

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
301 E. OCEAN BLVD, SUITE 300
LONG BEACH, CA 90802-4325
VOICE (562) 590-5071
FAX (562) 590-5084



W15b

A-5-VEN-21-0046 (MUREZ)
SEPTEMBER 7, 2021

CORRESPONDENCE

| | |
|--|----|
| James Murez (applicant)..... | 2 |
| The Venice Dogz, Save Venice, Keep Neighborhoods First, Margaret Molloy, Rick Garvey (appellants)..... | 12 |
| Margaret Molloy (appellant)..... | 47 |

Re: Appeal for 800-802 Main Street, Venice; Coastal Case W15b (Appeal No: A-5-VEN-21-0046)

Dear Commissioners:

Coastal staff determined that there are potentially two Substantial Issues that the appellants raise in their appeal which we believe resulted from staff being provided misinformation and a partial record from the appellants. The history of the existing 2001 CDP entitlements, 2006 building permits for 800 Main Street and the new 2021 CDP that were all approved by the City of Los Angeles will be addressed in the order they are described in the staff report.

No Significant Changes were made to the 800 Main Project based on the 2001 CDP conditions of Approval

Coastal staff contends that significant changes to the approved 2001 CDP exist today whereas the City of Los Angeles determined that the building permit (05010-10000-03868) for an artist in residence (single family dwelling) was in fact in substantial conformance with the conditions of approval of the 2001 CDP. Therefore, we disagree with staff that there are substantial changes to the project based on the following summary of the facts;

In 1988 the applicant purchased 804 Main Street, a single-family dwelling. In 1999 the applicant purchased the adjacent 2 contiguous lots, 800 and 802 Main Street (lots 13 and 12 of Burks Place Tract respectively) and each lot was occupied by an existing single-family dwelling. All three lots were very small substandard size lots with lot areas of 1,837 sf, 1,785 sf and 1,605 sf. In 1991 the applicant obtained approval to demolish the existing single-family dwelling located at 804 Main Street and construct a duplex on the 1,837 sf foot lot. Ten years later, on May 31, 2001, just prior to the Coastal Commission Certification of the Venice Land Use Plan, the applicant applied to develop 800 and 802 Main Street, the adjacent property they owned next to 804 Main Street. The proposed project description included creating a maximum of five units (this was not a minimum density requirement), spanning all three lots that incorporated the 804 existing duplex into the new project. The total lot area for the three lots is approx. 5,227 square feet. In 1988 the density of the three contiguous lots was 3 units, today the density of the three contiguous lots is also 3 units. There is no decrease in density.

Due to economic and code restrictions, the original project description that authorized up to 5 dwelling units and described three new units on the lots at 800 and 802 and joining them to the existing duplex at 804 was determined to be infeasible during LADBS Plan Check. The applicant returned to City Planning staff who determined that creating a single unit on the two lots did not create any substantial change to the original approval because the project was in substantial conformance with the building envelope and square footage of the project as well as the 23 conditions of approval outlined in the CDP. The 800 Main project complies with condition 4 Parking and provides 2 parking plus one guest parking space and the project complies with condition 9, Artist in Residence, the total number of dwelling units is less than 5 units for all three lots (the total number of units is 3 as stated above).

Several factors that the appellant failed to disclose to Coastal Staff which staff did not consider are outlined as follows:

The three lots (11, 12 & 13) prior to the applicants CDP's only included one dwelling unit per lot. Today between the three lots, the same number of housing units exist: a duplex at 804 and a single residence

which spans 800 and 802. The lots at 800 and 802 are tied as one with a new APN that represents the entire 3300 SF of lot area with a habitable home that measures about 3800 SF. This area is called out on the title page of approved plans but does not include the basement (see attachment: CoverPage-A0.pdf). The basement is shown on stamped set of drawing on page "A2" (see attach attachment: PlotPlan-A1.pdf and Basement-A2.pdf). In the City of Los Angeles, basements which are considered non-habitable square footage and are excluded from FAR calculations were typically not specifically described in planning applications. This changed in 2015, when applicants started listing basement square footages separately when the California Coastal Commission stopped granting de minimis waivers to single family residences in Venice.

In the LA City Planning Conditions of approval, "9.a" (see page 94 of the Exhibits) states the three subject properties are "**limited**" to five units but does not state the project **shall** create five units. Since these three lots each had one single family dwelling before development and the combined of the three lots today still has three units, no change in density or number of units within the Coastal Zone changed as a result of the existing project. Therefore, there is no cumulative effect by the "after-the-fact" authorization of reduction of units within the total scope of the proposed project.

Since the mid 1990's increased housing density was heavily contested in Venice, small lot subdivisions had been introduced in 2004 and in Venice Subareas such as Oakwood, properties were being subdivided into multiple small lots. The community objected and ultimately the City changed their policy to not allow greater density than the underlying zoning permitted. The Coastal Commission went along with this more restrictive decision by the City in 2015 and continues to enforce these standards. If the five unit building were proposed today, given the size and zoning of the lots, under sections 30250 and 30253 of the Coastal Act, the proposed original project would have had problems getting approved. The minimum unit size in this Subarea on C2 zoned land is 1500 SF per unit, translating to a lot size requirement of 7500 SF... about 30% more land than the three lots combined.

This project does not have a Mello Act issue nor does it violate the Mello Act

Mello on all three lots was considered by the City and, although the appellants produced a letter from the Los Angeles Housing Authority that was dated 2001 (see page 107 of Coastal Exhibits), it described an oxymoron situation. In one sentence of the letter, a reference to the rent of tenants did qualify, then in the next sentence they further described no current tenants qualified as low or moderate income. Following that letter, and prior to the issuance of the 2003 permit application, the Housing Authority wrote a subsequent letter that makes it clear no Mello requirements existed on 802 or 800 Main. (see attachment: LAHD_12-23-2002_AbsenceOfAffordableUnitsLetter.pdf).

The proposed 4 parking spaces for the current project is the correct parking requirement for the project.

The parking summary in the conditions references a total requirement if five units, the building at 804 that was approved in 1988 with 5 parking stalls (2 per unit plus one guest) and the new development at 802 and 800. Assuming the maximum limit of units was constructed, the new construction as described in the LUP and in the Conditions of Approval (see Exhibit "C", page 93, Condition #4), would require six new parking stalls, two per AIR unit. The one extra guest space as called out in the condition was existing at 804. On the original 2001 application drawings (Exhibit "C", page 99, "Ground Floor Plan") six

(not seven) new parking spaces are shown because the City took into consideration the earlier 804 approval that included five parking stalls in 1988. No guest parking space is shown on the new portion of the building at 800/802 lots. In 2005 when the project that exists today was approved with one unit, the applicant provided two stalls for the AIR unit plus one for site described in the Condition #4 because the lot tie consideration which joined the guest space to 800 was being removed.

The applicant between these three properties did not create an adverse impact on visitor parking, quite to the opposite. None of the three properties had any off street parking prior to the development of the existing buildings. In actuality, eight off street parking spaces exist today that never existed before.

The LAMC 12.21.A.4.k describes the math that is used to determine half space parking calculations. In the proposed Mixed Use project, 74 SF of Service Floor Area is defined. The LUP describes for Restaurant Uses, one parking stall is required for each 50 SF of Service Floor Area. The LAMC describes rounding a partial requirement down when the amount is less than 50% of one whole space. In this case 74 SF is one foot under the 50% threshold and therefore, by code only one parking stall is required for the Restaurant Use.

Beach Impact Parking (BIZ) is not required on this project by definition... a “new development” project is not occurring which is a trigger for BIZ parking. The existing structure is being remodeled and, although a change-of-use is occurring, the LUP Policy II.A.3 “Parking Requirements” reads in part as follows:

*“Extensive remodeling of an existing use or change of use which does not conform to the parking requirements listed in the **table** shall be required to provide missing numbers of parking spaces or provide an in-lieu fee payment into the Venice Coastal Parking Impact Trust Fund for the existing deficiency.”*

BIZ parking is not described in the “**table**” under this section of the LUP, but rather under a separate section, Policy II. A. 4. that goes on to describe “Any new and/or any addition to commercial, ...”, the proposed mixed-use project the applicant is proposing is not new development nor is it an addition to an existing commercial project. The application is requesting a remodel to the interior of an existing residential Artist-In-Resident building and change of use after the remodel into a restaurant. Therefore, under the description of BIZ parking the City did not err in their assessment to not require this additional parking requirement.

The applicants agree with the Coastal Staff in relation to the disproportion space between the Service Floor Area of the Restaurant and the area of kitchen / storage basement. This condition is a result of City regulations that prohibit dividing the basement. A bit of background: as long as there is no habitable area in the basement only one stairway and exit path is required. By introducing a kitchen or commercial storage, the code requires two exits. The code goes on to also restrict exiting from one Use into another Use, meaning a commercial area is not allowed to exit through a residence or vice-versa. Each Use needs to have its own path of travel to safety. The non-commercial portion of a divided basement by default would be part of the Artist-In-Residence, a residential use and the restaurant is not allowed to share the exit path. One last point that was considered: if the space were to be divided, was it possible to have two stairways for the commercial and one separate stairway for the residential storage? The answer was no, the commercial stairways would both end up in the same ground floor area and not have any separation should a fire break out in the Service Floor Area on the ground floor.

In reference to the appellant claiming the space is used as a 24/7 event space, this is an outright fabricated story. The applicants have had fundraisers for several of the local schools, the Venice Garden Tour, UNICEF, and a few politicians, in addition to three weddings for personal friends, but they have never advertised their home as the appellants are claiming. The instructions for a Temporary Event Permit (see attachment: TSEApplicationInstructions.pdf) describes these permits are limited to a maximum of 5 days per year. The applicant has never reached this threshold and has no intention of doing so in the future.

A little about the applicants who are not speculators or carpetbaggers: Mr. Murez is a well-liked community activist; he started and has managed the Venice Farmers Market since 1989, has served on the Venice Neighborhood Council for nearly 20 years and is the current residing President. His wife Melanie has operated a language services business out of their 804 property for 30 years, and has helped thousands of people with foreign language needs. Their two children, Zak (32) and Andrea (29) are both Venice High School graduates; Zak went on to receive two undergraduate degrees from Yale before getting his PhD in Computer Science. Daughter Andrea attended Stanford and competed on their swim team setting two U.S. National Records before graduating in Human Biology. She since went on to swim in the Rio Olympics in 2016 and most recently in Tokyo, where she finished in finals with two personal bests and two additional national records. At present she is now back studying in her third year of Medical School in Tel Aviv, Israel. This project is about their family residence and the desire to have a very small owner operated restaurant. They are not looking to cause problems for their neighbors, the Venice community, the City or the Coastal Commission. Please deny the Appeal so they can start serving farm fresh family style meals to their friends and neighbors.

####

CARRY W. PINNEY
GENERAL MANAGER

CITY OF LOS ANGELES
CALIFORNIA



JAMES K. HAHN
MAYOR

LOS ANGELES HOUSING
DEPARTMENT
111 NORTH HOPE STREET
7TH FLOOR
LOS ANGELES, CA 90012
(213) 367-9228
FAX (213) 367-9229

Memorandum

Date: December 23, 2002
To: Simon Pastucha, Los Angeles Planning Department
From: *GA* Erica Adams, Los Angeles Housing Department
Re: 800 and 802 Main Street, CA

Declaration of absence of affordable units

Based upon rent and tenant information submitted by the owner for the previous three years, it has been determined that no affordable units exist at 800 and 802 Main Street, Venice, California. There are no tenants at either property.

The project is therefore exempt from the requirement to provide replacement affordable units.

cc: Los Angeles Housing Department File
James Murez, Project owner
Richard A. Rothschild, Western Center on Law and Poverty, Inc.

Please call (213) 367-9228 to confirm receipt of this fax, or if you need any other information, please call (213) 367-9228. Thank you.



TEMPORARY SPECIAL EVENTS

Approval from the City of Los Angeles Department of Building and Safety

Temporary Special Events (TSE) being held within the City of Los Angeles are required to be inspected and approved by LADBS inspectors prior to holding the event. As of January 2014, the current cost to file an application with LADBS is \$137.80 per event.

The following qualify as a TSE provided they have a maximum duration of 5 consecutive days:

- Tents or canopies, larger than 450 square foot, on a residential property.
- Tents or canopies, larger than 12 feet in length or width, on a commercial property.
- Stages or platforms more than 30 inches above grade (structures higher than 30 inches intended for live loads require approved engineering prior to inspection).
- Grandstands or bleachers.
- Structures higher than 12 feet.

Events that exceed five (5) days or do not qualify as Temporary Special Events require a building permit prior to the event. Visit our website at: <http://www.ladbs.org>.

For information regarding temporary generators and electrical, please call (213) 482-0057.

Application for Permit:

TSE permit applications are required to be filed with LADBS and the appropriate fees must be paid before inspections can be performed. Applications can be filed as follows:

- Prior to attempting to obtain a permit from LADBS, it is necessary to physically visit the LAFD and LAPD offices to **obtain the name and telephone number of the employee spoken with regarding your event** and permit numbers from any requisite permits.
- In certain cases, it is necessary to receive approval from the Los Angeles Department of City Planning prior to initiating the permit application with LADBS.
- All LADBS TSE permit applications must be submitted electronically on the LADBS website for Express Permits, which is located at: www.buildla.lacity.org
- When prompted to supply information of a contact person for the event, be sure to provide detailed contact information for the individual who will be present at the time of inspection.

Inspections and Approval:

Applicants will be able to request the date and time of the inspection on the TSE permit application. The LADBS application must be filed and paid for at least two (2) business days prior to the date of the event, after all required approvals or clearances have been obtained from all other agencies.

At the inspection phase, the building inspector will verify the structural conformity of temporary structures as per plans, availability of sanitary facilities, required exiting, parking requirements, disabled access requirements, zoning and other code requirements. TSE inspections are conducted seven (7) days a week.

For any questions regarding the TSE permit approval process, please call the senior building inspector at (213) 482-9585 or the manager of the TSE Inspection Section at (213) 482-7097. Applicants may visit TSE inspection staff at 221 N. Figueroa Street, 7th floor with inquiries. All applications must be submitted electronically.

Other Information:

Approval from Los Angeles Department of City Planning (LADCP):

TSE applicants must provide responses to a questionnaire that determines whether or not the proposed event requires clearance by the LADCP. For those proposed events that require LADCP clearance, approval of a Planning Clearance Application by LADCP is required before a permit can be issued by LADBS for the event. For questions, please call LADCP at (213) 482-7077 or visit the Public Counter located at 201 N. Figueroa Street, 7th floor.

Approval from Los Angeles Fire Department (LAFD):

A safety plan showing the layout of the event must be approved by the Los Angeles Fire Department prior to submitting an application to LADBS. The approved safety plan must be made available to the Building and Safety inspector at the time of the site inspection. An approval from LAFD is required for tents, having an area of 450 square feet or more. Applicants will be required to provide the name and telephone # of the LAFD officer on the LADBS TSE application, after LAFD has been contacted.

To obtain a permit from the LAFD, contact the appropriate unit at the following numbers:

Public Assembly unit

- For events located south of Mulholland Drive, call (213) 978-3640.
- For events located north of Mulholland Drive, call (818) 374-1110.

Film unit

- For events involving filming, call (213) 978-3676 or (213) 978-3670.

Schools and Churches unit

- For events held in schools and churches, call (213) 978-3660.

Institutions unit

- For events held in institutions, call (213) 978-3730.

High Rise unit

- For events held in high rise buildings, call (213) 978-3600.

Approval from Los Angeles Police Department (LAPD):

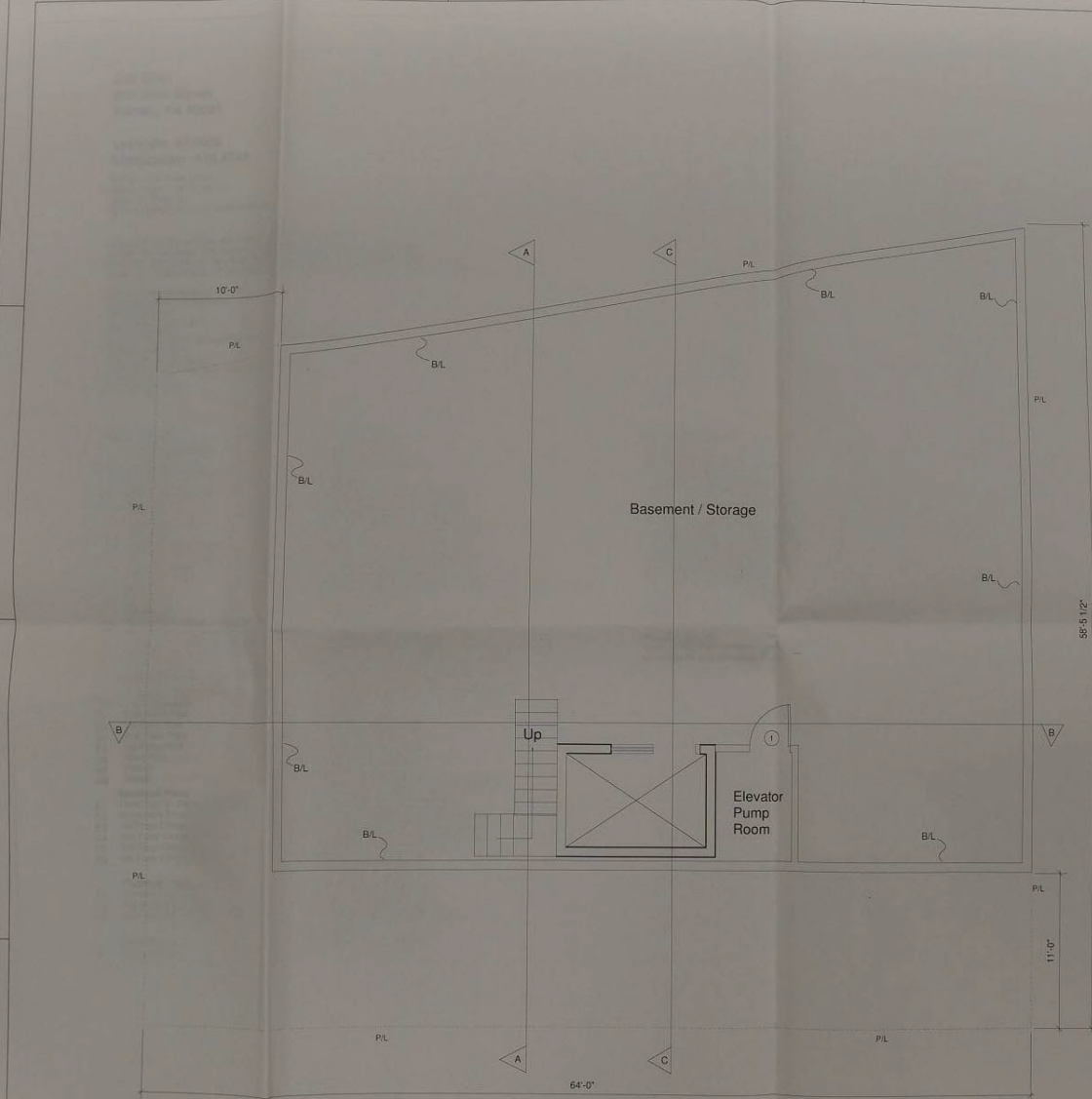
A permit from the LAPD is required for Dances, Carnivals, live music, amplified sound, or Alcohol use. For more information on how to obtain an LAPD permit, contact the Office of Finance at: (213) 996-1210. Applicants will be required to provide the name and telephone number of the LAPD officer contacted on the LADBS TSE application.

Approval from Los Angeles Department of Public Works:

Events held in the public right-of-way, such as sidewalk sales, require a permit from the Department of Public Works, Street Use Division. For more information on how to obtain a Street Use permit for a Special Event, contact the Street Use Division at (213) 847-6029. This Department will coordinate and collect fees for the permit from LADBS.

Approval from Los Angeles Department of Motor Vehicles:

Auto sales to be conducted for 5 days or less, provide completed DMV form **ol73**, <https://www.dmv.ca.gov/portal/dmv/detail/forms/ol/ol73>



City of Los Angeles
 Department of City Planning
 Community Planning Bureau
APPROVED
 Case No. 11-18-08
 Planner [Signature]
 Signature [Signature]
 Date 11-18-08
 CONDITION NO. 11-18-08
 SATISFIED ON THIS PAGE, RE

MUREZ RESIDENCE
 800 Main Street
 Venice, California

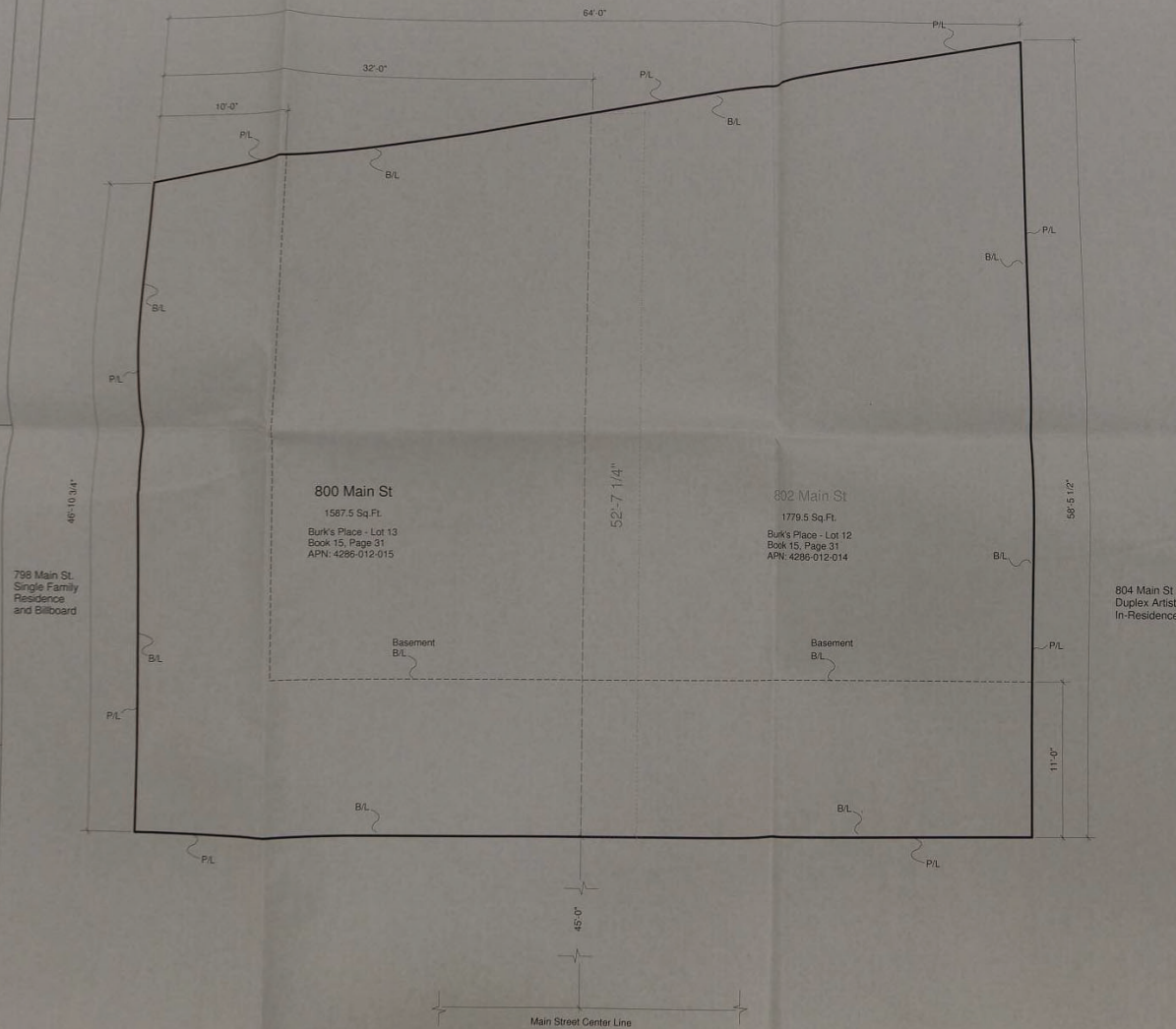
SCALE: 1/4" = 1'-0"
 DATE: 12.20.04
 JOB:
 DRAWN: Muroz

Basement Floor Plan

A2

North

Rear Neighbor Parking Lot - 812 Main St



MUREZ RESIDENCE
800 Main Street
Venice, California

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

DATE:

JOB:

DRAWN:

City of Los Angeles
Department of City Planning
Community Planning Bureau

APPROVED

as modified

Case No. 11-16-05

Planner: [Signature]

Signature: [Signature]

Date: 11-16-05

CONDITION NO. 15L - 15C

SATISFIED ON THIS PAGE, RE:

Plot Plan

A1

P/L = Property Line
B/L = Building Line

1567.5 + 1779.5 = 3367 Sq Ft.

Job Site:
800 Main Street
Venice, Ca 90291

Latitude: 33.9929
Longitude: -118.4744

800 and 802 Main Street
Burk's Place - Lot 13 and 12
Book 15, Page 31
APN: 4286-012-015 and 4286-012-014

Project: Murex Residence, 800 Main St., Venice, Ca 90291
Owner: James Murex, 804 Main St., Venice, Ca 90291-3218 (310) 399-1490
Designer: James Murex, 804 Main St., Venice, Ca 90291-3218 (310) 399-1490
Engineer: Gordon Polon, 1718 22nd St., Santa Monica 90404 License C28654 (310) 998-5611

New single family dwelling
Occupancy: Artist-in-Residence
Use Zone: C2-1
Cohabitation: Type 5 N.R.
No. of Stories: 3
Lot Size: 64'0" x 58'5-1/2" x 65'0" X 46'10-3/4" Irregular Shape
Lot Area: 3387 Sq. Ft.
Building Area: 4719 Sq. Ft.
(1st Sq. Ft. 775, 2nd Sq. Ft. 2554, 3rd Sq. Ft. 2165)
Fire Zone: 2
Building height 30'0"

Index of sheets

- Architectural Plans
- A0 Cover Sheet
- A00 Conditions of Approval
- A1 Plot Plan
- A2 Basement Floor Plan
- A3 First Floor Plan
- A4 Second Floor Plan
- A5 Third Floor Plan
- A6 Roof Plan
- A7 Elevation, West (Front)
- A8 Elevation, East (Rear)
- A9 Elevation, North
- A10 Elevation, South
- A11 Section "A"
- A12 Section "B"
- A13 Section "C"
- A14 Basement Inverted Ceiling Plan
- A15 First Floor Inverted Ceiling Plan
- A16 Second Floor Inverted Ceiling Plan
- A17 Third Floor Inverted Ceiling Plan
- A18 Section Details
- A19 Vertical Glass Door Detail (2nd Fl Window #4)
- Structural Plans
- S1.1 Notes and Abbreviations
- S1.2 Framing Details
- S2 Basement Plan
- S3 1st Floor Plan
- S4 2nd Floor Plan
- S5 3rd Floor Plan
- S6 Roof Plan
- S7 Details
- S8 Details
- Electrical Plans
- E1 Load Calc's - Panel Schedule
- E2 Basement Circuit Diagram
- E3 1st Floor Circuit Diagram
- E4 2nd Floor Circuit Diagram
- E5 3rd Floor Circuit Diagram
- E6 4th Floor Circuit Diagram
- Plumbing Plans
- P1 Sewer Schematic
- P2 Incidental Water Schematic
- P3 Domestic Water Schematic
- HVAC Plans
- H1 Title 24 Energy

Door Schedule

Basement Floor

1. Simple Swing, NR, 36"

First Floor

1. Swing Bi-Part, NR, 72" Concrete
2. Simple Swing, NR, 36" Concrete
3. Simple Swing, 1Hr, 36" Steel
4. Swing Bi-Part, NR, 72" Steel 10 Lite
5. Simple Swing, NR, 36" Wood Hollow
6. Simple Swing, 1Hr, 36" Steel
7. Simple Swing, NR, 72" Wood Hollow
8. Simple Swing, 1Hr, 36" Steel
9. Parking Entrance Overhead, Concrete, NR, 18'0"
10. Artist-in-Residence Workshop Overhead, Concrete, NR 18'0"

Second Floor

1. Simple Swing, NR, 36" Steel 10 Lite (Frosted)
2. Roll-up, NR, 18'-0" Steel
3. Simple Swing, NR, 36" Steel 5 Lite
4. Roll-up, NR, 15'-0" Steel Glass (see detail sheet A19)
5. Swing Bi-Part, NR, 48" Steel 10 Lite (3 each)
6. Swing Bi-Part, NR, 60" Steel 10 Lite (4 each)
7. Simple Swing, NR, 36" Steel
8. Simple Swing, NR, 32" Wood (Bookcase)

Third Floor

1. Swing Bi-Part, NR, 60"
2. Swing Bi-Part, NR, 60"
3. Simple Swing, NR, 36"
4. Swing Bi-Part, NR, 60"
5. Swing Bi-Part, NR, 60"
6. Swing Bi-Part, NR, 72"
7. Simple Swing, NR, 36" Wood (Bookcase)
8. Simple Swing, NR, 36" Wood
9. Swing Bi-Part, NR, 60" Wood
10. Simple Swing, NR, 36" Wood Hollow
11. Simple Swing, NR, 36" Wood Hollow
12. Simple Swing, NR, 36" Wood Hollow
13. Swing Bi-Part, NR, 60"
14. Swing Bi-Part, NR, 60"
15. Swing Bi-Part, NR, 60"
16. Swing Bi-Part, NR, 60"
17. Swing Bi-Part, NR, 60"
18. Swing Bi-Part, NR, 60"
19. Simple Swing, NR, 36" Glass

Roof Floor

1. Simple Swing, NR 36"

Miscellaneous Notes

Water Heaters

- 1st Fl Bosch AquaStar 125hx
- 2nd Fl Bosch AquaStar 250ex
- 3rd Fl Bosch AquaStar 250ex

Elevator, ThyssenKrupp Isis 2500

2nd Floor Fireplace, Lennox MN EST-48" Estate

(Warnock Hersey Report #J20054576-231)

3rd Floor Fireplace, Lennox MN LHR-43

(Warnock Hersey Report #629-915173A)

Roof Skylight, Solar Industries

P/N 7896 Double (LARR #24785)

73" x 93"

Roof Skylight, Solar Industries

P/N 5276 Double (LARR #24785)

49 x 73"

Window Glazing

None: all glazing in hazardous locations shall be tempered and comply to 91.246.4



MUREX RESIDENCE
800 Main Street
Venice, California

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

DATE:

JOB:

DRAWN:

City of Los Angeles
Department of City Planning
Community Planning Bureau

APPROVED

as required by

Case No. 160-2001-2625

Planner: [Signature]

Signature: [Signature]

Date: 11-16-05

CONDITION NO. 181

SATISFIED ON THIS PAGE, RE:

A0

Seifert, Chloe@Coastal

From: Lydia Ponce <venicelydia@gmail.com>
Sent: Friday, September 3, 2021 4:46 PM
To: SouthCoast@Coastal; Hudson, Steve@Coastal; Seifert, Chloe@Coastal; Stevens, Eric@Coastal; Vaughn, Shannon@Coastal
Cc: Amanda Seward; Jim Robb; Judy Goldman; Laddie Williams; Laddie williams; Margaret Molloy; Mark Rago; Naomi Nightingale; Rick Garvey

W15b

September 8, 2021
Appeal No. A-5-VEN-21-0046
800 Main, Venice

PLEASE SUPPORT SUBSTANTIAL ISSUE on all Appellant issues

Dear Commissioners and Staff,

First, we strongly support the staff recommendation of Substantial Issue and thank Staff for their excellent work on this somewhat complicated case. However, there are some details for which we would like to provide more information, evidence, and clarification.

In particular, as we shared in the appeal, in the Venice Coastal Zone, there is a significant number of housing structures in commercial zones that are at risk of being commercialized if projects like this are approved. We disagree with Staff's finding that the conversion of a solely residential development to mixed use will not result in an adverse cumulative effect on housing in commercial areas, as discussed further in section 6. below. We hope you will change that finding to a Substantial Issue in support of the overall Substantial Issue finding for this appeal.

APPELLANTS:

The Venice Dogz - An Alliance for the Preservation of Venice

The Venice Dogz is a community activist group in Venice of approximately 1,000 members that formed in opposition to Snapchat's January 2017 takeover of housing and visitor-serving businesses in the Venice Boardwalk area with their corporate offices campus, culminating in their departure in 2018. We are against heartless, greedy exploitation against the good people of our community. Change is inevitable, but change should benefit the whole community and not drive out a large section of it for the benefit of a select few.

Save Venice

Save Venice is a community news and action collective in support of keeping Venice inclusive, open and community oriented as it was intended.

Keep Neighborhoods First (KNF)

KNF is a grassroots coalition of neighbors, tenants, and affordable housing advocates concerned about the rapid loss of affordable housing and the safety and stability of our neighborhoods, with the main focus on the proliferation of commercial short-term rentals in our neighborhoods.

Rick Garvey

Rick has a Master of Arts in Sociology and specializes in all aspects of field research with mainly marginalized populations. He is a long-time Venetian who advocates for the protection of the racial, cultural, economic and social diversity of Venice and thus in protecting Venice from the displacement of its existing long-term lower income residents who reflect that diversity.

Margaret Molloy

Margaret is a community activist concerned with equity and environmental justice, especially as it pertains to recognition of the historic Black and Indigenous community in Venice and the importance of that recognition in the development of equitable land use plans.

1. APPLICANTS' PERSONAL RESIDENCE IS NOT 800-802 MAIN

Staff states that the applicants indicate that they reside in the subject development at 800 Main and that there is not sufficient evidence to disprove the applicants' contention that the structure has primarily functioned as their residence.

As has already been provided, there is significant evidence referenced in the appeal and the staff report showing that 800 Main is widely advertised and used as an event space. In addition, all of us appellants signed the appeal, which makes the statement that 800 Main is regularly used as an event space. That is essentially 7 declarations, significant witness testimony/evidence. The applicant has not provided evidence that 800 Main is not consistently used as an event space other than to just say that it is not, with no proof, nor has evidence of its use as the applicant's residence been provided. Please see Attachment A below with various documents proving that the building next door, at 804 Main, is the home address for James and Melanie Murez. They take the L.A. Housing registration 'owner-occupied' and 'no rent collected' exemptions on both units of their duplex at 804 Main, which is their residence.

Also, it is not clear why the 2003 CDP for 800-802-804 Main covered 3 lots (11, 12, & 13) but this application only covers two lots, eliminating lot 11, the duplex at 804 Main, which is apparently joined at the roof with lots 12 and 13 and possibly underground as well. In addition, we believe that the event space includes the rooftop of all three buildings, 800-802-804 Main, which are joined even though the lots at 800-802 Main and 804 Main are not tied.

2. THREE UNITS IN AN ARTIST IN RESIDENCE BUILDING WERE APPROVED

In Correspondence, the applicant attempts to obfuscate the issue of what was approved in his existing City CDP by saying his project was approved for up to 5 dwelling units and so reducing the number to 1 for 800-802 Main did not constitute a substantial change to the CDP.

According to the City documents submitted with the appeal, the City Council approval is for 3 dwelling units in an Artist-in-Residence building in conjunction with the remodeling of two adjacent units, at 800, 802, and 804 Main Street. The conditions of approval state that the number of dwelling units permitted is limited to 5 dwelling units, in other words, the 3 at 800-802 Main and the 2 at 804 Main. In addition, the approval states that the project shall provide 2 parking spaces per unit and one guest parking space for the site. Thus, for the 5 units approved, this would be 11 parking spaces required in the existing CDP for the 800-802-804 Main Street project.

The reduction from 3 residential units as approved in the existing CDP for the building at 800-812 Main to 1 unit subsequent to that approval constitutes a change in intensity of use and needs to be evaluated in conjunction with this application.

What should happen here is that the applicant be required to reinstate the 3 AIR units and the structure remain 100% residential.

3. PARKING REQUIREMENT NOT SUFFICIENT AS SIZE OF COMMERCIAL KITCHEN WILL SERVICE MUCH MORE ACTIVITY THAN JUST THE SERVICE FLOOR AREA FOR A 5-SEAT RESTAURANT

If approved, this project would serve as a precedent that would allow applicants to create large restaurants with very little required parking. For the Commission to allow this would perpetuate a common Venice Coastal Zone scheme where applicants have their restaurants approved with plans that show a very small service floor area, requiring little to no parking, and then actually operate with a much larger service floor area. When in the past residents have filed complaints about such violations of the restaurant's permit, the city has not taken action to stop this practice. This situation of applying for a very small service floor area but actually using a much larger service floor area once the restaurant is operational occurs only in the Coastal Zone where restaurant projects' parking is based on service floor area as opposed to the square footage of the entire restaurant as is the case for the rest of the city.

If a commercial kitchen is approved then at a minimum it needs to be much smaller and only for servicing a 6-seat restaurant; otherwise, the appropriate parking for a large commercial kitchen needs to be required. The portion of the basement not used for the kitchen for the 6-seat restaurant can be used for storage and other back office functions, as opposed to the applicant building a commercial kitchen that is as large as the very large basement, just because he can! Please look at the true intent here.

Please read between the lines. It's not necessary to have a 1,750 square foot commercial kitchen for a 6 seat restaurant. And just because the basement is big enough for a kitchen that large, does not mean the kitchen has to be that big. The intention appears to be to have a large commercial kitchen here, providing many more business activities for the applicant than just a 6-seat restaurant, including the applicant's ongoing, long-time event space business.

4. USE OF GROUND FLOOR FOR RESTAURANT INVALIDATES THE ARTIST-IN-RESIDENCE (AIR) USE

In addition, if this project is approved as proposed, it would not comply with the existing CDP's condition that states that the AIR's ground floor space shall not be rented, leased, subleased or occupied for commercial use by any individuals other than the residents of the building for their art. The conversion of the ground floor and basement to a restaurant would invalidate the AIR use and if the building would no longer be an AIR, it is not clear what it would be other than an event space with an extremely large commercial kitchen (which requires more parking) and a small, 6-seat restaurant service floor area. At a minimum, if the AIR is required to convert to a single-family dwelling as the conditions for an AIR cannot be met, an additional parking space is required for the home.

5. PARKING GARAGE DESIGN VIOLATES CITY CODE & MAKES PROJECT INFEASIBLE

City code prohibits backing up onto a secondary Highway, as is Main Street (see details in appeal). The applicant's parking plan is illegal as it entails backing up onto Main Street. Thus, the factual and legal support for the city's decision is in error. If a parking plan for a project is infeasible as it violates city code, then the Commission must conclude that the applicant cannot meet the parking requirement for the project.

6. UNACCEPTABLE ADVERSE CUMULATIVE EFFECT ON DISPLACEMENT OF LOWER INCOME RESIDENTS OF APPROVING CONVERSION OF RESIDENTIAL STRUCTURE FOR PURPOSES OF MIXED USE PROJECT

As always, it's not just this one instance, it's the cumulative effect of the project. We are experiencing an unprecedented housing crisis and in Venice the loss of affordable housing and our most diverse residents has been dramatic. As our affordable housing keeps declining, these residents are being displaced from the Coastal Zone.

Allowing a single-family dwelling to be converted to mixed use commercial would cause an adverse cumulative impact on existing residents living in residential buildings in commercial zones. The cumulative effect of this project together with past, current and probable future similar projects would result in a significant increase in projects demolishing housing structures to build more lucrative commercial projects, thus demolishing existing lower cost units in older housing stock and displacing the lower income tenants living there.

Affordable housing is a coastal resource that must be protected. Commercial uses are not coastal resources. Thus, the fact that projects like these are in a commercial zone must not mean that a commercial use is allowed to replace these residential structures, the cumulative impact of which would result in the loss of affordable housing (and the displacement of the tenants living there), the very thing that Coastal Act Section 30116 is meant to protect (see below).

In the Venice Coastal Zone, there is a significant amount of housing structures in commercial zones and thus the cumulative impact of this project and projects like it is a major concern.

The California Women's Law Center ("CWLC") is a non-profit law and policy center whose mission is to create a more just and equitable society by breaking down barriers and advancing the potential of women and girls through transformative litigation, policy advocacy and education. They focus on addressing economic justice, gender discrimination, violence against women, and women's health. They recently joined with Venskus & Associates in writing a letter to the City of Los Angeles summarizing why demolitions or conversions of 100% residential structures for purposes of nonresidential mixed use projects are not allowed unless they are for coastal dependent uses. Mixed use is a nonresidential/commercial use. See May 4, 2021 letter at Attachment B below.

The letter explains that allowing demolitions or conversions of 100% residential structures for purposes of mixed use projects will disproportionately harm low income communities of color in the Coastal Zone as new mixed use development will be encouraged:

"The impact of the destruction of housing that has and will continue to result from the Mello Act Ordinance if the ability to convert residential structures to mixed uses is not eliminated, disproportionately harms communities of color. In 2017, California had nearly two million rent burdened households of color that spent more than thirty-percent of the household income on rent and utilities. There were also 1.6 million extremely low-income renter households, two-thirds of which were households of color. During the COVID-19 pandemic, there has been a disproportionate financial impact on populations of color, which has created even greater disparities. If demolition or conversion of residential structures for purposes of mixed use developments is allowed, those who will be impacted most are low-income people and communities of color. This is especially true because allowing such mixed use developments to replace residential structures encourages, rather than discourages, displacement. Developers would be encouraged to demolish the building and erect a new building in its place, thus displacing families currently living in older housing stock which is always, by definition, more affordable than new units deemed "affordable" pursuant to federal and state law. It makes no sense for the City to encourage destruction of existing housing, including affordable housing, so that more lucrative commercial mixed use projects can be built in the Coastal Zone, especially when such a concept runs completely contrary to the Mello Act's intent. This would be a boon to developers and would cause a steady stream of property owners getting richer on the backs of our existing renters in the L.A. Coastal Zones as they will be displaced when mixed use projects replace residential structures."

The letter states that allowing such conversions of 100% residential structures to mixed use “...effectively destroys residential housing, including and especially affordable housing for low-income residents and communities of color, thus causing a gross, unacceptable, adverse cumulative impact on housing, including affordable housing, in the Los Angeles Coastal Zones. All of this is an unfortunate, perhaps unconscious, continuance of the City’s practices of institutional racism.”

Housing stability and protection in the Coastal Zone needs to be paramount, particularly in Venice where we’ve seen too much displacement of our lower income Venetians and too much residential space has been taken over by commercial uses, aided by the blind eye of our City government.

It’s hard enough to protect our coastal housing from commercialization, even when the CDP and Certificate of Occupancy say Residential! With mixed use it’s a game of three card monte, and the residents are clearly losing. The new push is to get ground floor retail into existing 100% residential structures. The cumulative impact is obvious.

Given that the first Venice Coastal Issue of significant concern by the Commission when approving the certified Land Use Plan (LUP) is “preservation of existing housing stock,” it can only be assumed that LUP Policy I.B.1. and I.B.2. did not intend for existing housing to be replaced by commercial mixed use projects. LUP Policy I. B. 2 states that mixed use residential-commercial development shall be encouraged in all areas designated for commercial uses. It does not say that mixed use development is required in those areas. There is a very big difference and that difference allows for protection of housing structures (as required by the Mello Act, see below) and in order to protect existing residents from displacement.

In order for any development to be approved in the Coastal Zone it must not have significant adverse individual or cumulative effects. Review of a project’s incremental effects does not only mean determining whether the impacts of a project can be identified as a single “increment” among many others. It also means considering the probability that the project may serve to promote more such projects with further “incremental” impacts. In other words, the project may ultimately have an outsize effect and adverse cumulative impact, especially when it provides a key to unlock a new development paradigm in a location.

There is an exponentially growing movement to commercialize housing in Venice. This effort is being pursued by several avenues: 1) a rash of applications for demolition or conversion of 100% residential structures in commercial zones (that are legal non-conforming) for purposes of mixed use projects, 2) an effort by City Planning to allow demolitions and conversions of 100% residential structures for purposes of nonresidential mixed use projects, a significant violation of the Mello Act and the City’s current procedures for implementing the Mello Act, and 3) a very aggressive effort for the City to change several residential zones in Venice to commercial zones so that they can convert the existing residential structures to mixed use projects. Not only do they want to commercialize existing residential structures in existing commercial zones but they want to change several existing residential zones into commercial zones so that they can commercialize those residential structures as

well! Again, the developers and speculators want to commercialize Venice Coastal Zone housing and the City appears to be an ally in this effort, which will only serve to displace our lower income and most diverse residents, thus harming our social diversity that is a key part of Venice's special coastal community character, required to be protected by Coastal Act Sections 30250 and 30253(e) and LUP Policy I. E. 1.

In order to build the existing structure, this applicant demolished single family dwellings, displacing the tenants living in them. The City issued a CDP for three units and 7 parking spaces. But the applicant converted those three dwelling units to one dwelling unit, reducing the parking to 3 spaces, all without permits, which is both a Coastal Act violation and a Mello Act violation. Then the owner converted the building to a commercial use--a commercial event space with unpermitted commercial kitchen and unpermitted basement, which has been used for large, paid, ticketed events for years. And now he wants to further commercialize the building by adding a 6-seat restaurant.

The problem is that approving this project would cause a significant adverse cumulative impact on housing in commercial zones in the coastal zone by displacing existing tenants. Not only would they be displaced from their current homes, they would be displaced from the Coastal Zone as there is no lateral movement to similar lower-cost housing as none is available. We collected the data and there are over 200 properties in Venice with 100% residential structures in commercial zones, with over 700 RSO units that would be impacted by such a precedent. Allowing applicants such as this developer to commercialize 100% existing residential structures (the existing CDP and Certificate of Occupancy for this property is for a single family dwelling) would be an incentive for owners to demolish or convert existing residential structures, which are typically lower cost, affordable units, for purposes of mixed-use projects. Why would this be an incentive? Because it would significantly increase the value of their properties.

A. Environmental Justice

The project violates the Environmental Justice provisions of the Coastal Act and it violates the Commission's Environmental Justice policy too.

With Environmental Justice is being used as the lens for implementing the Coastal Commission's policies, we strongly urge you to pursue environmental justice regarding this issue. The Commission has gone to great pains and taken important positions to protect housing for residents in the Coastal Zone. Looking at the coastal policies through the lens of the Commission's Environmental Justice housing section policy makes it clear that this situation has more potential for housing loss and displacement of existing residents than any of the other issues that become before you.

The cumulative impact of approving this project and others like it would be truly devastating because allowing projects like this would have the single most detrimental impact on displacing the existing residents from the Coastal Zone than any other similar land use issue.

The Commission's Environmental Justice policy should prevent the Commission from approving a project that violates the Mello Act and causes a cumulative impact of displacement of Venice's existing lower income residents.

The purpose of a demo or conversion from a residential structure to a mixed use is specifically to create a non-residential use or uses in addition to the residential use. Allowing this will also tend to prioritize more lucrative, commercial uses rather than maximizing residential ones.

Most importantly: the reason why this is an Environmental Justice issue is because in consideration of past City-approved projects allowing commercialization of residential structures, together with several other similar current/pending projects (a partial list was provided to Staff), along with probable future projects doing the same given the precedent the other projects would set, the cumulative impact of this project's approval going forward as proposed would be to adversely affect dozens of affordable units and a significant amount of displacement of tenants in lower cost housing as developers want to get in on this potential goldrush of commercializing residential structures.

The Mello law wisely prohibits conversion to nonresidential uses unless they are coastal dependent: Government Code Section 65590(c):

Consistent with the Mello Act, housing structures must be protected at all costs. Allowing mixed use to replace residential structures causes an incentive to commercialize housing and thus lose what are likely older lower income housing structures, displacing existing residents.

Coastal Commission Environmental Justice Policy, Housing, page 8 states:

"The Commission recognizes that the elimination of affordable residential neighborhoods has pushed low-income Californians and communities of color further from the coast limiting access for communities already facing disparities with respect to coastal access and may contribute to an increase in individuals experiencing homelessness."

"The Coastal Commission will increase these efforts with project applicants, appellants and local governments, by analyzing the cumulative impacts of incremental housing stock loss..."

"The Commission will also support measures that protect existing affordable housing. If the Commission staff determines that existing, affordable housing would be eliminated as part of a proposed project in violation of another state or federal law, the Commission staff will use its discretion to contact the appropriate agency to attempt to resolve the issue." (emphasis added)

The City has violated the Mello Act by allowing a conversion of a residential structure to a mixed use development and this is your opportunity to put your Environmental Justice policy into effect by resolving this violation.

It is critical that the Commission protects the existing affordable housing and the existing residents that make up Venice's social diversity, a coastal resource to be protected.

The reason it is so critical to protect affordable housing is to protect the existing residents in that affordable housing. Even if a residential unit remains, when housing is redeveloped, whether with affordable housing or not, displacement is caused. Studies have shown that once someone is displaced, they are very unlikely to return to the area even if affordable units are replaced.

Allowing such conversions to commercial mixed use may be consistent with the commercial land use designation, but protecting existing residents from displacement is more important than being consistent.

This project, along with the many other current similar projects, past similar and probable future projects, is a very clear and extremely fast growing adverse cumulative impact on the displacement of our residents and the residential character and social character of Venice. If you allow conversion of the permitted residential structure at 800 Main to a mixed use commercial project, you will be setting a terrible and destructive precedent.

B. Housing in commercial zones must be protected regardless of zone

The Coastal Act states that visitor serving recreation uses may be a priority use and mixed use may be a preferred use in commercial zones, but that does not mean that existing housing structures can or should be replaced with mixed use development, in violation of the Mello Act. The provisions of the Mello Act are indifferent to the zoning and thus that law protects all residential structures and affordable housing.

In order to truly protect housing in the Coastal Zone, the Commission should also be indifferent to the zoning in doing so.

LUP Policy III. A. 1. a. states:

"Recreation and visitor-serving facilities shall be encouraged provided they retain the existing character and housing opportunities of the area..."

It's clear that even though it's "preferable" to be consistent and to have all commercial uses in a commercial land use designation, it is not required and that a residential use is a legal non-conforming, allowable use—key word "legal."

Coastal Act Section 30007.5 Legislative findings and declarations; resolution of policy conflicts states:

"The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources."

Coastal Act Section 30116 states:

""Sensitive coastal resource areas"" means those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity, and that "Sensitive coastal resources areas" include areas that provide existing coastal housing or recreational opportunities for low-and moderate-income persons."

Commercial uses have never been designated coastal resources but affordable housing, community character and social diversity are all coastal resources to be protected.

Coastal Act 30222 states:

"The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential..."

Online sources define recreation facilities as: "a building or portion thereof designed and intended to accommodate one or more leisure or sporting activities.... (Lawinsider.com) Thus, a mixed use project that does not have recreation facilities is not a priority over housing.

Also, we have reviewed the Staff Report for the LUP and we do not believe that the intent of encouraging mixed use development in commercial zones in the commercial land use designations included supporting replacing existing residential structures with mixed use development. We can only believe that the intent of encouraging mixed use development was to increase housing in the commercial zones by adding residential uses. There is no evidence that there was ever any intent to commercialize existing housing or existing residential zones. In fact, the Venice Coastal Issues in the certified LUP state that protection of housing stock is an important issue.

We agree that housing should never replace existing Open Space, existing coastal dependent uses, existing recreation facilities, or even existing commercial (only mixed use development should be allowed to replace existing commercial).

Residential structures in commercial land use designations must remain as such in order to protect from displacement of lower income residents.

C. Community Character is impacted by commercializing housing

Venice's unique social diversity must be protected as a Special Coastal Community.

We look to the Commission to help us protect the human character of our community. There have been so many stealth, piecemeal ways that developers in Venice have taken away our housing and affordable housing. We must consider for each and every case, that when someone removes a home that supported the diversity of this community, this causes a cumulative impact to our social diversity and is harming the coastal resource that is Venice.

Every home and every resident matters. In this case three units that could support artists were approved by the City Council and at least two were eliminated by the applicant.

This project is an example of one way that land use regulations have been evaded by piecemeal, unpermitted changes, eroding our housing stock.

The loss of two housing units (or three if you count the current residence being used as a commercial use) may seem relatively minor but it's death by a thousand cuts. In other words this project would cause a significant adverse cumulative impact.

In this case there has been a piecemeal, stealth change of use from 3 Artist in Residence (AIR) units to 1 AIR unit that is used for commercial events, which is a violation of the CDP's conditions and the certificate of occupancy. We don't see a paper trail anywhere that shows us how they managed to slip between the cracks and get rid of two housing units and construct a commercial kitchen and basement.

This case doesn't add up, it doesn't make sense. This is classic case of attempting to put a square peg into a round hole.

Venice has been and continues to be known as one of the most diverse coastal communities in the coastal zone. It's incumbent on us to keep it that way.

In addition, Venice as a Special Coastal Community wasn't even considered in the City's CDP findings, as is typical of the City's findings, which means the findings are in error as the city did not cover all of the relevant coastal act sections. As a special coastal community we have special protections of our social diversity, but the City ignores that.

What is important here is much more than just housing density. It's about the people. Staff says there's no issue with displacement here. That's because this building with a residential certificate of occupancy is not used for housing! The applicant claims that 800-802 Main is his residence, but that is not true; 804 Main, the duplex next door, is his residence. We've got to look at the cumulative impact on displacement and understand that projects that convert residential structures to mixed use have an unacceptable and cumulative impact.

SUMMARY

Prior to granting any new entitlements, we hope that Staff will investigate how the property is currently being used and whether its current use conforms to the existing entitlements. We urge Staff to thoroughly investigate the current use and the intended uses of the requested entitlements to determine the true scope of what is existing and the true intent for the proposed use of the project.

As we've mentioned, any one of the issues mentioned by us taken individually may not result in a material impact but taken together and considering the cumulative impact of similar past, currently pending and likely future projects would be very significant.

There are many others "waiting in line" who want to do this same thing, take what are housing structures in commercial zones and turn them into commercial projects, commercializing the housing, disrupting the existing lower income residents, and disrupting the character of the adjacent neighborhoods!

We the appellants, as well as the community in general (with the exception of those who stand to gain financially from the commercialization of Venice's housing), do not want housing changed to commercial mixed use. Right now is the time for the Coastal Commission to take a strong stand on the growing wave of applications to demolish or convert existing residential structures for purposes of more lucrative mixed use developments.

Sincerely,

**The Appellants:
The Venice Dogz
Save Venice
Keep Neighborhoods First
Margaret Molloy
Rick Garvey**

ATTACHMENT A:

ATTACHMENT B:



May 4, 2021

CPC-2019-7393-CA
ENV-2019-7394-ND

Re: Mello Act Ordinance must not allow demolitions/conversion of residential structures for purposes of mixed-use projects

Dear Los Angeles City Planning Commissioners:

The California Women's Law Center ("CWLC") is a non-profit law and policy center whose mission is to create a more just and equitable society by breaking down barriers and advancing the potential of women and girls through transformative litigation, policy advocacy and education. We focus on addressing economic justice, gender discrimination, violence against women, and women's health.

Venskus & Associates, APC is a boutique law firm litigating in the areas of housing rights and environmental/land use. The law firm represents and advocates for traditionally under-represented plaintiffs, such as low-income tenants, community organizations and environmental groups.

We write to urge the Los Angeles City Planning Commission ("Planning Commission") to ensure that its proposed Mello Act Ordinance (CPC-2019-7393-CA) does not:

- exceed the City's jurisdiction by conflicting with, or changing the meaning of, state law;
- run afoul of the Settlement Agreement Concerning Implementation of the Mello Act in the Coastal Zones within the City of Los Angeles ("Settlement Agreement");
- establish a law that is weaker than the City of Los Angeles' ("City") Mello Act Interim Administrative Procedures ("IAP").

The Settlement Agreement provided that the City must adopt Interim and Permanent Ordinances to implement both the Mello Act and the provisions of the Agreement. In response, the City adopted the IAP in 2000. In 2015, the City Council requested that City Planning prepare a permanent ordinance, but one was not adopted at that time. In April 2019, the City Council directed the Planning and Housing Departments to prepare and present a permanent ordinance to implement the Mello Act. In December 2019, the City's proposed Mello Act Ordinance was released. On February 25, 2021, the Planning Commission reviewed the proposed ordinance, but the vote was continued to May 13, 2021.

Adopting a permanent ordinance is an important step to protect housing stock including, specifically, affordable and Rent Stabilized (RSO) housing in the City’s coastal zones, and to prevent displacement of people and communities. The ordinance must be in accordance with controlling state law and the Settlement Agreement. As currently proposed, the Mello Act Ordinance is not in accordance with controlling authority and thus exceeds the City’s jurisdiction.

I. The purpose of the Mello Act is to preserve residential structures in the coastal zone, to protect existing affordable housing, and to provide new affordable housing

As stated in the IAP, under the Mello Act each local jurisdiction shall enforce three basic rules—

1. maintain existing residential structures,
2. replace converted or demolished affordable units
3. provide inclusionary residential units in new housing developments.

However, by adding clause 12.21.H.c.7. Mixed Use in the draft Mello Act Ordinance, the City is not honoring the first requirement, which states:

“Existing residential structures shall be maintained, unless the local jurisdiction finds that residential uses are no longer feasible.” (IAP pg. 7.)

California courts also have made clear that the Mello Act’s purpose is to preserve housing in the Coastal Zone. The Court of Appeal stated that the purpose of the Mello Act is:

“to preserve residential units occupied by low or moderate-income persons or families in the coastal zone.”¹

The California Supreme Court similarly explained that:

“[t]he Mello Act supplements the housing elements law, establishing minimum requirements for housing within the coastal zone for persons and families of low or moderate income.”²

In fact, the Mello Act specifically mentions the housing elements state law, making it clear that the Mello Act is a law that protects housing for all income levels and certainly not one that would allow for non-residential uses. One of the main avenues the Mello Act proscribes for protecting residential housing is to limit the ability to convert existing residential structures to non-residential uses. To allow such conversions would not only violate both the letter and the spirit of the Mello Act, but it would plainly threaten housing, by allowing its destruction for purposes of a more lucrative commercial use, including mixed use projects, thus displacing families and damaging coastal communities that are already holding on by a thread—exactly what the Mello Act was intended to prevent.

¹ *Venice Town Council v. City of L.A.*, 47 Cal. App. 4th 1547, 1552-53 (1996).

² *Pacific Palisades Bowl Mobile Estates, LLC v. City of Los Angeles*, 55 Cal. 4th 783, 798 (2012) (emphasis added).

The Mello Act states:

“The conversion or demolition of any **residential structure** for purposes of a nonresidential use which is not ‘coastal dependent,’ as defined in Section 30101 of the Public Resources Code, shall not be authorized unless the local government has first determined that a residential use is no longer feasible in that location.”

This language is repeated in IAP section 4.1 (also covered in the Settlement Agreement, section VI.C.1.):

“The Mello Act states that the Demolition or Conversion of **residential structures** for the purposes of a non-Coastal-Dependent, non-residential use is prohibited, unless the local jurisdiction first finds that a residential use is no longer feasible at that location.”

II. As proposed, the draft Mello Act Ordinance exceeds the City’s jurisdiction and violates the Settlement Agreement

The draft Mello Act Ordinance exceeds the City’s jurisdiction. Under article XI, section 7 of the California Constitution, “[a] county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws.”³ The Mello Act is a state statute; therefore, any attempt to enact an ordinance in conflict with it is in excess of the City’s authority.

The City must also comply with the Settlement Agreement in enacting the Mello Act Ordinance. The permanent ordinance must be consistent with both the Mello Act and the provisions of the Settlement Agreement. Adopting an ordinance that is contrary to the provisions of the Settlement Agreement would be in violation of the Settlement Agreement itself.

III. Words have meaning: terminology in land use law is specific

The draft Mello Act Ordinance new proposed provision (LAMC 12.21H.c.7.) for conversion to mixed uses changes the meaning and application of the Mello Act by stating:

“Mixed Use Development. A proposed mixed use development may not result in a net reduction in the total number of existing Residential Units unless a residential use is no longer feasible. A mix of uses is permitted, so long as the structure provides all required Replacement Affordable and Inclusionary Units.”

This new provision would allow for the conversion of one hundred percent residential structures to non-residential mixed uses and by doing so, change the meaning, spirit, and purpose of the Mello Act. This change is in direct violation of the Mello Act and the Settlement Agreement, which explicitly forbid the conversion of a residential structure to a non-residential use.

³ *Sherwin-Williams Co. v. City of L.A.*, 4 Cal. 4th 893, 897 (1993).

This new conversion provision included in the draft Mello Act Ordinance essentially changes the Mello Act, as follows:

“Conversion or demolition of any ~~Residential Structure~~ **residential unit or residential use**, for purposes of a non-residential use that is not Coastal-Dependent, is prohibited, unless a residential use is no longer feasible at that location.”

This new provision has the effect of replacing the word “structure,” as used in the Mello Act, the Settlement Agreement and IAP, with “unit or use.” The words “structure” and “unit” are not interchangeable. Nor are the words “unit” and “use.” The word “structure” refers to an entire building as an entity, while the word “unit” refers to an individual dwelling, which may be one of many within a single structure. This is an important distinction, because the use of the word “structure” in both the Mello Act and the IAP intentionally protects the entire residential building.

The terminology used in land use law is specific and purposeful. The use of “unit” in the Mello Act pertains to sections of the law related to protecting existing affordable housing or providing inclusionary affordable housing, whereas “structure” relates to the protection of housing from the desires of developers for more lucrative commercial uses, including mixed use.

A residential structure in a commercial zone may also not be changed to a mixed use, as the Mello Act specifically protects housing regardless of zoning. Furthermore, the definition of a “residential structure” does not include “mixed use,” which is considered a commercial use and is restricted to commercial zones. A “residential structure,” on the other hand, is permitted in both residential and commercial zones. They are far from equivalent. Therefore, the substitution of “unit or use” in the proposed ordinance amounts to a sleight of hand, *apparently to promote the substitution of mixed use structures in place of residential structures*. This was clearly not the intent of the clear and carefully chosen language of the Mello Act, the Settlement Agreement and the IAP.

Municipalities are permitted to strengthen the local implementation of a statute, but not to weaken it. As per the Mello Act, Government Code Section 65590(k):

...[t]his section establishes minimum requirements for housing within the coastal zone for persons and families of low or moderate income. It is not intended and shall not be construed as a limitation or constraint on the authority or ability of a local government, as may otherwise be provided by law, to require or provide low- or moderate-income housing within the coastal zone which is in addition to the requirements of this section.

The present use of the term, “residential structure” protects an entire building, whereas “residential unit or use” does not, necessarily. It would therefore weaken the implementation of the statute and is thus beyond the jurisdiction of the City.

IV. Conversion to mixed use is used as loophole to allow unpermitted conversions to commercial uses

The result of the change in terminology will destroy housing by allowing for conversion to commercial uses. Replacing the word “structure” with the words “unit” or “use” is beyond the jurisdiction of the City because it contradicts the Mello Act, a state law.

The City’s Mello Act Ordinance must also comply with the Mello Act’s intent. Since this new mixed use provision would effectively change the meaning, in direct contradiction to the Act’s intent, the City would be acting in excess of its jurisdiction.

The harm from the City’s attempt to exceed its jurisdiction by allowing conversion or demolition of residential structures for purposes of non-residential use is not just theoretical. Several recent projects have already seized on the current, draft language of the proposed Mello Act Ordinance, regarding “residential units” or “residential uses,” to justify approval of the conversion of residential properties to mixed-use properties. Many of these properties have then illegally converted the entire structure to commercial, non-residential use, with no consequence.

Thus, already the use of “units or uses” rather than “structures” has created a loophole to allow developers to convert one hundred percent residential use structures to “mixed use” and then fail to actually maintain any residential uses, in violation of state law and the Settlement Agreement.

A. Example #1: 1214 Abbot Kinney Blvd.

First, for the property at 1214 Abbot Kinney Blvd., in 2014, the City approved a change of use from residential to mixed use, in violation of the Mello Act. Since then the property has been used illegally as commercial office use, even though it was only approved for conversion to “mixed use.” Yet another example of ongoing use of residential structures for commercial use is 619-701 Ocean Front Walk, aka Thornton Lofts. When the tech industry moved in they took over residential structures for offices. There are numerous other similar examples of unpermitted mixed uses or full commercial uses where the structures are only permitted for residential use.

B. Examples #2 & #3: 811-815 Ocean Front Walk, and 1310 Abbot Kinney Blvd.

Other Coastal Zone projects are pending that would violate the Mello Act by allowing demolition of 100% residential structures for purposes of a mixed-use development. One example is the project at 811-815 Ocean Front Walk, which proposes the demolition of three residential structures for purposes of a mixed-use commercial development. Another example is the project proposed at 1301-1303 Abbot Kinney, which is requesting a change of use from a 100% residential triplex structure to two live/work mixed use units. The approvals of both of these projects have been appealed. If these projects are ultimately approved by the City it will be in clear violation of the state Mello Act and the Settlement Agreement. There are other examples where the City approved a residential structure to be replaced by “artist in residence” use, a mixed use, but they do not meet the code’s definition of artist and thus the structures have become essentially all commercial use.

C. Example #4: 1047 Abbot Kinney Blvd.

One final example is the three bungalows at 1047 Abbot Kinney Blvd., which have certificates of occupancy as residential units but have for years been illegally used for a non-residential use. The City recently approved the demolition of those bungalows for purposes of the Venice Place mixed use project, for which they will be covered by the hotel's CUB, and they will be included in the hotel buildings, very likely losing their identity as housing.

These examples illustrate that because the as-now-proposed Mello Act Ordinance provisions regarding conversion to mixed use contradict the Mello Act's language and intent to protect housing, developers have exploited, are currently exploiting, and will likely continue to exploit this "mixed-use" loophole to effectively destroy residential housing, including and especially affordable housing for low-income residents and communities of color, thus causing a gross, unacceptable, adverse cumulative impact on housing, including affordable housing, in the Los Angeles Coastal Zones.

All of this is an unfortunate, perhaps unconscious, continuance of the City's practices of institutional racism.⁴

V. If not amended, the draft Mello Act Ordinance will disproportionately harm low income communities of color in the Coastal Zone as new mixed use development will be encouraged

The impact of the destruction of housing that has and will continue to result from the Mello Act Ordinance if the ability to convert residential structures to mixed uses is not eliminated, disproportionately harms communities of color. In 2017, California had nearly two million rent burdened households of color that spent more than thirty-percent of the household income on rent and utilities.⁵ There were also 1.6 million extremely low-income renter households, two-thirds of which were households of color.⁶ During the COVID-19 pandemic, there has been a disproportionate financial impact on populations of color, which has created even greater disparities.⁷ All housing will be put in jeopardy in the Coastal Zone if the draft Mello Act Ordinance is not amended to prohibit demolition or conversion of residential structures for purposes of mixed use developments, and those who will be impacted most are low-income people and communities of color.

This is especially true because by allowing such mixed use developments to replace residential structures the current draft of the Ordinance actually encourages, rather than discourages,

⁴ On top of these egregious practices, the City has a pattern and practice of using the rent paid by existing unpermitted commercial uses (this was done for 1301-1303 Abbot Kinney and 1047 Abbot Kinney, among many others) to determine whether affordable housing must be replaced, a gross double violation of the Mello Act and a practice that the City must never allow, and yet it openly does allow it.

⁵ AMEE CHEW & CHIONE LUCINA MUÑOZ FLEGAL, POLICY LINK, FACING HISTORY, UPROOTING INEQUALITY: A PATH TO HOUSING JUSTICE IN CALIFORNIA 14 (2020), https://www.policylink.org/sites/default/files/pl_report_calif-housing_101420a.pdf.

⁶ *Id.*

⁷ See Kelly Anne Smith, *Covid and Race: Households of Color Suffer Most From Pandemic's Financial Consequences Despite Trillions in Aid*, FORBES (Sept. 17, 2020), <https://www.forbes.com/advisor/personal-finance/covid-and-race-households-of-color-suffer-biggest-pandemic-consequences/>.

displacement. With the “mixed use” loophole, developers are encouraged to demolish the building and erect a new building in its place, thus displacing families currently living in older housing stock which is always, by definition, more affordable than new units deemed “affordable” pursuant to federal and state law. It makes no sense for the City to encourage destruction of existing housing, including affordable housing, so that more lucrative commercial mixed use projects can be built in the Coastal Zone, especially when such a concept runs completely contrary to the Mello Act’s intent. This would be a boon to developers and would cause a steady stream of property owners getting richer on the backs of our existing renters in the L.A. Coastal Zones as they will be displaced when mixed use projects replace residential structures.

VI. Conclusion

We understand that the City’s priority is to increase housing, but it must be done within the confines of the law and not by allowing conversions of residential structures to mixed use, in violation of the Mello Act.

We too support mixed use developments, but only where they replace existing commercial uses and thus add housing.

The Mello Act’s purpose is to protect all housing in the Coastal Zone, as well as to protect existing and provide for new affordable housing.

For the foregoing reasons, we respectfully urge you to eliminate any and all proposed Mello Act Ordinance language that would allow for demolition or conversion of residential structures for purposes of non-residential/commercial mixed use projects, in order to comply with state law and the Settlement Agreement and to ensure the City is acting within its jurisdiction.

Sincerely,

Amy Poyer
Senior Staff Attorney

California Women’s Law Center
360 N. Pacific Coast Hwy, Suite 2070
El Segundo, CA 90245
amy.poyer@cwlc.org

Sabrina Venskus
Partner

Venskus & Associates, A.P.C.
1055 Wilshire Blvd., Suite 1996
Los Angeles, CA 90017
venskus@lawsv.com



2020 Temporary Exemption Application Contact Information Update

BILLING CONTACT INFORMATION

MUREZ TRUST
804 MAIN ST
VENICE CA 90291-3218



PROPERTY INFORMATION

APN: 4286012044
ADDRESS: 804 MAIN ST
LOS ANGELES, CA 90291
STATEMENT: 8195613
UNITS: 2

STEP 1

Changes to Billing Contact Information

☒ Mark this box if there are **no changes** to your mailing address.

| | | |
|---|-------------|------------------|
| House Number (enter house fraction here) | Street Name | Apt. Unit, STE # |
| City | State | Zip Code |
| Email Address (Symbols such as @, ., or - placed in individual boxes) | | |
| Phone Number | Ext. | P.O. BOX |

STEP 2

Temporary Exemption Request

2A RENEWAL

☒ FILL IN THIS BUBBLE TO RENEW ALL
EXISTING EXEMPTIONS LISTED BELOW.
DO NOT fill in the bubble if the section below is
BLANK or **INCORRECT**. See STEP 2B.

| Exemption Code | Unit Address |
|----------------|--------------------|
| T3 | 804 S MAIN ST #200 |
| T1 | 804 S MAIN ST #300 |

DO NOT WRITE IN THIS SECTION

2B NEW

Complete this section to add a new exemption or make
corrections to exemptions listed under STEP 2A.

SEE BACK OF THIS FORM FOR A LIST OF TEMPORARY
EXEMPTION TYPES AND REQUIRED DOCUMENTATION.

| Code | House # | Street Name | Unit # |
|------|---------|-------------|--------|
| | | | |
| | | | |
| | | | |

STEP 3

Signature Required Below

By this signature, I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

| | | | |
|-------------------|---------------|------|----------|
| Print Name | MELANIE MUREZ | | |
| Owner's Signature | Melanie Murez | Date | 1/6/2020 |



Due on JANUARY 31, 2018

FILE Temporary Exemptions ONLINE at HCIDLAbill.org

2018 Temporary Exemption Application Contact Information Update

BILLING CONTACT INFORMATION

JAMES AND MELANIE MUREZ
804 MAIN ST
VENICE CA 90291-3218



PROPERTY INFORMATION

APN: 4286012044
Address: 804 MAIN ST
LOS ANGELES, CA 90291
Statement: 7632279



Changes to Billing Contact Information

☒ Mark this box if there are **no changes** to your mailing address.

| | | | | |
|---|--------------|-------------|----------|--|
| Name: | FIRST NAME | LAST NAME | | |
| If the above name differs from the name on property Title, see Owner Authorization Policy available at HCIDLAbill.org | | | | |
| Address: | HOUSE NUMBER | STREET NAME | | |
| City, State, Zip: | CITY | STATE | ZIP CODE | |
| Email Address: | Phone #: | | () | |

Temporary Exemption Request



RENEWAL

To renew last year's exemption(s) listed below, fill in the bubble and sign & date at bottom of page.

DO NOT FILL IN THE BUBBLE IF THE SECTION BELOW IS BLANK OR INCORRECT. GO TO STEP 3

☒ FILL IN THIS BUBBLE TO RENEW
EXISTING EXEMPTION(S) LISTED BELOW

| Exemption Code | Unit Address |
|----------------|--------------------|
| T3 | 804 S MAIN ST #200 |
| T1 | 804 S MAIN ST #300 |

DO NOT WRITE IN THIS SECTION



NEW

- To add, correct, or update Temporary Exemption(s), complete this section.
- Completed Notarized "Certification of No Rent Collected Form" is required if claiming three or more T3 Exemptions

SEE THE BACK OF FORM EC18 FOR A LIST OF
TEMPORARY EXEMPTION TYPES

| Exemption Code | Unit Address |
|----------------|--------------|
| | |
| | |



Signature Required Below

By this signature, I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

| | | | |
|--------------------|---------------|-------|----------|
| Print Name: | MELANIE MUREZ | | |
| Owner's Signature: | | Date: | 1/4/2018 |

Temporary Exemption(s) are to be received by Wednesday, January 31, 2018



2017 Temporary Exemption Application Contact Information Update

FORM EC17

SUBMIT BY JANUARY 31, 2017

Property Information

APN: 4286012044

Statement: 7336820

Address: 804 MAIN ST
LOS ANGELES, CA 90291

Total Units: 2

Billing Contact Information (on file)JAMES AND MELANIE MUREZ
804 MAIN ST
VENICE CA 90291-3218

DO NOT WRITE IN THIS SECTION

STEP 1

COMPLETE THE SECTION BELOW TO CHANGE YOUR BILLING CONTACT INFORMATION. IF DIFFERENT FROM OWNER, SEE THE PROPERTY OWNER/MANAGEMENT COMPANY REPRESENTATIVE AUTHORIZATION POLICY.

Name

FIRST NAME

LAST NAME

Address

HOUSE NUMBER

STREET NAME

City, State, Zip

CITY

STATE

ZIP CODE

Email Address**Phone #**

AREA CODE & PHONE NUMBER

STEP 2 RENEWAL Exemption Request

To renew last year's approved annual exemption(s) listed below, verify the information, fill in the bubble below, sign & date at bottom of page.
DO NOT FILL IN THE BUBBLE IF THE SECTION BELOW IS BLANK OR INCORRECT. GO TO STEP 3

TO RENEW EXISTING EXEMPTION(S)
LISTED BELOW, FILL IN THIS BUBBLE**Code****Unit Number**

T3

804 S MAIN ST #200

T1

804 S MAIN ST #300

DO NOT WRITE IN THIS SECTION

STEP 3 New Temporary Exemption Request

- To add, correct, or update Temporary Exemption(s), complete this section.
- Completed Notarized "Certification of No Rent Collected Form" is required if claiming more than two (2) Temporary Exemptions (T1 and/or T3)

SEE THE BACK OF FORM EC17 FOR A LIST OF
TEMPORARY EXEMPTION TYPES**Exemption Code****Unit Number(s)**TEMPORARY EXEMPTION(S) are to be received by Tuesday, January 31, 2017
Return this form in the Exemption Envelope

To ensure timely receipt, mail exemption no later than January 21, 2017

PAYMENT is to be received by TUESDAY, FEBRUARY 28, 2017

Return the 2017 ANNUAL PAYMENT in the Payment Envelope

To ensure timely receipt, mail payment no later than February 18, 2017

**DELINQUENT FEES
WILL BE APPLIED IF
EC17 Form and/or
payment is NOT
RECEIVED ON TIME**Simply log into your Account using a Smartphone, Computer, or Tablet at HCIDLAbill.org**STEP 4****Signature Required Below**

By this signature, I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Owner Signature

Date

1/3/2017

Rev. 20161109



2016 Temporary Exemption Application Contact Information Update

FORM EC16

SUBMIT BY JANUARY 31, 2016

Property Information

APN: 4286012044

Statement: 7034161

Address: 804 MAIN ST
LOS ANGELES, CA 90291

Total units: 2

Billing Contact Information (on file)MUREZ, JAMES AND MELANIE
804 MAIN ST
VENICE CA 90291-3218

DO NOT WRITE IN THIS SECTION

STEP 1**VERIFY BILLING CONTACT INFORMATION**

IF YOU NEED TO CHANGE OR UPDATE INFORMATION, COMPLETE THE SECTION BELOW

Name

Address

(Number, Street, Apt #, City, State, Zip)

Email Address

Phone #

STEP 2**RENEWAL Exemption Request**

To renew last year's approved annual exemption(s) listed below, verify the information, fill in the bubble below, sign & date at bottom of page.
DO NOT FILL IN THE BUBBLE IF THE SECTION BELOW IS BLANK OR INCORRECT. Go TO STEP 3

TO RENEW EXISTING EXEMPTION(S)
LISTED BELOW, FILL IN THIS BUBBLE ☐

Code

Unit Number

STEP 3**New Temporary Exemption Request**

- To add, correct, or update Temporary Exemption(s), complete this section.
- Completed Notarized "Certification of No Rent Collected Form" is required if claiming more than two (2) Temporary Exemptions (T1 and/or T3)

SEE THE BACK OF FORM EC16 FOR A LIST OF
TEMPORARY EXEMPTION TYPES

Exemption Code

Unit Number(s)

T3
T1200
300TEMPORARY EXEMPTION(S) are to be received by SUNDAY, JANUARY 31, 2016
Return this form in the Exemption Envelope

To ensure timely receipt, mail exemption no later than January 21, 2016

PAYMENT is to be received by MONDAY, FEBRUARY 29, 2016

Return the 2016 ANNUAL PAYMENT in the Payment Envelope

To ensure timely receipt, mail payment no later than February 19, 2016

DELINQUENT FEES
WILL BE APPLIED IF
EC16 Form and/or
payment is NOT
RECEIVED ON TIME

New, Access On The Go!

Simply log into your Account using a Smartphone, Computer, or Tablet at HCIDLAbill.org**STEP 4****Signature Required Below**

By this signature, I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Owner Signature

Date

1/19/2016



2015 Temporary Exemption Application Contact Information Update

FORM EC15

SUBMIT BY JANUARY 31, 2015

Property Information

APN: 4286012013

Statement: 6725785

Address: 804 MAIN ST
LOS ANGELES, CA 90291

Total Units: 2

Billing Contact Information (on file)JAMES & MELANIE MUREZ
804 MAIN ST
VENICE CA 90291-3218

428601201306725785

DO NOT WRITE IN THIS SECTION

STEP 1**VERIFY BILLING CONTACT INFORMATION**

IF YOU NEED TO CHANGE OR UPDATE INFORMATION, COMPLETE THE SECTION BELOW

Name

Address

(Number, Street, Apt #, City, State, Zip)

Email Address

Phone #

STEP 2**RENEWAL Exemption Request**

To renew last year's approved annual exemption(s) listed below, verify the information, fill in the bubble below, sign & date at bottom of page.
DO NOT FILL IN THE BUBBLE IF THE SECTION BELOW IS BLANK OR INCORRECT. GO TO STEP 3

TO RENEW EXISTING EXEMPTION(S)
LISTED BELOW, FILL IN THIS BUBBLE

| Code | Unit Number |
|------|-------------|
| T1 | 1 |
| T1 | 2 |

DO NOT WRITE IN THIS SECTION

STEP 3 New Temporary Exemption Request

- To add, correct, or update Temporary Exemption(s), complete this section.
- Completed Notarized "Certification of No Rent Collected Form" is required if claiming more than two (2) Temporary Exemptions (T1 and/or T3)

SEE THE BACK OF FORM EC15 FOR A LIST OF
TEMPORARY EXEMPTION TYPES

| Exemption Code | Unit Number(s) |
|----------------|----------------|
| | |
| | |
| | |
| | |

TEMPORARY EXEMPTION(S) are to be received by SATURDAY JANUARY 31 2015

Return this form in the Exemption Envelope

To ensure timely receipt, mail exemption no later than January 21, 2015

PAYMENT is to be received by SATURDAY FEBRUARY 28 2015

Return the 2015 ANNUAL PAYMENT in the Payment Envelope

To ensure timely receipt, mail payment no later than February 18, 2015

DELINQUENT FEES
WILL BE APPLIED IF
EC15 Form and/or
payment is NOT
RECEIVED ON TIMENew Web Portal Enhancements! Quick, Easy, Secure! PAY/FILE Temporary Exemptions ONLINE at HCIDLAbill.org**STEP 4****Signature Required Below**

By this signature, I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Owner Signature

Melanie Murez

Date

1/16/2015



2014 Temporary Exemption Application Contact Information Update

FORM EC14

SUBMIT BY JANUARY 31, 2014

Property Information (Assessor Record)

APN: 4286012013
Statement: 6424579
Owner: JAMES MUREZ
Address: 804 MAIN ST
LOS ANGELES, CA 90291
Total Units: 2

Billing Contact Information (on file)

James & Melanie Murez
804 MAIN ST
VENICE, CA 90291

HCIDLA
RECEIVED

FEB 25 2014

Rent Stabilization Division
WEST COUNTER

DO NOT WRITE IN THIS SECTION

STEP 1**VERIFY BILLING CONTACT INFORMATION**

IF YOU NEED TO CHANGE OR UPDATE INFORMATION, COMPLETE THE SECTION BELOW

Name

Address

(Number, Street, Apt #, City, State, Zip)

Email Address

Phone #

STEP 2**RENEWAL Exemption Request**

To renew ALL of last year's exemption(s) listed below, verify the information, fill in the bubble below, sign & date at bottom of page.

NOTE: DO NOT FILL IN THE BUBBLE IF THE SECTION BELOW IS BLANK OR INCORRECT. GO TO STEP 3

TO RENEW EXISTING EXEMPTION(S)
LISTED BELOW, FILL IN THIS BUBBLE

Code

Unit Number

T1

1

T1

2

DO NOT WRITE IN THIS SECTION

STEP 3**New Temporary Exemption Request**

- To add, correct, or update Temporary Exemption(s), complete this section.
- See and/or fill out the RSO/SCEP14 Form for Conditional Exemptions (exemptions other than ones listed on back)

SEE THE BACK OF FORM EC14 FOR A LIST OF
TEMPORARY EXEMPTION TYPES

Exemption Code

Unit Number(s)

TEMPORARY EXEMPTION(S) REQUESTS TO BE RECEIVED BY FRIDAY, JANUARY 31, 2014

Return this form in the Exemption Envelope

PAYMENT TO BE RECEIVED BY FRIDAY, FEBRUARY 28, 2014

Return the 2014 ANNUAL PAYMENT in the Payment Envelope

DELINQUENT FEES
WILL BE APPLIED IF
EC14 Forms and/or
payment is NOT
RECEIVED ON TIME

To ensure timely receipt in our office, mail exemption(s) and/or payment at least 10 days before the RECEIVED BY date.
EXEMPT AND/OR PAY ONLINE at HCIDLABill.org by the received dates listed above.
Mailing information update available too! New Web Portal Enhancements! Quick, Easy, Secure!

STEP 4**Signature Required**

By this signature, I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Owner Signature

Date

2/25/2014

Rev. 20131107



2013 Exemption Application/ Contact Information Update

FORM EC13

DUE JANUARY 31, 2013

Property Information (Assessor Record)

APN: 4286012013

Statement: 6121345

Owner: JAMES MUREZ

Address: 804 MAIN ST
LOS ANGELES, CA 90291

Total Units: 2

Billing Contact Information (on file)

JAMES & MELANIE MUREZ

804 MAIN ST

VENICE CA 90291-3218



428601201306121345

RECEIVED

JAN 8 2013

Billing & Collections Unit

DO NOT WRITE IN THIS SECTION

☐ TO CHANGE OR UPDATE YOUR CONTACT INFORMATION FILL IN THE BUBBLE AND COMPLETE THE INFORMATION BELOW

Name

Address

(Number, Street, Apt #, City, State, Zip)

Email Address

Phone #

RENEWAL Exemption Request

To renew ALL exemption(s) from last year listed below, verify the information, fill in the bubble below, sign & date bottom of page.

2012: T1 (owner occupied), T3 (no rent collected) and/or
S5 (vacant) exemption(s) on file.☒ TO RENEW EXISTING EXEMPTION(S)
FILL IN THIS BUBBLE

Type Unit Number

DO NOT WRITE IN THIS SECTION

New Exemption Request

- To add, correct, or update the exemption(s), you must complete this section.
- You may attach additional information if needed.
- For descriptions, requirements, and instructions, see the back of this form.

☒ TO REQUEST NEW EXEMPTION(S)
FILL IN THIS BUBBLE

Exemption Type

Unit Number

T1

804

EXEMPTION REQUESTS MUST BE RECEIVED BY THURSDAY, JANUARY 31, 2013

EXEMPTIONS (this form) SHOULD BE mailed in the Exemption Envelope

PAYMENT MUST BE RECEIVED BY THURSDAY, FEBRUARY 28, 2013

THE 2013 ANNUAL PAYMENT SHOULD BE mailed in the Payment Envelope

DELINQUENT FEES
WILL BE APPLIED IF
EC13 Form and/or
payment NOT
RECEIVED ON TIMETo ensure timely receipt in our office, mail exemption(s) and/or payment at least 10 days before the RECEIVED BY date.
EXEMPT AND/OR PAY ONLINE at LAHD.org by the due dates listed above. Mailing information update available too!
New Web Portal Enhancements! Quick, Easy, Secure!**Signature Required for Exemption(s) & Information Updates**

By this signature, I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Owner Signature

Date 12/30/12

Rev. 10192012

Temporary Exemption Information

- Temporary exemptions must be requested annually and are only approved for the current calendar year.
- If the unit residency status changes during the year, you must notify the Department and pay the annual fees within 10 days.
- You may request more than one owner exemption if there are more than one person on the property title.
- Vacant unit exemptions require additional documentation (see below).

| Exemption Code | Exemption | Exemption Period | Exemption Type and Required Documentation |
|----------------|-------------------|------------------|--|
| T1 | Owner Occupied | 1 Year | Owner occupied exemption is limited to only one unit per owner, irrespective of the number of properties owned. |
| T3 | No Rent Collected | | The unit will be used for storage or living purposes. No rent will be collected for the entire year. <i>Notarized Certification of No Rent Collected form is required if requesting 3 or more T3 exemptions and is available online at HCIDLABill.org or at any HCIDLA regional office.</i> |
| S5 | Vacant & Secured | | Use if unit will be vacant for the entire year and secured using a deadbolt lock or external commercial-style lock. <i>Notarized and Recorded HCIDLA County Notice of Vacant Units(s) form. The form is available online at HCIDLABill.org or at any HCIDLA regional office.</i> |

EXEMPTION/PAYMENT OPTIONS

| | |
|---------------------|---|
| Online | <p>Go to http://HCIDLABill.org</p> <p>No user fee and immediate access to your Statement of Registration Certificate. Check, debit or credit cards accepted.</p> |
| Mail | <p>City of Los Angeles-HCIDLA Billing & Collections Unit PO Box 30970 Los Angeles, CA 90030-0970</p> |
| Office (Walk-In) | <p>Exemption/Payment may be made at any of our HCIDLA regional offices. Please see the reverse side of the Annual Bill for list of office locations and hours, or visit hcidla.lacity.org/Public-Counters.</p> <p>(CASH-EXACT AMOUNT ONLY, CHECK, MONEY ORDER, DEBIT and CREDIT CARD PAYMENTS ACCEPTED)</p> |

Rev. 20171121



Billing Worklog Section:

Date: 01/05/2021

Contact:

Log: Dropped from RSO and/or SCEP for 2021: Early Exemption form received and no ownership change

Date: 12/16/2020

Contact:

Log: Processed 2021 temporary exemption request for 2 unit(s); #804 S MAIN ST #200 Not Rented; #804 S MAIN ST #300 Owner Occupied;

Date: 09/30/2020

Contact:

Log: EC21T (early exemption request) form received on 09/30/2020

Date: 09/09/2020

Contact:

Log: EC21T (early exemption request) form mailed on 09/04/2020 to MUREZ TRUST at 804 MAIN ST, VENICE CA 90291-3218

Date: 08/27/2020

Contact:

Log: EC21T (early exemption request) form mailed on 09/06/2019 to MUREZ TRUST at 804 MAIN ST, VENICE CA 90291-3218

Date: 01/16/2020

Contact:

Log: Processed 2020 temporary exemption request for 2 unit(s); #804 S MAIN ST #200 Not Rented; #804 S MAIN ST #300 Owner Occupied;

Date: 05/29/2019

Contact:

Log: Processed 2019 temporary exemption request for 2 unit(s); #804 S MAIN ST #200 Not Rented; #804 S MAIN ST #300 Owner Occupied;

Date: 02/05/2019

Contact:

Log: Dropped from RSO and/or SCEP for 2019: Early Exemption form received and no ownership change

Date: 02/05/2019

Contact:

Log: 2019 Annual Bill address updated per USPS on 11/30/2018; From: 1339 HEATHERS OAKS WAY, NORTH LAS VEGAS, NV 89031 To: 1339 HEATHER OAKS WAY, NORTH LAS VEGAS NV 89031-1553; BIMS Billing Contact updated by Systems staff.

Date: 08/24/2018

Contact:

Log: EC19T (early exemption request) form received on 08/24/2018

Date: 08/14/2018

Contact:

Log: EC19T (early exemption request) form mailed on 08/07/2018 to JAMES AND MELANIE MUREZ at 804 MAIN ST, VENICE CA 90291-3218

Date: 01/19/2018

Contact:

Log: Processed 2018 temporary exemption request for 2 unit(s); #804 S MAIN ST #200 Not Rented; #804 S MAIN ST #300 Owner Occupied;

Date: 01/24/2017

Contact:

Log: Processed 2017 temporary exemption request for 2 unit(s); #804 S MAIN ST #200 Not Rented; #804 S MAIN ST #300 Owner Occupied;

Date: 02/01/2016

Contact:

Log: Processed 2016 temporary exemption request for 2 unit(s); #300 Owner Occupied; #200 Not Rented;



Eric Garcetti, Mayor
Rafaela D. Cervantes, General Manager

LOS ANGELES HOUSING AND COMMUNITY INVESTMENT DEPARTMENT
UNIT COUNT DISCREPANCY AND DETERMINATION REQUEST

Assessor Parcel Number (APN) 4286-012-041 New APN
4286-012-041

Property Owner: MUREZ, JAMES & MELANIE
(Print)

Owner/Agent Address: 804 MAIN ST
VENICE, CA 90291

Telephone # 310/399-1490 Email: _____

Property Address: 800 MAIN ST (NOT 804, which is 4286012013)
VENICE, CA 90291

Number of Units Billed: 2

Number of Units at Location: 1 (OWNER OCCUPIED)

Comments: APN 4286012041 WAS CREATED IN ERROR
TRYING 800-802-804 MAIN TOGETHER, ~~AND~~ AND HAS BEEN
SEPARATED. 804 MAIN TEMP. EXEMPTION APP ALREADY

SUPPORTING DOCUMENTS MUST BE ATTACHED. FORMS FILED WITHOUT THE APPLICABLE
DOCUMENTATION WILL NOT BE CONSIDERED AND ALL FEES WILL BE DUE AND PAYABLE.

☒ Certificate of Occupancy

☐ Building & Safety Permit(s)

Sign: Melanie Murez

Date: 1/27/2015

Code Enforcement Division Determination
(OFFICIAL USE ONLY)

☐ HCIDLA Units

☐ Commercial Property

☐ SFD

☐ Approved

☐ Denied

☐ Rejected

Sign/PRINT

Date

Rev 12/2014



CUSTOMER SERVICE REQUEST

CSR No.: 336076
 CALL DATE: September 12, 2014 11:34 am
 DUE BY: October 10, 2014 11:34 am
 SOURCE: INTERNET
 TAKEN BY: INTERNET

GENERAL ENFORCEMENT
 ROBERT GARTH
 PRIORITY:3

CASE #:

800 S MAIN ST 90291

| | | | |
|--------------------------------|---|--------------------------------------|---|
| APN: 4286-012-045 | ZONE: C2 | | |
| LADBS Branch Office | WLA | Community Plan Area | Venice |
| LAPD Reporting District | 1412 | District Map | 109-5A143 |
| Area Planning Commission | West Los Angeles | Census Tract | 2734.02 |
| Council District | 11 | Energy Zone | 6 |
| Fire District | 2 | Coastal Zone Cons. Act | Calvo Exclusion Area |
| Coastal Zone Cons. Act | Coastal Zone Commission Authority | Earthquake-Induced Liquefaction Area | Yes |
| Thomas Brothers Map Grid | 671-G5 | Certified Neighborhood Council | Venice |
| LAPD Division | PACIFIC | LAPD Bureau | WEST |
| Methane Hazard Site | Methane Zone | School Within 500 Foot Radius | YES |
| Near Source Zone Distance | 4.6 | | |
| City Planning Cases | CPC-1987-648-ICO | City Planning Cases | CPC-2000-4046-CA |
| Ordinance | ORD-172019 | Ordinance | ORD-172897 |
| City Planning Cases | CPC-1998-119 | City Planning Cases | CPC-2014-1456-SP |
| Specific Plan Area | Los Angeles Coastal Transportation Corridor | Specific Plan Area | Venice Coastal Zone |
| Zoning Information File | ZI 2273 | Zoning Information File | ZI-2406 Director's Interpretation of the Venice SP for Small Lot Subdivisions |
| Low to moderate income % | 33.31% | Director's Determination | DIR-2020-2180-CIDP-S PP |
| City Planning Cases | CPC-2019-7393-CA | Ordinance | ORD-175693 |
| Ordinance | ORD-175694 | CNAP area | 2 |
| City Planning Cases | CPC-2005-8252-CA | Ordinance | ORD-186104 |
| City Planning Cases | CPC-2018-7548-CPU | City Planning Cases | CPC-17631 |
| City Planning Cases | CPC-1961-12425 | Ordinance | ORD-121313 |
| Ordinance | ORD-130337 | Director's Determination | DIR-2014-2824-DI |
| City Planning Cases | CPC-1984-226-SP | Ordinance | ORD-168999 |
| Community Development Block Gr | BID-VENICE BEACH | Zoning Information File | ZI-2452 Transit Priority Area in the City of Los Angeles |
| Zoning Information File | ZI-1874 LA Coastal Transportation Corridor | Zoning Information File | ZI-2273 Venice Coastal Zone |

PROBLEM:

BUSINESS OPERATED FROM A HOUSE OR GARAGE

CALLER COMMENT:

There are two issues with this property. the first is that they are running a business out of it, on the front of the building you will see a hand made sign which reads "KIDS SWIM LESSONS 310-800-MAIN" my first issue with this is that I am sure they are not licensed, insured and are not providing a safe environment to teach swimming to the public, this is a serious safety issue, as a rescue diver I know only too well the issues that can come from situations like this. additionally the building is zoned for residential and not commercial. The second issue is that they have built an unpermitted structure on their rooftop.

Thank you

I do wish to remain anonymous in regards to what is publicly share

COMMENT:

Refer to LAHD, 4 units no exemptions.

SITE OWNER:

MUREZ, JAMES D AND MELANIE G TRS MUREZ TRUST
804 MAIN ST
VENICE, CA 90291
Contact ID: AC2414716

EXISTING UNRESOLVED CSR'S ON THIS PARCEL PIN # 109-5A143 335

NO CURRENT UNRESOLVED SERVICE REQUEST ON THIS PARCEL

EXISTING CASE(S) ON THIS PARCEL

| CASE # | ADDRESS | CASE TYPE AND STATUS |
|--------|---------------|----------------------|
| 674913 | 800 S MAIN ST | CLOSED GENERAL CASE |
| 737568 | 800 S MAIN ST | CLOSED GENERAL CASE |

RESOLUTION: ☐ No Violation ☐ Duplicate Complaint ☐ Start a Case ☐ Refer to:

APPROVED USE: _____ PRESENT USE: _____ STORIES: _____ TOTAL DWELLING UNITS: _____

CONSTRUCTION TYPE: _____ APPROXIMATE SIZE: _____ X

DWELLING UNITS IN VIOLATION: _____ NON RESIDENTIAL SQUARE FOOTAGE IN VIOLATION: _____

USES: ☐ YARDS: ☐ OTHER STRUCTURES: ☐ HOME OCCUPATION: ☐

HISTORICAL PRESERVATION OVERLAY ZONE: ☐ RECYCLING CENTER: ☐ CONSTRUCTION EQUIPMENT: ☐

INSPECTOR:

START TIME:

STOP TIME:

DATE:

CONFIDENTIAL CUSTOMER INFORMATION:

20-033304



Secretary of State
Statement of Information
 (California Nonprofit, Credit Union and
 General Cooperative Corporations)

SI-100

91

FILED
Secretary of State
State of California

JUL 13 2020

IMPORTANT — Read instructions before completing this form.

Filing Fee — \$20.00;

Copy Fees — First page \$1.00; each attachment page \$0.50;
 Certification Fee — \$5.00 plus copy fees

1. **Corporation Name** (Enter the exact name of the corporation as it is recorded with the California Secretary of State)

Venice Action Committee

This Space For Office Use Only

2. 7-Digit Secretary of State File Number

1541896

3. **Business Addresses**

a. Street Address of California Principal Office, if any - Do not enter a P.O. Box

804 Main Street

City (no abbreviations)

Venice

State

CA

Zip Code

90291

b. Mailing Address of Corporation, if different than Item 3a

City (no abbreviations)

State

Zip Code

4. **Officers**

The Corporation is required to enter the names and addresses of all three of the officers set forth below. An additional title for Chief Executive Officer or Chief Financial Officer may be added; however, the preprinted titles on this form must not be altered.

a. Chief Executive Officer

First Name

Middle Name

Last Name

Suffix

Jack

Hoffmann

Address

City (no abbreviations)

State

Zip Code

804 Main Street

Venice

CA

90291

b. Secretary

First Name

Middle Name

Last Name

Suffix

James

Murez

Address

City (no abbreviations)

State

Zip Code

804 Main Street

Venice

CA

90291

c. Chief Financial Officer

First Name

Middle Name

Last Name

Suffix

Melanie

Goodman

Address

City (no abbreviations)

State

Zip Code

804 Main Street

Venice

CA

90291

5. **Service of Process** (Must provide either Individual OR Corporation.)

INDIVIDUAL — Complete Items 5a and 5b only. Must include agent's full name and California street address.

a. California Agent's First Name (if agent is not a corporation)

Middle Name

Last Name

Suffix

James

Murez

b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box

City (no abbreviations)

State

Zip Code

804 Main Street

Venice

CA

90291

CORPORATION — Complete Item 5c only. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) — Do not complete Item 5a or 5b

6. **Common Interest Developments**

Check here if the corporation is an association formed to manage a common interest development under the Davis-Stirling Common Interest Development Act (California Civil Code section 4000, et seq.) or under the Commercial and Industrial Common Interest Development Act (California Civil Code section 6500, et seq.). The corporation must file a Statement by Common Interest Development Association (Form SI-CID) as required by California Civil Code sections 5405(a) and 6760(a). See instructions.

7. The information contained herein, including in any attachments, is true and correct.

7/01/2020

Melanie Goodman

Treasurer

Date

Type or Print Name of Person Completing the Form

Title

Signature

Form **990-EZ**Department of the Treasury
Internal Revenue Service**Short Form**
Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

- ▶ Do not enter social security numbers on this form as it may be made public.
▶ Information about Form 990-EZ and its instructions is at www.irs.gov/form990ez.

2017**Open to Public Inspection****A** For the 2017 calendar year, or tax year beginning 01-01-2017, and ending 12-31-2017**B** Check if applicable

- ☐ Address change
☐ Name change
☐ Initial return
☐ Final return/terminated
☐ Amended return
☐ Application pending

C Name of organization

VENICE ACTION COMMITTEE

Number and street (or P.O. box, if mail is not delivered to street address) Room/suite
804 MAIN STREETCity or town, state or province, country, and ZIP or foreign postal code
VENICE, CA 90291**D** Employer identification number

95-4069928

E Telephone number

(310) 399-6690

F Group Exemption Number ▶**G** Accounting Method ☒ Cash ☐ Accrual Other (specify) ▶**H** Check ☒ if the organization is not required to attach Schedule B (Form 990, 990-EZ, or 990-PF)**I** Website: ▶ N/A**J** Tax-exempt status (check only one) - ☒ 501(c)(3) ☐ 501(c) () (insert no) ☐ 4947(a)(1) or ☐ 527**K** Form of organization ☒ Corporation ☐ Trust ☐ Association ☐ Other**L** Add lines 5b, 6c, and 7b to line 9 to determine gross receipts. If gross receipts are \$200,000 or more, or if total assets (Part II, column (B) below) are \$500,000 or more, file Form 990 instead of Form 990-EZ. ▶ \$ 54,712**Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances** (see the instructions for Part I)Check if the organization used Schedule O to respond to any question in this Part I. ☒

| | | | | |
|------------|--|--|--------|--------|
| Revenue | 1 | Contributions, gifts, grants, and similar amounts received | 1 | 1,400 |
| | 2 | Program service revenue including government fees and contracts | 2 | 53,312 |
| | 3 | Membership dues and assessments | 3 | |
| | 4 | Investment income | 4 | |
| | 5a | Gross amount from sale of assets other than inventory | 5a | |
| | 5b | Less: cost or other basis and sales expenses | 5b | 0 |
| | 5c | Gain or (loss) from sale of assets other than inventory (Subtract line 5b from line 5a) | 5c | |
| | 6 | Gaming and fundraising events | | |
| | 6a | Gross income from gaming (attach Schedule G if greater than \$15,000) | 6a | |
| | 6b | Gross income from fundraising events (not including \$ of contributions from fundraising events reported on line 1) (attach Schedule G if the sum of such gross income and contributions exceeds \$15,000) | 6b | 0 |
| 6c | Less: direct expenses from gaming and fundraising events | 6c | 0 | |
| 6d | Net income or (loss) from gaming and fundraising events (add lines 6a and 6b and subtract line 6c) | 6d | | |
| 7a | Gross sales of inventory, less returns and allowances | 7a | | |
| 7b | Less: cost of goods sold | 7b | 0 | |
| 7c | Gross profit or (loss) from sales of inventory (Subtract line 7b from line 7a) | 7c | | |
| 8 | Other revenue (describe in Schedule O) | 8 | | |
| 9 | Total revenue. Add lines 1, 2, 3, 4, 5c, 6d, 7c, and 8 | 9 | 54,712 | |
| Expenses | 10 | Grants and similar amounts paid (list in Schedule O) | 10 | |
| | 11 | Benefits paid to or for members | 11 | |
| | 12 | Salaries, other compensation, and employee benefits | 12 | 32,352 |
| | 13 | Professional fees and other payments to independent contractors | 13 | |
| | 14 | Occupancy, rent, utilities, and maintenance | 14 | |
| | 15 | Printing, publications, postage, and shipping | 15 | |
| | 16 | Other expenses (describe in Schedule O) | 16 | 20,985 |
| | 17 | Total expenses. Add lines 10 through 16 | 17 | 53,337 |
| Net Assets | 18 | Excess or (deficit) for the year (Subtract line 17 from line 9) | 18 | 1,375 |
| | 19 | Net assets or fund balances at beginning of year (from line 27, column (A)) (must agree with end-of-year figure reported on prior year's return) | 19 | 13,736 |
| | 20 | Other changes in net assets or fund balances (explain in Schedule O) | 20 | |
| | 21 | Net assets or fund balances at end of year. Combine lines 18 through 20 | 21 | 15,111 |

800 S MAIN ST

Date Received: 5/20/2021
Description: MISCELLANEOUS COMPLAINTS
Inspector: RYAN BARNES
Phone: (213)978-4501
Status: PENDING SCHEDULING

Date: September 3, 2021

Subject: Appellant Margaret Molloy Response to Staff Report

Main Issues:

1. Negative Implications for Venice and the historic Oakwood residential community.
2. Conflicting records between Los Angeles County Assessor records, Housing & Community Investment Department (HCID), Department of City Planning (DCP), Los Angeles Department of Building & Safety (LADBS), Los Angeles City Council records, and California Coastal Commission (CCC) records for 800, 802, 804 Main Street, Venice.

Question - Should bad operators be held accountable by City of Los Angeles and State agencies?

Issue 1

Negative Implications for Venice and the historic Oakwood residential community.

Venice is the oldest and only remaining intentional Black coastal community in California. That history has not been widely recognized. This must be remedied to preserve history and preserve diversity and equitable access in the coastal zone in Venice including housing access.

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Highlig

PUBLIC RESOURCES CODE - PRC
DIVISION 20. CALIFORNIA COASTAL ACT [30000 - 30900] (Division 20 added by Stats. 1976, Ch. 1330.)

CHAPTER 2. Definitions [30100 - 30122] (Chapter 2 added by Stats. 1976, Ch. 1330.)

30116. "Sensitive coastal resource areas" means those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity. "Sensitive coastal resource areas" include the following:
(a) Special marine and land habitat areas, wetlands, lagoons, and estuaries as mapped and designated in Part 4 of the coastal plan.
(b) Areas possessing significant recreational value.
(c) Highly scenic areas.
(d) Archaeological sites referenced in the California Coastline and Recreation Plan or as designated by the State Historic Preservation Officer.
(e) Special communities or neighborhoods which are significant visitor destination areas.
(f) Areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons.
(g) Areas where divisions of land could substantially impair or restrict coastal access.
(Added by Stats. 1976, Ch. 1330.)

Section 30116 of the Coastal Act has been embedded in its entirety in the certified Venice Land Use Program (LUP) since 2000 but apparently never implemented.

Section 30116 is an inclusive and equitable policy that perfectly describes Venice as was the apparent intention of the more diverse community at that time that came together to form the LUP. The Coastal Commission and the City of Los Angeles appear to require compliance with Chapter Three of the Coastal Act only. That is unacceptable, like ignoring sections of the constitution.

At a hearing about a project bordering Oakwood, West Los Angeles Area Planning Commissioner, Esther Margulies, stated recently:

"...I think we need to start realizing, and we need our City Planning department to support us in looking at Venice for what it is. It is a Special Coastal Community, and since last spring, we've also been made aware that it's not only a Special Coastal Community for everyone, this is the last remaining Black American historic coastal community on the west coast. And we as the City of Los Angeles should have a duty to protect, to respect and keep that alive. And these paper cuts, these thousand paper cuts, each one....is harmful. We have to ask ourselves at some point, why is this happening? Really, when it comes down to it there is a power imbalance in Venice of gentrifying forces, because the people who originally settled and built this place were denied the access to capital, education, and other resources to buy those properties and to be the people who would determine their future. This is really what the Environmental Justice aspect of the Coastal Commission and Coastal Act needs to be, and without specific guidance from them we're in a position where either we need to take the lead on this, actually I think we need to take the lead on this and we need to be telling the state what we need to do in Venice. And it's not going to be the other way around. They're looking for us to lead on this."

In 2021, Marques Harris-Dawson, chair of Los Angeles City Council's Planning & Land Use Management (PLUM) committee stated about Oakwood, Abbot Kinney Boulevard, and Venice:

"Given that this seems like a very sensitive project in one of the most impacted neighborhoods in the United States, frankly, the Venice Beach community, the historic Oakwood neighborhood, certainly Abbot Kinney, anybody who's been on that thoroughfare in the last ten of fifteen years recognizes the aggressive nature of the change there."

Regarding This Appeal

800, 802, 804 Main Street is at the intersection of Main Street and Abbot Kinney Boulevard in Venice and abuts the historic Black Oakwood residential community. In 2002, the Department of City planning staff recommended denial of APCW-2001-2695-SPE-SPP-CDP-ZAA-MEL for 800, 802, 804 Main Street for a variety of reasons including a lack of justification for Specific Plan exceptions and a Zoning Administrator adjustment. Additionally, the Housing & Community Investment Department (HCID) determined that the two homes that Mr. Murez demolished were affordable housing

that required two replacement affordable units. Mr. Murez submitted a financial infeasibility statement for the replacement units. (Exhibit 1)

In fact, Mr. Murez build only one unit, not three.

For years, Mr. Murez claims HCID exemptions for two residential units at 804 Main as (Unit 1) Owner Occupied, and (Unit 2) Not Rented. (Exhibit 2)

Meanwhile, 800Main LLC is registered with the Secretary of State as : Business – Rental. Mr. Murez has maintained a website www.800main.com where he advertises “the building with decorations but no tenants”, as well as listings on multiple event websites including www.venuereport.com/800main.

Meanwhile, Los Angeles County Assessor records show that since 2015, Mr. Murez has claimed a Homeowners Tax Exemption for 800 Main, and not for 804 Main.

No-one can have it all ways.

In Los Angeles City Council File 03-003 includes the City Council approval of APCW-2001-2695-SPE-CDP-ZAA-SPP-2A1: <https://clkrep.lacity.org/online/docs/2003/03-0003.PDF>: APCW-2001-2695-SPE-CDP-ZAA-SPP-2A1 had required Conditions in #9 and #14:

9. Artist in residence.

b. Registration. A copy of the property owner's City Clerk business tax registration certificate, pursuant to Municipal Code Section 21.03 (business as an artist or artisan) shall be provided to the Planning Department prior to issuance of a certificate of occupancy for the subject use. A copy of the each tenant's City Clerk business tax registration certificate, pursuant to Municipal Code Section 21.03 (business as an artist or artisan) shall be provided to the Planning Department within 90 days of renting the unit and within 90 days of changing tenants. It is the Property owners responsibility to ensure this occurs.

c. Compliance shall be per section 12.27 S of the L.A.M.C. as follows:

If the use authorized by any variance granted by ordinance, or by decision of the Zoning Administrator, the Area Planning Commission or the City Planning Commission as part of a multiple approval application as set forth in Section 12.36 is or has been abandoned or discontinued for a period of six months, or the conditions of the variance have not been complied with, the Director, upon knowledge of this fact, may give notice to the record owner or lessee of the real property affected to appear at a time and place fixed by the Director and show cause why the ordinance, or the decision granting the variance, should not be repealed or rescinded, as the case may be. After the hearing, the Director may revoke the variance, or if an ordinance is involved, recommend to the City Council that the ordinance be repealed. The decision of the Director shall become final after 15 days from the date of mailing of the decision to the owner or lessees of the real property affected, unless an appeal to the Council is filed within that 15-day period. An appeal may be taken to Council in the same manner as described in Subsections O and P of this section. After revocation or repeal, the property affected shall be subject to all the regulations of the zone in which the property is located....

14. Covenant.

Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns.

Have these documents been verified by DCP and coastal staff? If not, DIR-2020-2180-CDP-SPP should not be approved.

For these reasons, please support this appeal,

Appreciatively,

Margaret Molloy

This April 9, 2013, letter from Rick Gunderson opposing APCW-2001-2695-SPE-SPP-CDP-ZAA-MEL sums up the implications of approval at that time, and the reality of further devastating impacts if the current request were approved.

RICK GUNDERSON
P.O. BOX 5534
SANTA MONICA, CALIFORNIA 90406
TELEPHONE (310) 399-7370
FACSIMILE (310) 452-7274

RECEIVED
CITY CLERK'S OFFICE
2003 APR -9 AM 10: 53
CITY CLERK
BY _____ DEPUTY

April 7, 2003

Cindy Miscikowski
1645 Corinth Avenue
West Los Angeles, CA

Re: Case No. CF03-0003
Property Involved: 800-804 Main Street

Dear Ms. Miscikowski:

I am curious as to why you and your deputies would support a building project which was opposed by neighbors and the City Planner, Bob Duenas.

Have any of you read the file of Mr. Duenas which contains his entire disapproval determination and written opposition from residents to this project? I would appreciate your explanation of support to each of our specific objections.

Mr. Murez, with your support, now does not have to comply with the Specific Plan Exception to the Venice Specific Plan, Specific Plan Project Permit Compliance, a Coastal Development Permit, a Zoning Administrator's Adjustment and Mello Act Compliance Review.

I own seven lots in the Oakwood section of Venice, and as I begin my building process, I will be calling on you and your staff to offer me the same support in by-passing the Venice Specific Plan, Municipal Code and the Coastal Development Permit process. I will not only request your support but will demand equal treatment for my projects.

Perhaps if you have the time and interest, you will call the City Planner, Mr. Duenas, at 818-374-5036 and review his file which contains his recommendations and the neighbors' opposition to Mr. Murez' project.

I am thanking you now for your help and anticipate the same support for my future building projects as you have given Mr. Murez.



Exhibit 1

Case No. APCW 2001-2695(SPE)(CDP)(SPP)(ZAA)(MEL)

Determination Report - 800, 802 & 804 S. Main St.

On December 31, 2002, the West Los Angeles Area Planning Commission denied APCW-2001-2695-SPE-SPP-CDP-ZAA-MEL for 800, 802, 804 Main Street, Venice, as recommended by Department of City Planning staff report. That includes:

MELLO DETERMINATION FOR 800 MAIN

-TWO AFFORDABLE UNITS ON SITE

*That the applicant **has not guaranteed** to keep the rent levels of any required replacement housing at an affordable level for the life of the proposed Project and to register the replacement housing units with the Los Angeles Department of Housing.*

The units being demolished are affordable units, and they must be replaced with affordable units. On June 4, 2001, the Housing Department issued a determination on the presence of two affordable units on the property, both of which they determined to need to be replaced per the Mello act. This determination was based upon rent and tenant information submitted by the owner for the previous three years, it was determined that the units at 800 and 802 Main Street (two single-family homes) qualify as affordable units. It was also determined by the Housing Department that neither of the existing tenants qualify as low or moderate income tenants. The applicant is allowed to provide financial information showing that it is economically infeasible to provide the affordable replacement housing. Upon reviewing this information the decision making body may waive the requirement for replacement housing.

Based on the feasibility information provided by the applicant the Department of City Planning has determined that it is infeasible to provide the replacement housing based on the small number of units involved in the overall project. Based on the financial information provided by the applicant, the loss carried by the applicant would increase from approximately \$500,000.00 for an all market rate development, to approximately \$949,000.00 if the project were to include even one affordable unit. Due to the small number of units being built, the cost of providing the replacement housing can not be spread out over over many units and thus must be carried by the owner/applicant. This cost creates a significant financial cost on the project and makes the project infeasible.

Setbacks

The Applicant was granted a hardship exemption in 1989 from the Venice Interim Control Ordinance (No. 163,472) to build the current 2 units on 804 Main Street which he proposes to join with his 3 unit project. The hardship exemption provided for a zero-front setback. The grant may have been appropriate then due to the fact that the "Venice Interim Control Ordinance" was to be temporary in nature and the Specific Plan standards had not yet been adopted.

When the Specific Plan became effective in 1999, it maintained the 5-foot front setback requirement. This affirms that the community and City intended this requirement to be implemented in the long term development of the community. The Applicant has stated that the commercial properties abutting his site have no setback, and that is true. However, the proposed project is residential in nature and cannot be compared to the commercial properties. The residential project will be occupied by people who will live in the structure 24-hours a day and thus would be impacted more than the occupants of a commercial use which would be occupied much less. The Applicant has shown no evidence to illustrate that providing a 5-foot setback would cause a hardship, other than stating it would shrink the size of building he can build. Not being able to build out to the property lines is not a hardship in itself, the Applicant is still left with a lot which is allowed both a commercial use or a residential use.

Residential Development

The project site is zoned C2 and the Applicant is proposing a residential development on the site. The Applicant states that the lots are small compared to the standard size lot through the rest of Los Angeles. While that may be true, within the Venice community there are many small parcels and the Specific Plan exception findings use the immediate area for comparisons. These two lots could be combined to create an approximately 3,300 square-foot lot. This lot would have a 60-foot frontage and an average 52-foot depth (64x52-feet). This size lot is not unusual in Venice and the intent of the Specific Plan is not to maximize lots with development, but rather encourage development that is proportional to the lot being developed. The Applicant's project proposes to build out to all the property lines and also exceed the building height allowed.

The requested exception is not necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other properties within the Specific Plan area are in the same zone and vicinity but which, because of special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.

Setback: The Applicant has not shown what development right is being denied to him but that is granted to the surrounding property owners, as required by this finding. All other lots in the area must conform to the development requirements of the Specific Plan. One exception however was the Applicants current residence, 804 Main Street. The Applicant was granted a hardship exemption in 1989 from the Venice Interim Control Ordinance (No. 163,472) to build the current 2 units on 804 Main Street which he proposes to join with his 3 unit project. The hardship exemption required a 30-foot height limitation and permitted a zero-front yard setback.

The grant may have been appropriate then due to the fact that the "Venice Interim Control Ordinance" was to be temporary in nature and the Specific Plan standards had not yet been adopted. The Applicant has enjoyed the benefit of that exemption by obtaining a larger structure/home than would be permitted by the current Specific Plan standards. The Applicant

is seeking to use his home as a guide for development standards for his second phase of development.

3-Lot Consolidation

3-lot construction: The Specific Plan does allow lot ties for over three lots when the design of the project meets certain criteria. All property owners must adhere to this criteria if they wish to tie three lots together. The design must have balconies or terrace with a change in materials or a physical break in the plane of the building every 20- horizontal feet and every 15 vertical feet. The proposed project design does neither. The proposed balconies are tall windowed doors with a railing. They do not serve as true balconies projecting out away from the building. Vertically the building projects straight up for the height of the building without a break in the plane. If the project had a front yard setback, true balconies could be incorporated into the design and a break in plane could be achieved both vertically and horizontally. The Applicant currently owns and lives in the structure located at 804 S. Main street. It was built without a front yard setback and was restricted to 30-foot in height by the City Council. The Applicant owns the two abutting lots which he now wishes to consolidate into three lots. The Applicant has not shown what development right is being denied to him but that is granted to the surrounding property owners, as required by this finding.

Exhibit 2

LA CITY PLANNING

Fax: 213 978 1029

Dec 20 2002 15:13

P.01

COUNT 23,977.60 83
x 7



West Los Angeles Area Planning Commission

200 North Spring Street, Room 532, Los Angeles, CA 90012-4801 (213) 978-1300
<http://www.lacity.org/pln/index.htm>

DETERMINATION OF THE WEST LOS ANGELES AREA PLANNING COMMISSION

Mailing Date: December 20, 2002

Case No.: APCW 2001-2695
(SPE)(SPP)(CDP)(ZAA)(MEL)

Location: 800, 802 & 804 S. Main St.

Council District: 11

Plan Area: Venice

CEQA: MND 2001-2698-SPE-CDP-SPP-ZAA-MEL

Applicant: James Murez

At the meeting on December 04, 2002, the West Los Angeles Area Planning Commission:

Disapproved the request as filed

Disapproved the requests for the Specific Plan Exceptions to the Venice Specific Plan

Disapproved the Specific Plan Project Permit Compliance for the project

Disapproved the request for a Coastal Development Permit for the project

Disapproved the request for a Zoning Administrator's Adjustment

Disapproved the Mello Act Compliance Review

Adopted the attached Findings

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

Exhibit 3

J. MICHAEL CAREY
City Clerk

FRANK T. MARTINEZ
Executive Officer

When making inquiries
relative to this matter
refer to File No.

03-0003

CD 11

April 17, 2003

CITY OF LOS ANGELES
CALIFORNIA



JAMES K. HAHN
MAYOR

APCW-2001-2695 SPE
CPC
RETD. PLAN COMM.

Office of the
CITY CLERK
Council and Public Services
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Los Angeles, CA 90012
Council File Information - (213) 978-1043
General Information - (213) 978-1133
Fax: (213) 978-1040

HELEN GINSBURG
Chief, Council and Public Services Division

PLACE IN FILES

APR 25 2003

DEPUTY *✓*

Honorable James Hahn, Mayor
Councilmember Miscikowski
City Planning Department
Attn: Bob Duenas
City Planning Commission
Attn: Greg Bartz
Director of Planning
Office of Zoning Administration
Community Planning Section
Geographic Information Section
Attn: Fae Tsukamoto

Bureau of Engineering
Land Development Group
Department of Transportation
Traffic/Planning Sections
Department of Building and Safety
c/o Zoning Coordinator
Bureau of Street Lighting
"B" Permit Section
Fire Department
Los Angeles County Assessor

ADDITIONAL NOTIFICATIONS ON ATTACHED LIST

RE: DEMOLITION OF TWO SINGLE FAMILY RESIDENCES AND THE CONSTRUCTION OF A
3-STORY DWELLING AT 800, 802 AND 804 SOUTH MAIN STREET

At the meeting of the Council held APRIL 16, 2003, the following action
was taken:

| | |
|--|----------|
| Attached report adopted | <u>X</u> |
| Ordinance adopted..... | _____ |
| Ordinance number..... | _____ |
| Publication date..... | _____ |
| Effective date..... | _____ |
| Findings adopted | <u>X</u> |
| Mitigated Negative Declaration adopted | <u>X</u> |

J. Michael Carey

City Clerk
vdw

steno\030003

FF

4/24/03
AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER

Recyclable and made from recycled waste.

3. RESOLVE TO APPROVE APPEAL filed by James Murez, applicant, from the entire determination of the West Los Angeles Area Planing Commission (APC) to disapprove the applicant's request, THEREBY OVERRULE the APC's decision and APPROVE the proposed demolition of two single family residences and the construction of a 3-story, 42-foot in height, 3 dwelling units, Artists-in-Residence building in conjunction with the remodeling of two adjacent units located at 800, 802, and 804, South Main Street; and:

A. APPROVE the Specific Plan Exceptions from the following Sections of the Venice Specific Plan (Ordinance No. 172,897):

- a) Section 8.G.4a, to permit a 0-foot front yard instead of the required 5 feet.
- b) Section 8.G.3a, to permit an elevator located on the front of the building and with a 42-foot height instead of the maximum 30 feet.
- c) Section 8.G.3a, to allow a building height of 35-

feet instead of the maximum 30 feet, in order to permit a roof top pool.

- d) Section 8.A.1, to permit construction on 3 contiguous lots instead of the maximum 2 lots.

B. APPROVE a Zoning Administrator's Adjustment to permit a 0-foot side yard instead of the required 6 feet, and a 0-foot rear yard for the garage level and a 3-foot, 9-inch to a 11-foot rear yard for the remainder of the site instead of the required 15 feet.

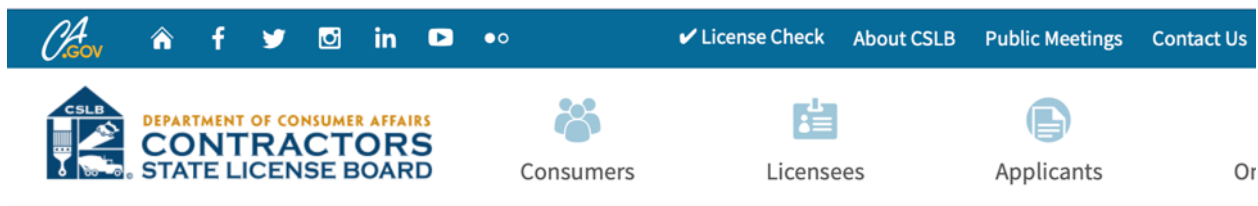
C. APPROVE the Specific Plan Project Permit Compliance for the project as modified, subject to the attached Conditions of Approval.

D. APPROVE the request for a Coastal Development Permit for the project as modified, subject to the attached Conditions of Approval.

Applicant: James Murez

APCW 2001-2695 SPE SPP CDP ZAA MEL

Exhibit 4



[Home](#) | [Online Services](#) | [Personnel Search Results](#) | [Personnel License List](#)

▼ Personnel License List for MUREZ, JAMES DOUGLAS

Click on the license number to see a more detailed page of information on that person.

Licenses Currently Associated With

License # [719515](#)
Business Name MUREZ JAMES
City VENICE
Association Date 02/29/1996
Status ACTIVE

Exhibit 5 – over-height w rooftop pool

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 251
VAN NUYS, CA 91401
CITY PLANNING COMMISSION
—
JOSEPH KLEIN
PRESIDENT
MABEL CHANG
VICE-PRESIDENT
JOY ATKINSON
RICHARD BROWN
DORENE DOMINGUEZ
MITCHELL B. MENZER
BRADLEY MINDLIN
THOMAS E. SCHIFF
—
GABRIELE WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1247

CITY OF LOS ANGELES CALIFORNIA



JAMES K. HAHN
MAYOR

EXECUTIVE OFFICES

CON HOWE
DIRECTOR
(213) 978-1271
FRANKLIN P. EBERHARD
DEPUTY DIRECTOR
(213) 978-1273
GORDON B. HAMILTON
DEPUTY DIRECTOR
(213) 978-1272
ROBERT H. SUTTON
DEPUTY DIRECTOR
(213) 978-1274
FAX: (213) 978-1275
INFORMATION
(213) 978-1270
(818) 374-5050
www.lacity.org/PLN

April 29, 2004

James Murez
804 Main Street
Venice, CA 90291

CLARIFICATION LETTER
APCW-2001-2695 SPE-CDP-ZAA-SPP- MEL
CEQA: ENV-2001-2698 SPE-CDP-ZAA-SPP-
MEL GPA/ZC/CU
Council Area: 11
800,802 and 804 Main Street
Plan Area: Venice
Zone: C2-1
District Map 109.5A143

800, 802 and 804 Main Street - APCW-2001-2695 SPE-CDP-ZAA-SPP- MEL

After reviewing the case file, and the findings associated with the approval by the City Council, I have determined that the intent of Condition No. 5 regarding height, was to keep the pool structure and perimeter roof railing at a height of 35-feet. However, the pool requires a rail on each end for safety purposes. The original intent was to allow the pool railing to exceed the 35-foot height to the extent necessary to comply with safety requirements. Therefore, the pool hand rail may extend to a height of 37-feet 10-inches, but only for the minimum linear distance necessary to comply with the Building and Safety rail requirement. This length in no way is implied to extend around the entire perimeter of the structure. Further, the rail shall be of a visually transparent material and design.

If you have any questions regarding this correction, please contact David S. Weintraub at (213) 978-1217.

CON HOWE
Director of Planning

David S. Weintraub
City Planner

cc: Kevin Keller, CD11

P:\DIVISION\Complan\site plan review unit\Unit - PA\Misc\Corr\APCW-2001-2695 (clarification letter).wpd

Public Counter & Construction Services Center

LOS ANGELES: 201 N. FIGUEROA STREET, ROOM 400
VAN NUYS: 6262 VAN NUYS BLVD., SUITE 251

(213) 482-7077
(818) 374-5050

AN EQUAL EMPLOYMENT OPPORTUNITY – AFFIRMATIVE ACTION EMPLOYER

Recyclable and made from recycled waste.



Exhibit 6 – New SFD w attached garage and pool inside

800 S Main St



Permit #: **05010 - 10000 - 03868**
 Plan Check #: B05LA12003 Printed: 04/13/06 10:12 AM
 Event Code:

| | | |
|--|--|--|
| Bldg-New 1 or 2 Family Dwelling Regular Plan Check Plan Check | City of Los Angeles - Department of Building and Safety APPLICATION FOR BUILDING PERMIT AND CERTIFICATE OF OCCUPANCY | Last Status: Ready to Issue Status Date: 04/13/2006 |
|--|--|--|

| 1. TRACT | BLOCK | LOT(s) | ARB | COUNTY MAP REF # | PARCEL ID # (PIN #) | 2. ASSESSOR PARCEL # |
|--------------|-------|--------|-----|------------------|---------------------|----------------------|
| BURK'S PLACE | | 13 | | M B 15-31 | 109-5A143 335 | 4286 - 012 - 015 |
| BURK'S PLACE | | 12 | | M B 15-31 | 109-5A143 346 | 4286 - 012 - 014 |

| | | | |
|--|--|--|--|
| 3. PARCEL INFORMATION Area Planning Commission - West Los Angeles LADBS Branch Office - WLA Council District - 11 Certified Neighborhood Council - Grass Roots Venice Community Plan Area - Venice | | Census Tract - 2734.00 Coastal Zone Cons. Act - YES District Map - 109-5A143 Energy Zone - 6 Fire District - 2 | Earthquake-Induced Liquefaction Area - Yes Lot Size - IRR Lot Type - Interior Methane Hazard Site - Methane Zone Near Source Zone Distance - 5.5 |
|--|--|--|--|

ZONE(S): C2-1 /

| | | | |
|--|------------------|------------------------|---------------------------|
| 4. DOCUMENTS | | | |
| Z1 - Z1-1874 LA Coastal Transportation + SPA - Venice Coastal Zone | ORD - ORD-175694 | CDBG - LARZ-Venice | |
| Z1 - Z1-2273 Venice Coastal Zone | ORD - ORD-172019 | CPC - CPC-1987-648-ICO | AFF - AFF 05 2767946 (LT) |
| SPA - APCW-2001-2697-SPE-CPD-ZA | ORD - ORD-172897 | CPC - CPC-1998-119-LCP | |
| SPA - Los Angeles Coastal Transportatic | ORD - ORD-175693 | CPC - CPC-2000-4046-CA | |

| | | | |
|--------------------------------------|---|--|--|
| 5. CHECKLIST ITEMS | | | |
| Special Inspect - Concrete>2.5ksi | Special Inspect - Grading/Excav. Below 1:1 Plan | Fabricator Req'd - Structural Steel | |
| Special Inspect - Field Welding | Special Inspect - Shotcrete | Combine Elec - Wrk. per 91.107.2.1.1.1 | |
| Special Inspect - Grade Beam/Caisson | Special Inspect - Structural Observation | Combine HVAC - Wrk. per 91.107.2.1.1.1 | |

| | | | |
|---|--------------|----------------------|----------------|
| 6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION | | | |
| Owners) | | | |
| Murez, James D And Melanie G | 804 Main St | VENICE CA 90291 | |
| Tenant | | | |
| Applicant (Relationship Owner-Bldg) | | | |
| James Murez - Owner-Builder | 804 Main St. | VENICE, CA 902913218 | (310) 399-1490 |

| | | |
|------------------------|--|---|
| 7. EXISTING USE | PROPOSED USE | 8. DESCRIPTION OF WORK |
| | (01) Dwelling - Single Family (07) Garage - Private | NEW SFD WITH ATTACHED GARAGE AND POOL INSIDE DWELLING |

| | |
|---|---------------|
| 9. # Bldgs on Site & Use: | |
| 10. APPLICATION PROCESSING INFORMATION | |
| BLDG. PC By: Lily Teng | DAS PC By: |
| OK for Cashier: Lily Teng | Coord. OK: |
| Signature: <i>[Signature]</i> | Date: 4/13/06 |

For information and/or inspection requests originating within LA County,
Call toll-free (888) LA4BUILD (524-2845)
 Outside LA County, call (213) 482-0000 or visit www.ladbs.org

For Cashier's Use Only W/O #: 51003868

061A - 90866

| 11. PROJECT VALUATION & FEE INFORMATION | | | | Final Fee Period |
|---|-----------|-------------------------------------|---------------|------------------|
| Permit Valuation: | | \$750.000 | PC Valuation: | |
| FINAL TOTAL Bldg-New | 31,793.89 | Planning Surcharge | | 302.68 |
| Permit Fee Subtotal Bldg-New | 3,253.25 | Planning Surcharge Misc Fee | | 5.00 |
| Energy Surcharge | | School District Residential Level 2 | | 23,173.20 |
| Electrical | 845.85 | Dwelling Unit Construction Tax | | 200.00 |
| HVAC | 422.92 | Residential Development Tax | | 300.00 |
| Plumbing | 845.85 | Permit Issuing Fee | | 0.00 |
| Plan Check Subtotal Bldg-New | 1,150.88 | | | |
| Off-hour Plan Check | 575.44 | | | |
| Plan Maintenance | 65.07 | | | |
| Fire Hydrant Refuse-To-Pav | | | | |
| E.Q. Instrumentation | 75.00 | | | |
| O.S. Surcharge | 144.69 | | | |
| Sys. Surcharge | 434.06 | | | |
| Sewer Cap ID: | | Total Bond(s) Due: | | |

LA Department of Building and Safety
 LA 06 35 093807 04/13/06 10:21AM

| | |
|-----------------------|-------------|
| BUILDING PERMIT-RES | \$3,253.25 |
| ELECTRICAL PERMIT RES | \$845.85 |
| PLUMBING PERMIT RES | \$845.85 |
| HTG/REF PHY RES | \$422.92 |
| BUILDING PLAN CHECK | \$1,150.88 |
| PLAN APPROVAL FEE | \$575.44 |
| PLAN MAINTENANCE | \$65.07 |
| EI RESIDENTIAL | \$75.00 |
| ONE STOP SURCH | \$144.69 |
| SYSTEMS DEVT FEE | \$434.06 |
| CITY PLANNING SURCH | \$302.68 |
| MISCELLANEOUS | \$5.00 |
| SCHOOL DEV RES | \$23,173.20 |
| DWELLING UNIT | \$200.00 |
| REG DEVT TAX | \$300.00 |

| | |
|------------------------|------------|
| 12. ATTACHMENTS | |
| Plot Plan | <i>A-1</i> |



1020418200620544

* P 0 5 0 1 0 1 0 0 0 0 0 3 8 6 8 F N *

13. STRUCTURE INVENTORY (Note: Numeric measurement data in the format "number / number" implies "change in numeric value / total resulting numeric value")

05010 - 10000 - 03868

| | | |
|---|--|--|
| (P) Basement: +1 Levels / 1 Levels | (P) R3 Occ. Group: +6080 Sqft / 6080 Sqft | (P) Foundation - Spread (Pad) Footing |
| (P) Floor Area (ZC): +3785 Sqft / 3785 Sqft | (P) U1 Occ. Group: +2184 Sqft / 2184 Sqft | (P) Roof Construction - Wood Frame/Sheathing |
| (P) Height (BC): +33.33 Feet / 33.33 Feet | (P) Parking Req'd for Bldg (Auto+Bicycle): +3 Stalls / 3 | (P) Wall Construction - Masonry |
| (P) Height (ZC): +33.33 Feet / 33.33 Feet | (P) Provided Compact for Bldg: +1 Stalls / 1 Stalls | (P) Wall Construction - Metal Stud |
| (P) Length: +56 Feet / 56 Feet | (P) Provided Standard for Bldg: +2 Stalls / 2 Stalls | |
| (P) Stories: +3 Stories / 3 Stories | (P) Type V-N Construction | |
| (P) Width: +64 Feet / 64 Feet | (P) Floor Construction - Concrete Slab on Grade | |
| (P) Dwelling Unit: +1 Units / 1 Units | (P) Floor Construction - Steel Deck | |
| (P) Masonry Shearwall | (P) Foundation - Concrete Grade Beam | |
| (P) Methane Site Design Level II | (P) Foundation - Continuous Footing | |

14. APPLICATION COMMENTS

** Approved Seismic Gas Shut-Off Valve may be required. **

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless, the information printed exceeds that required by Section 19825 of the Health and Safety Code of the State of California.

15. Building Relocated From

| 16. CONTRACTOR, ARCHITECT, & ENGINEER NAME | ADDRESS | CLASS | LICENSE# | PHONE# |
|--|------------------------------|----------------------------|----------|------------|
| (E) Hollingsworth, Robert Alan | 31129 Via Colinas Suite 707, | Westlake Village, CA 91362 | GE2022 | |
| (E) Polon, Gordon Leonard | 709 19th Street, | Santa Monica, CA 90402 | C28564 | |
| (O) , Owner-Builder | 804 Main St., | 902913218 | 0 | 3103991490 |

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 180 days (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17. OWNER-BUILDER DECLARATION

I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the following reason (Section 7031.5, Business and Professions Code): Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).

☒ I, as the owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business & Professions Code). The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year from completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale.

OR
☐ I, as the owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business & Professions Code). The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors License Law.

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

☐ I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

☐ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: _____ Policy Number: _____

☒ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. Lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323 or www.dhs.ca.gov/childlead.

20. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC).

By signing below, I certify that:

- (1) I accept all the declarations above namely the Owner-Builder Declaration, Workers' Compensation Declaration, Asbestos Removal Declaration / Lead Hazard Warning and Final Declaration; and
- (2) This permit is being obtained with the consent of the legal owner of the property.

Print Name: JAMES MURPHY

Sign: 

Date: 4/13/06

Authorized Agent

Exhibit 6 – 3-Story

Page 1 of 2

CITY OF LOS ANGELES CALIFORNIA



ERIC GARCETTI
MAYOR

CERTIFICATE OF OCCUPANCY

| | |
|---|--|
| OWNER MUREZ, JAMES D AND MELANIE G 804 MAIN ST VENICE CA 90291 | No building or structure or portion thereof and no trailer park or portion thereof shall be used or occupied until a Certificate of Occupancy has been issued thereof. Section 91.109.1 LAMC CERTIFICATE: Issued-Valid BY: RICHARD FORTMAN DATE: 07/24/2013 |
|---|--|

SITE IDENTIFICATION

ADDRESS: 800 S MAIN ST 90291

LEGAL DESCRIPTION

| TRACT | BLOCK | LOT(s) | ARB | CO. MAP REF. # | PARCEL PIN | APN |
|--------------|-------|--------|-----|----------------|---------------|--------------|
| BURK'S PLACE | | 13 | | M B 15-31 | 109-5A143 335 | 4286-012-015 |

This certifies that, so far as ascertained or made known to the undersigned, the building or portion of building described below and located at the above address(es) complies with the applicable construction requirements (Chapter 9) and/or the applicable zoning requirements (Chapter 1) of the Los Angeles Municipal Code for the use and occupancy group in which it is classified and with applicable requirements of the State Housing Law for the following occupancies and is subject to any affidavits or building and zoning code modifications whether listed or not.

COMMENT 3 STORY, TYPE V-N, ARTIST IN RESIDENCE/PARKING GARAGE BUILDING. OCCUPANCY GROUPS: R3/U1.

| | |
|---|---------------------------|
| USE PRIMARY Artist-in-Residence | OTHER Garage - Private |
|---|---------------------------|

PERMITS

05010-10000-03868 |

STRUCTURAL INVENTORY

| ITEM DESCRIPTION | CHANGED | TOTAL |
|---------------------------------------|------------|------------|
| Basement | 1 Levels | 1 Levels |
| Dwelling Unit | 1 Units | 1 Units |
| Floor Area (ZC) | 3785 Sqft | 3785 Sqft |
| Height (BC) | 33.33 Feet | 33.33 Feet |
| Height (ZC) | 33.33 Feet | 33.33 Feet |
| Length | 56 Feet | 56 Feet |
| Methane Site Design Level II | | |
| Stories | 3 Stories | 3 Stories |
| Type V-N Construction | | |
| Width | 64 Feet | 64 Feet |
| R3 Occ. Group | 6080 Sqft | 6080 Sqft |
| U1 Occ. Group | 2184 Sqft | 2184 Sqft |
| Parking Req'd for Bldg (Auto+Bicycle) | 3 Stalls | 3 Stalls |
| Provided Compact for Bldg | 1 Stalls | 1 Stalls |
| Provided Standard for Bldg | 2 Stalls | 2 Stalls |



APPROVAL

CERTIFICATE NUMBER: 29524
BRANCH OFFICE: WLA
COUNCIL DISTRICT: 11
BUREAU: INSPECTN
DIVISION: BLDGINSPI
STATUS: CoFO Issued
STATUS BY: RICHARD FORTMAN
STATUS DATE: 07/24/2013

Richard R. Fortman

APPROVED BY: RICHARD FORTMAN
EXPIRATION DATE:

PERMIT DETAIL

| | | | |
|----------------------|-----------------------|---|---|
| PERMIT NUMBER | PERMIT ADDRESS | PERMIT DESCRIPTION | STATUS - DATE - BY |
| 05010-10000-03868 | 800 S Main St | (N) 2-STORY ARTIST IN RESIDENCE BUILDING W/ ATTACHED GARAGE & POOL INSIDE | CofO Issued - 07/24/2013 RICHARD FORTMAN |

PARCEL INFORMATION

| | | |
|--|---|--|
| Area Planning Commission: West Los Angeles | Census Tract: 2734.00 | Certified Neighborhood Council: Grass Roots Venice |
| Coastal Zone Cons. Act: YES | Community Plan Area: Venice | Council District: 11 |
| District Map: 109-5A143 | Earthquake-Induced Liquefaction Area: Yes | Energy Zone: 6 |
| Fire District: 2 | LADBS Branch Office: WLA | Lot Size: IRR |
| Lot Type: Interior | Methane Hazard Site: Methane Zone | Near Source Zone Distance: 5.5 |
| School Within 500 Foot Radius: YES | Thomas Brothers Map Grid: 671-G5 | Zone: C2-1 |

PARCEL DOCUMENT

| | | |
|---|---|--|
| Affidavit (AFF) AFF 05 2767946 (LT) | City Planning Cases (CPC) CPC-1987-648-ICO | City Planning Cases (CPC) CPC-1998-119-LCP |
| City Planning Cases (CPC) CPC-2000-4046-CA | Community Development Block Grant (CDBG) LARZ-Venice | Ordinance (ORD) ORD-172019 |
| Ordinance (ORD) ORD-172897 | Ordinance (ORD) ORD-175693 | Ordinance (ORD) ORD-175694 |
| Specific Plan Area (SPA) | Specific Plan Area (SPA) Los Angeles Coastal Transportation Corridor | Specific Plan Area (SPA) Venice Coastal Zone |
| APCW-2001-2697-SPE-CPD-ZAA-SPP | Zoning Information File (ZI) ZI-1874 LA Coastal Transportation Corridor | |
| Zoning Information File (ZI) ZI-1874 LA Coastal Transportation Corridor | Zoning Information File (ZI) ZI-2273 Venice Coastal Zone | |

CHECKLIST ITEMS

| | | |
|--|--|--|
| Attachment - Plot Plan | Combine Elec - Wrk. per 91.107.2.1.1.1 | Combine HVAC - Wrk. per 91.107.2.1.1.1 |
| Combine Plumbg - Wrk. per 91.107.2.1.1.1 | Fabricator Reqd - Structural Steel | Special Inspect - Concrete>2.5ksi |
| Special Inspect - Field Welding | Special Inspect - Grade Beam/Caisson | Special Inspect - Grading/Excav. Below 1:1 Plane |
| Special Inspect - Shotcrete | Special Inspect - Structural Observation | |

PROPERTY OWNER, TENANT, APPLICANT INFORMATIONOWNER(S)

| | | |
|------------------------------|-------------|-----------------|
| Murez, James D And Melanie G | 804 Main St | VENICE CA 90291 |
|------------------------------|-------------|-----------------|

TENANTAPPLICANT

| | | | |
|---------------------------|--------------|----------------------|----------------|
| Relationship: Owner-Bldr | | | |
| James Murez-Owner-Builder | 804 Main St. | VENICE, CA 902913218 | (310) 399-1490 |

BUILDING RELOCATED FROM:**(C)ONTRACTOR, (A)RCHITECT & (E)NGINEER INFORMATION**

| NAME | ADDRESS | | CLASS | LICENSE # | PHONE # |
|--------------------------------|------------------------------|----------------------------|-------|-----------|----------------|
| (E) Hollingsworth, Robert Alan | 31129 Via Colinas Suite 707, | Westlake Village, CA 91362 | NA | GE2022 | |
| (E) Polon, Gordon Leonard | 709 19th Street, | Santa Monica, CA 90402 | NA | C28564 | |
| (O) , Owner-Builder | 804 Main St., | , 902913218 | NA | 0 | (310) 399-1490 |

SITE IDENTIFICATION-ALLADDRESS:

800 S MAIN ST 90291

LEGAL DESCRIPTION-ALL

| TRACT | BLOCK | LOT(s) | ARB | CO.MAP REF # | PARCEL PIN | APN |
|--------------|-------|--------|-----|--------------|---------------|--------------|
| BURK'S PLACE | | 12 | | M B 15-31 | 109-5A143 346 | 4286-012-014 |
| BURK'S PLACE | | 13 | | M B 15-31 | 109-5A143 335 | 4286-012-015 |

Housing & Community Investment Department

804 Main – Residential Duplex – James Murez, Owner/ Builder.
Mr. Murez takes Systematic Code Enforcement Program (SCEP) Exemptions for both units as (1) Owner Occupied, and (2) Not Rented for many years.

28241.pdf
Page 9 of 24



Billing Worklog Section:

Date: 01/05/2021

Contact:

Log: Dropped from RSO and/or SCEP for 2021: Early Exemption form received and no ownership change

Date: 12/16/2020

Contact:

Log: Processed 2021 temporary exemption request for 2 unit(s); #804 S MAIN ST #200 Not Rented; #804 S MAIN ST #300 Owner Occupied;

Date: 09/30/2020

Contact:

Log: EC21T (early exemption request) form received on 09/30/2020

Date: 09/09/2020

Contact:

Log: EC21T (early exemption request) form mailed on 09/04/2020 to MUREZ TRUST at 804 MAIN ST, VENICE CA 90291-3218

Date: 08/27/2020

Contact:

Log: EC21T (early exemption request) form mailed on 09/06/2019 to MUREZ TRUST at 804 MAIN ST, VENICE CA 90291-3218

Date: 01/16/2020

Contact:

Log: Processed 2020 temporary exemption request for 2 unit(s); #804 S MAIN ST #200 Not Rented; #804 S MAIN ST #300 Owner Occupied;

Date: 05/29/2019

Contact:

Log: Processed 2019 temporary exemption request for 2 unit(s); #804 S MAIN ST #200 Not Rented; #804 S MAIN ST #300 Owner Occupied;

Date: 02/05/2019

Contact:

Log: Dropped from RSO and/or SCEP for 2019: Early Exemption form received and no ownership change

Date: 02/05/2019

Contact:

Log: 2019 Annual Bill address updated per USPS on 11/30/2018; From: 1339 HEATHERS OAKS WAY, NORTH LAS VEGAS, NV 89031 To: 1339 HEATHER OAKS WAY, NORTH LAS VEGAS NV 89031-1553; BIMS Billing Contact updated by Systems staff.

Date: 08/24/2018

Contact:

Log: EC19T (early exemption request) form received on 08/24/2018

Date: 08/14/2018

Contact:

Log: EC19T (early exemption request) form mailed on 08/07/2018 to JAMES AND MELANIE MUREZ at 804 MAIN ST, VENICE CA 90291-3218

Date: 01/19/2018

Contact:

Log: Processed 2018 temporary exemption request for 2 unit(s); #804 S MAIN ST #200 Not Rented; #804 S MAIN ST #300 Owner Occupied;