

CALIFORNIA COASTAL COMMISSION

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



F10b

A-5-VEN-17-0036 (MESSORI)

AUGUST 11, 2017

EXHIBITS

Table of Contents

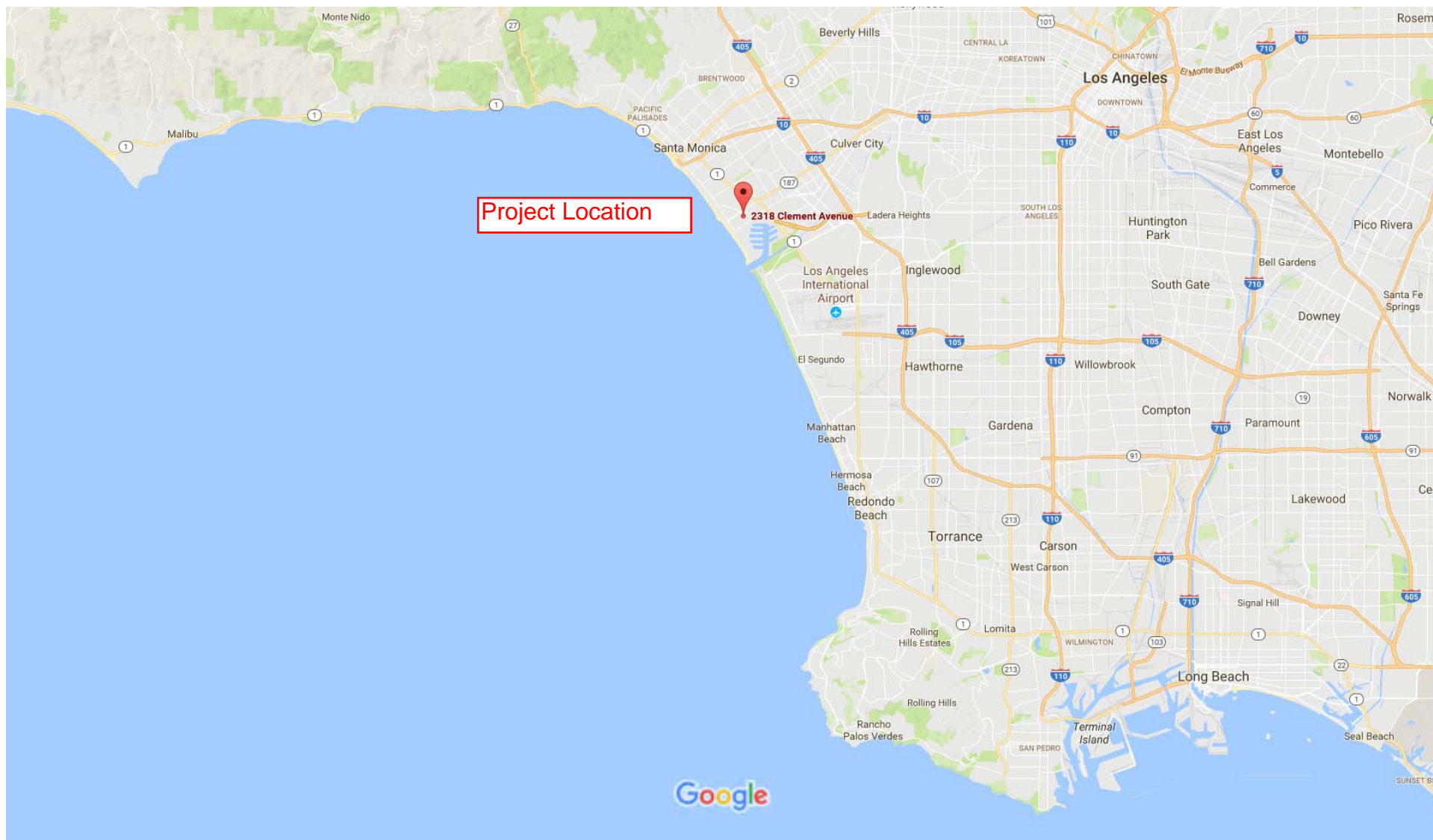
Exhibit 1 – Project Location

Exhibit 2 – Local CDP DIR-2016-3550

Exhibit 3 – Project Plans

Exhibit 4 – Appeal

Google Maps 2318 Clement Ave



Map data ©2017 Google United States 2 mi

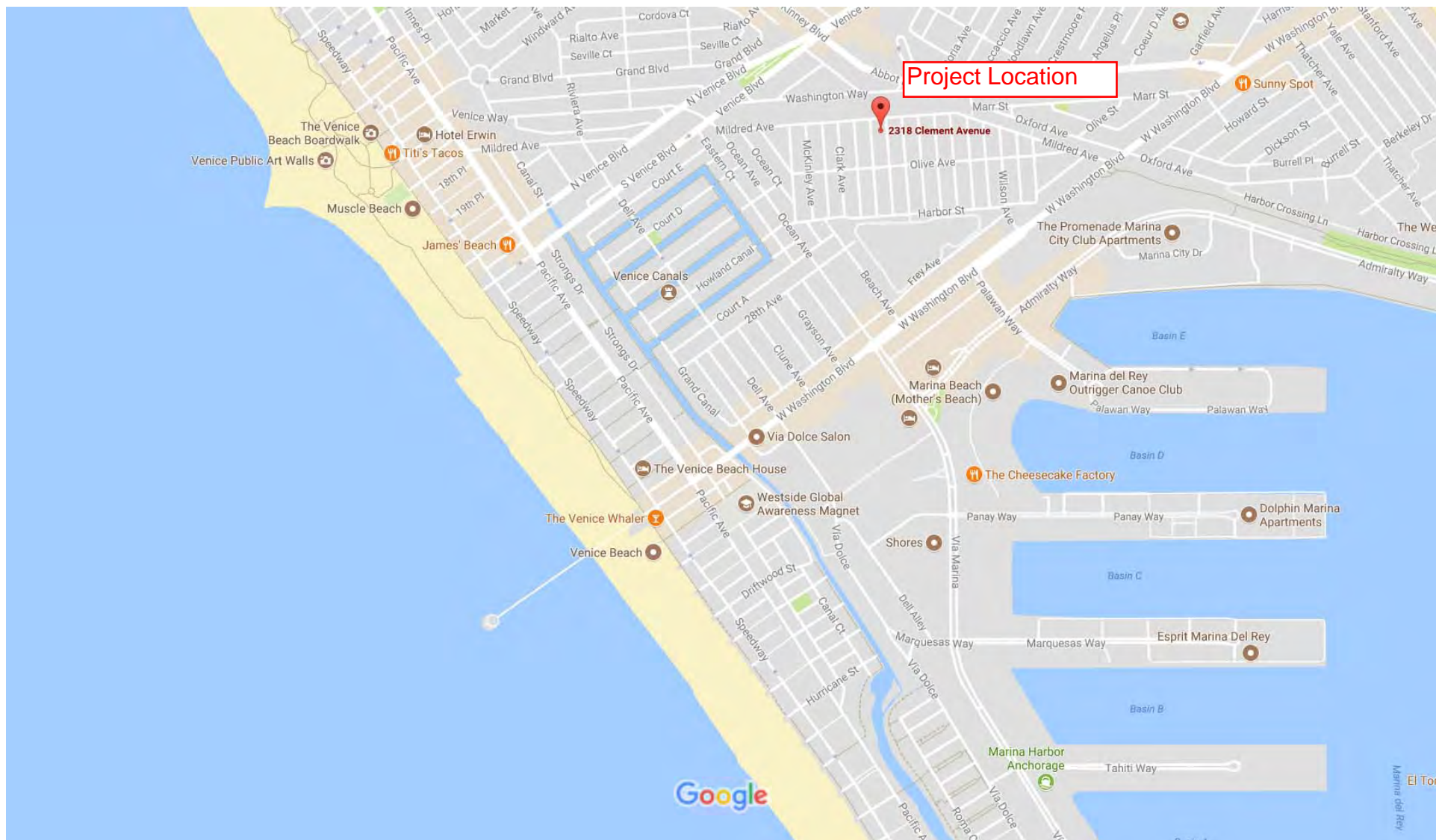
Coastal Commission

A-5-VEN-17-0036

Exhibit 1

Page 1 of 4

Google Maps 2318 Clement Ave



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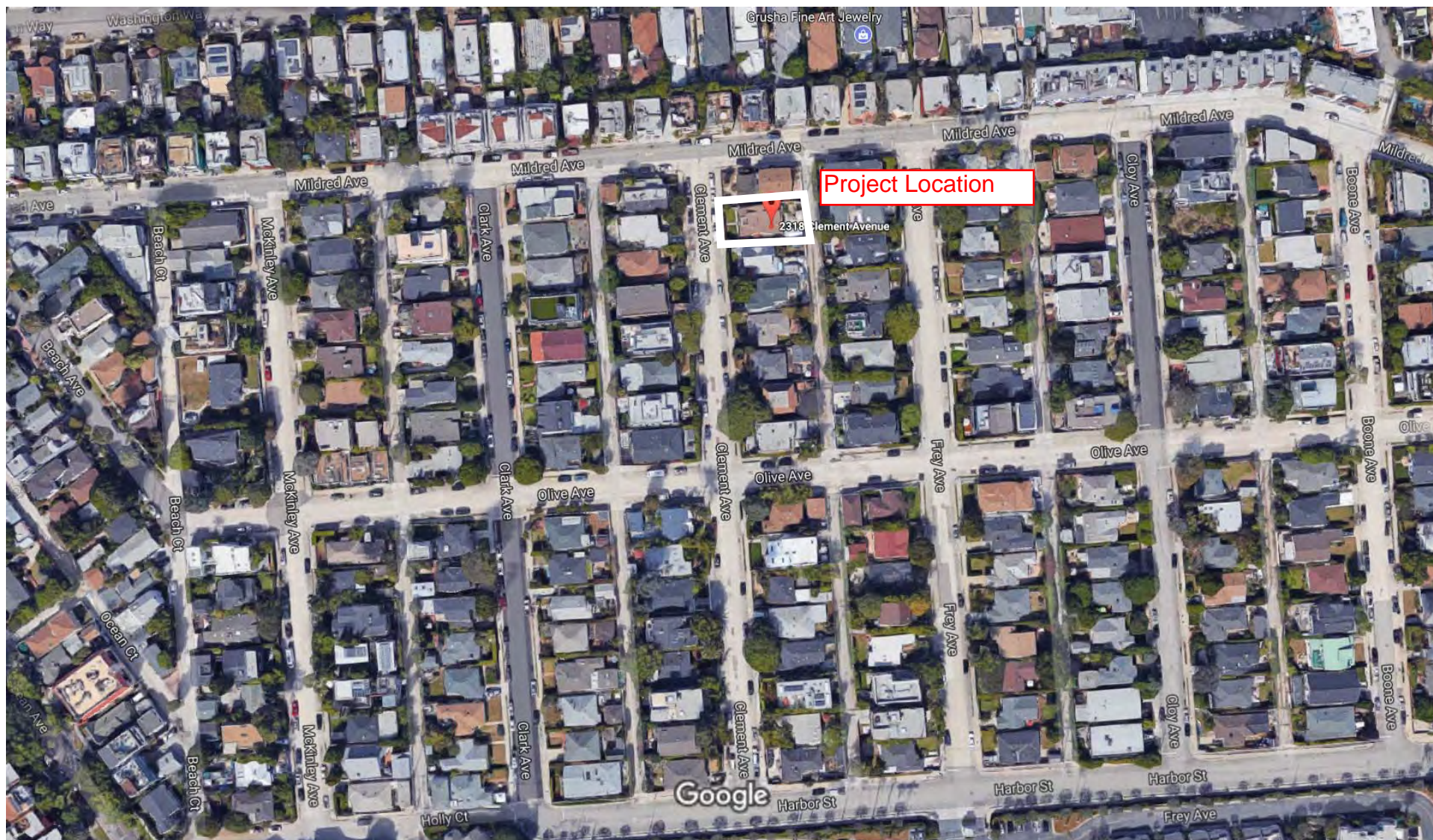
Coastal Commission

A-5-VEN-17-0036

Exhibit 1

Page 2 of 4

Google Maps 2318 Clement Ave



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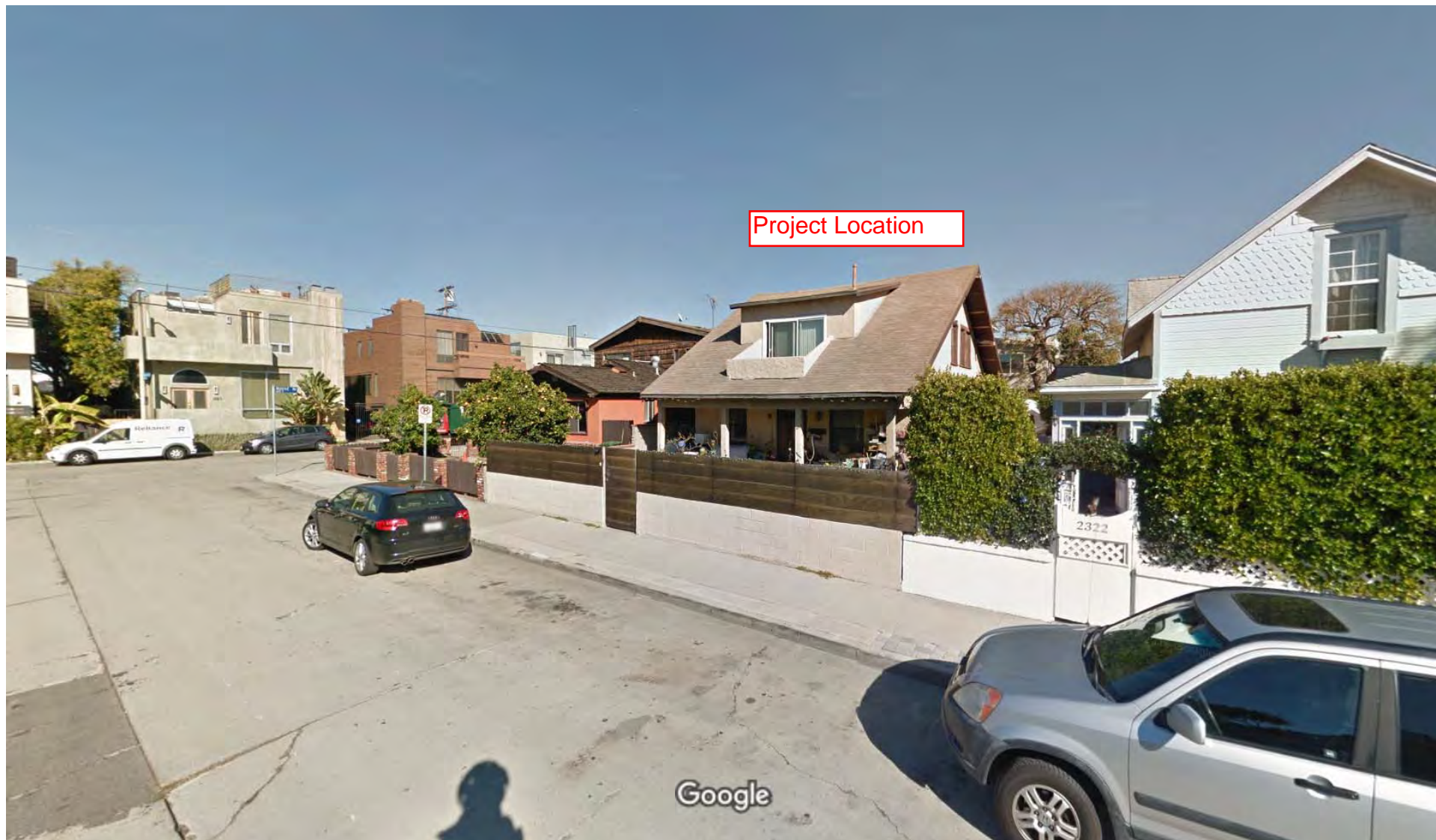
A-5-VEN-17-0036

Exhibit 1

Page 3 of 4



2320 Clement Ave



Los Angeles, California

Street View - Jan 2016

Image capture: Jan 2016 © 2017 Google United States

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A-5-VEN-17-0036

Exhibit 1

Page 4 of 4

**DEPARTMENT OF
CITY PLANNING**

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**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

KEVIN J. KELLER, AICP
DEPUTY DIRECTOR
(213) 978-1272

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

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

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**DIRECTOR'S DETERMINATION
COASTAL DEVELOPMENT PERMIT
MELLO ACT COMPLIANCE REVIEW**

May 15, 2017

Owner/Applicant

Bill Messori
2318 Clement LLC
1520 Via Martinez
Palos Verdes Estates, CA 90274

Representative

Bala Vairavan
Bala Vairavan Architects Inc.
5525 Moonshadow Street
Simi Valley, CA 93063

Case No. DIR-2016-3550-CDP-MEL
CEQA: ENV-2016-3551-CE
Location: 2318 South Clement Avenue
Council District: 11 – Bonin

Neighborhood Council: Venice
Community Plan Area: Venice
Land Use Designation: Low Residential
Zone: R1-1-O
Legal Description: Lot 82, Tract 4424

Last Day to File an Appeal: May 30, 2017

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

Approve a Coastal Development Permit authorizing the demolition of an existing 1,764 square-foot two-story single-family dwelling and construction of a new 3,004 square-foot two-story single-family dwelling with a 388 square-foot attached two-car garage, 620 square-foot roof deck, and 96 square-foot roof access structure, all on a 3,601 square-foot lot in the Single Permit Jurisdiction area of the Coastal Zone and,

Pursuant to Government Code Sections 65590 and 65590.1 and the City of Los Angeles Interim Mello Act Compliance Administrative Procedures, I hereby:

Approve a Mello Act Compliance Review for the demolition and construction of a single-family dwelling in the Coastal Zone.

DETERMINED, based on the whole of the administrative record, that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15303 and Article III, Section, Class 3 of the City of Los Angeles CEQA Guidelines and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Coastal Commission
A-5-VEN-17-0036

The project approval is based upon the attached Findings and subject to the attached Conditions of Approval:

CONDITIONS OF APPROVAL

1. Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. 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.
3. **Roof Access Structure (RAS).** The maximum height of the proposed project to the top of the RAS shall be limited to 31 feet 9 inches as measured from the centerline of Clement Avenue and the maximum square footage of the RAS shall be limited to 96 square feet as measured from the outside walls.
4. **Density.** The maximum density of the proposed project shall be limited to one dwelling unit per lot.
5. **Height.** The maximum height of the proposed project shall be limited to 22 feet 9 inches to the top of the roof deck, 24 feet 3 inches to the parapet of the flat roof, 25 feet to the top of the sloped roof, and 31 feet 9 inches to the top of the RAS.
6. **Access.** The driveway and vehicular access to the proposed project shall be provided from the alley.
7. **Parking.** The proposed project shall provide three parking spaces (two covered, one uncovered) on the subject property as shown on "Exhibit A" and as approved by the Department of Building and Safety.
8. **Roof Deck.** Railings used on the proposed roof deck exceeding the maximum building height of 30 feet shall be of an open design and limited to a maximum height of 42 inches.
9. No deviations from the Venice Coastal Zone Specific Plan have been requested or approved herein. All applicable provisions of the Specific Plan shall be complied with as further noted in DIR-2017-521-VSO or any subsequent Venice Sign-Offs.
10. Outdoor lighting shall be designed and installed with shielding so that light does not overflow into adjacent residential properties.
11. 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.
12. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

13. Prior to the sign-off of plans by the Development Services Center, the applicant shall submit the plans for review and approval to the Fire Department. Said Department's approval shall be included in the plans submitted to the Development Services Center.
14. Prior to the commencement of site excavation and construction activities, construction schedule and contact information for any inquiries regarding construction activities shall be provided to residents and property owners within a 100-foot radius of the project site. The contact information shall include a construction manager and a telephone number, and shall be posted on the site in a manner, which is readily visible to any interested party.
15. Prior to the issuance of any permits, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

Administrative Conditions

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

21. **Condition Compliance.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
22. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

BACKGROUND

The subject property is a flat, rectangular-shaped interior lot with a total area of 3,601 square feet. The subject property has a frontage of 40 feet along the east side of Clement Avenue and an even depth of 90 feet. The subject property is zoned R1-1-O and designated for Low Residential land uses in the Venice Community Plan Area. The subject property is located in the Southeast Venice Area of the Venice Coastal Zone Specific Plan, the Los Angeles Coastal Transportation Corridor Specific Plan Area, and a Single Jurisdiction Area of the Coastal Zone. The subject property is also located in a Methane Buffer Zone, Liquefaction Area, and Tsunami Inundation Zone.

Currently, the subject property is developed with a 1,764 square-foot two-story single-family dwelling. The applicant is requesting a Coastal Development Permit to allow the demolition of the existing single-family dwelling and construction, use, and maintenance of a 3,004 square-foot two-story single-family dwelling with a 388 square-foot attached two-car garage, 620 square-foot roof deck, and 96 square-foot roof access structure. The proposed project is subject to review for compliance with the Mello Act for the demolition and construction of a single-family dwelling in the Coastal Zone.

The surrounding properties are zoned R1-1-O and developed with one- to two-story single-family dwellings. The properties further north across Mildred Avenue are zoned RD1.5-1-O and developed with one- to two-story single- and multi-family dwellings.

Clement Avenue is a Local Street designated a right-of-way width of 60 feet and roadway width of 36 feet and fully-improved with concrete roadway, sidewalks, curb, gutter, landscaping, and street lights.

Previous zoning-related actions on the subject property include:

Case No. DIR-2017-521-VSO – On February 9, 2017, the Director of Planning issued a Venice Sign-Off indicating that the proposed project is in compliance with the provisions of the Venice Coastal Zone Specific Plan.

Previous zoning-related actions in the surrounding area include:

Case No. ZA-2014-2141-CDP – On January 23, 2015, the Zoning Administrator approved a Coastal Development Permit to allow the demolition of an existing single-family dwelling and the construction, use, and maintenance of a 30-foot tall, 1,765 square-foot three-story single-family dwelling with a 210 square-foot attached two-car garage on a 4,053 square-foot lot located at 627 West Oxford Avenue.

Case No. ZA-2014-2137-CDP – On January 23, 2015, the Zoning Administrator approved a Coastal Development Permit to construction, use, and maintenance of a 25-foot tall, 2,750 square-foot three-story single-family dwelling with a 180 square-foot attached two-car garage on a 2,608 square-foot lot located at 625 West Oxford Avenue.

Case No. ZA-2014-1111-CDP-MEL – On October 19, 2014, the Zoning Administrator approved a Coastal Development Permit and Mello Act Compliance Review to allow the demolition of an existing single-family dwelling and the construction, use, and maintenance of a 26-foot-5-inch, 2,956 square-foot two-story single-family dwelling with a 357 square-foot attached two-car garage on a 3,599 square-foot lot located at 2404 South Boone Avenue.

Case No. ZA-2013-1814-CDP-ZAA-SPPA-SPP-MEL – On March 3, 2014, the Zoning Administrator approved a Coastal Development Permit and Mello Act Compliance Review to allow the construction, use, and maintenance of a 27-foot-5-inch tall, 2,344 square-foot three-story single-family dwelling with a 451 square-foot attached three-car garage on a 2,000 square-foot vacant lot located at 621 East Mildred Avenue.

Public Hearing

A public hearing was held by a Hearing Officer for the proposed project on March 20, 2017 at 10:30 a.m. at the West Los Angeles Municipal Building. Five people, including the applicant's agent/representative and a member of the public, were in attendance.

Bala Vairavan, the applicant's agent/representative, provided an overview of the proposed project:

- The proposed project will observe a prevailing front yard setback.
- The design is comparable to and will meet the mass and character of the nearby structures.
- The surrounding structures are two- and three-stories tall and up to 30 feet in height.
- There will be two covered spaces and one uncovered space.
- No soil will be removed from the subject property, only the compacting of 25 cubic yards of soil.
- The surrounding neighbors were contacted.
- The planting will be native and drought-tolerant.

Richard Rothstein, a resident in the neighborhood, spoke in support of the proposed project.

Correspondence

On April 18, 2017, the Venice Neighborhood Council submitted a letter recommending approval of the proposed project.

On March 1, 2017, Judy Esposito submitted an email in opposition of the proposed project, citing concerns related to the large mass and scale and incompatible character of the proposed project in comparison to the other structures in the neighborhood.

On March 1, 2017, Frank Defurio submitted an email in opposition of the proposed project, citing concerns related to the large mass and scale and incompatible character of the proposed project in comparison to the other structures in the neighborhood.

FINDINGS

Coastal Development Permit

In order for a Coastal Development Permit to be granted all of the requisite findings maintained in Section 12.20.2 of the Los Angeles Municipal Code must be made in the affirmative.

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

The subject property is a 3,601 square-foot, flat rectangular-shaped interior lot with a frontage of 40 feet along the east side of Clement Avenue and an even depth of 90 feet. The subject property is zoned R1-1-O and designated for Low Residential land uses in the Venice Community Plan Area. The subject property is located in a Single Permit Jurisdiction Area of the Coastal Zone, the Venice Coastal Zone Specific Plan Area, and the Los Angeles Coastal Transportation Corridor Specific Plan Area. The subject property is also located in a Methane Buffer Zone, Liquefaction Area, and Tsunami Inundation Zone.

Currently, the subject property is developed with a 1,764 square-foot two-story single-family dwelling. The request is for a Coastal Development Permit to allow the demolition of the existing single-family dwelling and the construction, use, and maintenance of a new 3,004 square-foot two-story single-family dwelling with a 388 square-foot attached two-car garage, 620 square-foot roof deck, and 96 square-foot roof access structure.

Chapter 3 of the Coastal Act includes provisions that address the impact of development on public access, recreation, marine environment, land resources, and existing development in the Coastal Zone. The applicable provisions are as follows:

Section 30244 requires reasonable mitigation measures to reduce potential impacts on archeological or paleontological resources. The proposed project will require 25 total cubic yards of grading and export of 25 cubic yards of dirt. The proposed grading will be subject to review by the Department of Building and Safety and will be required to comply with its requirements. The subject property is not located in an area with known archeological or paleontological resources. If such resources are discovered during excavation or grading, the proposed project will need to comply with existing Federal, State, and Local regulations already in place.

Section 30250 states that new development shall be located in areas able to accommodate it, areas with adequate public services, and in areas where such development will not have significant adverse impacts on coastal resources. The subject property is located in a residential neighborhood developed with similar single-family dwellings. The proposed project will be served by the existing police and fire stations, schools, and other public services in the area. Vehicular access to the subject property will be provided via the alley at the rear. The proposed project will not change the use of the subject property nor increase the number of dwelling units on the subject property. As such, the proposed project will not have significant adverse impacts on coastal resources.

Section 30251 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. The subject property and surrounding area are flat with no views to and along the ocean and scenic coastal areas. No natural land forms will be altered as a result of the proposed project. The proposed project involves replacement of an existing two-story single-family dwelling with a new 3,004 square-foot two-story single-family dwelling with a 388 square-foot attached two-car garage, 620 square-foot roof deck, and 96 square-foot roof access structure in a residential neighborhood developed with single- and multi-family dwellings that are either one, two, or three stories in height. There are 16 structures on the block of Clement Avenue (bound by Mildred Avenue and Olive Avenue), eight of which are two stories in height. According to ZIMAS, these structures range in size from 860 square feet to 3,229 square feet. The proposed project does not involve a request to deviate from setback requirements. The proposed project will have setbacks that are consistent with those of the existing structures in the area. As such, the proposed project will be visually compatible with the character of the surrounding area.

Section 30252 states that new development should maintain and enhance public access to the coast. The subject property is located approximately 0.6 miles inland and separated from the coast to the southwest by residential and commercial development and several streets. The use of the subject property will remain for residential purposes, the required number of parking spaces will be maintained in a new garage, and no permanent structures will be placed in the public right-of-way. As such, the proposed project will not conflict with any public access policies of the Coastal Act.

Section 30253 requires new development to minimize risks to life and property in areas of high geologic, flood, and fire hazard, minimize impacts along bluffs and cliffs, and protect special communities and neighborhoods that are popular visitor destination points for recreational uses. The subject property is not located on a bluff or cliff, but is located in a Methane Buffer Zone, Liquefaction Zone, and Tsunami Inundation Zone. The proposed project will be subject to the developmental regulations required by the City pertaining to ventilation and methane gas detection systems. The proposed project is also subject to other developmental regulations and regulatory compliance measures established by the various City departments and the conditions of approval imposed herein. Compliance with such requirements will minimize risks to life and property in areas of high methane, geologic, and flood hazard. It will also ensure that the proposed project will not create nor contribute significantly to the destruction of the subject property or surrounding area.

The proposed project will not produce any adverse impacts as it relates to public access, recreation, marine environment, land resources, or existing development as the subject property is located in an urbanized area, located approximately than 0.6 miles inland and buffered from the coast by residential development and several streets. The proposed project will neither interfere nor reduce access to the shoreline or along the coast. The proposed project will not adversely impact any recreational uses and activities, the marine and environment and other environmentally sensitive habitat areas. The subject property is not located in an area with known archaeological or paleontological resources and will be required to comply with existing regulations, if discovered. The proposed project will not involve the diking, filling, or dredging of the open coastal waters. The proposed project will be served by existing public facilities and will not degrade the scenic and visual qualities of nor interfere with public access to the coastal area. Therefore, the proposed project will be in conformity with Chapter 3 of the Coastal Act.

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

Coastal Act Section 30604(a) states that prior to the certification of a Local Coastal Program, a Coastal Development Permit may only be issued if a finding can be made that the proposed project is in conformity with Chapter 3 of the Coastal Act and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with Chapter 3 of the Coastal Act. The Venice Local Coastal Program Land Use Plan was certified by the California Coastal Commission on June 14, 2001. However, the necessary implementation ordinances of a Local Implementation Plan were not adopted. As such, the City is still in the initial stages of completing the Venice Local Coastal Program. Prior to its adoption, the guidelines contained in the Venice Local Coastal Program Land Use Plan are advisory.

The following are applicable policies from the Venice Local Coastal Program Land Use Plan:

Policy I.A.1 outlines residential development standards regarding roof access structures and lot consolidations. The proposed project includes a 96 square-foot roof access structure that will not extend more than 10 feet beyond the specified flat roof height limit of 25 feet. The roof access structure will be set back 14 feet from the front yard setback, which will minimize its visibility from adjacent public walkways. No lot consolidation is proposed. As such, the proposed project will comply with Policy I.A.1 of the Venice Local Coastal Program Land Use Plan.

Policy I.A.3 outlines development standards regarding use, density, yards, and height in single-family residential and low density areas in Southeast Venice. The proposed project will be a single-family dwelling with a maximum height of 25 feet to the top of the sloped roof. The proposed project will not deviate from any of the yard requirements.

Policy II.A.3 outlines residential development standards regarding parking. The proposed project will provide the three required spaces, two in an attached garage and one on the driveway.

The proposed project will be consistent with the policies and development standards of the Venice Local Coastal Program Land Use Plan and the Venice Coastal Zone Specific Plan and will not prejudice the ability of the City to prepare a Local Coastal Program that is in conformity with Chapter 3 of the Coastal Act.

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

The Los Angeles County Interpretative Guidelines were adopted by the Coastal Commission (October 14, 1980) to supplement the Statewide Guidelines. Both regional and statewide guidelines, pursuant to Section 30620(b) of the Coastal Act, are designed to assist local governments, the regional commissions, the commission, and persons subject to the provisions of this chapter in determining how the policies of this division shall be applied to the Coastal Zone prior to the certification of a Local Coastal Program. As stated in the Regional Interpretative Guidelines, the guidelines are intended to be used "in a flexible manner with consideration for local and regional conditions, individual project parameters and constraints, and individual and cumulative impacts on coastal resources."

The Regional Interpretive Guidelines have been reviewed, analyzed, and considered. In addition to the Regional Interpretive Guidelines, the policies and development standards of Venice Local Coastal Program Land Use Plan (which was certified by the Coastal Commission on June 14, 2001) and Venice Coastal Zone Specific Plan have been also reviewed, analyzed, and considered. The proposed project will be consistent with all standards of the Regional Interpretive Guidelines, Land Use Plan, and Specific Plan.

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

The proposed project will not conflict with the prior decisions of the Coastal Commission. The Coastal Commission recently approved the following projects in the Venice Coastal Zone:

- In December 2016, the Coastal Commission approved a Coastal Development Permit for the demolition of an existing single-family dwelling and construction of 30-foot, 2,017 square-foot single-family dwelling over a 1,297 square-foot basement with a 425 square-foot attached two-car garage, 617 square-foot roof deck, and roof access structures consisting of a 72 square-foot stairwell and 22 square-foot elevator housing, totaling 100 square feet, on a 2,700 square-foot lot located at 2512 Ocean Avenue.
- In October 2016, the Coastal Commission approved a Coastal Development Permit for the construction of a 33-foot tall, 4,037 square-foot three-story single-family dwelling with a 566 square-foot attached three-car garage and 98 square-foot roof access structure on a vacant 2,520 square-foot lot located at 2709 Ocean Front Walk.
- In April 2016, the Coastal Commission approved a Coastal Development Permit for the construction of a 28-foot tall, 3,048 square-foot three-story single-family dwelling with a 762 square-foot attached two-car garage on a vacant 3,151 square-foot lot located at 15 Yawl Street.
- In April 2016, the Coastal Commission approved a Coastal Development Permit for the demolition of an existing single-family dwelling, small-lot subdivision of a 4,470 square-foot lot into two lots (Parcel A and Parcel B), and construction of a 23-foot tall, 2,093 square-foot two-story single-family dwelling with a roof deck on Parcel A and 29.6-foot tall, 1,973 square-foot three-story single-family dwelling with a 195 square-foot covered deck on Parcel B, located at 665 East Vernon Avenue.
- In February 2016, the Coastal Commission approved a Coastal Development Permit for the construction of a 30-foot tall, 3,563 square-foot three-story single-family dwelling with a 437 square-foot attached two-car garage and 390 square-foot roof deck on a vacant 2,850 square-foot lot located at 451 Sherman Canal.
- In January 2016, the Coastal Commission approved a Coastal Development Permit for the demolition of an existing single-family dwelling and construction of a 28-foot-6-inch tall, 3,402 square-foot three-story single-family dwelling over basement, an 393 square-foot attached three-car garage, 115 feet of covered decks and balconies, an outdoor open deck, and swimming pool on a 4,013

square-foot lot located at 1620 Electric Avenue.

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

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

Section 30210 of the Coastal Act states the following in regards to public access:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, right of private property owners, and natural resources from overuse.

Section 30211 of the Coastal Act states the following in regards to public recreation policies:

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

The subject property is located approximately 0.6 miles inland in a residential neighborhood developed with similar single-family dwellings. The subject property is located on Clement Avenue, which provides access to Mildred Avenue. Despite being located on a street that leads to another street directly connected to the coast, the subject property is not located between the nearest public road and the sea or shoreline of any body of water. No permanent structures will be placed in the public right-of-way. The required parking spaces will be provided on the subject property in an attached garage and on the driveway. Vehicular access to the subject property will be provided through the rear alley. As such, the proposed project will not conflict with any public access or public recreation policies of Chapter 3 of the Coastal Act.

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

Categorical Exemption No. ENV-2016-3551-CE was prepared for the proposed project consistent with the provisions of the California Environmental Quality Act (CEQA) and City CEQA Guidelines. The project proposes the demolition of an existing single-family dwelling and construction of a new 3,004 square-foot two-story single-family dwelling with a 388 square-foot attached two-car garage and 96 square-foot roof access structure. The Categorical Exemption prepared for the proposed project is appropriate pursuant to Article III, Section 1, Class 3, Category 1 of the City's CEQA Guidelines.

The Class 3 Category 1 Categorical Exemption allows for the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

This includes a one single-family residence or a second dwelling unit in a residential zone. As previously discussed, the proposed project involves the construction of a new single-family dwelling.

Furthermore, the Exceptions outlined in the State CEQA Guidelines Section 15300.2 do not apply to the project:

- (a) **Location.** The subject property is not located in a sensitive environment. The proposed project is located in the Coastal Zone, but the residential neighborhood is not identified as an environmental resource. The proposed project will be consistent with the use and mass, scale, and character of existing development in the area. Although the subject property is located in a Methane Buffer Zone, Liquefaction Zone, and Tsunami Inundation Zone, the proposed project will subject to compliance with the requirements of the Building and Zoning Code that regulate the construction of residential projects.
- (b) **Cumulative Impact.** The proposed project is consistent with the type of development permitted for the area, which is zoned R1-1-O and designated for Low Residential land uses. The proposed construction of a new single-family dwelling will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) nor result in significant cumulative impacts.
- (c) **Significant Effect.** A Categorical Exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed project consists of work typical to a residential neighborhood and no unusual circumstances are present or foreseeable.
- (d) **Scenic Highways.** The subject property is not located on or near a designated state scenic highway.
- (e) **Hazardous Waste Sites.** The subject property is not identified as a hazardous waste site nor is it on any list compiled pursuant to Section 65962.5 of the Government Code.
- (f) **Historical Resources.** The subject property is located in a historic district and the existing structure has not been identified as a historic resource or Historic Cultural Monument nor is it listed on the National or California Register of Historic Places.

Therefore, the proposed project is determined to be categorically exempt and does not require mitigation or monitoring measure. No alternatives of the project were evaluated. The appropriate environmental clearance has been granted.

Mello Act Compliance Review

Pursuant to the City of Los Angeles Interim Administrative Procedures for Complying with the Mello Act, all Conversions, Demolitions, and New Housing Developments must be identified in order to determine if any Affordable Residential Units are onsite and must be maintained, and if the project is subject to the Inclusionary Residential Units requirement. Accordingly, pursuant to the settlement agreement between the City of Los Angeles and the Venice Town Council, Inc., the Barton Hill Neighborhood Organization, and Carol Berman concerning implementation of the Mello Act in the Coastal Zone Portions of the City of Los Angeles, the findings are as follows:

7. Demolitions and Conversions (Part 4.0)

A determination issued by the Los Angeles Housing and Community Investment Department (HCIDLA) dated January 30, 2017 states that the subject property currently maintains a two-story single-family dwelling that will be demolished and replaced by a new two-story single-family dwelling. HCIDLA collected data from November 2013 through November 2016 from the current owners of the subject property. Utility bills from January 2013 through July 2016 confirmed that the previous owners occupied the subject property. Tax returns from 2015 showed an adjusted gross income of \$499,963, which exceeds the \$77,750 Moderate Income Level under the 2016 Income Limit – Mello Schedule II/LU Schedule VII. Therefore, no Affordable Existing Residential Units are proposed for demolition or conversion. The applicant is not required to provide any Affordable Replacement Units.

8. Categorical Exemptions (Part 2.4) Small New Housing Developments

The proposed project involves the construction of one new single-family dwelling. Pursuant to Part 2.4.2 of the Interim Administrative Procedures, developments that consist of nine or fewer Residential Units are Small New Housing Developments and categorically exempt from the Inclusionary Residential Unit requirement. Therefore, the proposed project is found to be categorically exempt from the Inclusionary Residential Unit requirement for New Housing Developments.

TIME LIMIT – OBSERVANCE OF CONDITIONS

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

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code, or the approval may be revoked.

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown or West Los Angeles or the Marvin Braude Constituent Service Center in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by

calling (213) 482-7077, (818) 374-5050, or through the Department of City Planning website at <http://cityplanning.lacity.org>. The applicant is further advised to notify any consultant representing you of this requirement as well.

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

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

TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

APPEAL PERIOD - EFFECTIVE DATE

The Director's determination in this matter will become effective after **10 days**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://cityplanning.lacity.org>**. Public offices are located at:

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

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

West Los Angeles
Development Services Center
1828 Sawtelle Boulevard,
2nd Floor
Los Angeles, CA 90025
(310) 231-2912

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

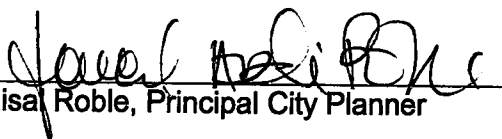
Provided no appeal has been filed by the above-noted date, a copy of the permit will be sent to the California Coastal Commission. Unless an appeal is filed with the California Coastal Commission before 20 working days have expired from the date the City's determination is deemed received by such Commission,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

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California

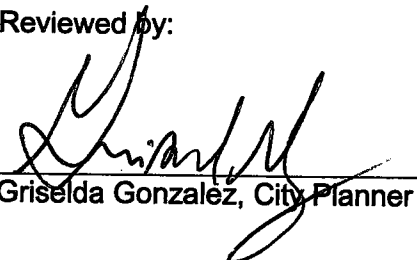
Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

VINCENT P. BERTONI, AICP
Director of Planning

Approved by:


Faisal Roble, Principal City Planner

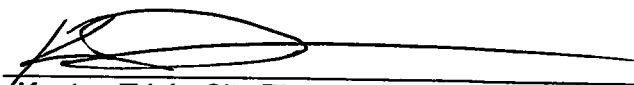
Reviewed by:


Griselda Gonzalez, City Planner

Reviewed by:


Debbie Lawrence, AICP, Senior City Planner

Prepared by:


Kenton Trinh, City Planning Associate
Kenton.Trinh@lacity.org

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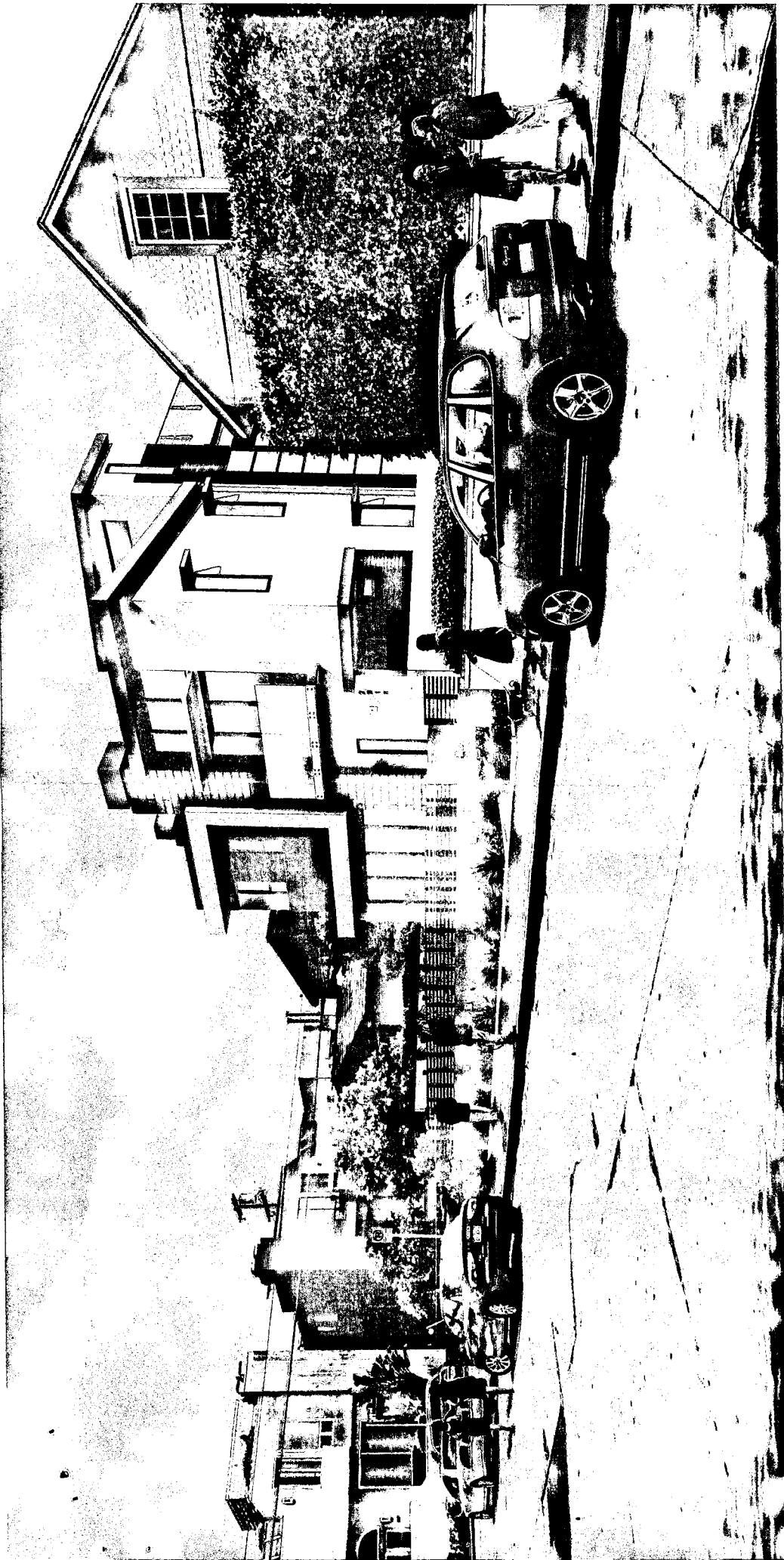


EXHIBIT "A"
 Page No. 2 of 15
 Case No. 08-2016-3350-COP-MEL



Bala Vairavan Architects Inc.
 Commercial and Residential Architecture
 5525 Moorshadow Street
 San Jose, CA 95063
 Tel: 818-205-7420
 email: bvairav@bvaarchitects.com

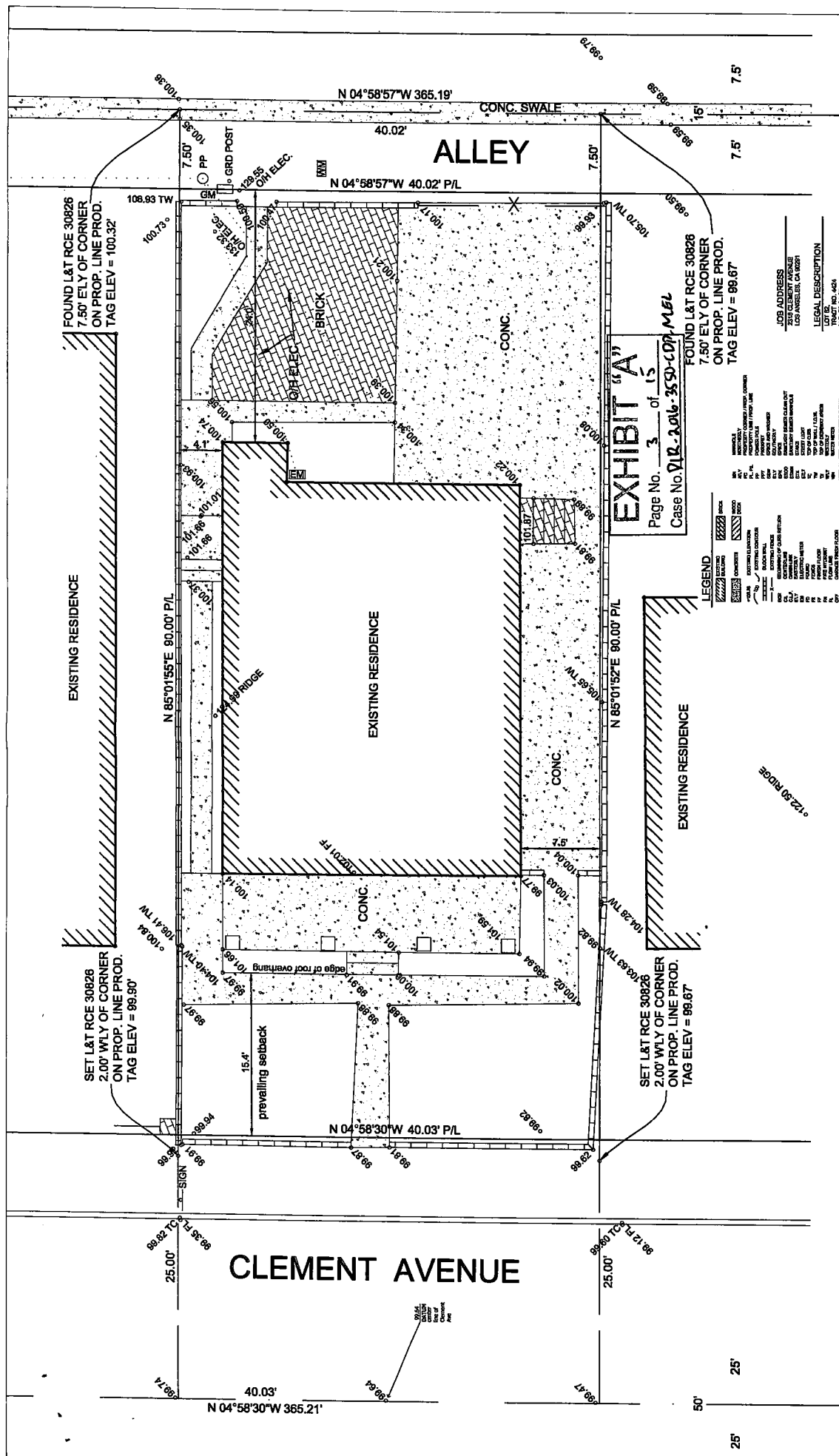
2318 Clement Avenue, Venice

Proposed 2-story single family residence

Coastal Commission
 A-5-VEN-17-0036

Exhibit 3

Page 2 of 15

bva 

STREET 221/MSRP:
2/21/00 NO DISCOUNT

SV-1

BVA JOB #: 16-007
SCALE: 1/8" = 1'-0"
DATE: AUG 29, 2016

TOPO SURVEY

DENNIS ENGINEERS
3914 DEL AMO BLVD., SUITE 021
TORRANCE, CA 90503 (310) 542-9433

DEVELOPER / APPLICANT:
2318 CLEMENT LLC
Tel. (310) 213-8512
Attn: Bill Messeri

PROJECT:
2 story Single Family Custom Home
2318 CLEMENT AVENUE, VENICE, CA

Coastal Commission
A-5-VEN-17-0036
Exhibit 3
Page 3 of 15

GRADING NOTES

1. ALL GRADING SHALL BE IN ACCORDANCE WITH COUNTY OF LOS ANGELES.
2. A PRE-CONSTRUCTION CONFERENCE OF ALL INTERESTED PARTIES SHALL BE HELD PRIOR TO ANY CONSTRUCTION. THIS SHALL INCLUDE ALL APPROPRIATE CITY DEPARTMENTS AND AGRICULTURAL PRESERVATION DEPARTMENT.
3. ALL EXISTING MATERIAL SHALL BE DELIVERED TO A SITE APPROVED BY THE CITY.
4. ALL EXISTING AND NEW MATERIAL SHALL BE DELIVERED TO THE CITY OR TO THE CITY'S DESIGNATED DISPOSAL SITE. THE CITY SHALL BE NOTIFIED OF ANY DELIVERY WITHIN 48 HOURS OF DELIVERY. THE CITY SHALL BE NOTIFIED OF ANY DELIVERY WITHIN 48 HOURS OF DELIVERY.
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GRADING PLAN CHECK NOTES

1. All grading plans shall be checked and approved by the City Engineer.
2. All grading plans shall be checked and approved by the City Engineer.
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8. All grading plans shall be checked and approved by the City Engineer.
9. All grading plans shall be checked and approved by the City Engineer.
10. All grading plans shall be checked and approved by the City Engineer.

NOTICE TO CONTRACTOR

1. CONTRACTOR AGREES THAT IN THE EVENT OF ANY DISCREPANCY BETWEEN THE GRADING PLAN AND THE ACTUAL CONDITIONS OF THE SITE, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE GRADING PLAN AND THE ACTUAL CONDITIONS OF THE SITE.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE GRADING PLAN AND THE ACTUAL CONDITIONS OF THE SITE.
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UNDERGROUND STRUCTURES

ALL UNDERGROUND UTILITIES OR STRUCTURES REPORTED BY THE OWNER OR OTHERS AND THOSE SHOWN ON THE GRADING PLAN SHALL BE PROTECTED AND NOT REMOVED OR DAMAGED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND NOT REMOVED OR DAMAGED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND NOT REMOVED OR DAMAGED.

UNAUTHORIZED CHANGES AND USES

UNAUTHORIZED CHANGES AND USES SHALL BE PROHIBITED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND NOT REMOVED OR DAMAGED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND NOT REMOVED OR DAMAGED.

INSPECTION NOTES

THE ENGINEER OR HIS AGENT SHALL INSPECT THE GRADING PLAN AND THE ACTUAL CONDITIONS OF THE SITE. THE ENGINEER OR HIS AGENT SHALL INSPECT THE GRADING PLAN AND THE ACTUAL CONDITIONS OF THE SITE.

STORMWATER POLLUTION NOTES

1. APPLICANT IS RESPONSIBLE FOR SUBMITTING A SITE-SPECIFIC STORMWATER POLLUTION PREVENTION PLAN (SWPPP) TO THE CITY ENGINEER FOR REVIEW AND APPROVAL. THE SWPPP SHALL BE SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL.
2. THE SWPPP SHALL BE SUBMITTED TO THE CITY ENGINEER FOR REVIEW AND APPROVAL.
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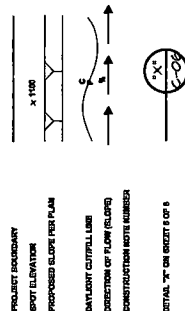
JOB ADDRESS

2318 CLEMENT AVENUE
LOS ANGELES, CA 90021

LEGAL DESCRIPTION

LOT 82
TRACT NO. 4424
M.B. 70-66-48
A.P.N. 4229-006-018

LEGEND AND SYMBOLS



ESTIMATED EARTHWORK QUANTITIES

TOTAL CUT = 25 C.Y. (FOUNDATIONS ONLY)

TOTAL FILL = 0 C.Y.

TOTAL EXPORT = 25 C.Y.

TOTAL EXPORT = 25 CUBIC YARDS

EXHIBIT "A"
Page No. 5 of 15
Case No. DR-246-350-CDP-MEL

"This plan has been reviewed and conforms to recommendations of soils engineering/geologic reports dated _____ Signature and date

PROJECT:

2 story Single Family Custom Home
2318 CLEMENT AVENUE, VENICE, CA

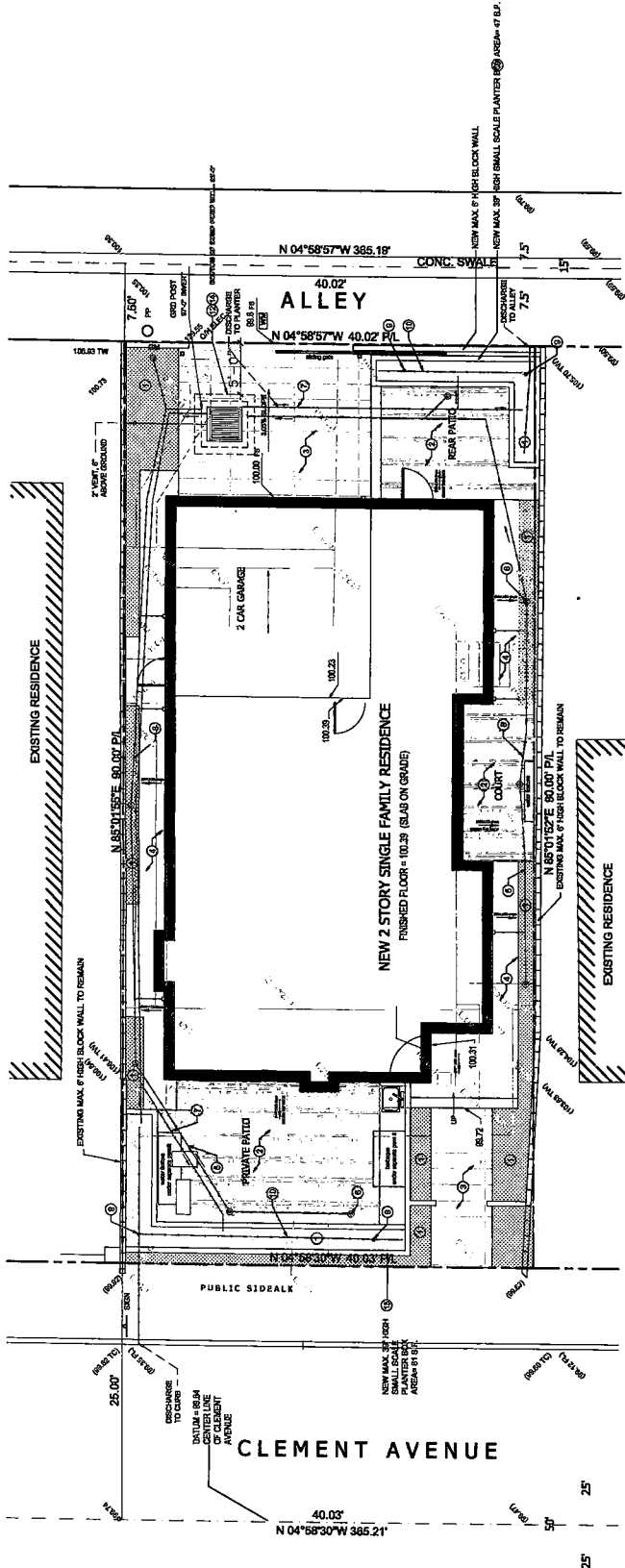
DEVELOPER/APPLICANT:

2318 CLEMENT LLC
Tel. (310) 213-8512
Attn: Bill Messori

DRAWING TITLE
GRADING AND DRAINAGE COVER SHEET



DATE: 10/27/2016
SCALE: AS SHOWN
SHEET NUMBER: C-01



DATE	DESCRIPTION
01/11/2016	LANDSCAPE
02/01/2016	NEW PERMEABLE PAVEMENT WOOD DECK (SOLAR REFLECTANCE LESS THAN 0.2)
03/01/2016	GRASS CREE (PERMEABLE PAVEMENT)
04/01/2016	NEW HARD SCAPE AREA
05/01/2016	INSTALL 4" HDPE STORM DRAIN PIPE, 2' MIN. SLOPE
06/01/2016	CONSTRUCT 4" AREA DRAIN
07/01/2016	INSTALL 4" HDPE STORM DRAIN PIPE, DISCHARGE FROM SLUMP PUMP TO PLANTER BOX (PRESSURIZED)
08/01/2016	INSTALL 4" HDPE STORM DRAIN PIPE, 2' MIN. SLOPE FROM PLANTER TO OVERFLOW DRAIN
09/01/2016	OVERFLOW DRAIN 6" DIA. PVC PIPE WITH AIRGUM GATE INLET AT 4" ABOVE FINISHED GRADE PER DETAIL ON C-02. OVER FLOW DRAIN TO BE A SEPARATED DRAIN TO C-02 OR ALLEY (REFER TO PLANS)

EXHIBIT "A"
Page No. 6 of 15
Case No. 01R-2016-355D-CDPAMEL

① GRADING AND DRAINAGE PLAN

SCALE: 3/16"=1'-0"

PROJECT:

2 story Single Family Custom Home
2318 CLEMENT AVENUE, VENICE, CA

DEVELOPER / APPLICANT:

2318 CLEMENT LLC
Tel. (310) 213-8512
Attn: Bill Messori

DRAWING TITLE
GRADING
AND
DRAINAGE
PLAN

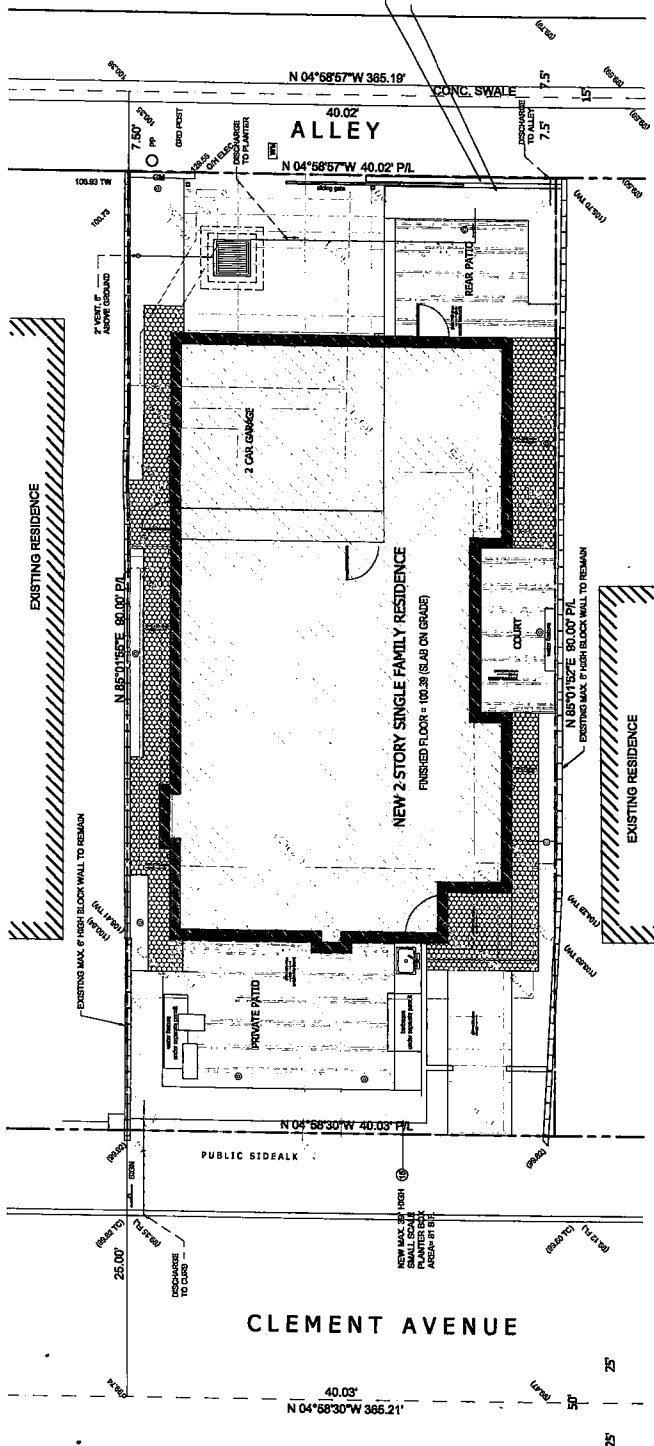


DATE: 11/07/2016

SCALE: AS SHOWN

DATE: AUG 20, 2016

SHEET NUMBER
C-02



NOTES:
ALL ROOF DRAIN SHALL BE DIRECTED TO PLANTER BOX
(FOR DETAIL SEE PLUMBING PLANS)
AS - HORIZONTAL (SEE ARCHITECTURAL PLAN)

NOTES FOR PLANTER BOXES:

1. RATIO (SURFACE AREA OF PLANTER) (REGULATORY IMPERVIOUS AREA) MAX. 0.04
2. PLANTER IS INSTALLED LEVEL
3. PLANTER SHALL MEET MINIMUM DRAINAGE REQUIREMENTS
4. MINIMUM 12" DEEP RESERVOIR AT TOP OF PLANTER
5. 24" DEEP SANDY LOAM WITH MINIMUM INFILTRATION RATE OF 1" PER HOUR
6. 12" DEEP PERMEABLE SURFACE ON TOP OF PLANTER
7. PERFORATED PIPE UNDER DRAIN WITH CLEANOUTS AND CONNECTION TO STORM DRAIN OR DISCHARGE POINT
8. PLANTER SHALL BE USED TO STORM DRAIN OR DISCHARGE POINT
9. WATERPROOFING IS REQUIRED TO PREVENT SEEPAGE INTO FOUNDATION OR SUBGRADE
10. GARAGE AND LOBBY AND ALL RESIDENTIAL STRUCTURE
11. SPILLAGE BLOCKS OR COBBLES AT DOWNSPOUTS AND DRAIN PIPES
12. PLANTER SHALL BE USED TO STORM DRAIN OR DISCHARGE POINT
13. PLANTER SHALL BE USED TO STORM DRAIN OR DISCHARGE POINT
14. NO TREES TO BE PLANTED IN PLANTER BOX

STORM WATER PLANTER DETAIL AND NOTES

1. PLANTER SHALL BE USED TO STORM DRAIN OR DISCHARGE POINT
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EXHIBIT "A"
Page No. 7 of 15
Case No. DR-2016-350-CDP-MEL

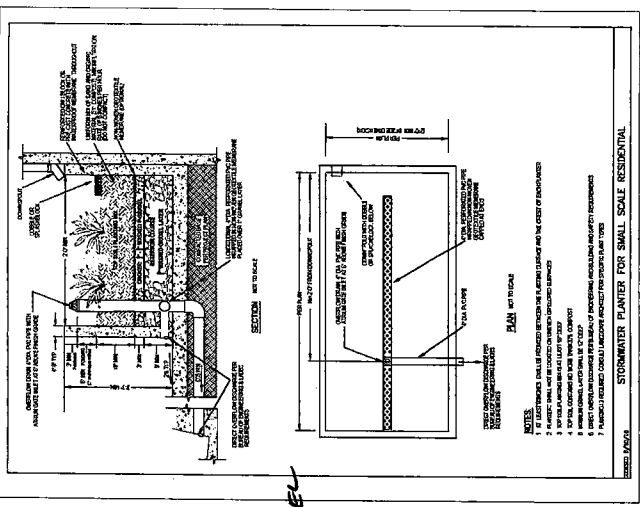
TOTAL IMPERVIOUS AREA=
1758 (ROOF)+363 (TOTAL IMPERVIOUS HARD
SCALE) = 2,121 S.F.
TOTAL PLANTER BOX REQUIRED=
2122 X 0.05 = 106 S.F.

PROVIDED PLANTER BOX =
128 > 106

TOTAL NEW PAVED AREA=1195
TOTAL PERVIOUS PAVEMENT=832 > 1195X 0.25= 298

Provide computations showing that at least 25% of the
pathways, patios, driveways and other paved areas comply
with one or a combination of the following:
a. Shade provided by trees or plantings. Hardscape material
with an initial solar reflectance of at least 0.30
c. Open grid or permeable pavement systems
d. Shade provided by a canopy shade system consisting
of solar panel arrays.

- NEW ROOF AREA = 1758 S.F.
- IMPERMEABLE SURFACE = 363 S.F.
- SMALL SCALE PLANTER BOX PROVIDED = 128 S.F.
- PERVIOUS HARD SCALE = 832



PROJECT: 2 story Single Family Custom Home
2318 CLEMENT AVENUE, VENICE, CA

COASTAL COMMISSION
A-5-VEN-17-0036
Exhibit 3
Page 7 of 15

DEVELOPER / APPLICANT: 2318 CLEMENT LLC
Tel: (310) 213-8512
Attn: Bill Messeri

DRAWING TITLE: PLANTER BOX AREA VERIFICATION

DATE: AUG 29, 2016

SCALE: AS SHOWN

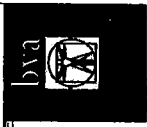
DATE: AUG 29, 2016

PROJECT NUMBER: C-05

STORMWATER PLANTER FOR SMALL SCALE RESIDENTIAL

Page 8 of 15

EXHIBIT "A"
 Page No. 1 of 5
 Case No. 712-2016-389D-CD-MEL



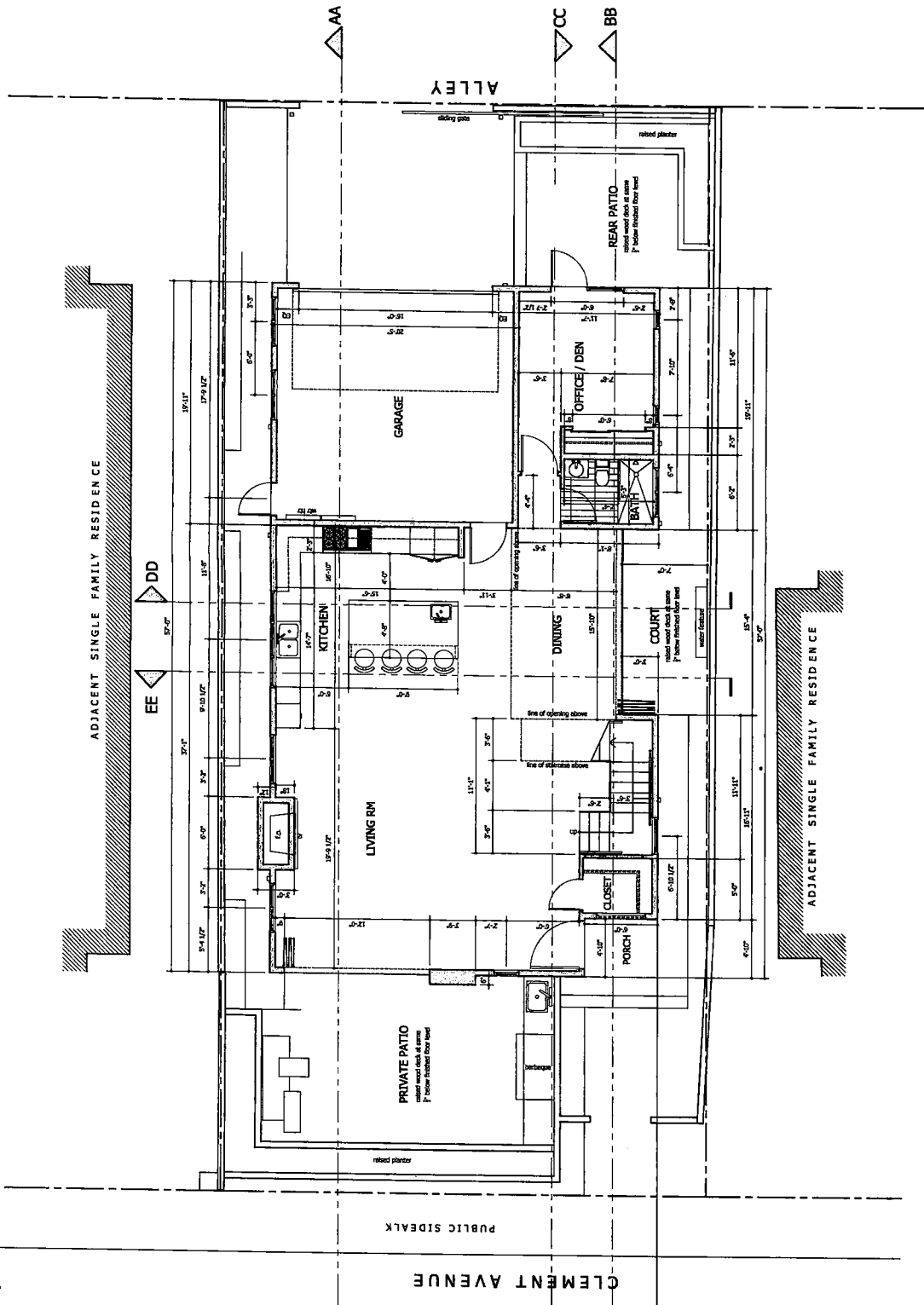
A-1

BVA JOB #: 14007
 SCALE: 1/4" = 1'-0"
 DATE: Aug 28, 2016

FIRST FLOOR PLAN

DEVELOPER / APPLICANT:
2318 CLEMENT LLC
 Tel. (310) 213-8512
 Attn: Bill Messeri

PROJECT
2 story Single Family Custom Home
2318 CLEMENT AVENUE, VENICE, CA

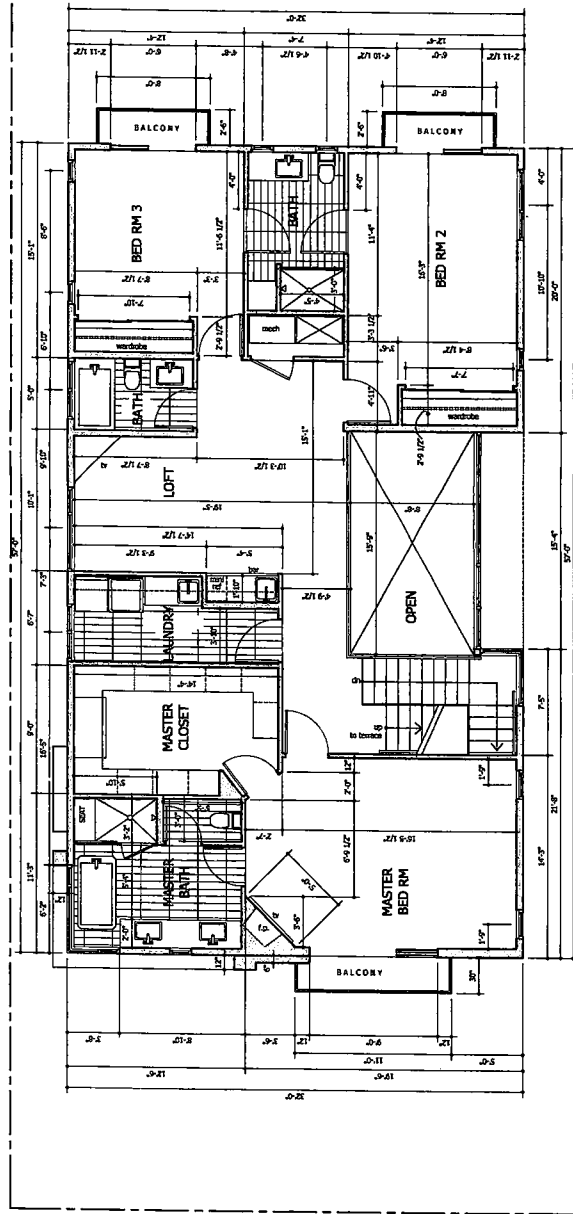


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CLEMENT AVENUE

PUBLIC SIDEWALK

ALLEY



EE  DD

PROJECT

2 story Single Family Custom Home
2318 CLEMENT AVENUE, VENICE, CA

DEVELOPER / ARCHITECT:

2318 CLEMENT LLC
Tel. (310) 213-8512
Attn: Bill Messeri

DRAWING TITLE

SECOND FLOOR PLAN

BVA JOB #:

15407

SCALE

1/4" = 1'-0"

DATE

Aug 20, 2016

SHEET NUMBER

A-2

bva



EXHIBIT "A"

Page No. 10 of 15

Case No. DR-2016-350-COP-MEL

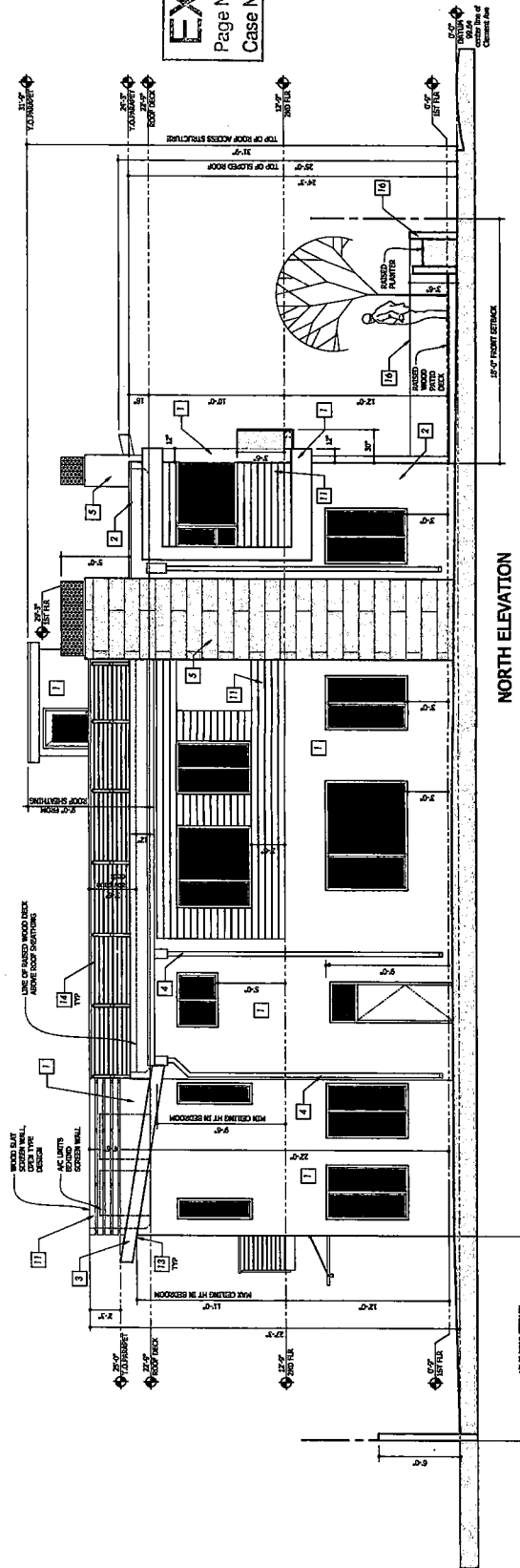
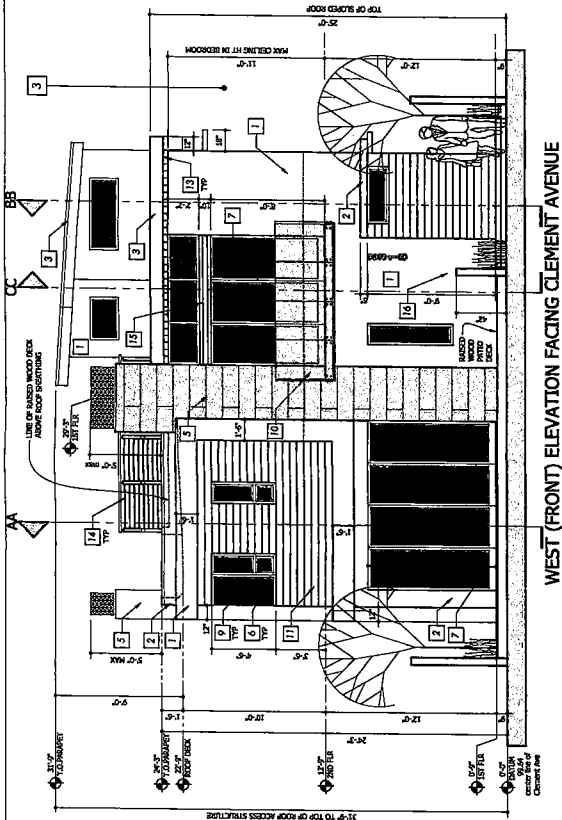
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EXHIBIT "A"
Page No. 12 of 6
Case No. DR-2016-3550-LCP

INDEX

2 story Single Family Custom Home
2318 CLEMENT AVENUE, VENICE, CA

2318 CLEMENT LLC
Tel. (310) 213-8512
Attn: Bill Messori

EXTERIOR ELEVATIONS

172A WING 117 B

EVA J029 0: 16-007

SHEET NUMBER:

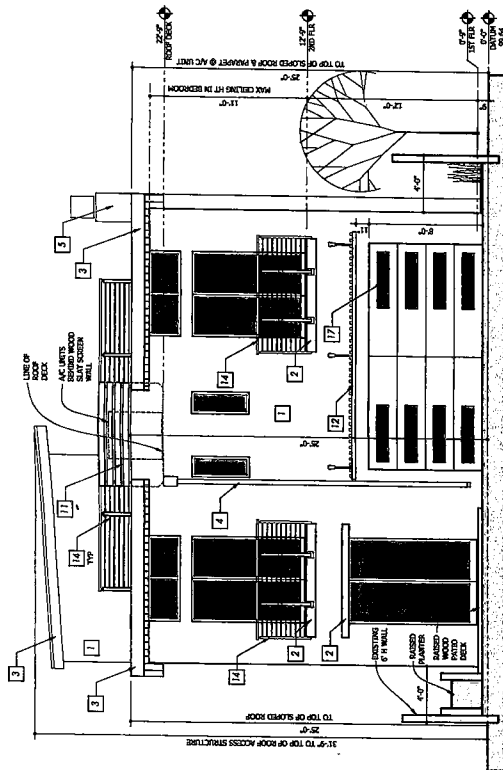
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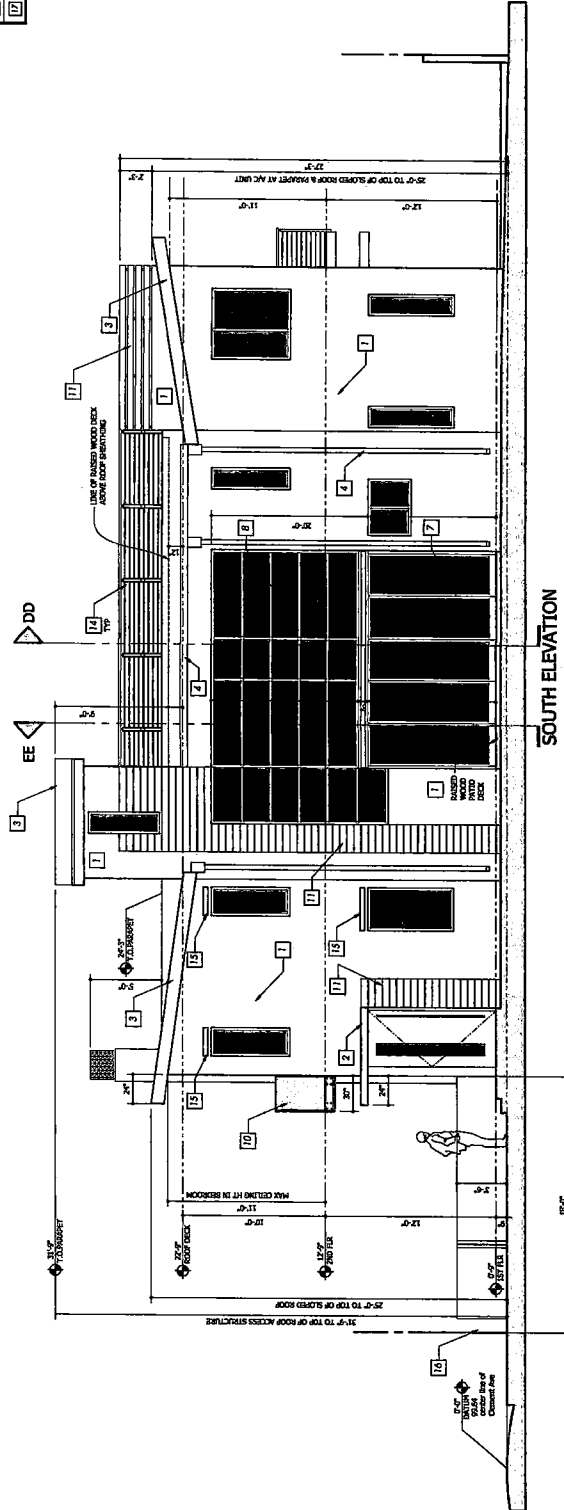
Coastal Commission
A-5-VEN-17-0036
Exhibit 3
Page 12 of 15

EXTERIOR FINISH AND MATERIAL LEGEND	
KEY	MATERIAL & FINISH DESCRIPTION
1	PAINTED PASTERED WALL
2	PAINTED PASTERED WALL, ON AERIAL LIFT OVER
3	WOOD SHOWN WILLIAMS BY 7800 ALUMINUM (WHITE)
4	WOOD SHOWN WILLIAMS BY 7800 ALUMINUM (WHITE)
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EXHIBIT "A"
Page No. 13 of 15
Case No. 018-2016-3550-COF-MEL



EAST (REAR) ELEVATION FACING ALLEY



SOUTH ELEVATION



PROJECT: 2318 CLEMENT LLC
2318 CLEMENT AVENUE, VENICE, CA
Tel. (310) 213-8512
Attn: Bill Messeri

DEVELOPER / APPLICANT:

DATE: AUG 28, 2016

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

PROJECT NUMBER: 018-2016-3550-COF-MEL

BY: [Signature]

DATE: AUG 28, 2016

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

PROJECT NUMBER: 018-2016-3550-COF-MEL

EXTERIOR ELEVATIONS

2318 CLEMENT LLC
Tel. (310) 213-8512
Attn: Bill Messeri

2 story Single Family Custom Home
2318 CLEMENT AVENUE, VENICE, CA

EXHIBIT "A"
 Page No. 15 of 15
 Case No. DR-2016-3530-LDP-MEL



PROJECT
 2 story Single Family Custom Home
 2318 CLEMENT AVENUE, VENICE, CA

DEVELOPER / APPLICANT:
 2318 CLEMENT LLC
 Tel. (310) 213-8512
 Attn: Bill Messeri

COASTAL COMMISSION
 A-5-VEN-17-0036
 Exhibit 3
 Page 14 of 15

DATE
 AUG 28, 2016

SCALE
 1/4" = 1'-0"

SHEET NUMBER
 A-6

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BUILDING SECTIONS

SECTION A-A

SECTION B-B

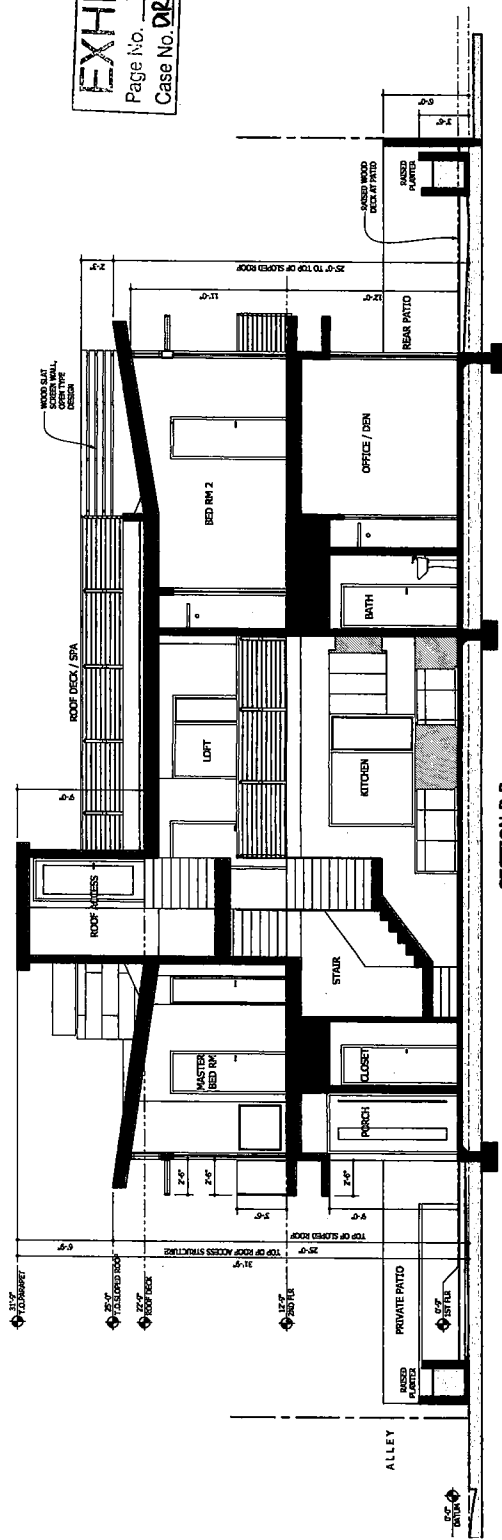
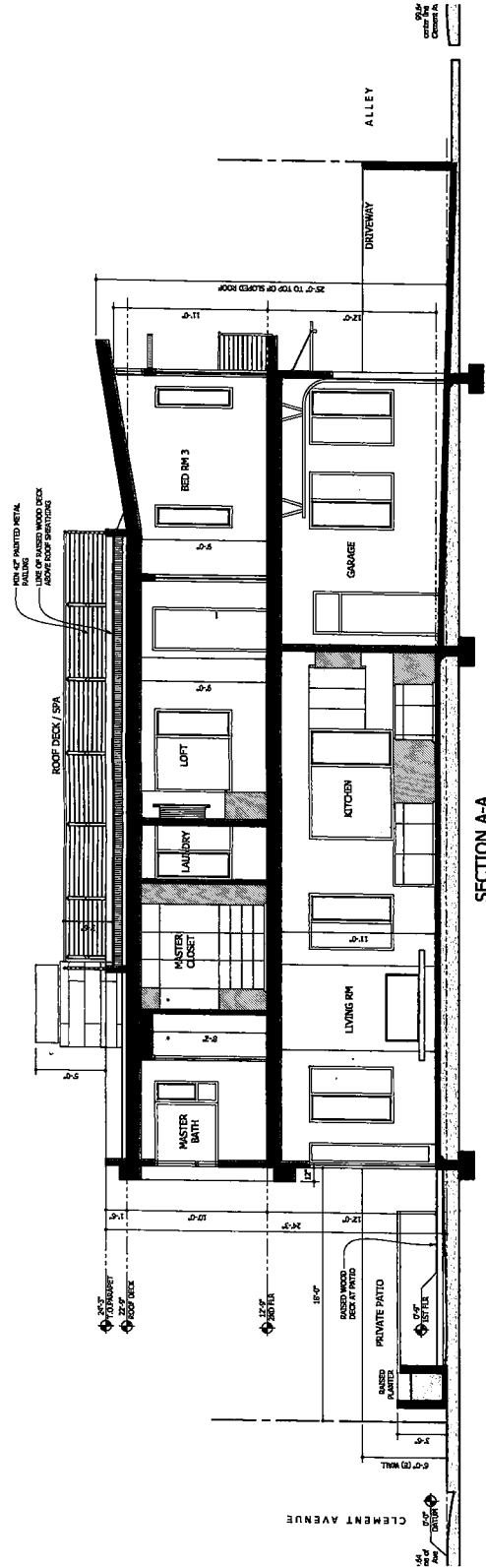
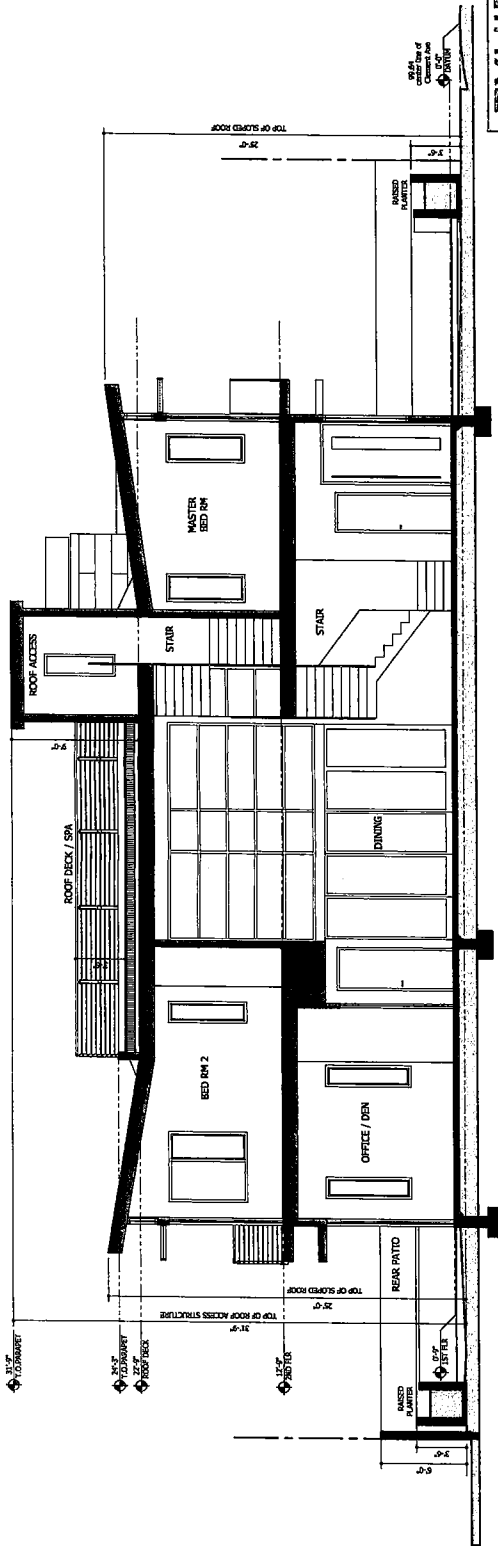
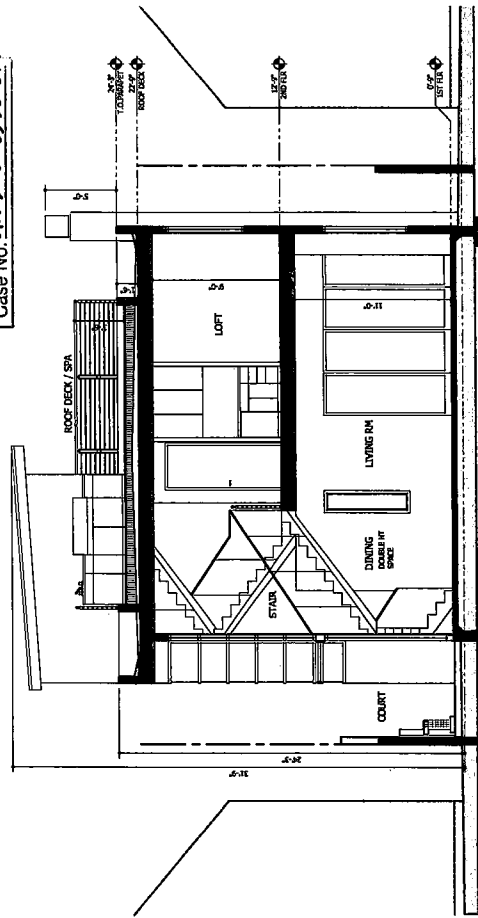


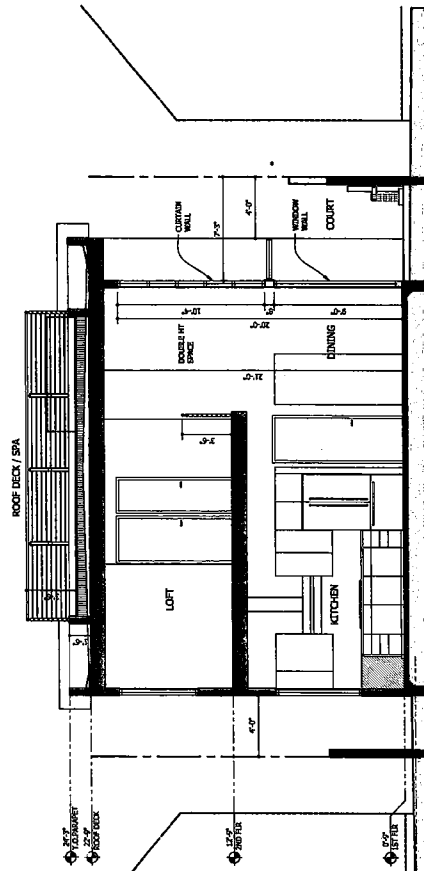
EXHIBIT "A"
 Page No. 15 of 15
 Case No. 012-2016-3330-CDP-MEL



SECTION CC



SECTION EE



SECTION DD



BVA JOB # 14-007
 SCALE 1/4" = 1'-0"
 DATE AUG 29, 2016

BUILDING SECTIONS

DEVELOPER / APPLICANT:

2318 CLEMENT LLC
 Tel. (310) 213-8512
 Attn: Bill Messeri

2 story Single Family Custom Home
2318 CLEMENT AVENUE, VENICE, CA

PROJECT:

RECEIVED

South Coast Region

EDMUND G. BROWN JR., Governor

STATE OF CALIFORNIA - THE RESOURCES AGENCY

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE

200 OCEANGATE, 10TH FLOOR

LONG BEACH, CA 90802-4416

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

JUL - 3 2017



CALIFORNIA
COASTAL COMMISSION

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

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

SECTION I. Appellant(s)

Name Robin Rudisill, Lydia Ponce, Gabriel Ruspini (use same address for all)

Mailing Address: 3003 Ocean Front Walk

City: Venice

Zip Code: 90291

Phone: (310) 721-2343

SECTION II. Decision Being Appealed

1. Name of local/port government:

Los Angeles

2. Brief description of development being appealed:

Demolish existing two-story, 1,764 sq ft single-family residence, and construct a two-story, 25-foot high, 3,392 sq ft (includes 388 sq ft attached garage, which is a part of the building mass) single-family residence, with 620 sq ft roof deck and 96 sq ft roof access structure (RAS), all on a 3,601 sq ft lot.

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

2318 Clement Ave, cross street = Olive Ave, APN: 422-800-6018

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-17-0036

DATE FILED:

7.3.17

DISTRICT:

South Coast

Coastal Commission

A-5-VEN-17-0036

Exhibit 4

Page 1 of 9

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

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

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

6. Date of local government's decision: May 15, 2017

7. Local government's file number (if any): DIR-2016-3550-CDP-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:
Bill Messori, 2318 Clement LLC, 1520 Via Martinez, Palos Verdes Estates, CA 90274
And
Bala Vairavan, Bala Vairavan Architects Inc., 5525 Moonshadow Street, Simi Valley, CA 93063
- 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.

A. WHY IT IS IMPORTANT AND A STATEWIDE ISSUE TO PROTECT THE RESIDENTIAL NEIGHBORHOODS OF VENICE

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 does raise issues of statewide significance with regards to Venice's community character.

B. ANALYSIS OF LOCAL CDP FINDINGS

Finding 1.

There is nothing in this Finding with respect to a proper, adequate and/or consistent analysis of compatibility with the existing surrounding neighborhood. There are only vague references to "neighborhood developed with single- and multi-family dwellings that are either one, two, or three stories in height;" and that there are 16 structures on the block, 8 of which are 2-story, but with no reference to mass or scale. A size range is provided, but again, this does not indicate whether the proposed structure is compatible or take account of the fact that the most homes are on the lower end of the range indicated.

In fact, on the Clement Ave block there are eleven 2-story homes out of 32 homes, well less than half, and the remaining homes are 1-story. See attached Substantial Evidence and analysis, which shows the "inventory" of # of stories and which uses FAR as a measurement tool for determining compatibility with the neighborhood. This is the most widely accepted methodology and has been used extensively by the Coastal Commission, the West L.A. Area Planning Commission on appeal, and by the planning departments in most of the largest cities in the world, including elsewhere in the Coastal Zone. The average FAR for this block is .439, compared with the FAR of this project, of approximately .94. That is over twice the FAR of the block average, a very significant material excess, and thus the proposed structure is clearly not compatible with the surrounding existing neighborhood. The local CDP's Finding of consistency or conformance with Chapter 3 is not supported by substantial evidence; however, the Substantial Evidence we provide (attached) clearly supports and demonstrates that the proposed project's mass and scale are not visually compatible with the neighborhood character on Clement Ave. The City decision makers abused their discretion in the conclusion for this Finding.

Finding 2.

The project will prejudice the City's ability to prepare a local coastal program in conformity with Chapter 3

of the Coastal Act, because the project will set an adverse precedent against which further new developments could be evaluated because the project's size and scale are incompatible with the mass, scale and character of the surrounding existing neighborhood. If allowed to proceed, other developers will be able to point to this recently constructed large home and claim that despite the fact that almost 70% of the Silver Triangle homes are 1,500 square feet or less that they too should be allowed to build a structure two times or more larger than the other homes in the greater Silver Triangle neighborhood. Protecting community character is a classic cumulative impacts issue and this project **MUST** be considered in combination with other past, current and probable future projects in this area. If allowed to proceed, this proposed project will adversely prejudice the ability to adopt a Local Coastal Program that protects the existing mass, scale and character of the Venice neighborhoods and thus the Community Character of the Special Coastal Community of Venice. Thus the City decision maker erred and abused its discretion in the conclusion for this Finding.

Finding 3.

This Finding is clearly conclusory and is not supported by substantial evidence, and thus the City decision maker erred and abused its discretion in the conclusion for this Finding.

Finding 4.

None of the references given are for a low-density single-family residential neighborhood in the Venice Coastal Zone and thus should not be given as examples of guiding decisions of the California Coastal Commission for this construction project that is located in a low-density single-family neighborhood. If anything, these examples prove that such comparable large projects are most appropriate for higher density neighborhoods. The Local CDP's Findings of consistency or conformance are not supported by Substantial Evidence, and thus the City decision maker erred and abused its discretion in the conclusion for this Finding.

Finding 6.

The Categorical Exemption for the project was issued in error. CEQA prohibits use of a Categorical Exemption when "there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances." (CEQA Guidelines paragraph 15300.2(c)). The project's incompatibility with the surrounding existing neighborhood will substantially degrade the existing visual character of the project site and its surroundings. Thus, for reasons of both Cumulative Impact and Significant Effect, the Categorical Exemption cannot be used. The Local CDP's Findings of consistency or conformance are not supported by substantial evidence, and thus the City decision maker erred and abused its discretion in the conclusion for this Finding.

C. LACK OF PROTECTION OF THE CITY OF L.A.'S VENICE COASTAL ZONE NEIGHBORHOODS

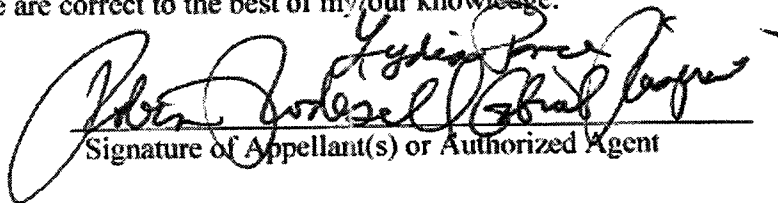
The City of L.A. has passed fairly recent legislation for protections for its single-family neighborhoods, including the Baseline Hillside Ordinance and the Baseline Mansionization Ordinance. The Coastal Act is this very protection in the Coastal Zone, and we believe that it must be required that the City and the Coastal Commission enforce and take the Coastal Act's restrictions and protections just as seriously as the City does protection of single-family neighborhoods in the non-Coastal areas of the City.

Neither the City of L.A. nor the Venice Neighborhood Council are taking into consideration the compatibility of new OR remodel projects' mass, scale, landscape and character to the existing neighborhoods! The result must not be tolerated in the California Coastal Zone, meant to be protected and preserved under the California Coastal Act.

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

SECTION V. Certification

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


Signature of Appellant(s) or Authorized Agent

Date: July 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:

Neighborhood FAR Calculation*

Clement Ave.

Total Homes: 32

Total Single Stories: 21

Total Two Stories: 11

Total Three Stories: 0

FAR AVERAGE 0.439

ADDRESS	STORIES	FLOOR AREA sq. ft.**	LOT AREA sq. ft.	FAR
2313	1	1459	3600	0.405
2317	1	860	3600	0.238
2321	1	1082	3600	0.300
2325	2	2781	3600	0.772
2329	2	3229	3600	0.896
2333	1	1224	3600	0.340
2337	2	3012	3600	0.836
2341	1	1680	3600	0.466
2405	1	864	3600	0.240
2409	1	860	3600	0.238
2413	1	1347	3600	0.374
2417	2	2506	3600	0.696
2421	1	1306	3600	0.362
2425	2	2966	3600	0.823
2429	2	2455	3600	0.681
2433	1	1099	3679	0.298
2314	2	2286	3600	0.635
2318	2	1764	3484	0.506
2322	2	1874	3600	0.520
2326	1	1074	3600	0.298
2330	1	914	3600	0.253
2334	1	1076	3600	0.298
2338	1	1241	3600	0.344
2342	2	2948	3600	0.818
2404	1	1138	3600	0.316
2408	2	2245	3600	0.623
2412	1	700	3484	0.200
2416	1	1153	3600	0.230
2420	1	1130	3600	0.313
2424	1	914	3600	0.253
2428	1	832	3600	0.231
2432	1	968	3655	0.264

Average FAR 0.439

*Floor area and lot size based on zillow.com as of May 8, 2017

** Floor area does not include garage or other non-livable areas.

Coastal Commission

A-5-VEN-17-0036

Exhibit 4

Page 6 of 9

FAR Calculations for Silver Triangle*

See Attached Map for Area Bounded by: Beach Ct. to the West
Mildred Ave. to the North and the East
Harbor St. to the South

FAR AVERAGE 0.393

No. Homes	No. 1 Story	No. 2 Story	No. 3 Story	Average FAR
232	172	58	2	0.393

FAR Summary by Street

Street	No. Homes	No. 1 Story	No. 2 Story	No. 3 Story	Average FAR
McKinley	29	19	9	1	0.421
Clark	31	26	5	0	0.352
Clement	32	21	11	0	0.439
Frey	32	25	7	0	0.401
Cloy	31	27	4	0	0.367
Boone	30	20	9	1	0.399
Wilson	25	16	9	0	0.455
Bryan	17	14	3	0	0.379
Olive**	5	4	1	0	0.243

Other size information for Silver Triangle (232 total homes)

Under 1000 sf	1001-1500 sf	1501-2000 sf	2001-2500 sf	2501-3000 sf	Over 3000 sf
68 homes 29%	93 homes 40%	23 homes 10%	17 homes 7%	17 homes 7%	14 homes 6%

*All calculations are based on information provided by zillow. Com as of 5/11/17

** Houses located on Olive Ave. East of Bryan Ave.

Note: (1) Nearly 70 % of the homes in the Silver Triangle are less than 1500 sq. ft.

(2) Almost all the lots are approximately 3600 sq. ft.

(3) Two of the largest houses are on extra-large lots (7200 sf and 5004 sf lots)

3 Outlier Homes: 2 by David Hertz:

(1) 2416 McKinley on 2 lots of 3600 sf. each (total lot 7200 sf.). House is 5000 sq. ft.

(2) 637 Olive is on Frey but has an Olive address. 3650 sq. ft. home on 3600 sf. Lot architect David Hertz

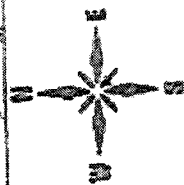
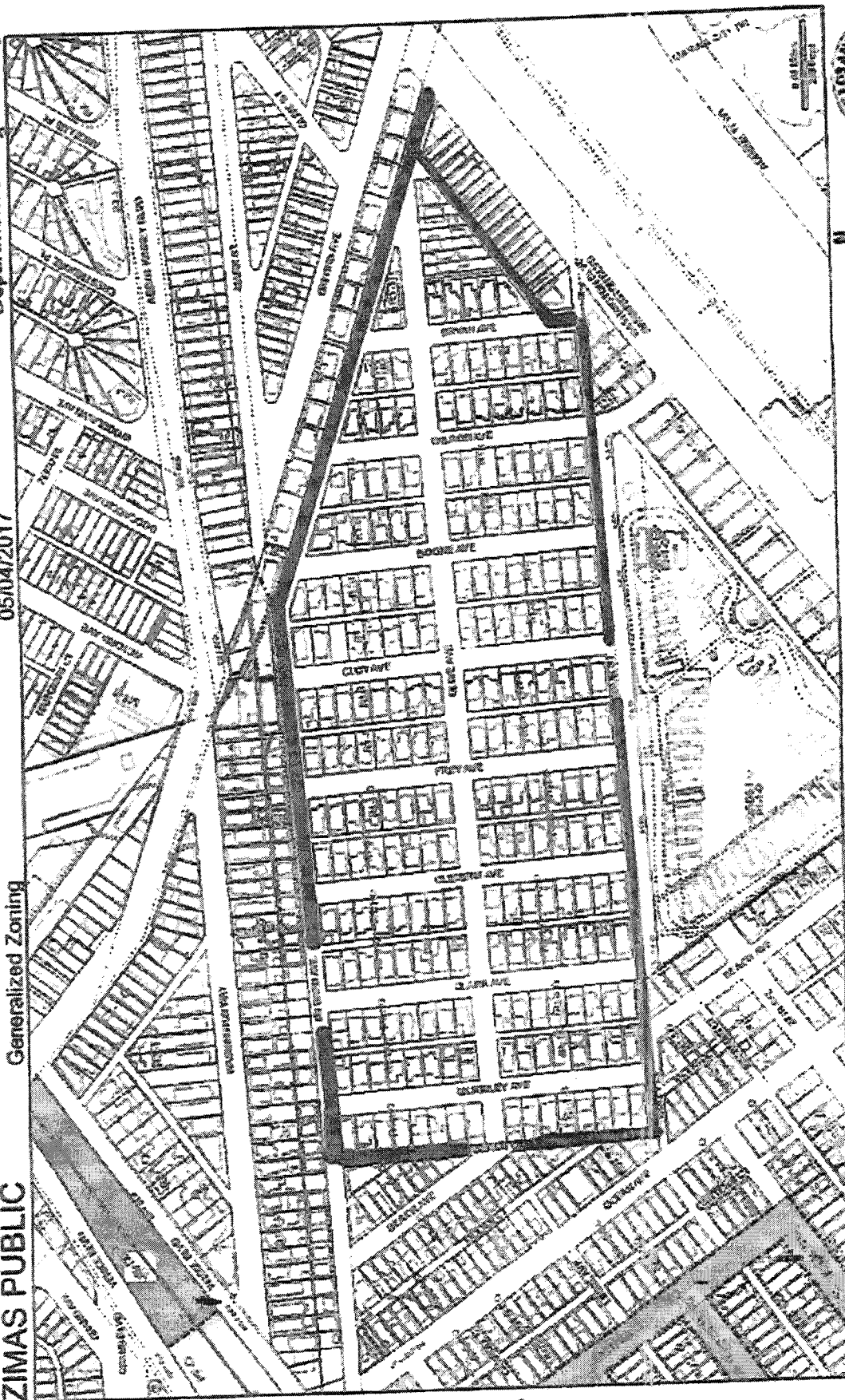
3rd outlier is 2324 Boone 3 stories 3911 sq.ft. home on 5004 sf lot

Note: only 2 Three story homes of the 232 total homes and 2334 Cloy development is asking for a 3 story building.

ZIMAS PUBLIC

Generalized Zoning

05/04/2017



Complete Control of Tinnitus, Deafness, Hearing Loss

Zoning: R1-1.0
General Plan: Low Residential

Trace: TR 4424
Block: None
Lot: 72
Auth: None

Address: 2341 S CLEMENT AVE
APN: 4228006016
PIN #: 106-5A147 195

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