

GENERAL INFORMATION ABOUT THE CONTENTS OF THIS FILE

Submissions by the public in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3, are distributed to the Commission and uploaded online. Please note that “compliance” means that the submission complies with deadline, delivery method (hard copy and/or electronic) AND the number of copies. Please review the Commission ROPs to ensure that you meet the submission requirements. The ROPs can be accessed at <http://planning.lacity.org>, by selecting “Commissions & Hearings” and selecting the specific Commission.

All compliant submissions may be accessed as follows:

- **“Initial Submissions”**: Compliant submissions received no later than by end of day Monday of the week prior to the meeting, which are not integrated by reference or exhibit in the Staff Report, will be appended at the end of the Staff Report. The Staff Report is linked to the case number on the specific meeting agenda.
- **“Secondary Submissions”**: Submissions received after the Initial Submission deadline up to 48-hours prior to the Commission meeting are contained in this file and bookmarked by the case number.
- **“Day of Hearing Submissions”**: Submissions after the Secondary Submission deadline up to and including the day of the Commission meeting will be uploaded to this file within two business days after the Commission meeting.

Material which does not comply with the submission rules is not distributed to the Commission.

ENABLE BOOKMARS ONLINE:

**If you are using Explorer, you need will need to enable the Acrobat  toolbar to see the bookmarks on the left side of the screen.

If you are using Chrome, the bookmarks are on the upper right-side of the screen. If you do not want to use the bookmarks, simply scroll through the file.

If you have any questions, please contact the Commission Office at (213) 978-1300.

SECONDARY SUBMISSIONS

We are in receipt of the August 11 letter from the City of Los Angeles Director of Planning Mr. Vincent P. Bertoni concerning the application for 7012 Vista Del Mar Lane and wish to register an appeal of the decision. As the letter states, the project concerns demolition of a 1987 square foot house and construction of a 5,784 square foot dwelling with an additional 1722 “basement” that we understand will be above-ground making this a four story dwelling well nearly 4 times the size of the current dwelling, and in excess of what we understand to be the build limits for such a house and certainly well in excess and offensive to the look and feel of our community. It is also out of character and proportion to the previous zoning-related actions in the surrounding area that are referenced in the Director’s Determination.

We further understand that 13 of the 15 people who spoke at the public hearing held just before the shutdown (and, practically, during a time when people would be anxious about attending a hearing in person) opposed the project. We were never given notice of that hearing. In addition, twenty letters were submitted after the hearing in opposition to the project and it appears the project permit was approved notwithstanding the clear show of community opposition. And, as set forth below, such opposition would undoubtedly have been greater had notice been sufficient to advise the community of the project. As related to city planning, the “notice” was simply placed under a brick on a wall in the front yard of the project. A person would have to be curious enough about the house to walk on the front lawn and study the paperwork underneath. This cannot be the intent of the process. A picture is attached.

Thank you for your consideration. We believe the Commission erred in finding that this project is exempt from the CEQA pursuant to CEQA Guidelines Sections 15301 and 15303. This is not a minor alteration of an existing private structure, nor new construction of a small structure. Our opposition letter to the project that was submitted to the City on March 27 (after we first became aware of the project) is below and we would like to incorporate the objection here. In particular, the proposed housing project is grossly out of scale with the area and we believe will block public views of the ocean and have a spillover effect on the community character and subsequent building applications. In addition, the proposed build, which is massive compared to other houses dotted along the bluffs, will ruin views of the bluffs from the beach that the entire public enjoys.

Here is our prior opposition in more detail. Thank you.

My wife and I have been Playa Del Rey residents for over 10 years, and we purchased our home on 214 Sunridge Street in 2019. As mentioned on the phone, we live only a few houses behind 7012 Vista Del Mar Lane, but we had no notice of the proposed project, and we wish to be identified on the “Interested Parties” list that you mentioned. I only noticed the “Notice” posted on 7012 Vista Del Mar about the proposed build because I happened by the house on a walk around the block. I was surprised because this is my routine walk and I never noticed the sign before.

I am concerned that the Notice did not provide sufficient notice to the community because it states that the applicant only provided direct notice to residents within a 100-foot radius. This

is problematic for a few reasons in this instance. First, many houses in the community are built on the hillside or on the slope. Accordingly, many residents outside of a 100-foot range will be directly affected by the proposed project. The proposed project – a four story 7,629 square foot house far in excess of the permitted height and square footage limits – will likely block views of residents that live more than 100-feet away and be at odds with the look and feel of the community. For example, we have an ocean view directly over the proposed build site, and I believe that our view will be impacted by the proposed build if the City allows it. Yet we were not given any notice of the proposed project and therefore no opportunity to attend the hearing or log our objections. And given that the form has the option to notify residents within 500 feet, and given that the proposed build is a four-story structure with houses uphill from it that presently enjoy ocean views, it seems that the fair and appropriate procedure in this instance would have been to provide actual notice to residents who would be impacted by the proposed build.

Second, the COVID-19 virus has caused many residents to stay at home during the last month, and I suspect that many residents are not walking or driving by the posted Notice given the world-changing circumstances and government recommendations and mandates to stay home. We believe that the City would have received far greater community input, and objections to the proposed build, but for the current pandemic.

Third, I know that many residents in our community value the Los Angeles Building Code and purchased homes here knowing that the Code restricts the height and square footage of homes here; in other words, residents like my family purchased a home relying upon the character of the neighborhood and the views of the Pacific Ocean that we can enjoy from walking down our street, Sunridge Street and driving through the neighborhood. Such residents care about whether a 4-story 7,629 square foot house is approved even if they may live more than 100 feet away from 7012 Vista Del Mar.

Separate and apart from the procedural issues with the Notice, we object to the proposed building and wanted to communicate those objections to you. The proposed building contravenes and undermines the Building Code applicable to our community. As noted above, we purchased our home in reliance on the Building Code, which prevents houses of a certain height and square footage from being built. We purchased our home and paid a premium because of the ocean view that our house currently enjoys, and which we believed would be protected by the Los Angeles Building Code's provisions regarding building height and square footage.

Our understanding is that houses can only build to approximately 45% of lot size. The Notice describes the proposed project as **over three times** the upper limits on build size for 7012 Vista Del Mar:

PROPOSED PROJECT:

The demolition of a one-story, 1,987 square foot single-family dwelling and the construction of a new four-story 7,629 square foot single-family dwelling with a

1,704 square foot basement level containing a three-car garage and storage (no habitable rooms); the proposed purposes approximately 1,789 cubic yards of cut and export of dirt.

We understand that 7012 Vista Del Mar is a 5,652 square foot lot. Under the Building Code, that house would seem to be limited to an approximately 2,500-foot structure, and possibly less given sloping. The owner of the house, which already has unobstructed views of the Pacific Ocean, presumably understood the character and build limitations when purchasing the home.

In addition to square footage limitations, our community also has height restrictions on housing. The Proposed Project appears to describe something closer to a hotel, not a house. Indeed, the Proposed Project appears to be the same height as our local hotel, the Inn at Playa Del Rey, which sits along Culver Boulevard (not on the Bluff). Such a structure is totally out-of-character with our homes in the community, as recognized by the Building Code and a quick look around the houses here.

The construction of a 4-story 7,629 square foot single-family dwelling with a 1,704 square foot basement also would ruin the views that the public currently enjoys. When we, or any other member of the community, walk down Sunridge Street, we can enjoy ocean views and a beautiful sunset over the ocean in this public setting. But these public views would be blocked by the proposed build.

Similarly, the proposed build would ruin the views that every member of the public enjoys when walking along the beach in Playa Del Rey and looking up at the beautiful bluffs. Looking up at the Bluffs is a special sight, but one that would be spoiled by a hotel-like structure sticking out along Vista Del Mar Lane amidst the charming houses and smaller bungalows that reflect the beach vibe of the neighborhood.

In addition, allowing the applicant to build a house far in excess of square footage and height limitations would have a negative cumulative effect on the look and feel of our community. As noted, the hotel-like structure is entirely out of character for the neighborhood by itself. But if the City allows such a deviation from the Building Code for the applicant, then other members of the community who currently enjoy views may seek to build-up as well and seek exemptions from the City, which would have a transformative, domino effect on the community – one which the Building Code is supposed to prevent.

The Notice requests an exemption from CEQA, but there does not appear to be grounds for such an exemption. This is not a situation where a homeowner is seeking to add square footage permitted by an exemption, but rather the demolition and construction of a wholesale new and massive building. For the reasons set forth here, we believe that the requested Coastal Development Permit should be denied and that, if issued, it should be reviewed by the Coastal Commission. To that end, we would request information concerning the steps/address to submit appeals to the Coastal Commission.

Finally, we would like to know if minutes were taken of the hearing and whether it is possible to obtain a copy of the minutes. We are concerned that City Hall is closed to the public because of COVID-19 procedures, and would like to know how we can obtain a copy of the minutes. Relatedly, you informed me during our phone call that because of COVID-19, I was not able to come to City Hall to view the proposed plans as we normally would be entitled to do. Given that we don't know how long these closures will be in effect, we would also respectfully request that any further hearings or time limits/deadlines for objections be stayed until the office is open to the public. This process should not be permitted to continue without the access and input that the public normally would have on a project like this.

Thank you again for speaking with me and for considering the above. It truly is appreciated.

Best,

Andrew and Eileen Cahill

November 9, 2020

Direct Dial
310.556.7855

Direct Fax
310.843.2655

Email
epaster@glaserweil.com

VIA E-MAIL

West Los Angeles Area Planning Commissioners
c/o James K. Williams
apcwestla@lacity.org

Re: Request to Deny Appeal of 7012 Vista Del Mar (DIR-2019-6145-CDP-MEL/
ENV-2019-6146-CE)

Dear President Newhouse and West Los Angeles Area Planning Commissioners,

We are writing on behalf of our clients Mark and Sheri Streams (collectively “Applicants”) regarding the Department of Planning (“Planning”) Director’s approval of Case Nos. DIR-2019-6145-CDP-MEL and ENV-2019-6146-CE, which authorize the demolition of an existing single family home and the construction of a new single family home, including the required haul route and Mello Act compliance approvals, (“Project”) located at 7012 Vista Del Mar Lane (“Property”) in the City of Los Angeles (the “City”). Property owners in the vicinity (collectively “Appellants”)¹ filed a timely appeal of the Project (“Appeal”).

This letter responds to Appellants’ appeal points related to the California Environmental Quality Act (Public Resources Code §§ 21000 *et seq.*) (“CEQA”), including the CEQA Guidelines (14 C.C.R. §§ 15000 *et seq.*) provided in the Appellants’ appeal justification letters dated August 24, 2020 and August 25, 2020. For the reasons described below, we respectfully request that this Commission deny the Appeal.

I. The Project is Categorically Exempt from CEQA

Appellants baldly argue that the Project does not qualify for a Categorical Exemption from CEQA without providing any evidence of non-compliance with the

¹ The Appellants include: Eileen and Andrew Cahill; Bonnie Cullinan; Jeffrey Burke and Amanda Barrett; Robert Shelton; Lisa Farris; and Julie Ross.

criteria of the cited Categorical Exemptions or of any of the exceptions to Categorical Exemptions. CEQA provides classes of projects that have been predetermined not to have a significant effect on the environment and thus are exempt from CEQA under Categorical Exemptions. (Public Resources Code Section 21084; CEQA Guidelines Section 15300.) The City need not prepare a negative declaration or environmental impact report for a project described in the classes of Categorical Exemptions, unless the project is disqualified pursuant to one of the exceptions listed in CEQA Guidelines Section 15300.2. Further, the City may rely on and cite to several different exemptions to support a determination that CEQA review is not required for a particular activity. For example, if one exemption is found not to apply, the agency's actions may still be upheld on the basis of other exemptions. (*North Coast Rivers Alliance v. Westlands Water District* (2014) 227 Cal.App.4th 832.) Similarly, several exemptions may apply to portions of a project so that when applied together they exempt an entire project (*Surfrider Foundation v. California Coastal Commission* (1994) 26 Cal.App.4th 151.)

The Project falls squarely within the types of projects covered by the Class 1, Class 3 and Class 32 Categorical Exemptions. The exceptions identified in Section 15300.2 of the CEQA Guidelines do not apply to the Project. Appellants provide no substantial evidence to contradict the use of a Categorical Exemption.

A. The Project is Categorically Exempt under Class 1.

The record demonstrates that the Project meets the criteria for the Class 1 Categorical Exemption, which covers, “operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use.” (CEQA Guidelines § 15301.) The CEQA Guidelines specifically provide that the Class 1 Categorical Exemption covers the, “demolition and removal of individual small structures,” including a, “single-family residence,” and, “[i]n urbanized areas, up to three single-family residences.” (*Id.*)

As discussed in the Director’s Letter of Determination (“LOD”) for the Project, the Project involves the demolition of a one-story, 1,987 square-foot, single-family residence. Such a project is explicitly listed as exempt from CEQA under Section 15301 of the CEQA Guidelines, and Appellants provide no evidence, let alone substantial evidence, that the Project does not qualify for the Class 1 Categorical Exemption.

B. The Project is Categorically Exempt under Class 3.

The record also clearly demonstrates that the Project meets the criteria for the Class 3 Categorical Exemption, which covers, “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.” (CEQA Guidelines § 15303.) The CEQA Guidelines provide a non-exhaustive list of small structures that would qualify for a Class 3 Categorical Exemption, including single family homes, multifamily buildings of up to four units, and commercial buildings of up to 10,000 square feet. (*Id.*) Single-family homes, despite being large, clearly qualify for this exemption. The use of a Class 3 Categorical Exemption for the construction of a 6,478 square-foot house with an attached 3,394 square-foot, 10-car garage was upheld by the California Supreme Court in *Berkeley Hillside Preservation v. City of Berkeley* (2015) 60 Cal.4th 1086 and ultimately upheld in *Berkeley Hillside Preservation v. City of Berkeley* (2015) 241 Cal.App.4th 943 (collectively the “Berkeley Hillside cases”).

As discussed in the LOD for the Project, the Project involves the construction of a new three-story, 5,784 square-foot, single-family residence with a 1,722 square-foot basement level containing a three-car garage and storage. Such a project is explicitly listed as exempt from CEQA under Section 15303 of the CEQA Guidelines, and is not as large as other projects that have relied on a Class 3 Categorical Exemption and have been upheld. Appellants provide no evidence that the Project somehow does not qualify for the Class 3 Categorical Exemption.

C. The Project additionally qualifies as an infill project under Class 32.

Although not cited in the Project’s LOD, the Project also qualifies for the Class 32 Categorical Exemption, which covers, “infill development,” that meets specified criteria. A Class 32 Categorical Exemption was relied on and upheld in the Berkeley Hillside cases. Even more dense projects have relied on this exemption, including a mixed-use project relying on a density bonus and involving a five-story building with 98 residential units, 7,770 square feet of ground floor commercial space, and 114 parking spaces (*Wollmer v. City of Berkeley* (2011) 193 Cal.App.4th 1329, 1336); construction of seven single family homes on vacant environmentally sensitive canyon (*Holden v. City of San Diego* (2019) 43 Cal.App.5th 404, 407); construction of an eight-unit multifamily building (*McCorkle Eastside Neighborhood Group v. City of St. Helena* (2018) 31 Cal.App.5th 80, 85.); and a 68-unit, mixed-use infill project (*Covina Residents for Responsible Development v. City of Covina* (2018) 21 Cal.App.5th 712, 718).

The record demonstrates that the Project is exempt under a Class 32 Categorical Exemption, in addition to the Class 1 and Class 3 exemptions cited in the LOD. The Project is much less dense and involves less intensive activity than other projects that have relied on a Class 32 Categorical Exemption. Below, we identify how the record demonstrates the Project qualifies for the Class 32 Categorical Exemption criteria.

1. The Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The Director's LOD (pages 6-12) for the Project discusses the Project's consistency with the Playa Del Rey Community Plan, the Zoning Code, the Municipal Code generally, the Coastal Act, and CEQA. The Project plans approved as "Attachment A" to the LOD demonstrate compliance with all applicable development standards. For an extensive discussion of the Project's consistency with applicable development standards, including a table demonstrating compliance, please refer to the letter submitted by Applicants' representative Sue Steinberg dated November 6, 2020, which is included as part of the Project's administrative record. The evidence in this letter, along with the findings in the LOD provide substantial evidence that the Project is consistent with all General Plan and zoning designations and regulations.

2. The Project occurs within city limits on a site of no more than five acres substantially surrounded by urban uses.

The Project occurs within the City, and is located on a 5,615.5-square foot (0.13-acre), urban infill lot, surrounded by developed residential lots.

3. The Project site has no value, as habitat for endangered, rare or threatened species.

As discussed in the LOD (pages 9-10), although the Property is located within the Coastal Zone, it is previously developed and does not contain any habitat for endangered, rare or threatened species.

4. Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Construction of a new single-family residence to replace an existing single-family residence in an established residential neighborhood would not result in any potentially significant impacts related to traffic, noise, air quality, or water quality.

The Project will comply with all applicable state and local regulations that would reduce potential impacts to less than significant, including noise regulations of Chapter 11 of the Municipal Code and Building Code requirements.

5. The site can be adequately served by all required utilities and public services.

The Property has been previously developed with a single-family residence, the same use proposed by the Project, and thus is adequately served by all required utilities and public services.

II. The Project does not fall under one of the Exceptions to the Categorical Exemptions.

The LOD for the Project provides substantial evidence that the Project would not constitute an exception to a Categorical Exemption (pages 11-12), which we outline below. Appellants cite to no substantial evidence to contradict the Director's findings.

A. The Project will not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

As explained in the LOD, the Project is located in a Special Grading Area and a Methane Zone, and as such, specific Regulatory Compliance Measures (RCMs) regulate the grading and construction of projects in these locations reducing any potential impacts to less than significant. These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts on the surrounding environment.

B. The Project will not result in cumulative impact.

The Project is consistent with the type of development permitted for the area zoned R1-1 and designated for Low Residential land uses. The Project, and any similar project in the vicinity, will comply with all applicable regulations that reduce environmental impacts, including the RCMs discussed above, noise regulations of Chapter 11 of the Municipal Code and Building Code requirements.

C. There are no unusual circumstances that cause the Project to result in potentially significant impacts.

The Project involves demolishing and reconstructing a single-family residence in an established residential neighborhood. The LOD states that these are the type of activities that are typical in the neighborhood in which the Property is located, and thus, there are no unusual circumstances that could cause potentially significant impacts. Appellants claim the Project is so large that it is out of scale of the surrounding neighborhoods, but provide no substantial evidence to support such allegations. As previously discussed, California courts have upheld the use of Categorical Exemptions for projects much larger and more intense than the Project. Further, the Project size was reduced by more than 2,000 square feet in response to comments from neighbors. The Applicant has prepared an Encroachment Plan Diagram, attached as Exhibit A, which shows the similar scale of the Project to the surrounding residences. As seen by the exhibit, the Project's scale does not constitute an unusual circumstance, and thus no significant impacts could be caused by unusual circumstances.

D. The Project does not cause damage to public scenic resources within a state scenic highway.

As discussed in the LOD for the Project, 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 Property is located several miles from Topanga Canyon State Scenic Highway, and therefore, the Project would not create any impacts to scenic resources within a State-designated Scenic Highway. Notwithstanding, Appellants claim that the Project damages public views of the bluffs. However, the bluffs are covered in single-family home development, and the Property itself is currently occupied by a single-family residence. As seen in Figure 1, below, the Property is hardly visible from the beach as there is significant development between the beach itself and the subject property. Therefore, the newly constructed home will not cause any potentially significant impacts to scenic resources, even outside the vicinity of State-designated Scenic Highways.

Figure 1. View of Property from Beach



For an extensive discussion of the Project's mass and scale, please refer to the letter submitted by Applicants' representative Sue Steinberg dated November 6, 2020, which is included as part of the Project's administrative record.

E. The Project is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

As demonstrated in the LOD, neither the Property nor any property within the vicinity of the Property, was identified as a hazardous waste site pursuant to Section 65962.5 of the Government Code.

F. The Project will not cause a substantial adverse change in the significance of a historical resource.

The LOD states the Property is not been identified as a historic resource or within a historic district, nor has it been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, Los Angeles Historic-Cultural Monuments Register, and/or any local register. There are no adjacent historic resources adjacent to the Property. Thus, the Project will not impact a historic resource.

President Newhouse and West Los Angeles Area Planning Commissioners
November 9, 2020
Page 8

For these reasons, we request that this Commission deny the Appeal of the Project.

Sincerely yours,

A handwritten signature in cursive script that reads "Elisa Paster".

ELISA L. PASTER
of GLASER WEIL FINK HOWARD AVCHEN & SHAPIRO LLP

ELP:sd
Enclosure
Exhibit A Encroachment Plane Diagram

cc: Michael Newhouse, President
Lisa Waltz Morocco, Vice President
Esther Margulies, Commissioner
Heather Rozman, Commissioner
Adele Yellin, Commissioner

August 24th, 2020

Ira Brown, City Planning Associate
200 North Spring Street, Room 721
Los Angeles, CA 90025

Ira.Brown@lacity.org
Planning.FigCounter@lacity.org

Mike Bonin
Mayor Eric Garcetti

REQUEST TO FILE APPEAL: CASE #: DIR-2019-6145-CDP-MEL - for Over-Development of 7012 Vista del Mar Lane, Playa del Rey, 90293

Appeal Planning LA Director's Determination based on Size and Height of Residential Structure and it's Significant effect of neighboring properties in terms of obstruction, quiet enjoyment and devaluing adjacent properties

I am concerned that the Notice of the City of LA's Director's determination was not received by all parties. See the attached. Additionally, the original notices were not properly provided to residents within a 100-foot radius, as we never received one at the adjacent property at 7013 Rindge Ave. I did not receive this document, but had to be provided by a neighbor on Sunridge!

This impending project has been problematic for a few reasons. First, many houses in the community are built on the hillside or on the slope. Accordingly, many residents outside of a 100-foot range will be directly affected by the proposed project. The proposed project – a three story 5,783 square foot house exceeds the height those around it limits and will likely block views of residents that live more than 100-feet away and be at odds with the look and feel of the community. For example, we have an ocean view directly over the proposed build site, and our view and property value will be greatly impacted by the proposed build and City of LA Director's determination, if the City allows it. I invite you to visit the property to properly understand the effect.

Unfortunately, we were not given any notice of the proposed project and therefore no opportunity to attend the hearing or log our objections. And given that the form has the option to notify residents within 500 feet, and given that the proposed build is a four-story structure with houses uphill from it that presently enjoy ocean views, it seems that the fair and appropriate procedure in this instance would have been to provide actual notice to residents who would be impacted by the proposed build.

Second, the COVID-19 virus has caused many residents to stay at home during the last few months, given the world-changing circumstances and government recommendations and mandates to stay home and not provided the ability to address this impending construction and the major effect it will have the community. We believe that the City would have received far

greater community input, and objections to the proposed build, but for the current pandemic and have not been able to address the more recent plans and height obstruction, submitted on April 22nd 2020.

I know that many residents in our community value the Los Angeles Building Code and purchased homes here knowing that the Code restricts the height and square footage of homes here; in other words, residents such as my family purchased and paid a premium for a home relying upon the character of the neighborhood and the views of the Pacific Ocean that we can enjoy from walking down our street, Sunridge Street, and driving through the neighborhood. Such residents care about whether a 3-story, 35 foot tall, 5,783 square foot house is approved within 100 feet away from 7012 Vista Del Mar and many who care greatly who live further than 100 ft.

Separate and apart from the procedural issues with the Notice which was not sent to those adjacent to the property, we object to the proposed approval because it contravenes and undermines the Building Code applicable to our community. We, and I suspect many residents, purchased our home in reliance on the Building Code, which prevents houses of a certain height and square footage from being built. We purchased our home and paid a premium because of the ocean view that our house currently enjoys, and which we believed would be protected by the Los Angeles Building Code's provisions regarding building height and square footage.

Our understanding was that dwellings can only build to approximately 45% of lot size. The Notice describes the proposed project well over the upper limits on build size for 7012 Vista Del Mar:

7012 South Vista Del Mar Lane, Playa del Rey, CA 90293 PROJECT:

The demolition of a one-story, 1,987 square foot single-family dwelling and the construction of a new **3 story (35.9 ft high), 5,783 sq ft structure. On a 5,651 sq ft lot.**

Including a basement level would contain a multiple parking garage and storage (no habitable rooms); the proposed purposes approximately 1,500 cubic yards of cut and export of dirt.

Increase the height of the dwelling structure, so that it blocks the view and **reduces the value of several properties around them**, without even having to exhibit the height with sticks or clear demarcation of the size and effect of the structure, as noted on page 2, in section 4 of the Director's Determination Conditions of Approval and references a height of 35.9 in Exhibit A, which is not included in the document.

If you would, please provide a link and details from the Los Angeles Coastal Building Code, that details the code which covers the size, lot coverage and height, as it seemed to be limited to an approximately 2,500-foot structure, given lot size and property slope. The owner of the house, which already has unobstructed views of the Pacific Ocean, presumably understood the character and build limitations when purchasing the home.

The height of this 3 story, 35.9 feet high and 5,783 square foot single-family dwelling would ruin the views that the public currently enjoys. **There is also no clarity from where the 35.9 foot structure height is being measure from on the property. Is it from the lowest point, mid-point or rear of property? Again, this s not clearly noted in the document attached.** When we, or any other member of the community, walks down Sunridge Street, we can enjoy ocean views and a beautiful sunset over the ocean in this public setting. Public views and those of adjoining properties would be fully blocked by the proposed build. There seems to be a game that some owner developers play, which includes asking for an egregious build and settle for something that's still overbuilt to say they have compromised.

Similarly, the proposed build would ruin the views that the public enjoys when walking along the beach in Playa Del Rey and looking up at the beautiful bluffs. **The package attached was sent to our neighbor on Sunridge, but not sent to those who own bordering properties** is missing a few key elements, such as the points on the property from which they may be measuring height. All property set-backs (front, side, and, rear of property), an overall schematic reference of the development and approval of 35.9 ft high structure, and the item referenced as Exhibit A in the document is not included. I would trust that a proper plan showing from which point on the property and detailing set-backs would be included for proper review, as this effect significant value for neighboring properties.

Playa del Rey neighbors and property are in this together, as these coastal residential structures effect our views, privacy, and property values. The loss of views and effect of property values has been reviewed by three area real estate professionals who have provided info on the significant effect and value reduction, but also needed additional and complete description and visuals via stick and flags to provide the degree of reduced property value to adjacent properties, each could range from \$150k to \$600k in property value loss pending the obstruction. We have asked the owner to simply provide sticks and flags to more clearly understand the magnitude and height, but then never heard back from them. I suspect they would want the same for any structure about to block their investment and quiet enjoyment.

Several property owners within 100 ft of this property, who sought to build simpler additions of a bedroom or kitchen, were provided with completely different Building Code requirements and restrictions. With this appeal, we are seeking clarity including links and reference to the exact section of the building code that reference: HEIGHT and SIZE of RESIDENTIAL STRUCTURES including LOT COVERAGE, SET BACKS, and SUBTERRANIEN Levels. Based on what other neighbors who began renovation processes, this applicant is now being approved by the city on Coastal Development of a residential property in excess of square footage and height limitations previously communicated. This development would have a negative cumulative effect on the look and feel of our community. This structure is out of character for the neighborhood by itself, and most importantly all property owners should be properly notified of this development, and as the City considers approving the Coastal Development for this applicant, then other property owners who are directly affected by blocked views or who have sought to build much smaller additions or upgrades and not received the same support from

the City – one which the Building Code would want to provide consistency and prevent the devaluation of properties.

The Notice requests an exemption from CEQA but there does not appear to be grounds for such an exemption. This is not a situation where a homeowner is seeking to add square footage permitted by an exemption, but rather the demolition and construction of a whole new and massive building. For the reasons set forth here, we believe that the requested Coastal Development Permit should be denied and that, if issued, it must be reviewed by the Coastal Commission. To that end, we would request information concerning the steps/address to submit appeals to the Coastal Commission.

We had been told by the head of the Westchester Playa Neighborhood Council, Planning and Use Committee (PLUC), that the owners of the property were instructed by the Area Planning Commission to go before the NC (that would start with PLUC), but it never happened. Their applicant representative knew how to contact Julie Ross, who currently head the local NC PLUC and never did so. This project site is in a Dual Jurisdiction Zone, and must clear both agencies, but seemed to only court Mr. Jason Douglas is Councilmember Bonin's Sr. Planning Deputy. Due to the lack of communication, we simply asked for proper notification and stick and flags to understand the degree of obstruction and size. The owners seem to have chosen to ignore the Neighborhood Council review and any requests to visually understand the obstruction and size .

Finally, we would like to know if minutes were taken of any hearings and whether it is possible to obtain a copy of the minutes. We are concerned that City Hall is closed to the public because of COVID-19 procedures, and would like to know how we can obtain a copy of the minutes. Given that we don't know how long these closures will be in effect, we would also respectfully request that any further hearings or time limits/deadlines for objections be stayed until the office is open to the public. This process should not be permitted to continue without the access and input that the public normally would have on a project like this.

Thank you for reviewing and processing and reviewing this appeal for the residential development of 7012 South Vista Del Mar. Playa del Rey, CA 90293

Lisa Farris
[7013 Rindge Ave](#)
[Playa del Rey, CA 90293](#)
310-500-6476

[Appeal Application](#) via email and certified mail, under separate cover.

Cc: Mike Bonin

Westchester Playa Neighborhood Council Planning and Land Usage



Howard Robinson & Associates

November 9, 2020

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

Dear President Newhouse,

I'm writing on behalf of my clients, Sheri and Mark Streams (the "Applicants"), the homeowners of the property located at 7012 Vista del Mar Lane, Playa del Rey ("Project" or "Project Site"). The Applicants purchased the Project Site in March 2017 to build their family home. The Applicants engaged the Design/Build Firm C&C Partners to design and build their home because of the firm's extensive experience building houses in Playa Del Rey. On August 11, 2020, the Dept of City Planning issued a Letter of Determination (LOD) regarding the above-referenced case, approving a Coastal Development Permit authorizing the construction of a new three-story, 5,784 sq. ft. single family dwelling with a 1,722 sq. ft. subterranean level containing a three-car garage and basement storage areas (the "Project") in the Dual Permit Jurisdiction area of the California Coastal Zone.

This approved Project was reduced in size and completely redesigned in response to the feedback received at the public hearing on March 2, 2020. The Project is approximately 2,000 sq. ft. and one-story smaller than the original project design at the time of case filing in 2019. It should be noted that after the redesign the size of the Project was reduced to approximately 3,900 sq. ft. above ground, the height was reduced to 35 ft. 9 inches, excluding the elevator shaft, and the roofline was changed from flat to pitched.

To address the Appellants' claims we have grouped them into five areas of concern: (1) the Project does not conform to the applicable development standards; (2) the Project is out of scale with the existing pattern of development; (3) the Project notice was improperly posted; (4) the Project related community outreach was limited; and (5) the Project should not have been granted a Categorical Exemption from the California Environmental Quality Act (CEQA). The Project's compliance with CEQA is addressed in a separate letter submitted to this Commission by my client's legal counsel, Elisa Paster of Glaser Weil, dated November 9, 2020.

As a threshold matter, it should be noted that the Project Site is **not** included in any designated Hillside Areas. Please see the shaded portion of the Department of City Planning Hillside Area Map, dated September 23, 2009, attached to Council File No. 09-1390 (*Exhibit A, attached*). This is a key point as several of the Appellant's base their arguments on the faulty assumption that the Project is within a Hillside Area.

Set forth below are the Applicant's responses to the Appellants' claims:

1. The Project Conforms to the Applicable Development Standards

The Project is in compliance with the Los Angeles Municipal Code ("LAMC"), the 2017 Baseline Mansionization Ordinance ("BMO"), the Baseline Hillside Ordinance ("BHO"), the Westchester-Playa del Rey Community Plan (the "Community Plan"), and the Coastal Act.

LAMC ANALYSIS

The Appellants repeatedly assert that the Project is not in compliance with the applicable development standards in the LAMC, despite the Project being in compliance with code requirements and seeking no discretionary entitlements to deviate from the applicable development standards. The Appellants misstate the applicable code for the Project Site, erroneously stating that the Project violates height, setbacks, and floor area. The reality is the Project as approved is:

- 9 ft. 3 in. less in height than allowed by the LAMC
- 61% below allowable floor area
- Partially subterranean first floor with only approximately 3,900 sq. ft. visible above ground
- Provides greater than required setbacks

Set forth in the table below are the applicable development standards for this Project, which is in the R1-1 zone.

Table A. Development Standards

Standard	LAMC Code Section	Permitted by LAMC	Approved by the ZA
Height	12.21.1	45 ft. max	35 ft. 9 in.
Stories	12.21.1	Unlimited	3
Floor Area Ratio	12.21.1(A)(1)	Max 3 times buildable area of lot (9,480 sq. ft.)	5,784 sq. ft.
Front Yard Setback	12.08.C.1	Prevailing average of block (8.6 ft)	8.6 ft.
Side Yard Setbacks	12.08.C.2	5 ft., plus 1 ft. for each story over 2 (6 ft. for 3 story bldg.)	7 ft. (northerly side) 6 ft. 5.5 in. (southerly side)
Rear Yard Setback	12.08.C.3	15 ft.	15 ft.

The Project complies with all applicable development standards.

Appellants have a fundamental misunderstanding of applicable development standards for their neighborhood. For example, the Appellants seem to believe the Project Site is located

within a designated Hillside Area and, therefore, is regulated as such. This is incorrect. The Project Site is not included in any designated Hillside Area.

As the Project Site is not in the Hillside Area, none of the Appellants' assertions related to maximum Residential Floor Area ("RFA"), lot coverage, or any other standard applicable to lots subject to the Baseline Hillside Ordinance ("BHO") are relevant in this case.

Similarly, the Appellants have misconstrued the application of the BMO to this Project. The BMO, also known as the "Single-Family Residential Zone Regulations and R1 Variation Zones" which were intended to regulate the scale and mass of new construction and/or additions to existing single family districts. These regulations amend the LAMC by limiting the intensity of development permitted on a property, as well as enhancing building form and articulation and preserving the character of the neighborhood by preventing box-like structures that lack visual interest.

In connection with the adoption of the BMO/BHO amendments, the Department of City Planning published a Q&A outlining the code amendment and where the regulations are applicable, as they vary throughout the City (*Exhibit B, attached*).

As outlined in the Q&A, only the regulations listed under "R1 Zone Citywide" apply to the Project Site. While the Project Site is zoned R1, it is located within a **Non-Hillside Area** of the Coastal Zone, and therefore is not subject to any regulations related to RFA, as RFA is not a metric by which projects in this area are reviewed. Additionally, the Project Site is exempted from the 0.45 Residential Floor Area Ratio ("RFAR") limitation as this regulation does not apply to R1 lots within the Coastal Zone.

The regulations applicable to the Project Site include:

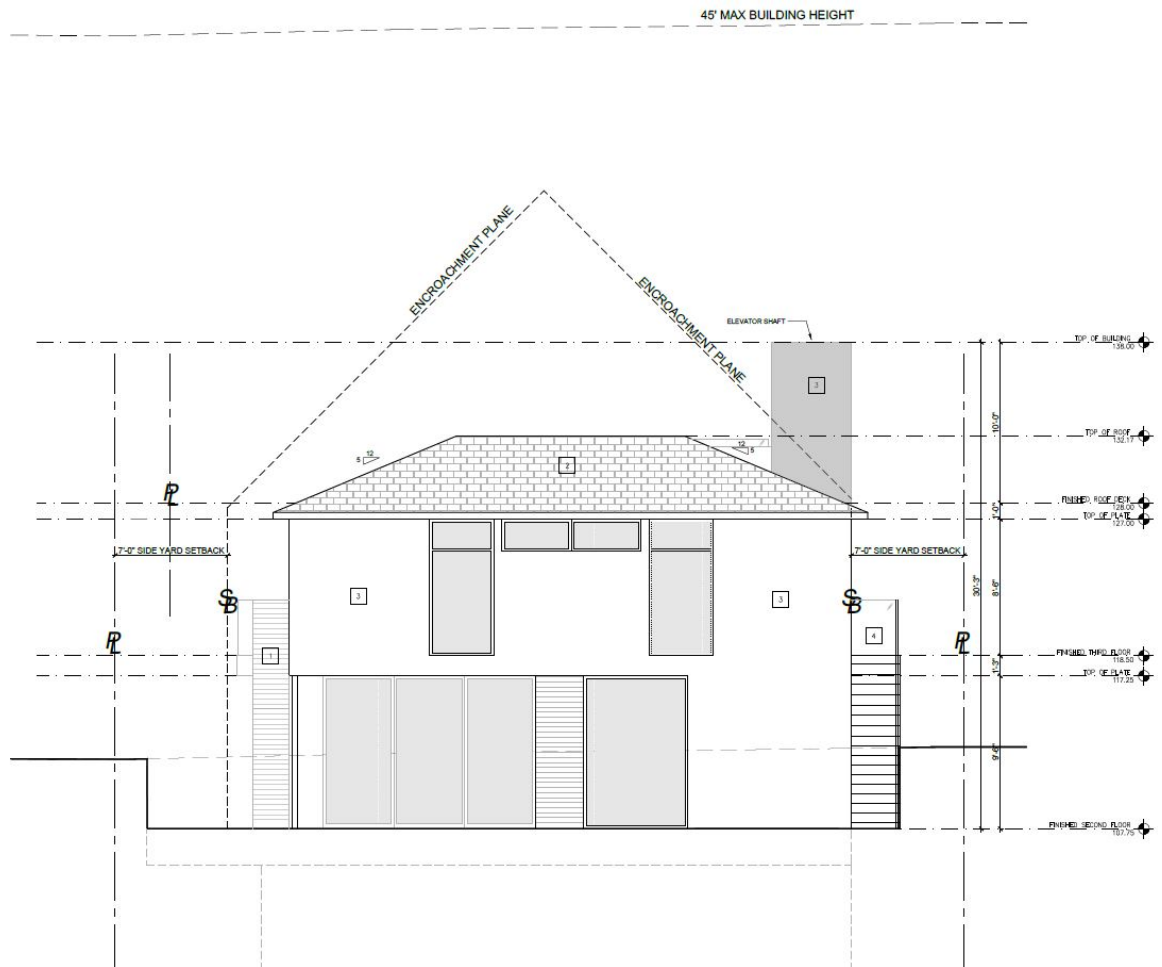
- Buildings are required to stay within a 45-degree angled encroachment plane starting 20 ft. above the front and side yard setbacks;
- For any side wall that is more than 45 ft. in length and 14 ft. in height, there must be an offset or plane break in said side wall;
- Roof decks must be set back at least three feet from the minimum side yards; and Driveways are limited to 25% of lot width (but no less than 9 ft.)

The Project is fully compliant with all the applicable development standards of the BMO/BHO code amendment.

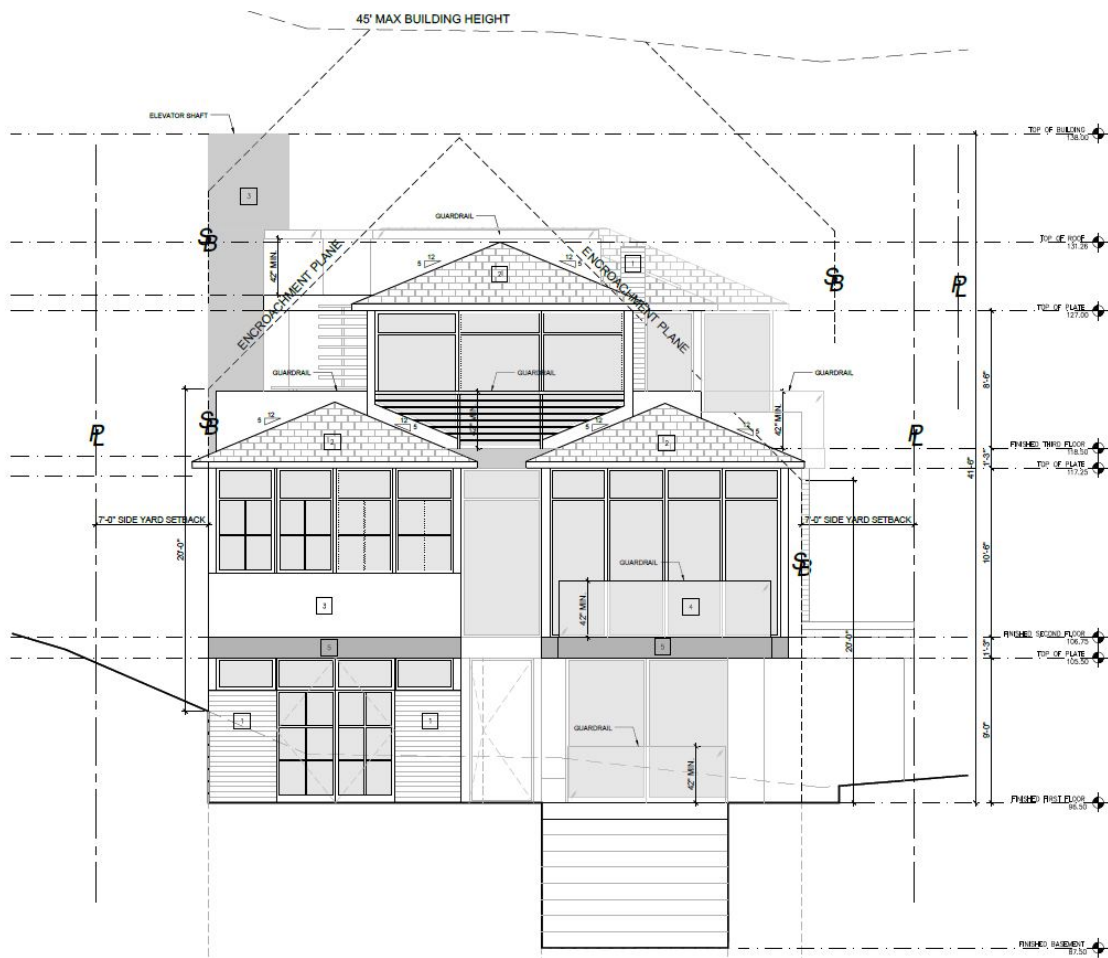
As the elevations from the proposed plans show, the Project is built to follow the applicable development standards. Notably, the Project is fully compliant with the encroachment plane regulations, thereby shifting building mass towards the rear of the property. This results in a tiering of elements, with the lowest portions of the structure closest to the street preserving the pedestrian experience. The Project recognizes the existing upslope of the property, while staying well below the encroachment plane and 45-foot height limit. The Project utilizes a basement for the garage and storage and a semi-subterranean first floor to reduce the mass

of the Project from passersby along Vista del Mar Lane. Indeed, only approximately 3,900 sq ft. are visible to the passerby.

The West Elevation illustrates the articulation of the front of the home, which adds visual interest and prevents a structure that looms over the local street. The tiered Project, as seen on the East Elevation, demonstrates to the rear neighbors as a two-story building.



East elevation of proposed house



West elevation of proposed house

Allowed: 9,480.0 sqft

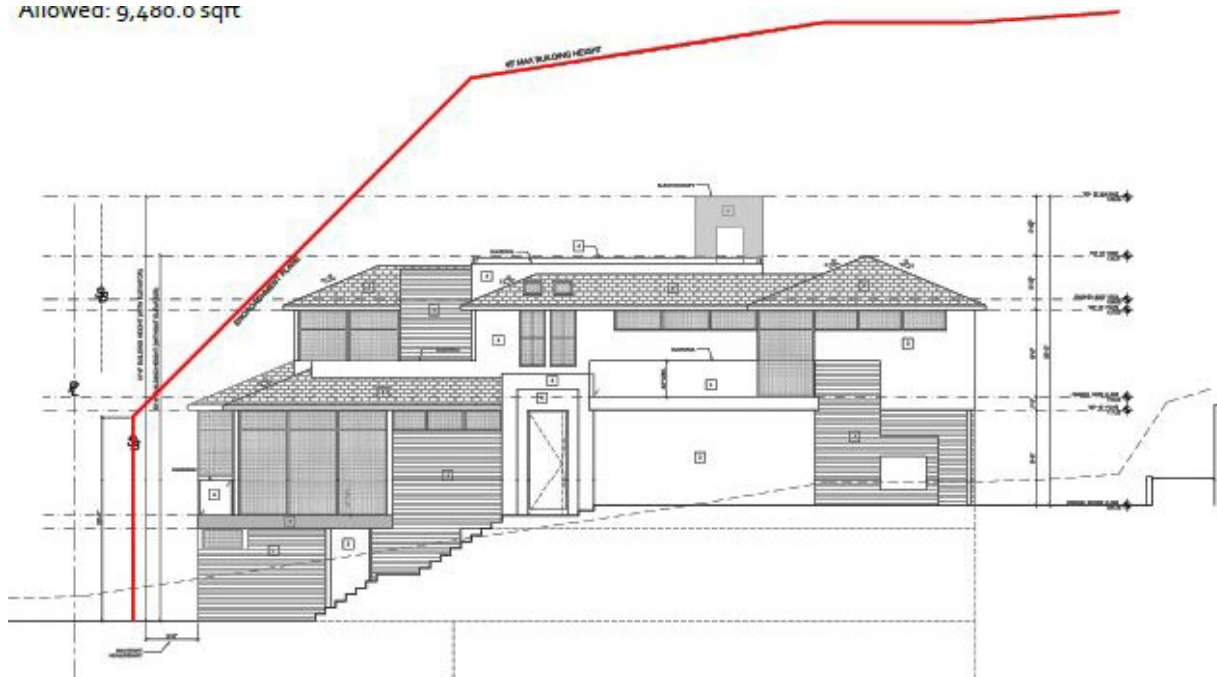


Diagram highlighting encroachment

BASEMENT

This three-story single-family home has been designed with basement parking garage for three parking spaces. Providing parking on-site can monopolize large portions of a project site and can significantly increase the bulk and mass of a structure, even though parking areas are exempt from floor area limits.

Opponents also erroneously argue that the basement should be included in the Floor Area calculations and total height. This is contrary to the LAMC and irrelevant to the analysis. In order to design a project that is compatible with the scale and character of the surrounding neighborhood, while still providing all the required parking on-site, this Project has located its required parking in a subterranean parking area. The basement also includes storage areas, which are a common function of both garages and basements, and the meaning of “basement” and “floor area” are defined in the LAMC as follows:

BASEMENT. Any level below the First Story of a Building. The ceiling of a Basement shall not be more than four vertical feet higher than the finished floor level of the First Story. **(Amended by Ord. No. 184,802, Eff. 3/17/17.)**

FLOOR AREA. **(Amended by Ord. No. 182,386, Eff. 3/13/13.)** The area in square feet confined within the exterior walls of a Building but not including the area of the following: exterior walls, stairways, shafts, rooms housing Building-operating equipment or machinery, parking areas with associated driveways and ramps, space dedicated to bicycle parking, space for the landing and storage of helicopters, and Basement storage area.

The LAMC definition exempts these basement areas from floor area limits because they are not considered "habitable space", but rather they are essential for the function of the building. These areas would, if located at grade, contribute to the massing and scale of the structure. By providing them underground, the Project minimizes the mass and scale and maintains compatibility with the neighborhood while meeting all code requirements.

This is in keeping with good planning practice. In other areas of the City where RFA regulations are applicable, basements are also exempt from RFA calculations/limits. Since basements do not contribute in any way to the visible scale and mass of a structure, they are a useful tool for architects designing homes that meet the needs of their clients, satisfy all applicable code-requirements, and do not result in extra bulk and mass impacts on neighbors or pedestrians.

2. The Project is in Scale with the Existing Pattern of Development

The Project is compatible with the scale and character of the surrounding neighborhood, as required by the California Coastal Act. The Applicants eliminated one story for a three-story design, revised the Project from a flat roof to a pitched roof to minimize the impact on views, and reduced the floor area by 1,846 sq. ft. for a total floor area of 5,784 sq. ft. With only approximately 3,900 sq. ft. visible above ground, the revised Project fits neatly within the broad range of development in the area.

PROPOSED PROJECT



The Appellants claim that the Project is out of character with the surrounding neighborhood due to its floor area and height, but they have not provided any data-based evidence to back up their assertion. It is important to note that in some of the Appellants' documents the

Project is incorrectly described. The appeal documents do not uniformly address that the Project was significantly reduced in height, size and design. As noted earlier, these reductions were made in response to community feedback received at the March 2, 2020 public hearing.

COASTAL ACT AND WESTCHESTER-PLAYA DEL REY COMMUNITY PLAN ANALYSIS

Ideally, a local jurisdiction implements the Coastal Act's policies through a Local Coastal Program ("LCP") tailored to their community. However, there is no approved LCP for the Westchester-Playa del Rey area. As such, the City uses the Westchester-Playa del Rey Community Plan as the functional equivalent to an LCP. The Westchester-Playa del Rey Community Plan notes that:

"the principal method for the implementation of the Westchester-Playa del Rey Community Plan Maps, particularly the land use map, is the City Zoning Code... Together, the City Zoning Code and the City Zoning Maps identify the specific types of land use and development standards applicable to specific areas and parcels of land within the Westchester-Playa del Rey Community Plan Area."

The Playa del Rey neighborhood is composed of a wide variety of homes built in varying sizes and styles. Vista del Mar Lane, in particular, has a wide range of home heights, sizes and styles. Homes on the east side of the lane are built into the upward slope and range in height from 13 feet to 52 feet, while those on the west side stretch down the bluff and range in height from 20 feet to 68 feet. Homes in the area range in floor area from 1,100 sq. ft. to over 10,000 sq. ft.



Examples of neighborhood homes in Playa del Rey



Homes on Sunridge Street, near Rindge Avenue

The Project is consistent with the development standards applicable to the Project Site, which is zoned R1-1. This zoning designation allows for 3:1 FAR, a maximum height of 45 feet, as well as mandatory front, side, and rear yards identified in Table A. The proposed Project is 5,784 sq. ft. in area, 35'-9" in height (three stories). In addition to the proposed basement (subterranean parking area), which do not count towards floor area limits, the first floor of the Project is mostly underground. While the area of the semi-subterranean first floor counts towards floor area calculations, it is important to recognize that, like the part of the homes that stretch down the west side bluff, it will not contribute to the visible scale and mass of the structure when viewed from Vista Del Mar Lane. As noted earlier, the visible portion of the Project is approximately 3,900 sq. ft. which would make the appearance of the home consistent with the immediate east and west adjacent houses and fit within the existing pattern of development in the area.

While there is no explicit formula for dictating appropriate mass and scale, one can view it from a couple of perspectives. First, by surveying the range of homes in the area and second, by comparing the averages of homes in the immediate blocks and surrounding neighborhood.

- The floor areas of homes in this Vista del Mar Neighborhood range from 1,100 sq. ft. (215 Redlands Street) to over 10,000 sq. ft. (7306 Vista del Mar Lane). The proposed Project is within this range. (*Exhibit C, Vista del Mar Neighborhood Compatibility Data, attached*)
- A visual review of the three blocks surrounding the Project shows at least 21 comparable sized homes, ranging from 4,552 sq. ft to 10,887 sq. ft. The average

square footage of all of these homes is 5,264 square feet; (*Exhibit D, Comparable Homes, attached*)

- The average-sized home on Vista Del Mar Lane is 3,814 sq. ft. Here, the Project, at approximately 3,900 sq. ft. above ground, is consistent with the other homes on Vista Del Mar Lane.
- Analysis shows along Vista del Mar Lane, between Rees St. to the north and Redlands St. to the south, there are 12 homes of a similar scale and mass, a sampling of which includes:
 - 7048 Vista del Mar Lane: 6,312 sq. ft. and 29 ft. height;
 - 7256 Vista del Mar Lane: 5,302 sq. ft. and 36 ft. in height;
 - 7306 Vista del Mar Lane: 10,887 sq. ft. and 52 ft. in height;

The surrounding neighborhood is an eclectic patchwork of homes built to varying heights, disparate floor areas, and in a variety of architectural styles. As visible in the photographs, the immediate neighborhood is replete with two, three and four-story homes. The large and tall residences are not only relegated to the cliff-side of Vista del Mar Lane (west side), as approximately 530 feet south of the Project Site, the home at 7306 Vista Del Mar Lane is four stories in height and 10,886 sq. ft. See below:



The proposed Project is in line with the scale and character of the nearby residences. Indeed, the proposed Project is lower in floor area and height than several existing structures in the area. Furthermore, given the upward slope of the property, much of the structure's area has been carved out of the slope and will not be visible. As with basements, recessing the home's

floor area in this manner allows for more flexibility in design and size while minimizing any impacts on neighbors and pedestrians resulting from project bulk.

An analysis of comparable homes in the wider neighborhood, shows the proposed Project is consistent in size and height. (*Exhibit D, Comparable Homes, attached*)

As noted in the Coastal Commission staff report for appeal of a single family home in the Silver Triangle area of Venice (A-5-VEN-17-0036), dated July 3, 2017, Commission staff found no substantial issue with the scale of the project. In response to the appellants' assertion in that case that the proposed project was well above the average FAR of all structures existing in the neighborhood, staff stated that "many of the residences that the Appellants surveyed were built several decades ago and are typically much smaller than homes built by today's standards. Homes built since the 1970s are usually larger than the ones they replace."

Commission staff went on to state that:

"In order to determine whether or not a proposed project is appropriate with regard to community character, the Commission looks at all the development in an area to determine whether or not a proposed project is appropriate with regard to community character, mass, and scale for a specific project in a specific area. Rather than using FAR, the Commission utilizes height limits and setbacks to limit building mass and scale in Venice."

Furthermore, staff noted that "a maximum FAR is not a development standard of the certified LUP" in Venice and that "the Appellants failed to explain why FAR greater than that of surrounding development is inconsistent with the Coastal Act."

This discussion for a similar project within the Coastal Zone confirms that a project's consistency with height and bulk of nearby residences determines appropriateness of scale and character, not the floor area. In any event, as discussed above, the above ground floor area, the height and the setbacks of the Project are consistent with neighboring residences.

As previously noted, the Playa del Rey community is a mix of lots with different development standards, triggered by several specific plans, and hillside and non-hillside designated areas. For example, opposite the Project Site on Vista del Mar Lane, the lots are within the Coastal Bluff Specific Plan area and have different development standards than the Project Site.



As discussed earlier, the Appellants have claimed that approval of this Project is inequitable as, though erroneously asserted, it exceeds the development standards. The Project is consistent with every applicable LAMC regulation applicable to this property (*see Table A, Development Standards, page 2*).

The City has been required since adoption of the Coastal Act in 1978 to prepare an LCP in order to implement the Coastal Act's policies locally, however, the City has failed to do so. As noted earlier, the Westchester – Playa del Rey Community Plan serves as the functional equivalent. Height, floor area, and setbacks are not specifically regulated in the Community Plan, however as noted earlier, the Community Plan states that the City's Zoning Code is the principal method of implementation for the Plan's policies and goals. As such, compliance with the underlying development standards is in and of itself demonstrative of the Project's compatibility with the character of the neighborhood, as these development standards were specifically assigned to this area in order to implement the goals and policies of the Community plan via the plans "primary implementation method" – namely, the Zoning Code.

The true inequity in this case would be to overturn approval of the Project, which is fully code compliant and conforms to the goals and intent of the Community Plan, due to the City's failure to prepare an LCP tailored specifically to Playa del Rey.

Furthermore, the Community Plan discusses other methods by which the City seeks to achieve its stated goals and policies, such as the creation of the Coastal Bluffs Specific Plan to regulate development on coastal bluffs. This Property is not within the Coastal Bluffs Specific Plan area, nor any other "overlay" that would alter its development standards beyond those of the underlying R1-1-O zoning. It is reasonable to believe that these properties were excluded as it was determined that the LAMC zoning regulations were sufficient to achieve

the Community Plan's goals. This aligns with the Plan's statement that the Zoning Code is its "primary implementation method."

3. The Project Site Notice was Properly Posted

All Coastal Development Permits ("CDP") are required to post a Notice of Intent within 24-hours of submitting an application, pursuant to LAMC 12.20.2.E. The Appellants assert that the Notice of Intent required for the Project Site was improperly posted. This is false.

Case No. DIR-2019-6145-CDP-MEL was filed with the Department of City Planning on October 17, 2019. A Notice of Intent sign was posted on October 18, 2019, within 24 hours of submitting the application to City Planning, see photos of posting. (*Exhibit E, attached*).

The Notice of Public Hearing was properly posted on site by GC Mapping Service Inc. on February 20, 2020. (*Exhibit F, photos*).

In May 2020, following the public hearing and concerns from the neighbors, the Project was revised and reduced in size. As a courtesy and to inform neighbors of the revision, the Notice of Intent was updated, a new structure was built to display the sign, and the revised Notice was reposted. This was done within 24 hours and new photos were taken (*Exhibit G, attached*).

4. The Community Outreach

The Applicants in this case only recently permanently relocated back full time to Los Angeles. Previously, they lived on the East Coast and traveled to the area mostly for work-related purposes. They also have a young child who was enrolled full time in school, restricting their ability to travel even further. The Chair of the Planning and Land Use Committee for the Neighborhood Council of Westchester/Playa requested the Applicant present the Project, however due to personal and logistical difficulties during that time, the Applicants respectfully declined. In any event, a public hearing on March 2, 2020 was held for the Project, which offered opportunity for the Applicant to engage with the community and get their feedback. The Project was revised in response to the feedback received from the Public Hearing, and the Applicant did agree to present the revised project at the Land Use Committee meeting scheduled for March 17, 2020. This committee meeting was subsequently cancelled due to COVID-19. Public engagement for the Project, however, was much more broad. (*Exhibit H, Summary of Community Engagement, attached*).

Please note, as discussed earlier, that the Project Site was posted with the Notice of Intent within 24 hours of filing the CDP application. This notice provided contact information for the Project team, who were available to answer questions about the Project.

The public hearing was well attended by the community, with approximately 30 public speakers. Therefore, it is reasonable to believe that word of the proposed Project had successfully spread through the community.

In the weeks following the public hearing, the Applicants and the project team attempted to engage directly with concerned community members, but they were rebuffed. This seems inexplicable given the intensity of the objections unless the intent was to thwart the Project rather than to find resolution. Nonetheless, with the input provided at the community hearing, the Applicants responded to the collective concerns of the community as voiced at the hearing and reduced the Project by approximately 2,000 sq. ft., eliminated an entire story and redesigned the Project with a pitched roofline in an effort to blend seamlessly with surrounding properties and minimize the impact on the ocean views of neighbors.

Since the appeals were filed, the Applicants have continued with outreach to the Appellants themselves. This outreach has led to several conversations and ongoing discussions.

The Applicants continue their attempts to engage with the Appellants and the broader neighborhood in general. Based on this robust effort, Appellants have no ground for their claim of inadequate community outreach.

Further Appellant Concerns

Other issues are raised, such as gentrification, COVID-19 impacts, and impacts on private views. These issues are entirely baseless and do not constitute valid bases for overturning the Department of City Planning's decision.

Gentrification is defined by Merriam-Webster as, "a process in which a poor area (as of a city) experiences an influx of middle-class or wealthy people who renovate and rebuild homes and businesses and which often results in an increase in property values and the displacement of earlier, usually poorer residents."

Playa del Rey is not considered a poor area in Los Angeles. According to The New York Times, quoting Miller Samuel Real Estate Appraisers & Consultants, in 2019 there were 227 homes on the market in Playa Del Rey, at a median sales price of \$777,000. In addition, recent home sales in 2020 on Vista Del Mar Lane range from \$2,600,000 to \$4,000,000. This Project is neither improved with an existing low to moderate income-serving unit, nor within an area with a history of displacement of low-income residents (as seen in Venice, for example).

The Appellants have also raised concerns about impacts on scenic views. Please note that private views are not protected by the Coastal Act, nor by any other laws, and that the proposed Project has no impact on public views.

With respect to private views, please note that the sight lines of the two homes that abut the rear of the Project Site face southward while the Project faces due west:



Further, the Appellants have provided no photos or data to support their claim that the Applicants' proposed home will impact their private views. The steep slope upward from Vista del Mar Lane, and the Applicants' proposed home being 9 feet, 3 inches below the code-allowed height of 45 feet, clearly signifies that the Project will not adversely impact views from private properties. The approved Project is 5 feet, 7 inches taller than 7008 Vista Del Mar Lane and 6 feet, 8 inches taller than the home at 7016 Vista Del Mar Lane.

The surrounding neighborhood is already fully built out and given the upward slope of the area, any views from Rindge Ave. or similar streets located at a higher elevation, are minimally impacted or not impacted at all. With respect to public views, this issue seems moot as the existing homes along Rindge Ave. completely block pedestrians or vehicles from any view of the coastline. See photo below.



View of 7013 and 7015 Rindge Ave., located to the rear of the Project Site, looking west

As shown in the photo above, no views of the coastline are visible to the general public.

Similarly, the Appellants contend that, when looking from the beach towards the neighborhood, if built the proposed home will compromise views of the bluff. As the Project Site is already improved with an existing home, this assertion is not logical. Additionally, the property is not visible from the beach as there is significant development between the beach itself and the subject property.



Conclusion

As noted previously, there is no certified Local Coastal Program (LCP) in this area, and there is no current effort underway by the City to prepare and LCP. Nor is there a certified Land Use Plan (LUP) or similar component of an LCP at this site. As such, the City uses the Community Plan as the functional equivalent. As the Community Plan states, the primary implementation method for the goals of the community plan is the Zoning Code. The proposed Project is fully compliant with the applicable zoning regulations.

Given the topography of the area, most nearby residential development, especially behind the Project Site on Rindge, is located at a significantly higher elevation than the Project Site and minimizes impacts from the Project's height. As such, the Project as designed preserves the scale and character of the neighborhood, while also not impacting views for nearby residents.

Finally, certain of the Appellants assert that they purchased their properties based upon a belief about the permissible scope of development in the area and that approval of the Project is unfair to them. Contrary to their assertions, the true inequity would inure to the Applicants who purchased their home in reliance upon the actual development regulations currently in effect and as set forth in the Los Angeles Municipal Code. Indeed, the Applicants purchased this property, in good faith, with the reasonable expectation that the proposed single family home, which does not seek any variances or exceptions to the code, can be built at 7012 Vista del Mar Lane.

In closing, the COVID-19 Pandemic and related response have impacted all parties involved in this Project: the City staff involved in processing, the Applicant, Playa Del Rey Community and the Project Appellants. The fact that the case file was inaccessible for review at City Hall is a circumstance all projects currently under review by the City are facing. To mitigate this fact, our team has offered to provide the materials, such as the updated project plan, to the Appellants or any neighbors interested in reviewing the project.

Thank you for your time and consideration of this submission. Based upon the foregoing, the Applicants respectfully request that the appeals be denied.

Sincerely yours,

Susan K. Steinberg

Sue Steinberg
Howard Robinson & Associates

List of Exhibits

Exhibit A - Department of City Planning Hillside Area Map, dated September 23, 2009, attached to Council File No. 09-1390

Exhibit B - Single-Family Residential Zone Regulations and R1 Variation Zones (aka "BMO/BHO Q&A")

Exhibit C - Vista del Mar Neighborhood Compatibility Data

Exhibit D - Comparable Homes

Exhibit E - Photos of Initial Posting of the required Notice of Intent

Exhibit F - Photos of Public Hearing Notice

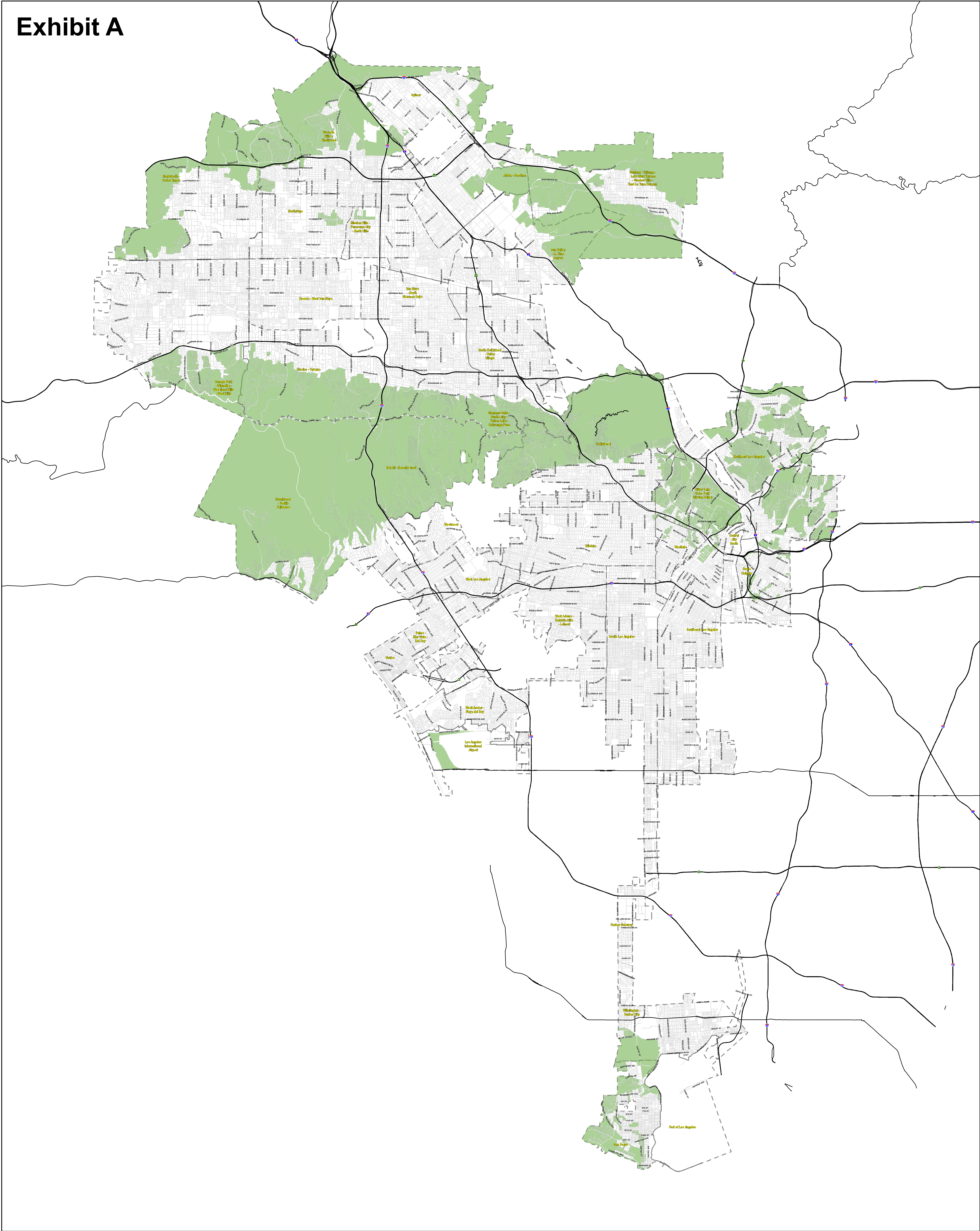
Exhibit G - Photos of Reposting of the Notice of Intent following project reductions

Exhibit H - Summary of Community Engagement

Exhibit A

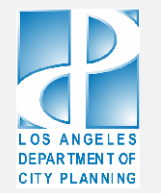
Department of City Planning Hillside Area Map, dated
September 23, 2009, attached to Council File No. 09-
1390

Exhibit A



Legend

- Hillside Area
- Community Plan Boundaries



Department of City Planning
Hillside Area Map
Ordinance No.
CPC Case No. : CPC-2008-4683-CA



1 inch = 5,728 feet
September 23, 2009

Exhibit B

Single-Family Residential Zone Regulations and R1
Variation Zones (aka “BMO/BHO Q&A”)

Single-Family Residential Zone Regulations and R1 Variation Zones

CODE AMENDMENT | Q&A | March 21, 2017



Summary

To address out-of-scale development and related construction impacts in single-family neighborhoods, the City Council adopted amendments to the Zoning Code. The new citywide regulations governing both the scale and mass of single-family homes went into effect on March 17, 2017. They apply to new or enlarged homes in all single-family residential zones.

To reflect the character-defining features of our individual neighborhoods, a new subset of zones within the R1 Zone was also created – the R1 Variation Zones. Conceived out of a desire to move away from a one-size-fits all approach to residential zoning, the R1 Variation Zones offer neighborhoods more tailored development standards.

While only a handful of communities will immediately benefit from the creation of the R1 Variation Zones, neighborhoods across the City eventually will have the ability to opt into one of the newly-created zones as community plans are updated. In adopting these new regulations, the City provides additional protections for the cohesion and character of its single-family neighborhoods.

What zones are affected by these new changes?

The adopted changes apply to the following single-family residential zones: RA, RE, RS and R1. Residential communities in designated Hillside Areas also benefit from the new restrictions on hillside grading.

What changes were made to the pre-existing regulations on single-family zones?

The following is a high-level summary of the adopted changes:

Single-family zones (RA, RE, RS, R1)

**** Non-Hillside Areas in the Coastal Zone are excluded from the following provisions.*

- The first 100 sq. ft. of ceilings over 14 feet in height are now counted toward the Residential Floor Area (RFA) calculation.
- The 250 sq. ft. exemption for covered porches, patios and breezeways is eliminated.
- The RFA exemption for front garages is reduced from 400 to 200 sq. ft.
- The 20% RFA bonus provided to green buildings is eliminated.
- A public hearing must now take place to grant an additional 10% in RFA in non-Hillside Areas.

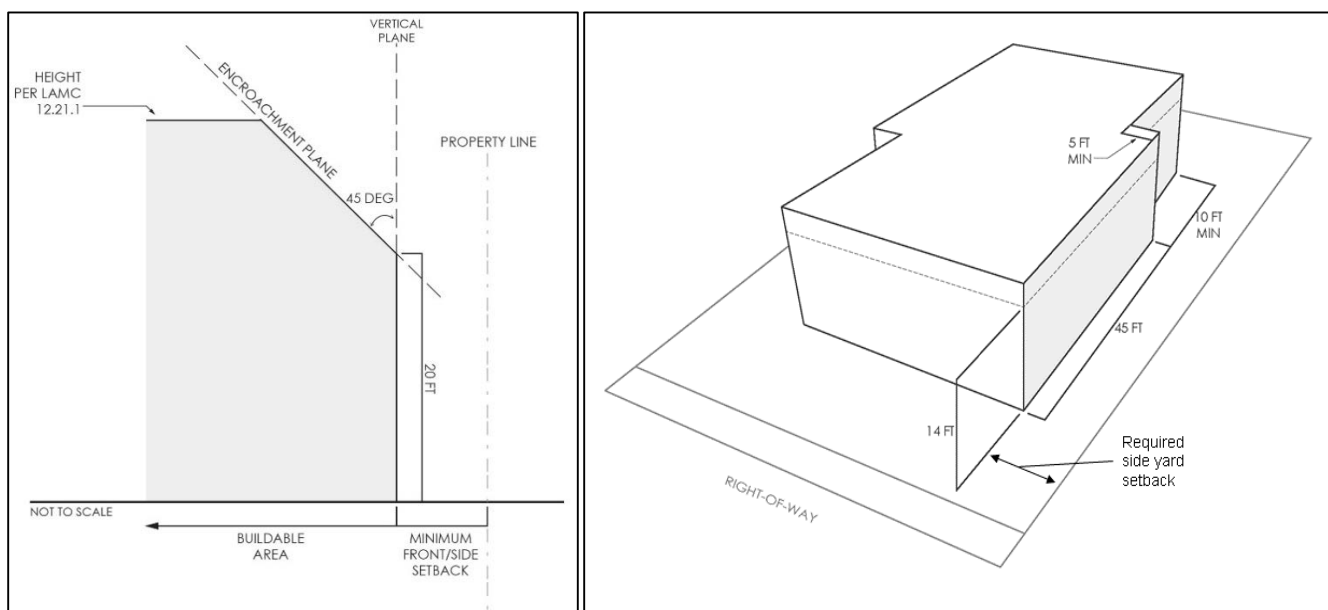
R1 Zone

*** *Non-Hillside Areas in the Coastal Zone are excluded from the following provisions.*

- Outside of designated Hillside Areas, all R1-zoned lots now have a maximum Residential Floor Area Ratio (RFAR) of 0.45 (as opposed to the previous 0.50 for lots of less than 7,500 square feet).
- Within designated Hillside Areas, a new RFAR of 0.45 is established for the lowest slope band (0-15%), reduced from the previous 0.50.
- The 20% RFA bonus is eliminated. All new and enlarged homes must comply with the new base Residential Floor Area Ratio.

R1 Zone Citywide

- Buildings are required to stay within a 45-degree angled encroachment plane starting 20 feet above the front and side yard setbacks.
- For any side wall of a building that is more than 45 feet in length and 14 feet in height, there must be an offset or plane break in the building's side walls.



- Roof decks must be set back at least three feet from the minimum side yard.
- Driveway width at the property line is limited to 25% of lot width or the width of the existing driveway (but no less than 9 feet).

Hillside Areas

*** The following provisions apply to all single-family zones in designated Hillside Areas, including RA, RE, RS and R1.

- The guaranteed minimum Residential Floor Area (RFA) is reduced from 1,000 to 800 sq. ft.
- The grading exemption for cut and fill underneath structures is eliminated, except for the following:
 - o Grading for piles and caissons.
 - o Fill resulting from up to one-half of non-exempt cut underneath the footprint of a main building.
- In conjunction with counting previously exempted grading, the formula for allowable grading is increased from 500 cubic yards + 5% of the lot size in cubic yards to 1,000 cubic yards + 10% of the lot size in cubic yards.
- In conjunction with counting previously exempted grading, the overall maximum by-right grading quantities are revised as follows:

Zone	PREVIOUS Maximum “By-Right” Grading Quantity (cubic yards) – <i>CUT & FILL UNDER STRUCTURE IS EXEMPT</i>	NEW Maximum “By-Right” Grading Quantity (cubic yards) – <i>CUT & FILL UNDER STRUCTURE COUNTED (NOT EXEMPT)</i>
R1	1,000	1,000
RS	1,100	2,200
RE9	1,200	2,400
RE11	1,400	2,800
RE15	1,600	3,200
RE20	2,000	4,000
RE40	3,300	6,600
RA	1,800	3,600

- New restrictions are imposed on the hours when trucks can haul earth to or from a site. Hours of operation are now limited to between 9 a.m. and 3 p.m. between Monday and Friday.

Why were the R1 Variation Zones created?

Comprising 16 sub-zones, the R1 Variation Zones provide a wider range of zoning options to suit the distinctive character of Los Angeles’ diverse neighborhoods. They differ from the standard R1 Zone in that they offer more tailored regulations governing the size and mass of single-family homes.

What are the major differences between the R1 Variation Zones?

The R1 Variation Zones consist of four overarching categories. Within each category, there are four zones, providing a total of 16 variations of the R1 Zone. The R1 Variation Zones regulate, among other things, the following: maximum RFA, height, lot coverage

and massing. To provide neighborhoods with a variety of size options, a scaling system was instituted ranging from 1 to 4, with 1 being the least restrictive and 4 being the most restrictive.

- | | |
|---|---|
| <ul style="list-style-type: none">• R1V (Variable Mass)
Flexibility in location of taller building mass
Zones: R1V1, R1V2, R1V3, R1V4 | <ul style="list-style-type: none">• R1R, Rear-Mass
Taller building mass restricted to the rear of the lot
Zones: R1R1, R1R2, R1R3, R1R4 |
| <ul style="list-style-type: none">• R1F, Front-Mass
Taller building mass restricted to the front of the lot
Zones: R1F1, R1F2, R1F3, R1F4 | <ul style="list-style-type: none">• R1H, Hillside
Applies to Hillside Areas
Zones: R1H1, R1H2, R1H3, R1H4 |

What is the “RG” Rear Detached Garage Supplemental Use District?

The RG Rear Detached Garage Supplemental Use District is an overlay that can be combined with any single-family zone. It mandates that required parking be enclosed in a private garage, detached from the main building and located in the rear of the lot.

Do the recently adopted Code amendments affect me?

Only projects requiring a building permit from the Department of Building & Safety after the effective date are subject to the new regulations. Any project for which a plan check fee has been paid prior to the effective date would be subject to the regulations in effect the time the fee was paid.

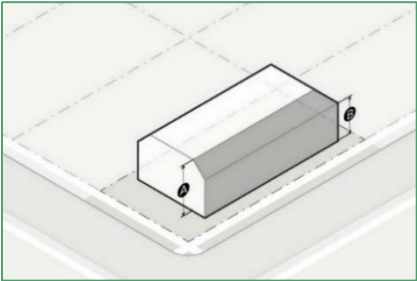
Projects for a discretionary entitlement application submitted to the Department of City Planning prior to the effective date of the Code amendment are not subject to the updated regulations. They would be subject to the rules in effect on the date the application was filed and the fee paid.

What are the details of the regulations for the R1 Variation Zones?

The tables on the following pages offer details of the four major categories of R1 Variation Zones.

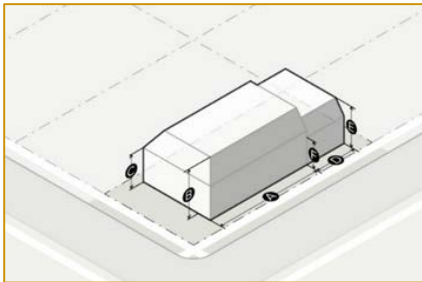
“R1V” Variable-Mass Variation Zones (R1V1, R1V2, R1V3, R1V4)

The R1V Variation Zones offer the most flexible building envelope of the new variations.

R1 VARIABLE-MASS VARIATION ZONES DEVELOPMENT STANDARDS COMPARED TO STANDARD R1							
							
Lot Size and Residential Floor Area Ratio		Standard R1	R1V1	R1V2	R1V3	R1V4	Max Lot Coverage
	Up to 6,000 SF	.45	.65	.55	.45	.40	50%
	6,001 to 7,000 SF		.63	.53	.43	.38	48%
	7,001 to 8,000 SF		.61	.51	.41	.36	46%
	8,001 to 9,000 SF		.59	.49	.39	.34	44%
	9,001 to 10,000 SF		.57	.47	.37	.32	42%
	Over 10,000 SF		.55	.45	.35	.30	40%
Mass							
(A)	Height of Building (max)	Generally 28' – 33'	30'	30'	28'	20'	
(B)	Encroachment Plane Origin Height	20'	22'	22'	20'	14'	
	Angle of Encroachment Plane	45°	45°	45°	45°	45°	

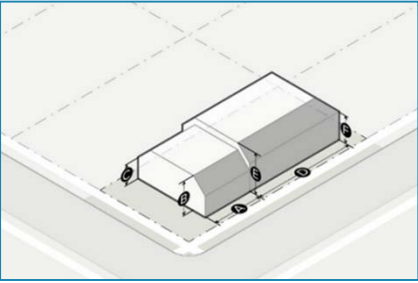
“R1F” Front-Mass Variation (R1F1, R1F2, R1F3, R1F4)

The R1F Variation Zones allow additional height only in the front portion of the lot to provide increased privacy in backyards and maintain continuity in the streetscape.

R1 FRONT-MASS VARIATION ZONES DEVELOPMENT STANDARDS COMPARED TO STANDARD R1							
							
Lot Size and Residential Floor Area Ratio		Standard R1	R1F1	R1F2	R1F3	R1F4	Max Lot Coverage
	Up to 6,000 SF	.45	.65	.55	.45	.40	50%
	6,001 to 7,000 SF		.63	.53	.43	.38	48%
	7,001 to 8,000 SF		.61	.51	.41	.36	46%
	8,001 to 9,000 SF		.59	.49	.39	.34	44%
	9,001 to 10,000 SF		.57	.47	.37	.32	42%
	Over 10,000 SF		.55	.45	.35	.30	40%
Front Mass							
(A)	Front envelope depth, from front yard setback (min)	n/a	-	-	-	-	
(B)	Height of Mass (max)	Generally 28'-33'	30'	30'	28'	26'	
(C)	Encroachment Plane Origin Height	20'	22'	22'	20'	18'	
	Angle of Encroachment Plane	45°	45°	45°	45°	45°	
Rear Mass							
(D)	Rear envelope depth, from rear yard setback (min)	n/a	25'	25'	25'	25'	
(E)	Height of Mass (max)	-	24'	24'	20'	18'	
(F)	Encroachment Plane Origin Height	-	16'	16'	14'	14'	
	Angle of Encroachment Plane	-	45°	45°	45°	45°	

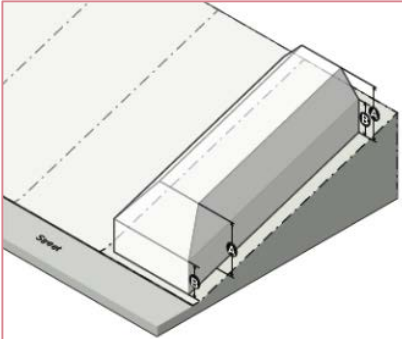
“R1R” Rear-Mass Variation (R1R1, R1R2, R1R3, R1R4)

The R1R Variation Zones allows additional height in the rear portion of the lot to encourage lower scaling and reduce the visual impact of second stories when viewed from the street.

R1 REAR-MASS VARIATION ZONES DEVELOPMENT STANDARDS COMPARED TO STANDARD R1							
							
Lot Size and Residential Floor Area Ratio		Standard R1	R1R1	R1R2	R1R3	R1R4	Max Lot Coverage
	Up to 6,000 SF	.45	.65	.55	.45	.40	50%
	6,001 to 7,000 SF		.63	.53	.43	.38	48%
	7,001 to 8,000 SF		.61	.51	.41	.36	46%
	8,001 to 9,000 SF		.59	.49	.39	.34	44%
	9,001 to 10,000 SF		.57	.47	.37	.32	42%
	Over 10,000 SF		.55	.45	.35	.30	40%
Front Mass							
(A)	Front envelope depth, from front yard setback (min)	n/a	30'	30'	30'	30'	
(B)	Height of Mass (max)	Generally 28'-33'	24'	24'	20'	18'	
(C)	Encroachment Plane Origin Height	20'	16'	16'	12'	12'	
	Angle of Encroachment Plane	45°	45°	45°	45°	45°	
Rear Mass							
(D)	Rear envelope depth, from rear yard setback (min)	n/a	-	-	-	-	
(E)	Height of Mass (max)	-	30'	30'	28'	26'	
(F)	Encroachment Plane Origin Height	-	22'	22'	20'	18'	
	Angle of Encroachment Plane	-	45°	45°	45°	45°	

“R1H” Variation Zones (R1H1, R1H2, R1H3, R1H4)

The R1H Variation Zones offer a flexible building envelope for properties in Hillside Areas.

R1 HILLSIDE VARIATION ZONES RESIDENTIAL FLOOR AREA RATIOS COMPARED TO STANDARD R1 HILLSIDE						
						
Slope Band (%)	Standard R1 Hillside	R1H1	R1H2	R1H3	R1H4	
0 – 14.99	0.45	0.65	0.55	0.45	0.40	
15 – 29.99	0.45	0.60	0.50	0.45	0.35	
30 – 44.99	0.40	0.55	0.45	0.40	0.30	
45 – 59.99	0.35	0.50	0.40	0.35	0.25	
60 – 99.99	0.30	0.45	0.35	0.30	0.20	
100+	0.00	0.00	0.00	0.00	0.00	

How can I find more information or get my questions answered?

For specific questions concerning a particular property, project or entitlement application, please contact one of the Department of City Planning’s public counters:

Metro Development Services Center
201 N. Figueroa Street, 4th Floor
Los Angeles, CA 90012
(213) 482-7077

Valley Development Services Center
6262 Van Nuys Blvd, Suite 251
Van Nuys, CA 91401
(818) 374-5050

The text of the Code amendment may be accessed at <http://planning.lacity.org> and clicking “Zoning Information,” then “Updates to the Zoning Code,” then “Adopted Ordinances.”

For Code amendment questions, please contact:

- Niall Huffman, Niall.Huffman@lacity.org 213-978-3405
- Phyllis Nathanson, Phyllis.Nathanson@lacity.org 213-978-1474
- Shannon Ryan, Shannon.Ryan@lacity.org 213-978-3304

For specific questions about the R1 Variation Zones, please contact:

- Giselle Corella, Giselle.Corella@lacity.org 213-978-1357
- Christine Saponara, Christine.Saponara@lacity.org 213-978-1363

Exhibit C

Vista del Mar Neighborhood Compatibility Data

Exhibit C

Vista del Mar Neighborhood Data

Street Name	Address #	Floor Area	Height
Vista del Mar Lane	6948	2354	28
	6947	2445	52
	6951	6399	68
	7001	2720	38
	7007	3807	49
	7011	2366	45
	7029-7031	5242	57
	7035	6755	41
	7047	5401	36
	7053	5103	38
	7257-7259	5302	36
	7303	1984	30
	7307	4682	30
	7311	1370	25
	7315	4491	37
	7325-7331	5302	45
	7333	5070	28
	7335	4322	38
	7341-7345	3920	20
	7000	1339	16
	7008	1617	19
	7016	2752	29
	7020-7026	4360	22
	7030	2015	25
	7034	3356	29
	7040	2438	29
	7046	3005	13
	7048-7054	6,312	29
	7300	1840	23
	7306	10887	52
	7310	2832	23
	7314	2090	20
	7324	2602	29
	7328	2048	16
	7334	4557	28
	7344	4219	25
Redlands	201	4219	33
	207	2372	14
	215	1118	13
	225	2018	25
Rees	221	3683	32
Rindge	7001	3304	33
	7003	1037	17
	7009	1310	21
	7013	1713	22
	7015	2740	19
	7103	2258	21
	7105	2503	26
	7107	2972	28
	7117	1877	23
	7203	3153	20
	7209	4343	28
	7215	2742	18
	7217	3841	28
	7301	3797	28
	7305	1907	23
	7311	1541	28
	7315	1508	21
	7321	3044	26
	7325-7327	2676	23
	7331	3450	27
	7335	4077	33
	7341	2324	33
	7345	2062	26
	7349	1438	26
Averages	N/A	3267	29
Proposed Project	7012	5783	35'-9"

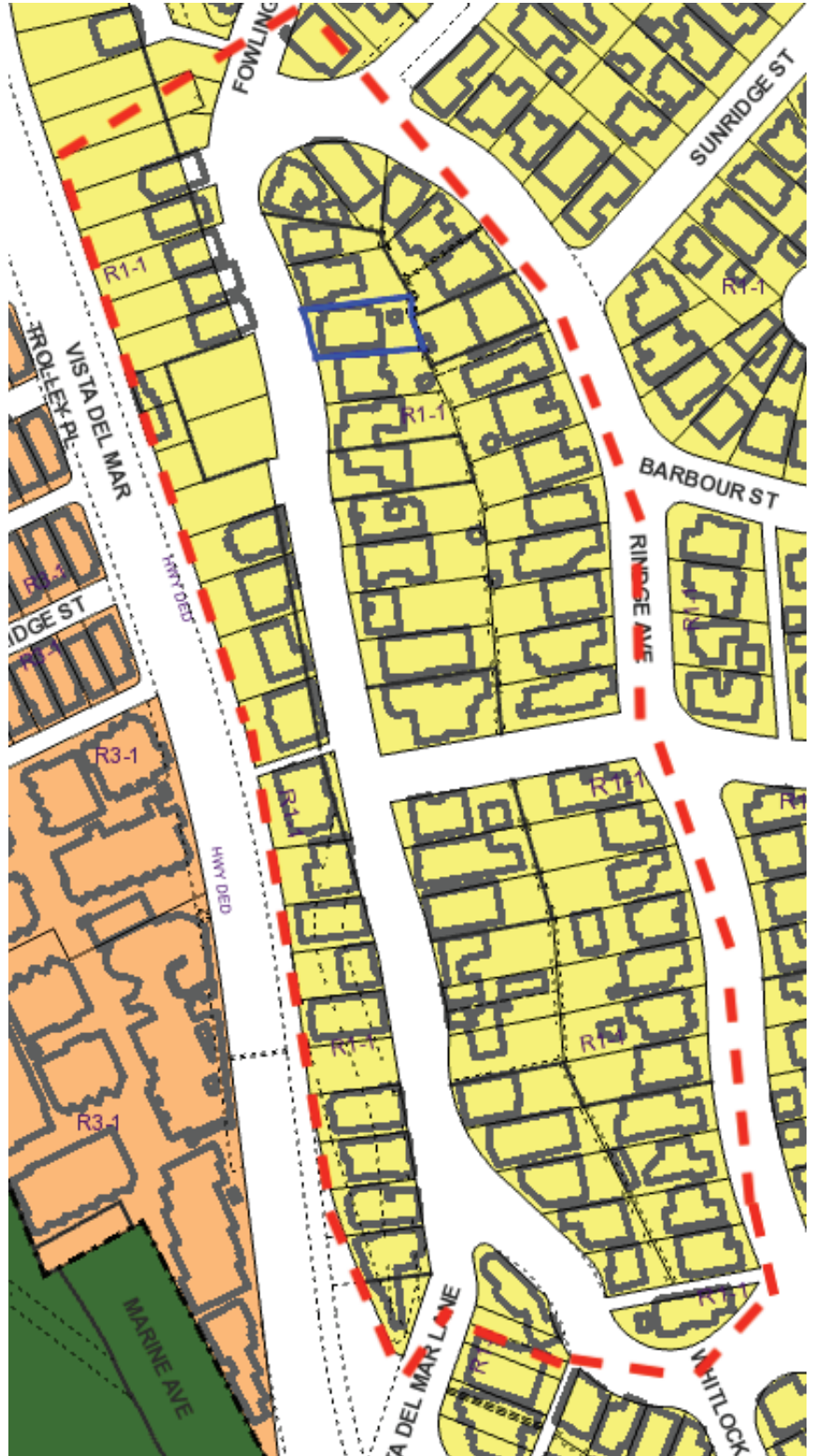


Exhibit D
Comparable Homes



Exhibit D

Comparable Homes

COMPARABLE HOMES		Floor Area (sq. ft.)	Lot Area (sq. ft.)	Height (ft.)
1	7306 Vista Del Mar Lane	10,887	4,201	52
2	7048 S Vista Del Mar Lane	6,312	9,298	29
3	200 Waterview St.	6,100	15,823	31
4	275 E Redlands St	5,328	7,157	44
5	7343 S Trask Ave	5,204	9,831	45
6	213 E Fowling	5,191	6,221	36
7	7300 S Rindge Ave	4,956	5,802	29
8	135 Waterview St	4,913	5,648	26
9	217 E Fowling St	4,775	5,718	37
10	7137 Trask Ave	4,738	5,391	33
11	220 E Barbour	4,717	4,509	38
12	214 Sunridge St	4,675	6,614	43
13	7352 Vista Del Mar Lane	4,621	6,528	24
14	231 E Fowling St	4,552	5,522	41
15	7549 Rindge Ave	4,408	5,076	35
16	7026 Vista Del Mar Ln	4,360	7,232	21
17	7302 Earldom Ave	3,760	4,513	33
STREAMS- 7012 Vista Del Mar Lane		5,783	5,637	35'-9"

Exhibit E

Photos of Initial Posting of the required Notice of Intent

Exhibit E

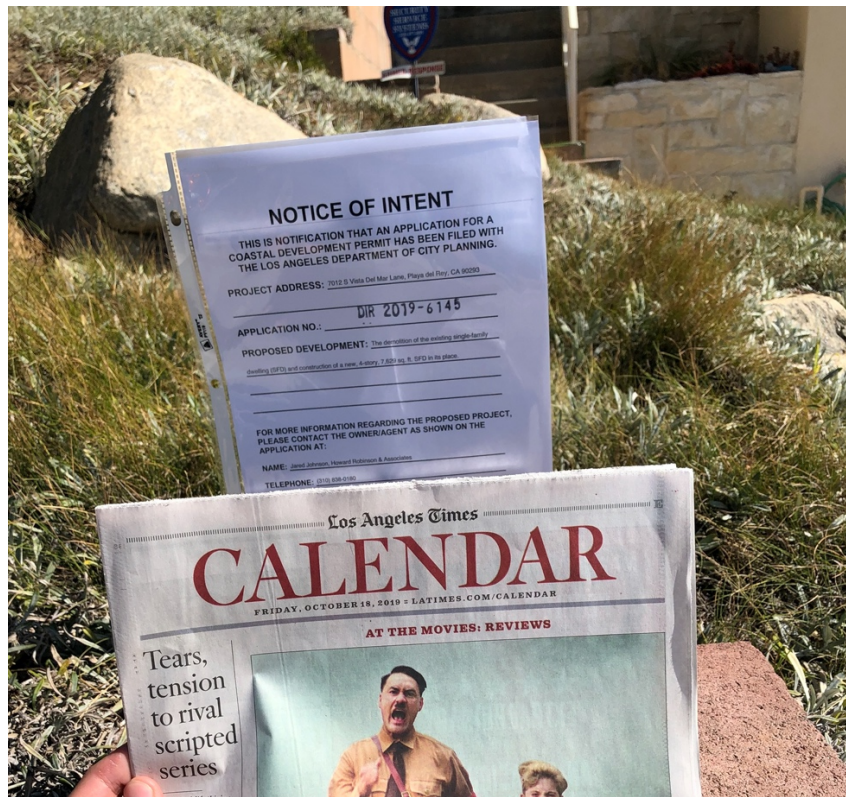


Photo of posted Notice of Intent and Oct. 18 LA Times confirming date of posting.

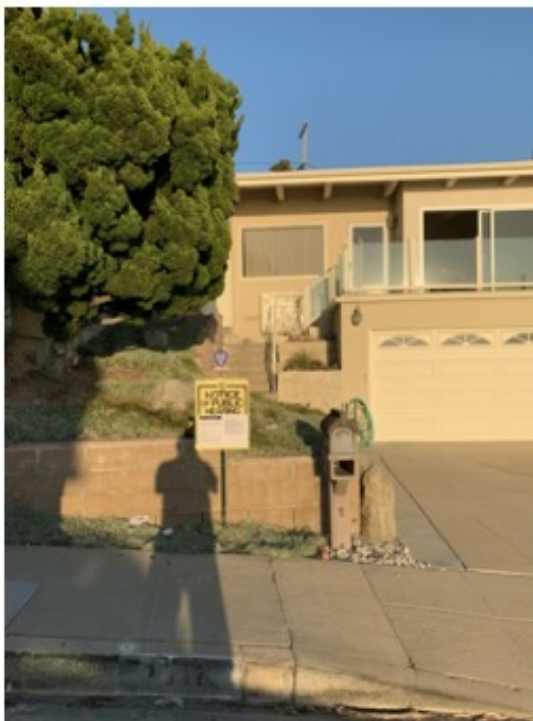
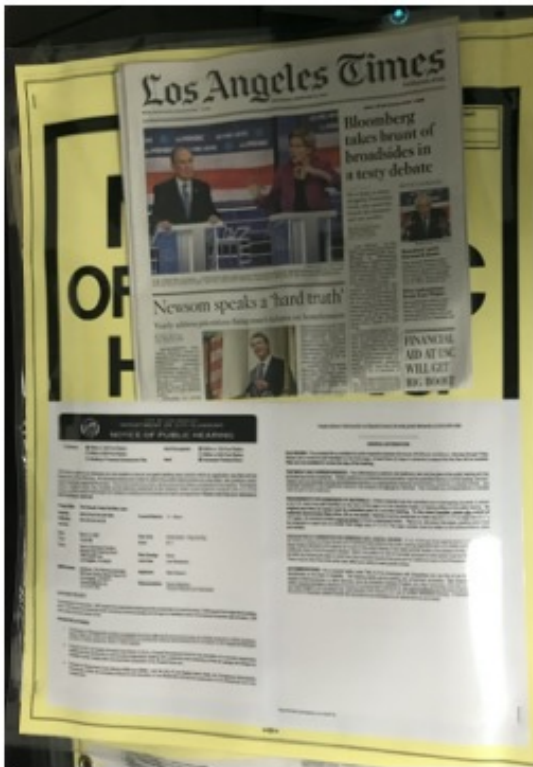


Notice of Intent and broader Project Site.

Exhibit F

Photos of Public Hearing Notice

Exhibit F



Photos of posted notice for City of Los Angeles public hearing.

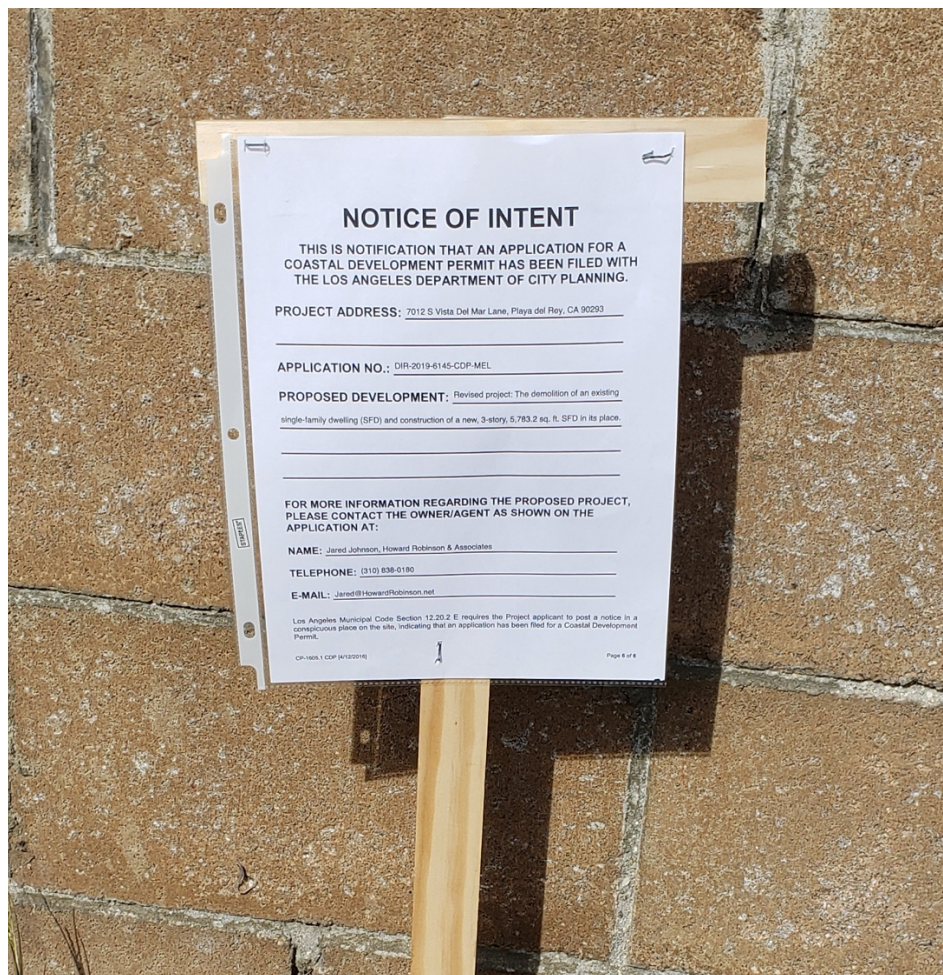
Exhibit G

Photos of Reposting of the Notice of Intent following
project reductions

Exhibit G



Photo of updated Notice of Intent posted following project reductions.



Close up of updated Notice of Intent posted following project reductions.

Exhibit H

Summary of Community Engagement

Exhibit H

Summary of Neighborhood Engagement
As of November 5, 2020

Date	Engagement Method	Summary
1/15/20	Phone	Julie Ross, Chair of the Westchester Playa Planning and Land Use Committee, a subcommittee of the Neighborhood Council, called Howard Robinson & Associates LLC (“HRA”) and requested that Mark Streams (“Mark”) and Sheri Streams (“Sheri”) present to Land Use Committee.
1/21/20	Email	Jared Johnson of HRA sent email to Julie Ross, informing her that Mark and Sheri would not be able to present to the Land Use Committee at that time, or in the near future, citing “familial circumstances.” Jared also informed Julie that he expected Mark and Sheri’s presence at the City public hearing in March 2020, and offered to respond to any of Julie’s inquiries.
1/24/20	Email	Jared Johnson informed Mark and Sheri via email that he heard back from Julie Ross, who asked if Sheri and Mark would be conducting any alternative outreach to the neighbors in the area in light of the fact that they would not be presenting to the Land Use Committee.
3/2/20	Public Hearing	As described in the Letter of Determination (“LOD”), numerous members of the Playa Del Rey community (in excess of 25 people) appeared at the City of Los Angeles’ public hearing on March 2, 2020 (the “Hearing”), and voiced their concerns to Patrick Cunningham of C&C Partners, the project architect, and Jared Johnson. Patrick and Jared presented and explained how the project was intended to address mass, scale and suitability concerns. Mark and Sheri were not able to attend the Hearing. Many of members of the community were very hostile and emotional, accusing Patrick and Jared of lying about the project. As also noted in the LOD, the City extended the public comment period for an additional 30 days following the Hearing to ensure all neighborhood concerns could be voiced and taken into consideration.
3/4/20	Phone	Sue Steinberg of HRA spoke with Julie Ross and told her that Mark and Sheri had agreed to present their revised project (i.e., reduced by 2,000 square feet and

Exhibit H
Summary of Neighborhood Engagement

		eliminated the top story) to Land Use Committee at a meeting scheduled for 3/17/20 at 6:30 pm. Julie relayed the following points to Sue Steinberg: (i) the Sheltons' (7015 Rindge – rear adjacent neighbor) specific concern was the height of the project, (ii) the larger community opposes the scale (it being “out of scale”) and it “adversely impacting the community”. Julie warned Sue Steinberg that the neighbors have a history of using the legal process to slow or stop neighborhood projects.
3/11/20	Phone	Patrick Cunningham indicated that he spoke with Mr. Shelton as a part of Mark and Sheri's community outreach effort following the Hearing. After initially consenting, Mr. Shelton told Patrick that he would not allow any access to his property to survey the view or analyze how the Project could be revised to address the Sheltons' concerns about the height. Further, Mr. Shelton indicated that nothing short of no construction would suffice and referred Patrick to the Sheltons' attorney.
3/12/20	Email	Sue Steinberg sent Mark and Sheri an email indicating that she would call Julie Ross to let her know about the Shelton's response to the attempted outreach to address the Sheltons' concern.
3/17/20		The Land Use Committee meeting was cancelled (because of Covid-19), so Mark and Sheri did not have an opportunity to present their revised project to the Committee.
4/23/20	Phone	Because the several of the neighbors indicated that they had complained directly to Councilman Bonin about the Project, Sue, Mark and Sheri had a call with Jason Douglas, Senior Planning Deputy of Council Member Mike Bonin's staff. The purpose of the call was to explain the project revisions and how the community concerns had been addressed. Jason indicated that he was pleased with the revisions and thought that they had adequately addressed the main concerns of height, mass and character.
5/10/20	Phone	On or around May 10, 2020, Sue Steinberg had a call with Julie Ross to schedule the May 12, 2020, group call with Sue, Julie and Jason Douglas.

Exhibit H
Summary of Neighborhood Engagement

5/12/20	Phone	Sue, Jason and Julie had a call about the revised project. Jason and Julie were sent the project revisions in advance, and Julie was positive about the changes. Julie told Sue she was aware that Patrick had attempted to engagement with the Sheltons. Julie told Sue and Jason that she thought Sheri and Mark had listened to the community's concerns and thanked Mark and Sheri for making the revisions. That said, Julie indicated that she didn't know how the community would respond to the revisions.
7/6/20	Email	Jason Douglas contacted Sue Steinberg, indicating that he wanted to check-in because he was concerned that the revised plans did not get circulated among the neighbors because he had been receiving more neighbor inquiries. Jason suggested that Mark and Sheri reach out to Lisa Farris (7013 Rindge – rear adjacent neighbor) in particular.
7/6/20	Email	Mark sent an email to Lisa Farris and offered to set up a call and have her concerns addressed by "our consultant and architect." Jason Douglas, Julie Ross and Sue were copied on this email to Lisa Farris.
7/7/20	Email	Lisa Farris responded by asking two questions: (i) when is the project going before the Neighborhood Council? and (ii) are we intending to put up sticks and flags as a part of our permits and variance request in order to address the impact on adjacent properties?
7/7/20	Email	Sheri responded to Lisa Farris by requesting Lisa's availability for a discussion
7/7/20	Email	Lisa Farris responded by indicating she "would gladly schedule a call" once "we understand the import" of her two questions.
7/7/20	Email	Jason Douglas responded to Lisa Farris by informing her that the project complies with code and that there would be no variance request
7/7/20	Email	Lisa replied: "Perfect, pending permits for setbacks and height variations will be reviewed by WPNC PLUC. When is that date?"
7/13/20	Email	Jason Douglas responded by indicating that all setbacks and height dimensions are within code (and did not specifically address the review by WPNC PLUC, presumably because such review is not required)
7/13/20	Email	Lisa responded by asking, "Structure height is based at which point of the property?"

Exhibit H
Summary of Neighborhood Engagement

7/13/20	Email	Jason replied to Lisa by indicating that height “is measured from the lowest point of elevation of the finished surface of the ground between the building and the property line.” Mark and Sheri did not receive any other communication from Lisa Farris (i.e., she did not take Mark and Sheri up on the offer to discuss her questions/concerns) until Sheri followed up with Lisa months later.
10/9/20	Email	Sheri sent Lisa Farris an email and again offered to set up a call with Lisa, as well as the project’s architect and consultant, to discuss any of Lisa’s questions.
10/9/20	Email	Sheri sent the following email to Appellants [Cahill, Burke/Barrett, Cullinan, Sheltons (Nitti): Hello [Neighbor], I am your neighbor from 7012 Vista Del Mar Lane. I understand that you have some concerns about our project, and I wanted to reach out and see if we could schedule a call, together with our architect and consultant to answer any of your questions. If you are interested, please provide a couple of dates and times that work best for you and I will coordinate a call. Warmly, Sheri Streams
10/12/20	Phone	Sheri and Bonnie and Vincent Cullinan discussed the Project. Sheri explained the revisions. Bonnie provided more detail about their concerns. Overall, the conversation was productive. Sheri provided the Cullinan’s with the approved plans.
10/10/20	Email	Lisa Farris sent Sheri an email requesting that Sheri “silhouette the planned construction, with something as basic as flags and sticks, so that we’re able to have a proper conversation around how the structure your [sic] planning affects the neighbors.”
10/10/20	Email	Sheri sent Lisa Farris a sketch to show the proposed elevations and informed her that Sheri and Mark would

Exhibit H
Summary of Neighborhood Engagement

		not be putting up flags and sticks but remained available to answer questions.
10/10/20	Email	Lisa Farris declined the opportunity to discuss the project.
10/12/20		
10/22/20	Call	Sheri, Mark, Sue Steinberg, Brianna Cunningham of C&C Partners, Mr. and Mrs. Shelton and their legal counsel, Thomas Nitty, had a discussion about the project.
10/22/20	Email	Sheri sent the following Follow-up email to the Cahills and Burke/Barrett: Hello [Neighbor], I am just checking in to confirm whether you are interested in discussing your concerns about the plans for our home on Vista Del Mar Lane. Please note that the approved plans are for a dwelling that is 35.9 feet in height and that the total square footage visible above ground is 3,835.4 sqft. As reflected in the attached elevations, the new dwelling will be one (1) story higher than the existing structure. If you are interested in speaking with our architect and/or consultant, please provide a couple of dates and times that work best for you and, I will coordinate a call. Alternatively, I am happy to discuss the foregoing with you directly. Please let me know how you wish to proceed.
10/23/20	Email	Burke/Barrett replied but as of the date hereof nothing further. Dear Sheri, Sorry for the delayed response and thanks for reaching out. Yes, I would like to speak with the architect/consultant about the project; I'll send some dates/times for my wife and me early next week after we can coordinate on schedules. Best, Jeff

Exhibit H

Summary of Neighborhood Engagement

10/23/2020	Email	The Cahill's emailed indicating that they were available after 10/30/2020. Sheri and Eileen are trading emails to schedule a time to speak.

DAY OF HEARING SUBMISSIONS

LETTER OF SUPPORT FOR THE HOTEL ON WESTWOOD BOULEVARD

To: West Los Angeles Planning Commission

Re: 1936 Westwood Boulevard Hotel

Dear Commissioners:

I am a business owner in the Westwood area, and I am writing this letter in support of the Conditional Use Permit for the boutique hotel located at 1936 Westwood Boulevard.

The reason I support this project is because I think a hotel would complement the restaurants and other businesses in the area. Westwood Boulevard has many shops, restaurants, hair and nail salons and other commercial businesses. A hotel would bring more economic activity to those businesses, many of which are family-owned. Westwood Boulevard is also very centrally located, and hotel guests would have an easy time accessing different parts of our city with our public transit system. For these reasons, I would ask that you deny the appeal of the project.

If you have any questions please call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Hargis", with a long horizontal flourish extending to the right.

Phone Number: 310.702.1326