

CALIFORNIA COASTAL COMMISSION

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



Click here to go to
original staff report

Th17b

ADDENDUM

DATE: March 3, 2017

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **Addendum to Item Th17b:** Appeal Number A-5-VEN-17-0001 (Belal Al-Shawe, 417 Sunset Avenue, LLC), scheduled for the Commission meeting of March 9, 2017

Changes to Staff Report

Commission staff recommends changes to the project location on page one (1) of the staff report to correct an error regarding the project location. Eliminated language is identified in ~~strike~~ ~~through~~ and new language is identified in **bold underline**.

Project Location: 415- & 417 Sunset Avenue, Venice, City of Los Angeles, Los Angeles County (APN No. 4240-008-020).

CALIFORNIA COASTAL COMMISSION

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



Th17b

Filed: 01/03/2017
49th Day: 03/15/2017
Staff: S. Vaughn-LB
Staff Report: 02/23/2017
Hearing Date: 03/09/2017

STAFF REPORT: APPEAL – NO SUBSTANTIAL ISSUE

Appeal Number: A-5-VEN-17-0001

Applicant: Belal Al-Shawe, 417 Sunset Avenue, LLC

Agent: Steve Nazemi

Local Government: City of Los Angeles

Local Decision: Approval with Conditions

Appellants: Naomi Nightingale, Taylor Nightingale, Celia Williams, VC-PUCC, Lydia Ponce, Robin Rudisill, and Pam Anderson

Project Location: 415 & 417 Sunset Avenue, Venice, City of Los Angeles, Los Angeles County (APN No. 4240-008-020).

Project Description: Appeal of City of Los Angeles Local Coastal Development Permit No. ZA-2013-955-CDP-ZAA-MEL approved with conditions for the demolition of a two-story single-family residence and accessory structure, subdivision of the lot into two small lots, and the construction of two 30-foot high (plus approximately 35-foot high, 87 sq. ft. roof access structures), 2,972 & 2,960 sq. ft., two-story single-family residences, each with an attached two-car garage.

Staff Recommendation: No Substantial Issue

SUMMARY OF STAFF RECOMMENDATION

The City approved a local coastal development permit (CDP) for the subject development on November 7, 2013. No local appeals were filed by the end of the City's local appeal period, November 22, 2013. However, the City failed to notify the Commission of their final local action within the required five working-day period. As such, the Commission was not able to establish

its twenty working-day appeal period until the Notice of Final Local Action was received more than three years later on December 2, 2016. During the Commission's appeal period, this one appeal was received. It is noted that the City-approved development commenced during this three-year gap between the City's action and the Commission's receipt of the City's Notice of Final Action, and the construction of the two proposed single family residences has already occurred.

The appellants assert that the mass and scale of the City-approved development is not consistent with the community character of the area, that the demolition of the pre-existing structures was not authorized under the local CDP, and that the City violated California Code of Regulations (CCR) section 13331 by not notifying the Commission of its final local action within the required five working days of that action. The appellants are correct in their assertion that the City violated CCR section 13331 and that the project description on page one of the local CDP did not explicitly describe the demolition of the pre-existing structures. However, a violation of CCR section 13331 is not, in itself, grounds for appeal, and the local CDP does expressly describe the demolition of the pre-existing structures as part of the Mello Act finding on page 9. Also, the demolition is implicitly understood by the scope of work and the approved plans of the local CDP.

Staff has analyzed the mass and scale of the City-approved residences and they are, in fact, consistent with not only the development standards set forth in the certified Venice Land Use Plan (LUP), but also with other development in the surrounding area. Therefore, the City-approved development is consistent with the community character of the area and, by extension, consistent with the Chapter 3 policies of the Coastal Act.

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 reason: the development, as approved by the City of Los Angeles, is consistent with the Chapter 3 policies of the Coastal Act, and therefore does not negatively impact coastal resources. Pursuant to section 30625, the grounds of appeal are limited to whether or not a substantial issue exists as to conformity with Chapter 3 of the Coastal Act when there is an appeal pursuant to section 30602(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 three 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.

TABLE OF CONTENTS

I. MOTION AND RESOLUTION – NO SUBSTANTIAL ISSUE4
II. APPELLANTS’ CONTENTIONS.....4
III. LOCAL GOVERNMENT ACTION AND PROJECT HISTORY4
IV. APPEAL PROCEDURES.....5
V. SINGLE PERMIT JURISDICTION AREA6
VI. FINDINGS AND DECLARATIONS – SUBSTANTIAL ISSUE6
 A. PROJECT LOCATON AND DESCRIPTION 6
 B. FACTORS TO BE CONSIDERED IN SUBSTANTIAL ISSUE ANALYSIS 7
 C. SUBSTANTIAL ISSUE ANALYSIS 7

APPENDICES

Appendix A – Substantive File Documents

EXHIBITS

- Exhibit 1 – Vicinity Map
- Exhibit 2 – City Staff Report and Approved Plans
- Exhibit 3 – Appeal

I. MOTION AND RESOLUTION – NO SUBSTANTIAL ISSUE

Motion: *I move that the Commission determine that Appeal No. A-5-VEN-17-0001 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-17-0001 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 December 2, 2016, the Commission received a notice of final local action for Local CDP No. ZA-2013-955-CDP-ZAA-MEL, including Parcel Map Case No. AA-213-953-PMLC-SL, which approves the demolition of a two-story single-family home and accessory structure on a 5,557 square foot lot, a subdivision of the lot into two smaller lots, and the construction of two, two-story, 30-foot high (plus approximately 35-foot high 87 square foot roof access structures) single-family homes (one house on each lot: 2,972 square feet & 2,960 square feet), each with three on-site parking spaces: two in attached two-car tandem garages and one additional uncovered space on each lot.

On January 3, 2017, within 20 working days of receipt of notice of final local decision, Naomi Nightingale, Taylor Nightingale, Celia Williams, VC-PUCC (Venice Coalition to Preserve Unique Community Character), Lydia Ponce, Robin Rudisill, and Pam Anderson filed an appeal of the local CDP contending 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, and therefore the City-approved project is not consistent with Chapter 3 of the Coastal Act. The appellants also contend that the City's CDP did not explicitly allow for the demolition of the existing residence and that the City violated CCR section 13331 by not notifying the Commission of the City's final action within the required five working days (**Exhibit 3**).

III. LOCAL GOVERNMENT ACTION

On October 9, 2013, the City Zoning Administrator held a public hearing for Local CDP ZA-2013-955-CDP-ZAA-MEL and Parcel Map Case No. AA-2013-953-PMLA-SL (Belal Al-Shawe, 417 Sunset Avenue, LLC) for the project. On November 7, 2013, the Zoning Administrator issued a determination letter approving the local CDP for the proposed small-lot subdivision, demolition of the existing single family residence, and the construction of two single-family residences. No appeals were filed at the local level. Three years passed, and the City's Notice of Final Local Action for the local CDP was not received in the Coastal Commission's Long Beach Office until December 2, 2016. Upon receipt of the City's Notice of Final Local Action, the Coastal

Commission’s required twenty working-day appeal period was established. On January 3, 2017, this one appeal was received from the appellants (**Exhibit 3**). No other appeals were received prior to the end of the appeal period on January 3, 2017.

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 CDPs. Sections 13301-13325 of Title 14 of the California Code of Regulations provide procedures for issuance and appeals of locally issued CDPs. Section 30602 of the Coastal Act allows *any* action by a local government on a CDP application evaluated under Section 30600(b) to be appealed to the Commission. The standard of review for such an appeal is the Chapter 3 policies of the Coastal Act. [Cal. Pub. Res. Code §§ 30200 and 30604.]

After a final local action on a local CDP application, the Coastal Commission must be noticed within five days of the decision. After receipt of such a notice which contains all the required information, a twenty working-day appeal period begins during which any person, including the 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 appellants’ contentions raise no substantial issue as to conformity with Chapter 3 of the Coastal Act, the action of the local government becomes final. Alternatively, if the Commission finds that a substantial issue exists with respect to the conformity of the action of the local government with the Chapter 3 policies of the Coastal Act, the local CDP is voided and the Commission typically continues the public hearing to a later date in order to review the CDP 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 CDP also obtain a second (or “dual”) CDP 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 CDP required. The subject 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 LOCATION AND DESCRIPTION

The project site for the City-approved development is located in an industrial, commercial, and residential neighborhood within the Oakwood subarea of Venice, City of Los Angeles. The subject lot is approximately 5,557 square feet in area and designated as Multi Family Residential (Low Medium II) by the Venice Land Use Plan and zoned RD1.5-1 by the Los Angeles Municipal Code. The site is located approximately ¼ of a mile inland of the public beach and boardwalk (**Exhibit 1**). The Oakwood neighborhood and the subject block are characterized primarily by one-story, two-story, and three-story single-family and multi-family homes of varying architectural styles (often featuring two detached units per residential lot). Directly across the street from the site is the Venice Skills Center, an adult education and job training institution. The blocks directly adjacent to the subject block are comprised of one-story and two-story single-family homes and large two-story and three-story multi-unit apartment buildings. In addition to the Venice Skills Center, there are several other non-residential developments including a gym, a three-story public storage facility, a bakery, and a large tech company building in the neighboring area.

The City-approved project includes the subdivision of the lot into two small lots, demolition of a two-story single-family residence and detached accessory structure, and the construction of two two-story 30-foot high (plus approximately 35-foot high 87 square foot roof access structures), 2,972 & 2,960 square foot, single-family residences, each with an attached two-car garage with tandem parking spaces and an additional uncovered on-site parking space for a total of three on-

site parking spaces for each residence. Parking for the residences will be accessed through the rear alley and there will be no new curb cuts. The City-approved project also includes a reduced rear yard setback off of the alley of 6 feet instead of 15 feet, and an adjustment of four inches in between the two new structures instead of the normally required 10 feet (**Exhibit 3**). The front yard setback for each residence is fifteen feet, consistent with City zoning requirements.

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 regulations 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 CDP issued by the local government prior to certification of its LCP are the Chapter 3 policies of the Coastal Act. Any local government CDP 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 Oakwood subarea of Venice. The appellants also assert that the City’s CDP did not authorize the demolition of the

existing structure and that the City violated CCR section 13331 by not notifying the Commission of the final local action on the local CDP within five working days of that final action.

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.¹

When the Commission certified the Venice 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 diverse 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 LUP 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.

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

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 Development Standards 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...

a. Roof Access Structures. Building heights and bulks shall be controlled to preserve the nature and character of existing residential neighborhoods. Residential structures may have an enclosed stairway (roof access structure) to provide access to a roof provided that:

i. The roof access structure shall not exceed the specified flat roof height limit by more than 10 feet;

ii. The roof access structure shall be designed and oriented so as to reduce its visibility from adjacent public walkways and recreation areas:

iii. The area within the outside walls of the roof access structure shall be minimized and shall not exceed 100 square feet in area as measured from the outside walls; ...

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.A.7.d states, in part:

Density: One unit per 1,500 – 2,000 square foot of lot area. Lots smaller than 4,000 square feet are limited to a maximum density of two units.

The City approved the demolition of a two-story single-family residence and accessory structure and the construction of two two-story, 30-foot high single-family residences with three on-site parking spaces each. Certified LUP Policy I.A.7, allows up to three residential units for a 5,557 square-foot lot ($5,557 / (1,500 \& 2,000) = 3.7 \& 2.8$; $\mu 3.7 \& 2.8 = 3.25$). Prior to the subdivision of the lot, it could have been developed with three residential units. The City approved two residential units on the site. As such, the approved development does not exceed the LUP's density limit for the site.

The height limit, as set forth in the certified Land Use Plan, is 25 feet for structures with flat roofs and 30 feet for structures with varied roofs located in the Oakwood subarea of Venice. Roof access structures may reach a height of 10 feet above the flat roof height limit and have an area no greater than 100 square feet. In this case, roof access structures may reach a height of 35 feet and are 87 square feet in area each. The proposed structures have pitched rooflines that are articulated and stepped back from the public sidewalk and street. The new structures are set back 15 feet from the street facing property line, providing landscaped front yards. The roof heights facing the front yard start at 24 feet and, with the exception of approximately 35-foot high roof access structures, ascend to 30 feet and then vary in height between 24 and 30 feet until they reach the alley-facing end (**Exhibit 3**).

The City also approved adjustments for the separation space between the two structures of four inches, instead of ten feet, and a rear yard (alley facing) setback of six feet instead of 15 feet. The reduced separation space between the buildings does not raise any LUP or Coastal Act issues and is consistent with the small lot subdivision projects previously approved by the City. The reduction of the rear yard setback is consistent with the prevailing setbacks of the other structures that abut the alleyway and, in fact, provides a larger setback than the structures directly adjacent to the subject structures (**Exhibits 1 & 3**). The City-approved design does not maximize on the size and scale limits set forth in the certified LUP, provides significant articulation, and is consistent in height with the neighboring development. This particular block contains two large two-story apartment buildings, and the border lot directly east of the site is developed with a one-story single-family home in the front of the lot and a large two-story structure at the rear of the lot. The adjacent blocks to the east and west of the site contain large two-story and three-story apartment buildings and one-story and two-story single-family homes.

Additionally, the project is consistent with previous Commission actions in the area, which have authorized similarly sized two-story residential structures. In some cases, proposed three-story structures have been found to exceed the acceptable scale of development in Oakwood. However, two-story homes are common in the area, and new two-story development is routinely approved. Previous Commission actions in the area include:

Table 1. Past Commission actions in the Oakwood subarea.
*roof access structure not included in height

Address	CDP No.	Height (ft.)	Square Footage
20 Sunset Ave (SFR)	5-16-0934	28'*	2,587
20 Sunset Ave (SFR)	5-99-245-W	30'	2,054
56 Sunset Ave (SFR) (2 units)	5-04-107-W	28' (unit 1) 28' (unit 2)	1,150 (unit 1) 2,770 (unit 2)
23 Sunset Ave (SFR)	5-04-041-W	17'	2,300
44 Sunset Ave (SFR)	5-03-429	28'	2,300
35 Sunset Ave (SFR)	5-00-269	28'	3,500

The appellants also contend that the local CDP does not explicitly allow for the demolition of the existing residence. While the project description on page one of the local CDP did not explicitly describe the demolition of the pre-existing structures, the local CDP does describe the demolition of the pre-existing structures as part of the Mello Act finding on page 9. Also, the demolition is implicitly understood by the scope of work and the City-approved plans attached as Exhibit A to the local Coastal Development Permit. Considering the scope of the City-approved development and the approved project plans, which show two new residences on the site of the old residence, it is easily implied that the pre-existing structures on the lot would be demolished. Indeed, the structures approved by the City could not have been constructed without demolition of the old structures. Furthermore, in addition to the finding that no affordable units exist on the site, the City's Mello Act determination also explicitly states that the existing single-family residence would be demolished. Additionally the City did not find that the pre-existing residence was part of the historical inventory of Venice and the demolition of the house and accessory structure is not inconsistent with the certified LUP or with Chapter 3 of the Coastal Act.

Additionally, the appellants contend that the City violated CCR section 13331 by not informing the Commission of its final action on the local CDP within the required five working days of the City's final action. In fact, the City did not inform the Commission of the final local action on the CDP until more than three years later. While the City's failure to report the final local action does violate CCR section 13331, this is not grounds for a finding of substantial issue. Furthermore, the standard of review for the appeal of this project is whether the project described in the local CDP raises a substantial issue regarding consistency with the Chapter 3 policies of the Coastal Act. Violation of CCR section 13331 does not raise a substantial issue regarding consistency with Chapter 3 of the Coastal Act.

Therefore, the appeal raises no substantial issue as to conformity with the Chapter 3 policies of the Coastal Act because the demolition of the pre-existing development was not inconsistent with the certified LUP and the new structures are consistent with the scale and massing of the existing residential neighborhood.

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 approved a project that is consistent with the development policies regarding mass, scale, and character of the certified LUP and, by extension, the Chapter 3 policies of the Coastal Act. Additionally, the City's Mello Act finding, while not a Chapter 3 requirement, found that no affordable units existed on the site and stated that the existing structures would be demolished. The City's late noticing of their final local action of the CDP does not raise any issue regarding conformity with Chapter 3 policies of the Coastal Act. Therefore, the Commission finds that the City provided an adequate degree of factual and legal support for 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 demolish a single-family residence and

replace it with two new single-family residences. The scope is consistent with that of the surrounding development, which is comprised primarily of one-story and two-story single-family homes, two-story and three-story multi-family residences, and a variety of commercial and industrial buildings. The locally approved project would have no adverse impacts to visual resources and is consistent with the community character of the neighborhood. Therefore, the Commission finds that the extent and scope of the City-approved development is consistent with the Chapter 3 policies of the Coastal Act.

The third factor is the significance of the coastal resources affected by the decision. Mass, scale, and character are significant coastal resources. However, the City-approved development is consistent with the mass, scale, and character described in the certified LUP and with that of the surrounding area. Therefore, the Commission finds that the City-approved development will not have a significant impact on coastal resources.

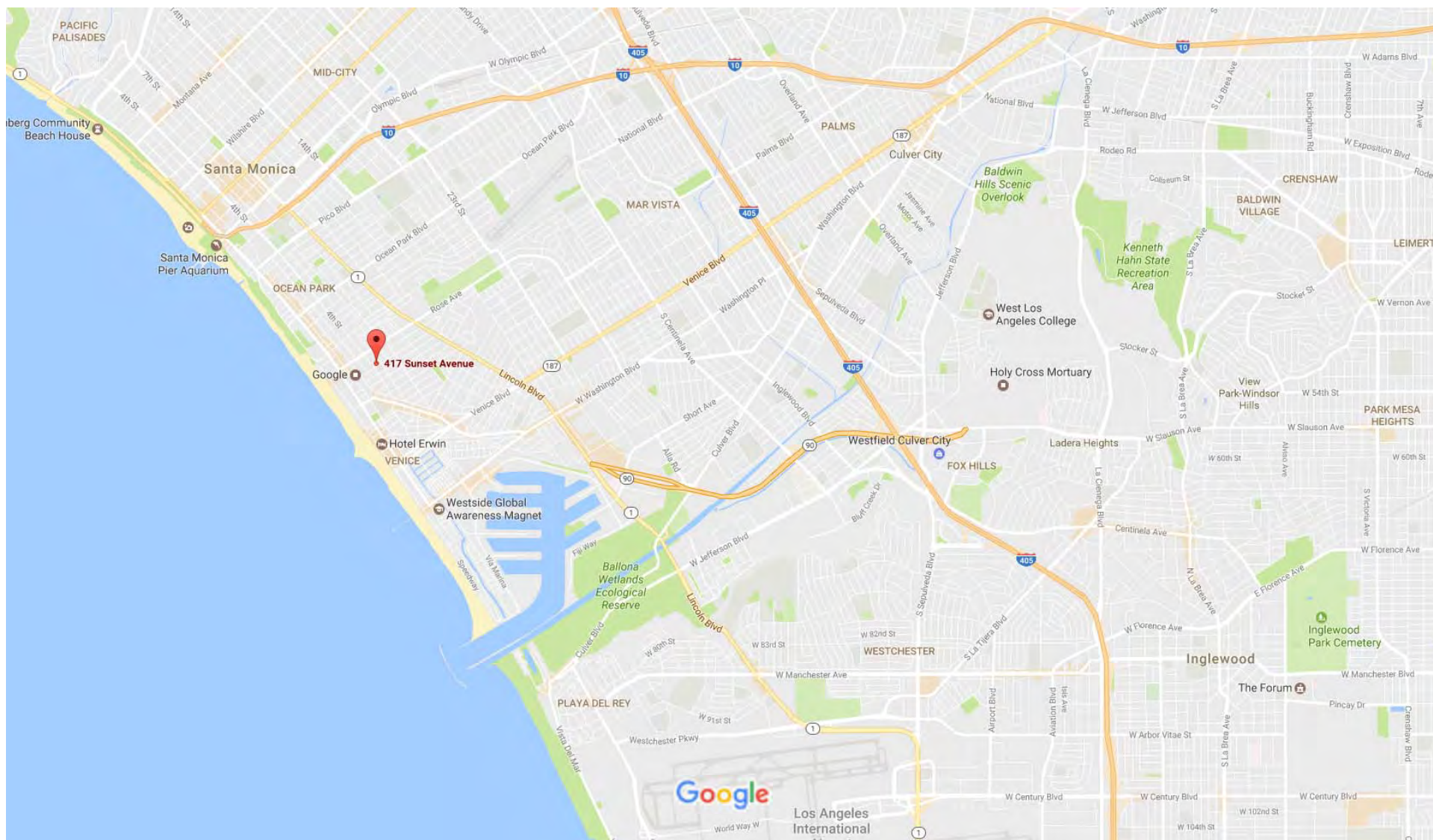
The fourth factor is the precedential value of the local government's decision for future interpretations of its LCP. The City does not currently have a certified LCP but it does have a certified LUP. The City-approved development is consistent with the residential building standards related to scale, 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 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. Therefore, the Commission finds that the City-approved development will not prejudice the City's ability to certify an LCP.

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. However, the City-approved development is consistent with the development standards of the certified LUP and with Chapter 3 of the Coastal Act. Therefore, the Commission finds that the City-approved CDP does not raise any issues of statewide significance.

Conclusion

Applying the five factors listed above 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.

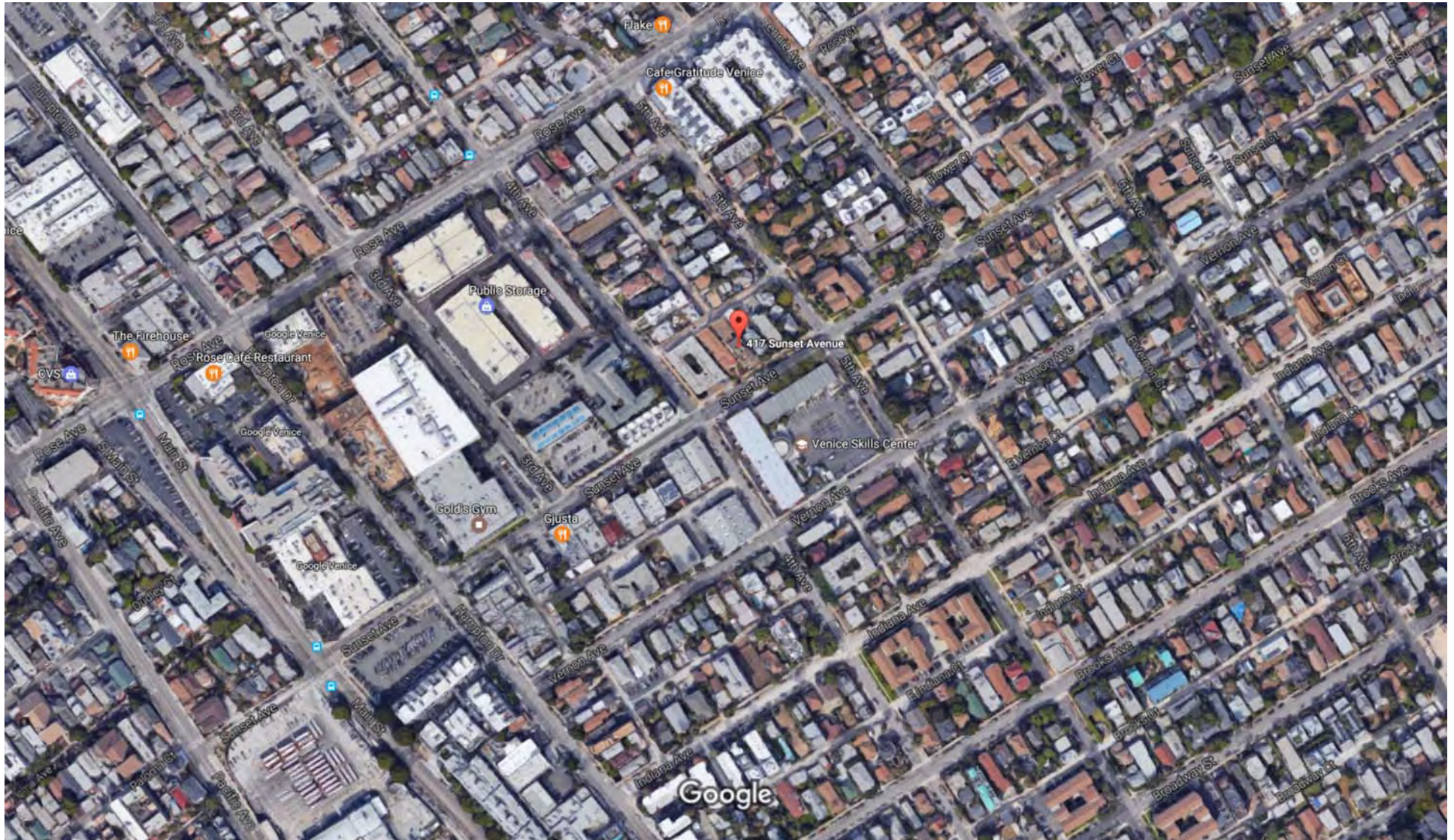
Google Maps 417 Sunset Ave



Map data ©2017 Google 2000 ft

Coastal Commission
A-5-VEN-17-0001
Exhibit 1
Page 1 of 8

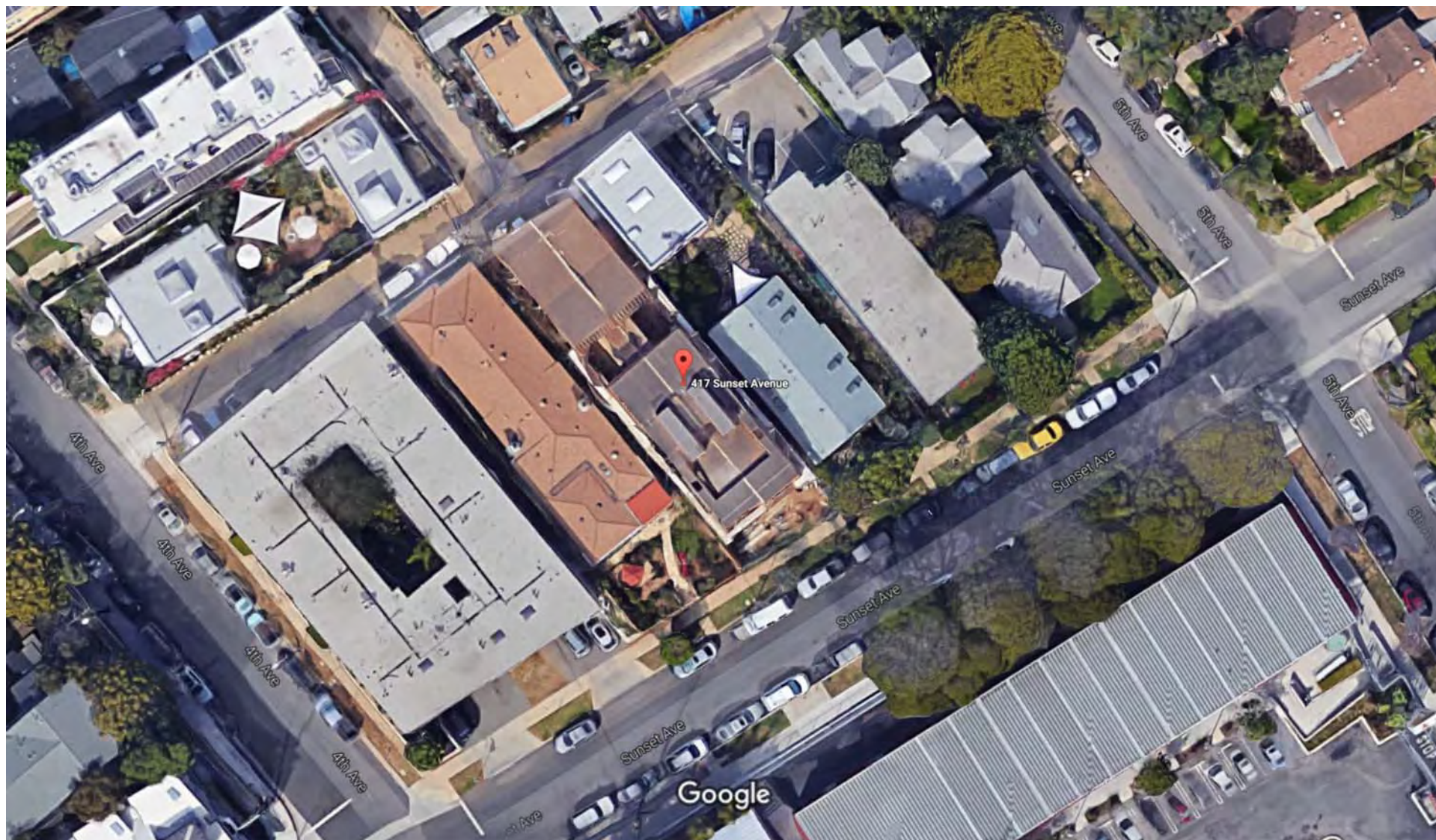
Google Maps 417 Sunset Ave



Imagery ©2017 Google, Map data ©2017 Google 200 ft

Coastal Commission
A-5-VEN-17-0001
Exhibit 1
Page 2 of 8

Google Maps 417 Sunset Ave



Imagery ©2017 Google, Map data ©2017 Google 20 ft

Coastal Commission
A-5-VEN-17-0001
Exhibit 1
Page 3 of 8

Google Maps 417 Sunset Ave



Image capture: Jun 2011 © 2017 Google

Los Angeles, California

Street View - Jun 2011

Coastal Commission

A-5-VEN-17-0001

Exhibit 1

Page 4 of 8



417 Sunset Ave

Site After Demolition



Image capture: Aug 2014 © 2017 Google

Los Angeles, California

Street View - Aug 2014

Coastal Commission

A-5-VEN-17-0001

Exhibit 1

Page 5 of 8

Google Maps 417 Sunset Ave



Los Angeles, California

Street View - Aug 2015

Image capture: Aug 2015 © 2017 Google

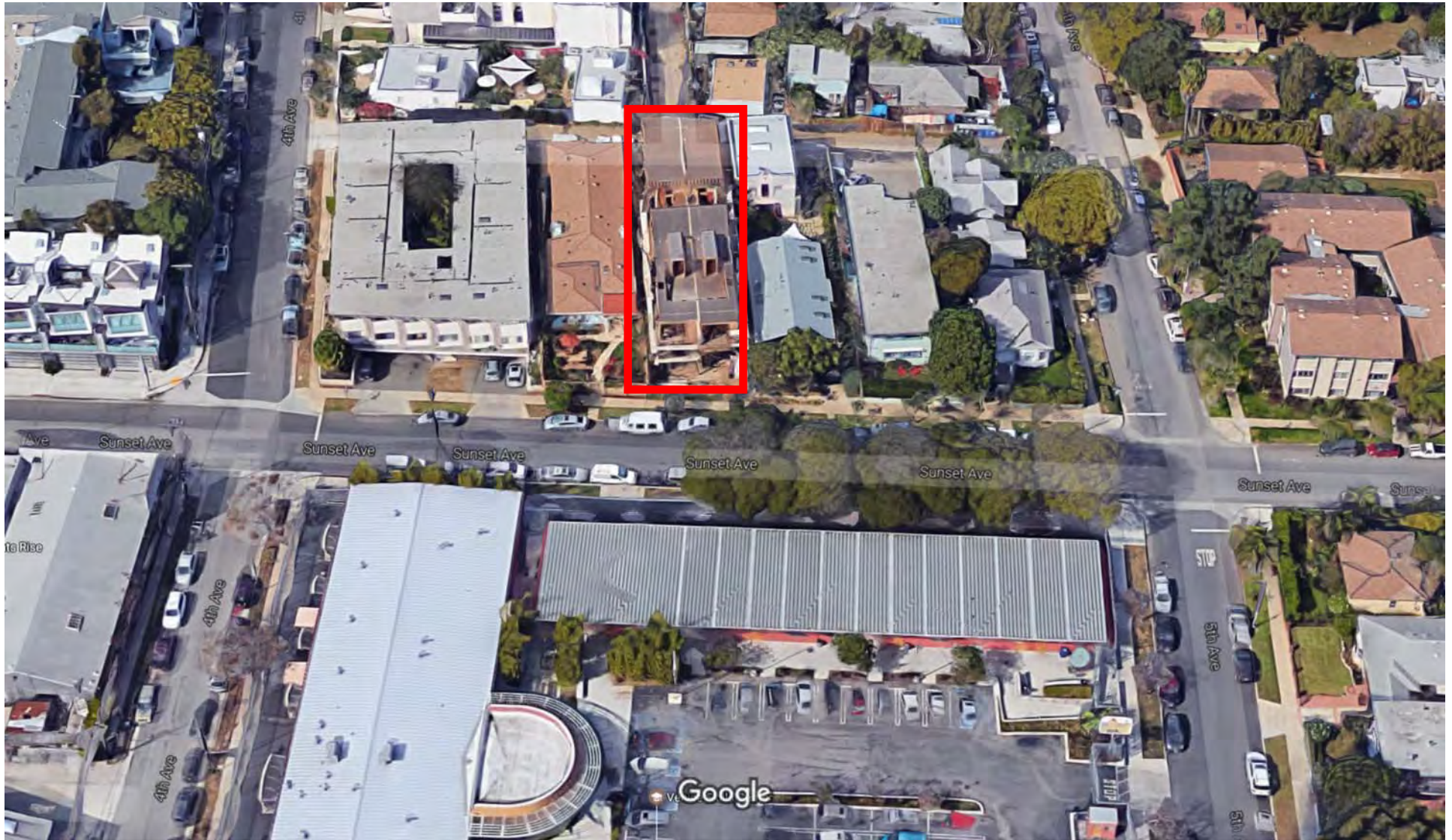
Coastal Commission

A-5-VEN-17-0001

Exhibit 1

Page 6 of 8

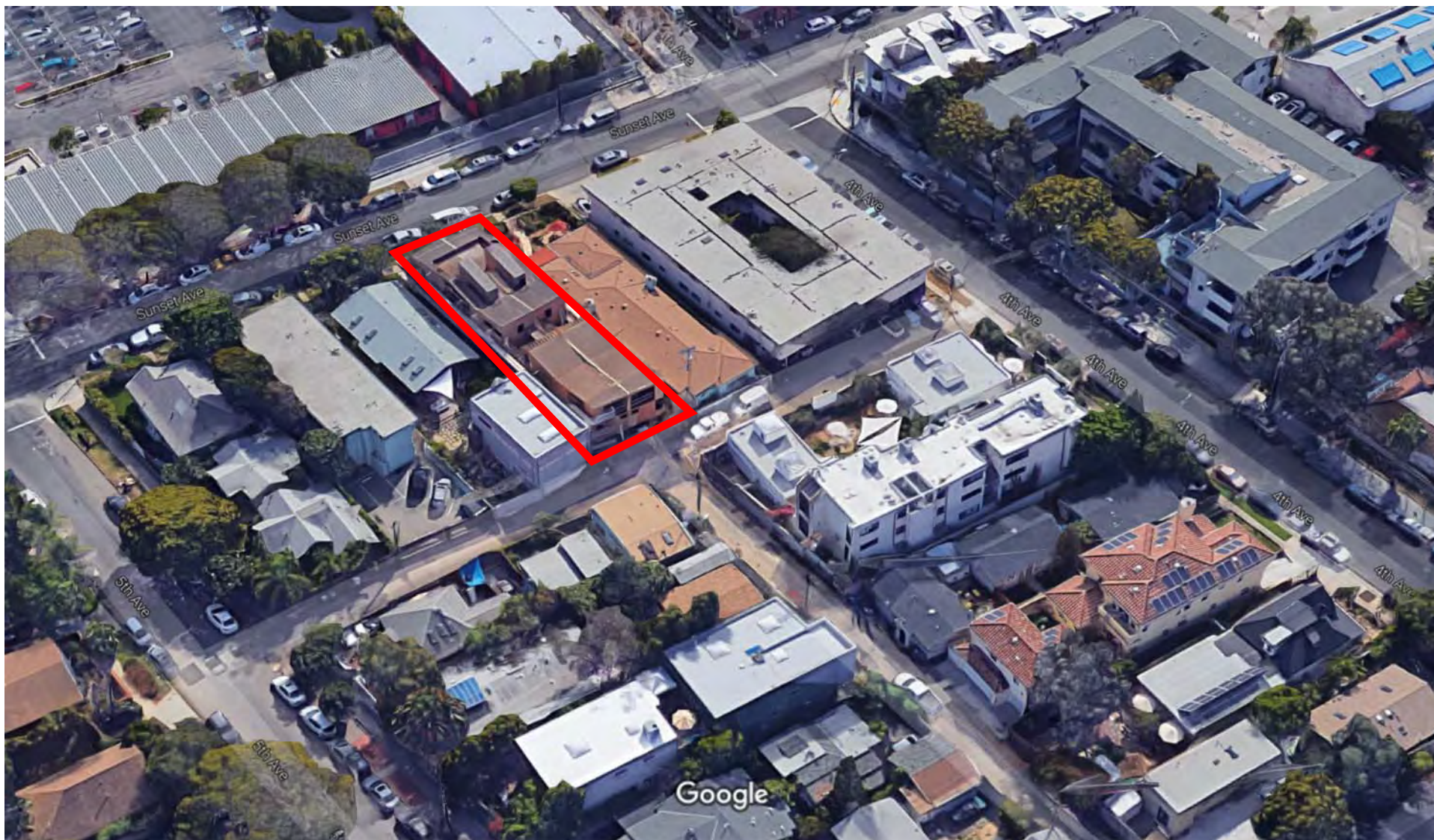
Google Maps



Imagery ©2017 Google, Map data ©2017 Google 20 ft

Coastal Commission
A-5-VEN-17-0001
Exhibit 1
Page 7 of 8

Google Maps 417 Sunset Ave



Imagery ©2017 Google, Map data ©2017 Google 20 ft

Coastal Commission
A-5-VEN-17-0001
Exhibit 1
Page 8 of 8

**DEPARTMENT OF
CITY PLANNING**

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
PRESIDENT

RENEE DAKE WILSON
VICE-PRESIDENT

ROBERT L. AHN
CAROLINE CHOE
RICHARD KATZ
JOHN W. MACK
SAMANTHA MILLMAN
VERONICA PADILLA-CAMPOS
DANA M. PERLMAN

ROCKY WILES
COMMISSION OFFICE MANAGER
(213) 978-1300

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

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

RECEIVED
South Coast Region
KEVIN J. KELLER, AICP
DEPUTY DIRECTOR
(213) 978-1272

DEC ' 2 2016

CALIFORNIA
COASTAL COMMISSION
LISA M. WEBBER, AICP
DEPUTY DIRECTOR
(213) 978-1274
JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

<http://planning.lacity.org>

NOTICE OF PERMIT ISSUANCE

Date: November 29, 2016

TO: California Coastal Commission

FROM: City of Los Angeles Advisory Agency

SUBJECT: Parcel Map No. AA-2013-0953-PMLA-SL and
Coastal Development Permit No. ZA-2013-0955(CDP)(ZAA)(MEL)

Pursuant to a October 9, 2013 hearing for Coastal Development Permit located at 417 East Sunset Avenue, the Deputy Advisory Agency's November 7, 2013 approval of Parcel Map No. AA-2013-0953-PMLA-SL and Coastal Development Permit No. ZA-2013-0955(CDP)(ZAA)(MEL) became final and in effect on November 22, 2013 and not subject to any appeals. Unless an appeal has been filed with your office after Commission receipt of the enclosed Letter of Determination the action on Coastal Development Permit No. ZA-2013-0955(CDP)(ZAA)(MEL) should also become final and effective 20 days after receipt of the enclosures.

Note: Project is in the single permit jurisdiction area.

JOSE CARLOS ROMERO-NAVARRO
Deputy Advisory Agency

JCR:thb

cc: Applicant's representative

N:\Za\SUBDIV\Coastal Notice of Permit-tract\coastal notice of permit issuance.doc

LYNN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

R. NICOLAS BROWN
SUE CHANG
LOURDES GREEN
CHARLES J. RAUSCH, JR.
JIM TOKUNAGA
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

**DEPARTMENT OF
CITY PLANNING**

MICHAEL J. LOGRANDE
DIRECTOR

**OFFICE OF
ZONING ADMINISTRATION**

200 N. SPRING STREET, 7TH FLOOR
LOS ANGELES, CA 90012
(213) 978-1318
FAX: (213) 978-1334
www.planning.lacity.org

November 7, 2013

Belal Al-Shawe (A)(O)
417 Sunset Avenue, LLC
1010 Broadway
Santa Monica, CA 90401

Steve Nazemi (R)
DHS & Associates, Incorporated
275 Centennial Way, Suite 205
Tustin, CA 92780

CASE NO. ZA-2013-955(CDP)(ZAA)(MEL)
COASTAL DEVELOPMENT PERMIT/
ZONING ADMINISTRATOR'S
ADJUSTMENT

Related Case: AA-2013-953-PMLA-SL
417 Sunset Avenue
Venice Planning Area
Zone : RD1.5-1
D. M. :
C. D. : 11
CEQA : ENV-2013-953-MND
Legal Description: Lot 20, Block M,
Carnation Park Tract

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

A coastal development permit to allow the construction, use and maintenance of two single family dwellings (small lot development) in the single permit area of the California Coastal Zone, and

Pursuant to the provisions of the Los Angeles Municipal Code Section 12.28-A I hereby APPROVE:

a Zoning Administrator's Adjustment from Section 12.09.1(B) to permit a reduced rear yard setback of 6 feet in lieu of the required 15 feet, and a Zoning Administrator's Adjustment from Section 12.21-C,2(a) of the LAMC to permit 4-inch building separations (internal side yards) in lieu of the required 10 feet.

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.
6. Indemnification. 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.
7. This approval is tied to AA-2013-953-PMLA-SL and ENV-2013-953-MND, which was heard at a concurrent hearing on October 9, 2013. The applicant shall comply with all mitigation measures established therein.
8. Prior to issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement for CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. This agreement with the conditions attached must be submitted to the Department of City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.

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

All terms and Conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within two years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried

on diligently to completion, the authorization shall terminate and become void. A Zoning Administrator may extend the termination date for one additional period not to exceed one year, prior to the termination date of the period, if a written request on appropriate forms, accompanied by the applicable fee is filed therefore with a public Office of the Department of City Planning setting forth the reasons for said request and a Zoning Administrator determines that good and reasonable cause exists therefore.

TRANSFERABILITY

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

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

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

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

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this 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 if the same be 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. The Zoning Administrator's determination in this matter will become effective after November 22, 2013 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 the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are also 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

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

NOTICE

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

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report by the Department of City Planning Staff thereon, and the statements made at the public hearing on October 9, 2013, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the five requirements and prerequisites for granting an adjustment as enumerated in Section 12.28 of the Los Angeles Municipal Code have been established by the following facts:

BACKGROUND

The project site is located in the Venice Community Plan area and is designated as Low Medium II Residential land use and is zoned RD1.5-1. It is rectangular shaped with a uniform depth of 140 feet and frontage of 40 feet on the north side of Sunset Avenue. The rear yard of the property is located on a 20-foot through alley. The property is elevated from the sidewalk approximately one and half feet but is mostly flat as it progresses to the north and is improved with a one-story single family dwelling.

Surrounding properties on the north side of Sunset Avenue are improved with mix density residential uses in the RD1.5-1 Zone. Surrounding properties on the south side of Sunset Avenue are improved with a variety of retail uses in the M1-1 Zone. Directly across from the site on the south side of Sunset Avenue is the Venice Skills School in the PF Zone.

The proposed project consist of developing two 2-story, single family dwellings with two tandem parking spaces in an attached garage located on the alley, pursuant to a Small Lot

Subdivision (AA-2013-953-PMLA-SL), in the RD1.5-1 Zone. The architectural design of the proposed dwellings will reflect a modern architectural style and will be eco-friendly. The proposed development is in compliance with the Zoning Code regarding density, height, and parking as required in the Venice Coastal Specific Plan.

The applicant is seeking a coastal development permit for the construction, use and maintenance of two single family dwellings (small lot development) in the single permit area of the California Coastal Zone, Zoning Administrator's Adjustments to allow a reduced rear yard setback of 6 feet in lieu of the required 15 feet and to allow building separations of 4-inches (internal side yards) in lieu of the required 10 feet.

The Small Lot provisions permits reduced side, and rear yards, building separations and passageways. The Small Lot Ordinance does not contain language which supersedes the requirements of the Zoning Code, prior to the recordation of the final map. Therefore, technical the provisions of the Small Lot Ordinance do not take effect until after the final map is recorded. The subject case is incidental to AA-2013-953-PMLA-SL, a request to permit a Small Lot Subdivision for the construction of two single family dwellings with attached two car garages. An existing dwelling was demolished on the property which requires a Mello determination.

Previous Cases, Affidavits, permits and Orders on the Applicant's Property:

Case No. AA-2013-953-PMLA-SL is a concurrent request to permit the construction of two single family dwellings in accordance with the Small Lot provisions and was approved by the Deputy Advisory Agency on November 4, 2013.

Previous Cases, Affidavits, permits, and Orders on the Surrounding Properties:

There are no relevant cases on surrounding properties.

Public Hearing

The public hearing was held on Wednesday October 9, 2013 in City Hall. The hearing was attended by the engineer of the map and the architect for the project. Two residents spoke at the hearing and raised concerns about the massing of the project. They feel the proposed dwelling are too large for the prospective lots and will be out of scale with surrounding residential development. The architect responded to the comments by indicating the second story is step back from the first floor to provide more open area provide better articulation of the massing of the proposed dwellings. During the hearing there was some discussion by the Deputy Advisory Agency regarding the project's compliance with the Venice Coastal Specific Plan pertaining to required parking and height. As such the case was initially taken under advisement to make that determination and make clarifications on the preliminary parcel map.

COASTAL DEVELOPMENT PERMIT FINDINGS

In order for a coastal development permit to be granted all of the requisite findings maintained in Section 12.20.2 of the Los Angeles Municipal Code must be made in the

affirmative. Following is a delineation of the findings and the application of the facts of this case to same.

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

Chapter 3 of the Coastal Act contains the various policy provisions of such legislation. Pertinent to the instant request are the policies with respect to Development.

The Coastal Act provides that:

New development, except as otherwise provide in this division, shall be located within, contiguous with, or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land division, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

The proposed project consists of new development, which will be located within an already developed area. The property was developed with a single family dwelling that was demolished and is part of a mix density residential neighborhood. The new development will consist of two new single family dwellings on two small lots with frontage on Sunset Avenue.

The proposed construction can be accommodated by the existing infrastructure and by existing public services. The project has no adverse effects on public access, recreation, public views or the marine environment. The proposed construction will neither interfere nor reduce access to the shoreline once it is completed as the site is not located near any shoreline. Since the property has no direct access to any water or beach, there will be no dredging, filling or diking of coastal waters or wetlands. The proposed dwellings will not block any designated public access views.

2. **The development will not prejudice the ability of the City of Los Angeles to prepare a Local Coastal Program (LCP) that is in conformance with Chapter 3 of the California Coastal Act.**

Currently there is no adopted Local Coastal Program (LCP) for this portion of the Coastal Zone; therefore, the adopted Venice Community Plan and the Venice Coastal Specific plan serves as the functional equivalent plan. The Community Plan designates the project site for Low Medium II Residential density with corresponding zones of RD1.5, RD2, RW2 and RZ2.5 and Height District No. 1. The proposed use is permitted by the Plan designation and the corresponding zone.

3. **The Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission and any subsequent amendments thereto have been reviewed, analyzed and considered in making this determination.**

Such guidelines are designed to provide direction to decision makers in rendering discretionary determinations on request for coastal development. In this instance, the project conforms with the guideline standards for the Venice Community Plan area concerning land use, density height, and parking. No deviation from the Specific Plan provisions have been requested.

4. **The decision herein has been guided by applicable decisions of the California Coastal Commission pursuant to Section 30625(c) of the California Public Resource Code.**

No outstanding issues have emerged which would indicate any conflict between this decision and any other decision of the Coastal Commission regarding addition to or development of new dwellings in the Venice Plan area.

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.**

The project site is not so located.

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

On August 26, 2013 the Planning Department issued environmental clearance ENV-2013-954-MND (Article V-City CEQA Guidelines) and determined that by imposing the mitigations measures contained in the environmental document the potential environmental impacts could be reduced to a level of insignificance.

MANDATED FINDINGS

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

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

The Zoning code regulates front, side yard and rear yards, separation of buildings and passageways to ensure uniformity and standardization of yards for residential properties located in the same zone and land use designation. This is to provide consistency of minimum yards and open space on properties located in the same zone. Such regulations however, are written on a citywide basis and cannot take

into account individual unique characteristics which a specific parcel may have. The intent of the Small Lot Ordinance is to permit development standards that include reduced setbacks for dwellings located on smaller lots.

Projects pursuant to Section 12.22,C,27 are not subject to the provisions of front, side, rear yards, building separations, or passageways, with the exception of a five foot setback where a lot abuts a lot that is not created pursuant to a subdivision. The adjustments requested are technical requirements to allow the applicant to start construction prior to the recordation of the final map. The Small Lot Ordinance does not contain language which supersedes the requirements of the Zoning Code, prior to the recordation of the final map. Therefore, technically, the provisions of the Small Lot Ordinance do not take effect until after map is recorded.

The adjustments being requested for a reduced rear yard and separation of buildings are relatively internal to the site. The proposed project will comply with the 5-foot setback to the abutting lots that are not created to this subdivision. The project will provide a 6- foot rear yard. As such, the granting of the adjustments will result in development that is compatible and consistent with surrounding uses.

2. **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 not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

Surrounding properties on the north side of Sunset Avenue are improved with mix density residential uses in the RD1.5-1 Zone. Properties located easterly across 5th Avenue are also improved mix density residential uses in the RD1.5-1 Zone. Thus the proposed development two single family dwellings will be compatible with existing development in the area. Based on the RD1.5 Zone a total of three residential units could be built on the property. Therefore the project is below the maximum density permitted in the RD1.5 Zone. The project does incorporate some Small Lot development guidelines such as building mass articulation, a varied roof line, good placement of windows and ample open space.

Once the Final Map is recorded, the two lots will be in compliance with the provisions of the Small Lot Ordinance for development in the RD1.5-1 Zone. Mitigation measures which have been established in ENV-2013-954-MND which will mitigate any potential environmental impacts to a level of insignificance.

3. **The granting of an adjustment I will be in conformance with the intent of t and purpose of the General Plan.**

The granting of the adjustments to permit two single family dwellings on two lots will permit a project that is in conformance with the adopted Venice Community Plan. The Venice Community plan designates the site for Low Medium II Residential land use with corresponding zones of RD1.5, RD2, RW2, and RZ2.5. The RD1.5 Zone permits projects pursuant to the Small Lot Ordinance. In regards to the zoning

capacity, the Housing Element of the General Plan states that "it is necessary to remember that Los Angeles is a substantially built-out city. The only major areas remaining where new construction can take place tends to be in the Santa Monica and Santa Susana Mountains where land and construction costs preclude even moderate income housing. Because of that, nearly all housing developments in the city are expected to be infill development involving the recycling of land".

Small Lot Subdivisions provide a new housing option which allows people to purchase a house and the lot it sits on, just like they do in a single family neighborhood, rather than a unit in a condominium. Properties zoned RD1.5 may be subdivided into smaller lots than previously required, while complying with density requirements established by the zoning and the General Plan. The size of the project is consistent with the density allowed in the RD1.5 Zone. As such these adjustments are consistent with the intent and purpose of the General Plan and Venice Community Plan. The Venice Coastal Specific Plan contains provisions for Small Lot development and the proposed project is in compliance with the provisions for the Oakwood-Milwood-Southeast Venice section of the Specific Plan.

MELLO FINDING

On June 20, 2013, the Los Angeles Housing Department issued a Mello Determination Memorandum forwarded to the Department of City Planning indicating that no affordable unit existed on the property. The property is developed with a single family dwelling that will be demolished.

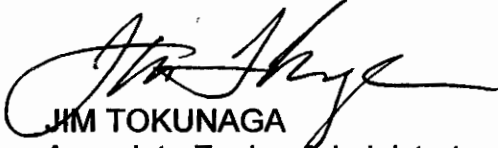
The proposed project consist of the construction of two new single family dwellings pursuant to a Small Lot subdivision, therefore, pursuant to Part 2.4.2 of the Interim Administrative Procedures, the project is not required to provide inclusionary residential units.

ADDITIONAL MANDATORY FINDINGS

4. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
5. On August 26, 2013, the Department of City Planning issued Mitigated Negative Declaration No. ENV-2013954-MND. This Mitigated Negative Declaration reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts are mitigated to a less than significant level. I hereby adopt that action. The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department located at 200 North Spring Street, Room 750, Los Angeles, California 90012.

I concur with the report prepared by Daryll Mackey, Planning Staff for the Office of Zoning Administration, on this application and approve same.

Daryll Mackey
City Planning Associate
(213) 978-1456



JIM TOKUNAGA
Associate Zoning Administrator

JT:DM

cc: Councilmember, Mike Bonin
Eleventh District
Adjoining Property Owners

C. CENTERLINE
 D. DIMENSIONED ON ROUND
 E. ELEVATION
 F. FINISH
 G. GENERAL
 H. HATCH
 I. INTERIOR
 J. JOINT
 K. KITCHEN
 L. LIVING
 M. MECHANICAL
 N. NORTH
 O. OTHER
 P. PAVING
 Q. QUANTITY
 R. REINFORCED
 S. SEE
 T. TYPICAL
 U. UNIFORM
 V. VENTILATION
 W. WINDOW
 X. EXTERIOR
 Y. YARD
 Z. ZONE

PROJECT DIRECTORY

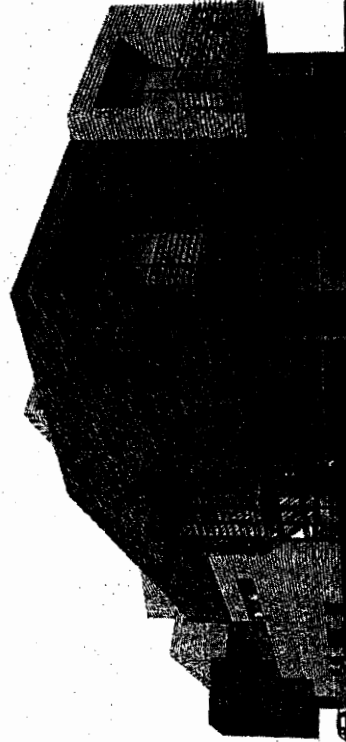
ARCHITECT:
 BAA ESTIMATES ARCHITECTS
 870 HOLLYWOOD AVE. #5
 LOS ANGELES, CA 90021
 P: 323.441.9070 F: 323.441.9068
 CIVIL ENGINEER:
 275 CENTENNIAL WAY #205
 TUSTIN, CA 92680
 P: 714.885.6886 F: 714.885.1980
 STRUCTURAL ENGINEER:
 3918 CEDAR AVE.
 COSTA MESA, CA 92626
 P: 949.318.8474 F:

SUNSET 2

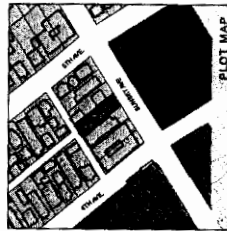
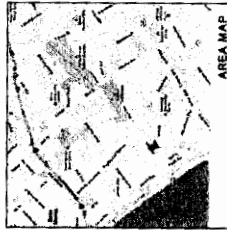
2 - UNIT SINGLE-FAMILY
417 SUNSET AVENUE VENICE, CA 90291

BAA ESTIMATES

ZA 2013-955 *2A ADP mlc*



two



PROJECT DATA

LEGAL DESCRIPTION:
 LOTS 32, TRACT 841, TRACT CARRAN PARK TRACT
 LOCAL LOT 20, MAP SHEET 11181
 PROJECT DESCRIPTION:
 CONSTRUCTION OF NEW 2 UNIT SMALL LOT SUBDIVISION
 SLOPE OF 10% (USING 10% PERCENT)
 CONSTRUCTION OF TWO NEW SINGLE FAMILY RESIDENCES
 SITE ADDRESS:
 417 SUNSET AVE. VENICE, CA 90291

PROPERTY SUMMARY:
 LOT SIZE (SQ. FT.)
 BUILDING COVERAGE (SQ. FT.)
 PAVING COVERAGE (SQ. FT.)
 LANDSCAPE COVERAGE (SQ. FT.)
 TOTAL (SQ. FT.)
 5,873 (SQ. FT.)
 2,801
 5,873
 5,873

BUILDING SUMMARY:
 APPROX. AREA
 UNIT 1:
 UNIT 2:
 TOTAL (SQ. FT.)
 1,118
 1,118
 2,236

OCCUPANCY:
 MAXIMUM ALLOWABLE HEIGHT
 CONSTRUCTION TYPE
 STORY
 TYPE V, R, FULLY SPRINKLERED PER NFPA 13
 2 STORY & ROOF DECK ABOVE

*NOT INCLUDED IN SQUARE FOOTAGE CALCULATION

SHEET INDEX

A-00 COVER SHEET
 A-01 SURVEY PLAN
 A-02 FIRST FLOOR PLAN
 A-03 FIRST FLOOR & 1ST MEZ.
 A-04 SECOND FLOOR PLAN
 A-05 NORTH ELEVATION
 A-06 SOUTH ELEVATION
 A-07 SECTION
 A-08 SECTION
 A-09 SECTION

EXHIBIT A

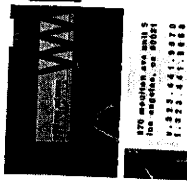
10611



single-family residences

10611

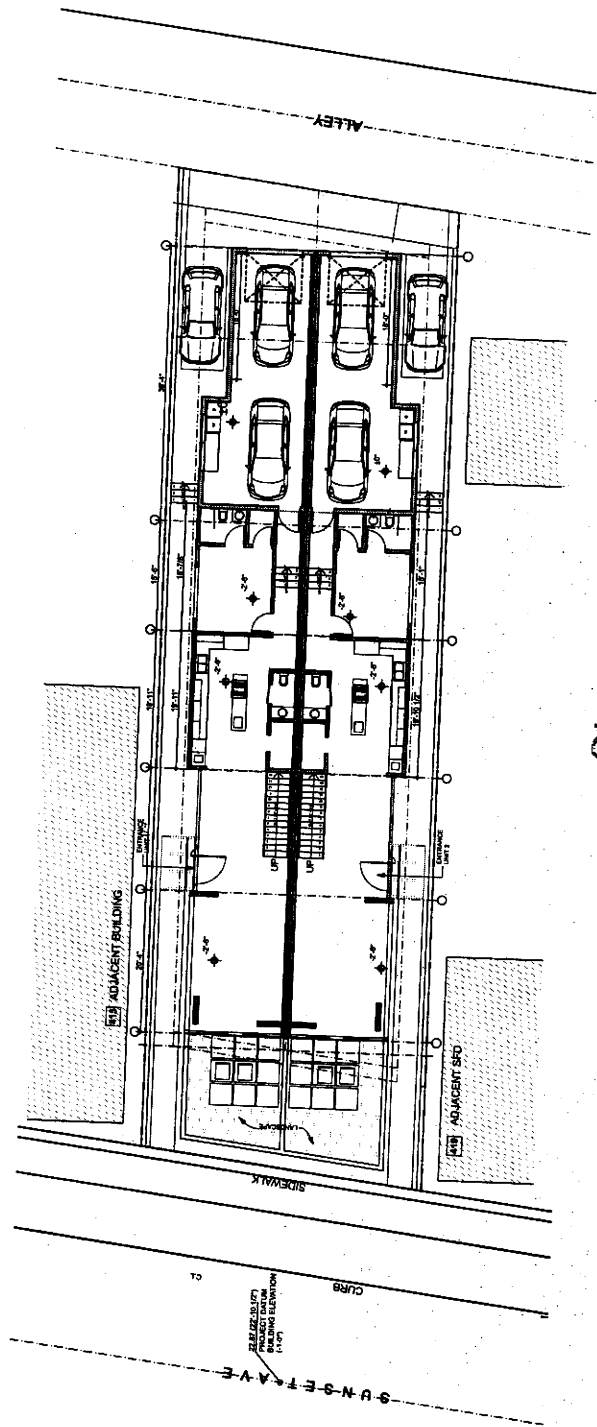
A-00



SUNSET
170 MADISON AVE SUITE 2
SAN ANTONIO, TX 78207
214-222-4411

PROJECT	CHARTER	DATE
DRAWN	DATE	DATE
CHECKED	DATE	DATE
APPROVED	DATE	DATE

A-02



SUPERCEDED

SITE PLAN

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

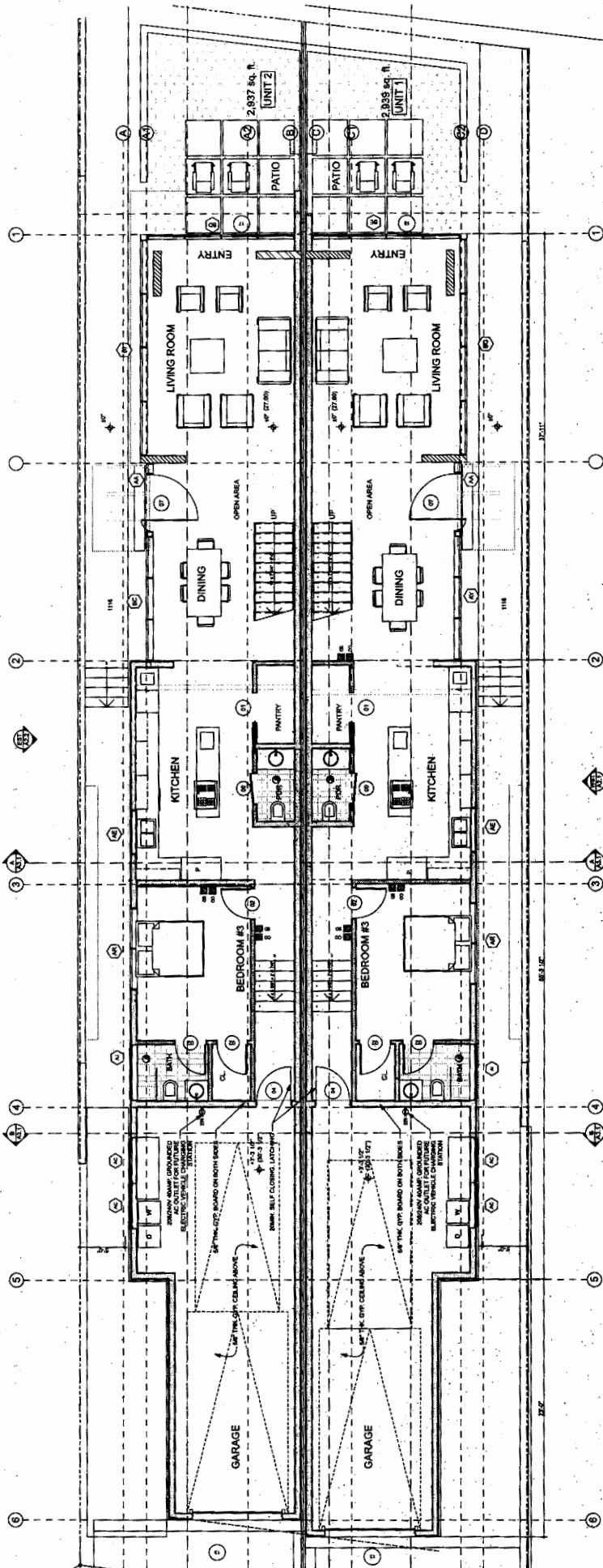
EXHIBIT A

4 of 11

2A-2013-055-2AA



SUNSET
4700 INDUSTRIAL AVE.
SAN JOSE, CA 95131



NO.	DESCRIPTION	LOCATION
1	MONITORING ALARM, WALL, KITCHEN	UNIT 1, KITCHEN
2	MONITORING ALARM, WALL, KITCHEN	UNIT 2, KITCHEN
3	MONITORING ALARM, WALL, KITCHEN	UNIT 1, KITCHEN
4	MONITORING ALARM, WALL, KITCHEN	UNIT 2, KITCHEN
5	MONITORING ALARM, WALL, KITCHEN	UNIT 1, KITCHEN
6	MONITORING ALARM, WALL, KITCHEN	UNIT 2, KITCHEN
7	MONITORING ALARM, WALL, KITCHEN	UNIT 1, KITCHEN
8	MONITORING ALARM, WALL, KITCHEN	UNIT 2, KITCHEN
9	MONITORING ALARM, WALL, KITCHEN	UNIT 1, KITCHEN
10	MONITORING ALARM, WALL, KITCHEN	UNIT 2, KITCHEN
11	MONITORING ALARM, WALL, KITCHEN	UNIT 1, KITCHEN
12	MONITORING ALARM, WALL, KITCHEN	UNIT 2, KITCHEN
13	MONITORING ALARM, WALL, KITCHEN	UNIT 1, KITCHEN
14	MONITORING ALARM, WALL, KITCHEN	UNIT 2, KITCHEN
15	MONITORING ALARM, WALL, KITCHEN	UNIT 1, KITCHEN
16	MONITORING ALARM, WALL, KITCHEN	UNIT 2, KITCHEN
17	MONITORING ALARM, WALL, KITCHEN	UNIT 1, KITCHEN

FIRST FLOOR

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

EXHIBIT A

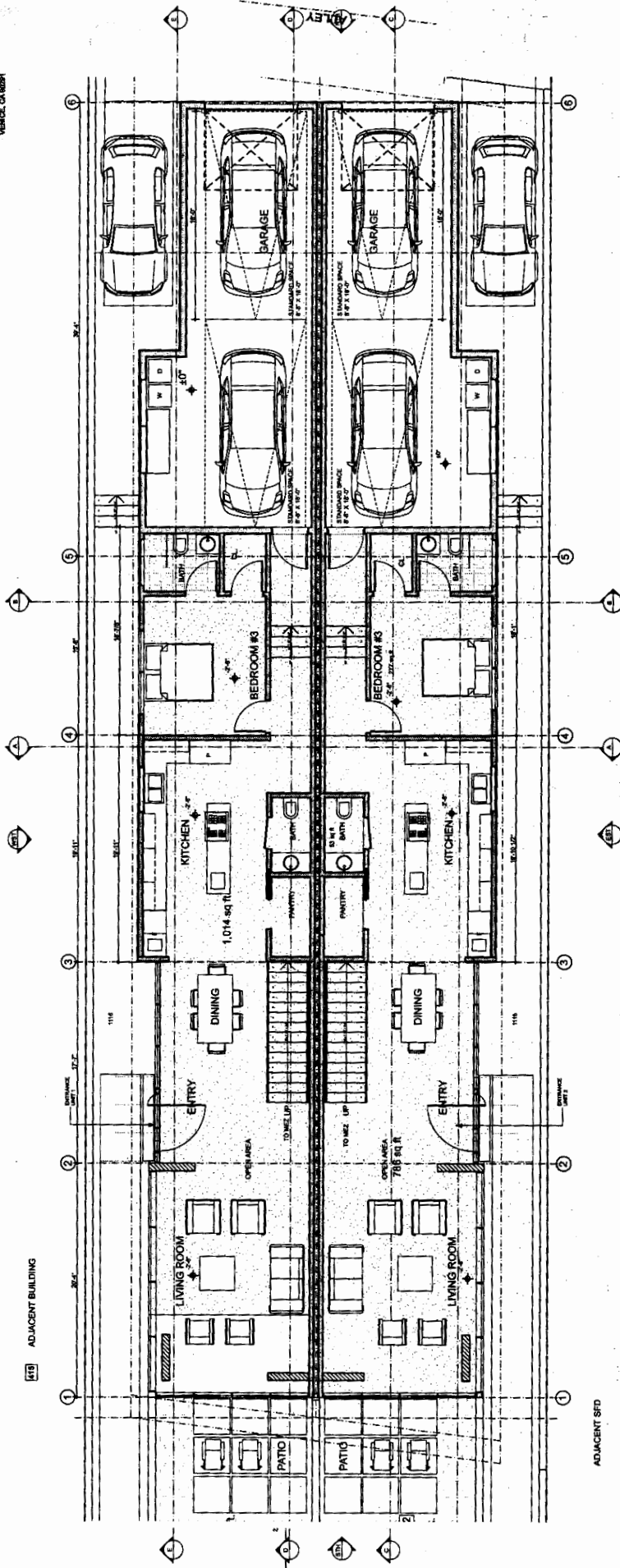
2011
ZA-2013-955-2AA

A13



8700 Madison Ave. Suite 100
San Diego, CA 92121
Tel: 619.441.8020
Fax: 619.441.8022

SUNSHINE
417 SANDHILL AVE
VENICE, CA 90291



FIRST FLOOR

SCALE 1/8" = 1'-0"

EXHIBIT A

506-11
2A-2013-955-2A
i

i

i

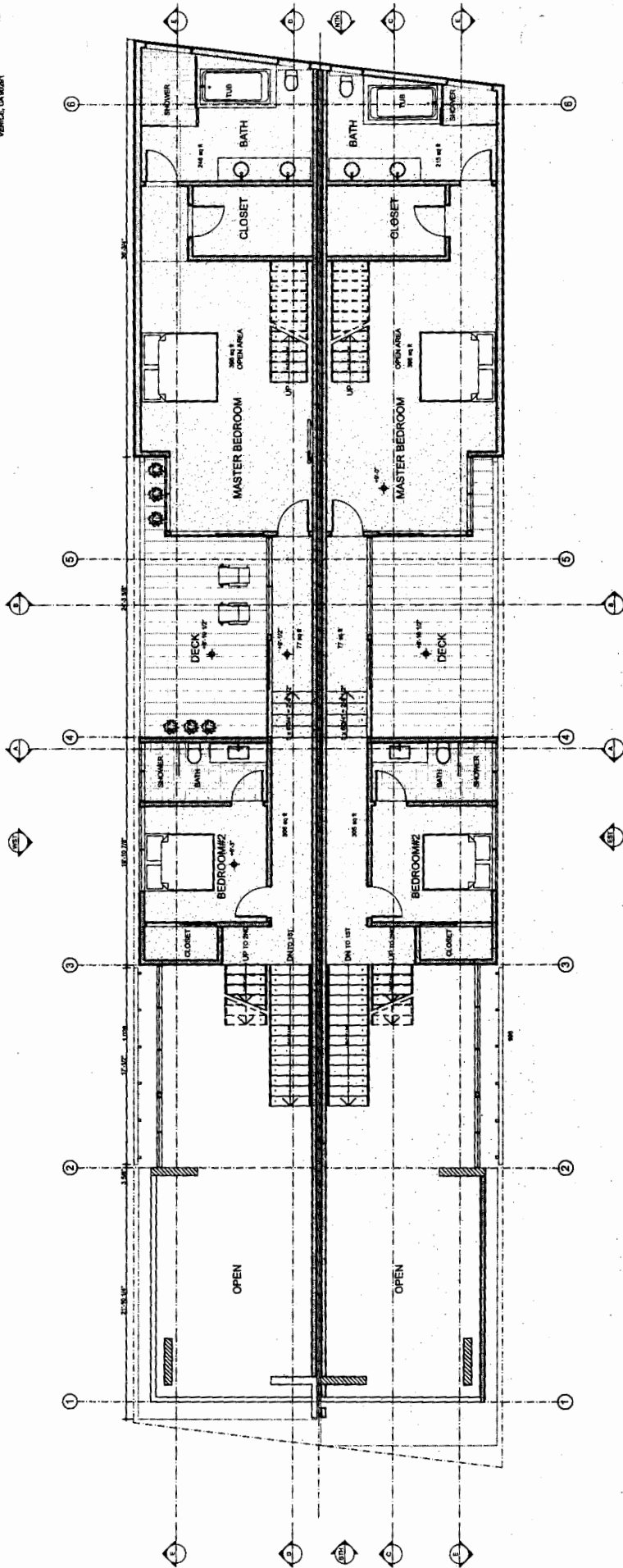
i

A-03



8700 Seaside Ave. Suite 100
Seaside, Oregon 97138
Tel: 503.441.8888
Fax: 503.441.8889

SUNSET
457 S. BROADWAY
PORTLAND, OREGON 97201



SECOND FLOOR

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

EXHIBIT A
60 of 11
2A-2013-555-244

i

i

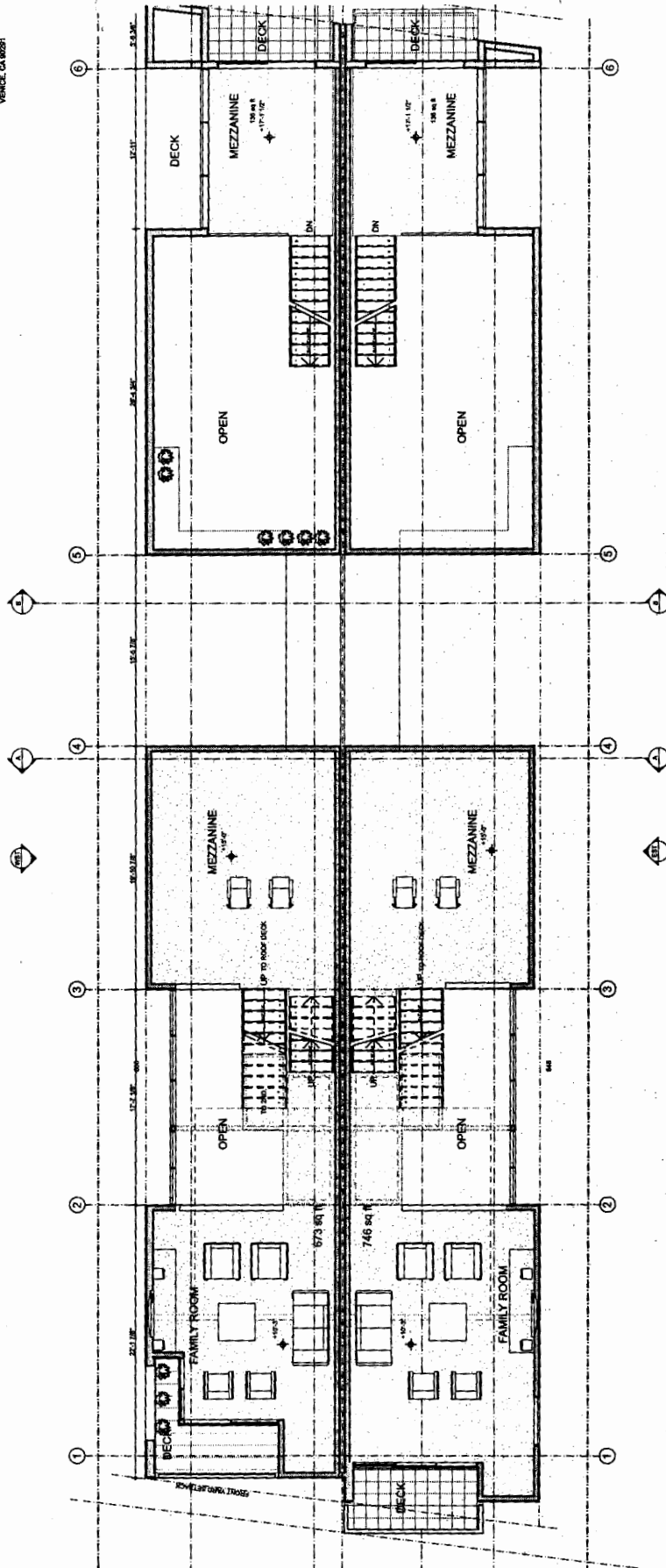
i

A-04



670 Westfield Ave. Suite 2
San Mateo, CA 94403
Tel: 650.441.0870
Fax: 650.441.0880

SUNSET
417 SUNSET AVE
VENICE, CA 90291



FAMILY & MEZZ.

SCALE 1/4" = 1'-0"

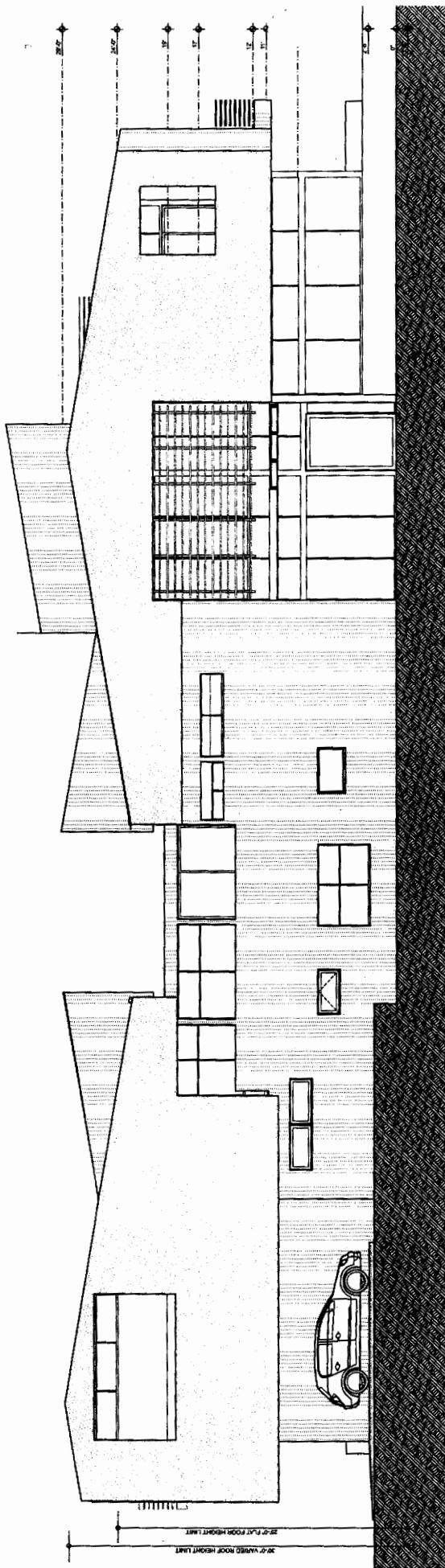
7 of 11

2A-2013-955-24A
2A-556-5108-112

EXHIBIT A

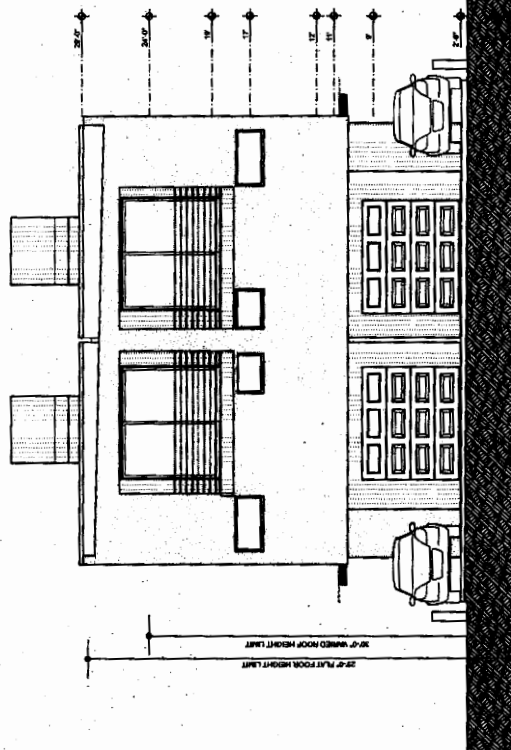
i i i

A-05



WEST ELEVATION

SCALE 1/4" = 1'-0"



NORTH ELEVATION

SCALE 1/4" = 1'-0"

EXHIBIT A

8 of 11
2A-2013-955-2AM



620 MARSHES AVE SUITE 100
LOS ANGELES, CA 90001
P. 310.441.1074
F. 310.441.1000

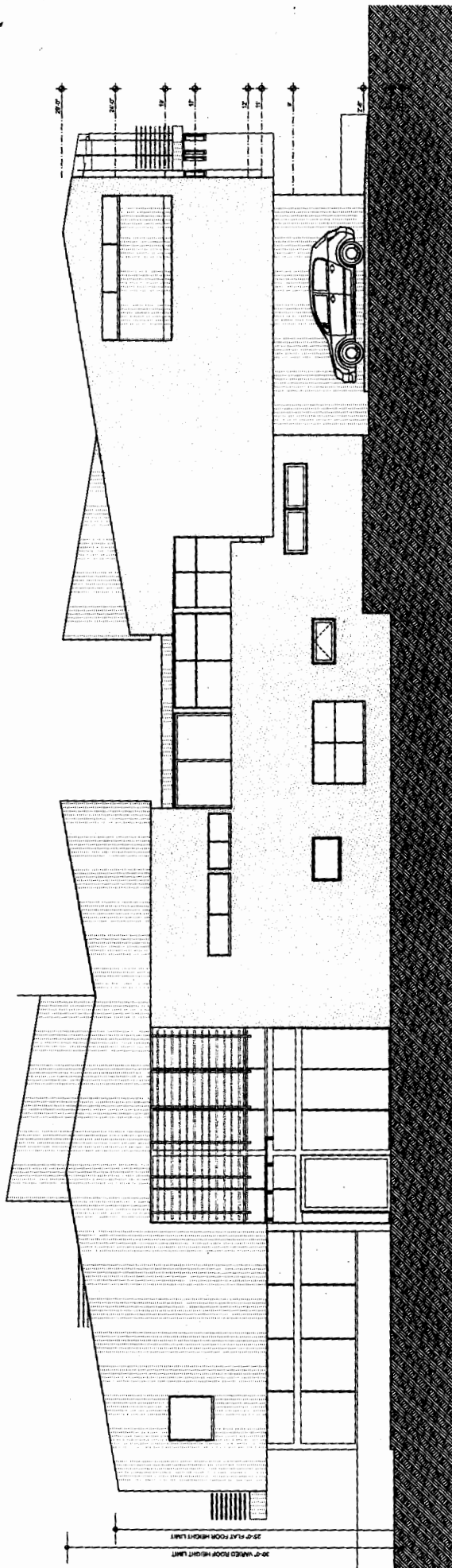
MANAGER
417 SUNSET AVE
VENICE, CA 90291

OWNER:
BAY AREA HOME
IMPROVEMENT
INSTITUTION
SAN FRANCISCO, CA 94101

These plans were prepared by the Architect for the purpose of obtaining a permit from the Coastal Commission. The Architect does not warrant the accuracy of the information provided by the client, nor does the Architect warrant the accuracy of the information provided by the client. The Architect is not responsible for the accuracy of the information provided by the client.

OWNER	GENERAL	DATE
ARCHITECT	ARCHITECT	DATE
ENGINEER	ENGINEER	DATE
PLUMBER	PLUMBER	DATE
ELECTRICIAN	ELECTRICIAN	DATE
MECHANICAL	MECHANICAL	DATE
PAINTER	PAINTER	DATE
ROOFER	ROOFER	DATE
CONCRETE	CONCRETE	DATE
IRONWORK	IRONWORK	DATE
GLASS	GLASS	DATE
LANDSCAPE	LANDSCAPE	DATE
INTERIOR	INTERIOR	DATE
EXTERIOR	EXTERIOR	DATE

A-06



EAST ELEVATION

SCALE 1/4" = 1'-0"



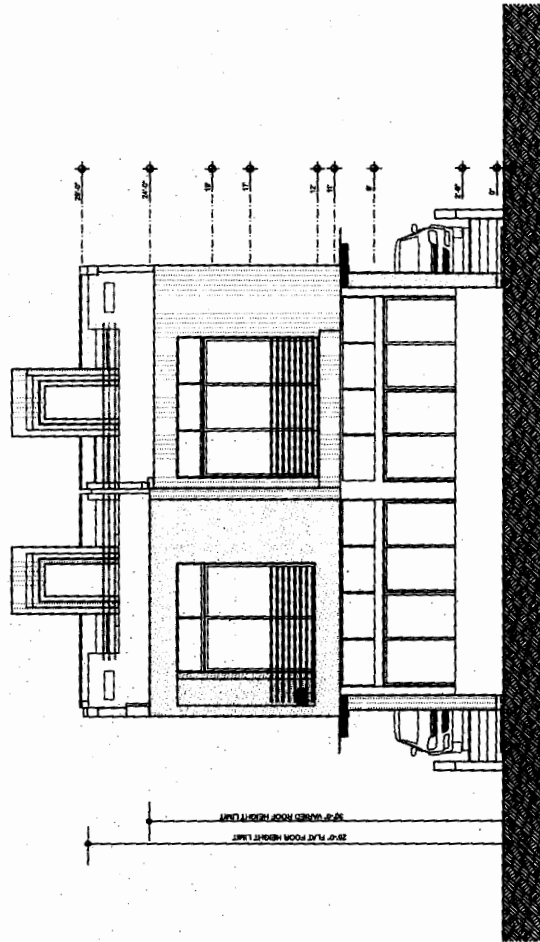
1111 MARKET STREET
SAN FRANCISCO, CA 94102
TEL: 415.398.4444
FAX: 415.398.4444

ARCHITECT
MARKET STREET
SAN FRANCISCO, CA 94102
TEL: 415.398.4444
FAX: 415.398.4444

1111 MARKET STREET
SAN FRANCISCO, CA 94102
TEL: 415.398.4444
FAX: 415.398.4444

PROJECT	MARKET STREET
DATE	11/11/13
BY	MARKET STREET
CHECKED	MARKET STREET
APPROVED	MARKET STREET

A-07



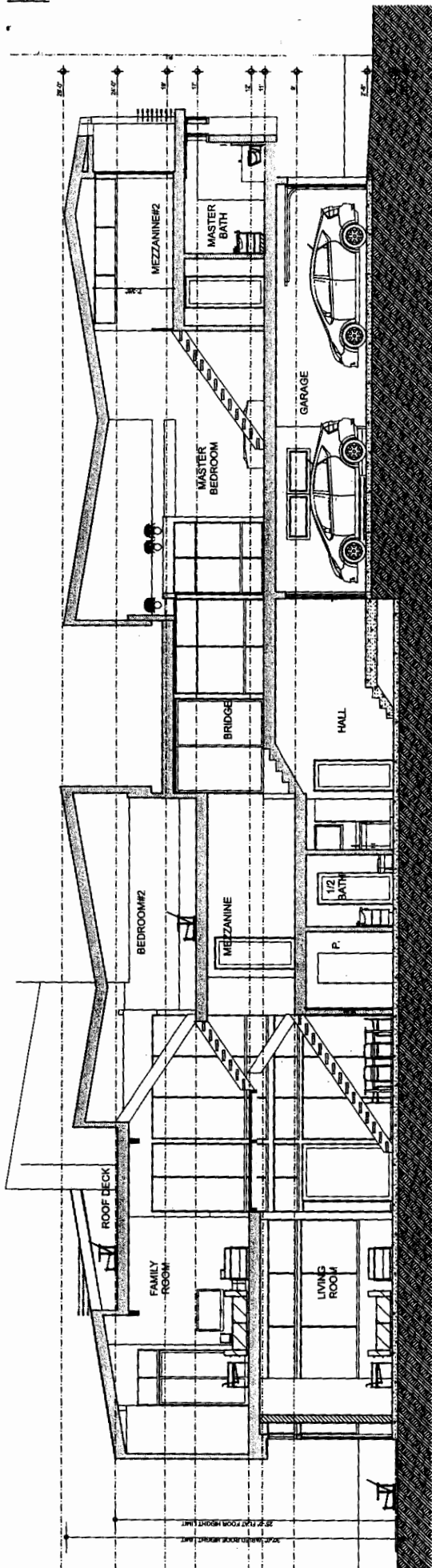
SOUTH ELEVATION

SCALE 1/4" = 1'-0"

MARKET STREET

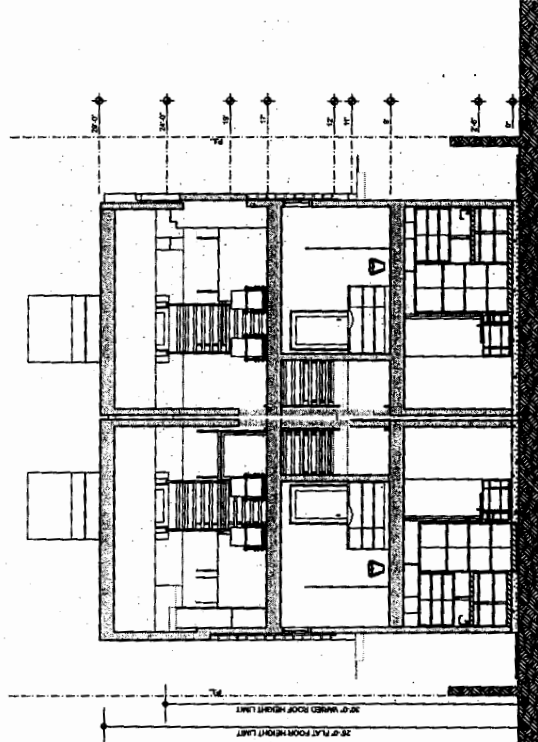
9 of 11 ~~2013~~
24-2013-955 2414

EXHIBIT A



SECTION D-D

SCALE 1/4" = 1'-0"



SECTION A-A

SCALE 1/4" = 1'-0"



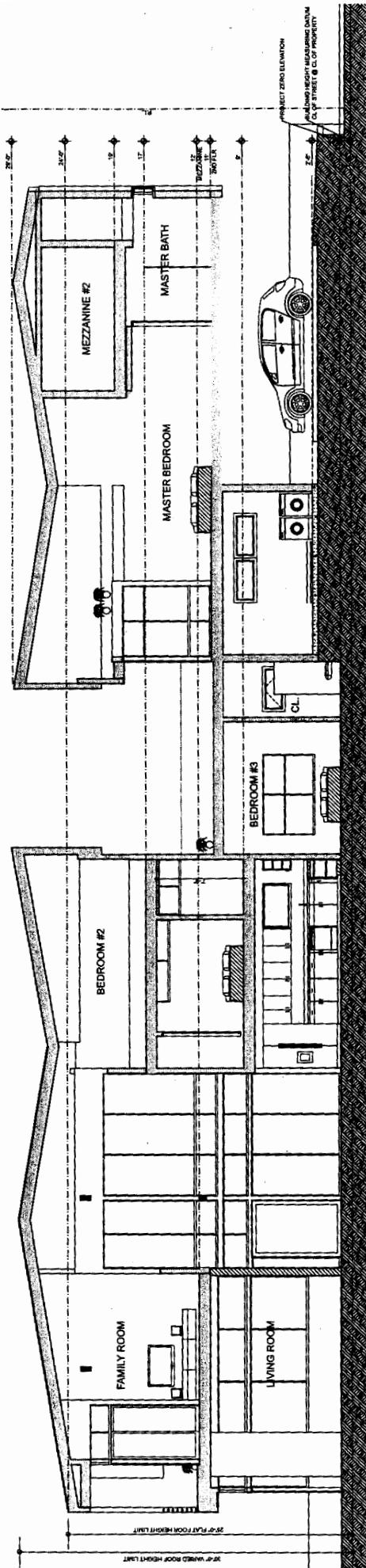
979 Washington Ave. Suite 200
San Francisco, CA 94102
Tel: 415.774.1100
Fax: 415.774.1101

OWNER:
THE COASTAL COMMISSION
401 SANITARY
SAN FRANCISCO, CA 94102

DESIGNER:
THE COASTAL COMMISSION
401 SANITARY
SAN FRANCISCO, CA 94102

PROJECT	DATE
NO.	DATE
NO.	DATE
NO.	DATE

A-09



SECTION E-E
SCALE 1/4" = 1'-0"

EXHIBIT A

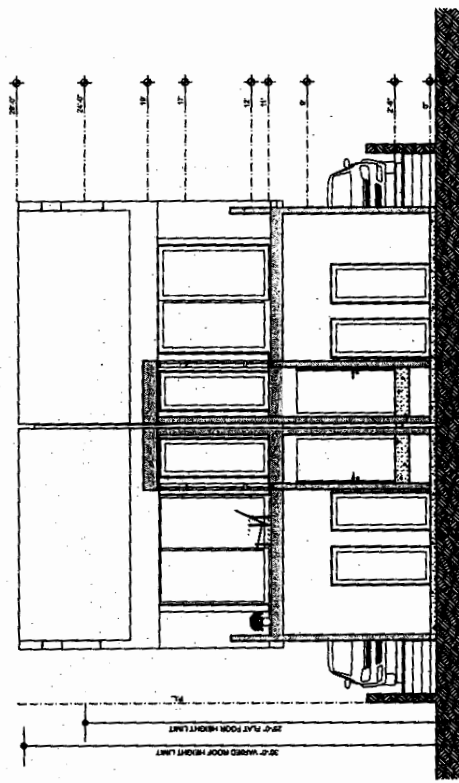
THE BOARDERS AND BUILDERS
1000 BROADWAY
NEW YORK, NY 10003
TEL: 212-411-1000
FAX: 212-411-1001

ARCHITECT
THE BOARDERS AND BUILDERS
1000 BROADWAY
NEW YORK, NY 10003
TEL: 212-411-1000
FAX: 212-411-1001

OWNER
THE BOARDERS AND BUILDERS
1000 BROADWAY
NEW YORK, NY 10003
TEL: 212-411-1000
FAX: 212-411-1001

DATE
10/1/03

PROJECT
1000 BROADWAY
NEW YORK, NY 10003
TEL: 212-411-1000
FAX: 212-411-1001



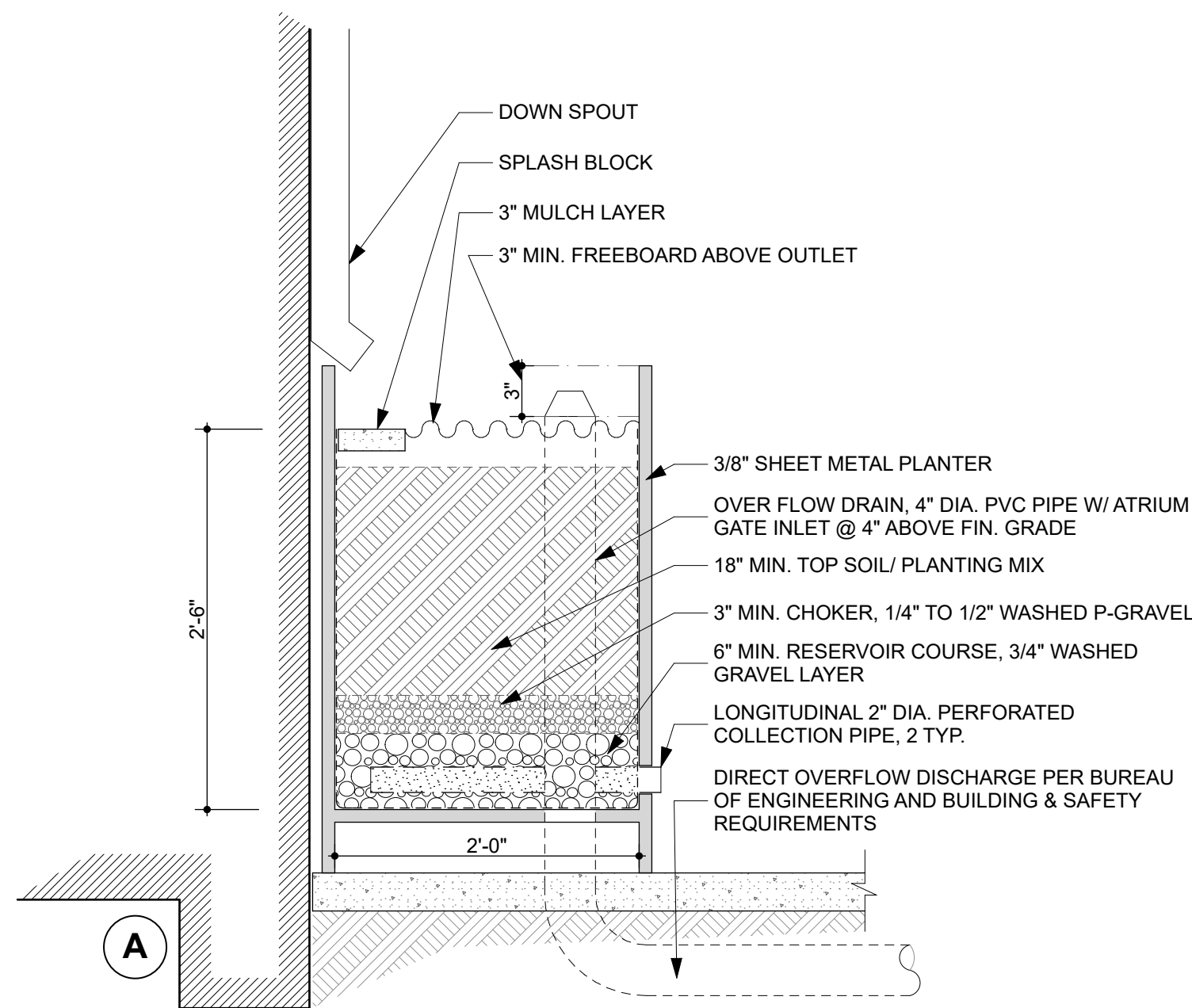
SECTION B-B
SCALE 1/4" = 1'-0"

EXHIBIT A

A-08

2A-2013-955-2AA

160611



NOTES:

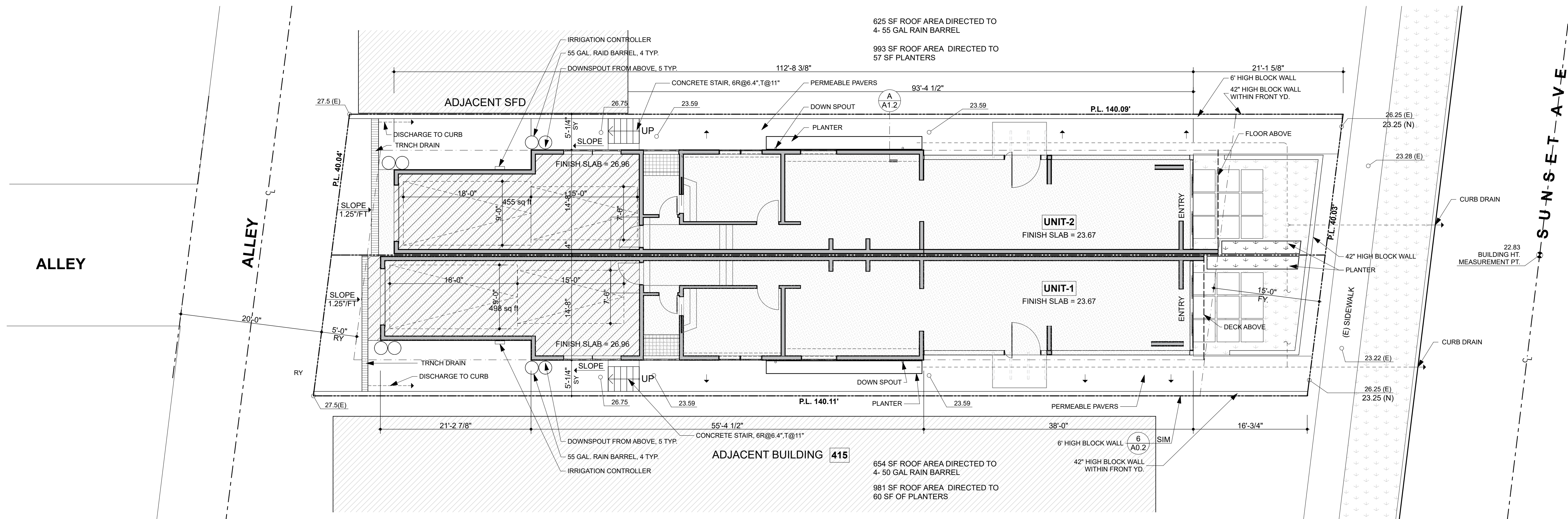
1. SCREENS ARE PRESENT ON ALL RAIN BARREL INLETS TO REMOVE DEBRIS AND LARGER PARTICLES AS THE WATER ENTERS THE BARREL. REMOVABLE CHILD-RESISTANT COVERS AND MOSQUITO SCREENING ARE IN PLACE.
2. BARREL IS CHILD SAFE: ACCESS IS CHILD-PROOF AND THE BARREL IS PROPERLY SITED AND ANCHORED ON A STABLE SURFACE TO PREVENT BARREL FROM TIPPING OVER.
3. ABOVE-GROUND BARRELS SHALL NOT LOCATED ON UNEVEN OR SLOPED SURFACE; IF INSTALLED ON A SLOPED SURFACE, THE BASE WHERE THE BARREL IS INSTALLED HAS BEEN LEVELED USING APPROPRIATE CONSTRUCTION MATERIAL PRIOR TO INSTALLATION.
4. INSTALLED RAIN BARRELS SHALL NOT BEEN PLACED ON ELEVATED PLATFORMS, DECKS OR PORCHES WITHOUT CONSULTING LOCAL BUILDINGS CODE OFFICIALS.
5. DIRECT OVERFLOW DISCHARGE PER BUREAU OF ENGINEERING AND BUILDING AND SAFETY REQUIREMENTS.
6. DISPERSION IS DIRECTED SO AS NOT TO KNOWINGLY CAUSE GEOTECHNICAL HAZARDS RELATED TO SLOPE STABILITY OR TRIGGERING EXPANSIVE (CLAYEY) SOIL MOVEMENT.
7. RAIN BARRELS SHALL BE OPAQUE AND DARK IN COLOR TO PREVENT UV LIGHT PENETRATION AND DISCOURAGE ALGAE GROWTH.
8. BARREL PLACEMENT SHALL ALLOW EASY ACCESS FOR REGULAR MAINTENANCE.
9. SEE RAIN BARREL FACT SHEET FOR MORE INFORMATION.

NOTES:

1. AT LEAST 9" SHALL BE PROVIDED BETWEEN THE PLANTING SURFACE AND THE CREST OF EACH PLANTER
2. PLANTERS SHALL NOT BE LOCATED ON UNEVEN OR SLOPE SURFACE
3. TOP SOIL/PLANTING MIX IS AT LEAST 18" DEEP
4. TOP SOIL CONTAINS NO MORE THAN 30% COMPOST
5. MINIMUM GRAVEL LAYER SHALL BE 6" DEEP
6. DIRECT OVERFLOW DISCHARGE PER BUREAU OF ENGINEERING AND BUILDING & SAFETY REQUIREMENTS
7. SEE PLANTER BOX FACT SHEET FOR MORE DETAILS

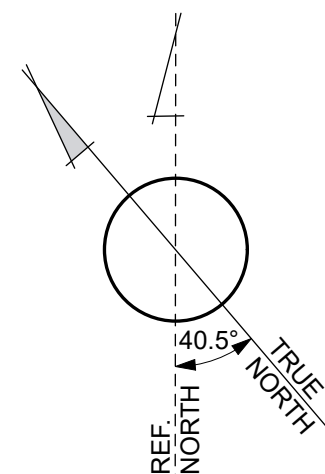
PLANTER DETAIL DETAIL

1" = 1'-0"



SITE PLAN

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



william adams
architects



670 moulton ave unit 5
los angeles, ca 90031

v . 3 2 3 . 4 4 1 . 9 0 7 0
f . 3 2 3 . 4 4 1 . 9 0 5 8

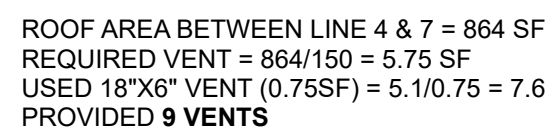
SUNSET
417 SUNSET AVE
VENICE, CA 90291

OWNER:
BELAL AL-SHAWA
1010 BROADWAY
SANTA MONICA CA 90401

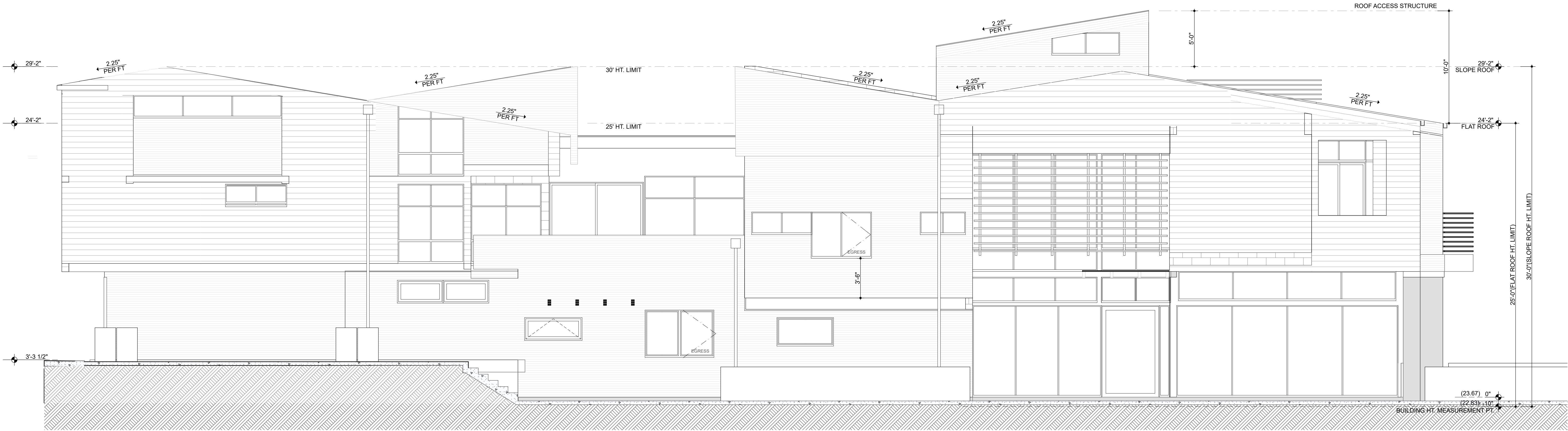
These plans are not to be used for construction unless accompanied by the architect's stamp on each sheet of the prints.

This document is confidential incorporating proprietary rights. The party accepting this document agrees that it shall not be reproduced, copied or modified without the express written approval of **william adams architects**.

created:	CS/ME/KL	RTI:	
submittal:	xx/xx/xx	bid:	
resub1:			
resub1:			

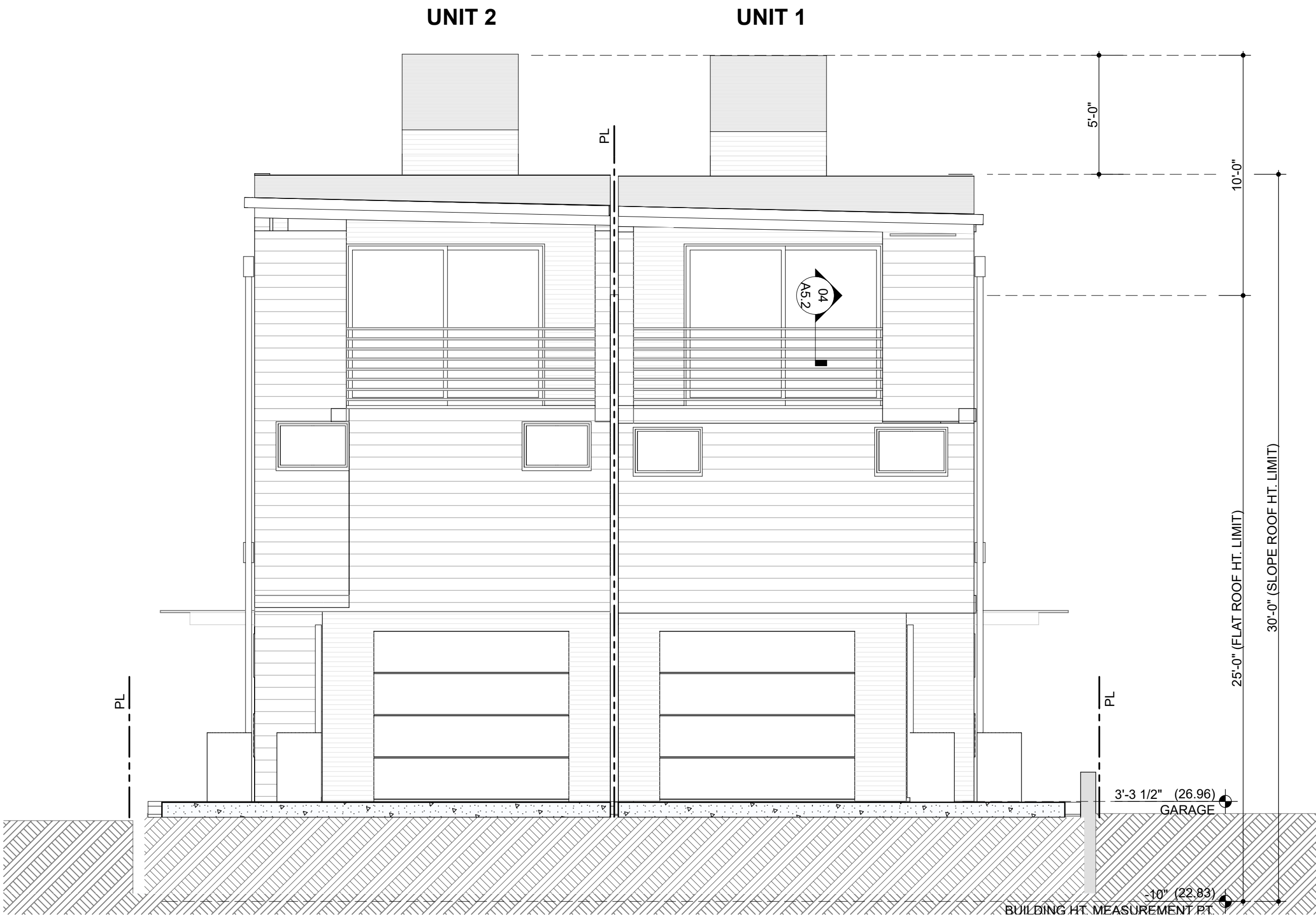


SCALE: 1/4" = 1'-0"



WEST ELEVATION

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



NORTH ELEVATION

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



670 moulton ave unit 5
los angeles, ca 90031
v. 3 2 3 . 4 4 1 . 9 0 7 0
f. 3 2 3 . 4 4 1 . 9 0 5 8

SUNSET
417 SUNSET AVE
VENICE, CA 90291

OWNER:
BELAL AL-SHAWE
1010 BROADWAY
SANTA MONICA CA 90401

These plans are not to be used for construction unless accompanied by the architect's stamp on each sheet of the prints.

This document is confidential incorporating proprietary rights. The party accepting this document agrees that it shall not be reproduced, copied or modified without the express written approval of william adams architects.

created:	CS/ME/KL	RTI:	
submittal:	xx/xx/xx	bid:	
resub1:			
resub1:			

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
200 OCEANGATE, 10TH FLOOR
LONG BEACH, CA 90802-4418
VOICE (562) 590-5071 FAX (562) 590-5084

RECEIVED
South Coast Region
DEC 30 2016

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

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

SECTION I. Appellant(s)

Name: Naomi Nightingale, Taylor Nightingale, Celia Williams, VC-PUCC, Lydia Ponce, Robin Rudisill, Pam Anderson

Mailing Address: 415 Sunset Ave

City: Venice

Zip Code: 90291

Phone: (310) 663-6694

SECTION II. Decision Being AppealedRECEIVED
South Coast Region

JAN 03 2017

CALIFORNIA
COASTAL COMMISSION

1. Name of local/port government:

Los Angeles

2. Brief description of development being appealed:

CDP to allow the construction, use & maintenance of 2 single-family dwellings (small lot development). Also, not mentioned on the CDP but being appealed is the unpermitted demolition of the existing 2-story single family dwelling & detached 1-story accessory storage structure in 2014 and the subdivision of land for the small-lot subdivision.

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

417 Sunset Ave, near 4th Ave, APN: 424-000-8020

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-17-0001

DATE FILED: 12-30-16

DISTRICT: South Coast

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: November 7, 2013 ↓

7. Local government's file number (if any): ZA-2013-955-CDP-ZAA-MEL

SECTION III. Identification of Other Interested Persons

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

a. Name and mailing address of permit applicant:

Belal Al-Shawe, 417 Sunset Avenue, LLC, 1010 Broadway, Santa Monica, CA 90401
and
Steven Nazemi, 275 Centennial Way, Suite 205, Tustin, CA 92780

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

(1)

(2)

(3)

(4)

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.

It is very disappointing that Coastal Staff erroneously used the date of 11-7-16 in the Notice of Currently Appealable Local Permits for this project, when the actual date is THREE YEARS EARLIER, on 11-7-13. One can only wonder what other "mistakes" have been made and to what lengths our government, that is supposedly in place to represent us, the people, will go to push through projects that are harmful to our communities, including and especially the VERY neighborhoods that are to be protected the most, such as in this case: our "Special Coastal Community" of Venice.

The City Coastal Development Permit for the project at 417 Sunset Ave was not processed in accordance with the Coastal Act state law or the same processing requirements in the Los Angeles Municipal Code (LAMC): Section 12.20.2 Coastal Development Permits (Prior to Certification of the Local Coastal Program). Thus, the demolition and construction of this project to date constitutes unpermitted development and was done in violation of the law.

This project entailed the demolition of the existing home and accessory structure, the subdivision of the existing lot into two lots and the construction of two new homes. This is not properly reflected in the CDP project description. We believe that this was purposely done as the project was grossly out of mass, scale and character with the existing neighborhood and the Applicant and City colluded by not putting all of the required project components onto the CDP, to avoid looking at the entire project as one project. The Coastal Commission must not allow this, as if all of the components WERE accurately put onto the CDP, it is likely that this would have caused a denial of the project due to the fact that it is grossly out of scale and character with the surrounding existing neighborhood.

The fact that it is possible for this to happen, especially using what would seem to be a more protective dual permitting process, may be due to fraudulent actions and collusion among the government entities and applicant.

As a function of this appeal we specifically request that the Coastal Staff determine how the Building Permit could have been issued without the related coastal permits being finalized by the Coastal Staff--what went wrong and what is the internal control for this very important step in the pre-certification of the LCP approval process? Also, what steps will be taken by them to assure that this doesn't happen in the future? This scheme continues to happen and these questions must be answered.

Project is not Compatible with the Community Character

The project is not compatible with the mass, scale and character of the existing neighborhood. A true analysis of the character of the neighborhood was not performed. All of the Local CDP Findings are not just conclusory but are grossly inadequate and erroneous. No analysis of the compatibility of the mass, scale and character of the project with the existing neighborhood was performed. Not one of them is a valid Finding, thus this CDP should never have been approved and most certainly must not be in essence accepted and "ratified" by the Coastal Commission. In addition, the certified Venice Land Use Plan was not used as guidance in preparation of the Findings in considering conformance with Chapter 3 of the Coastal Act, but rather the Community Plan was used. As a result of all of the above, Findings 1, 2 and 3 are not valid. Finding 4, does not consider similar projects, that is, 3-story, single-family dwellings in the middle of neighborhoods for which the original subdivision patterns are unique to

Venice's original design as a coastal community and as such are substantially different than the 3-story, small lot subdivision, which would cause a physical dividing of this well established community by causing a complete break in the neighborhood's development pattern.

Since the Venice Coastal Zone is primarily a residential community beyond the beach and popular ocean front boardwalk, which includes some commercial stretches, residential development is a significant factor in determining Venice's community character. Venice's historical character, diverse population, as well as its expansive recreation area--Ocean Front Walk (the Boardwalk), and its wide, sandy beach--make it a popular destination not only for Southern Californians but also for national and international tourists. Accordingly, Venice has engendered a status as one of the more unique coastal communities in the State, and therefore, a significant Coastal Resource to be protected. Thus, the preservation of Venice as a "Special Coastal Community"--an eclectic community with a unique, historic social and architectural character--is a statewide issue; and the City's approval of this significantly out of character development and that breaks up and divides the unique neighborhood development pattern does raise issues of statewide significance with regards to Venice's community character.

This corrupted CDP should not have been accepted by Coastal Staff **THREE YEARS LATER** and put into the Coastal appeal period. See page 1 of the City CDP, page 1 of the City's Subdivision Determination, and a description of the City's VSO permit, attached. The City and this Applicant know **VERY WELL** that their CDP did not cover the demo or the subdivision of land. There was no confusion; the project description did not include the demo and the demo was **NOT** approved by the City in their CDP. The City and the Coastal Staff are using this scheme of completing their sign off occurring after the demolitions are completed, which is orchestrated in various ways, over and over in order to facilitate the developers in evading various legal requirements, including, in this case, the requirement of the project to be compatible with the existing neighborhood. Even though Staff has been provided documentation that shows that the City itself does not believe that the CDP covered the demolitions--that the Project Description in the CDP itself does not cover the demolitions. It is unacceptable for Coastal Staff to accept this CDP that does not cover the entire project. It should have been remanded to the City or denied. **AT A MINIMUM**, the reason for this delay and the related illegal demolition and construction must be fully investigated and explanation reported to the Public.

By the Coastal Staff doing that, rather than sending the CDP back to the City to be corrected or redone, Staff is helping the developers evade the law. When the Coastal Staff does this and processes these erroneous and misleading CDP's, the developers' crimes are swept away. Coastal Staff's decision to accept the erroneous and misleading CDP's is allowing the City and Applicant, who are clearly colluding, to defraud the Public. Major issues are coming up only when the structures are already built. They are facilitating this crime against this neighborhood, against Venice.

If this project is not remanded to the City or is not denied by the Commission, all of the corruption will simply be swept under the rug because they have accepted an erroneous and corrupt.

This is all because Staff is accepting a City CDP that is truly **UNacceptable** and which by law (CCR 13332, see attached) they should not accept. **Also, because Staff is not willing to implement appropriate and simple internal controls, they are perpetuating their ability to continue to do this.**

This scheme, in various forms and executed repeatedly, has resulted in a very significant damage to Venice. If this is not stopped, it will completely destroy Venice's Coastal Commission-certified designation as a Special Coastal Community, one of the most popular tourist attractions in the State; thus this is a State-wide issue. Also, the lack of internal controls, and the Coastal Staff's participation in this scheme is likely not confined to Venice, which is another reason why this is an issue of State-wide importance.

Violations and Enforcement using the Maximum Penalties

The City and Applicant have violated CCR 13331 Notice of Final Action (Prior to Certification of a Local Coastal Program), which requires that within 5 working days of the approval or denial of a local CDP, a local government shall notify the commission. The City and Applicant have also violated the City's similar law under LAMC Section 12.20.2.

In addition, under CCR 13339 Remand to Local Government (Prior to Certification of a Local Coastal Program), the Coastal Staff can and should return the permit to the appropriate local government for further proceedings.

CCR 13332 Commission Procedures upon Receipt of Notice of Final Local Action (Prior to Certification of a Local Coastal Program) requires that the final local government action contain sufficient information upon which to base an informed appeal, including project description, conditions of approval, written findings and the procedures for appeal. If the Executive Director determines that the notice is insufficient, the local government will be notified and a new notice shall be resubmitted. This regulation must be followed in order to adequately protect the Venice community.

CCR 13173 Enforcement of the Coastal Act indicates that if any violation of the provisions of the California Coastal Act of 1976 have occurred or are threatened, the Attorney General may file an action in the name of the commission for equitable relief to enjoin such a violation or may take other appropriate action pursuant to Chapter 9 of the California Coastal Act of 1976. In fact, the enforcement provisions of the Coastal Act were strengthened in the 1990's, giving the Commission the power to issue cease and desist and restoration orders, and significantly increasing the Coastal Act's penalty provisions, in part to reflect the rise in land values and to increase deterrence of would be violators of the Coastal Act. The Coastal Act provides a number of enforcement tools, and violations can be pursued either through administrative remedies or by filing suit against the responsible party, for both injunctive relief, such as restoration of the site, and for civil penalties.

It is imperative that Staff take swift and strong actions for enforcement, as it is critical that applicants be deterred from doing the very things that have corrupted this application by the Commission invoking the maximum penalties allowed by law. If they do not, the precedent that would be set by this case is unacceptable and unthinkable.

We also ask that the Commission require Staff to institute basic internal controls over its processes for land use permitting in the Venice Coastal Zone, in order to help prevent such egregious events from happening in the future.

EXHIBITS:

- 1. Applicable city building permits, showing timing of project, including demolition of the exiting home**
- 2. Page 1 of November 7, 2013 CDP, November 4, 2014 City Small-Lot Subdivision permit, and Screen shot of the details of the August 9, 2013 City VSO permit covering the demolition of the existing buildings, showing both that the subdivision of land and the demolition of the existing buildings were clearly processed by the City and intentionally not covered by the City's CDP.**
- 3. Excerpt from Currently Appealable Local Permits, showing error on date of Local Action**
- 4. CCR's: 13331, 13339, 13332, 13105**

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

SECTION V. Certification

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

[Handwritten signature]
X *[Handwritten signature]*

Signature of Appellant(s) or Authorized Agent

Date: January 3, 2017

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:

Naomi Nightingale
Taylor Nightingale
Celia Williams
VC-PUCC
Lydia Ponce
Robin Rudisill
Pam Anderson

417 Sunset Ave, Venice 90291
417 Sunset Ave, Venice 90291
678 1/2 San Juan Ave, Venice 90291
c/o Celia Williams, 678 1/2 San Juan Ave, Venice, CA 90291
837 1/2 Milwood Ave, Venice, CA 90291
3003 Ocean Front Walk, Venice, CA 90291
615 San Juan Ave, Venice, CA 90291

EXHIBITS

EXHIBIT 1

Los Angeles Department of Building and Safety

The information below was found on the following Parcel Identification Number (PIN):

111B141-670



Parcel Profile Report:

1



Permit Information found:

2

Expand Closed 417 1/2 E SUNSET AVE 90291

Application/Permit #	PC/Job #	Type	Status	Work Description
13010 - 10000 - 03326	B13LA13076	Bldg-New	Issued 5/6/2014	PROPOSED 3-STORY SFD WITH ATTACHED GARAGE PER ZA 2013-953(CDP)(ZAA)(MEL)/AA 2013-955-PMLA-SL (UNIT 2) SEE PERMIT 14030-10000-01926 FOR GRADING WORK.
16043 - 10000 - 01018	M16LA01126	Fire Sprinkler	Issued 3/9/2016	NEW NFPA 13D FIRE SPRINKLER SYSTEM FOR THREE STORY SINGLE FAMILY DWELLING WITH ATTACHED CAR GARAGE. 1" WATER METER, NO RP BACKFLOW DEVICE.

Expand Closed 417 E SUNSET AVE 90291

Application/Permit #	PC/Job #	Type	Status	Work Description
13019 - 10000 - 02038	B13LA09487	Bldg-Demolition	Permit Finaled 5/13/2016	DEMOLITION OF EXISTING 2-STORY SIGNLE FAMILY DWELLING AND DETACHED 1-STORY ACCESSORY STORAGE STRUCTURE BY HANDWRECKING; CLEAR LOT; SEWER CAP REQUIRED; PEDESTRIAN PROTECTION FENCE IS REQUIRED. [DPI: 13019-10000-01946].
13010 - 10000 - 03230	B13LA13076	Bldg-New	Issued 5/6/2014	PROPOSED 3-STORY SFD WITH ATTACHED GARAGE PER ZA 2013-955(CDP)(ZAA)(MEL). (UNIT 1) SEE 14030-10000-01926 FOR GRADING WORK.
14041 - 90000 - 25158	--	Electrical	Issued 9/12/2014	INSTALL TEMP POWER POLE
16043 - 10000 - 01016	M16LA01124	Fire Sprinkler	Issued 3/9/2016	NEW NFPA 13D FIRE SPRINKLER SYSTEM FOR THREE STORY SINGLE FAMILY DWELLING. 1" WATER METER, NO RP BACKFLOW DEVICE.
14030 - 10000 - 01926	B14LA04450	Grading	Issued 5/6/2014	GRADING WORK FOR DWELLING UNITS UNDER 13010-10000-03230/13010-10000-03326 AND SITE RETAINING WALLS UNDER 14030-10000-00837

Coastal Commission

A-5-VEN-17-0001

Exhibit 3

Page 9 of 30

14020 - 10000 -
00837

B14LA04449

Nonbidg-New

Issued
7/2/2014

PROPOSED SITE RETAINING WALLS FOR
DWELLING UNITS UNDER
13010-10000-03230/13010-10000-03326
SEE 14030-10000-01926 FOR GRADING
WORK.



Code Enforcement Information:

2



Soft-story Retrofit Program Information:

1

111B141 670

Los Angeles Department of Building and Safety

Certificate Information: 417 1/2 E SUNSET AVE 90291

Application / Permit 13010-10000-03326
Plan Check / Job No. B13LA13076
Group Building
Type Bldg-New
Sub-Type 1 or 2 Family Dwelling
Primary Use (1) Dwelling - Single Family
Work Description PROPOSED 3-STORY SFD WITH ATTACHED GARAGE PER ZA 2013-953(CDP)(ZAA)(MEL)/AA 2013-955-PMLA-SL (UNIT 2) SEE PERMIT 14030-10000-01926 FOR GRADING WORK.
Permit Issued Issued on 5/6/2014
Issuing Office West Los Angeles
Current Status Issued on 5/6/2014
Certificate of Occupancy Pending

Permit Application Status History

Submitted	10/21/2013	APPLICANT
Assigned to Plan Check Engineer	10/26/2013	LAWRENCE QUIRANTE
Corrections Issued	10/28/2013	LAWRENCE QUIRANTE
Reviewed by Supervisor	11/8/2013	TIEN JEN WANG
Building Plans Picked Up	11/13/2013	APPLICANT
Green Plans Picked Up	11/13/2013	APPLICANT
Applicant returned to address corrections	1/22/2014	LAWRENCE QUIRANTE
Applicant returned to address corrections	1/27/2014	LAWRENCE QUIRANTE
Applicant returned to address corrections	2/18/2014	LAWRENCE QUIRANTE
Applicant returned to address corrections	4/8/2014	LAWRENCE QUIRANTE
Plan Check Approved	4/16/2014	LAWRENCE QUIRANTE
Issued	5/6/2014	LADBS

Permit Application Clearance Information

Address approval	Cleared	2/26/2014	RICHARD SOUTHERLAND
Eng Process Fee Ord 176,300	Cleared	2/26/2014	RICHARD SOUTHERLAND
Sewer availability	Cleared	2/26/2014	RICHARD SOUTHERLAND
Green Code	Cleared	3/4/2014	MARTHA DIAZ
Hydrant and Access approval	Cleared	3/12/2014	ROBERT DUFF
Low Impact Development	Cleared	3/19/2014	IDA MEISAMI-FARD
Roof/Waste drainage to street	Cleared	3/19/2014	AVALYN KAMACHI

Coastal Zone	Cleared	3/27/2014	BRIDGETTE WOOTEN
Miscellaneous	Cleared	3/27/2014	BRIDGETTE WOOTEN
Tract Map conditions	Cleared	3/27/2014	BRIDGETTE WOOTEN
ZA Case	Cleared	3/27/2014	BRIDGETTE WOOTEN

Contact Information

Architect	Smith, Carl Francis; Lic. No.: C29671	672 S AVENUE 21 # 2	LOS ANGELES, CA 90031
Contractor	Owner-Builder		
Engineer	Aguilar, Joel; Lic. No.: S5392	3918 CEDAR AVE	LONG BEACH, CA 90807
Engineer	Sakhipour, Sassan A; Lic. No.: GE2579	1290 N LAKE AVENUE #204	PASADENA, CA 91104

Inspector Information

BOB DUNN, (310) 914-3981

Office Hours: 7:00-8:00 AM MON-FRI

Pending Inspections

No Data Available.

Inspection Request History

Footing/Foundation/Slab	10/22/2014	Partial Approval	BOB DUNN
METHANE-Barrier	10/22/2014	Not Ready for Inspection	BOB DUNN
METHANE-Subgrade	10/22/2014	Not Ready for Inspection	BOB DUNN
Excavation/Setback/Form/Re-Bar	11/10/2014	Corrections Issued	BOB DUNN
Excavation/Setback/Form/Re-Bar	11/12/2014	Partial Approval	BOB DUNN
Wood Frame	12/1/2014	Not Ready for Inspection	BOB DUNN
Floor/Roof Diaphragm/Shear Wall	12/18/2014	Partial Approval	MARVIN GODFREY
Floor/Roof Diaphragm/Shear Wall	12/23/2014	Partial Approval	BOB DUNN
Footing/Foundation/Slab	3/13/2015	Not Ready for Inspection	BOB DUNN
METHANE-Barrier	3/13/2015	Not Ready for Inspection	BOB DUNN
METHANE-Subgrade	3/13/2015	Not Ready for Inspection	BOB DUNN
Excavation/Setback/Form/Re-Bar	3/16/2015	Partial Approval	BOB DUNN
Deputy Reinf. Concrete	3/17/2015	Conditional Approval	BOB DUNN
Deputy Steel/Welding	3/20/2015	Conditional Approval	BOB DUNN
Deputy Steel/Welding	3/27/2015	Conditional Approval	VINCENT COTTON
Floor/Roof Diaphragm/Shear Wall	4/22/2015	Partial Approval	MARVIN GODFREY
Interior/Exterior Lathing	4/27/2015	Partial Approval	DAVID HEINE

Deputy Wood Construction	11/23/2015	No Access for Inspection	KENNETH NAGLE
Floor/Roof Diaphragm/Shear Wall	11/24/2015	Partial Inspection	KENNETH NAGLE
Floor/Roof Diaphragm/Shear Wall	12/14/2015	Not Ready for Inspection	RONALD WEBER
HVAC-Rough	12/14/2015	Not Ready for Inspection	RONALD WEBER
ELECTRICAL-Rough	12/15/2015	Corrections Issued	KENNETH NAGLE
Floor/Roof Diaphragm/Shear Wall	12/16/2015	Partial Approval	KENNETH NAGLE
Floor/Roof Diaphragm/Shear Wall	12/18/2015	Not Ready for Inspection	KENNETH NAGLE
HVAC-Rough	12/18/2015	Corrections Issued	KENNETH NAGLE
Green Building Rough	12/28/2015	Approved	KENNETH NAGLE
HVAC Rough	1/15/2016	Not Ready for Inspection	RONALD WEBER
Floor/Roof Diaphragm/Shear Wall	1/20/2016	Partial Approval	KENNETH NAGLE
ELECTRICAL-Rough	3/2/2016	Not Ready for Inspection	BOB DUNN
HVAC-Rough	3/2/2016	Approved	BOB DUNN
ELECTRICAL-Rough	3/8/2016	Approved	BOB DUNN
PLUMBING-Rough	3/8/2016	Approved	BOB DUNN
BUILDING Rough-Frame	3/23/2016	Approved	BOB DUNN
Interior/Exterior Lathing	3/23/2016	Partial Approval	BOB DUNN
METHANE-Rough	3/23/2016	Approved	BOB DUNN
Verify Sprinkler Sign Off	3/23/2016	Approved	BOB DUNN
Insulation	4/4/2016	Not Ready for Inspection	BOB DUNN
Insulation	4/6/2016	Approved	BOB DUNN
Drywall Nailing	4/29/2016	Approved	BOB DUNN
Shower Pan	5/9/2016	Not Ready for Inspection	BOB DUNN
Shower Pan	5/11/2016	Partial Approval	BOB DUNN
Interior/Exterior Lathing	5/26/2016	Approved	BOB DUNN
Shower Pan	6/21/2016	Approved	RICHARD STEINBACH

Certificate Information: 417 1/2 E SUNSET AVE 90291

Application / Permit 16043-10000-01018
Plan Check / Job No. M16LA01126
Group Mechanical
Type Fire Sprinkler
Sub-Type 1 or 2 Family Dwelling
Primary Use ()
Work Description NEW NFPA 13D FIRE SPRINKLER SYSTEM FOR THREE STORY SINGLE FAMILY DWELLING WITH ATTACHED CAR GARAGE. 1" WATER METER, NO RP BACKFLOW DEVICE.
Permit Issued Issued on 3/9/2016
Issuing Office Metro
Current Status Issued on 3/9/2016

Permit Application Status History

Submitted	3/7/2016	APPLICANT
Assigned to Plan Check Engineer	3/7/2016	IRENE POOL TAMAYO
Corrections Issued	3/7/2016	IRENE POOL TAMAYO
Plan Check Approved	3/8/2016	IRENE POOL TAMAYO
Issued	3/9/2016	LADBS

Permit Application Clearance Information

No Data Available.

Contact Information

Contractor Room Inc; Lic. No.: 872749-C16 1146 N. CENTRAL AVE #442 GLENDALE, CA 91202

Inspector Information

DOUGLAS KENNEDY, (310) 914-3954

Office Hours: 7:00-8:00 AM MON-FRI

Pending Inspections

No Data Available.

Inspection Request History

Overhead Hydro	3/11/2016	Approved	DOUGLAS KENNEDY
Rough	3/11/2016	Corrections Issued	DOUGLAS KENNEDY
Overhead Hydro	3/15/2016	Approved	DOUGLAS KENNEDY
Rough	3/15/2016	Approved	DOUGLAS KENNEDY

Los Angeles Department of Building and Safety

Certificate Information: 417 E SUNSET AVE 90291

Application / Permit 13019-10000-02038
Plan Check / Job No. B13LA09487
Group Building
Type Bldg-Demolition
Sub-Type 1 or 2 Family Dwelling
Primary Use (1) Dwelling - Single Family
Work Description DEMOLITION OF EXISTING 2-STORY SINGLE FAMILY DWELLING AND DETACHED 1-STORY ACCESSORY STORAGE STRUCTURE BY HANDWRECKING; CLEAR LOT; SEWER CAP REQUIRED; PEDESTRIAN PROTECTION FENCE IS REQUIRED. [DPI: 13019-10000-01946]
Permit Issued Issued on 3/24/2014
Issuing Office West Los Angeles
Current Status Permit Finaled on 5/13/2016

Permit Application Status History

Submitted	8/2/2013	APPLICANT
Assigned to Plan Check Engineer	8/2/2013	HOK CHI CHIU
Corrections Issued	8/2/2013	HOK CHI CHIU
Plan Check Approved	2/20/2014	CRISTINA SALAZAR
Issued	3/24/2014	LADBS
Permit Expired-Status Void	4/15/2016	APPLICANT
Re-Activate Permit	5/11/2016	NEWTON GERHARDT
Permit Finaled	5/12/2016	BOB DUNN

Permit Application Clearance Information

Mello Bill	Cleared	8/9/2013	SOCORRO YUMUL
Specific Plan	Cleared	8/9/2013	SOCORRO YUMUL
Coastal Zone	Cleared	2/20/2014	BRIDGETTE WOOTEN
ZA Case	Cleared	2/20/2014	BRIDGETTE WOOTEN

Contact Information

Contractor

Owner/Builder

Inspector Information

BOB DUNN, (310) 914-3981

Office Hours: 7:00-8:00 AM MON-FRI

Pending Inspections

No Data Available.

Inspection Request History

Final

5/12/2016

Permit Finaled

BOB DUNN

Los Angeles Department of Building and Safety

Certificate Information: 417 E SUNSET AVE 90291

Application / Permit 13010-10000-03230
Plan Check / Job No. B13LA13076
Group Building
Type Bldg-New
Sub-Type 1 or 2 Family Dwelling
Primary Use (1) Dwelling - Single Family
Work Description PROPOSED 3-STORY SFD WITH ATTACHED GARAGE PER ZA 2013-955(CDP)(ZAA)(MEL). (UNIT 1) SEE 14030-10000-01926 FOR GRADING WORK.
Permit Issued Issued on 5/6/2014
Issuing Office West Los Angeles
Current Status Issued on 5/6/2014
Certificate of Occupancy Pending

Permit Application Status History

Submitted	10/21/2013	APPLICANT
Assigned to Plan Check Engineer	10/26/2013	LAWRENCE QUIRANTE
Corrections Issued	10/28/2013	LAWRENCE QUIRANTE
Reviewed by Supervisor	11/8/2013	TIEN JEN WANG
Building Plans Picked Up	11/13/2013	APPLICANT
Green Plans Picked Up	11/13/2013	APPLICANT
Applicant returned to address corrections	1/22/2014	LAWRENCE QUIRANTE
Applicant returned to address corrections	1/27/2014	LAWRENCE QUIRANTE
Applicant returned to address corrections	2/18/2014	LAWRENCE QUIRANTE
Applicant returned to address corrections	4/8/2014	LAWRENCE QUIRANTE
Plan Check Approved	4/16/2014	LAWRENCE QUIRANTE
Issued	5/6/2014	LADBS

Permit Application Clearance Information

Address approval	Cleared	2/26/2014	RICHARD SOUTHERLAND
Eng Process Fee Ord 176,300	Cleared	2/26/2014	RICHARD SOUTHERLAND
Sewer availability	Cleared	2/26/2014	RICHARD SOUTHERLAND
Green Code	Cleared	3/4/2014	MARTHA DIAZ
Hydrant and Access approval	Cleared	3/12/2014	ROBERT DUFF
Low Impact Development	Cleared	3/19/2014	MARTIN FRAGOSO
Roof/Waste drainage to street	Cleared	3/19/2014	AVALYN KAMACHI

Coastal Zone	Cleared	3/27/2014	BRIDGETTE WOOTEN
Miscellaneous	Cleared	3/27/2014	BRIDGETTE WOOTEN
Tract Map conditions	Cleared	3/27/2014	BRIDGETTE WOOTEN
ZA Case	Cleared	3/27/2014	BRIDGETTE WOOTEN

Contact Information

Architect	Smith, Carl Francis; Lic. No.: C29671	672 S AVENUE 21 # 2	LOS ANGELES, CA 90031
Contractor	Owner-Builder		
Engineer	Aguilar, Joel; Lic. No.: S5392	3918 CEDAR AVE	LONG BEACH, CA 90807
Engineer	Salehipour, Sassan A; Lic. No.: GE2579	1290 N LAKE AVENUE #204	PASADENA, CA 91104

Inspector Information

BOB DUNN, (310) 914-3981

Office Hours: 7:00-8:00 AM MON-FRI

Pending Inspections

No Data Available.

Inspection Request History

Footing/Foundation/Slab	10/22/2014	Partial Approval	BOB DUNN
METHANE-Barrier	10/22/2014	Not Ready for Inspection	BOB DUNN
METHANE-Subgrade	10/22/2014	Not Ready for Inspection	BOB DUNN
Excavation/Setback/Form/Re-Bar	11/10/2014	Corrections Issued	BOB DUNN
Excavation/Setback/Form/Re-Bar	11/12/2014	Partial Approval	BOB DUNN
Wood Frame	12/1/2014	Not Ready for Inspection	BOB DUNN
Floor/Roof Diaphragm/Shear Wall	12/18/2014	Partial Approval	MARVIN GODFREY
BUILDING-Rough Frame	12/23/2014	Partial Approval	BOB DUNN
Green Building Rough	12/23/2014	Not Ready for Inspection	BOB DUNN
METHANE-Rough	12/23/2014	Not Ready for Inspection	BOB DUNN
Verify Sprinkler Sign Off	12/23/2014	Not Ready for Inspection	BOB DUNN
Footing/Foundation/Slab	3/13/2015	Not Ready for Inspection	BOB DUNN
METHANE-Barrier	3/13/2015	Not Ready for Inspection	BOB DUNN
METHANE-Subgrade	3/13/2015	Not Ready for Inspection	BOB DUNN
Excavation/Setback/Form/Re-Bar	3/16/2015	Partial Approval	BOB DUNN
Deputy Reinf. Concrete	3/17/2015	Conditional Approval	BOB DUNN
Floor/Roof Diaphragm/Shear Wall	4/22/2015	Partial Approval	MARVIN GODFREY

PLUMBING-Rough	9/28/2015	Approved	VINCENT SCIPIONI
Deputy Wood Construction	11/23/2015	No Access for Inspection	KENNETH NAGLE
Floor/Roof Diaphragm/Shear Wall	11/23/2015	Not Ready for Inspection	KENNETH NAGLE
Floor/Roof Diaphragm/Shear Wall	12/14/2015	Not Ready for Inspection	RONALD WEBER
HVAC-Rough	12/14/2015	Not Ready for Inspection	RONALD WEBER
ELECTRICAL-Rough	12/15/2015	Corrections Issued	KENNETH NAGLE
Floor/Roof Diaphragm/Shear Wall	12/16/2015	Partial Approval	KENNETH NAGLE
HVAC-Rough	12/18/2015	Corrections Issued	KENNETH NAGLE
Green Building Rough	12/28/2015	Approved	KENNETH NAGLE
HVAC-Rough	1/15/2016	Not Ready for Inspection	RONALD WEBER
Floor/Roof Diaphragm/Shear Wall	1/20/2016	Partial Approval	KENNETH NAGLE
ELECTRICAL-Rough	3/2/2016	Not Ready for Inspection	BOB DUNN
HVAC-Rough	3/2/2016	Approved	BOB DUNN
ELECTRICAL-Rough	3/8/2016	Approved	BOB DUNN
PLUMBING-Rough	3/8/2016	Approved	BOB DUNN
BUILDING-Rough-Frame	3/23/2016	Approved	BOB DUNN
Interior/Exterior Lathing	3/23/2016	Partial Approval	BOB DUNN
METHANE Rough	3/23/2016	Approved	BOB DUNN
Verify Sprinkler Sign Off	3/23/2016	Approved	BOB DUNN
Insulation	4/4/2016	Not Ready for Inspection	BOB DUNN
Insulation	4/6/2016	Approved	BOB DUNN
Drywall Nailing	4/29/2016	Approved	BOB DUNN
Shower Pan	5/9/2016	Not Ready for Inspection	BOB DUNN
Shower Pan	5/11/2016	Partial Approval	BOB DUNN
Interior/Exterior Lathing	5/26/2016	Approved	BOB DUNN
Shower Pan	6/21/2016	Approved	RICHARD STEINBACH
Interior/Exterior Lathing	7/28/2016	Not Ready for Inspection	RONALD WEBER

EXHIBIT 2

LENN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

R. NICOLAS BROWN
SUE CHANG
LOURDES GREEN
CHARLES J. RAUSCH, JR.
JIM TOKUNAGA
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

DEPARTMENT OF
CITY PLANNING

MICHAEL J. LOGRANDE
DIRECTOR

OFFICE OF
ZONING ADMINISTRATION

200 N. SPRING STREET, 7TH FLOOR
LOS ANGELES, CA 90012
(213) 978-1318
FAX: (213) 978-1334
www.planning.lacity.org

November 7, 2013

NOT *Nov 7, 2016*

Belal Al-Shawe (A)(O)
417 Sunset Avenue, LLC
1010 Broadway
Santa Monica, CA 90401

Steve Nazemi (R)
DHS & Associates, Incorporated
275 Centennial Way, Suite 205
Tustin, CA 92780

CASE NO. ZA-2013-955(CDP)(ZAA)(MEL)
COASTAL DEVELOPMENT PERMIT/
ZONING ADMINISTRATOR'S
ADJUSTMENT

Related Case: AA-2013-953-PMLA-SL

417 Sunset Avenue
Venice Planning Area

Zone : RD1.5-1

D. M. :

C. D. : 11

CEQA : ENV-2013-953-MND

Legal Description: Lot 20, Block M,
Carnation Park Tract

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

A coastal development permit to allow the construction, use and maintenance of two single family dwellings (small lot development) in the single permit area of the California Coastal Zone, and

Pursuant to the provisions of the Los Angeles Municipal Code Section 12.28-A I hereby APPROVE:

a Zoning Administrator's Adjustment from Section 12.09.1(B) to permit a reduced rear yard setback of 6 feet in lieu of the required 15 feet, and a Zoning Administrator's Adjustment from Section 12.21-C,2(a) of the LAMC to permit 4-inch building separations (internal side yards) in lieu of the required 10 feet.

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

nothing for demo of existing

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401
CITY PLANNING COMMISSION
VACANT
PRESIDENT
VACANT
VICE-PRESIDENT
CAMILLA M. ENG
GEORGE HOVAGUIMIAN
ROBERT LESSIN
DANA M. PERLMAN
MARTA SEGURA
RENEE DAKE WILSON
VACANT
JAMES K. WILLIAMS
COMMISSION EXECUTIVE ASSISTANT II
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

MICHAEL J. LOGRANDE
DIRECTOR
(213) 978-1771
ALAN BELL, AICP
DEPUTY DIRECTOR
(213) 978-1772
LISA M. WEBBER, AICP
DEPUTY DIRECTOR
(213) 978-1274
EVA YUAN-MCDANIEL
DEPUTY DIRECTOR
(213) 978-1273
FAX: (213) 978-1275

INFORMATION
www.planning.lacity.org

Decision Date: November 4, 2013

Appeal Period Ends: November 19, 2013

Bel Al-Shawe (A) (O)
417 Sunset Avenue, LLC
1010 Broadway
Santa Monica, CA 90401

Steve Nazemi (E)
DHS & Associates, Incorporated
275 Centennial Way, Suite 205
Tustin, CA 92780

Case No. AA-2013-953-PMLA-SL
Address: 417 East Sunset Avenue
Zone: RD1.5-1
D.M. 111 B 141
C.D. 11
CEQA: ENV-2013-954-MND
Legal description: Lot 20, Block M,
Carnation Park Tract

In accordance with provisions of Section 17.53 of the Los Angeles Municipal Code, the Deputy Advisory Agency approved ENV-2013-954-MND as the environmental clearance and Parcel Map AA-2013-955-PMLA-SL, for a maximum two-parcel single-family development, as shown on the revised map stamp-dated October 23, 2013, and subject to the following conditions. This unit density is based on the RD1.5-1 Zone. The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which shall legally interpret the Zoning Code as it applies to this particular property.

Note 1. The approved Small Lot Subdivision is not vested to the provisions of Section 12.22C, 27 until a Final Map is recorded. Building permit applications prior to the recordation of a final map must comply with all of the provisions of the LAMC including but not limited to setbacks, access width, open space, and passageway unless the Planning Department has granted approval of deviations from the provisions of said LAMC section.

NOTE 2. on clearing conditions: When two or more agencies must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review. A copy of the first page of this grant and all conditions and/or any subsequent appeal of this grant and its

dcp Department of City Planning Case Summary & Documents

Los Angeles, CA

Fair

60.0 F

Winds: 0.0 mph

City / County Traffic

Case Number

Ordinance

Zoning Information

OPC Cards

Case Number:

DIR-2013-2454-VSO-MEL

Search

Format: AA-YYYY-1234

Example: ZA-2011-3269

Advanced Search Help

Case Number:

DIR-2013-2454-VSO-MEL

Case Filed On:

08/09/2013

Accepted for review on:

08/09/2013

Assigned Date:

Staff Assigned:

Hearing Waived / Date Waived :

Hearing Location:

Hearing Date / Time:

12:00 AM

DIR Action:

APPROVED

DIR Action Date:

08/09/2013

End of Appeal Period:

Appealed:

No

BOE Reference Number:

Case on Hold?:

No

Primary Address

Address

CNC

CD

417 E SUNSET AVE 90291 Venice 11

View All Addresses

Project Description:

DEMO (E) 2-STORY SFD & DETACHED 1-STORY ACCESSORY STORAGE

Requested Entitlement:

DEMO (E) 2-STORY SFD & DETACHED 1-STORY ACCESSORY STORAGE

Applicant:

[Company: 417 SUNSET AVENUE LLC]

Representative:

CARL SMITH [Company:]

Permanent Link:

http://planning.lacity.org/pd/caseinfo/CaseId/MTKyODA40

0 Case Documents found for Case Number: DIR-2013-2454-VSO-MEL

Type ^	Scan Date	Signed
No Documents were found		

EXHIBIT 3

CURRENTLY APPEALABLE LOCAL PERMITS

Local Government CDP Actions Appealable as of: January 02, 2017

South Coast District covering South Los Angeles and Orange Counties

Local Application No.	ZA 2013-955		
CCC Post-Cert No.	5-VEN-16-0121		
Local Jurisdiction	City of LA - Venice		
Final Local Action	Approved With Conditions		
Applicant(s)	Belal Al- Shawe		
Project Location	417 Sunset Ave, Venice, Ca 90291 Los Angeles County		
Project Description	Construction of two single family dwelling (small lot development).		
		<i>Dates</i>	
		<i>Local Action</i>	11/7/16
		<i>Local Action Notice Received</i>	12/2/16
		<i>Appeal Period Starts</i>	12/2/2016
		<i>Appeal Period Ends</i>	1/3/2017

THIS should be 11-7-13.

EXHIBIT 4

WESTLAW California Code of Regulations

[Home Table of Contents](#)

§ 13331. Notice of Final Local Action.

14 CA ADC § 13331

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

Barclays Official California Code of Regulations ~~Current~~

Title 14. Natural Resources

Division 5.5 California Coastal Commission [FNAI]

Chapter 7. Coastal Development - Permits Issued by Local Governments and Other Public Agencies

Subchapter 1.5. Permits Issued and Reviewed by Local Governments and the Commission Pursuant to Certified Land Use Plans

Article 3. Appeals to State Commission Prior to Certification of a Local Coastal Program

14 CCR § 13331

§ 13331. Notice of Final Local Action.

Within five (5) working days of the approval or denial of a coastal development permit, or within five (5) working days of its failure to act within any specified time limits contained in PRC Sections 30621 and Government Code Sections 65950-65957.1, a local government shall notify the commission and any person requesting such notification in writing of the final local action.

Note. Authority cited: Section 30333, Public Resources Code. Reference: Sections 30600.5 and 30620.5, Public Resources Code

This database is current through 9/2/16 Register 2016, No. 36.

14 CCR § 13331, 14 CA ADC § 13331

END OF DOCUMENT

© 2016 Westlaw. All rights reserved. No part of this document may be reproduced without written permission from Westlaw.

This is not being entered and the result is significant harm to the Venice Special Coastal Community and adjacent property owners.

WESTLAW California Code of Regulations

[Home Table of Contents](#)

§ 13339. Remand to Local Government.

14 CA ADC § 13339

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

Barclays Official California Code of Regulations [Currentness](#)

Title 14. Natural Resources

Division 5.5 California Coastal Commission [FNA1]

Chapter 7. Coastal Development -Permits Issued by Local Governments and Other Public Agencies

Subchapter 1.5. Permits Issued and Reviewed by Local Governments and the Commission Pursuant to Certified Land Use Plans

Article 3. Appeals to State Commission Prior to Certification of a Local Coastal Program

14 CCR § 13339

§ 13339. Remand to Local Government.

At any time prior to the final vote of the commission on an appeal, the commission, after consulting the applicant, may order the application returned to the appropriate local government for further proceedings.

Note: Authority cited: Section 30333, Public Resources Code. Reference: Sections 30600.5, 30602 and 30620.5, Public Resources Code.

This database is current through 9/2/16 Register 2016, No. 36.

14 CCR § 13339, 14 CA ADC § 13339

END OF DOCUMENT

For more information on this document, please visit [http://www.westlaw.com](#)

[Home Table of Contents](#)

§ 13332. Commission Procedures upon Receipt of Notice of Final Local Action.

14 CA ADC § 13332

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

Barclays Official California Code of Regulations [Currentness](#)

Title 14. Natural Resources

Division 5.5 California Coastal Commission [FNA1]

Chapter 7. Coastal Development -Permits Issued by Local Governments and Other Public Agencies

Subchapter 1.5. Permits Issued and Reviewed by Local Governments and the Commission Pursuant to Certified Land Use Plans

Article 3. Appeals to State Commission Prior to Certification of a Local Coastal Program

14 CCR § 13332

§ 13332. Commission Procedures upon Receipt of Notice of Final Local Action.

Within five (5) working days of receipt of notice of final local action, the executive director of the commission shall post a description of the coastal development permit action by the local government in a conspicuous location in the commission's district office having jurisdiction of the development. At the same time, the executive director shall mail notice of the local action to members of the commission. The twenty (20) working day appeal period shall be established from the date of receipt of a notice of final local government action that contains sufficient information upon which to base an informed appeal including project description, conditions of approval, written findings and the procedures for appeal. If the executive director determines that the notice is insufficient, he shall notify the local government within five (5) working days and a sufficient notice shall be resubmitted in order to begin the twenty (20) working day appeal period.

Note: Authority cited: Section 30333, Public Resources Code. Reference: Sections 30602 and 30620.5, Public Resources Code.

This database is current through 9/2/16 Register 2016, No. 36.

14 CCR § 13332. 14 CA ADC § 13332

LIST OF DOCUMENTS

14 CCR § 13332. 14 CA ADC § 13332

Not done and not enforced, and the result
is significant harm to Venice^{*} and
adjacent property areas

* designated by the Coastal Commission
as "Special Coastal Community"

[Home Table of Contents](#)

§ 13105. Grounds for Revocation.

14 CA ADC § 13105

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

Barclays Official California Code of Regulations Currentness

Title 14. Natural Resources

Division 5.5 California Coastal Commission [FNA1]

Chapter 5. Coastal Development Permits Issued by Coastal Commissions

Subchapter 1. Regular Permits

Article 16. Revocation of Permits

14 CCR § 13105

§ 13105. Grounds for Revocation.

Grounds for revocation of a permit shall be:

(a) Intentional inclusion of inaccurate, erroneous or incomplete information in connection with a coastal development permit application, where the commission finds that accurate and complete information would have caused the commission to require additional or different conditions on a permit or deny an application.

(b) Failure to comply with the notice provisions of Section 13054, where the views of the person(s) not notified were not otherwise made known to the commission and could have caused the commission to require additional or different conditions on a permit or deny an application.

Note: Authority cited: Section 30333, Public Resources Code. Reference: Section 30620, Public Resources Code.

HISTORY

1. Amendment filed 6-10-77; effective thirtieth day thereafter (Register 77, No. 24).

2. Amendment filed 1-28-81; effective thirtieth day thereafter (Register 81, No. 5).

3. Amendment filed 8-14-81; effective thirtieth day thereafter (Register 81, No. 33).

This database is current through 9/2/16 Register 2016, No. 36

14 CCR § 13105, 14 CA ADC § 13105

END OF DOCUMENT

10/1/2016 10:00:00 AM

THIS IS the exact situation