

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, 10th Floor
Long Beach, CA 90802-4302
(562) 590-5071

W15a

Appeal Filed: 12/01/16
49th Day: 01/18/17
Staff: M. Revell-LB
Staff Report: 12/22/16
Hearing Date: 01/11/17

STAFF REPORT: APPEAL – NO SUBSTANTIAL ISSUE

Appeal Number: A-5-VEN-16-0099

Applicant: Cameron Broumand, LOC Equities

Local Government: City of Los Angeles

Local Decision: Approval with Conditions

Appellants: Mary Jack and Sue Kaplan

Project Location: 934 Amoroso Place, Venice, City of Los Angeles, Los Angeles County APN 4241-030-019

Project Description: Appeal of City of Los Angeles Local Coastal Development Permit No. DIR-2015-2907-CDP-SPP for the remodel and addition to a one-story, 768 sq. ft. single-family residence, consisting of a 765 sq. ft. first floor addition, and a 1,050 sq. ft. second floor addition at the rear of the property, resulting in a two-story, 26-foot high, 2,648 sq. ft. single-family residence on a 3,589 sq. ft. lot facing a walk street.

Staff Recommendation: No Substantial Issue

SUMMARY OF STAFF RECOMMENDATION

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

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

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EXHIBITS

- Exhibit 1 – Vicinity Map/Project Location
- Exhibit 2 – Site Plan
- Exhibit 3 – Elevations
- Exhibit 4 – Determination Letter from the City of Los Angeles
- Exhibit 5 – Appeal
- Exhibit 6 – Project Rendering
- Exhibit 7– Streetscape and Scale Analysis
- Exhibit 8 – Letter of Concern from Neighbor

I. MOTION AND RESOLUTION - NO SUBSTANTIAL ISSUE

Motion: *I move that the Commission determine that Appeal No. A-5-VEN-16-0099 raises NO Substantial Issue with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act.*

Staff recommends a **YES** vote. Passage of this motion will result in a finding of No Substantial Issue and adoption of the following resolution and findings and the local action will become final and effective. The motion passes only by an affirmative vote of the majority of the Commissioners present.

Resolution:

The Commission hereby finds that Appeal No. A-5-VEN-16-0099 presents NO SUBSTANTIAL ISSUE with respect to the grounds on which the appeal has been filed under § 30602 of the Coastal Act regarding consistency with Chapter 3 policies of the Coastal Act.

II. APPELLANTS' CONTENTIONS

On October 31, 2016, the Commission received a valid notice of final local action for Local Coastal Development Permit (CDP) No. DIR-2015-2907-CDP-SPP, which approves the remodel and addition to a one-story, 768 sq. ft. single-family residence, consisting of a 765 sq. ft. first floor addition, and a 1,050 sq. ft. second floor addition at the rear of the property, resulting in a two-story, 26-foot high, 2,648 sq. ft. single-family residence on a 3,589 sq. ft. lot facing a walk street.

On December 1, 2016, within 20 working days of receipt of notice of final local decision, Mary Jack and Sue Kaplan filed an appeal of the local CDP alleging that the City-approved development is not consistent with the Chapter 3 policies of the Coastal Act and is not consistent with the standards of the City of Los Angeles certified Land Use Plan for the Venice area. The appellants also contend that the City-approved development is not consistent with the character, mass, and scale of the surrounding area and would adversely affect the character of the Venice community, which is a significant coastal resource. Finally, the appellants contend that the City's Zoning Administrator's approval of the "legal but non-conforming garage" with a reduced rear-yard setback and reduced side-yard setbacks creates "a detrimental cumulative impact for the neighborhood's free and safe flow of traffic" in the narrow alley behind the walk street (**See Exhibit 5**).

III. LOCAL GOVERNMENT ACTIONS

On August 8, 2015, the applicant submitted to the City of Los Angeles Department of City Planning a Master Land Use Permit Application for the proposed project. The application was assigned Case No. 2015-2907. On October 5, 2016, the City issued a Director of Planning Joint Determination (DIR 2015-2907-CDP-SPP) approving the local coastal development permit, the project's consistency with the Venice Specific Plan, and the Zoning Administrator's Adjustment to allow a rear yard of 3 ft. 8 in. and a side yard of 1 ft. 10 in. (**Exhibit 4**).

The project description of Local Coastal Development Permit No. DIR-2015-2907-CDP-SPP reads as follows:

“The proposed project consists of improvements to an existing one-story single-family dwelling, which includes a first-floor addition of 765 sq. ft. and a new second floor of 1,050 sq. ft., and attaching the existing two-car garage to the existing single-family dwelling.”

The City’s conditions of approval include adherence to approved plans and maximum density, height, parking, access, and walk street design criteria as specified in the Venice Coastal Zone Specific Plan. The City also conditioned the project regarding specific landscaping, exterior lighting, final revised plans, noticing, and recordation of all the terms and conditions imposed with the coastal development permit.

On August 6, 2015 the City also issued the project a CEQA Notice of Exemption (ENV 2015-2906-CE).

According to the City’s record, the City of Los Angeles Office of Zoning Administration initially scheduled a public hearing for October 26, 2015, but rescheduled the public hearing pending the review of an historic resource assessment regarding the existing residence. The initial design included the demolition of an existing garage and the remodel of a one-story single-family residence to construct a two-story single-family residence of 2,317 sq. ft. On November 16, 2015, the applicant’s representative met with the Department of City Planning Office of Historic Resources to discuss the revised design to preserve the existing one-story residence and detached garage, with a two-story addition.

On December 18, 2015, the applicant’s representative filed an application for a Zoning Administrator’s Adjustment to continue existing legal but non-conforming yards for the garage portion only, in order to allow an addition to the existing residence which preserves the front façade and maintains a majority of the garage walls, and locates the proposed addition to the rear in order to preserve the façade. The proposed project includes a legal non-conforming rear-yard (alley) setback of 3 ft. 8 in., and side yard of 1 ft. 10 inches, in lieu of the 15 foot rear yard and 4 foot side yard setbacks required by the zoning code, respectively. Since the existing residence was deemed “historic” by Survey L.A., the City approved the legal nonconforming side-yard and rear-yard setback requirement so that the applicant could make reasonable improvements to the existing residence, while retaining the historic integrity of the structures.

On August 15, 2016, a public hearing was conducted for Local Coastal Development Permit No. DIR-2015-2907-CDP-SPP, and the permit was approved on October 5, 2016 with conditions.

The Commission received a valid notice of final local action for Local Coastal Development Permit (CDP) DIR-2015-2907-CDP-SPP on October 31, 2016. The appellants filed the appeal on December 1, 2016, the final day of the 20 working day appeal period.

IV. APPEAL PROCEDURES

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

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

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

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

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

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

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

V. SINGLE 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. 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 project site on appeal herein is located within the *Single Permit Jurisdiction Area*. The Commission's standard of review for the appeal is the Chapter 3 policies of the Coastal Act.

VI. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

The applicant proposes a remodel and addition to a 768 sq. ft. single-family residence, consisting of a 765 sq. ft. first floor addition, and a 1,050 sq. ft. second floor addition at the rear of the property, resulting in a two-story, 26-foot high, 2,648 sq. ft. single-family residence. The proposed project will retain the existing single-family dwelling and detached garage constructed in 1921, which is identified as a potential contributing structure in Survey LA-Millwood Venice Walk Streets Historic District. The proposed addition will add floor area between the existing single-family residence and the existing detached garage that fronts Amoroso Court, which is the rear alley. The proposed project includes a legal non-conforming rear-yard (alley) setback of 3 ft. 8 in., and side yard of 1 ft. 10 inches, in lieu of the 15 foot rear yard and 4 foot side yard setbacks required by the zoning code, respectively. The proposed project also maintains an existing front yard setback of 14 ft. 6 in, which is consistent with surrounding residential structures along this street. The project site also includes an improved portion of the fronting walk street, Amoroso Place, consistent with the walk street requirements set forth in the certified Venice LUP. Two parking spaces will be provided on site (in the garage) and will be accessed through the alley (**Exhibit 3**).

The project site is a 3,589 square foot lot located at 934 Amoroso Place, approximately one mile inland of the beach and within the Single Permit Jurisdiction Area of the coastal zone (**Exhibit 1**). The project is located in a highly urbanized, residentially developed area along Amoroso Place within the Venice Milwood Subarea, which is designated as a walk street in the certified Venice Land Use Plan. In addition, the lot is zoned R2-1 (which allows up to two dwelling units per lot) and is designated by the LUP for Low Medium Residential. The subject site is surrounded by a variety of one-story and two-story single-family, two-family, and multi-family residences.

B. FACTORS TO BE CONSIDERED IN SUBSTANTIAL ISSUE ANALYSIS

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

1. The degree of factual and legal support for the local government’s decision that the development is consistent or inconsistent with the relevant provisions of the Coastal Act;

2. The extent and scope of the development as approved or denied by the local government;
3. The significance of the coastal resources affected by the decision;
4. The precedential value of the local government's decision for future interpretations of its LCP; and,
5. Whether the appeal raises local issues, or those of regional or statewide significance.

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

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

C. SUBSTANTIAL ISSUE ANALYSIS

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

The grounds for this appeal focus primarily on the proposed project's inconsistency with Sections 30251 and 30253 of the Coastal Act because the appellants allege that the mass and scale of the proposed structure is not consistent with the character of the Millwood subarea of Venice. The appellants also assert that the City's Zoning Administrator's Adjustment to approve the applicant's plans result in a reduction of the rear and side-yard set-backs is inconsistent with the Venice Land Use Plan.

Section 30251 of the Coastal Act states:

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

Section 30253(e) of the Coastal Act states, in part:

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

Sections 30251 and 30253 of the Coastal Act state that such scenic areas and special communities shall be protected. These sections 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. According to the Venice Chamber of Commerce, 16 million people visit annually, drawn by the unique characteristics of the area including “the Pacific Ocean, Boardwalk vendors, skaters, surfers, artists, and musicians.”¹ Venice was the birthplace of The Doors and The Lords of Dogtown and its unique characteristics attracted myriad artists and musicians from the Beat Generation to the poets and street performers who people still travel to Venice to see.

When the Commission certified the Venice Land Use Plan (LUP) in 2001, it considered the potential impacts that development could have on community character and adopted policies and specific 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 as guidance in 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 unique residential communities and neighborhoods:

Certified Venice LUP 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.

Certified Venice LUP Policy I. E.2 Scale, states.

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.

Certified Venice LUP 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.

Certified Venice LUP Policy I.A.1 states, in part:

The maximum densities, building heights and bulks for residential development in the Venice Coastal Zone shall be defined by the Land Use Plan Maps and Height Exhibits (Exhibits 9 through 16), and the corresponding land use categories and the development standards as described in this LUP...

¹ Venice Chamber of Commerce website. <<http://venicechamber.net/visitors/about-venice/>>

Certified Venice LUP Policy I.A.7.c states, in part:

*Height: Oakwood, Milwood, and Southeast Venice: Not to exceed 25 feet for buildings with flat roofs; or 30 feet for buildings utilizing a stepped back or varied roofline. The portion that exceeds 25 feet in height shall be set back from the required front yard one foot for every foot in height above 25 feet. **Structures located along walk streets are limited to a maximum of 28 feet.** (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).*

Certified Venice LUP Policy I.D.3 states, in part:

The scale of development shall comply with height limits, setbacks and standards for building massing specified in Policy Groups I.A. and I.B. Residential and Commercial Land Use and Development Standards of this LUP, in order to protect public views in highly scenic coastal areas and vista points, including, but not limited to the canals, lagoon, jetty, pier, Ocean Front Walk, walk streets and pedestrian oriented special communities.

Certified Venice LUP Policy II.C.7 states:

Designated walk streets shall be preserved and maintained at their present widths for public pedestrian access to the shoreline and other areas of interest and to preserve views along and from the public right-of-way. Vehicular access on walk streets shall be restricted to emergency vehicles. The minimum width of the pedestrian path shall be 10-12 feet in the North Venice and Peninsula areas and 4½ feet in the Milwood area. The remaining public right-of-way shall be limited to grade level uses including landscaping, patios, gardens and decks.

Certified Venice LUP Policy I.E.5 Nonconforming Structures, states:

Where extensive renovation of and/or major addition to a structure is proposed and the affected structure is nonconforming or there is another nonconforming structure on the site, or a project is proposed that would greatly extend the life of a nonconforming structure or that eliminates the need for the nonconformity, the following shall apply: Unless the City finds that it is not feasible to do so, the project must result in bringing the nonconforming structure into compliance with the current standards of the certified LCP, unless in its nonconformity it achieves a goal associated with community character (i.e. the reuse and renovation of a historic structure) or affordable housing that could not be achieved if the structure conforms to the current standards of the certified LCP.

Certified Venice LUP Policy I.F.1 Historic and Cultural Resources, states:

The historical, architectural and cultural character of structures and landmarks in Venice should be identified, protected and restored where appropriate, in accordance with historical preservation guidelines.

The applicant proposes a remodel and addition to a one-story single-family residence resulting in a two-story 2,648 sq. ft. single-family residence. The proposed project will retain the existing residence, which is identified as a potential contributing structure in Survey LA-Milwood Venice Walk Streets Historic District. The proposed addition will add floor area between the existing single-family residence and the existing detached garage that abuts Amoroso Court, which is the rear alley. Vehicular access is prohibited on Amoroso Place to preserve its historical character as a walk street.

The height limit, as set forth in the certified Land Use Plan, is 28 feet for structures located in the Milwood subarea of Venice along a walk street. The proposed structure has a pitched roofline that is articulated and stepped back from the pedestrian walkway, as it preserves the single story bungalow in the front half of the proposed residence, which will remain unchanged at a height of 14 ft. 6 in. The back half of the residence has a maximum height of 26 feet, which is two feet below the 28-foot height limit, and does not directly impact the streetscape (**Exhibit 3**).

In addition, the proposed project is consistent with the scale, massing, and landscape of the existing residential neighborhood. The applicant's lot has a width of 40 feet and a depth of 90 feet, and is approximately 3,600 sq. ft. The proposed project will increase the square footage of the existing structure to 2,648 sq. ft., which includes the existing 369 square foot garage. The existing landscaping in the front yard consisting of trees and hedges will remain, along with the existing 42-inch high wood perimeter fence, adjacent to the public walkway that runs down the center of the historic walk street. The surrounding neighborhood consists of one- and two-story single-family dwellings that vary in height between 13 and 28 feet (**Exhibit 7**). The dwellings on this residential block of Amoroso Place are a mix of one and two stories. The proposed design does not maximize on the size and scale allowed under the zoning code and the certified LUP, provides articulation (it is not "boxy"), and is consistent in height with the neighboring development.

As stated earlier, the proposed project also includes a legal non-conforming rear-yard setback of 3 ft. 8 in., and side yard of 1 ft. 10 inches, in lieu of the 15 foot rear yard and 4 foot side yard setbacks required by the zoning code, respectively. The appellants contend that the City's Zoning Administrator's approval of the "legal but non-conforming garage" with a reduced rear-yard setback and reduced side-yard setbacks creates "a detrimental cumulative impact for the neighborhood's free and safe flow of traffic" in the narrow alley behind the walk street, and sets a negative precedent for future redevelopment in this location. The City's rationale for approving the non-conforming setbacks are discussed in the "Zoning Administrator's Findings" section of their report, which states that "the substandard lot size makes strict adherence to yard regulations impractical and infeasible" because the subject lot, which is approximately 3,690 sq. ft., is approximately 28% less than the minimum lot area required in the R2 zone, which is 5,000 sq. ft. The City concluded that "the lot was legally subdivided, and therefore observes legal non-conforming status, and partial reduction in required yards is a reflection on the physical constraints of the lot, as well as a continuance of existing yards."

Additionally, in an effort to preserve the existing single family residence as "historic" as determined by the Survey LA findings, the City approved the legal nonconforming side-yard and rear-yard setback requirement so that the applicant could make reasonable improvements to the existing residence, while retaining the historic integrity of the structures, consistent with LUP Policies I.E.5 and I.F.1. Also, the 3 ft. 8 in. setback currently provided between the alley and the existing garage does not interfere with the safe flow of traffic as it does not obstruct traffic in the alley. The City-

approved rear-yard setback also does not adversely affect the character of the area because it, and many similar alley setbacks, already fit the existing pattern of development. A deeper setback of nine feet would provide an additional area on the lot to park a vehicle, but no added parking space is necessary or required in this case because the proposed project provides the two on-site parking spaces required by City code and the certified LUP (in the garage).

Therefore, the appeal raises no substantial issue as to conformity with the Chapter 3 policies of the Coastal Act because it is consistent with the scale, massing and landscape of the existing residential neighborhood, and the City's approval of the non-conforming setbacks is reasonable considering the constraints of the size of the parcel itself and the applicant's efforts to maintain the historic character of the residence.

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

The first factor is the degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the relevant provisions of the Coastal Act. The City included the majority of its findings within the "Mandated Findings" section of their report, which reference Coastal Act Sections 30250, 30251, 30252, 30253, 30254, 30255 and 30256, and found the development to be consistent with the Chapter 3 policies of the Coastal Act related to visual resources and community character. The City referenced the Venice LUP, which is a Commission-certified document and may be used as guidance to determine consistency with the Chapter 3 policies of the Coastal Act, including Policy I.A.2., regarding character and scale of existing single-family neighborhoods, and found the proposed project to be in conformity because the proposed project seeks only to continue existing legal but non-conforming yards for the garage portion only, in order to allow an addition to the existing single-family home which preserves the front façade and maintains a majority of the garage walls, and locates the addition to the rear in order to preserve the façade. Therefore, the City's approval is consistent with Coastal Act Sections 30231, 30251, and 30253 and includes adequate 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 City-approved development will retain the existing single-family dwelling, which is identified as a potential contributing structure in Survey LA – Milwood Venice Walk Streets Historic District, and the proposed addition will add floor area between the existing residence and the existing detached garage. The scope is consistent with that of the surrounding development, which is comprised primarily of one-story and two-story single family homes. The locally approved project would have no adverse impacts to visual resources and is consistent with the community character of the neighborhood.

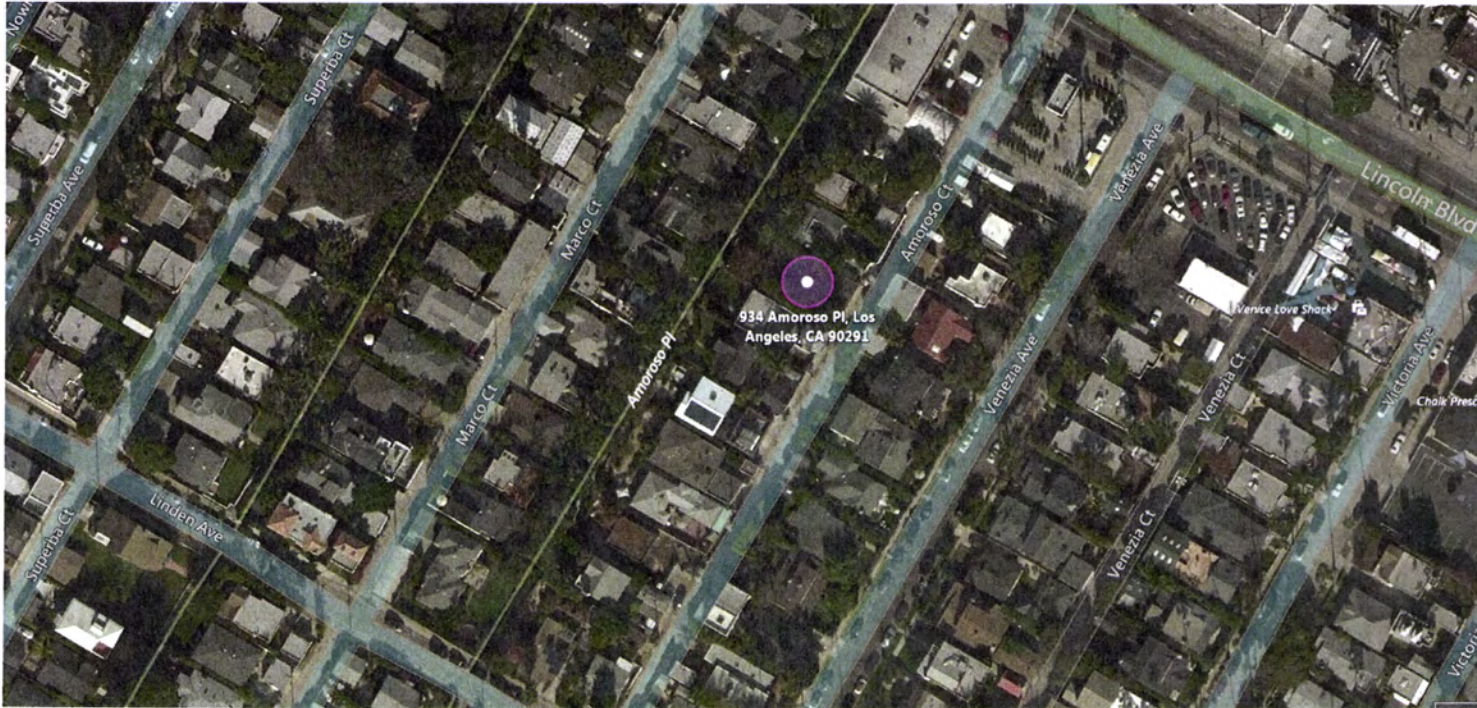
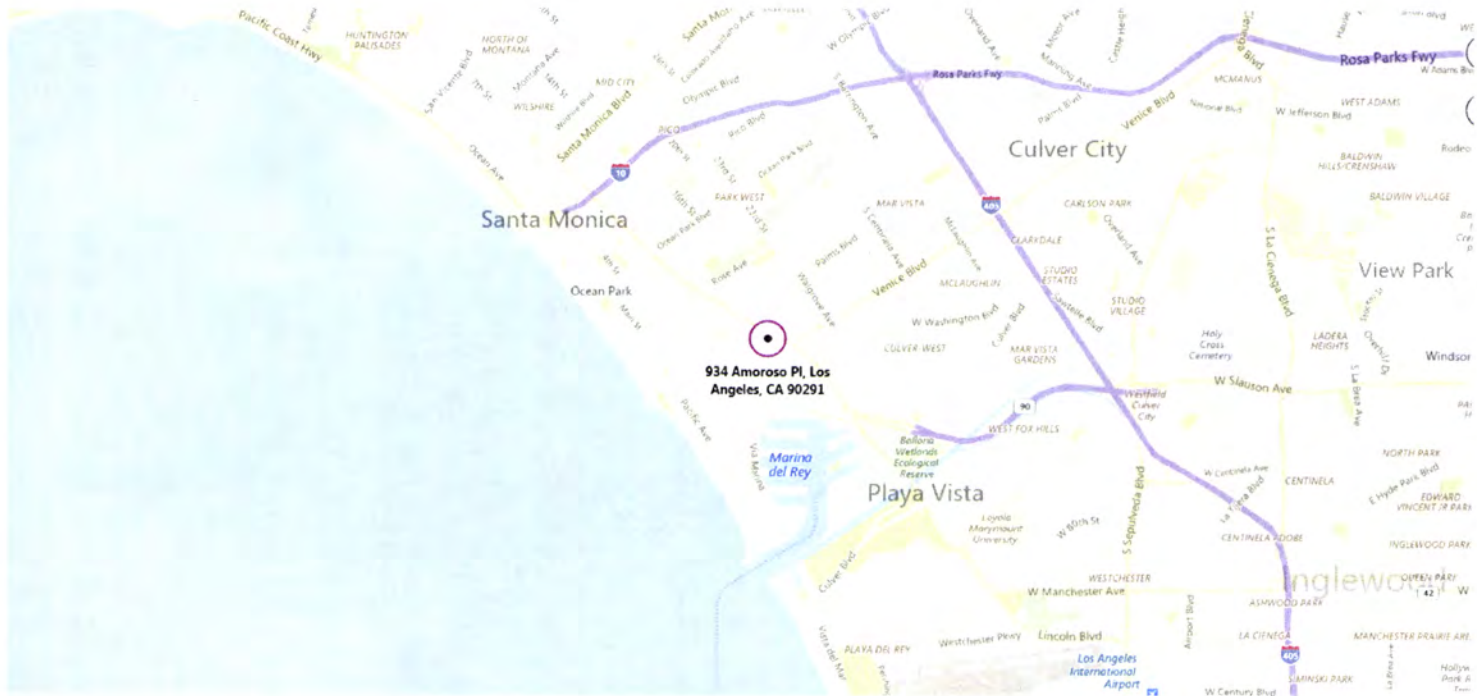
The third factor is the significance of the coastal resources affected by the decision. The significance is minimal as there are no coastal resources adversely affected by the City's decision. In fact, the City's approval allows the historic structure to be preserved rather than demolished. The location of the proposed development is about a mile from the beach in a residentially developed area in Venice.

The fourth factor is the precedential value of the local government's decision for future interpretations of its Local Coastal Program (LCP). The City does not currently have a certified LCP but it does have a certified Land Use Plan (LUP). The City-approved development is consistent with the residential building standards related to scale, mass, and architectural diversity set forth in the certified LUP. Additionally, the project is consistent with previous Commission actions in the area, which have authorized similarly sized one- and two-story residential structures. Thus, the project, as approved with conditions, does not raise a substantial issue with regard to the project's conformity with the certified LUP. Approval of a project that is not consistent with the standards of the LUP would set a precedent for other projects that are not consistent with the LUP and would prejudice the City's ability to prepare a certified LCP for Venice.

The final factor is whether the appeal raises local issues, or those of regional or statewide significance. Impacts to coastal resources, including community character, are important statewide issues, but this appeal raises local issues only. The City addressed its approval of the nonconforming setbacks as a unique instance given the constraints of the substandard size of the parcel itself and the applicant's efforts to maintain the historic integrity of the structures. While these are local issues addressed by the City, the City's approvals do not raise issues of statewide significance.

Conclusion

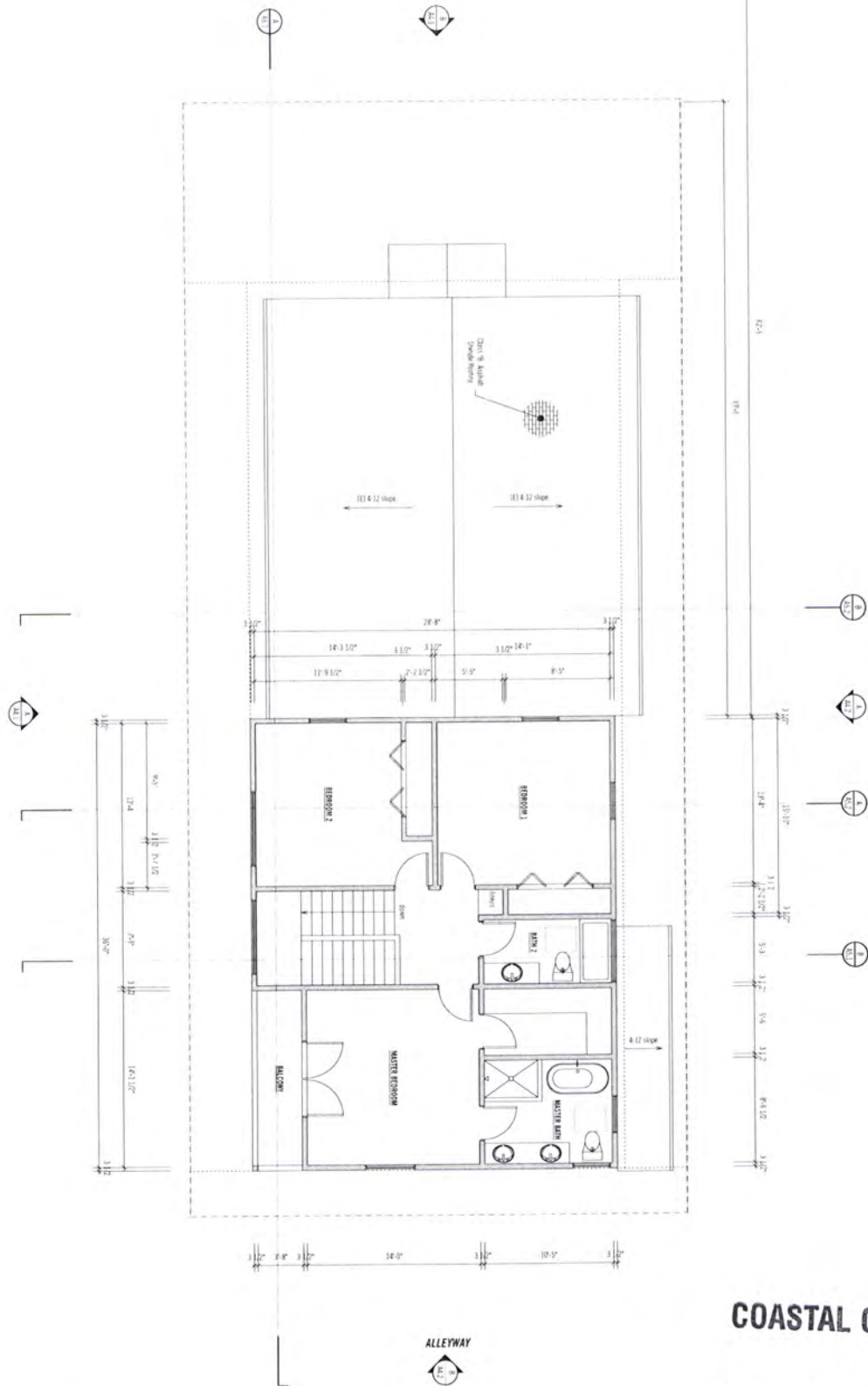
Applying the five factors listed in the prior section clarifies that the appeal raises "no substantial issue" with respect to Chapter 3 of the Coastal Act, and therefore, does not meet the substantiality standard of Section 30625(b)(1), because the nature of the proposed project and the local government action are consistent with policies of Chapter 3 of the Coastal Act.



COASTAL COMMISSION

EXHIBIT # 1
PAGE 1 OF 1

AMOROSO PL (WALK STREET)



COASTAL COMMISSION

EXHIBIT # 2

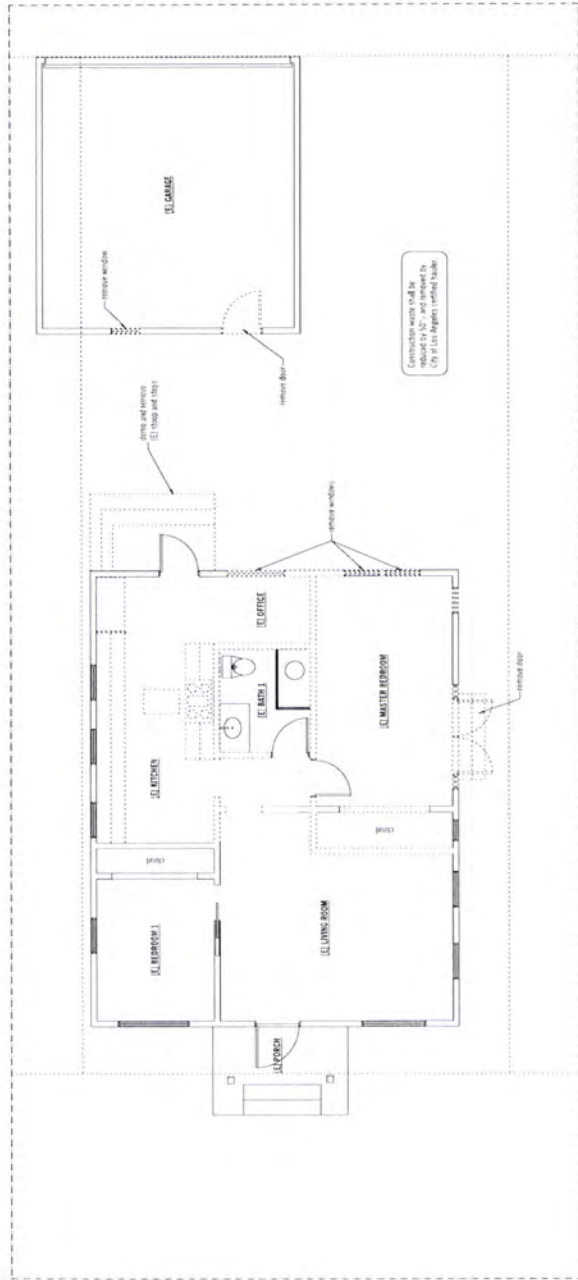
PAGE 2

DATE	10/13/2016
BY	ARCHITECT
PROJECT	NEW SECOND FLOOR PLAN
LOCATION	1000 W. AMOROSO PL, LOS ANGELES, CA 90051
OWNER	LOCEO - AMOROSO
DESIGNER	LOCEO - AMOROSO
DATE	10/13/2016
BY	ARCHITECT
PROJECT	NEW SECOND FLOOR PLAN
LOCATION	1000 W. AMOROSO PL, LOS ANGELES, CA 90051
OWNER	LOCEO - AMOROSO
DESIGNER	LOCEO - AMOROSO
DATE	10/13/2016
BY	ARCHITECT
PROJECT	NEW SECOND FLOOR PLAN
LOCATION	1000 W. AMOROSO PL, LOS ANGELES, CA 90051
OWNER	LOCEO - AMOROSO
DESIGNER	LOCEO - AMOROSO



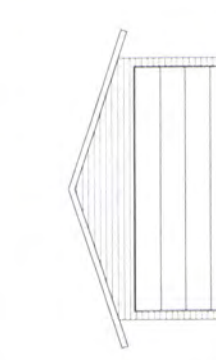
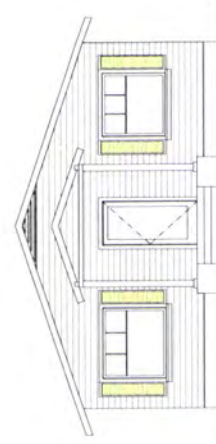
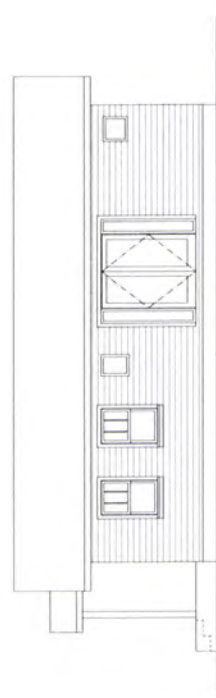
3000 California Ave
Culver City, CA 90230
Tel: (310) 408-4471
Fax: (310) 408-4472
www.loceq.com

Notes:
1. All work shall conform to the City of Los Angeles Building Code, 2014 Edition, and all applicable amendments.
2. All work shall conform to the City of Los Angeles Department of Public Works, 2014 Edition, and all applicable amendments.
3. All work shall conform to the City of Los Angeles Department of Transportation, 2014 Edition, and all applicable amendments.
4. All work shall conform to the City of Los Angeles Department of Water, 2014 Edition, and all applicable amendments.
5. All work shall conform to the City of Los Angeles Department of Sanitation, 2014 Edition, and all applicable amendments.
6. All work shall conform to the City of Los Angeles Department of Parks and Recreation, 2014 Edition, and all applicable amendments.
7. All work shall conform to the City of Los Angeles Department of Cultural Affairs, 2014 Edition, and all applicable amendments.
8. All work shall conform to the City of Los Angeles Department of Social Services, 2014 Edition, and all applicable amendments.
9. All work shall conform to the City of Los Angeles Department of Health, 2014 Edition, and all applicable amendments.
10. All work shall conform to the City of Los Angeles Department of Housing and Community Development, 2014 Edition, and all applicable amendments.



DEVOLUTION PLAN

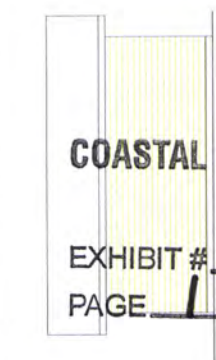
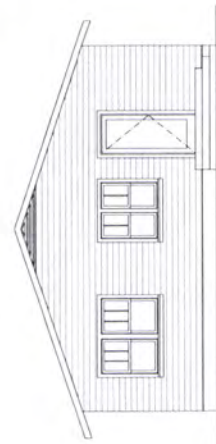
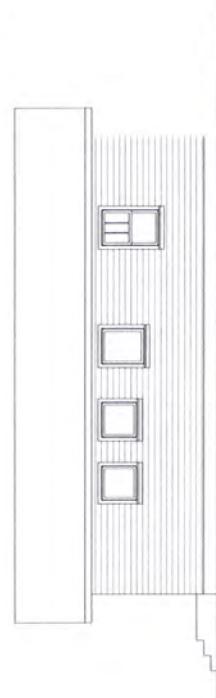
EXISTING GARAGE - WEST ELEVATION



EXISTING SOUTH ELEVATION

EXISTING WEST ELEVATION

EXISTING GARAGE - EAST ELEVATION



EXISTING NORTH ELEVATION

EXISTING EAST ELEVATION

EXISTING GARAGE - NORTH SOUTH ELEVATION

COASTAL COMMISSION

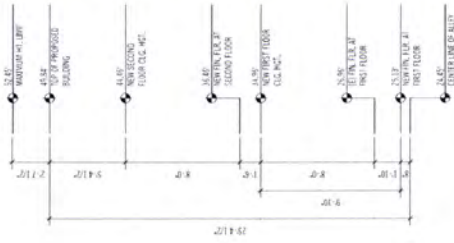
EXHIBIT # 3
PAGE 1 OF 5

LOCEQ -
AMOROSO
934 W Amorese Pl
LOS ANGELES CA 90021



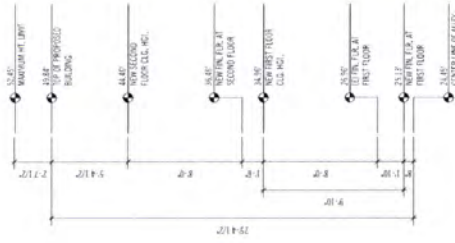
3411 Century Ave
Suite 200
Los Angeles, CA 90008
Tel: (310) 441-1771
Fax: (310) 441-1772
www.loceq.com

Architect's Seal
I, the undersigned, being a duly licensed Architect under the laws of the State of California, do hereby certify that I am the author of the design and content of the foregoing drawings, and that I am a duly licensed Architect under the laws of the State of California, and that I am not providing my services to the client in violation of the laws of the State of California.



SOUTH ELEVATION

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



WEST ELEVATION

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

COASTAL COMMISSION

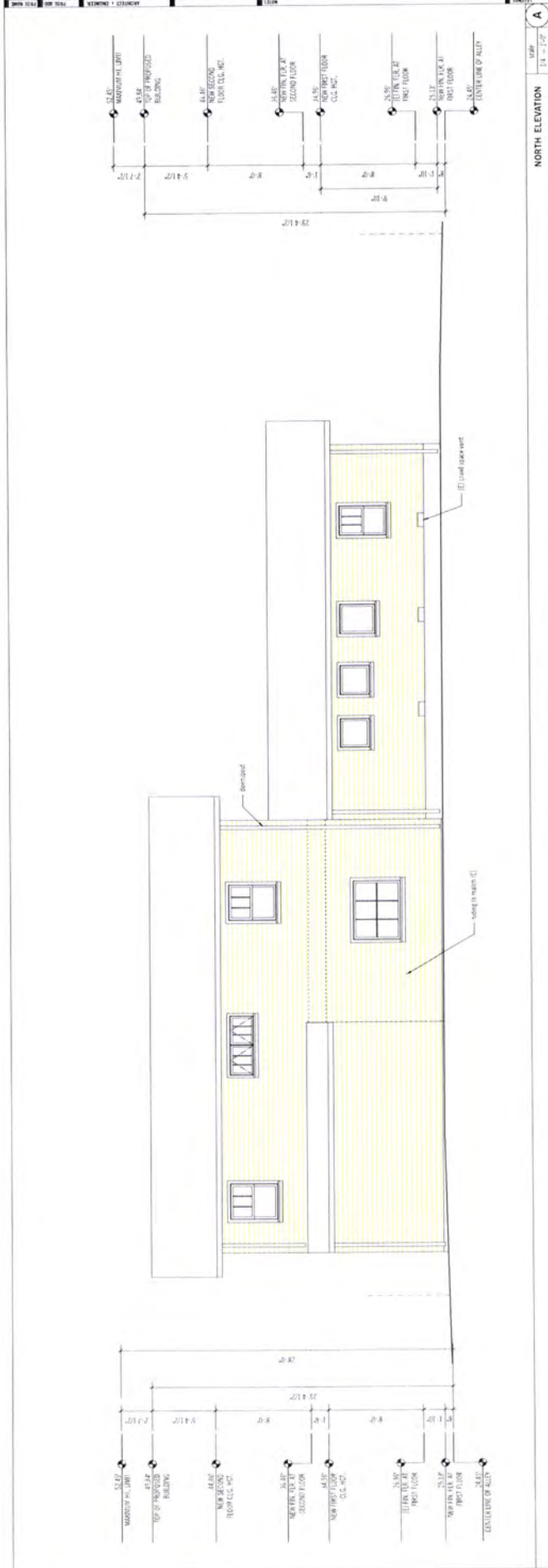
EXHIBIT #

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OF 5



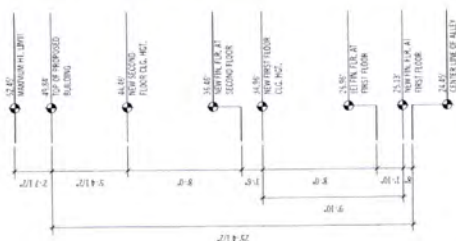
COASTAL COMMISSION

EXHIBIT # 3
PAGE 3 OF 5



3411 Caroline Ave.
Dulver City, CA 90232
Tel - 424.603.4791
fax - 424.603.4793
e-mail - bill2e@yu2e.com

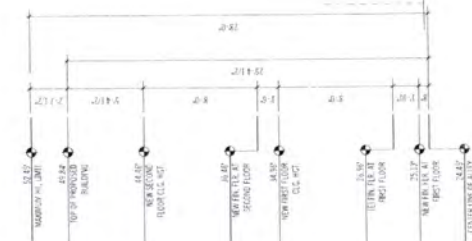
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LONG SECTION

scale

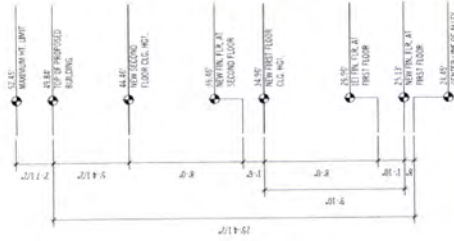
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LONG SECTION

scale

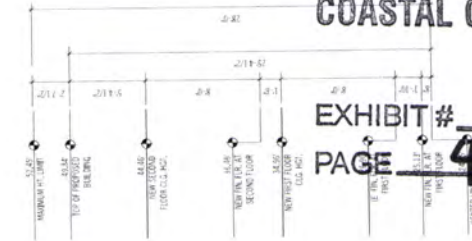
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CROSS SECTION

scale

9



COASTAL COMMISSION

EXHIBIT # 3
PAGE 4 OF 5

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
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JOHN W. MACK
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VERONICA PADILLA-CAMPOS
DANA M. PERLMAN

JAMES K. WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

RECEIVED
South Coast Region

OCT 31 2016

CALIFORNIA
COASTAL COMMISSION

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM
LOS ANGELES, CA 90012-48

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

KEVIN KELLER, AICP
Deputy Director
(213) 978-1272

LISA M. WEBBER, AICP
DEPUTY DIRECTOR
(213) 978-1274

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

<http://planning.lacity.org>

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

NOTICE OF PERMIT ISSUANCE

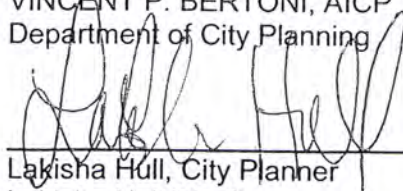
DATE: October 28, 2016
CDP NUMBER – DIR-2015-2907-CDP-SPP
ADDRESS – 934 W. Amoroso Place

Please take notice that the above referenced Coastal Development Permit was issued on October 5, 2016, pursuant to a public hearing on August 15, 2016 and an appeal was not filed with the City of Los Angeles, Department of City Planning 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.

VINCENT P. BERTONI, AICP
Department of City Planning


Lakisha Hull, City Planner
Lakisha.Hull@lacity.org

Attachments:

- (X) Permit
(X) Stamped Plans "Exhibit A"
(X) Duplicate Application
cc: Applicant and Interested Parties

CP-1622 (09/1/15)

COASTAL COMMISSION

EXHIBIT #

4

PAGE 1 OF 18

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
PRESIDENT

RENEE DAKE WILSON
VICE-PRESIDENT

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CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

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200 N. SPRING STREET, ROOM
LOS ANGELES, CA 90012-4

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DIRECTOR
(213) 978-1271

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DEPUTY DIRECTOR
(213) 978-1273

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South Coast Region

OCT 31 2016

CALIFORNIA
COASTAL COMMISSION

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JOINT DETERMINATION BY THE DIRECTOR FOR A
COASTAL DEVELOPMENT PERMIT
AND THE ZONING ADMINISTRATOR FOR AN ADJUSTMENT

October 5, 2016

Owner/Applicant

Cameron Broumand
LOC Equities
11628 Santa Monica Boulevard
Los Angeles, CA 90025

Representative

Bill Tsui
Yu2e, Inc.
3411 Caroline Avenue
Culver City, CA 90232

Case Nos.: DIR-2015-2907-CDP-SPP and
ZA-2015-4600-ZAA

CEQA: ENV-2015-2906-CE

Specific Plans: Venice Coastal Zone, Los
Angeles Coastal
Transportation Corridor

Location: 934 W Amoroso Place

Council Office: 11 – Mike Bonin

Neighborhood Council: Venice

Community Plan Area: Venice

Subarea: Oakwood, Milwood, Southeast

Land Use Designation: Low Medium I Residential

Zone: R2-1

Legal Description: Venice Annex, Block 18, Lot 7

Last Day to File an Appeal: October 20, 2016

DETERMINATION – Coastal Development Permit

Pursuant to the Los Angeles Municipal Code (LAMC) Sections 12.20.2 and 11.5.7, and the Venice Coastal Zone Specific Plan (Ordinance No. 175,693), I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

Approve with Conditions a Coastal Development Permit authorizing the remodeling of an existing single-family dwelling with a 765 square-foot first floor addition and a 1,050 square-foot second floor addition at the rear of the property for a total floor area of 2,648 square feet, while retaining an existing 369 square foot two-car garage, with a maximum building height of 26 feet on a Walk Street, located in the single permit jurisdiction area of the Coastal Zone.

Approve with Conditions a Specific Plan Project Permit Compliance for a project within the Venice Coastal Zone Specific Plan.

Find that a Categorical Exemption, ENV-2015-2906-CE, is adequate environmental clearance, pursuant to the California Environmental Quality Act (CEQA) guidelines, Article III, Section 1, Class 3, Category 1 and Section 15332 (Class 3 – New Construction of Small Structures).

EXHIBIT # 4

PAGE 2 of 18

COASTAL COMMISSION

DETERMINATION – Zoning Administrator's Adjustment

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.28, I hereby:

Approve a Zoning Administrator's Adjustment from LAMC Section 12.08-C.3 to allow a rear yard of 3-feet 8-inches and a side yard of 1-foot 10-inches in lieu of the 15-foot rear yard and 4-foot side yard required by Section 12.09-C, all in conjunction with an addition to an existing single-family dwelling in the R2-1 zone.

Adopt the attached findings.

CONDITIONS OF APPROVAL

Coastal Development Conditions

1. Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Plan Implementation Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. **Density.** A maximum density of two dwelling units per lot shall be permitted on lots less than 5,000 square feet, as restricted by Section 10.G.2 (a)(1) of the Venice Coastal Zone Specific Plan. The proposed project will maintain one dwelling unit on the property.
3. **Height.** The height of the proposed project is 26 feet. The maximum building height shall not exceed 28 feet, as specified in Section 10.G.3 (b) the Venice Coastal Zone Specific Plan.
4. **Parking and Access.** The proposed project shall provide two parking spaces as required by Section 13 of the Venice Coastal Zone Specific Plan. Driveways and vehicular access shall be provided from the alleyway, or Amoroso Court, as shown on "Exhibit A" and as approved by the Department of Building and Safety.
5. **Walk Street (design criteria).** Other design standards, per Section 12 of the Venice Coastal Zone Specific Plan, shall include:
 - a. The building materials, glazing, doors and other architectural finishings shall match elevations provided in Exhibit A.
 - b. The existing single-family dwelling is a potential contributing structure, per the Milwood Venice Walk Streets Historic District in Survey LA. All alterations to the one-story structure and detached garage shall comply with the drawings shown in Exhibit A.
6. **Permanent Public Right-of-Way Encroachments.** No other encroachments, including hedges or fences, shall be permitted within five feet of the centerline of Amoroso Place. Prior to the issuance of a building permit, a revocable encroachment permit shall be obtained from the Department of Public Works for the encroachment of the proposed 42 inch in height fence.
7. **Landscaping.** All existing trees and landscaping shall be retained where feasible. No shrub or hedge in the public right-of-way shall be higher than 42 inches and tree understories shall be maintained at least eight feet above existing grade.
8. Outdoor lighting, including on the roof deck, shall be designed and installed with shielding so that light does not overflow into adjacent properties.

COASTAL COMMISSION

EXHIBIT # 4

PAGE 3 OF 13

Page 2 of 17

9. 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.
10. Prior to the sign-off of plans by the Development Services Center, the applicant shall submit the plans for review and approval to the Fire Department. Said Department's approval shall be included in the plans submitted to the Development Services Center.
11. Prior to the commencement of site excavation and construction activities, construction schedule and contact information for any inquiries regarding construction activities shall be provided to residents and property owners within a 100-foot radius of the project site. The contact information shall include a construction manager and a telephone number, and shall be posted on the site in a manner, which is readily visible to any interested party.
12. Prior to the issuance of any permits, 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.

Zoning Administrator Conditions

13. 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. Authorization:
 - a. Approved herein is a reduced rear yard of 3-feet 8-inches and a side yard of 1-foot 10-inches in lieu of the 15-foot rear yard and 4-foot side yard required. No other deviations from required yards, floor area, or height regulations are authorized by this grant.

COASTAL COMMISSION

EXHIBIT #

PAGE 4 OF 13

19. 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.

Administrative Conditions

20. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
21. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
22. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
23. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
24. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
25. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
26. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, ~~set aside, void, or~~ otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees 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.

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

For purposes of this condition, the following definitions apply:

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

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

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

COASTAL COMMISSION

EXHIBIT # 4
PAGE 6 OF 18

BACKGROUND

The project site is a level, rectangular-shaped lot, approximately 3,600 square feet. The site is 40 feet wide and 90 feet deep. There is an alleyway (Amoroso Court) located to the rear of the site. Currently, there is an existing one-story single-family dwelling at 762 square feet with a detached two-car garage on-site. The project site is located within the Los Angeles Coastal Transportation Corridor Specific Plan Area, the Venice Coastal Zone Specific Plan Area – Subarea Oakwood-Milwood-Southeast Venice, a Calvo Exclusion Area, and is in the single permit jurisdiction area of the California Coastal Zone. Built in 1921, Survey LA has identified the existing Craftsman style single-family dwelling as a potential contributing structure to the Milwood Venice Walk Streets Historic District.

In September 2015, the applicant submitted an initial Coastal Development Permit application with a proposal to demolish the existing residence. After meeting with community members and the Department of City Planning's Office of Historic Resources, the applicant updated the original design submitted in September 2015 with a remodel to preserve the existing structures on-site. The applicant is requesting a Coastal Development Permit authorizing the remodeling of an existing single-family dwelling with a 765 square-foot first floor addition and a 1,050 square-foot second floor addition at the rear of the property for a total floor area of 2,648 square feet, while retaining an existing 369 square foot two-car garage accessible from the alleyway for a building height of 26 feet.

Community Plan

The Venice Community Plan map designates the property for Low Medium I Residential land uses, with a corresponding zone of R2-1. The adjacent properties to the north and south are zoned R2-1 and developed with residence uses. The property to the east across Amoroso Court is zoned R2-1 and developed with a single-family dwelling. The western property across Amoroso Place is zoned R2-1 and is developed with a single-family dwelling. The proposed project will retain the prevailing front yard setback of 14'-5" along Amoroso Place. The project site abuts the following streets:

Amoroso Place is a Walk Street designated as a Local Street with a right-of-way width of approximately 40 feet with a 5-foot wide paved walkway.

Amoroso Court is an Alleyway, designated as a Local Street, with a right-of-way width of approximately 20 feet with an asphalt roadway.

Previous zoning related actions on the site/ and comparable size projects in the area include:

Case No. ZA-2015-1165-CDP-ZAA-SPP-MEL - On February 29, 2016, the Zoning Administrator approved a Coastal Development Permit to allow for the demolition of a single-family dwelling and construction of a new single-family dwelling for a total floor area of 2,524 square feet on a Walk Street at 810 W. Amoroso Place.

Case No. ZA-2014-3440-CEX – On June 14, 2015, the Zoning Administrator approved a Coastal Development Permit Exemption to allow for the demolition of a one-car garage, the addition of 491 square feet to the first floor with an attached two-car garage, and a 1,398-square-foot second floor addition to an existing single-family dwelling for a total floor area of 2,524 square feet on a Walk Street at 912 W. Amoroso Place.

Case No. DIR-2006-6922-SPP – On November 10, 2006, the Director of Planning approved a Project Permit Compliance to allow for the demolition of an existing single-family dwelling and the construction of a two-story structure with a roof deck, connected to a previously-approved

rear addition. The total residential floor area is 2,420 square feet fronting a Walk Street at 927 W. Amoroso Place.

Case No. ZA-2008-0541-ZAA-SPP – On October 9, 2008, the Zoning Administrator approved a Project Permit Compliance for the demolition of an existing second story and the construction of a 510 square-foot one-story addition to an existing single-family dwelling, and the construction of a 400 square-foot attached garage. A Zoning Administrator's Adjustment was approved to allow a 7-foot 6-inch rear yard in lieu of the 15 feet. The total residential floor area is 1,334 square feet on a Walk Street at 924 Amoroso Place.

Case No. DIR-2008-1878-SPP – On November 17, 2008, the Director of Planning approved a Project Permit Compliance for the demolition of an existing single-family dwelling and the construction of a new two-story single family dwelling with roof access from stairwell with an attached three-car garage. The total building square footage is 2,500 square feet on a Walk Street at 910 W Marco Place.

Case No. DIR-2005-4858-SPP – On August 29, 2005, the Director of Planning approved a Project Permit Compliance to allow for a second-story addition of 526 square feet to an existing one-story single family dwelling. The total residential floor area is 1,631 square feet, fronting on a Walk Street at 913 W. Amoroso Place.

Case No. CEX-1999-2821 – On November 29, 1999, an application for a Coastal Development Permit Exemption was filed and subsequently approved for a major remodel to an existing single-family dwelling with a two-story addition, for a total floor area of 2,858 square feet on a Walk Street at 931 Marco Place.

Case No. ZA-2014-1710-CDP – On July 27, 2015, the Zoning Administrator approved a Coastal Development Permit for the demolition of an existing single-family dwelling and the construction of a new 3,326 square-foot, two-story, single-family dwelling with an attached two-car garage and rooftop deck at 920 W. Superba Avenue.

Case No. DIR-2005-0492-SPP – On April 12, 2005, the Director of Planning approved a Project Permit Compliance to allow for the relocation of an attached two-car garage, a 319-square-foot addition to the first floor, and a 632-square-foot second-floor addition to an existing one-story single-family dwelling for a total floor area of 1,543 square foot fronting on a Walk Street at 920 W. Amoroso Place.

Case No. ZA-2014-4641-CDP-SPP-MEL – A case was filed on December 15, 2014 requesting a Coastal Development Permit and Mello Act Compliance to allow for the demolition of an existing one-story single-family dwelling and the construction of a two-story single-family dwelling with an attached carport for a project total of 2,700 square feet on a Walk Street at 938 W. Amoroso Place.

Public Hearing

A public hearing was initially scheduled for October 26, 2015. After receiving correspondence with concerns of the initial design and Survey LA findings, a cancellation notice of the public hearing was mailed out on October 13, 2015, pending the review of an historic resource assessment. The initial design included the demolition of an existing garage and the remodel of a one-story single-family dwelling unit to construct a two-story single-family dwelling of 2,317 square feet. On November 16, 2015, the applicant representative met with the Department of City Planning Office of Historic Resources to discuss the revised design to preserve the existing one-story single-family dwelling and detached garage, with a two-story addition. On December 18, 2015, the applicant representative

filed an application for a Zoning Administrator's Adjustment from the rear and sideyards to preserve the existing garage with the new addition.

On August 15, 2016, a public hearing was conducted at the West Los Angeles Municipal Building with Jason Chan as the Hearing Officer. Bill Tsui, the applicant representative, three community members and a representative from CD 11 were in attendance. Mr. Tsui provided a brief description of the project and concept behind the architectural design of the building. A timeline of how the project's design has evolved was also provided. Three community members spoke in opposition of the proposed project:

- Sue Kaplan (763 Nowita Place) is the head of the Neighborhood Walk Association. She is concerned with the scale of the project. It was discussed that the project should be reduced by 250 sf.
- Lillian White (910 Amoroso Place) is concerned about the scale and character of the project.
- Shep Stern lives on the 900 block of Amoroso and is concerned with airflow and believes that the project is too big for the site.

The applicant representative stated that the second-story addition is sixty-two feet from the Walk Street (Amoroso Place). He also stated that there are projects in the immediate area similar in size and scale as the proposed project. At the end of the hearing, the Hearing Officer held the project under advisement and stated that the comment period for this case will end on August 29, 2016.

Correspondence

On July 7, 2016, the Department of City Planning Office of Historic Resources stated that the proposed project's design "achieves the goal of preserving the contributing structure while allowing for a compatible addition that meets the Secretary of Interior's Standards for Rehabilitation. The increased setback of the addition allows it to differentiate from the one-story bungalow." On July 20, 2016, Matthew Royce of the Venice Neighborhood Council emailed Planning staff that "the full Venice Neighborhood Council voted to nullify the Land Use Committee's motion to deny the project, however a motion to approve the project failed, therefore the VNC officially has no position on the project."

Following the public hearing, the applicant representative provided a massing and scale comparative model in relationship to surrounding properties. On August 15, 2016, the applicant representative submitted a list of at least seven properties on Amoroso Place and Marco Place that are similar in size and scale (2,658 sf to 3,304 sf – per the LA County Assessor) of the proposed project (2,648 square feet) and he provided a list of properties that have received Zoning Administrator's Adjustments in the surrounding area.

Planning staff receive two letters in support of the proposed project. The property owners to the north and south of the project site are in favor of preserving the existing residence and with the location of the proposed addition to the rear of the site. Sixteen letters were received in opposition of the proposed project. The major concerns were the size, massing and scale of the proposed project and requests to reduce the floor area by 250 square feet.

MANDATED FINDINGS

Coastal Development Permit

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

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

Chapter 3 of the Coastal Act includes provisions that address the impact of development on public services, infrastructure, traffic, the environment and significant resources, and coastal access:

Section 30250 states that new development shall be located in areas able to accommodate it, areas with adequate public services, and in areas where such development will not have significant adverse impacts on coastal resources.

Section 30251 states the importance of preserving and protecting the scenic and visual qualities of coastal areas, protecting views to and along the ocean, and minimizing the alteration of natural land forms.

Section 30252 states that new development should maintain and enhance public access to the coast.

Section 30253 requires new development to minimize risks to life and property in areas of high geologic, flood, and fire hazard, minimize impacts along bluffs and cliffs, and protect special communities and neighborhoods that are popular visitor destination points for recreational uses.

Section 30254 states that new or expanded public works facilities should be consistent with the provisions of the Coastal Act; that the expansion of such facilities should not induce development that is inconsistent with this division.

Section 30255 states that coastal-dependant developments shall have priority over other developments on or near the shoreline.

Section 30260 encourages coastal-dependant industrial facilities to locate or expand within existing sites and permits reasonable long-term growth, consistent with this division.

The proposed project consists of improvements to an existing one-story single-family dwelling, which includes a first-floor addition of 765 square feet and a new second floor of 1,050 square feet, and attaching the existing two-car garage to the existing single-family dwelling. The proposed project is within the Oakwood-Milwood-Southeast Venice Subarea and is located on a Walk Street developed with similar types of single-family dwellings. The proposed project would have no adverse impacts on public access, recreation, public views or the marine environment as the property is located within a developed residential neighborhood. The proposed project will neither interfere nor reduce access to the shoreline or beach. There will be no dredging, filling or diking of coastal waters or wetlands associated with the request, and there are no sensitive habitat areas, archaeological or paleontological resources identified on the site. The proposed project will not block any designated public access views. As conditioned, the proposed project is in conformity with Chapter 3 of the California Coastal Act.

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

Coastal Act Section 30604(a) states that prior to the certification of a Local Coastal Program ("LCP"), a coastal development permit may only be issued if a finding can be made that the proposed development is in conformance with Chapter 3 of the Coastal Act. The Venice

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Local Coastal Land Use Plan ("LUP") was certified by the California Coastal Commission on June 14, 2001; however, the necessary implementation ordinances were not adopted. The City is in the initial stages of preparing the LCP; prior to its adoption the guidelines contained in the certified LUP are advisory.

Policy I.A.2 of the LUP states: "ensure that the character and scale of existing single-family neighborhoods is maintained and allow for infill development provided that it is compatible with and maintains the density, character and scale of the existing development." The proposed development is located in Southeast Venice where the single-family dwellings are primarily one and two-stories with a variety of architectural styles. The proposed development is similar in character, scale and density of surrounding developments. The design, density, and scale of the proposed, two-story single-family dwelling are allowed under the site's R2-1 Zone, its Low Medium I Residential land use designation, and with the Venice Coastal Zone Specific Plan. The proposed project is compatible with the surrounding area by preserving the existing Craftsman style residence with an addition that will be placed in the rear of the property. The building frontage along the Walk Street will remain unchanged and will continue to promote the existing character and architectural design of the potential Milwood Venice Walk Streets Historic District, as identified in Survey LA. Approval of the single-family development will not prejudice the ability of the City to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act.

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.**

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 development regulations of the Venice Coastal Zone Specific Plan have been considered and the project was found to comply with the requirements of the Oakwood-Milwood-Southeast Venice Subarea regarding density, height, and access, and further complies with the standards for projects located on Walk Streets.

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 proposed project is consistent with the previous decisions of the City and the California Coastal Commission that included improvements and remodels consisting of additions to existing residential structures.

- In June 2016, the Commission approved an Administrative Permit to remodel and add to an existing 2,241 sq.ft. two-story single-family dwelling, resulting in a 2,887 sq.ft. two-story single-family dwelling with a 370 sq.ft. attached garage, at 505 28th Ave. (Application No. 5-16-0377).
- In May 2016, the Commission approved an Administrative Permit to demolish a single-family dwelling and to construct a 3,386 sq.ft., 23-ft. high, two-story single-family dwelling and two-car garage, at 2919 Sanborn Ave. (Application No. 5-16-0377).

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- In January 2016, the Commission approved an Administrative Permit to demolish single-family dwelling and construct 3,402 sq.ft., 28.5-ft.-high, three-story single-family dwelling over a basement level with an attached garage at 1620 Electric Avenue (A-5-VEN-15-0036).
 - In August 2015, the Commission approved an Administrative Permit to construct a 3,724 sq.ft. single-family dwelling at three stories and 30 feet in height, with a 40 foot high roof access structure, and an attached 468 sq.ft. garage on a vacant canal fronting lot, at 450 Sherman Canal (Application No.5-15-0753).
 - In June 2014, the Commission approved an Administrative Permit to demolish a single-story family dwelling and to construct a two-story single-family dwelling, 24.9-ft. high, 3,241 sq.ft. and detached two-car garage with 400 sq.ft. recreation room above and pool, located at 720 Indiana Ave. (Application No. 5-14-0212).
 - In June 2014, the Commission approved an Administrative Permit to demolish a duplex and to construct a two-story, single-family dwelling at 3,650 sq.ft., 30-ft. high and an attached two-car garage, landscaping, swimming pool, and perimeter walls/fences, located at 521 Vernon Ave (Application No. 5-14-124).
 - In June 2014, the Commission approved an Administrative Permit to demolish a one-story canal facing single-family dwelling at 520 sq.ft. and to construct a three-story single-family dwelling, 30-ft. high, 3,780 sq.ft., with an attached 430 sq.ft., 2-car garage and one on-site guest parking space located at 232 E. Carroll Canal (Application 5-14-0111).
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 site is located at least a mile away from the closest body of water and is not located between the nearest public road and the shoreline of any body of water located within the coastal zone. The proposed project will not interfere with public access to the coast. There is no adjoining public access point or public recreation facility. The proposed project will not conflict with any public access or public recreation policies of the Coastal Act.

Project Permit Compliance

6. **The project substantially complies with the applicable regulations, findings, standards, and provisions of the Venice Coastal Zone Specific Plan.**

The project site includes the addition to an existing one-story single-family dwelling with a new second-story and a small addition on the first floor. The proposed project will retain the existing single-family dwelling, which is identified as a potential contributing structure in Survey LA – Milwood Venice Walk Streets Historic District. The proposed addition will add floor area between the existing single-family dwelling and the existing detached garage that fronts Amoroso Court (an alleyway). The proposed project meets the findings required by Section 8.C of the Venice Coastal Zone Specific Plan relative to compatibility of the project with the existing neighborhood scale and character and that the project will not be detrimental to the surrounding neighborhood, the applicable Land Use and Development regulations for the Oakwood-Milwood-Southeast Venice Subarea as set forth in Section 12 of the Specific Plan, and the applicable Parking provisions set forth in Section 13 of the Specific Plan as evidenced below:

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- a. **The Venice Coastal Development Project is compatible in scale and character with the existing neighborhood, and would not be materially detrimental to adjoining lots or the immediate neighborhood.**

The project site is a substandard-size lot fronting Amoroso Place with a width of 40 feet and a depth of 90 feet; a total lot area of approximately 3,600 square feet. The proposed project will increase the total floor area to 2,648 square, and attach an existing 369 square foot garage for a maximum building height of 26'. The front of the single-family dwelling will remain unchanged and will maintain the 14'-6" prevailing front yard setback on Amoroso Place. The existing landscaping in the front yard (existing trees and hedges) will remain with the existing wood fence, adjacent to the Walk Street. The existing garage will continue to maintain two parking spaces, with vehicular access from Amoroso Court. The proposed two-story addition will match the existing siding and color structure. The properties to the north, east, and west of the site consist of one and two-story single-family dwellings in R2-1 Zone. As approved and conditioned, the project will not be detrimental to the adjoining properties or the immediate area.

- b. **The Venice Coastal Development Project is in conformity with the certified Venice Local Coastal Program.**

The project site is designated Low Medium Residential in Venice Local Coastal Program Land Use Plan and is zoned R2-1. The proposed project is consistent with the intents and purposes of the Land Use Plan and the Specific Plan which are components of the Venice Coastal Program. Those policies and provisions support this type and scale of residential development in the Oakwood-Milwood-Southeast Venice Subarea and intends to meet all applicable development requirements of the Venice Coastal Specific Plan (Ord. No. 175,693) Sections 10G, 12 and 13.

1. Density – The R2 zone allows up to two dwelling units per lot. The proposed addition to the existing single-family dwelling will maintain one dwelling unit and will not create an additional unit.
2. Height – The proposed project complies with the height requirements which limit projects fronting Walk Streets to 28 feet. The proposed project has a pitched roof, with a maximum height of 26'.
3. Setback – The prevailing front yard setback of residential structures along Amoroso is approximately 14.45 feet. The proposed project will maintain the existing front yard setback of 14'-6". In an effort to preserve the existing single-family dwelling and to comply with Survey LA findings for the Oakwood-Milwood-Southeast Venice Historic District, the proposed project is requesting a Zoning Administrator's Adjustment for a sideyard setback of the existing garage and the rear setback, for the existing garage.
4. Access – Vehicle access to the subject property shall be provided from streets or alleys other than Walk Streets. The property will maintain vehicle access from the rear, off of Amoroso Court.
5. Parking – As provided in Section 13.D of the Venice Coastal Zone Specific Plan, two parking spaces shall be provided on site.

COASTAL COMMISSION

- c. **The applicant has guaranteed to keep the rent levels of any Replacement Affordable Units at an affordable level for the life of the proposed project and to**

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register the Replacement Affordable Unit with the Los Angeles Housing Department.

No replacement affordable unit will be provided on the site since the proposed project does not involve the demolition or conversion of affordable units.

- d. **The Venice Coastal Development Project is consistent with the special requirements for low- and moderate-income housing units in the Venice Coastal Zone as mandated by California Government Code Section 65590 (Mello Act).**

The proposed project is located in the single permit jurisdiction of the Coastal Zone, as defined in the California Public Resources Code, Division 20 (commencing with Section 30000), as depicted on the City of Los Angeles Coastal Zone Maps. The proposed project does not involve the conversion, demolition or development of one or more residential units. Therefore, the proposed project is not subject to the Mello Act, as set forth in California Government Code Sections 65590 and 65590.1.

6. **The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review that would mitigate the negative environmental effects of the project, to the extents physically feasible.**

The proposed project has been determined not to have a significant effect on the environment and is therefore categorically exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to Article III, Section 1, Class 3, Category 1 of the City CEQA Guidelines. The project does not require mitigation or monitoring measures and no alternatives to the project were evaluated.

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

The proposed project has been determined not to have a significant effect on the environment and is therefore categorically exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to Article III, Section 1, Class 3, Category 1 of the City CEQA Guidelines. The project does not require mitigation or monitoring measures and no alternatives to the project were evaluated.

ZONING ADMINISTRATOR'S FINDINGS

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.**

In addition to the abovementioned Coastal Development Permit and Project Permit Compliance requests, the project also requests a Zoning Administrator's Adjustment to allow a rear yard of 3-feet 8-inches and a side yard of 1-foot 10-inches in lieu of the 15-foot rear yard and 4-foot side yard required by Code, in order to allow the proposed addition. Granting of the adjustments would allow the project to continue to utilize the detached garage, whose existing footprint is being maintained. The construction of the garage pre-dated current yard requirements, thus it has legal but non-conforming status. The proposed addition will attach the existing garage to the main building, and under this grant the garage will continue to observe non-conforming setbacks, but all new additions will conform to rear and side yard requirements.

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The substandard lot size makes strict adherence to yard regulations impractical and infeasible. The lot area of approximately 3,690 square feet is 1,400 square feet (or 28% less) less than the minimum lot area of 5,000 square feet required for the R2 zone. Further, the lot width of 40-feet and lot depth of 90-feet are less than the minimum width of 50-feet and depth of 100-feet required for the R2 zone. The lot was legally subdivided and therefore observes legal non-conforming status, and partial reduction in required yards is a reflection on the physical constraints of the lot, as well as a continuance of existing yards.

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 property is zoned for single-family and limited multiple-family residential use within a residential neighborhood. The proposed request seeks only to continue existing legal but non-conforming yards for the garage portion only, in order to allow an addition to an existing single-family home. All new construction beyond the garage portion is required to observe current yards that are required by Code. Granting of a partial waiver of yard requirements allows the project to retain the historic integrity of the structures, by maintaining a majority of the garage walls and locating the addition to the rear and thereby preserving the front façade. There is no evidence that granting a continuance of reduced side yards will adversely affect the community, as building permits indicate the garage and main building were constructed in 1921. Thus, it is unlikely that further harmful effects to the community and environment will occur in the future, as no adverse effects have occurred in the past 95 years.

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

The purposes, intent, and provisions of the General Plan and Community Plan seek to ensure compatibility with surrounding uses, both in development and use, and to encourage preservation of single-family neighborhoods. 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. The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The Venice Community Plan designates the site for Low Medium I Residential land uses, with the corresponding zone of R2 and Height District No. 1. The request for partial waiver of side and rear yards is consistent with the purposes, intent, and provisions of the General Plan and Municipal Code, and seeks to continue existing legal non-conforming side and rear yards for only the garage portion of the project. All new construction beyond the garage will satisfy current yard requirements. The project is consistent with the following policies of the Community Plan:

Policy 1.1-2: Protect the quality of the residential environment and the appearance of communities with attention to site and building design.

Policy 1.1-3: Protect existing single-family residential neighborhoods from new out-of-scale development and other incompatible uses.

Policy 1.1-4: Promote the preservation of existing single-family and multi-family neighborhoods.

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The proposed project was revised to preserve the existing buildings as much as possible, rather than demolish. The applicant worked with the Office of Historic Resources on a design that would be sensitive to the historic character of the neighborhood that reflects the status of the building, which is recognized as a potential contributor to the Milwood Venice Walk Streets Historic District. The Zoning Administrator acknowledges the public opinion regarding the size of the project, but finds that the finished floor area of the project of 2,648 square feet with an attached garage of 369 square feet is consistent with the Community Plan. Abovementioned related Zoning Administrator determinations serve as case precedents and show a sample size of floor areas of nearby dwellings within the past 8 years at 810 W. Amoroso Place (2,408 square feet), 912 W. Amoroso Place (2,453 square feet), 927 W. Amoroso Place (2,420 square feet), 924 Amoroso Place (1,334 square feet), and 910 W. Marco Place (2,500 square feet). These projects are just a small sample size and provided for reference only, and do not constitute a minimum or maximum floor area, as there are no floor area restrictions on residential projects besides the 3:1 FAR for the R2-1 zone. The proposed addition is consistent with the height regulations allowed by Code and the Specific Plan, and requests yard relief to continue legal non-conforming setbacks.

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 determined to be outside the 0.2% annual chance floodplain.
12. On August 6, 2015, the subject project was issued a Notice of Exemption, log reference ENV-2015-2907-CE, for a Categorical Exemption, Class 3, Category 1. Article III, Section 1, City CEQA Guidelines (Sections 15300-15333, State CEQA Guidelines). I hereby adopt that action.

TIME LIMIT – OBSERVANCE OF CONDITIONS

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. Pursuant to LAMC Section 12.25 A.2, the instant authorization is further conditional upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

The applicant's attention is called to the fact that this grant 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 the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code, or the approval may be revoked.

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Constituent Service Center in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077, (818) 374-5050, or through the Department of City Planning website at <http://cityplanning.lacity.org>. The applicant is further advised to notify any consultant representing you of this requirement as well.

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Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

TRANSFERABILITY

This determination 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 that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

APPEAL PERIOD - EFFECTIVE DATE

The Determination in this matter will become effective and final fifteen (15) days after the date of mailing of the Notice of Director's Determination unless an appeal there from 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 this Determination, 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.

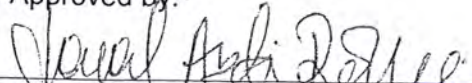
Provided no appeal has been filed by the above-noted date, a copy of the permit will be sent to the California Coastal Commission. Unless an appeal is filed with the California Coastal Commission before 20 working days have expired from the date the City's determination is deemed received by such Commission,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

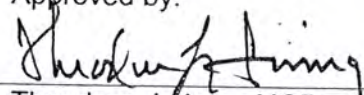
EXHIBIT # 4
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VINCENT P. BERTONI, AICP
Director of Planning

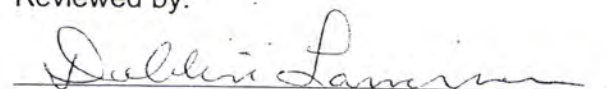
Approved by:


Faisal Roble, Principal City Planner

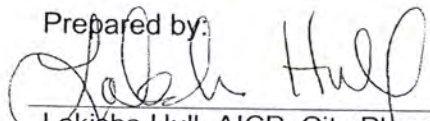
Approved by:


Theodore Irving, AICP, Associate Zoning
Administrator

Reviewed by:


Debbie Lawrence, AICP, Senior City Planner

Prepared by:


Lakisha Hull, AICP, City Planner

COASTAL COMMISSION

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STATE OF CALIFORNIA - THE RESOURCES AGENCY

EDMUND G. BROWN JR., Governor

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.

RECEIVED

South Coast Region

DEC 1 2016

CALIFORNIA
COASTAL COMMISSION

SECTION I. Appellant(s)
Name: Mary Jack
Mailing Address: 913 Marco Place

Venice

Zip Code: 90291

Phone: 310-849-9939

Additional appellant: Sue Kaplan, 736 Nowita Place, Venice, CA 90291; 310-822-0161

SECTION II. Decision Being Appealed

1. Name of local/port government:

Los Angeles

2. Brief description of development being appealed:

Appealing a Coastal Development Permit authorizing a remodel of an existing single-family dwelling with a 765 square-foot first floor addition and a 1050 square-foot second floor addition at the rear of the property for a total floor area of 2648 square feet, while retaining an existing 369 square feet 2-car garage, with a maximum height of 26 feet on a Walk Street, located in a single permit jurisdiction are of the Coastal Zone.

Appealing a Zoning Administrator's Adjustment from LAMC Section 12.08-C.3 to allow a rear yard of 3-feet-8-inches and a side yard of 1-foot-10 inches in lieu of a 15-foot rear yard and a 4-foot side yard required by Section 12.09-C, all in conjunction with an addition to an existing single-family dwelling in the R2-1 zone.

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

934 W. Amoroso Place, Venice, 90291; Venice Annex, Block 18, Lot 7; APN 06037-4241030019

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-16-0099

DATE FILED:

12-01-2016

DISTRICT:

South Coast

COASTAL COMMISSION

EXHIBIT #

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PAGE

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OF 5

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

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

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

6. Date of local government's decision: 10/5/2016

7. Local government's file number (if any): _____

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:

Owner/applicant:

Cameron Broumand

LOC Equities

11628 Santa Monica Blvd.

Los Angeles, CA 90025

Representative:

Bill Tsui

Yu2e, Inc.

3411 Caroline Ave.

Culver City, CA 90232

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) Lillian White, 910 Amoroso Place, Venice, CA, 90291

(2) Shepard Stern, 923 Marco Place, Venice, CA, 90291

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934 AMOROSO PLACE, VENICE, 90291

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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.

The L.A. General Plan's Venice Community Plan Venice Land Use Plan (certified by the Coastal Commission) ("LUP") Preservation of Venice as a Special Coastal Community, 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...."

LUP Policy I. E. 2. Scale states: "All new development....should respect the Scale, Massing, and Landscape of existing residential neighborhoods ..."

LUP 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."

LUP Policy I. A. 7. Multi-Family Residential – Low Medium II Density states: d. requires yards in order to accommodate the need for fire safety, open space, permeable land area for on-site percolation of stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood.

LUP Policy I. D. 3. Views of Natural Coastal Recreation Resources states: The scale of development shall comply with height limits, setbacks and standards for building massing specified in Policy Groups I.A and I.B, Residential and Commercial Land Use and Development Standards of this LUP, in order to protect public views in highly scenic coastal areas and vista points, including, but not limited to, the canals, lagoon, jetty, pier, Ocean Front Walk, walk streets and pedestrian oriented special communities.

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 30253(e) of Article 6 of Chapter 3 states: "Where appropriate, protect special communities that, because of their unique characteristics, are popular visitor destination points for recreational uses."

In consideration of the above requirements as well as the facts below, the proposed development would cause a significant adverse cumulative impact on the Scale, Mass & Character of the existing surrounding neighborhood and thus the Subarea of the Milwood Walk Streets and thus the Venice Community.

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 Venice Community Character is made up of the character of its distinct and unique Neighborhoods. Thus, the compatibility of the project with the Scale, Mass and Character of the surrounding existing neighborhood must be considered.

In general, the cumulative impact of drastically reduced rear and side-yard set-backs leading to the loss of structures and the lot lines is to ruin a Community such as Venice, which is special and unique due to the character.

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426 AMMOR PLACE, VENICE, 90291

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Reasons: continued (Page 4)

of its neighborhoods. Visitors come to Venice to see its special neighborhoods, each with its own unique and diverse architecture and general character, and a materially out-of-scale home with maxed out square footage in the middle of a beautiful coastal neighborhood of mainly 1-story homes, can detract from the scenic nature of the neighborhood. The Coastal Act provisions and LUP policies are in place to protect these neighborhoods from significant changes in their character, as developers would increase the size of the structures to the maximum extent possible in the absence of such policies and restrictions, in order to maximize profits.

Rear set-backs, especially on walk streets where vehicles can only access the properties via narrow alleys behind the homes, must be maintained. The rear set-backs allow for free and safe flow of traffic, both by personal vehicles and emergency vehicles, and the consistent degradation of these set-backs not only sets a dangerous precedent for future projects, but also creates a detrimental cumulative impact for the neighborhood. This project received a Zoning Administrator's Adjustment of a 3-foot 8-inch rear set back to replace an existing detached "legal but non-conforming" garage with a new, attached garage - unprecedented for the neighborhood. The new structure should be held to new construction rear set-back standards of 15-feet.

By not properly enforcing and considering the Scale, Mass and Character of its individual neighborhoods, the City has abdicated responsibility to the citizens of the surrounding neighborhoods for this, which is not fair or right.

Please insist on proper enforcement of compatibility of developments to the unique and special neighborhoods of the Venice Community, and the Milwood Walk Streets neighborhood, specifically. Venice is one of the few remaining Coastal Communities in the State, and should be protected as a resource of great importance to the State and its Coastal Zone. 6.15

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934 AMOROSO PLACE, VENICE, 90291

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APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 5)**SECTION V. Certification**

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

Mary Jane Sue Kaplan
Signature of Appellant(s) or Authorized Agent

Date: 12/1/16

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: _____

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LOCEQ -
AMOROSO

334 W. 36th St.
LOS ANGELES, CA 90018



Y&P Associates, Inc.
3401 Caroline Ave.
Culver City, CA 90232
Tel: (310) 551-1111
Fax: (310) 551-1112
Web: www.yandp.com

Architect: Y&P Associates, Inc.
Engineer: Y&P Associates, Inc.
Interior Designer: Y&P Associates, Inc.
Landscape Architect: Y&P Associates, Inc.
Civil Engineer: Y&P Associates, Inc.
Mechanical Engineer: Y&P Associates, Inc.
Electrical Engineer: Y&P Associates, Inc.
Structural Engineer: Y&P Associates, Inc.
Environmental Engineer: Y&P Associates, Inc.
Historic Preservation Architect: Y&P Associates, Inc.
Architectural Historian: Y&P Associates, Inc.
Archaeologist: Y&P Associates, Inc.
Geologist: Y&P Associates, Inc.
Hydrologist: Y&P Associates, Inc.
Marine Biologist: Y&P Associates, Inc.
Paleontologist: Y&P Associates, Inc.
Public Historian: Y&P Associates, Inc.
Social Scientist: Y&P Associates, Inc.
Urban Planner: Y&P Associates, Inc.
Visual Quality Analyst: Y&P Associates, Inc.
Wildlife Biologist: Y&P Associates, Inc.



SOUTHWEST ELEVATION

A



NORTHWEST ELEVATION

B

N.A.

RENDERINGS

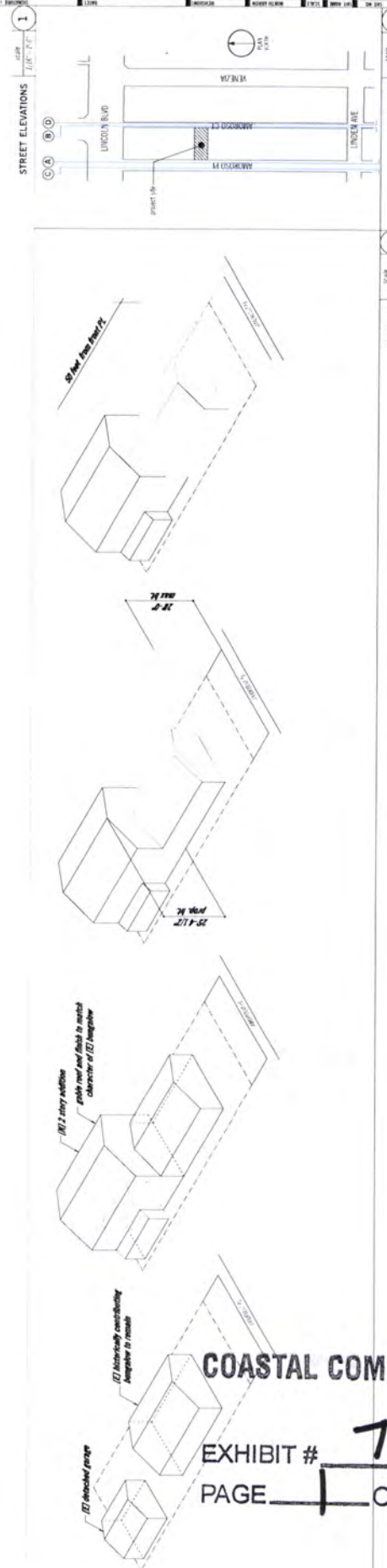
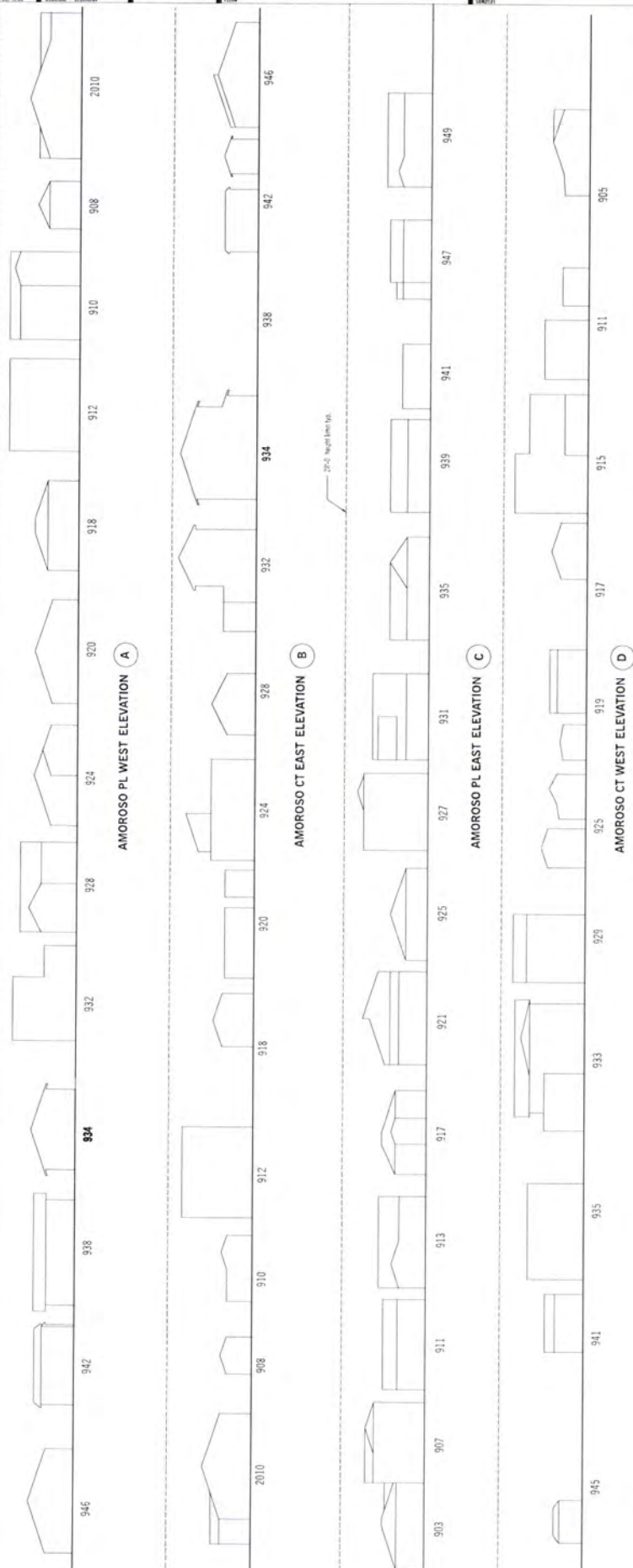
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November 14, 2015

COASTAL COMMISSION

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EXHIBIT # 7
PAGE 1 OF 2

JOSH SALE & MARGARET CURRAN

150 CHAPEL DRIVE • MILL VALLEY, CALIFORNIA 94941

HOME 415-388-8822 | CELL 415-847-6661 | E-MAIL: jsale@tril.com, pcurran@tril.com

August 2, 2016

Lakisha Hull
Department of City Planning
City Hall – Room 721
200 N. Spring Street
LA, CA 90012

**RE: 934 AMOROSO PLACE, VENICE – SUPPORT FOR PROJECT AS
MODIFIED ON AUGUST 2, 2016**

Dear Ms. Hull:

We appreciate receiving notice about the proposed project at 934 Amoroso Place in Venice. My husband and I own the adjacent property, number 932. Thank you for helping us contact the project architect, Bill Tsui. He has been very helpful and responsive to our concerns.

There are two issues for us: (1) the location of a second floor balcony and windows, and (2) setbacks adjustments. Each is addressed below:

I. Balcony and Windows:

We reviewed the plans and expressed concern to Mr. Tsui about the proposed windows and balcony directly opposite our courtyard; we believe they would adversely affect our privacy if built as originally proposed. Our house was designed with the courtyard as a key element of the architecture. When our old house burned down but the now-iconic 2-4-6-8 Thom Mayne structure did not, we engaged architects to specifically play off that element with the new house. The result, designed by architects Johnston-Marklee and approved by Pritzker Prize winning architect Thom Mayne, achieves just that. The central "void", the courtyard, is intended to mimic in reverse the two upright cubes that flank it. The courtyard is the heart of the main floor with all glass wall connections to the rest of the house, and its outdoor fireplace is visible from most of the main floor.

A balcony and windows opposite our courtyard would not only create a view from 934 directly into almost the entire first floor of our house, greatly impacting our privacy, it would also impact the quality of life at 934, since the courtyard at 932 is the center of the house. Everything opens up to it and it is the main gathering space for living and entertaining, and hence has noise and cooking odor potential. We think *everyone* would be better off with this potential clash averted. (We

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might add that our house did not max out setbacks, height or square footage; it is very restrained in scope.)

Mr. Tsui was very responsive to our concerns. He revised the plan, moving the balcony to the rear of the property and reducing windows overlooking the courtyard to one small, high one (we would like to see it be 6' above the floor level of the bedroom). These changes address our concerns and allow us to support the proposed project as modified by Mr. Tsui.

II. Setbacks:

It appears that the project planned for 934 is a thoughtful amalgam of old and new. We understand that the impetus for the relaxation of the setback requirements is that the old house should be retained, forcing some reasonable compensation elsewhere in the building footprint. We therefore have no objection to the requested setback adjustments.

We do have a general point, though, on this topic, which is that setbacks and restrictions in height and square footage exist for a purpose, and should only be waived or adjusted when there is compelling reason to do so. We are concerned about precedence, and believe if this project is to receive adjustments it should be only because of limiting factors related to the historic structure, not simply because it is preferred. We urge that adjustments for other projects in the neighborhood be rejected unless there are compelling reasons with offsetting benefit -- such as historic preservation -- which we support.

We hope any approval of this project is accompanied by a clear statement on the record that the adjustments are given ONLY because of the unique circumstances arising from the historic preservation. Please do not handle this in a manner that sets up the next applicant to seek and obtain adjustments because this one succeeded in doing so.

Thank you for considering our comments. We think the proposed project, as modified, is one that will benefit the entire neighborhood.

Sincerely,

Josh Sale and Margaret Curran
Owners, 932 Amoroso Place, Venice CA

Attachment: Modified second floor plan from Mr. Bill Tsui, August 2, 2006

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