

CALIFORNIA COASTAL COMMISSION

South Coast District Office
301 E Ocean Blvd., Suite 300
Long Beach, CA 90802-4302
(562) 590-5071



W15b

A-5-VEN-21-0046 (JAMES AND MELANIE MUREZ)
AUGUST 26, 2021

EXHIBITS

Exhibit 1—Project Location2

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Exhibit 1—Project Location

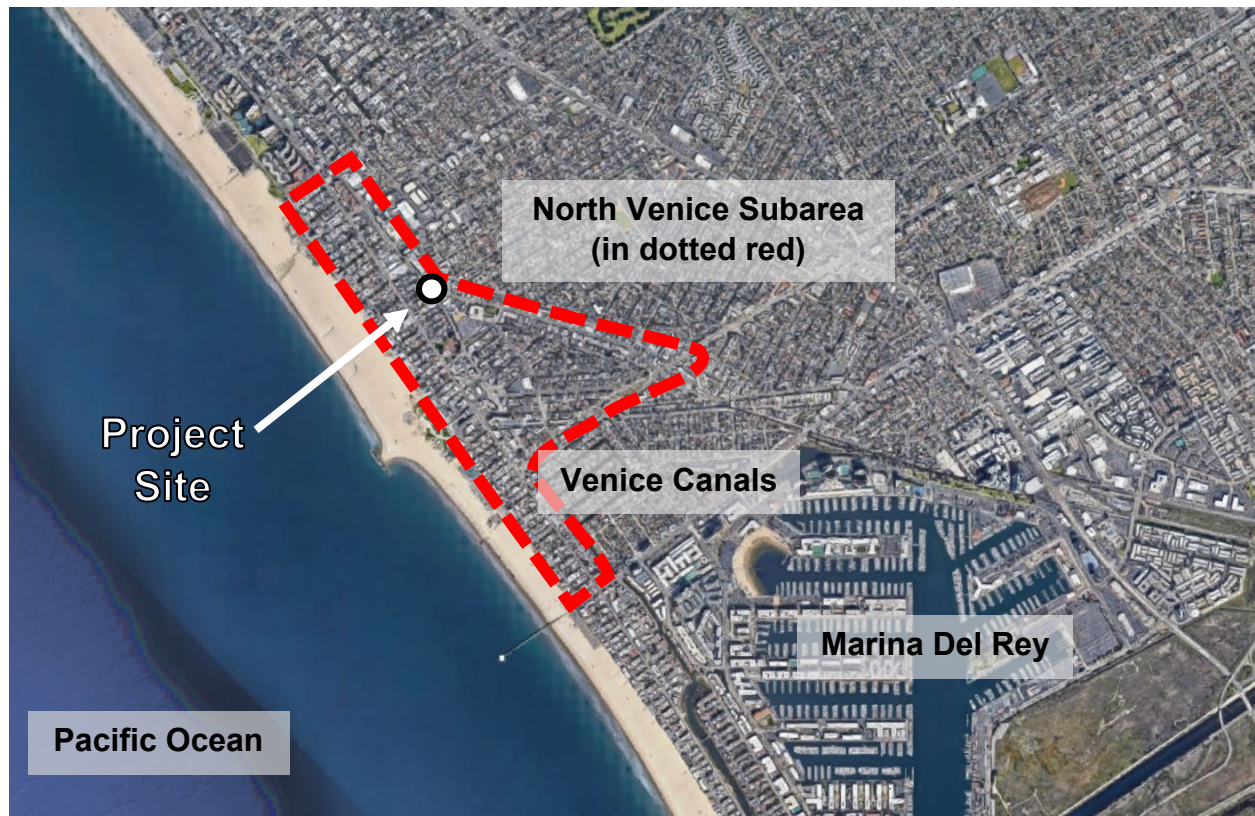
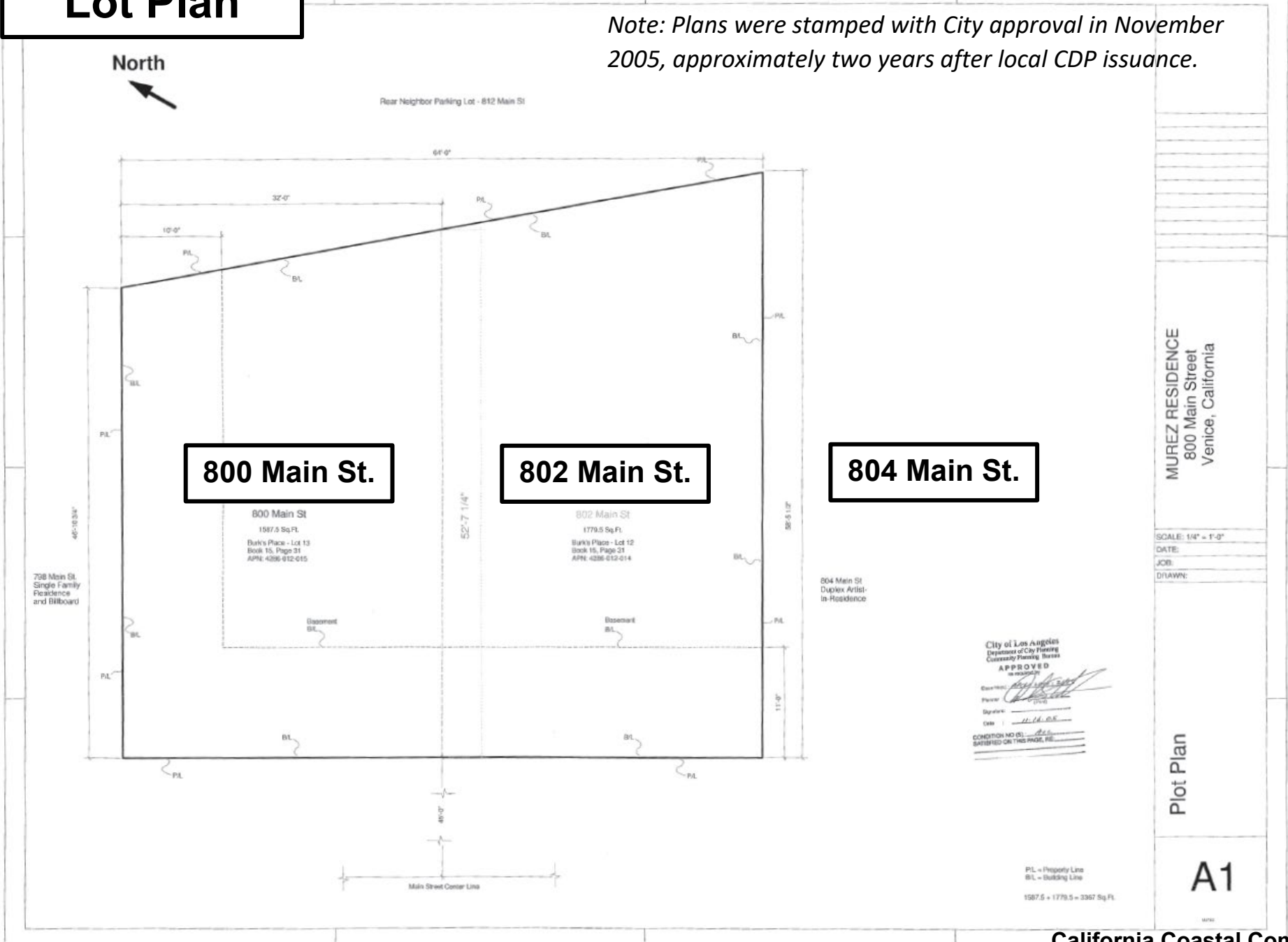


Exhibit 2—Original Approved Project Plans (2003)

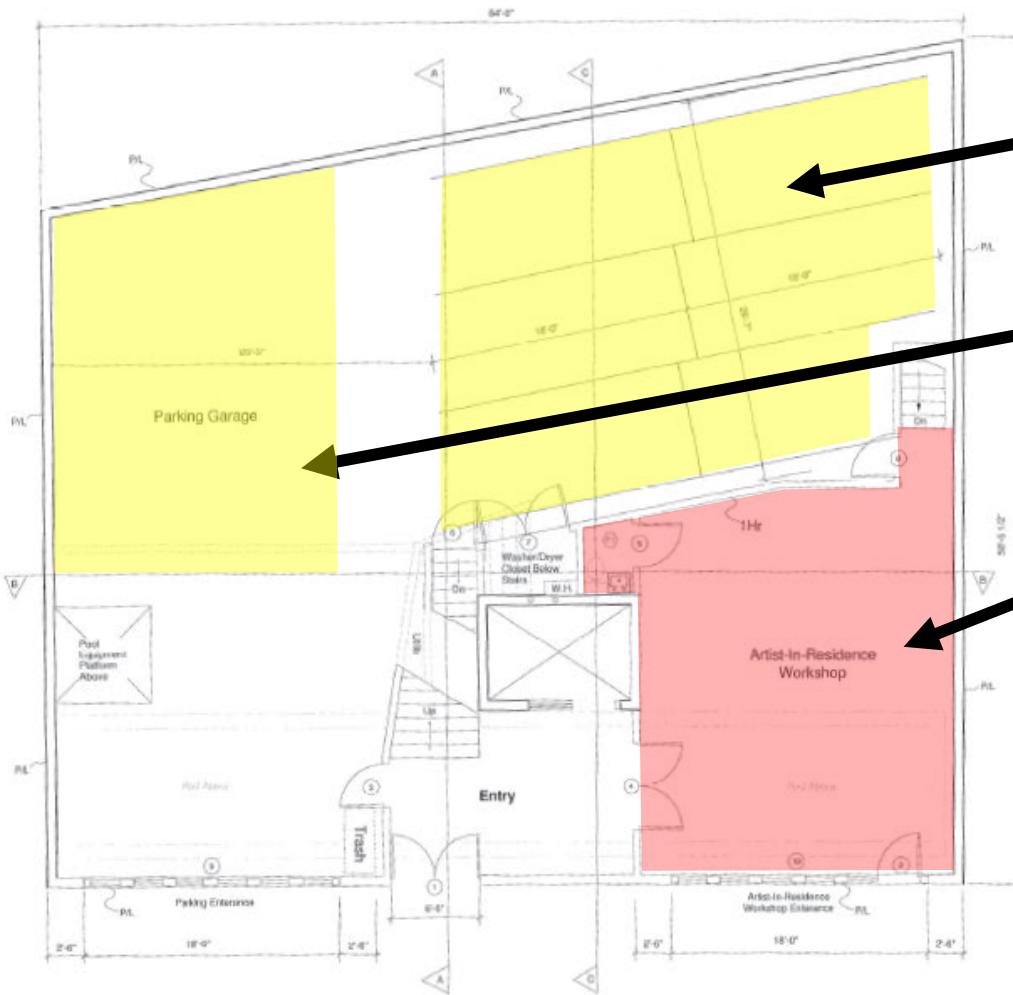
Lot Plan

Note: Plans were stamped with City approval in November 2005, approximately two years after local CDP issuance.



Ground Floor

Note: Sheet A2 was not included in City Record. Applicant was also unable to provide digital copy of Sheet A2 showing City approval stamp.



6 Parking Spaces

Area for Guest Parking

AIR Workspace

MUREZ RESIDENCE
800 Main Street
Venice, California

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

First Floor Plan

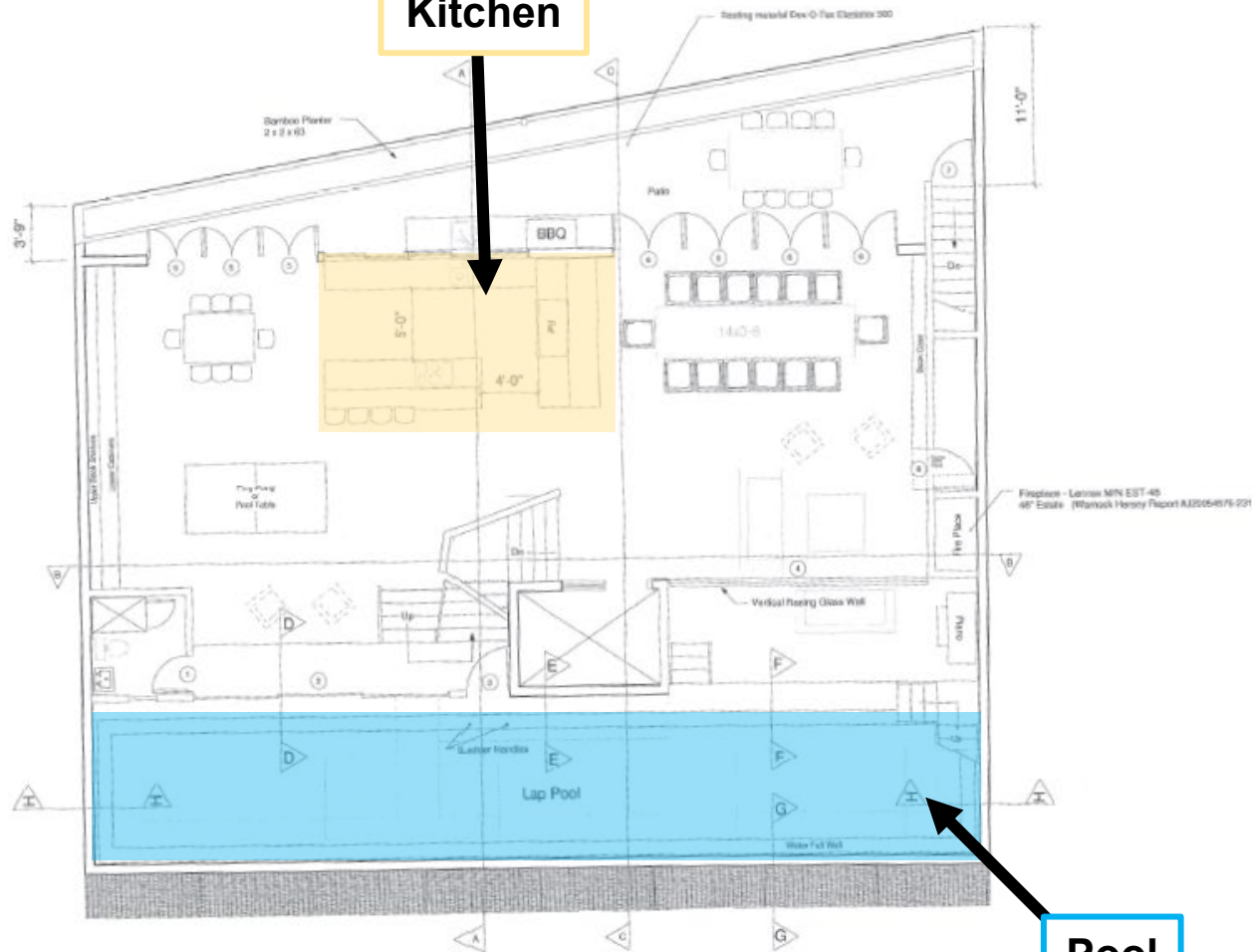
A3

City of Los Angeles
Department of City Planning
Community Planning Section
APPROVED
DATE: 10/10/2020
BY: [Signature]
CHECKED BY: [Signature]
SATISFIED ON THIS PLAN, ETC.

SECOND FLOOR

Kitchen

Pool



MUREZ RESIDENCE
800 Main Street
Venice, California

SCALE: 1/8" = 1'-0"
DATE:
JOB:
DRAWN:

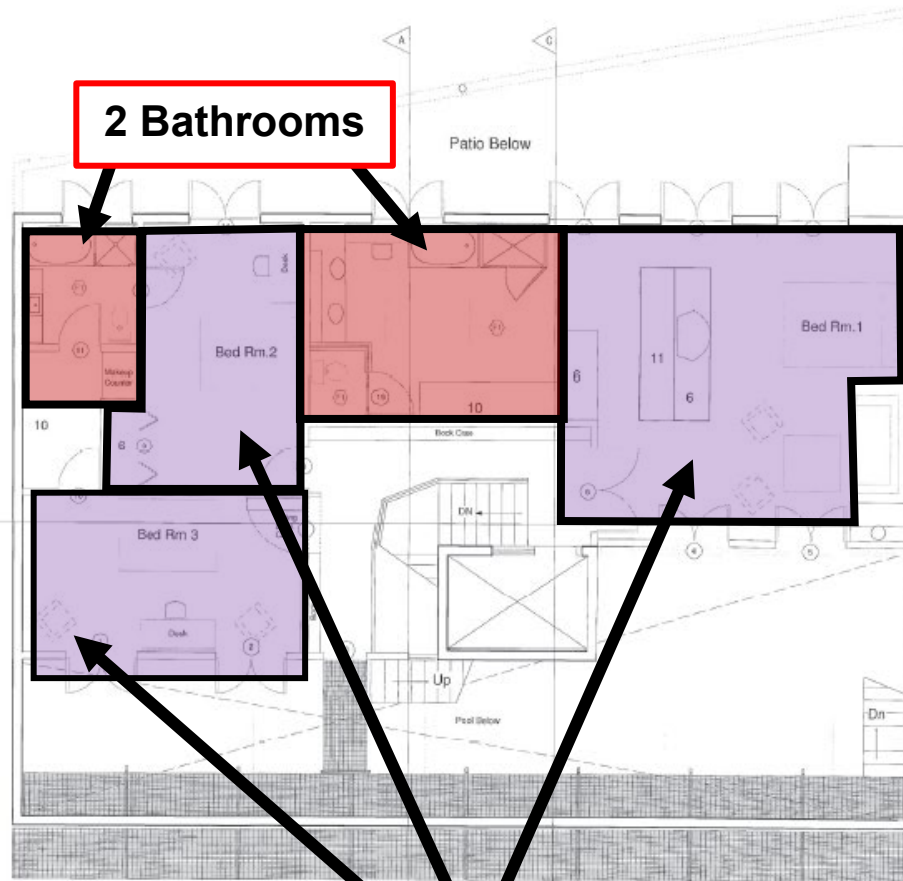
Second Floor Plan

A4

City of Los Angeles
Department of City Planning
California Planning Review
APPROVED
Date: 11-16-08
Planner: [Signature]
Signer: [Signature]
Scale: 1/8" = 1'-0"
CONDITION NO. (S)
SHEET NO. ON THIS PAGE, ETC.

THIRD FLOOR

2 Bathrooms



3 Dwelling Units

MUREZ RESIDENCE
800 Main Street
Venice, California

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

Third Floor Plan

A5

City of Los Angeles
Department of City Planning
Community Planning Branch
APPROVED
as required by
Council Order: *[Signature]*
Planner: *[Signature]*
Signatures:
Date: 11-16-07
CONDITION NO. 511: *[Signature]*
SATISFIED ON THIS PAGE, RE:

EXHIBIT 3-Approved Plans 2003.pdf - A5
Pro DC (52-bit)

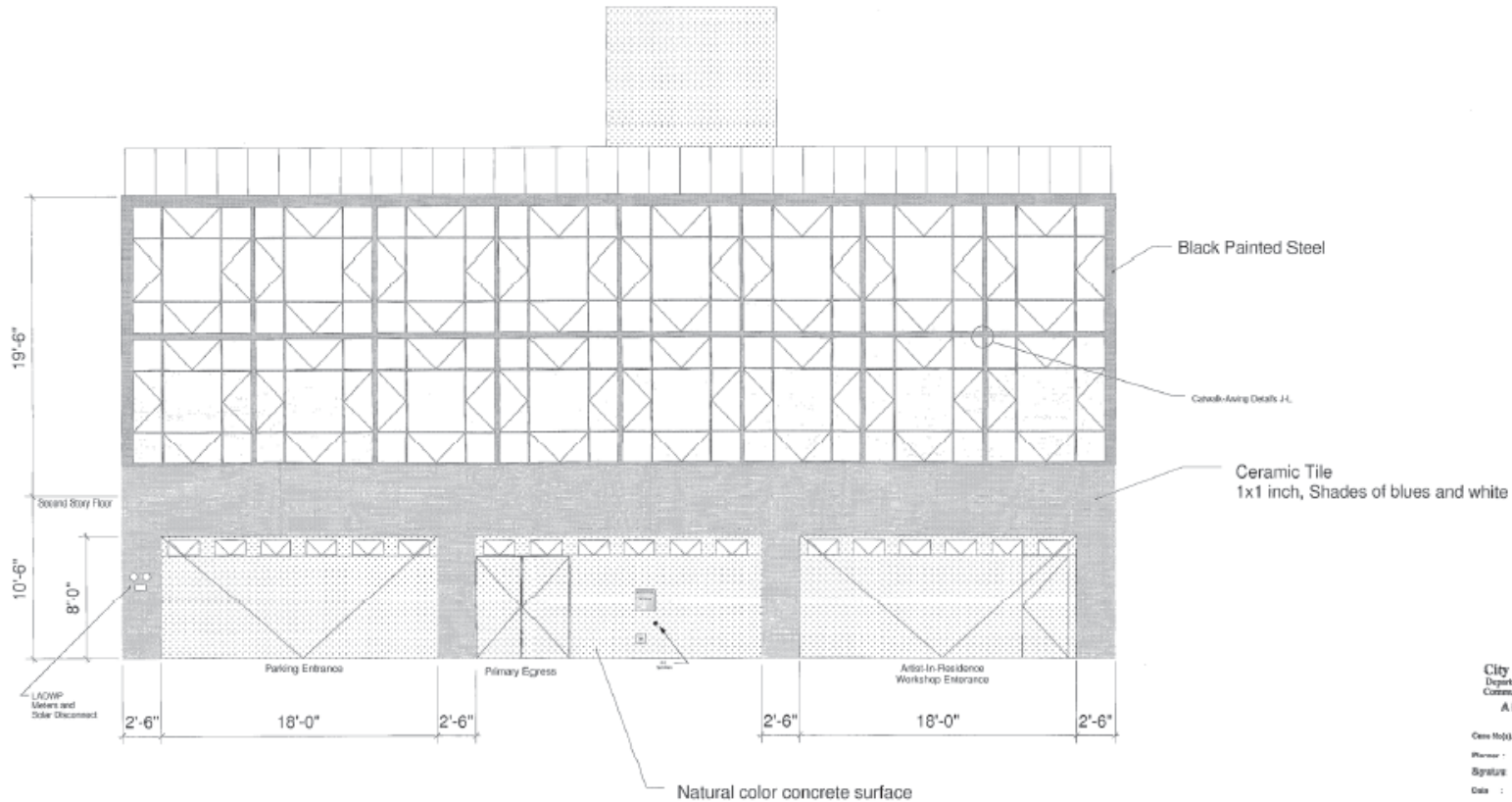
California Coastal Commission

A-5-VEN-21-0046

Exhibit 2

Page 4 of 5

FRONT EXTERIOR (facing Main Street)



City of Los Angeles
Department of City Planning
Community Planning Bureau
APPROVED
revised by
Date: 11-18-05
CONDITION NO. (S): A-5-
SATISFIED ON THIS PAGE, YES

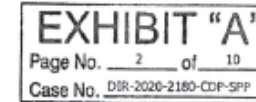
MUREZ RESIDENCE
800 Main Street
Venice, California

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

West Elevation

A7

BASEMENT



Kitchen Area (1,750 sq. ft.)

Mixed Use
Artist-In-Residence / Restaurant
800 Main Street
Venice, California 90291

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Basement Floor Plan
Restaurant Kitchen,
Preparation, Storage

A2

GROUND FLOOR

Page No. 3 of 10

**Basement
Kitchen Area
(1,750 sq. ft.)**

4 Parking Spaces

**Kitchen Area
(203 sq. ft.)**

Service Area
(74 sq. ft.)

Parking Calculation
 Existing parking to remain: 2 AIR, tandem
 1 AIR Guest space
 1 new Commercial space, ADA Van Accessible

Restaurant Kitchen

1. Coffee Machine,
(220v @ 48A)
2. Preparation Sink,
(18" x 18" x 12") with Drain Board
3. Handwashing Sink,
(6" x 8" x 8")
4. Counter / Storage
(12" x 60") NSF
5. Lowboy Fridge
NSF/ANSI (30" x 72")
6. Low Freezer
(30" x 60") NSF
7. Janitorial Sink

6-16-2000 Changed 2nd Hatch, add Garage SF

Mixed Use
Artist-In-Residence / Restaurant
800 Main Street
Venice, California 90291

Date	May 28, 2019
For	Mixed Use, AIR / A
By	H. Mushman

First Floor Plan
Artist-In-Residence / Restaurant
Mixed Use

A3

California Coastal Commission
A-5-VEN-21-0046

Exhibit 3
Page 2 of 5

SECOND FLOOR

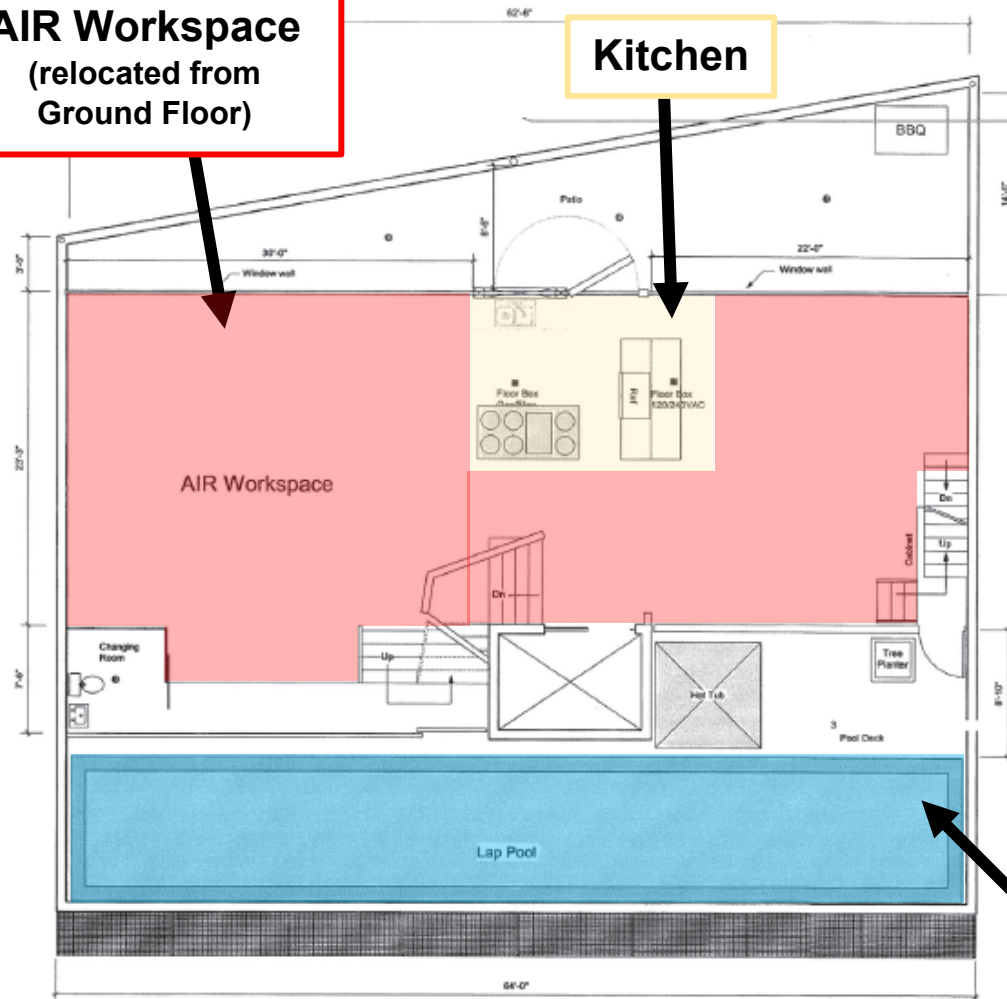
AIR Workspace
(relocated from
Ground Floor)

Kitchen

EXHIBIT "A"

Page No. 4 of 10

Case No. DIR-2020-2180-CDP-SPP



Pool



Mixed Use
Artist-In-Residence / Restaurant
800 Main Street
Venice, California 90291

Second Floor Layout
AIR Workspace/Living/Dining/
Kitchen/Pool Dressing Room

A4

THIRD FLOOR

No Changes to Artist-In-Residence

2 Bathrooms



3 Bedrooms

EXHIBIT "A"
Page No. 5 of 10
Case No. DER-2020-2180-CDP-SPP

MUREZ RESIDENCE
800 Main Street
Venice, California

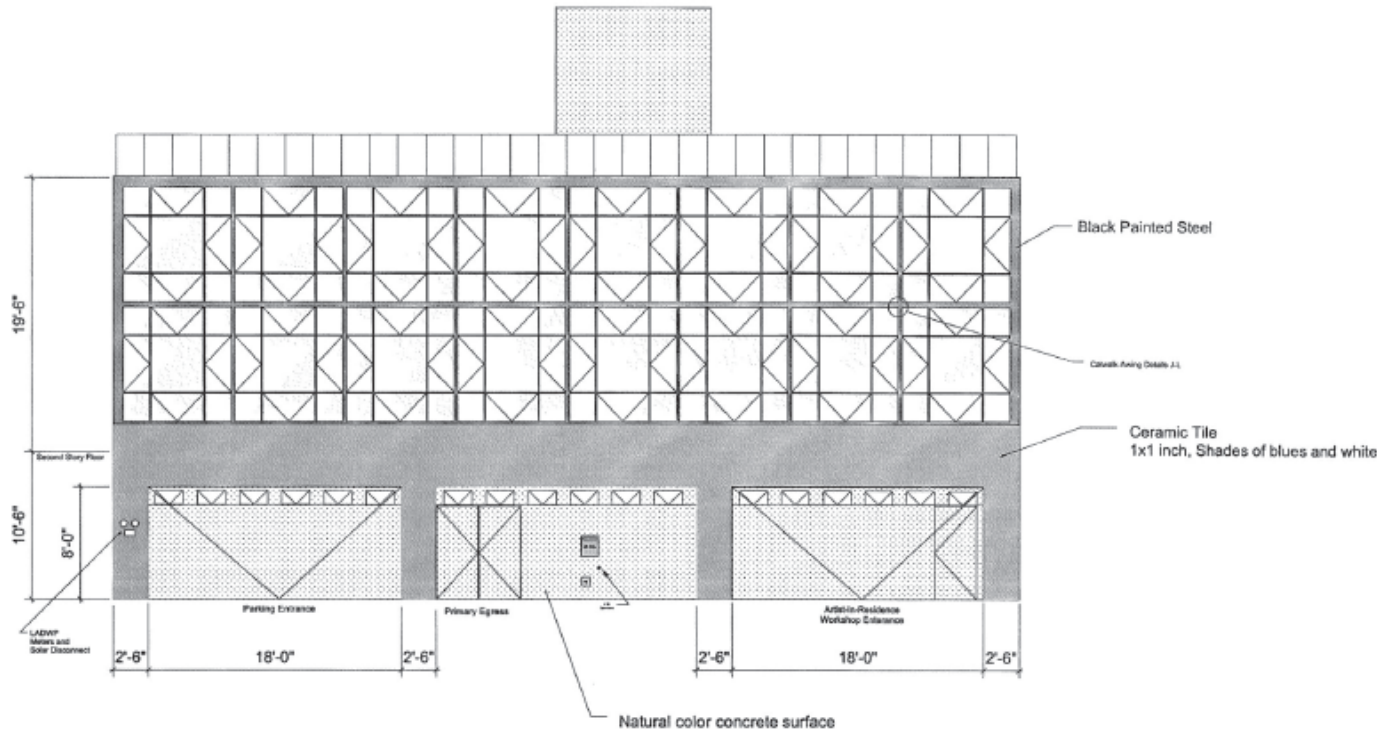
SCALE: 1/8" = 1'-0"
DATE:
JOB:
DRAWN:

Third Floor Plan

A5

FRONT EXTERIOR (facing Main Street)

EXHIBIT "A"
 Page No. 7 of 10
 Case No. DIR-2020-2180-CDP-SPP



MUREZ RESIDENCE
 800 Main Street
 Venice, California

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

West Elevation

A7

Exhibit 4—City Determination Letter

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

CAROLINE CHOE
VICE-PRESIDENT

HELEN LEUNG
KAREN MACK
DANA M. PERLMAN
YVETTE LOPEZ-LEDESMA
JENNA HORNSTOCK
VACANT
VACANT

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

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

VINCENT P. BERTONI, AICP
DIRECTOR

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

VACANT
DEPUTY DIRECTOR

DIRECTOR'S DETERMINATION

May 6, 2021

Applicant/Owner

James & Melanie Murez
804 S. Main Street
Venice, CA 90291

Case No. DIR-2020-2180-CDP-SPP

CEQA: ENV-2020-2181-CE

Location: 800 – 802 South Main Street

Council District: 11 – Mike Bonin

Neighborhood Council: Venice Neighborhood Council

Community Plan Area: Venice

Specific Plan: Venice Coastal Zone –

North Venice Subarea

Land Use Designation: Community Commercial

Zone: C2-1

Legal Description: Lots 12 & 13, Burk's Place Tract

Last Day to File an Appeal: May 21, 2021

DETERMINED based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines Sections 15301 (Class 1) and 15332 (Class 32), and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies.

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.20.2, Section 11.5.7, and the Venice Coastal Zone Specific Plan (Ordinance No. 175,693), I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

Approve a Coastal Development Permit authorizing the change of use of 277 square feet of ground floor area and 1,750 square feet of the basement level of an existing Artist in Residence dwelling unit into a 2,027 square-foot restaurant with 74 square-feet of Service Floor area. The project provides one (1) parking spaces for the new restaurant and maintains three (3) spaces for the AIR dwelling unit, located in the Single Permit Jurisdiction Area of the Coastal Zone; and

Pursuant to LAMC Section 11.5.7, and the Venice Coastal Zone Specific Plan (Ordinance No. 175,693), I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

Approve a Project Permit Compliance Review for a project in the North Venice Subarea of the Venice Coastal Zone Specific Plan.

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

CONDITIONS OF APPROVAL

1. Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
3. **Single Permit Jurisdiction Area.** The project is located within the Single Permit Jurisdiction Area of the California Coastal Zone. Prior to the issuance of any permits, the applicant shall provide a copy of the Coastal Commission's Notification that the City's Coastal Development Permit is effective.
4. **Service Floor Area.** The new restaurant use shall be limited to 74 square-feet of Service Floor area, as shown in Exhibit A.
5. **Parking and Access.** As shown in "Exhibit A" the subject project shall maintain three (3) parking spaces for the AIR and provide one (1) additional space for the new restaurant. Parking layout shall be subject to review and approval by the Department of Building and Safety. Vehicle access shall be maintained on Main Street.
6. The new restaurant shall be required to provide and maintain trash enclosures for all trash including recyclables.
7. Outdoor lighting shall be designed and installed with shielding so that light does not overflow into adjacent residential properties.
8. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
9. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
10. Prior to the sign-off of plans by the Development Services Center, the applicant shall submit the plans for review and approval to the Fire Department. Said Department's approval shall be included in the plans submitted to the Development Services Center.
11. Prior to the commencement of site excavation and construction activities, construction schedule and contact information for any inquiries regarding construction activities shall be provided to residents and property owners within a 100-foot radius of the project site. The contact information shall include a construction manager and a telephone number, and shall be posted on the site in a manner, which is readily visible to any interested party.
12. Prior to the issuance of any permits, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded.

After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.

Administrative Conditions

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

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an

amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

BACKGROUND

The subject site, located at 800-802 South Main Street, consists of two irregularly shaped, level lots with a width of 92 feet and an average depth of 58 feet, resulting in a total area of approximately 3,391 square-feet. The property fronts South Main Street to the west. The project site is zoned C2-1 and designated for Community Commercial land uses in the Venice Community Plan area. It is also within the North Venice Subarea of the Venice Coastal Zone Specific Plan and the Single Permit Jurisdiction of the California Coastal Zone.

The project site is currently improved with a three-story, 5,282 square-foot Artist in Residence (AIR) dwelling unit constructed in 2012. The AIR unit shares a wall with a three-story, 2,780 square-foot duplex constructed in 1991 that is also owned by the applicant. Both structures have parking garages accessible from South Main Street. The change of use is limited to the AIR unit. The site is in a Liquefaction Zone, a Methane Zone, and 4.6 kilometers from the Santa Monica Fault. Nearby properties along the eastern side of South Main Street are zoned C2-1 or M1-1 and are improved with a mix of commercial and residential structures ranging from one to three stories in height. The western side of Main Street is zoned RD1.5-1 and improved with a mix of single and multi-family dwellings ranging from one to three stories in height.

The applicant is requesting a Coastal Development Permit authorizing the change of use of 277 square feet of ground floor area and 1,750 square feet of the basement level of an existing Artist in Residence (AIR) dwelling unit into a 2,027 square-foot restaurant with 74 square-feet of Service Floor area, within an existing three-story residential building, providing four (4) on-site parking spaces. The proposed restaurant space provides an entrance on Main Street with an interior seating area, restroom, and kitchen at the ground level and a larger kitchen and storage area in the basement level.

South Main Street is designated Avenue II with a right-of-way of 86 feet and a roadway width of 56 feet; the actual right-of-way width is 86 feet and a roadway width of 55 feet. South Main Street is improved with an asphalt roadway, curb, gutters, and sidewalks.

Previous zoning related actions onsite include:

APCW-2001-2695-SPE-CDP-ZAA-SPP-2A1 – On April 17, 2003, the Los Angeles City Council approved an appeal filed by the applicant, thereby overruling the West Los Angeles Area Planning Commissions' decision. The City Council approved a Coastal Development Permit and Project Permit Compliance Review authorizing the demolition of two single-family dwellings and the construction of a three-story, 3,785 square-foot AIR building containing three (3) dwelling units in conjunction with the remodeling of two adjacent units located at 800, 802, and 804 South Main Street. The City Council also approved the following:

Specific Plan Exceptions from the following sections of the Venice Coastal Zone Specific Plan:

- A. Section 8.G.4a, to permit a zero (0) foot front yard instead of the required five (5) feet.
- B. Section 8.G.3a, to permit an elevator located on the front of the building 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 two (2) lots.

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

Previous zoning related actions in the area include:

DIR-2019-4064-CDP-MEL-SPP & ZA-2017-3482-ZV-ZAA – On June 15, 2020, the Director of Planning approved a Coastal Development Permit and Project Permit Compliance Review authorizing the conversion of an existing 1,211 square-foot single-family dwelling to a retail use, and the relocation of the dwelling unit to an existing 225 square-foot detached garage, in conjunction with a 27 square-foot addition to the dwelling unit. In the joint case ZA-2017-3482-ZV-ZAA, the Zoning Administrator (ZA) approved a Zone Variance to allow four (4) required commercial parking spaces (offsite) by lease in lieu of a recorded agreement (covenant) otherwise required by Section 12.26-E.5 and three (3) required parking spaces for the dwelling unit to be located offsite, in lieu of being provided on the same lot as otherwise required by Section 12.21-A.4(a). The ZA also approved a Zoning Administrator's Adjustment to allow a reduced passageway of 36 inches from the street to the entrance of a dwelling unit, in lieu of the minimum 10-foot passageway otherwise required by Section 12.21-C.2(b) as well as a reduced rear yard setback of 0 feet in lieu of the required 15 feet & a reduced easterly side yard setback of 0 feet in lieu of the required 4 feet otherwise required in the C2 zone. The project is located within the Single Permit Jurisdiction of the Coastal Zone at 1107 South Abbot Kinney Boulevard.

DIR-2018-6394-SPP-CDP – On October 11, 2019, the Director of Planning approved a Coastal Development Permit and Project Permit Compliance Review authorizing a 75 square-foot addition to the ground floor of a two-story mixed use structure and a change of use of 1,090 square-feet of retail use to 381 square-feet of retail use, 644 square feet of a café (restaurant) use having 293 square-feet of Service Floor Area, and 81 square-feet of beauty salon use. The project is located within the Single Permit Jurisdiction of the Coastal Zone at 1043 South Abbot Kinney Boulevard.

DIR-2017-3765-CDP-SPP-MEL – On June 28, 2019, the Director of Planning approved a Coastal Development Permit and Project Permit Compliance Review authorizing the demolition of existing commercial buildings onsite and the construction of a three-story, 25,800 square-foot mixed use building containing eight (8) live-work units and 9,330 square-feet of ground floor commercial space. The project is located within the Single Permit Jurisdiction of the Coastal Zone at 825 South Hampton Drive.

DIR-2017-3536-CDP-SPP - On April 5, 2018, the Director of Planning approved a Coastal Development Permit and Project Permit Compliance Review authorizing the construction of a new 2,444 square-foot mezzanine storage area within an existing 10,000 square-foot light manufacturing building and the development of four (4) offsite parking spaces. The project is located within the Single Permit Jurisdiction of the Coastal Zone at 351, 355, 361, & 365 East Vernon Avenue.

DIR-2017-1124-CDP-SPP-MEL – On January 29, 2018, the Director of Planning approved a Coastal Development Permit and Project Permit Compliance Review authorizing the demolition of an existing single-family dwelling and the construction of a new three-story, 3,753 square-foot mixed use development consisting of one (1) live-work unit, 759 square-feet of ground floor retail, an attached four-car garage, a basement, and a third-story roof deck. The project is located within the Single Permit Jurisdiction of the Coastal Zone at 706 South Hampton Drive.

Public Hearing

A public hearing was held, by a Hearing Officer (Ira Brown), on July 20, 2020 at 11:00 a.m. In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, a

virtual Public Hearing was held. The applicant, James Murez, and several members of the public were in attendance.

Mr. Murez reiterated the hearing officer's description of the project. He confirmed that he would not seek a permit to serve alcohol and that there would be no seating in the basement – where the kitchen is proposed. Finally, he requested that the case be held open for advisement for four weeks to allow the Venice Neighborhood Council to weigh in.

Twenty (20) members of the public called in to comment. Among them, eleven (11) supported the project, six (6) were against, and two (2) did not take a position. Those in favor noted that the proposed restaurant is very small in scope and would be consistent with the uses allowed in the C2-1 zone. They also claimed the project could help enliven this section of Main Street. Others noted the applicant has been a great member of the Venice community and helped establish the Venice Farmers Market. Those against claimed the project does not provide enough parking and that the applicant has violated his permit conditions by hosting large events onsite. Others noted the discrepancy between the size of the kitchen and proposed service floor area and questioned why such a large kitchen was necessary for a small restaurant. Finally, an adjacent property owner expressed concern about potential noise coming from the restaurant and inquired if there were plans to increase the service floor area. Another Venice resident requested that the advisement period be extended to allow the Venice Neighborhood Council to weigh in.

In response, Mr. Murez stated that they obtain permits from the Los Angeles Department of Building and Safety for all events held onsite and that he has never been cited for any code violations. He also claimed his AIR was built as approved and that he had no intention of expanding the restaurant. Finally, he noted that the size of the kitchen is a function of the basement being the only available space.

The case was taken under advisement for five weeks to allow for additional comments.

Correspondence

Eighteen (18) letters were received during the advisement period – two (2) wrote in support while sixteen (16) relayed their opposition. The following issues were most commonly cited in the letters:

- Questions were raised whether the existing structure and number of AIR units were compliant with the project approval in 2003.
- The project does not provide enough onsite parking.
- The project has not been reviewed by the Venice Neighborhood Council yet.
- The applicant may intend to use the proposed kitchen to host large events onsite.

The Venice Neighborhood Council submitted a letter dated September 4, 2021 recommending approval of the project with the following conditions – that there would be no increase in service floor area and no Conditional Use Beverage permit granted for the restaurant.

FINDINGS

Coastal Development Permit

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

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

Chapter 3 of the Coastal Act includes provisions that address the impact of development on public services, infrastructure, traffic, the environment and significant resources, and coastal access. Applicable provision are as follows:

Section 30244 Archaeological and Paleontological Resources.

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required. The subject site is not located within an area with known Archaeological or Paleontological Resources. However, if such resources are discovered during excavation or grading activities, the project is subject to compliance with Federal, State and Local regulations already in place.

Section 30250 Location; existing developed area.

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels. The project site is located in a neighborhood developed with a mix of commercial and residential structures. The project proposes a change of use of a portion of the ground floor and the basement level of an existing Artist in Residence (AIR) dwelling unit into a 2,027 square-foot restaurant with 74 square feet of Service Floor area, within an existing three-story residential building, providing four (4) on-site parking spaces. The existing mixed-use structure will maintain connections and access to all public services required for residential and commercial uses, including water and sewage, waste disposal, gas, and electricity. Therefore, the proposed development will be adequately serviced and is located in a highly developed area able to accommodate new development.

Section 30251 Scenic and Visual Qualities.

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting. The project proposes a change of use the change of use of a portion of the ground floor and the basement level of an existing Artist in Residence (AIR) dwelling unit into a 2,027 square-foot restaurant with 74 square-feet of Service Floor area, within an existing three-story residential building. The subject site is zoned C2-1 but is proximate to M1-1 and RD1.5-1 zoned lots. The surrounding area is characterized as an area developed with single and multi-family residential structures ranging from one to three-stories in height. The project site is located on a relatively flat lot that is 1,129 feet from Venice Beach. As such, it will not affect any public views to and along the ocean. The proposed improvements are limited to the interior, and

therefore will not affect the scale and massing of existing structures in the surrounding area. As such, the proposed project maintains a sense of visually compatibility with the existing character of the area.

Section 30252 Maintenance and Enhancement of Public Access.

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development. The subject property is located 1,129 feet from Venice Beach and 3,506 feet from the Venice Canals. The project is limited to the subject property, providing adequate parking for the existing AIR and proposed restaurant; four (4) on-site parking spaces. No improvements are required within the right-of-way, and the project will not obstruct access to or from the site. No permanent structures will be placed within the public right-of-way and public access to the coast will not be obstructed. As such, the proposed project will not conflict with any public access policies of the Coastal Act.

Section 30253 Minimization of Adverse Impacts.

New development shall: (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development. (4) Minimize energy consumption and vehicle miles traveled. (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses. The proposed development is not located on a bluff or cliff but is in a Methane & Liquefaction Zone. It is also located within 4.6 kilometers of the Santa Monica Fault. The proposed project will be subject to all relevant developmental regulations and regulatory compliance measures established by the various City departments and the Conditions of Approval imposed herein. Compliance with such requirements will minimize risks to life and property in areas of geologic hazard. The property is also located within Zone X, outside of the Flood Zone.

The project site is also located within an area that may be affected by Sea Level Rise. On August 12, 2015, the Coastal Commission adopted a Sea Level Rise Policy Guidance document, updated and adopted On November 7, 2018. This policy document provides a framework and directions for local jurisdictions to address sea level rise (SLR) in Local Coastal Programs (LCPs) and Coastal Development Permits (CDPs). In May 2018, the City completed an initial sea level rise vulnerability assessment for the Venice Coastal Zone. The report provides that: *Existing wide beaches generally protect Venice from coastal hazards. Coastal assets along or near the beachfront are potentially vulnerable during a large storm event in combination with SLR greater than 3.3 feet. After 4.9 feet SLR, beachfront assets are more vulnerable to damage from flooding or potential erosion of the beach. A SLR of 6.6 feet is a tipping point for Venice's exposure to extreme coastal wave events. Beachfront and coastal assets could flood annually, beaches could be greatly reduced in width, and high water levels could greatly increase potential for flooding of inland low-lying areas.* As discussed in the analysis, *there is considerable uncertainty around the timing of SLR, how coastal processes may be affected, and what adaptation approaches will be applied in the future (VSLRVA, pg. 45).* Policies and development standards to address the

potential impacts of SLR would be addressed in the City's LCP for the Venice Coastal Zone.

The Coastal Storm Modeling System (CoSMoS) was utilized to analyze the project's vulnerability to flood hazards, considering a scenario of a minimum 6.6-foot sea level rise and a 100-year storm scenario. Based on this scenario, the proposed development could potentially be affected by flooding as a result of SLR, however, the potential for such flooding in severe storm events is likely to increase towards the end of the project life (based on a typical development life of 75 years). Furthermore, any repair, demolition, and/or new construction as a result of any flooding would be subject to additional review. As conditioned, the proposed development is consistent with Section 30253 of the Coastal Act.

The proposed project will not produce any adverse impacts as it relates to public access, recreation, marine environment, land resources, or existing development as the subject property will provide adequate parking and will not erect structures within the public right-of-way. The proposed project will neither interfere nor reduce access to the shoreline or along the coast. The proposed project will not adversely impact any recreational uses and activities, the marine environment, and other environmentally sensitive habit areas. The subject property is not located in an area with known archaeological or paleontological resources and will be required to comply with existing regulations, if discovered. The proposed project will not involve the diking, filing, or dredging of the open coastal waters. The proposed project will be served by existing public facilities and will not degrade the scenic and visual qualities of nor interfere with public access to the coastal area. Therefore, the proposed project will be in conformity with Chapter 3 of the Coastal Act.

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

Coastal Act Section 30604(a) states that prior to the certification of a Local Coastal Program ("LCP"), a coastal development permit may only be issued if a finding can be made that the proposed development is in conformance with Chapter 3 of the Coastal Act. The Venice Local Coastal Land Use Plan ("LUP") was certified by the California Coastal Commission on June 14, 2001; however, the necessary implementation ordinances were not adopted. The City is in the initial stages of preparing the LCP; prior to its adoption the guidelines contained in the certified LUP are advisory.

The project proposes a change of use of a portion of the ground floor and the basement level of an existing Artist in Residence (AIR) dwelling unit into a 2,027 square-foot restaurant with 74 square-feet of Service Floor area, within an existing three-story commercial building, providing four (4) on-site parking spaces. The project is within the North Venice subarea of the Venice Coast Zone Specific Plan. The subject site is zoned C2-1 and designated for Community Commercial land uses. The proposed project is consistent with the following policies of the Land Use Plan:

Policy I. B. 2. Mixed-Use Development. *Mixed-use residential-commercial development shall be encouraged in all areas designated on the Land Use Policy Map for commercial use. Residential density in commercial land use designations shall not exceed one unit per 800-1200 square feet of lot area and shall comply with the Floor Area Ratio (FAR) limits set forth in Policy I.B.7. The design of mixed-use development is intended to help mitigate the impact of the traffic generated by the development on coastal access roads and reduce parking demand by reducing the need for automobile use by residents and encouraging pedestrian activity. Such development shall comply with the density and development standards set forth in this LUP.* The proposed change of use would convert an existing residential structure to a mixed-use structure, maintaining an existing AIR dwelling unit and developing a new ground floor restaurant space.

Policy I.B.6 includes development standards for projects in areas designated for Community

Commercial Land Uses; the standards address use and density. The project proposes a change of use of a portion of the ground floor and the basement level of an existing AIR dwelling unit into a 2,027 square-foot restaurant with 74 square-feet of Service Floor area, within an existing three-story commercial building, providing four (4) on-site parking spaces. The project is consistent with the commercial uses allowed in the C2-1 Zone and does not exceed the residential density limitations enumerated in the LUP (one unit per 800-1200 square-feet of lot area). Moreover, Policy I.B.6 explicitly encourages the addition of a restaurants and mixed residential/commercial structures in areas designated for Community Commercial Land Use.

Policy 1.B.7 outlines standards for development in commercial land use designations as follows:

Density/Intensity: Maximum Floor Area Ratio (FAR) shall be 1.5 to 1 for retail / office and residential. The project consists of a 3,838 square-foot building that encompasses two lots totaling 3,391 square-feet, with a FAR of 1.13.

Parking: Pursuant to Policy II.A.3, the proposed project requires one (1) parking space for the proposed restaurant. The project will also maintain three (3) parking spaces for the existing AIR, resulting in a total of four (4) parking spaces onsite.

Lot Consolidation: Two commercial lots may be consolidated, or three with subterranean parking subject to restrictions. No lot consolidation is proposed.

Building Separation: A minimum of five feet is required between commercial and residential buildings (except for mixed-use projects). The proposed project would result in a mixed-use building; therefore, this standard is not applicable.

Ground Level Development: Commercial developments are required to include a Street Wall with a minimum height of 13 feet that extends along at least 65 percent of the street frontage. As shown in "Exhibit A", the project is limited to the interior of the AIR building previously approved in 2003. No exterior improvements are proposed. However, the current Street Wall extends 64 feet along Main Street – 100% of the property's street frontage. Additionally, the second and third story are exposed, resulting in greater than 50% Street Wall transparency.

Landscaping: Any portion of the lot not used for parking, buildings, driveways, or other features shall be landscaped. The existing AIR building encompasses the entirety of both lots and the proposed project would not alter the current building footprint. Therefore this standard is not applicable.

Access: Driveways and vehicular access shall be provided from alleys. There is no alley at the rear of the site; therefore, vehicular access will be maintained along Main Street.

Trash: Projects shall be required to provide and maintain trash enclosures for all trash including recyclables. Compliance with this standard is one of the conditions of approval.

Light: Light from commercial projects shall be directed away from residential properties and environmentally sensitive habitat areas. The project does not include the addition of any external lighting – nor is the project site located near an environmentally sensitive area.

Signage: No rooftop or billboard signs are permitted. All sign lighting shall be designed to minimum glare and prevent light pollution. No signage is proposed in the scope of work.

The proposed development is consistent with the policies of the Land Use Plan and the standards of the Specific Plan (discussed below) and will not prejudice the ability of the City to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act.

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

The Los Angeles County Interpretative Guidelines were adopted by the California Coastal Commission (October 14, 1980) to supplement the Statewide Guidelines. Both regional and statewide guidelines, pursuant to Section 30620 (b) of the Coastal Act, are designed to assist local governments, the regional commissions, the commission, and persons subject to the provisions of this chapter in determining how the policies of this division shall be applied to the coastal zone prior to the certification of a local coastal program. As stated in the Regional Interpretative Guidelines, the guidelines are intended to be used "in a flexible manner with consideration for local and regional conditions, individual project parameters and constraints, and individual and cumulative impacts on coastal resources. In addition to the Regional Interpretative Guidelines, the policies of Venice Local Coastal Program Land Use Plan (the Land Use Plan was certified by the Coastal Commission on June 14, 2001) have been reviewed and considered.

The project proposes a change of use of a portion of the ground floor and the basement level of an existing Artist in Residence (AIR) dwelling unit into a 2,027 square-foot restaurant with 74 square-feet of Service Floor area, within an existing three-story commercial building, providing four (4) on-site parking spaces. The Regional Interpretive Guidelines have been reviewed and the proposed project is consistent with the requirements for the North Venice Subarea; the project also complies with the policies of the LUP and standards of the Specific Plan.

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

The project proposes a change of use of a portion of the ground floor and the basement level of an existing Artist in Residence (AIR) dwelling unit into a 2,027 square-foot restaurant with 74 square-feet of Service Floor area, within an existing three-story residential building, providing four (4) on-site parking spaces. The development does not conflict with prior decisions of the Coastal Commission. The Coastal Commission recently took action on the following projects in the Venice Coastal Zone:

- In November 2020, the Coastal Commission approved a Coastal Development Permit for an after-the-fact conversion of two commercial units to residential guest rooms on the second and third floors and change of use of 693 square-feet on the ground floor from parking and restaurant space to retail space, resulting in four residential units (two residential guest rooms without kitchens and two full apartments). Six (6) existing onsite parking spaces will be maintained and three (3) new offsite parking spaces will be provided. The project is located at 1901 Ocean Front Walk (Application No. 5-85-249-A1).
- In October 2020, the Coastal Commission approved an after-the-fact approval of the conversion of a 689 square-foot guest room into an Accessory Dwelling Unit (ADU) within an existing 4,587 square-foot triplex with six onsite parking spaces. The project is located at 12 East Lighthouse Street (Application No. 5-19-1246).

- In September 2020, the Coastal Commission approved the construction of a new three-story, 4,827 square-foot single-family dwelling with a 530 square-foot ADU on a vacant, 3,545 square-foot lot. The project provides three (3) onsite parking spaces and is located at 3819 Via Dolce (Application No. 5-19-1167).
- In February 2020, the Coastal Commission approved a Coastal Development Permit for the demolition of a 2-story, 25-foot high, 1,856 square foot duplex and construction of a 3-story, 28-foot high, 2,799 square foot single-family dwelling with a 2-story, 815 square foot accessory dwelling unit and 3 onsite parking spaces, located at 21 29th Avenue (Application Nos. A-5-VEN-19-0022 & 5-19-0949)
- In March 2019, the Coastal Commission approved a Coastal Development Permit for the demolition of a two-story, 2,300 square-foot multi-unit residential structure and the construction of a new, three-story 4,584 square-foot mixed-use structure with retail space, ADU, single-family dwelling, attached five (5) car garage, and a 1,653 square-foot roof deck. The project is located at 3011 Ocean Front Walk (Application No. 5-18-0212 & A-5-VEN-18-0017)
- In August 2018, the Coastal Commission approved with conditions a Coastal Development Permit for the after-the-fact authorization for a change of use from tool engineering shop to a full-service restaurant and new proposed substantial renovation and 1,113 square feet addition to a 1,558 square feet, one-story structure resulting in a 2,671 square feet, two-story, restaurant with 745 square feet of service floor area; the operation of a valet parking program during evening hours, located at 259 Hampton Drive (Application No A-5-VEN-15-0038).
- In June 2018, the Coastal Commission approved a Coastal Development Permit for the demolition of a one-story, 1,728 square-foot commercial structure and surface parking lot and the construction of a three-story mixed-use structure with 2,850 square-feet of retail space on the ground floor, three residential units on the upper floors, a roof deck, and a semi-subterranean parking level providing 23 onsite parking spaces. The project is located at 305-309 Ocean Front Walk (Application No. A-5-VEN-17-0051 & 5-17-0892).

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

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

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

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

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

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

The project site is located 1,129 feet from Venice Beach in a neighborhood developed with a mix of commercial and residential structures. It is not located between the nearest public road and the shoreline of any body of water. No permanent structures will be erected within the public right-of-way and public access to the coast will not be obstructed. The required parking spaces will be provided on the subject property. As proposed, the project will not conflict with any public access or public recreation policies of the Coastal Act.

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

Categorical Exemption No. ENV-2020-2181-CE was prepared for the proposed project consistent with the provisions of CEQA. The project proposes a change of use of 277 square feet of ground floor area and 1,750 square feet of the basement level of an existing Artist in Residence (AIR) dwelling unit into a 2,027 square-foot restaurant with 74 square-feet of Service Floor area, within an existing three-story commercial building, providing four (4) on-site parking spaces. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Sections 15301 (Class 1) and 15332 (Class 32).

The Class 1 Categorical Exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures. This includes interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances. The project proposes a series of interior alterations including the conversion of the AIR's basement and part of the ground floor into a restaurant.

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following five (5) criteria:

a. *The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations.*

The site currently is developed with one (1) Artist in Residence (AIR) dwelling unit. The site is zoned C2-1 and has a General Plan Land Use Designation of Community Commercial. Since the project is for the change of use of a portion of the existing AIR unit into a 2,027 square-foot restaurant, the project is in conformance with the General Plan and Zoning designation.

b. *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*

The site has a gross lot area of 3,391 square feet, approximately 0.08 acres, located at 800 South Main Street and 802 South Main Street, and is wholly within the City of Los Angeles. Lots surrounding the subject site are developed with a mix of commercial and residential structures.

c. *The project site has no value as habitat for endangered, rare or threatened species.*

The site maintains a residential structure and is not a wildland area, and is not inhabited by endangered, rare, or threatened species. The area around the site is urbanized and surrounded by residential use. NavigateLA shows that the subject site is not located in a

Significant Ecological Area.

- d. ***Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.***

The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance and requirements for the establishment and maintenance of restaurant uses. The creation of noise is limited to certain decibels, restricted to specific hours. The proposed restaurant does not include outdoor dining areas. The proposed project is not adjacent to any water sources and does not involve excavations that may have an impact on the water table. These RCMs will ensure the project will not have significant impacts on noise and water. Furthermore, the project does not exceed the threshold criteria established by the Los Angeles Department of Transportation (LADOT) for preparing a traffic study. Therefore, the project will not have any significant impacts to traffic. Interim thresholds were developed by DCP staff based on California Emissions Estimator Model (CalEEMod) runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds. The proposed conversion of existing floor area within a residential structure to a commercial use represents a minor change of use and is not expected to result in significant effects relating to traffic, noise, air quality, or water quality.

- e. ***The site can be adequately served by all required utilities and public services.***

The project site maintains a residential structure and will be adequately served by all public utilities and services given that the property is located in an urban tract with water supply, water treatment, sewage and waste disposal infrastructure, and power lines. Main Street is an improved street with existing utilities that service the various other dwellings in the area.

Therefore, the project meets all of the Criteria for the Class 32.

CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions

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

- (a) Location. The project is not located in a sensitive environment. Although the project is located within the Coastal Zone, the residential neighborhood is not identified as a sensitive environmental resource. The proposed project is consistent with the scale and uses proximate to the area. The subject site is not located in a fault or flood zone, nor is it within a landslide area. Although the project is located within a liquefaction and methane zone, the project is subject to compliance with the requirements of the Building and Zoning Code that outline standards for residential construction.
- (b) Cumulative Impact. The project is consistent with the type of development permitted for the area zoned C2-1 and designated for Community Commercial use. The proposed change of use will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not result in significant cumulative impacts.
- (c) Significant Effect. The surrounding properties are developed with a mix of commercial structures & single-family and multi-family dwellings. The subject property is of a similar size and scope to these properties. The proposed project consists of work typical to a commercial

corridor. Thus, there are no unusual circumstances that will lead to a significant effect on the environment.

- (d) **Scenic Highways.** The only State-designated Scenic Highway in the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of the Topanga State Park. The subject property is located approximately 13 miles to the southeast of State Route 27. Therefore, the proposed project will not create any impacts to scenic resources within a State-designated Scenic Highway.
- (e) **Hazardous Waste Sites.** According to the EnviroStor, the State of California's database of hazardous waste sites, neither the subject property nor any property in the vicinity, is identified as a hazardous waste site.
- (f) **Historical Resources.** The subject site and existing structure have not been identified as a historic resource or within a historic district (SurveyLA), the project is not listed on the National or California Register of Historic Places, or identified as a Historic Cultural Monument (HCM).

Project Permit Compliance Review

7. The project substantially complies with the applicable regulations, findings, standards, and provisions of the Venice Coastal Zone Specific Plan.

The project proposes a change of use of 277 square feet of ground floor area and 1,750 square feet of the basement level of an existing Artist in Residence (AIR) dwelling unit into a 2,027 square-foot restaurant with 74 square-feet of Service Floor area, within an existing three-story commercial building, providing four (4) on-site parking spaces. As conditioned, the proposed project complies with the applicable General Land Use and Development Regulations set forth in Section 9, Land Use and Development regulations for the North Venice Subarea set forth in Section 10.F, and the Parking provisions set forth in Section 13 of the Specific Plan as evidenced below:

A. Section 8.C. Findings

The project meets the required findings set forth in Section 8.C of the Venice Coastal Zone Specific Plan, as shown below:

- 1. The Venice Coastal Development Project is compatible in scale and character with the existing neighborhood, and that the Venice Coastal Development Project would not be materially detrimental to adjoining lots or the immediate neighborhood.*

The subject site, located at 800-802 South Main Street, consists of two irregularly shaped, level lots with a width of 92 feet and an average depth of 58 feet, resulting in a total area of 3,391 square-feet. The property fronts South Main Street to the west and a parking lot at the rear of the lots. The project site is zoned C2-1 and designated for Community Commercial land uses in the Venice Community Plan area. It is also within the North Venice Subarea of the Venice Coastal Zone Specific Plan. The project site is currently improved with a three-story, 3,838 square-foot Artist in Residence (AIR) dwelling unit constructed in 2012. The AIR unit shares a wall with a three-story, 2,780 square-foot duplex constructed in 1991 that is also owned by the applicant. Both structures have parking garages accessible from South Main Street. The change of use is limited to the AIR unit. Nearby properties along the eastern side of Main Street are zoned C2-1 or M1-1 and are improved with a mix of commercial and residential structures ranging from one to three stories in height. The western side of Main Street is zoned RD1.5-1 and improved with a mix of single and multi-family dwellings ranging from one to three stories in height. As conditioned, the project is compatible with the uses of

the existing neighborhood and will not be detrimental to the adjoining properties or the immediate area.

2. *The Venice Coastal Development Project is in Conformity with the Certified Venice Local Coastal Program.*

The subject property consists of two irregularly shaped, level lots with a width of 92 feet and an average depth of 58 feet, resulting in a total area of 3,391 square-feet. The project site is zoned C2-1 and designated for Community Commercial land uses in the Venice Community Plan area. It is also within the North Venice Subarea of the Venice Coastal Zone Specific Plan and the Single Permit Jurisdiction of the California Coastal Zone.

The project site is currently improved with a three-story, 5,282 square-foot Artist in Residence (AIR) dwelling unit constructed in 2012. The AIR unit shares a wall with a three-story, 2,780 square-foot duplex constructed in 1991 that is also owned by the applicant. Both structures have parking garages accessible from South Main Street. The change of use is limited to the AIR unit. The site is in a Liquefaction Zone, a Methane Zone, and 4.6 kilometers from the Santa Monica Fault. Nearby properties along the eastern side of South Main Street are zoned C2-1 or M1-1 and are improved with a mix of commercial and residential structures ranging from one to three stories in height. The western side of Main Street is zoned RD1.5-1 and improved with a mix of single and multi-family dwellings ranging from one to three stories in height.

As previously discussed, a Local Coastal Program (LCP) has not been certified for the Venice Coastal Zone. However, the proposed project complies with the policies of the certified Land Use Plan, outlined in Finding Number 2.

3. *That the applicant has guaranteed to keep the rent levels of any Replacement Affordable Unit at an affordable level for the life of the proposed Venice Coastal Development Project and to register the Replacement Affordable Units with the Los Angeles Department of Housing.*

The project proposes a change of use of the ground floor and basement level of an existing AIR dwelling unit into a 2,027 square-foot restaurant with 74 square-feet of Service Floor Area. The number of Residential Units onsite will remain unchanged. Therefore, the project is not subject to review for compliance with the Mello Act as set forth in the California Government Code Sections 65590 and 65590.1.

4. *The Venice Coastal Development Project is consistent with the special requirements for low- and moderate-income housing units in the Venice Coastal Zone as mandated by California Government Code Section 65590 (Mello Act).*

The project proposes a change of use of a portion of the ground floor and the basement level of an existing Artist in Residence (AIR) dwelling unit into a 2,027 square-foot restaurant with 74 square-feet of Service Floor area, within an existing three-story commercial building. No new residential units are proposed. Therefore, the proposed project is not subject to the Inclusionary Residential Unit requirement for New Housing Developments.

In addition to the requisite findings set forth in Section 8.C of the Specific Plan, the project also complies with all applicable provisions of the Specific Plan, as set forth below:

B. *Section 9. General Land Use and Development Regulations*

A. *1.B Lot Consolidation.* The project does not include lot consolidation.

- B. *Height.* The scope of work is limited to interior improvements to an existing structure. No changes in height are proposed.
- C. *Roof Structures.* The scope of work is limited to interior improvements to an existing structure. No alterations to the existing Roof Access Structure are proposed.

C. *Sections 10.F. Land Use and Development Regulations for the North Venice Subarea*

- 1. *Land Use.* For lots designated Neighborhood Commercial in the Coastal Land Use Plan, located between Pacific Avenue and Main Street and between Westminster Avenue and Market Street, drive-through uses shall be prohibited. The project site has a Community Commercial Land Use Designation.
- 2. *Density.* No residential Venice Coastal Development Project on a commercially zoned lot shall exceed the density permitted in the R3 Zone (one unit per 1,200 square-feet). The proposed project will maintain the existing AIR unit located on two lots totaling 3,191 square-feet.
- 3. *Height.* Venice Coastal Development Projects with a flat roof shall not exceed a maximum height of 30 feet. The proposed project will not alter the existing height of the structure.
- 4. *Setback.* The front yard setback for all residential Venice Coastal Development Projects shall be consistent with LAMC requirements but shall not be less than five feet. The proposed project will not alter the existing building's footprint.
- 5. *Access.* Vehicular access to Venice Coastal Development Projects shall be provided from alleys. The project site is not adjacent to an alley and vehicular access will be maintained along Main Street.

D. *Section 11 – Commercial Design Standards*

The proposed project is limited to interior upgrades and does not propose any exterior work. The change in use will result in a ten percent or less increase in trips. Therefore, the proposed project is exempt from Section 11.

E. *Section 13 – Parking*

- A. *Parking.* Pursuant to Section 13.D of the Specific Plan, restaurants are required to provide one parking space for each 50 square-feet of Service Floor Area. The project proposes 74 square-feet of Service Floor Area and provides one new parking space for the restaurant, for a total of four parking spaces provided on-site.
8. **The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

Categorical Exemption No. ENV-2020-2181-CE was prepared for the proposed project consistent with the provisions of CEQA. The project proposes a change of use of a portion of the ground floor and the basement level of an existing Artist in Residence (AIR) dwelling unit into a 2,027 square-foot restaurant with 74 square-feet of Service Floor area, within an existing three-story commercial building, providing four (4) on-site parking spaces. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Sections 15301 (Class 1) and 15332 (Class 32). A full discussion can be found in Finding No. 6.

Therefore, the project is determined to be categorically exempt and does not require mitigation or

monitoring measures; no alternatives of the project were evaluated. An appropriate environmental clearance has been granted.

9. **ADDITIONAL MANDATORY FINDING**

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

TIME LIMIT – OBSERVANCE OF CONDITIONS

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

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

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Constituent Service Center in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077, (818) 374-5050, or (310) 231-2912, or through the Department of City Planning website at . The applicant is further advised to notify any consultant representing you of this requirement as well.

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

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

TRANSFERABILITY

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

APPEAL PERIOD - EFFECTIVE DATE

The Director's determination in this matter will become effective after **15 days** unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://cityplanning.lacity.org>**. Public offices are located at:

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

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

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

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

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

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

VINCENT P. BERTONI, AICP
Director of Planning

Approved by:

Reviewed by:

 for
Faisal Roble, Principal City Planner


Juliet Oh, Senior City Planner

Reviewed by:

Prepared by:


Elizabeth Gallardo, City Planner


Kevin Fulton, Planning Assistant

Exhibit 5—Appeal

STATE OF CALIFORNIA — NATURAL RESOURCES AGENCY

CALIFORNIA COASTAL COMMISSION

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

RECEIVED
South Coast Region

JUN 30 2021

CALIFORNIA
COASTAL COMMISSION



APPEAL FORM

Appeal of Local Government Coastal Development Permit

Filing Information (STAFF ONLY)

District Office: South Coast

Appeal Number:

A-5-Ven-21-0046

Date Filed:

07-01-2021

Appellant Name(s): _____

RECEIVED
South Coast Region

JUL 01 2021

CALIFORNIA
COASTAL COMMISSION

APPELLANTS

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

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

Appeal of local CDP decision

Page 2

1. Appellant information:

Name: See attached.

Mailing address: _____

Phone number: _____

Email address: _____

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

Did not participate Submitted comment Testified at hearing Other

Describe: Testified at hearing

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

Describe: _____

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

Describe: It is allowed by law.

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

Appellants--5-VEN-21-0036

Save Venice

c/o Laddie Williams
678 San Juan
Venice, CA 90291
310-908-7174
cwilli7269@gmail.com

c/o Dr. Naomi Nightingale
417 Sunset Ave
Venice, CA 90291
310-663-6694
nightingalenaomi@yahoo.com

Venice Dogz: An Alliance for the Preservation of Venice

c/o Mark Rago
19 Breeze Ave #1
Venice, CA 90291
323-791-3129
markrago1@yahoo.com

Keep Neighborhoods First

c/o Amanda Seward
3530 Moore St.
L.A., CA 90066
310-398-4625
amandaseward@artvista.net

Margaret Molloy

3841 Beethoven
Venice, CA 90066
310-560-2523
mmmolloy@earthlink.net

Rick Garvey

234 Horizon Ave, #5
Venice, CA 90291
310-721-1647
garvey@rand.org

Appeal of local CDP decision
Page 3

2. Local CDP decision being appealed:

Local government name: Los Angeles
Local government approval body: Director of Planning
Local government CDP application number: DIR-2020-2180-CDP-MEL
Local government CDP decision: ☒ CDP approval ☐ CDP denial
Date of local government CDP decision: May 6, 2021

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

Describe: 800-802 South Main Street
Change of use of 277 square feet of ground-floor area
and 1,750 square feet of the basement level of an existing
Artist in Residence dwelling unit into a 2,027 square foot
restaurant with 74 square feet of Service Floor Area.
The project provides 1 parking space for the new restaurant
and maintains 3 spaces for the AIR dwelling unit.

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

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

Appeal of local CDP decision

Page 4

3. Identification of interested persons

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

☐ Interested persons identified and provided on a separate attached sheet

4. Grounds for this appeal

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

Describe: see attached

* Attach additional sheets as necessary to fully describe the grounds for appeal.

Appeal of local CDP decision

Page 5

5. Identification of interested persons

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

Interested persons identified and provided on a separate attached sheet

6. Appellant certifications

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

Print name Save Venice Community Organization

Laddie Williams + Dr. Naomy Nightingale
Naomy Nightingale } on behalf of Save Venice Community Organization
Signature

Date of Signature June 29, 2021

7. Representative authorizations

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

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

* If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

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

Appeal of local CDP decision

Page 5

5. Identification of interested persons

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

Interested persons identified and provided on a separate attached sheet

6. Appellant certifications

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

Print name Venice Dogz: An Alliance for the Preservation of Venice

Signature

MARK RAGO - BEHALF of Venice Dogz - An Alliance for the Preservation of Venice

Date of Signature June 29, 2021

7. Representative authorizations

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• If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

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

5. Appellant certifications

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

Print name Keep Neighborhoods First



, Amanda Seward, on behalf of Keep Neighborhoods First

Signature

Date of Signature June 29, 2021

5. Representative authorizations

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

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

Appeal of local CDP decision

Page 5

5. Identification of interested persons

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

Interested persons identified and provided on a separate attached sheet

6. Appellant certifications

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

Print name Margaret Molloy

Signature



Date of Signature June 29, 2021

7. Representative authorizations

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

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

* If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

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

Appeal of local CDP decision
Page 5

5. Identification of interested persons

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

Interested persons identified and provided on a separate attached sheet

6. Appellant certifications

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

Print name Rick Garvey


Signature

Date of Signature June 28, 2021

7. Representative authorizations

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

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

* If there are multiple appellants, each appellant must provide their own certification. Please attach additional sheets as necessary.

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

CALIFORNIA COASTAL COMMISSION

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

**DISCLOSURE OF REPRESENTATIVES**

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

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

Your Name _____

CDP Application or Appeal Number _____

Lead Representative

Name _____
Title _____
Street Address _____
City _____
State, Zip _____
Email Address _____
Daytime Phone _____

Your Signature _____

Date of Signature _____

Additional Representatives (as necessary)

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

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

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

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

Your Signature _____

Date of Signature _____

5-VEN-21-0036
800-802 Main St, Venice
Grounds for this Appeal

Introduction

This restaurant project does not comply with the Coastal Act, including the Environmental Justice provisions, the certified Venice Land Use Plan (LUP), city code or the Mello Act.

This applicant has reduced the availability of housing and with this project would continue to cause damage to the coastal housing stock of the community.

There are many contradictions and unanswered questions re. this project:

- The applicant has a CDP approval for a structure with 3 residential units with a parking requirement of 7 spaces, but he has built only one residential unit and has only 3 parking spaces. (A change in the total number of dwelling units requires a CDP but there is no evidence of a CDP approval.)
- The applicant's existing C of O indicates that the structure is to be used for residential purposes, but it has been used consistently as an event space and does not appear to have been used for residential purposes.
- It appears that the ongoing use as an event space does not provide adequate parking as required by the LUP (requires one space for each 75 square feet of floor area).
- The applicant is requesting to build a very large kitchen in his basement, but it appears there is already a commercial kitchen in his basement.
- The basement appears to have been enlarged and extended since the original CDP approval.
- The applicant requests approval for a kitchen of 1,750 square feet for purposes of a 74 square foot service area, whereas only a kitchen size to support the service floor area indicated should be authorized.
- The size of the kitchen requested could serve as a commercial kitchen for the ongoing event space operations and yet the applicant indicates that the building will be used for a residential unit and tiny restaurant with very large kitchen.

It appears that the applicant is using what is supposed to be housing in order to make a profit from an ongoing commercial business that does not provide the parking required by law, and it appears that the applicant wants to continue and expand a (or attempt to legalize unpermitted existing) commercial operation with this request for approval of a restaurant with a very small service floor area (84 square feet with 6 seats, 3.6% of total restaurant) and a kitchen to support that tiny restaurant service floor area that is the size of a commercial kitchen (1,750 square feet).

Approval of a CDP for this project would essentially result in a loss of 3 housing units at a time when the City of L.A. is in desperate need of housing, especially affordable housing.

1. The project violates the Environmental Justice provisions of the Coastal Act.

APPLICABLE COASTAL REGULATIONS

The Coastal Commission's Environmental Justice Policy:

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.

Coastal Act Section 30604(f):

The commission shall encourage housing opportunities for persons of low and moderate income.

Coastal Act Section 30604(g):

The legislature finds and declares that it is important for the commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the coastal zone.

Coastal Act Section 30253(e):

New development shall do all of the following...(e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Certified LUP Preservation of Venice as a Special Coastal Community Policy I.E.1. General (LUP page II-26):

Venice's unique **social** and architectural **diversity** should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976.

Certified LUP Recreational Opportunities Policy III.A.1. General a.: (LUP page IV-4)

Recreation and visitor-serving facilities shall be encouraged, **provided they retain the existing character and housing opportunities of the area**, and provided there is sufficient infrastructure capacity to service such facilities.

=====

The project's approval is inconsistent with the requirements of the Mello Act, the City of Los Angeles Interim Administrative Procedures for Complying with the Mello Act (IAP), the Commission's Environmental Justice Policy, LUP Sections I.E.1. and III.A.1., and the Environmental Justice provisions in the Coastal Act, as detailed below.

It's obvious on its face that it is not allowed to destroy two "replacement affordable" residential units, displacing the low-income tenants living in them, in order to build a structure that is used as a commercial development. (See details re. demolition of 2 affordable residential units and approval of 3 residential units to replace them in conjunction with the 2003 CDP approval, and then the reduction to 1 residential unit, at EXHIBITS C and D)

The reduction in residential units is a violation of the Mello Act and IAP. The applicant reduced the dwelling units from 3 units, as approved under the CDP and Mello Act Compliance Determinations, to 1 unit, and that conversion and reduction in units is not allowed under the IAP. In addition, this project constitutes a conversion of a 100% residential structure to a mixed-use project, which is not allowed under the Mello Act, IAP, and the Settlement Agreement. See EXHIBIT E.

Approval of this project would allow a conversion from a 100% residential structure to a nonresidential, mixed use project. This would cause a significant adverse cumulative impact on housing in commercial zones in the coastal zone. There are over 200 such properties in Venice, with over 700 RSO units, that would be impacted by such a precedent. Allowing applicants to commercialize 100% residential uses would be an incentive for owners to demolish or convert existing residential structures, most of which are RSO and thus contain lower income, affordable units, for purposes of mixed-use projects in order to significantly increase the value of their properties.

The cumulative impact of this project going forward as proposed would adversely affect dozens of affordable units in future development proposals. In consideration of past City-approved projects allowing commercialization of residential structures, together with pending projects which would do the same and probable future projects, the cumulative impact would be for a significant amount of displacement of tenants of RSO units. See further evidence at EXHIBIT E. The cumulative impact of NOT correcting this error of destroying low-income housing would be devastating.

The reduction from 3 residential units as approved in the existing CDP to 1 unit subsequent to that approval, with no CDP approval for the change in residential units, must be evaluated in conjunction with this application. In addition, it appears that the existing AIR unit has not been used for housing.

Such a reduction in housing density from 3 units to 1 unit (and possibly no housing use at all), and the associated reduction in parking requirement by 4 spaces, must not be approved. The applicant should be required to reinstate the 3 AIR units and the structure must remain 100% residential.

The Coastal Commission's policy has been that a reduction in density and elimination of housing uses must not be allowed in the Venice Coastal Zone.

LUP Policy III.A.1. indicates that visitor-serving facilities such as a restaurant are encouraged, provided that the housing of the area is retained. This project violates that policy. In addition, the surrounding infrastructure in terms of parking and street circulation cannot support the actual and probable event space use by the applicant. Nor could the infrastructure support the parking required for the restaurant, large kitchen and residential uses in excess of what the applicant is providing.

In addition, Venice as a Special Coastal Community was not considered in the CDP findings, as required by LUP I.E.1. and Coastal Act Section 30253(e). The LUP requires preservation of social diversity. The applicant demolished two single family dwellings for purposes of construction of a 3-unit AIR building. Then the applicant converted the 3 units to 1 unit, without a CDP approval and in violation of the Mello Act and IAP. In addition, it appears the applicant does not use the building for residential purposes but rather for a commercial enterprise.

Thus, social diversity has not been protected as required by the coastal regulations as there has been a decrease in the approved density and an overall elimination of housing.

2. The project does not conform with the Public Access requirements of the Coastal Act and certified Venice Land Use Plan.

APPLICABLE COASTAL REGULATIONS

Certified Venice Land Use Plan Policy Group II. Shoreline Access (page III-2):

...the Venice Coastal Zone is one of the most heavily utilized beach recreation areas in Southern California...the intent of the Shoreline Access Section of the LUP is to insure and improve this continued accessibility while minimizing negative impacts on the residential and business community. The shoreline access issues in the Venice Coastal Zone include on-street and off-street parking near or on the beach frontage for visitors and residents, conflicts between residential and beach visitor parking, signage of available parking on weekends, intrusion of non-resident vehicles on residential and business streets, alternative transportation modes, walkway and street access points to beach areas, and use of publicly owned parcels as beach access points. This section presents policies and implementation strategies to maintain and enhance public shoreline access, including portions devoted to parking.

Certified Land Use Plan Policy II . A. 4 . Parking Requirements in the Beach Impact Zone (page III-11):

Any new and/or any addition to commercial, industrial, and multiple-family residential development projects within the Beach Impact Zone shall provide additional (in addition to parking required by Policy II.A.3) parking spaces for public use or pay in-lieu fees into the Venice Coastal Parking Impact Trust Fund.

Beach Impact Zone (BIZ) Parking Impact Trust Fund criteria:

a. Commercial and industrial projects in the BIZ shall provide one additional parking space for each 640 square feet of floor area of the ground floor. Up to 50% of the total number of these additional parking spaces required in this section may be paid for in lieu of providing the spaces... (b. and c. are n/a)

d. In no event shall the number of BIZ parking spaces (over and above those spaces required by the parking requirements set forth in Policy II.A.3) required for projects of three or more dwelling units, or commercial or industrial projects, be less than one (1) parking space for residential projects and two (2) parking spaces for commercial and industrial projects.

Certified Land Use Plan Definitions (page I-13):

Beach Impact Zone: The area which includes all lots located in the Marina Peninsula, Ballona Lagoon West Bank, Venice Canals, and North Venice Subareas (See Exhibits 17a and 17b). See Exhibit A.

Certified Land Use Plan Venice Coastal Zone Subareas (page I-7):

North Venice Subarea, generally bounded by the City of Los Angeles boundary line on the north, Thirtieth Place, Virginia Court and North Venice Boulevard on the south, Hampton Drive, electric Avenue, Ocean Avenue, Patricia Court, and Strongs Drive on the east and Ocean Front Walk on the west, as shown on Exhibits 5a (LUP page after I-7) and 5b.

Coastal Act Section 30252:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

=====

Issue 1: Backing onto Secondary Highway

LAMC 12.21.A.5 (i) states:

(i) **Parking Stall Location. (Amended by Ord. No. 144,082, Eff. 12/11/72.)** Each automobile parking stall shall be so located that:

(1) No automobile is required to back onto any public street or sidewalk to leave the parking stall, parking bay or driveway, except where such parking stalls, parking bays or driveways serve not more than two dwelling units and where the driveway access is to a street other than a major or secondary highway. (Amended by Ord. No. 151,608, Eff. 11/26/78.)

(2) Parking maneuvers can be accomplished without driving onto that portion of a required front yard where driveways are prohibited. Car stops or other barriers shall be provided in accordance with Section [12.21-A.6](#). (Amended by Ord. No. 144,082, Eff. 12/11/72.)

Main Street is identified as an Avenue II (aka secondary highway) in the Mobility 2035 plan. This means that, according to the code, the Department of Building & Safety (DBS) will not allow backing onto Main Street as the current parking plan shows. The parking configuration proposed cannot be approved and a parking configuration without the backup issue cannot support the parking required for the proposed restaurant and residential mixed-use project. In addition, DBS may not allow the ADA path of travel in the garage to intersect with the ADA drive aisle. There is a lack of factual and legal support for the decision. It appears that the parking for the adjacent property at 804 Main, part of the original 2003 project CDP, also has a backup issue.

Issue 2: No Beach Impact Zone Parking Has Been Provided

The project is located in the Beach Impact Zone (BIZ). As per LUP II.a.4.a, commercial projects shall provide one additional parking space for each 640 square feet of floor area of the ground floor.

The ground floor area is 277 square feet. (It is not clear whether other areas of the ground floor or basement may need to be included), which requires 1 BIZ space; however, as per LUP II.a.4.d., a minimum of 2 BIZ parking spaces is required for commercial projects.

Issue 3: Parking is Insufficient for Size of Restaurant

Ratio of Service Floor Area v. Kitchen/Back of House:
3.6% v. 96.4%

It appears that a 74 square foot restaurant with only 6 seats and 1,750 square feet of kitchen is an attempt to sidestep parking requirements.

The ratio of service floor area to overall area is unprecedentedly small. Allowing such a ratio would create a precedent that would prejudice the LUP.

Here is the normal LAMC code for restaurant parking from LAMC 12.21 A.4.(c)(3):

(3) Restaurants and Bars, General: There shall be at least one automobile parking space for each 100 square feet of gross floor area included within the total square footage of any restaurant, cafe, coffee shop, tea room, fast food establishment, bar, night club, or any similar establishment, which dispenses food or refreshments or provides dancing or live entertainment. This requirement shall only apply to an establishment which has a gross floor area greater than 1,000 square feet. An establishment which provides no seating and exclusively dispenses food or refreshments to be eaten off the premises is not included in this definition and shall instead meet the requirement for general retail uses.

1 space per 100 square feet (gross) is roughly 20 parking spaces that would be required under the city code for non-coastal zone areas. The LUP's parking requirements are intended to be more restrictive than the non-coastal zone parking requirements; thus, providing only 1 or 2 spaces for the restaurant is materially contrary to the purpose of the LUP parking requirements concern for access in the Venice Coastal Zone.

If approved, this project would serve as a precedent that allows applicants to create large restaurants with very little required parking. This would perpetuate a common scheme where applicants get restaurants approved with plans that represent a very small service floor area and then actually operate with a much larger service floor area. When in the past residents have filed complaints about such a violation 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 much more 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. This is because the non-Coastal Zone parking requirement cannot be manipulated in the same way as the coastal zone requirement based on service floor area, which is based on service floor area and not the total area of the restaurant.

In addition, the applicant actually refers to an existing commercial kitchen in the description of his existing event space. See EXHIBIT B.

The project is clearly under-parked as it may require as many as 7 spaces between the existing residential use, the restaurant patrons and new kitchen workers and other employees. *In the notice of public hearing, the applicant indicated that additional parking was available at Westminster School. This is not a certainty and in order to fulfill the school parking requirements, the applicant would have to provide proof that a specific contract, in perpetuity, had been made between the Los Angeles School District and the Applicant for use of Westminster School for parking.*

It is widely known and there is clear public evidence from the applicant showing the Artist-in-Residence (AIR) loft at this property has been used for large, paid, ticketed events for years. See evidence at EXHIBIT B. Here is what the website (<http://www.800main.com/Overview.airx>) says, in part, about events: "This versatile space is equipped to host a business meeting or luncheon, your wedding or private party, photography shoot or film location. With minimal effort, our staff of highly trained planners can assist in all aspects to ensure your event comes off as expected. We maintain a list of local restaurants that can cater the event, or you may provide your own favorite who might want to use our fully equipped commercial kitchen. For the convenience of business meeting users, we offer a wide range of audio and video equipment that can be configured as needed. To expedite our price quote **for your event**, please download and fill-in our Request for Use." See EXHIBIT F.

The addition of a large kitchen (although, as noted above, according to the 800 Main Website, a large kitchen may already exist) at the property is likely intended to serve the unpermitted event space, as noted on the website. (The proposed kitchen is unusually large for a 6-seat restaurant!) Assuming commercial events are even permissible, far more parking would be required. As per the LUP, use as an event space requires one space for each 75 square feet of floor area. There is no evidence showing the AIR loft is permitted as a commercial event space. The addition of a large kitchen at the property is obviously intended to serve this unpermitted event space.

Also, the applicant's online advertising suggests alcohol is already being served at events. If alcohol is planned for uses related to the restaurant the project must obtain a CUB. It would be improper under LAMC § 12.36 (the multiple approvals ordinance) to allow the applicant to come back with a separate request later.

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. See also details at EXHIBITS B & C. We urge Staff to thoroughly investigate the current and intended

uses of the requested entitlements to determine the true scope of the project and ensure that all required entitlements are obtained and properly conditioned and that any unpermitted uses are brought into compliance.

Any one of these issues taken individually may not result in a material impact but taken together, all of these parking-related issues would clearly have a Significant Impact, they would prejudice the LCP and would cause an adverse cumulative impact.

3. The use of the project is not consistent with the Coastal Development Permit approved by the city in 2003.

APPLIABLE COSTAL REGULATIONS

Certified Land Use Plan Definitions (pages I-13 to I-14):

Change in Intensity of Use:

A change in intensity of use includes, but is not limited to, any addition, expansion or change in use on a site that involves: (a) a change in the total number of dwelling units; or (b) a change in the amount of floor area or customer area to a commercial or industrial use; or (c) a change in the number of trips as calculated by the Trip Table (See Appendix); or (d) a change in the number of provided or required parking spaces as calculated by the LUP parking requirements contained in LUP Policies II.A.3 and II.A.4.

Development:

(See Coastal Act Section 30106) “Development” means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land...

=====

A change in the number of units is a change in intensity of use, which is development, which requires a CDP. The CDP approved in 2003 was for 3 AIR units and 7 parking spaces. Now there is 1 AIR unit. In addition, it appears that the AIR has not been used for housing, nor has anyone lived there for years.

See Exhibit B for more details.

In addition, if this project is approved as proposed, it would not comply with the existing CDP’s condition that states that the ground floor space shall not be rented, leased, subleased or occupied for commercial use by any individuals other than the residents of the building (the applicant is a resident of 804 Main, not 800-802 Main, which is used as a commercial space). See EXHIBIT C, 6th page). The conversion of the ground floor and basement to a restaurant could invalidate the

AIR If the building would no longer be an AIR, it is not clear what it would be other than an event space with a commercial kitchen and small restaurant service floor area, which is not allowed.

Please consider the following additional information in your review and evaluation of this case.

As per the existing CDP (See EXHIBIT C), the ground floor could be used for sale of merchandise "*limited to only products made/manufactured within one of the on-site artesian [sic] workshops.*" The other ground floor space condition says it "*shall not be rented, leased, subleased, or occupied for commercial use by any individuals other than the residents of the building.*"

The other ground floor space condition says it "shall not be rented, leased, subleased, or occupied for commercial use by any individuals other than the residents of the building."

We see nothing in their file that allows rental of the whole building for private ticketed events of the kind the 800 Main website describes and that have been held repeatedly by this applicant.

In addition, it is not clear why the 2003 CDP covered 3 lots (11, 12, & 13, 800-802-804 Main) but this application eliminates lot 11, the duplex at 804 Main, which is apparently joined at the roof with lots 12 and 13 and possibly underground as well.

4. Consideration of adverse cumulative impacts was erroneously omitted by the City.

APPLICABLE COASTAL REGULATIONS

Coastal Act Section 30105.5 states:

"Cumulatively" or "cumulative effect" means the incremental effects of an individual project shall be reviewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

Coastal Act Section 30250 states:

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

=====

The Cumulative Effect of the project would be an unacceptable adverse cumulative impact on housing as well as on parking in the surrounding areas. As noted above, the cumulative impact of this project going forward as proposed could adversely affect dozens of affordable units in future development proposals. In consideration of past City-approved projects allowing commercialization of housing structures, together with pending projects and probable future

projects, the cumulative impact would be for a significant amount of displacement of tenants of RSO units. See evidence in EXHIBIT E.

There would also be a significant cumulative effect by allowing a decrease in housing unit density in order to decrease the parking requirement.

Any one of the issues mentioned 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, the impact would be very significant.

#####

EXHIBIT A

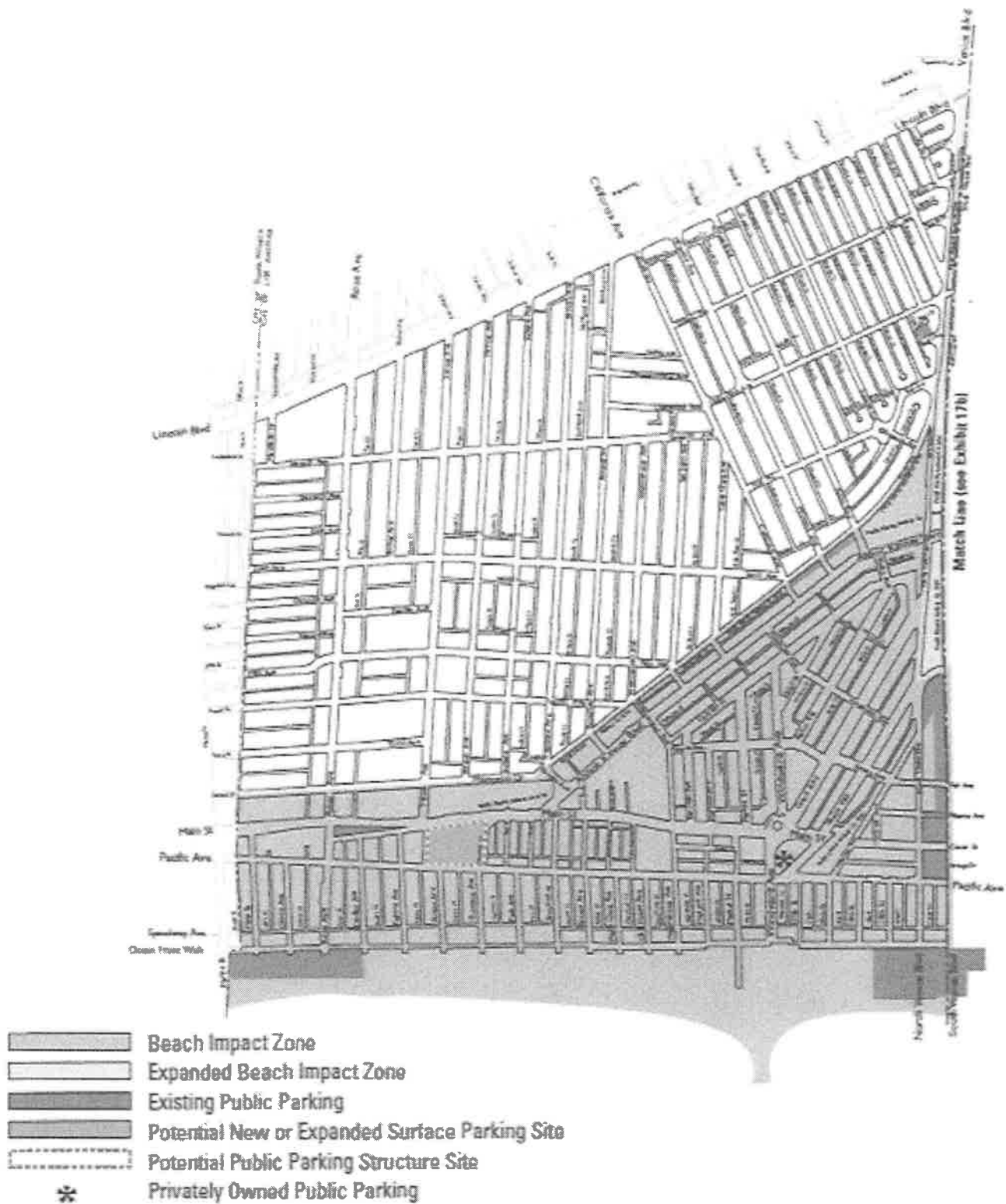


Exhibit 17a
Coastal Access Map
 Parking and Beach Impact Zone

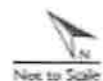


EXHIBIT B

1. Incongruent descriptions of what was approved in 2003 and what exists today at 800, 802, 804 Main on Page 5 of Letter of Determination:

BACKGROUND

The subject site, located at 800-802 South Main Street, consists of two irregularly shaped, level lots with a width of 92 feet and an average depth of 58 feet, resulting in a total area of approximately 3,391 square-feet. The property fronts South Main Street to the west. The project site is zoned C2-1 and designated for Community Commercial land uses in the Venice Community Plan area. It is also within the North Venice Subarea of the Venice Coastal Zone Specific Plan and the Single Permit Jurisdiction of the California Coastal Zone.

The project site is currently improved with a three-story, 5,282 square-foot Artist in Residence (AIR) dwelling unit constructed in 2012. The AIR unit shares a wall with a three-story, 2,780 square-foot duplex constructed in 1991 that is also owned by the applicant. Both structures have parking garages accessible from South Main Street. The change of use is limited to the AIR unit. The site is in a Liquefaction Zone, a Methane Zone, and 4.6 kilometers from the Santa Monica Fault. Nearby properties along the eastern side of South Main Street are zoned C2-1 or M1-1 and are improved with a mix of commercial and residential structures ranging from one to three stories in height. The western side of Main Street is zoned RD1.5-1 and improved with a mix of single and multi-family dwellings ranging from one to three stories in height.

The applicant is requesting a Coastal Development Permit authorizing the change of use of 277 square feet of ground floor area and 1,750 square feet of the basement level of an existing Artist in Residence (AIR) dwelling unit into a 2,027 square-foot restaurant with 74 square-feet of Service Floor area, within an existing three-story residential building, providing four (4) on-site parking spaces. The proposed restaurant space provides an entrance on Main Street with an interior seating area, restroom, and kitchen at the ground level and a larger kitchen and storage area in the basement level.

South Main Street is designated Avenue II with a right-of-way of 86 feet and a roadway width of 56 feet; the actual right-of-way width is 86 feet and a roadway width of 55 feet. South Main Street is improved with an asphalt roadway, curb, gutters, and sidewalks.

Previous zoning related actions onsite include:

APCW-2001-2695-SPE-CDP-ZAA-SPP-2A1 – On April 17, 2003, the Los Angeles City Council approved an appeal filed by the applicant, thereby overruling the West Los Angeles Area Planning Commissions' decision. The City Council approved a Coastal Development Permit and Project Permit Compliance Review authorizing the demolition of two single-family dwellings and the construction of a three-story, 3,785 square-foot AIR building containing three (3) dwelling units in conjunction with the remodeling of two adjacent units located at 800, 802, and 804 South Main Street. The City Council also approved the following:

Specific Plan Exceptions from the following sections of the Venice Coastal Zone Specific Plan:

- A. Section 8.G.4a, to permit a zero (0) foot front yard instead of the required five (5) feet.
- B. Section 8.G.3a, to permit an elevator located on the front of the building 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 two (2) lots.

2. 2003 City Council approval was for 800, 802, 804 Main in the 2003 on 3 contiguous lots at 800, 802, 804 Main - APN 4286-012-0415.
5. The project shall comply with all the provisions of the Venice Specific Plan, Ord. No. 172,898, except for the following **Specific Plan Exceptions**:
 - a. The elevator structure may extend up to 42-feet in height, exception to section 8.G.3a.
 - b. The pool structure and roof railing may extend up to 35-feet in height, exception to section 8.G.3a.
 - c. The front yard setback is permitted to be 0-feet, exception to section 8.G.4a.
 - d. The project is permitted to be constructed over three contiguous lots, exception to section 8.A.1.
6. Structures shall be prohibited on the roof top. Sun rooms, green houses, patio covers, wind screens or other shelters, temporary or permanent or whether a building permit is required or not, shall be prohibited.

3. 2003 City Council approval for 800, 802, 804 Main required this compliance:

inches for the remaining floors.

9. Artist in residence.

- a. Dwelling units. The number of residential units permitted in the subject building is limited to 5 dwelling units (artist-in-residence units).
- 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....

10. Ground floor.

- i. The sale of merchandise on the ground floor shall be limited to only products made/manufactured within one of the on-site artisan workshops.
- ii. No pre-assembled products, accessory goods or products from off-site artisans or vendors shall be sold from the premises.
- iii. The ground floor space shall not be rented, leased, subleased or occupied for commercial use by any individuals other than the residents of the building.

13. Prior to the issuance of a building permit, the applicant shall submit a certified land survey of the site showing the location of the northerly block wall and billboard, to the satisfaction of the Planning Department. If the billboard is located within the subject site, it shall be completely removed prior to the issuance of a building permit.

Administrative:

14. Approval, Verification and Submittals. Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
 15. Code Compliance. Area, height and use regulations of the C2-1 zone classification of the subject property shall be complied with, except where herein modified .
 16. 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. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to

the Planning Department for attachment to the file.
 17. Definition. Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
 18. Enforcement. Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
 19. Building Plans. Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
 20. Mitigation Monitoring. Prior to the issuance of any building permit the applicant shall prepare and record a Covenant and Agreement on Planning Department General Form CP-6700.M in a manner satisfactory to the Planning Department requiring the applicant to identify mitigation monitors who shall provide periodic status reports on the implementation of condition numbers 21 to 23. The mitigation monitor shall be identified as to area of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
4. LOOK at APN **4286-012-041** for 804 Main: Deleted - and **building sizes** versus what was approved for APN 4286-012-0415 (APN for 800, 802, 804 Main in the 2003), and **APN 4286-012-045 - the current APN for 800 Main.**

Building Information

SUBPART:	0102	# of Units:	2	Year Built:	1991	RCN Other:	\$ 81,940	Design Type:	0230
Design Type:	0230	Beds/Baths:	3/4	Effective Year:	1991	RCN Other Trended:	\$ 169,369		0 = Residential
Quality Class:	C75	Building SqFt:	2,780	Depreciation:	R55 / / 0	Year Change:	1991		2 = Double, Duplex, or Two Units
									3 = Kitchen Built-ins and A/C
									0 = Unused or Unknown Code (No Meaning)
SUBPART:	0202	# of Units:	1	Year Built:	2012	RCN Other:	\$ 0	Design Type:	0131
Design Type:	0131	Beds/Baths:	3/3	Effective Year:	2012	RCN Other Trended:	\$ 0		0 = Residential
Quality Class:	A13B	Building SqFt:	7,656	Depreciation:	UL60 / / 0	Year Change:	2014		1 = Single Family Residence
									3 = Central Refrigeration and Heat
									1 = Pool
SUMMARY:	Total	# of Units:	3						
		Beds/Baths:	6/7						
		Building SqFt:	10,436						
		Avg SqFt/Unit:	3,478						

5. Why were the APNs changed?

6. If the entire building is 3,838 sq, ft, how do you get a 2,500 sq, ft. basement which Murez advertises on www.800main.com with 10 ft ceilings in some parts and 21 ft. ceilings in other areas (below)?

Again, go to page 5 of the LOD - 2 very different descriptions of what was approved in 2003 and what is existing today. Murez should have been required to register the AIR use of the property and any changes in that use. Production of on-site-resident artist only on the ground floor This should not have been processed!

ZIMAS

Search

Address/Legal

Site Address

800 S MAIN ST

ZIP Code

90291

PIN Number

109-5A143 335

Lot/Parcel Area (Calculated)

1,605.0 (sq ft)

Thomas Brothers Grid

PAGE 671 - GRID G5

Assessor Parcel No. (APN)

4286012045

Tract

BURK'S PLACE

Map Reference

M B 15-31

Block

None

Lot

13

Arb (Lot Cut Reference)

None

Map Sheet

109-5A143

Jurisdictional

Planning and Zoning

Assessor

Assessor Parcel No. (APN)

4286012045

Ownership (Assessor)

Owner1

Address

Ownership (Bureau of Engineering, Land Records)

Owner

Address

APN Area (Co. Public Works)*

0.176 (ac)

Use Code

0101 - Residential - Single Family Residence - Pool

Assessed Land Val.

\$564,852

Assessed Improvement Val.

\$1,132,505

Last Owner Change

12/04/2018

Last Sale Amount

\$0

Tax Rate Area

67

Deed Ref No. (City Clerk)

3352

Deed Ref No. (City Clerk)

2-661

Deed Ref No. (City Clerk)

2-659

Deed Ref No. (City Clerk)

1222309

Building 1

Year Built

2012

Building Class

A13B

Number of Units

1

Number of Bedrooms

3

Number of Bathrooms

3

Building Square Footage

3,838.0 (sq ft)

Building 2

No data for building 2

Building 3

No data for building 3

Building 4

No data for building 4

Building 5

No data for building 5

ZIMAS

Search

Address/Legal

Site Address

804 S MAIN ST

ZIP Code

90291

PIN Number

109-5A143 356

Lot/Parcel Area (Calculated)

1,837.3 (sq ft)

Thomas Brothers Grid

PAGE 671 - GRID G5

Assessor Parcel No. (APN)

4286012044

Tract

BURK'S PLACE

Map Reference

M B 15-31

Block

None

Lot

11

Arb (Lot Cut Reference)

None

Map Sheet

109-5A143

Jurisdictional

Planning and Zoning

Assessor

Assessor Parcel No. (APN)

4286012044

Ownership (Assessor)

Owner1

Address

Ownership (Bureau of Engineering, Land Records)

Owner

Address

APN Area (Co. Public Works)*

0.064 (ac)

Use Code

0200 - Residential - Double, Duplex, or Two Units - 4 Stories or Less

Assessed Land Val.

\$282,424

Assessed Improvement Val.

\$390,093

Last Owner Change

12/04/2018

Last Sale Amount

\$0

Tax Rate Area

67

Deed Ref No. (City Clerk)

995625

Deed Ref No. (City Clerk)

714107

Deed Ref No. (City Clerk)

550653

Deed Ref No. (City Clerk)

314749

Deed Ref No. (City Clerk)

197310

Deed Ref No. (City Clerk)

1509964

Deed Ref No. (City Clerk)

1222212

Deed Ref No. (City Clerk)

1051159

Building 1

Year Built

1991

Building Class

C75

Number of Units

2

Number of Bedrooms

3

Number of Bathrooms

4

Building Square Footage

2,780.0 (sq ft)

Building 2

No data for building 2

Building 3

No data for building 3

Building 4


No data for building 4

Building 5

No data for building 5

+++++

#4 & 5 above:


**Los Angeles County
Assessor Portal**


[Basic Search](#)
[Legal Search](#)
[Map Search](#)

800 main

We found more than 500 possible matches. Showing the first 500.

AIN	Situs Address	Assessment Legal Description
4286012015	800 MAIN ST LOS ANGELES CA 90291-3218	BURK'S PLACE LOT 13
4286012045	800 MAIN ST LOS ANGELES CA 90291-3218	BURK'S PLACE LOTS 12, 13

+++++


**Los Angeles County
Assessor Portal**

4286-012-045

[Map Search](#)
[PAIS](#)
[Assessor Internet](#)

Summary

AIN: 4286-012-045

Situs Address:
800 MAIN ST
LOS ANGELES CA 90291-3218

Use Type:
Single Family Residence
Parcel Type:
Regular Fee Parcel
Tax Rate Area:
00067

Parcel Status: ACTIVE
Create Date: 02/11/2014
Delete Date:
Tax Status: CURRENT
Year Defaulted:
Exemption: Homeowners'

Building (0101) & Land Overview

Use Code:	0101	# of Units:	1	Year Built:	2012
Design Type:	0131	Beds/Baths:	3/3	Effective Year:	2012
Quality Class:	A13B	Building SqFt:	3,638	Land SqFt:	3,340


Parcel Map / Map Index

	2021 Roll Preparation	2020 Current Roll	RC	Year	1990 Base Value
Land	\$ 570,703	\$ 564,852	9	1990	\$ 881,367
Improvements	\$ 1,132,505	\$ 1,120,893	9	1991	\$ 3,685,810
Total	\$ 1,703,208	\$ 1,685,745			\$ 4,567,177

Assessor's Responsible Division
 District: West District Office
 Region: 07
 Cluster: 07127 VENICE SOUTH

West District Office
 6120 Bristol Parkway
 Culver City, CA 90230

Phone: (310) 665-5300
 Toll Free: 1 (888) 807-2111
 M-F 7:30 am to 5:00 pm



▼ Building and Land Characteristics

Land Information

Use Code = 0101 (Single Family Residence)

Total SqFt (GIS): 3,340
Total SqFt (PDB): 3,520
Usable SqFt: 3,370
Acres:
Land W' x D': 64 x 55

Sewers: Yes
Flight Path: No
X-Traffic: No
Freeway: No

Corner Lot: No
Golf Front: No
Horse Lot: No
View: None

Zoning: (Refer Issuing Agency)
Code Split: No
Impairment: None

Use Code: 0101 (Single Family Residence)
0 = Residential
1 = Single Family Residence
0 = Unused or Unknown Code (No Meaning)
1 = Pool

Situs Address:
800 MAIN ST LOS ANGELES CA 90291-3218

Legal Description (for assessment purposes):
BURK'S PLACE LOTS 12, 13

Building Information

SUBPART: 0101
Design Type: 0131
Quality Class: A13B

of Units: 1
Beds/Baths: 3/3
Building SqFt: 3,838

Year Built: 2012
Effective Year: 2012
Depreciation: UJ80 // 0

RCN Other: \$ 0
RCN Other Trended: \$ 0
Year Change:

Design Type: 0131
0 = Residential
1 = Single Family Residence
3 = Central Refrigeration and Heat
1 = Pool

SUMMARY: Total

of Units: 1
Beds/Baths: 3/3
Building SqFt: 3,838
Avg SqFt/Unit: 3,838

▼ Events History

Ownership Parcel Change

Show Re-Assessable Only: ☐

	Recording Date	Seq. #	Re-Assessed	Doc #	OC1	OC2	Doc Type	Doc Reason	# Parcels	%	Ver. Code	DTT Sale Price	Assessed Value
+	12/04/2018	50	No	1222309	3	7	B	U	1	00%-0	1	\$ 9	\$ 1,652,692
+	04/29/2004	50	No	1051159	3	7	B	S		00%-0		\$ 0	\$ 1,503,932

▼ Assessment History

Show All: ☐ Hide Inactive Rolls: ☐

Showing 1 to 9 of 9 entries.

Roll Data													Real Property Value								
Bill Number	Bill Type	Bill Status	Date Created	Date to Auditor	Recording Date	Seq #	Doc #	Doc Type	Doc Reason	OC1	OC2	%	Total Value	Land Value	Reason Code	Base Year	Improvement Value	Reason Code	Base Year		
+	221-PSEG				12/04/2018	50	1222309	B	U	3	7	00%-0	\$ 1,703,208	\$ 570,703	9	1990	The assessed improvement value for each sub-segment. Improvement refers to any physical structure(s) on the parcel.	9	1991		
+	2200000	R	A	07/06/2020	07/06/2020	12/04/2018	50	1222309	B	U	3	7	00%-0	\$ 1,685,745	\$ 564,852	9		1990	9	1991	
+	2190000	R	A	07/01/2019	07/01/2019	12/04/2018	50	1222309	B	U	3	7	00%-0	\$ 1,652,692	\$ 553,777	9		1990	9	1991	
+	2180000	R	A	07/19/2018	07/19/2018	04/29/2004	50	1051159	B	S	3	7	00%-0	\$ 1,620,287	\$ 542,919	9		1990	\$ 1,077,368	9	1991
+	2170000	R	A	06/26/2017	06/26/2017	04/29/2004	50	1051159	B	S	3	7	00%-0	\$ 1,588,518	\$ 532,274	9		1990	\$ 1,056,244	9	1991
+	2160000	R	A	07/05/2016	07/05/2016	04/29/2004	50	1051159	B	S	3	7	00%-0	\$ 1,557,372	\$ 521,838	9		1990	\$ 1,035,534	9	1991
+	2150000	R	A	06/23/2015	06/23/2015	04/29/2004	50	1051159	B	S	3	7	00%-0	\$ 1,533,980	\$ 514,000	9		1990	\$ 1,019,980	9	1991
+	2140000	W	W	09/21/2014	0	04/29/2004	50	1051159	B	S	3	7	00%-0	\$ 1,503,932	\$ 503,932	9		1990	\$ 1,000,000	9	1991
+	2130000	W	W	09/21/2014	0	04/29/2004	50	1051159	B	S	3	7	00%-0	\$ 1,501,654	\$ 501,654	9		1990	\$ 1,000,000	9	1991

▼ Events History

Ownership Parcel Change

Show All: ☐

*Primary Old AIN
Subject Parcel

	Parcel Change ID	Format & Parcel Count	Old AIN	Subject Parcel	New AIN	Effective Date	System Entry Date	Change Type	Change Source
-	214090902005001	1:2		YES		02/11/2014	09/21/2014	C - Fee to Fee/Public	- Deed or Other Source
		1	4286-012-041*	→	4286-012-044				
		2	4286-012-041*	→	4286-012-045				

Assessor Internet

A screenshot of a Google Map showing a street grid. A red pin is placed on a street, and a blue circle is also visible. The map includes street names like 'Main St', 'Broad St', and 'Hill St'. A 'Layers' button is visible in the top right corner.

▼ Building and Land Characteristics

Land Information

Use Code = 0101 (Single Family Residence)

Total SqFt (GIS): 1,574

Total SqFt (PDB):

Usable SqFt: 0

Acres:

Land W' x D': 0 x 0

Sewers:

Flight Path:

X-Traffic:

Freeway:

Corner Lot:

Golf Front:

Horse Lot:

View:

Zoning:

(Refer Issuing Agency)

Code Split:

None

Impairment:

Use Code: 0101 (Single Family Residence)

0 = Residential

1 = Single Family Residence

0 = Unused or Unknown Code (No Meaning)

1 = Pool

Situs Address:

800 MAIN ST LOS ANGELES CA 90291-3218

Legal Description (for assessment purposes):

BURK'S PLACE LOT 13

Building Information

SUBPART: 0101

Design Type: 0131

Quality Class: A13B

of Units: 1

Beds/Baths: 3/3

Building SqFt: 7,656

Year Built: 2012

Effective Year: 2012

Depreciation: UL60 // 0

RCN Other: \$ 0

RCN Other Trended: \$ 0

Year Change: 2014

Design Type: 0131

0 = Residential

1 = Single Family Residence

3 = Central Refrigeration and Heat

1 = Pool

SUMMARY: Total

of Units: 1

Beds/Baths: 3/3

Building SqFt: 7,656

Avg SqFt/Unit: 7,656

▼ Events History

Ownership

Parcel Change

Show Re-Assessable Only: ☐

	Recording Date	Seq. #	Re-Assessed	Doc #	OC1	OC2	Doc Type	Doc Reason	# Parcels	%	Ver. Code	DTT Sale Price	Assessed Value
+	12/10/1999	50	Yes	2278719	3	5	Y	A	1	00%-0		\$ 230,000	\$ 230,000
+	08/17/1999	50	Yes	1546470	3	5	Y	A	1	00%-0		\$ 182,000	\$ 182,000
+	01/11/1968	50	Yes							00%-0		\$ 0	\$ 0

▼ Assessment History

Show All: ☐ Hide Inactive Rolls: ☐

Showing 1 to 10 of 39 entries.

Roll Data													Real Property Value							
Bill Number	Bill Type	Bill Status	Date Created	Date to Auditor	Recording Date	Seq #	Doc #	Doc Type	Doc Reason	OC1	OC2	%	Total Value	Land Value	Reason Code	Base Year	Improvement Value	Reason Code	Base Year	
+ 213-PSEG	P	A	04/06/2014	04/13/2014	12/10/1999	50	2278719	Y	A	3	5	00%-0	\$ 742,622	\$ 249,622	T	2000	\$ 493,000	M	2014	
+ 2130100	N	I	10/27/2013	11/17/2013	12/10/1999	50	2278719	Y	A	3	5	00%-0	\$ 1,941,692	\$ 249,622	T	2000	\$ 1,692,070	M	2014	
+ 2130002	C	A	04/06/2014	04/13/2014	12/10/1999	50	2278719	Y	A	3	5	00%-0	\$ 644,872	\$ 249,622	T	2000	\$ 395,250	M	2013	
+ 2130001	C	I	10/27/2013	11/17/2013	12/10/1999	50	2278719	Y	A	3	5	00%-0	\$ 1,604,032	\$ 249,622	T	2000	\$ 1,354,410	M	2013	
+ 2130000	R	I	06/25/2013	06/25/2013	12/10/1999	50	2278719	Y	A	3	5	00%-0	\$ 440,872	\$ 249,622	T	2000	\$ 191,250	M	2012	
+ 2120000	R	A	06/27/2012	06/27/2012	12/10/1999	50	2278719	Y	A	3	5	00%-0	\$ 432,228	\$ 244,728	T	2000	\$ 187,500	M	2012	
+ 2110000	R	A	07/06/2011	07/06/2011	12/10/1999	50	2278719	Y	A	3	5	00%-0	\$ 239,930	\$ 239,930	T	2000	\$ 0	M	2007	
+ 2100000	R	A	07/22/2010	07/22/2010	12/10/1999	50	2278719	Y	A	3	5	00%-0	\$ 238,137	\$ 238,137	T	2000	\$ 0	M	2007	
+ 2090000	R	A	06/11/2009	06/11/2009	12/10/1999	50	2278719	Y	A	3	5	00%-0	\$ 238,703	\$ 238,703	T	2000	\$ 0	M	2007	
+ 2080000	R	A	06/12/2008	06/12/2008	12/10/1999	50	2278719	Y	A	3	5	00%-0	\$ 234,023	\$ 234,023	T	2000	\$ 0	M	2007	

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Summary

AIN: 4286-012-041

Situs Address:
804 MAIN ST
LOS ANGELES CA 90291-3218

Use Type:
Multi-Family Residence
Parcel Type:
Regular Fee Parcel
Tax Rate Area:
00067

Parcel Status: **DELETED**
Create Date: 12/04/2013
Delete Date: 02/11/2014
Tax Status: **CURRENT**
Year Defaulted:
Exemption: None

Building (0102) & Land Overview

Use Code: 0200
Design Type: 0230
Quality Class: C75

of Units: 2
Beds/Baths: 3/4
Building SqFt: 2,780

Year Built: 1991
Effective Year:
Land SqFt:

No APN Found.

Close

2021 Roll Preparation					
Land	\$	0	\$		
Improvements	\$	0	\$	0	4,955,378
Total	\$	0	\$	0	6,277,363

Assessor's Responsible Division
District: West District Office
Region: 07
Cluster: 07406 VENICE RES INC

West District Office
6120 Bristol Parkway
Culver City, CA 90230

Phone: (310) 665-5300
Toll Free: 1 (888) 807-2111
M-F 7:30 am to 5:00 pm

Summary

AIN: 4286-012-041

Situs Address:
804 MAIN ST
LOS ANGELES CA 90291-3218

Use Type:
Multi-Family Residence
Parcel Type:
Regular Fee Parcel
Tax Rate Area:
00067

Parcel Status: **DELETED**
Create Date: 12/04/2013
Delete Date: 02/11/2014
Tax Status: **CURRENT**
Year Defaulted:
Exemption: None

Building (0102) & Land Overview

Use Code: 0200
Design Type: 0230
Quality Class: C75

of Units: 2
Beds/Baths: 3/4
Building SqFt: 2,780

Year Built: 1991
Effective Year: 1991
Land SqFt: 5,155



Parcel Map / Map Index

		2021 Roll Preparation		2020 Current Roll		RC	Year	1990 Base Value	
Land	\$	0	\$	0	0	\$		1,321,985	
Improvements	\$	0	\$	0	0	\$		4,955,378	
Total	\$	0	\$	0		\$		6,277,363	

Assessor's Responsible Division
District: West District Office
Region: 07
Cluster: 07406 VENICE RES INC

West District Office
6120 Bristol Parkway
Culver City, CA 90230

Phone: (310) 665-5300
Toll Free: 1 (888) 807-2111
M-F 7:30 am to 5:00 pm



Please set a location or search for an address.



Land Information

Use Code = 0200 (Multi-Family Residence)

Total SqFt (GIS): 5,155
Total SqFt (PDG):
Usable SqFt: 0
Acres:
Land W' x D': 0 x 0

Sewers:
Flight Path:
X-Traffic:
Freeway:

Corner Lot:
Golf Front:
Horse Lot:
View:

Zoning: (Refer Issuing Agency)
Code Split:
Impairment: None

Use Code: 0200 (Multi-Family Residence)
0 = Residential
2 = Double, Duplex, or Two Units
0 = 4 Stories or Less
0 = Unused or Unknown Code (No Meaning)

Situs Address:
804 MAIN ST LOS ANGELES CA 90291-3218

Legal Description (for assessment purposes):
BURK'S PLACE LOTS 11,12 AND 13

Building Information

SUBPART: 0102
Design Type: 0230
Quality Class: C75

of Units: 2
Beds/Baths: 3/4
Building SqFt: 2,780

Year Built: 1991
Effective Year: 1991
Depreciation: R55 / / 0

RCN Other: \$ 81,940
RCN Other Trended: \$ 169,369
Year Change: 1991

Design Type: 0230
0 = Residential
2 = Double, Duplex, or Two Units
3 = Kitchen Built-ins and A/C
0 = Unused or Unknown Code (No Meaning)

SUBPART: 0202
Design Type: 0131
Quality Class: A13B

of Units: 1
Beds/Baths: 3/3
Building SqFt: 7,656

Year Built: 2012
Effective Year: 2012
Depreciation: UL60 / / 0

RCN Other: \$ 0
RCN Other Trended: \$ 0
Year Change: 2014

Design Type: 0131
0 = Residential
1 = Single Family Residence
3 = Central Refrigeration and Heat
1 = Pool

SUMMARY: Total
of Units: 3
Beds/Baths: 6/7
Building SqFt: 10,436
Avg SqFt/Unit: 3,478

▼ Events History

Ownership

Parcel Change

Show Re-Assessable Only: ☐

	Recording Date	Seq. #	Re-Assessed	Doc #	OC1	OC2	Doc Type	Doc Reason	# Parcels	%	Ver. Code	DTT Sale Price	Assessed Value
+	04/29/2004	50	No	1051159	3	7	B	S		00%-0		\$ 0	\$ 2,090,859

▼ Assessment History

Show All: ☐ Hide Inactive Rolls: ☐

Showing 1 to 2 of 2 entries.

Roll Detail														Real Property Value					
Bill Number	Bill Type	Bill Status	Date Created	Date to Auditor	Recording Date	Seq #	Doc #	Doc Type	Doc Reason	OC1	OC2	%	Total Value	Land Value	Reason Code	Base Year	Improvement Value	Reason Code	Base Year
+ 214-PSEG	R	A	06/24/2014	06/24/2014	04/29/2004	50	1051159	B	S	3	7	00%-0	\$ 2,100,351	\$ 755,897	7	1990	\$ 1,344,454	7	1991
+ 2130000	W	W	03/02/2014	0	04/29/2004	50	1051159	B	S	3	7	00%-0	\$ 2,090,859	\$ 752,481	7	1990	\$ 1,338,378	7	1991

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Lot-Ties

GRADING: Soils & Geology - 800 & 802 Main - Approved 03/15/2006

Document Number(s)

Record Description

Record ID: 51282735

Doc Type: GRADING

Sub Type: SOILS & GEOLOGY FILE

Doc Date: 03/15/2006

Status: APPROVED

Doc Version: None

AKA Address: None

Project Name: None

Disaster ID: None

Subject: None

Product Name: None

Manufacturer's Name: None

Expired Date: None

Receipt Number: None

Case Number: None

Scan Number: 1010301200745370

Dwelling Units: None

Comments: RPT 3/9/06.

Property Address(es)

802 S MAIN ST 90291-0000

800 S MAIN ST 90014-0000

Legal Description(s)

Tract: BURK'S PLACE

Block: **Lot:** 13 **Arb:**

Map Reference:M B 15-31 **Modifier:**

Tract: BURK'S PLACE

Block: **Lot:** 12 **Arb:**

Map Reference:M B 15-31 **Modifier:**

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800 Main and 804 Main - **Lot-Tie Affidavit** issued 12/04/2013 – Applicant/ Owner: James Murez

Document Number(s)

AF 131714853

Record Description

Record ID: 54787586

Doc Type: AFFIDAVIT

Sub Type: LOT TIE

Doc Date: 12/04/2013

Status: ISSUED

Doc Version: None

AKA Address: None

Project Name: None

Disaster ID: None

Subject: None

Product Name: None

Manufacturer's Name: None

Expired Date: None

Receipt Number: None

Case Number: None

Scan Number: 1010116201470798

Dwelling Units: None

Property Address(es)

804 S MAIN ST 90291-0000

802 S MAIN ST 90291-0000

800 S MAIN ST 90291-0000

Legal Description(s)

Tract: BURK'S PLACE

Block: Lot: 13 Arb:

Map Reference:M B 15-31 **Modifier:**

Tract: BURK'S PLACE

Block: Lot: 12 Arb:

Map Reference:M B 15-31 **Modifier:**

Tract: BURK'S PLACE

Block: Lot: 11 Arb:

Map Reference:M B 15-31 **Modifier:**

Council District(s)

11

Census Tracts(s)

2734.020

District Offices(s)

WLA

800 Main – permit 13016-10000-23917– **Create Opening Guardrail of Both Buildings.**
Applicant/ Owner-Builder: James Murez. Issued on 12/09/2013.

800 S MAIN ST 90291

Application / Permit 13016-10000-23917
Plan Check / Job ... B13LA14421
Group Building
Type Bldg-Alter/Repair
Sub-Type 1 or 2 Family Dwelling
Primary Use (27) Artist-in-Residence
Work Description CREATE OPENING GUARD RAIL OF BOTH BUILDING AND ADDING ONE STEP FOR ADDITIONAL ACCESS, NO CHANGE OF USE ON ROOF DECK.
Permit Issued Issued on 12/9/2013
Issuing Office Metro
Current Status Permit Finaled on 1/30/2014

Permit Application Status History

Submitted	11/18/2013	APPLICANT
Assigned to Plan Check Engineer	11/21/2013	LARRY LEE
Corrections Issued	11/26/2013	LARRY LEE
Reviewed by Supervisor	11/27/2013	JOHN VASQUEZ
Building Plans Picked Up	12/2/2013	APPLICANT
Plan Check Approved	12/9/2013	LARRY LEE
Issued	12/9/2013	LADBS
Permit Finaled	1/30/2014	JONATHAN ALLEN

Permit Application Clearance Information

Specific Plan	Cleared	12/4/2013	COLLINS ALLAN
Title 19 building approval	Cleared	12/4/2013	SUSIE ADAMIAN
Coastal Zone	Cleared	12/6/2013	GREGORY SHOOP
Specific Plan	Cleared	12/6/2013	GREGORY SHOOP

Contact Information

Contractor	Owner-Builder	.
Engineer	Polon, Gordon Leonard; Lic. No.: C28564	709 19TH STREET SANTA MONICA, CA 90402

Inspector Information

DAVID HEINE, (310) 914-3981	Office Hours: 7:00-8:00 AM MON-FRI
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Pending Inspections

No Data Available.

Inspection Request History

Final	1/8/2014	Partial Inspection	JESSE ACOSTA
Final	1/30/2014	Permit Finaled	JONATHAN ALLEN

Pending Inspections

No Data Available.

Inspection Request History

No Data Available.



OWNER'S ACKNOWLEDGMENT AND VERIFICATION
OF INFORMATION

(OWNER-BUILDER DECLARATION, cont.)

Application Number: 13016-10000-2397

Project Address: 800-804 MAIN ST VENICE 90291

- ☒ 10. I am aware of and consent to an Owner-Builder building permit applied for in my name, and understand that I am the party legally and financially responsible for proposed construction activity at the following address: 800-804 MAIN ST VENICE 90291.
- ☒ 11. I agree that, as the party legally and financially responsible for this proposed construction activity, I will abide by all applicable laws and requirements that govern Owner-Builders as well as employers.
- ☒ 12. I agree to notify the issuer of this form immediately of any additions, deletions, or changes to any of the information I have provided on this form. Licensed contractors are regulated by laws designed to protect the public. If you contract with someone who does not have a license, the Contractors' State License Board may be unable to assist you with any financial loss you may sustain as a result of a complaint. Your only remedy against unlicensed Contractors may be in civil court. It is also important for you to understand that if an unlicensed Contractor or employee of that individual or firm is injured while working on your property, you may be held liable for damages. If you obtain a permit as Owner-Builder and wish to hire Contractors, you will be responsible for verifying whether or not those Contractors are properly licensed and the status of their workers' compensation insurance coverage. Before a building permit can be issued, this form must be completed and signed by the property owner and returned to the agency responsible for issuing the permit.

Note: A copy of the property owner's driver's license, form notarization, or other verification acceptable to the agency is required to be presented when the permit is issued to verify the property owner's signature.

Owner's Name: JAMES MURRIS

Signature of property owner [Signature]

Date: 12/9/2013

SEC. 3. Section 19830 of the Health and Safety Code is repealed.
SEC. 4. Section 19831 of the Health and Safety Code is repealed.
SEC. 5. Section 19832 of the Health and Safety Code is repealed.

Permit Application # : **13016 - 10000 - 23917**

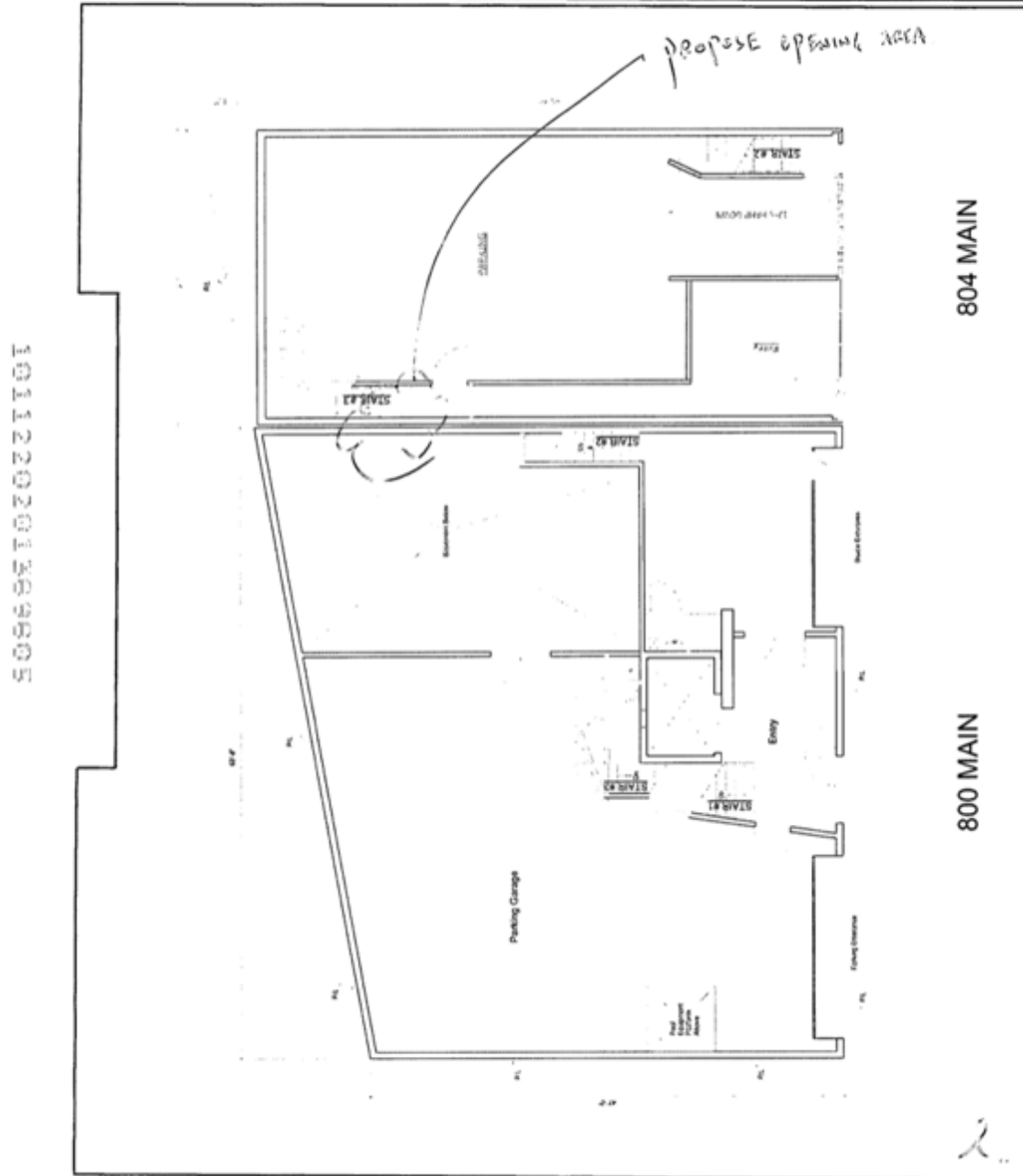
Bldg-Alter/Repair
1 or 2 Family Dwelling
Plan Check

City of Los Angeles - Department of Building and Safety

Plan Check #: B13LA14421FO

Initiating Office: METRO

Printed on: 12/04/13 13:41:27

PLOT PLAN ATTACHMENT

COUNCIL DISTRICT 11

INSPECTION DISTRICT: R5064

PLOT PLAN ATTACHMENT

800 Main and 804 Main – **Affidavit Termination** - Applicant/ Owner: James Murez. Issued 02/11/2014.

Documents

Document Number(s)

AF 140148697

Record Description

Record ID: 54877196

Doc Type: AFFIDAVIT

Sub Type: TERMINATION

Doc Date: 02/11/2014

Status: ISSUED

Doc Version: None

AKA Address: None

Project Name: None

Disaster ID: None

Subject: None

Product Name: None

Manufacturer's Name: None

Expired Date: None

Receipt Number: None

Case Number: None

Scan Number: 1010304201473868

Dwelling Units: None

Comments: AFFIDAVIT AF 131714853 IS TERMINATED BY AFFIDAVIT AF 140148697.

Property Address(es)

802 S MAIN ST 90291-0000

Legal Description(s)

Tract: BURK'S PLACE

Block: **Lot:** 12 **Arb:**

Map Reference:M B 15-31 **Modifier:**

Tract: BURK'S PLACE

Block: **Lot:** 13 **Arb:**

Map Reference: **Modifier:**

Tract: BURK'S PLACE

Block: **Lot:** 11 **Arb:**

Map Reference: **Modifier:**

PIN(s)

109-5A143 346

Assessor Number(s)

4286-012-014

Council District(s)

11

Census Tracts(s)

2734.020

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In 2019, an LADBS complaint was filed for no permit or inspections for an elevator:

800 Main – 09046-10000-00850 was issued on **5/30/2019 – No Inspections.**

– **Subtype – 1 – 2 Family Dwelling.** Installation of (1) **Commercial Cable Elevator in a Residence.** Applicant/ Owner/ Builder- James Murez.

800 S MAIN ST 90291

Application / Permit 19046-10000-00850
Plan Check / Job ... M19LA02823
Group Mechanical
Type Elevator
Sub-Type 1 or 2 Family Dwelling
Primary Use 0
Work Description INSTALLATION OF (1) COMMERCIAL CABLE ELEVATOR IN A RESIDENCE.
Permit Issued Issued on 5/30/2019
Issuing Office Metro
Current Status Issued on 5/30/2019

Permit Application Status History

Submitted	5/9/2019	APPLICANT
Assigned to Plan Check Engineer	5/16/2019	MANOUCHEHR SHAHRESTANI
Corrections Issued	5/22/2019	MANOUCHEHR SHAHRESTANI
Reviewed by Supervisor	5/23/2019	ADEL SALAH EDDINE
Mechanical Plans Picked Up	5/23/2019	APPLICANT
Plan Check Approved	5/30/2019	MANOUCHEHR SHAHRESTANI
Issued	5/30/2019	LADBS

Permit Application Clearance Information

No Data Available.

Contact Information

Contractor	Aztech Elevator Company; Lic. No.: 978449-C11	P O BOX 39714 LOS ANGELES, CA 90039
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Inspector Information

RICHARD OKE, (310) 914-3970	Office Hours: 7:00-8:00 AM MON-FRI
LARRY ISIDRO, (310) 914-3970	Office Hours: 7:00-8:00 AM MON-FRI
RAYMOND BANKS, (310) 914-3970	Office Hours: 7:00-8:00 AM MON-FRI
SAUL HERDEZ RODRIGUEZ, (310) 914-3970	Office Hours: 7:00-8:00 AM MON-FRI
JEREMY GOSHORN, (310) 914-3970	Office Hours: 7:00-8:00 AM MON-FRI

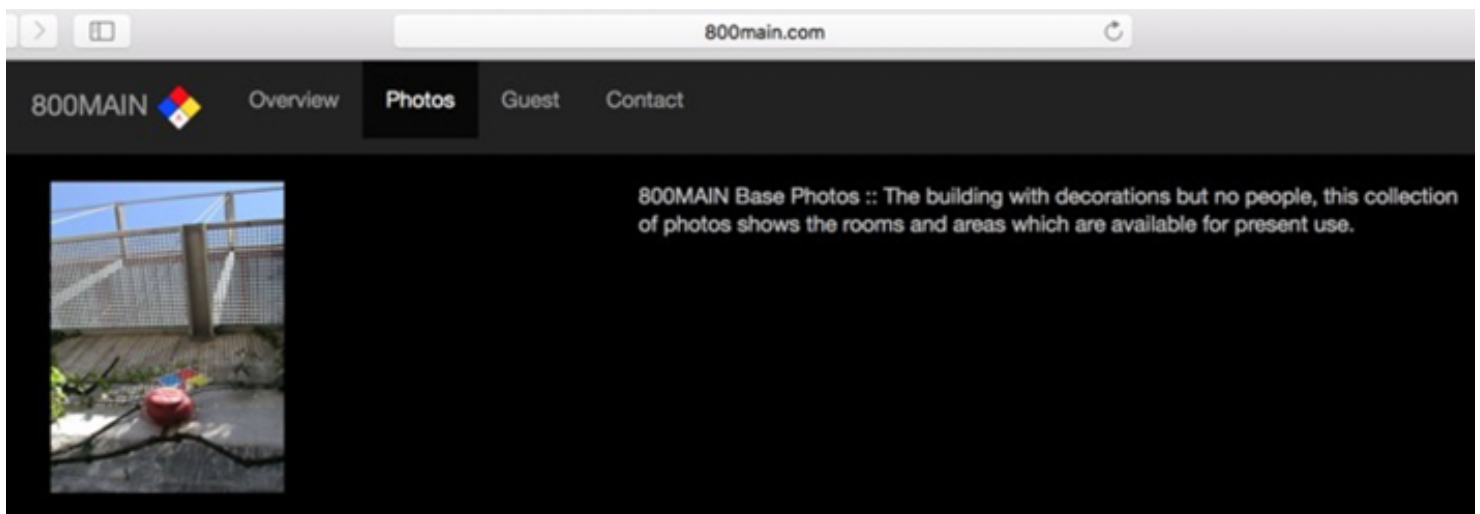
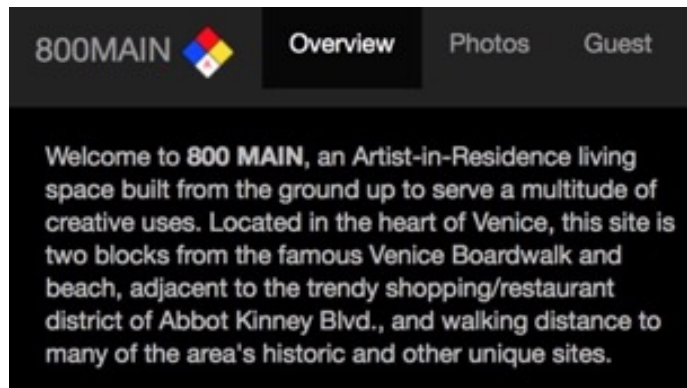
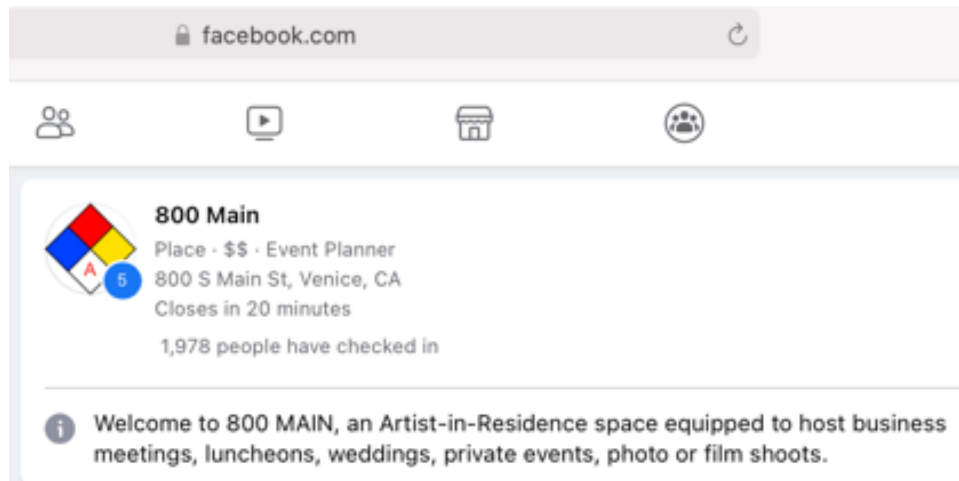
Pending Inspections

No Data Available.

Inspection Request History

No Data Available.

www.800Main.com: Unpermitted Commercial Use of AIR



Excavated 13 feet below the street level, the basement serves as a recreation room capable of retaining noise within the exterior walls 24/7. The floor area includes 2500 SF, approximately one half with 10 foot ceilings and the balance with a 21 foot high open steel frame roof. The basement includes a restroom and wet bar. The high ceiling can support up to 4000 pounds of suspended weight from the existing crane hoist or can be used for trapeze rigging for a silk scarf or other acrobatic performance. Electrical service in both single and three phase is ample for theatrical lighting or other performance equipment.



“Excavated **13 feet below the street level**, the **basement** serves as a recreation room capable of retaining noise within the exterior walls 24/7. **The floor area includes 2500sq. ft, approximately one half with 10-foot ceilings and the balance with a 21-foot-high open steel frame roof.** The basement includes a restroom and wet bar. **The high ceiling can support up to 4000 pounds of suspended weight from the existing crane hoist** or can be used for trapeze rigging for a scarf or other acrobatic performance. Electrical service in both single and three phase is ample for theatrical lighting or other performance equipment.”

800MAIN offers an online planning system for our customers. Once you are signed up with one of our staff members, you will receive instructions that will allow you to sign-in and manage your event.

To expedite our price quote for your event, please download and fill-in our [Request For Use](#) MS Word compatible file.

- [Specifications and Floor Plans](#)
- [Parking Map](#)
- [Rules](#)
- [Seating Guide](#)
- [Audio Equipment](#)
- [Video Equipment](#)
- [Banner, front of building specifications](#)
- [Step & Repeat - Red Carpet specifications](#)

Policy Statements

Permitted Events: Under some conditions, the City of Los Angeles requires 800 Main to obtain a Special Event Permit. This sort of event would include any assembly which is open to the general public, a cover charge is being collected, or where the use of the space would not be included in the definition of an Artist-In-Residence occupancy. Private weddings, business meetings, luncheons, dinners, photo shoots or gallery gatherings are not typically required to carry such a special event permit.

Alcohol Service: Alcohol service is regulated by the Alcoholic Beverage Control Department of the State of California. 800 Main is allowed to serve and charge for drinks at public events (excluding minors) under two categories of licensing: a licensed restaurant catering company (as defined by Sec. 24045.12) or through an event that is hosted by a non-profit organization, in which case they shall be required to obtain a single use permit (Type 57). In either case, beer, wine and/or distilled spirits may only be served under strict State regulations. A cover charge at the entry or a charge by the drink both amount to the same thing and require that this permit be obtained. Any violation is grounds for immediate termination of an event without any refund. The staff at 800 Main reserves the right to deny access to anyone who is underage and under the influence of drugs or alcohol.

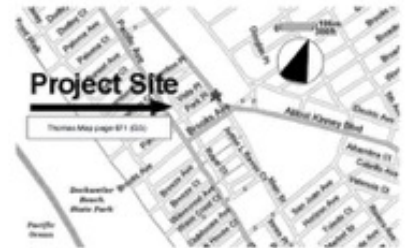
Fire Marshal: Depending on the nature of the event and the number of attendees, a Fire Marshal may require that a set of floor plans be submitted to his office for approval. In the case that such a step is required, once the plan is approved, no furniture or decorations may be altered from the plan. Should a change be desired, the plan must be resubmitted and a new approval obtained prior to making the modifications.

800 MAIN

Venue Details:

800 Main Street
Venice, Ca 90291-3218

Latitude: 33.9929
Longitude: -118.4744



Owner: Murez, 804 Main St. Venice, Ca 90291-3218 (310) 399-1490

Date of Completion: July 2013

Occupancy: Single Family Dwelling / Artist-In-Residence

Use Zone: C2-1

Construction: Type V - N.R.

Fully Fire Sprinklered

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: 3367 Sq. Ft.

Building Area 3785 Sq.Ft

Fire Zone: 2

Building Height: 30'0"

Parking: 3 (plus 6 with valet onsite)

Elevator: 5 Stop 3500 Lbs., 5'-0" x 7'-0" Interior

Electric: 120/240 VAC @ 400A Single Phase, 120/208 VAC @ 400A Three Phase
(Standby Generator: Natural or Propane Gas, 10kV @ 220 Single Phase)

Gas: Natural 850,000 Btu

Domestic Water: 1.5" @ 75 PSI (Hot 80 Gal. stand-by with 100% recovery)

Heating: Radiant

Cooling: open windows (NO A/C)

Communications: Fiber Optic > Ethernet Gigabit (hardwired & wireless)

800 MAIN Street, Venice, Ca 90291 -- Parking Map

The parking map below shows five red arrows each of which is pointing to a parking lot option. Your invitation to 800MAIN specified where to park, meaning lot 1-5 as shown below. Each of these lots is described as follows:



#1 Westminister School, lot is entered on Westminister Ave in the middle of the block. This lot has an approximate occupancy of eighty vehicles. An attendant is required at his lot at all times.

#2 Westminister School, lot is entered on Main Street just across from the park in the middle of the block. This lot has an approximate occupancy of five hundred vehicles. An attendant is required at his lot at all times.

#3 This location is a valet zone for the restaurants located on this block. An attendant will take your car and give you a ticket number. Your car will be parked off-street in a secured lot. Typical cost is \$6-\$10 per car. The closing time is 10 PM unless special arrangements have been made prior to the event.

#4 This lot is identical to lot #3 above. It is managed by the same company.

#5 This arrow is pointing in the direction of public lots that exist on Rose Av. The first one is on the Southwest corner at Main St. and Rose Ave. The second public lot is at the end of Rose at the beach (left or west of Main St.). This lot is operated by the County Beaches and Harbor. Both of these lots have long stay parking meters. Both lots allow exiting at any time.

+++++

Unpermitted Commercial Use of AIR Property – Venue Report

<https://www.venuereport.com/venue/800main/>

800-perfect-party-pad is more like it.

This versatile and vibrant Venice Beach locale is an artist-in-residence living space with a multitude of chic and creative uses. Intimate I-do's, luxe luncheon, creative workshop or hipster holiday party would suit it sweetly.

The screenshot shows a web browser window with the URL <https://www.venuereport.com/venue/800main/>. The page features a navigation bar with 'venue', 'reports', and 'map' links. The main content area is titled '800-perfect-party-pad is more like it.' and includes a descriptive paragraph. Below this is a section titled 'THE LOWDOWN' which presents a structured overview of the venue's attributes and suitable event types.

type	views	style
Art Gallery	Cityscape	Contemporary
Loft / Warehouse Building		Eco
Penthouse / Rooftop		Industrial
		Modern
		Urban

best type of celebrations

charity event	corporate event	dinner party
product launch	holiday party	lgbt weddings
rehearsal dinner / welcome reception	retreats: corporate, spa, wellness, etc.	social event
	wedding reception	

VENUE SETTING

Situated just off the corner of Main St. and Abbot Kinney Blvd, GQ Magazine's "coolest street in America", the unassuming structure opens up to a Modern Industrial hand-built experience like no other in Venice, CA.

CAPACITY

seated
125

buffet
386

standing
386



celebrations hosted here since

2013



curfew

12 am



venue spaces

indoor & outdoor venue spaces available



catering

client can select the caterer of their choice



alcohol

byo permitted – you can bring your own alcohol
licensed server is required



music

indoors & outdoors



smoking

designated smoking areas only



accommodations

there are 4 bathrooms currently in the space for getting ready. no overnight accommodations on site, but there are a number of great hotels close by. venice breeze suites, hotel erwin, etc.



eco/green events

yes



kid friendly events

yes

INSIDE SCOOP

A hidden gem just off Abbot Kinney this Modern Industrial Artist in Residence event space in Venice has multiply floors, rooftop terrace, pool, hot tub and so much more.

AMENITIES

- a/v equipment
- wifi
- dining tables
- bridal suite/changing rooms onsite
- dining chairs
- onsite restrooms

VENUE FEATURES

design:

The structure itself was designed and built by James Murez, owner, contractor and designer of 800MAIN for the last 14 years. The unfurnished space complete with concrete floors, exposed ceiling, light up pool backdrop and front facade allow each event to transform the space into their own creation.

extra perks:

10 6 foot tables and 50+ folding chairs are including in the venue price. String lights are installed on the roof, built in Mcguivre/owner/contractor onsite to help with any details for a minimal fee.

AWARDS & NOTABLES

For the most part we are under the radar, quality over quantity and have received most of our business from referrals which has attracted the right kind of clientel we are looking to work with.

EATS & DRINKS

Food, Restaurants, Cafes, Bars & Lounges

food, restaurants, cafes:

There are no eateries on site but we love working with: Ado Restaurant Bread & Water catering and many more!

bars & lounges:

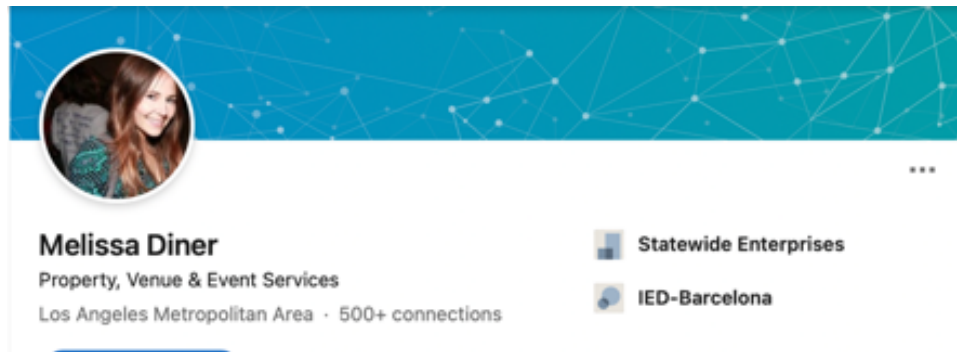
There are no bars on site but we have worked with mixologists from : Townhouse Roosevelt Hotel and many more!

Melissa Diner - LinkedIn

Site Supervisor 800 Main.

Aug. 2013 – April 2017. 3yrs 9months.

Handle all business management, sales, partnerships, and on-site event site supervision for 800 Main events in Venice CA. Event Planning services available upon request.



Experience



Property Manager

Statewide Enterprises

Oct 2011 - Present - 9 years 8 months

Venice, CA

Apartment complex manager responsible for scheduling and overseeing all maintenance technicians, tenant relations, rent collection & compliance with both company and government housing policies.



Special Events Manager

The MacArthur & Copper Key Catering & Events

Jun 2017 - Present - 4 years

Greater Los Angeles Area



Secretary

Venice Neighborhood Council

2012 - Present - 9 years



CEO

LXRY LTD

Jun 2007 - Present - 14 years

Venice, CA

Event Production, Venue Management & Property Caretaker Agency



Site Supervisor

800 Main

Aug 2013 - Apr 2017 - 3 years 9 months

800 Main St. Venice, CA 90291

Handle all business management, sales, partnerships and on site event site supervision for 800 Main events in Venice, CA. Event Planning services available upon request.

CAREER

Marketing Manager

Brown Shoe Company

Aug 2009 - Jan 2012 - 2 years 6 months

Greater Los Angeles Area

After 4 years of diligence was able to aid Brown Shoe company in the re-introduction of iconic American boot and footwear brand Zodiac USA. Advised and executed sales, marketing, pr and design strategies for Zodiac USA, which Brown Shoe company acquired in the 1990s from Encore Shoe Corporation.



Director of Marketing

PSDI USA

Jan 2006 - Jul 2007 - 1 year 7 months

Los Angeles

Provided brand management for Ed Hardy Shoes, Christian Audigier Shoes and Elvis Shoes. Served as a fundamental asset to PSDI USA by coordinating and advising on sales, hr & design

before becoming the Director of Marketing. Helped build the foundation of this powerhouse which produced over 65 million dollars in revenue in height after just 4 years in business.

EXHIBIT C

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

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: Pae 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	<u> </u>
Ordinance number	<u> </u>
Publication date	<u> </u>
Effective date	<u> </u>
Findings adopted	<u> X </u>
Mitigated Negative Declaration adopted	<u> X </u>

J. Michael Carey
City Clerk
vdw

914001010001

CITY OF LOS ANGELES
CALIFORNIA



JAMES K. HAHN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 306, City Hall
Los Angeles, CA 90012
Council File Information - (213) 978-1043
General Information - (213) 978-1133
Fax: (213) 978-1046

HELEN GINSBURG
Chief, Council and Public Services Division

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

FILE NO. 03-0003

Your PLANNING AND LAND USE MANAGEMENT Committee

reports as follows:

	Yes	No
Public Comments	<u>XX</u>	<u> </u>

MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to demolition of two single family residences and the construction of a 3-story dwelling at 800, 802, and 804 South Main Street.

Recommendations for Council action:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency, City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 03-0003 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2001-2698 MND].
2. ADOPT the FINDINGS of the Planning and Land Use Management Committee as the findings of Council.
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

Fiscal Impact Statements: None submitted by the Planning Department. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

10 VOTES REQUIRED

TIME LIMIT FILE - APRIL 16, 2003

(LAST DAY FOR COUNCIL ACTION - APRIL 16, 2003)

Summary:

At its meeting held March 18, 2003, the Planning and Land Use Management Committee conducted a public hearing on an appeal filed by James Murez, applicant, from the entire determination of the West Los Angeles APC to disapprove the applicant's request for a 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 relative to 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. A representative of the Planning Department was present to discuss the determination of the APC. Per Department staff recommendations, the APC denied the applicant's request because the project has a flat front

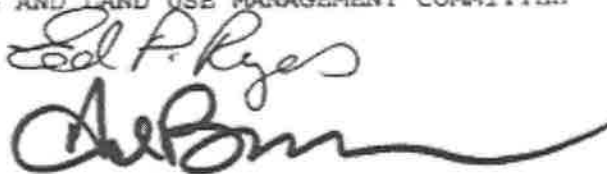
elevation and a roof line that is not varied. In addition, the APC found that the scale and bulk of the project exceeded the intent of the Specific Plan.

During the public comment period, the project applicant urged the Committee to grant the appeal. It was stated that the three lots that comprise this project are extremely small. Area neighbors support the project. A representative of the 11th Council district voiced support for the project, provided that the applicant construct the building using different materials to create a sense of physical articulation.

The Planning and Land Use Management Committee recommended that Council grant the applicant's appeal and to approve the recommendations listed above for the proposed 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, subject to Conditions of Approval, as modified, as recommended by Councilmember Miscikowski.

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE



JAW:ys

4/10/03

Enc: APCW 2001-2695 SPE SPP CDP ZAA MEL

Attachment: Conditions of Approval, as modified
CD 11

Note: (Notice has been published not less than 24 days prior to the public hearing date pursuant to Sections 12.24 I3 and 12.24 D2(b) of the Los Angeles Municipal Code).

#01003 wps

MIT. NEG. DEC.
REPT 1 FINDINGS
ADOPTED

APR 16 2003

LOS ANGELES CITY COUNCIL

CONDITIONS OF APPROVAL

for the Specific Plan Exception, Zoning Administrators Adjustment, Coast Development Permit, Project Permit Compliance

Entitlement:

1. These conditions are applicable to all three lots involved in the project.
2. The use and development of the property shall be in substantial conformance with the plot plan labeled Exhibit E-3, dated March 18, 2003.
3. The use and development of the property shall be in substantial conformance with the elevation plan labeled Exhibit E-4, dated March 18, 2003.
4. Parking: The project shall provide 2 parking spaces per unit, and one guest parking space for the site.
5. The project shall comply with all the provisions of the Venice Specific Plan, Ord. No. 172,898, except for the following Specific Plan Exceptions:
 - a. The elevator structure may extend up to 42-feet in height, exception to section 8.G.3a.
 - b. The pool structure and roof railing may extend up to 35-feet in height, exception to section 8.G.3a.
 - c. The front yard setback is permitted to be 0-feet, exception to section 8.G.4a.
 - d. The project is permitted to be constructed over three contiguous lots, exception to section 8.A.1.
6. Structures shall be prohibited on the roof top. Sun rooms, green houses, patio covers, wind screens or other shelters, temporary or permanent or whether a building permit is required or not, shall be prohibited.
7. There shall be no openings along the northern wall of the project.
8. As permitted by section 12.28 of the L.A.M.C. a Zoning Administrators Adjustment is granted from section 12.14.C2 for the following:
 - a. Both side yard setbacks are permitted to be 0-feet.
 - b. The rear setback is permitted to be 0-feet for the first floor and 3-foot 9-

inches for the remaining floors.

9. Artist in residence.

- a. Dwelling units. The number of residential units permitted in the subject building is limited to 5 dwelling units (artist-in-residence units).
- 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....

10. Ground floor.

- i. The sale of merchandise on the ground floor shall be limited to only products made/manufactured within one of the on-site artisan workshops.

- ii No pre-assembled products, accessory goods or products from off-site artisans or vendors shall be sold from the premises.
 - iii The ground floor space shall not be rented, leased, subleased or occupied for commercial use by any individuals other than the residents of the building.
- 11. One or more signs or symbols of a size and design approved by the Fire Department shall be placed, to the satisfaction of the Fire Department, on the exterior of the subject residential-studio building to indicate that the building contains a residential use.
- 12. Hazardous Materials Storage and Treatment. When required by the Fire Department, a Hazardous Materials Business Plan reporting the use and storage of any hazardous material shall be filed with the Fire Department and implemented prior to issuance of a Certificate of Occupancy for each building of the project. The Plan shall include an Emergency Procedures Plan outlining employee guidelines and procedures in the event of a fire, medical urgency, and other types of emergencies, and for the treatment and disposal of any hazardous waste associated with the subject project. Secondary containment facilities for any on-site storage of hazardous substances in connection with any industrial uses shall be provided at a minimum ratio of 110 percent. Such facilities shall be subject to plan approval by the Fire Department.
- 13. Prior to the issuance of a building permit, the applicant shall submit a certified land survey of the site showing the location of the northerly block wall and billboard, to the satisfaction of the Planning Department. If the billboard is located within the subject site, it shall be completely removed prior to the issuance of a building permit.

Administrative:

- 14. Approval, Verification and Submittals. Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
- 15. Code Compliance. Area, height and use regulations of the C2-1 zone classification of the subject property shall be complied with, except where herein modified.
- 16. 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. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to

the Planning Department for attachment to the file.

17. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
18. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
19. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
20. **Mitigation Monitoring.** Prior to the issuance of any building permit the applicant shall prepare and record a Covenant and Agreement on Planning Department General Form CP-6700.M in a manner satisfactory to the Planning Department requiring the applicant to identify mitigation monitors who shall provide periodic status reports on the implementation of condition numbers 21 to 23. The mitigation monitor shall be identified as to area of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

Environmental Conditions:

21. **Outdoor lighting** shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties
22. **Asbestos.** Prior to the issuance of the demolition permit, the applicant is to provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no asbestos is present in the building. If asbestos is found to be present in the building, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1043 as well as all state and federal rules and regulations
23. **Liquefaction.**

Environmental impacts may result due to the proposed project's location in an area with liquefaction potential. However, these potential impacts will be mitigated to a level of insignificance by the following measures:

- a. Compliance with the Uniform Building Code Chapter 18, Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss which requires the preparation of a geotechnical report. The geotechnical report shall assess potential consequences of any liquefaction and soil loss, estimation of

CF 03-0003

APCW 2001-2695 SPE SPP CDP ZAA MBL

settlement, lateral movement or reduction in foundation soil bearing capacity, and discuss mitigation measures that may include building design consideration.

- b. Building design consideration may include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacement or any combination of these measures.

803003000.wpd

PROJECT NO. 2692 2001-2692 2001-2692 2001-2692		CONTRACT NUMBER 2001-2692 2001-2692 2001-2692		DATE OF ISSUE 2001-2692 2001-2692 2001-2692	
SCALE: 1" = 100' 2001-2692 2001-2692		USES: FIELD 2001-2692 2001-2692		DATE OF ISSUE 2001-2692 2001-2692	
2001-2692 2001-2692 2001-2692		2001-2692 2001-2692 2001-2692		2001-2692 2001-2692 2001-2692	

EXCEPTION TO THE SPECIFIC PLAN
COASTAL DEVELOPMENT PERMIT & ADJUSTMENT

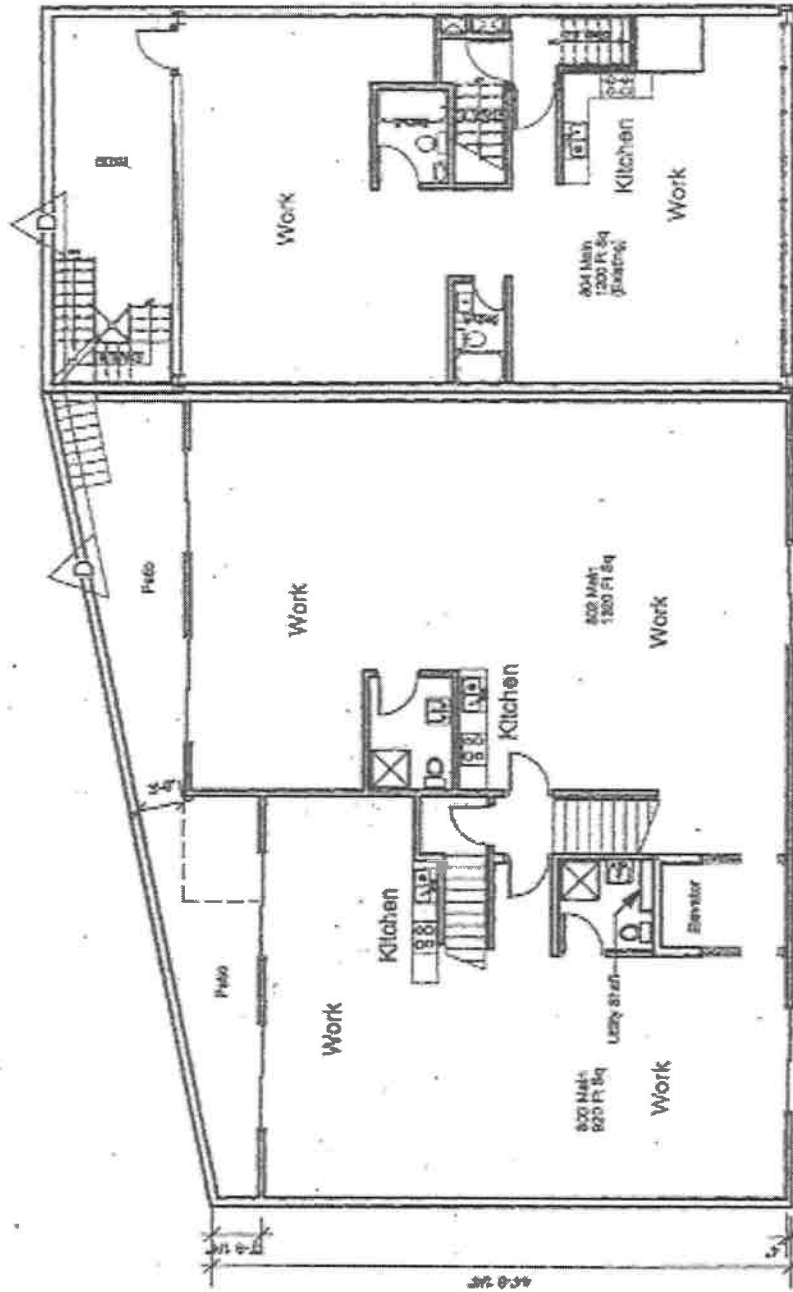


Ground Floor Plan



E-3

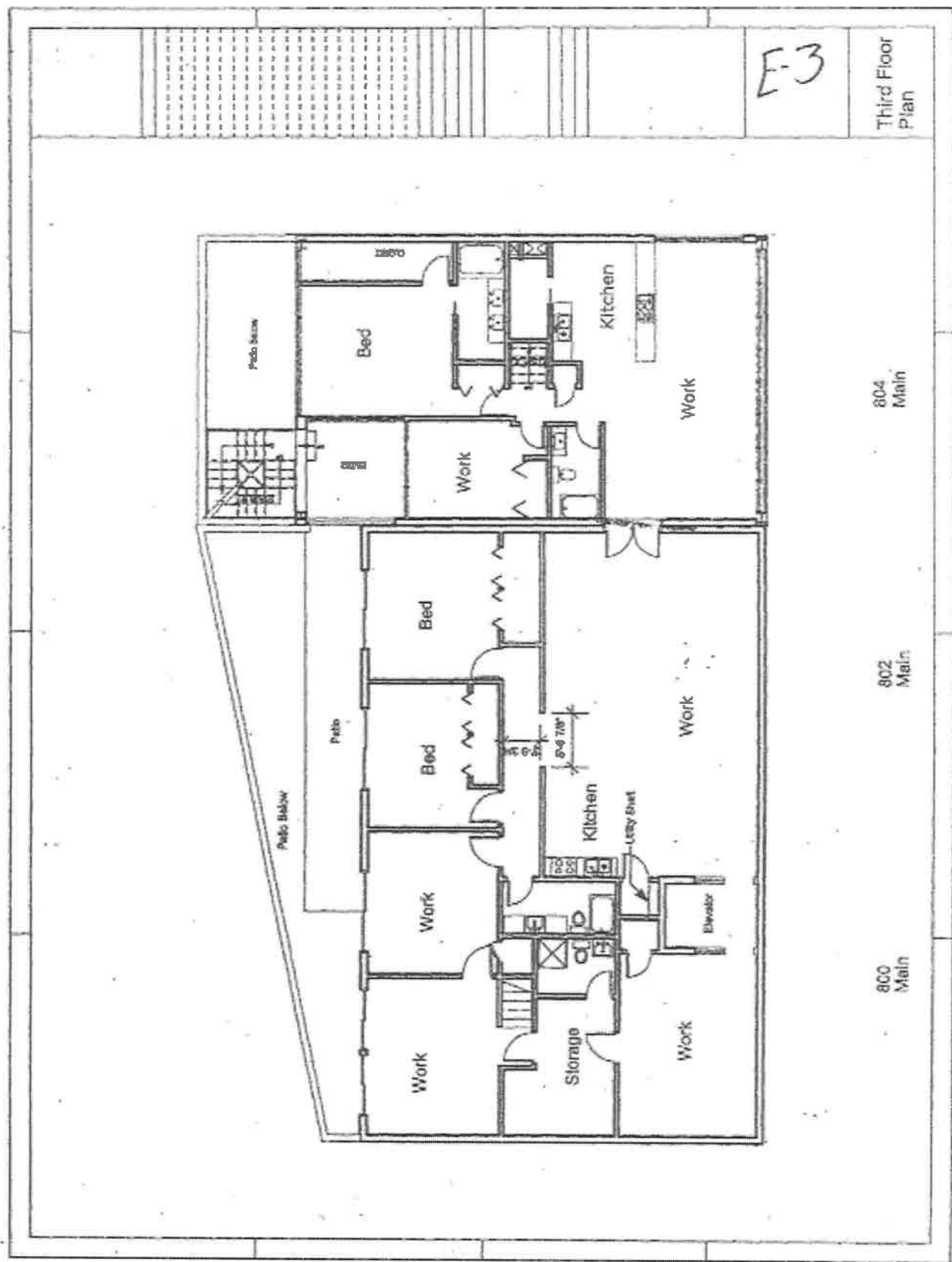
Second Floor Plan



804 Main

802 Main

800 Main



3880 Roof area within hand rail perimeter

760 Pool Area

90 Mechanical Equipment (1)

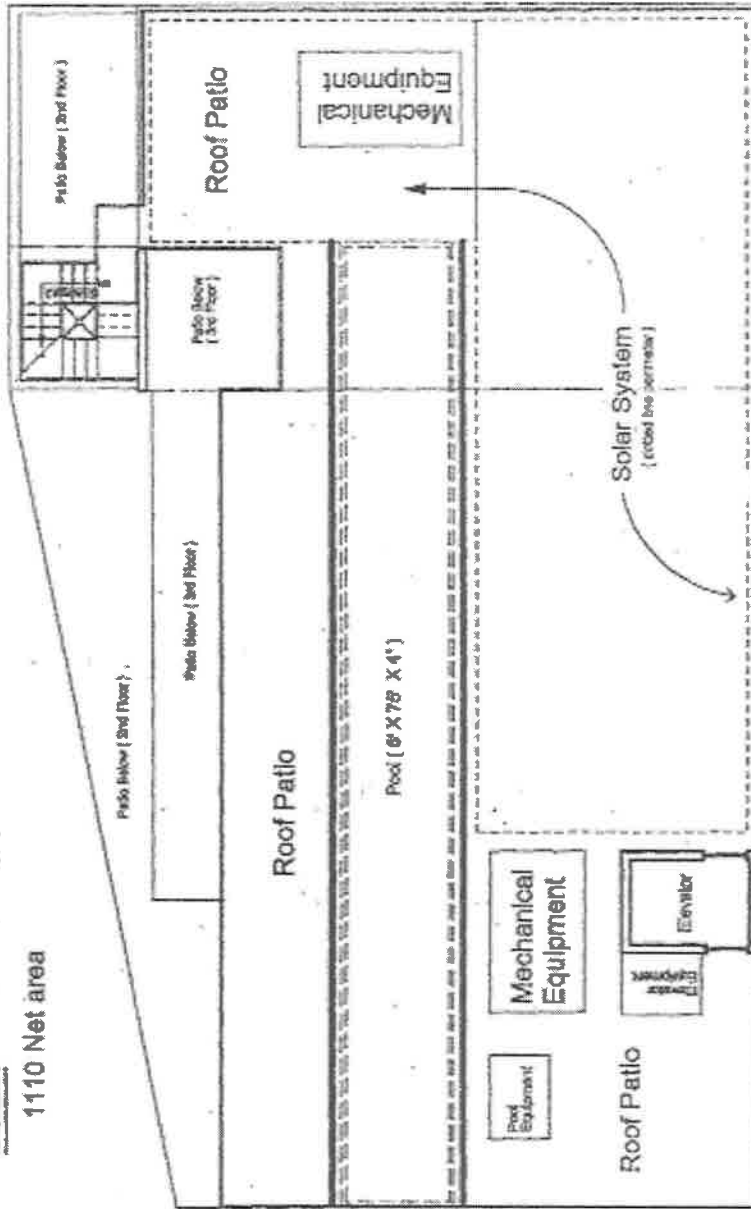
90 Mechanical Equipment (2)

90 Elevator and Equipment

1750 Solar Cell system area

1110 Net area

Note: DWP Solar System number 043001-01
(LA City Permit #01041-10000-09787)



E-3

Roof

804 Main

802 Main

800 Main

2001-2008

West
Elevation

E-3

804
Main

802
Main

800
Main

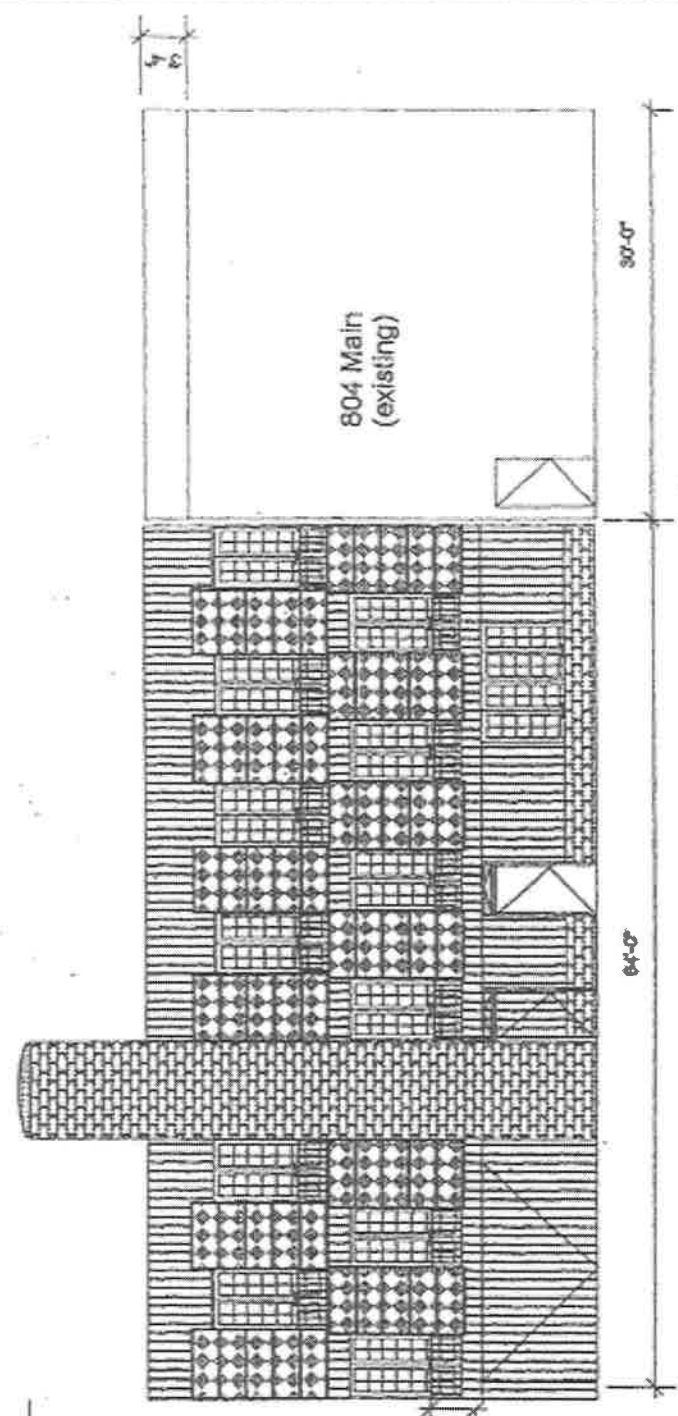
804 Main
(existing)

30'-0"

64'-0"

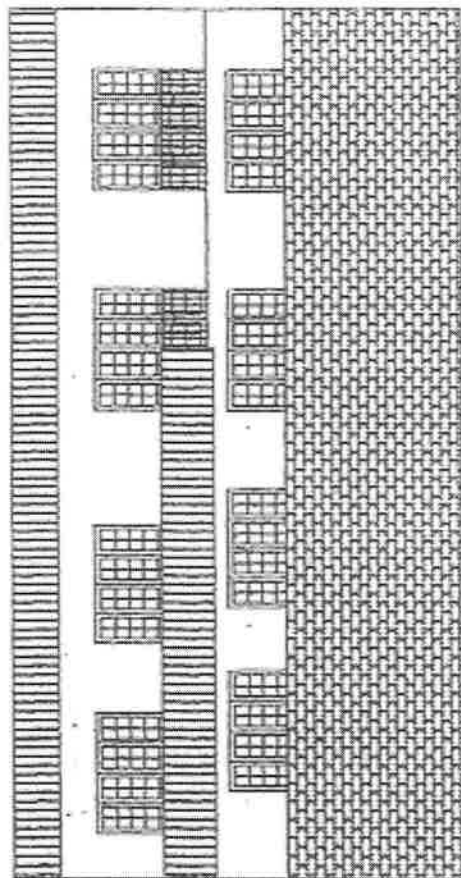
12'-21"

28'-18"



E-3

East
Elevation



800
Main

802
Main

Existing
Building

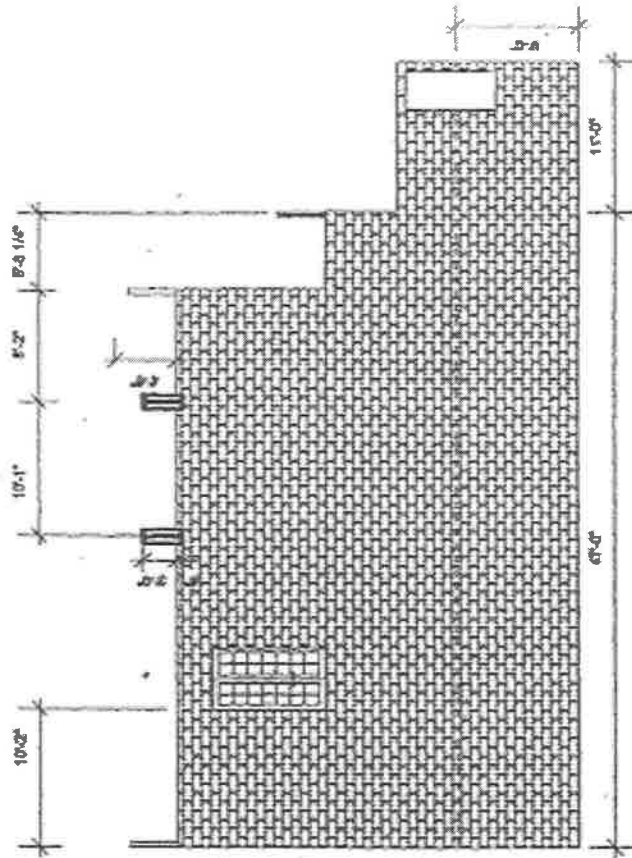
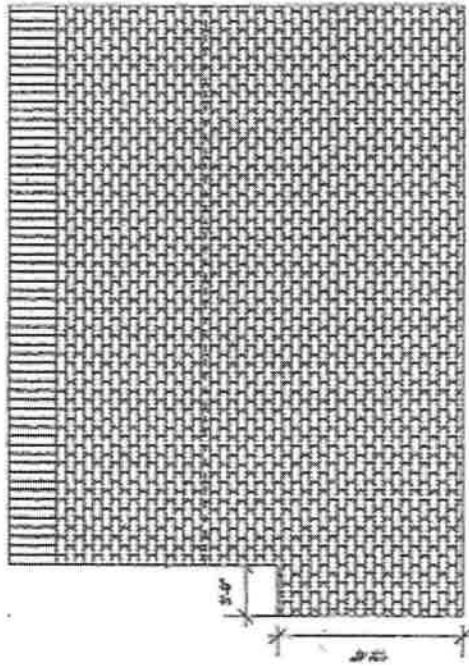
804
Main

20'-0"
5'-0"
5'-0"

E-3

North/South
Elevations

North Elevation



South Elevation
(Aluma siding building)

Main fl.

EXHIBIT D

City of Los Angeles

CALIFORNIA



RICHARD J. RIORDAN
MAYOR

LOS ANGELES HOUSING
DEPARTMENT
111 No. Hope Street
Los Angeles, CA 90012
(800)934-9944
(213)367-8022

E-6

Memorandum

Date: June 4, 2001
To: Dave Silverman, Los Angeles Planning Department
From: Erica Adams, Los Angeles Housing Department
Re: 800 and 802 Main St. Venice, CA

Declaration of presence of affordable units

Based upon rent and tenant information submitted by the owner for the previous three years, it has been determined that both 800 and 802 Main, Venice, CA qualify as affordable units. It has further been determined that no current tenants have household incomes which qualify as low or moderate income. All existing tenants have had the opportunity to document their household income.

The project is therefore must provide two replacement affordable units to meet Mello obligations.

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



RECEIVED
CITY CLERK'S OFFICE
2003 MAR 24 PM 4:02
BY CITY CLERK

To whom it May Concern
Please do not allow
this person to build any-
more on Main St. in
Venice. I've lived here
17 years & the last build-
ing he built was supposed
to be for artists but it
really isn't. This man
is only into buying up
as much as Venice as
possible. for his own ~~greedy~~
greed. Has been
putting people out



2



of their long-time
residents to build for
his own use. He
pretends to care about
Venice & then lies to
get what he wants from
the City. Do not ~~believe~~
~~believe~~ believe him.

He does not care ^{for} ~~about~~ his
mission at all!

Thanks for taking the
time to read this.

Wavona Byrd
of 124 Park Pl. A Venice



March 09, 2003

#4

RECEIVED

MAR 12 2003
CITY OF LOS ANGELES

RE: CF 03-0003
APCW 2001-2695 SPE SPP CDP ZAA MEL
CD 11
ATTENTION: J. MICHAEL CAREY City Clerk

Dear Sir:

I object to Mr. James Murez's plea to rescind the entire determination of the West Los Angeles Planning Commissions determination to disapprove his request for a 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 relative to 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 Main Street, Venice, California.

I am a Senior Citizen who has owned the property at 798, Lot 14, Main Street, Venice, since 1974 and I live there. My property is adjacent to the proposed building site at 800, Lot 15, 802 and 804 Main Street, Venice. I strongly oppose the 0-Foot side yard Lot Line which Mr. James Murez wants. Not only is the required 6-Foot Side Yard off set needed for the maintainance of Mr. Murez's building and for egress and ingress of emergency equipment in case of a fire, medical need, earthquake, etc. but Prescriptive Easements exist between our properties at 798, Lot 14, and 800, Lot 15, Main Street, Venice, in the form of a Concrete Block Wall that has been there continuously since before 1968 and a Billboard. The Billboard was erected next to the block wall in 1968-1969. Mr. Murez tells me he intends to remove the wall. For the sake of privacy and my personal safty I do not want my Concrete Block Wall or any part of it removed or demolished. I receive twenty-five (\$25.00) dollars a month lease rent for the Billboard.

We have a critical on-street parking problem in this area. Mr. Murez and other Builders/Developers in this area should be required to provide some off-street parking spaces for the neighborhood residents in addition to the required off-street parking spaces provided for their Apartment building residents.

Mr. James Murez has already removed a single family house when he built his Artist-in-Residence apartments at 804 Main Street, Venice. Now he plans to demolish two more single family units at 800 and 802 Main Street, Venice. The Mello Act should apply here. Some low rent, low income units should be required.

Please notify me of future hearings. Thank you.

Yours Truly,
Shirley G. Scully
Shirley G. Scully
P.O. Box 1260
Venice, California
90294-1260

Tele:
310 396 7973

✓



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

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Sabrina Venskus
Partner

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EXHIBIT F

~~CONFIDENTIAL~~

Request for Use of 800MAIN

Once the information below is completed, please email to: events@800MAIN.com. **The information in this exhibit is for planning purposes only, and is superseded by any and all other terms and conditions of the License Agreement.**

Today's date:
Name of host:
Address:
City, State, Zip:
Phone(s):
Email:
Website:
Contact person(s) (include above info if different):

Desired Date and time of proposed event:

Number of participants/guests expected:

Will alcoholic beverages to be served? ☐ Yes ☐ No

What if any food will be served:

Will tickets, merchandise or other sales occur in connect with prosed event? ☐ Yes ☐ No If yes, describe:

Collecting or requesting donations? ☐ Yes ☐ No

Will the event be promoted and if yes, how so?

Building areas requested, brief description of Use

First Floor

Entry/Lobby:

Food Preparation:

Second Floor

Interior:

DJ Counter:

Rear Patio:

Pool / Hot Tub:

Third Floor

Room #1:

Room #2:

Room #3:

Rooftop:

Does the proposed use require any equipment or furniture to be loaded into or out of the building? If yes, list proposed items:

Describe your event, including all activities:

Do you have a budget? If so, what is it?