
CALIFORNIA COASTAL COMMISSION

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



F11c, F11d, & F11e

Click here to go to
original staff report

Addendum

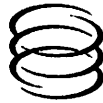
Date: October 5, 2015

To: COMMISSIONERS & INTERESTED PERSONS

From: JACK AINSWORTH, SENIOR DEPUTY DIRECTOR
SHANNON VAUGHN, COASTAL PROGRAM ANALYST
SOUTH COAST DISTRICT STAFF

Subject: Addendum to F11c, F11d, & F11e, Coastal Development Permit Appeal Nos. A-5-VEN-15-0052, A-5-VEN-15-0053, and A-5-VEN-15-0054 (Fabian Bever, California Eco Homes, LLC), Venice Beach, Los Angeles County, for Commission Meeting of October 9, 2015

The following is a letter received from Sabrina Venskus, legal counsel for Robin Rudisill and Sue Kaplan, by the South Coast District office on October 2, 2015.



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October 1, 2015

California Coastal Commissioners
45 Fremont Street
Suite 2000
San Francisco, CA 94105

RE: Coastal Development Permit Appeals for 217-221 Venice Way (October 9, 2015, Agenda Item # F11 c, d, and e)

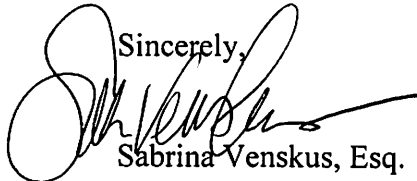
Honorable Commissioners:

This law firm represents Robin Rudisill and Sue Kaplan in litigation against the City of Los Angeles related to the City Planning Department's CEQA, Mello Act and Coastal Development Permit approvals of the projects located at 217, 219 and 221 Venice Way in Venice. My clients have filed a Petition for Writ of Mandate against the City of Los Angeles Planning Department for its refusal to process my clients' appeals of the project approvals to the West Los Angeles Planning Commission. I write to clarify a statement contained in the CCC staff report regarding the procedural posture of this matter. The Coastal Commission Staff Report, at p. 5, Section III, states, "The ZA's approvals of the CDPs were not appealed to the West Los Angeles Planning Commission." However, my clients' appeal of the CDPs, as well as the City's CEQA and Mello Act determinations, to the West Los Angeles Planning Commission is the subject of the litigation; specifically, it is alleged that the Planning Department denied my clients the right to appeal the project-related approvals, despite the fact my clients timely presented their appeal forms and fees prior to the appeal deadline. A copy of the Petition for Writ of Mandate is attached for your reference.

On August 31, 2015, Ms. Rudisill and Ms. Kaplan filed appeals of the CDPs to the California Coastal Commission, as a placeholder in the unlikely event the Superior Court resolves the current litigation in favor of the City. While we support the staff's recommendation of "substantial issue," I respectfully request that the Coastal Commission stay consideration my clients' CDP appeals until the Court has had an opportunity to consider the matter currently before it and rule upon the Petition. Indeed, if the Court sides with my clients, then the appeals will be processed and the West Los Angeles Planning Commission will hear and determine the Mello Act and CEQA challenges, at a minimum, since these matters concern the sole jurisdiction of the City. But consider that Los Angeles City Charter section 552 confers upon the West Los Angeles Area Planning Commission the mandatory right and duty to hear and determine appeals of Department-issued Coastal Development Permits, and the Planning

Commission should be given that opportunity if the Court agrees with my clients that the Planning Department violated my clients' right to statutory due process by failing to process the timely appeals of the project approvals.

Thank you for your consideration and attention to this matter.

Sincerely,

Sabrina Venskus, Esq.

Attachment A

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

AUG 28 2015

Sherri R. Carter, Executive Officer/Clerk
By Shaunya Bolden, Deputy

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Attorneys for Petitioners, ROBIN RUDISILL and SUE KAPLAN

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

BS157263

ROBIN RUDISILL, an individual; and
SUE KAPLAN, an individual

Petitioners,

vs.

CITY OF LOS ANGELES, a municipal
corporation; the DEPARTMENT OF CITY
PLANNING, of the City of Los Angeles,

Respondents.

CASE NO.:

VERIFIED PETITION FOR WRIT OF
MANDATE AND COMPLAINT FOR
INJUNCTIVE AND DECLARATORY RELIEF

(Cal. Code Civ. Procedure § 1085)

1. VIOLATION OF RIGHT TO DUE PROCESS

FABIAN BEVER, and individual; ROBERT
THIBODEAU, an individual; and DOES 1-20,

Real Parties in Interest.

82

LAVIN

1 **INTRODUCTION**

2 1. This action challenges the City of Los Angeles' refusal to accept the Petitioners' filing
3 of administrative appeals on the Zoning Administrator's ("hereinafter the "ZA") approvals for the
4 Coastal Development Permit applications ZA 2014-0829, ZA 2014-0831, and ZA 2014-0833
5 (hereinafter referred to collectively as "the Determination Letters"), for a development project
6 located at 217, 219, and 221 East Venice Way, Venice, California 90291 (hereinafter collectively
7 referred to as the "Project"), located within the jurisdictional limits of the City of Los Angeles.

8 2. This action also challenges the City's failure to provide Petitioners due process of
9 law, in that the City did not provide Petitioners an opportunity to be heard on their challenge to the
10 Zoning Administrator's determination to approve the Project.

11 3. Petitioners ask this Court to overturn all City approvals of the Project and order the
12 City to accept Petitioners appeals and provide a hearing on said appeals before the City's Area
13 Planning Commission.

14 **PARTIES**

15 4. Petitioner, ROBIN RUDISILL (hereinafter referred to as "Ms. Rudisill" individually
16 or "Petitioners" collectively), is an individual residing in Los Angeles County who resides and owns
17 property in the vicinity of the Project site. Ms. Rudisill has lived in Venice for 15 years, and is the
18 Chair of the Land Use and Planning Committee of the Venice Neighborhood Council, a certified
19 council under the Los Angeles City Charter. She brings this action on behalf of herself and in the
20 interest of the general public.

21 5. Petitioner, SUE KAPLAN (hereinafter referred to as "Ms. Kaplan" individually, or
22 "Petitioners" collectively), is an individual residing in Los Angeles County who resides and owns
23 property in the vicinity of the Project site. Ms. Kaplan has lived in Venice for approximately 21
24 years, and is actively engaged in civic issues concerning the Venice community. She brings this
25 action on behalf of herself and in the interest of the general public.

26 6. Respondent, CITY OF LOS ANGELES (hereinafter referred to individually as the
27 "City" collectively as "Respondents"), is a Charter Law city situated in the County of Los Angeles
28 and is duly organized under the laws of the State of California.

7. Respondent, DEPARTMENT OF CITY PLANNING of the City of Los Angeles (hereinafter referred to individually as the “DCP” collectively as “Respondents”), is a quasi-judicial body of appointed officials with regulatory authority with respect to approval or denial of Coastal Development permits, zoning Administrator’s Adjustments and Mello Act Compliance, including the subject Project applications at issue in this lawsuit.

8. Petitioners are informed and believe, and based thereon allege, FABIAN BEVER (hereinafter referred to as “Applicant” individually or “Real Parties in Interest” collectively), is an individual residing in Los Angeles County.

9. Petitioners are informed and believe, and based thereon allege ROBERT THIBODEAU (hereinafter referred to as “Applicant” individually or “Real Parties in Interest” collectively), is an individual residing in Los Angeles County.

10. Does 1 through 20 are any entities that have an interest in the Project but which have not thus far been disclosed to Petitioners and whose true names and identities are not currently known to Petitioners, and therefore Petitioners sue said parties under fictitious names. Petitioners will amend this petition to allege their true names and capacities when and if the same are ascertained. Petitioners are informed and believe, and based thereon alleges, that each of these fictitiously named Real Parties in Interest is in some manner responsible for the wrongful conduct alleged in this petition, and that these fictitiously named Real Parties in Interest were, at all times mentioned in this petition, the agents, servants, employees and contractors, and were acting within their authority as such with the consent and permission, of their co-Real Parties in Interest.

JURISDICTION AND VENUE

11. This is an action for mandamus against the Respondents and Real Parties in Interest concerning actions taken with respect to real property located within the City and the County of Los Angeles, California. This court has jurisdiction under California Code of Civil Procedure § 1085, and related equitable code provisions.

12. Venue is proper in this court because the causes of action alleged herein arose against the City within the County of Los Angeles, and the parties are located or doing business in the City and the County of Los Angeles.

EXHAUSTION OF ADMINISTRATIVE REMEDIES
AND INADEQUATE REMEDIES AT LAW

13. Petitioners have exhausted all administrative remedies prior to bringing this action.

14. Petitioners, by and through their representatives, registered their objections to the proposed Project, to the DCP orally and in writing. All issues raised in this Petition were timely raised before Respondents by Petitioners.

15. In an attempt to informally resolve this matter without litigation, on August 11, 2015, Petitioners, by and through their counsel of record, sent a letter to the Director of the Los Angeles Department of City Planning, Michael LoGrande, requesting that he accept Petitioners' administrative appeals of the Project. (A true and correct copy is attached as Exhibit A, pgs. 1-3.)

16. Petitioners even reached out to the office of City Councilmember Mike Bonin, the councilmember for the district in which this Project is located, and requested assistance with the DCP regarding the DCP's refusal to accept Petitioners' administrative appeals for filing. On information and belief, and based thereon Petitioners allege, that staff of the Honorable City Councilmember Mike Bonin approached DCP representatives and requested that the DCP accept the appeal forms, but that the request went unheeded. Thus, Petitioners have made a good faith effort to informally resolve this matter without litigation.

17. Petitioners have exhausted all available administrative remedies before Respondents by objecting to the approval of the Project and attempting to timely file appeals of the approvals.

18. Petitioners have no adequate remedy at law unless the Court grants the requested relief as set forth herein, requiring Respondents to accept Petitioners' appeals of the Associate Zoning Administrator's Approvals of the Project, and to set the matter for hearing on the West Los Angeles Area Planning Commission's agenda, to be heard and considered by the Commission. In the absence of either such remedy, Respondents will continue to be in violation of Petitioners' substantive and procedural due process rights.

FACTS

19. Real Parties in Interest submitted applications ZA-2014-0829-CDP-ZAA-MEL, ZA-2014-0831-CDP-ZAA-MEL, ZA-2014-0833-CDP-ZAA-MEL for their development project, located

1 at 217, 219, and 221 East Venice Way, Venice, California 90291, to the Department of City
2 Planning requesting to demolish an existing four-unit residential building on three contiguous lots
3 and construct three new single family homes in its place with variances in the required front yard
4 setback of 10 feet 6 inches in lieu of the 15 feet otherwise required by the City of Los Angeles
5 Planning and Zoning Code.

6 20. The matter was subsequently scheduled for a hearing before the Zoning Administrator,
7 which was to take place on January 8, 2015.

8 21. January 8, 2015, the Zoning Administrator's hearing was held. Petitioners were in
9 attendance and spoke at the public hearing.

10 22. On July 14, 2015, the ZA of the DCP issued Determination Letters (hereinafter "the
11 Department's Determinations" or "Approvals") approving the Coastal Development Permit
12 Applications and the Project. (See Exhibit A, pgs. 11–41; 48–78; and 85–115.)

13 23. The Department's Determinations informed the public that the Approvals could be
14 appealed to the Area Planning Commission ("APC"), "at a public office of the Department of City
15 Planning on or before" July 29, 2015. (See Exhibit A, pgs. 14, 51, and 88 "APPEAL PERIOD –
16 EFFECTIVE DATE".)

17 24. Prior to July 29, 2015, a number of members of the Venice community, decided to
18 jointly appeal the Approvals. Petitioner Ms. Rudisill filled out and signed the required appeal forms
19 on the required City-authorized forms and attached the required documents.

20 25. The appeals challenge the Project Approvals on a number of bases, including, but not
21 limited to, violation of the state Mello Act, the California Environmental Quality Act, the Venice
22 Coastal Specific Plan, and the Venice Land Use Plan.

23 26. On July 29, 2015, Petitioners attempted to timely submit their appeals of the ZA's
24 Approvals of the Project, pursuant to Los Angeles Municipal Code ("L.A.M.C.") (see Exhibit A,
25 pgs. 5–10; 42–47; 79–84; and pg. 4), as follows:

26 a. On July 29, 2015, Ms. Lydia Ponce, a long-time resident and named appellant,
27 approached an employee seated behind the Los Angeles DCP Development Service
28 Center, located at 201 North Figueroa Street, 4th Floor, Los Angeles, California

1 90012, with the appeal forms and cash for the appeal filing fee; (*see* Exhibit A, pg. 4)

2 b. Ms. Ponce was then told to speak with a different Department employee, who
3 in turn informed Ms. Ponce that she could not file the appeals at that counter and that
4 Ms. Ponce would need to speak with, yet again, a different Department employee,
5 whom they then allegedly went to find (*Id.*); and

6 c. the DCP employees continued to evade Ms. Ponce's attempts to file
7 Petitioners' appeals until it was after 5:00 p.m., at which point City Planning
8 Supervisor, Ralph Avila, came out from behind the counter to inform Ms. Ponce that,
9 because it was after 5:00 p.m., she had missed the deadline to appeal the ZA's
10 Approvals. (*Id.*)

11 27. Petitioners were denied their right to file an appeal, even though they had arrived at
12 the proper location and prior to the close of business on July 29, 2015.

13 28. Petitioners attempted to resolve the matter informally with the DCP supervisors, both
14 directly through their attorney and through the City Councilmember's office, to no avail.

15 29. The instant petition for writ of mandate ensued thereafter.

16 **FIRST CAUSE OF ACTION**

17 **(Writ of Mandate under Cal. Civ. Code Proc., § 1085**

18 **Violation of Petitioners' Procedural and Substantive Due Process)**

19 30. All preceding paragraphs are hereby incorporated as though fully set forth herein.

20 31. Los Angeles Municipal Code section 12.20.2 (H) provides, in pertinent part, as
21 follows:

22 **Appeals.** Appeals from the approval, conditional approval, or
23 disapproval of a permit under the provisions of this section
24 may be taken by the applicant or any aggrieved person as
follows:

25 1. Where a coastal development permit hearing has
26 been combined with the hearing on the project itself, an appeal
27 may be taken to the appellate body that would hear and decide
28 the appeal from the underlying project. If the appeal from any
underlying project is further appealable to a second appellate
body, the coastal development permit is likewise further

1 appealable. The time within which to appeal shall be the same
2 as that provided for an appeal of the project itself, but the
3 decision of the permit-granting authority on the coastal permit
4 may be separately appealed, without appealing the action on
5 the underlying project. The times for notification of hearing
6 and action on such appeal shall be the same as for the
7 underlying project, whether or not such underlying project is
8 also appealed.

9 32. Real Parties in Interest sought and received approval for demolition of a multi-
10 residential building containing four affordable housing units and to replace those affordable housing
11 units with three separate single-family mansions, including variances (referred to as an "Adjustment"
12 in the L.A.M.C., section 12.28) from the code-required yard set back. The procedures for such
13 variances, including appeal rights and procedures, are found in L.A.M.C., section 12.24, which states
14 in pertinent part:

15 **I. Appeals.**

16 1. **Effective Date of Initial Decision.** An initial
17 decision becomes final and effective upon the close of the
18 15-day appeal period if not appealed, or as provided in this
19 subsection if appealed.

20 2. **Filing of an Appeal.** An applicant or any other
21 person aggrieved by the initial decision of the Zoning
22 Administrator may appeal the decision to the Area Planning
23 Commission. An applicant or any other person aggrieved by
24 the initial decision of the Area Planning Commission or the
25 City Planning Commission may appeal the decision to the City
26 Council. The appeal shall be filed within 15 days of the date of
27 mailing of the initial decision on forms provided by the
28 Department. The appeal shall set forth specifically the points
 at issue, the reasons for the appeal, and the basis upon which
 the appellant claims there was an error or abuse of discretion
 by the initial decision-maker. Any appeal not filed within the
 15-day period shall not be considered by the appellate body.
 The filing of an appeal stays proceedings in the matter until the
 appellate body has made a decision. Once an appeal is filed,
 the initial decision-maker shall transmit the appeal and the file
 to the appellate body, together with any report if one was
 prepared by staff responding to the allegations made in the
 appeal.

 3. **Appellate Decision - Public Hearing and
 Notice.** Before acting on any appeal, the appellate body shall
 set the matter for hearing, giving the same notice as provided

1 for the original hearing. When considering an appeal from the
2 decision of an initial decision-maker, the appellate body shall
3 make its decision, based on the record, as to whether the initial
decision-maker erred or abused his or her discretion.

4 32. Thus, pursuant to L.A.M.C., sections 12.20.2(H) and 12.24(I), the appeal period for
5 this Project was 15 days from the date of mailing of the Determination Letters.

6 33. Petitioners are interested persons adversely affected by the Project.

7 34. Petitioners attempted to file their appeals of the ZA's Approvals of the Project in the
8 public office of the DCP within fifteen days of the date of mailing of the written Department's
9 Determinations.

10 35. The DCP failed to permit Petitioners to file their appeals as required by the L.A.M.C.

11 36. Petitioners are directly and beneficially interested in Respondents' compliance with all
12 applicable provisions of law and with all public legal duties, as set forth herein.

13 37. Respondents had the ability to perform the duties set forth herein, at all times relevant to
14 this action, and failed and refused to perform its legal duties. Respondents acted arbitrarily and capriciously,
15 in refusing to carry out or discharge its mandatory duties as alleged herein.

16 38. Unless compelled by this Court to perform those acts and duties and to refrain from acts
17 as required by law, Respondents will continue to refuse said duties and continue to violate the law, and
18 Petitioners, and the public on whose behalf they bring this action, will be injured as a result.

19 39. The City, by and through the DCP, violated L.A.M.C., sections 12.20.2 (H) and
20 12.24(I), by failing to permit Petitioners to file their appeals.

21 40. Respondents failed to proceed in the manner required by L.A.M.C., sections 12.20.2
22 (H) and 12.24(I) because the DCP failed to adhere to the mandatory duty to permit Petitioners to
23 submit their appeals within the 15 day appeal period.

24 **PRAYER FOR RELIEF**

25 WHEREFORE, Petitioners pray for relief as follows:

26 1. For declaratory relief by declaring that:

27 a) the City abused its discretion by refusing to accept and file Petitioners' appeals;

28 b) the City violated L.A.M.C., sections 12.20.2 (H) and 12.24(I);

1 c) the City violated Petitioners' statutory right of due process by failing to permit
2 Petitioners to submit their appeals of the Project;

3 d) the City violated Petitioners' due process by failing to provide Petitioners with a
4 hearing on the appeal of the Project;

5 2. For an alternative and peremptory writ of mandate, commanding Respondents to
6 accept each of the appeals for filing;

7 3. For an alternative and peremptory writ of mandate, commanding Respondents to stay
8 the Approvals pursuant to L.A.M.C., section 12.24(I)(2);

9 4. For a peremptory writ of mandate commanding the Area Planning Commission to
10 provide an appellate hearing on the Determination Letters to Petitioners;

11 5. For an order enjoining Respondents, and Real Parties in Interest, and any and all of
12 their assigns, agents, contractors, employees, owners, directors, partners, or any other person acting
13 on any of their behalf, from taking any action to construct any portion of the Project or to develop or
14 alter the Project site in any way unless and until Petitioners are afforded their due process rights;

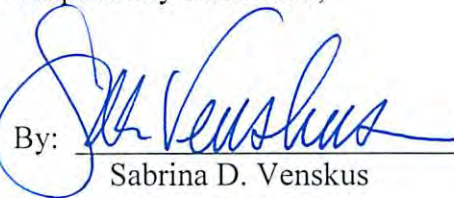
15 6. For costs of the suit;

16 7. For reasonable attorneys' fees pursuant to Cal. Code Civ. Proc. section 1021.5; and

17 9. For such other and further relief as the Court deems just and proper.

18
19
20 DATED: 8/27/15

Respectfully Submitted,

21
22 By: 
23 Sabrina D. Venskus

24 Attorney for Petitioners,
25 ROBIN RUDISILL and SUE KAPLAN
26
27
28

To:

VERIFICATION

I, the undersigned, declare that I am a Petitioner in this action. I have read the foregoing PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF and know the contents thereof, and the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 26th day of August, 2015, in Los Angeles, California.


ROBIN RUBISILL

VERIFICATION

CALIFORNIA COASTAL COMMISSION

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



F11c, F11d & F11e

Filed: 8/31/2015
49th Day: 10/19/2015
Staff: S. Vaughn – LB
Staff Report: 9/24/2015
Hearing Date: 10/9/2015

STAFF REPORT: APPEAL – SUBSTANTIAL ISSUE

Appeal Numbers: A-5-VEN-15-0052, A-5-VEN-0053, & A-5-VEN-15-0054

Applicant: Fabian Bever, California Eco Homes, LLC

Agent: Robert Thibodeau, DU Architecture & Design

Local Government: City of Los Angeles

Local Decision: Approval with Conditions

Appellants: Lydia Ponce, George Gineris, Robin Rudisill, & Mark Kleimen

Project Location: 217, 219, & 221 E Venice Way, Venice Beach, Los Angeles County
(APN 4238-021-022)

Project Description: Appeals by Lydia Ponce, George Gineris, Robin Rudisill, & Mark Kleimen from decision by City of Los Angeles granting three coastal development permits with conditions for development of 3 adjoining residential lots, including demolition of a 2-story 4-unit apartment building and construction of (3) 3-story single-family residences: 1) approximately 35-feet high, 2,680 sq. ft. on a 1,958 sq. ft. lot; 2) approximately 35-feet high, 2,631 sq. ft. on a 1,974 sq. ft. lot; and 3) approximately 35-feet high, 2,662 sq. ft. on a 1,990 sq. ft. lot. Each with an attached 322 sq. ft. 2-car garage, a 10 ½ -foot front yard setback, and a 38-foot high roof access structure.

Staff Recommendation: Determine that a substantial issue exists.

IMPORTANT NOTE: The Commission will not take testimony on this “substantial issue” recommendation unless at least three commissioners request it. The Commission may ask questions of the applicant, any aggrieved person, the Attorney General or the executive director prior to determining whether or not to take testimony regarding whether the appeal raises a substantial issue. If the Commission takes testimony regarding whether the appeal raises a substantial issue, testimony is generally and at the discretion of the Chair limited to 3 minutes total per side. Only the applicant, persons who opposed the application before the local government (or their representatives), and the local government shall be qualified to testify during this phase of the hearing. Others may submit comments in writing. If the Commission finds that the appeal raises a substantial issue, the de novo phase of the hearing will occur at a future Commission meeting, during which it will take public testimony.

SUMMARY OF STAFF RECOMMENDATION

The staff recommends that the Commission, after public hearing, determine that a **substantial issue exists** with respect to the project's conformity with Chapter 3 of the Coastal Act. The City-approved projects are not consistent with the community character of the surrounding area.

On July 14, 2015, the City approved three local CDPs (ZA-2014-0829, ZA-2014-0831, and ZA-2014-0833) for the same applicant (California Eco Homes, LLC) approving the demolition of a two-story, four-unit apartment building that spans three residential lots, and the construction of three, three-story single-family residences (one on each lot) described as follows: 1) approximately 35-feet high, 2,680 sq. ft. on a 1,958 sq. ft. lot; 2) approximately 35-feet high, 2,631 sq. ft. on a 1,974 sq. ft. lot; and 3) approximately 35- feet high, 2,662 sq. ft. on a 1,990 sq. ft. lot. Each with an attached 322 sq. ft. 2-car garage, a 10.5-foot front yard setback, and a 38-foot high roof access structure.

Section 30251 and 30253(e) require the protection of scenic and visual qualities of coastal areas with section 30253(e) particularly requiring the protection of special communities and neighborhoods that, because of their unique characteristics, are popular visitor serving destination points for recreational uses. The certified Venice Land Use Plan (LUP) states that, the character and scale of single-family neighborhoods should be maintained and that infill development should be allowed provided that it is compatible with and maintains the density, character, and scale of the existing development (Policy I.A.2). Additionally, a coastal issue raised in the LUP is the preservation of community character, scale, and architectural diversity of Venice as a Special Coastal Community.

The City-approved projects also appear to raise a substantial issue as to their conformity with Section 30251 the Coastal Act which requires that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance and be visually compatible with the character of the surrounding area. The City-approved projects also raise a substantial issue as to their conformity with Section 30253(e) of Coastal Act which requires the protection of special communities and neighborhoods that, because of their unique characteristics, are popular visitor serving destination points for recreational uses.

The subject site is approximately 1,300 feet inland of Venice Beach in the North Venice subarea, which features homes and commercial businesses of varying architectural styles, ranging from one-story wood bungalows to three-story-plus-roofdeck modern glass structures. The development on the block on which the City-approved projects reside is primarily single-story, single-family residences, however there are a few larger apartment buildings and two-story single-family residences across the street. The design of the City-approved project is not consistent with the character of the area, as the scale and mass of the 38-foot high projects are larger than what exists on the block. The projects have been designed to the maximum allowable height for the area and include an adjustment for the front-yard setback of 10.5 feet from the property line as opposed to the normally required 15-foot front-yard setback. The City-approved residences would be taller and larger than any other single-family residences on the block. Therefore, the projects as approved by the City will cumulatively change the character of the Venice community raise a substantial issue as to their conformity with the Coastal Act.

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Appendices

Appendix A – Substantive File Documents

Exhibits

- Exhibit 1 – Vicinity Maps
- Exhibit 2 – Historic Venice Canals Map
- Exhibit 3 – Appeals
- Exhibit 4 – City Staff Reports and Project Plans

I. MOTIONS AND RESOLUTIONS

Motion I:

I move that the Commission determine that Appeal No. A-5-VEN-15-0052 raises NO Substantial Issue with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act.

Motion II:

I move that the Commission determine that Appeal No. A-5-VEN-15-0053 raises NO Substantial Issue with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act.

Motion III:

I move that the Commission determine that Appeal No. A-5-VEN-15-0054 raises NO Substantial Issue with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act.

Staff recommends a **NO** vote on all three motions. Failure of the motions will result in a de novo hearing on applications and adoption of the following resolutions and findings. Passage of the motions will result in a finding of No Substantial Issue and the local actions will become final and effective. The motions pass only by an affirmative vote of the majority of the appointed Commissioners present.

Resolution I:

*The Commission hereby finds that Appeal No. **A-5-VEN-15-0052** presents a **SUBSTANTIAL ISSUE** with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act regarding consistency with Chapter 3 policies of the Coastal Act.*

Resolution II:

*The Commission hereby finds that Appeal No. **A-5-VEN-15-0053** presents a **SUBSTANTIAL ISSUE** with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act regarding consistency with Chapter 3 policies of the Coastal Act.*

Resolution III:

*The Commission hereby finds that Appeal No. **A-5-VEN-15-0054** presents a **SUBSTANTIAL ISSUE** with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act regarding consistency with Chapter 3 policies of the Coastal Act.*

II. APPELLANTS' CONTENTIONS

On August 31, 2015, the appellants filed appeals for all three projects. The appellants contend that the development projects are not in conformity with Chapter 3 of the Coastal Act, the certified Venice LUP, or the Interpretive Guidelines with respect to the mass, scale, and character of the surrounding neighborhood. The appellants contend that the City-approved projects would prejudice the preparation of a Local Coastal Program (LCP) that is in conformity with the Chapter 3 policies of the Coastal Act. The appellants further contend that the environmental clearance under CEQA is not appropriate because the developments are not consistent with CEQA requirements, including affordable housing, and the CEQA report is materially erroneous with respect to both inaccurate data and substantial omissions. The appellants' appeals are attached as **EXHIBIT 3** of the staff report.

III. PROJECT HISTORY AND LOCAL GOVERNMENT ACTIONS

The applicant submitted three separate local CDP applications to the City of Los Angeles for redevelopment of the site. A public hearing was held on January 8, 2015. On July 14, 2015, the City of Los Angeles Zoning Administration issued its approval of local CDPs ZA-2014-0829, ZA-2014-0831, and ZA-2014-0833 approving the demolition of a two-story, four-unit residential apartment building across three lots, and the construction of three, three-story single-family residences (one on each lot). The ZA's approvals of the CDPs were not appealed to the West Los Angeles Planning Commission.

The City's Notices of Final Local Action for Local CDP Nos. ZA-2014-0829, ZA-2014-0831, and ZA-2014-0833 were received in the Coastal Commission's Long Beach Office on August 3, 2015, and the Coastal Commission's required 20 working-day appeal period was established. On August 31, 2015, Lydia Ponce, George Gineris, Robin Rudisill, & Mark Kleimen submitted appeals of the City's approvals of all three local coastal development permits (**EXHIBITS x**). No other appeals were received prior to the end of the appeal period on August 31, 2015.

IV. APPEAL PROCEDURES

Section 30600(b) of the Coastal Act provides that prior to certification of its Local Coastal Program (LCP), a local jurisdiction may, with respect to development within its area of jurisdiction in the coastal zone and consistent with the provisions of Sections 30604, 30620 and 30620.5, establish procedures for the filing, processing, review, modification, approval or denial of a coastal development permit. Pursuant to this provision, the City of Los Angeles developed a permit program in 1978 to exercise its option to issue local coastal development permits. Sections 13301-13325 of Title 14 of the California Code of Regulations provide procedures for issuance and appeals of locally issued coastal development permits. Section 30602 of the Coastal Act allows *any* action by a local government on a coastal development permit application evaluated under Section 30600(b) to be appealed to the Commission. The standard of review for such an appeal is the Chapter 3 policies of the Coastal Act. [Cal. Pub. Res. Code §§ 30200 and 30604.]

After a final local action on a local CDP application, the Coastal Commission must be noticed within five days of the decision. After receipt of such a notice which contains all the required information, a

twenty working-day appeal period begins during which any person, including the applicant, the Executive Director, or any two members of the Commission, may appeal the local decision to the Coastal Commission. [Cal. Pub. Res. Code § 30602.] As provided under section 13318 of Title 14 of the California Code of Regulations, the appellant must conform to the procedures for filing an appeal as required under section 13111 of Title 14 of the California Code of Regulations, including the specific grounds for appeal and a summary of the significant question raised by the appeal.

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

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

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

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

V. DUAL PERMIT JURISDICTION AREA

Within the areas specified in Section 30601, which is known in the City of Los Angeles permit program as the *Dual Permit Jurisdiction* area, the Coastal Act requires that any development which receives a local coastal development permit also obtain a second (or “dual”) coastal development permit from the Coastal Commission. The Commission's standard of review for the subject development in the *Dual Permit Jurisdiction* area is the Chapter 3 policies of the Coastal Act. For projects located inland of the areas identified in Section 30601 (i.e., projects in the *Single Permit*

Jurisdiction), the City of Los Angeles local coastal development permit is the only coastal development permit required. The subject project site on appeal herein is located within the *Single Permit Jurisdiction Area*.

VI. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

The project site for the City-approved development is three contiguous lots in a residential neighborhood (RD1.5-1) of the North Venice subarea within the Single Permit Jurisdiction Area. The site fronts Venice Way, a 75' wide street, part of the original Venice of America, developed by Abbot Kinney in the early 1900s, approximately 1,300 feet inland of Venice Beach and Ocean Front Walk (**EXHIBIT 1**). The site is currently developed with a two-story, four-unit apartment building that was built in 1947. The lots are just west of the center of the residential block, which features mostly single-story, single family residences. There are a few apartment buildings and two-story residential structures on the other side of the street (pages 78 – 83, **EXHIBIT 4**).

The applicants propose to demolish the apartment building and construct three, three-story single-family residences (one on each lot) described as follows: 1) approximately 35-feet high, 2,680 sq. ft. on a 1,958 sq. ft. lot; 2) approximately 35-feet high, 2,631 sq. ft. on a 1,974 sq. ft. lot; and 3) approximately 35-feet high, 2,662 sq. ft. on a 1,990 sq. ft. lot. Each residential unit was approved with an attached 322 sq. ft. 2-car garage and an adjustment for a 10.5-foot front yard setback, as opposed to the normally required 15-foot front yard setback, and roof access structures that reach a height of 38 feet (**EXHIBIT 4**).

B. FACTORS TO BE CONSIDERED IN SUBSTANTIAL ISSUE ANALYSIS

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

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

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

Staff is recommending that the Commission find that a substantial issue exists with respect to whether the local government action conforms to the provisions of Chapter 3 of the Coastal Act for the reasons set forth below.

C. SUBSTANTIAL ISSUE ANALYSIS

Relevant Coastal Act Policies

Section 30251 of the Coastal Act states in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall...be visually compatible with the character of surrounding areas, and where feasible to restore and enhance visual quality in visually degraded areas.

Section 30253 of the Coastal Act states in part:

New development shall...

d) minimize energy consumption and vehicle miles traveled

e) where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Section 30604 of the Coastal Act, as amended, contains the following policies:

(f) The commission shall encourage housing opportunities for persons of low and moderate income. In reviewing residential development applications for low- and moderate-income housing, as defined in paragraph (3) of subdivision (h) of Section 65589.5 of the Government Code, the issuing agency or the commission, on appeal, may not require measures that reduce residential densities below the density sought by an applicant if the density sought is within the permitted density or range of density established by local zoning plus the additional density permitted under Section 65915 of the Government Code, unless the issuing agency or the commission on appeal makes a finding, based on substantial evidence in the record, that the density sought by the applicant cannot feasibly be accommodated on the site in a manner that is in conformity with Chapter 3 (commencing with Section 30200) or the certified local coastal program.

(g) The Legislature finds and declares that it is important for the commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the coastal zone.

Relevant LUP Policies

Policy I.A.5, Preserve and Protect Stable Multi-Family Neighborhoods:

Preserve and protect stable multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained and improved.

Policy I. E. 1, General, states:

Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976.

Policy I. E. 2. Scale, states in part:

New development within the Venice Coastal Zone shall respect the scale and character of the community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods [...]

Policy I. E. 3. Architecture, states:

Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.

The appellants assert that the City's CEQA finding does not comply with California Government Code Section 65590 (the Mello Act of 1982). The appellants argue that the Venice LUP contains standards for implementation of the Mello Act which the City of Los Angeles ignored. They contend that the CEQA finding that no affordable units exist within the apartment building to be demolished contradicts public testimony (at the City's public hearing on the cases), which indicated that two of the four units in the subject apartment building were, in fact, affordable units before they were vacated between April and July 2013 and that the City never investigated this claim.

The California Legislature amended the Coastal Act to remove some specific policies related to the Commission's direct authority to protect affordable housing in the coastal zone. These policies require the Commission to encourage cities and property owners to provide affordable housing opportunities, but they have not been interpreted as a basis for the Commission to mandate the provision of affordable housing through its regulatory program. In 1982, the legislature codified California Government Code Section 65590 (the Mello Act), requiring local governments to protect and increase the supply of affordable housing in the Coastal Zone.

While the appellants raise issues related to the City's compliance with the Mello Act, the Commission has no jurisdiction to alter the City's Mello Act determinations. The California Government Code makes it clear that it is the responsibility of the local government to implement Section 65590. Nor can the Commission invalidate the City's California Environmental Quality Act determination. Therefore, the appellant's contentions regarding the City's Mello Act and CEQA determinations do not raise a substantial issue because the Commission does not have jurisdiction to review those contentions.

However, the LUP does have policies to preserve and protect stable multi-family residential neighborhoods (Policies I.A.5 and I.E.1), which can be interpreted to preserve the existing housing stock. The building that the City approved for demolition is a four-unit apartment building and has the capacity to provide housing units accessible to a wide spectrum of the population. The City-approved project, on the other hand, would yield three single-family housing units, which would only be accessible to a limited spectrum of the population. As approved by the City, the project would eliminate multi-family residential units and replace them with fewer single-family units, thereby reducing the housing stock in this neighborhood and changing the character of the neighborhood from multi-family to single-family. Considered cumulatively, City's actions contradict LUP Policy I.A.5, which asserts that multi-family neighborhoods, and therefore apartment buildings such as the one that the City approved for demolition, should be preserved and protected.

The appellants also contend that the City-approved development is not consistent with Sections 30251 and 30253 of the coastal act because the bulk and scale of the structures may not be consistent with the character of the North Venice subarea.

Sections 30251 and 30253 of the Coastal Act require permitted development to be visually compatible with the character of surrounding areas and require protection of communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses. The Venice community – including the beach, the boardwalk, the canals, and the eclectic architectural styles of the neighborhoods – is one of the most popular visitor destinations in California. The North Venice subarea includes Abbot Kinney Boulevard and Grand Boulevard, and Venice Way, each developed in the early 20th century as part of Mr. Kinney's vision for a free and diverse society. **Exhibit 2** features a map of the Historic Venice Canals.

While the certified Venice LUP is not the standard of review for finding substantial issue, the policies provide guidance from which the Commission can evaluate the adequacy of a project's mitigation of impacts. In its adoption of the certified LUP, the Commission recognized Venice's unique community character and popularity as a visitor serving destination, and as such, it is imperative that any new development be designed consistent with the community character of the area.

When the LUP was certified in 2001, the Commission considered the potential impacts that development could have on community character and adopted residential building standards to ensure development was designed with pedestrian scale and compatibility with surrounding development. Given the specific conditions surrounding the subject site and the eclectic development pattern of Venice, it is appropriate to use the certified LUP policies for determining whether or not the project is consistent with sections 30251 and 30253 of the Coastal Act. In this case, the certified Venice Land Use Plan echoes the priority expressed in Coastal Act for preservation of the nature and character of existing residential neighborhoods.

In its findings that the projects are in character with the surrounding area, the City acknowledges that residential developments on this particular block are primarily one-story developments. The City does make reference to other large, modern homes which have recently been approved in the area. Of the 16 developments that the City referenced, 13 of them are not on the same block as the subject projects, and the three that are the same block are the subject of these appeals (**pages 6 – 9, 38 – 41, and 57 – 60 of EXHIBIT 4**).

When analyzed in combination with the existing residential development on the same block, which boasts one and two-story single-family homes and apartment buildings, the projects are out of character with the surrounding structures because they don't respect the prevailing height or mass of the existing residences. As such, the projects do not conform to Policy I.E.2 of the Venice LUP, which states that "*new development within Venice shall respect the scale and character of community development.*" Given the proposed developments' relative disproportionate height, mass, and facade, the three homes are not consistent with 30251 of the Coastal Act because they will not be visually compatible with the character of surrounding areas. The City's approval of all three structures is not consistent with Section 30253 because it does not protect the character of the Venice community which is a popular visitor destination points for recreational uses.

The City's Notice of Final Local Action for Local Coastal Development Permit Nos. ZA-2014-0829, ZA-2014-0831, and ZA-2014-0833 and accompanying staff reports and file records state that the City applied the policies of Chapter 3 of the Coastal Act and concluded, in part, that the development, as proposed and conditioned by the City, would be consistent with Chapter 3 of the Coastal Act and will not prejudice the ability of the City to prepare an LCP for the Venice Coastal Zone.

A substantial issue exists with respect to the projects' conformance with Chapter 3 of the Coastal Act, and with the approval of all three local coastal development permits, because the City-approved projects do not adequately mitigate the potential community character impacts of the development. This impact could be mitigated if the projects were redesigned or conditioned to require features to minimize building height and size, not provided larger front yard setbacks, and articulate each structure consistent with surrounding development.

Only with careful review of the City-approved projects can the Commission ensure that community character is protected. If it finds that a substantial issue exists, the Commission will have the opportunity to review and act on the projects at the subsequent de novo hearing. Therefore, the Commission finds that a substantial issue exists with respect to the City-approved projects' conformance with Chapter 3 policies of the Coastal Act, including section 30251 and 30253.

Applying the five factors listed in the prior section clarifies that the appeals raise "a substantial issue" with respect to Chapter 3 of the Coastal Act, and therefore, do meet the substantiality standard of Section 30265(b)(1), because the nature of the City-approved projects and the local government action are not consistent with policies of Chapter 3 of the Coastal Act.

The first factor is the degree of factual and legal support for the local government's decision that the developments are consistent or inconsistent with the relevant provisions of the Coastal Act. With regard to the community character policies of the Coastal Act, the City's findings state that "*[t]he scale and massing of the proposed building[s] [are] atypical compared to the existing development along this block face, [they are] consistent with other residential structures on the block within the immediate vicinity...[i]t is noted that [these] project[s] [are] proposed concurrently...[each of these] homes will feature a similar scale, massing and landscaping...[w]hile the LUP encourages new construction to be of similar scale and massing with the community, this policy has not yet been implemented through a certified LIP, and the project does not exceed existing development maximums for height or floor area.*" The City has shown that they have analyzed the residential building standards of the certified Venice Land Use Plan and that the proposed developments are "atypical" regarding community character in this area, yet they determined that the projects are consistent with

the certified LUP and Sections 30251 and 30253 of the Coastal Act and, as such, doesn't appear to have the proper factual and legal support to justify its decision.

The second factor is the extent and scope of the development as approved or denied by the local government. The existing development is a two-story, four-unit apartment building that spans three lots and was built in 1947. The City-approved development would demolish the apartment building and allow construction of three residential structures on the three lots. The three new structures are much larger than the existing apartment building and much larger than the predominately single-story single-family homes on the same block. The massing of the three structures will be exceptionally out of character with the surrounding development. As approved by the City, the project would eliminate multi-family residential units and replace them with fewer single-family units, thereby reducing the housing stock in this neighborhood and changing the character of the neighborhood from multi-family to single-family. Considered cumulatively, the replacement of the apartment building with large single-family residences can cumulatively affect the character of the neighborhood.

The third factor is the significance of the coastal resources affected by the decision. Venice is a unique coastal resource. The cumulative effects of the City-approved demolition are significant. The City-approved projects, and others like it would negatively impact the character of the community because the large scale of the buildings is not consistent with the surrounding development pattern. Therefore, the development could significantly and adversely affect coastal resources.

The fourth factor is the precedential value of the local government's decision for future interpretations of its LCP. The City does not currently have a certified LCP but it does have a certified Land Use Plan. The City-approved development is not consistent with the community character standards set forth in the certified Venice LUP. Thus, the project, as approved and conditioned, raises a substantial issue with regard to the project's conformity with the community character policies Chapter 3 of the Coastal Act and the certified Venice LUP and would have the potential to set a negative precedent for future development.

The final factor is whether the appeal raises local issues, or those of regional or statewide significance. This appeal raises specific local issues, but Venice is one of the most popular visitor destinations in the state making its preservation as an eclectic community with a unique character a statewide issue. Therefore, the City's approval does raise issues of statewide significance.

In conclusion, the primary issue for the appeals is potential adverse impacts to community character. In this case, the City-approved projects are not in conformity with the Chapter 3 policies of the Coastal Act and therefore, the Commission finds that the appeals raise a substantial issue as to conformity with the Chapter 3 policies.

Appendix A – Substantive File Documents

City of Los Angeles certified Land Use Plan for Venice (2001)

VENICE, CA

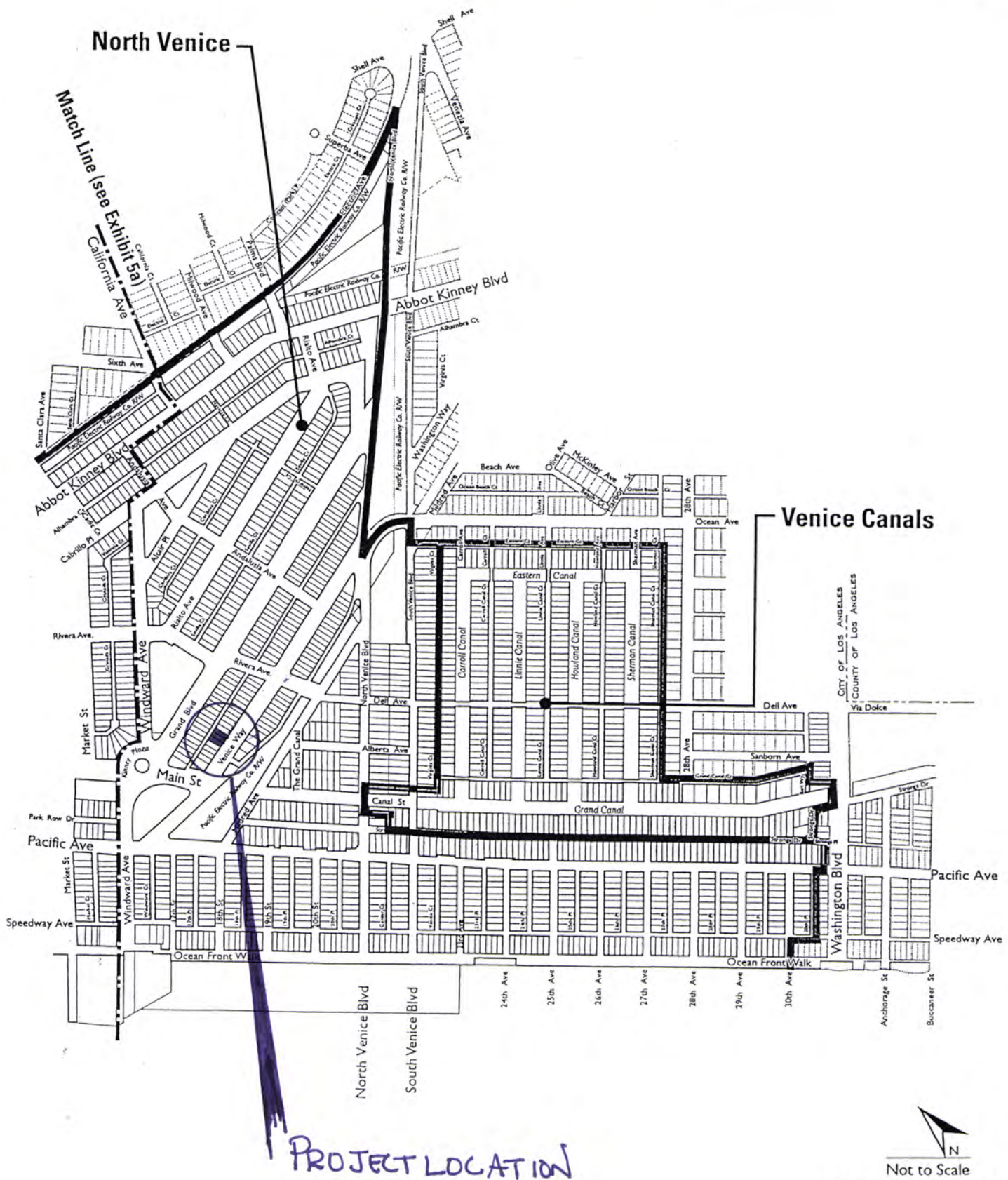


Pacific Ocean

PROJECT SITE



COASTAL COMMISSION
A-5-VEN-15-0052
-0053
-0054
EXHIBIT # 1
PAGE 1 OF 4



LUP
Exhibit 5b
Subarea: North Venice • Venice Canals


 Not to Scale
COASTAL COMMISSION

EXHIBIT # 1
 PAGE 2 OF 4

238 21
1" = 60'

2012

94880005001001-07 320305
2011040604002001-07

THE KINNEY PLAZA

WINDWARD AVE.

BLVD. 100

GRAND

MAIN ST. 100

AVE.

WAY 75

VENICE

RIVIERA

CODE 57

FOR PREV. ASSMT SEE:
79-15

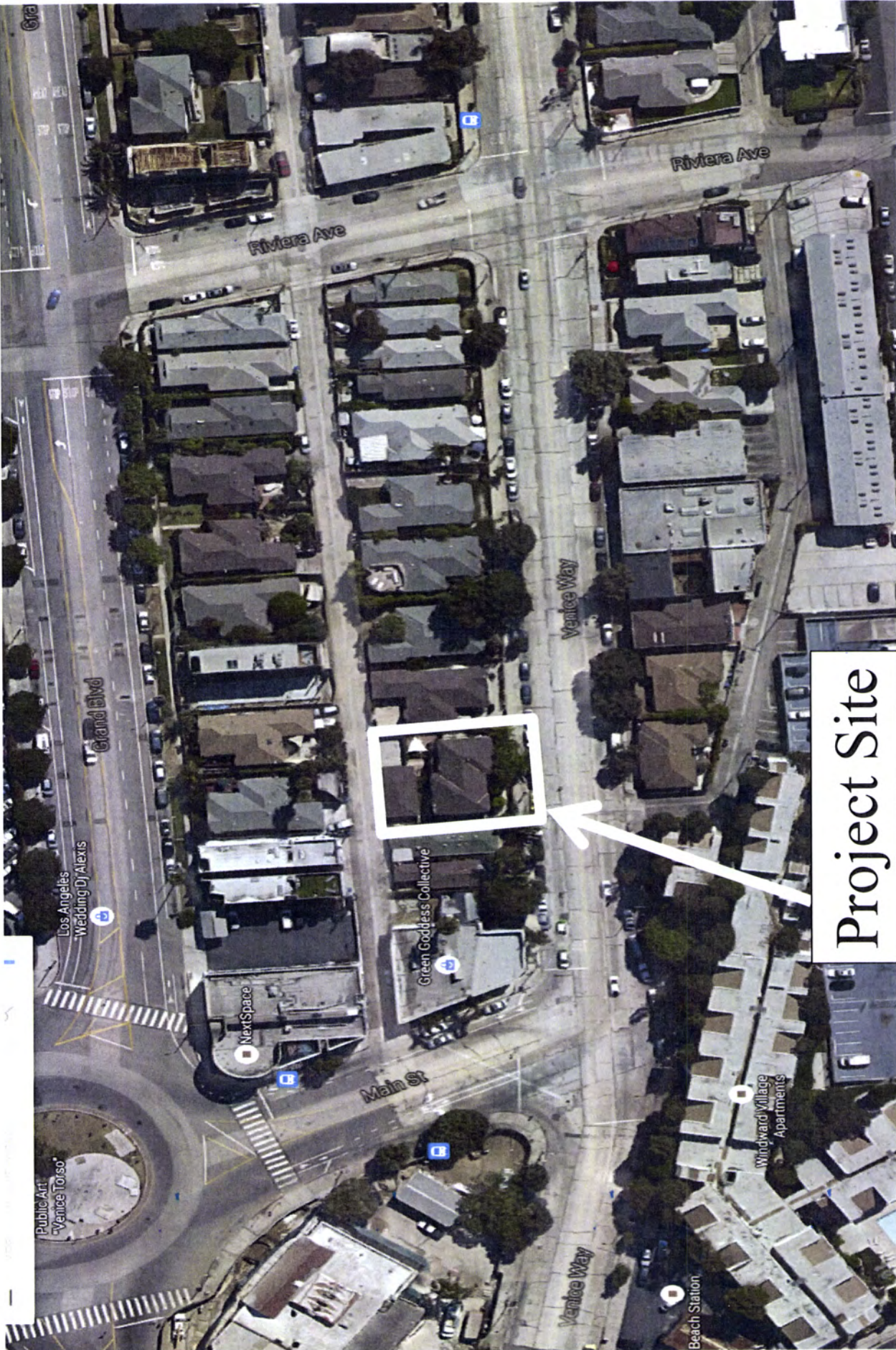
TRACT NO. 9358 M.B. 131-37-38

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

PROJECT SITE

COASTAL COMMISSION

EXHIBIT # 1
PAGE 3 OF 4



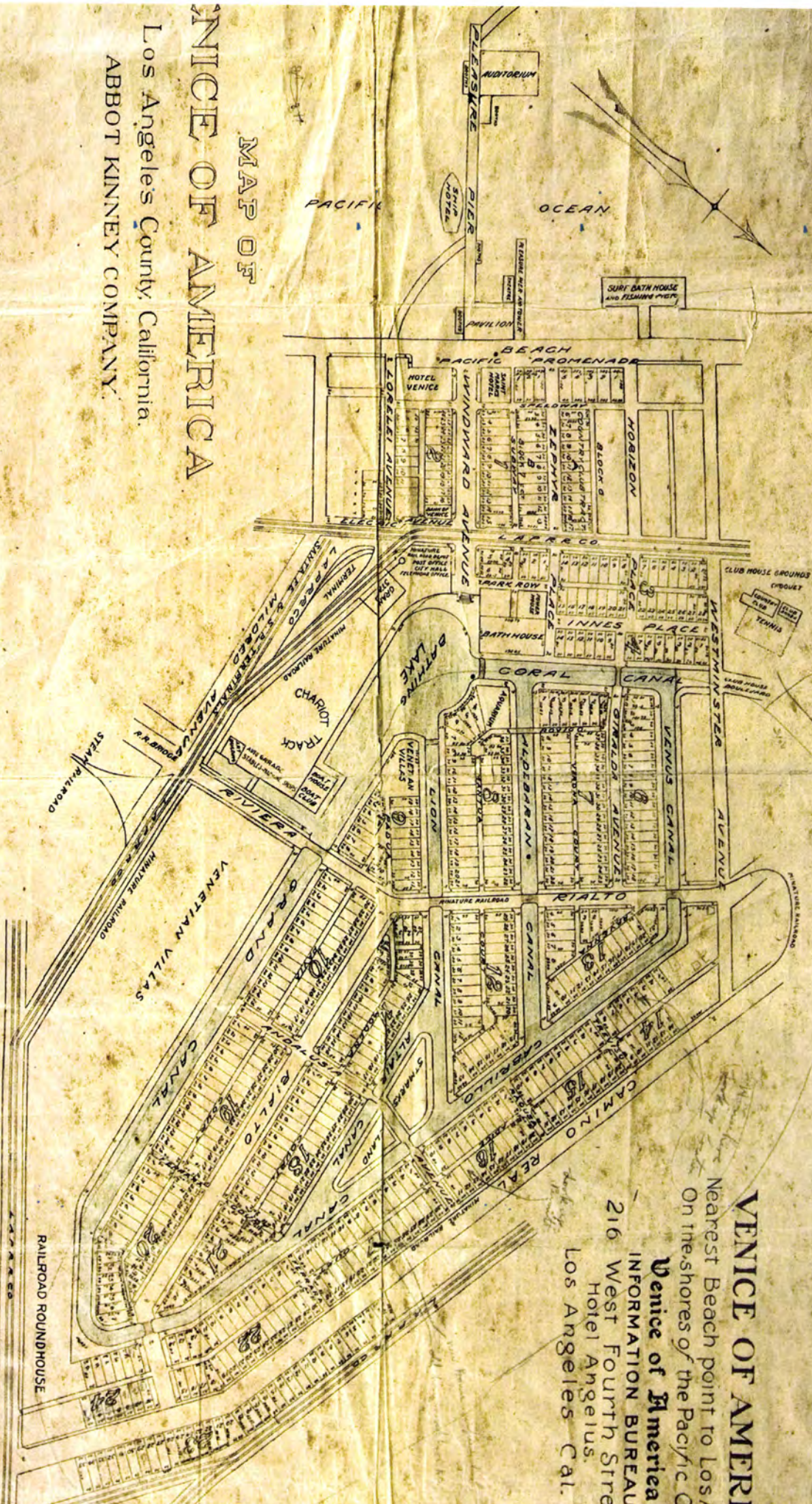
Project Site

COASTAL COMMISSION

EXHIBIT # 1
PAGE 4 OF 4

MAP OF NICE OF AMERICA

Los Angeles County, California.
ABBOT KINNEY COMPANY.



VENICE OF AMERICA
Nearest Beach point to Los Angeles
On the shores of the Pacific Ocean
Venice of America
INFORMATION BUREAU
216 West Fourth Street
Hotel Angeles.
Los Angeles Cal.

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE

200 OCEANGATE, 10TH FLOOR

LONG BEACH, CA 90802-4416

VOICE (562) 590-5071 FAX (562) 590-5084



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

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

SECTION I. Appellant(s)

Name: Robin Rudisill, as an individual & not on behalf of the VNC or LUPC, et al (see attached Appellant list)

Mailing Address: 3003 Ocean Front Walk

City: Venice

Zip Code: 90291

Phone: 310-721-2343

SECTION II. Decision Being Appealed

1. Name of local/port government:

L.A.

2. Brief description of development being appealed:

Demo a 4-unit apartment building over three lots & construct three 3-story single family dwellings, one on each lot, one of which is 217 Venice Way

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

217 Venice Way, APN: 423-802-1022, cross street is Main St

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

- ☒ Approval; no special conditions
- ☐ Approval with special conditions:
- ☐ Denial

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

TO BE COMPLETED BY COMMISSION:

APPEAL NO. A.S. Venice 0052

DATE FILED 8/31/15

DISTRICT South Coast

N-15-0052
-0053
-0054
COMMISSION

EXHIBIT # 3

PAGE 1 OF 9

COASTAL COMMISSION

DISTRICT OFFICE

10TH FLOOR

SAN FRANCISCO, CA 94042-4416

PHONE (415) 590-5071 FAX (415) 590-5084



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

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

SECTION I. Appellant(s)

Name: Robin Rudisill, as an individual & not on behalf of the VNC or LUPC et al (see attached Appellant list)

Mailing Address: 3003 Ocean Front Walk

City: Venice

Zip Code: CA

Phone: 310-721-2343

SECTION II. Decision Being Appealed

1. Name of local/port government:

L.A.

2. Brief description of development being appealed:

Demo a 4-unit apartment building over three lots & construct three 3-story single family dwellings, one on each lot, one of which is 219 Venice Way

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

219 Venice Way, APN: 423-802-1022, cross street is Main St.

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

- ☒ Approval; no special conditions
- ☐ Approval with special conditions:
- ☐ Denial

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

TO BE COMPLETED BY COMMISSION:

APPEAL NO.

A-5 Ven-15-0053

DATE FILED

8-31-15

DISTRICT

South

COASTAL COMMISSION

EXHIBIT # 3
PAGE 2 OF 9

CALIFORNIA COASTAL COMMISSION

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



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

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

SECTION I. Appellant(s)

Name: Robin Rudisill, as an individual & not on behalf of the VNC or LUPC, et al (see attached Appellant list)

Mailing Address: 3003 Ocean Front Walk

City: Venice

Zip Code: 90291

Phone: 310-721-2343

SECTION II. Decision Being Appealed

1. Name of local/port government:

L.A.

2. Brief description of development being appealed:

Demo a 4-unit apartment building over three lots & construct three 3-story single family dwellings, one on each lot, one of which is 221 Venice Way

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

221 Venice Way, APN: 423-802-1022, cross street is Main St.

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

- ☒ Approval; no special conditions
☐ Approval with special conditions:
☐ Denial

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

TO BE COMPLETED BY COMMISSION:	
APPEAL NO.	A.S. Ven. 15 0054
DATE FILED	8-31-15
DISTRICT	South Coast

COASTAL COMMISSION

EXHIBIT # 3
PAGE 3 OF 9

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

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

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

6. Date of local government's decision: July 14, 2015

7. Local government's file number (if any): ZA-2014-0829-CDP-ZAA-MEL

SECTION III. Identification of Other Interested Persons

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

a. Name and mailing address of permit applicant:

Robert Thibodeau, DU Architects, 624 Venice Blvd, Venice, CA 90291
and

Fabian Bever, California Eco Homes, LLC, 1020 Ozone Ave, Santa Monica, CA 90405

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

(1)

(2)

(3)

(4)

COASTAL COMMISSION

EXHIBIT # 3
PAGE 4 OF 9

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

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

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

1. The developments are not in conformity with Chapter 3 of the Coastal Act ("Chapter 3") or the Interpretive Guidelines with respect to compatibility with the surrounding existing neighborhood with respect to mass, scale and character, and would prejudice the preparation of a Local Coastal Program ("LCP") that is in conformity with Chapter 3.

2. The environmental clearance under CEQA is not appropriate as the developments are not consistent with CEQA requirements, including those for affordable housing, and the CEQA report is materially erroneous with respect to both materially inaccurate data and material omissions.

The following requirements are directly applicable to these developments:

The L.A. General Plan's Venice Community Plan Venice Land Use Plan (certified by the Coastal Commission) ("LUP") states on page II-26: "Preservation of Venice as a Special Coastal Community, Policy I. E. 1. General. Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3...."

The LUP states on page II-27: "Policy I. E. 3. Architecture. Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing."

On page II-5, Policy I. A. 1. b. Residential Development, Residential Lot Consolidations, the LUP states that "In order to preserve the nature and character of existing residential neighborhoods, no more than two lots may be consolidated in the....North Venice neighborhood...." Coastal Commission Staff, in other permit recommendation reports, has stated that "the structures [on 2 or more consecutive lots] should resemble two separate homes and not one compound," in order to avoid being determined to be in essence a lot consolidation as it appears to be one compound or project. Related to this concern, it should also be noted that on page II-27 of the LUP, Policy I. E. 1. General states that: "...Lot consolidations shall be restricted to protect the scale of existing neighborhoods."

Section 30116 of the Coastal Act requires special consideration for development in "Sensitive Coastal Resource Areas," which means those identifiable and geographically bounded land and water areas within the Coastal Zone of vital interest and sensitivity, and which includes areas possessing significant recreational value and "special communities or neighborhoods which are significant visitor destination areas;" and the Coastal Commission has identified Venice as such a community of neighborhoods that is special and unique in the Coastal Zone.

Section 30251 of Article 6 states: "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, ...to be visually compatible with the character of surrounding areas..."

COASTAL COMMISSION

EXHIBIT # 3
PAGE 5 OF 9

Section 30253(e) of Article 6 states: "Where appropriate, protect special communities and that, because of their unique characteristics, are popular visitor destination points for recreational uses."

AND, MOST IMPORTANTLY: Policy L E. 2. Scale states: "All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods ..."

In consideration of the above requirements as well as the facts below, the three proposed developments would cause a significant adverse cumulative impact on the character, mass and scale of the existing surrounding neighborhood and thus Findings 1., 2. and 3. of the City CDP cannot be made, as follows:

The City CDP states: "the new structure is three stories in height, while the remaining buildings on the block face are one story" and "While the LUP encourages new construction to be of similar scale and massing with the community, this policy has not yet been implemented through a certified LIP, and the project does not exceed existing development maximums for height or floor area." Although there is not yet a certified LIP and thus full LCP, the LUP is part of the L.A. General Plan and Venice Community Plan and thus is in fact implemented and effective.

The City CDP indicates that there are no cultural, historical or architectural resources in this neighborhood and thus it is unlikely that it contributes to the Venice Community's unique characteristics making it a significant and popular visitor destination. First, this neighborhood is part of the Lost Canals District, an identified, historical neighborhood of Venice. Also, it is a unique and special block, consisting mainly of original Venice character, one-story homes, in the highly scenic greater neighborhood between the Boardwalk and Abbot Kinney Blvd, a scenic attraction for visitors. In addition, the Venice Community has already been identified in its LUP (part of the L.A. General Plan and Venice Community Plan) and by the California Coastal Commission in numerous reports and permit-related documents, as a significant and popular visitor destination, and a community to be protected.

The three projects are entirely out of scale with the existing neighborhood and their cumulative impact will be significantly detrimental to both the adjacent neighbors and the immediate surrounding existing neighborhood on the same side of Venice Way, identified as the surrounding neighborhood (the other side of the block is not residentially zoned). The negative cumulative impact of allowing these three projects to go forth is both significant and obvious: there will be no more of the smaller coastal homes remaining and in their stead will be unseasoned three-story edifices that max out square footage and block sunlight and air circulation through streets and homes of the surrounding neighborhood. We are asking for measured growth (as do both the Coastal Act and the Venice Land Use Plan Policies) and that these projects be brought down to a reasonable size that would be in a compatible relationship to the block and protect it from out of scale and out of character development. State measure would be a detriment to the Coastal Act and the Commission would then Venice Land Use Plan and this has not been respected in the projects. Thus, three would not be allowed on the surrounding neighborhood, this block thus an analysis of cumulative impacts for this project on the same type in the same place/neighborhood or community must be assessed; how ever this was not assessed by the ZIA or in the CEQA environmental report.

This is a neighborhood of predominately single-story duplexes, all built in 1947 or 1952/1953. As noted under Finding 2 of the City's CDP, the residentially zoned north side of Venice Way is predominantly developed with one-story residential structures, built circa 1947, 1952 and 1953. The three proposed projects will sit on lots smaller than the average lot in this immediate neighborhood. The lots are 1,253 sq ft, 1,257 sq ft and 1,257 sq ft and despite this significantly lower lot size as compared to the average lot size on the block of 3,458 sq ft, the developer is proposing homes that are 48%, 41% and 47% larger in sq ft than the average building size for 217, 219, and 221 Venice Way, respectively. The average FAR in this neighborhood is 61; these homes will yield FARs of 137, 134, 133, for 217, 219, and 221 Venice Way, respectively, more than double the existing surrounding neighborhood. They are building homes that are significantly bigger than the lot size (FAR well over 100) on lots smaller than the average lot in the immediate neighborhood, with homes that are significantly bigger than the average home size in the immediate neighborhood, thus significantly increasing the mass and scale of the surrounding neighborhood, consisting of largely single-story homes/modest

duplexes.

In addition, as noted on page 11 of the CDP Determinations, several citizens pointed out that the three new dwelling units were of similar design and architectural style, and asked that they be much more varied for purposes of preserving/protecting the character of the neighborhood (*in order to avoid being determined to be in essence a lot consolidation as it appears to be one compound or project*). The Applicant indicated that the three SFD's are designed similarly, not identically, but that he would work with the Venice Neighborhood Council to vary the colors and materials of the front of the SFD's. In addition, our City Council Office Planning Deputy gave testimony that the issue of character in Venice is very important and expressed concern that the character was not considered, that three new SFD's with similar design is significantly impactful and went so far as to express the desire to see more differences in both design and style of these structures as opposed to carbon copies. She also asked the Applicant to work with the Venice Neighborhood Council to vary the design. He did not do so.

Finding 6. of the City CDP's cannot be made, as the environmental report/MND is inadequate to meet CEQA requirements, as follows:

The CEQA environmental report was published and approved with significantly incorrect data. The lots were identified as being 3,002, 3,035, and 3,065 sq ft, which is a material difference from City records of 1,958.8, 1974.4 and 1990.1 sq ft, for 217, 219, and 221 Venice Way, respectively. We are concerned that the CEQA report was done in a way that makes it appear that these structures are much smaller relative to the lot size and thus also appeal and request correction of the CEQA data.

Also with regards to the environmental report, the City's "Independent Lead Agency" (presumably with applicant input) checked off several points as Potentially Significant or Less Than Significant Impact (but an impact nonetheless) on the Checklist of Significant Impact that are significant and must be mitigated, including:

Xa. Physically divide an established community--allowing these three monolithic structures in the middle of the block ultimately divides the visual impact of the block,

Xb. Conflict with any land use plan, policy--these projects do not comply with our LUP, which requires compatibility with mass, scale and character,

XVIII. Mandatory Findings of Significance: b: Does the project have impacts that are individually limited, but cumulatively considerable...?--A single one of these projects has the potential to be materially detrimental to the neighborhood character but three will surely be so. Cumulative Impact must be accounted for under CEQA and the Coastal Act.

In addition, the CEQA environmental report erroneously does not consider the impact of the projects on Population and Housing, which includes impacts on Affordable Housing, which is required on such a project. The City's HCID Affordable Units determination letter (one letter was done covering the 4-unit apartment building being demolished and therefore it covers all three CDP's) is inconsistent within itself and appears erroneous (the HCID letter states that the housing database indicates that as of April 2013 the units were all vacant, and yet the same letter states that one of the tenants vacated in June 2013 and one of the tenants vacated in July 2013), and the HCID letter also states that much of the information gathered was "based on information provided by the owner," which is not adequate verification of the evidence, and it is clear that inadequate effort was made to obtain the income data needed to determine Affordability. In addition, on page 11 of the CDP determinations it is disclosed that at the City Public Hearing testimony was given by a member of the Public, who indicated that 2 of the 4 units in the apartment building were known to be Affordable Units, and yet this was not investigated. Given these concerns, as well as the Findings at the June 17, 2015 West L.A. Area Planning Commission hearing that this very HCID process is not being done properly and that there are many errors and weaknesses in the process (the recording of this hearing is available at the West L.A. Area Planning Commission Agenda website), including statements to that effect by Commissioners and the Council Office Deputy Planner, as well as many members of the Public, it is likely that the Affordable Unit determination by HCID was not done properly and that there may in fact be Affordable Units. Further work should be done on the Affordable Unit determination. These concerns were raised at the City Zoning Hearing, and the City's hearing officer stated that he accepts the letter from HCID, regardless of the inconsistencies and possible errors that were pointed out.

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

SECTION V. Certification

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



Signature of Appellant(s) or Authorized Agent

Date: August 31, 2015

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

Section VI. Agent Authorization

I/We hereby authorize _____
to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

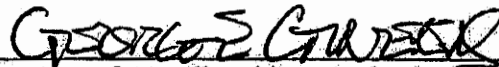
Date: _____

217 Venice Way

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

SECTION V. Certification

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



Signature of Appellant(s) or Authorized Agent

Date: 8/30/15

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

Section VI. Agent Authorization

I/We hereby
authorize _____
to act as my/our representative and to bind me/us in all matters concerning this appeal.

EXHIBIT # 3

PAGE 8 OF 9

Signature of Appellant(s)

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

SECTION V. Certification

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



Signature of Appellant(s) or Authorized Agent

Date: August 31, 2015

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

Section VI. Agent Authorization

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authorize _____

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

Signature of Appellant(s)

Date: _____

COASTAL COMMISSION

EXHIBIT # 3
PAGE 9 OF 9

LINN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

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

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

DEPARTMENT OF
CITY PLANNING

MICHAEL J. LOGRANDE
DIRECTOR

OFFICE OF
ZONING ADMINISTRATION

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www.planning.lacity.org

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South Coast Region

AUG 3 2015

CALIFORNIA
COASTAL COMMISSION
S-VEN-15-0029

California Coastal Commission
South Coast Area Office
200 Oceangate, 10th Floor
Long Beach, CA 90802-4302

NOTICE OF PERMIT ISSUANCE

DATE: July 30, 2015
CDP NUMBER - ZA 2014-0829(CDP)(ZAA)(MEL)
ADDRESS - 217 East Venice Way

Please take notice that the above referenced Coastal Development Permit was issued on July 14, 2015, pursuant to a public hearing on January 8, 2015 and an appeal was not filed with the City of Los Angeles, Office of Zoning Administration as advised in the permit, during the mandatory appeal period.

An appeal period of 20 working days must expire from the date this notice and attached Coastal Development Permit is received and accepted by the California Coastal Commission, Division V in Long Beach before this Coastal Development Permit will become effective.

- () The proposed development is in the dual permit jurisdiction area, and will require an additional permit from the California Coastal Commission upon the expiration of the above 20 working day appeal period.
- (X) The proposed development is in the single permit jurisdiction area, and if the application is not appealed within the 20 working day period the applicant may apply to the City of Los Angeles Department of Building and Safety for a building permit.

Linn K. Wyatt
Department of City Planning

By Linda M. Clarke

Linda M. Clarke
Senior Clerk Typist
Print Name and Title of Individual Signing

Attachments:

- (X) Permit
(X) Application

cc: Applicant
CP-1622 (08/10/93)

A-5-VEN-15-0052
A-5-VEN-15-0053
A-5-VEN-15-0054
EXHIBIT 4 1 of 83

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
LOURDES GREEN
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www.planning.lacity.org

July 14, 2015

Fabian Bever (A)(O)
California Eco Homes, LLC
1020 Ozone Avenue
Santa Monica, CA 90405

Robert Thibodeau (R)
DU Architects
624 Venice Boulevard
Venice, CA 90291

CASE NO. ZA 2014-0829(CDP)(ZAA)(MEL)
COASTAL DEVELOPMENT PERMIT,
ZONING ADMINISTRATOR'S ADJUSTMENT
AND MELLO ACT COMPLIANCE

217 East Venice Way
Venice Planning Area

Zone : RD1.5-1-O

D. M. : 106-5A145

C. D. : 11

CEQA : ENV 2014-0830-MND

Legal Description: Lot 39, Block 2, Tract 9358

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

the demolition of an existing four-unit residential building on three contiguous lots and the construction of a new 38-foot 6-inch tall, 2,680 square-foot single-family dwelling with attached 322 square-foot garage, located on a 1,958 square-foot lot in the RD1.5-1 Zone, within the single-jurisdiction area of the California Coastal Zone;

Pursuant to Los Angeles Municipal Code Section 12.28, I hereby APPROVE:

a front yard setback of 10 feet 6 inches in lieu of the 15 feet otherwise required by Section 12.09.1-B,1,

upon the following additional terms and conditions:

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



Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or 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. Along the Venice Way (south) elevation of the building, the wall and architectural element colors and textures, location and/or size of windows, and the location of the front door, shall be different from those on the 219 East Venice Way building.
8. Vehicular access shall be provided from the alley, unless the Department of Transportation determines that such access is not feasible.
9. Environmental Mitigation Measures.
 - a. Aesthetics (Signage on Construction Barriers).
 - 1) The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS".
 - 2) Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
 - 3) The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.
 - b. Aesthetics (Light). Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.

- c. Aesthetics (Glare) The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or
 - d. Green House Gas Emissions. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
10. Prior to any sign-off of plans for compliance with this grant, the applicant shall obtain a Venice Coastal Zone Specific Plan clearance regarding compliance with this Specific Plan.
 11. Prior to final clearance by Department of City Planning Development Services Center staff, the applicant shall submit a landscape and irrigation plan for review and approval.
 12. Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

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

TRANSFERABILITY

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

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator,

Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

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

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this authorization is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or not complied with, then this authorization shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Zoning Administrator's determination in this matter will become effective after JULY 29, 2015, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://cityplanning.lacity.org>.** Public offices are located at:

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

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

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

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

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

NOTICE

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

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on January 8, 2015, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements and prerequisites for granting a coastal development permit and a Zoning Administrator's Adjustment as enumerated in Sections 12.20.2 and 12.28 of the Municipal Code have been established by the following facts:

BACKGROUND

The applicant proposes to build a new, three-story, single-family house with attached two-car garage, replacing an existing four-unit apartment building. This project is concurrent with Case Nos. ZA 2014-0831(CDP)(ZAA)(MEL) and ZA 2014-0833(CDP)(ZAA)(MEL), which generally propose similar projects with identical requests.

The property, presently consisting of three lots, is developed with a four-unit apartment building and accessory structures. The site on which the project is proposed is the western-most of the three lots. The subject lot is a level, rectangular-shaped, interior lot, having a frontage of 25 feet on the north side of Venice Way, and a uniform depth of 79 feet. The net area of the lot is 1,958.8 square feet.

The north adjoining properties, across an alleyway, are zoned RD1.5-1-O and developed with one, two-family dwelling and a three-story single-family dwelling. The east adjoining property, to the subject site, is proposed to be developed with a three-story single-family dwelling (Case No. ZA 2014-0831-CDP-ZAA-MEL); properties farther to the east, beyond common ownership, are zoned RD1.5-1-O and developed with one-story two-family dwellings. The southeast adjoining properties, across Venice Way, are zoned RD1.5-1-O and developed with one-story two-family dwellings; the southwest adjoining property, also across Venice Way, is zoned R3-1-O and developed with a three-story multi-family apartment building. The west adjoining property is zoned RD1.5-1-O and developed with a one-story single-family dwelling.

The Venice Community Plan designates the property for Low Medium II density Multiple Family land uses with corresponding zones of RD1.5, RD2, RW2, and RZ2.5 and Height District No. 1.

The property is further located within the North Venice subarea of the Venice Coastal Zone Specific Plan. No deviation from this Specific Plan is proposed.

Venice Way, adjoining the property to the south, is designated as a Secondary Highway, dedicated to a width of 75 feet, and improved with asphalt paving and concrete curb, gutter and sidewalk.

Alley, adjoining the property to the north, is a Local Street, dedicated to a width of 20 feet, and partially improved with an asphalt roadway and concrete centerline gutter.

Previous zoning-related actions on the site/in the area include:

Subject Property

Ordinance No. 175,694 - Effective on January 19, 2004, resulting in the establishment of a Categorical Exclusion Order which excludes certain development from the requirements of Coastal Development Permits within the Venice Coastal Zone. (CPC-98-0119-LCP)

Ordinance No. 175,693 - Effective on January 19, 2004, resulting in the establishment of the Venice Coastal Zone Specific Plan. (CPC-98-0119-LCP)

Ordinance No. 172,897 - Effective on December 22, 1999, establishing the Venice Specific Plan (now superseded by the Venice Coastal Zone Specific Plan). (CPC-98-0119-LCP)

Ordinance No. 172,019 - On May 13, 1998, City Council adopted this Interim Control Ordinance regulating the issuance of building permits and construction of new structures in a portion of the Venice Community Plan area, for a period of one year or the certification of a Local Coastal Program. (CPC-87-0648-ICO)

Ordinance No. 164,844-SA2330 - Effective on June 21, 1989, resulting in a change of zone from R4-1-O to RD1.5-1-O. (CPC 86-0824-GPC)

Surrounding Properties:

Case No. ZA 2014-0833(CDP)(ZAA)(MEL) - On January 8, 2015, a public hearing was held to consider a Coastal Development Permit to allow the demolition of an existing four-unit apartment building and the construction of a new, three-story single-family dwelling within the single-permit jurisdiction area of the California Coastal Zone; a Zoning Administrator's Adjustment to allow a 10-1/2-foot front yard setback in lieu of the minimum 15 feet otherwise required; and a Mello Act compliance review; all on property located within the RD1.5-1-O Zone, at 221 East Venice Way. A determination on this matter is pending.

Case No. ZA 2014-0831(CDP)(ZAA)(MEL) - On January 8, 2015, a public hearing was held to consider a Coastal Development Permit to allow the demolition of an existing four-unit apartment building and the construction of a new, three-story single-family dwelling within the single-permit jurisdiction area of the California Coastal Zone; a Zoning Administrator's Adjustment to allow a 10-1/2-foot front yard setback in lieu of the minimum 15 feet otherwise required; and a Mello Act

compliance review; all on property located within the RD1.5-1-O Zone, at 219 East Venice Way. A determination on this matter is pending.

Case No. ZA 2014-3906(CDP) - On October 23, 2014, a request was filed for a Coastal Development Permit to allow the demolition of an existing duplex and construction of a new single-family residence, at 426 Grand Boulevard. This case has not yet been scheduled.

Case No. ZA 2014-2436(CDP) - On July 8, 2014, a request was filed for a Coastal Development Permit to allow the demolition of an existing duplex (431 East Grand Boulevard) and the construction of a 2,041 square-foot remodel/addition to an existing single-family residence located next door, at 433 Grand Boulevard. This case has not yet been scheduled.

Case No. ZA 2007-4038(CDP)(ZAA)(MEL) - On March 21, 2008, the Zoning Administrator, denied a Zoning Administrator's Adjustment from Section 12.09.1-B,2(a) of the Municipal Code to allow a side yard of 3 feet in lieu of the required 4 feet in conjunction with the construction, use and maintenance of two, two-story single-family dwellings on two parcels each with habitable basements which count as a third story, and approved a coastal development permit to allow the construction, use and maintenance of two single-family dwellings on two parcels within the single permit area of the California Coastal Zone, at 313-315 Venice Way.

Case No. ZA 2005-6398(CDP)(ZAA)(MEL) - On February 15, 2006, Zoning Administrator, approved a Zoning Administrator's Adjustment from Section 12.09.1-B,2(a) of the Municipal Code to allow a side yard of 3 feet in lieu of the required 4 feet in conjunction with the construction, use and maintenance of two, two-story single-family dwellings, each with habitable basements which count as a third story, and approved a coastal development permit to allow the construction, use and maintenance of two single-family dwellings, at 417-419 Venice Way.

Case No. ZA 2002-5371(ZV)(SPP)(MEL) - On January 30, 2003, the Zoning Administrator approved a Variance to permit tandem parking for a two-family dwelling in the R2-1 Zone, and the Director of Planning approved a Specific Plan Project Permit Compliance to allow the construction of a two-family dwelling in the R2-1 Zone, at 1628 Electric Avenue.

Building Permit No. 99014-30000-06644 - Issued on January 26, 2000, by the Department of Building and Safety, for a second- and third-story addition to an existing one-story dwelling with attached garage. A Certificate of Occupancy was issued for the completed additions on April 11, 2002. The property is zoned RD1.5-1 and is located at 411 East Venice Way.

Case No. ZA 97-0924(ZV)(YV)(PP) - On July 15, 1998, the Zoning Administrator approved variances to permit a 0-foot side yard setback in lieu of 4-1/2 feet, a 1-1/2-foot front yard in lieu of 15 feet, a 5-foot rear yard in lieu of 15 feet, and a reduced lot area of approximately 1,015 square feet in lieu of 1,500 square feet, all in conjunction with the conversion of an existing office building into joint living and

work quarters for artists and artisans on a 2,850 square-foot lot, on property located within the RD1.5-1-D Zone, at 308 Venice Way.

Case No. ZA 95-0489(YV) - On November 28, 1995, the Board of Zoning Appeals granted an appeal (BZA 5170), modifying the action of the Zoning Administrator, and granted a variance to permit 3-foot side yard setbacks in lieu of the 4 feet otherwise required, a 3-foot passageway, and a 5-foot front yard setback, in conjunction with the construction of a three-story, single-family dwelling, on property located within the RD1.5 Zone, at 513 Grand Boulevard.

According to the submitted plans, the existing four-unit apartment building, along with a couple accessory structures, will be demolished and the three individual lots on which the apartment building was built across will be developed with three individual single-family dwellings. The subject property occupies the western-most of the three lots.

Submitted plans indicate that the proposed new dwelling will be three stories and 34 feet 10 inches to the top of a pitched roof, and a maximum of 38 feet 6 inches to the top of a rooftop penthouse. The house will be approximately 2,662 square feet in size, with an additional 322 square feet for an attached two-car garage, taking access from the rear alley. A rooftop deck is proposed on the rear portion of the dwelling. The project proposes full compliance with the regulations of the Venice Coastal Specific Plan, and only seeks relief from the otherwise required front yard setback. A 10-1/2-foot front yard setback is proposed while a 5-foot setback is proposed at the rear of the property.

Planning staff conducted a field investigation on Friday, December 26, at noon. A four-unit dwelling was observed behind substantial shrubbery at the property line. The neighborhood is a mixture of one- and two-story single-family, with a peppering of duplexes and triplexes. Directly opposite the site on the south side of Venice Way is a three-story apartment building. Directly northeast of the site is a new project currently under construction, consisting of new three-story townhouses, at 304 and 308 Grand Boulevard. Vehicular access to the site is taken from an alley behind and north of the property.

The Council Office was contacted for comment on Thursday, December 18, 2014. Any comments will be forwarded to the Zoning Administrator forthwith.

APPLICANT'S OVERALL STATEMENT

As stated in Section 30001, existing developed uses and future developments that are carefully planned and developed consistently with the policies of this division. Are essential to the economic and social well-being of the people of this state and especially to working persons employed within the coastal zone. The proposed development is designed to comply with all of the legislative findings and declarations of Section 30001, and has at its heart the goals presented in Section 30001.5. The proposed development will not disrupt the current ecological balance (Section 30001). The development will enhance the overall quality of the coastal zone environment and its natural and artificial resources (Section 30001.5). The development does take into account the social and economic needs of the people of the state.

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.). We have complied with Section 30200.

The development has been designed with consideration of the fact that the coastal zone is a distinct and valuable resource that should be protected.

The project is located within an existing developed area, and will be compatible is size, scale, and use with the developed area. From the street, this project will have a similar look and character of other properties in the area, and therefore should be considered visually compatible with the surrounding area. We are providing adequate parking and setbacks from neighboring properties, as required by local zoning and building and safety requirements.

Our proposed project meets all requirements of the California Coastal Act of 1976 without seeking any special exemptions. The project has been designed with careful attention to the existing uses on the surrounding properties and the impact of the use and design on the surrounding neighborhood.

Our proposed adjustment is for a 10'-6" front yard setback in lieu of the 15'-0" as required in the RD1.5 zone. Granting the adjustment will allow us to keep the front of the building in line with the other existing building on the block. The prevailing setback, according to the city setback calculator and our field measurements is 10'-6". Therefore, our development will be consistent with the surrounding properties as far as how it is sited and how it faces the street.

Our proposed development is a single family dwelling which is a permitted use in the RD1.5 zone. Surrounding uses are either single family dwellings or duplexes, so our proposed development is compatible and consistent with surrounding uses.

The General Plan of the city encourages the development of high-quality housing for the people of Los Angeles. The adjustment we are asking for will allow us to provide a better floor plan. Without the adjustment the ground floor layout will be cramped. The ground floor includes the required 2-car parking, a kitchen, a 1/2-bath, a dining area, and a living room, as well as stairs up to the bedrooms. The lot is a sub-standard, 25'-0" wide by 78'-7" deep lot (irregular), which is 1,958.8 square feet in total area, or less than half of the required 5000 square feet. Moving the kitchen or living room to the second floor is not preferable.

The planning and zoning code allows for variances and adjustments to be granted when site conditions dictate and there will be no harm to neighboring properties. This project meets all other zoning requirements, e.g. height, side-yard setback, rear yard setback, parking, etc. The lot is substandard, and the neighboring properties are already built to the front setback that we are asking for. We feel that the adjustment is justified.

There are no adverse impacts as the proposed project follows the existing pattern of development on the block, street, and neighboring properties.

As stated above, the site is a substandard 25' by 78'-7", 1,958.8 square foot lot. The reduced front yard setback will allow us to keep the front of our building in line with the existing development on neighboring properties. If we are not granted the adjustment it will negatively impact the views from our proposed development because our building will be set back 5 feet more than existing development, and will negatively impact our floor plan.

PUBLIC HEARING

A Notice of Public Hearing was sent to nearby property owners and/or occupants residing near the subject site for which an application, as described below, had been filed with the Department of City Planning. All interested persons are invited to attend the public hearing at which they could listen, ask questions, or present testimony regarding the project.

The hearing was held by Jonathan A. Hershey, City Planner, acting in the capacity of a Hearing Officer from the Office of Zoning Administration under Case No. ZA 2014-0829(CDP)(ZAA)(MEL) and CEQA No. ENV 2014-0830-MND on January 8, 2015, at approximately 9:00 a.m. at the West Los Angeles Municipal Building, Second Floor Hearing Room, 1645 Corinth Avenue, Los Angeles, CA 90025.

The Project Planner for this case is Antonio Isaia, City Planning Associate.

The applicant is Fabian Bever, California Eco Homes, LLC, and was represented by Robert Thibodeau, DU Architects.

The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding the project. The environmental document was among the matters considered at the hearing. After a review of the file the matter was opened to public testimony and the following points were considered:

Applicant/Representative:

- The proposed dwelling is approximately 34 feet in height, excluding the rooftop structure.
- The property was once the site of an old roller coaster.
- The property was redeveloped with a non-descript four-unit apartment building.
- There are other similar dwellings within the surrounding area.
- The property consists of three lots, which will be individually developed.
- We are seeking a reduced front yard setback to conform to the existing pattern of development along the block.
- The roof deck is at the rear of the building.
- Four dwellings to the rear of the property were granted similar requests.
- All required parking is being provided.
- The property is shallow; after the garage is put into the building, there is limited remaining space on the ground floor; we need the extra 5 feet from the front yard.

Testimony in Opposition:

- I am a Venice resident.

- I am concerned about the architectural diversity in the community being lost.
- The project is large compared to what is built on adjoining properties.
- The design would benefit from an upper-story step-back; this would reduce appearance of size, mass.

Testimony in Concern:

- The Venice Neighborhood Council has not met concerning this project.
- I would like to see more architectural diversity.
- Has this project been reviewed for compliance with the Mello Act?
- Two units in the apartment building were known to be affordable.
- The three dwellings are too similar in appearance.
- This is a large project, and will have an impact on the block.
- I want to preserve the character of the neighborhood.
- There have been projects with unsubstantiated Mello Act determinations.
- The dwellings do not meet the mass/scale/character of the community.
- The project may block views of the coast.
- I would like to see a shade study.
- I want the project to be heard at the Neighborhood Council.
- There should be more analysis under the CDP for compatibility with the character and mass of the neighborhood.
- I am a neighbor.
- I am concerned about the proposed height of the building.

Council Office:

- The character of the neighborhood is important.
- Three new single-family dwellings with similar design is significant.
- We would like to ensure that there are more differences; we would like to see differences in architectural style between the three dwellings.

Applicant/Representative:

- The three new dwellings are designed similarly, not identically.
- Three individually distinct designs were not desired by the applicant.
- There are differences in the location of the front door and other fenestration.
- We can work with the Neighborhood Council to vary the colors and materials of the front.

The Hearing Officer also read aloud the determination made by the Housing and Community Investment Department, dated January 21, 2014, regarding their finding of no affordable dwellings at the property.

Prior to issuing this Letter of Determination, the decision maker has considered all the testimony presented at the hearing, written communication received prior to the hearing, at the hearing, or subsequent thereto, and the merits of the project as it relates to existing environmental and land use regulations.

[ZA Note: Between the time of the public hearing, on January 8, 2015, and the issuance of this determination letter in July 2015, no new information from the public at-large or the Neighborhood Council has been received.]

COASTAL DEVELOPMENT PERMIT FINDINGS

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

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

The applicant seeks authorization to demolish an existing multi-family dwelling and construct one of three new single-family dwellings. In conjunction with the construction of the new dwelling, the applicant seeks to maintain a reduced front yard setback. The property is located within the North Venice subarea of the Venice Coastal Zone Specific Plan area; no deviations from the regulations of the Specific Plan have been requested.

The property, presently consisting of three lots, is developed with a four-unit apartment building and accessory structures. The site on which the project is proposed is the western-most of the three lots. The subject lot is a level, rectangular-shaped, interior lot, having an area of approximately 1,959 square feet, a frontage of 25 feet on the north side of Venice Way, and a uniform depth of 79 feet. The property also enjoys access from a rear alleyway. The property is approximately 1,500 feet easterly of the nearest beach.

After demolition of the existing two-story, four-unit apartment building and accessory structures, the applicant will construct a new single-family dwelling. The proposed dwelling will be three-stories, a maximum of 38-1/2 feet in height, and approximately 2,662 square feet in size, with an attached 322 square-foot two-car garage taking access from the rear alleyway.

The project has no significant impact on sensitive coastal or coastal-dependent resources:

- a. **Public Access.** The subject property fronts on the northern side of an east-west Secondary Highway which is not closest to the nearest beach and the shoreline. The property is approximately 1,500 feet from the nearest beach. The proposed demolition and new construction does not interfere with public access to the sea.

- b. Recreation. The subject property is located within a well-established residential community. The property is not suitable for water-oriented recreational use, and the project has no impact any water-oriented recreational facilities or activities.
- c. Marine Environment. The property is surrounded on all sides by established residential development. The property is located approximately 1,500 feet inland. The demolition of an existing apartment building and the construction of a single-family dwelling at this location have no impact on marine environment resources.
- d. Land Resources. The property is located approximately 1,500 feet inland of the nearest beach, within a well-established residential community. The project proposes the demolition of an existing apartment building and the construction of a single-family dwelling on an existing record lot that is zoned for residential use. The project has no impact on environmentally sensitive or protected natural habitats, agricultural land, timberlands or archaeological or paleontological resources within the vicinity.
- e. Development. The property is located approximately 1,500 feet inland of the nearest beach, within a well-established residential community, and having access to a full range of existing public utilities and services.

The project proposes the demolition of an existing apartment building and the construction of a single-family dwelling on property that is zoned for residential use. The project will provide all required on-site parking, and results in a reduction of overall residential density, so has no impact on public access to the coast. There are no direct sightlines to any ocean or beach views from this community. The project's location results in no impact on prominent natural landforms. The project is located in an area of potential flooding (Zone X), instability (liquefaction), and is approximately 5.27 kilometers from the nearest active fault, however, existing local building codes account for this. Further, the project results in no displacement of any coastal-dependent development or use.

Section 30116 of the Coastal Act states the following:

"Sensitive coastal resource areas" means those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity. "Sensitive coastal resource areas" include the following:

- (b) Areas possessing significant recreational value.
- (e) Special communities or neighborhoods which are significant visitor destination areas.

The certified Venice Land Use Plan defines the Venice community as a "Special Coastal Community":

An area recognized as an important visitor destination center on the coastline, characterized by a particular cultural, historical, or architectural heritage that is distinctive, provides opportunities for pedestrian and bicycle access for visitors to the coast, and adds to the visual attractiveness of the coast.

Section 30251 of Article 6 states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30253(e) of Article 6 states:

Where appropriate, protect special communities and that, because of their unique characteristics, are popular visitor destination points for recreational uses.

The residentially-zoned northern side of Venice Way, between intersections with Main Street to the west and Riviera Avenue to the east, consisting of 19 lots, is predominantly developed with one-story residential structures built circa 1947, 1952, and 1953. The existing apartment building was constructed circa 1947. According to the Los Angeles Historic Resources Inventory, there are no identified historic or cultural resources or districts located along Venice Way, between Main Street on the west and Riviera Avenue on the east. Further, there are no identified historic or cultural resources or districts along Grand Boulevard, to the north, between Main Street on the west and Riviera Avenue on the east. Most all of the homes along the northern block face of Venice Way are obscured from public view by tall fences and/or extensive landscaping.

There is an existing bicycle path on and along both directions of travel on Venice Way; the project has no impact on the bicycle path.

Given the lack of significant cultural, historical, or architectural resources and districts along this block, combined with the existing and obscuring fences and landscaping, it is unlikely that this block of Venice Way significantly contributes to the Venice community's unique characteristics making it a significant and popular visitor destination.

While the project proposes a new three-story structure on this block face which predominantly features one-story development, other properties on the block have been developed with similar three-story residential buildings. Most notably, properties northeast (216 and 218 East Grand Boulevard) and northwest (232, 234, 304, and 308 East Grand Boulevard) of the property, fronting on Grand Boulevard, are so developed, and the southwestern property, across Venice Way, is developed with a three-story multi-family residential building. In addition, two similar three-story single-family dwellings are proposed on adjoining lots to this property (219 and 221 East Venice Way). Farther northeast, along Venice Way, the following properties are similarly developed with three-story, approximately 30-foot in height dwellings: 414, 416, 417, and 419 East Venice Way. Other, similar dwellings can be found at 404, 406 East Grand Boulevard; 237 East Windward; and 416 East Rialto Avenue, all located within the immediate vicinity, possessing the same zoning and similar contexts. As such, the project will be visually compatible with the evolving character of the surrounding area.

- f. **Industrial Development.** The property is presently developed with a residential use, on property located with a zone classification designated for residential uses. Industrial-use lands are located southerly of the property, across Electric Avenue. The proposed demolition and construction of a single-family dwelling has no impact on the location or operation of coastal dependent industrial facilities.

As articulated above, and as conditioned, the development is in conformity with Chapter 3 of the California Coastal Act of 1976.

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

There is no adopted and certified Local Coastal Program (LCP) for the portion of the California Coastal Zone in which the project is located. While there is a certified Land Use Plan (LUP), there is no accompanying certified Local Implementation Plan (LIP) to carry out the Goals, Objectives, and Policies of the LUP.

The Venice Community Plan designates the property for Low Medium II density Multiple Family land uses with corresponding zones of RD1.5, RD2, RW2, and RZ2.5 and Height District No. 1. For this location, the Venice Coastal Zone Specific Plan implements the Goals, Objectives, and Policies of the Venice Community Plan. The Venice Coastal Zone Specific Plan is not a California Coastal Commission-certified Local Implementation Program (LIP). The site is located within the North Venice subarea of the Venice Coastal Zone Specific Plan. No deviation from this Specific Plan is proposed. The property is not within the area of any interim control ordinance.

According to the certified Venice Land Use Plan (Relationship to Other City Plans and Procedures):

"The LIP will contain a specific plan process to address development standards and other implementation tools to implement the policies of the LUP."

"The Land Use Plan is adopted by means of a plan amendment to the Venice Community Plan. The specific plan ordinance adopts zoning and development standards which carry the full weight of zoning law. All new development within the boundaries of the specific plan must comply with the ordinance. The specific plan ordinance is an integral part of the Los Angeles Municipal Planning and Zoning Code, and is enforced accordingly."

"Wherever the specific plan contains provisions which differ from provisions contained in Chapter I of the Los Angeles Municipal Code, the specific plan shall prevail and supersede the applicable provisions of the Code. In order to be certified by the Coastal Commission, the specific plan must conform to, and be adequate to carry out, the policies and land uses maps of the certified LUP."

In the absence of a certified LIP, the LUP serves as a guidance document, without an implementation mechanism. The Venice LUP contains a number of policies which seek to guide the use and development of property within the North Venice subarea of the Venice Coastal Zone area, but does not itself contain the mechanism to require compliance with them. The property is located within a Multi-Family Residential – Medium Density area of the LUP:

Policy I. A. 8. Multi-Family Residential - Medium Density. Accommodate the development of multi-family dwelling units in the areas designated as "Multiple Family Residential" and "Medium Density" on the Venice Coastal Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.

- c. North Venice. Height: Not to exceed 30 feet for buildings with flat roofs or 35 feet for buildings utilizing stepped back or varied rooflines. The portion of the structure that exceeds 30 feet in height shall be set back one horizontal foot for every foot in height above 30 feet ...

According to submitted plans, the project proposes a varied roof line that is less than 30 feet in height at the front of the building, with a stepped-back and pitched roof rising to a maximum height of less than 35 feet. A 100 square-foot rooftop access structure, having a maximum height of approximately 38-1/2 feet, is proposed toward the rear half of the building. Policy I. A.1. allows for rooftop access structures to exceed the flat roof height limit by no more than 10 feet.

Policy I. E. 1. General. Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976.

The project proposes to demolish a two-story, four-unit apartment building and construct a three-story single-family dwelling. The residentially-zoned northern side of Venice Way, between intersections with Main Street to the west and Riviera Avenue to the east, consisting of 19 lots, is predominantly developed with one-story residential structures built circa 1947, 1952, and 1953. The existing apartment building, proposed to be demolished as a part of this project, was constructed circa 1947. According to the Los Angeles Historic Resources Inventory, there are no identified historic or cultural resources or districts located along Venice Way, between Main Street on the west and Riviera Avenue on the east. Further, there are no identified historic or cultural resources or districts along Grand Boulevard, to the north, between Main Street on the west and Riviera Avenue on the east. Most all of the homes along the northern block face of Venice Way are obscured from public view by tall fences and/or extensive landscaping.

Given the lack of significant cultural, historical, or architectural resources and districts along this block, combined with the existing and obscuring fences and landscaping, it is unlikely that this block of Venice Way significantly contributes to the Venice community's unique characteristics making it a significant and popular visitor destination. As such, the project has little to no negative impact on the community's unique social and architectural diversity, but through granting the permit, will increase the architectural diversity along this block face.

Policy I. E. 2. Scale. New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods ... Roof access structures shall be limited to the minimum size necessary to reduce visual impacts while providing access for fire safety ... No roof access structure shall exceed the height limit by more than ten (10') feet. Roof deck enclosures (e.g. railings and parapet walls) shall not exceed the height limit by more than 42 inches and shall be constructed of railings or transparent materials ...

While the scale and massing of the proposed building is atypical compared to existing development along the block face, it is consistent with other residential structures on the block and within the immediate vicinity. The project is almost ideally located along the block face, toward the western, commercially-zoned end of the block, with only two lots between the project and the commercial zoning. It is noted that this project is proposed concurrently with two other single-family dwellings on easterly adjacent lots. These two other homes will feature a similar scale, massing and landscaping as the proposed project. While the LUP encourages new construction to be of similar scale and massing with the community, this policy has not yet been implemented through a certified LIP, and the project does not exceed existing development maximums for height or floor area. The applicant has sought a deviation from the underlying zoning to allow the maintenance of the approximately 10-1/2-foot front yard setback observed by other properties along the block face. The applicant has not requested any other deviations from the zoning code or the Specific Plan.

Landscaping along this block face ranges from none to extensive, and is not characterized by any consistent style or degree. The applicant proposes to maintain most of the front yard with a permeable landscaping material and a 40 square-foot planter box.

The project proposes roof access to utilize a rooftop deck. According to submitted plans, the 10-foot in height roof access represents less than 100 square feet, and is comprised solely of a stairwell, landing and doorway. This roof access is located toward the rear half of the building, and a 42-inch open metal guard rail surrounds the rooftop deck.

Policy I. E. 3. Architecture. Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.

The project proposes a modern/contemporary style of architecture, featuring a façade that incorporates varied colors and textures. This is in contrast to the post-war style of architecture predominantly featured along the block, and results in increased architectural variety. However, the new structure is three stories in height, while the remaining buildings on the block face are one story. Nevertheless, the proposed dwelling is within the scale and massing of new development otherwise permitted by the Specific Plan and the underlying zoning for development on this property.

The continued use of the property for residential purposes is consistent with the land use designation and the site's zoning. The surrounding area is developed with single- and two-family dwellings, and same is proposed. The project is generally consistent with the Venice Land Use Plan. Approval of the permit is generally consistent with other similar homes approved for construction within the immediate vicinity. The project is not of regional or area-wide significance, and would have no influence on broader policies or efforts to prepare a Local Coastal Program. Therefore, the project is not anticipated to prejudice the ability of the City to prepare a Local Coastal Program.

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

The Interpretive Guidelines are designed to provide direction to decision makers in rendering discretionary determinations on requests for coastal development permits pending adoption of an LCP. The California Coastal Commission's interpretive guidelines have been reviewed and considered in preparation of these findings. However, following prevailing case law (e.g., Pacific Legal Foundation v. Coastal

Commission (1982) 33 Cal.3d 158), the City's determination is based on the cited provisions of the California Coastal Act and other legally established laws and regulations.

The property is located within the Venice area and North Venice sub-area of the Regional Interpretive Guidelines for the South Coast Region, Los Angeles County. According to these guidelines:

A. Residential.

1., 2. Single-family Dwellings and Multi-Family Dwellings:

- a. See Parking Appendix. (30210, 30252(4))
- b. Height of the structure should not exceed 30 feet above centerline of frontage road. (30251, 30252)
- c. New development should provide front setbacks consistent with city zoning requirements but not less than five feet from the property line. (30521)
- d. Paving and access drives should be provided from alleys. (30252)
- e. Common-wall construction may be permitted; common-wall construction project should be designed to avoid appearance out of character with the neighborhood. Common-wall construction should not extend over more than 60 feet of street frontage or two lots. A six foot break should be provided for each 50 foot width of buildings. Ground level entryways and windows should be provided. (30251-7, 30231)
- f. Lots fronting Ocean Front Walk which are zoned for commercial use and designated for commercial use in the locally adopted General Plan should not be developed residentially.
- g. Density incentives will be considered for low/moderate housing proposals.
- h. Multiple-family housing on lots containing less than 4000 square feet should be limited to two units per lot. (30210, 30252)

The project, which proposes the demolition of a two-story, four-unit apartment building and the construction of one new, three-story single-family dwelling, is generally consistent with the use and development guidelines of the Regional Interpretive Guidelines for this area. While these guidelines recommend a height

limit of 30 feet, the No. 1 Height District of the property zoning, the adopted Venice Coastal Zone Specific Plan, and the certified Venice Land Use Plan allow for the proposed height of less than 35 feet. The project proposes to provide all parking that is required of a single-family dwelling on a 25-foot wide lot. The project proposes to observe a front yard setback that is consistent with other development on the block, and side/rear yard setbacks that are consistent with the requirements of the zone. Parking will be provided at the rear of the lot, accessing the alleyway, and has been conditioned to do so. Based on the foregoing, the project is consistent with the Interpretive Guidelines for Coastal Planning and Permits for this region, area, and subarea.

4. **The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.**

The project proposes to demolish an existing two-story, four-unit apartment building and construct a three-story single-family dwelling. The project is represented as being fully compliant with the requirements and regulations of both the Venice Coastal Zone Specific Plan and the Zoning Code, with the exception of a request to observe a reduced front yard setback.

The Coastal Commission has directly acted to approve several similar residential developments within the North Venice community:

Application Nos.

5-14-0275	21 West 27th Street
5-13-086	2715 Ocean Front Walk
5-12-234	33 East 20th Avenue
5-12-228	1310 Riviera Avenue
5-11-295	44 Ozone Avenue
5-10-115	2705 Ocean Front Walk
5-10-37	2611 Ocean Front Walk
5-09-88	33 28th Avenue
5-08-287	2615 Ocean Front Walk
5-08-130	33 20th Avenue
5-08-110	2703 Ocean Front Walk
5-07-330	125 Vista Place
5-07-310	24 Clubhouse Avenue
5-07-137	2611 Ocean Front Walk
5-07-093	2615-2617 Ocean Front Walk
5-06-371	22 25th Avenue
5-06-8	2219 Ocean Front Walk

Further, there are several dwellings of similar height, massing, and architecture on identically-zoned properties, located within similar community contexts in the immediate vicinity, which have been permitted to be constructed. Therefore, the

decision to approve this request has been guided by applicable decisions of the California Coastal Commission.

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 project proposes to replace an existing multi-family residential building with a new single-family dwelling, and provide two on-site, off-street parking stalls in conjunction with the project. The property, located within the residential RD1.5 Zone, fronts on Venice Way, an east-west Secondary Highway, and located within a well-established residential community. The property is located approximately 1,500 feet east of Ocean Front Walk, which is public right-of-way which separates the western shoreline from private development. The property is not located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone. The project proposes no development or use that impinges upon public access to the sea, nor could support or hinder water-oriented recreational activities. Therefore, the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.

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

A Mitigated Negative Declaration (ENV-2014-830-MND) has been prepared for the proposed project, consistent with the provisions of the California Environmental Quality Act and the City CEQA Guidelines. Refer to Finding No. 12, below. The demolition of an existing four-unit apartment dwelling and the construction of a new single-family dwelling unit are only proposed at this time. The Mitigated Negative Declaration prepared for the proposed project is appropriate pursuant to CEQA.

7. **The project is consistent with the special requirements for low and moderate income housing units in the Coastal Zone as mandated by California Government Code Section 65590 [Mello Act].**

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. Pursuant to the Settlement Agreement, dated January 3, 2000, between the City of Los Angeles and the Venice Town Council, Inc., et al. and Interim Administrative Procedures for Complying with the Mello Act in the Coastal Zone Portions of the City of Los Angeles (Interim Administrative Procedures), the following finding is provided.

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 four-unit apartment building and its replacement by a three, new, single-family dwellings. Therefore, the proposed project is subject to the Mello Act.

On January 21, 2014, the Los Angeles Housing and Community Investment Department "determined that no affordable units exist at 217-221 Venice Way, Venice, CA 90291." A copy of their full determination is found in the administrative record. Inasmuch as the four dwelling units existing on the property have been determined to not be affordable, no affordable replacement dwelling unit is required to be provided.

Pursuant to Part 2.4.2 of the Interim Administrative Procedures, the project is not required to provide Inclusionary Residential Units because three dwelling units will be constructed on the property, qualifying it for the Small New Housing Development exemption from requirements to provide additional inclusionary affordable dwelling units.

Therefore, the project is not required to provide any affordable replacement dwelling units and is not required to provide any affordable inclusionary dwelling units. The project is consistent with the special requirements for low to moderate income housing units in the Coastal Zone as mandated by California Government Code Section 65590 (Mello Act) and implemented through the Interim Administrative Procedures.

ZONING ADMINISTRATOR'S ADJUSTMENT FINDINGS

In order for an adjustment from the zoning regulations to be granted, all of the legally mandated findings delineated in Section 12.28 of the Los Angeles Municipal Code must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

8. **While site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.**

The applicant proposes to construct a new single-family dwelling upon the property. As proposed, the new dwelling would observe a 10-1/2-foot front yard setback in lieu of the minimum 15 feet otherwise required in the RD1.5 Zone.

The property is a level, rectangular-shaped, interior lot of approximately 1,958 square feet. The property has an even width and depth of 25 feet and 78 feet, respectively. Per the standards for a lot located within the RD1.5 Zone, the property is substandard in area (minimum 5,000 square feet).

The applicant states that they desire a reduced front yard setback for two main reasons: first, to maintain the existing front yard setback pattern of development along this block of Venice Way, and to obtain some additional floor area for the proposed dwelling because of its narrow width.

These arguments have merit. According to surveys submitted to the administrative record, and by observation of aerial photographs, the development along the northern side of this block of Venice Way is consistently developed with a generally uniform setback of approximately 10-1/2 feet. Further, the narrow 25-foot width of the lot, combined with the required 4-foot side yard setbacks on either side of the property, leaves 17 feet of width for development. This width is equivalent to two side-by-side standard parking stalls. This narrow width, combined with maximum height restrictions, limits the overall development potential of the property such that a 4-1/2-foot encroachment into the front yard setback significantly improves the interior floor plan options available to the applicant.

The intent of the front yard setback is to promote a uniform appearance to the development of residential uses along the block, and to provide for a buffer between the public right-of-way and the dwellings that front on it. As proposed, the project will maintain the same front yard setback as other properties along this block, and still maintain a reasonable buffer between the dwelling and the Venice Way public right-of-way. As such, while site characteristics make strict adherence to the zoning regulations impractical, the project nonetheless conforms to the intent of those regulations.

9. **In light of the project as a whole including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The project proposes to demolish and existing four-unit apartment building and construct a new three-story single-family dwelling. The applicant proposes to maintain the approximately 10-1/2-foot front yard setback observed by other properties along the block, in lieu of the 15 feet otherwise required by the zone. No other deviations from the zoning code are proposed, and the project will be fully compliant with the regulations of the Venice Coastal Zone Specific Plan. The property is zoned for residential use within a residential neighborhood. Therefore, in light of the project as a whole including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

10. **The project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.**

The purpose, intent, and provisions of the General Plan, Community Plan, and related Specific Plans all seek to ensure compatibility with surrounding uses, both in development and use, and to encourage economic development through the establishment of new businesses, and the expansion of successful businesses.

There are eleven elements of the General Plan. Each of these elements establishes policies that provide for the regulatory environment in managing the City

and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code requirements of Los Angeles Municipal Code. Except for the conditional use described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The Venice Community Plan designates the property for Low Medium II density Multiple Family land uses with corresponding zones of RD1.5, RD2, RW2, and RZ2.5 and Height District No. 1. The site is also located within the North Venice subarea of the Venice Coastal Zone Specific Plan and the Los Angeles Coastal Transportation Corridor Specific Plan. No deviations from these Specific Plans are proposed.

The Venice Community Plan contains the following Goals, Objectives and Policies:

GOAL 1: A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL COMMUNITY RESIDENTS.

Objective 1-1: To provide for the preservation of the housing stock and its expansion to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

Policy 1-1.2: Protect the quality of the residential environment and the appearance of communities with attention to site and building design.

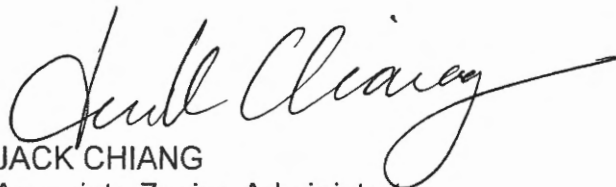
With specific regard to setbacks, the Venice Community Plan is silent. However, attention has been paid to the development pattern of the surrounding environment, and granting the reduced 10-1/2-foot front yard setback preserves an existing pattern of development within this immediate community. No deviation is sought from the Venice Coastal Specific Plan, and none are granted herein. The project is presumed to be fully compliant with the regulations contained within the Specific Plan, and therefore compatible with it. Therefore, the project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

ADDITIONAL MANDATORY FINDINGS

11. 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 X, areas of 0.2% annual chance flood' areas of 1% annual change flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
12. On October 27, 2014, a Mitigated Negative Declaration (ENV 2014-0830-MND) was prepared for the proposed project. As a part of the recommendation by the lead

agency, the proposed Mitigated Negative Declaration contained a number of measures more appropriately referred to as "Regulatory Compliance Measures", which is to say that compliance with these measures are mandatory whether imposed upon the project by the decision-maker, or not. As analyzed within the Mitigated Negative Declaration, compliance with these measures reduces potential impacts to a less than significant level. Inasmuch as the project is required to comply with these measures whether imposed herein or not, they have been omitted from adoption as a part of this action. Those measures incorporated into this action are required above and beyond routine regulations, and therefore, constitute bona fide mitigation measures to be imposed for the purposes of mitigating a potential impact. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that with imposition of the mitigation measures described in the MND (and identified in this determination), there is no substantial evidence that the proposed project will have a significant effect on the environment. I hereby adopt that action. This Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

Inquiries regarding this matter shall be directed to Jonathan A. Hershey, Planning Staff for the Office of Zoning Administration at (213) 978-1337.



JACK CHIANG
Associate Zoning Administrator

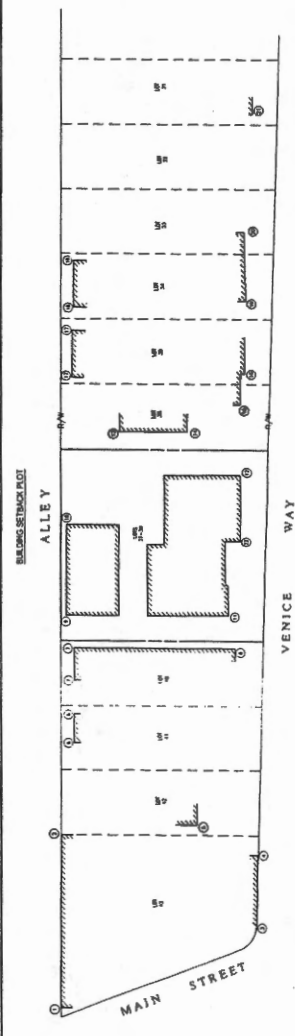
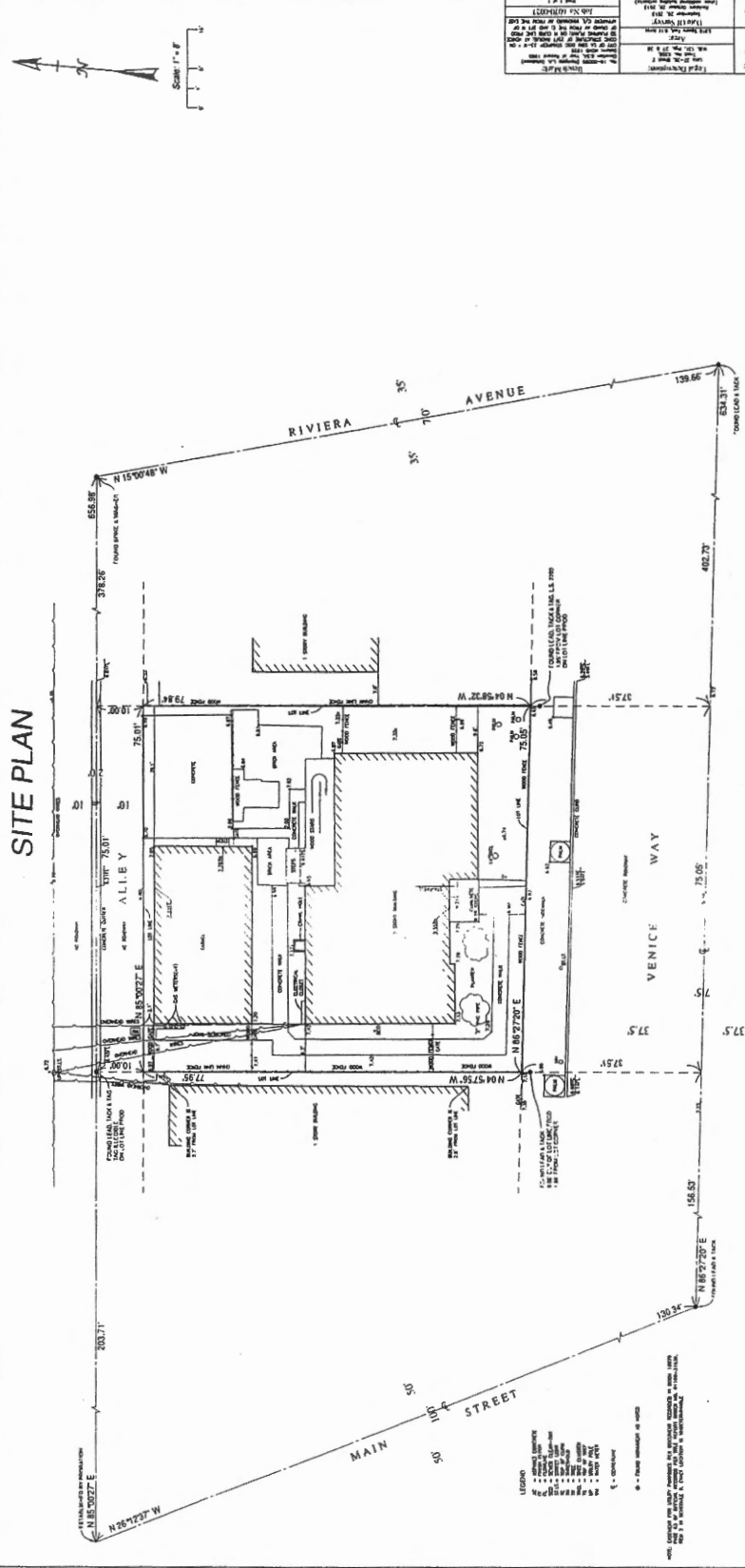
JC:JAH:Imc

cc: Councilmember Mike Bonin
Eleventh District
Adjoining Property Owners



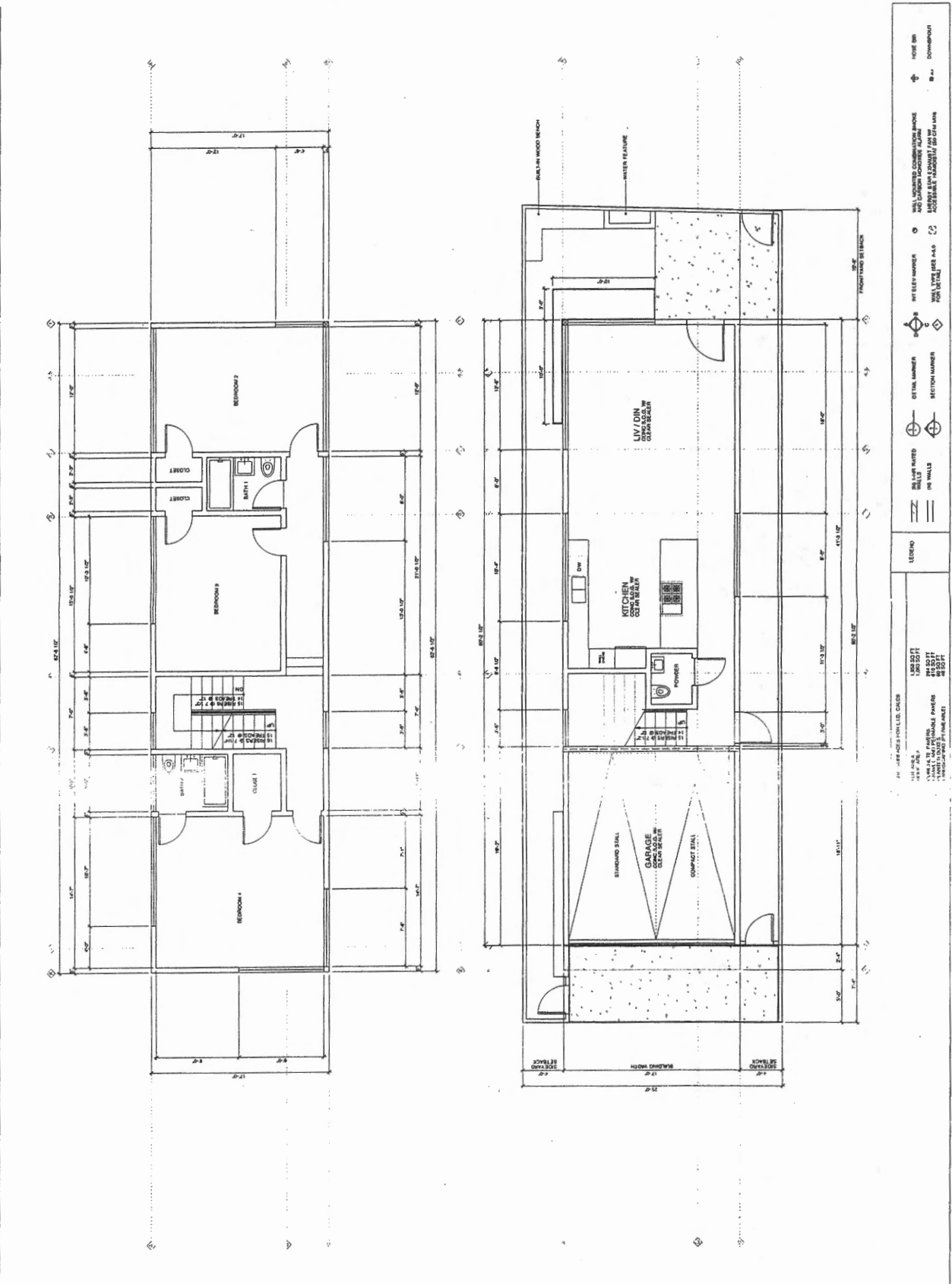
Danielson Surveying
Mark E. Danielson, P.E. 7182
1011 1st Ave. S.W.
Seattle, WA 98104
206.461.1111
www.danielsonsurveying.com

Plan Prepared For:	1011 1st Ave. S.W. Seattle, WA 98104 206.461.1111 www.danielsonsurveying.com
Plan Prepared By:	Mark E. Danielson, P.E. 1011 1st Ave. S.W. Seattle, WA 98104 206.461.1111 www.danielsonsurveying.com
Scale:	1" = 10'
Notes:	1. All dimensions are in feet and inches. 2. All bearings are in degrees, minutes and seconds. 3. All distances are in feet and inches. 4. All areas are in square feet. 5. All volumes are in cubic feet. 6. All weights are in pounds. 7. All temperatures are in degrees Fahrenheit. 8. All pressures are in pounds per square inch. 9. All speeds are in miles per hour. 10. All times are in hours, minutes and seconds.



- REMARKS LOCATIONS DETAIL
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PROJECT:
217 VENICE
WAY



Design Universal
Architecture and Interiors
10000 VENICE BOULEVARD
VENICE, CA 90291
P: 310.322.8111
F: 310.322.8111

OWNER:
FARMER & BUCHER
10000 VENICE BOULEVARD
VENICE, CA 90291
P: 310.322.8111

REVISION:

FUNCTIONAL NUMBER:

SCALE:

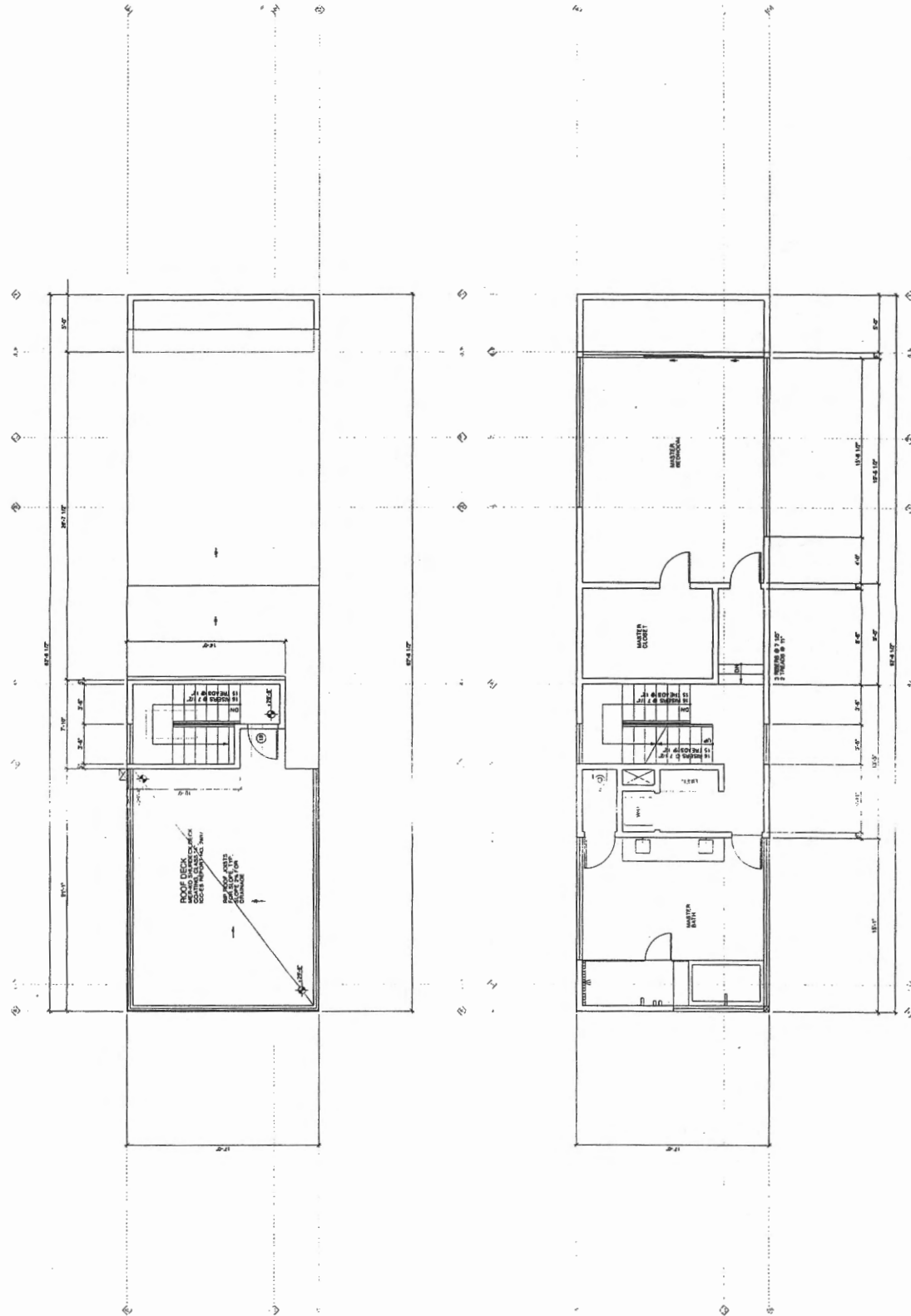
CONTRACTOR:

REVISION / DATE	DATE
1. PRELIMINARY	01/20/2015
2. PLANNING / DESIGN	02/02/2015
3. PLANNING / DESIGN	02/02/2015
4. PLANNING / DESIGN	02/02/2015
5. PLANNING / DESIGN	02/02/2015
6. PLANNING / DESIGN	02/02/2015
7. PLANNING / DESIGN	02/02/2015
8. PLANNING / DESIGN	02/02/2015
9. PLANNING / DESIGN	02/02/2015
10. PLANNING / DESIGN	02/02/2015

THIRD FLOOR PLAN
ROOF PLAN

DATE	REVISION	BY	DATE
01/20/2015	1	AD	01/20/2015

A-1.2



REVISION	DATE	BY	DESCRIPTION
1	01/20/2015	AD	PRELIMINARY
2	02/02/2015	AD	PLANNING / DESIGN
3	02/02/2015	AD	PLANNING / DESIGN
4	02/02/2015	AD	PLANNING / DESIGN
5	02/02/2015	AD	PLANNING / DESIGN
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8	02/02/2015	AD	PLANNING / DESIGN
9	02/02/2015	AD	PLANNING / DESIGN
10	02/02/2015	AD	PLANNING / DESIGN

PROJECT:
217 VENICE
WAY

ARCHITECT:
DU

Design Universal
10000 15TH AVENUE
DENVER, CO 80202
TEL: 303.440.1111
WWW.DUDESIGN.COM

OWNER:
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DENVER, CO 80202
TEL: 303.440.1111
WWW.PARANRIVER.COM

ENGINEER:
STRUCTURAL ENGINEERS

SPRINKLER ENGINEER:

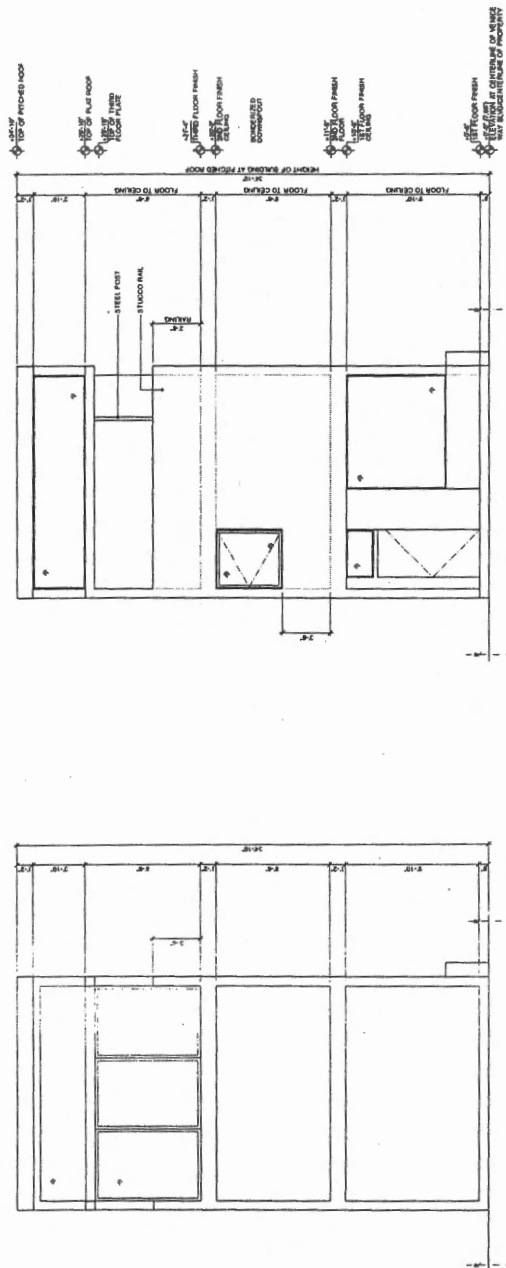
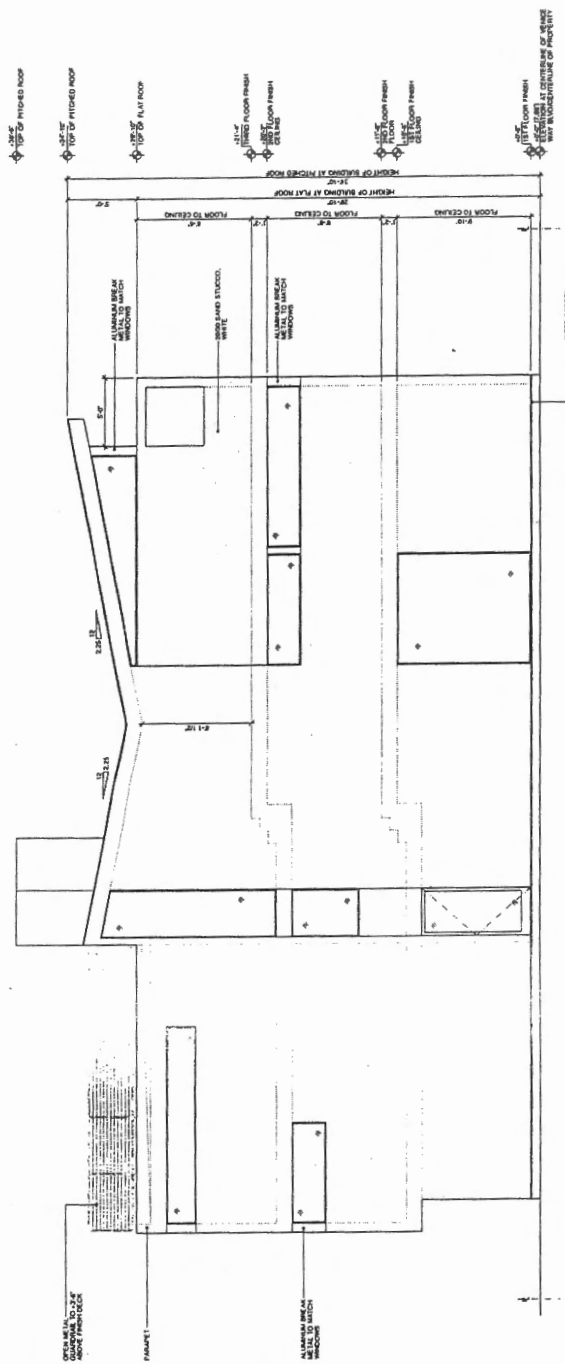
MECHANICAL ENGINEER:

REVISION / ISSUE	DATE
1. PRELIM DESIGN	10/20/14
2. PLANNING CASE SUBMITTAL	10/20/14

EXTERIOR ELEVATIONS

DATE: 10/20/14
DRAWN: MAA
CHECKED: MAA
SCALE: 1/8" = 1'-0"

A-2.0



LINN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

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

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

DEPARTMENT OF
CITY PLANNING

MICHAEL J. LOGRANDE
DIRECTOR

OFFICE OF
ZONING ADMINISTRATION

200 N. SPRING STREET, 7TH FLOOR
LOS ANGELES, CA 90012

(213) 978-1318
FAX: (213) 978-1334

www.planning.lacity.org

RECEIVED
South Coast Region

AUG 3 2015

California Coastal Commission
South Coast Area Office
200 Oceangate, 10th Floor
Long Beach, CA 90802-4302

CALIFORNIA
COASTAL COMMISSION
5-VEN-15-0030

NOTICE OF PERMIT ISSUANCE

DATE: July 30, 2015
CDP NUMBER - ZA 2014-0831(CDP)(ZAA)(MEL)
ADDRESS - 219 East Venice Way

Please take notice that the above referenced Coastal Development Permit was issued on July 14, 2015, pursuant to a public hearing on January 8, 2015 and an appeal was not filed with the City of Los Angeles, Office of Zoning Administration as advised in the permit, during the mandatory appeal period.

An appeal period of 20 working days must expire from the date this notice and attached Coastal Development Permit is received and accepted by the California Coastal Commission, Division V in Long Beach before this Coastal Development Permit will become effective.

- () The proposed development is in the dual permit jurisdiction area, and will require an additional permit from the California Coastal Commission upon the expiration of the above 20 working day appeal period.
- (X) The proposed development is in the single permit jurisdiction area, and if the application is not appealed within the 20 working day period the applicant may apply to the City of Los Angeles Department of Building and Safety for a building permit.

Linn K. Wyatt
Department of City Planning

By Linda M. Clarke

Linda M. Clarke
Senior Clerk Typist
Print Name and Title of Individual Signing

Attachments:
(X) Permit
(X) Application

A-5-VEN-15-0052
A-5-VEN-15-0053
A-5-VEN-15-0054
EXHIBIT 4 33 of 83

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
LOURDES GREEN
THEODORE L. IRVING
CHARLES J. RAUSCH, JR.
JIM TOKUNAGA
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LOS ANGELES, CA 90012

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FAX: (213) 978-1334

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July 14, 2015

Fabian Bever (A)(O)
California Eco Homes, LLC
1020 Ozone Avenue
Santa Monica, CA 90405

Robert Thibodeau (R)
DU Architects
624 Venice Boulevard
Venice, CA 90291

CASE NO. ZA 2014-0831(CDP)(ZAA)(MEL)
COASTAL DEVELOPMENT PERMIT,
ZONING ADMINISTRATOR'S ADJUSTMENT
AND MELLO ACT COMPLIANCE

219 East Venice Way

Venice Planning Area

Zone : RD1.5-1-O

D. M. : 106-5A145

C. D. : 11

CEQA : ENV 2014-0830-MND

Legal Description: Lot 38, Block 2, Tract 9358

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

the demolition of an existing four-unit residential building on three contiguous lots and the construction of a new 38-foot tall, 2,631 square-foot single-family dwelling with attached 322 square-foot garage, located on a 1,974 square-foot lot in the RD1.5-1 Zone, within the single-jurisdiction area of the California Coastal Zone;

Pursuant to Los Angeles Municipal Code Section 12.28, I hereby APPROVE:

a front yard setback of 10 feet 6 inches in lieu of the 15 feet otherwise required by Section 12.09.1-B,1,

upon the following additional terms and conditions:

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

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A-5-VEN-15-0054

EXHIBIT 4 34 of 83



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 Development Services Center 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 proceedings against the City or its agents, officers, or employees relating to or 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. Along the Venice Way (south) elevation of the building, the wall and architectural element colors and textures, location and/or size of windows, and the location of the front door, shall be different from those on the 217 and 221 East Venice Way building.
8. Vehicular access shall be provided from the alley, unless the Department of Transportation determines that such access is not feasible.
9. Environmental Mitigation Measures.
 - a. Aesthetics (Signage on Construction Barriers).
 - 1) The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS".
 - 2) Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
 - 3) The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.
 - b. Aesthetics (Light). Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.

- c. Aesthetics (Glare) The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or
 - d. Green House Gas Emissions. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
10. Prior to any sign-off of plans for compliance with this grant, the applicant shall obtain a Venice Coastal Zone Specific Plan clearance regarding compliance with this Specific Plan.
11. Prior to final clearance by Department of City Planning Development Services Center staff, the applicant shall submit a landscape and irrigation plan for review and approval.
12. Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

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

TRANSFERABILITY

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

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions.

The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

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

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this authorization is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or not complied with, then this authorization shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Zoning Administrator's determination in this matter will become effective after JULY 29, 2015, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://cityplanning.lacity.org>.** Public offices are located at:

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

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

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

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

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

NOTICE

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

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on January 8, 2015, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements and prerequisites for granting a coastal development permit and a Zoning Administrator's Adjustment as enumerated in Sections 12.20.2 and 12.28 of the Municipal Code have been established by the following facts:

BACKGROUND

The applicant proposes to build a new, three-story, single-family house with attached two-car garage, replacing an existing four-unit apartment building. This project is concurrent with Case Nos. ZA 2014-0829(CDP)(ZAA)(MEL) and ZA 2014-0833(CDP)(ZAA)(MEL), which generally propose similar projects with identical requests.

The property, presently consisting of three lots, is developed with a four-unit apartment building and accessory structures. The site on which the project is proposed is the middle of the three lots. The subject lot is a level, rectangular-shaped, interior lot, having a frontage of 25 feet on the north side of Venice Way, and a uniform depth of 79 feet. The net area of the lot is 1,974 square feet.

The north adjoining properties, across an alleyway, are zoned RD1.5-1-O and developed with one, two-family dwellings and a three-story single-family dwelling. The east adjoining property, to the subject site, is proposed to be developed with a three-story single-family dwelling (Case No. ZA 2014-0831-CDP-ZAA-MEL); properties farther to the east, beyond common ownership, are zoned RD1.5-1-O and developed with one-story two-family dwellings. The southeast adjoining properties, across Venice Way, are zoned RD1.5-1-O and developed with one-story two-family dwellings; the southwest adjoining property, also across Venice Way, is zoned R3-1-O and developed with a three-story multi-family apartment building. The west adjoining property, to the subject site, is proposed to be developed with a three-story single-family dwelling (Case No. ZA 2014-0829-CDP-ZAA-MEL); properties farther to the west, beyond common ownership, are zoned RD1.5-1-O and developed with one-story single-family dwellings.

The Venice Community Plan designates the property for Low Medium II density Multiple Family land uses with corresponding zones of RD1.5, RD2, RW2, and RZ2.5 and Height District No. 1.

The property is further located within the North Venice subarea of the Venice Coastal Zone Specific Plan. No deviation from this Specific Plan is proposed.

Venice Way, adjoining the property to the south, is designated as a Secondary Highway, dedicated to a width of 75 feet, and improved with asphalt paving and concrete curb, gutter and sidewalk.

Alley, adjoining the property to the north, is a Local Street, dedicated to a width of 20 feet, and partially improved with an asphalt roadway and concrete centerline gutter.

Previous zoning-related actions on the site/in the area include:

Subject Property

Ordinance No. 175,694 - Effective on January 19, 2004, resulting in the establishment of a Categorical Exclusion Order which excludes certain development from the requirements of Coastal Development Permits within the Venice Coastal Zone. (CPC-98-0119-LCP)

Ordinance No. 175,693 - Effective on January 19, 2004, resulting in the establishment of the Venice Coastal Zone Specific Plan. (CPC-98-0119-LCP)

Ordinance No. 172,897 - Effective on December 22, 1999, establishing the Venice Specific Plan (now superseded by the Venice Coastal Zone Specific Plan). (CPC-98-0119-LCP)

Ordinance No. 172,019 - On May 13, 1998, City Council adopted this Interim Control Ordinance regulating the issuance of building permits and construction of new structures in a portion of the Venice Community Plan area, for a period of one year or the certification of a Local Coastal Program. (CPC-87-0648-ICO)

Ordinance No. 164,844-SA2330 - Effective on June 21, 1989, resulting in a change of Zone from R4-1-O to RD1.5-1-O. (CPC 86-0824-GPC)

Surrounding Properties

Case No. ZA 2014-0833(CDP)(ZAA)(MEL) - On January 8, 2015, a public hearing was held to consider a Coastal Development Permit to allow the demolition of an existing four-unit apartment building and the construction of a new, three-story single-family dwelling within the single-permit jurisdiction area of the California Coastal Zone; a Zoning Administrator's Adjustment to allow a 10-1/2-foot front yard setback in lieu of the minimum 15 feet otherwise required; and a Mello Act compliance review; all on property located within the RD1.5-1-O Zone, at 221 East Venice Way. A determination on this matter is pending.

Case No. ZA 2014-0829(CDP)(ZAA)(MEL) - On January 8, 2015, a public hearing was held to consider a Coastal Development Permit to allow the demolition of an existing four-unit apartment building and the construction of a new, three-story single-family dwelling within the single-permit jurisdiction area of the California

Coastal Zone; a Zoning Administrator's Adjustment to allow a 10-1/2-foot front yard setback in lieu of the minimum 15 feet otherwise required; and a Mello Act compliance review; all on property located within the RD1.5-1-O Zone, at 217 East Venice Way. A determination on this matter is pending.

Case No. ZA 2014-3906(CDP) - On October 23, 2014, a request was filed for a Coastal Development Permit to allow the demolition of an existing duplex and construction of a new single-family residence, at 426 Grand Boulevard. This case has not yet been scheduled.

Case No. ZA 2014-2436(CDP) - On July 8, 2014, a request was filed for a Coastal Development Permit to allow the demolition of an existing duplex (431 East Grand Boulevard) and the construction of a 2,041 square-foot remodel/addition to an existing single-family residence located next door, at 433 Grand Boulevard. This case has not yet been scheduled.

Case No. ZA 2007-4038(CDP)(ZAA)(MEL) - On March 21, 2008, the Zoning Administrator, denied a Zoning Administrator's Adjustment from Section 12.09.1-B,2(a) of the Municipal Code to allow a side yard of 3 feet in lieu of the required 4 feet in conjunction with the construction, use and maintenance of two, two-story single-family dwellings on two parcels each with habitable basements which count as a third story, and approved a coastal development permit to allow the construction, use and maintenance of two single-family dwellings on two parcels within the single permit area of the California Coastal Zone, at 313-315 Venice Way.

Case No. ZA 2005-6398(CDP)(ZAA)(MEL) - On February 15, 2006, Zoning Administrator, approved a Zoning Administrator's Adjustment from Section 12.09.1-B,2(a) of the Municipal Code to allow a side yard of 3 feet in lieu of the required 4 feet in conjunction with the construction, use and maintenance of two, two-story single-family dwellings, each with habitable basements which count as a third story, and approved a coastal development permit to allow the construction, use and maintenance of two single-family dwellings, at 417-419 Venice Way.

Case No. ZA 2002-5371(ZV)(SPP)(MEL) - On January 30, 2003, the Zoning Administrator approved a Variance to permit tandem parking for a two-family dwelling in the R2-1 Zone, and the Director of Planning approved a Specific Plan Project Permit Compliance to allow the construction of a two-family dwelling in the R2-1 Zone, at 1628 Electric Avenue.

Building Permit No. 99014-30000-06644 - Issued on January 26, 2000, by the Department of Building and Safety, for a second- and third-story addition to an existing one-story dwelling with attached garage. A Certificate of Occupancy was issued for the completed additions on April 11, 2002. The property is zoned RD1.5-1 and is located at 411 East Venice Way.

Case No. ZA 97-0924(ZV)(YV)(PP) - On July 15, 1998, the Zoning Administrator approved variances to permit a 0-foot side yard setback in lieu of 4-1/2 feet, a 1-1/2-foot front yard in lieu of 15 feet, a 5-foot rear yard in lieu of 15 feet, and a reduced lot area of approximately 1,015 square feet in lieu of 1,500 square feet, all

in conjunction with the conversion of an existing office building into joint living and work quarters for artists and artisans on a 2,850 square-foot lot, on property located within the RD1.5-1-D Zone, at 308 Venice Way.

Case No. ZA 95-0489(YV) - On November 28, 1995, the Board of Zoning Appeals granted an appeal (BZA 5170), modifying the action of the Zoning Administrator, and granted a variance to permit 3-foot side yard setbacks in lieu of the 4 feet otherwise required, a 3-foot passageway, and a 5-foot front yard setback, in conjunction with the construction of a three-story, single-family dwelling, on property located within the RD1.5 Zone, at 513 Grand Boulevard.

According to the submitted plans, the existing four-unit apartment building, along with a couple accessory structures, will be demolished and the three individual lots on which the apartment building was built across will be developed with three individual single-family dwellings. The subject property occupies the middle of the three lots.

Submitted plans indicate that the proposed new dwelling will be three stories and 34 feet 10 inches to the top of a pitched roof, and a maximum of 38 feet to the top of a rooftop penthouse. The house will be approximately 2,631 square feet in size, with an additional 322 square feet for an attached two-car garage, taking access from the rear alley. A rooftop deck is proposed on the rear portion of the dwelling. The project proposes full compliance with the regulations of the Venice Coastal Specific Plan, and only seeks relief from the otherwise required front yard setback. A 10-1/2-foot front yard setback is proposed while a 5-foot setback is proposed at the rear of the property.

Planning staff conducted a field investigation on Friday, December 26, at noon. A four-unit dwelling was observed behind substantial shrubbery at the property line. The neighborhood is a mixture of one- and two-story single-family, with a peppering of duplexes and triplexes. Directly opposite the site on the south side of Venice Way is a three-story apartment building. Directly northeast of the site is a new project currently under construction, consisting of new three-story townhouses, at 304 and 308 Grand Boulevard. Vehicular access to the site is taken from an alley behind and north of the property.

The Council Office was contacted for comment on Thursday, December 18, 2014. Any comments will be forwarded to the Zoning Administrator forthwith.

APPLICANT'S OVERALL STATEMENT

As stated in Section 30001, existing developed uses and future developments that are carefully planned and developed consistently with the policies of this division. Are essential to the economic and social well-being of the people of this state and especially to working persons employed within the coastal zone. The proposed development is designed to comply with all of the legislative findings and declarations of Section 30001, and has at its heart the goals presented in Section 30001.5. The proposed development will not disrupt the current ecological balance (Section 30001). The development will enhance the overall quality of the coastal zone environment and its natural and artificial resources (Section 30001.5). The development does take into account the social and economic needs of the people of the state.

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.). We have complied with Section 30200.

The development has been designed with consideration of the fact that the coastal zone is a distinct and valuable resource that should be protected.

The project is located within an existing developed area, and will be compatible is size, scale, and use with the developed area. From the street, this project will have a similar look and character of other properties in the area, and therefore should be considered visually compatible with the surrounding area. We are providing adequate parking and setbacks from neighboring properties, as required by local zoning and building and safety requirements.

Our proposed project meets all requirements of the California Coastal Act of 1976 without seeking any special exemptions. The project has been designed with careful attention to the existing uses on the surrounding properties and the impact of the use and design on the surrounding neighborhood.

Our proposed adjustment is for a 10'-6" front yard setback in lieu of the 15'-0" as required in the RD1.5 zone. Granting the adjustment will allow us to keep the front of the building in line with the other existing building on the block. The prevailing setback, according to the city setback calculator and our field measurements is 10'-6". Therefore, our development will be consistent with the surrounding properties as far as how it is sited and how it faces the street.

Our proposed development is a single family dwelling which is a permitted use in the RD1.5 zone. Surrounding uses are either single family dwellings or duplexes, so our proposed development is compatible and consistent with surrounding uses.

The General Plan of the city encourages the development of high-quality housing for the people of Los Angeles. The adjustment we are asking for will allow us to provide a better floor plan. Without the adjustment the ground floor layout will be cramped. The ground floor includes the required 2-car parking, a kitchen, a 1/2-bath, a dining area, and a living room, as well as stairs up to the bedrooms. The lot is a sub-standard, 25'-0" wide by 79'-2 1/2" deep lot (irregular), which is 1,974.4 square feet in total area, or less than half of the required 5000 square feet. Moving the kitchen or living room to the second floor is not preferable.

The planning and zoning code allows for variances and adjustments to be granted when site conditions dictate and there will be no harm to neighboring properties. This project meets all other zoning requirements, e.g. height, side-yard setback, rear yard setback, parking, etc. The lot is substandard, and the neighboring properties are already built to the front setback that we are asking for. We feel that the adjustment is justified.

There are no adverse impacts as the proposed project follows the existing pattern of development on the block, street, and neighboring properties.

As stated above, the site is a substandard 25' by 79'-2 1/2", 1,974.4 square foot lot. The reduced front yard setback will allow us to keep the front of our building in line with the existing development on neighboring properties. If we are not granted the adjustment it will negatively impact the views from our proposed development because our building will be set back 5 feet more than existing development, and will negatively impact our floor plan.

PUBLIC HEARING

A Notice of Public Hearing was sent to nearby property owners and/or occupants residing near the subject site for which an application, as described below, had been filed with the Department of City Planning. All interested persons are invited to attend the public hearing at which they could listen, ask questions, or present testimony regarding the project.

The hearing was held by Jonathan A. Hershey, City Planner, acting in the capacity of a Hearing Officer from the Office of Zoning Administration under Case No. ZA 2014-0831(CDP)(ZAA)(MEL) and CEQA No. ENV 2014-0830-MND on January 8, 2015, at approximately 9:30 a.m. in West Los Angeles Municipal Building, Second Floor Hearing Room, 1645 Corinth Avenue, Los Angeles, CA 90025.

The Project Planner for this case is Antonio Isaia, City Planning Associate.

The applicant is Fabian Bever, California Eco Homes, LLC, and was represented by Robert Thibodeau, DU Architects.

The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding the project. The environmental document was among the matters considered at the hearing. After a review of the file the matter was opened to public testimony and the following points were considered:

Applicant/Representative:

- The proposed dwelling is approximately 34 feet in height, excluding the rooftop structure.
- The property was once the site of an old roller coaster.
- The property was redeveloped with a non-descript four-unit apartment building.
- There are other similar dwellings within the surrounding area.
- The property consists of three lots, which will be individually developed.
- We are seeking a reduced front yard setback to conform to the existing pattern of development along the block.
- The roof deck is at the rear of the building.
- Four dwellings to the rear of the property were granted similar requests.
- All required parking is being provided.
- The property is shallow; after the garage is put into the building, there is limited remaining space on the ground floor; we need the extra 5 feet from the front yard.

Testimony in Opposition:

- I am a Venice resident.

- I am concerned about the architectural diversity in the community being lost.
- The project is large compared to what is built on adjoining properties.
- The design would benefit from an upper-story step-back; this would reduce appearance of size, mass.

Testimony in Concern:

- The Venice Neighborhood Council has not met concerning this project.
- I would like to see more architectural diversity.
- Has this project been reviewed for compliance with the Mello Act?
- Two units in the apartment building were known to be affordable.
- The three dwellings are too similar in appearance.
- This is a large project, and will have an impact on the block.
- I want to preserve the character of the neighborhood.
- There have been projects with unsubstantiated Mello Act determinations.
- The dwellings do not meet the mass/scale/character of the community.
- The project may block views of the coast.
- I would like to see a shade study.
- I want the project to be heard at the Neighborhood Council.
- There should be more analysis under the CDP for compatibility with the character and mass of the neighborhood.
- I am a neighbor.
- I am concerned about the proposed height of the building.

Council Office:

- The character of the neighborhood is important.
- Three new single-family dwellings with similar design is significant.
- We would like to ensure that there are more differences; we would like to see differences in architectural style between the three dwellings.

Applicant/Representative:

- The three new dwellings are designed similarly, not identically.
- Three individually distinct designs were not desired by the applicant.
- There are differences in the location of the front door and other fenestration.
- We can work with the Neighborhood Council to vary the colors and materials of the front.

The Hearing Officer also read aloud the determination made by the Housing and Community Investment Department, dated January 21, 2014, regarding their finding of no affordable dwellings at the property.

Prior to issuing this Letter of Determination, the decision maker has considered all the testimony presented at the hearing, written communication received prior to the hearing, at the hearing, or subsequent thereto, and the merits of the project as it relates to existing environmental and land use regulations.

[ZA Note: Between the time of the public hearing, on January 8, 2015, and the issuance of this determination letter in July 2015, no new information from the public at-large or the Neighborhood Council has been received.]

COASTAL DEVELOPMENT PERMIT FINDINGS

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

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

The applicant seeks authorization to demolish an existing multi-family dwelling and construct one of three new single-family dwellings. In conjunction with the construction of the new dwelling, the applicant seeks to maintain a reduced front yard setback. The property is located within the North Venice subarea of the Venice Coastal Zone Specific Plan area; no deviations from the regulations of the Specific Plan have been requested.

The property, presently consisting of three lots, is developed with a four-unit apartment building and accessory structures. The site on which the project is proposed is the middle of the three lots. The subject lot is a level, rectangular-shaped, interior lot, having an area of approximately 1,974 square feet, a frontage of 25 feet on the north side of Venice Way, and a uniform depth of 79 feet. The property also enjoys access from a rear alleyway. The property is approximately 1,500 feet easterly of the nearest beach.

After demolition of the existing two-story, four-unit apartment building and accessory structures, the applicant will construct a new single-family dwelling. The proposed dwelling will be three-stories, a maximum of 38 feet in height, and approximately 2,631 square feet in size, with an attached 322 square-foot two-car garage taking access from the rear alleyway.

The project has no significant impact on sensitive coastal or coastal-dependent resources:

- a. **Public Access.** The subject property fronts on the northern side of an east-west Secondary Highway which is not closest to the nearest beach and the shoreline. The property is approximately 1,500 feet from the nearest beach. The proposed demolition and new construction does not interfere with public access to the sea.

- b. Recreation. The subject property is located within a well-established residential community. The property is not suitable for water-oriented recreational use, and the project has no impact any water-oriented recreational facilities or activities.
- c. Marine Environment. The property is surrounded on all sides by established residential development. The property is located approximately 1,500 feet inland. The demolition of an existing apartment building and the construction of a single-family dwelling at this location have no impact on marine environment resources.
- d. Land Resources. The property is located approximately 1,500 feet inland of the nearest beach, within a well-established residential community. The project proposes the demolition of an existing apartment building and the construction of a single-family dwelling on an existing record lot that is zoned for residential use. The project has no impact on environmentally sensitive or protected natural habitats, agricultural land, timberlands or archaeological or paleontological resources within the vicinity.
- e. Development. The property is located approximately 1,500 feet inland of the nearest beach, within a well-established residential community, and having access to a full range of existing public utilities and services.

The project proposes the demolition of an existing apartment building and the construction of a single-family dwelling on property that is zoned for residential use. The project will provide all required on-site parking, and results in a reduction of overall residential density, so has no impact on public access to the coast. There are no direct sightlines to any ocean or beach views from this community. The project's location results in no impact on prominent natural landforms. The project is located in an area of potential flooding (Zone X), instability (liquefaction), and is approximately 5.27 kilometers from the nearest active fault, however, existing local building codes account for this. Further, the project results in no displacement of any coastal-dependent development or use.

Section 30116 of the Coastal Act states the following:

"Sensitive coastal resource areas" means those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity. "Sensitive coastal resource areas" include the following:

- (b) Areas possessing significant recreational value.
- (e) Special communities or neighborhoods which are significant visitor destination areas.

The certified Venice Land Use Plan defines the Venice community as a "Special Coastal Community":

An area recognized as an important visitor destination center on the coastline, characterized by a particular cultural, historical, or architectural heritage that is distinctive, provides opportunities for pedestrian and bicycle access for visitors to the coast, and adds to the visual attractiveness of the coast.

Section 30251 of Article 6 states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30253(e) of Article 6 states:

Where appropriate, protect special communities and that, because of their unique characteristics, are popular visitor destination points for recreational uses.

The residentially-zoned northern side of Venice Way, between intersections with Main Street to the west and Riviera Avenue to the east, consisting of 19 lots, is predominantly developed with one-story residential structures built circa 1947, 1952, and 1953. The existing apartment building was constructed circa 1947. According to the Los Angeles Historic Resources Inventory, there are no identified historic or cultural resources or districts located along Venice Way, between Main Street on the west and Riviera Avenue on the east. Further, there are no identified historic or cultural resources or districts along Grand Boulevard, to the north, between Main Street on the west and Riviera Avenue on the east. Most all of the homes along the northern block face of Venice Way are obscured from public view by tall fences and/or extensive landscaping.

There is an existing bicycle path on and along both directions of travel on Venice Way; the project has no impact on the bicycle path.

Given the lack of significant cultural, historical, or architectural resources and districts along this block, combined with the existing and obscuring fences and landscaping, it is unlikely that this block of Venice Way significantly contributes to the Venice community's unique characteristics making it a significant and popular visitor destination.

While the project proposes a new three-story structure on this block face which predominantly features one-story development, other properties on the block have been developed with similar three-story residential buildings. Most notably, properties northeast (216 and 218 East Grand Boulevard) and northwest (232, 234, 304, and 308 East Grand Boulevard) of the property, fronting on Grand Boulevard, are so developed, and the southwestern property, across Venice Way, is developed with a three-story multi-family residential building. In addition, two similar three-story single-family dwellings are proposed on adjoining lots to this property (217 and 221 East Venice Way). Farther northeast, along Venice Way, the following properties are similarly developed with three-story, approximately 30-foot in height dwellings: 414, 416, 417, and 419 East Venice Way. Other, similar dwellings can be found at 404, 406 East Grand Boulevard; 237 East Windward; and 416 East Rialto Avenue, all located within the immediate vicinity, possessing the same zoning and similar contexts. As such, the project will be visually compatible with the evolving character of the surrounding area.

- f. **Industrial Development.** The property is presently developed with a residential use, on property located with a zone classification designated for residential uses. Industrial-use lands are located southerly of the property, across Electric Avenue. The proposed demolition and construction of a single-family dwelling has no impact on the location or operation of coastal dependent industrial facilities.

As articulated above, and as conditioned, the development is in conformity with Chapter 3 of the California Coastal Act of 1976.

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

There is no adopted and certified Local Coastal Program (LCP) for the portion of the California Coastal Zone in which the project is located. While there is a certified Land Use Plan (LUP), there is no accompanying certified Local Implementation Plan (LIP) to carry out the Goals, Objectives, and Policies of the LUP.

The Venice Community Plan designates the property for Low Medium II density Multiple Family land uses with corresponding zones of RD1.5, RD2, RW2, and RZ2.5 and Height District No. 1. For this location, the Venice Coastal Zone Specific Plan implements the Goals, Objectives, and Policies of the Venice Community Plan. The Venice Coastal Zone Specific Plan is not a California Coastal Commission-certified Local Implementation Program (LIP). The site is located within the North Venice subarea of the Venice Coastal Zone Specific Plan. No deviation from this Specific Plan is proposed. The property is not within the area of any interim control ordinance.

According to the certified Venice Land Use Plan (Relationship to Other City Plans and Procedures):

"The LIP will contain a specific plan process to address development standards and other implementation tools to implement the policies of the LUP."

"The Land Use Plan is adopted by means of a plan amendment to the Venice Community Plan. The specific plan ordinance adopts zoning and development standards which carry the full weight of zoning law. All new development within the boundaries of the specific plan must comply with the ordinance. The specific plan ordinance is an integral part of the Los Angeles Municipal Planning and Zoning Code, and is enforced accordingly."

"Wherever the specific plan contains provisions which differ from provisions contained in Chapter I of the Los Angeles Municipal Code, the specific plan shall prevail and supersede the applicable provisions of the Code. In order to be certified by the Coastal Commission, the specific plan must conform to, and be adequate to carry out, the policies and land uses maps of the certified LUP."

In the absence of a certified LIP, the LUP serves as a guidance document, without an implementation mechanism. The Venice LUP contains a number of policies which seek to guide the use and development of property within the North Venice subarea of the Venice Coastal Zone area, but does not itself contain the mechanism to require compliance with them. The property is located within a Multi-Family Residential – Medium Density area of the LUP:

Policy I. A. 8. Multi-Family Residential - Medium Density. Accommodate the development of multi-family dwelling units in the areas designated as "Multiple Family Residential" and "Medium Density" on the Venice Coastal Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.

- c. North Venice. Height: Not to exceed 30 feet for buildings with flat roofs or 35 feet for buildings utilizing stepped back or varied rooflines. The portion of the structure that exceeds 30 feet in height shall be set back one horizontal foot for every foot in height above 30 feet ...

According to submitted plans, the project proposes a varied roof line that is less than 30 feet in height at the front of the building, with a stepped-back and pitched roof rising to a maximum height of less than 35 feet. A 100 square-foot rooftop access structure, having a maximum height of approximately 38 feet, is proposed toward the rear half of the building. Policy I. A.1. a allows for rooftop access structures to exceed the flat roof height limit by no more than 10 feet.

Policy I. E. 1. General. Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976.

The project proposes to demolish a two-story, four-unit apartment building and construct a three-story single-family dwelling. The residentially-zoned northern side of Venice Way, between intersections with Main Street to the west and Riviera Avenue to the east, consisting of 19 lots, is predominantly developed with one-story residential structures built circa 1947, 1952, and 1953. The existing apartment building, proposed to be demolished as a part of this project, was constructed circa 1947. According to the Los Angeles Historic Resources Inventory, there are no identified historic or cultural resources or districts located along Venice Way, between Main Street on the west and Riviera Avenue on the east. Further, there are no identified historic or cultural resources or districts along Grand Boulevard, to the north, between Main Street on the west and Riviera Avenue on the east. Most all of the homes along the northern block face of Venice Way are obscured from public view by tall fences and/or extensive landscaping.

Given the lack of significant cultural, historical, or architectural resources and districts along this block, combined with the existing and obscuring fences and landscaping, it is unlikely that this block of Venice Way significantly contributes to the Venice community's unique characteristics making it a significant and popular visitor destination. As such, the project has little to no negative impact on the community's unique social and architectural diversity, but through granting the permit, will increase the architectural diversity along this block face.

Policy I. E. 2. Scale. New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods ... Roof access structures shall be limited to the minimum size necessary to reduce visual impacts while providing access for fire safety ... No roof access structure shall exceed the height limit by more than ten (10') feet. Roof deck enclosures (e.g. railings and parapet walls) shall not exceed the height limit by more than 42 inches and shall be constructed of railings or transparent materials ...

While the scale and massing of the proposed building is atypical compared to existing development along the block face, it is consistent with other residential structures on the block and within the immediate vicinity. The project is almost ideally located along the block face, toward the western, commercially-zoned end of the block, with only two lots between the project and the commercial zoning. It is noted that this project is proposed concurrently with two other single-family dwellings on the eastern and western adjacent lots. These two other homes will feature a similar scale, massing and landscaping as the proposed project. While the LUP encourages new construction to be of similar scale and massing with the community, this policy has not yet been implemented through a certified LIP, and the project does not exceed existing development maximums for height or floor area. The applicant has sought a deviation from the underlying zoning to allow the maintenance of the approximately 10-1/2-foot front yard setback observed by other properties along the block face. The applicant has not requested any other deviations from the zoning code or the Specific Plan.

Landscaping along this block face ranges from none to extensive, and is not characterized by any consistent style or degree. The applicant proposes to maintain most of the front yard with a permeable landscaping material and a 40 square-foot planter box.

The project proposes roof access to utilize a rooftop deck. According to submitted plans, the 10-foot in height roof access represents less than 100 square feet, and is comprised solely of a stairwell, landing and doorway. This roof access is located toward the rear half of the building, and a 42-inch open metal guard rail surrounds the rooftop deck.

Policy I. E. 3. Architecture. Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.

The project proposes a modern/contemporary style of architecture, featuring a façade that incorporates varied colors and textures. This is in contrast to the post-war style of architecture predominantly featured along the block, and results in increased architectural variety. However, the new structure is three stories in height, while the remaining buildings on the block face are one story. Nevertheless, the proposed dwelling is within the scale and massing of new development otherwise permitted by the Specific Plan and the underlying zoning for development on this property.

The continued use of the property for residential purposes is consistent with the land use designation and the site's zoning. The surrounding area is developed with single- and two-family dwellings, and same is proposed. The project is generally consistent with the Venice Land Use Plan. Approval of the permit is generally consistent with other similar homes approved for construction within the immediate vicinity. The project is not of regional or area-wide significance, and would have no influence on broader policies or efforts to prepare a Local Coastal Program. Therefore, the project is not anticipated to prejudice the ability of the City to prepare a Local Coastal Program.

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

The Interpretive Guidelines are designed to provide direction to decision makers in rendering discretionary determinations on requests for coastal development permits pending adoption of an LCP. The California Coastal Commission's interpretive guidelines have been reviewed and considered in preparation of these findings. However, following prevailing case law (e.g., *Pacific Legal Foundation v. Coastal*

LINN K. WYATT
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ASSOCIATE ZONING ADMINISTRATORS

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CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
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South Coast Region

AUG 3 2015

CALIFORNIA
COASTAL COMMISSION
5-VEN-15-0031

California Coastal Commission
South Coast Area Office
200 Oceangate, 10th Floor
Long Beach, CA 90802-4302

NOTICE OF PERMIT ISSUANCE

DATE: July 30, 2015

CDP NUMBER - ZA 2014-0833(CDP)(ZAA)(MEL)

ADDRESS - 221 East Venice Way

Please take notice that the above referenced Coastal Development Permit was issued on July 14, 2015, pursuant to a public hearing on January 8, 2015 and an appeal was not filed with the City of Los Angeles, Office of Zoning Administration as advised in the permit, during the mandatory appeal period.

An appeal period of 20 working days must expire from the date this notice and attached Coastal Development Permit is received and accepted by the California Coastal Commission, Division V in Long Beach before this Coastal Development Permit will become effective.

- () The proposed development is in the dual permit jurisdiction area, and will require an additional permit from the California Coastal Commission upon the expiration of the above 20 working day appeal period.
- (X) The proposed development is in the single permit jurisdiction area, and if the application is not appealed within the 20 working day period the applicant may apply to the City of Los Angeles Department of Building and Safety for a building permit.

Linn K. Wyatt
Department of City Planning

By Linda M. Clarke

Linda M. Clarke
Senior Clerk Typist

Print Name and Title of Individual Signing

Attachments:

- (X) Permit
(X) Application

cc: Applicant
CP-1622 (08/10/93)

A-5-VEN-15-0052
A-5-VEN-15-0053
A-5-VEN-15-0054
EXHIBIT 4 52 of 83

ASSOCIATE ZONING ADMINISTRATORS

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July 14, 2015

Fabian Bever (A)(O)
California Eco Homes, LLC
1020 Ozone Avenue
Santa Monica, CA 90405

Robert Thibodeau (R)
DU Architects
624 Venice Boulevard
Venice, CA 90291

CASE NO. ZA 2014-0833(CDP)(ZAA)(MEL)
COASTAL DEVELOPMENT PERMIT,
ZONING ADMINISTRATOR'S ADJUSTMENT
AND MELLO ACT COMPLIANCE

221 East Venice Way
Venice Planning Area

Zone : RD1.5-1-O

D. M. : 106-5A145

C. D. : 11

CEQA : ENV 2014-0830-MND

Legal Description: Lot 37, Block 2, Tract 9358

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

the demolition of an existing four-unit residential building on three contiguous lots and the construction of a new 38-foot 6-inch tall, 2,680 square-foot single-family dwelling with attached 322 square-foot garage, located on a 1,958 square-foot lot in the RD1.5-1 Zone, within the single-jurisdiction area of the California Coastal Zone;

Pursuant to Los Angeles Municipal Code Section 12.28, I hereby APPROVE:

a front yard setback of 10 feet 6 inches in lieu of the 15 feet otherwise required by Section 12.09.1-B,1,

upon the following additional terms and conditions:

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



Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or 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. Along the Venice Way (south) elevation of the building, the wall and architectural element colors and textures, location and/or size of windows, and the location of the front door, shall be different from those on the 219 East Venice Way building.
8. Vehicular access shall be provided from the alley, unless the Department of Transportation determines that such access is not feasible.
9. Environmental Mitigation Measures.
 - a. Aesthetics (Signage on Construction Barriers).
 - 1) The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS".
 - 2) Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
 - 3) The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.
 - b. Aesthetics (Light). Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.

- c. Aesthetics (Glare) The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or
 - d. Green House Gas Emissions. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
10. Prior to any sign-off of plans for compliance with this grant, the applicant shall obtain a Venice Coastal Zone Specific Plan clearance regarding compliance with this Specific Plan.
 11. Prior to final clearance by Department of City Planning Development Services Center staff, the applicant shall submit a landscape and irrigation plan for review and approval.
 12. Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

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

TRANSFERABILITY

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

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator,

Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

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

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this authorization is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or not complied with, then this authorization shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Zoning Administrator's determination in this matter will become effective after JULY 29, 2015, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://cityplanning.lacity.org>**. Public offices are located at:

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

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

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

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

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

NOTICE

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

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on January 8, 2015, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements and prerequisites for granting a coastal development permit and a Zoning Administrator's Adjustment as enumerated in Sections 12.20.2 and 12.28 of the Municipal Code have been established by the following facts:

BACKGROUND

The applicant proposes to build a new, three-story, single-family house with attached two-car garage, replacing an existing four-unit apartment building. This project is concurrent with Case Nos. ZA 2014-0829(CDP)(ZAA)(MEL) and ZA 2014-0831(CDP)(ZAA)(MEL), which generally propose similar projects with identical requests.

The property, presently consisting of three lots, is developed with a four-unit apartment building and accessory structures. The site on which the project is proposed is the eastern-most of the three lots. The subject lot is a level, rectangular-shaped, interior lot, having a frontage of 25 feet on the north side of Venice Way, and a uniform depth of 80 feet. The net area of the lot is 1,990 square feet.

The north adjoining properties, across an alleyway, are zoned RD1.5-1-O and developed with one, two-family dwellings and a three-story single-family dwelling. The east adjoining property is zoned RD1.5-1-O and developed with a one-story two-family dwelling. The southeast adjoining properties, across Venice Way, are zoned RD1.5-1-O and developed with one-story two-family dwellings; the southwest adjoining property, also across Venice Way, is zoned R3-1-O and developed with a three-story multi-family apartment building. The west adjoining property is proposed to be developed with a three-story single-family dwelling (Case No. ZA 2014-0831-CDP-ZAA-MEL); properties farther to the west, beyond common ownership, are zoned RD1.5-1-O and developed with one-story single-family dwellings.

The Venice Community Plan designates the property for Low Medium II density Multiple Family land uses with corresponding zones of RD1.5, RD2, RW2, and RZ2.5 and Height District No. 1.

The property is further located within the North Venice subarea of the Venice Coastal Zone Specific Plan. No deviation from this Specific Plan is proposed.

Venice Way, adjoining the property to the south, is designated as a Secondary Highway, dedicated to a width of 75 feet, and improved with asphalt paving and concrete curb, gutter and sidewalk.

Alley, adjoining the property to the north, is a Local Street, dedicated to a width of 20 feet, and partially improved with an asphalt roadway and concrete centerline gutter.

Previous zoning-related actions on the site/in the area include:

Subject Property

Ordinance No. 175.694 - Effective on January 19, 2004, resulting in the establishment of a Categorical Exclusion Order which excludes certain development from the requirements of Coastal Development Permits within the Venice Coastal Zone. (CPC-98-0119-LCP)

Ordinance No. 175.693 - Effective on January 19, 2004, resulting in the establishment of the Venice Coastal Zone Specific Plan. (CPC-98-0119-LCP)

Ordinance No. 172.897 - Effective on December 22, 1999, establishing the Venice Specific Plan (now superseded by the Venice Coastal Zone Specific Plan). (CPC-98-0119-LCP)

Ordinance No. 172.019 - On May 13, 1998, City Council adopted this Interim Control Ordinance regulating the issuance of building permits and construction of new structures in a portion of the Venice Community Plan area, for a period of one year or the certification of a Local Coastal Program. (CPC-87-0648-ICO)

Ordinance No. 164,844-SA2330 - Effective on June 21, 1989, resulting in a change of Zone from R4-1-O to RD1.5-1-O. (CPC 86-0824-GPC)

Surrounding Properties

Case No. ZA 2014-0829(CDP)(ZAA)(MEL) - On January 8, 2015, a public hearing was held to consider a Coastal Development Permit to allow the demolition of an existing four-unit apartment building and the construction of a new, three-story single-family dwelling within the single-permit jurisdiction area of the California Coastal Zone; a Zoning Administrator's Adjustment to allow a 10-1/2-foot front yard setback in lieu of the minimum 15 feet otherwise required; and a Mello Act compliance review; all on property located within the RD1.5-1-O Zone, at 217 East Venice Way. A determination on this matter is pending.

Case No. ZA 2014-0831(CDP)(ZAA)(MEL) - On January 8, 2015, a public hearing was held to consider a Coastal Development Permit to allow the demolition of an existing four-unit apartment building and the construction of a new, three-story single-family dwelling within the single-permit jurisdiction area of the California Coastal Zone; a Zoning Administrator's Adjustment to allow a 10-1/2-foot front yard setback in lieu of the minimum 15 feet otherwise required; and a Mello Act

compliance review; all on property located within the RD1.5-1-O Zone, at 219 East Venice Way. A determination on this matter is pending.

Case No. ZA 2014-3906(CDP) - On October 23, 2014, a request was filed for a Coastal Development Permit to allow the demolition of an existing duplex and construction of a new single-family residence, at 426 Grand Boulevard. This case has not yet been scheduled.

Case No. ZA 2014-2436(CDP) - On July 8, 2014, a request was filed a request for a Coastal Development Permit to allow the demolition of an existing duplex (431 East Grand Boulevard) and the construction of a 2,041 square-foot remodel/ addition to an existing single-family residence located next door, at 433 Grand Boulevard. This case has not yet been scheduled.

Case No. ZA 2007-4038(CDP)(ZAA)(MEL) - On March 21, 2008, the Zoning Administrator, denied a Zoning Administrator's Adjustment from Section 12.09.1-B,2(a) of the Municipal Code to allow a side yard of 3 feet in lieu of the required 4 feet in conjunction with the construction, use and maintenance of two, two-story single-family dwellings on two parcels each with habitable basements which count as a third story, and approved a coastal development permit to allow the construction, use and maintenance of two single-family dwellings on two parcels within the single permit area of the California Coastal Zone, at 313-315 Venice Way.

Case No. ZA 2005-6398(CDP)(ZAA)(MEL) - On February 15, 2006, Zoning Administrator, approved a Zoning Administrator's Adjustment from Section 12.09.1-B,2(a) of the Municipal Code to allow a side yard of 3 feet in lieu of the required 4 feet in conjunction with the construction, use and maintenance of two, two-story single-family dwellings, each with habitable basements which count as a third story, and approved a coastal development permit to allow the construction, use and maintenance of two single-family dwellings, at 417-419 Venice Way.

Case No. ZA 2002-5371(ZV)(SPP)(MEL) - On January 30, 2003, the Zoning Administrator approved a Variance to permit tandem parking for a two-family dwelling in the R2-1 Zone, and the Director of Planning approved a Specific Plan Project Permit Compliance to allow the construction of a two-family dwelling in the R2-1 Zone, at 1628 Electric Avenue.

Building Permit No. 99014-30000-06644 - Issued on January 26, 2000, by the Department of Building and Safety, for a second- and third-story addition to an existing one-story dwelling with attached garage. A Certificate of Occupancy was issued for the completed additions on April 11, 2002. The property is zoned RD1.5-1 and is located at 411 East Venice Way.

Case No. ZA 97-0924(ZV)(YV)(PP) - On July 15, 1998, the Zoning Administrator approved variances to permit a 0-foot side yard setback in lieu of 4-1/2 feet, a 1-1/2-foot front yard in lieu of 15 feet, a 5-foot rear yard in lieu of 15 feet, and a reduced lot area of approximately 1,015 square feet in lieu of 1,500 square feet, all in conjunction with the conversion of an existing office building into joint living and

work quarters for artists and artisans on a 2,850 square-foot lot, on property located within the RD1.5-1-D Zone, at 308 Venice Way.

Case No. ZA 95-0489(YV) - On November 28, 1995, the Board of Zoning Appeals granted an appeal (BZA 5170), modifying the action of the Zoning Administrator, and granted a variance to permit 3-foot side yard setbacks in lieu of the 4 feet otherwise required, a 3-foot passageway, and a 5-foot front yard setback, in conjunction with the construction of a three-story, single-family dwelling, on property located within the RD1.5 Zone, at 513 Grand Boulevard.

According to the submitted plans, the existing four-unit apartment building, along with a couple accessory structures, will be demolished and the three individual lots on which the apartment building was built across will be developed with three individual single-family dwellings. The subject property occupies the western-most of the three lots.

Submitted plans indicate that the proposed new dwelling will be three stories and 34 feet 10 inches to the top of a pitched roof, and a maximum of 38 feet 6 inches to the top of a rooftop penthouse. The house will be approximately 2,662 square feet in size, with an additional 322 square feet for an attached two-car garage, taking access from the rear alley. A rooftop deck is proposed on the rear portion of the dwelling. The project proposes full compliance with the regulations of the Venice Coastal Specific Plan, and only seeks relief from the otherwise required front yard setback. A 10-1/2-foot front yard setback is proposed while a 5-foot setback is proposed at the rear of the property.

Planning staff conducted a field investigation on Friday, December 26, at noon. A four-unit dwelling was observed behind substantial shrubbery at the property line. The neighborhood is a mixture of one- and two-story single-family, with a peppering of duplexes and triplexes. Directly opposite the site on the south side of Venice Way is a three-story apartment building. Directly northeast of the site is a new project currently under construction, consisting of new three-story townhouses, at 304 and 308 Grand Boulevard. Vehicular access to the site is taken from an alley behind and north of the property.

The Council Office was contacted for comment on Thursday, December 18, 2014. Any comments will be forwarded to the Zoning Administrator forthwith.

APPLICANT'S OVERALL STATEMENT

As stated in Section 30001, existing developed uses and future developments that are carefully planned and developed consistently with the policies of this division. Are essential to the economic and social well-being of the people of this state and especially to working persons employed within the coastal zone. The proposed development is designed to comply with all of the legislative findings and declarations of Section 30001, and has at its heart the goals presented in Section 30001.5. The proposed development will not disrupt the current ecological balance (Section 30001). The development will enhance the overall quality of the coastal zone environment and its natural and artificial resources (Section 30001.5). The development does take into account the social and economic needs of the people of the state.

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.). We have complied with Section 30200.

The development has been designed with consideration of the fact that the coastal zone is a distinct and valuable resource that should be protected.

The project is located within an existing developed area, and will be compatible is size, scale, and use with the developed area. From the street, this project will have a similar look and character of other properties in the area, and therefore should be considered visually compatible with the surrounding area. We are providing adequate parking and setbacks from neighboring properties, as required by local zoning and building and safety requirements.

Our proposed project meets all requirements of the California Coastal Act of 1976 without seeking any special exemptions. The project has been designed with careful attention to the existing uses on the surrounding properties and the impact of the use and design on the surrounding neighborhood.

Our proposed adjustment is for a 10'-6" front yard setback in lieu of the 15'-0" as required in the RD1.5 zone. Granting the adjustment will allow us to keep the front of the building in line with the other existing building on the block. The prevailing setback, according to the city setback calculator and our field measurements is 10'-6". Therefore, our development will be consistent with the surrounding properties as far as how it is sited and how it faces the street.

Our proposed development is a single family dwelling which is a permitted use in the RD1.5 zone. Surrounding uses are either single family dwellings or duplexes, so our proposed development is compatible and consistent with surrounding uses.

The General Plan of the city encourages the development of high-quality housing for the people of Los Angeles. The adjustment we are asking for will allow us to provide a better floor plan. Without the adjustment the ground floor layout will be cramped. The ground floor includes the required 2-car parking, a kitchen, a 1/2-bath, a dining area, and a living room, as well as stairs up to the bedrooms. The lot is a sub-standard, 25'-0" wide by 79'-10" deep lot (irregular), which is 1,990.1 square feet in total area, or less than half of the required 5000 square feet. Moving the kitchen or living room to the second floor is not preferable.

The planning and zoning code allows for variances and adjustments to be granted when site conditions dictate and there will be no harm to neighboring properties. This project meets all other zoning requirements, e.g. height, side-yard setback, rear yard setback, parking, etc. The lot is substandard, and the neighboring properties are already built to the front setback that we are asking for. We feel that the adjustment is justified.

There are no adverse impacts as the proposed project follows the existing pattern of development on the block, street, and neighboring properties.

As stated above, the site is a substandard 25' by 78'-10", 1,990.1 square foot lot. The reduced front yard setback will allow us to keep the front of our building in line with the existing development on neighboring properties. If we are not granted the adjustment it will negatively impact the views from our proposed development because our building will be set back 5 feet more than existing development, and will negatively impact our floor plan.

PUBLIC HEARING

A Notice of Public Hearing was sent to nearby property owners and/or occupants residing near the subject site for which an application, as described below, had been filed with the Department of City Planning. All interested persons are invited to attend the public hearing at which they could listen, ask questions, or present testimony regarding the project.

The hearing was held by Jonathan A. Hershey, City Planner, acting in the capacity of a Hearing Officer from the Office of Zoning Administration under Case No. ZA 2014-0833(CDP)(ZAA)(MEL) and CEQA No. ENV 2014-0830-MND on January 8, 2015, at approximately [TIME] in West Los Angeles Municipal Building, Second Floor Hearing Room, 1645 Corinth Avenue, Los Angeles, CA 90025.

The Project Planner for this case is Antonio Isaia, City Planning Associate.

The applicant is Fabian Bever, California Eco Homes, LLC, and was represented by Robert Thibodeau, DU Architects.

The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding the project. The environmental document was among the matters considered at the hearing. After a review of the file the matter was opened to public testimony and the following points were considered:

Applicant/Representative:

- The proposed dwelling is approximately 34 feet in height, excluding the rooftop structure.
- The property was once the site of an old roller coaster.
- The property was redeveloped with a non-descript four-unit apartment building.
- There are other similar dwellings within the surrounding area.
- The property consists of three lots, which will be individually developed.
- We are seeking a reduced front yard setback to conform to the existing pattern of development along the block.
- The roof deck is at the rear of the building.
- Four dwellings to the rear of the property were granted similar requests.
- All required parking is being provided.
- The property is shallow; after the garage is put into the building, there is limited remaining space on the ground floor; we need the extra 5 feet from the front yard.

Testimony in Opposition:

- I am a Venice resident.

- I am concerned about the architectural diversity in the community being lost.
- The project is large compared to what is built on adjoining properties.
- The design would benefit from an upper-story step-back; this would reduce appearance of size, mass.

Testimony in Concern:

- The Venice Neighborhood Council has not met concerning this project.
- I would like to see more architectural diversity.
- Has this project been reviewed for compliance with the Mello Act?
- Two units in the apartment building were known to be affordable.
- The three dwellings are too similar in appearance.
- This is a large project, and will have an impact on the block.
- I want to preserve the character of the neighborhood.
- There have been projects with unsubstantiated Mello Act determinations.
- The dwellings do not meet the mass/scale/character of the community.
- The project may block views of the coast.
- I would like to see a shade study.
- I want the project to be heard at the Neighborhood Council.
- There should be more analysis under the CDP for compatibility with the character and mass of the neighborhood.
- I am a neighbor.
- I am concerned about the proposed height of the building.

Council Office:

- The character of the neighborhood is important.
- Three new single-family dwellings with similar design is significant.
- We would like to ensure that there are more differences; we would like to see differences in architectural style between the three dwellings.

Applicant/Representative:

- The three new dwellings are designed similarly, not identically.
- Three individually distinct designs were not desired by the applicant.
- There are differences in the location of the front door and other fenestration.
- We can work with the Neighborhood Council to vary the colors and materials of the front.

The Hearing Officer also read aloud the determination made by the Housing and Community Investment Department, dated January 21, 2014, regarding their finding of no affordable dwellings at the property.

Prior to issuing this Letter of Determination, the decision maker has considered all the testimony presented at the hearing, written communication received prior to the hearing, at the hearing, or subsequent thereto, and the merits of the project as it relates to existing environmental and land use regulations.

[ZA Note: Between the time of the public hearing, on January 8, 2015, and the issuance of this determination letter in July 2015, no new information from the public at-large or the Neighborhood Council has been received.]

COASTAL DEVELOPMENT PERMIT FINDINGS

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

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

The applicant seeks authorization to demolish an existing multi-family dwelling and construct one of three new single-family dwellings. In conjunction with the construction of the new dwelling, the applicant seeks to maintain a reduced front yard setback. The property is located within the North Venice subarea of the Venice Coastal Zone Specific Plan area; no deviations from the regulations of the Specific Plan have been requested.

The property, presently consisting of three lots, is developed with a four-unit apartment building and accessory structures. The site on which the project is proposed is the eastern-most of the three lots. The subject lot is a level, rectangular-shaped, interior lot, having an area of approximately 1,990 square feet, a frontage of 25 feet on the north side of Venice Way, and a uniform depth of 79 feet. The property also enjoys access from a rear alleyway. The property is approximately 1,500 feet easterly of the nearest beach.

After demolition of the existing two-story, four-unit apartment building and accessory structures, the applicant will construct a new single-family dwelling. The proposed dwelling will be three-stories, a maximum of 38-1/2 feet in height, and approximately 2,662 square feet in size, with an attached 322 square-foot two-car garage taking access from the rear alleyway.

The project has no significant impact on sensitive coastal or coastal-dependent resources:

- a. **Public Access.** The subject property fronts on the northern side of an east-west Secondary Highway which is not closest to the nearest beach and the shoreline. The property is approximately 1,500 feet from the nearest beach. The proposed demolition and new construction does not interfere with public access to the sea.

- b. Recreation. The subject property is located within a well-established residential community. The property is not suitable for water-oriented recreational use, and the project has no impact any water-oriented recreational facilities or activities.
- c. Marine Environment. The property is surrounded on all sides by established residential development. The property is located approximately 1,500 feet inland. The demolition of an existing apartment building and the construction of a single-family dwelling at this location have no impact on marine environment resources.
- d. Land Resources. The property is located approximately 1,500 feet inland of the nearest beach, within a well-established residential community. The project proposes the demolition of an existing apartment building and the construction of a single-family dwelling on an existing record lot that is zoned for residential use. The project has no impact on environmentally sensitive or protected natural habitats, agricultural land, timberlands or archaeological or paleontological resources within the vicinity.
- e. Development. The property is located approximately 1,500 feet inland of the nearest beach, within a well-established residential community, and having access to a full range of existing public utilities and services.

The project proposes the demolition of an existing apartment building and the construction of a single-family dwelling on property that is zoned for residential use. The project will provide all required on-site parking, and results in a reduction of overall residential density, so has no impact on public access to the coast. There are no direct sightlines to any ocean or beach views from this community. The project's location results in no impact on prominent natural landforms. The project is located in an area of potential flooding (Zone X), instability (liquefaction), and is approximately 5.27 kilometers from the nearest active fault, however, existing local building codes account for this. Further, the project results in no displacement of any coastal-dependent development or use.

Section 30116 of the Coastal Act states the following:

"Sensitive coastal resource areas" means those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity. "Sensitive coastal resource areas" include the following:

- (b) Areas possessing significant recreational value.
- (e) Special communities or neighborhoods which are significant visitor destination areas.

The certified Venice Land Use Plan defines the Venice community as a "Special Coastal Community":

An area recognized as an important visitor destination center on the coastline, characterized by a particular cultural, historical, or architectural heritage that is distinctive, provides opportunities for pedestrian and bicycle access for visitors to the coast, and adds to the visual attractiveness of the coast.

Section 30251 of Article 6 states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30253(e) of Article 6 states:

Where appropriate, protect special communities and that, because of their unique characteristics, are popular visitor destination points for recreational uses.

The residentially-zoned northern side of Venice Way, between intersections with Main Street to the west and Riviera Avenue to the east, consisting of 19 lots, is predominantly developed with one-story residential structures built circa 1947, 1952, and 1953. The existing apartment building was constructed circa 1947. According to the Los Angeles Historic Resources Inventory, there are no identified historic or cultural resources or districts located along Venice Way, between Main Street on the west and Riviera Avenue on the east. Further, there are no identified historic or cultural resources or districts along Grand Boulevard, to the north, between Main Street on the west and Riviera Avenue on the east. Most all of the homes along the northern block face of Venice Way are obscured from public view by tall fences and/or extensive landscaping.

There is an existing bicycle path on and along both directions of travel on Venice Way; the project has no impact on the bicycle path.

Given the lack of significant cultural, historical, or architectural resources and districts along this block, combined with the existing and obscuring fences and landscaping, it is unlikely that this block of Venice Way significantly contributes to the Venice community's unique characteristics making it a significant and popular visitor destination.

While the project proposes a new three-story structure on this block face which predominantly features one-story development, other properties on the block have been developed with similar three-story residential buildings. Most notably, properties northeast (216 and 218 East Grand Boulevard) and northwest (232, 234, 304, and 308 East Grand Boulevard) of the property, fronting on Grand Boulevard, are so developed, and the southwestern property, across Venice Way, is developed with a three-story multi-family residential building. In addition, two similar three-story single-family dwellings are proposed on adjoining lots to this property (217 and 219 East Venice Way). Farther northeast, along Venice Way, the following properties are similarly developed with three-story, approximately 30-foot in height dwellings: 414, 416, 417, and 419 East Venice Way. Other, similar dwellings can be found at 404, 406 East Grand Boulevard; 237 East Windward; and 416 East Rialto Avenue, all located within the immediate vicinity, possessing the same zoning and similar contexts. As such, the project will be visually compatible with the evolving character of the surrounding area.

- f. **Industrial Development.** The property is presently developed with a residential use, on property located with a zone classification designated for residential uses. Industrial-use lands are located southerly of the property, across Electric Avenue. The proposed demolition and construction of a single-family dwelling has no impact on the location or operation of coastal dependent industrial facilities.

As articulated above, and as conditioned, the development is in conformity with Chapter 3 of the California Coastal Act of 1976.

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

There is no adopted and certified Local Coastal Program (LCP) for the portion of the California Coastal Zone in which the project is located. While there is a certified Land Use Plan (LUP), there is no accompanying certified Local Implementation Plan (LIP) to carry out the Goals, Objectives, and Policies of the LUP.

The Venice Community Plan designates the property for Low Medium II density Multiple Family land uses with corresponding zones of RD1.5, RD2, RW2, and RZ2.5 and Height District No. 1. For this location, the Venice Coastal Zone Specific Plan implements the Goals, Objectives, and Policies of the Venice Community Plan. The Venice Coastal Zone Specific Plan is not a California Coastal Commission-certified Local Implementation Program (LIP). The site is located within the North Venice subarea of the Venice Coastal Zone Specific Plan. No deviation from this Specific Plan is proposed. The property is not within the area of any interim control ordinance.

According to the certified Venice Land Use Plan (Relationship to Other City Plans and Procedures):

"The LIP will contain a specific plan process to address development standards and other implementation tools to implement the policies of the LUP."

"The Land Use Plan is adopted by means of a plan amendment to the Venice Community Plan. The specific plan ordinance adopts zoning and development standards which carry the full weight of zoning law. All new development within the boundaries of the specific plan must comply with the ordinance. The specific plan ordinance is an integral part of the Los Angeles Municipal Planning and Zoning Code, and is enforced accordingly."

"Wherever the specific plan contains provisions which differ from provisions contained in Chapter I of the Los Angeles Municipal Code, the specific plan shall prevail and supersede the applicable provisions of the Code. In order to be certified by the Coastal Commission, the specific plan must conform to, and be adequate to carry out, the policies and land uses maps of the certified LUP."

In the absence of a certified LIP, the LUP serves as a guidance document, without an implementation mechanism. The Venice LUP contains a number of policies which seek to guide the use and development of property within the North Venice subarea of the Venice Coastal Zone area, but does not itself contain the mechanism to require compliance with them. The property is located within a Multi-Family Residential – Medium Density area of the LUP:

Policy I. A. 8. Multi-Family Residential - Medium Density. Accommodate the development of multi-family dwelling units in the areas designated as "Multiple Family Residential" and "Medium Density" on the Venice Coastal Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.

- c. North Venice. Height: Not to exceed 30 feet for buildings with flat roofs or 35 feet for buildings utilizing stepped back or varied rooflines. The portion of the structure that exceeds 30 feet in height shall be set back one horizontal foot for every foot in height above 30 feet ...

According to submitted plans, the project proposes a varied roof line that is less than 30 feet in height at the front of the building, with a stepped-back and pitched roof rising to a maximum height of less than 35 feet. A 100 square-foot rooftop access structure, having a maximum height of approximately 38-1/2 feet, is proposed toward the rear half of the building. Policy I. A.1. a allows for rooftop access structures to exceed the flat roof height limit by no more than 10 feet.

Policy I. E. 1. General. Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976.

The project proposes to demolish a two-story, four-unit apartment building and construct a three-story single-family dwelling. The residentially-zoned northern side of Venice Way, between intersections with Main Street to the west and Riviera Avenue to the east, consisting of 19 lots, is predominantly developed with one-story residential structures built circa 1947, 1952, and 1953. The existing apartment building, proposed to be demolished as a part of this project, was constructed circa 1947. According to the Los Angeles Historic Resources Inventory, there are no identified historic or cultural resources or districts located along Venice Way, between Main Street on the west and Riviera Avenue on the east. Further, there are no identified historic or cultural resources or districts along Grand Boulevard, to the north, between Main Street on the west and Riviera Avenue on the east. Most all of the homes along the northern block face of Venice Way are obscured from public view by tall fences and/or extensive landscaping.

Given the lack of significant cultural, historical, or architectural resources and districts along this block, combined with the existing and obscuring fences and landscaping, it is unlikely that this block of Venice Way significantly contributes to the Venice community's unique characteristics making it a significant and popular visitor destination. As such, the project has little to no negative impact on the community's unique social and architectural diversity, but through granting the permit, will increase the architectural diversity along this block face.

Policy I. E. 2. Scale. New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods ... Roof access structures shall be limited to the minimum size necessary to reduce visual impacts while providing access for fire safety ... No roof access structure shall exceed the height limit by more than ten (10') feet. Roof deck enclosures (e.g. railings and parapet walls) shall not exceed the height limit by more than 42 inches and shall be constructed of railings or transparent materials ...

While the scale and massing of the proposed building is atypical compared existing development along the block face, it is consistent with other residential structures on the block and within the immediate vicinity. The project is almost ideally located along the block face, toward the western, commercially-zoned end of the block, with only two lots between the project and the commercial zoning. It is noted that this project is proposed concurrently with two other single-family dwellings on westerly adjacent lots. These two other homes will feature a similar scale, massing and landscaping as the proposed project. While the LUP encourages new construction to be of similar scale and massing with the community, this policy has not yet been implemented through a certified LIP, and the project does not exceed existing development maximums for height or floor area. The applicant has sought a deviation from the underlying zoning to allow the maintenance of the approximately 10-1/2-foot front yard setback observed by other properties along the block face. The applicant has not requested any other deviations from the zoning code or the Specific Plan.

Landscaping along this block face ranges from none to extensive, and is not characterized by any consistent style or degree. The applicant proposes to maintain most of the front yard with a permeable landscaping material and a 40 square-foot planter box.

The project proposes roof access to utilize a rooftop deck. According to submitted plans, the 10-foot in height roof access represents less than 100 square feet, and is comprised solely of a stairwell, landing and doorway. This roof access is located toward the rear half of the building, and a 42-inch open metal guard rail surrounds the rooftop deck.

Policy I. E. 3. Architecture. Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.

The project proposes a modern/contemporary style of architecture, featuring a façade that incorporates varied colors and textures. This is in contrast to the post-war style of architecture predominantly featured along the block, and results in increased architectural variety. However, the new structure is three stories in height, while the remaining buildings on the block face are one story. Nevertheless, the proposed dwelling is within the scale and massing of new development otherwise permitted by the Specific Plan and the underlying zoning for development on this property.

The continued use of the property for residential purposes is consistent with the land use designation and the site's zoning. The surrounding area is developed with single- and two-family dwellings, and same is proposed. The project is generally consistent with the Venice Land Use Plan. Approval of the permit is generally consistent with other similar homes approved for construction within the immediate vicinity. The project is not of regional or area-wide significance, and would have no influence on broader policies or efforts to prepare a Local Coastal Program. Therefore, the project is not anticipated to prejudice the ability of the City to prepare a Local Coastal Program.

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

The Interpretive Guidelines are designed to provide direction to decision makers in rendering discretionary determinations on requests for coastal development permits pending adoption of an LCP. The California Coastal Commission's interpretive guidelines have been reviewed and considered in preparation of these findings. However, following prevailing case law (e.g., Pacific Legal Foundation v. Coastal

Commission (1982) 33 Cal.3d 158), the City's determination is based on the cited provisions of the California Coastal Act and other legally established laws and regulations.

The property is located within the Venice area and North Venice sub-area of the Regional Interpretive Guidelines for the South Coast Region, Los Angeles County. According to these guidelines:

A. Residential.

1., 2. Single-family Dwellings and Multi-Family Dwellings:

- a. See Parking Appendix. (30210, 30252(4))
- b. Height of the structure should not exceed 30 feet above centerline of frontage road. (30251, 30252)
- c. New development should provide front setbacks consistent with city zoning requirements but not less than five feet from the property line. (30521)
- d. Paving and access drives should be provided from alleys. (30252)
- e. Common-wall construction may be permitted; common-wall construction project should be designed to avoid appearance out of character with the neighborhood. Common-wall construction should not extend over more than 60 feet of street frontage or two lots. A six foot break should be provided for each 50 foot width of buildings. Ground level entryways and windows should be provided. (30251-7, 30231)
- f. Lots fronting Ocean Front Walk which are zoned for commercial use and designated for commercial use in the locally adopted General Plan should not be developed residentially.
- g. Density incentives will be considered for low/moderate housing proposals.
- h. Multiple-family housing on lots containing less than 4000 square feet should be limited to two units per lot. (30210, 30252)

The project, which proposes the demolition of a two-story, four-unit apartment building and the construction of one new, three-story single-family dwelling, is generally consistent with the use and development guidelines of the Regional Interpretive Guidelines for this area. While these guidelines recommend a height

limit of 30 feet, the No. 1 Height District of the property zoning, the adopted Venice Coastal Zone Specific Plan, and the certified Venice Land Use Plan allow for the proposed height of less than 35 feet. The project proposes to provide all parking that is required of a single-family dwelling on a 25-foot wide lot. The project proposes to observe a front yard setback that is consistent with other development on the block, and side/rear yard setbacks that are consistent with the requirements of the zone. Parking will be provided at the rear of the lot, accessing the alleyway, and has been conditioned to do so. Based on the foregoing, the project is consistent with the Interpretive Guidelines for Coastal Planning and Permits for this region, area, and subarea.

4. **The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.**

The project proposes to demolish an existing two-story, four-unit apartment building and construct a three-story single-family dwelling. The project is represented as being fully compliant with the requirements and regulations of both the Venice Coastal Zone Specific Plan and the Zoning Code, with the exception of a request to observe a reduced front yard setback.

The Coastal Commission has directly acted to approve several similar residential developments within the North Venice community:

Application Nos.

5-14-0275	21 West 27th Street
5-13-086	2715 Ocean Front Walk
5-12-234	33 East 20th Avenue
5-12-228	1310 Riviera Avenue
5-11-295	44 Ozone Avenue
5-10-115	2705 Ocean Front Walk
5-10-37	2611 Ocean Front Walk
5-09-88	33 28th Avenue
5-08-287	2615 Ocean Front Walk
5-08-130	33 20th Avenue
5-08-110	2703 Ocean Front Walk
5-07-330	125 Vista Place
5-07-310	24 Clubhouse Avenue
5-07-137	2611 Ocean Front Walk
5-07-093	2615-2617 Ocean Front Walk
5-06-371	22 25th Avenue
5-06-8	2219 Ocean Front Walk

Further, there are several dwellings of similar height, massing, and architecture on identically-zoned properties, located within similar community contexts in the immediate vicinity, which have been permitted to be constructed. Therefore, the

decision to approve this request has been guided by applicable decisions of the California Coastal Commission.

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 project proposes to replace an existing multi-family residential building with a new single-family dwelling, and provide two on-site, off-street parking stalls in conjunction with the project. The property, located within the residential RD1.5 Zone, fronts on Venice Way, an east-west Secondary Highway, and located within a well-established residential community. The property is located approximately 1,500 feet east of Ocean Front Walk, which is public right-of-way which separates the western shoreline from private development. The property is not located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone. The project proposes no development or use that impinges upon public access to the sea, nor could support or hinder water-oriented recreational activities. Therefore, the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.

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

A Mitigated Negative Declaration (ENV-2014-830-MND) has been prepared for the proposed project, consistent with the provisions of the California Environmental Quality Act and the City CEQA Guidelines. Refer to Finding No. 12, below. The demolition of an existing four-unit apartment dwelling and the construction of a new single-family dwelling unit are only proposed at this time. The Mitigated Negative Declaration prepared for the proposed project is appropriate pursuant to CEQA.

7. **The project is consistent with the special requirements for low and moderate income housing units in the Coastal Zone as mandated by California Government Code Section 65590 [Mello Act].**

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. Pursuant to the Settlement Agreement, dated January 3, 2000, between the City of Los Angeles and the Venice Town Council, Inc., et al. and Interim Administrative Procedures for Complying with the Mello Act in the Coastal Zone Portions of the City of Los Angeles (Interim Administrative Procedures), the following finding is provided.

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 four-unit apartment building and its replacement by a three, new, single-family dwellings. Therefore, the proposed project is subject to the Mello Act.

On January 21, 2014, the Los Angeles Housing and Community Investment Department "determined that no affordable units exist at 217-221 Venice Way, Venice, CA 90291." A copy of their full determination is found in the administrative record. Inasmuch as the four dwelling units existing on the property have been determined to not be affordable, no affordable replacement dwelling unit is required to be provided.

Pursuant to Part 2.4.2 of the Interim Administrative Procedures, the project is not required to provide Inclusionary Residential Units because three dwelling units will be constructed on the property, qualifying it for the Small New Housing Development exemption from requirements to provide additional inclusionary affordable dwelling units.

Therefore, the project is not required to provide any affordable replacement dwelling units and is not required to provide any affordable inclusionary dwelling units. The project is consistent with the special requirements for low to moderate income housing units in the Coastal Zone as mandated by California Government Code Section 65590 (Mello Act) and implemented through the Interim Administrative Procedures.

ZONING ADMINISTRATOR'S ADJUSTMENT FINDINGS

In order for an adjustment from the zoning regulations to be granted, all of the legally mandated findings delineated in Section 12.28 of the Los Angeles Municipal Code must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

8. **While site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.**

The applicant proposes to construct a new single-family dwelling upon the property. As proposed, the new dwelling would observe a 10-1/2-foot front yard setback in lieu of the minimum 15 feet otherwise required in the RD1.5 Zone.

The property is a level, rectangular-shaped, interior lot of approximately 1,958 square feet. The property has an even width and depth of 25 feet and 79 feet, respectively. Per the standards for a lot located within the RD1.5 Zone, the property is substandard in area (minimum 5,000 square feet).

The applicant states that they desire a reduced front yard setback for two main reasons: first, to maintain the existing front yard setback pattern of development along this block of Venice Way, and to obtain some additional floor area for the proposed dwelling because of its narrow width.

These arguments have merit. According to surveys submitted to the administrative record, and by observation of aerial photographs, the development along the northern side of this block of Venice Way is consistently developed with a generally uniform setback of approximately 10-1/2 feet. Further, the narrow 25-foot width of the lot, combined with the required 4-foot side yard setbacks on either side of the property, leaves 17 feet of width for development. This width is equivalent to two side-by-side standard parking stalls. This narrow width, combined with maximum height restrictions, limits the overall development potential of the property such that a 4-1/2-foot encroachment into the front yard setback significantly improves the interior floor plan options available to the applicant.

The intent of the front yard setback is to promote a uniform appearance to the development of residential uses along the block, and to provide for a buffer between the public right-of-way and the dwellings that front on it. As proposed, the project will maintain the same front yard setback as other properties along this block, and still maintain a reasonable buffer between the dwelling and the Venice Way public right-of-way. As such, while site characteristics make strict adherence to the zoning regulations impractical, the project nonetheless conforms to the intent of those regulations.

9. **In light of the project as a whole including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The project proposes to demolish and existing four-unit apartment building and construct a new three-story single-family dwelling. The applicant proposes to maintain the approximately 10-1/2-foot front yard setback observed by other properties along the block, in lieu of the 15 feet otherwise required by the zone. No other deviations from the zoning code are proposed, and the project will be fully compliant with the regulations of the Venice Coastal Zone Specific Plan. The property is zoned for residential use within a residential neighborhood. Therefore, in light of the project as a whole including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

10. **The project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.**

The purpose, intent, and provisions of the General Plan, Community Plan, and related Specific Plans all seek to ensure compatibility with surrounding uses, both in development and use, and to encourage economic development through the establishment of new businesses, and the expansion of successful businesses.

There are eleven elements of the General Plan. Each of these elements establishes policies that provide for the regulatory environment in managing the City

and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code requirements of Los Angeles Municipal Code. Except for the conditional use described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The Venice Community Plan designates the property for Low Medium II density Multiple Family land uses with corresponding zones of RD1.5, RD2, RW2, and RZ2.5 and Height District No. 1. The site is also located within the North Venice subarea of the Venice Coastal Zone Specific Plan and the Los Angeles Coastal Transportation Corridor Specific Plan. No deviations from these Specific Plans are proposed.

The Venice Community Plan contains the following Goals, Objectives and Policies:

GOAL 1: A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL COMMUNITY RESIDENTS.

Objective 1-1: To provide for the preservation of the housing stock and its expansion to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

Policy 1-1.2: Protect the quality of the residential environment and the appearance of communities with attention to site and building design.

With specific regard to setbacks, the Venice Community Plan is silent. However, attention has been paid to the development pattern of the surrounding environment, and granting the reduced 10-1/2-foot front yard setback preserves an existing pattern of development within this immediate community. No deviation is sought from the Venice Coastal Specific Plan, and none are granted herein. The project is presumed to be fully compliant with the regulations contained within the Specific Plan, and therefore compatible with it. Therefore, the project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

ADDITIONAL MANDATORY FINDINGS

11. 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 X, areas of 0.2% annual chance flood' areas of 1% annual change flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
12. On October 27, 2014, a Mitigated Negative Declaration (ENV 2014-0830-MND) was prepared for the proposed project. As a part of the recommendation by the lead

agency, the proposed Mitigated Negative Declaration contained a number of measures more appropriately referred to as "Regulatory Compliance Measures", which is to say that compliance with these measures are mandatory whether imposed upon the project by the decision-maker, or not. As analyzed within the Mitigated Negative Declaration, compliance with these measures reduces potential impacts to a less than significant level. Inasmuch as the project is required to comply with these measures whether imposed herein or not, they have been omitted from adoption as a part of this action. Those measures incorporated into this action are required above and beyond routine regulations, and therefore, constitute bona fide mitigation measures to be imposed for the purposes of mitigating a potential impact. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that with imposition of the mitigation measures described in the MND (and identified in this determination), there is no substantial evidence that the proposed project will have a significant effect on the environment. I hereby adopt that action. This Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

Inquiries regarding this matter shall be directed to Jonathan A. Hershey, Planning Staff for the Office of Zoning Administration at (213) 978-1337.

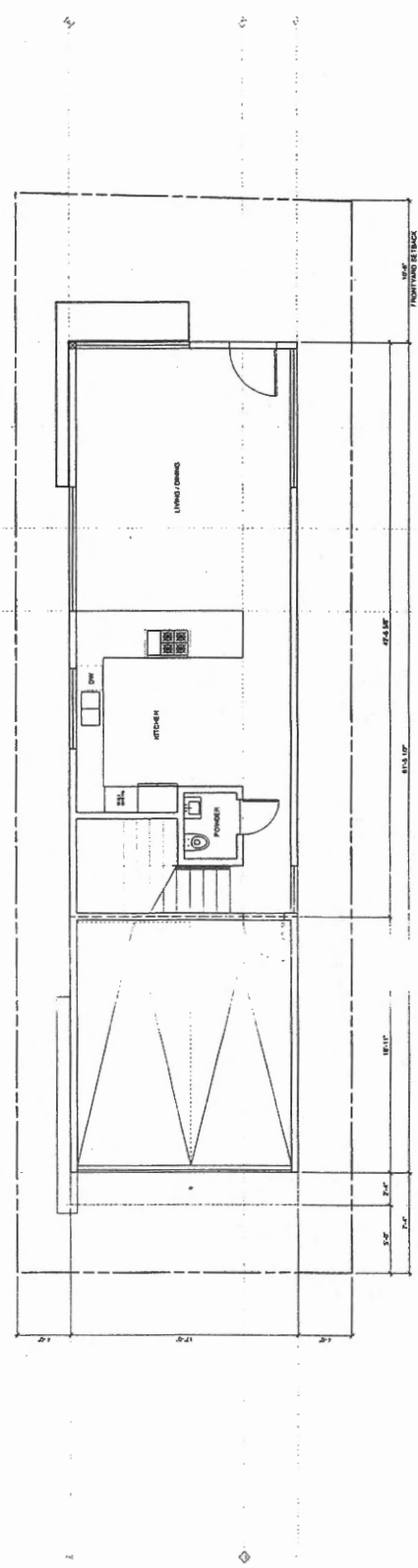


JACK CHIANG
Associate Zoning Administrator

JC:JAH:Imc

cc: Councilmember Mike Bonin
Eleventh District
Adjoining Property Owners

A-1.1.1

[illegible]

221 VENICE
WAY

ARCHITECT:

Design Universal

ROBERT THEOREAU
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VENICE, CA 90291
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EX: 310.452.8171

ORDER

FANLON NEVER
CALIFORNIA ECHO HOMES
1000 OLYMPIA AVE

1000 OZON, AVE
SANTA MONICA CA 90405
PH: 310.500.5180

PLANTATIONS

Shaw, R. M. 1982. A simple method for the analysis of variance on unbalanced data. *Journal of the Royal Statistical Society* 44: 44-52.

STRUCTURAL ENGINEER

NOTES AND REFERENCES

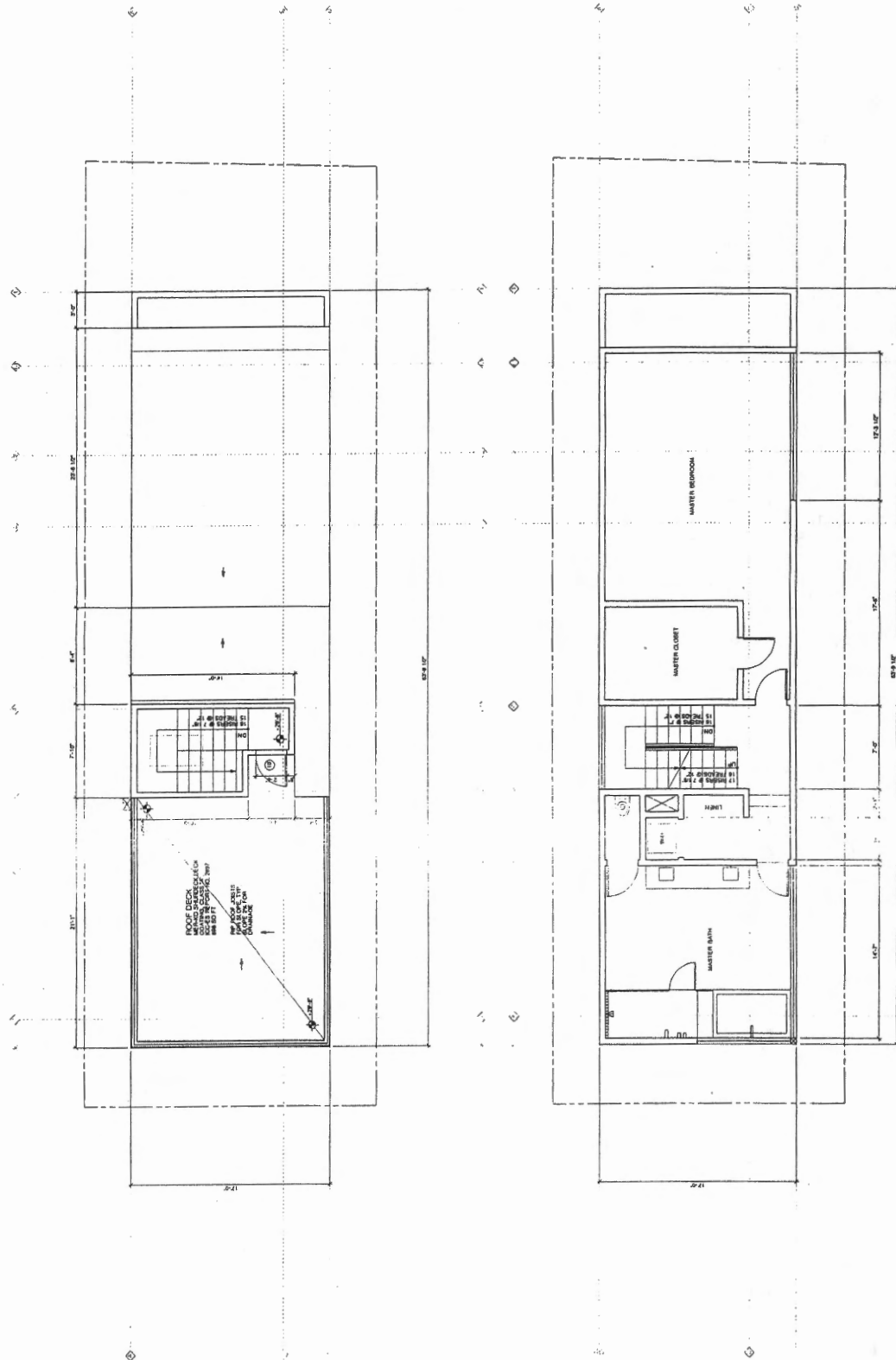
CONTRACTOR:

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THIRD FLOOR PLAN
ROOF PLAN

DATE	DRAWN	SCALE
1/10/2013	MAA	1/4" = 1'-0"

A-1.2



117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	525	526	527	528	529	530	531	532	533	534	535	536	537	538	539	540	541	542	543	544	545	546	547	548	549	550	551	552	553	554	555	556	557	558	559	560	561	562	563	564	565	566	567	568	569	570
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A-5-VEN-15-0052
A-5-VEN-15-0053
A-5-VEN-15-0054
EXHIBIT 4 80 of 83

PROJECT:
221 VENICE
WAY

ARCHITECT:
n/c

Design Universal
ARCHITECTURE AND DESIGN
10001 W. 10TH AVENUE
SUITE 100, DENVER, CO 80202
TEL: 303.733.1111
FAX: 303.733.1111

OWNER:
CAMPBELL HOUSE, LLC
10001 W. 10TH AVENUE
SUITE 100, DENVER, CO 80202
TEL: 303.733.1111
FAX: 303.733.1111

ENGINEER:
STRUCTURAL ENGINEER

DATE: 01/15/15

SCALE: 1/8" = 1'-0"

CONTRACTOR:

DATE: 01/15/15

SCALE: 1/8" = 1'-0"

CONTRACTOR:

DATE: 01/15/15

SCALE: 1/8" = 1'-0"

CONTRACTOR:

DATE: 01/15/15

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CONTRACTOR:

DATE: 01/15/15

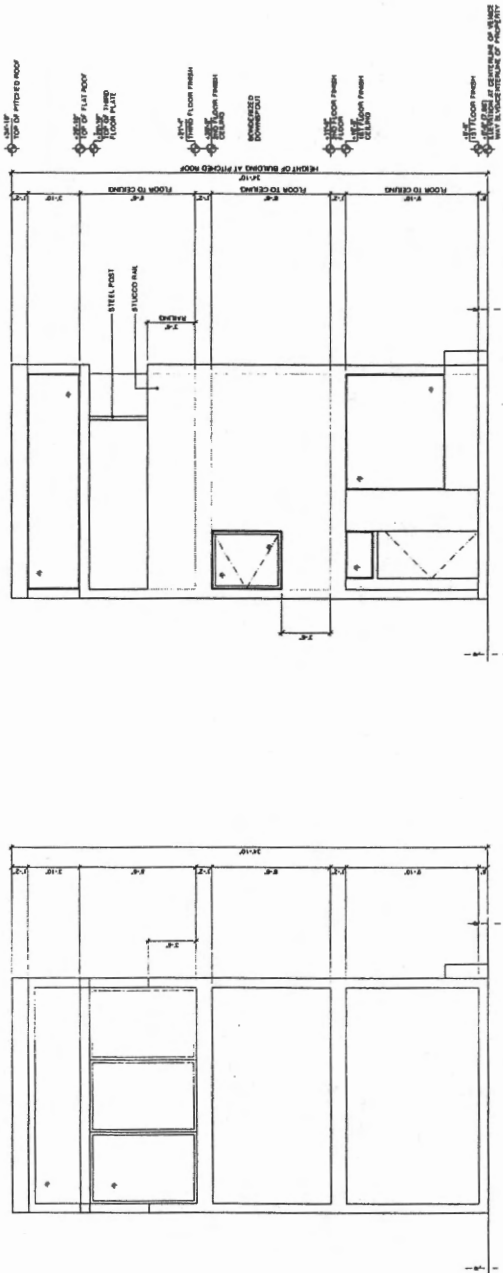
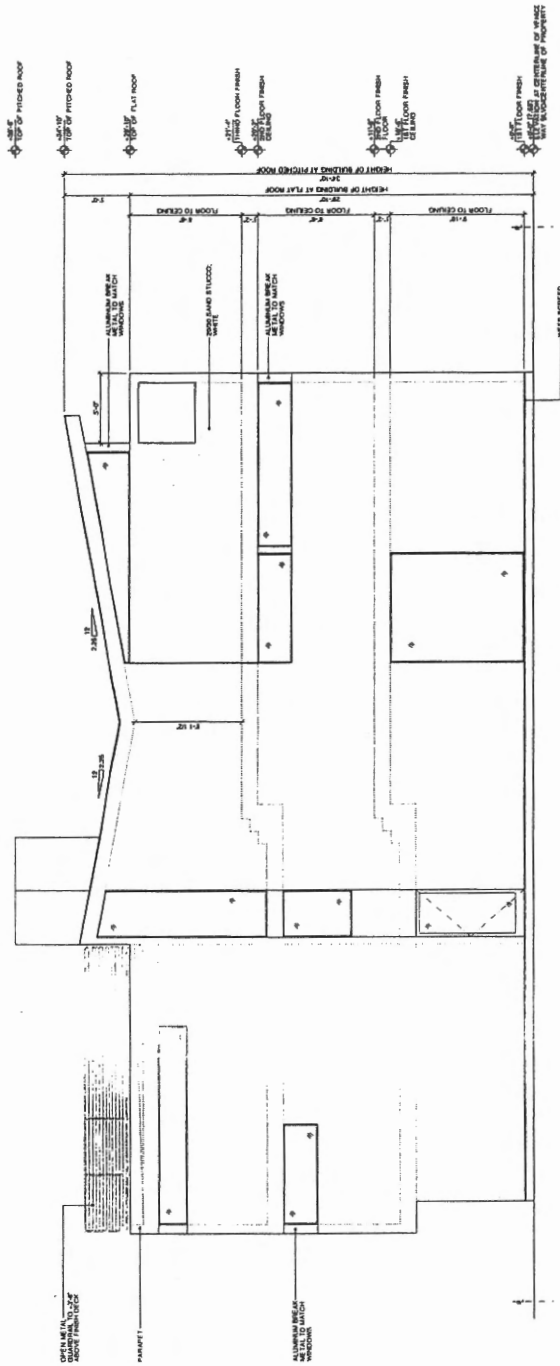
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CONTRACTOR:

DATE: 01/15/15

SCALE: 1/8" = 1'-0"

CONTRACTOR:



221 VENICE
WAY

ARCHITECT:

DesignUniversal
ARCHITECTURE AND DESIGN

ROBERT DUBOIS
329 CALIFORNIA AVENUE
EMERYVILLE, CA 94608

PH 310.02.8101
 ST 500.45.8171

OWNER:
FABIAN BEYER
CALIFORNIA ECO HOME B. LLC
1020 OZONE AVE
SANTA MONICA CA 90405
PH: 310.300.5180

SUPPLY LIST:

STANDARDIZATION

SOILS ENCOUNTERED:

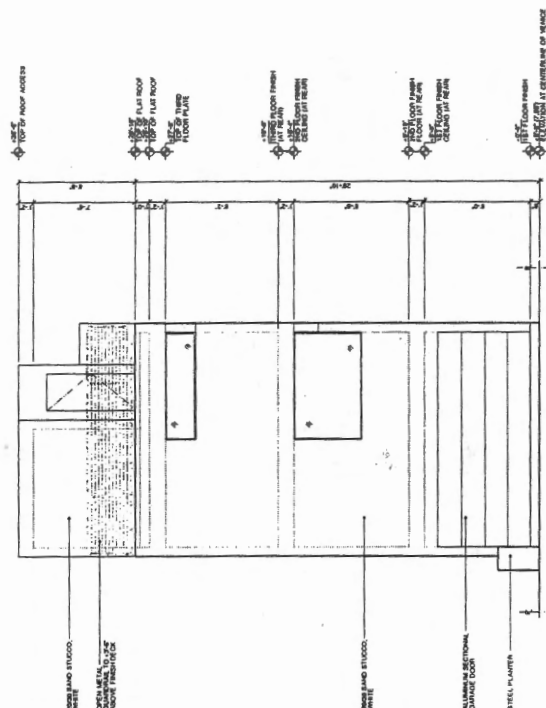
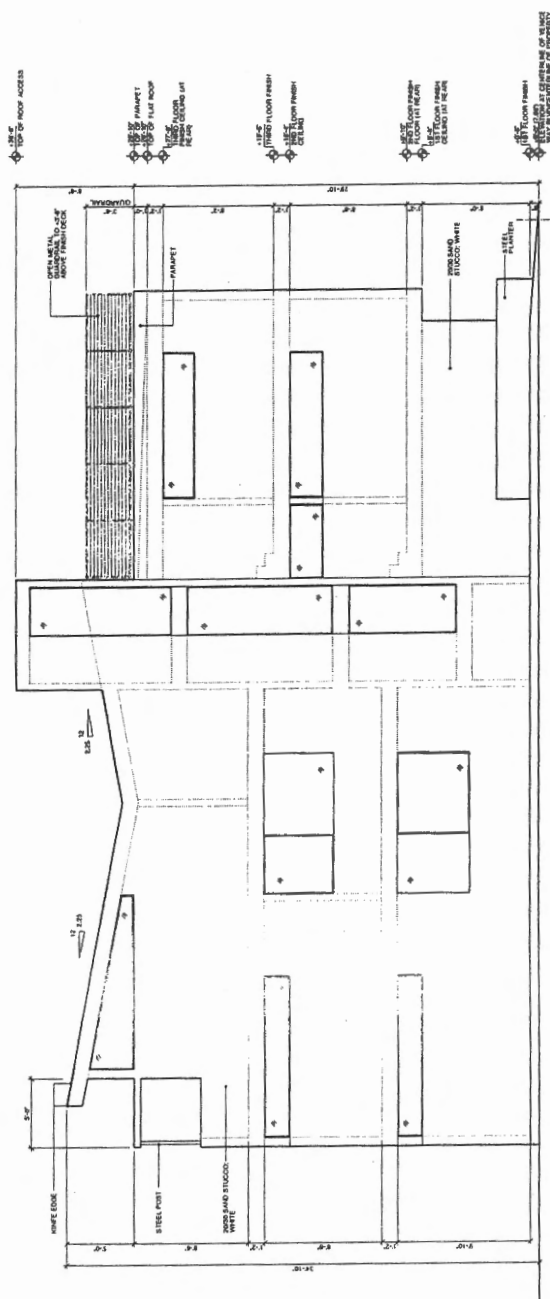
CONTRACTORS

[illegible]

EXTERIOR ELEVATIONS

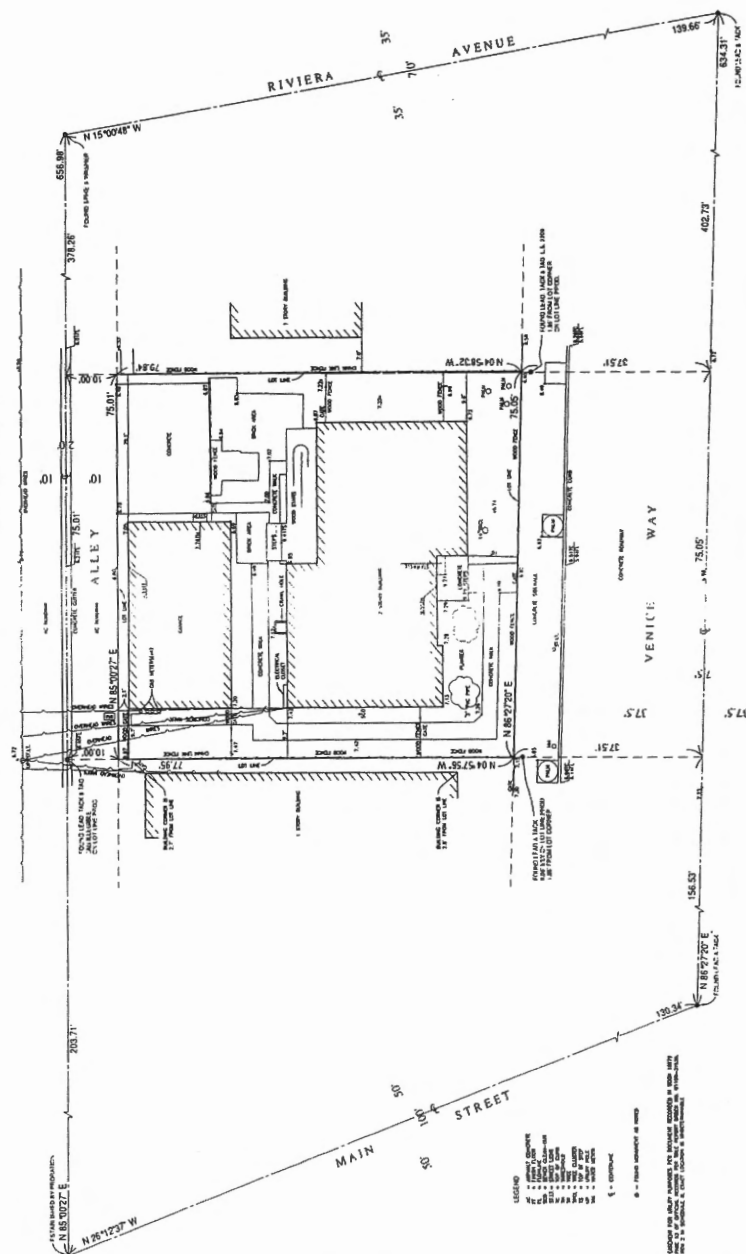
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12/12/2013	MMA	1/1" = 1'-0"

A-2.1

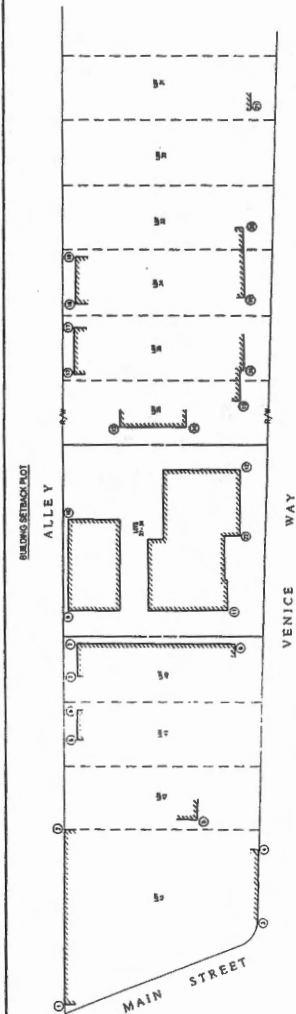


A-5-VEN-15-0052
A-5-VEN-15-0053
A-5-VEN-15-0054
EXHIBIT 4 82 of 83

SITE PLAN



DATE: 12/15/2015	BY: J. R. DAVISON	FOR: J. R. DAVISON
PROJECT: 15-0052	CLIENT: J. R. DAVISON	LOCATION: 15-0052
REVISION: 1	DATE: 12/15/2015	BY: J. R. DAVISON
REVISION: 2	DATE: 12/15/2015	BY: J. R. DAVISON
REVISION: 3	DATE: 12/15/2015	BY: J. R. DAVISON
REVISION: 4	DATE: 12/15/2015	BY: J. R. DAVISON
REVISION: 5	DATE: 12/15/2015	BY: J. R. DAVISON
REVISION: 6	DATE: 12/15/2015	BY: J. R. DAVISON
REVISION: 7	DATE: 12/15/2015	BY: J. R. DAVISON
REVISION: 8	DATE: 12/15/2015	BY: J. R. DAVISON
REVISION: 9	DATE: 12/15/2015	BY: J. R. DAVISON
REVISION: 10	DATE: 12/15/2015	BY: J. R. DAVISON



- 1. Building Footprint
- 2. Building Setback
- 3. Building Elevation
- 4. Building Foundation
- 5. Building Structure
- 6. Building Materials
- 7. Building Details
- 8. Building Notes
- 9. Building Schedule
- 10. Building Index

