

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
301 E. OCEAN BLVD., SUITE 300
LONG BEACH, CALIFORNIA 90802-4416
PH (562) 590-5071 FAX (562) 590-5084
WWW.COASTAL.CA.GOV



Th12a

A-5-VEN-21-0010 (Miles)
March 11, 2021

CORRESPONDENCE

Citizens Preserving Venice

Th12a

March 5, 2021

A-5-VEN-21-0010

426-428 Grand Blvd

Support NSI recommendation

Honorable Commissioners,

We strongly agree with Staff's recommendation of NSI for this appeal and would like to express our support of their excellent Findings. In addition, we would like to share our thoughts on the importance of the City appeal board's decision and on the issue of whether the applicant's appeal should be heard.

A. The West Los Angeles Area Planning Commission (WLAAPC) made very clear, specific, strong Findings that support their decision.

The applicant would like you to overturn the WLAAPC's determination. But the WLAAPC decision is protective of community character and complies with the Coastal Act and the certified LUP; and overturning their decision, especially given the knowledge and judgement they used in making their Findings, would set an unacceptable precedent. We agree with Staff that "the City provided an adequate degree of factual and legal support for its decision" and that "the City's denial sets a positive precedent that informs the City's future consideration of whether or not projects are consistent with Chapter 3 of the Coastal Act;" and we believe that it is important to acknowledge that the WLAAPC did an outstanding job in their findings for denial of the project, as can be seen in the partial transcript of their hearing, below.

As per Coastal Act Section 30625(c), "*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.*" This is Finding 4. of a City CDP determination. The WLAAPC Commissioners noted that they were specifically guided by your prior decisions. See page 6 below.

In addition, the WLAAPC Commissioners' Findings that this 5,590 square foot project (SFD 3,977 sf + ADU 860 sf + garage 753 sf) should be denied reflect the knowledge and experience of these local commissioners with respect to both neighborhood character and the abuse of ADUs. We encourage you to review the attached, highlighted transcript excerpts from the WLAAPC's August 19, 2020 appeal hearing for 426-428 Grand Blvd as not only will you appreciate the statements and findings, but you could find them useful in making your findings in the future, including with respect to detail on City of L.A. building codes.

B. The City decision cannot be appealed to the Coastal Commission.

The applicant's appeal was not valid and should not have come before you. California Code of Regulations 13319 states: "*Where a local government approves a development on the basis of local land use regulations but denies the issuance of a coastal development permit because it cannot make the findings required by Section 13311, the applicant may appeal such denial of the coastal development*

permit in the manner provided in Section 13318. In addition, such appeal shall be valid only if the local government approvals fulfill the preliminary local approval requirements of Sections 13052 or 13053..."

The City did not approve the development on the basis of local land use regulations as described in CCR 13319 and CCR 13052 (nor does it meet the requirements of CCR 13503). All of the local land use permits/entitlements of the case were denied along the CDP. There was no local land use permit or individual entitlement that was approved. The project was clearly denied, and no preliminary approvals were granted. The Commissioner making the motion stated: "This is Commissioner Margulies, **making the motion for item number 5, case number DIR 2018-1485-CDP-MEL-1A**, and environmental case number ENV-2018-1486-CE. **I move to grant the appeal and overturn the Planning Director's determination.** This is to **grant the appeal and overturn the Planning Director determination of April 22, 2020 and adopt the Commission's findings as stated on the record.**" See pages 6-7 below. The motion was for denial of the entire case # DIR-2018-1485-CDP-MEL-1A. No part of the case was approved. Also, in addition to the Findings made with respect to the CDP, the WLAAPC made Findings regarding the City's Mello Act Compliance Determination, which they incorporated into the motion for denial of the project. See pages 4, 5, 6, and 8 below.

The initial October 1, 2020 Letter of Determination correctly reflects the Commissioners' words and motion: "Disapproved...a Mello Act Compliance Determination..." This is also consistent with the WLAAPC's precedent of handling Mello Act Compliance Determinations when the entire case is denied. See attached Exhibit A.

City Planning reissued a corrected determination in error. See attached Exhibit B. The City's "corrected copy Letter of Determination" dated December 10, 2020 is not only inconsistent with the way such appeal determinations have been handled in the past, but it also does not reflect the action of the WLAAPC or the words of the Commissioners. The WLAAPC took explicit action to overturn the entire Planning Director's determination, which includes the Mello Act Compliance Review Determination. And as the City Attorney explained, it was not even necessary to take any action on the Mello Act Compliance Determination (even though they did so) as it only applies when the City is going to approve a demolition or a conversion. See page 8 below. A Mello Act Compliance Determination can only be issued together with a CDP and cannot stand alone, separate from the CDP, the related discretionary approval. As per section 6.0 of the City's Interim Administrative Procedures for implementing the Mello Act: "*For Discretionary Applications, the decision-maker shall issue the determination as written conditions attached to the determination made with respect to the underlying case...*" See attached Exhibit C.

In their Coastal Commission appeal the applicant states that "the Planning Director's Mello Determination stands as the APC took no action." This is obviously incorrect, based on what the City Attorney said (see paragraph above) and as the WLAAPC did take action to specifically deny the entire case # DIR-2019-1485-CDP-MEL-1A, which includes the Mello Act Compliance Determination, including specific findings related to the Mello Act Compliance Determination.

The applicant's appeal was not valid and should not have come before you.

Sincerely,

Sue Kaplan, President, Citizens Preserving Venice

TRANSCRIPT EXCERPTS OF WEST L.A. AREA PLANNING COMMISSION APPEAL
HEARING FOR 426-428 GRAND BLVD

August 19, 2020

<https://planning.lacity.org/StaffRpt/Audios/West/2020/08-19-2020/5%20DIR-2018-1485.mp3>

Note: Parts are underlined for emphasis as well as for ease of reference from the letter above.

TIME: 1:13:45

JULIET OH, CITY PLANNING:

I'm going to offer a little bit of clarification, because I believe the applicant did make a statement about this being a two-family dwelling, and I just want to provide some clarification on that. The code provides a definition of two-family dwelling and the project would not meet that definition of two-family dwelling because it meets a different definition. It's a single-family dwelling with an attached ADU, and it's important to recognize the attached ADU because a separate part of our zoning code, 12.22 A.33. does address the provisions and requirements for accessory dwelling units, so if we were to call this a two-family dwelling there are different implications regarding the required parking, where the entrances are located, and things like that. So, we want to be sure to call this a single-family dwelling with an attached ADU for zoning code purposes. But we do recognize that an accessory dwelling unit still meets the definition of a residential dwelling unit. So, while we can't call it a two-family dwelling unit, it's still is considered a residential dwelling unit.

TIME: 01:27:40

COMMISSIONER WALTZ-MOROCCO:

Ira, on page A-2 of your report, you talk about how this project functions the same as a duplex. How do you mean that? Because I mean, just for example, a duplex has separate utilities, a duplex has separate addresses. A duplex has different leases, you know. Somebody is paying something, somebody's paying something else. So, I just was curious how you would say that a single-family home with an ADU embedded inside of it functions the same as a duplex.

IRA BROWN, CITY PLANNING:

One way would be the size of the ADU. It is 840 square feet, and it's replacing a dwelling unit that is of similar size, if not smaller than, than that.

COMMISSIONER WALTZ-MOROCCO:

Oh, okay. And there is no provision about having this ADU have any kind of separate utility or separate address, right? There's nothing here for that, right?

IRA BROWN, CITY PLANNING:

That is correct. The regulations for ADUs would be through the building code and those codes aren't there to require those types of changes.

COMMISSIONER WALTZ-MOROCCO:

So, in the building code, it doesn't have anything about giving an ADU more autonomy?

IRA BROWN, CITY PLANNING:

No, it doesn't. It does require certain sanitary facilities, cooking facilities, but it's not the zoning code type of requirements, more for life safety.

COMMISSIONER ROZMAN:

Question regarding the nature, and really, I feel like I'm having a deja vu from 2019 in which we discussed the nature by which we validate a [Mello Act] feasibility study. And if I recall correctly, our conversation surrounded the fact that a subsequent or counter study would need to be performed in order to validate or discredit a feasibility study submitted by an applicant. So, if I recall correctly in February of this year, Jonathan Hershey mentioned that the city was setting aside some funding to have a third-party review and really a counter study of the feasibility to be performed. Question for city staff - would the city consider doing a counter feasibility study for this project?

JULIET OH, CITY PLANNING:

This is Juliet Oh with City Planning. So unfortunately, we don't have that; we don't have a list of qualified consultants who would conduct the third-party review. And so, we have not been able to require that of applicants. It is something that would be considered and included as part of the permanent ordinance, as part of the draft. It's actually written into the draft that there should be, that there will be a third-party review. But at this point in time, we don't have that option available.

COMMISSIONER ROZMAN:

Okay, thank you. That's rather unfortunate.

TIME: 01:36:26

COMMISSIONER ROZMAN:

I think just as a last thought about the notation that this property is not actually a two-family structure, and that this really is a single-family unit with an ADU tacked on, I think really this is going to be the future of these construction projects, that we're going to see these multi-million-dollar projects with an ADU tacked on the back in an effort to skirt some of these density requirements. And I kind of view this project as one of those, and it really looks like a disingenuous effort to restore density to the site. So, I definitely take issue with that. But I'll open it up to the rest of the commission for more comments. Thank you.

TIME: 01:46:35

JULIET OH, CITY PLANNING:

So, I'm just going to read the definitions from the ordinance, and this is 12.22 A.32., the home sharing ordinance. So, it defines a rental unit as "a dwelling unit, guestroom, accessory living quarters, other residential structure or portion thereof." And an ADU by definition is, "a residential dwelling unit." So, in addition to that, in order to qualify as a short-term rental unit under the home sharing ordinance, it has to be, I don't know what that person is called, but it has to be a primary residence. So, the state ADU law and our ordinance does encourage ADUs to be rented. I mean, it's supposed to be an alternative sort of rental unit, and ideally as an affordable rental unit. And so, it makes sense. But as far as I can tell in the definitions, and I

haven't gone through the entire ordinance, I don't know if there are any limitations that would apply to ADUs.

COMMISSIONER ROZMAN:

So, it sounds like the ADU portion of this property could potentially be used for a short-term rental.

JULIET OH, CITY PLANNING:

Right. If it meets the criteria in the ordinance.

COMMISSIONER ROZMAN:

Okay. And I asked that question because I think we need to discuss the practical applications and the intent of the Mello Act to preserve affordable housing. And when you look at the replacement of two affordable units by not only a very unaffordable - for the general population - rental unit of the single-family home, which is you know, in excess of 3,000 square feet, and then the potential use of the ADU for really another stream of income, I think there is absolutely no application of the Mello Act that's being protected with this project moving forward, as a point of order, or...

COMMISSIONER WALTZ-MOROCCO:

Right. Thank you, Commissioner Rozman. I appreciate that. Yeah, I mean, I feel like, Commissioners, we're all sort of nibbling around the same idea here. I mean I feel like we've been here before, when we were talking about coastal issues, character issues, compatibility issues. I mean, I listened back to the testimony from the APC - Commissioner Margulies, you were actually there - to see what was discussed back then. But for me, honestly, this all comes down to loss of density in the coastal zone, and I'll get to why, and compatibility with the area, and the change of character that I think will happen over time if this configuration, which is duplex, is not equal to single family home plus ADU. I mean, I just think that we are kidding ourselves that an ADU and a single-family home functions, or it has the purpose of a duplex. And, in full disclosure, we've had cases like this before and I'm just starting to see them come and come and come now. I think, Commissioner Rozman, you were saying that it's sort of this unfortunate shortcut that people are using. That's not the right word. And how do I answer the fact that I was thinking about something differently not that long ago? Well, you know that saying where "I did what I did then, but I know better, so I do better." "I know better now, so I do better now." And I don't know, I just see this coming again and again and again, and there's just no way that a single-family home with an attached, not even a detached, ADU will really serve the purpose of what we're talking about here. And then over time, we talked about the character of this neighborhood changing completely, because what you have right now is a multifamily community mixed with other uses, which will pretty much turn into single-family homes. And the ADUs will be sort of absorbed into them. So that's pretty profound. And I think that flies in the face of not only, well, it flies in the face of a lot of things, but certainly flies in the face of Chapter 3 of the Coastal Act.

COMMISSIONER MARGUILES:

This is Commissioner Marguiles. Commissioner Waltz-Morocco, I just want to tag on to that some significant concerns about the cumulative impacts of this project in relation to the process of creating the updated local coastal plan and program. And as we've seen as each domino falls

or adds to the change in character and scale of a neighborhood, especially in a historic district, this is an argument put forward by the applicant in every case, that Venice's whole diversity, that things have been changing, that there is no character anymore. And I think we, and Juliet, thank you for your explanation about requiring scale studies and massing studies. I mean I have to say, I think they were very revealing. I think they actually illustrate quite well, in this case, the outsize nature of the structure, the single-family residence. It may not be so different historically from some of the multifamily structures that were on this street, but it is significantly different than the fabric of the, especially the contributors, but of many of the other houses that were here prior to the signoffs and lack of enforcement of the Mello Act over time on this block. So, I'd like to raise that issue in terms of findings of Chapter 3, having to do with the cumulative impact of this project. And one last thing has to do with being able to make the finding that this is consistent with previous cases. I know there was a case that was cited specifically in 2019, a [Coastal Commission] Substantial Issue found with the conversion of an existing one-story 1,000 square foot duplex to a single-family dwelling, at 812-814 Amoroso Place. And this is I think a case that has a lot of validity and similarity, except that this one is a little bit different. I believe that if this case were another one, the issue was that it was a single-family residence, plus an ADU in a primarily single-family neighborhood or block with primarily single-family houses, and this goes above and beyond, that if we are unable to make the IAP actually work for its intent to preserve affordable housing, which seems to be what we're hearing and we've heard over and over again, at least in this case, we're looking at the loss of affordable units in a multifamily neighborhood, for a single-family house with a small, even if it's larger than the existing one bedrooms that are there now, it's still, you know, this is not equitable. I just think about the stories we heard from the tenants who were evicted and abused by the landlord. So over time here, we heard about a community of people who lived in a kind of communal situation who knew each other, what we all wish we had. People who talk to their neighbors, who know their neighbors. And I don't think tacking an ADU on to the back of a large single-family residence is going to create a community or maintain a community. So that's my feeling about this.

COMMISSIONER WALTZ-MOROCCO:

Commissioner Marguiles, that was a very good point. All right. So, any other questions for Oscar or staff? Someone want to make a motion here? Anyone? Excuse me, wait. Excuse me. Nope? Okay.

COMMISSIONER MARGUILES:

Commissioner Waltz-Morocco, I have to find...if you're willing to help me a little bit on the findings...

COMMISSIONER WALTZ-MOROCCO:

I'm happy to...you know what? Commissioner Waltz-Morocco. I think we're all contributors to this motion. It all sounds like we had our own thoughts. So, you start off and we can add on.

TIME: 1:55:40

COMMISSIONER MARGULIES:

I'd be happy to do that. This is Commissioner Marguiles, **making the motion for item number 5, case number DIR 2018-1485-CDP-MEL-1A**, and environmental case number ENV-2018-1486-CE. **I move to grant the appeal and overturn the Planning Director's determination. This is to**

grant the appeal and overturn the Planning Director determination of April 22, 2020 and adopt the Commission's findings as stated on the record. And our reasons for doing that are the inability to make the findings that this is consistent with Chapter 3 of the Coastal Act--that this project will not be consistent with the character of this historic district, that it will create a cumulative impact and prejudice the process of drafting a new local coastal program for Venice, and that it will not achieve the objectives of either the LUP or the Coastal Commission's Environmental Justice objectives of providing diverse and equitable housing along the coast.

COMMISSIONER WALTZ-MOROCCO:

Commissioner Waltz-Morocco. James Williams, just a point of order. May I add onto that motion? I can add on, correct?

JAMES WILLIAMS:

Yes. You can make a friendly amendment to her motion.

COMMISSIONER WALTZ-MOROCCO:

Commissioner Waltz-Morocco. I'd also like just to make sure we talk a little bit about how it flies in the face of the LUP, that in [Policies] I. A. 5. and I. A. 7. they talk about how we want to preserve multi-family dwelling units. And I think you mentioned something about the character of the neighborhood, making sure we understand that this ADU attached to a single-family unit over time will have these cumulative impacts and then thus change the character of the neighborhood. I think that's pretty much what you said as well. I'm just looking at my list. I think that's what I have.

COMMISSIONER MARGULIES:

This is Commissioner Margulies. I accept the friendly amendment. I just want to clarify that the character that we're talking about is both a physical character of the structures and the open space and the social character, over which we heard from the tenants and their testimony and read the letters to that effect, that this was a very mixed income and diverse community of people who lived on these three lots, including the 424-426 Grand Avenue, which we're looking at tonight.

COMMISSIONER WALTZ-MOROCCO:

I'd also like to point out that and just say in our motion that it's out of scale. I mean, we've found in testimony that there's one single-family home on a double lot. So, the scale of this house is just completely out of scale for the neighborhood.

COMMISSIONER ROZMAN:

This is Commissioner Roseman. I'm happy to second this motion.

COMMISSIONER WALTZ-MOROCCO:

That's a very long motion. Sorry, James Williams.

JAMES WILLIAMS:

No worries.

OSCAR MEDELLIN:

This is Oscar Medellin, just for the record as well. I know that Commissioner Waltz-Morocco mentioned that she wanted to also adopt your previous comments as well. Once you started deliberation, many other Commissioners made several helpful comments that are in line with your motion. So, it would be useful for the record, if we could also, you don't have to do this now, but we could just readopt those by reference, all the comments that were made by Commissioners once deliberation began.

COMMISSIONER MARGULIES:

Commissioner Margulies. Happy to, if it's my motion, you could do it to your friendly amendment, but for the main motion, **I'm happy to adopt the discussion and the deliberations of all the Commissioners.**

COMMISSIONER WALTZ-MOROCCO:

Yes, I second that. Thanks. Thank you. Thank you, Oscar.

COMMISSIONER MARGULIES:

I'll just throw this out there--I'm not sure that we have made a comment specifically about the Mello Act here. This is a Mello case. Oscar, are we required to address the Mello findings or the Mello decision in our motion?

OSCAR MEDELLIN:

This is Oscar Medellin, for the record. You can comment on the Mello approval or the feasibility study, that you want to do here. You do not have to make a finding on that appeal point, however. **Mello applies when the city is going to approve a demolition or a conversion.** And so, since your motion is to disapprove this proposed project, you don't necessarily have to make a finding to show that Mello has been performed here. However, I think it's pretty clear from the testimony and from the comments by the Commission that you were disappointed with the feasibility study and perhaps the lack of a corroboration there. So, you're free to address those points now, if you'd like, or you can move on.

COMMISSIONER MARGULIES:

This is Commissioner Margulies. I'll just address two points there specifically. And thank you for reminding me. One is that the timing of the information, that due process, it sounded to me like the testimony we heard today concerning the availability of this very thorough feasibility study, was not sufficient for the appellants to review in detail, and that the lack of the City's objective review of Mello cases again, is a hindrance to our ability to evaluate them on appeal.

COMMISSIONER WALTZ-MOROCCO:

Thank you, Commissioner Margulies.

COMMISSIONER MARGULIES:

And that's my motion.

COMMISSIONER WALTZ-MOROCCO:

Okay. James Williams, do we need Heather to second that again?

JAMES WILLIAMS:

Yes, please.

COMMISSIONER ROZMAN:

Yes. Commissioner Rozman. I second that again.

JAMES WILLIAMS:

We have a motion and a second on the table. Commissioner Margulies?

COMMISSIONER MARGULIES:

Aye.

JAMES WILLIAMS:

Commissioner Rozman?

COMMISSIONER ROZMAN:

Aye.

JAMES WILLIAMS:

Commissioner Waltz-Morocco?

COMMISSIONER WALTZ-MOROCCO:

Aye.

JAMES WILLIAMS:

The motion carries.

COMMISSIONER WALTZ-MOROCCO:

All right. Well, everyone we've completed our Zoom meeting. We did it. I'm very proud of everyone. Thank you everyone who's on the call still, on the computer, on the phone. I certainly appreciate everyone's time. Thank you, staff. Thank you, Commission Staff. Thank you, all the departments for helping us with these cases today. Seeing no further business with this commission, this meeting is now adjourned, and it is 7:09.



WEST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

A 1/3

Mailing Date: OCT 01 2020

CASE NO. DIR-2018-1485-CDP-MEL-1A
CEQA: ENV-2018-1486-CE
Plan Area: Venice

Council District: 11 - Bonin

Project Site: 426-428 East Grand Boulevard

Applicant: Dustin Miles, Xingyun LLC
Representative: Lea Arenas City Land Use, Inc.

Appellant: Bill Przlucki, People Organized for Westside Renewal (POWER);
Robin Rudisill; Kevin and Teri Keresev; Jason Lord

At its meeting of **August 19, 2020**, the West Los Angeles Area Planning Commission took the actions below in conjunction with the disapproval of the following project:

The demolition of an existing one-story duplex and the construction of a new three-story, 3,977 square foot single-family dwelling with attached four-car garage, roof deck and a 860 square foot Accessory Dwelling Unit (ADU).

1. **Granted** the appeal and **overturned** the Planning Director's April 22, 2020 determination;
2. **Disapproved**, pursuant to Section 12.20.2 of the Los Angeles Municipal Code (LAMC), a Coastal Development Permit for the Proposed Project within the Single-Permit Jurisdiction of the California Coastal Zone;
- 3. **Disapproved**, pursuant to Government Code Sections 65590 and 65590.1 and the City of Los Angeles Interim Mello Act Compliance Administrative Procedures, a Mello Act Compliance Review for the demolition of two Residential Units and construction of two Residential Units in the Coastal Zone; and
4. **Adopted** the attached Findings as amended by the Commission.

This action was taken by the following vote:

Moved: Margulies
Second: Rozman
Ayes: Waltz Morocco
Absent: Newhouse, Yellin

Vote: 3 - 0

James K. Williams, Commission Executive Assistant II

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



WEST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801. (213) 978-1300
www.planning.lacity.org

A²/₁₃

LETTER OF DETERMINATION

Mailing Date: APR 15 2020

CASE NO. DIR-2016-3291-CDP-MEL-1A
CEQA: ENV-2016-3293-CE
Plan Area: Venice
Related Case: AA-2016-3290-PMLA-SL-1A

Council District: 11 - Bonin

Project Site: 635-637 East San Juan Avenue

Applicant: 187 Monterey Holding, LLC
Representative: Steve Kaplan Land Use Law

Appellants: People Organized for Westside Renewal, Robin Rudisill, Sue Kaplan, and Celia Williams

On February 5, 2020, the City Council, pursuant to Charter Section 245, asserted jurisdiction over the November 20, 2019 action of the West Los Angeles Area Planning Commission on Case No. DIR-2016-3291-CDP-MEL-1A and remanded the decision back to the Commission.

At its meeting of **March 4, 2020**, the West Los Angeles Area Planning Commission took the actions below in conjunction with the **denial** of the following project:

A Coastal Development Permit and Mello Act Compliance Review for a preliminary parcel map (Small Lot Subdivision) to subdivide one existing lot totaling approximately 5,200 square feet (net area of 4,800 square feet) into two new small lots that are 2,273 (Parcel A) and 2,527 (Parcel B) square feet in lot area, in conjunction with the demolition of an existing duplex and single-family dwelling, the removal of four trees, and the construction of a 2,091 square-foot single-family dwelling on Parcel A and a 1,287 square-foot single-family dwelling with a 396 square-foot attached Accessory Dwelling Unit (ADU) on Parcel B. Six parking spaces are provided onsite.

1. **Granted** the appeal and **overturned** the Planning Director's June 28, 2019 determination;
2. **Denied**, pursuant to Section 12.20.2 of the Los Angeles Municipal Code, a **Coastal Development Permit** for a Development in the single permit jurisdiction of the Coastal Zone;
3. **Denied**, pursuant to Government Code Sections 65590 and 65590.1 and the City of Los Angeles Interim **Mello Act Compliance Administrative Procedures**, a Mello Act Compliance Review for the demolition of three existing Residential Units and construction of three Residential Units in the California Coastal Zone; and
4. **Adopted** the attached Findings as amended by the Commission.

This action was taken by the following vote:

Moved: Margulies
 Second: Rozman
 Ayes: Waltz Morocco, Yellin
 Absent: Newhouse

Vote: 4 - 0

Recused



Handwritten mark resembling a stylized '2' or 'Z' with a horizontal line through it



WEST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

A³/₃

LETTER OF DETERMINATION

Mailing Date: MAR 10 2017

CASE NO.: ZA-2014-1728-CDP-MEL-1A
CEQA: ENV-2014-1729-MND
Related Case: AA-2014-1730-PMLA-SL-1A
Plan Area: Venice

Council District: 11 - Bonin

Project Site: 1712 – 1712 ½ South Washington Way
Applicant: Alon Zakoot, Alliance Team Realty for Silver Triangle, LLC
Appellants: Alon Zakoot, Alliance Team Realty for Silver Triangle, LLC; Regan Kibbee

At its meeting of **October 5, 2016**, the West Los Angeles Area Planning Commission took the actions below in conjunction with the disapproval of the following project:

The demolition of a triplex, garage, and studio and the construction, use, and maintenance of two single-family dwellings on two separate lots in the RD1.5-1-O Zone.

1. **Granted** the appeal and **overturned** the Zoning Administrator's approval a Coastal Development Permit for the project in the single permit jurisdiction area of the California Coastal Zone; and **overturned** the determination of Mello Act Compliance, pursuant to Government Code Sections 65590 and 65590.1 and the City of Los Angeles Interim Mello Act Compliance Administrative Procedures; and
2. **Adopted** the attached Findings as amended by the Commission.

This action was taken by the following vote:

Moved: Donovan
Seconded: Margulies
Ayes: Halper and Merritt
Absent: Waltz Morocco

Vote: 4-0



Harold Arrivillaga
Commission Executive Assistant I

B



WEST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

**Corrected Copy*

Mailing Date: **DEC 10 2020**

CASE NO. DIR-2018-1485-CDP-MEL-1A
CEQA: ENV-2018-1486-CE
Plan Area: Venice

Council District: 11 - Borin

Project Site: 426-428 East Grand Boulevard
Applicant: Dustin Miles, Xingyun LLC
Representative: Lea Arenas City Land Use, Inc.
Appellant: Bill Przlucki, People Organized for Westside Renewal (POWER);
Robin Rudisill; Kevin and Teri Kersey; Jason Lord

At its meeting of **August 19, 2020**, the West Los Angeles Area Planning Commission took the actions below in conjunction with the disapproval of the following project:

The demolition of an existing one-story duplex and the construction of a new three-story, 3,977 square foot single-family dwelling with attached four-car garage, roof deck and a 860 square foot Accessory Dwelling Unit (ADU).

1. **Granted** the appeal and **overturned** the Planning Director's April 22, 2020 determination;
2. **Disapproved**, pursuant to Section 12.20.2 of the Los Angeles Municipal Code (LAMC), a Coastal Development Permit for the Proposed Project within the Single-Permit Jurisdiction of the California Coastal Zone;
3. ***Took no action on a Mello Act Compliance Review** (Government Code Sections 65590 and 65590.1 and the City of Los Angeles Interim Mello Act Compliance Administrative Procedures) for the demolition of two Residential Units and construction of two Residential Units in the Coastal Zone; and
4. **Adopted** the attached Findings as amended by the Commission.

This action was taken by the following vote:

Moved: Margulies
Second: Rozman
Ayes: Waltz Morocco
Absent: Newhouse, Yellin

Vote: 3 - 0

James K. Williams, Commission Executive Assistant II

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

The provision of Inclusionary Residential Units for seniors or disabled persons who do not have a Very Low or Low Income does not fulfill the inclusionary requirements for New Housing Developments.

6.0 DETERMINATIONS

A determination shall be issued for each non-Categorically Exempt Demolition, Conversion, and New Housing Development.

For Discretionary Applications, the decision-maker shall issue the determination as written conditions attached to the determination made with respect to the underlying case. All completed forms, correspondence received and sent, and other supporting documentation shall be attached to the file created for the underlying case.

For Non-Discretionary Applications, DCP/ZAD staff shall issue the determination as a Director's Determination. Staff shall also prepare a file, and attach all completed forms, correspondence received and sent, and other supporting documentation.

A copy of each determination shall be simultaneously transmitted to the Applicant, the Department of Building and Safety, LAHD, all building occupants, and:

Richard A. Rothschild
Western Center on Law and Poverty, Inc.
3701 Wilshire Boulevard, Suite 208
Los Angeles, CA 90010-2809

6.1 DEMOLITIONS AND CONVERSIONS

Each determination shall include the following:

- Results of the Mello Act compliance review process completed in Part 4.0;
- Total number of Affordable Existing Residential Units identified by LAHD;
- Total number of required Affordable Replacement Units recorded on the Mello Act Compliance Review Worksheet;
- A requirement that the Applicant comply with the requirements set forth in Parts 7.2, 7.4, and 7.5;
- A statement that the Application is not approved until LAHD has approved the Affordable Housing Provision Plan prepared pursuant to Part 7.4; and