

CALIFORNIA COASTAL COMMISSION

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



W16a

A-5-VEN-22-0007 (Popkes & Fister)

March 18, 2022

EXHIBITS

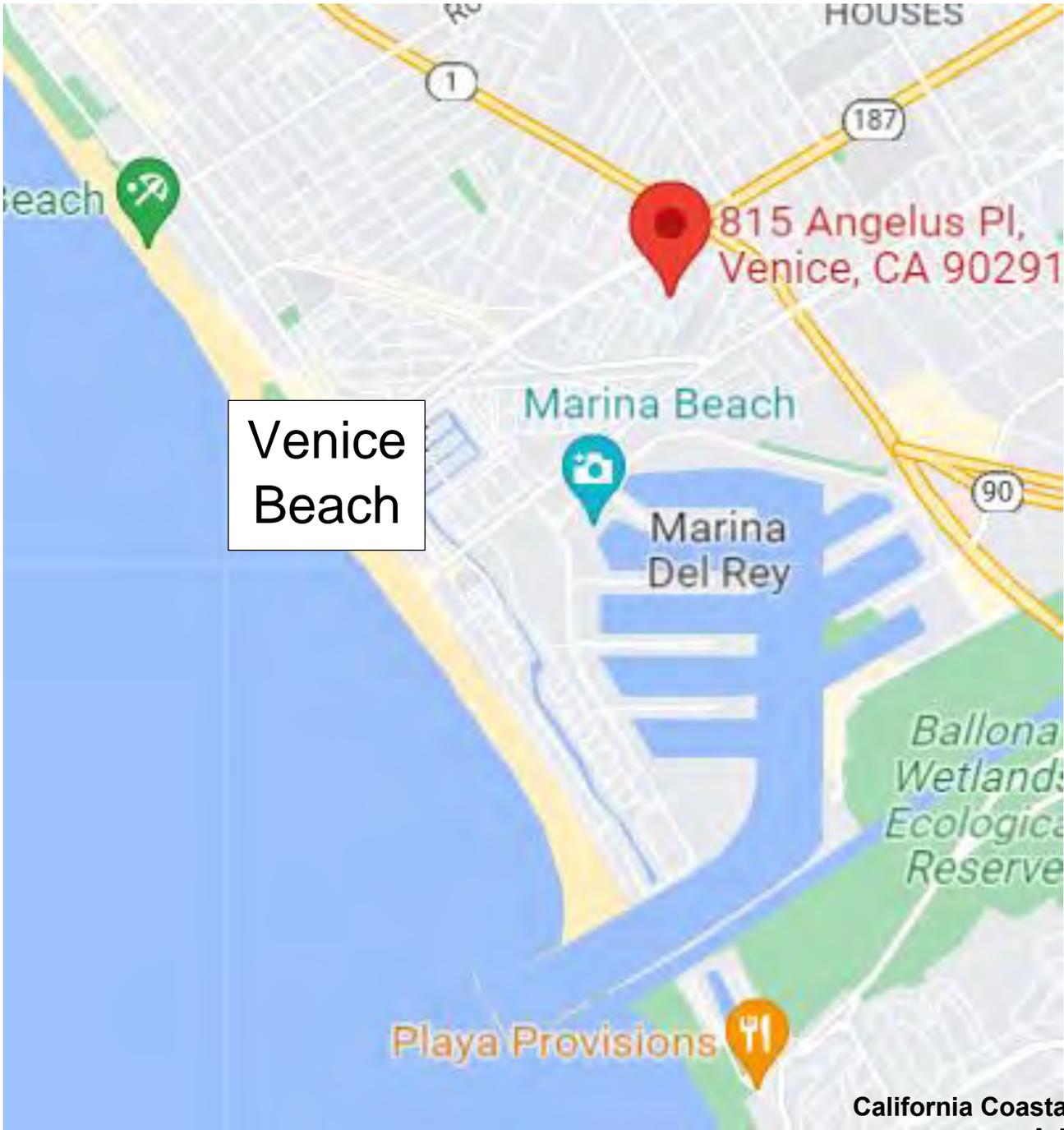
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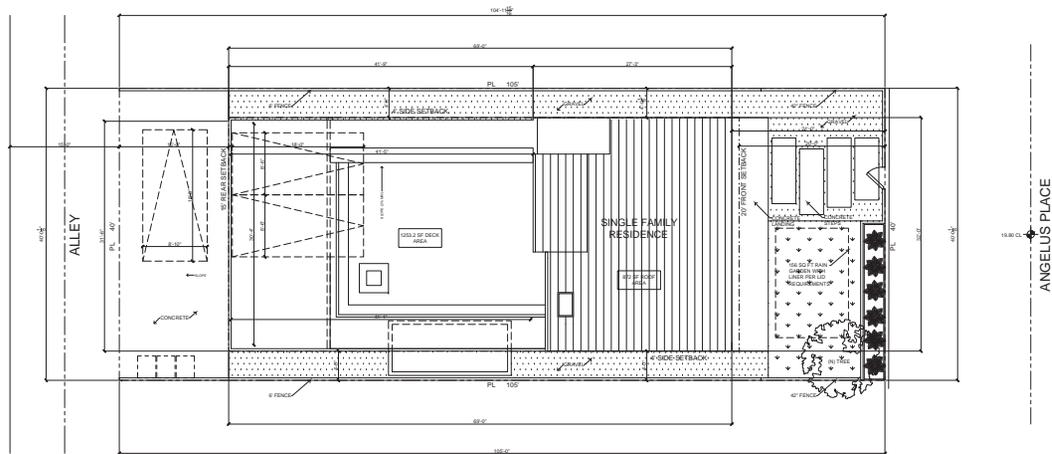
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Venice
Beach



EXHIBIT "A"
 Page No. 2 of 8
 Case No. DIR-2019-5903-CDP-MEL



SITE PLAN
 1/8" = 1'-0" 1

LAURA DONOVAN ARCHITECTURE
 1022 AMOROSO PLACE VENICE, CALIFORNIA 90291
 LD @ LAURADONOVANARCH.COM 310.272.6678

ANGELUS RESIDENCE
 815 W ANGELUS PLACE
 VENICE, CALIFORNIA 90291

PROJECT:
 ANGELUS
 2016-07

Copyright Laura Donovan Architecture 2021

REVISIONS:

DATE: 02.22.2021

SHEET TITLE:
 SITE PLAN

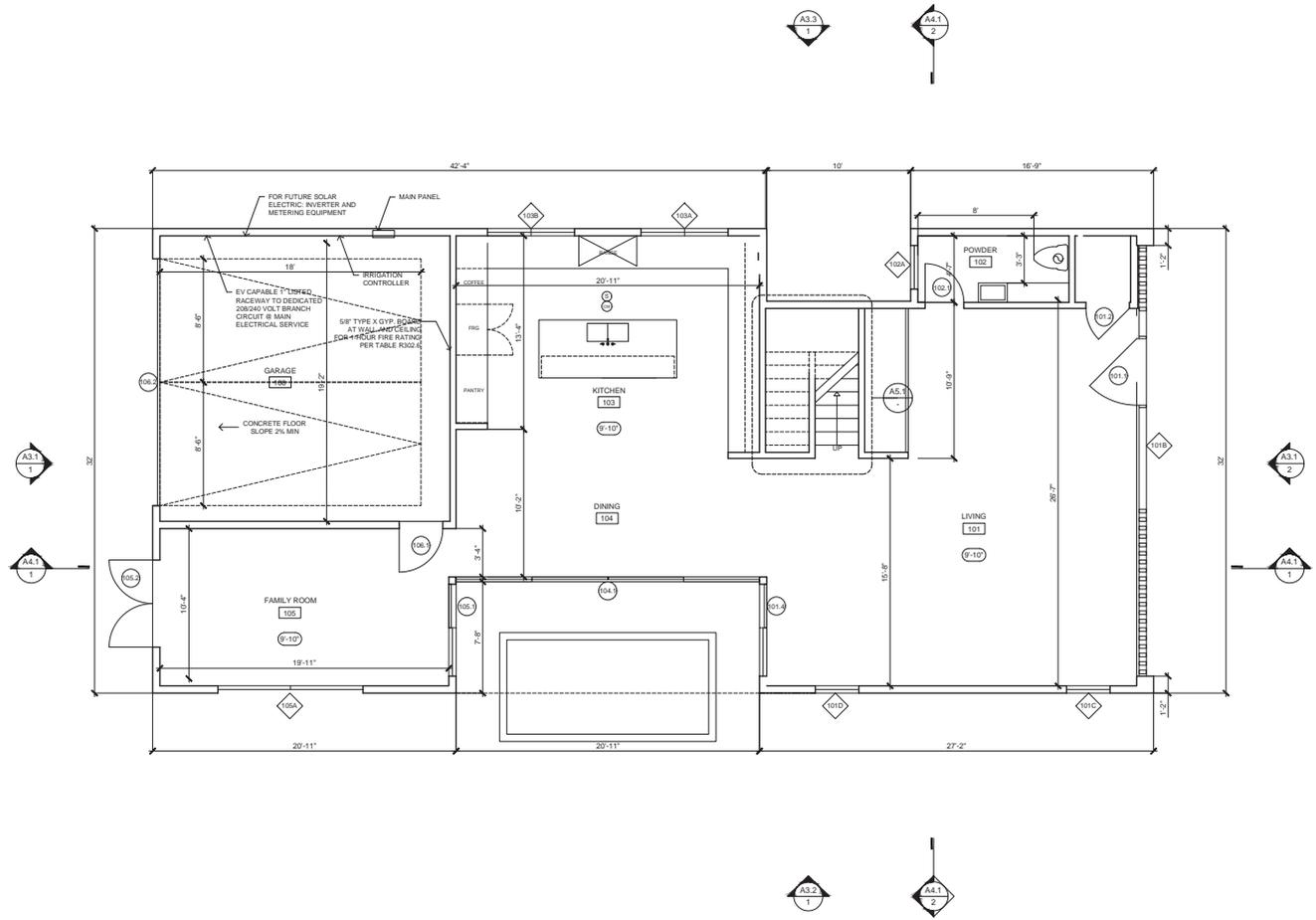
SHEET:

A1.0

PLAN NOTES

- DO NOT SCALE FROM DRAWINGS. DIMENSIONS GOVERN.
- ALL DIMENSIONS ARE TO FACE OF STRUCTURE (F.O.S.), UNLESS OTHERWISE NOTED.
- ALL DIMENSIONS SHOULD BE VERIFIED ON SITE BEFORE PROCEEDING WITH THE WORK.
- ANY INCONSISTENCIES OR UNFORESEEN CONDITIONS TO BE REVIEWED BY THE ARCHITECT PRIOR TO PROCEEDING WITH CONSTRUCTION.
- THE FLOW RATES FOR ALL PLUMBING FIXTURES SHALL COMPLY WITH THE MAXIMUM FLOW RATES SPECIFIED IN SECTION 4.303.1
- WHEN A SHOWER IS SERVED BY MORE THAN ONE SHOWERHEAD, THE COMBINED FLOW RATE OF ALL THE SHOWERHEADS AND/OR OTHER OUTLETS CONTROLLED BY A SINGLE VALVE SHALL NOT EXCEED 2.0 GALLONS PER MINUTE AT 8-0 PSI, OR THE SHOWER SHALL BE DESIGNED TO ONLY ALLOW ONE SHOWERHEAD TO BE IN OPERATION AT A TIME.
- LOCKS SHALL BE INSTALLED ON ALL PUBLICLY ACCESSIBLE EXTERIOR FAUCETS AND HOSE BIBS.

EXHIBIT "A"
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 Case No. DIR-2019-5903-CDP-MEL



- ⊙ EXHAUST VENT (ENERGY STAR, HUMIDISTAT CONTROLLED)
- ⊙ SMOKE DETECTOR
- ⊙ CARBON MONOXIDE DETECTOR

- NEW 2X4 WOOD FRAMING
- NEW 2X6 WOOD FRAMING
- CMU
- CONCRETE



FIRST FLOOR PLAN
 1/4" = 1'-0" 1

LAURA DONOVAN ARCHITECTURE
 1022 AMOROSO PLACE VENICE, CALIFORNIA 90291
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ANGELUS RESIDENCE
 815 W. ANGELUS PLACE
 VENICE, CALIFORNIA 90291

PROJECT:
 ANGELUS
 2016-07

Copyright Laura Donovan Architecture 2021

REVISIONS:

DATE: 02.22.2021

SHEET TITLE:
FIRST FLOOR PLAN

SHEET:

A2.1

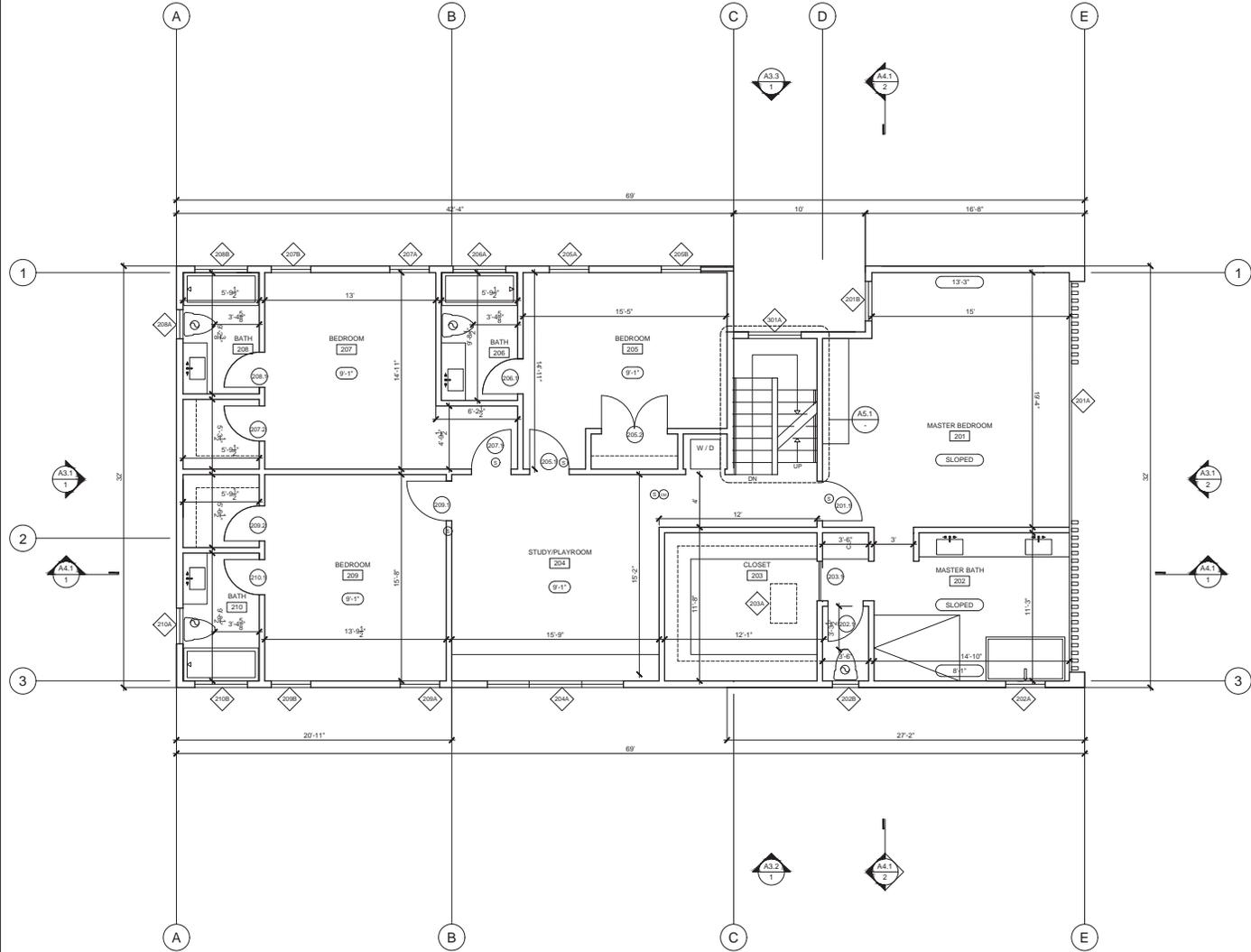
PLAN NOTES

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EXHIBIT "A"

Page No. 4 of 8
Case No. DIR-2019-5903-CDP-MEL

- EXHAUST VENT (ENERGY STAR, HUMIDISTAT CONTROLLED)
- SMOKE DETECTOR
- CARBON MONOXIDE DETECTOR
- NEW 2X4 WOOD FRAMING
- NEW 2X6 WOOD FRAMING
- CMU
- CONCRETE



California Coastal Commission
SECOND FLOOR PLAN
1/4" = 1'-0" 1

LAURA DONOVAN ARCHITECTURE
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ANGELUS RESIDENCE
 815 W ANGELUS PLACE
 VENICE, CALIFORNIA 90291

PROJECT:
ANGELUS
2016-07

Copyright Laura Donovan Architecture 2017

REVISIONS:

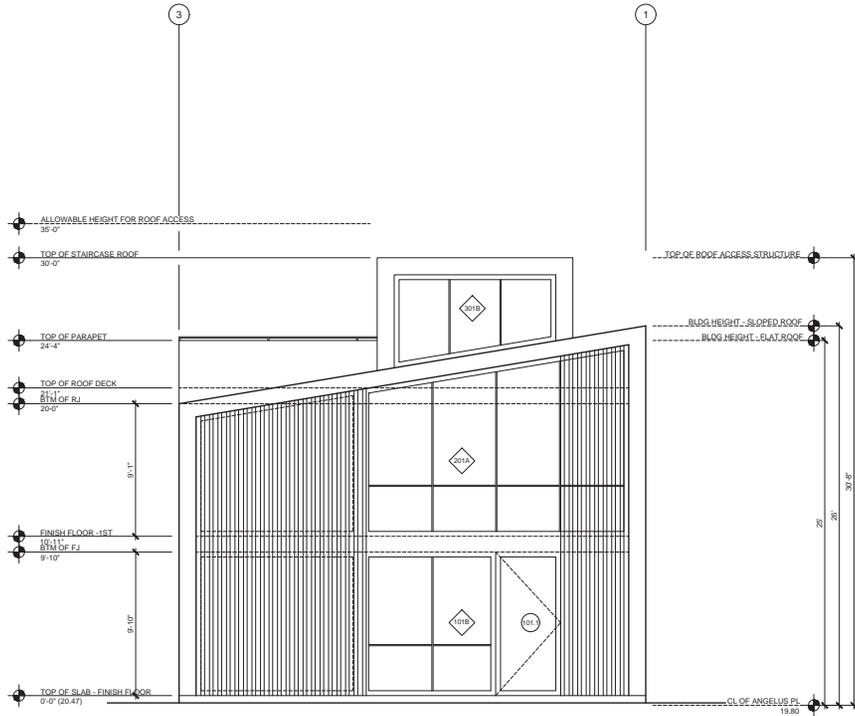
DATE: 02.22.2021

SHEET TITLE:
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SHEET:

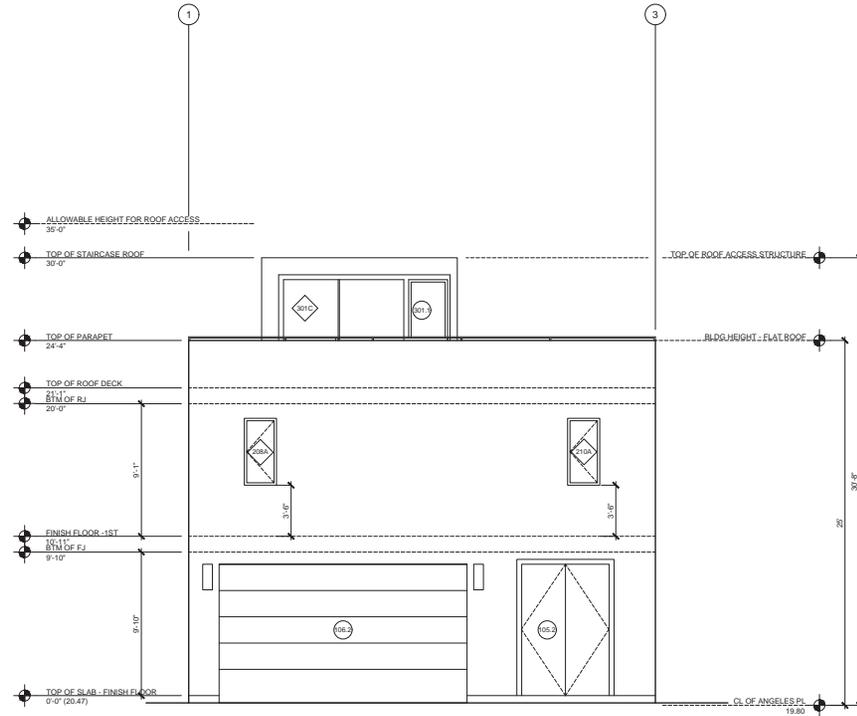
A2.2

EXHIBIT "A"
 Page No. 6 of 8
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SOUTH ELEVATION
 1/4" = 1'-0"

2



NORTH ELEVATION
 1/4" = 1'-0"

1

LAURA DONOVAN ARCHITECTURE
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ANGELUS RESIDENCE
 815 W ANGELUS PLACE
 VENICE, CALIFORNIA 90291

PROJECT:
 ANGELUS
 2016-07

Copyright Laura Donovan Architecture 2021

REVISIONS:

DATE: 02.22.2021

SHEET TITLE:
 EXTERIOR
 ELEVATIONS

SHEET:

A3.1

California Coastal Commission

A-5-VEN-22-0007

Exhibit 2

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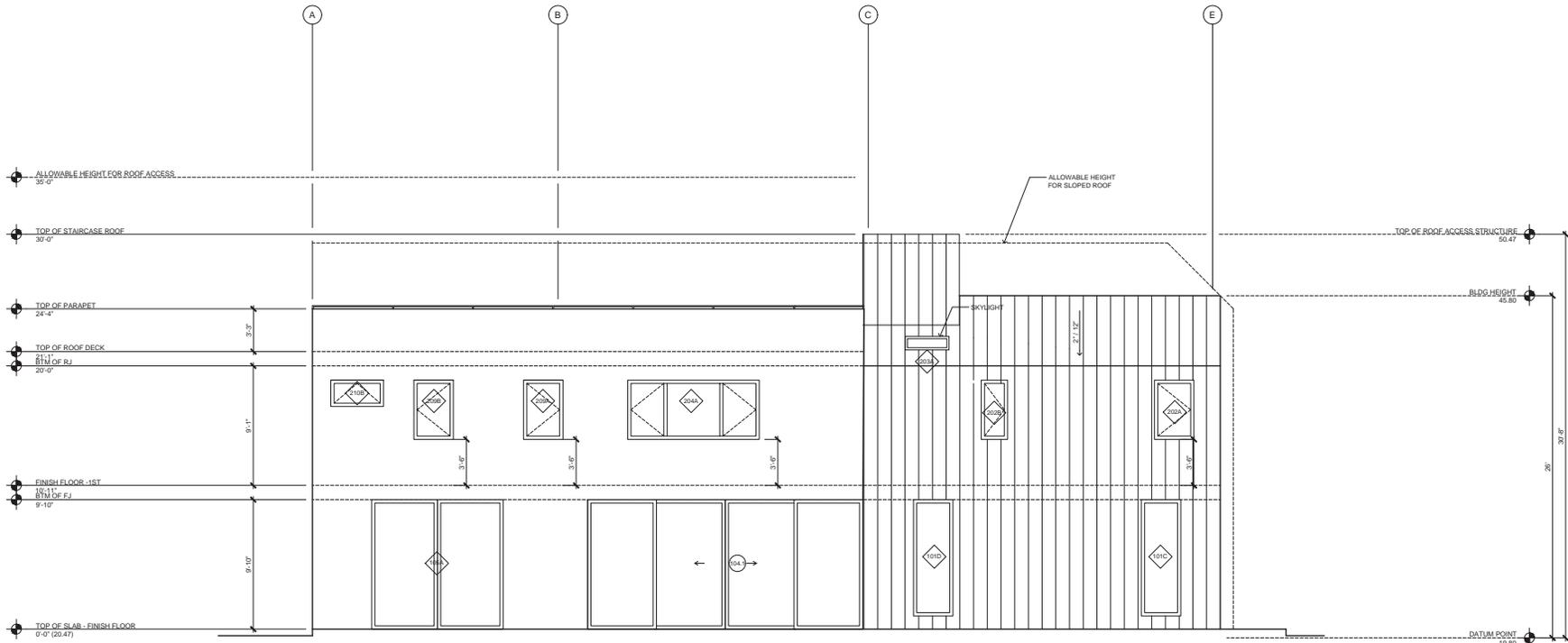


EXHIBIT "A"
 Page No. 7 of 8
 Case No. DIR-2019-5903-CDP-MEL

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 VENICE, CALIFORNIA 90291

PROJECT:
 ANGELUS
 2016-07

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REVISIONS:

DATE: 02.22.2021

SHEET TITLE:
 EXTERIOR
 ELEVATIONS

SHEET:

A3.2

California Coastal Commission WEST ELEVATION
 1/4" = 1'-0" 1

A-5-VEN-22-0007

Exhibit 2

Page 7 of 8

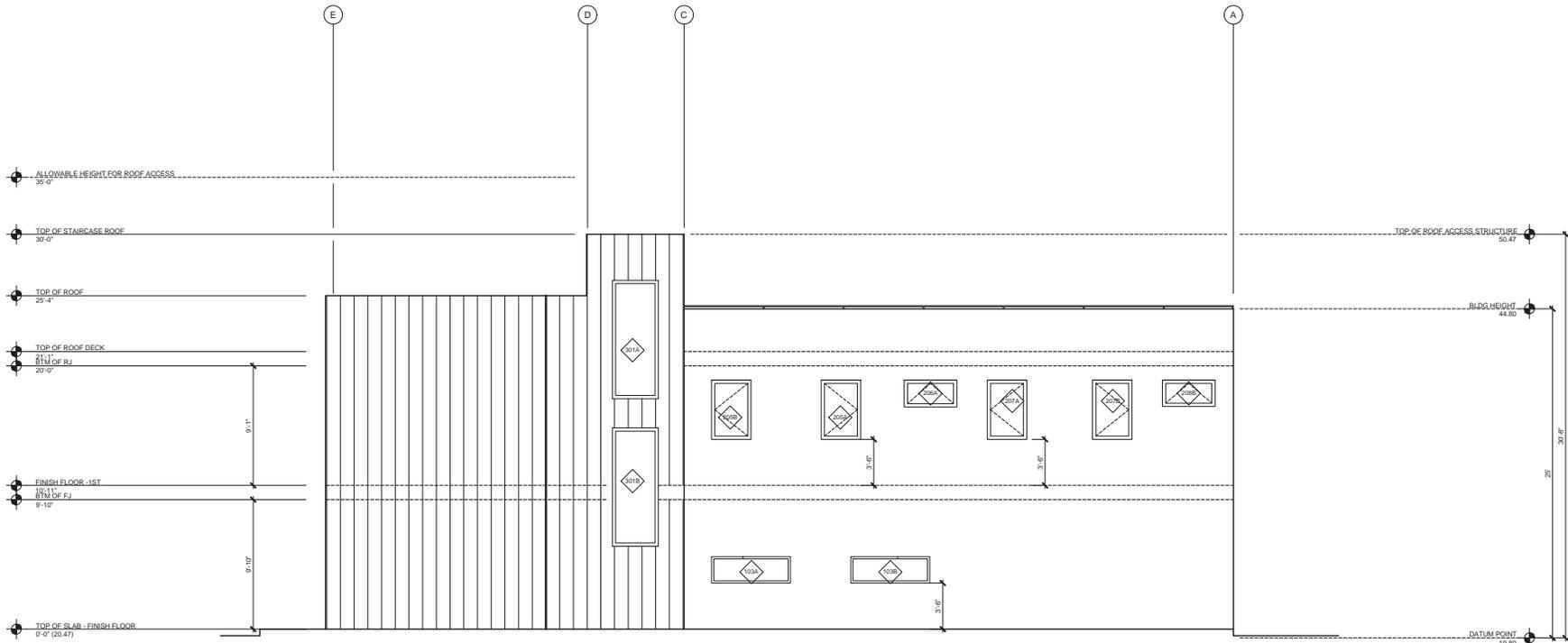


EXHIBIT "A"
 Page No. 8 of 8
 Case No. DIR-2019-5903-CDP-MEL

California Coastal Commission EAST ELEVATION
 1/4" = 1'-0" 1

A-5-VEN-22-0007
Exhibit 2
Page 8 of 8

LAURA DONOVAN ARCHITECTURE
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 2016-07

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REVISIONS:

DATE: 02.22.2021

SHEET TITLE:
 EXTERIOR
 ELEVATIONS

SHEET:

A3.3



WEST LOS ANGELES AREA PLANNING COMMISSION

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

www.planning.lacity.org

LETTER OF DETERMINATION

Mailing Date: **DEC 16 2021**

CASE NO. DIR-2019-5903-CDP-MEL-1A
CEQA: ENV-2019-5904-CE
Plan Area: Venice

Council District: 11 – Bonin

Project Site: 815 East Angelus Place

Applicant: Donald L. Popkes and Allison M. Fister
Representative: Laura Donovan, Laura Donovan Architecture

Appellant: Stewart Oscars

At its meeting of **November 17, 2021**, the West Los Angeles Area Planning Commission held a public hearing to consider the appeal of the determination by the Director's Decision, related to Case No. DIR-2019-5903-CDP-MEL-1A. After a full hearing, during which time the Appellant, Applicant, and members of the public were afforded an opportunity to offer testimony, the Commission voted, through a 2-1 vote, to deny the appeal. In accordance with the Commission's Rules and Operating Procedures, Rule 9.5, a "failure to act is when a majority of the Commission (3 votes) fails to approve or reject an agenda item."

Pursuant to Gov. Code § 65905.5, a maximum of (5) hearings have been held on this item. The determination of the Planning Director dated February 26, 2021, is submitted herewith as the last and final decision of the permit granting authority as it relates to the Coastal Development Permit and Mello Act Compliance Review. The Director's determination approved, pursuant to LAMC Section 12.20.2, a Coastal Development Permit for the Proposed Project, as conditioned, in the Single Permit Jurisdiction area of the Coastal Zone; and approved, pursuant to Government Code Sections 65590 and 65590.1 and the City of Los Angeles Interim Mello Act Compliance Administrative Procedures, a Mello Act Compliance Review for the demolition of one Residential Unit and construction of one new Residential Unit in the Coastal Zone.

This action was taken by the following vote:

Moved: Margulies
Second: Waltz Morocco
Nays: Yellin
Absent: Laing, Newhouse

Vote: 2 – 1

James K. Williams, Commission Executive Assistant II
West Los Angeles Area Planning Commission

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

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

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

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

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

Attachments: Planning Director's Determination dated February 26, 2021, Interim Appeal Filing Procedures

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

DEPARTMENT OF
CITY PLANNING
COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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PRESIDENT

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DEPUTY DIRECTOR

VACANT
DEPUTY DIRECTOR

DIRECTOR'S DETERMINATION

February 26, 2021

Applicant

Donald L. Popkes & Allison M.
Fister
8101 Tuscany Ave
Playa Del Rey, CA 90293

Representative/Architect

Laura Donovan
Laura Donovan Architecture
1022 Amoroso Place
Venice, CA 90291

Case No. DIR-2019-5903-CDP-MEL

CEQA: ENV-2019-5904-CE

Related Case(s): ADM-2020-2950-VSO

Location: 815 East Angelus Place

Council District: 11 – Mike Bonin

Neighborhood Council: Venice Neighborhood Council

Community Plan Area: Venice

Specific Plan: Venice Coastal Zone –
Southeast Venice Subarea

Land Use Designation: Low Medium I Residential

Zone: R2-1

Legal Description: Lot 14, Block B, Venice of America
Extension Tract

Last Day to File an Appeal: March 12, 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 15303 (Class 3), 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, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

Approve a Coastal Development Permit authorizing the demolition of a single-family dwelling and the construction of a new, two-story, 3,437 square foot, single-family dwelling with an attached garage, roof deck, and a swimming pool. The project provides a total of three (3) parking spaces and is located in the Single Permit Jurisdiction area of the Coastal Zone; and

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

Approve a Mello Act Compliance Review for the demolition of one (1) Residential Unit and the construction of one (1) new Residential Unit in the Coastal Zone.

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. **Density.** One single-family dwelling shall be constructed.
4. **Height.** The development shall be limited to a maximum height of 25 feet for flat portions of the roof and 30 feet for varied rooflines (slope greater than 2:12), measured from the midpoint of the centerline of Angelus Place. Any portion of the roof that exceeds 25 feet shall be set back from the required front yard at least one foot in depth for every foot in height above 25 feet. The proposed single-family dwelling shall have a maximum flat roofline height of 25 feet and a maximum varied roofline height of 26 feet and shall be set back a minimum of one foot from the required front yard, as shown in Exhibit A.
5. **Parking and Access.** As shown in "Exhibit A" and as approved by the Department of Building and Safety, the project shall provide a minimum of three parking spaces, all vehicle access shall be from the alley.
6. **Roof Structures.** Roof Access Structures shall not exceed the Flat Roof height limit by more than ten feet regardless of roof type and shall not exceed 100 square feet as measured from the outside walls. Chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the height limit by a maximum of five feet.
7. **Roof Deck.** Railings used on the proposed rooftop deck, exceeding the maximum building height of 25 feet, shall be of an open design and shall be limited to a height of 42 inches.
8. No deviations from the Venice Coastal Specific Plan have been requested or approved herein. All applicable provisions of the Venice Coastal Specific Plan Specific Plan shall be complied with, as further noted in ADM-2020-2950-VSO.
9. **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.
10. Outdoor lighting shall be designed and installed with shielding so that light does not overflow into adjacent residential properties.
11. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
12. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

13. Prior to the 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.
14. 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

15. **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.
16. **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.
17. **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.
18. **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.
19. **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.
20. **Condition Compliance.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
21. **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 is located on a relatively flat, rectangular through lot with a width of 40 feet and depth of 105 feet, resulting in a total lot area of 4,200 square-feet. The property fronts East Angelus Place to the southeast and abuts an unnamed alley at the rear of the lot. The project site is zoned R2-1 and designated for Low Medium I Residential land uses in the Venice Community Plan area. The lots along this block of East Angelus Place are also zoned R2-1 and developed with single and multi-family dwellings ranging from one to two-stories in height. The adjacent streets in every direction are also zoned R2-1 and improved with a mix of single and multi-family dwellings. The project site is located within the Los Angeles Coastal Transportation Corridor, Venice Coastal Zone Specific Plan (Southeast Venice Subarea), and the Single Permit Jurisdiction of the California Coastal Zone. The project site is also in a Liquefaction Zone and within 5.5 kilometers from the Santa Monica Fault. The site is currently improved with a one-story single-family dwelling constructed in 1924.

The applicant is requesting a Coastal Development Permit authorizing the demolition of a single-family dwelling and the construction of a new two-story, 3,437 square-foot single-family dwelling with an attached garage, roof deck, and a swimming pool. The project provides a total of three onsite parking spaces. In addition, the project is subject to review for compliance with the Mello Act.

Angelus Place is a designated Local Street with a right-of-way of 60 feet and a roadway width of 36 feet; the actual right-of-way width is 40 feet with a roadway width of 24 feet. Angelus Place is improved with an asphalt roadway, trees, curb, gutter, and sidewalk.

Alley (Unnamed) has a right-of-way width and roadway width of 14 feet. Vehicle access to the proposed garage is provided from the alley.

Previous zoning related actions on the site include:

ADM-2020-2950-VSO – On June 12, 2020, Planning Staff reviewed the proposed project for compliance with the Venice Coastal Zone Specific Plan and completed a Venice Sign-Off.

Previous zoning related actions in the area include:

DIR-2017-1563-CDP-MEL - On July 30, 2019, the Director of Planning approved a Coastal Development Permit and Mello Act Compliance Review authorizing the demolition of an existing one-story single-family dwelling and the construction of a new two-story, 3,538 square-foot single-family dwelling. The project provides a total of three parking spaces on site and is located in the Single Permit Jurisdiction of the Coastal Zone at 726 West Howard Street.

DIR-2019-1457-CDP-MEL – On July 25, 2019, the Director of Planning approved a Coastal Development Permit and Mello Act Compliance Review authorizing the demolition of an existing two-story single family dwelling and the construction of a new two-story, 4,132 square foot single family dwelling with a basement, a roof deck, and an attached two-car garage. The project provides a total of three parking spaces on site and is located in the Single Permit Jurisdiction of the Coastal Zone at 623 East Boccaccio Avenue.

DIR-2017-407-CDP-MEL – On December 28, 2017 the Director of Planning approved a Coastal Development Permit and Mello Act Compliance Review authorizing the demolition of an existing single-family dwelling and the construction of a new, two-story, 3,420 square-foot single-family dwelling with an attached garage and roof deck. The project provides a total of two parking spaces on site and is located in the Single Permit Jurisdiction of the Coastal Zone at 1147 East Harrison Avenue.

DIR-2017-1608-CDP-MEL - On October 23, 2017, the Director of Planning approved a Coastal

Development Permit and Mello Act Compliance Review authorizing the demolition of an existing single-family dwelling and the construction of a new, two-story, 2,600 square-foot single-family dwelling with an attached garage and roof deck. The project provides a total of three parking spaces on site and is located in the Single Permit Jurisdiction of the Coastal Zone at 2405 South Boone Avenue.

DIR-2016-2381-CDP-MEL – On March 3, 2017, the Director of Planning approved a Coastal Development Permit and Mello Act Compliance Review authorizing the demolition of a single-family dwelling and the construction of a new two-story, 3,400 square-foot single-family dwelling with an attached two-car garage and roof deck. The project provides a total of three parking spaces on site and is located in the Single Permit Jurisdiction of the Coastal Zone at 2325 South Wilson Avenue.

Public Hearing

A public hearing was held, by a Hearing Officer (Ira Brown), on June 15, 2020 at 10:00 a.m. In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the Public Hearing was conducted entirely telephonically. The applicant's representative & architect, Laura Donovan, spoke during the hearing.

Ms. Donovan gave an overview of the project's scope of work and elaborated on the proposed single-family dwelling's key design elements. In her presentation, she stated that the project was fully compliant with the Venice Coastal Zone Specific Plan and would not seek any exemptions from the zoning code. She also stated that the project fit within the character of the surrounding neighborhood.

Three members of the public called in to voice their opposition to the project. They stated that the project's massing was out of scale with the surrounding homes that are predominantly much smaller and voiced concerns that the development could reduce the value of their property. One individual claimed that approval of a project so out of character with the neighborhood could lead to civil unrest. Additionally, concerns were raised about noise during construction and the risk of construction workers spreading COVID-19 to residents. Finally, they expressed that the project should be reviewed by the Venice Neighborhood Council to allow for more community input.

The hearing officer asked Ms. Donovan if they had conducted a massing study. She confirmed that they had not. Ms. Donovan stated that her team had tried to reach out to the Neighborhood Council but did not hear back. She confirmed that they would try again and expressed her willingness to meet with neighbors to discuss the project.

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

Correspondence

Eleven letters opposing the project were received. An additional seven letters were received that inquired about aspects of the project or requested to be added to the interested parties list. Many letters echoed concerns raised during the public hearing about the project being out of scale with the neighborhood. Others stated that allowing a development this size would increase traffic congestion on this block of Angelus Place.

The Venice Neighborhood Council submitted a letter dated September 4, 2020 recommending approval of the project as presented.

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 necessary 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 proposed project is located in a residential neighborhood developed with similar single and multi-family dwellings. The project will demolish a single-family dwelling and construct a new two-story, 3,437 square-foot single-family dwelling with an attached garage, roof deck, and a swimming pool. The new residential structure will maintain connections and access to all public services required for residential uses, including water and sewage, waste disposal, gas, and electricity. Therefore, the proposed development will be adequately serviced and will not have a significant adverse impact on coastal resources.

Section 30251 Scenic and Visual Qualities.

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting. The subject property is located on a relatively flat parcel one (1) mile from the Pacific Shoreline. The proposed project will demolish a single-family dwelling and construct a new two-story, 3,437 square-foot single-family dwelling with an attached garage, roof deck, and a swimming pool. The project observes the maximum flat roof line height (25 feet) while the maximum varied roofline height (26 feet) is four (4) feet below the limit (30 feet). It is compliant with all other pertinent development regulations for the R2-1 zone and Venice Coastal Zone Specific Plan. There are 25 lots on this block of Angelus Place (bounded by Grandview Avenue and Oakwood Avenue), excluding the subject property. These lots are improved with single and multi-family dwellings, of which twenty (20) are one-story, two (2) are two-story, and three (3) have a partial second story. Both dwellings with a full second story are located nearby the subject

site at 819 & 818 East Angelus Place respectively. The existing dwellings on the block feature a diverse range of architectural styles and massing. Other common design elements include varied rooflines and decorative walls along the lot frontage. The proposed project exceeds the required front-yard setback and includes a varied roofline and decorative wall along the lot frontage. The varied roofline and transparent façade help break up the massing, while the wood framing along part of the façade adds visual interest, color, and texture. As such, the proposed project will be visually compatible with the character of the surrounding community and is designed and sited to protect views to and along the ocean.

Section 30252 Maintenance and Enhancement of Public Access.

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development. The subject property is located one (1) mile from the Pacific Shoreline and 3,462 feet from the Venice Canals. The project is limited to the subject property, providing adequate parking for the proposed dwelling unit; three on-site parking spaces. No improvements are proposed or required within the right-of-way, and the project will not obstruct access to or from the site. No permanent structures would be placed within the public right-of-way and public access to the coast would 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 project site is not located on a bluff or cliff but is located in a Liquefaction Zone. It is also located within 5.5 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 proposed project will not produce any adverse impacts as it relates to public access, recreation, marine environment, land resources, or existing development as the subject property is located in an urbanized residential neighborhood one (1) mile from the Pacific Shoreline. The proposed project will neither interfere nor reduce access to the shoreline or along the coast. The proposed project will not adversely impact any recreational uses and activities, the marine environment, and other environmentally sensitive 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, filling, or dredging of the open coastal waters. The proposed project will be served by existing public facilities and will not degrade the scenic and visual qualities of nor interfere with public access to

the coastal area. Therefore, the proposed project will be in conformity with Chapter 3 of the Coastal Act.

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

Coastal Act Section 30604(a) states that prior to the certification of a Local Coastal Program ("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.

As discussed, the project consists of the demolition of a single-family dwelling and the construction of a new 3,437 square foot, two-story single-family dwelling with an attached garage, roof deck, and a swimming pool. A total of three onsite parking spaces are provided. The subject site is within the Southeast Venice subarea of the Venice Coast Zone Specific Plan. It is zoned R2-1 and designated for Low Medium I Residential land uses. The proposed project is consistent with the following policies of the Land Use Plan:

Policy I.A.1 identifies general residential development standards regarding roof access structures and lot consolidation restrictions. No lot consolidation is proposed. The proposed roof access structure meets all requirements for roof access structures.

Policy I.A. includes development standards for projects in areas designated for Multi-family Residential – Low Medium I Density; the standards address use, density, yards, and height for the Southeast Venice Subarea. The project proposes the demolition of a single-family dwelling and the construction of a new single-family dwelling, with a maximum height of 24 feet – 4 inches. The project is consistent with the residential uses and density allowed in the R2-1 Zone and the maximum height for structures located in the Southeast Venice Subarea. The project provides a 21-foot front yard, a 15-foot rear yard, and 4-foot side yards, consistent with the requirements of the R2 zone and the existing scale and character of the neighborhood.

Policy II.A.3. outlines the Parking Requirements for the project: single-family dwellings on lots 35 feet or more in width if adjacent to an alley are required to provide three parking spaces. The subject site has a width of 40 feet and will provide three parking spaces for the single-family dwelling.

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 consists of the demolition of a single-family dwelling and the construction of a new 3,437 square foot, two-story single-family dwelling. As discussed, the project consists of the demolition of a single-family dwelling and the construction of a new 3,437 square foot, two-story single-family dwelling with an attached garage, roof deck, and a swimming pool. The Regional Interpretative Guidelines have been reviewed and the proposed project is consistent with the requirements for the Southeast 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 consists of the demolition of a single-family dwelling and the construction of a new 3,437 square foot, two-story single-family dwelling, providing three 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 September 2020, the Coastal Commission approved a Coastal Development permit for the construction of a new three-story, 33.8-foot high, 4,827 square-foot single-family residence with a 530 square-foot accessory dwelling unit and three on-site parking spaces on a 3,545 square-foot vacant canal-front lot, located at 3819 Via Dolce (Application No. 5-19-1167).
- In March 2020, the Coastal Commission approved a Coastal Development Permit for the substantial demolition, major renovation of, and 1,724-square foot net addition to, an approximately 1,128 square foot, 20.3 foot high, one-story single family residence resulting in an approximately 2,852 square-foot, 28 feet high three-story single family residence with 1,111 square foot of new deck space, new attached two-car garage, and one additional onsite parking stall, 3.5 foot high rooftop guardrails, and hardscape and landscape improvements on a canal-fronting lot. The existing detached two-car garage, topped with a second-story and third-story recreation room, is proposed to be demolished. Project includes a request to maintain nonconforming front yard setback from the canal as well as encroachments beyond the property line adjacent to the canal, located at 441 Sherman Canal (Application No.5-19-0854)
- 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 August 2019, the Coastal Commission approved a Coastal Development Permit to authorize the demolition of a 2-story, 1,693 square-foot single family residence built circa 1985 and construction of a 3-story, 30-foot high, 3,631 square-foot single-family residence with an attached 427 square-foot two-car garage and one additional on-site parking space on the driveway apron, and a 473 square-foot roof deck with 42-inch high railings on an approximately 2,850 square-foot canal-fronting lot, on a lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 237 Linnie Canal (Application No. 5-19-0233).

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, accessed from the alley. 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-2019-5904-CE was prepared for the proposed project consistent with the provisions of CEQA. The project consists of the demolition of a single-family dwelling and the construction of a new 3,437 square foot, two-story single-family dwelling with an attached garage, roof deck, and a swimming pool. A total of three onsite parking spaces are provided. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Sections 15301 (Class 1) and 15303 (Class 3).

The Class 1 Categorical Exemption includes demolition and removal of individual small structures: (1) One single-family residence. In urbanized areas, up to three single-family residences may be demolished under this exemption; (2) A duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling units will be demolished; (3) A store, motel, office, restaurant, or similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use; (4) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. The project proposes demolition of an existing single-family dwelling.

The Class 3 Categorical Exemption allows for construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure; this includes one single-family residence, or a second dwelling unit in a residential zone, and Accessory (Appurtenant) Structures including garages. As previously discussed, the project will construct one new single-family dwelling and a new swimming pool.

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 site is located within a Liquefaction 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 R2-1 and designated Low Medium I Residential use. The proposed development of a single-family dwelling will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not result in significant cumulative impacts.
- (c) Significant Effect. A Categorical Exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed project consists of work typical in a residential neighborhood and, as such, no unusual circumstances are present or foreseeable.

- (d) Scenic Highways. The only State-designated Scenic Highway in the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of the Topanga State Park. The subject property is located several miles 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).

Mello Act Compliance Review

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

7. Demolitions and Conversions (Part 4.0).

The proposed project includes the demolition of one Residential Unit. A Determination issued by the Los Angeles Housing and Community Investment Department (HCIDLA) dated April 22, 2020 states that the property currently maintains a single-family dwelling. HCIDLA collected data from October 2016 through October 2019, utilizing lease agreements and rent checks provided by the owners. The determination states that 815 East Angelus Place had an average monthly rent of \$3,375 – above HCD Land Use Schedule 7's threshold of affordability for a two (2) bedroom unit. Therefore, no Affordable Existing Residential Units are proposed for demolition or conversion and the applicant is not required to provide any Affordable Replacement Units.

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

The project proposes the construction of one (1) new Residential Unit. Pursuant to Part 2.4.2 of the Interim Administrative Procedures, development that consist of nine (9) or fewer Residential Units are Small New Housing Developments and are categorically exempt from the Inclusionary Residential Unit requirement. Therefore, the proposed development of one (1) new Residential Unit is found to be categorically exempt from the Inclusionary Residential Unit requirement for New Housing Developments.

TIME LIMIT – OBSERVANCE OF CONDITIONS

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

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

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown 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 **10 working days** unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed **early** during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://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.

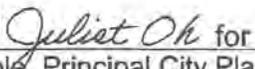
Provided no appeal has been filed by the above-noted date, a copy of the permit will be sent to the California Coastal Commission. Unless an appeal is filed with the California Coastal Commission before 20 working days have expired from the date the City's determination is deemed received by such Commission,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

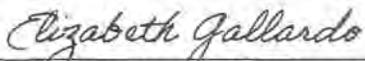
Reviewed by:

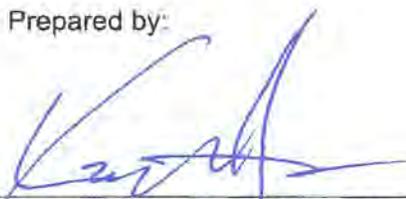

Faisal Robles, Principal City Planner


Juliet Oh, Senior City Planner

Reviewed by:

Prepared by:


Elizabeth Gallardo, City Planner


Kevin Fulton, Planning Assistant



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

DATE: April 22, 2020

TO: Faisal Roble, Principal City Planner
Los Angeles Department of City Planning

FROM: Marites Cunanan, Senior Management Analyst II *M. Cunanan*
Los Angeles Housing and Community Investment Department

SUBJECT: **Mello Act Determination for 815 East Angelus Place, Venice, CA 90291**
Planning Case #: DIR-2019-5903-CDP-MEL

Based on information provided by Laura Donovan (Owner Representative) on behalf of Donald L. Popkes, II and Allison M. Fister, Husband and Wife as Tenants in Common (Owner), the Los Angeles Housing + Community Investment Department (HCIDLA) has determined that no affordable unit exists at 815 East Angelus Place, Venice, CA 90291 (APN 4237-015-014).

Owner is proposing to demolish the existing single family dwelling and detached garage to construct a new single family dwelling with attached garage. On April 22, 2016, Owner acquired the property from Marion Deasy, successor Trustee of The John Patrick Dessy Living Trust, U/A dated August 24, 2000.

Owner has not applied for a Building Permit or Demolition Permit with the Department of Building and Safety.

Section 4.4.3 of the Interim Administrative Procedures for Complying with the Mello Act requires that HCIDLA collect tenant income verification documents if available, or monthly housing cost data as substitute, for at least the previous three (3) years prior to the date of application with the Department of City Planning (DCP). Owner filed an application with DCP on October 10, 2019. Therefore, HCIDLA must collect data from October 2016 through October 2019.

HCIDLA mailed a certified letter to the property on March 17, 2020. HCIDLA did not receive a response to the letter.

Owner provided information through tenant leases and rent checks demonstrating that the property was rented throughout the three (3) year lookback period. The total rent collected over the course of the three years was \$121,500, which is a monthly average of \$3,375. The average monthly rent is above HCD Land Use Schedule 7's threshold of affordability for a two (2) bedroom unit. It should be noted that bank statements were provided that included additional deposits which were unverified because they did not include rent checks.

Based on the information provided, HCIDLA has determined that no affordable unit exists at 815 East Angelus Place, Venice, CA 90291.

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



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

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check.

Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

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

Metro DSC

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

Van Nuys DSC

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

West Los Angeles DSC

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

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

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

CALIFORNIA COASTAL COMMISSION

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

**APPEAL FORM**

Appeal of Local Government Coastal Development Permit

Filing Information (STAFF ONLY)

District Office: South Coast

Appeal Number: A-5-VEN-22-0007Date Filed: 2/07/2022Appellant Name(s): Stewart Oscars**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 North 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/#/>.

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California Coastal Commission
A-5-VEN-22-0007
Exhibit 4
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Appeal of local CDP decision

Page 2

1. Appellant information:

Name: Stewart Oscars
Mailing address: 810 Angelus Place, Venice, CA 90291
Phone number: 310-305-8248
Email address: stewart.oscars@gmail.com

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

Did not participate Submitted comment Testified at hearing Other

Describe: Beginning June 2020 - November 2021, I had phone calls + Zoom meetings w/ owner and architect; participated in Venice Neighborhood Council LUPC + Board meetings; LA City Planning hearings; West Los Angeles Area Planning Comm Hearings

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: Participated in Los Angeles City Planning Hearings; appealed Director's Determination, testified at West Los Angeles Area Planning Commission Hearings.

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

Appeal of local CDP decision

Page 3

2. Local CDP decision being appealed²

Local government name: City of Los Angeles
Local government approval body: Dept of City Planning
Local government CDP application number: DIR-2019-5903-CDP-MEL-1A
Local government CDP decision: CDP approval CDP denials
Date of local government CDP decision: February 26, 2021

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

Describe: 815 E. Angeles Place, Venice, CA. 90291
Venice Coastal Zone, Southeast Venice
Subarea
Lot 14, Block B, Venice of America
Extension Tract
Approve a CDP authorizing the demolition
of a single family dwelling and the construction
of a new, two story, 3437 square foot, single
family dwelling with an attached garage,
roof deck, and a swimming pool. The project
provides a total of three (3) parking spaces and
is located in the Single Permit Jurisdiction area
of the Coastal Zone; and
Approve a Mello Act Compliance Review for the
demolition of one (1) Residential Unit and the
construction of one (1) new Residential Unit in the
Coastal Zone.

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

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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 Stewart Oscars

Signature Stewart Oscar

Date of Signature 1/11/2022

7. Representative authorization⁵

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.

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

⁶ 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

455 MARKET STREET, SUITE 300
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-22-0001

Grounds for appeal of 815 Angelus Place

February 7, 2022

City of L.A. case #: DIR-2019-5903-CDP-MEL-1A

1. Finding 1. of the City CDP is an error and abuse of discretion as the project does not protect the Special Coastal Community of Venice and as it omits consideration of Venice's status as a Special Coastal Community, as required by Coastal Act Section 30253(e) and LUP Policy I.E.1.

Coastal Act Section 30253(e) Minimization of adverse impacts states:

"New development shall...where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses."

Section 58 (c) of the 1975 Coastal Plan specifically states:

"Development out of scale, size, or social character shall not be allowed in designated special communities and neighborhoods. In determining the appropriateness of a proposed development, consideration shall be given to intensity of use (e.g., lot size, unitsize, residential composition, height, bulk), pedestrian accessibility, open space, economic and social factors, and the cumulative impact that potential development would have on an area's resources."

Section 58 (e) of the 1975 Coastal Plan states:

"Permissible new or expanded development shall be designed to be compatible with the special values and character of the community and shall avoid the overcrowding of access roads and local streets. Development shall (1) strengthen the physical form of the community or neighborhood, (2) enhance and restore visual qualities by being of a bulk, height, and color that is compatible with the existing character, (3) harmonize with the essential design characteristics that distinguish the place from other communities."

A Special Coastal Community is defined in the LUP (page I-16) as:

"An area recognized as an important visitor destination center on the coastline, characterized by a particular cultural, historical, or architectural heritage that is distinctive, provides opportunities for pedestrian and bicycle access for visitors to the coast and adds to the visual attractiveness of the coast." (emphasis added)

The certified Land Use Plan (LUP) recognizes and designates Venice as a Special Coastal Community. Policy I.E.1 Preservation of Venice as a Special Coastal Community provides:

"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."

LUP Policy Preservation of Venice as a Special Coastal Community I.E.2. Scale states:

"New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods. Lot consolidations shall be restricted to protect the scale of existing neighborhoods."

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Exhibit 4

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LUP Policy Preservation of Venice as a Special Coastal Community I.E.3. Architecture states:
“Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.” (emphasis added)

The Coastal Commission has made numerous findings that Venice is a “Coastal Resource” to be protected. In addition, the Venice Coastal Zone is a Special Coastal Community, as designated in the original Coastal Plan, which preceded and formed the basis for the Coastal Act, and as designated by the Coastal Commission when it certified the LUP, which means that additional protections are necessary to protect the mass, scale and character of Venice’s unique neighborhoods, as per Coastal Act Section 30253(e) and the LUP guidance in Policies I.E.1., I.E.2. and I.E.3.

The proposed project does not conform with the requirements of the above coastal regulations. The neighborhood that includes Angelus Place is a special and unique neighborhood. The lots are small and substandard and the street is very narrow compared to surrounding streets. The project does not maintain the neighborhood scale and massing as required by the LUP.

In making Finding 1 that the development is in conformity with Chapter 3 of the Coastal Act, the City does not even make a finding with respect to protecting the character of the coastal resource that is the Special Coastal Community of Venice. The City erred and abused its discretion as it only cited Coastal Act Chapter 3 Section 30253(e) regarding special communities but did not analyze and make a finding regarding conformance of the project with this key Chapter 3, 30253(e) section.

Thus, with respect to Venice as a Special Coastal Community, the city erred and abused its discretion as the proposed project does not conform with the requirements of:

- Coastal Act Section 30253(e) Minimization of adverse impacts
- Sections 58 (c) and (e) of the 1975 Coastal Plan
- LUP Policy I.E.1 Preservation of Venice as a Special Coastal Community
- LUP Policy I.E.2. Scale
- LUP Policy I.E.3. Architecture

2. Finding 1. of the City CDP is an error and abuse of discretion as the project is not visually compatible with the mass, scale and character of the surrounding neighborhood and as the project does not conform with Coastal Act Section 30251 or LUP Policies I.E.1., I.E.2., and I.E.3.

Coastal Act Section 30251 Scenic and visual qualities states:

“The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas....”

LUP Policy I. A. 2. Preserve Stable Single-Family Residential Neighborhoods states:

“Ensure that the character and scale of existing single-family neighborhoods is maintained and allow for infill development provided that it is compatible with and maintains the density, character and scale of the existing development.” (emphasis added)

LUP Policy Preservation of Venice as a Special Coastal Community I.E.2. Scale states:

“New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods. Lot consolidations shall be restricted to protect the scale of existing neighborhoods.”

LUP Policy Preservation of Venice as a Special Coastal Community I.E.3. Architecture states:

“Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.” (emphasis added)

ANGELUS PLACE NEIGHBORHOOD

Angelus Place is the middle street of a 3-street neighborhood comprised of Coeur d’Alene Ave, Angelus Place, and Crestmoore Place, and it runs the 2 blocks from Abbot Kinney Blvd to Grandview Ave. The streets serving these 6 blocks are 24 feet wide, creating a closeness not felt by people living on surrounding streets, which are from 6 to 16 feet wider. The 800 block lots are small and non-conforming, mostly 40 feet x 105 feet (4,200 sq ft), and the houses are mostly small in scale and mass. This results in a more compact neighborhood than the surrounding areas.

The existing 800 block of Angelus has 26 lots with houses (See Streetscape at EXHIBIT A):

- 21/26 (81%) are single story, average 1,246 sq ft, FAR (Floor to lot Area Ratio) of .31.
- 3/26 (12%) have partial second story, average 1,475 sq ft, FAR of .36.
- 2/26 (7%) are 2 story, average 2,630 sq ft, with an average FAR of .63.
- The average of all 26 homes on the block is 1,347 sq ft, a FAR of .31.
- The proposed project, 815 Angelus Place, is a 2-story, 3,437 sq ft home with a FAR of .82.
- At 3,437 sq ft, the proposed project would be over 2 ½ times the average of all 26 homes on the block.

There are no houses on the 800 Angelus block that are 3,000 sq. ft or larger nor are there any on the 600 or 700 blocks. The largest structure on the block is a 2,937 sq ft duplex at 825 Angelus. At 3,437 sq ft, the proposed project at 815 Angelus would be 17% larger than the duplex at 825 Angelus and would establish a dangerous precedent for the block and the area by opening the door for much larger scale development (i.e., another 17% increase would allow a 4,021 sq ft home to be approved and others to follow).

CHARACTER, MASS & SCALE NOT COMPATIBLE

Given its size and its unarticulated facade, the proposed 815 Angelus project is not compatible with and will harm, rather than protect, the mass, scale, and character of the neighborhood. The project does not offer a stepped back façade or other articulated features to reduce its massing, which is uncommon in the area, thereby creating a visual impact highly visible to pedestrians walking by the lot. The size of the proposed home is inconsistent with other City actions and the average size of homes in the survey area. See EXHIBIT A. Overall, the project’s size and massing are not consistent with the existing community character, which could prejudice the City’s ability to prepare a Local Coastal Program in the future.

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EXHIBIT B shows a model of the existing home flanked by adjacent properties compared to the proposed project with the adjacent properties, which shows the significant adverse visual impact of the project. The proposed project at 815 Angelus would be replacing a 1-story 1,068 sq ft house with a 3,437 sq ft house, 3.2 times larger than the existing home. Also, there is a roof deck, which would give 815 Angelus residents views into neighboring yards, taking privacy and security from the neighbors. Also, roof railings, umbrellas, trellises, etc. would give the appearance of another story. A sun/shade study has not been presented.

The neighborhood surrounding 815 Angelus Place is small in scale. Venice's small scale is a part of its character, as per the LUP. In fact, as per the Summary of Venice Coastal Issues in the LUP (page I-4), Preservation of Venice as a Special Coastal Community and its community character, scale and architectural diversity is a priority issue.

The design of the house includes a flat, unarticulated façade, which will result in a sheer front wall. It will interrupt the pedestrian orientation of the block. The result will create a feeling for pedestrians that they are closed in by the design as it is a significantly taller building among mostly one-story homes with step backs and varied planes. Thus, the project does not conform with Coastal Act Section 30251 with respect to protection of visual resources and would cause an adverse cumulative effect to the surrounding neighborhood.

Character is not based on whether one likes a design but rather on whether its character is compatible and fits into an existing neighborhood without an adverse individual or cumulative effect on the immediate neighborhood (the block), most commonly called the viewshed. Character has been defined by one industry expert as:

“While the character of a neighborhood is not always easily defined, it is often made up of a collection of buildings, architectural styles, and, a similar scale and massing that, when combined, work together to help impart a specific look and feel of a place.” – Adrian Scott Fine, “Saving Neighborhood Character.” LA Conservancy News. Fall 2014.

The 800 block of Angelus can be characterized as made up of modest homes, mostly 1 story and in the more traditional building styles: arts and crafts, Spanish, and California bungalows. (The larger surrounding neighborhood, Presidents Row, can also be characterized as such.) 54% of the homes were built before 1930 and 31% in the 1940s to 1960s.

The Coastal Commission also designated Carmel as a Special Coastal Community. The unique community and visual character of Carmel as exhibited by the style, scale and rich history of its architecture, together with its beaches, recreational amenities and its landscape, all combine to form the special character of Carmel, a character that is a separate, significant coastal resource worthy of protection in its own right, similar to Venice. Carmel is a coastal resource known internationally as an outstanding visitor destination, similar to Venice. Carmel is primarily a residential community and thus its residential development plays a key role in defining its special character, similar to Venice. Carmel is distinctly recognized for its many small, well-crafted beach cottages, similar to Venice. Large projects have great potential to alter Carmel's special community character, which is protected by the Coastal Act, similar to Venice. (source of Carmel details: Coastal Commission permit No. 3-02-008).

For the same reasons as Carmel, Venice is considered a “Special Coastal Community” under the Coastal Act due to its unique architectural, social and visual character. Venice's character is described in the LUP:

- Venice is recognized as an important visitor destination center on the coastline because of its cultural, historical and architectural heritage that is distinctive, as it provides opportunities for pedestrian and bicycle access for visitors to the coast, and as it adds to the visual attractiveness of the coast.
- Historically, Venice has attracted people from all social and ethnic groups.
- Venice remains a quintessential coastal village where people of all social and economic levels are able to live in what is still, by Southern California standards, considered to be affordable housing.
- Diversity of lifestyle, income and culture typifies the Venice community, and its social diversity is to be protected as per the LUP.
- Venice's residents inhabit many of the small summer homes built on substandard lots.
- Because the residential lots are mainly relatively small and substandard, the general pattern of development is one of smaller houses.
- The subdivision patterns in Venice are also unique, the layout of which still reflects the original canal system and rail lines.
- The landscape—the trees of the Oakwood community and the gardens of the North Venice, Milwood and Lost Venice Canals Historic walk streets—is a part of its character.
- Venice is really a group of identifiable neighborhoods.

Because Venice is primarily a residential community, the neighborhood character of residential development in its unique neighborhoods, such as this one, plays a key role in defining the special character of the Venice community as relates to the historic architecture and its small scale.

Existing homes on the 800 Angelus block have a wide variety of architecturally designed front walls: porches, porches with walls, porches with roofs, front walls with sections having varied setback depths, windows and doors set into the walls or flush with the walls or bay windows.

815 Angelus' proposed front wall is a 26-foot high by 32-foot-wide flat wall. This sheer front wall is inconsistent with the block's established character, mass and scale. It does not break up the bulk of the front of the 815 Angelus building. The façade is not stepped back on the upper level and there is no other articulation to reduce its massing, which creates a negative visual impact highly visible to pedestrians. Unfortunately, this sheer wall will dominate the neighboring houses rather than complimenting them. Redesigning the front wall to create texture and variation is needed. Establishing this sheer wall precedent would give birth to the possibility of an adverse cumulative effect of maximizing floor space at the expense of compatibility with the character, mass and scale of the block. The City overlooked the visual impact that the project's massing would have for pedestrians.

See examples at EXHIBIT C of the articulation of some of the homes on the block. The other two-story homes on the block have stepped back facades or second-story additions toward the rear of the lots, while in this case, the structure lacks articulation and is not stepped back. The portion of the home that rises to the maximum height of approximately 28 feet is at the most visible portion of the structure. Due to the bulky frontage, the home would appear to be very large compared to other homes in the neighborhood. The lack of articulation, if implemented on future projects, has the potential to adversely impact community character.

At 2 ½ times the size of the average size home on the 800 Angelus block, the project is incompatible with the surrounding neighborhood and inconsistent with LUP Policy I.E.2, which states: "all new development and renovations should respect the scale, massing, and landscape of neighborhoods" and inconsistent with LUP Policy I.E.3, which states: "varied styles of architecture are encouraged ...while maintaining the neighborhood scale and massing." Nor is the project in

compliance with LUP Policy I.A.2., which requires that the project is compatible with and maintains the density, character and scale of the existing development. This proposed project would not maintain the scale and character of the surrounding neighborhood and therefore harms the neighborhood rather than protecting it. Thus, the project is not in conformance with Chapter 3 of the Coastal Act.

The project does not protect the visual quality of this coastal neighborhood as it is not visually compatible with the character of the block, as required by Coastal Act Section 30251 Scenic and visual qualities. This project does not respect the scale, massing and landscape of the existing residential neighborhood, as required by LUP Policy Preservation of Venice as a Special Coastal Community I.E.2 Scale. The project does not maintain the neighborhood scale and massing as required by LUP Policy Preservation of Venice as a Special Coastal Community I.E.3. Architecture and LUP Policy I.A.2. Preserve Stable Single-Family Residential Neighborhoods.

The LUP recognizes the importance of maintaining the existing pedestrian scale of single-family residential neighborhoods and the need to preserve them. Therefore, new structures should be sited and articulated to respect the pedestrian scale by maintaining the visual compatibility with the surrounding neighborhood. Because the City ignored, and the project does not comply with, LUP policies I.A.2., I.E.1., I.E.2. and I.E.3., which policies are designed to protect Venice's unique community character, a significant coastal resource, and which policies are the detailed guidance for determining whether a project conforms with Coastal Act Chapter 3, by definition, it would prejudice the ability of the City to prepare a Local Coastal Program in conformity with Chapter 3 of the Coastal Act. The City-approved development would have an adverse visual impact to the pedestrian scale of this area of Venice and raises an issue of statewide significance.

The city CDP findings that the project conforms with the standard of review, the Coastal Act, and its guidance, the LUP, are in error and the city has abused its discretion in approving the CDP. There is not sufficient support for the City's findings that the project is consistent with Chapter 3 policies, including with respect to compatibility with community character and potential prejudice to the City's adoption of a Local Coastal Program that conforms with Chapter 3. The project cannot be approved as proposed. Furthermore, the City CDP does not make proper findings. An abuse of discretion is established if an agency's order or decision is not supported by the findings, or the findings are not supported by the evidence. As to the former, the agency must bridge the analytic gap between the raw evidence and ultimate decision or order. The findings are conclusory statements in contrast to the data and findings by the Appellants. The City's conclusory and inadequate findings do not support compatibility of mass, scale and character required by the Coastal Act Chapter 3 Section 30253 and the LUP.

3. The Finding 1 of the City CDP is an error and abuse of discretion as the project would cause a significant adverse Cumulative Effect on coastal resources

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(a) 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

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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 City did not make findings regarding cumulative effects. As per Coastal Act Sections 30105.5 and 30250(a), the cumulative effect needs to be analyzed with respect to how an individual project would impact an existing neighborhood in consideration of past projects, other current projects, and probable future projects. Using this definition, should this project be built, it would result in a significant adverse impact for this sensitive neighborhood. An analysis of past projects, other current projects (there are already two other applications for new development in this immediate neighborhood) and probable future projects should have been a finding in the City CDP and the city erred in not addressing this required finding.

The cumulative effects analysis required by Coastal Act Section 30250 must be considered when making a determination on individual residential projects (this is separate from CEQA regulations regarding cumulative impacts). This requirement has been confirmed by two Superior Court judges who revoked CDPs for failure to do the cumulative effect analyses. The Court’s decisions have been acknowledged by the Coastal Commission and made part of its subsequent reports and findings.

The City errs as it does not consider the cumulative effects of the project on coastal resources, which is required for all projects in the Coastal Zone. The Coastal Act requires that new development not have a significant adverse impact, either individually or cumulatively, on coastal resources. The Coastal Act and LUP protect Venice’s existing scale and character and protect against projects of this size and scale. The City must do an analysis of cumulative effects on the community character and the scale of this unique coastal neighborhood by considering the impacts of past development in conjunction with current and probable future projects.

The proposed home would be *over 2 ½ times the size* of the 1,347 sq ft average of all 26 homes on the block. The effect of allowing such a large precedent would likely lead to future requests for building projects that are even larger and more incompatible with the established neighborhood’s mass, scale, and character, which would cause a significant adverse cumulative effect on community character and scale/mass of the neighborhood.

As noted above, the City also errs in that Finding 1 does not recognize that the Venice Coastal Zone has been designated by both the City and the Coastal Commission as a “Special Coastal Community” (as defined and designated in the LUP) and that it must be preserved and protected from projects like this that would cause a significant adverse cumulative effect on the relatively small scale and unique community character of this unique and special neighborhood.

4. Finding 4 of the City CDP is an error and abuse of discretion as the City precedent of denial of a similar Angelus Place project and the Coastal Commission precedent of Substantial Issue on a similar Angelus Place project were not considered

There is a clear precedential decision by the West L.A. Area Planning Commission (WLAAPC), denying the project proposed at 720 Angelus Place, on the same street, in the same neighborhood for the same reasons in this appeal. See City Case No: DIR-2016-750-CDP-MEL-1A. That hearing is available at: <https://planning.lacity.org/pdiscaseinfo/document/MTY4MDc30/03b6cd7a-61f3-4d27-8bc5-9bb6e20119bc/pdd>

At the November 16, 2016 city appeal hearing of a project for 720 Angelus, the WLAAPC upheld the appeal and overturned the Planning Director's approval of a CDP for the project. The 720 Angelus project proposed demolition of a 1,176 square foot single-family dwelling and accessory structure to construct a two-story, 3,044 square foot single-family dwelling with a maximum building height of 28'. The WLAAPC found that:

- the development is not in conformity with Chapter 3 of the Coastal Act of 1976 and would be out of scale in contrast to the single-family dwellings on Angelus Place
- the proposed project conflicts with Section 30251 of the Coastal Act, which states the importance of preserving and protecting the scenic and visual qualities of the coastal areas with regards to character, mass and scale as part of the scenic qualities of the Venice Coastal Zone, and that it would create an adverse cumulative effect on this special coastal community
- policy I.A.2 of the certified LUP states that developments in stable single-family residential neighborhoods must ensure that the character and scale of existing single-family neighborhoods is maintained and allow for infill development provided that it is compatible with and maintains the density, character and scale of the existing development
- approval of projects that are out-of-character with the surrounding community sets a bad precedent and creates a cumulative effect on the neighborhood, making developing a Local Coastal Program for Venice impossible to be in conformity with Chapter 3 of the Coastal Act. Approval of the proposed project, which is out of scale with and not within the character of the other residential buildings on Angelus Place would prejudice the ability of the City of Los Angeles to prepare a Local Coastal Program that is in conformity with Chapter 3 of the Coastal Act.

The properties cited in City CDP Finding 4 as examples of previous Coastal Commission actions are not located on Angelus Place or in the surrounding three-street neighborhood and they do not represent applicable prior decisions of the Coastal Commission for purposes of supporting this project. As noted above, the Angelus Place surface street is 24 feet wide. The comparable properties used in the City's determination are on streets that are approximately 30 to 40 feet wide, and three of the so-called comparable properties are on the Venice Canals, which are approximately 50 feet wide, all of which are significantly wider than Angelus Place. The three walk street projects, in North Venice and the Marina Peninsula, are in Low Medium II multi-family land use designations where the mass and scale are significantly different than in the Angelus Place neighborhood, which is Low Medium zoning. This difference in the street width, impacting surrounding spaces, creates a significantly different character to the location—a different feeling of openness or pressure from the buildings on both sides of the street.

Thus, Finding 4 is an error and abuse of discretion as the City considered only prior irrelevant zoning decisions and did not rely on the clearly most relevant and applicable city precedent, 720 Angelus. In addition, the City did not consider the applicable Substantial Issue decision of the Coastal Commission regarding the very similar project at 822 Angelus (that both the public and one Commissioner brought up during the November 17, 2021 appeal hearing) as required by Coastal Act Section 30625(c), 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.

5. A majority of commissioners voted to uphold the appeal and deny the project at the City appeal hearing

The following motion was made at the WLAAPC's November 17, 2021 appeal hearing for the proposed project:

Motion to grant the appeal and overturn the Planning Director's determination of February 26, 2021 and adopt the findings as stated on the record. As stated in commissioner comments, this project is inconsistent with the policies of the LUP and Chapter 3 of Coastal Act, both 30251 and 30253, and with the LUP mass and scale policies, Policy I.E.3. regarding maintaining the neighborhood scale and massing. And particularly that there has been no cumulative impact study prepared to the standard of the state Coastal Commission to evaluate cumulative impact.

The vote on that motion was 2-1 in favor of upholding the appeal and denying the project. However, the WLAAPC has an unusual 'standing rule' that when three Commissioners are in attendance that a unanimous vote is required, and thus a majority vote is in this case constituted a "failure to act."

The two Commissioners voting in favor of granting the appeal and denying the project made it clear that they felt very strongly that the 815 Angelus project was not in compliance with the Coastal Act and the LUP. In addition, at the November 17, 2021 WLAAPC hearing for this project, 720 Angelus was used as an example of a similar out of scale project for which the Commission's overturning of the Planning Director was the correct decision. Please consider the majority two Commissioners' strong objections to this project in your review. That hearing is available at (motion at 51:22): https://planning.lacity.org/plndoc/Audio/West_LA/2021/11-17-2021/6_DIR_2019_5903_CDP_MEL_1A.mp3

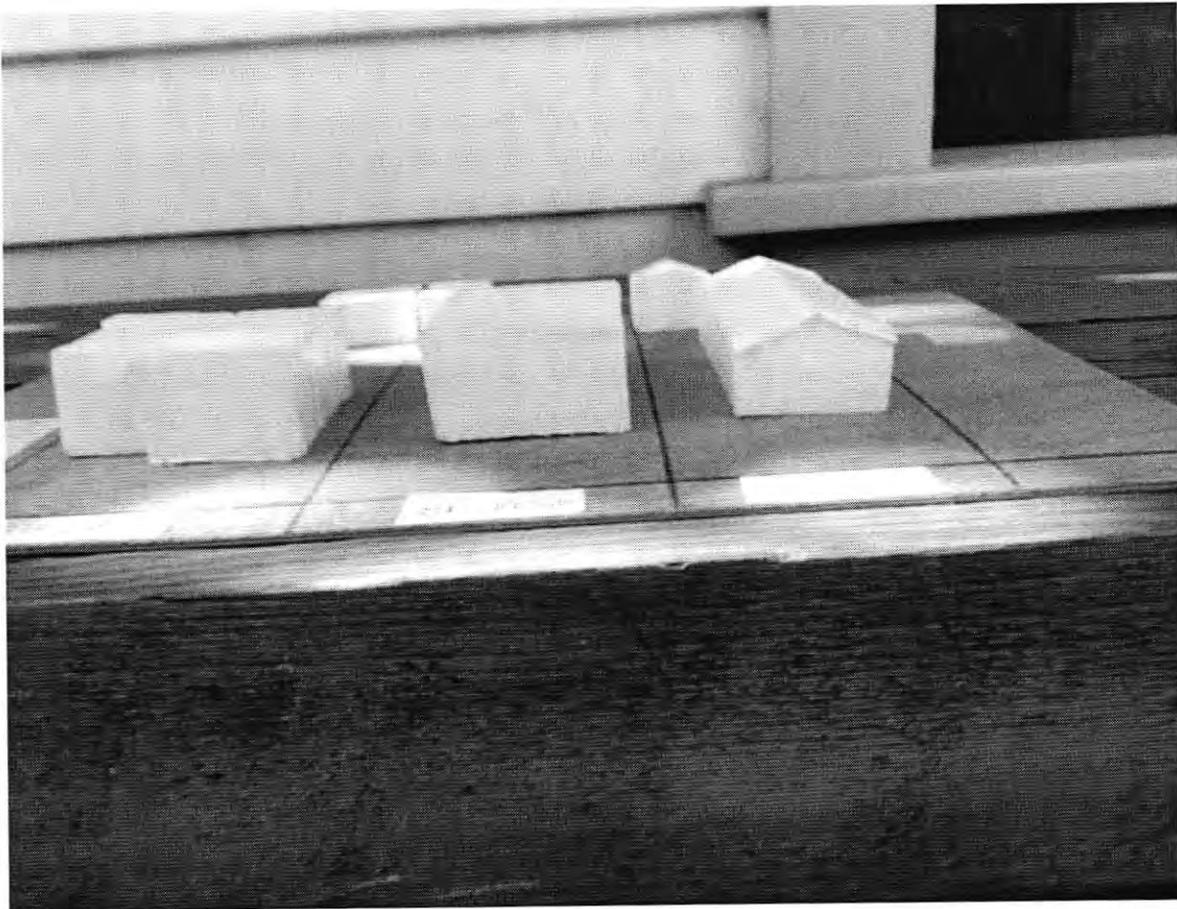
The City Decision Maker has erred and abused its discretion by approving the project at 815 Angelus Place. We ask that the Commission find Substantial Issue for the proposed project at 815 Angelus, which is very similar to the project at 822 Angelus Place, for which the Commission declared Substantial Issue at its November 2021 meeting.

EXHIBIT A

STREETSCAPE		Source: ZIMAS				
Survey area is the 800 block of Angelus Place, between Grandview Ave and Oakwood Ave						
PROPOSED PROJECT ADDRESS:						
815 Angelus	3,437	4,200	0.82			
26 LOTS						
HOUSE NO.	HOUSE SQ FT	LOT SQ FT	% HOUSE/ LOT (FAR)	MULTI UNIT/ RSO	UNITS	YEAR BUILT
NORTH SIDE						
801	1,570	5,164	0.30			2005
805	1,036	4,200	0.25			1950
807	1,116	4,200	0.27			1921
809	1,556	4,200	0.37			1962
811	942	4,200	0.22			1923
813	990	4,200	0.24			1924
815	1,068	4,200	0.24			1924
817	1,040	3,675	0.28	RSO		1924
819	2,323	4,200	0.55		2 Condos	2014
821	1,180	4,200	0.28	RSO		1922
823	1,114	4,200	0.27			1947
825	2,937	4,200	0.70	RSO	2 Units	1947
827	1,120	5,176	0.22			1947
TOTAL	17,992	56,018				
AVERAGE	1,384	4,309	0.32			
SOUTH SIDE						
802-804	1,672	5,177	0.32		2 Units	1959;1950
806	1,417	4,211	0.34	RSO	2 Units	1922
808	1,584	4,211	0.38		2 Units	2008
810	1,917	4,211	0.46			2003
812	1,074	4,211	0.26			1948
814	768	4,211	0.18			1948
816	1,192	4,211	0.28			1914
818	1,670	3,685	0.45			1926
820	1,345	4,212	0.32			1921
822	816	4,212	0.19			1924
824	1,258	4,212	0.30			1924
826	1,088	4,212	0.26			1914
828	1,239	5,190	0.24			1913
TOTAL	17,040	4,320				
AVERAGE	1,311	4,320	0.31			
AVG TOTAL BLOCK	1,347	4,315	0.31			
BUILT						
Pre 1930		14/26	54%			
1940's - 1960's		8/26	31%			
Post 1960's		4/26	15%			
Single story		21	81%			
Partial second story		3	11%			
Two-story		2	8%			

EXHIBIT B

Existing--comparison of mass & scale with adjacent neighbors



Proposed--comparison of mass & scale with adjacent neighbors

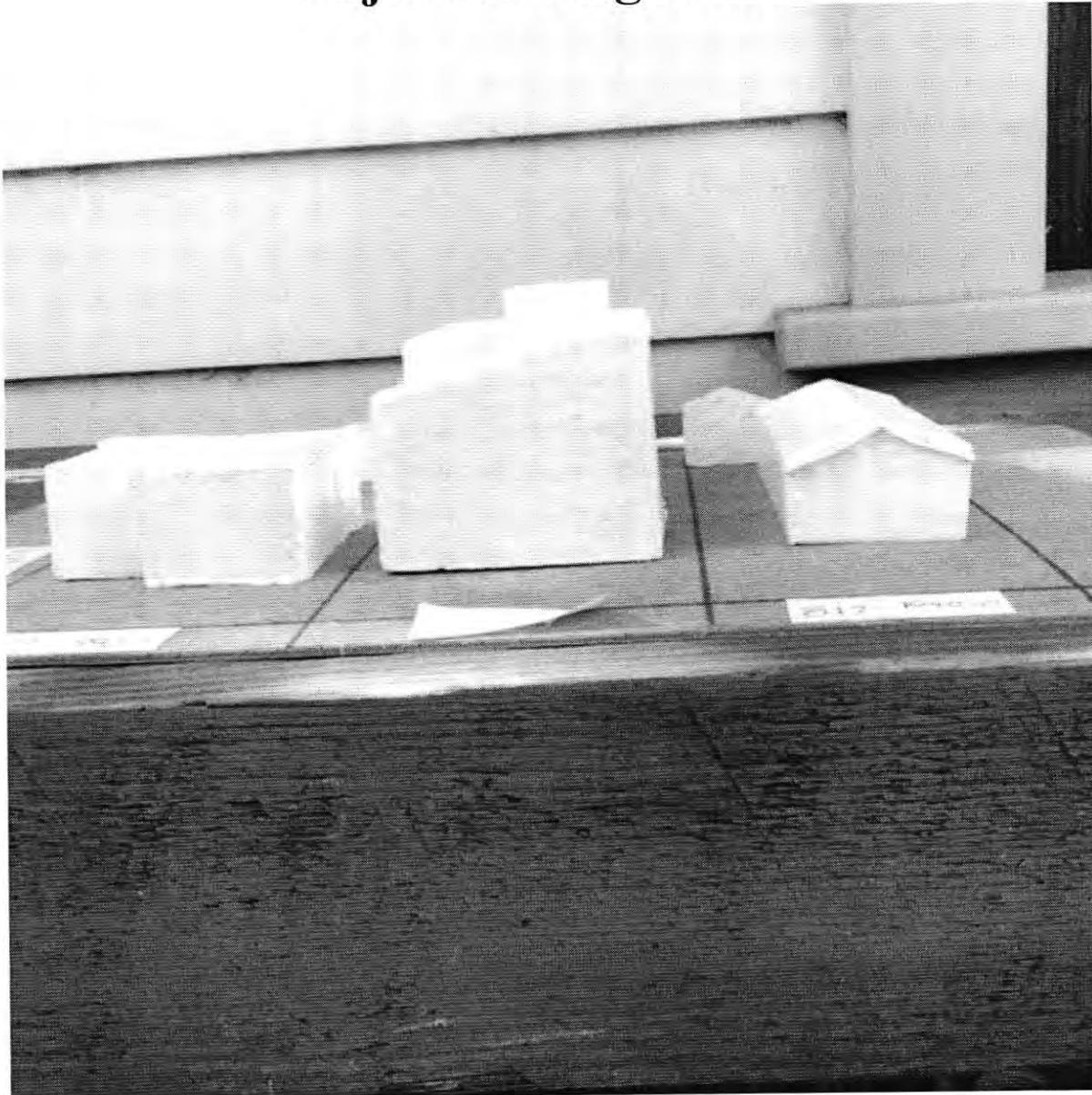


EXHIBIT C

810 Angelus

About 40 foot setback front of 1st floor to front of second floor.

Home is three sections.

Front one-story section: the right 1/2 is one car garage. On left is a bedroom.

Middle section is living room.

Back third section is the two story section: first floor is kitchen and bathroom.
Second floor is bedroom and bathroom.



818 Angelus

Varied articulation, partial step back, covered porch, bay window.



828 Angelus

Second story set back, varied roofs



825 Angelus

Varied roof heights, styles.

Second floor front wall some 30 feet setback from first floor front wall.

There's a a large front porch and 2 depth first floor front wall.



