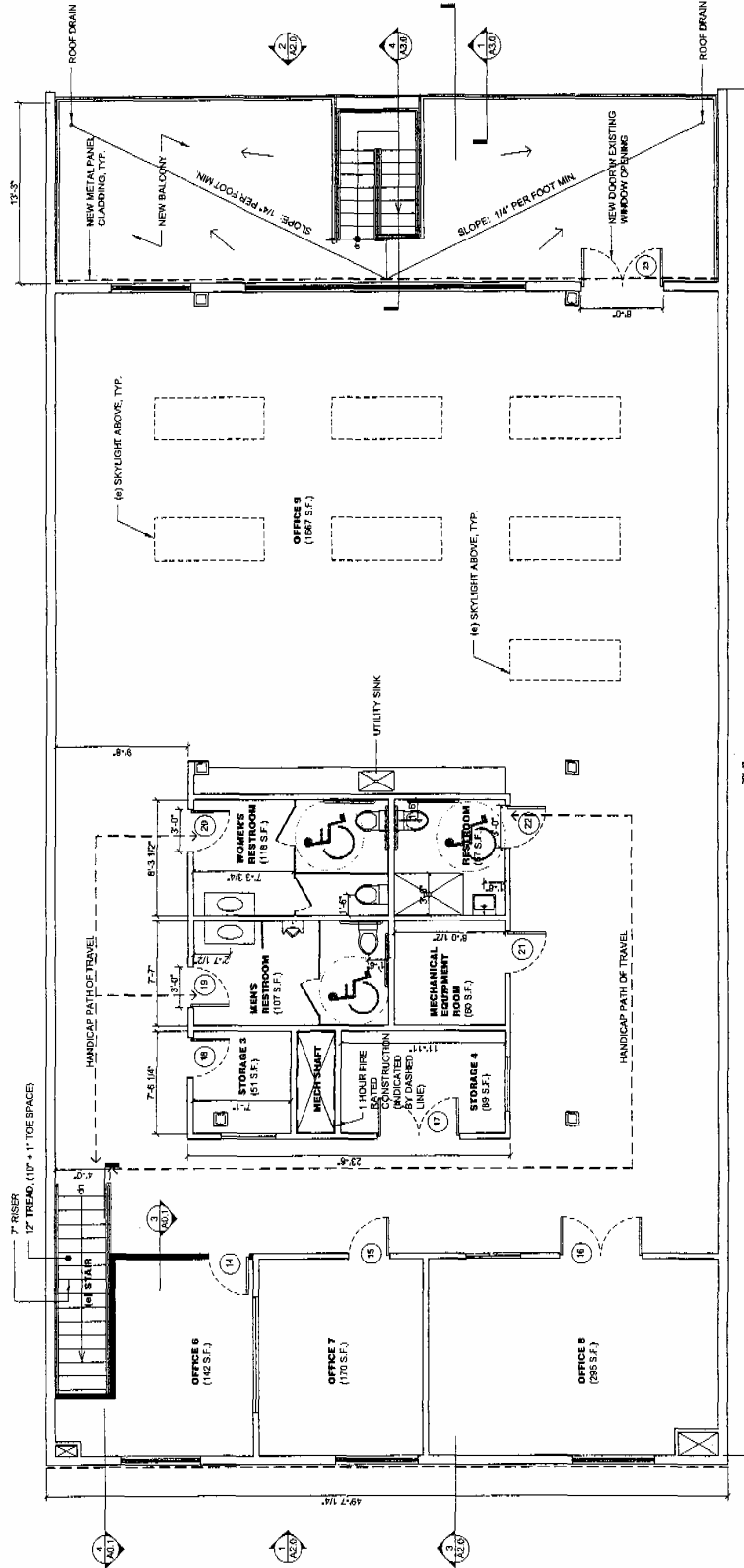
534
 VICTORIA
 AVENUE
 VENTURA, CA



design phase
 Planning Department
 Redlands

date September 16, 2005
 scale
 drawing title FIRST FLOOR PLAN
 drawing number

GENERAL NOTES:
 1. INTERIOR FINISH MATERIALS APPLIED TO WALL AND CEILINGS SHALL BE TESTED AS SPECIFIED IN SECTION 902. IN ADDITION, FINISHES SHALL BE APPLIED TO ALL SURFACES IN ACCORDANCE WITH SECTIONS 900 & 901, AND TABLES 9A & 9B.



1 second floor floor plan
 A1.1 scale: 1/8" = 1' - 0"

ZA 2009-3190 LEGEND

NEW PARTITION WALL
 EXISTING WALL

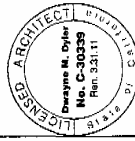
2nd Floor - Proposed

COASTAL COMMISSION
 A.S.VEN-10-281

EXHIBIT # 5
 PAGE 3 OF 4

oyster wu collaborative
 2004 MERRILL BLVD #40 LOS ANGELES, CA 90007 (213) 756.1277

534
 VICTORIA
 AVENUE
 Venice, CA

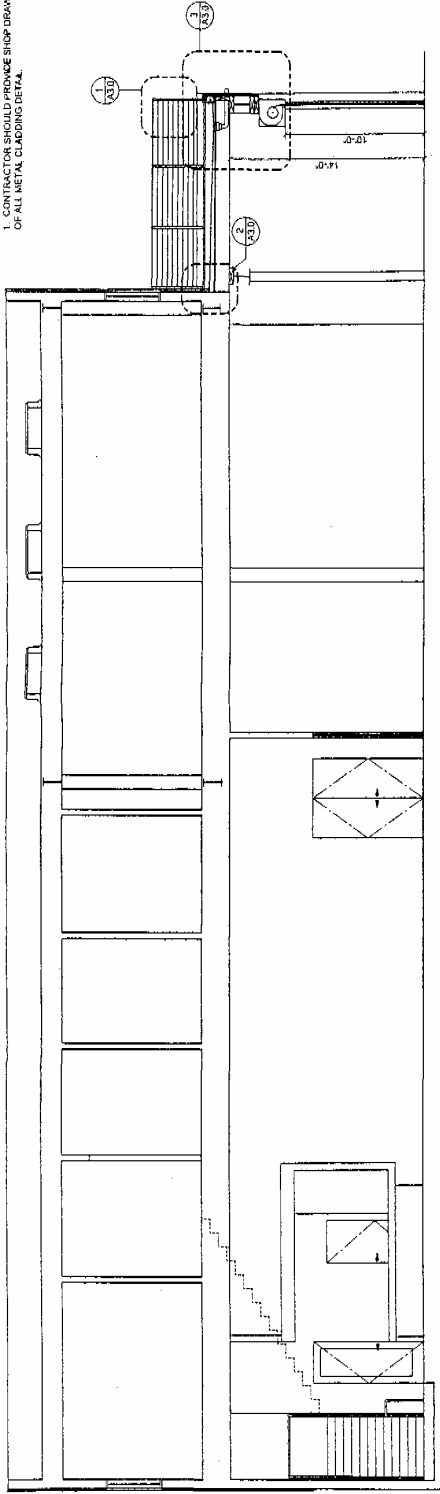


sector plans
 Planning Department
 Residential

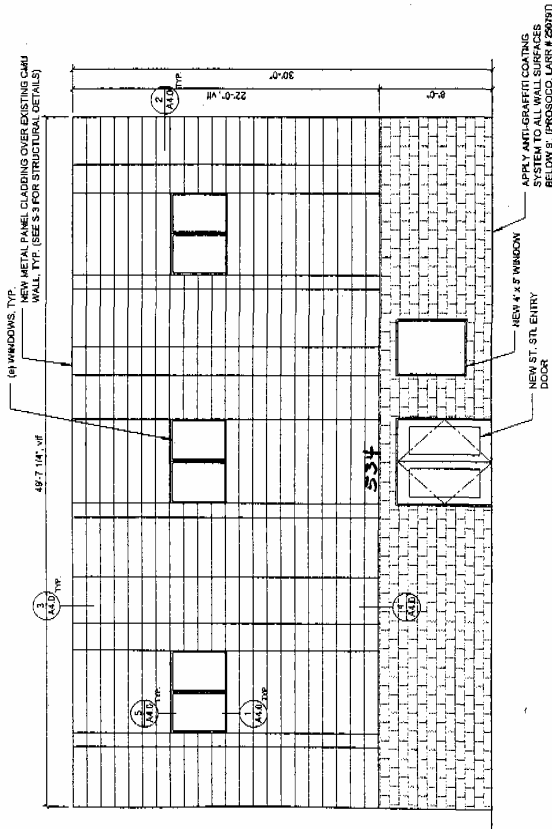
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 scale:
 drawing title:
 SECOND FLOOR PLAN
 drawing number:

A-1.1

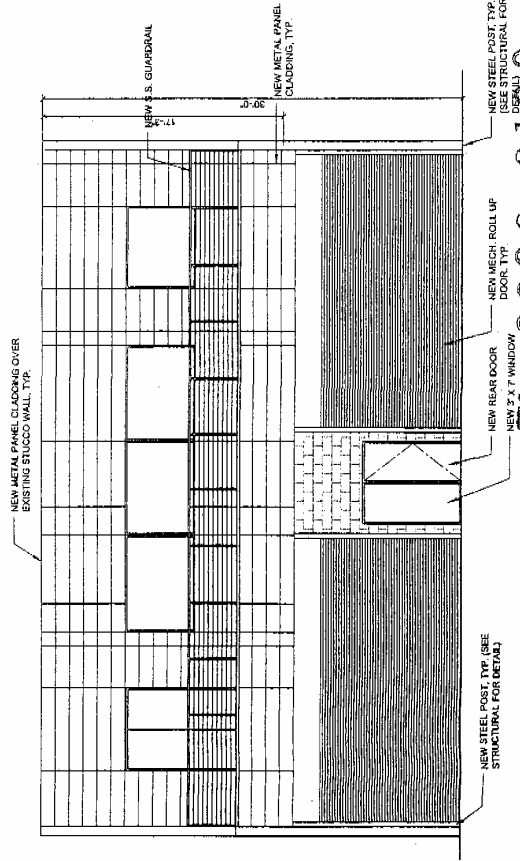
GENERAL NOTES:
1. CONTRACTOR SHOULD PROVIDE SHOP DRAWINGS OF ALL METAL CLADDING DETAIL.



3 building section
A2.0 scale: 1/8" = 1' - 0"



1 front building elevation
A2.0 scale: 1/8" = 1' - 0"



2 back building elevation
A2.0 scale: 1/8" = 1' - 0"

ZA 2009 3190

COASTAL COMMISSION
A-S-VEN-10-281

EXHIBIT # 5
PAGE 4 OF 4

Elevations

cyler wu collaborative
3070 LEXINGTON AVENUE, SUITE 100, NEW YORK, NY 10017
TEL: 212.512.1272

53
VICTORIA
AVENUE
VENICE, CA



PLANNING
DESIGN
RESIDENTS

DATE: September 16, 2009

SCALE: AS SHOWN

PROJECT: BUILDING SECTION AND ELEVATION

DRAWING NUMBER: A-2.0

NOV 22 2010

A-5-VEN-10-281 (Levey)

Section IV: Reasons Supporting This AppealCALIFORNIA
COASTAL COMMISSION

The City has erred in making their findings for the issuance of a Coastal Development Permit (CDP) ZA 2009-3190-CDP-1A for the property located at 534 Victoria, Venice 90291.

For the City to issue this CDP, they state Shoreline Access is not going to be affected because the property is located in the Single Jurisdiction area of Venice. This is in direct contrast with Policy II. A. 3., titled Parking Requirements of the CCC Certified Land Use Plan (LUP) dated June 14, 2001 for Venice area of Los Angeles. The plan describes a single jurisdiction area, but does not specify any parking considerations that are not required within the dual jurisdiction area of the plan, with the exception of Beach Impact Zone parking. However, the City states that, although this project is lacking about 50 percent of its required parking for the illegally converted Change-Of-Use, there is no impact to coastal resources. The City has not provided any documentation to support their findings why this project will not impact public access to coastal resources in spite of a lack of more than 10 parking stalls, about 50% of their required parking.

The City states there are no visitor serving facilities in the area of the project, which is true up to a point; the next door neighboring properties are not restaurants, nor is this project located on the sand at the beach. However, this is a property that is less than 1000 feet from the intersection of Venice Blvd. and Abbot Kinney Blvd., which happens to be the intersection of the ceremonial gateway to Venice Beach and the Venice Business District respectively. Both of these major roadways through the community are described in the LUP as visitor-serving destinations. The Venice Centennial Park is also located at this intersection, which abuts the Venice Branch Public Library. Again, the City does not state in their determination why this property, which is located so close to these visitor serving facilities, should not be considered nearby to this project. Furthermore, Exhibit 11b of the LUP shows this property being located in one of the few Industrial zoned areas in Venice. The plan in Policy I. C. 1., titled Industrial Land Use, and in Policy I.C.2 describes why the existing illegal change-of-use should not be allowed because it encourages such uses as boat building, servicing and supply, all of which would comply with the existing legal certificate-of-occupancy.

This City describes the lack of a Local Coastal Plan and interprets an outdated Community Plan that was last revised in the mid 1980s in its place. The referenced community plan does not address issues on a detailed level, such as parking requirements of trip traffic generated by various uses. So once again, the City is not addressing the real underlying issues that are addressed in the LUP. No findings have been described to support an abundance of public parking in the area where this project is located. Furthermore, the City has been aware of this site being in violation of the LUP for over three years, ever since the property was converted from a legal industrial warehouse with an artist-in-residence living area above into its present illegal use of offices for a production company. The LUP Policy II. A. 3, titled Parking Requirements, describes how a change-of-use of this nature which causes an intensification of use MUST address the increased parking demand, yet for over three years the impacts continue!

The City has gone to great length to describe how the project conforms to the parking requirements of the Venice Coastal Zone Specific Plan (VSP), a Los Angeles City founded document, and further develops their flawed understanding of the concept of the In-Lieu Parking Fees as set forth in the Certified LUP. They attempt to make the case that parking stalls can be purchased at a flat fee of \$18,000 each. But they forget that the VSP is a document that has not been adopted by the CCC and, in this case, when the wording of In-Lieu parking fees are compared between the LUP and the un-adopted VSP, a major difference exists which comes down to the following few words in-lieu fee proportional to the cost of providing a physical parking space. The fee described by the City, which is unsupported by any findings, refers to a dollar amount taken from Venice Interim Control Ordinance (ICO) dated 1988. Since that point in time, land value in Venice has more than doubled five times over where a 30x90 foot parcel in 1988 sold for under \$200k and today in 2010 that same lot sold for over \$2m. With this sort of

increase in value of land, the proportional cost of providing such a parking space is more along the lines of \$106,000. However, even with a more realistic fee amount based on land value and cost of construction today, the Commission should not forget three very important facts; 1) since the Venice Parking Trust Fund (VPTF) was established in 1988 to collect funds received from In-Lieu Fees, not one dollar (zero) has ever been used by the City to provide additional parking, a mandate in the wording of the LUP; 2) The City Controller audited the VPTF and found that all the monies in the account (in excess of \$4,000,000) had been withdrawn in 2008 to help balance the City General Fund budget deficit; and 3) In all recent unrelated cases before the CCC including A5-VEN-07-200 and A5-VEN-10-138, requests for substituting fees for parking spaces have been denied.

On a separate point about parking, the applicant plans to vertically stack cars in machines. These are unproven devices in the Venice region and because of the narrow alleys and close proximity to residential properties, the use of such machines must be very carefully considered. It is one thing for an employee who is working late to go to their car in a ground level parking lot, but quite another thing for that same individual to have to remove their car from a stacking machine in the silence of night. The issue of where to stage cars stored in lower stalls while upper cars are being removed has not been addressed. Once again, the City is granting abnormal conditions without making any findings to support their deviations to the building code. These car stacking machines MUST be evaluated within the environment where they are proposed before granting their use.

When the property was constructed in 1999 as a legal artist-in-residence over a warehouse, it conformed with all parking and did not create negative impacts on the community. When the current owner purchased the property in 2006 and made the entire site into production rooms and hired over 30 workers, the property became a huge nuisance. After much outcry from the neighbors, the City decided the owner was in violation and issued an order to comply. That order was over three years ago, and the property continues operate as though they are being allowed to continue operations by right.

Now in the final hour of the City's decision making process, they are proposing a CDP for a limited three year term. At the end of the term, if the owner does not have a re-issued CDP, the property will revert back to its prior use. Well, based on the track record of the production company and its owner Kim Cooper, why should the CCC believe that just because the three year CDP expires, the property will revert back to conforming or another permit will be obtained prior to the term? This is going to become a CCC enforcement nightmare and the City has demonstrated many times before that following up on conditions placed on projects where entitlements expire in the future is not their strong point and for the most part are NOT enforced without much additional public outcry.

As the entitlements run with the land, enforcement against future owners could become even problematic. Please support this appeal and reject the City's determination to grant a Coastal Development Permit to this property.

COASTAL COMMISSION
A5-VEN-10-281

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August 17, 2010

Councilman Bill Rosendahl
200 N. Spring Street
Room 415
Los Angeles, CA 90012

Re: LAMC Sect. 21.21.A.5(m) Mechanical Automobile Lifts and Robotic Parking Structures

Dear Councilman Rosendahl,

In order to protect Venice neighborhoods from visual, noise and traffic impacts, and rapid intensification of uses that would otherwise result from the use of parking lifts by right to satisfy parking requirements, the LUPC recommends that the VNC request of the Council Office and CCC, that there be an immediate discretionary review, requiring a public hearing by the ZA or Planning Commission of each project seeking use of LAMC Sect. 12.21.A.5(m) (Mechanical Automobile Lifts and Robotic Parking Structures) within Venice.

Adopt a moratorium on the approval by the City of any mechanical parking lift in the Venice neighborhood for one year, to allow for the drafting and passage of an urgency ordinance. The urgency ordinance would be an amendment to Section 12.21.A.5.m of the Los Angeles Municipal Code, requiring that all proposals for mechanical automobile lifts used for required parking be subject to a discretionary review by the Zoning Administrator, with a public hearing and notice to a 500-foot radius, and specifying standards to ensure that the lifts actually operate to provide the required parking, and that neighbors are protected from the negative impacts of such lifts.

Thank you for your attention to this matter.

Sincerely,

Linda Lucks
President
Venice Neighborhood Council

cc: California Coastal Commission

COASTAL COMMISSION

EXHIBIT # 6
PAGE 3 OF 10

3

October 19, 2010

ATTN: Rhonda McKay
WLA Area Planning Commission
200 Spring Street
Los Angeles, CA 90012

Fax (213) 978-1029. Rhonda.McKay@lacity.org

Reference Case No: ZA-2009-3190-CDP-1A - 534 Victoria Avenue

Dear Ms. McKay:

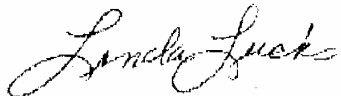
The Venice Neighborhood Council (VNC) voted on November 20, 2007, to unanimously endorse a request from the Presidents Row Neighborhood Association (PRNA) to co-sponsor and fully support an appeal with respect to Parking In Lieu Fees at 534 Victoria. That decision remains the position of the current board. (See attached letter).

This PRNA/VNC appeal asked for denial of the applicant's request to eliminate twelve (12) on site parking spaces. On street parking is scarce and the neighborhood can ill afford to lose these spaces. By not providing parking as required by city code, the property owner has shifted the parking burden onto the adjacent neighborhood. As this is within the Coastal area, it further creates a problem of reducing beach access. This also sets a precedent which would be detrimental to the Venice community.

Further, the board stated "If in lieu fees are assessed as an alternative, this appeal asks that Parking in Lieu Fees of \$18,000.00 per parking space be raised to \$45,000.00 per parking space to reflect the realities of current construction costs and that these collected fees be specifically, and only, used in Venice to replace the lost parking."

Please distribute our position to all Commissioners.

Thank you.



Linda Lucks
President

Cc: Harris Levey, President Row Neighborhood Association, prna1@hotmail.com
Hon. Bill Rosendahl Councilman.rosendahl@lacity.org
Board@Venicenc.org
LUPC@Venicenc.org

COASTAL COMMISSION

EXHIBIT # 6
PAGE 4 OF 10



Venice Neighborhood Council

PO Box 550, Venice, CA 90294-0550
310.606.2015



November 30, 2007

Ms. Gail Goldberg
Director of Planning
Los Angeles City Hall, Rm. 525
200 N. Spring St.
Los Angeles, CA 90012

Re: VNC Support of Appeal by PRNA of 11/5/2007 decision of City Planning Department
Case No: DIR 2006-10495-SPP Project Permit Compliance CEQA: ENV 2006-
10495-CE, Section A #5, Parking in Lieu Fee

Dear Gail:

First of all, thank you again for taking part in our Town Hall on November 10th. We know how busy your schedule is, and we really appreciated your time.

I am also writing to inform you, that on November 20, 2007, the Board of the Venice Neighborhood Council (VNC) unanimously endorsed a request from the Presidents Row Neighborhood Association (PRNA) to co-sponsor and fully support its above referenced appeal with respect to Parking In Lieu Fees.

This PRNA/VNC appeal asks for denial of the applicant's request to eliminate twelve (12) on site parking spaces. On street parking is scarce and the neighborhood can ill afford to lose these spaces. By not providing parking as required by city code, the property owner has shifted the parking burden onto the adjacent neighborhood. As this is within the Coastal area, it further creates a problem of reducing beach access. This also sets a precedent which would be detrimental to the Venice community.

If in lieu fees are assessed as an alternative, this appeal asks that Parking in Lieu Fees of \$18,000.00 per parking space be raised to \$45,000.00 per parking space to reflect the realities of current construction costs and that these collected fees be specifically, and only, used in Venice to replace the lost parking.

Thank you,

Mike Newhouse
President

COASTAL COMMISSION

EXHIBIT # 6
PAGE 5 OF 10



Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / www.VeniceNC.org
Email: info@VeniceNC.org / Phone or Fax: 310.606.2015



April 8, 2009

Charles R. Posner, Coastal Program Analyst
California Coastal Commission
200 OceanGate, Suite 1000
Long Beach, CA 90802

Subject: 534 Victoria Avenue, Venice, California 90291. Planning Case Number: DIR 2006-10495 SPP;
CEQA: ENV 2006-10496 CE; Prologue Entertainment: Kyle Cooper and Sharyl Beebe

Dear Mr. Posner:

This correspondence follows the Venice Neighborhood Council's ("VNC") letter to Gail Goldberg, dated November 30, 2007, in support of the President Row Neighborhood Association's ("PRNA") appeal of the above referenced Zoning Administrator ("ZA") decision. A copy of the November 30, 2007 letter is enclosed for your reference.

As you may be aware, in 2006, Prologue Entertainment ("Prologue") bought a warehouse, built in 1999, with adequate on-site parking spaces. This property is immediately adjacent to a residential neighborhood. Prologue changed the use of the building to a manufacturing office and converted a majority of the parking spaces to offices. This was apparently done without a permit.

The Los Angeles Department of Building & Safety ("LADBS") was alerted to this change and issued four citations, which were ignored. LADBS stated that their options were to prosecute the owner for failure to comply with the existing orders or to order vacation of the unapproved portion of the building. In either case, the owner would be compelled to come to an agreement regarding parking, and ultimately secure a permit, legalize the construction, and obtain a Certificate of Occupancy.

The above referenced case was originally filed on December 22, 2006, and accepted for review on March 30, 2007. The November 5, 2007 ZA hearing resulted in a recommendation for approval. The ZA recommendation was appealed by Harris Levey and PRNA on or about December 19, 2007. After numerous continuances at the request of Prologue, the appeal period timed out because the West Los Angeles Area Planning Commission did not have enough members to seat a quorum for a hearing. Consequently, the appeal was denied.

However, Prologue is appropriating visitor-serving parking well within the coastal zone. Their intensity of use requires 22 parking spaces; they have 10 on site and propose street parking for 12 employees' cars.

In light of the foregoing, the VNC requests that you recommend denial of Prologue's Coastal Development Permit when the California Coastal Commission hears the project. Approval would set a dangerous precedent which would open the door for other enterprises to usurp visitor-serving parking in the Coastal Zone.

Sincerely,

Mike Newhouse, President
Venice Neighborhood Council

COASTAL COMMISSION

EXHIBIT # 6
PAGE 6 OF 10

E-mail message

8/16/2010

6

To: prna1@hotmail.com
From: Presidents Row Neighborhood Association
Subject: appeal of ZA 2009-3190(CDP)
Date: Monday, August 16, 2010 6:24 AM

1. The subject property is located in the coastal zone, and in an industrial area immediately adjacent to a residential neighborhood comprised primarily of older homes and rental units with little on-site parking.

At most times, the off-site parking is insufficient to accommodate the residential needs. On street cleaning days or trash pick-up day, the shortage of available spaces is even more dire. And during the Summer, there is also an influx of vehicles looking for beach parking.

To allow the applicant to use the residential neighborhood for employee parking would create even more of a hardship.

2. Regarding DIR 2006-10495(SPP)-1A.

When the matter first was heard by the APC, they recommended that the applicant attempt to work things out with the community, because he might not like their ruling. The applicant requested a continuance, and each time the matter was scheduled to come before the APC, he requested another continuance.

When the APC was unable to meet due to lack of a quorum, the applicant did not agree to extend the appeal period, and this resulted in a denial of the appeal. No notice was given to the appellant of this situation, and thus he was unable to protect his rights.

Please include all information from the above case in the current matter.

3. Chapter 2, Land Use Plan Policies in the Venice Local Coastal Program Land Use Plan states: " The in lieu fee for a BIZ parking space shall be established in the (LIP) at a rate proportional to the cost of providing a physical parking space." No other reference establishes the cost of in lieu spaces when they are not BIZ, therefore we must assume the cost of these spaces is equal when referring to non-BIZ in lieu spaces.

The \$18,000 is insufficient to supply one replacement parking space, based on current market conditions.

4. Denial of this appeal would set a dangerous precedent which would open the door for other businesses to utilize the community for employee parking, and reduce the amount of available parking for beach visitors.

COASTAL COMMISSION
EX. #6

<http://mail-sg3.msntv.msn.com/apps/mail/readmailx...>

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8/16/2010

5. In the prior hearing, the applicant stated that they ceased operation at 6PM, and parking for people returning from work would not be negatively affected. Now they state that employees often work well into the evening, and thus residents are having more difficulty finding parking space near their homes.

6. The subject property was built for artist-in-residence use and a warehouse, and has a higher building-to-land ratio than other properties in the area. It's current size is already out of character with the surrounding community. To allow conversion of parking to office space would increase the value of the property at the expense of the community.

7. The determination of the ZA states that "All terms and conditions of the approval shall be fulfilled BEFORE the use may be established". However, the unauthorized use has been in effect for several years.

Other information may be submitted prior to the APC hearing.

COASTAL COMMISSION

EXHIBIT # 6
PAGE 8 OF 10

7

ERIC ELERATH

623 WOODLAWN AVENUE, VENICE, CA 90291

301.821.4466

August 16, 2010

Office of Zoning Administration
200 North Spring St., 7th Floor
Los Angeles, CA 90012

RE: 534 Victoria Ave.

Dear Department of City Planning:

I am a 28 year resident of Venice and I write to appeal the decision by Associate Zoning Administrator Ms. Sue Chang regarding 534 Victoria Avenue:

- 1.) The statutes require approval before development occurs--not after the fact. The development has already been undertaken, and Ms. Chang's statement that the permit complies with LAMC § 12.20.2 does not appear to be true.
- 2) The development permit is sought to legalize an illegal use of land that the applicant has pursued voluntarily and now seeks to legitimize by asking the Zoning Administrator to change the law. The owner should first be fined and required to comply.
- 3) There are no extenuating financial circumstances. The property owner is a successful member of the entertainment industry with addresses in New York and Malibu, and pursuit of this approval seems to be financially motivated. This is not a hardship case.
- 4) The Coastal Act intends to ensure access to beaches and coastal amenities. Street parking in the adjacent neighborhood is increasingly difficult as development along Abbot Kinney Blvd continues. The area is a short walk to the beach, and granting rights to a manufacturing office to use adjacent residential streets for employee parking is contrary to the intent of the Coastal Act.

For the above reasons, I ask that the prior decision to approve the project be reversed.

Sincerely,



Eric Elerath

623 Woodlawn Ave
Venice, CA 90291

COASTAL COMMISSION

EXHIBIT # 6
PAGE 9 OF 10

A different aspect of the parking challenge in Venice's Presidents Row

BY VINCE ECHAVARIA

Parking troubles are nothing out of the ordinary for people living in Venice.

With the community having one of the most popular beaches in Southern California, parking can be quite sparse, to say the least, most especially during the summer.

The parking challenge has recently made headlines in other ways, as the community is seeking solutions to deal with RVs that have been lining the streets, while accommodating those living in the vehicles and property owners.

But while parking issues seem to resonate throughout the community, residents of one neighborhood in particular say they have been facing a different aspect of the problem.

Residents living on certain streets in Presidents Row, a title associated with streets named after former presidents, say that parking for some businesses in the area has had an impact on their neighborhood. They say that due to limited parking being provided at some area businesses, cars associated with the companies tend to park on their streets, depleting spots for residents during the day.

"When you leave your house during the day you never know how far you're going to have to park from your house when you return," Victoria Avenue resident Harris Levey, a member of the Presidents Row Neighborhood Association, said.

Resident Daryl Barnett also pointed to the difficulties that neighbors face when trying to look for parking after coming home during the work day.

"It gets to the point where I'm afraid to drive because if I come back, I won't be able to find parking," said Barnett, who manages 14 residential units in the area.

Levey said parking problems on streets such as Victoria, Venezia Court and Boccaccio Avenue, south of Venice Boulevard, have been exacerbated in the last couple of years as some adjacent buildings have changed uses to Internet services. Those operations can employ more workers in the same space designated for commercial uses, he said. A number of independent contractors also tend to work for those companies, requiring more parking spaces, he said.

When the municipal code was written requiring a certain amount of parking for the business, the Internet service use was not anticipated, Levey said.

"There are uses that were not anticipated when the code was written," he said, adding that the



PRESIDENTS ROW RESIDENT Harris Levey says his neighborhood has been impacted by cars from nearby businesses taking up residential parking. (Argonaut photo by T.W. Brown)

code should be amended to address Internet services. "We're handcuffed by the L.A. municipal code."

With an increased number of employees working in the same size building as a former commercial space, it has heightened the need for parking in the area, residents say. Most of the businesses don't seem to provide adequate parking for the number of employees, while many of the residents say they also need to park on the street because they don't have driveways or large enough garages.

Victoria Avenue resident Lindsey Folsom said she is not directly impacted by the problem because she has a place to park and is not home during the day, but she has noticed an influx of cars on the street.

"I have observed a lot more cars on our street in the last year," Folsom said.

Venice Neighborhood Council President Mike Newhouse said the council has supported the Presidents Row residents' effort to address the issue, but he noted that parking struggles occur in other parts of the community, such as Abbot Kinney Boulevard, where there are businesses nearby.

"This is a big problem throughout every neighborhood in Venice, not just Presidents Row," Newhouse said.

Levey explained that his neighborhood is unique to others because it's the only area that has a pocket of industrial-type businesses "right in the middle of it." He pointed out that the fight is not against the businesses themselves but the conditions that have allowed the parking problems to take place.

"We have nothing against the businesses but we should not have to supply their parking," he said.

Representatives of some of the businesses did not respond to inquiries from *The Argonaut* seeking comment on the parking concerns.

Levey said he and his neighbors have been in contact with executives of some of the companies who say that they are aware of the matter and have been willing to work with the community and City Council office to try to find solutions. The companies have told the neighbors that they encourage employees to avoid parking on residential streets by carpooling or biking to work if possible.

Newhouse said that as parking is an ongoing problem in Venice with limited spaces, the focus needs to be on making alternative modes of transportation to work, such as bike riding, "part of the culture."

A representative of Councilman Bill Rosendahl's office said the office has been working with the residents and businesses to discuss long-term solutions including a parking structure or shuttle program from off-site lots. Residential permit parking has also been considered but city staff say that the California Coastal Commission needs to approve restrictions in the coastal zone.

Levey said the neighborhood is continuing to explore various options but hopes to come to an agreement that preserves parking for the residents while not impacting the business operations.

"Some changes have to be done to allow for the protection of the neighborhood while permitting the businesses to do business," he said.

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A-5-VEN-10-281

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

SECTION IV. Reasons Supporting This Appeal (Oscars)

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.

- ① There is no available parking on the street in the area.
- ② No in lieu funds have been used to create parking in the coastal zone.
- ③ \$18,000/space is insufficient to create parking based on current market conditions.
- ④ This would set a precedent for other buildings in this industrial ~~area~~ to use ~~the~~ street parking for their employees in the coastal ~~zone~~ ^{zone}.

COASTAL COMMISSION

EXHIBIT # 7
PAGE 1 OF 1



RECEIVED
South Coast Region

DEC 8 - 2010

West Los Angeles Area Planning Commission

CALIFORNIA
COASTAL COMMISSION

200 North Spring Street, Room 272, Los Angeles, CA 90012, (213) 978-1300

DETERMINATION OF THE WEST LOS ANGELES AREA PLANNING COMMISSION

Mailing Date: FEB 11 2009

Address: 534 Victoria Avenue

Council District: 11

Case No.: DIR-2006-10495-SPP-1A

Plan Area: Venice

CEQA: ENV-2006-10496-CE

Zone: M1-1-O

D.M.: 108B145

Legal Description: Lot 27, Tract 6002

Applicant: Kyle Cooper; Representative: Sharyl Beebe

Appellant: Harrison Levey

On January 21, 2009 the subject case, on appeal, was scheduled for the West Los Angeles Area Planning Commission; however they did not meet due to lack of a quorum.

Again on February 4, 2009 the Commission did not meet due to lack of a quorum, and the applicant did not agree to extend the appeal period.

Pursuant to the provisions of Section 11.5.7 C 6 (c), the failure of the Area Planning Commission to act within the appeal period results in the denial of the appeal, sustaining the decision of the Director of Planning for the approval of DIR-2006-10495-SPP-1A, Specific Plan Compliance, for change of use to an existing 6,653 square foot warehouse to a manufacturing office with a new façade and balcony.

This determination is effective upon the date of the mailing of this letter and is not further appealable.

Carmen Montgomery, Commission Executive Assistant
West Los Angeles Area Planning Commission

COASTAL COMMISSION
A-5-VEN-10-281

EXHIBIT # 8

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c: Notification List

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 not 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

Transportation/Parking Demand Management Proposal
534 Victoria Ave, Venice, CA
Schmitz & Associates, Inc.
June 21, 2011



[Source: Bing.com]

Overview of Parking Issue on Appeal

In response to the City of Los Angeles' approval of Local Coastal Development Permit No. ZA-2009-3190 for the conversion of a warehouse use to manufacturing office use, an appeal (A-5-VEN-10-281) to the California Coastal Commission (CCC) was filed by Harris Levey and Stewart Oscars. On February 9, 2011, the CCC found that a substantial issue existed. Specifically, the grounds of the appeal are that the project does not provide the required off-street parking and does not include adequate mitigation for the parking impacts of the proposed project. In the substantial issue staff report, CCC staff initially concurred with the appellants' position that "the requirement to pay fees in lieu of providing twelve of the 22 required parking spaces will not mitigate the parking impacts of the proposed project."

In sum, the key areas of concern outlined in the Substantial Issue staff report were as follows:

1. The project is located in an area that will have impacts to "public access to the coast."
2. Ten parking spaces are not enough to satisfy the parking demands of 30 employees.
Therefore, the project does not provide adequate mitigation for the parking demands of the proposed use on the public parking supply that supports coastal visitors.

COASTAL COMMISSION
A-5-VEN-10-281

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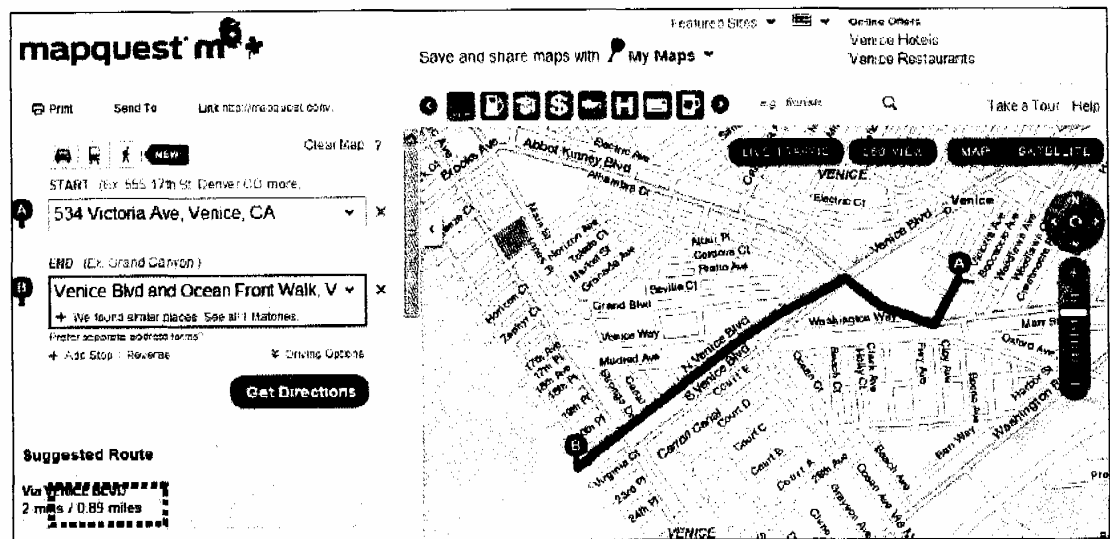
HEADQUARTERS - MALIBU OFFICE
29350 PACIFIC COAST HWY, SUITE 12
MALIBU, CA 90265
TEL: 310.589.0773 FAX: 310.589.0353
EMAIL: INFO@SCHMITZANDASSOCIATES.NET

SCHMITZ & ASSOCIATES, INC.
REGIONAL - CONEJO VALLEY OFFICE
5234 CHESEBRO ROAD, SUITE 200
AGOURA HILLS, CA 91301
TEL: 818.338.3636 FAX: 818.338.3423
WEBSITE: WWW.SCHMITZANDASSOCIATES.COM

We disagree with these conclusions and this report will outline our specific responses to the same. In sum, we do not believe that the project area is heavily utilized by beachgoers, and we believe that the business owner is providing much needed jobs while offering a transportation/parking demand management plan that not only significantly reduces the use's parking needs, but also minimizes environmental impacts on air quality.

1. The Project is NOT located in an area that will have impacts to "public access to the coast"

The proposed property is located east of Venice Blvd. and north of Abbot Kinney Blvd. According to Mapquest, the distance from the property to the closest beach access point is 0.89 miles. With average walking speeds at 3.1 mph, it would take a person **over 17 minutes to walk from the project location to the coast**. This does not include stopping at several busy intersections to wait for cross-walks or traffic to yield to pedestrians for crossing. As such, it will take a person well over 20 minutes to walk from the project location to the coast. Beachgoers with children and/or carrying beach gear will unlikely wish to walk this distance and therefore will unlikely park in this location.



[Source: Mapquest.com]

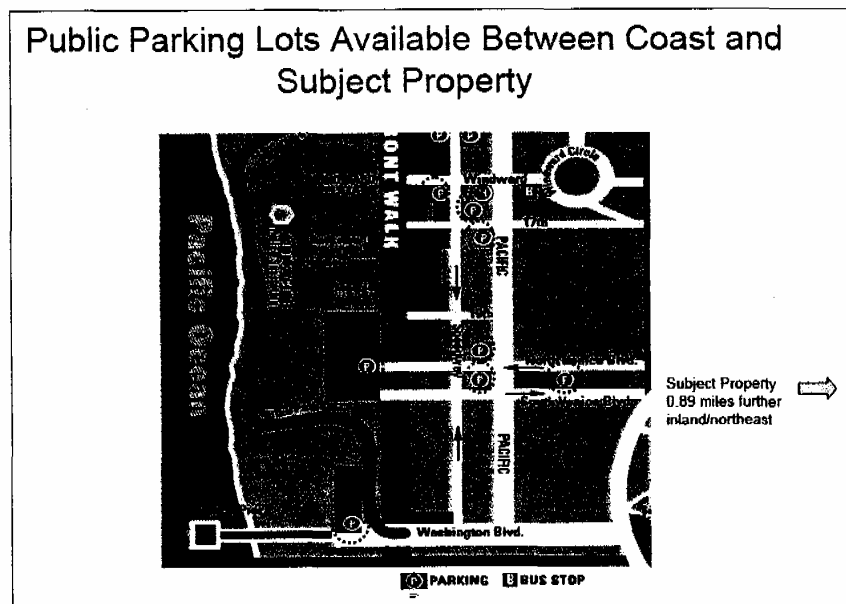
COASTAL COMMISSION

EXHIBIT # 9
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[Source: Bing Maps]

Additionally, as indicated in the map below, there are numerous public parking lots closer to the beach off of Venice Blvd. which provide more viable and convenient parking options for visitors:



[Source: <http://gocalifornia.about.com>]

At the October 2010 CCC hearing on Appeal No. A-5-VEN-10-138 for a proposed restaurant located at 1305 Abbot Kinney in Venice (hereinafter "1305 AK Project"), CCC Deputy Director Jack Ainsworth advised the Commission that the 1305 AK Project restaurant location was over a ¼ mile from the beach and that "we don't see a lot of heavy beach use out of this area." 1305 Abbot Kinney is located approximately 0.6 miles northwest from the subject site and closer to the beach than the subject property. In addition, 1305 Abbot Kinney is located along a

COASTAL COMMISSION

commercial corridor of restaurants and shops where visitors are more likely to stop, as opposed to the subject property which is located in a manufacturing zone amidst a mix of manufacturing, commercial and residential uses.

The appellants raise two conflicting points in their submitted documents. On the one hand, they state that the public street parking spaces over which they are concerned about losing is needed for the residents in the nearby residential neighborhoods. (e.g. "At most times, the off-site parking is insufficient to accommodate the residential needs." – PRNA's letter dated 8/16/2010.) On the other hand, they also state that these public street parking spaces are much needed "visitor-serving parking." If there is a historically existing deficit in street parking for even *current residents* in the area, then available "extra" parking spaces for "visitor-serving" needs in this area are likely to seldom exist, regardless of the subject business' existence. In short, if visitor-serving parking impacts exist in this community, it is due to the lack of adequate off-street parking for the residential uses themselves.

Unlike other commercial uses and unlike the residents in the area, the proposed project will not be competing for alleged visitor-serving parking spaces in this neighborhood at all, but especially not during the greatest peak visitor-use periods – i.e. weekends ("summer weekends" as noted by CCC Staff in their Substantial Issue report). As this is a manufacturing office, general operations are during the weekdays. Moreover, unlike other commercial uses and residences in the area, as the below will demonstrate the subject business provides flexible work schedules and does and will offer more incentives to its employees for alternative transportation means; all of this – combined with other demand management efforts to be outlined below - will result in less employee demand for off-street parking spaces than the code's requirement dictates. Moreover, all of this will result in no impacts to vicinity street parking.

2. Business Owner/Applicant Proposes a Transportation/Parking Demand Management Plan to Adequately Address Parking Issue

Urban municipalities around the country are looking for ways to balance off-street parking requirements while encouraging and promoting businesses in their communities. In recognition of the fact that the former often stymies the latter, some communities are and have proactively revisited their off-street parking requirements. For example, there is presently a pending motion before the City of Los Angeles' Planning and Land Use Management (PLUM) Committee to restructure the Van Nuys community's commercial parking requirements to take into account mixed use/walkable/smart growth initiatives in action. This motion specifically notes "In fact, the current minimum on-site parking requirements in the Van Nuys CDO (Central Business District Community Design Overlay) dissuade businesses to locate in the area. Therefore, the parking requirements need to be restructured to encourage business growth, and in turn, employment opportunities in the area."

Other communities offer reductions in off-street parking requirements when businesses are located close to transit, offer incentives or programs to its employees for taking alternative transportation means to work, etc. Some of these examples will be reviewed below.

In addition to helping promote businesses and jobs, leading smart growth academics advocate such transportation/parking demand management initiatives because the end result is the

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reduction of larger and more paved parking lots and structures and the reduction of single-auto commuters and consequently air quality impacts.

Overview of Transportation/Parking Demand Management Policies and Programs

In the early-2000s, the U.S. EPA developed a report entitled "Parking Alternatives" that assessed and advocated Smart Growth development solutions. The report specifically found that low-density, single-use development causes degradation of the built and natural environments, whereas developments that contain more mixed use, are served with less parking and offer transportation choices are truly more environmentally beneficial. Specifically, the report disapproved of municipalities' inflexible minimum off-street parking requirements, and concluded that requirements can and should be more context specific, and should be offset with alternatives that minimize parking demands such as shared off-site parking spaces, carpooling, bike and transit use.

Dr. Donald Shoup, Professor of Urban Planning at UCLA, is a leading academic on this topic and author of the influential book *The High Cost of Free Parking* which has led a growing number of cities to change fair market prices for curb parking, dedicate the resulting revenue to finance public services in the metered districts, and reduce or remove off-street parking requirements.

Key among his findings are:

Conventional parking planning tends to focus primarily on quantity. It assumes that, when it comes to parking, more is always better, and there can never be too much. This type of planning relies primarily on generous minimum parking requirements and public subsidies to provide abundant parking supply. Current parking planning practices are inefficient and often ineffective at solving parking problems. Minimum parking requirements tend to be excessive because they are generally based on demand surveys performed in automobile-dependent locations, and so require more parking than needed in areas with good travel options, accessible land use, or transportation and parking management programs. Yet this overabundance of supply does not eliminate parking problems because spaces are often unavailable for priority uses or are difficult to access. The real problem is not inadequate supply, it is inefficient management.

There are better ways to determine how much parking to supply at a particular location. Parking regulations can be more accurate (reflecting geographic and demographic factors -- such as land use mix and residents' income levels -- that affect parking demand) and flexible (allowing requirements to be reduced in exchange for implementation of various management strategies, such as those described below, that encourage more efficient use of supply). This can significantly reduce the number of parking spaces needed to satisfy demand, improve user convenience and reward consumers and businesses that reduce their parking demand.

[Source: "Parking Management: Innovative Solutions to Vehicle Parking Problems" by Donald Shoup, 2006]

Numerous municipalities have taken these findings to heart and adopted ordinances and implemented policy and code changes to more effectively address transportation demand issues. These changes primarily include incentives for employers offering parking incentives for alternative transportation means. Municipal incentives come in the form of tax benefits and reduced off-street parking requirements for businesses. A key beneficiary in the end is the environment as the number of single-driver commuters is minimized and as the negative

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impacts from air pollution and from the creation of more paved parking lots and garages is reduced.

Summary of Sample Local Commuter Benefits Programs

The following are several examples of efforts undertaken by smart-growth encouraging communities:

- County of San Francisco:
 - In late-2008, San Francisco signed into law a new ordinance that requires employers with at least 20 employees to offer their workers at least one of three transportation benefit options.
 - This mandate, the first of its kind in the nation, requires employers to have the appropriate programs in place by mid-January 2009. This includes offering employees at least one of the following transportation benefits:
 - A pre-tax election of a maximum of \$110 per month, consistent with current federal law.
 - An employer-provided transportation pass (or reimbursement for the pass) equal in value to \$45 (or more) per month.
 - Employer-provided transportation at no cost to employees.
- County of San Diego:
 - The San Diego Municipal Code permits reduced minimum parking requirements for residential, office, retail, institutional, and industrial uses in designated transit areas.
- City of Santa Monica:
 - The City of Santa Monica is the only city in California that requires compliance with the parking cash-out law. The program is part of the city's Emission Reduction Plan. There are presently 26 employers who participate in the program, resulting in a 20 percent reduction in parking use at these employment sites.
- City of Seattle:
 - Reduced Minimum Requirements for TDM Programs – Seattle, Washington
 - For every certified carpool space, the total parking requirement may be reduced by 1-9/10 spaces up to a maximum of 40% of the total parking requirement;
 - For every certified vanpool purchased or leased by the applicant for employee use, the total parking requirement may be reduced by 6 spaces up to a maximum of 20% of the total parking requirement;
 - If transit passes are provided to all employees and transit service is within 800 feet of the development, the total parking requirement may be reduced up to 10%; and
 - For every 4 covered bicycle parking spaces provided, the total parking requirement may be reduced by 1 space up to a maximum of 5% of the total parking requirement.

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- City of South San Francisco
 - The City of South San Francisco has a Transportation Demand Management Ordinance that allows reduced parking requirements for projects that meet TDM requirements. For example, the mixed-use Bay West Cove development was able to reduce parking requirements by 10 percent in exchange for the implementation of TDM strategies including;
 - Free parking for carpools and vanpools;
 - Late-night taxi service and feeder shuttle service;
 - Transit subsidies for tenants;
 - Guaranteed ride home program;
 - Designated transportation coordinator and On-site project amenities;
 - Parking charges of at least \$20 per month for employee spaces.

State and Federal Offerings:

Taking a page from San Francisco County's Ordinance, pending SB 582 (sponsored by the Bay Area's Metropolitan Transportation Commission and authored by Senator Bill Emerson) would expand commuter benefits programs statewide; Employers could: allow employees to pay for public transit, vanpooling or bicycling expenses with pre-tax dollars; cover employee shared commuting costs with subsidies; or directly provide employees with shared commuting options.

Although SB 582 is still pending, federal IRS section 132(f) which provides for transportation fringe benefits has been in effect since the early 1990s. Tax-free commuter benefits are employer-provided voluntary benefit programs that allow employees to reduce their monthly commuting expenses for transit, vanpooling and work-related parking costs. A bicycle benefit was added in January 1, 2009. The benefit is a federal tax benefit authorized under the Internal Revenue Code Section 132(a), Qualified Transportation Fringes. Monies used for these eligible expenses are excludable from gross income subject to federal taxes. Many states also exclude these monies from state and local taxes.

These commuter benefits were meant to provide tax incentives to employees to encourage their use of mass transportation in order to reduce congestion and improve air quality. An employee can receive both the transit/vanpool benefit and the commuter parking benefit for a maximum of \$335 a month.

Under current U.S. law, commuter benefits are only available through an employer (i.e. an employee cannot directly take advantage of these tax benefits by, for example, taking a tax deduction or credit on that person's individual tax return). Depending on the level of employer commitment and/or desired level of financial contribution, options for commuter benefits may include:

- An employer financed tax-free fringe benefit by which a company pays directly for the cost of an employee's use of public transportation or parking (up to the designated tax-free maximum), and the value of such benefit is not added to the employee's gross income.
- An employee financed commuter benefit in which an employee designates a portion of salary before taxes (pretax income) to pay for qualified transit, vanpooling, or parking expenses (up to the IRS allowable monthly maximum).

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- A combination of the previous two options in which a portion of the benefit is funded through a tax-free fringe, with the remainder funded with pretax income of the employee, provided the aggregate does not exceed the monthly statutory limits.

Qualified transportation fringe benefits allowed under section 132 (f) include reimbursement for the cost of transportation in commuter highway vehicles (vanpooling), transit passes, and qualified commuter parking expenses. Benefits are commonly distributed in the form of prepaid transit tickets or metro passes (for use on subway, bus, light-rail, ferry, or jitneys), prepaid transit or parking vouchers, debit-cards or other electronic media (usable only for qualified commuter benefits), or cash reimbursements for transit or parking expenses.

Significant tax savings are available through commuter benefits programs for both employers and employees. If offered as a pretax benefit, employees save on their federal payroll taxes because the amount designated by the employee is deducted from their gross income, and employers save because they are not required to pay payroll taxes on such deducted amount. And for employees who are subject to state and local taxes that recognize pretax benefits, their savings can be even greater. Employers who provide the benefit as a tax-free fringe benefit (paid by the employer) save on payroll taxes because the employer does not need to include the amount of the fringe benefit in the employee's gross income. Normally, the amount of any fringe benefit provided to employees must be included in the employee's gross income, but qualified transportation fringe benefits provided under section 132(f) are excluded from this requirement.

The specific referenced transportation demand management options will be reviewed in further detail later in this report.

Support from the Coastal Commission for Alternative Solutions to Parking Issues in Urban Settings

During the recent 1305 AK project CCC hearing, several Coastal Commissioners noted that municipalities and the Coastal Commission should seek alternatives to simply requiring 100% compliance with minimum parking standards; specifically several Commissioners acknowledged the challenges businesses face in urban settings where parking is constrained by lot sizes and voiced their opposition to simply building more parking lots and garages to achieve compliance which actually has more adverse impacts on the environment. Notably, the Commissioners lauded the applicant in the 1305 AK project for attempting to come up with creative alternative solutions (triple tandem parking with car lifts in that case) and in general advocated for business owners in urban settings such as this one to offer creative solutions to addressing parking issues.

Specific on-topic comments made by several Coastal Commissioners during the October 2010 CCC hearing are as follows:

- Ross Mirkarimi:
 - "We are really quite oriented (in San Francisco) in not responding to the parking needs by building more garages but by looking for creative solutions. San Francisco is looking into and encouraging stacked and tandem parking in mixed use, residential/commercial corridors."

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- RE commuter benefits offered by employers: "Business owners can simply help pay for the transportation of their staff to work instead of always relying on a car. Hopefully transit (use) would mean something to us (CCC) here."
- "I think municipalities are beginning to experiment with the idea of what do you do to incentivize a mandatory program and in this particular case and consistent with Coastal Act and Coastal Commission values – I don't take this issue very lightly – yet I am willing to roll the dice...that if we are going to have a creative solution to this parking management problem, at the very minimum I would also advocate a condition that suggested that this employer...pursue the commuter benefits that provides for pre-tax deductions so employees and employer gets to benefit – a win-win situation."
- Put onus on cities for parking management solutions that are "not automobile centric."
- "I don't hear anything about bicycles and transit except in an ad hoc way; the fact that transit is not part of the discussion we are having, that concerns me."
- Richard Bloom:
 - "My City is likewise very densely populated. Abbot Kinney...there's a real problem there."
 - Thinks that the suggestion is well taken about better utilizing public transit options.
 - "I agree that this is an innovative approach to parking. We need to encourage innovation."

Overview of the Subject Business and Employees' Commuting Practices

According to the CCC Substantial Issue Staff Report:

The proposed use is a multi-media company that employs about thirty people to manufacture art work, graphics, posters and T-shirts for the movie industry. Business hours generally run from 11 a.m. to 9 p.m. daily.

According to the business owner Prologue, the company has approximately 30-35 full-time employees (i.e. 40 hours/week). Given the line of work and industry in which this company is engaged, their clients' projects vary in type, scope, duration, and deadlines. Moreover, the business owner advocates the use of flex work schedules. As such, employees do not work a standard "9 to 5" nor do they typically work 5-day "Monday through Friday" work weeks. The business owner has compiled the following data with respect to employees' estimated work schedules (note: hours worked in the below blocks vary depending on projects):

05% 9am – 7 pm
 70% 10 am – 9 pm
 20% 11 am – 11 pm
 05% 12 pm – 12 pm

Since the majority of the employees work 11-12 hour work days, they often achieve their full-time hours within 3 to 4 days. The business owner allows and encourages such flex time opportunities and schedules. Therefore, although the company employs approximately 30-

35 full-time employees in total, on any given day, there are 30 or less employees working at the same time/on the same days in light of these flex schedule offerings.

The business owner has and continues to promote living in the area; when associates were recruited from outside of the Los Angeles community, they were initially housed by the company in local hotels resulting in many associates who eventually chose to reside close by. As of early March 2011, the following is a percentage breakdown of where the company's employees currently live:

Venice/Marina Del Rey/Playa Vista - 12
Mar Vista/Culver City - 8
Santa Monica/West LA - 6
San Fernando Valley - 3
Downtown L.A. - 2
Hollywood/Downtown LA Adjacent - 4

The above demographics show that 26 of 35 (i.e. 75%) of employees live less than 3.5 miles from the company. 12 of those live less than 2 miles away from the place of business.

Given the high percentage of employees who live near each other and who live near their workplace, carpooling and alternative means of transportation to work (versus individual auto commuting) are not just appropriate and viable, but are utilized presently and will continue to be encouraged by the business owner.

At Staff's request, we have compiled the following data which demonstrates that the typical daily demand for off-street parking spaces is less than the number of spaces provided by Prologue; in fact, the daily demand on average is almost zero since nearly all employees utilize alternative means of transportation for their commutes to and from work.

- Typical number of employees riding a motorcycle to work: 2
- Typical number of employees skateboarding to work: 2
- Typical number of employees riding bicycles to work: 18
- Typical number of employees taking public transit to work: 3
- Typical number of employees carpooling: 4 (in 2 vehicles)
- Typical number of employees walking to work: 2

In Summary:

- Typical number of employees in office each day of the week (not taking into account everyone's flex schedules which vary each week): 30
- Typical number of employees not requiring a parking space (see above breakdown) = 29
- Typical number of employees requiring a parking space = 2 (1 auto and 1 space shared by 2 motorcycles)
- Off-Street spaces provided = 10
- **Supply in excess of demand = 8**

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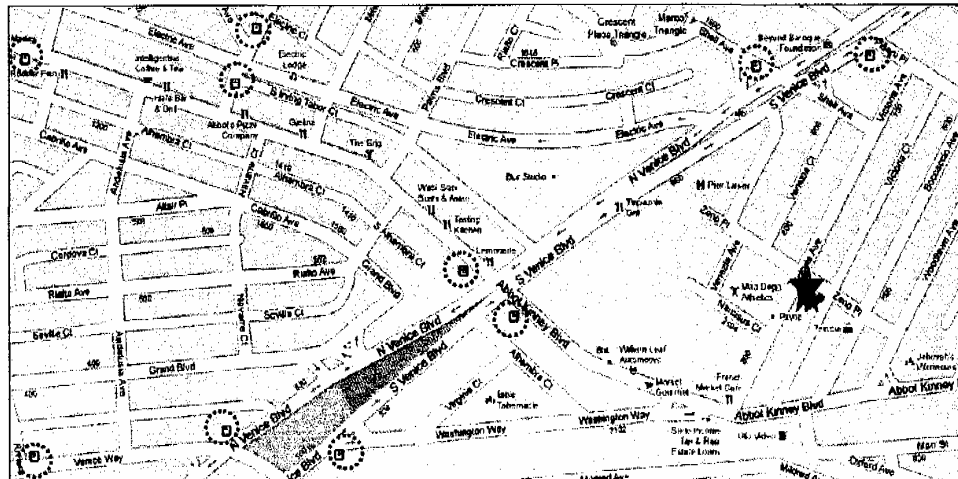
As such, the City code requirement for 22 off-street parking spaces which does not account for any of these facts is excessive and does not reflect the actual and minimal parking demand of this business. Moreover, on top of these existing measures undertaken and encouraged by Prologue, the company is willing to take even more steps to further reduce transportation/parking demand; these steps will be outlined below in the following sections. Consequently, the 10 off-street parking spaces proposed are more than sufficient for this business use.

Business Owner Prologue's Proposed Transportation/Parking Demand Management Program

Business owner Prologue is an outstanding example of a green-thinking and creative company which already offers numerous options to its associates for alternative means of transportation. In response to the appellants' and the Coastal Commission Staff's expressed concerns, however, Prologue is committed to further enhancing its existing Transportation/Parking Demand Management Program to further reduce the actual need for off-street parking spaces by its employees.

1. Encouraging Transit Use

The subject property is arguably the very definition of transit-oriented development. Located approximately 600 ft. from Venice Blvd, a major transit corridor in the City of Los Angeles, there are multiple bus stops located within 1000 ft. from the site, with the closest bus stop located less than 750 ft. away.



[Source: Google Maps]

Venice Blvd. is a major arterial in the City of Los Angeles spanning from the coast to downtown Los Angeles and the area is serviced by both the Santa Monica and Metro bus lines. As such, the frequency of buses and numerous options for bus lines and routes further makes transit use a viable option for Prologue's employees (see enclosed bus routes and schedules for nearby stops).

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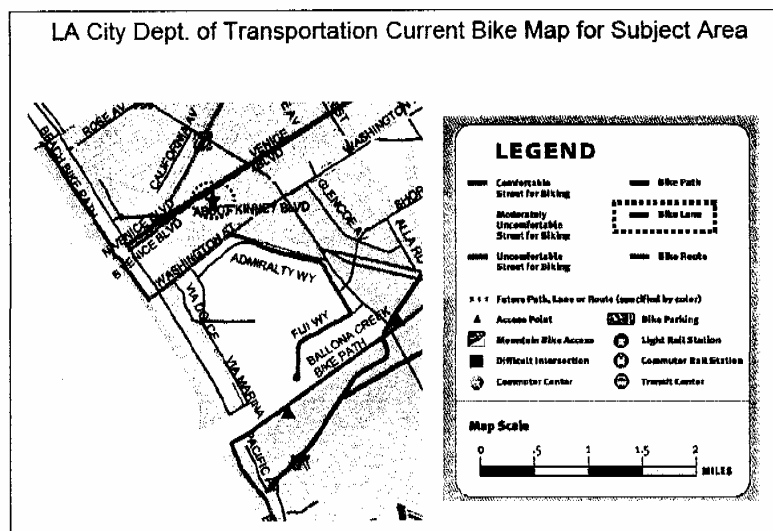
One deterrent to many Angelenos contemplating commuting to work via public transportation is the fact that once they arrive at work, they have no means of transportation during breaks and meals. The site is located near Abbot Kinney, arguably one of the greatest examples of a pedestrian friendly commercial area with more and more mixed use elements throughout. With numerous dining options along Abbot Kinney within walking distance, there is no need for employees to drive to lunch and dinner destinations throughout the day. In addition, Prologue provides in-office dinners to its employees every day. Also, Prologue provides two (2) communal bicycles and will be leasing and offering the use of a company vehicle for employees' use during business hours. All of these measures eliminate the aforementioned public transit-use deterrent by providing alternative means of vicinity transportation for transit users.

Bus and train passes are provided to those employees wishing to use public transportation to commute to and from work. As previously indicated, about 75% of the employees live within 3.5 miles from the site; as such, public transportation is a convenient and viable option for the majority of employees as the numerous bus stops and short commute times are unlikely to be deterrents to their use.

The Director of Operations or the Human Resources Manager will be responsible for posting bulletins/notices advising staff of company's offering of 100% subsidized transit passes; bus route schedules will also be posted for ease of reference. Prologue will purchase the passes and provide them to requesting employees.

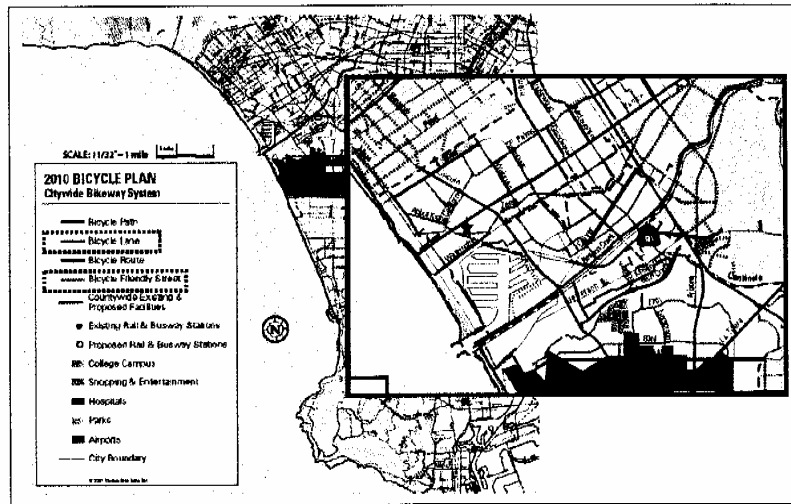
2. Encouraging Bicycle Use

With respect to bicycle routes, the City has recently updated its Master Bike Plan. The first exhibit below is the current bike map that shows that Venice Blvd. includes designated bike lanes. This will be maintained in the new Plan and the designation of Abbot Kinney has also been changed from "moderately uncomfortable street for biking" to "Bicycle friendly street" as indicated in the second exhibit below.



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[Source: City of Los Angeles Department of Transportation]

Given how close to the site most employees live and the favorable weather in Los Angeles, biking to work is a realistic, desirable and utilized option. As previously noted, currently 15-20 employees bike to and from the office regularly. Prologue offers two communal bikes both for those who do not own bikes and for all to use during the work day to run errands or for getting meals. Prologue also presently provides 15 indoor bike racks (more to be provided) behind the reception desk for the numerous bike commuters on staff, making it “safer” for bike riders who are concerned about theft of bikes kept outdoors. Finally, Prologue offers in-house bicycle maintenance and repair services as an added courtesy and benefit for its employees (see attached service provider’s website). This in-house bike repair specialist is provided as a benefit to employees and to encourage bicycle use at Prologue’s expense (i.e. at no cost to the employees).

3. Flex Work Schedules/Evening Meals Provided

As noted earlier in this report, this strategy is one already implemented by the business owner. As previously indicated, the company has approximately 30-35 full-time employees (i.e. 40 hours/week). Given the line of work and industry in which this company is engaged, their clients’ projects vary in type, scope, duration, and deadlines. As such, employees do not work a standard “9 to 5” nor do they typically work 5-day “Monday through Friday” work weeks. The business owner has compiled the following data with respect to employees’ estimated work schedules (note: hours worked in the below blocks vary depending on projects):

05% 9am – 7 pm
 70% 10 am – 9 pm
 20% 11 am – 11 pm
 05% 12 pm – 12 pm

Since the majority of the employees work 11-12 hour work days, they often achieve their full time hours within 3 to 4 days. The business owner allows and encourages such flex time

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opportunities and schedules. Therefore, although the company employs approximately 30-35 full-time employees in total, on any given day, there are usually less than 35 employees working at the same time/on the same days in light of these flex schedule offerings.

Additionally, the benefit of the employer providing evening meals to employees not only is one of cost savings for employees, but also one of reducing the volume of vehicles being removed from mechanical lifts and the volume of vehicles coming and going to secure dinner.

4. Ridesharing

At present, numerous employees carpool to and from work. This is extremely feasible and convenient in light of the large number of associates who work within a 3.5 mile radius. Prologue will be taking steps to formally establish a carpooling program (including a scheduling board and offering incentives) to further encourage the maximum number of participants.

The Director of Operations or his designee will be in charge of creating and e-circulating a "schedule" every Friday for the upcoming week wherein those who are amenable to carpooling are matched and schedules coordinated. Daily/end of the day notices are emailed to all staff reminding them of morning carpool pick up spots and times.

5. Others

(a) Production Drivers

Prologue will provide production drivers to offer auto transportation at the company's expense for employees who ordinarily use an alternative transportation means for commuting who either due to inclement weather or late night hours or for intraday errands/meetings need to or wish to be transported by car. Unlike taxis drivers, production drivers also can pick up and deliver items as requested by employees.

(b) Mechanical Car Lifts

In this economic environment where job creation is much needed, eliminating office space (and consequently jobs/positions) to address the parking demands is not to be advocated. Although not a Transportation/Parking Demand Management Strategy per se, the use of mechanical car lifts serves to maximize available off-street parking spaces without sacrificing jobs and without increasing paved surfaces, related runoff, etc.

Conclusion:

The subject City of Los Angeles-approved project before the Commission de novo is for the proposed use of an existing building as manufacturing office. This use has created and sustains 30-35 much-needed jobs. Based on the Venice Coastal Specific Plan, the square footage of this business' office space requires 22 off-street parking spaces. The small size of the lot and the configuration of the existing building is such that only 10 off-street parking spaces can be accommodated; this is even with the use of tandem parking and mechanical car lifts to further maximize the number of off-street parking spaces provided.

What neither this Specific Plan ratio, nor the project appellants take into account, however, is that the formulaic off-street parking requirement does not factor in any alternative

transportation means utilized by employees, nor parking demand management initiatives the business owner has undertaken and is willing to implement. Before there was an appeal of the City of Los Angeles' approval, the business owner Prologue was already committed to encouraging alternative transportation means, and to offering incentives to minimize single-auto commuters. Prologue is committed to further enhancing its offerings by implementing a fairly comprehensive transportation/parking demand management program (as outlined in this report) which reduces single-auto commuting and therefore the demand for off-street parking spaces.

On top of the already-in-effect flex work schedules, communal bikes, delivered meals, transit passes, and ridesharing offerings already in effect, the business owner is willing to take additional steps such as providing production drivers for transportation and deliveries/errands and formally organizing a carpool program. With gas prices at record highs and with traffic congestion in Los Angeles at its worst, it is not difficult to encourage employees to take advantage of any one of these options. In addition, as an added incentive, employees will in some instances realize a tax savings from choosing some of these options.

As leading urban planning scholars have indicated already, offering commuter benefits and properly managing transportation and parking demand is a sound smart growth principle which effectively reduces single-auto commuting and better protects the environment than providing more off-street parking spaces which only serve to encourage single-auto commuters. Prologue is an excellent example of a business in an urban setting offering green, smart growth options for parking demand management which benefits its employees and the environment.

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[What is an In-House Bicycle-Mechanic?](#) [About](#) [Services](#) [Bikes for Transportation](#) [Contact](#)

What is an In-House Bicycle-Mechanic?

An In-House Bicycle-Mechanic is a local, experienced bicycle-mechanic who visits your studio and/or office on a regular basis to keep your employees' bicycles working well. Because employees' bikes are repaired during their normal, working hours, it's a lot easier for them to keep their bikes maintained and, as a result, to keep riding. Your In-House Bicycle-Mechanic is also a seasoned bicycle-commuter who assists your employees with their bicycle-commuting needs beyond repairs and maintenance. For example, many people are interested in riding their bikes to work, but they would like some advice to help get them started. Your In-House Bicycle-Mechanic can help your employees answer these questions (e.g., Which bike to buy? Which route to take? What gear to get?), so they can start riding and stick with it.

Why bring an In-House Bicycle-Mechanic to your studio?



Looking for a new perk to reward your hard-working employees? As a way to attract and retain talented, productive employees, many companies are coming up with innovative benefits to offer them. Making it convenient and easy for employees to keep their bicycles in good repair is a great way to help keep your employees happy and show them how much you value them.

Searching for a way to address the parking shortage around your studio? Supporting your employees who are bicycle commuters and encouraging more employees to ride their bicycles to work can ameliorate your parking situation. Lots of bicycles fit in the space that one car occupies. Also, bicycle parking can be created in all kinds of places where cars can't be parked legally.

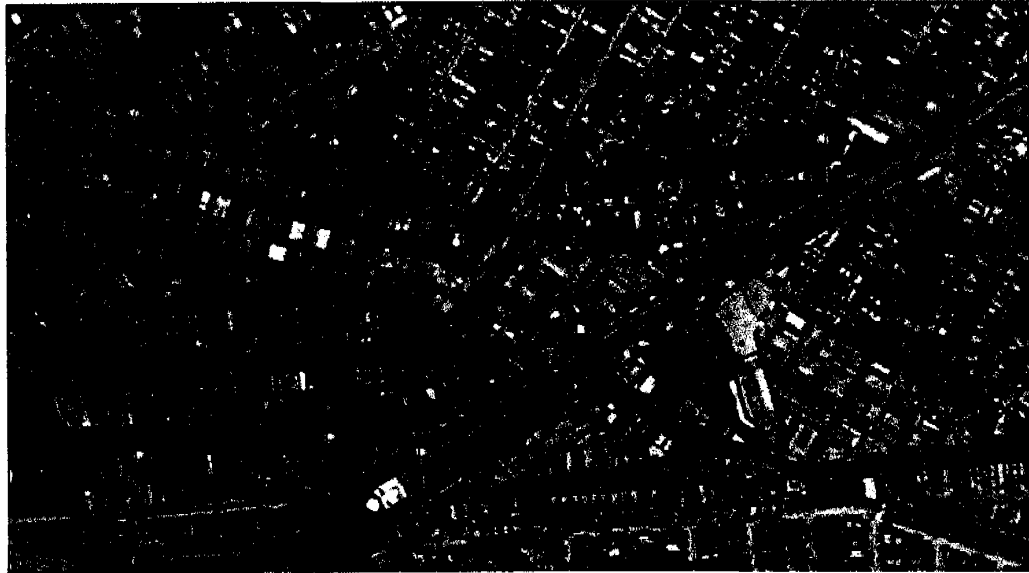
Hoping to help your employees find an alternative to driving to work in heavy traffic? Instead of getting anxious and frustrated sitting in traffic on the way to work, employees that ride their bicycles to work are often able to cruise by that traffic and avoid the headache. In addition, having gotten some exercise on the way, they can arrive refreshed and energized. When their bikes are at work and ready to ride, employees may also often find that they enjoy taking a leisurely bike ride as a break during the work day. A growing body of evidence supports the link between daily exercise, good health, and stress relief. So, helping your employees keep their bikes working well is likely to have a positive effect on their overall well-being and productivity.

Trying to find new ways to "green" your company? As awareness of our society's impact on the environment grows, people and businesses alike are looking for new ways to reduce their ecological footprint. Due to this growing consciousness, companies that are leading the way towards sustainability are being recognized and rewarded for their efforts. Facilitating bicycle commuting amongst your employees is a great way to reduce the resources consumed in your day-to-day business operations and distinguish your company.

Striving to continue helping improve the livability of your neighborhood? By providing high-quality jobs in your neighborhood, you're already improving the quality of life therein. By bringing an In-House Bicycle Mechanic to your studio and, thereby, promoting bicycle commuting culture, you can further enrich your neighborhood. As more people take more of their trips around town by bicycle instead of by car, everyone enjoys the increase in human-scale interactions and street safety, as well as the decrease in noise and air-pollution. These important changes will continue to help your neighborhood become a thriving, vibrant, and fun place to live and work.

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KEY TO MAP

Blue Line = Big Blue Bus Line 2
Red Line = Route of LA Metro Lines 33

BUS STOPS

BIG BLUE BUS LINE 2

A = Abbot Kinney & Cadiz
B = California & Irving Tabor (near Electric Ave.)
C = California & 6th Ave.

LA METRO BUS LINE 33

D = Venice Way & Riviera
E = Venice Way & Venice Blvd. (WB only)
F = Venice Blvd. & Washington Way (EB only, near Venice Way)
G = Venice Blvd. & Abbot Kinney (WB only)
H = Venice Blvd. & Abbot Kinney (EB only)
I = Venice Blvd. & Shell (WB only)
J = Venice Blvd. & Pisani (EB Only)

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Monday through Friday

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Eastbound (Approximate Times)

Westbound (Approximate Times)

SANTA MONICA	VENICE	CULVER CITY	VENICE & OVERLAND	VENICE & LA BREA	VENICE & VERMONT	MAIN & 7TH	PALSAURAS TRANSIT PLAZA/UNION STATION	DOWNTOWN LOS ANGELES	PALSAURAS TRANSIT PLAZA/UNION STATION	SPRING & 7TH	VENICE & VERMONT	VENICE & LA BREA	VENICE & OVERLAND	MAIN & SUNSET	SANTA MONICA
Ocean & Santa Monica	Main & Sunset	Venice & Overland	Venice & La Brea	Venice & Vermont	Main & 7th	Palsauras Transit Plaza/Union Station	Palsauras Transit Plaza/Union Station	Spring & 7th	Venice & Vermont	Venice & La Brea	Venice & Overland	Main & Sunset	Ocean & Santa Monica		
5:21A	5:12A	5:29A	5:43A	5:52A	6:07A	—	—	4:03A	4:11A	4:24A	4:35A	4:48A	5:04A	5:11A	—
—	5:30	5:47	6:01	6:13	6:29	—	—	—	4:43	4:56	5:07	5:20	5:36	—	—
—	5:43	6:00	6:16	6:28	6:44	—	—	—	5:07	5:20	5:31	5:44	6:00	—	—
—	5:56	6:15	6:31	6:43	6:59	—	—	—	5:23	5:36	5:47	6:00	6:17	—	—
—	6:09	6:28	6:44	6:56	7:12	—	—	—	5:35	5:48	5:59	6:17	6:34	—	—
—	6:21	6:40	6:56	7:09	7:25	—	—	—	5:43	5:56	6:09	6:27	6:44	—	—
—	6:34	6:53	7:09	7:22	7:38	—	—	—	5:51	6:05	6:19	6:37	6:54	—	—
—	6:46	7:06	7:23	7:36	7:52	—	—	—	6:00	6:14	6:28	6:46	7:04	—	—
—	6:59	7:20	7:37	7:50	8:06	—	—	—	6:09	6:23	6:37	6:55	7:15	—	—
—	7:13	7:34	7:51	8:04	8:20	—	—	—	6:18	6:32	6:46	7:04	7:25	—	—
—	7:27	7:48	8:05	8:18	8:34	—	—	—	6:26	6:40	6:54	7:13	7:34	—	—
—	7:42	8:03	8:21	8:34	8:50	—	—	—	6:33	6:47	7:01	7:21	7:42	—	—
—	7:56	8:19	8:37	8:50	9:06	—	—	—	6:40	6:54	7:09	7:29	7:50	—	—
—	8:14	8:35	8:53	9:06	9:22	—	—	—	6:46	7:00	7:15	7:35	7:56	—	—
—	8:30	8:51	9:09	9:22	9:38	—	—	—	6:51	7:06	7:21	7:41	8:02	—	—
—	8:45	9:07	9:25	9:38	9:54	—	—	—	6:56	7:12	7:27	7:47	8:08	—	—
—	9:00	9:23	9:41	9:54	10:10	—	—	—	7:01	7:18	7:33	7:53	8:14	—	—
—	9:16	9:39	9:57	10:10	10:26	—	—	—	7:07	7:24	7:39	7:59	8:20	—	—
—	9:34	9:57	10:15	10:28	10:44	—	—	—	7:13	7:30	7:45	8:05	8:26	—	—
—	9:52	10:15	10:33	10:46	11:02	—	—	—	7:19	7:36	7:51	8:11	8:32	—	—
—	10:10	10:33	10:51	11:04	11:20	—	—	—	7:27	7:44	7:59	8:18	8:39	—	—
—	10:28	10:51	11:09	11:22	11:38	—	—	—	7:38	7:55	8:09	8:28	8:49	—	—
—	10:43	11:07	11:26	11:39	11:55	—	—	—	7:48	8:05	8:19	8:38	8:59	—	—
—	11:00	11:24	11:43	11:56	12:12P	—	—	—	7:58	8:15	8:29	8:48	9:09	—	—
—	11:16	11:40	11:59	12:12P	12:28	—	—	—	8:08	8:25	8:39	8:58	9:19	—	—
—	11:32	11:56	12:15P	12:28	12:44	—	—	—	8:18	8:35	8:49	9:08	9:29	—	—
—	11:47	12:12P	12:31	12:44	1:00	—	—	—	8:28	8:45	8:59	9:18	9:39	—	—
—	12:03P	12:28	12:47	1:00	1:16	—	—	—	8:38	8:55	9:09	9:28	9:49	—	—
—	12:16	12:41	1:00	1:13	1:29	—	—	—	8:49	9:06	9:20	9:39	10:00	—	—
—	12:29	12:54	1:13	1:26	1:42	—	—	—	9:05	9:22	9:36	9:55	10:16	—	—
—	12:42	1:07	1:26	1:39	1:55	—	—	—	9:21	9:38	9:52	10:12	10:33	—	—
—	12:55	1:20	1:39	1:52	2:08	—	—	—	9:37	9:54	10:08	10:28	10:49	—	—
—	1:08	1:33	1:52	2:05	2:21	—	—	—	9:53	10:10	10:24	10:44	11:05	—	—
—	1:20	1:45	2:04	2:18	2:34	—	—	—	10:09	10:26	10:40	11:00	11:22	—	—
—	1:33	1:58	2:17	2:31	2:47	—	—	—	10:25	10:42	10:56	11:16	11:38	—	—
—	1:45	2:10	2:29	2:43	2:59	—	—	—	10:41	10:58	11:12	11:31	11:53	—	—
—	1:57	2:22	2:41	2:55	3:12	—	—	—	10:57	11:14	11:28	11:47	12:09P	—	—
—	2:09	2:34	2:53	3:07	3:24	—	—	—	11:13	11:30	11:44	12:03P	12:25	—	—
—	2:19	2:44	3:03	3:17	3:34	—	—	—	11:29	11:46	11:59	12:19	12:41	—	—
—	2:28	2:53	3:13	3:27	3:44	—	—	—	11:45	12:02P	12:16P	12:35	12:57	—	—
—	2:37	3:02	3:23	3:37	3:54	—	—	—	12:01P	12:18	12:32	12:51	1:13	—	—
—	2:46	3:12	3:33	3:47	4:04	—	—	—	12:17	12:34	12:48	1:07	1:29	—	—
—	2:55	3:22	3:43	3:57	4:14	—	—	—	12:33	12:50	1:04	1:23	1:45	—	—
—	3:05	3:32	3:53	4:07	4:24	—	—	—	12:49	1:06	1:20	1:39	2:01	—	—
—	3:15	3:42	4:03	4:17	4:34	—	—	—	1:04	1:21	1:35	1:54	2:17	—	—
—	3:25	3:52	4:13	4:27	4:44	—	—	—	1:19	1:36	1:50	2:09	2:32	—	—
—	3:34	4:01	4:23	4:37	4:54	—	—	—	1:34	1:51	2:05	2:24	2:47	—	—
—	3:44	4:11	4:33	4:47	5:04	—	—	—	1:48	2:05	2:19	2:38	3:01	—	—
—	3:53	4:21	4:43	4:57	5:14	—	—	—	2:01	2:19	2:33	2:52	3:15	—	—
—	4:03	4:31	4:53	5:07	5:24	—	—	—	2:15	2:33	2:47	3:06	3:29	—	—
—	4:13	4:41	5:03	5:17	5:34	—	—	—	2:29	2:47	3:01	3:21	3:44	—	—
—	4:23	4:51	5:13	5:27	5:44	—	—	—	2:43	3:01	3:15	3:35	3:58	—	—
—	4:32	5:00	5:23	5:37	5:54	—	—	—	2:56	3:15	3:29	3:49	4:12	—	—
—	4:41	5:10	5:33	5:47	6:04	—	—	—	3:10	3:29	3:43	4:03	4:26	—	—
—	4:51	5:20	5:43	5:57	6:13	—	—	—	3:24	3:43	3:57	4:17	4:40	—	—
—	5:01	5:30	5:53	6:07	6:23	—	—	—	3:38	3:57	4:11	4:31	4:54	—	—
—	5:11	5:40	6:03	6:17	6:33	—	—	—	3:52	4:11	4:25	4:45	5:08	—	—
—	5:24	5:53	6:14	6:28	6:44	—	—	—	4:05	4:24	4:38	4:58	5:21	—	—
—	5:38	6:06	6:27	6:41	6:57	—	—	—	4:17	4:36	4:50	5:10	5:33	—	—
—	5:52	6:19	6:40	6:54	7:09	—	—	—	4:30	4:49	5:03	5:23	5:46	—	—
—	6:06	6:32	6:53	7:07	7:22	—	—	—	4:43	5:02	5:16	5:36	5:59	—	—
—	6:21	6:47	7:08	7:21	7:36	—	—	—	4:56	5:15	5:29	5:49	6:11	—	—
—	6:40	7:05	7:24	7:37	7:52	—	—	—	5:10	5:29	5:43	6:03	6:23	—	—
—	6:57	7:21	7:40	7:53	8:08	—	—	—	5:25	5:44	5:58	6:17	6:37	—	—
—	7:17	7:40	7:59	8:11	8:26	—	—	—	5:41	6:00	6:13	6:32	6:52	—	—
—	7:36	7:59	8:17	8:29	8:44	—	—	—	5:58	6:16	6:29	6:48	7:07	—	—
—	7:56	8:17	8:35	8:47	9:02	—	—	—	6:18	6:36	6:49	7:07	7:25	—	—
—	8:16	8:36	8:54	9:05	9:19	—	—	—	6:41	6:59	7:11	7:27	7:45	—	—
—	8:38	8:58	9:13	9:23	9:37	—	—	—	7:06	7:21	7:33	7:49	8:06	—	—
—	8:57	9:17	9:32	9:42	9:56	—	—	—	7:30	7:45	7:57	8:13	8:30	—	—
—	9:21	9:40	9:55	10:05	10:19	—	—	—	7:54	8:09	8:21	8:37	8:54	—	—
—	9:48	10:07	10:22	10:32	10:46	—	—	—	8:19	8:34	8:46	9:02	9:17	—	—
—	10:15	10:34	10:49	10:59	11:10	11:17P	—	—	8:44	8:59	9:11	9:26	9:41	—	—
—	10:42	11:01	11:16	11:26	11:37	11:44	—	—	9:09	9:24	9:36	9:51	10:06	—	—
—	11:12	11:31	11:46	11:56	12:06A	12:13A	—	—	9:41	9:54	10:06	10:21	10:36	—	—
11:34P	11:43	12:02A	12:16A	12:26A	12:36	12:43	—	—	10:09	10:24	10:36	10:51	11:06	11:17P	—
12:06A	12:15A	12:32	12:46	12:56	1:06	1:13	—	—	10:41	10:54	11:06	11:21	11:36	11:47	—
1:06	1:15	1:32	1:46	1:56	2:06	2:13	—	—	11:09	11:24	11:36	11:51	12:06A	12:17A	—
1:36	1:45	2:02	2:16	2:26	2:36	2:43	—	—	11:41	11:54	12:06A	12:21A	12:31	1:37	—
2:36	2:45	3:02	3:16	3:26	3:36	3:43	—	—	12:09A	12:24	12:36	12:51	1:06	1:17	—
3:36	3:45	4:02	4:16	4:26	4:36	4:43	—	—	12:09	12:24	12:36	12:51	1:06	1:17	—
4:36	4:45	5:02	5:16	5:26	5:36	5:43	—	—	12:09	12:24	12:36	12:51	1:06	1:17	—

COSTAL COMMISSION

EXHIBIT 12-# EX. 9
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Saturday

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Eastbound [Approximate Times]

Westbound [Approximate Times]

SANTA MONICA	VENICE	CULVER CITY			DOWNTOWN LOS ANGELES	DOWNTOWN LOS ANGELES			CULVER CITY	VENICE	SANTA MONICA
Ocean & Santa Monica	Main & Sunset	Venice & Overland	Venice & La Brea	Venice & Vermont	Main & 7th	Pasadena Transit Plaza/Union Station	Pasadena Transit Plaza/Union Station	Spring & 7th	Venice & Vermont	Venice & La Brea	Ocean & Santa Monica
5:25A	5:34A	5:51A	6:06A	6:18A	6:34A	—	4:05A	4:13A	4:26A	4:37A	5:06A
—	6:05	6:24	6:40	6:52	7:08	—	—	4:43	4:56	5:07	5:36
—	6:39	6:58	7:14	7:26	7:42	—	—	5:13	5:26	5:37	6:07
—	7:09	7:28	7:44	7:56	8:12	—	—	5:41	5:54	6:05	6:36
—	7:33	7:52	8:08	8:20	8:36	—	—	5:58	6:12	6:24	6:55
—	7:56	8:15	8:31	8:43	8:59	—	—	6:14	6:28	6:40	7:11
—	8:18	8:37	8:53	9:05	9:21	—	—	6:29	6:43	6:55	7:26
—	8:40	8:59	9:15	9:27	9:43	—	—	6:44	6:58	7:10	7:41
—	9:02	9:21	9:37	9:49	10:05	—	—	6:58	7:12	7:24	7:55
—	9:22	9:42	9:59	10:11	10:27	—	—	7:12	7:26	7:38	8:09
—	9:42	10:02	10:19	10:31	10:47	—	—	7:26	7:40	7:52	8:23
—	10:00	10:22	10:39	10:51	11:07	—	—	7:40	7:54	8:06	8:37
—	10:19	10:41	10:58	11:11	11:27	—	—	7:54	8:08	8:20	8:51
—	10:38	11:00	11:18	11:31	11:47	—	—	8:08	8:22	8:34	9:05
—	10:56	11:19	11:37	11:50	12:06P	—	—	8:22	8:36	8:48	9:20
—	11:14	11:37	11:55	12:08P	12:24	—	—	8:37	8:51	9:03	9:37
—	11:31	11:54	12:12P	12:25	12:41	—	—	8:51	9:06	9:18	9:52
—	11:47	12:11P	12:29	12:42	12:58	—	—	9:05	9:21	9:33	10:08
—	12:04P	12:28	12:46	12:59	1:15	—	—	9:21	9:37	9:49	10:24
—	12:21	12:45	1:03	1:16	1:32	—	—	9:37	9:53	10:05	10:40
—	12:38	1:02	1:20	1:33	1:49	—	—	9:53	10:09	10:21	10:56
—	12:54	1:19	1:37	1:50	2:06	—	—	10:09	10:25	10:37	11:13
—	1:11	1:36	1:54	2:07	2:23	—	—	10:25	10:41	10:53	11:32
—	1:28	1:53	2:11	2:24	2:40	—	—	10:41	10:57	11:10	11:49
—	1:45	2:10	2:28	2:41	2:57	—	—	10:55	11:13	11:26	12:05P
—	2:01	2:27	2:45	2:58	3:14	—	—	11:10	11:29	11:42	12:21
—	2:17	2:43	3:01	3:14	3:30	—	—	11:26	11:45	11:58	12:37
—	2:33	2:59	3:17	3:30	3:46	—	—	11:42	12:01P	12:14P	12:53
—	2:49	3:15	3:33	3:46	4:02	—	—	11:58	12:17	12:30	1:11
—	3:02	3:28	3:46	3:59	4:15	—	—	12:14P	12:33	12:46	1:27
—	3:15	3:41	3:59	4:12	4:28	—	—	12:30	12:49	1:02	1:44
—	3:28	3:54	4:12	4:25	4:41	—	—	12:46	1:05	1:18	2:00
—	3:41	4:07	4:25	4:38	4:54	—	—	1:02	1:21	1:34	2:16
—	3:54	4:20	4:38	4:51	5:07	—	—	1:18	1:37	1:50	2:32
—	4:07	4:33	4:51	5:04	5:20	—	—	1:34	1:53	2:06	2:48
—	4:22	4:48	5:06	5:19	5:35	—	—	1:50	2:09	2:22	3:04
—	4:37	5:03	5:21	5:34	5:50	—	—	2:06	2:25	2:38	3:20
—	4:52	5:18	5:36	5:49	6:05	—	—	2:22	2:41	2:54	3:36
—	5:07	5:33	5:51	6:04	6:20	—	—	2:38	2:57	3:10	3:52
—	5:22	5:48	6:06	6:19	6:35	—	—	2:54	3:13	3:26	4:08
—	5:37	6:03	6:21	6:34	6:50	—	—	3:09	3:28	3:41	4:23
—	5:53	6:18	6:36	6:49	7:05	—	—	3:24	3:43	3:56	4:38
—	6:08	6:33	6:51	7:04	7:20	—	—	3:39	3:58	4:11	4:53
—	6:23	6:48	7:06	7:18	7:34	—	—	3:53	4:12	4:25	5:07
—	6:39	7:04	7:21	7:33	7:49	—	—	4:07	4:26	4:39	5:21
—	6:56	7:19	7:36	7:48	8:04	—	—	4:21	4:40	4:53	5:35
—	7:12	7:34	7:51	8:03	8:18	—	—	4:37	4:56	5:09	5:51
—	7:30	7:52	8:09	8:21	8:36	—	—	4:57	5:16	5:29	6:10
—	7:56	8:17	8:34	8:46	9:01	—	—	5:20	5:39	5:52	6:30
—	8:23	8:44	9:01	9:11	9:25	—	—	5:45	6:04	6:16	6:54
—	8:52	9:13	9:28	9:38	9:52	—	—	6:12	6:29	6:41	7:15
—	9:21	9:40	9:55	10:05	10:19	—	—	6:40	6:57	7:09	7:42
—	9:48	10:07	10:22	10:32	10:46	—	—	7:10	7:25	7:37	8:10
—	10:15	10:34	10:49	10:59	11:10	11:17P	—	7:39	7:54	8:06	8:39
—	10:42	11:01	11:16	11:26	11:37	11:44	—	8:09	8:24	8:36	9:08
—	11:12	11:31	11:46	11:56	12:06A	12:13A	—	8:39	8:54	9:06	9:36
11:34P	11:43	12:02A	12:16A	12:26A	12:36	12:43	—	8:59	9:14	9:26	10:06
12:06A	12:15A	12:32	12:46	12:56	1:06	1:13	—	9:41	9:54	10:06	10:36
12:36	12:45	1:02	1:16	1:26	1:36	1:43	—	10:09	10:24	10:36	11:06
1:06	1:15	1:32	1:46	1:56	2:06	2:13	—	10:41	10:54	11:06	11:36
1:36	1:45	2:02	2:16	2:26	2:36	2:43	—	11:09	11:24	11:36	12:06A
2:36	2:45	3:02	3:16	3:26	3:36	3:43	12:02A	12:09A	12:24A	12:36A	12:17P
3:36	3:45	4:02	4:16	4:26	4:36	4:43	1:02	1:09	1:24	1:36	2:06
4:36	4:45	5:02	5:16	5:26	5:36	5:43	2:02	2:09	2:24	2:36	3:06
							3:02	3:09	3:24	3:36	4:06

COASTAL COMMISSION

Sunday and Holiday Schedule

Effective: Dec 12 2010

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Eastbound (Approximate Times)

Westbound (Approximate Times)

SANTA MONICA	VENICE	CULVER CITY			DOWNTOWN LOS ANGELES	DOWNTOWN LOS ANGELES			CULVER CITY	VENICE	SANTA MONICA		
Ocean & Santa Monica	Main & Sunset	Venice & Overland	Venice & La Brea	Venice & Vermont	Main & 7th	Pasadena Transit Plaza/Union Station	Pasadena Transit Plaza/Union Station	Spring & 7th	Venice & Vermont	Venice & La Brea	Ocean & Santa Monica		
5:25A	5:34A	5:51A	6:05A	6:16A	6:30A	—	4:05A	4:13A	4:26A	4:37A	4:50A	5:05A	5:12A
—	6:04	6:22	6:36	6:47	7:01	—	—	5:12	5:26	5:36	5:49	6:04	—
—	6:35	6:53	7:07	7:18	7:32	—	—	5:52	6:06	6:18	6:33	6:49	—
—	7:04	7:23	7:37	7:48	8:02	—	—	6:14	6:28	6:40	6:55	7:11	—
—	7:34	7:53	8:07	8:18	8:32	—	—	6:34	6:48	7:00	7:15	7:31	—
—	8:04	8:23	8:37	8:48	9:02	—	—	6:54	7:08	7:20	7:35	7:51	—
—	8:33	8:52	9:06	9:18	9:34	—	—	7:19	7:33	7:45	8:00	8:20	—
—	9:00	9:21	9:36	9:48	10:04	—	—	7:44	7:58	8:10	8:27	8:47	—
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11:34P	11:43	12:02A	12:16A	12:26A	12:36	12:43	—	10:09	10:24	10:36	10:51	11:06	11:17P
12:06A	12:15A	12:32	12:46	12:56	1:06	1:13	—	10:41	10:54	11:06	11:21	11:36	11:47
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1:06	1:15	1:32	1:46	1:56	2:06	2:13	12:02A	12:09A	12:24A	12:36A	12:51A	1:06	1:17
1:36	1:45	2:02	2:16	2:26	2:36	2:43	1:02	12:09	1:24	1:36	1:51	2:06	2:17
2:36	2:45	3:02	3:16	3:26	3:36	3:43	2:02	12:09	2:24	2:36	2:51	3:06	3:17
3:36	3:45	4:02	4:16	4:26	4:36	4:43	3:02	12:09	3:24	3:36	3:51	4:06	4:17
4:36	4:45	5:02	5:16	5:26	5:36	5:43							

Holiday Schedule

Horario de días feriados

Sunday & Holiday schedule will operate on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

Se usara horario del domingo y días feriados para New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day y Christmas Day.

Special Notes

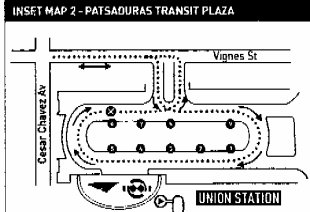
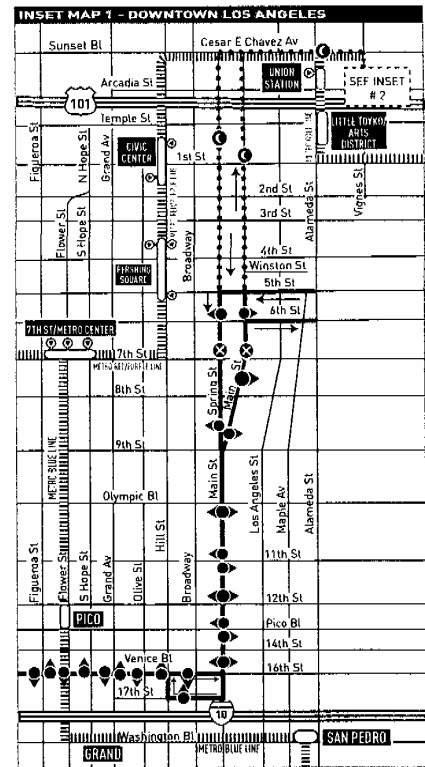
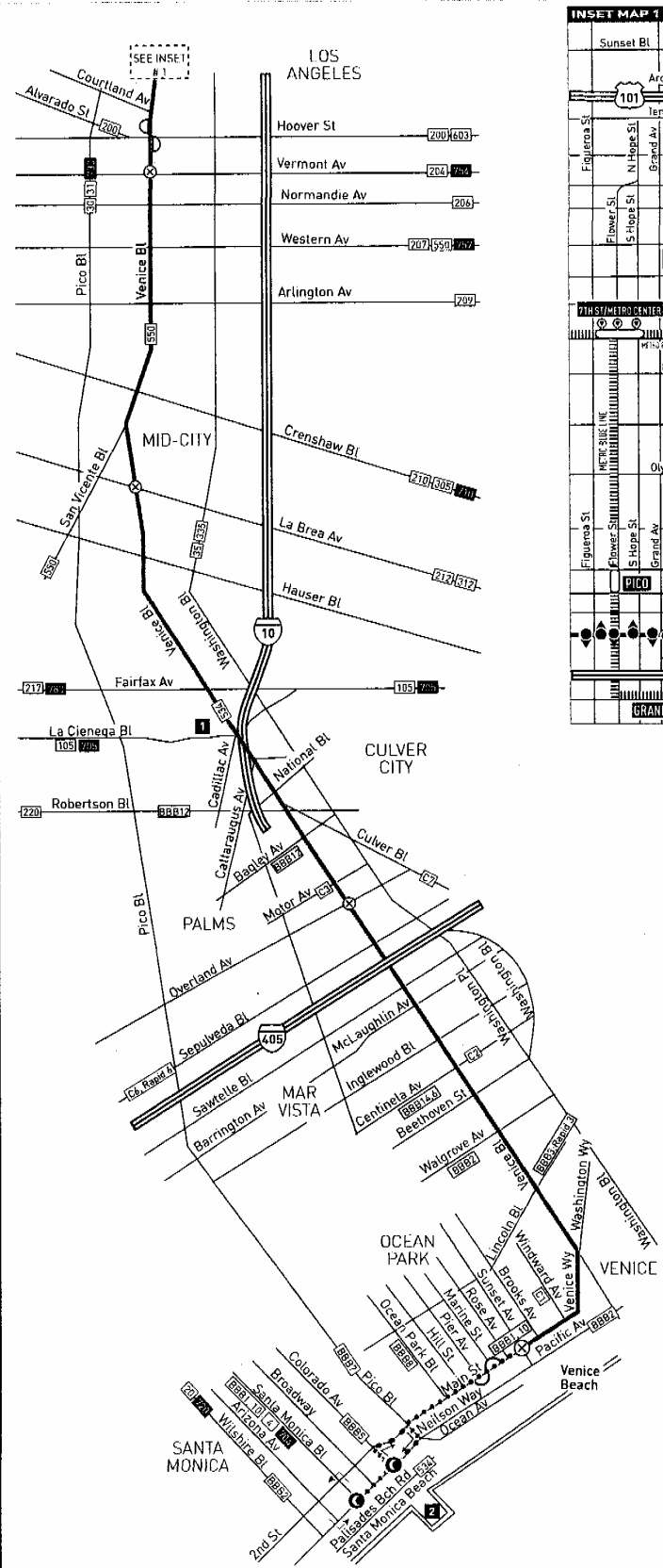
Avisos especiales

COASTAL COMMISSION

- B Waits at Spring & 7th for transfer connections.
- C All trips start at Spring and 6th 1 minute before time shown.

- B Espera en la Spring & 7th para las conexiones de transferencia.
- C Todos los viajes comienzan en Spring y 6th 1 minuto antes de la hora mostrada.

EXHIBIT # **Ex. 9**
PAGE **20** OF **23**



- 1 Metro - 439; OCTA - 701, SC794
- 2 LADOT Metrolink Shuttles
Commuter Express 534
- 3 LADOT DASH D
- 4 Metro - AV785;
LAC/USC County Hospital Shuttle
- 5 Metro - 442, 740
- 6 Metro - 33 (Owl trips), 733
- 7 Metro - 445, 745; F699
- 8 Unused
- 9 LAX Flyway

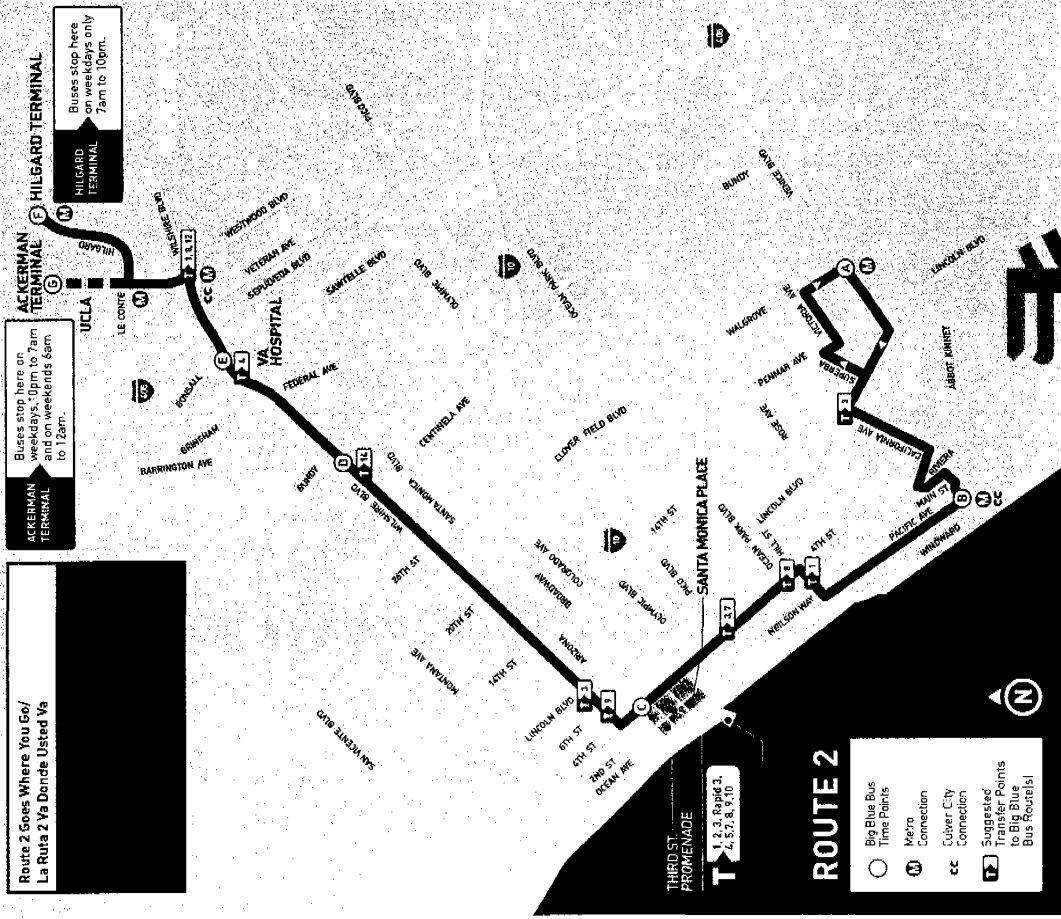
MAP NOTES

- 1 Kaiser Permanente Hospital
- 2 Santa Monica Pier

- LEGEND**
- Route of Line 33
 - Route of Line 33 Owl Trip
 - Timepoint
 - Eastbound Stop
 - Westbound Stop
 - Amtrak
 - Metrolink
 - Map Notes
 - Connecting Lines
 - Rapid Connecting Lines
 - Antelope Valley Transit
 - Culver CityBus
 - Santa Monica's Big Blue Bus
 - Foothill Transit
 - Santa Clarita Transit

- INSET 1 - DOWNTOWN LOS ANGELES**
- Route of Line 33
 - Route of Line 33 Owl Trips
 - Stop
 - Stop and Timepoint
 - Metro Rail Station
 - Metro Rail Station Platform
 - Metro Rail

PRINTED USING ENVIRONMENTALLY FRIENDLY MATERIALS



BIGBLUEBUS.COM

CASH FARES	LOCAL	EXPRESS
Regular/Student	\$1.00	\$2.00
Senior/62+/Disabled/Medicare*	\$0.50	\$1.00
BBB Tokens	1	2
Children 4 & under (limit 2)	FREE	FREE

Exact change only. Bills and coins accepted. BBB tokens only. No other tokens accepted. Cambio exacto solamente. Monedas o billetes se aceptan.

TRANSFERS	LOCAL	EXPRESS
Regular/Student	\$0.50	+\$0.50 transfer +\$1.00 upgrade
Senior/Disabled/Medicare*	\$0.25	+\$0.25 transfer +\$0.50 upgrade

Valid for 12 hours from time issued to board (1) additional BBB or most other regional bus and metro rail systems. Valido por dos (2) horas a partir del tiempo de pago. Uso para un (1) Big Blue bus local a la mayoría de los otros autobuses regional y sistemas de carril del metro.

DISCOUNTED PASSES	LOCAL	EXPRESS
REGULAR/STUDENT		
Day Pass	\$4.00	\$4.00
13 Rides*	\$12.00	\$15.00 (trans+upgr.)
30 Day: Student*	\$40.00	\$100.00 (upgr.)
30 Day: Local	\$60.00	\$100.00 (upgr.)
30 Day: Express	Included	\$80.00

SENIOR/DISABLED/MEDICARE	LOCAL	EXPRESS
Day Pass*	\$1.50	\$1.50
13 Rides*	\$6.00	\$0.75 (trans+upgr.)
30 Day: Local*	\$24.00	\$0.50 (upgr.)
30 Day: Express*	Included	\$40.00

*Must have valid ID when purchasing and using. Buy passes before boarding at BigBlueBus.com or call Customer Service for other locations. *Debe tener identificación válida para comprar. Compre los pases antes de abordar en bigbluebus.com o llame a Nuestra Oficina al Cliente para otras ubicaciones.

WE'RE HERE TO HELP
Customer Service 310-451-5444
Hearing Impaired TDD 310-315-6024
Bus-Info@BigBlueBus.com

Blue: the Transit Store & Customer Service Center
223 Broadway, Santa Monica
California 90401

While BBB works hard to adhere to schedules, road conditions often impact service. During periods of high traffic, please consider taking one of the scheduled trips that arrives prior to your destination. Mientras BBB trabaja para mantener los autobuses a tiempo, las condiciones del tráfico pueden impactar nuestro servicio. Le sugerimos que llegue antes de su tiempo deseado.

A service of the city of Santa Monica

WILSHIRE BOULEVARD

2

UCLA/ Westwood/ Santa Monica/ Venice Beach/ Walgrove Ave

PASSES AVAILABLE AT RETAILERS AND ONLINE AT WWW.BIGBLUEBUS.COM

ride blue. go green.
All Big Blue Bus exhaust systems include filters that remove particulates and minimize exhaust residue | bigbluebus.com

bigbluebus

AL06857400510 28, 2910

ROUTE 2

VENICE TO UCLA																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
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* Final drop-off on Wilshire Blvd. at 6th St./ Bajada final en Wilshire Blvd. y 6th St.

ROUTE 2

[illegible]

Labor Day **Thanksgiving Day** **Christmas Day**
 new year's day memorial day independence day

Subject to change without notice/Sujeto a cambio sin previo aviso

Saturday
ngos.

[illegible]

♦ This trip leaves two to three minutes later on Saturday/

Chuck Posner

From: Presidents Row Neighborhood Association [prna1@hotmail.com]
Sent: Wednesday, June 29, 2011 6:16 PM
To: Chuck Posner
Cc: pena1@hotmail.com
Subject: A-5-VEN-10-281

Chronology.

Prologue buys a warehouse, and converts parking to office use without permits.

Building and Safety issues several notices of non-compliance which are ignored.

DBS issues a notice to comply with a threat to take legal action.

Prologue hires an attorney to explore the in-lieu provision in the VSP.

When the matter is appealed to the APC, they suggest that Prologue request a continuance to work things out with the community.

Each time the appeal is scheduled by the APC, Prologue asks for another continuance, until the APC is unable to seat a quorum, and the appeal is denied, by statute, without a hearing.

Requests to Prologue to agree to waive the statute, so that a decision can be fairly rendered are ignored.

Prologue applies for a CDP. They delay submitting a modified proposal until the next CCC hearing is scheduled for Northern California, making it difficult for the appellants to attend.

Requests from the appellants to agree to a postponement so that the matter could be heard in Southern California, have been ignored by Prologue.

Prologue has exhibited an ability to manipulate the system for their own benefit for three years, without enforcement or repercussion.

Please keep this in mind.

Harris.

COASTAL COMMISSION
A-5-VEN-10-281

EXHIBIT # 10
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6/30/2011