

CALIFORNIA COASTAL COMMISSION

South Coast District Office  
301 E Ocean Blvd., Suite 300  
Long Beach, CA 90802-4830  
(562) 590-5071



W17a

A-5-DRL-21-0015 (Streams)

April 14, 2021

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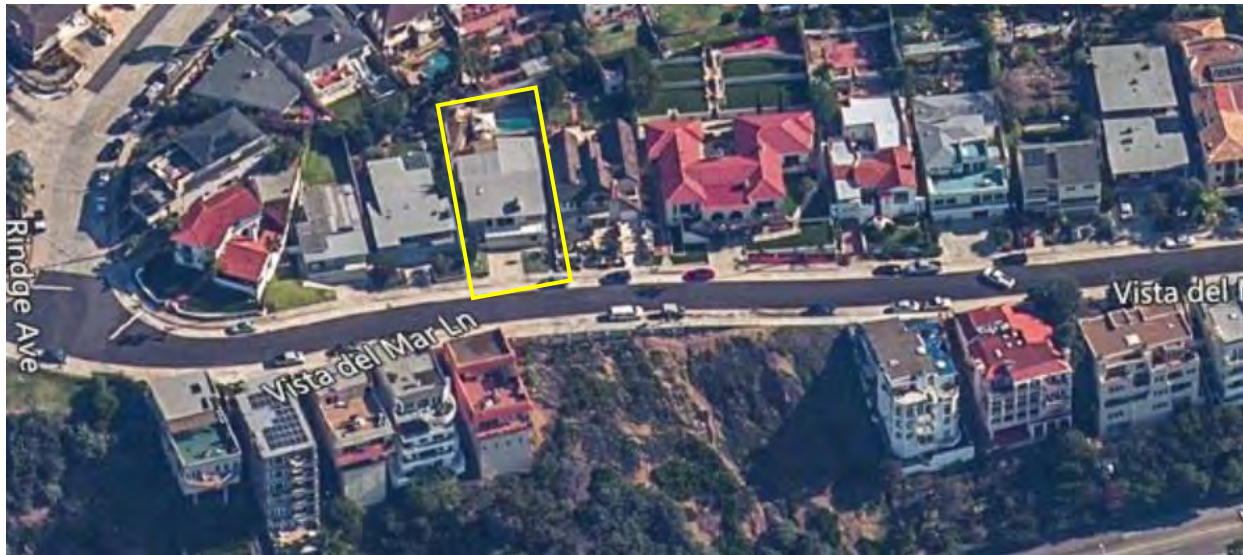
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## EXHIBIT 1 - PROJECT SITE

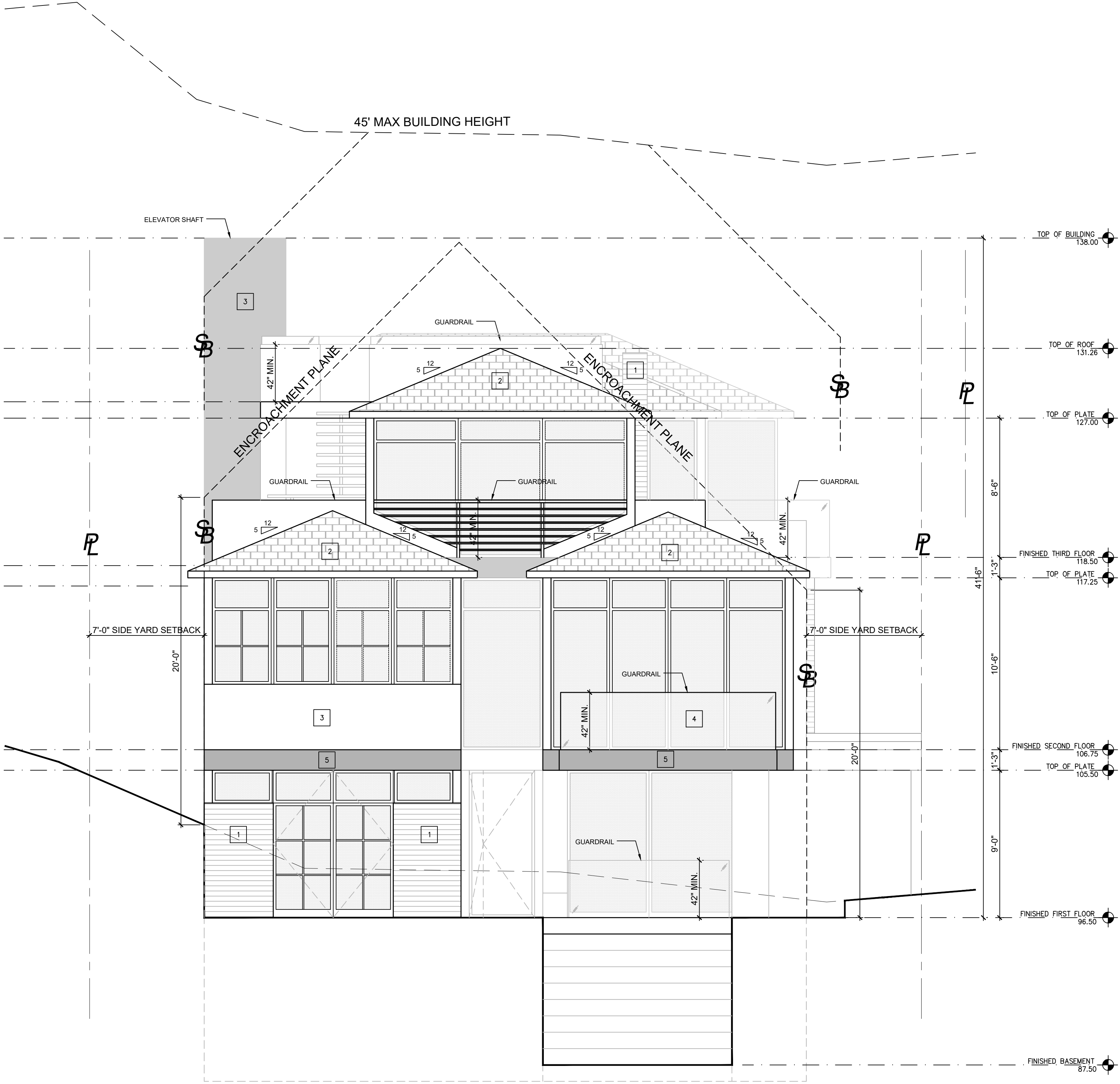


## EXHIBIT 2 - VICINITY MAP



## **EXHIBIT 3 - PROJECT PLANS**



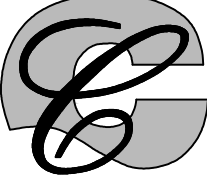


WEST ELEVATION

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


MATERIALS KEY

- 1 STONE VENEER
- 2 LIGHTWEIGHT CONCRETE TILES
- 3 SMOOTH STUCCO
- 4 GLASS
- 5 METAL



C-C PARTNERS  
DESIGN-BUILD

508 N Pacific Coast Highway  
Redondo Beach, CA 90254  
Tel. (310) 322-0803  
Fax (310) 322-0835



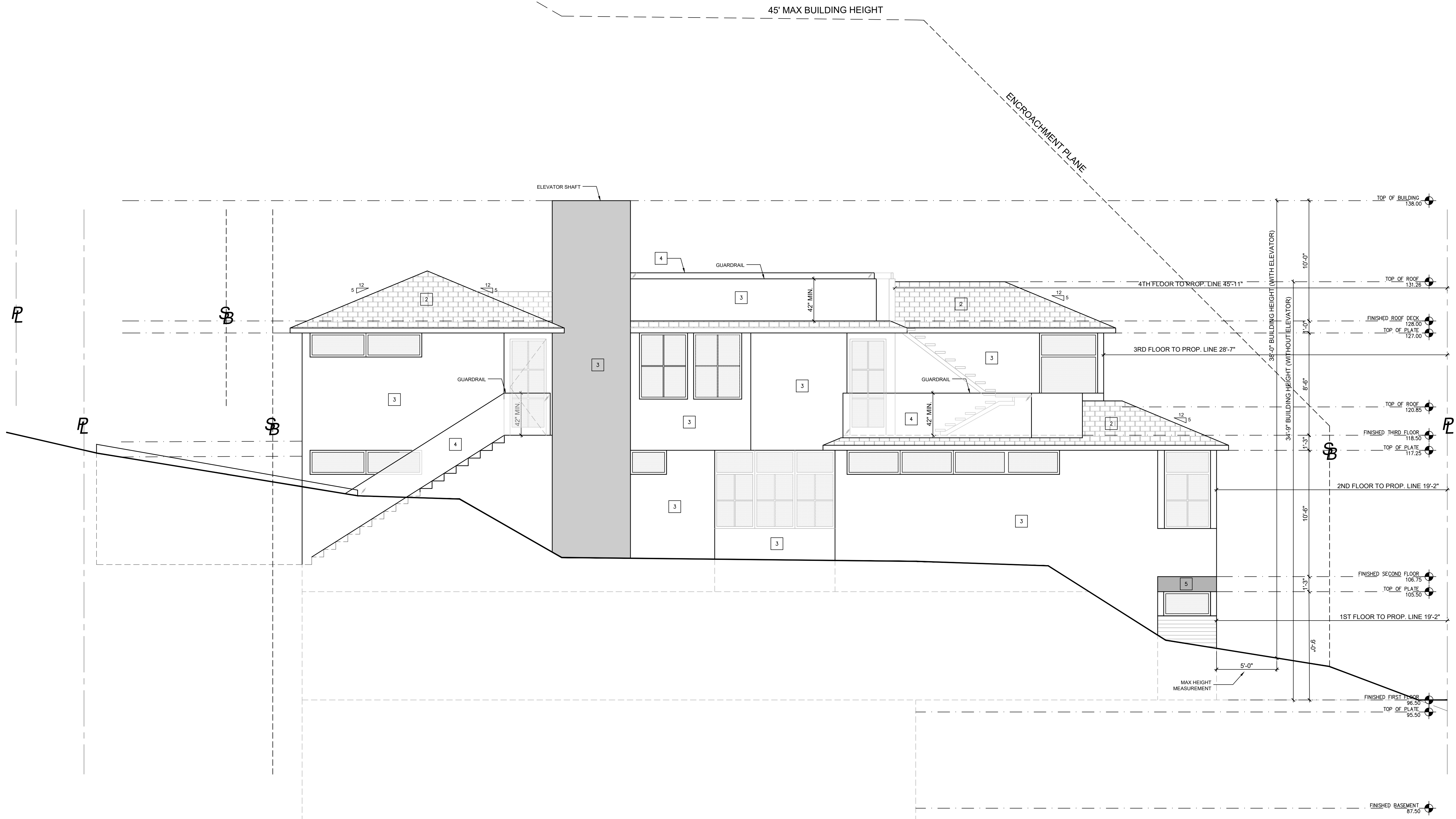
LICENSED ARCHITECT  
JOSEPH C. WILLIAMS  
NO. 47941  
EXPIRES OCT. 31, 2020  
STATE OF CALIFORNIA

Project Title	Project No.	Engineer	Drawn by	Checked by	Scale
STREAMS RESIDENCE	-	-	B. C.	P. C.	-
7012 VISTA DEL MAR LANE, PLAYA DEL REY CA 90293	-	-	B. C.	P. C.	-

DATE:

SHEET NO.

A4.10

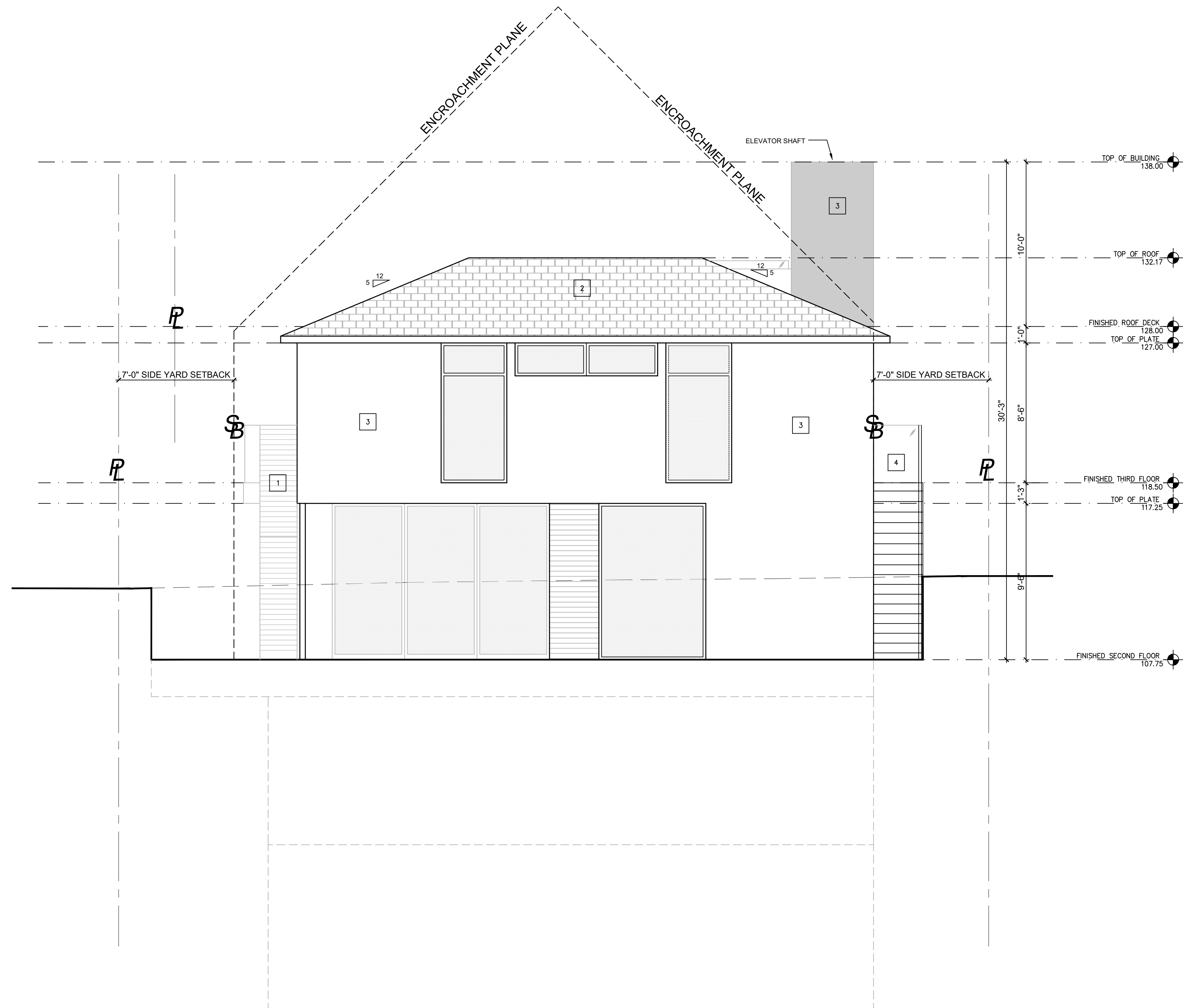


NORTH ELEVATION

SCALE:  $\frac{1}{4}" = 1'-0"$

- ### MATERIALS KEY
- |   |                            |
|---|----------------------------|
| 1 | STONE VENEER               |
| 2 | LIGHTWEIGHT CONCRETE TILES |
| 3 | SMOOTH STUCCO              |
| 4 | GLASS                      |
| 5 | METAL                      |

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## EAST ELEVATION

SCALE:  $\frac{1}{4}" = 1'-0"$

- ### MATERIALS KEY
- |   |                            |
|---|----------------------------|
| 1 | STONE VENEER               |
| 2 | LIGHTWEIGHT CONCRETE TILES |
| 3 | SMOOTH STUCCO              |
| 4 | GLASS                      |
| 5 | METAL                      |

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<b>Project Title</b> <div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">STREAMS RESIDENCE</div>		7012 VISTA DEL MAR LANE, PLAYA DEL REY CA 90293	
DATE:		SHEET NO.	
<div style="font-size: 3em; font-weight: bold;">A4.30</div>			

Project No. : -	No. $\triangle$	Date	Date
Engineer : -	$\triangle$		
Drawn by : B. C.	$\triangle$		
Checked by : P. C.	$\triangle$		
Scale : -	$\triangle$		


  

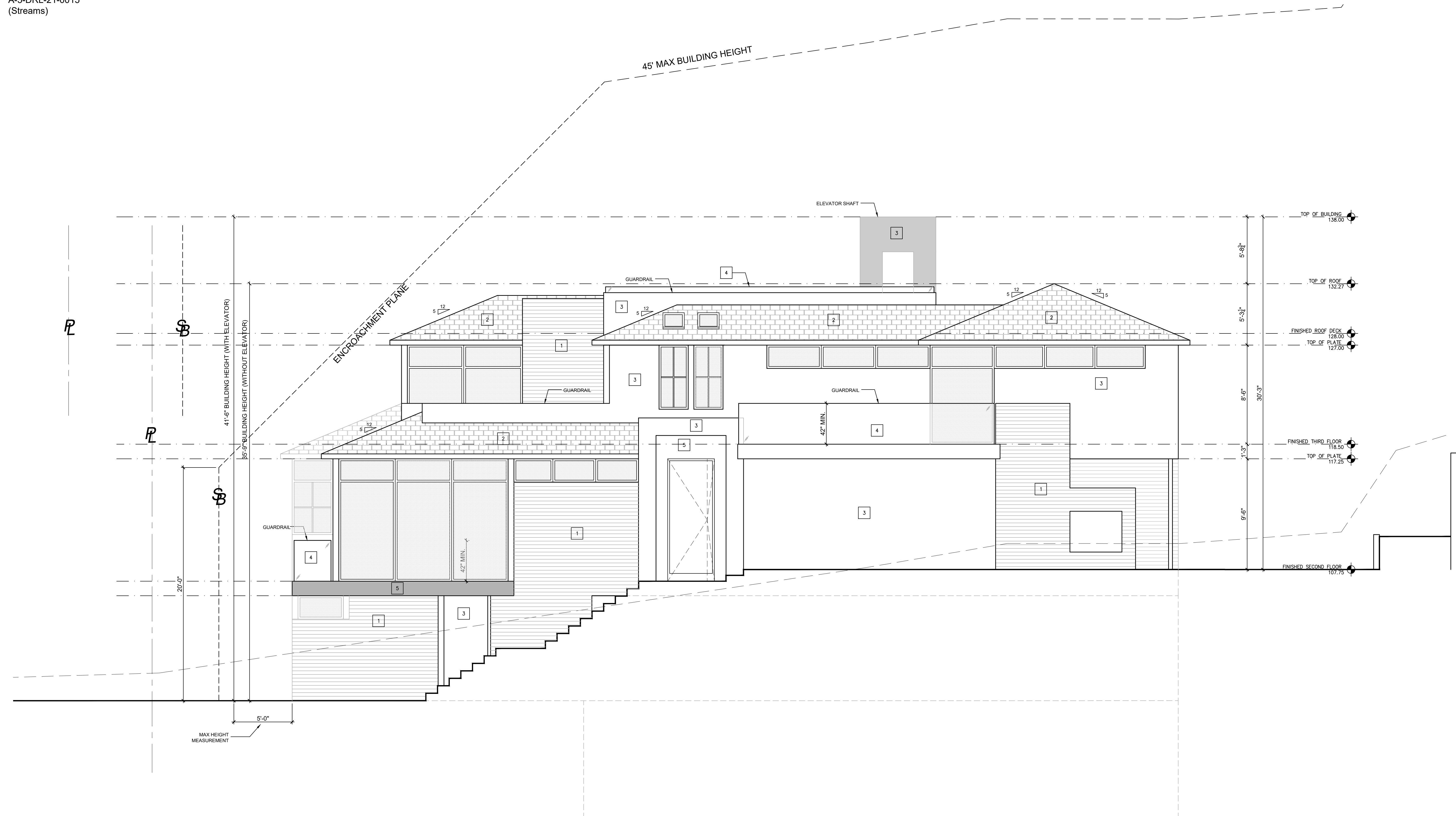
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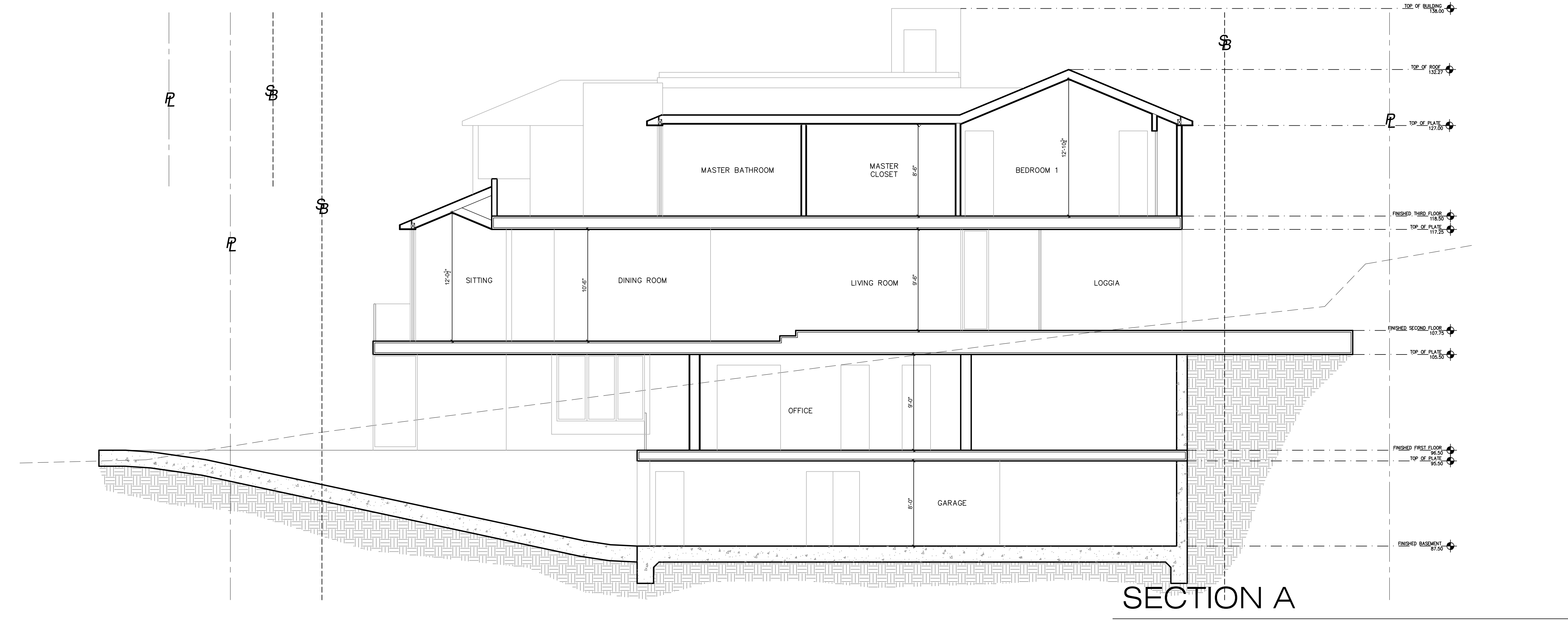
SOUTH ELEVATION

SCALE:  $\frac{1}{4}" = 1'-0"$

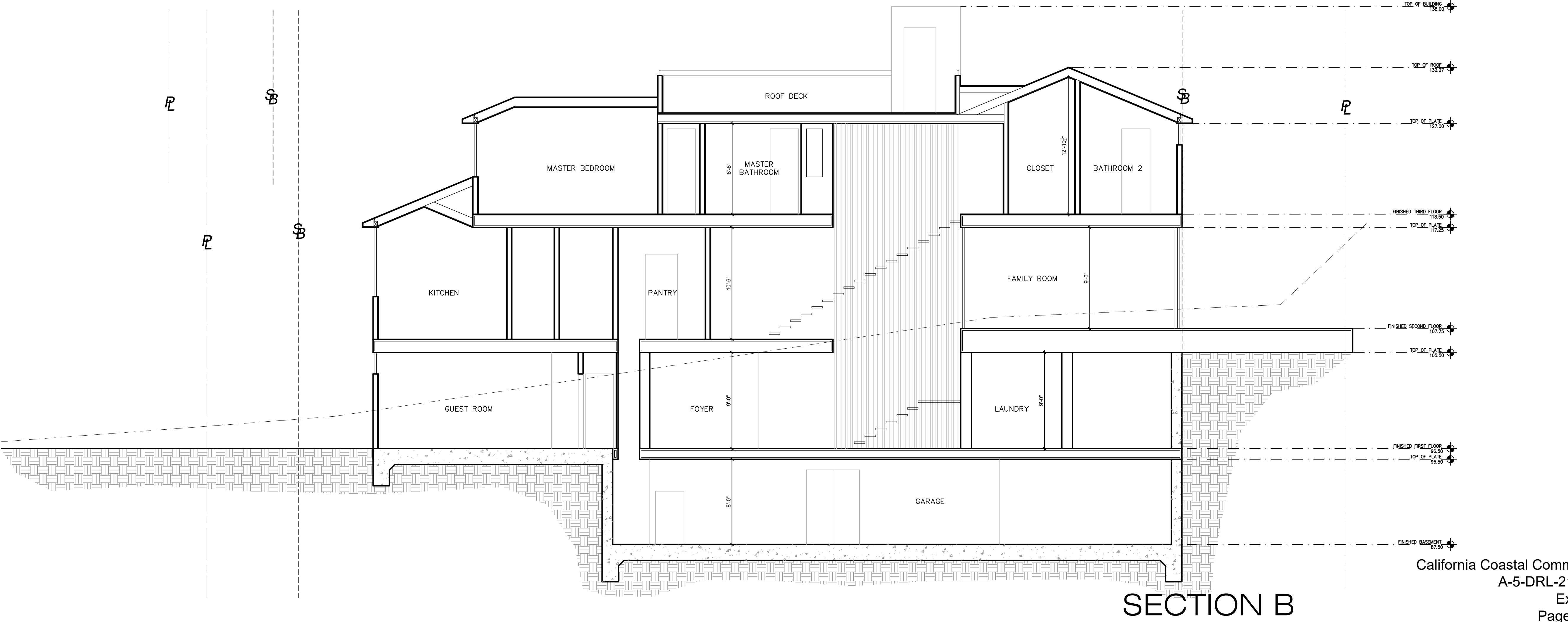
### MATERIALS KEY

1	STONE VENEER
2	LIGHTWEIGHT CONCRETE TILES
3	SMOOTH STUCCO
4	GLASS
5	METAL

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



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



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DESIGN-BUILD

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Redondo Beach, CA 90254  
Tel. (310) 322-0803  
Fax (310) 322-0835



Project No.	:	-	Date	No.	Date	No.	Date	No.	Date
Engineer	:	-							
Drawn by	:	B. C.							
Checked by	:	P. C.							
Scale	:								

Project Title

**STREAMS RESIDENCE**

7012 VISTA DEL MAR LANE, PLAYA DEL REY CA 90293

DATE:

SHEET NO.

**A5.10**

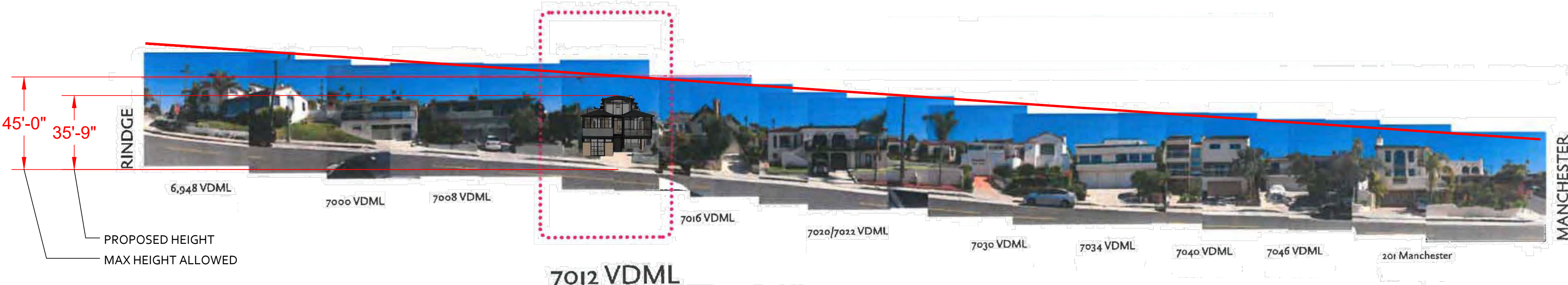
## EXHIBIT 4 – SURVEY AREA



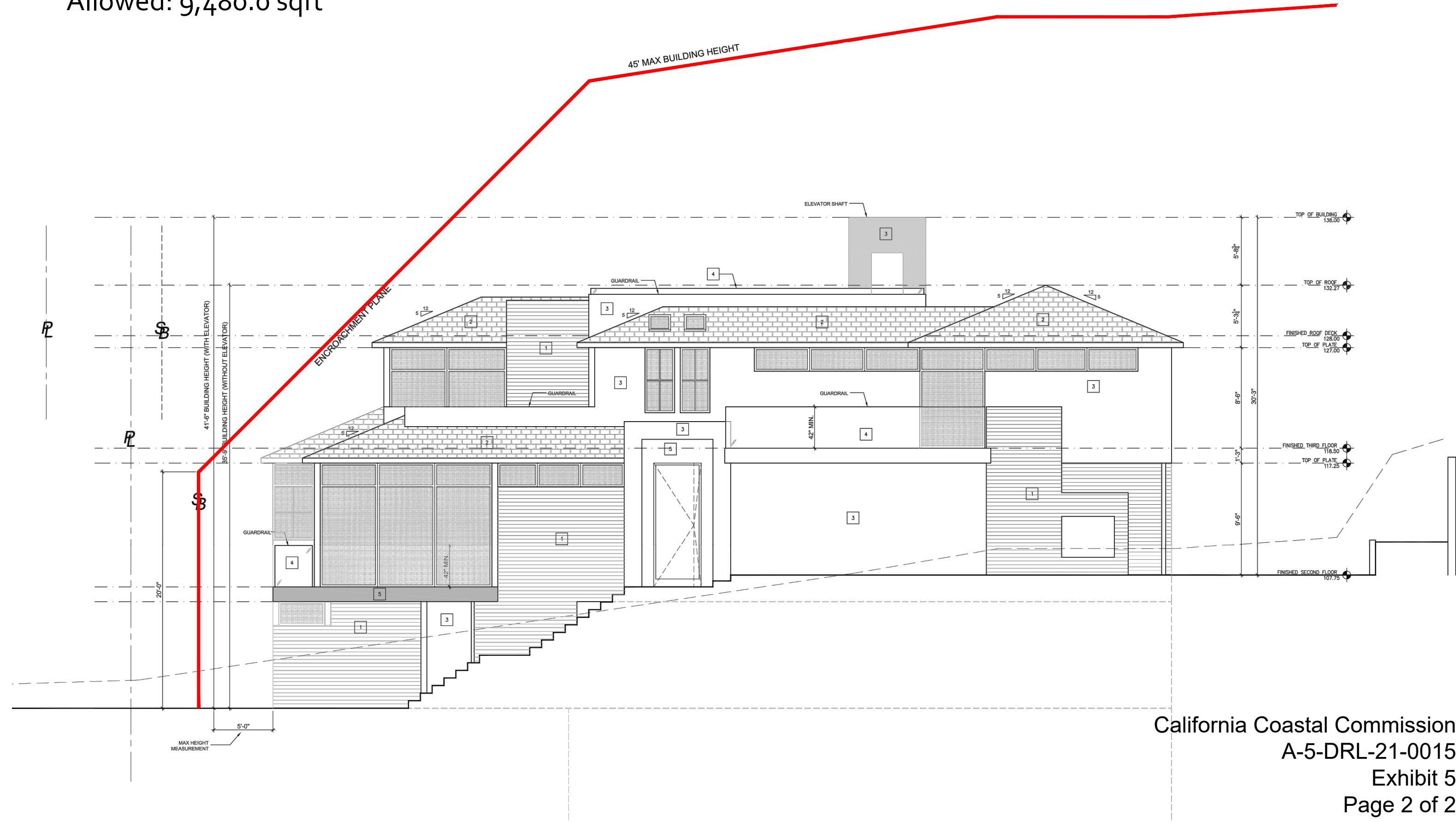
## **EXHIBIT 5 - STREETSCAPE**



7000 Block of Vista Del Mar Lane



Proposed 5,783.2 sqft  
Allowed: 9,480.0 sqft



ENCROACHMENT PLANE DIAGRAM



## **EXHIBIT 6 - GEOLOGY AND SOILS REPORT APPROVAL LETTER**

VAN AMBATIELOS  
PRESIDENTJAVIER NUNEZ  
VICE PRESIDENTJOSELYN GEAGA-ROSENTHAL  
GEORGE HOVAGUIMIAN  
ELVIN W. MOONERIC GARCETTI  
MAYOROSAMA YOUNAN, P.E.  
GENERAL MANAGER  
SUPERINTENDENT OF BUILDINGJOHN WEIGHT  
EXECUTIVE OFFICER**GEOLOGY AND SOILS REPORT APPROVAL LETTER**

September 11, 2020

LOG # 112224-01  
SOILS/GEOLOGY FILE - 2Mark Streams  
1162 River Road  
Edgewater, NJ 07020

California Coastal Commission

A-5-DRL-21-0015

Exhibit 6

Page 2 of 6

TRACT: 8557  
BLOCK: 27  
LOT: 28  
LOCATION: 7012 S. Vista Del Mar Lane

<u>CURRENT REFERENCE</u> <u>REPORT/LETTER(S)</u>	<u>REPORT</u> <u>No.</u>	<u>DATE OF</u> <u>DOCUMENT</u>	<u>PREPARED BY</u>
Addendum Report	20825-18	03/17/2020	NorCal Engineering
<u>PREVIOUS REFERENCE</u> <u>REPORT/LETTER(S)</u>	<u>REPORT</u> <u>No.</u>	<u>DATE OF</u> <u>DOCUMENT</u>	<u>PREPARED BY</u>
Dept. Review Letter	112224	03/09/2020	LADBS
Addendum Report	20825-18	07/15/2019	NorCal Engineering
Geology/Soils Report	20825-18	12/27/2018	NorCal Engineering

The Grading Division of the Department of Building and Safety has reviewed the referenced reports that provide recommendations for a proposed residential development. According to the 07/15/2019 report, the proposed residence will have four levels over a basement level. The site consists of a residential lot with an existing residence and swimming pool. The earth materials at the subsurface exploration locations consist of up to 2 feet of uncertified fill underlain by silty sand (eolian deposits). The consultants recommend to support the proposed residence on conventional and/or drilled-pile foundations bearing on natural undisturbed soils and/or conventional foundations supported by properly placed fill.

The referenced reports are acceptable, provided the following conditions are complied with during site development:

(Note: Numbers in parenthesis ( ) refer to applicable sections of the 2020 City of LA Building Code. P/BC numbers refer the applicable Information Bulletin. Information Bulletins can be accessed on the internet at LADBS.ORG.)

1. The geologist and soils engineer shall review and approve the detailed plans prior to issuance of any permits. This approval shall be by signature on the plans that clearly indicates the geologist and soils engineer have reviewed the plans prepared by the design engineer; and, that the plans include the recommendations contained in their reports (7006.1).

2. Approval shall be obtained from the utility company with regard to proposed construction within or adjacent to the utility easement along the rear property line (7006.6).
3. Conformance with the Zoning Code Section 12.21 C8, which limits the heights and number of retaining walls, will be determined during structural plan check.
4. All recommendations of the reports that are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.
5. A copy of the subject and appropriate referenced reports and this approval letter shall be attached to the District Office and field set of plans (7006.1). Submit one copy of the above reports to the Building Department Plan Checker prior to issuance of the permit.
6. A grading permit shall be obtained for all structural fill and retaining wall backfill (106.1.2).
7. Prior to the issuance of any permit, an accurate volume determination shall be made and included in the final plans, with regard to the amount of earth material to be exported from the site. For grading involving import or export of more than 1000 cubic yards of earth materials within the grading hillside area, approval is required by the Board of Building and Safety. Application for approval of the haul route must be filed with the Board of Building and Safety Commission Office. Processing time for application is approximately 8 weeks to hearing plus 10-day appeal period.
8. All man-made fill shall be compacted to a minimum of 95 percent relative compaction based on maximum dry density, as recommended.
9. Existing uncertified fill shall not be used for support of footings, concrete slabs or new fill (1809.2, 7011.3).
10. Drainage in conformance with the provisions of the Code shall be maintained during and subsequent to construction (7013.12).
11. Grading shall be scheduled for completion prior to the start of the rainy season, or detailed temporary erosion control plans shall be filed in a manner satisfactory to the Grading Division of the Department and the Department of Public Works, Bureau of Engineering, B-Permit Section, for any grading work in excess of 200 cubic yards (7007.1).

1828 Sawtelle Blvd., 3rd Floor, West LA (310) 575-8388

12. The applicant is advised that the approval of this report does not waive the requirements for excavations contained in the General Safety Orders of the California Department of Industrial Relations (3301.1).
13. Temporary excavations that remove lateral support to the public way, adjacent property, or adjacent structures shall be supported by shoring, as recommended. Note: Lateral support shall be considered to be removed when the excavation extends below a plane projected downward at an angle of 45 degrees from the bottom of a footing of an existing structure, from the edge of the public way or an adjacent property. (3307.3.1)
14. Prior to the issuance of any permit that authorizes an excavation where the excavation is to be of a greater depth than are the walls or foundation of any adjoining building or structure and located closer to the property line than the depth of the excavation, the owner of the subject site shall provide the Department with evidence that the adjacent property owner has been given a 30-day written notice of such intent to make an excavation (3307.1).

15. The soils engineer shall review and approve the shoring plans prior to issuance of the permit (3307.3.2).
16. Prior to the issuance of the permits, the soils engineer and/or the structural designer shall evaluate the surcharge loads used in the report calculations for the design of the retaining walls and shoring. If the surcharge loads used in the calculations do not conform to the actual surcharge loads, the soil engineer shall submit a supplementary report with revised recommendations to the Department for approval.
17. Unsurcharged temporary excavation may be cut vertical up to 4 feet. Excavations over 4 feet shall be trimmed back at a uniform gradient not exceeding 1.5:1, from top to bottom of excavation, as recommended.
18. Shoring shall be designed for the lateral earth pressures specified on page 1 of the 03/17/2020 report; all surcharge loads shall be included into the design. Total lateral load on shoring piles shall be determined by multiplying the recommended EFP by the pile spacing.
19. Shoring shall be designed for a maximum lateral deflection of 1 inch, provided there are no structures within a 1:1 plane projected up from the base of the excavation. Where a structure is within a 1:1 plane projected up from the base of the excavation, shoring shall be designed for a maximum lateral deflection of ½ inch, or to a lower deflection determined by the consultant that does not present any potential hazard to the adjacent structure.
20. A shoring monitoring program shall be implemented to the satisfaction of the soils engineer.
21. If import soils are used, no footings shall be poured until the soils engineer has submitted a compaction report containing in-place shear test data and settlement data to the Grading Division of the Department; and, obtained approval (7008.2).
22. Compacted fill shall extend beyond the footings a minimum distance equal to the depth of the fill below the bottom of footings or a minimum of five feet, whichever is greater, as recommended (7011.3).
23. All foundations shall derive entire support from natural undisturbed soils or properly placed fill, as recommended and approved by the geologist and soils engineer by inspection.
24. Footings supported on approved compacted fill or expansive soil shall be reinforced with a minimum of four (4), ½-inch diameter (#4) deformed reinforcing bars. Two (2) bars shall be placed near the bottom and two (2) bars placed near the top of the footing.
25. Pile caisson and/or isolated foundation ties are required by LAMC Sections 91.1809.13 and/or 91.1810.3.13. Exceptions and modification to this requirement are provided in Information Bulletin P/BC 2014-030.
26. When water is present in drilled pile holes, the concrete shall be tremied from the bottom up to ensure minimum segregation of the mix and negligible turbulence of the water (1808.8.3).
27. Existing uncertified fill shall not be used for lateral support of deep foundations (1810.2.1).
28. All friction pile or caisson drilling and excavations shall be performed under the inspection and approval of the geologist and soils engineer. The geologist shall indicate the distance that friction piles or caissons penetrate into competent natural soil (eolian deposits) in a written field memorandum. (1803.5.5, 1705.1.2)

29. Slabs placed on approved compacted fill shall be at least 4 inches thick and shall be reinforced with ½-inch diameter (#4) reinforcing bars spaced a maximum of 16 inches on center each way.
30. The seismic design shall be based on a Site Class D, as recommended in the 03/17/2020 report. All other seismic design parameters shall be reviewed by LADBS building plan check. According to ASCE 7-16 Section 11.4.8, the long period coefficient ( $F_v$ ) may be selected per Table 11.4-2 in ASCE 7-16, provided that the value of the Seismic Response Coefficient ( $C_s$ ) is determined by Equation 12.8-2 for values of the fundamental period of the building ( $T$ ) less than or equal to  $1.5T_s$ , and taken as 1.5 times the value computed in accordance with either Equation 12.8-3 for  $T$  greater than  $1.5T_s$  and less than or equal to  $T_L$  or Equation 12.8-4 for  $T$  greater than  $T_L$ . Alternatively, a supplemental report containing a site-specific ground motion hazard analysis in accordance with ASCE 7-16 Section 21.2 shall be submitted for review and approval.
31. Cantilevered retaining walls shall be designed for the lateral earth pressures specified in the section titled "Retaining Wall Design Parameters" on page 11 of the 12/27/2018 report. All surcharge loads shall be included into the design.
32. Retaining walls higher than 6 feet shall be designed for lateral earth pressure due to earthquake motions as specified on page 2 and calculations in Appendix C of the 03/17/2020 report (1803.5.12).

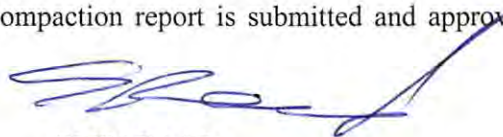
Note: The seismic increment expressed as an equivalent fluid pressure (pcf) will be 25 pcf (see Information Bulletin P/BC 2020-083 Section V, pages 5 & 6). Lateral earth pressure due to earthquake motions shall be in addition to static lateral earth pressures and other surcharge pressures. The height of a stacked retaining wall shall be considered as the summation of the heights of each wall.
33. Basement walls and other walls in which horizontal movement is restricted at the top shall be designed for at-rest pressure (56 pcf) as specified on page 11 of the 12/27//2018 report (1610.1). All surcharge loads shall be included into the design.
34. All retaining walls shall be provided with a standard surface backdrain system and all drainage shall be conducted in a non-erosive device to the street in an acceptable manner (7013.11).
35. All retaining walls shall be provided with a subdrain system to prevent possible hydrostatic pressure behind the wall. Prior to issuance of any permit, the retaining wall subdrain system recommended in the soils report shall be incorporated into the foundation plan which shall be reviewed and approved by the soils engineer of record (1805.4).
36. Installation of the subdrain system shall be inspected and approved by the soils engineer of record and the City grading/building inspector (108.9).
37. Basement walls and floors shall be waterproofed/damp-proofed with an LA City approved "Below-grade" waterproofing/damp-proofing material with a research report number (104.2.6).
38. Prefabricated drainage composites (Miradrain, Geotextiles) may be only used in addition to traditionally accepted methods of draining retained earth.
39. The structure shall be connected to the public sewer system per P/BC 2020-027.
40. All roof, pad and deck drainage shall be conducted to the street in an acceptable manner in non-erosive devices or other approved location in a manner that is acceptable to the LADBS and the Department of Public Works (7013.10).



41. All concentrated drainage shall be conducted in an approved device and disposed of in a manner approved by the LADBS (7013.10).
42. Any recommendations prepared by the geologist and/or the soils engineer for correction of geological hazards found during grading shall be submitted to the Grading Division of the Department for approval prior to use in the field (7008.2, 7008.3).
43. The geologist and soils engineer shall inspect all excavations to determine that conditions anticipated in the report have been encountered and to provide recommendations for the correction of hazards found during grading (7008, 1705.6 & 1705.8).
44. Prior to pouring concrete, a representative of the consulting soils engineer shall inspect and approve the footing excavations. The representative shall post a notice on the job site for the LADBS Inspector and the Contractor stating that the work inspected meets the conditions of the report. No concrete shall be poured until the LADBS Inspector has also inspected and approved the footing excavations. A written certification to this effect shall be filed with the Grading Division of the Department upon completion of the work. (108.9 & 7008.2)
45. Prior to excavation an initial inspection shall be called with the LADBS Inspector. During the initial inspection, the sequence of construction; shoring; pile installation; protection fences; and, dust and traffic control will be scheduled (108.9.1).
46. Installation of shoring and/or pile excavations shall be performed under the inspection and approval of the soils engineer and deputy grading inspector (1705.6, 1705.8).
47. Prior to the placing of compacted fill, a representative of the soils engineer shall inspect and approve the bottom excavations. The representative shall post a notice on the job site for the LADBS Inspector and the Contractor stating that the soil inspected meets the conditions of the report. No fill shall be placed until the LADBS Inspector has also inspected and approved the bottom excavations. A written certification to this effect shall be included in the final compaction report filed with the Grading Division of the Department. All fill shall be placed under the inspection and approval of the soils engineer. A compaction report together with the approved soil report and Department approval letter shall be submitted to the Grading Division of the Department upon completion of the compaction. In addition, an Engineer's Certificate of Compliance with the legal description as indicated in the grading permit and the permit number shall be included (7011.3).
48. No footing/slab shall be poured until the compaction report is submitted and approved by the Grading Division of the Department.



DANIEL C. SCHNEIDERREIT  
Engineering Geologist II



GLEN RAAD  
Geotechnical Engineer I

DCS/GR:dcs/gr  
Log No. 112224-01  
213-482-0480

cc: Blythe McKinney, Applicant  
NorCal Engineering, Project Consultant  
WL District Office

## **EXHIBIT 7 - APPEAL**

**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST DISTRICT OFFICE  
301 E. OCEAN BLVD., SUITE 300  
LONG BEACH, CA 90802  
(562) 590-5071  
SOUTHCOAST@COASTAL.CA.GOV

**APPEAL FORM****Appeal of Local Government Coastal Development Permit****Filing Information (STAFF ONLY)**

District Office: South Coast

Appeal Number: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Appellant Name(s): \_\_\_\_\_

**APPELLANTS**

**IMPORTANT.** Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review the appeal information sheet. The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's contact page at <https://coastal.ca.gov/contact/#/>).

**Note regarding emailed appeals.** Please note that emailed appeals are accepted ONLY at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the South Coast district office, the email address is [SouthCoast@coastal.ca.gov](mailto:SouthCoast@coastal.ca.gov). An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's contact page at <https://coastal.ca.gov/contact/#/>.



**Appeal of local CDP decision**  
**Page 2**

**1. Appellant information:**

Name: Robert Shelton c/o Thomas A. Nitti, attorney  
Mailing address: 1250 6th Street, Suite 305, Santa Monica, CA 90401  
Phone number: 310-393-1524  
Email address: tnitti@prodigy.net

How did you participate in the local CDP application and decision-making process?

☐ Did not participate    ☐ Submitted comment    ☒ Testified at hearing    ☐ Other

Describe: I opposed the CDP application in front of the Los Angeles Director of Planning  
and I appealed the Director's decision to the West Los Angeles  
Area Planning Commission. Me and/or my attorney appeared at both  
hearings and argued against the CDP.

If you did *not* participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe: I challenged the CDP application at the first stage of the CDP  
review with the City of Los Angeles. I also appealed the Director  
of Planning's decision to grant the CDP with the West Los  
Angeles Area Planning Commission.

<sup>1</sup> If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.

**Appeal of local CDP decision**  
**Page 3**

## 2. Local CDP decision being appealed<sup>2</sup>

Local government name:	City of Los Angeles
Local government approval body:	West Los Angeles Area Planning Commission
Local government CDP application number:	DIR-2019-6145-CDP-MEL
Local government CDP decision:	<input checked="" type="checkbox"/> CDP approval <input type="checkbox"/> CDP denial <sup>3</sup>
Date of local government CDP decision:	11/18/2020 or 1/8/2021

Please identify the location and description of the development that was approved or denied by the local government.

Describe: Development is located at 7012 Vista Del Mar Lane,  
Los Angeles, CA. See also Attachment 2.

2 Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.

<sup>3</sup> Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the appeal information sheet for more information.

**Appeal of local CDP decision**  
**Page 4**

**3. Identification of interested persons**

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., the applicant, other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

☒ Interested persons identified and provided on a separate attached sheet

**4. Grounds for this appeal<sup>4</sup>**

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

Describe: See Attachment 4, which is incorporated herein by reference.

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<sup>4</sup> Attach additional sheets as necessary to fully describe the grounds for appeal.

**Appeal of local CDP decision**  
**Page 5**

**5. Appellant certifications**

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name Robert Shelton

  
Signature

Date of Signature 02/03/2021

**5. Representative authorizations**

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

☒ I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

<sup>5</sup> If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

<sup>6</sup> If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.



**CALIFORNIA COASTAL COMMISSION**

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE (415) 904-5200  
FAX (415) 904-5400

**DISCLOSURE OF REPRESENTATIVES**

If you intend to have anyone communicate on your behalf to the California Coastal Commission, individual Commissioners, and/or Commission staff regarding your coastal development permit (CDP) application (including if your project has been appealed to the Commission from a local government decision) or your appeal, then you are required to identify the name and contact information for all such persons prior to any such communication occurring (see Public Resources Code, Section 30319). The law provides that failure to comply with this disclosure requirement prior to the time that a communication occurs is a misdemeanor that is punishable by a fine or imprisonment and may lead to denial of an application or rejection of an appeal.

To meet this important disclosure requirement, please list below all representatives who will communicate on your behalf or on the behalf of your business and submit the list to the appropriate Commission office. This list could include a wide variety of people such as attorneys, architects, biologists, engineers, etc. If you identify more than one such representative, please identify a lead representative for ease of coordination and communication. You must submit an updated list anytime your list of representatives changes. You must submit the disclosure list before any communication by your representative to the Commission or staff occurs.

Your Name Robert Shelton

CDP Application or Appeal Number DIR-2019-6145-CDP-MEL

**Lead Representative**

Name Thomas A. Nitti, Attorney  
Title Attorney  
Street Address 1250 6th Street, Suite 305  
City Santa Monica  
State, Zip CA, 90401  
Email Address tnitti@prodigy.net  
Daytime Phone 310-393-1524

Your Signature 

Date of Signature 02/03/2021

(Streams)

Additional Representatives (as necessary)

Name \_\_\_\_\_  
Title \_\_\_\_\_  
Street Address. \_\_\_\_\_  
City \_\_\_\_\_  
State, Zip \_\_\_\_\_  
Email Address \_\_\_\_\_  
Daytime Phone \_\_\_\_\_

Name \_\_\_\_\_  
Title \_\_\_\_\_  
Street Address. \_\_\_\_\_  
City \_\_\_\_\_  
State, Zip \_\_\_\_\_  
Email Address \_\_\_\_\_  
Daytime Phone \_\_\_\_\_

Name \_\_\_\_\_  
Title \_\_\_\_\_  
Street Address. \_\_\_\_\_  
City \_\_\_\_\_  
State, Zip \_\_\_\_\_  
Email Address \_\_\_\_\_  
Daytime Phone \_\_\_\_\_

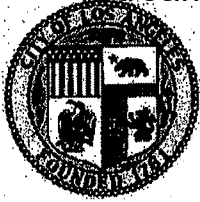
Name \_\_\_\_\_  
Title \_\_\_\_\_  
Street Address. \_\_\_\_\_  
City \_\_\_\_\_  
State, Zip \_\_\_\_\_  
Email Address \_\_\_\_\_  
Daytime Phone \_\_\_\_\_

Your Signature \_\_\_\_\_

Date of Signature \_\_\_\_\_

## Attachment 2

(Streams)



# WEST LOS ANGELES AREA PLANNING COMMISSION

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

## LETTER OF DETERMINATION

Mailing Date: **DEC 17 2020**

**CASE NO. DIR-2019-6145-CDP-MEL-1A**

**Council District: 11 - Bonin**

**CEQA: ENV-2019-6146-CE**

**Plan Area: Westchester-Playa Del Rey**

**Project Site:** 7012 Vista Del Mar Lane

**Applicant:** Mark and Sherri Streams  
 Representative: Susan Steinberg, Howard Robinson & Associates

**Appellants:** Julie Ross;  
 Robert Shelton  
 Representative: Thomas A. Nitti, Law Offices of Thomas A. Nitti;  
 Eileen and Andrew Cahill;  
 Lisa Farris;  
 Bonnie Cullinan; and  
 Jeffrey Burke and Amanda Barrett;

At its meeting of **November 18, 2020**, the West Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following project:

Demolition of a one-story, 1,987 square-foot single-family dwelling and the construction of a new three story, 5,784 square-foot, single family dwelling with a 1,722 square-foot basement level containing a three-car garage and storage (no habitable rooms). The project proposes the cut and export of 1,500 cubic yards of dirt.

1. **Determined** based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Sections 15301 and 15303, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Denied** the appeals and **sustained** the Director's Determination dated August 11, 2020;
3. **Approved**, pursuant to the Los Angeles Municipal Code Section 12.20.2, a Coastal Development Permit authorizing the demolition of a one-story, 1,987 square-foot, single-family dwelling and the construction of a new three-story, 5,784 square-foot, single-family dwelling with a 1,722 square-foot basement level containing a three-car garage and storage (no habitable rooms), and a haul route for the cut and export of 1,500 cubic yards of dirt in the Dual Permit Jurisdiction Area of the California Coastal Zone;
4. **Approved**, 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 one Residential Unit and the construction of one new Residential Unit in the Coastal Zone;
5. **Adopted** the attached Conditions of approval; and
6. **Adopted** the attached Findings.

California Coastal Commission

A-5-DRL-21-0015

Exhibit 7

Page 10 of 119



This action was taken by the following vote:

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

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.

**Effective Date/Appeals:** The action by the West Los Angeles Area Planning Commission on this matter is final and effective upon the mailing date of this determination and is the final appeal procedure within the appeal structure in the City of Los Angeles.

**California Coastal Commission/Appeals:** Pursuant to Section 12.20.2.1 of the Los Angeles Municipal Code, the Area Planning Commission's action shall be deemed final only after 20 working days have expired from the date this decision letter is deemed received by the Executive Officer of the California Coastal Commission and provided that a timely, valid appeal is not taken by the California Coastal Commission within said time frame. The proposed development is in the dual-permit jurisdiction area. This Coastal Development Permit shall be subject to revocation as provided in Section 12.20.2 J of the Los Angeles Municipal Code.

**Notice:** An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) is not further appealable to a City appellate body and the decision is final. The applicant is advised that any work undertaken while the CEQA clearance is on appeal is at his/her/its own risk and if the appeal is granted, it may result in (1) voiding and rescission of the CEQA clearance, the Determination, and any permits issued in reliance on the Determination and (2) the use by the City of any and all remedies to return the subject property to the condition it was in prior to issuance of the Determination.

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.

Attachments: Director's Determination dated August 11, 2020, Planning Entitlement Appeals Fact Sheet, Interim Appeal Filing Procedures

c: Juliet Oh, Senior City Planner  
 Kevin Fulton, City Planning Assistant

DEPARTMENT OF  
CITY PLANNING

COMMISSION OFFICE  
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN  
PRESIDENT

VAHID KHORSAND  
VICE-PRESIDENT

DAVID H. J. AMBROZ  
CAROLINE CHOE

HELEN LEUNG

KAREN MACK

MARC MITCHELL

VERONICA PADILLA-CAMPOS

DANA M. PERLMAN

# CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI  
MAYOR

## EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
(213) 978-1271

VINCENT P. BERTONI, AICP  
DIRECTOR

KEVIN J. KELLER, AICP  
EXECUTIVE OFFICER

SHANA M.M. BONSTIN  
DEPUTY DIRECTOR

TRICIA KEANE  
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP  
DEPUTY DIRECTOR

LISA M. WEBBER, AICP  
DEPUTY DIRECTOR

## DIRECTOR'S DETERMINATION

August 11, 2020

### Applicant/Owner

Mark Streams  
7012 Vista Del Mar Lane  
Playa Del Rey, CA 90293

### Representative

Susan Steinberg  
Howard Robinson and Associates  
660 S. Figueroa Street, Unit 1780  
Los Angeles, CA 90017

Case No.: DIR-2019-6145-CDP-MEL

CEQA: ENV-2019-6146-CE

Location: 7012 Vista Del Mar Lane

Council District: 11 - Borin

Neighborhood Council: Westchester/Playa Del Rey

Community Plan Area: Westchester-Playa Del Rey

Land Use Designation: Low Residential

Zone: R1-1

Legal Description: Lot 28, Block 27

Last Day to File an Appeal: August 25, 2020

**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 Sections 15301 and 15303 and that there is no substantial evidence demonstrating that an exception to a Categorical Exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Pursuant to the Los Angeles Municipal Code Section 12.20.2, 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 a one-story, 1,987 square-foot, single-family dwelling and the construction of a new three-story, 5,784 square-foot, single-family dwelling with a 1,722 square-foot basement level containing a three-car garage and storage (no habitable rooms), and a haul route for the cut and export of 1,600 cubic yards of dirt in the Dual Permit Jurisdiction Area of the California Coastal Zone.

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 of one Residential Unit and the construction of one new Residential Unit in the Coastal Zone.

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

California Coastal Commission

A-5-DRL-21-0015

Exhibit 7

Page 12 of 119

### 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. Approved herein is a Coastal Development Permit authorizing:
  - a. The demolition of a one-story, 1,987 square-foot, single-family dwelling;
  - b. The construction of a new three-story, 5,784 square-foot single-family dwelling with a 1,722 square-foot basement level containing a three-car garage and storage (no habitable rooms), and;
  - c. A haul route for the cut and export of 1,500 cubic yards of dirt.
4. The development shall be limited to a maximum overall height of 45 feet. The proposed project shall have an overall height of 35' 9", as shown in Exhibit A.
5. The proposed project shall maintain three parking spaces on the subject property in an attached garage.
6. **Dual Permit Jurisdiction Area.** The project is located within the Dual Permit Jurisdiction Area of the California Coastal Zone. The applicant shall file an application for a second (or "dual") Coastal Development Permit with the Coastal Commission and shall submit proof of a valid ("dual") permit issued by the Coastal Commission.
7. Outdoor lighting shall be designed and installed with shielding so that light does not overflow into adjacent residential properties.
8. 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.
9. Prior to the issuance of a building permit, a revocable encroachment permit, or proof of filing for a revocable permit, shall be obtained from the Department of Public Works - Bureau of Engineering (BOE) for any encroachments within Vista Del Mar Lane.
10. 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.
11. 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.

12. 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.
13. ~~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 Department of City Planning for attachment to the subject case file.

#### **Administrative Conditions**

14. **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.
15. **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.
16. **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.
17. **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.
18. **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.
19. **Condition Compliance.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
20. **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 downward sloping, irregularly shaped interior lot with a total area of 5,615.5 square feet. The subject property has a frontage of 50 feet along Vista Del Mar Lane and an average depth of 113 feet. It is zoned R1-1 and designated for Low Residential land uses in the Westchester-Playa Del Rey Community Plan Area. The subject property is in the Dual Permit Jurisdiction of the California Coastal Zone and the Los Angeles Coastal Transportation Corridor Specific Plan Area. It is also located within a Special Grading Area, the Calvo Exclusion Area, a Methane Zone, and approximately 7.56 kilometers from the Palos Verdes Fault Line. The property is currently improved with a 1,987 square-foot, single-family dwelling constructed in 1958. There are no known historic resources or cultural monuments on site.

The neighborhood and properties immediately surrounding the lot are zoned R1-1 and developed with single-family dwellings ranging from one to three stories in height. The applicant requests a Coastal Development Permit authorizing the demolition of a one-story, 1,987 square-foot, single-family dwelling and the construction of a new three-story, 5,784 square-foot, single-family dwelling with a 1,722 square-foot basement level containing a three-car garage and storage (no habitable rooms), and a haul route for the cut and export of 1,500 cubic yards of dirt. The proposed project also requires a Mello Act Compliance Review for the demolition and new construction of one Residential Unit in the Coastal Zone.

Vista Del Mar Lane is a Local Street, with a designated right-of-way width of 66 feet and a roadway width of 40 feet; the actual right-of-way width is 57 feet with a roadway width of 34 feet. Vista Del Mar Lane is improved with an asphalt roadway, gutter, curb, and sidewalk.

There are no previous zoning related actions on the subject property.

#### **Previous zoning-related actions in the surrounding area include:**

- DIR-2018-4046-CDP-MEL – On January 10, 2018, the Director of Planning approved a Coastal Development Permit authorizing the addition of a 780 square-foot Accessory Dwelling Unit (ADU) above an existing 1,361 square-foot single-family dwelling located in the Dual Permit Jurisdiction of the California Coastal Zone at 7000 Vista Del Mar Lane.
- DIR-2016-222-CDP – On December 28, 2017, the Director of Planning approved a Coastal Development Permit authorizing the addition of a second story and roof deck over an existing single-family dwelling. The project is in the Single Permit Jurisdiction of the California Coastal Zone at 239 East Sunridge Street.
- ZA-2015-325-GDP-MEL – On December 9, 2015, the Zoning Administrator approved a Coastal Development Permit authorizing the demolition of a 2,432 square-foot single-family dwelling and the construction of a 35-foot tall, 3,442 square-foot single-family dwelling with a 456 square-foot attached garage, and the conversion of an existing detached garage into a 667 square-foot recreation room. The project is in the Single Permit Jurisdiction Area of the California Coastal Zone, located at 7329 South Trask Avenue.

- DIR-2012-3537-CDP-DB-SPR-MEL – On March 16, 2018, the Director of Planning approved a Coastal Development Permit authorizing the demolition of a one-story commercial building and the construction of a new, four-story mixed use development with 72 dwelling units and 14,500 square feet of commercial area. The project is in the Dual Permit Jurisdiction of the California Coastal Zone at 138 East Culver Boulevard.
- ZA-2005-8407-ZAA – On July 21, 2005, the Zoning Administrator approved a Zoning Administrator's Adjustment (ZAA) to allow the addition of a third story over an existing two-story single-family dwelling and the addition of a fireplace and chimney on the south side. The ZAA allowed a reduced side-yard setback and the chimney to encroach 2.5 feet into the side yard setback. The project is in the Dual Permit Jurisdiction of the California Coastal Zone at 7301 South Rindge Avenue.

#### Public Hearing

A Hearing Officer (Juliet Oh) held a public hearing on March 2, 2020 at 12:30 p.m. at the West Los Angeles Municipal Building. The applicant's architect, representative, and twenty-five (25) members of public were in attendance.

The project representative (Jared Johnson) and architect (Patrick Cunningham) provided a description of the scope of work and requested actions. The architect detailed the steps that will be taken to reduce the project's potential impact on the surrounding neighborhood, such as placing most of the first floor underground. They also presented evidence that the project height and square footage are not dramatically larger than homes in the surrounding neighborhood.

Fifteen (15) members of the public spoke during the public comment period. Among them, thirteen (13) registered their opposition to the project while two (2) spoke in favor. Those opposed stated that the project was out of scale with the surrounding homes and would have an adverse effect on neighborhood character. They raised concerns that the project would obstruct views of the Pacific Ocean and that the grading required for the project could exacerbate hillside erosion. Additionally, a member of the Westchester-Playa Del Rey Neighborhood Council expressed her displeasure that the applicant had not appeared before their Planning and Land Use Committee. Finally, concerns were raised that the project would become a vacation home since the applicant currently lives outside California. Those in favor stated that they found the project's design to be aesthetically pleasing and that the applicant would make the home their primary residence.

The case was taken under advisement for four weeks to allow for additional comments to be submitted.

#### Correspondence

Twenty (20) letters opposing the project were received during the advisement period. Many letters echoed concerns raised during the public hearing about the proposed project being out of scale with the neighborhood and the potential for ocean views to be obstructed. Others expressed frustration that the requirement to notify all properties within a 100-foot radius of the project site was insufficient and excluded community members that would be affected by the project. Additional concerns were raised that approval of this project would set a precedent that would allow similar homes to be built in the future throughout their community.

On April 22, 2020, the applicant submitted revised project plans in response to community concerns raised during the public hearing. The project initially proposed a four-story, 7,651.5 square-foot single-family dwelling. The new plans removed a story and reduced the floor area of the proposed single-family dwelling by 2,000 square feet.

## 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.

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 Archaeological and Paleontological Resources.*

*Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.* The project consists of the demolition of a one-story, 1,987 square-foot single-family dwelling, the construction of a three-story, 5,784 square-foot single-family dwelling, and a haul route for the cut and export of 1,500 cubic yards of dirt. All grading and excavation is subject to review by the Department of Building and Safety and will comply with the requirements of the grading division. The subject site is not located in an area with known archaeological or paleontological resources and currently maintains a single-family dwelling. However, if such resources are discovered during any excavation or grading activities, the project is subject to compliance with Federal, State and Local regulations already in place.

#### *Section 30250 Location; existing developed area.*

*(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.* The subject property is located in a developed residential neighborhood improved with single-family dwellings. Currently, the site contains a one-story single-family dwelling to be demolished and replaced with a three-story single-family dwelling. Sufficient parking and setbacks required by local zoning and building and safety requirements are provided and vehicular access to the property will be maintained along Vista Del Mar Lane. The proposed project will maintain existing connections to utilities and will be served by the existing police and fire stations, schools, and other public services in the area. As such, the proposed project is located within a developed area with adequate public services and will not have significant adverse effects on coastal resources.

#### *Section 30251 Scenic and Visual Qualities.*

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



property is located on a downward sloping lot nearly 100 feet above sea level and 652 feet from the Pacific Shoreline. The proposed project involves the demolition of a one-story, 1,987 square foot single-family dwelling and the construction of a new three-story, 5,784 square foot single-family dwelling. The proposed single-family dwelling will have a maximum envelope height of 35'-9" and will observe the required yard setbacks. The project does not exceed the maximum Residential Floor Area limit for this lot (9,480 square-feet) or the maximum building height (45 feet). There are 11 lots on the eastern side of Vista Del Mar Lane (bounded by Manchester Avenue and Fowling Street), excluding the subject property. These lots are developed with single-family dwellings of which three (3) are three-story, six (6) are two-story, and one (1) is one-story. The existing dwellings on the block feature a diverse range of architectural styles and massing. Other common design elements include recessed entrances, balconies, varied façade articulation, and step-backs on the upper levels. The proposed project observes the prevailing front-yard setback and includes an entrance that is recessed 7' - 7" from the building façade at ground level. Additionally, the second and third story are stepped back from the property line 17' - 4" and 24' - 6" respectively. These step backs, along with the balconies and sloped roof line, break up the massing of the structure and provide a varied façade articulation comparable to other homes on the block. As such, the proposed project will be visually compatible with the character of the surrounding community and is designed and sited to protect views to and along the ocean.

**Section 30252 Maintenance and Enhancement of Public Access.**

*The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.* The subject property is located 652 feet from the Pacific Shoreline, but at a higher elevation and is separated from the shoreline by Vista Del Mar and a residential development. The project will provide three parking spaces for the single-family dwelling. No permanent structures will be erected within the public right-of-way and public access to the coast will not be obstructed. As such, the proposed project will not conflict with any public access policies of the Coastal Act.

**Section 30253 Minimization of Adverse Impacts. New development shall:**

*(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development. (4) Minimize energy consumption and vehicle miles traveled. (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.* The subject property is located on a downward sloping lot, but is not within a designated hillside area or along a bluff or cliff. The site is located in a Methane Zone and the proposed project will be subject to the developmental regulations required by the City pertaining to ventilation and methane gas detection systems. The site is located in a Special Grading Area and the proposed project will require grading and the cut and export of 1,500 cubic

yards of dirt during construction. However, all work will be subject to the requirements of the Building and Zoning Code as well as regulatory compliance measures established by the various City departments and the Conditions of Approval imposed herein. Additionally, the subject property is not a popular visitor designation point for recreational use and does not provide access to any recreational uses.

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 residential area more than 652 feet from the Pacific Shoreline. 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 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 such resources are 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.**

The City does not have an approved Local Coastal Program (LCP) for the Westchester-Playa Del Rey area. In the interim, the Westchester-Playa Del Rey Community Plan, a portion of the Land Use Element of the City's General Plan, serves as the functional equivalent. The Westchester-Playa Del Rey Community Plan designates the subject property for Low Residential land uses with the corresponding zone of R1-1. The use of the subject property for a single-family dwelling is consistent with the Community Plan land use designation and relevant zoning. The proposed project will meet the Community Plan's objective of protecting established residential neighborhoods from incompatible uses. Furthermore, the proposed project is designed to be in conformance with all applicable provisions of the LAMC including, but not limited to, those regulating height, setbacks, density, and parking. As conditioned, the project will not prejudice the goals and objectives of the Westchester - Playa del Rey Community Plan or the City's ability to prepare a Local Coastal Program.

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

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 LCP. 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 Guidelines for Playa del Rey address parking, density, and include special

provisions for preservation of public access, compatibility with wetlands and habitat areas, and the maintenance of vista points and natural landforms. The applicable provisions of the California Coastal Commission's Regional Interpretive Guidelines have been reviewed and considered in preparation of these findings. The proposed project involves the demolition of a one-story, 1,987 square foot single-family dwelling and the construction of a new three-story, 5,784 square foot single-family dwelling, and a haul route for the cut and export of 1,500 cubic yards of dirt. The project, which is not located on a bluff or designated hillside area, would not alter any natural land forms, nor would it impact access to the coast. The Interpretive Guidelines have been reviewed, analyzed, and considered in light of the individual project in making this determination, and the project as conditioned is consistent with said Guidelines.

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 Director of Planning has been guided by the actions of the Coastal Commission in reviewing the proposed project. The Coastal Commission took action on the following projects in the Westchester-Playa Del Rey community:

- In December 2016, the Commission approved the demolition of a duplex, and the construction of a three-story, 3,571 square-foot, single-family dwelling with a maximum envelope height of 37 feet, located at 7037 Trolleyway (Application No. 5-16-0100).
- In August 2015, the Commission issued a De Minimis Waiver for the conversion of a duplex into a 2-unit condominium structure with an interior remodel, 29 feet in height, located at 6325 Vista Del Mar (Waiver No. 5-15-0457).
- In July 2002, the Commission approved the demolition of a two-story, 1,800 square-foot duplex and the construction of a three-story, 3,201 square-foot duplex with a maximum envelope height of 41 feet, located at 112 & 114 Culver Boulevard (Application No. 5-02-138).
- In November 1998, the Commission approved the construction of a two-story, 4,400 square foot, single-family dwelling with a basement and a maximum envelope height of 40 feet, located at 8120 Billow Vista Drive (Application No. 5-98-331).

As such, this decision of the permit-granting authority has been guided by applicable 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 more than 652 feet from the Pacific Shoreline in a residential neighborhood developed with other single-family dwellings. It 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, accessed from an existing driveway. 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-2019-6146-CE was prepared for the proposed project consistent with the provisions of CEQA. The proposed project involves the demolition of a one-story, 1,987 square foot single-family dwelling and the construction of a new three-story, 5,784 square-foot single-family dwelling. The project includes excavation, grading, and a haul route for the export of 1,500 cubic yards of dirt. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Sections 15301 (Class 1) and 15303 (Class 3).

The Class 1 Categorical Exemption allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. The Class 1 Categorical Exemption includes the demolition and removal of individual small structures: (1) One single-family residence. In urbanized areas, up to three single-family residences may be demolished under this exemption; (2) A duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling units will be demolished; (3) A store, motel, office, restaurant, or similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, this exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use; and (4) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. The proposed project involves the demolition of one single-family dwelling. Therefore, this exemption would apply.

The Class 3, categorical exemption allows for the construction and location of a 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 one single-family residence, or a second dwelling unit in a residential zone. As previously discussed, the proposed project involves the construction of one single-family dwelling. Therefore, this exemption would apply.

Furthermore, the Exceptions outlined in Section 15300.2 of the CEQA Guidelines do not

apply to the proposed project:

- (a) **Location.** The project is located in a Special Grading Area and a Methane Zone. However, specific Regulatory Compliance Measures (RCMs) in the City of Los Angeles regulate the grading and construction of projects in these locations and will reduce any potential impacts to less than significant. These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts on the surrounding environment located in a sensitive environment. Although the project site is located within the Coastal Zone, it is not identified as an environmental resource. Additionally, the proposed project is consistent with the scale and uses proximate to the area. Consequently, the proposed project will not result in a significant impact based on its location.
- (b) **Cumulative Impact.** The project is consistent with the type of development permitted for the area zoned R1-1 and designated for Low Residential land uses. The proposed project will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not 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 developed residential neighborhood. Thus, there are no unusual circumstances that will lead to a significant impact on the environment.
- (d) **Scenic Highways.** The only State-designated Scenic Highway in the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of the Topanga State Park. The subject property is located several miles from Topanga Canyon State Scenic Highway. Therefore, the proposed project will not create any impacts to scenic resources within a State-designated Scenic Highway.
- (e) **Hazardous Waste Sites.** According to the EnviroStor, the State of California's database of hazardous waste sites, neither the subject property nor any property in the vicinity, is identified as a hazardous waste site.
- (f) **Historical Resources.** The subject property or existing structure have not been identified as a historic resource or within a historic district; have not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, Los Angeles Historic-Cultural Monuments Register, and/or any local register.

Therefore, the proposed project is determined to be categorically exempt and does not require mitigation or monitoring measures. No alternatives of the proposed 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. **Demolition and Conversions (Part 4.0).** The proposed project involves the demolition of one Residential Unit. A Mello Act Determination issued by the Los Angeles Housing and Community Investment Department (HCIDLA), on November 26, 2019, states that no affordable unit exists at 7012 Vista Del Mar Lane. HCIDLA collected data from October 2018 through October 2019:

The current property owner purchased 7012 Vista Del Mar Lane on May 31, 2017. They provided lease agreements and monthly copies of cancelled checks from October 2017 through October 2019. The Determination states that 7012 Vista Del Mar Lane was rented for \$6,300 per month as of October 2019 and that total rents between October 2017 and October 2019 averaged \$4,108 per month. The 2019 Land Use Schedule VII threshold of affordability for a three-bedroom unit is \$2,010 per month. Both current monthly rent as of October 2019 and the average monthly rent are above this affordability threshold.

Therefore, no Affordable Existing Residential Units are proposed for demolition or conversion; and the applicant is not required to provide any Affordable Replacement Units.

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

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

#### **ADDITIONAL MANDATORY FINDING**

9. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, areas determined to be outside the 500-year flood plain.



#### TIME LIMIT – OBSERVANCE OF CONDITIONS

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

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

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Constituent Service Center in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077, (818) 374-5050, (310) 231-2912, or through the Department of City Planning website at [planning.lacity.org](http://planning.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 \$2,500 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 applicant's attention is called to the fact that this authorization is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or not complied with, then this authorization shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Director's determination in this matter will become effective after 10 working 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://planning.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:

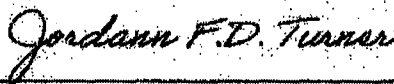
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# FACT SHEET

## Planning Entitlement Appeals

### Summary

Discretionary planning decisions in Los Angeles can be appealed, at times, to one of the eight City Commissions that oversee planning-related issues and, in some instances, directly to the City Council. These appeals provide members of the public with an opportunity to challenge certain planning decisions, exercising their rights in accordance with the Los Angeles Municipal Code (LAMC). City Planning has developed an informational fact sheet, complete with frequently asked questions, to inform the public of their rights and opportunities for filing project appeals.

### Background

The LAMC outlines a process to allow members of the public to appeal land use decisions that are issued by the City. Appeals are intended to challenge the merits of the decision, specifically to contend that a decision maker erred or abused their discretion. To allow community members the ability to appeal qualifying planning decisions at a minimal personal cost, City Planning has consistently (and significantly) subsidized non-applicant appeal fees. This has allowed individuals to be part of a fair and equitable process, one which has provided the public with the opportunity to question certain decisions.

The Department has developed a fact sheet to further clarify the process for filing project-related appeals. This document will be updated periodically, as needed. For additional information, please contact the planning staff located at the Figueroa Plaza (Downtown), Marvin Braude (Van Nuys), or West Los Angeles Development Services Centers preferably via email at [planning.figcounter@lacity.org](mailto:planning.figcounter@lacity.org).

## Frequently Asked Questions

### Where are project appeals filed?

Appeals can be filed at any of the three Development Services Centers (DSCs)—Downtown, Van Nuys, and West Los Angeles—where planning staff is located. A physical drop off area has been set up at each location to allow applicants to submit their applications, without having to file an initial appointment or enter the premises. As an additional option, the Department has also created an online portal for electronic appeal applications. Click this [link](#) to access the online forms and submit the relevant information electronically.

### How long do applicants have to submit a project-related appeal?

An appeal must be filed within a specified period of time as established by the LAMC—varying in length from 10 to 15 days of the issuance of the Letter of Determination (LOD), depending on the planning entitlements being appealed. As a point of reference, deadlines for filing appeals are noted in the Los Angeles Municipal Code (LAMC) and typically also identified within the LOD.

### Where can applicants access the appeal form and corresponding instructions?

The appeal form and instructions can be found [here](#). Both an applicant and “aggrieved party” (a community member opposing the decision) may choose to file an appeal. All appeals will be processed at the same time. Each appeal form represents one appeal, regardless of the number of individuals who have signed the appeal form. For certain planning entitlements, such as determinations for projects that file under the Density Bonus and Transit Oriented Communities Incentive Programs, appeals are limited to adjacent and abutting owners of property or occupants, as specified in the implementing State and/or local statute. Neighborhood Councils and/or City-appointed decision-making bodies may not file an appeal.

### Who decides the outcome of project appeals?

Letters of Determination are issued by the Director of Planning (DIR), Associate Zoning Administrator (AZA), Deputy Advisory Agency (DAA), Area Planning Commission

(APC), or City Planning Commission (CPC). Depending on the initial decision-maker, there are three appellate bodies for planning cases in Los Angeles: the Area Planning Commissions, the City Planning Commission, and the City Council. The LAMC establishes appeal procedures including which types of decisions are eligible for a first- and second-level appeal (meaning that in some cases, the project can be appealed again to a higher decision maker).

### **How long does the City have to consider the appeal of a land use decision?**

According to the LAMC, the City must process appeals under strict time limits. Depending on the planning entitlements, the date that an appeal hearing must be scheduled varies between 30 days from appeal submittal up to 75 days from the last day of the appeal period. These time periods may be extended if there is mutual agreement between the applicant and the City. The LAMC does not, however, allow a non-applicant to request an extension beyond this allotted time period for project appeals.

### **How (and when) are notifications sent notifying the appellant of their hearing date?**

The LAMC specifies the timelines by which appeal hearings must be held. In general, appellants receive notice of their upcoming hearing at least 10 days prior to the hearing date. Notices for some appeal hearings may be published in a local newspaper. If unavailable to attend the date of the hearing, the appellant can submit written comments to the decision-maker or appoint a representative to provide public testimony on their behalf at the public hearing.

### **Who from City Planning can provide assistance, should there be any questions?**

Planning staff at the DSCs serve as a main point of contact for general inquiries. Once a project appeal has been submitted, questions can be directed to the assigned planner, who will process the appeal and take it to the hearing. The contact information for the assigned planner may be found on the Department's Planning Case Tracking System (PCTS).

## **When can documents be sent to the appellate decision maker who will hear the appeal?**

In addition to the appeal application, the appellant may submit documents for the official public record at the time the appeal is filed. If there is a need to provide additional documents after the appeal has been filed, the appellant can send them to the planner assigned to the appeal. Information submitted after a staff recommendation report has been drafted will be included in the public record, but it will not have been considered at the time of the writing of the staff report.

City Planning's Commission Office requires that supplemental information be provided more than 48 hours in advance of the hearing, and meet the criteria as outlined below.

### **REQUIREMENTS FOR COMMISSION SUBMISSION OF MATERIALS**

*Regular Submissions: Initial Submissions, not limited as to volume must be received no later than by 4:00 pm on the Monday of the week prior to the week of the Commission meeting. Materials must be emailed to the assigned staff and Commission identified on the project's public hearing notice.*

*Rebuttal Submissions: Secondary Submissions in response to a Staff Recommendation Report and/or additional comments must be received electronically no later than 48 hours prior to the Commission meeting. For the Central, South Los Angeles and Harbor Area Planning Commissions, materials must be received no later than by 3:00 pm, Thursday of the week prior to the Commission meeting. Submissions, including exhibits, shall not exceed ten (10) pages and must be submitted electronically to the Commission identified on this announcement.*

*Day of Hearing Submissions: Submissions less than 48 hours prior to, and including the day of the hearing, must not exceed two (2) written pages, including exhibits, and must be submitted electronically to the staff and Commission identified on the project's public hearing notice. Photographs do not count toward the page limitation.*

*Non-Complying Submissions: Submissions that do not comply with these rules will be stamped "File Copy. Non-complying Submission." Non-complying submissions will be placed into the official case file, but they will not be delivered to or considered by the Commission and will not be included in the official administrative record for the item at issue.*



# COVID-19 UPDATE

## Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

### OPTION 1: Online Appeal Portal

([planning.lacity.org/development-services/appeal-application-online](http://planning.lacity.org/development-services/appeal-application-online))

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check. Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

### OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

**Metro DSC**  
(213) 482-7077  
201 N. Figueroa Street  
Los Angeles, CA 90012

**Van Nuys DSC**  
(818) 374-5050  
6262 Van Nuys Boulevard  
Van Nuys, CA 91401

**West Los Angeles DSC**  
(310) 231-2901  
1828 Sawtelle Boulevard  
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment

California Coastal Commission  
A-5-DRL-21-0015  
Exhibit 7  
Page 31 of 119

**Commission email addresses:**

City Planning Commission: [cpc@lacity.org](mailto:cpc@lacity.org)

Central Los Angeles Area Planning Commission: [apccentral@lacity.org](mailto:apccentral@lacity.org)

East Los Angeles Area Planning Commission: [apceastla@lacity.org](mailto:apceastla@lacity.org)

Harbor Area Planning Commission: [apcharbor@lacity.org](mailto:apcharbor@lacity.org)

North Valley Area Planning Commission: [apcnorthvalley@lacity.org](mailto:apcnorthvalley@lacity.org)

South Valley Area Planning Commission: [apcsouthvalley@lacity.org](mailto:apcsouthvalley@lacity.org)

South Los Angeles Area Planning Commission: [apcsouthla@lacity.org](mailto:apcsouthla@lacity.org)

West Los Angeles Area Planning Commission: [apcwestla@lacity.org](mailto:apcwestla@lacity.org)

**Are appellants required to sit through the entire meeting when there are multiple items on the agenda?**

The answer is no; however, the agenda items can be taken out of order. Therefore, it is in the interest of each appellant to attend the full meeting at the scheduled start time, until their item is taken up for consideration. Depending on how many items are on the agenda, and the agenda order, your item could be heard very quickly or you may have to wait through several items which could take a few hours. As a point of reference, commission meetings for Area Planning Commissions and City Planning Commission generally start at 4:30 PM and 8:30 AM, respectively. For additional details, please consult the "[Events Calendar](#)" on City Planning's website. For City Council and Council Committee meetings, please consult the Meeting Calendar page for [City Council](#) and [Committees](#).

**Will the appellant have an opportunity to speak during the hearing?**

Following the presentation by the planner assigned to the appeal case, the appellant can present their case. After the appellant's presentation, the project applicant will be given an equal amount of time to provide a rebuttal to the appellant's presentation. There is often time for an additional rebuttal by the applicant or appellant. While there are exceptions to the rule, the appellate body may invite the appellant to respond to

questions. It is important to note that the appellate body will not engage in a back and forth conversation with either the applicant or appellant. This is done to be both fair and consistent in the amount of time allocated to each party.

### **What is the format and structure of a typical hearing for a project appeal?**

Each appellate body follows a slightly different set of procedures when hearing project appeals. That said, there are a number of common features that apply regardless of whether the appellate body is the Area Planning Commission, Cultural Heritage Commission, City Planning Commission, or City Council. A formal public meeting structure is always maintained in order to ensure a fair and predictable process—one where all sides are heard, and the meeting is conducted in an orderly manner. In the case when a planning commission is the appellate body, there are additional steps, such as: a presentation from the Department, an opportunity for the appellant to testify, a forum for the applicant to offer their rebuttal, and time reserved for public testimony. This would take place leading up to any formal action on the part of the commissioners, as it relates to a project appeal.

To slow the spread of COVID-19, City Planning has implemented new procedures for public hearings and outreach meetings in order to practice proper physical distancing protocols. Until notified otherwise, commission meetings will be conducted virtually to allow applicants and the public to participate using a webcam or by telephone. For more information, consult the City Planning's website with detailed instructions.

### **How much time does the appellant have to present their argument?**

The time allocated to the appellant for the purposes of their presentation varies. It is ultimately determined by the appellate body and communicated at the start of the meeting. More often than not, appellants are allocated five to 10 minutes to make their presentation. Project appeals that are heard by City Council follow slightly different procedures, which the assigned planner can explain.

### **Is there a need for the appellant to submit a PowerPoint presentation?**

Appellants can prepare a PowerPoint presentation, in addition to making verbal remarks when it is their turn to speak. If a PowerPoint is being prepared, the appellant should

submit the document to City Planning no less than 72 hours in advance of the meeting. The assigned planner will coordinate the submission for the appellant.

**What role does the planner assigned to this project play during the appeal process?**


The role of the assigned planner is to ensure that an appellant is notified of the appeal hearing as an interested party, to provide them with a courtesy copy of the staff report if prepared, and to make sure that all parties are informed of the outcome or final decision of the appeal. The assigned planner will analyze the appeal points and prepare a staff recommendation report responding to each of the points raised by the appellant. At the hearing, the assigned planner will make a presentation to the decision maker. All information about the case is available for public view in the case file, and the Planner can assist in making an appointment to review it. The planner can also ensure that translation and special accommodations for individuals with disabilities can be provided at the public hearing, if requested.

**What happens after the Appellate Body issues a formal decision, one way or another?**

After the Commission takes a vote, a formal Letter of Determination is issued. If the decision is not further appealable, this concludes the appeal process. Under the LAMC and City Charter, only certain Commission-level appellate decisions are further appealable to City Council.

**When can a CEQA appeal be filed?**

Generally, a standalone CEQA appeal to the City Council may only be filed if a project's land use determination is not further appealable to the City Council (with some exceptions). If a determination made by an Area Planning Commission or City Planning Commission is further appealable to the City Council, the City Council will consider CEQA related appeal points made by an appellant when considering the entire appeal of the project.



## **When should appellants fill out the CEQA Appeal Form?**

The CEQA Appeal form shall only be used if the Area Planning Commission or City Planning Commission issues a determination for a project that is not further appealable. In these situations, an individual may file an appeal of a project's CEQA clearance to the City Council. Forms and procedures for the appeal of CEQA documents can be found here listed under "CEQA Appeal Application."

## Attachment 4



**Attachment 4**  
**Grounds for this Appeal**

Appeal of City of Los Angeles Case No.: DIR-2019-6145-CDP-MEL

**JUSTIFICATION/REASONS FOR APPEAL**

The reason for the appeal, the specific points at issue, how the appellant is aggrieved by the decision, and why the appellant believes the decision-maker erred or abused their discretion are as follows.

I represent Robert Shelton, the appellant, who is the neighbor directly east of the above-mentioned property located at 7015 Rindge Ave., Playa Del Rey, CA.

My client objects to the issuance of the coastal development permit at issue ("the Project") on many grounds including but not limited to the following contained in this letter, and which will be detailed below.

The Project sits in the neighborhood of Playa Del Rey a few blocks in from the beach. A view of the Project's existing single story structure is attached hereto as Exhibit A. A view of the structures located to the right and left of the Project, including the animated mock-up of the proposed four story structure is attached hereto as Exhibit B. A survey of the two blocks surrounding the Project shows the following heights of the single family homes:

- Total number of one story single family homes: 30
- Total number of two story single family homes: 27
- Total number of three story single family homes: 3
- Total number of four story single family homes: 1

My client's objection to this CDP are as follows:

**1. The Coastal Development Permit Would Violate The California Coastal Act**

The Project is inconsistent with the California Coastal Act because of the following non-exhaustive grounds:

- it is out of scale and out of character with the neighborhood. See Cal Pub. Res. Code §30253
- it would eliminate scenic views from my client's property and other adjacent properties. Cal Pub. Res. Code §30251
- it has significant adverse cumulative impacts on coastal resources. Cal Pub. Res. Code §30250

Additionally, Sections 30251 and 30253 of the Coastal Act require permitted development to be visually compatible with the character of surrounding areas and require protection of communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses. Here, the Project would violate the aforementioned Coastal Act provisions because it is not visually compatible with the 1-2 story structures of the surrounding neighborhood.

In the case of *Kalnel Gardens, LLC v. City of Los Angeles* (2016) 3 Cal.App.5th 927, the Court of Appeal affirmed the city's denial of a coastal development permit on the basis that it was inconsistent with the surrounding neighborhood where such permit sought to construct a 15-unit housing project in Venice amid a neighborhood where one and two story structures outnumbered taller structures in the area by a ratio of nine to one. Here, in the instant neighborhood in Playa Del Rey, one and two story structures outnumber the only four story structure at a ratio of 57 to one. This is obviously a much higher ratio than the nine to one ratio in the *Kalnel Gardens* case.

## **2. The Coastal Development Permit Would Violate The City of Los Angeles Westchester-Playa Del Rey Community Plan.**

The Westchester-Playa Del Rey Community Plan of the City of Los Angeles ("Community Plan") was enacted to implement the goals and policies of the California Coastal Act, establish a local coastal program for these areas, protect, maintain and restore the overall quality of the Coastal Zone, and guide development with provisions addressing land use, height, density and other factors. This Community Plan provides for aesthetic benefits, public access, and scenic preservation, while ensuring compatibility with the existing community. The following are various objectives and policies of the Community Plan that support denial of this Project.

- "Objective 1-1: Provide for the preservation of existing quality housing...
  - Policy 1-1.1: Protect existing stable single family and low density residential neighborhoods...from

encroachment by...and other uses that are incompatible as to scale and character, or would otherwise diminish quality of life.” See Community Plan, page III-3.

Here, the instant Project would result in the substantial loss of my client’s ocean view, a photo of which is attached hereto as Exhibit C. The loss of this ocean view would violate the above objective and policy because it diminishes the quality of life for my client and other adjacent property owners that would be impacted by the Project.

- “Policy 1-1.2: The City should promote neighborhood preservation, particularly in existing single family neighborhoods...” See Community Plan, page III-3

Here, if the City approved the Project, it would be violating the above policy which seeks to preserve neighborhood preservation because the Project would block my client’s and other neighbors’ access to their present ocean views and access to natural light. As it stands now, the neighborhood is almost exclusively 1-2 story homes, and most with ocean views; a four story McMansion (i.e. the Project) is wholly incompatible with the existing neighborhood.

- “Objective 1-3: Preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.” See Community Plan, page III-4

Here, the character of neighborhood would not be preserved if the Project is approved because a four story structure is incompatible with a 1-2 story neighborhood, especially when that four story structure blocks coastal views for multiple other properties.

- “Objective 1-6: Preserve visual resources in residential areas.
  - Policy 1-6.1: The preservation of existing scenic views from surrounding residential uses...should be a significant consideration in the approval of...[coastal development] permits.  
Program: The possible impacts to existing scenic resources, designated scenic highways or public view sites, and the **overall visual quality of adjacent residential areas shall be considered in the approval of all discretionary permits.**” Emphasis added. See Community Plan, page III-6

Here, the Project would substantially block the ocean view of my client and other neighboring properties.

- Policy 1-6.2: Protect the public views and scenic quality of the highly unique residential areas in this community”  
See Community Plan, page III-7

Here, the Project would substantially block the ocean view of my client and other neighboring properties.

### **3. The Proposed Project Does Not Fall Under Any CEQA Exemption**

The Applicant requests that the Director of Planning consider two CEQA exemptions, located at 14 CCR 15301 and 14 CCR 15303. Neither exemption applies to the Proposed Project as follows.

- 14 CCR 15301 exempts “[a]dditions to existing structures provided that the addition will not result in an increase of more than:
  - (1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or
  - (2) 10,000 square feet if:
    - (A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and
    - (B) The area in which the project is located is not environmentally sensitive.”

Here, this exemption does not apply because the Project does not seek to **add** anything to an existing facility: the application is for the demolition of a 1,987 sq.ft. structure and replace the old structure with a much larger structure of 7,629 sq.ft. According to the application, the Project does not seek to add anything to an existing structure: it seeks demolition and construction of an entirely new structure.

- 14 CCR 15303 does not apply to the Project either. This exemption applies to the “construction and location of limited numbers of new, small facilities or structures”. The proposed new structure on the lot will be 7,629 sq.ft.; this number is not small, and is in fact massive, especially compared to the size of structures in the surrounding neighborhood.

### **4. There Is Substantial Evidence Demonstrating That An Exception To The Categorical Exemption Applies Pursuant To CEQA Guideline 14 CCR 15300.2**

The Applicant requests that the Director Planning determine that there is no substantial evidence demonstrating that an exception to the Categorical Exemption applies pursuant to 14 CCR 15300.2. In fact, there is substantial evidence that exceptions to the Categorical Exemption applies as follows.

The Project is located in the Coastal Zone – a highly sensitive environmental resource protected by at least two major State acts of legislation in addition to local protections. Pursuant to 14 CCR 15300.2, a CEQA exemption is inapplicable where there the project presents a significant effect on the environment (14 CCR 15300.2(c), and where over time similar projects that are approved present a cumulative impact on the environment (14 CCR 15300.2(b). Here, this Project presents a significant impact on the environment because it mostly eliminates the coastal view and access to natural light from some neighboring properties, including my client's.

Also, there is another four story structure located in the area of the Project. If this Project, which seeks approval for another four story structure, is approved, the cumulative impact of this Project and the other four story structure means that the coastal views, and access to natural light of many other existing structures will be eliminated after more and more four story structures are approved by the City. In order to preserve these environmental issues, the City should deny this Project.

**5. This Appeal Violates The Los Angeles Rules For Posting Notice**

Pursuant to Los Angeles Municipal Code §12.20.21(E)(5), the Applicant was required to post notice that the application was filed for a coastal development permit at the time the application is submitted for filing. Here, there is no evidence that the Applicant posted notice at the time the application was submitted for filing, which was on 10/5/2019.

6. The Subject Project is located immediately below a large swimming pool and a sewer pipe behind a retaining wall. There is zero discussion of what would happen if the retaining wall would fail in the event of an earthquake, or otherwise.

**7. The Scale and Mass of the Single-Family Residence, as Proposed, is Not Compatible with the Surrounding Neighborhood**

Vista Del Mar Lane is a two-lane street which begins at Vista Del Mar along the beach and rises to the top of the hill. It is a very comfortable street, often a pass-through for people who drive from the South Bay to Culver Boulevard and frequently a street which provides beach parking and, along portions of the bluff where there is no development, a viewing opportunity of the ocean and sunset. Development on this street is layered. The residences on the Playa Del Rey bluffs facing the ocean, with limited exception at the bottom of the street, are all single-story at street level. The residences on the inland side of Vista Del Mar Lane, with limited exception, are one and two story homes, much smaller than the applicants' proposed house. Still further inland and on the bluff above Vista Del Mar Lane, the houses on Rindge Avenue are predominantly single-story, with ocean views over the roofs of the homes below.

The application here proposes to demolish an existing one-story, 1987 sf home and to replace it with a four-story 7,629 sf house and with a 1,704 sf basement level. It is not clear from plans whether the basement level is proposed to be fully below grade or whether the development is actually four stories "plus," but whether viewed as a 9,333 sf house or even just a 7,629 sf house, it will dwarf the existing development on the street.

The following are the square footages of the existing houses that front on Vista Del Mar Lane:

6948 Vista Del Mar Lane 2,354 sf  
7000 Vista Del Mar Lane 1,339 sf  
7008 Vista Del Mar Lane 1,617 sf  
7012 Vista Del Mar Lane 1,987 sf (this property)  
7016 Vista Del Mar Lane 2,752 sf  
7026 Vista Del Mar Lane 4,360 sf  
7030 Vista Del Mar Lane 2,015 sf  
7034 Vista Del Mar Lane 3,356 sf  
7040 Vista Del Mar Lane 2,438 sf  
7046 Vista Del Mar Lane 3,005 sf  
201 Manchester Blvd 6,312 sf  
7303 Vista Del Mar Lane 1,984 sf  
7306 Vista Del Mar Lane 10,887 sf  
7310 Vista Del Mar Lane 2,832 sf



7314 Vista Del Mar Lane 2,090 sf  
7324 Vista Del Mar Lane 2,602 sf  
7328 Vista Del Mar Lane 2,048 sf  
7334 Vista Del Mar Lane 4,557 sf  
7352 Vista Del Mar Lane 4,621 sf

Attached are photographs of each of the above houses to give you an idea of the current mass and scale of the neighborhood (the last photo shows the existing residence in relation to the single-story houses above it on Rindge Avenue). See these photos as Exhibit D.

If the project were not located in the coastal zone, it might be permissible to simply comply with Municipal Code restrictions for siting and designing the house. But it is the coastal zone, and therefore this project is governed as well by a set of overarching requirements set forth in the Coastal Act (Pub. Resources Code, §30000 et seq.).

Because the City of Los Angeles does not yet have a certified Local Coastal Program (LCP) for Playa Del Rey (or any of its segments), the Chapter 3 policies of the Coastal Act (Pub. Resources Code, §§ 30200-30265.5) govern review of the application. Further, because the City has assumed the authority for issuance of CDPs in the first instance, the Coastal Act provides that the “[decisions of the [Coastal] Commission, where applicable, shall guide local governments [here, the City] ... in their future actions” under the Act. (Pub. Resources Code, § 30625(c).)

Two Chapter 3 policies, in particular, that govern review of this application. Section 30251 of the Coastal Act states, in relevant part:

“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.”

Section 30253 of the Coastal Act further provides, in part:

“New development shall: (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.”

There are no Coastal Commission decisions on this street, which underscores the precedential nature of the City’s decision here. There have been, however, Commission decisions in like circumstances which provide apt guidance here. In 5-05-414 (Shaw), the applicant proposed to demolish a 1400 sf single-family residence and to replace it with a 30-foot high, 3900 sf residence in Venice. The Commission denied the application for the proposed project because it was found to be incompatible with the character of the surrounding area and would set a negative precedent for future development, citing Sections 30251 and 30253, above. As noted in the Commission’s findings: “The Commission determined that the height (33 feet) and mass (3900 sf) of the proposed three-level house would not conform with the character of the immediate neighborhood, as there was a significant contrast between the size of the proposed project and the existing homes in the area, the neighborhood being overwhelming single-story with a few two-story homes.” (P. 1) The link to this decision is: <https://documents.coastal.ca.gov/reports/2005/10/TH10c-10-2005.pdf>

In 5-18-0393 (Kashani), the applicant proposed to construct a 9,898 sf single-family residence more than twice the residential floor area of 90% of the homes along this portion of Tramonto Drive, in Pacific Palisades. The Commission noted (at p. 16): “The City-approved development would be more than twice the size of the existing row of structures seaward of Tramonto Drive in this area. While this may be consistent with the City’s Zoning Code, it is not, in this consistent with the scenic and visual resources policies of the Coastal Act.” The latter point is particularly worth noting here. The project plans note that max FAR allowed is 9,480 sf, and that max building height allowed is 45’ with a roof structure housing elevators and stairways potentially exceeding the building by 5’. While this project may be at or slightly below FAR or building height, the Municipal Code requirements are not the key. They are merely maximums, but in applying the Coastal Act, the neighborhood compatibility and scenic and visual resource policies are the governing standards, and this project is inconsistent with both. The link to this decision is: <https://documents.coastal.ca.gov/reports/2018/10/W12c/W12c%20&%20W13a-10-2018-report.pdf>

The average sized home on Vista Del Mar Lane, even including the few exceptions, is 3,029 sf. That is well less than half of the 7,629 sf house proposed here - or one-third the size of the total square footage proposed is considered. If you take out the one outlier, 10,887 sf, the average size home is even far less, 2,593 sf.

There is no good formula for dictating appropriate mass and scale. But the proposal here, by any measure, is way beyond what would be considered consistent with the neighborhood compatibility and the scenic and visual policies of the Coastal Act. For that reason, unless revised and reduced in mass and scale, it should be denied.

#### **8. Approval of the Development, as Proposed, Will Create Adverse Cumulative and Precedential Effects**

Section 30250(a) of the Coastal Act further states:

“New residential... development... shall be located . . . where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.”

Given mass and scale of the current proposal, it is abundantly clear that it would set an adverse precedent for Vista Del Mar Lane, giving license to every other property to redevelop at some point at a grand scale. It would convert the street, one-story at street level on one side and at modest square footage on the other into an imposing string of exceptionally large residences.

The impact, however, is not only to Vista Del Mar Lane. It is as well to the homes above this street on Rindge, predominantly single-story and with significant views of the ocean. The last photo attached shows the existing house and the three houses above it. Not only would this proposal, if approved, adversely affect those existing residences, but it would likely force larger homes on Rindge in the future to recapture the view, a domino effect experienced in other coastal neighborhoods of the City, such as Venice. This further demonstrates that, as proposed, the applicant's house would be inconsistent with policy in Coastal Act section 30250 regarding locating new residential development.

**9. The Applicants Have Not Provided Meaningful Information  
in Support of their Application**

City staff graciously provided me with a copy of the project plan. The plans, however, are, utterly unrevealing. They focus only on the house, but there is no rendering and no meaningful elevations, especially important for something this large and a proposal, unlike any other on the street, that proposes substantial excavation and a basement garage entry. There is no context, so one cannot truly evaluate its visual impact on the surrounding homes, the street, or the homes on the street immediately above it.

Section 30253 of the Coastal Act also provides:

“New development shall do all of the following: (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.”

There is, apparently, no geotechnical report so that Building and Safety and, importantly, the neighbors on each side of this sloping street might understand the lateral support and related implications of the work proposed on their adjacent properties. This is not an immaterial point. The application proposes a substantial excavation, \_\_\_ cubic yards, to create a 1,704 sf basement and subterranean garage, a design which itself would be anomalous on this street.

**10. Approval of the Development, as Proposed, Will Prejudice  
the Preparation of the City's LCP**

The City of Los Angeles, unlike most cities in the coastal zone, has yet to complete a certified LCP for any segments. Indeed, Playa Del Rey seems virtually ignored. Coastal Act section 30604(a) requires a finding that the proposed 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 Act. The factual record here demonstrates that the mass and scale of this house, as currently proposed, is way beyond what would satisfy the above-referenced Coastal Act policies, would create an adverse precedent, and thus would necessarily prejudice the City's ability to prepare an LCP for this area that is consistent with those policies.

# EXHIBIT A

New House being proposed near you at: **7012 South Vista Del Mar Lane, PDR**



Current  
house shown  
here is:  
1,987 sq feet

## EXHIBIT B







## EXHIBIT C

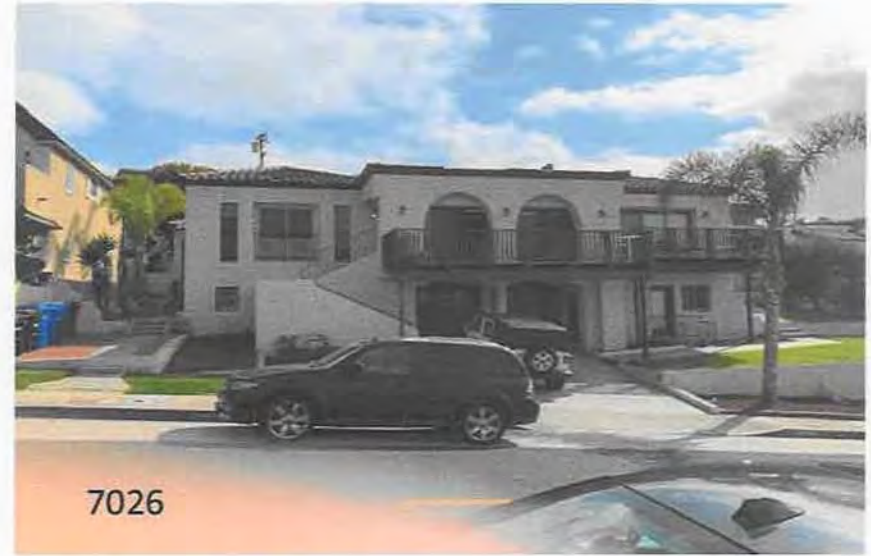


## EXHIBIT D

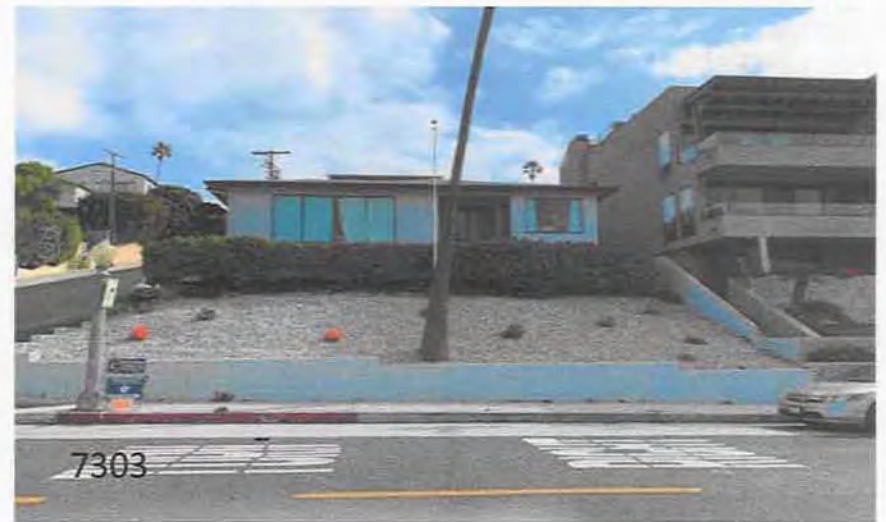






















THE APPLICANT'S EXISTING HOUSE AND THE  
HOUSES ABOVE IT ON RINDGE AVENUE

(Streams)

**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST DISTRICT OFFICE  
301 E. OCEAN BLVD., SUITE 300  
LONG BEACH, CA 90802  
(562) 590-5071  
SOUTHCOAST@COASTAL.CA.GOV

**APPEAL FORM****Appeal of Local Government Coastal Development Permit****Filing Information (STAFF ONLY)**

District Office: South Coast

Appeal Number: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Appellant Name(s): \_\_\_\_\_

**APPELLANTS**

**IMPORTANT.** Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review the appeal information sheet. The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's contact page at <https://coastal.ca.gov/contact/#/>).

**Note regarding emailed appeals.** Please note that emailed appeals are accepted **ONLY** at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the South Coast district office, the email address is [SouthCoast@coastal.ca.gov](mailto:SouthCoast@coastal.ca.gov). An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's contact page at <https://coastal.ca.gov/contact/#/>.

**Appeal of local CDP decision**  
**Page 2**

**1. Appellant information<sup>1</sup>**

Name: Julie Ross  
Mailing address: 419 Redlands St., Playa del Rey, CA 90293  
Phone number: 310 614-8464  
Email address: Cigardenia@aol.com

How did you participate in the local CDP application and decision-making process?

☐ Did not participate    ☒ Submitted comment    ☒ Testified at hearing    ☐ Other

Describe: Testified and submitted comment at City Planning hearing March 2, 2020.  
Filed an appeal August 24, 2020.  
Testified and submitted comment at Area Planning hearing November 18, 2020.

If you did *not* participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe: Please see above actions taken.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<sup>1</sup> If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.

**Appeal of local CDP decision**  
**Page 3**

**2. Local CDP decision being appealed<sup>2</sup>**

Local government name: City of Los Angeles Planning Dept./ Area F  
Local government approval body: City of Los Angeles Planning Dept./Area PI  
Local government CDP application number: DIR-2019-6145-CDP-MEL-1A  
Local government CDP decision: ☒ CDP approval ☐ CDP denial<sup>3</sup>  
Date of local government CDP decision: November 18, 2020.

Please identify the location and description of the development that was approved or denied by the local government.

Describe: 7012 S. Vista Del Mar Lane, Playa del Rey, CA 90293  
Demolition of a one-story, 1,987 sq. ft. single family dwelling  
and the construction of a new three- story 5,784 sq.ft., single family  
dwelling with a 1,722 sq. ft. basement level containing a three car garage  
and storage. The project proposes the cut and export of 1,500 cubic  
yards of dirt.

<sup>2</sup> Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.

<sup>3</sup> Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the [appeal information sheet](#) for more information.



**Appeal of local CDP decision**  
**Page 4**

### 3. Identification of interested persons

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., the applicant, other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

☒ Interested persons identified and provided on a separate attached sheet

#### 4. Grounds for this appeal<sup>4</sup>

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

Describe: Please see attachment for the grounds on which I'm appealing.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

<sup>4</sup> Attach additional sheets as necessary to fully describe the grounds for appeal.

**Appeal of local CDP decision**  
**Page 5**

**5. Appellant certifications**

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Julie Ross  
Print name \_\_\_\_\_

Signature \_\_\_\_\_

Date of Signature 2-5-21

**5. Representative authorization**

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

☐ I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

<sup>5</sup> If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

<sup>6</sup> If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT, SUITE 2000  
 SAN FRANCISCO, CA 94105-2219  
 VOICE (415) 904-5200  
 FAX (415) 904-5400

**DISCLOSURE OF REPRESENTATIVES**

If you intend to have anyone communicate on your behalf to the California Coastal Commission, individual Commissioners, and/or Commission staff regarding your coastal development permit (CDP) application (including if your project has been appealed to the Commission from a local government decision) or your appeal, then you are required to identify the name and contact information for all such persons prior to any such communication occurring (see Public Resources Code, Section 30319). The law provides that failure to comply with this disclosure requirement prior to the time that a communication occurs is a misdemeanor that is punishable by a fine or imprisonment and may lead to denial of an application or rejection of an appeal.

To meet this important disclosure requirement, please list below all representatives who will communicate on your behalf or on the behalf of your business and submit the list to the appropriate Commission office. This list could include a wide variety of people such as attorneys, architects, biologists, engineers, etc. If you identify more than one such representative, please identify a lead representative for ease of coordination and communication. You must submit an updated list anytime your list of representatives changes. You must submit the disclosure list before any communication by your representative to the Commission or staff occurs.

Your Name \_\_\_\_\_

CDP Application or Appeal Number \_\_\_\_\_

Lead Representative

Name \_\_\_\_\_

Title \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_

State, Zip \_\_\_\_\_

Email Address \_\_\_\_\_

Daytime Phone \_\_\_\_\_

Your Signature \_\_\_\_\_

Date of Signature \_\_\_\_\_

(Streams)

Additional Representatives (as necessary)

Name \_\_\_\_\_  
Title \_\_\_\_\_  
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State, Zip \_\_\_\_\_  
Email Address \_\_\_\_\_  
Daytime Phone \_\_\_\_\_

Your Signature \_\_\_\_\_

Date of Signature \_\_\_\_\_



A-5-DRL-21-0015  
(Streams)

Interested Parties

Lisa Farris  
7013 Rindge Ave.  
Playa del Rey, CA 90293  
[lisa@farris.tv](mailto:lisa@farris.tv)

Bonnie Cullinan  
7016 Vista Del Mar Lane  
Playa del Rey, CA 90293  
[bonnie@rockmillstone.com](mailto:bonnie@rockmillstone.com)

Robert Shelton  
7015 Rindge Ave.  
Playa del Rey, CA 90293  
[Bobdelrey41@gmail.com](mailto:Bobdelrey41@gmail.com)

John Clark  
7008 Vista Del Mar Lane  
Playa del Rey, CA 90293  
[johnclark@looking.la](mailto:johnclark@looking.la)

Dorene Stone  
7000 Vista Del Mar Lane  
Playa del Rey, CA 90293

Re: Case No. DIR-2019-6145-CDP-MEL  
CEQA No. ENV-2019-6146-CD  
(7012 Vista Del Mar Lane, Playa Del Rey – Streams)

I am appealing the above residential project because, as currently proposed and approved by the City, it is way too big and its mass and scale are wholly incompatible with the pattern of existing development on Vista Del Mar Lane and the street above it, Rindge Avenue. I am requesting that the Commission find the appeal to present a “substantial issue,” and then to deny the application or require the applicants to revise their plans to better complement the mass and scale of the surrounding neighborhood.

**The Scale and Mass of the Single-Family Residence, as Proposed, is Not Compatible with the Surrounding Neighborhood**

This area of Playa Del Rey is in the dual permit jurisdiction and is one of the few communities on the California coast that still does not have a Local Coastal Program (LCP). Vista Del Mar Lane is a two-lane street which begins at Vista Del Mar along the beach and rises to the top of the hill. It is a very comfortable street, often a pass-through for people who drive from the South Bay to Culver Boulevard and frequently a street that provides beach parking and, along portions of the bluff where there is no development, a viewing opportunity for the public of the ocean and sunset.

Development in this hillside area is layered and specifically designed so that the residences may enjoy their coastal views. The residences on the Playa Del Rey bluffs facing the ocean, with limited exception at the bottom of the street, are all single-story at street level. They are subject to a very limited height restriction so that views from the east (or inland side) of the street are not impacted. This is a pattern throughout the streets of the hillside area, which was developed dating back to the 1920's and sold with the promise of these sweeping views. The residences on the inland side of Vista Del Mar Lane, with limited exception, are one and two story homes, much smaller than the applicants' proposed house. Still further inland and on the bluff above Vista Del Mar Lane, the houses on Rindge Avenue are predominantly single-story, with ocean views over the roofs of the homes below.

The application here initially proposed a 9,333 square foot house. When the local residents protested in mass, they revised the proposal to demolish an existing one-story, 1987 square foot home and to replace it with a multi-story 7,506 square foot structure, of which 1,704 square feet are referred to as basement and excavation of 1500 cubic yards of dirt for a 1,704 square foot basement level. It is not clear from plans whether the “basement level” is proposed to be fully below grade or whether the development is actually four stories, but it is all habitable space and it will dwarf the existing development on the street and obstruct the views from the homes above.

The Project, by any measure, is far out of character and scale for the neighborhood. The following are the square footages of the existing houses that front on Vista Del Mar Lane:

## A-5-DRL-21-0015 (Streams)

6948 Vista Del Mar Lane	2,354 sf
7000 Vista Del Mar Lane	1,339 sf
7008 Vista Del Mar Lane	1,617 sf
7012 Vista Del Mar Lane	1,987 sf (this property)
7016 Vista Del Mar Lane	2,752 sf
7026 Vista Del Mar Lane	4,360 sf
7030 Vista Del Mar Lane	2,015 sf
7034 Vista Del Mar Lane	3,356 sf
7040 Vista Del Mar Lane	2,438 sf
7046 Vista Del Mar Lane	3,005 sf
201 Manchester Blvd	6,312 sf

The houses on the downhill-sloped angle of the street are arrayed in a way that conforms to the downslope, allowing for greater square footage, while mitigating impact. While there is a much greater opportunity for a larger house to be developed on the south end of the street, that is not true of the north end of the street where this Project is located. The homes at the south end of the street have square footages of:

7303 Vista Del Mar Lane	1,984 sf
7306 Vista Del Mar Lane	10,887 sf
7310 Vista Del Mar Lane	2,832 sf
7314 Vista Del Mar Lane	2,090 sf
7324 Vista Del Mar Lane	2,602 sf
7328 Vista Del Mar Lane	2,048 sf
7334 Vista Del Mar Lane	4,557 sf
7352 Vista Del Mar Lane	4,621 sf

Attached are photographs, first, of all of the existing homes on Vista Del Mar Lane, starting at the top and then to the bottom of the street to give you an idea of the current mass and scale of the neighborhood. Second, I have included a panoramic view of the north end of Vista Del Mar Lane. Lastly, I have included a site photo exhibit which will give you a further perspective on both sides of the street.

If the Project were not located in the coastal zone, it might be permissible to simply comply with the maximum Municipal Code restrictions for siting and designing the house. But it is in the coastal zone, and therefore this Project is governed as well by a set of overarching requirements set forth in the Coastal Act (Pub. Resources Code, §30000 et seq.).

Because the City of Los Angeles does not yet have a certified Local Coastal Program (LCP) for Playa Del Rey (or any of its segments), the Chapter 3 policies of the Coastal Act (Pub. Resources Code, §§ 30200-30265.5) govern review of the application. Further, because the City has assumed the authority for issuance of CDPs in the first instance, the Coastal Act provides that the “[d]ecisions of the [Coastal] Commission, where applicable, shall guide local governments [here, the City] . . . in their future actions” under the Act. (Pub. Resources Code, § 30625(c).)

Two Chapter 3 policies, in particular, that govern review of this application. Section 30251 of the Coastal Act states, in relevant part:

“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.”

Section 30253 of the Coastal Act further provides, in part:

“New development shall: (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.”

There are no Coastal Commission decisions on this street, which underscores the precedential nature of the City’s decision here. There have been, however, Commission decisions in like circumstances which provide apt guidance here. The Coastal Act provides that decisions of the Commission, where applicable, shall guide local governments in their future actions. (Pub. Resources Code, § 30625(c).)

In 5-05-414 (Shaw), the applicant proposed to demolish a 1400 sf single-family residence and to replace it with a 30-foot high, 3900 sf residence in Venice. The Commission denied the application for the proposed project because it was found to be incompatible with the character of the surrounding area and would set a negative precedent for future development, citing Sections 30251 and 30253, above. As noted in the Commission’s findings: “The Commission determined that the height (33 feet) and mass (3900 sf) of the proposed three-level house would not conform with the character of the immediate neighborhood, as there was a significant contrast between the size of the proposed project and the existing homes in the area, the neighborhood being overwhelming single-story with a few two-story homes.” (P. 1) The link to this decision is: <https://documents.coastal.ca.gov/reports/2005/10/TH10c-10-2005.pdf>

In 5-18-0393 (Kashani), the applicant proposed to construct a 9,898 sf single-family residence more than twice the residential floor area of 90% of the homes along this portion of Tramonto Drive, in Pacific Palisades. The Commission noted (at p. 16): “The City-approved development would be more than twice the size of the existing row of structures seaward of Tramonto Drive in this area. While this may be consistent with the City’s Zoning Code, it is not, in this consistent with the scenic and visual resources policies of the Coastal Act.” The latter point is particularly worth noting here. The project plans note that max FAR allowed is 9,480 sf, and that max building height allowed is 45’ with a roof structure housing elevators and stairways potentially exceeding the building by 5’. While this project may be at or slightly below FAR or building height, the Municipal Code requirements are not the key. They are merely maximums, but in applying the Coastal Act, the neighborhood compatibility and scenic and visual resource policies are the governing standards, and this project is inconsistent with both. The link to this decision is: <https://documents.coastal.ca.gov/reports/2018/10/W12c/W12c%20&%20W13a-10-2018-report.pdf>

The Playa Del Rey community, in general, is distinctly low in scale. It is worth noting that in 2012, the Legado Companies proposed a 57-foot high, 72 mixed use project with 10,000 square feet of retail one block from the beach in lower Playa Del Rey. Community members opposed the project on the grounds that, among other things, it was out of character and scale and would set a precedent for the rest of commercial development in Playa Del Rey. In March 2018, the Planning Commission approved the project. Community members and groups appealed the decision all the way up to the City Planning Commission and ultimately to the PLUM Committee and City Council. In August 2018, the City Council granted the appeal and overturned the Director's determination in approving a CDP for the project and adopted findings and disapproved of the Mitigated Negative Declaration. The Council found:

- The development is not in conformity with the Chapter 3 policies of the Coastal Act.
- The proposed project fails to satisfy the Coastal Act.
- The proposed project is not compatible with the character and scale of the community.
- The proposed project does not comply with the Coastal Act requirements for protection of scenic and visual qualities of the Coastal Act.
- The development will prejudice the ability of the City to prepare a Local Coastal Program that is in conformity with the Chapter 3 policies of the Coastal Act.

Unlike this Project, the City of Los Angeles understood its obligations in implementing its coastal permit authority. Legado sued the City challenging its decision and lost. It is unknown whether Legado has appealed.

At the City's March 2, 2020 hearing on this application, I spoke on behalf of the Neighborhood Council of Westchester/Playa, where I am the Chair of the Planning and Land Use Committee. I informed the City's hearing officer that I had made numerous attempts to have the applicants' representative present their project to my Committee, and they refused. The hearing officer then instructed the applicants' representative to go to the Neighborhood and present their project. I confirmed at the hearing that I would put them their project on the Committee's next agenda. The hearing officer then gave them 6 weeks to accomplish this. While the Committee received numerous letters from Vista Del Mar Lane and Rindge Avenue residents concerning the Project in anticipation of a hearing, the applicants refused to appear before the Commission, thus, in this case, defeating the whole purpose of input from the Neighborhood Council on consequential projects.

Here, the average-sized home on Vista Del Mar Lane, even including a few exceptions, is 3,029 square feet. No home, to my knowledge has a large "basement" and it is not clear from the plans that the basement proposed here is entirely subterranean or a "basement" at all. It is nearly equal in square footage to the existing home and is clearly intended as habitable space. The homes here are well less than half of the 7,506 square foot house proposed here. If you take out the one outlier, the average size home is even far less, 2,593 square feet.

There is no good formula for dictating appropriate mass and scale. However, the proposal here, beyond any formula, is way beyond what would be considered consistent with the neighborhood

compatibility and scenic and visual policies of the Coastal Act. For that reason, unless revised and reduced in mass and scale, the Commission should find “substantial issue” and the application should be denied.

**Approval of the Development, as Proposed, Will Create Adverse Cumulative and Precedential Effects**

Section 30250(a) of the Coastal Act further states:

“New residential . . . development . . . shall be located . . . where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.”

Given mass and scale of the current proposal, it is abundantly clear that it would set an adverse precedent for Vista Del Mar Lane, giving license to every other property owner to redevelop at some point at a grand scale. It would convert the street, one-story at street level on one side and at modest square footage on the other into an imposing string of exceptionally large residences. The impact, however, is not only to Vista Del Mar Lane. It is as well to the homes above this street on Rindge, predominantly single-story and with significant views of the ocean. The attached photos show the existing house and the three houses above it. Not only would this proposal, if approved, adversely effect those existing residences, but it would likely force larger homes on Rindge in the future to recapture the view, a domino effect experienced in other coastal neighborhoods of the City, such as Venice. This further demonstrates that, as proposed, the applicant’s house would be inconsistent with policy in Coastal Act section 30250 regarding locating new residential development.

**The Applicants Did Not Provided Meaningful and Essential Information in Support of their Application**

The plans submitted for the project are utterly unrevealing, and that appears to have been the intent of the applicants. The plans focus only on the house, but the applicants provided no rendering or meaningful elevations, which would be especially important for something this large structure and the proposal, unlike any other on the street, proposes substantial excavation and a basement garage entry. There is no context, so one cannot truly evaluate its visual impact on the surrounding homes, the street, or the homes on the street immediately above it.

Section 30253 of the Coastal Act also provides:

“New development shall do all of the following: (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.”

There is, apparently, no geotechnical report so that Building and Safety and, importantly, the neighbors on each side of this sloping street might understand the lateral support and related implications of the work proposed on their adjacent properties. This is not an immaterial point. The application purports to propose a substantial excavation to create a large 1,704 sf lower level and subterranean garage, a design which itself would be anomalous on this street.

There also is no analysis of the building stringline, which would help contain new development from creeping forward to the street, thus, again, setting a negative precedent for future development.

**Approval of the Development, as Proposed, Will Prejudice the Preparation of the City's LCP**

The City of Los Angeles, unlike most cities in the coastal zone, has yet to complete a certified LCP for any segments. Indeed, Playa Del Rey seems to have been virtually ignored. Coastal Act section 30604(a) requires a finding that the proposed 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 Act. The factual record here demonstrates that the mass and scale of this house, as currently proposed, is way beyond what would satisfy the above-referenced Coastal Act policies, would create an adverse precedent, and thus would necessarily prejudice the City's ability to prepare an LCP for this area that is consistent with those policies.

In addition, in 2020, the City Council approved a motion by Councilman Bonin to include all of the coastal zone of Los Angeles into the Baseline Mansionization Ordinance (BMO). This was done with the acknowledgment by the City that there were:

“gaps in coverage for protecting Coastal Zone properties outside of designated Hillside Areas from out of scale development. As the Baseline Hillside Ordinance applies in the Coastal Zone, so should the Baseline Mansionization Ordinance, and it should be folded in the City's Local Coastal Program for this area. Expanding the BMO into the coastal zone would bring those properties in line with the rest of the city and prevent mansionization, as proposed here, in all single-family residential neighborhoods.

Attached is the motion and vote from the City Council. The motion was passed specifically to protect scale and character in the coastal zone, as it was for many other areas of the City. It is precisely the type of land use control which ought to be addressed in the Local Coastal Program but which would be foreclosed if the City's contrary decision here is left to stand.

**Conclusion**

I do not oppose a reasonable development on the applicant's property. I am objecting to this proposal because it is thoughtless, extreme, and was not properly vetted by the City. It is a good example of attempting to max out development on a site by looking only to the Municipal Code requirements. Because this project is proposed in the coastal zone, the policies of the Coastal Act control and, in my view, dictate that the mass and scale of the residence be reduced to better fit into the neighborhood. For example, eliminating one story and perhaps the basement would still leave an ample development, consistent with the surrounding residential neighborhood.

The community of Playa Del Rey understands and values the special character of the town and will go to great lengths to protect for all our residents and visitors. For these reasons, the Commission should find the appeal to raise a substantial issue and deny the Project unless and

until it is brought into character and scale with the surrounding residences and conforms with the Baseline Mansionization Ordinance.

Thank you very much.

Julie Ross  
Vice-President and Founding Member  
Playa Del Rey Guardians Society, a 501(c)(3) organization

Chair/Planning and Land Use Committee  
Westchester/Playa Neighborhood Council

Attachments: (Photos of the existing house and all houses on Vista Del Mar Lane)  
City Council Motion and Vote, Baseline Mansionization Ordinance



A-5-DRL-21-0015  
(Streams)















A-5-DRL-21-0015  
(Streams)







## Vista Del Mar Lane 7000 Block

7012 Vista Del Mar Lane  
Proposed 7,629 sq. ft.  
Overall Dwelling Height: 41.5 ft.





7012 Vista Del Mar Lane

Site Photo Exhibit





3. Looking south down Vista Del Mar Lane from subject site



4. Property two lots north of subject site





7. Property immediately south of subject site



8. Property two lots south of subject site



**MOTION**

PLANNING & LAND USE MANAGEMENT


The City of Los Angeles passed the Baseline Mansionization Ordinance (BMO) in 2008 and a similar Baseline Hillside Ordinance (BHO) in 2011. The BMO and BHO sought to address neighborhood concerns like new building mass; the scale of driveways and garages; loss of natural light, air, and privacy; extensive hillside grading; and removal of street trees. These ordinances were a direct response to the “mansionization” and teardown trends in older neighborhoods throughout the City, with large, out-of-scale homes being constructed in many of the city’s single-family residential neighborhoods.

In 2017, City Council further adopted revisions to the BMO and BHO to address loopholes that had allowed for larger developments to continue.

Although the City passed the BMO in 2008 and a similar Baseline Hillside Ordinance (BHO) in 2011, only the BHO applies within the Coastal Zone. Therefore, the Coastal Zone, which includes Pacific Palisades, Venice and Playa del Rey, and San Pedro, has gaps in coverage for protecting Coastal Zone properties located outside of designated Hillside Areas from out-of-scale development. As the Baseline Hillside Ordinance applies in the Coastal Zone, so should the Baseline Mansionization Ordinance. Expanding the BMO into the Coastal Zone would bring those properties in line with the rest of the city and preventing mansionization in all single-family residential neighborhoods.

I THEREFORE MOVE that the Department of City Planning, in consultation with City Attorney, the CLA, and CAO, report back with recommendations to create a new ordinance or amend the existing Baseline Mansionization Ordinance (BMO) to include the Coastal Zone areas not currently covered by the Baseline Hillside Ordinance within the City of Los Angeles under the same standards as the City’s current BMO.

PRESENTED BY:

  
MIKE BONIN  
Councilmember, 11th District

SECONDED BY:



ORIGINAL



JAN 28 2020





Eric Garcetti  
MAYOR

When making inquiries relative to  
this matter, please refer to the  
Council File No.: [10-1058-S4](#)

## OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

March 5, 2020

**Council File No.:** [10-1058-S4](#)

**Council Meeting Date:** March 03, 2020

**Agenda Item No.:** 10

**Agenda Description:** PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT  
relative to amending the existing Baseline Mansionization Ordinance (BMO)  
to include the Coastal Zone areas not currently covered by the Baseline  
Hillside Ordinance within the City.

**Council Action:** PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT -  
ADOPTED

**Council Vote:**

YES	BOB BLUMENFIELD
YES	MIKE BONIN
YES	JOE BUSCAINO
ABSENT	GILBERT A. CEDILLO
YES	MARQUEECE HARRIS-DAWSON
ABSENT	JOSE HUIZAR
YES	PAUL KORETZ
ABSENT	PAUL KREKORIAN
YES	JOHN LEE
YES	NURY MARTINEZ
YES	MITCH O'FARRELL
YES	CURREN D. PRICE
YES	MONICA RODRIGUEZ
YES	DAVID RYU
ABSENT	HERB WESSON

HOLLY L. WOLCOTT  
CITY CLERK

A-5-DRL-21-0015  
(Streams)

Adopted Report(s)

**Title**

Report from Planning and Land Use Management Committee

**Date**

02/18/2020



# Vista Del Mar Lane 7000 Block

7012 Vista Del Mar Lane  
Proposed 7,629. sq. ft.  
Overall Dwelling Height: 41.5 ft.

RINDGE

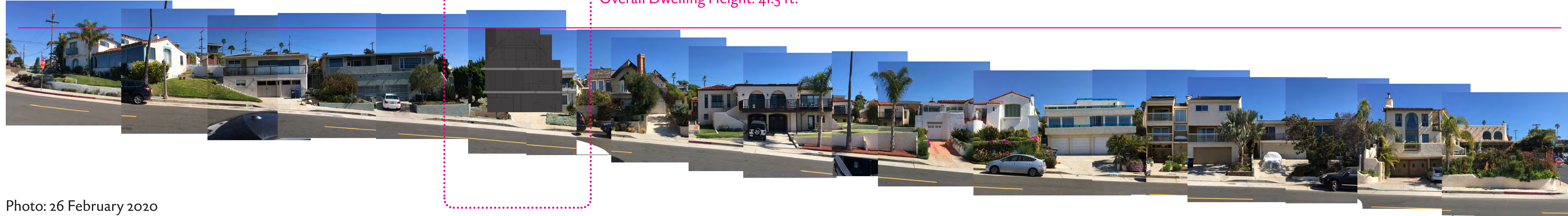


Photo: 26 February 2020

MANCHESTER





## APPEAL FORM

### Appeal of Local Government Coastal Development Permit

#### Filing Information (STAFF ONLY)

District Office: South Coast

Appeal Number: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Appellant Name(s): \_\_\_\_\_

## APPELLANTS

**IMPORTANT.** Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review [the appeal information sheet](#). The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's [contact page](#) at <https://coastal.ca.gov/contact/#/>).

Note regarding emailed appeals. Please note that emailed appeals are accepted **ONLY** at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the South Coast district office, the email address is [SouthCoast@coastal.ca.gov](mailto:SouthCoast@coastal.ca.gov). An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's [contact page](#) at <https://coastal.ca.gov/contact/#/>.

1. Appellant information<sup>1</sup>

Name: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Phone number: \_\_\_\_\_

Email address: \_\_\_\_\_

How did you participate in the local CDP application and decision-making process?

Did not participate      Submitted comment      Testified at hearing      Other

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you did *not* participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<sup>1</sup> If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.



2. Local CDP decision being appealed<sup>2</sup>

Local government name: \_\_\_\_\_

Local government approval body: \_\_\_\_\_

Local government CDP application number: \_\_\_\_\_

Local government CDP decision: CDP approval CDP denial<sup>3</sup>

Date of local government CDP decision: \_\_\_\_\_

Please identify the location and description of the development that was approved or denied by the local government.

Describe: \_\_\_\_\_  
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<sup>2</sup> Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.

<sup>3</sup> Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the [appeal information sheet](#) for more information.

3. Identification of interested persons

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., the applicant, other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

Interested persons identified and provided on a separate attached sheet

4. Grounds for this appeal<sup>4</sup>

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

Describe:

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<sup>4</sup> Attach additional sheets as necessary to fully describe the grounds for appeal.

5. Appellant certification<sup>5</sup>

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name \_\_\_\_\_

*Stew Herrera*

Signature \_\_\_\_\_

Date of Signature \_\_\_\_\_

5. Representative authorization<sup>6</sup>

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

<sup>5</sup> If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

<sup>6</sup> If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.

(Streams)

**CALIFORNIA COASTAL COMMISSION**

45 FREMONT, SUITE 2000  
 SAN FRANCISCO, CA 94105-2219  
 VOICE (415) 904-5200  
 FAX (415) 904-5400

**DISCLOSURE OF REPRESENTATIVES**

If you intend to have anyone communicate on your behalf to the California Coastal Commission, individual Commissioners, and/or Commission staff regarding your coastal development permit (CDP) application (including if your project has been appealed to the Commission from a local government decision) or your appeal, then you are required to identify the name and contact information for all such persons prior to any such communication occurring (see Public Resources Code, Section 30319). The law provides that failure to comply with this disclosure requirement prior to the time that a communication occurs is a misdemeanor that is punishable by a fine or imprisonment and may lead to denial of an application or rejection of an appeal.

To meet this important disclosure requirement, please list below all representatives who will communicate on your behalf or on the behalf of your business and submit the list to the appropriate Commission office. This list could include a wide variety of people such as attorneys, architects, biologists, engineers, etc. If you identify more than one such representative, please identify a lead representative for ease of coordination and communication. You must submit an updated list anytime your list of representatives changes. You must submit the disclosure list before any communication by your representative to the Commission or staff occurs.

Your Name \_\_\_\_\_

CDP Application or Appeal Number \_\_\_\_\_

**Lead Representative**

Name \_\_\_\_\_

Title \_\_\_\_\_

Street Address. \_\_\_\_\_

City \_\_\_\_\_

State, Zip \_\_\_\_\_

Email Address \_\_\_\_\_

Daytime Phone \_\_\_\_\_

Your Signature \_\_\_\_\_

Date of Signature \_\_\_\_\_



(Streams)  
Additional Representatives (as necessary)

Name \_\_\_\_\_  
Title \_\_\_\_\_  
Street Address. \_\_\_\_\_  
City \_\_\_\_\_  
State, Zip \_\_\_\_\_  
Email Address \_\_\_\_\_  
Daytime Phone \_\_\_\_\_

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Email Address \_\_\_\_\_  
Daytime Phone \_\_\_\_\_

Your Signature \_\_\_\_\_

Date of Signature \_\_\_\_\_

# A-5-DRL-21-0015 (Streams)

February 06, 2021

California Coastal Commission  
South Coast District Office  
301 E. Ocean Blvd., Suite 300  
Long Beach, CA 90802  
[\(562\) 590-5071](tel:(562)590-5071)

**City of Los Angeles CDP APPEAL and REVIEW for Dual permit  
REQUEST FOR COASTAL BLUFF ENVIRONMENTAL IMPACT REVIEW OF IMPENDING DUAL PERMIT ISSUANCE  
FOR DEVELOPMENT LOCATED AT 7012 South Vista Del Mar Lane, Playa del Rey, CA 90293**  
CDP Number DIR-2019-6145-CDP-MEL

THE DEMOLITION OF AN (E) SFD AND THE CONSTRUCTION, USE AND MAINTANCE OF A (N) SFD IN AN R-1 LOT WITHIN THE DUAL JURISDICTION COASTAL ZONE.

Dear Ms. Dobson, Mr. Hudson and Chloe Seifert - South District Coastal Commission Office

We appreciate the Coastal Commission's oversight, commitment to protecting our coastline, hillside bluffs, and help preventing the over-building of our coastal communities. In recent instances the City of Los Angeles has not attended to the importance of protecting our coastline communities. In this case, they have been remiss in the CDP process; allowing the owner / developer to circumvent the concerns of the more than a dozen surrounding neighbors and requests to present the project to the local Neighborhood Council Planning and Land Usage Committee, which were established to help address and guide this type of coastal overbuilding and environmental issues. In absence of a certified local Coastal plan the dual jurisdiction review of this development is critical.

We respect and support improvements and the right of thoughtful development in the coastal communities, balanced by the protection of our environment, natural resources and habitats.

The impending development located **7012 South Vista Del Mar Lane, Playa del Rey, CA 90293** has not been reviewed by the city of Los Angeles for its significant adverse Coastal environmental impacts, based on the current plan. The height, setbacks, lot coverage and grading involves substantial risk and adverse environmental impact to coastal and bluff side areas in Playa del Rey.

This development requires full demolition of home, hardscape and pool backfill for the construction of proposed structure, based on the owner developer's existing plan. The development would require significant grading, removal of and potential re-placement of cement, rock, soil, vegetation, and other materials.

The height and square footage of the structure, glass and windows alone will result in significant shoreline / bluff nature and environmental impacts.

This currently proposed development located at 7012 South Vista Del Mar Lane, Playa del Rey, CA 90293 is adjacent to the shoreline, with major renovation of a bluff top and hillside structure, and expansion that maintains inappropriate setback and lot coverage, along the coastal bluff. *This structure has inadequate yard setbacks and will, in fact, block valuable public view corridors – 103% FAR.* Inaccurate photos and images have been created that incorrectly show the effect of the structures height, between their illustrated renderings and

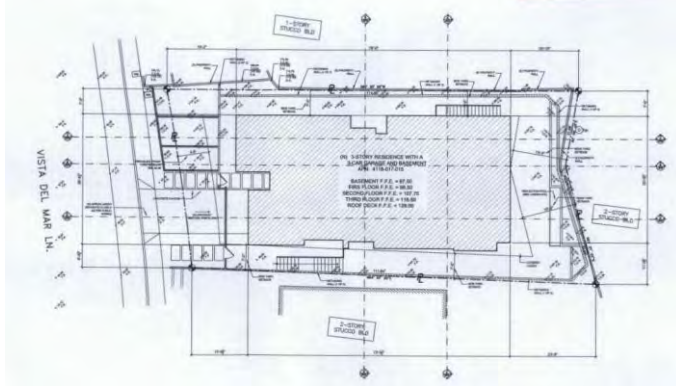
## A-5-DRL-21-0015

“virtual” drone images. The proposed structure will be taller than existing trees and utilities lines in the rear utility easement of the property. The property is on a slope and has not effectively provided height silhouetting. Without proper onsite silhouetting, staking, or poles and pennants, which they declined to temporarily install, the accuracy of their renderings are in questions and do not accurately display how the new structure towers above existing trees and utilities lines. The retaining property walls, multiple roof decks, 48 ft. chimney and rear rooflines, as currently proposed, exceeds the height of most trees around and above the property, as well as flight paths and lines for a range of local birds, green parrots and more.

As planned the development height will, in fact pose significant coastal environment impact. The owner of the intended development at 7012 South Vista Del Mar Lane, Playa del Rey, CA 90293 has made FALSE and INACCURATE claims that the project has NO IMPACT on existing views Sec. 30251. Their privacy walls alone exceed existing roof lines to the north and south slope of the property. They have made inaccurate claims WITHOUT PROOF or an EIR, that the development has NO SIGNIFICANT or CUMMULATIVE IMPACTS on COASTAL RESOURCES Sec. 30250

Note the height of roof line, roof deck, and chimney at rear of property hillside exceed the center roofline and utility lines.

Privacy walls alone exceed the roof lines of adjacent hillside properties



103% FAR coverage, average for all 21 properties on same street and hillside is 48.14% with the structures height to be measured from the current hillside slope, lowest average grade.



(Streams)

Several members of the community have petitioned against the scale, mass, FAR lot coverage and requested a denial of the development's plan as submitted. Without any story pole silhouettes, the inaccurate renderings do not address that the roof top decks, and chimney and height of this structure will surpass most utility lines and flight path where birds and other natural reside. The proposed development is **not compatible with the scale** of the neighborhood Sec. 30253. The style of the structure is not the issue, however the scale is preposterous with the **demolition of a one-story, 1,987 square foot single-family dwelling and the construction of a new 3 story (35.9 ft. high), 5,783 sq. ft. structure** on a 5,651 sq. ft. lot including a basement level would contain a multiple parking garage and storage; **with approximately 1,500 cubic yards of cut and export of dirt.**

We are requesting an appeal of the City's CDP and request a more detailed review during the dual permit process. As part of the appeal of their supposition for Class 32 Infill exemption for promoting shovel ready urban infill development (CEQA) on this bluff and hillside coastal property. The development does not have appropriate geological setbacks and an appropriate geo has not been completed. The City of Los Angeles planning approving CDP's without sincere consideration, if at all, of the mass scale and overdevelopment of the proposed development being consistent with the mass, scale and character of our neighborhood appears to negligent. The existing home of 1,987 square feet at 7012 Vista del Mar lane is proposed to be demolished and replaced with the construction of a new 3 story "home" of 5,783 square feet plus a roof top deck, and 48 foot high chimney. The oversized residence "mansion" will be nearly 3 times the size, mass and scale of the home being demolished and almost double than the average size of homes on the same hillside.

This "new development" far exceeds 50% of the current structure through demolition, removal and reconstruction and more that 50% of the lineal extent of exterior walls; and demolition, removal of structural walls, and removal of cement and back fill of a pool. **The new structure is nearly 3 times the size of the existing structure in square footage and larger the square footage of the lot size, with a 5,783 sq. ft. new structure on a 5,651 sq. ft. coastal bluff and hillside lot, as proposed.**

Several adjacent and local properties have been held to specific Coastal requirements and limitations that we expect this development and owner, who happens to be an attorney, will be held to for this proposed development. Although this development's property owner purposefully circumvented the local neighborhood council planning and land use committees making a range of excuses, we expect they will be held to the same requirements that neighboring properties have had to comply via Coastal Commission. This includes restrictions on smaller renovations including a kitchen bay windows at 7015 Rindge, new windows at 7018 Rindge Ave, size of decks and on a 2018 renovation on Rindge, limiting size and depth of a swimming pool at 7013 Rindge Ave that required full geological tests prior to approval, just to name a few. Six formal appeals were filed with the City of Los Angeles on this development with more than 40 people who had not received notification yet attempted to join the call to express concerns about this over-development and the environmental impact of the bluff and hillside in Playa del Rey for this new **3 story structure, at 5,783 sq. ft. structure on a 5,651 sq. ft. lot. Additionally, after several requests, there has been no detail or confirmation provided specifying from which point on the sloped property will the 35.9 feet and 48 foot chimney will be measured, as it should be measured from average lowest grade of the current sloped property with NO fill.**

Homes of the east side of the Vista Del Mar bluff and hillside have unobstructed views. As we understand the homes in front of this development cannot exceed 9 feet from the street level. Permitting this development will set a precedent for scale, mass and height, and only begin a series of height wars to protect the view and quiet enjoyment of the surrounding coastal properties at the top of the hill which this properties will now be blocking.



We hope the South Coast District Coastal Commission will review all coastal bluff and hillside impacts including:

- 1) Floor Area Ratio (FAR) - the proposed project would result in development which is inconsistent with the scale, mass and character of the surrounding neighborhood and FAR is greater than all but 1 of 21 residences on the hillside that have an average FAR of 103% in an areas with an average FAR of 48.14%. A FAR of 103% for this development provides inappropriate precedent.
- 2) The proposed residence will result in significant impacts to private and public views.
- 3) The proposed project may result in the potential instability of hillside, demolition and fill of an existing pool, and subterranean multi car garage and storage are planned in the new construction.

Currently, an assurance of structural stability has NOT been provided nor has the development proven to be in adherence to the standards for erosion control, as this is a hillside property. Proper siting of new development and minimizing geologic risk are important statewide issues.

Policy 4-1 Coastal Erosion - Development along the Shoreline – for all new development along the shoreline, including additions to existing development, a site-specific geological investigation and analysis similar to that required by the Coastal Commission’s Geologic Stability and Bluff top Guidelines shall be required, for all permitted development, this report must demonstrate bluff stability for 75 years, or the expected lifetime of the structure, whichever is greater.

4) The developer’s images inaccurately display the height of the project, as it does not detail the location on the coastal hillside property from which the 35.9 feet height, roof top decks, and 48 foot chimney are measured. As the owner / developer rejected the request and invitation to attend the local Neighborhood council planning and land use committee, ignored public and neighbor concerns regarding scale, mass, views and community character, and rejected all requests to erect story poles prior to the November 2020 appeal meeting. The development’s proposed height should be measured from Lowest Average Grade.

5) Among the City of LA Department of Planning most important ordinances is the Baseline Hillside Ordinance passed by the City to ensure development standards upon residential development located along hillsides. As BHO regulates the overall scale, mass and height of new construction within residential neighborhoods throughout the Hillside Areas of Los Angeles it should be taken into consideration on this Hillside lot, particularly in absence of a certified coastal plan.

The impending residential development project in its current form would and does not comply with the Baseline Hillside Ordinance, the proposed developments height should be measured from Lowest Average Grade.

6) Chapter 3 of the Coastal Act - Playa del Rey is one of the few Coastal Neighborhoods with yards, space for natural habitat, vegetation, birds, animals, and room to breathe. Somewhat related to FAR, over-developing land and more than 100% FAR structure to lot size will significantly effect of natural habitat, and again sets a dangerous precedent as we protect our coastline.

7) CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) Section 21080.5 of the California Environmental Quality Act (CEQA) and area environmental impact report (EIR) in connection with this development and cumulative local development in the coastal program and how it will conform to CEQA provisions, including the requirement in CEQA section 21080.5(d)(2)(A) and if there are feasible alternative or

(Streams)  
feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. (14 C.C.R. §§ 13542(a), 13540(f), and 13555(b)).

Not all adjacent property owners, within 100 foot radius of the property, were notified of the impending permit, currently approved by the City of Los Angeles. This letter is being submitted as a formal notice of concern, request for coastal environmental impacts, and appeal of any impending permits currently proposed for this development, based on its current form due to scale, mass, setbacks, privacy walls, and partial subterranean grading of the garage area. **As is, the current 3 story, 5,783 sq. ft. structure on a 5,651 sq. ft. lot clearly appears to an overdevelopment of this coastal hill side FAR, with significant adverse coastal environmental impacts** – not to mention the precedent is will set for other similar lot sizes.

Several similar neighborhoods in the non-coastal zone areas of Los Angeles are more protected than those in the Playa del Rey Coastal Zone as they have low FAR limits, such as .45. It would be neglectful for us to have less protection for neighborhoods in Coastal Zones than in the non-coastal zone areas of Los Angeles. We hope the Commission will help encourage and honor neighborhood protections in the Coastal Act Chapter 3 of requiring compatibility with the existing surrounding neighborhood. Enabling development with more than 60% and in this case more than 100% lot coverage will leave the neighborhood unprotected, greatly affect the character and scale, and sets a precedent to have those whose it will block begin height wars. Overbuilding at more than 100% lot coverage can only be achieved by garnering square footage via a combination of subterranean and increasing height above utility lines, as the plans show for this development.

Please note the Substantial Evidence list below, results and analysis of all 21 homes on the east hillside of Vista Del Mar between the beach and the top of the hill where Vista Del Mar lane ends, **detailing the existing lot coverage and size of the hillside, single-family Playa del Rey hillside Coastal Zone.**

**Vista Del Mar (East Hill Side) Home FAR average 48.14%**

Address	Year Built	Height	Home SqFt	Lot Sqft	%
7360 Vista Del Mar	1941	-	3,121	9,595	33%
7352 Vista Del Mar	1960	-	4,621	6,529	71%
7344 Vista Del Mar	1941	25 ft	3,220	7,132	45%
7334 Vista Del Mar	1974	28 ft	5,831	6,150	95%
7328 Vista Del Mar	1952	16 ft	2,048	5,968	34%
7324 Vista Del Mar	1925	29 ft	2,602	9,005	29%
7314 Vista Del Mar	1953	20 ft	2,090	9,237	23%
7310 Vista Del Mar	1959	23 ft	2,832	6,179	46%
7306 Vista Del Mar *	1997	52 ft	10,887	6,819	160%
202 W Manchester Ave	1954		1,840	6,258	30%
201 W Manchester Ave	1990		6,312	9,297	68%
7046 Vista Del Mar	1963	13 ft	3,005	6,633	45%

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704 Vista Del Mar	1974	29 ft	2,438	7,310	33%
7034 Vista Del Mar	1968	29 ft	3,356	7,519	45%
7030 Vista Del Mar	1925	25 ft	2,015	7,385	27%
7026 Vista Del Mar	1940	22 ft	4,360	13,503	32%
7016 Vista Del Mar	1927	29 ft	2,752	5,685	48%
<b>7012 Vista Del Mar</b>	<b>1958</b>	-	<b>1,987</b>	<b>5,651</b>	<b>35%</b>
7008 Vista Del Mar	1956	19 ft	1,617	5,720	28%
7000 Vista Del Mar	1951	16 ft	1,339	3,979	34%
6948 Vista Del Mar	1927	28 ft	2,500	4,970	50%

**Average Height, Square Footage & FAR: 25 ft 3,370 sq ft 48.14%**

Impending Development:

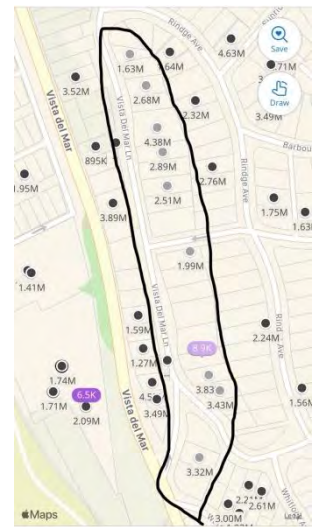
<b>7012 Vista Del Mar Ln</b>	<b>2021</b>	<b>35.9 ft</b>	<b>5,783</b>	<b>5,651</b>	<b>102%</b>
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**\*Important Note:** It appears that the City has a trend of allowing greater FAR and height in recent years. Rather than intelligent and responsible planning by the LA City CDP it seems that the city is allowing larger scale, out of scale with coastal community and clearly conflicting with ordinance in other areas of the city that were created so there would not be adverse effects on the values in the neighborhoods – BHO / BMO ordinances affecting FAR, Height, Grading .

The owner / developer's own calculation of scale, mass, height, and FAR calculation (which average 68%), where inaccurately displayed, as their list contemplates properties on the west side of Vista Del Mar. In either event, it still displays the incredibly oversized development plan for the location of this property.

Again, we fully respect and support improvements and the right of thoughtful development in the coastal communities, balanced by the protection of our environment, natural resources and habitats. However, it's hard to overlook these recent imposing and out-of-scale sized homes planned and being built on the coastal hillside, purely for profit and/ or opulent purposes. Not only do these overbuilt residences affect the neighborhood scale and land to structure ratio, but, more specifically and literally, they have created a negative presence upon their adjacent neighbors because their 3 story heights block sunlight, ocean breezes, minimize privacy, and impacts the quality of life for both people and natural habitat.

There are other districts and neighborhoods that have enacted de-mansionization and BHO policies to limit the size of building in proportion to the lot size. Local residents hope that this will curtail the huge boxes that are popping up all over the Westside, and, literally, looming over its coastal residential neighbors and reducing open land. Less than 2 miles away, in 2016, the city approved a change in the building code to reduce the FAR to 45%. Yet bluff and hillside coastal properties have less protection: Playa del Rey has no FAR established to date, and the City is supposed to ensure that new developments are "within character of the existing homes". With this development coming in at 104% FAR, and existing 21 homes on the same hillside street, on average of 48%, and prior to 1997 was at 42% FAR. I understand the code and permit process, and do not want to interfere in others' rights to build and develop their projects within the framework that the building and fire department, as well as those Coastal Commission have set forth. Being that the Department of Planning cannot decipher or agree upon a certified coastal plan since 1979, nor what is "fitting within character of the existing homes" we are requesting an implementation of a FAR in our neighborhood, and that the FAR should be no more than the current average for properties along the same hillside. In addition, it can serve as



(Streams)

guidance for those owner / developers who are trying to push for building the largest possible structure for their own or selfish gain, sidestepping the standard process, notifications, and procedures, requests from Neighborhood Councils, as well as the California Coastal Commission. Playa del Rey is one of the few Coastal Neighborhoods with yards, space for natural habitat, vegetation, birds, animals, and room to breathe. When another 3 story, 5,783sf+ structure that is greater than the size of the lot is permitted, it sets an unfortunate precedent and has already begun to create residential height wars. There is a place for these developments, but they should be built on a larger lot that are, in fact, available to build upon in the community.

Prior to obtaining a permit to build our pool in 2002, that is directly adjacent to this property, we had to provide a geological test to assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area way require the construction of protective devices that would substantially alter natural landforms along bluff or hillside. As this property will be removing a significant amount of cement, back filling an existing pool, in addition to **removing approximately 1,500 cubic yards of cut and export of dirt to build a basement level containing a multiple parking garage and storage.**

To date, this development has not been properly reviewed by the city of Los Angeles for its impending significant adverse environmental impacts. No onsite visits by the city were made to properly view the effect of the scale, mass and height, including property privacy walls, decks, chimneys, and rear roof lines. We respectfully request that a full review of the impending dual coastal development permit of **7012 South Vista Del Mar Lane, Playa del Rey, CA 90293** in order to properly discern the effects of this proposed development and accurate environmental impact.

Applying the six factors listed above, and Chapter 3 of the Coastal Act, this impending permit was not taken in consideration by the LA City CDP. We understand that Los Angeles is a large area for the city to appropriately plan for and the full adverse and cumulative environmental impact on the over-development of the hillside coastal bluffs in Playa del Rey was not properly considered in this instance.

Thanking you in advance for your thorough review of this proposed dual permit plan and appeal of City of Los Angeles CDP issued permit.

Best,

*Lisa Farris*

Lisa Farris  
7013 Rindge Avenue  
Playa del Rey, CA 90293  
310-500-6476



(Streams)



**From:** Seifert, Chloe@Coastal [mailto:chloe.seifert@coastal.ca.gov]

**Sent:** Tuesday, February 2, 2021 12:11 PM

**To:** Lisa Farris

**Cc:** Julie Ross

**Subject:** RE: Review of Impending Permit and Adverse Environmental Impact to Coastal and Bluff Side Development @ 7012 South Vista Del Mar Lane, Playa del Rey, CA 90293

Hi Lisa,

Thanks for speaking with me this morning and following up on your inquiry. After speaking with senior staff, I can confirm that your appeal of local coastal development permit DIR 2019-6145-CDP-MEL **should** be submitted to our South Coast District office. While this project is located within the Dual Permit Jurisdiction and will require secondary approval from the Commission to proceed, you may still appeal the City's action prior to February 8. (Apologies for incorrectly indicating the subject site was within Single Permit Jurisdiction.)

If you and Julie Ross wish to schedule a call to discuss any further questions prior to appeal submittal, I can be available today between 4 and 5pm, or any time Thursday; let me know if you'd like me to call your listed number.

Thanks,  
Chloe

On Jan 25, 2021, at 9:31 AM, Seifert, Chloe@Coastal <[chloe.seifert@coastal.ca.gov](mailto:chloe.seifert@coastal.ca.gov)> wrote:

Hello Lisa,

I'm one of the Coastal Commission planners assigned to appeals within the Los Angeles coastal zone. I can help direct you to the appeal form and answer any questions you may have regarding the form submittal.

In order to file an appeal of local Permit No. DIR 2019-6145-CDP-MEL issued for 7012 Vista Del Mar Ln, please mail the completed appeal form to our South Coast District office at 301 E. OCEAN BLVD., SUITE 300, LONG BEACH 90802. You can find the appeal form at [this link](#). Please note that the appeal period for this permit will end at **5:00 PM on February 8<sup>th</sup>**. If our office does not receive the appeal prior to that time, the local action will be deemed final. In addition to submitting the appeal via mail, please retain digital copies of all appeal submissions to allow our planning staff to review the appeal remotely.

Please contact me directly with any additional questions or clarifications.

California Coastal Commission

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Exhibit 7

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(Streams)

Thank you,

Chloe Seifert

Coastal Program Analyst

(Streams)

**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST DISTRICT OFFICE  
301 E. OCEAN BLVD., SUITE 300  
LONG BEACH, CA 90802  
(562) 590-5071  
SOUTHCOAST@COASTAL.CA.GOV

**APPEAL FORM****Appeal of Local Government Coastal Development Permit****Filing Information (STAFF ONLY)**

District Office: South Coast

Appeal Number: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Appellant Name(s): \_\_\_\_\_

**APPELLANTS**

**IMPORTANT.** Before you complete and submit this appeal form to appeal a coastal development permit (CDP) decision of a local government with a certified local coastal program (LCP) to the California Coastal Commission, please review [the appeal information sheet](#). The appeal information sheet describes who is eligible to appeal what types of local government CDP decisions, the proper grounds for appeal, and the procedures for submitting such appeals to the Commission. Appellants are responsible for submitting appeals that conform to the Commission law, including regulations. Appeals that do not conform may not be accepted. If you have any questions about any aspect of the appeal process, please contact staff in the Commission district office with jurisdiction over the area in question (see the Commission's [contact page](#) at <https://coastal.ca.gov/contact/#/>).

**Note regarding emailed appeals.** Please note that emailed appeals are accepted **ONLY** at the general email address for the Coastal Commission district office with jurisdiction over the local government in question. For the South Coast district office, the email address is [SouthCoast@coastal.ca.gov](mailto:SouthCoast@coastal.ca.gov). An appeal emailed to some other email address, including a different district's general email address or a staff email address, will be rejected. It is the appellant's responsibility to use the correct email address, and appellants are encouraged to contact Commission staff with any questions. For more information, see the Commission's [contact page](#) at <https://coastal.ca.gov/contact/#/>.

**Appeal of local CDP decision**  
**Page 2**

**1. Appellant information<sup>1</sup>**

Name: Lisa Farris  
Mailing address: 7013 Rindge Ave, Playa del Rey, CA 90293  
Phone number: 310-500-6476  
Email address: lisa@farris.tv

How did you participate in the local CDP application and decision-making process?

☐ Did not participate    ☒ Submitted comment    ☒ Testified at hearing    ☐ Other

Describe: I filed an appeal, however never seeing the plans and represenatives renderings  
in advance, it was difficult to address the issues their representatives claimed  
without proper research and prior review. Additonally, the planning board allowed  
unrelated discussions that had nothing to do with project consume a portion of the meeting.

If you did *not* participate in the local CDP application and decision-making process, please identify why you should be allowed to appeal anyway (e.g., if you did not participate because you were not properly noticed).

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please identify how you exhausted all LCP CDP appeal processes or otherwise identify why you should be allowed to appeal (e.g., if the local government did not follow proper CDP notice and hearing procedures, or it charges a fee for local appellate CDP processes).

Describe: local government did not follow proper CDP notice, as I was not properly notified  
when the development was first pending. I was only notified by neighbors who walked by the property.  
Fees were charged for the local appellate CDP processes and odd hearing procedures allowed  
completely unrelated personal opinions on the charachter of the owner vs. focusing the plans and development.

<sup>1</sup> If there are multiple appellants, each appellant must provide their own contact and participation information. Please attach additional sheets as necessary.



**Appeal of local CDP decision**  
**Page 3**

**2. Local CDP decision being appealed<sup>2</sup>**

Local government name: Los Angeles City Planning  
Local government approval body: LA Department of City Planning CP  
Local government CDP application number: DIR-2019-6145-CDP-MEL  
Local government CDP decision: ☒ CDP approval ☐ CDP denial<sup>3</sup>  
Date of local government CDP decision: November 18, 2020

Please identify the location and description of the development that was approved or denied by the local government.

Describe: 7012 South Vista Del Mar Lane, Playa del Rey, CA 90293  
THE DEMOLITION OF AN (E) SFD AND THE CONSTRUCTION, USE AND MAINTANCE  
of A (N) SFD IN AN R-1 LOT WITHIN THE DUAL JURISDICTION COASTAL ZONE.  
demolition of a one-story, 1,987 square foot single-family dwelling and the  
construction of a new 3 story (35.9 ft. high),  
5,783 sq. ft. structure on a 5,651 sq. ft. lot  
plus roof top deck, 48 ft chimney, and privacy walls.  
including a subterenean basement level containing a multiple parking garage and storage;  
removal of with approximately 1,500 cubic yards of cut and export of dirt.  
Developement of 5,783 residence in an areas of 3,370 Sq Ft homes  
103% FAR in and area with average hillside FAR of 48.14%  
removal of vegetation, and he demolition and back fill of existing pool.

The development far exceeds  
Average height, scaler and FAR off properties on same  
street and hillside.

\* 4. Please find additional sheets w/ details and analysis  
to fully describe issues.

<sup>2</sup> Attach additional sheets as necessary to fully describe the local government CDP decision, including a description of the development that was the subject of the CDP application and decision.

<sup>3</sup> Very few local CDP denials are appealable, and those that are also require submittal of an appeal fee. Please see the [appeal information sheet](#) for more information.

**Appeal of local CDP decision**  
**Page 4**

**3. Identification of interested persons**

On a separate page, please provide the names and contact information (i.e., mailing and email addresses) of all persons whom you know to be interested in the local CDP decision and/or the approved or denied development (e.g., the applicant, other persons who participated in the local CDP application and decision making process, etc.), and check this box to acknowledge that you have done so.

☒ Interested persons identified and provided on a separate attached sheet

**4. Grounds for this appeal<sup>4</sup>**

For appeals of a CDP approval, grounds for appeal are limited to allegations that the approved development does not conform to the LCP or to Coastal Act public access provisions. For appeals of a CDP denial, grounds for appeal are limited to allegations that the development conforms to the LCP and to Coastal Act public access provisions. Please clearly identify the ways in which the development meets or doesn't meet, as applicable, the LCP and Coastal Act provisions, with citations to specific provisions as much as possible. Appellants are encouraged to be concise, and to arrange their appeals by topic area and by individual policies.

Describe:

1) Floor Area Ratio (FAR) - proposed project inconsistent with the scale, mass and character of the surrounding neighborhood & FAR @ 103%

2) The proposed residence will result in significant impacts to private and public views

3) instability of hillside, demolition and fill of an existing pool, and subterranean multi car garage

assurance of structural stability has NOT been provided, and Policy 4-1 Coastal Erosion.

**4) Public & Private View Obstruction towering over utility lines**

Coastal hillside development mass & scale 35.9 feet height, roof top decks, privacy walls and 48 foot chimney

proposed height should be measured from Lowest Average Grade. Requesting storypoles

5) BHO should be adhered based on scale, mass & height of new construction within residential neighborhoods along Coastal Hillside

of Los Angeles should be taken into consideration on this Hillside lot, in absence of a certified coastal plan.

6) Chapter 3 of the Coastal Act - effect of natural habitat, sets a dangerous precedent as we protect our coastline.

7. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) Section 21080.5

of the California Environmental Quality Act (CEQA) and area environmental impact report (EIR)

\* <sup>4</sup> Attach additional sheets as necessary to fully describe the grounds for appeal.

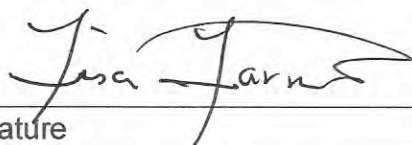
Attached

**Appeal of local CDP decision**  
**Page 5**

**5. Appellant certifications**

I attest that to the best of my knowledge, all information and facts in this appeal are correct and complete.

Print name Lisa Farris

  
Signature

Date of Signature 2/6/2021 2/6/2021

**5. Representative authorizations**

While not required, you may identify others to represent you in the appeal process. If you do, they must have the power to bind you in all matters concerning the appeal. To do so, please complete the representative authorization form below and check this box to acknowledge that you have done so.

☐ I have authorized a representative, and I have provided authorization for them on the representative authorization form attached.

<sup>5</sup> If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

<sup>6</sup> If there are multiple appellants, each appellant must provide their own representative authorization form to identify others who represent them. Please attach additional sheets as necessary.



February 06, 2021

California Coastal Commission  
South Coast District Office  
301 E. Ocean Blvd., Suite 300  
Long Beach, CA 90802  
[\(562\) 590-5071](tel:(562)590-5071)

**City of Los Angeles CDP APPEAL and REVIEW for Dual permit  
REQUEST FOR COASTAL BLUFF ENVIRONMENTAL IMPACT REVIEW OF IMPENDING DUAL PERMIT ISSUANCE  
FOR DEVELOPMENT LOCATED AT 7012 South Vista Del Mar Lane, Playa del Rey, CA 90293**

CDP Number DIR-2019-6145-CDP-MEL

THE DEMOLITION OF AN (E) SFD AND THE CONSTRUCTION, USE AND MAINTANCE OF A (N) SFD IN AN R-1 LOT WITHIN THE DUAL JURISDICTION COASTAL ZONE.

Dear Ms. Dobson, Mr. Hudson and Chloe Seifert - South District Coastal Commission Office

We appreciate the Coastal Commission's oversight, commitment to protecting our coastline, hillside bluffs, and help preventing the over-building of our coastal communities. In recent instances the City of Los Angeles has not attended to the importance of protecting our coastline communities. In this case, they have been remiss in the CDP process; allowing the owner / developer to circumvent the concerns of the more than a dozen surrounding neighbors and requests to present the project to the local Neighborhood Council Planning and Land Usage Committee, which were established to help address and guide this type of coastal overbuilding and environmental issues. In absence of a certified local Coastal plan the dual jurisdiction review of this development is critical.

We respect and support improvements and the right of thoughtful development in the coastal communities, balanced by the protection of our environment, natural resources and habitats.

The impending development located **7012 South Vista Del Mar Lane, Playa del Rey, CA 90293** has not been reviewed by the city of Los Angeles for its significant adverse Coastal environmental impacts, based on the current plan. The height, setbacks, lot coverage and grading involves substantial risk and adverse environmental impact to coastal and bluff side areas in Playa del Rey.

This development requires full demolition of home, hardscape and pool backfill for the construction of proposed structure, based on the owner developer's existing plan. The development would require significant grading, removal of and potential re-placement of cement, rock, soil, vegetation, and other materials.

The height and square footage of the structure, glass and windows alone will result in significant shoreline / bluff nature and environmental impacts.

This currently proposed development located at 7012 South Vista Del Mar Lane, Playa del Rey, CA 90293 is adjacent to the shoreline, with major renovation of a bluff top and hillside structure, and expansion that maintains inappropriate setback and lot coverage, along the coastal bluff. *This structure has inadequate yard setbacks and will, in fact, block valuable public view corridors – 103% FAR.* Inaccurate photos and images have been created that incorrectly show the effect of the structures height, between their illustrated renderings and



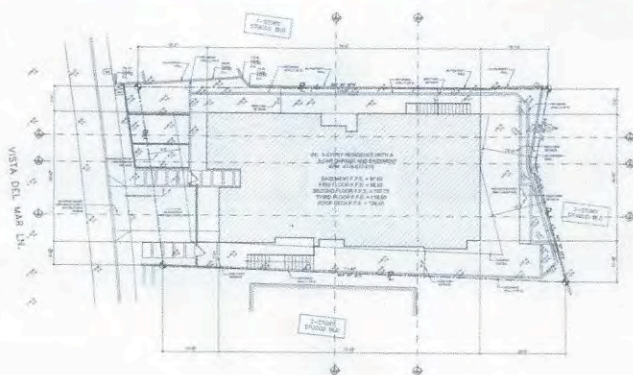
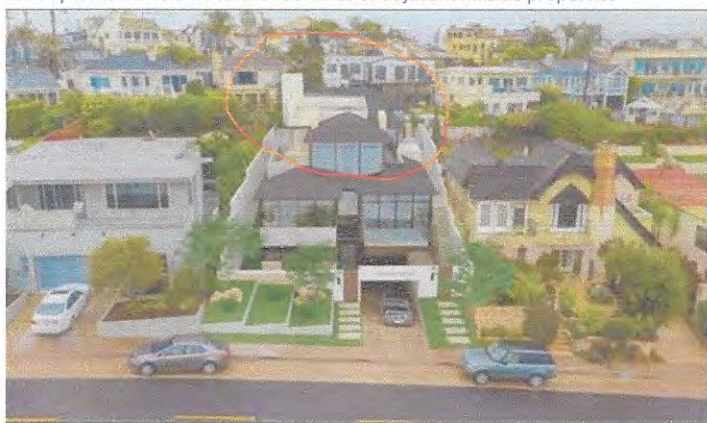
## A-5-DRL-21-0015

"virtual" drone images. The proposed structure will be taller than existing trees and utilities lines in the rear utility easement of the property. The property is on a slope and has not effectively provided height silhouetting. Without proper onsite silhouetting, staking, or poles and pennants, which they declined to temporarily install, the accuracy of their renderings are in questions and do not accurately display how the new structure towers above existing trees and utilities lines. The retaining property walls, multiple roof decks, 48 ft. chimney and rear rooflines, as currently proposed, exceeds the height of most trees around and above the property, as well as flight paths and lines for a range of local birds, green parrots and more.

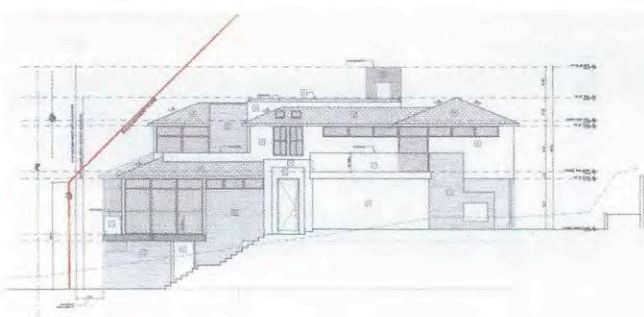
As planned the development height will, in fact pose significant coastal environment impact. The owner of the intended development at 7012 South Vista Del Mar Lane, Playa del Rey, CA 90293 has made FALSE and INACCURATE claims that the project has NO IMPACT on existing views Sec. 30251. Their privacy walls alone exceed existing roof lines to the north and south slope of the property. They have made inaccurate claims WITHOUT PROOF or an EIR, that the development has NO SIGNIFICANT or CUMMULATIVE IMPACTS on COASTAL RESOURCES Sec. 30250

Note the height of roof line, roof deck, and chimney at rear of property hillside exceed the center roofline and utility lines.

Privacy walls alone exceed the roof lines of adjacent hillside properties



103% FAR coverage, average for all 21 properties on same street and hillside is 48.14% with the structures height to be measured from the current hillside's slope, lowest average grade.



ENCROACHMENT PLANE DIAGRAM

Several members of the community have petitioned against the scale, mass, FAK lot coverage and requested a denial of the development's plan as submitted. Without any story pole silhouettes, the inaccurate renderings do not address that the roof top decks, and chimney and height of this structure will surpass most utility lines and flight path where birds and other natural reside. The proposed development is **not compatible with the scale** of the neighborhood Sec. 30253. The style of the structure is not the issue, however the scale is preposterous with the **demolition of a one-story, 1,987 square foot single-family dwelling and the construction of a new 3 story (35.9 ft. high), 5,783 sq. ft. structure** on a 5,651 sq. ft. lot including a basement level would contain a multiple parking garage and storage; **with approximately 1,500 cubic yards of cut and export of dirt.**

We are requesting an appeal of the City's CDP and request a more detailed review during the dual permit process. As part of the appeal of their supposition for Class 32 Infill exemption for promoting shovel ready urban infill development (CEQA) on this bluff and hillside coastal property. The development does not have appropriate geological setbacks and an appropriate geo has not been completed. The City of Los Angeles planning approving CDP's without sincere consideration, if at all, of the mass scale and overdevelopment of the proposed development being consistent with the mass, scale and character of our neighborhood appears to negligent. The existing home of 1,987 square feet at 7012 Vista del Mar lane is proposed to be demolished and replaced with the construction of a new 3 story "home" of 5,783 square feet plus a roof top deck, and 48 foot high chimney. The oversized residence "mansion" will be nearly 3 times the size, mass and scale of the home being demolished and almost double than the average size of homes on the same hillside.

This "new development" far exceeds 50% of the current structure through demolition, removal and reconstruction and more that 50% of the lineal extent of exterior walls; and demolition, removal of structural walls, and removal of cement and back fill of a pool. **The new structure is nearly 3 times the size of the existing structure in square footage and larger the square footage of the lot size, with a 5,783 sq. ft. new structure on a 5,651 sq. ft. coastal bluff and hillside lot, as proposed.**

Several adjacent and local properties have been held to specific Coastal requirements and limitations that we expect this development and owner, who happens to be an attorney, will be held to for this proposed development. Although this development's property owner purposefully circumvented the local neighborhood council planning and land use committees making a range of excuses, we expect they will be held to the same requirements that neighboring properties have had to comply via Coastal Commission. This includes restrictions on smaller renovations including a kitchen bay windows at 7015 Rindge, new windows at 7018 Rindge Ave, size of decks and on a 2018 renovation on Rindge, limiting size and depth of a swimming pool at 7013 Rindge Ave that required full geological tests prior to approval, just to name a few. Six formal appeals were filed with the City of Los Angeles on this development with more than 40 people who had not received notification yet attempted to join the call to express concerns about this over-development and the environmental impact of the bluff and hillside in Playa del Rey for this new **3 story structure, at 5,783 sq. ft. structure on a 5,651 sq. ft. lot.** Additionally, after several requests, there has been no detail or confirmation provided specifying from which point on the sloped property will the 35.9 feet and 48 foot chimney will be measured, as it should be measured from average lowest grade of the current sloped property with NO fill. Homes of the east side of the Vista Del Mar bluff and hillside have unobstructed views. As we understand the homes in front of this development cannot exceed 9 feet from the street level. Permitting this development will set a precedent for scale, mass and height, and only begin a series of height wars to protect the view and quiet enjoyment of the surrounding coastal properties at the top of the hill which this properties will now be blocking.



We hope the South Coast District Coastal Commission will review all coastal bluff and hillside impacts including:

- 1) Floor Area Ratio (FAR) - the proposed project would result in development which is inconsistent with the scale, mass and character of the surrounding neighborhood and FAR is greater than all but 1 of 21 residences on the hillside that have an average FAR of 103% in an area with an average FAR of 48.14%. A FAR of 103% for this development provides inappropriate precedent.
- 2) The proposed residence will result in significant impacts to private and public views.
- 3) The proposed project may result in the potential instability of hillside, demolition and fill of an existing pool, and subterranean multi car garage and storage are planned in the new construction.

Currently, an assurance of structural stability has NOT been provided nor has the development proven to be in adherence to the standards for erosion control, as this is a hillside property. Proper siting of new development and minimizing geologic risk are important statewide issues.

Policy 4-1 Coastal Erosion - Development along the Shoreline – for all new development along the shoreline, including additions to existing development, a site-specific geological investigation and analysis similar to that required by the Coastal Commission's Geologic Stability and Bluff top Guidelines shall be required, for all permitted development, this report must demonstrate bluff stability for 75 years, or the expected lifetime of the structure, whichever is greater.

4) The developer's images inaccurately display the height of the project, as it does not detail the location on the coastal hillside property from which the 35.9 feet height, roof top decks, and 48 foot chimney are measured. As the owner / developer rejected the request and invitation to attend the local Neighborhood council planning and land use committee, ignored public and neighbor concerns regarding scale, mass, views and community character, and rejected all requests to erect story poles prior to the November 2020 appeal meeting. The development's proposed height should be measured from Lowest Average Grade.

5) Among the City of LA Department of Planning most important ordinances is the Baseline Hillside Ordinance passed by the City to ensure development standards upon residential development located along hillsides. As BHO regulates the overall scale, mass and height of new construction within residential neighborhoods throughout the Hillside Areas of Los Angeles it should be taken into consideration on this Hillside lot, particularly in absence of a certified coastal plan.

The impending residential development project in its current form would and does not comply with the Baseline Hillside Ordinance, the proposed developments height should be measured from Lowest Average Grade.

6) Chapter 3 of the Coastal Act - Playa del Rey is one of the few Coastal Neighborhoods with yards, space for natural habitat, vegetation, birds, animals, and room to breathe. Somewhat related to FAR, over-developing land and more than 100% FAR structure to lot size will significantly effect of natural habitat, and again sets a dangerous precedent as we protect our coastline.

7) CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) Section 21080.5 of the California Environmental Quality Act (CEQA) and area environmental impact report (EIR) in connection with this development and cumulative local development in the coastal program and how it will conform to CEQA provisions, including the requirement in CEQA section 21080.5(d)(2)(A) and if there are feasible alternative or

(Streams) feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. (14 C.C.R. §§ 13542(a), 13540(f), and 13555(b)).

Not all adjacent property owners, within 100 foot radius of the property, were notified of the impending permit, currently approved by the City of Los Angeles. This letter is being submitted as a formal notice of concern, request for coastal environmental impacts, and appeal of any impending permits currently proposed for this development, based on its current form due to scale, mass, setbacks, privacy walls, and partial subterranean grading of the garage area. **As is, the current 3 story, 5,783 sq. ft. structure on a 5,651 sq. ft. lot clearly appears to an overdevelopment of this coastal hill side FAR, with significant adverse coastal environmental impacts** – not to mention the precedent is will set for other similar lot sizes.

Several similar neighborhoods in the non-coastal zone areas of Los Angeles are more protected than those in the Playa del Rey Coastal Zone as they have low FAR limits, such as .45. It would be neglectful for us to have less protection for neighborhoods in Coastal Zones than in the non-coastal zone areas of Los Angeles. We hope the Commission will help encourage and honor neighborhood protections in the Coastal Act Chapter 3 of requiring compatibility with the existing surrounding neighborhood. Enabling development with more than 60% and in this case more than 100% lot coverage will leave the neighborhood unprotected, greatly affect the character and scale, and sets a precedent to have those whose it will block begin height wars. Overbuilding at more than 100% lot coverage can only be achieved by garnering square footage via a combination of subterranean and increasing height above utility lines, as the plans show for this development.

Please note the Substantial Evidence list below, results and analysis of all 21 homes on the east hillside of Vista Del Mar between the beach and the top of the hill where Vista Del Mar lane ends, **detailing the existing lot coverage and size of the hillside, single-family Playa del Rey hillside Coastal Zone.**

**Vista Del Mar (East Hill Side) Home FAR average 48.14%**

Address	Year Built	Height	Home SqFt	Lot Sqft	%
7360 Vista Del Mar	1941	-	3,121	9,595	33%
7352 Vista Del Mar	1960	-	4,621	6,529	71%
7344 Vista Del Mar	1941	25 ft	3,220	7,132	45%
7334 Vista Del Mar	1974	28 ft	5,831	6,150	95%
7328 Vista Del Mar	1952	16 ft	2,048	5,968	34%
7324 Vista Del Mar	1925	29 ft	2,602	9,005	29%
7314 Vista Del Mar	1953	20 ft	2,090	9,237	23%
7310 Vista Del Mar	1959	23 ft	2,832	6,179	46%
7306 Vista Del Mar *	1997	52 ft	10,887	6,819	160%
202 W Manchester Ave	1954		1,840	6,258	30%
201 W Manchester Ave	1990		6,312	9,297	68%
7046 Vista Del Mar	1963	13 ft	3,005	6,633	45%



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704 Vista Del Mar	1974	29 ft	2,438	7,310	33%
7034 Vista Del Mar	1968	29 ft	3,356	7,519	45%
7030 Vista Del Mar	1925	25 ft	2,015	7,385	27%
7026 Vista Del Mar	1940	22 ft	4,360	13,503	32%
7016 Vista Del Mar	1927	29 ft	2,752	5,685	48%
<b>7012 Vista Del Mar</b>	<b>1958</b>	-	<b>1,987</b>	<b>5,651</b>	<b>35%</b>
7008 Vista Del Mar	1956	19 ft	1,617	5,720	28%
7000 Vista Del Mar	1951	16 ft	1,339	3,979	34%
6948 Vista Del Mar	1927	28 ft	2,500	4,970	50%

**Average Height, Square Footage & FAR: 25 ft 3,370 sq ft 48.14%**

Impending Development:

<b>7012 Vista Del Mar Ln</b>	<b>2021</b>	<b>35.9 ft</b>	<b>5,783</b>	<b>5,651</b>	<b>102%</b>
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**Important Note:** It appears that the City has a trend of allowing greater FAR and height in recent years. Rather than intelligent and responsible planning by the LA City CDP it seems that the city is allowing larger scale, out of scale with coastal community and clearly conflicting with ordinance in other areas of the city that were created so there would not be adverse effects on the values in the neighborhoods – BHO / BMO ordinances affecting FAR, Height, Grading.

The owner / developer's own calculation of scale, mass, height, and FAR calculation (which average 68%), where inaccurately displayed, as their list contemplates properties on the west side of Vista Del Mar. In either event, it still displays the incredibly oversized development plan for the location of this property.

Again, we fully respect and support improvements and the right of thoughtful development in the coastal communities, balanced by the protection of our environment, natural resources and habitats. However, it's hard to overlook these recent imposing and out-of-scale sized homes planned and being built on the coastal hillside, purely for profit and/ or opulent purposes. Not only do these overbuilt residences affect the neighborhood scale and land to structure ratio, but, more specifically and literally, they have created a negative presence upon their adjacent neighbors because their 3 story heights block sunlight, ocean breezes, minimize privacy, and impacts the quality of life for both people and natural habitat.

There are other districts and neighborhoods that have enacted de-mansionization and BHO policies to limit the size of building in proportion to the lot size. Local residents hope that this will curtail the huge boxes that are popping up all over the Westside, and, literally, looming over its coastal residential neighbors and reducing open land. Less than 2 miles away, in 2016, the city approved a change in the building code to reduce the FAR to 45%. Yet bluff and hillside coastal properties have less protection: Playa del Rey has no FAR established to date, and the City is supposed to ensure that new developments are "within character of the existing homes". With this development coming in at 104% FAR, and existing 21 homes on the same hillside street, on average of 48%, and prior to 1997 was at 42% FAR. I understand the code and permit process, and do not want to interfere in others' rights to build and develop their projects within the framework that the building and fire department, as well as those Coastal Commission have set forth. Being that the Department of Planning cannot decipher or agree upon a certified coastal plan since 1979, nor what is "fitting within character of the existing homes" we are requesting an implementation of a FAR in our neighborhood, and that the FAR should be no more than the current average for properties along the same hillside. In addition, it can serve as



guidance for those owner / developers who are trying to push for building the largest possible structure for their own or selfish gain, sidestepping the standard process, notifications, and procedures, requests from Neighborhood Councils, as well as the California Coastal Commission. Playa del Rey is one of the few Coastal Neighborhoods with yards, space for natural habitat, vegetation, birds, animals, and room to breathe. When another 3 story, 5,783sf+ structure that is greater than the size of the lot is permitted, it sets an unfortunate precedent and has already begun to create residential height wars. There is a place for these developments, but they should be built on a larger lot that are, in fact, available to build upon in the community.

Prior to obtaining a permit to build our pool in 2002, that is directly adjacent to this property, we had to provide a geological test to assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area way require the construction of protective devices that would substantially alter natural landforms along bluff or hillside. As this property will be removing a significant amount of cement, back filling an existing pool, in addition to **removing approximately 1,500 cubic yards of cut and export of dirt to build a basement level containing a multiple parking garage and storage.**

To date, this development has not been properly reviewed by the city of Los Angeles for its impending significant adverse environmental impacts. No onsite visits by the city were made to properly view the effect of the scale, mass and height, including property privacy walls, decks, chimneys, and rear roof lines. We respectfully request that a full review of the impending dual coastal development permit of **7012 South Vista Del Mar Lane, Playa del Rey, CA 90293** in order to properly discern the effects of this proposed development and accurate environmental impact.

Applying the six factors listed above, and Chapter 3 of the Coastal Act, this impending permit was not taken in consideration by the LA City CDP. We understand that Los Angeles is a large area for the city to appropriately plan for and the full adverse and cumulative environmental impact on the over-development of the hillside coastal bluffs in Playa del Rey was not properly considered in this instance.

Thanking you in advance for your thorough review of this proposed dual permit plan and appeal of City of Los Angeles CDP issued permit.

Best,

*Lisa Farris*

Lisa Farris  
7013 Rindge Avenue  
Playa del Rey, CA 90293  
310-500-6476



(Streams)



**From:** Seifert, Chloe@Coastal [mailto:chloe.seifert@coastal.ca.gov]

**Sent:** Tuesday, February 2, 2021 12:11 PM

**To:** Lisa Farris

**Cc:** Julie Ross

**Subject:** RE: Review of Impending Permit and Adverse Environmental Impact to Coastal and Bluff Side Development @ 7012 South Vista Del Mar Lane, Playa del Rey, CA 90293

Hi Lisa,

Thanks for speaking with me this morning and following up on your inquiry. After speaking with senior staff, I can confirm that your appeal of local coastal development permit DIR 2019-6145-CDP-MEL **should** be submitted to our South Coast District office. While this project is located within the Dual Permit Jurisdiction and will require secondary approval from the Commission to proceed, you may still appeal the City's action prior to February 8. (Apologies for incorrectly indicating the subject site was within Single Permit Jurisdiction.)

If you and Julie Ross wish to schedule a call to discuss any further questions prior to appeal submittal, I can be available today between 4 and 5pm, or any time Thursday; let me know if you'd like me to call your listed number.

Thanks,  
Chloe

On Jan 25, 2021, at 9:31 AM, Seifert, Chloe@Coastal <[chloe.seifert@coastal.ca.gov](mailto:chloe.seifert@coastal.ca.gov)> wrote:

Hello Lisa,

I'm one of the Coastal Commission planners assigned to appeals within the Los Angeles coastal zone. I can help direct you to the appeal form and answer any questions you may have regarding the form submittal.

In order to file an appeal of local Permit No. DIR 2019-6145-CDP-MEL issued for 7012 Vista Del Mar Ln, please mail the completed appeal form to our South Coast District office at 301 E. OCEAN BLVD., SUITE 300, LONG BEACH 90802. You can find the appeal form at [this link](#). Please note that the appeal period for this permit will end at **5:00 PM on February 8<sup>th</sup>**. If our office does not receive the appeal prior to that time, the local action will be deemed final. In addition to submitting the appeal via mail, please retain digital copies of all appeal submissions to allow our planning staff to review the appeal remotely.

Please contact me directly with any additional questions or clarifications.

California Coastal Commission

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Exhibit 7

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(Streams)

Thank you,

Chloe Seifert

Coastal Program Analyst



## **EXHIBIT 8 - DIRECTOR'S DETERMINATION**

(Streams)

DEPARTMENT OF  
CITY PLANNING

COMMISSION OFFICE  
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN  
PRESIDENT

VAHID KHORSAND  
VICE-PRESIDENT

DAVID H. J. AMBROZ  
CAROLINE CHOE  
HELEN LEUNG

KAREN MACK  
MARC MITCHELL

VERONICA PADILLA-CAMPOS  
DANA M. PERLMAN

CITY OF LOS ANGELES  
CALIFORNIA



ERIC GARCETTI  
MAYOR

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
(213) 978-1271

VINCENT P. BERTONI, AICP  
DIRECTOR

KEVIN J. KELLER, AICP  
EXECUTIVE OFFICER

SHANA M.M. BONSTIN  
DEPUTY DIRECTOR

TRICIA KEANE  
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP  
DEPUTY DIRECTOR

LISA M. WEBBER, AICP  
DEPUTY DIRECTOR

DIRECTOR'S DETERMINATION

August 11, 2020

**Applicant/Owner**

Mark Streams  
7012 Vista Del Mar Lane  
Playa Del Rey, CA 90293

**Representative**

Susan Steinberg  
Howard Robinson and Associates  
660 S. Figueroa Street, Unit 1780  
Los Angeles, CA 90017

**Case No.:** DIR-2019-6145-CDP-MEL

**CEQA:** ENV-2019-6146-CE

**Location:** 7012 Vista Del Mar Lane

**Council District:** 11 – Bonin

**Neighborhood Council:** Westchester/Playa Del Rey

**Community Plan Area:** Westchester-Playa Del Rey

**Land Use Designation:** Low Residential

**Zone:** R1-1

**Legal Description:** Lot 28, Block 27

**Last Day to File an Appeal:** August 25, 2020

**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 Sections 15301 and 15303 and that there is no substantial evidence demonstrating that an exception to a Categorical Exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Pursuant to the Los Angeles Municipal Code Section 12.20.2, 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 a one-story, 1,987 square-foot, single-family dwelling and the construction of a new three-story, 5,784 square-foot, single-family dwelling with a 1,722 square-foot basement level containing a three-car garage and storage (no habitable rooms), and a haul route for the cut and export of 1,500 cubic yards of dirt in the Dual Permit Jurisdiction Area of the California Coastal Zone.

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 of one Residential Unit and the construction of one new Residential Unit in the Coastal Zone.

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

California Coastal Commission

A-5-DRL-21-0015

Exhibit 8

Page 2 of 16

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. Approved herein is a Coastal Development Permit authorizing:
  - a. The demolition of a one-story, 1,987 square-foot, single-family dwelling;
  - b. The construction of a new three-story, 5,784 square-foot single-family dwelling with a 1,722 square-foot basement level containing a three-car garage and storage (no habitable rooms), and;
  - c. A haul route for the cut and export of 1,500 cubic yards of dirt.
4. The development shall be limited to a maximum overall height of 45 feet. The proposed project shall have an overall height of 35' 9", as shown in Exhibit A.
5. The proposed project shall maintain three parking spaces on the subject property in an attached garage.
6. **Dual Permit Jurisdiction Area.** The project is located within the Dual Permit Jurisdiction Area of the California Coastal Zone. The applicant shall file an application for a second (or "dual") Coastal Development Permit with the Coastal Commission and shall submit proof of a valid ("dual") permit issued by the Coastal Commission.
7. Outdoor lighting shall be designed and installed with shielding so that light does not overflow into adjacent residential properties.
8. 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.
9. Prior to the issuance of a building permit, a revocable encroachment permit, or proof of filing for a revocable permit, shall be obtained from the Department of Public Works – Bureau of Engineering (BOE) for any encroachments within Vista Del Mar Lane.
10. 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.
11. 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.

12. 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.
13. 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 Department of City Planning for attachment to the subject case file.

#### **Administrative Conditions**

14. **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.
15. **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.
16. **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.
17. **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.
18. **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.
19. **Condition Compliance.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
20. **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 downward sloping, irregularly shaped interior lot with a total area of 5,615.5 square feet. The subject property has a frontage of 50 feet along Vista Del Mar Lane and an average depth of 113 feet. It is zoned R1-1 and designated for Low Residential land uses in the Westchester-Playa Del Rey Community Plan Area. The subject property is in the Dual Permit Jurisdiction of the California Coastal Zone and the Los Angeles Coastal Transportation Corridor Specific Plan Area. It is also located within a Special Grading Area, the Calvo Exclusion Area, a Methane Zone, and approximately 7.56 kilometers from the Palos Verdes Fault Line. The property is currently improved with a 1,987 square-foot, single-family dwelling constructed in 1958. There are no known historic resources or cultural monuments on site.

The neighborhood and properties immediately surrounding the lot are zoned R1-1 and developed with single-family dwellings ranging from one to three stories in height. The applicant requests a Coastal Development Permit authorizing the demolition of a one-story, 1,987 square-foot, single-family dwelling and the construction of a new three-story, 5,784 square-foot, single-family dwelling with a 1,722 square-foot basement level containing a three-car garage and storage (no habitable rooms), and a haul route for the cut and export of 1,500 cubic yards of dirt. The proposed project also requires a Mello Act Compliance Review for the demolition and new construction of one Residential Unit in the Coastal Zone.

Vista Del Mar Lane is a Local Street, with a designated right-of-way width of 66 feet and a roadway width of 40 feet; the actual right-of-way width is 57 feet with a roadway width of 34 feet. Vista Del Mar Lane is improved with an asphalt roadway, gutter, curb, and sidewalk.

There are no previous zoning related actions on the subject property.

#### Previous zoning-related actions in the surrounding area include:

- DIR-2018-4046-CDP-MEL – On January 10, 2019, the Director of Planning approved a Coastal Development Permit authorizing the addition of a 780 square-foot Accessory Dwelling Unit (ADU) above an existing 1,361 square-foot single-family dwelling located in the Dual Permit Jurisdiction of the California Coastal Zone at 7000 Vista Del Mar Lane.
- DIR-2016-222-CDP – On December 28, 2017, the Director of Planning approved a Coastal Development Permit authorizing the addition of a second story and roof deck over an existing single-family dwelling. The project is in the Single Permit Jurisdiction of the California Coastal Zone at 239 East Sunridge Street.
- ZA-2015-325-CDP-MEL – On December 9, 2015, the Zoning Administrator approved a Coastal Development Permit authorizing the demolition of a 2,432 square-foot single-family dwelling and the construction of a 35-foot tall, 3,442 square-foot single-family dwelling with a 456 square-foot attached garage, and the conversion of an existing detached garage into a 667 square-foot recreation room. The project is in the Single Permit Jurisdiction Area of the California Coastal Zone, located at 7329 South Trask Avenue.

- DIR-2012-3537-CDP-DB-SPR-MEL – On March 16, 2018, the Director of Planning approved a Coastal Development Permit authorizing the demolition of a one-story commercial building and the construction of a new, four-story mixed use development with 72 dwelling units and 14,500 square feet of commercial area. The project is in the Dual Permit Jurisdiction of the California Coastal Zone at 138 East Culver Boulevard.
- ZA-2005-8407-ZAA – On July 21, 2005, the Zoning Administrator approved a Zoning Administrator's Adjustment (ZAA) to allow the addition of a third story over an existing two-story single-family dwelling and the addition of a fireplace and chimney on the south side. The ZAA allowed a reduced side-yard setback and the chimney to encroach 2.5 feet into the side yard setback. The project is in the Dual Permit Jurisdiction of the California Coastal Zone at 7301 South Rindge Avenue.

#### Public Hearing

A Hearing Officer (Juliet Oh) held a public hearing on March 2, 2020 at 12:30 p.m. at the West Los Angeles Municipal Building. The applicant's architect, representative, and twenty-five (25) members of public were in attendance.

The project representative (Jared Johnson) and architect (Patrick Cunningham) provided a description of the scope of work and requested actions. The architect detailed the steps that will be taken to reduce the project's potential impact on the surrounding neighborhood, such as placing most of the first floor underground. They also presented evidence that the project height and square footage are not dramatically larger than homes in the surrounding neighborhood.

Fifteen (15) members of the public spoke during the public comment period. Among them, thirteen (13) registered their opposition to the project while two (2) spoke in favor. Those opposed stated that the project was out of scale with the surrounding homes and would have an adverse effect on neighborhood character. They raised concerns that the project would obstruct views of the Pacific Ocean and that the grading required for the project could exacerbate hillside erosion. Additionally, a member of the Westchester-Playa Del Rey Neighborhood Council expressed her displeasure that the applicant had not appeared before their Planning and Land Use Committee. Finally, concerns were raised that the project would become a vacation home since the applicant currently lives outside California. Those in favor stated that they found the project's design to be aesthetically pleasing and that the applicant would make the home their primary residence.

The case was taken under advisement for four weeks to allow for additional comments to be submitted.

#### Correspondence

Twenty (20) letters opposing the project were received during the advisement period. Many letters echoed concerns raised during the public hearing about the proposed project being out of scale with the neighborhood and the potential for ocean views to be obstructed. Others expressed frustration that the requirement to notify all properties within a 100-foot radius of the project site was insufficient and excluded community members that would be affected by the project. Additional concerns were raised that approval of this project would set a precedent that would allow similar homes to be built in the future throughout their community.

On April 22, 2020, the applicant submitted revised project plans in response to community concerns raised during the public hearing. The project initially proposed a four-story, 7,651.5 square-foot single-family dwelling. The new plans removed a story and reduced the floor area of the proposed single-family dwelling by 2,000 square feet.

## 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.**

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 Archaeological and Paleontological Resources.*

*Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.* The project consists of the demolition of a one-story, 1,987 square-foot single-family dwelling, the construction of a three-story, 5,784 square-foot single-family dwelling, and a haul route for the cut and export of 1,500 cubic yards of dirt. All grading and excavation is subject to review by the Department of Building and Safety and will comply with the requirements of the grading division. The subject site is not located in an area with known archaeological or paleontological resources and currently maintains a single-family dwelling. However, if such resources are discovered during any excavation or grading activities, the project is subject to compliance with Federal, State and Local regulations already in place.

*Section 30250 Location; existing developed area.*

*(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.* The subject property is located in a developed residential neighborhood improved with single-family dwellings. Currently, the site contains a one-story single-family dwelling to be demolished and replaced with a three-story single-family dwelling. Sufficient parking and setbacks required by local zoning and building and safety requirements are provided and vehicular access to the property will be maintained along Vista Del Mar Lane. The proposed project will maintain existing connections to utilities and will be served by the existing police and fire stations, schools, and other public services in the area. As such, the proposed project is located within a developed area with adequate public services and will not have significant adverse effects on coastal resources.

*Section 30251 Scenic and Visual Qualities.*

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



property is located on a downward sloping lot nearly 100 feet above sea level and 652 feet from the Pacific Shoreline. The proposed project involves the demolition of a one-story, 1,987 square foot single-family dwelling and the construction of a new three-story, 5,784 square foot single-family dwelling. The proposed single-family dwelling will have a maximum envelope height of 35'-9" and will observe the required yard setbacks. The project does not exceed the maximum Residential Floor Area limit for this lot (9,480 square-feet) or the maximum building height (45 feet). There are 11 lots on the eastern side of Vista Del Mar Lane (bounded by Manchester Avenue and Fowling Street), excluding the subject property. These lots are developed with single-family dwellings of which three (3) are three-story, six (6) are two-story, and one (1) is one-story. The existing dwellings on the block feature a diverse range of architectural styles and massing. Other common design elements include recessed entrances, balconies, varied façade articulation, and step-backs on the upper levels. The proposed project observes the prevailing front-yard setback and includes an entrance that is recessed 7' – 7" from the building façade at ground level. Additionally, the second and third story are stepped back from the property line 17' – 4" and 24' – 6" respectively. These step backs, along with the balconies and sloped roof line, break up the massing of the structure and provide a varied façade articulation comparable to other homes on the block. As such, the proposed project will be visually compatible with the character of the surrounding community and is designed and sited to protect views to and along the ocean.

*Section 30252 Maintenance and Enhancement of Public Access.*

*The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.* The subject property is located 652 feet from the Pacific Shoreline, but at a higher elevation and is separated from the shoreline by Vista Del Mar and a residential development. The project will provide three parking spaces for the single-family dwelling. No permanent structures will be erected within the public right-of-way and public access to the coast will not be obstructed. As such, the proposed project will not conflict with any public access policies of the Coastal Act.

*Section 30253 Minimization of Adverse Impacts. New development shall:*

*(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development. (4) Minimize energy consumption and vehicle miles traveled. (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.* The subject property is located on a downward sloping lot, but is not within a designated hillside area or along a bluff or cliff. The site is located in a Methane Zone and the proposed project will be subject to the developmental regulations required by the City pertaining to ventilation and methane gas detection systems. The site is located in a Special Grading Area and the proposed project will require grading and the cut and export of 1,500 cubic

yards of dirt during construction. However, all work will be subject to the requirements of the Building and Zoning Code as well as regulatory compliance measures established by the various City departments and the Conditions of Approval imposed herein. Additionally, the subject property is not a popular visitor designation point for recreational use and does not provide access to any recreational uses.

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 residential area more than 652 feet from the Pacific Shoreline. 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 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 such resources are 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.**

The City does not have an approved Local Coastal Program (LCP) for the Westchester-Playa Del Rey area. In the interim, the Westchester-Playa Del Rey Community Plan, a portion of the Land Use Element of the City's General Plan, serves as the functional equivalent. The Westchester-Playa Del Rey Community Plan designates the subject property for Low Residential land uses with the corresponding zone of R1-1. The use of the subject property for a single-family dwelling is consistent with the Community Plan land use designation and relevant zoning. The proposed project will meet the Community Plan's objective of protecting established residential neighborhoods from incompatible uses. Furthermore, the proposed project is designed to be in conformance with all applicable provisions of the LAMC including, but not limited to, those regulating height, setbacks, density, and parking. As conditioned, the project will not prejudice the goals and objectives of the Westchester – Playa del Rey Community Plan or the City's ability to prepare a Local Coastal Program.

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

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 LCP. 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 Guidelines for Playa del Rey address parking, density, and include special

provisions for preservation of public access, compatibility with wetlands and habitat areas, and the maintenance of vista points and natural landforms. The applicable provisions of the California Coastal Commission's Regional Interpretive Guidelines have been reviewed and considered in preparation of these findings. The proposed project involves the demolition of a one-story, 1,987 square foot single-family dwelling and the construction of a new three-story, 5,784 square foot single-family dwelling, and a haul route for the cut and export of 1,500 cubic yards of dirt. The project, which is not located on a bluff or designated hillside area, would not alter any natural land forms, nor would it impact access to the coast. The Interpretive Guidelines have been reviewed, analyzed, and considered in light of the individual project in making this determination, and the project as conditioned is consistent with said Guidelines.

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 Director of Planning has been guided by the actions of the Coastal Commission in reviewing the proposed project. The Coastal Commission took action on the following projects in the Westchester-Playa Del Rey community:

- In December 2016, the Commission approved the demolition of a duplex, and the construction of a three-story, 3,571 square-foot, single-family dwelling with a maximum envelope height of 37 feet, located at 7037 Trolleyway (Application No. 5-16-0100).
- In August 2015, the Commission issued a De Minimis Waiver for the conversion of a duplex into a 2-unit condominium structure with an interior remodel, 29 feet in height, located at 6325 Vista Del Mar (Waiver No. 5-15-0457).
- In July 2002, the Commission approved the demolition of a two-story, 1,800 square-foot duplex and the construction of a three-story, 3,201 square-foot duplex with a maximum envelope height of 41 feet, located at 112 & 114 Culver Boulevard (Application No. 5-02-138).
- In November 1998, the Commission approved the construction of a two-story, 4,400 square foot, single-family dwelling with a basement and a maximum envelope height of 40 feet, located at 8120 Billow Vista Drive (Application No. 5-98-331).

As such, this decision of the permit-granting authority has been guided by applicable 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 more than 652 feet from the Pacific Shoreline in a residential neighborhood developed with other single-family dwellings. It 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, accessed from an existing driveway. 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-2019-6146-CE was prepared for the proposed project consistent with the provisions of CEQA. The proposed project involves the demolition of a one-story, 1,987 square foot single-family dwelling and the construction of a new three-story, 5,784 square-foot single-family dwelling. The project includes excavation, grading, and a haul route for the export of 1,500 cubic yards of dirt. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Sections 15301 (Class 1) and 15303 (Class 3).

The Class 1 Categorical Exemption allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. The Class 1 Categorical Exemption includes the demolition and removal of individual small structures: (1) One single-family residence. In urbanized areas, up to three single-family residences may be demolished under this exemption; (2) A duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling units will be demolished; (3) A store, motel, office, restaurant, or similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, this exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use; and (4) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. The proposed project involves the demolition of one single-family dwelling. Therefore, this exemption would apply.

The Class 3, categorical exemption allows for the construction and location of a 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 one single-family residence, or a second dwelling unit in a residential zone. As previously discussed, the proposed project involves the construction of one single-family dwelling. Therefore, this exemption would apply.

Furthermore, the Exceptions outlined in Section 15300.2 of the CEQA Guidelines do not



apply to the proposed project:

- (a) **Location.** The project is located in a Special Grading Area and a Methane Zone. However, specific Regulatory Compliance Measures (RCMs) in the City of Los Angeles regulate the grading and construction of projects in these locations and will reduce any potential impacts to less than significant. These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts on the surrounding environment. located in a sensitive environment. Although the project site is located within the Coastal Zone, it is not identified as an environmental resource. Additionally, the proposed project is consistent with the scale and uses proximate to the area. Consequently, the proposed project will not result in a significant impact based on its location.
- (b) **Cumulative Impact.** The project is consistent with the type of development permitted for the area zoned R1-1 and designated for Low Residential land uses. The proposed project will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not 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 developed residential neighborhood. Thus, there are no unusual circumstances that will lead to a significant impact on the environment.
- (d) **Scenic Highways.** The only State-designated Scenic Highway in the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of the Topanga State Park. The subject property is located several miles from Topanga Canyon State Scenic Highway. Therefore, the proposed project will not create any impacts to scenic resources within a State-designated Scenic Highway.
- (e) **Hazardous Waste Sites.** According to the EnviroStor, the State of California's database of hazardous waste sites, neither the subject property nor any property in the vicinity, is identified as a hazardous waste site.
- (f) **Historical Resources.** The subject property or existing structure have not been identified as a historic resource or within a historic district; have not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, Los Angeles Historic-Cultural Monuments Register, and/or any local register.

Therefore, the proposed project is determined to be categorically exempt and does not require mitigation or monitoring measures. No alternatives of the proposed 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. **Demolition and Conversions (Part 4.0).** The proposed project involves the demolition of one Residential Unit. A Mello Act Determination issued by the Los Angeles Housing and Community Investment Department (HCIDLA), on November 26, 2019, states that no affordable unit exists at 7012 Vista Del Mar Lane. HCIDLA collected data from October 2016 through October 2019.

The current property owner purchased 7012 Vista Del Mar Lane on May 31, 2017. They provided lease agreements and monthly copies of cancelled checks from October 2017 through October 2019. The Determination states that 7012 Vista Del Mar Lane was rented for \$6,300 per month as of October 2019 and that total rents between October 2017 and October 2019 averaged \$4,108 per month. The 2019 Land Use Schedule VII threshold of affordability for a three-bedroom unit is \$2,010 per month. Both current monthly rent as of October 2019 and the average monthly rent are above this affordability threshold.

Therefore, no Affordable Existing Residential Units are proposed for demolition or conversion; and the applicant is not required to provide any Affordable Replacement Units.

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

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

#### **ADDITIONAL MANDATORY FINDING**

9. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, areas determined to be outside the 500-year flood plain.

#### TIME LIMIT – OBSERVANCE OF CONDITIONS

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

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

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Constituent Service Center in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077, (818) 374-5050, (310) 231-2912, or through the Department of City Planning website at [planning.lacity.org](http://planning.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 \$2,500 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 applicant's attention is called to the fact that this authorization is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or not complied with, then this authorization shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Director's determination in this matter will become effective after **10 working 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://planning.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:

Reviewed by:

  
Faisal Roble, Principal City Planner

  
Juliet Oh, Senior City Planner

Reviewed by:

Prepared by:

  
Jordann Turner, City Planner

  
Kevin Fulton, Planning Assistant  
[kevin.fulton@lacity.org](mailto:kevin.fulton@lacity.org)



**EXHIBIT 9 - WLAAPC  
LETTER OF  
DETERMINATION**



## WEST LOS ANGELES AREA PLANNING COMMISSION

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

### LETTER OF DETERMINATION

Mailing Date: **DEC 17 2020**

**CASE NO. DIR-2019-6145-CDP-MEL-1A**

Council District: 11 - Bonin

**CEQA: ENV-2019-6146-CE**

**Plan Area: Westchester-Playa Del Rey**

**Project Site:** 7012 Vista Del Mar Lane

**Applicant:** Mark and Sherri Streams  
Representative: Susan Steinberg, Howard Robinson & Associates

**Appellants:** Julie Ross;  
Robert Shelton  
Representative: Thomas A. Nitti, Law Offices of Thomas A. Nitti;  
Eileen and Andrew Cahill;  
Lisa Farris;  
Bonnie Cullinan; and  
Jeffrey Burke and Amanda Barrett;

At its meeting of **November 18, 2020**, the West Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following project:

Demolition of a one-story, 1,987 square-foot single-family dwelling and the construction of a new three story, 5,784 square-foot, single family dwelling with a 1,722 square-foot basement level containing a three-car garage and storage (no habitable rooms). The project proposes the cut and export of 1,500 cubic yards of dirt.

1. **Determined** based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Sections 15301 and 15303, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Denied** the appeals and **sustained** the Director's Determination dated August 11, 2020;
3. **Approved**, pursuant to the Los Angeles Municipal Code Section 12.20.2, a Coastal Development Permit authorizing the demolition of a one-story, 1,987 square-foot, single-family dwelling and the construction of a new three-story, 5,784 square-foot, single-family dwelling with a 1,722 square-foot basement level containing a three-car garage and storage (no habitable rooms), and a haul route for the cut and export of 1,500 cubic yards of dirt in the Dual Permit Jurisdiction Area of the California Coastal Zone;
4. **Approved**, 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 one Residential Unit and the construction of one new Residential Unit in the Coastal Zone;
5. **Adopted** the attached Conditions of approval; and
6. **Adopted** the attached Findings.

This action was taken by the following vote:

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

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.

**Effective Date/Appeals:** The action by the West Los Angeles Area Planning Commission on this matter is final and effective upon the mailing date of this determination and is the final appeal procedure within the appeal structure in the City of Los Angeles.

**California Coastal Commission/Appeals:** Pursuant to Section 12.20.2 I of the Los Angeles Municipal Code, the Area Planning Commission's action shall be deemed final only after 20 working days have expired from the date this decision letter is deemed received by the Executive Officer of the California Coastal Commission and provided that a timely, valid appeal is not taken by the California Coastal Commission within said time frame. The proposed development **is in the dual-permit jurisdiction area.** This Coastal Development Permit shall be subject to revocation as provided in Section 12.20.2 J of the Los Angeles Municipal Code.

**Notice:** An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable to a City appellate body** and the decision is final. The applicant is advised that any work undertaken while the CEQA clearance is on appeal is at his/her/its own risk and if the appeal is granted, it may result in (1) voiding and rescission of the CEQA clearance, the Determination, and any permits issued in reliance on the Determination and (2) the use by the City of any and all remedies to return the subject property to the condition it was in prior to issuance of the Determination.

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.

Attachments: Director's Determination dated August 11, 2020, Planning Entitlement Appeals Fact Sheet, Interim Appeal Filing Procedures

c: Juliet Oh, Senior City Planner  
Kevin Fulton, City Planning Assistant