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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.

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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



Planning APC West LA <apcwestla@lacity.org>

ZA-2020-1441-ZAA-1A CEQA: ENV-2020-1442-CE PROJECT SITE: 2110 South Barry Avenue1 message

Jian K <jiank26@yahoo.com>

Fri, Apr 2, 2021 at 1:54 PM

To: "dylan.sittig@lacity.org" <dylan.sittig@lacity.org>

Cc: "apcwestla@lacity.org" <apcwestla@lacity.org>

Hello Dylan

My name is Jian Kerendian a property owner of [1937 Butler Ave 90025](#), former elected PLUM and WLANC member, I would like to express my objection to the side set back reducing for the subject property, I have been practicing architecture since 1989, have general engineering and contractor license A, B and C27 and real estate broker license, I have developed many projects on the lots which was only 40'-0" or less frontage in the neighborhood and never asked for any thing extra that the code allows me to do.

There is no reason to grant this developer the reduces site set back, if I designed on 40'-0" frontage they can do it on the subject property too.

Thank you for your time.

Jian Kerendian

Broker Lic 01314437

General engineering Lic 707124 A B C27

Architectural Lic 015983

This upcoming WED, APRIL 7, 4:30 PM Planning Commission hearing will set the tone for any other property owners who try to fight reduced side setbacks (from 6'2" to 5'2") for these multi-unit multistory projects popping up in the WLA neighborhood--and elsewhere. The reduced setbacks are not legally justified.

* The owner is justifying the reduced setback by citing a zoning approval for a project at [2033 Butler Ave](#) (the demolished vine-covered single family home).

Additional support testimony--written and spoken during the Zoom meeting--would be extremely helpful. Please submit written testimony in support by 5 pm today, if possible. *Be sure to request written e-mail confirmation that the testimonial was received.*

Be sure to include the following :

ZA-2020-1441-ZAA-1A**CEQA: ENV-2020-1442-CE****PROJECT SITE: [2110 South Barry Avenue](#)****Plan Area: West Los Angeles****Council District: 11 – Bonin****Continued from 3-17-21**

Please e-mail the testimony to:

apcwestla@lacity.org (WLA Area Planning Commission)dylan.sittig@lacity.org (Dylan Sittig, City Planning Associate)

PROPOSED PROJECT:

Two-unit condominium with a maximum height of 32.5-feet, approved by the Advisory Agency on July 26, 2019 (AA-2018-4026-PMLA-CN), requests reduced northwesterly and southeasterly side yards of 5-feet 2-inches on a 42-foot wide lot, in lieu of the 6-feet 2-inches otherwise required by the Los Angeles Municipal Code Section 12.09 C.2 for the R2-1 Zone.

APPEAL:

Appeal of the December 8, 2020 Zoning Administrator's determination which:

1. Determined, based on the whole of the administrative record that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15303, Class 3 and 15305, Class 5, and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. Approved, pursuant to Los Angeles Municipal Code (LAMC) Section 12.28, a Zoning Administrator's Adjustment from LAMC Section 12.09 C.2 to permit reduced northwesterly and southeasterly side yards of five feet, two inches, in lieu of the six feet, two inches otherwise required by the R2-1 zone; and
3. Adopted the Conditions of Approval and Findings.

Applicant: Ramin Soofer, [2110 Barry Ave.](#) LLC

Representative: Hayk Martirosian, Techna Landco Inc.

Staff: Charlie Raush, Associate Zoning Administrator

Dylan Sittig, City Planning Associate

dylan.sittig@lacity.org

213-978-1197

2 attachments



WLA 4-7-21 Agenda Final (ig, jo).pdf

190K



2110 Barry_Zoning Admin Approval_2020Dec8.pdf

424K



for ZA-2020-1441-ZAA-1A, CEQA: ENV-2020-1442-CE, West LA-CD 11, 2110 South Barry Avenue

1 message

Suzanne Kato <suzkat591@hotmail.com>

Fri, Apr 2, 2021 at 3:18 PM

To: "apcwestla@lacity.org" <apcwestla@lacity.org>, "dylan.sittig@lacity.org" <dylan.sittig@lacity.org>

ZA-2020-1441-ZAA-1A
CEQA: ENV-2020-1442-CE
PROJECT SITE: 2110 South Barry Avenue
Plan Area: West Los Angeles
Council District: 11 – Bonin
Continued from 3-17-21
Zone: R2-1

I am writing to support Carole Nakano's appeal of the Zoning Administrator's Dec. 8, 2020 approval to reduce side setbacks of 5' 2" in lieu of R2-1 zoning code required setbacks of 6' 2".

1. It appears the owner/developer clearly had no intention of working with the appellant on a compromise--except an offer to plant trees.
2. There are NO three-story buildings on the 2100 block of Barry Ave--AND none behind on the 2100 block of Federal Ave. The 2100 block of Barry Ave has six (6) one-story houses and only one two-story apartment building.
3. Any reduced setbacks for the single family homes on this block were prior to the current code--and were reduced for car garages, not for living quarters.
4. Elevators are NOT required by code. This is a luxury feature.
5. **It is the architect's business to know the zoning code requirements.** Reduced setbacks should NOT BE APPROVED TO COVER UP THE ARCHITECT'S ERROR.
6. Other homeowners should not have to suffer the consequences of the architect's error.
7. The West L.A. Sawtelle Neighborhood Council was told how the owner had trespassed onto and dug up the appellant's property to install a construction fence.

Contrary to what the owner testified, **the WLASNC did not approve the owner's request for reduced setbacks.**

The current zoning code side setback of 6' 2" is in place for a reason and needs to be enforced--to protect the other single family homeowners.

Thank you very much for your time and consideration.

Sincerely,

Suzanne Kato
Single Family Homeowner



ZA-2020-1441-ZAA-1A, CEQA: ENV-2020-1442-CE, PROJECT SITE: 2110 South Barry Avenue, Zone: R2-1

2 messages

R K <rmkato1516@hotmail.com>

Fri, Apr 2, 2021 at 4:59 PM

To: "apcwestla@lacity.org" <apcwestla@lacity.org>, Dylan Sittig <dylan.sittig@lacity.org>

ZA-2020-1441-ZAA-1A
CEQA: ENV-2020-1442-CE
PROJECT SITE: 2110 South Barry Avenue
Plan Area: West Los Angeles
Council District: 11 – Bonin
Continued from 3-17-21
Zone: R2-1

I am writing to support Carole Nakano's appeal of the Zoning Administrator's Dec. 8, 2020 approval to reduce side setbacks of 5' 2" in lieu of R2-1 zoning code required setbacks of 6' 2".

1. It appears the owner/developer clearly had no intention of working with the appellant on a compromise--except an offer to plant trees.
2. The 2100 block of Barry Ave has six (6) one-story houses and only one two-story apartment building.
3. Any reduced setbacks for the single family homes on this block were prior to the current code--and were reduced for car garages, not for living quarters.
4. Elevators are NOT required by code. This is a luxury feature.
5. **It is the architect's business to know the zoning code requirements. Reduced setbacks should NOT BE APPROVED TO COVER UP THE ARCHITECT'S ERROR.**
6. Other homeowners should not have to suffer the consequences of the architect's error.
7. **The owner alleged the West LA Neighborhood Council approved the reduced setbacks. Point of fact, the WLASNC did not.**

The current zoning code side setback of 6' 2" is in place for a reason and needs to be enforced--to protect the other single family homeowners.

Thank you very much for your time and consideration.

Sincerely,

Rose Kato

West LA Single Family Homeowner

R K <rmkato1516@hotmail.com>

Fri, Apr 2, 2021 at 5:00 PM

To: "apcwestla@lacity.org" <apcwestla@lacity.org>, Dylan Sittig <dylan.sittig@lacity.org>

Please confirm receipt of the testimony. Thank you.

Rose Kato

From: R K <rmkato1516@hotmail.com>

Sent: Friday, April 2, 2021 4:59 PM

To: apcwestla@lacity.org <apcwestla@lacity.org>; Dylan Sittig <dylan.sittig@lacity.org>

Subject: ZA-2020-1441-ZAA-1A, CEQA: ENV-2020-1442-CE, PROJECT SITE: [2110 South Barry Avenue, Zone: R2-1](#)

[Quoted text hidden]



Planning APC West LA <apcwestla@lacity.org>

CORRECTION for ZA-2020-1441-ZAA-1A, CEQA: ENV-2020-1442-CE, West LA-CD 11, 2110 South Barry Avenue

1 message

Suzanne Kato <suzkat591@hotmail.com>

Fri, Apr 2, 2021 at 5:08 PM

To: "apcwestla@lacity.org" <apcwestla@lacity.org>, "dylan.sittig@lacity.org" <dylan.sittig@lacity.org>

*Please see corrected item #2.

Please confirm receipt of this email. Thank you.

S.K.

ZA-2020-1441-ZAA-1A
CEQA: ENV-2020-1442-CE
PROJECT SITE: 2110 South Barry Avenue
Plan Area: West Los Angeles
Council District: 11 – Bonin
Continued from 3-17-21
Zone: R2-1

I am writing to support Carole Nakano's appeal of the Zoning Administrator's Dec. 8, 2020 approval to reduce side setbacks of 5' 2" in lieu of R2-1 zoning code required setbacks of 6' 2".

1. It appears the owner/developer clearly had no intention of working with the appellant on a compromise--except an offer to plant trees.
2. The 2100 block of Barry Ave has six (6) one-story houses and only one two-story apartment building.
3. Any reduced setbacks for the single family homes on this block were prior to the current code--and were reduced for car garages, not for living quarters.
4. Elevators are NOT required by code. This is a luxury feature.
5. **It is the architect's business to know the zoning code requirements. Reduced setbacks should NOT BE APPROVED TO COVER UP THE ARCHITECT'S ERROR.**
6. Other homeowners should not have to suffer the consequences of the architect's error.

7. The West L.A. Sawtelle Neighborhood Council was told how the owner had trespassed onto and dug up the appellant's property to install a construction fence. Contrary to what the owner testified, **the WLASNC did not approve the owner's request for reduced setbacks.**

The current zoning code side setback of 6' 2" is in place for a reason and needs to be enforced--to protect the other single family homeowners.

Thank you very much for your time and consideration.

Sincerely,

Suzanne Kato
Single Family Homeowner



Case #: ZA-2020-1441-ZAA; Case #: ZA-2020-1441-ZAA-1A

1 message

Walt Nakano <gofish1350@msn.com>

Fri, Apr 2, 2021 at 3:15 PM

To: "apcwestla@lacity.org" <apcwestla@lacity.org>, Dylan Sittig <dylan.sittig@lacity.org>

To: West Los Angeles Area Planning Commission

From: Walt Nakano

Date Submitted: April 2, 2021

Subject: **Case #: ZA-2020-1441-ZAA**

1. **Dec 8, 2020** ZA C. Rausch approved a Zoning Administrator's Adjustment for this development. Compliance with current zoning statutes (**LAMC 12.09 C.2** and **LAMC 12.08 C.2**) requires setbacks of **6 ft 2 in**.
2. **ZA Rausch reasoning** was strict adherence to the zoning regulations was **IMPRACTICAL OR INFEASIBLE**.
3. The **Appeal** is that the project adjustment to 5 ft 2 in, as it stands, make strict adherence to the zoning regulations above of 6 ft 2 in impractical or infeasible by established statute.

- a. There is NO evidence provided by ZA Rausch as to WHY the project design actually make it IMPRACTICAL or INFEASIBLE to build 2 units with larger side yards. It is implied that if no adjustments are granted, the units will be smaller by perhaps 200 sq ft.
- b. The Developer specifically indicated the adjustment is **NECESSARY** "in order to have a decent sized building." **NO OTHER REASON** was given or is part of the record.

i. ZA Rausch states that the project design will minimize any adverse effects on the neighboring property.

ii. THIS **DOES NOT** satisfy the requirements of LAMC 12.28.C(4)(a), see Kottler v. City of LA as previously submitted March 10, 2021.

4. An adjustment is not justified solely because smaller units might have to be built.

- a. The sole reason to grant an adjustment in this case would be to allow the developer to make larger units that would be marketable at a higher price
- b. The City should not be freely granting adjustments to **ENABLE** developers to reap additional profit, the City should practice oversight and use the tools at hand such as LAMC statutes, voices from the community and environmental implications.

5. Reason for relocating the driveway to the north

- a. The street side **northern tree's** roots next to the current driveway are pushing up the cement of this driveway, so by removing this tree and flipping the driveway to the north, this tree is to be sacrificed for removal and the adjacent southern tree will be saved.
- b. **If the driveway remains on south**, per the developer's plan, this southern tree **will be removed to accommodate this new driveway.**
- c. It would be within reason for this developer to remove the northern tree as well because of the buckling of the old driveway, thus effectively removing **BOTH** of the existing and long standing resident trees.

It is fully noted per the request of the **Commission**, there was an onsite meeting on **March 27, 2021** between Mr. Soofer and Ms. Nakano at 2110 Barry Avenue. There was discussion and **8 alternate configurations and designs** were offered by Ms. Nakano with various compromises to the setback to Mr. Soofer at that time, including a redesign of units conforming to LAMC, see reference example 3a above. After much discussion and dialog, Mr. Soofer informed that **NONE** of the alternative plans were acceptable to him and he is proceeding with purpose with his project.

4/6/2021

City of Los Angeles Mail - Case #: ZA-2020-1441-ZAA; Case #: ZA-2020-1441-ZAA-1A

The **Appeal** based upon established City statutes, the above information, the past input from neighbors and constituents of the WLA community as well as an attempt to compromise with redesign by Ms. Nakano, find that support for the setback adjustment is neither in evidence nor substantiated by current and past efforts, statutes and events. Therefore, I ask that the Commission grant the Appeal and deny the proposed setback adjustment.

Respectfully,

Walt Nakano

April 2, 2021

Sent from [Mail](#) for Windows 10



Planning APC West LA <apcwestla@lacity.org>

Fw: Case No. DIR-2020-350-CDP-MEL-1A

1 message

Judy Esposito <judy.esposito@msn.com>
 To: "apcwestla@lacity.org" <apcwestla@lacity.org>

Sun, Apr 4, 2021 at 3:26 PM

To: West Los Angeles Planning Commission
 Case No. DIR-2020-350-CDP-MEL-1A
 Re: Oppose Director's Determination, dated January 7, 2012, approving a Coastal Development Permit for the Project located at [610 Mildred Ave. Venice 90291](#)

I support the appeal of Richard Stanger in appealing the Director's Determination, dated January 7, 2021, which approved a Coastal Development Permit for [610 Mildred Ave. Venice](#).

Why is the scale of 71% of our Silver Triangle homes completely ignored ? It seems city planning is intentionally seeking out the most recent, newest and largest homes to justify its pre-determined approval !

This is cumulative impact !

From 2001 where our homes averaged 1,200 sq. ft. this home at 3,008 sq. ft. is almost **THREE TIMES LARGER !** (+ 423 sq.ft. accessory structure !) This is an obvious result of cumulative impact.

As mentioned, many times, almost all of the larger homes were approved with de minimus waivers. No one was at all aware of what was about to be built ! No ability to challenge the scale of the new building. Then that new building is used to justify the next larger project and so on until we are now allowing a 3431 sq. ft. building located right at the entrance into our Silver Triangle. What a blocking off of our entire neighborhood !

As you see this practice continuing, it is obvious our neighborhood is being abused as the result of cumulative impact.

This project is THREE times the size of other homes on the block. A cumulative impact analysis should be required for this project.

City Ignores: Policy 1.A.2 Ensure that character and scale of existing SFR neighborhood is maintained

Policy 1.E.1 Protect Venice's unique socail and architectural diversity as a special Coastal Community (Coastal Plan: "harmonize with the essential design characteristics that distinguish the place from other communities..")

Policy 1.E.2 Respect the scale, massing and landscaping of existing neighborhoods **MUCH of our lot open space, trees, and vegetation are being**

consumed by larger and larger and larger out of scale "projects"

Policy 1.E.3. Maintain neighborhood scale and massing

This project fails to meet basic neighborhood protections policies of LUP

Our neighborhood is being irreparably damaged !

Judith Esposito Silver Triangle, Venice



Planning APC West LA <apcwestla@lacity.org>

Case No.: DIR-2020-3520-CDP-MEL-1A

1 message

Frank Defurio <defurio@msn.com>

Sat, Apr 3, 2021 at 5:14 PM

To: "APCWestLA@lacity.org" <APCWestLA@lacity.org>

To: West Los Angeles Planning Commission

Case No.: DIR-2020-3520-CDP-MEL-1A

Re: Oppose Director's Determination, dated January 7, 2021, approving a Coastal Development Permit for the Project located at 610 East Mildred Avenue

I support the appeal of Richard Stanger appealing the Director's Determination, dated January 7, 2021, approving a Coastal Development Permit for the Project.

The Project, at 3,008 square feet plus a 423 square-foot accessory structure, for a total of 3,431 square feet is not compatible in mass, scale and character with the "existing neighborhood" commonly known as the Silver Triangle as required by the Coastal Act and the Venice Land Use Plan (LUP).

It appears that it is the Director's belief, often confirmed by this Commission's decisions, that if a proposed project complies with City Codes it is not at all necessary to give honest and objective consideration to the project's compliance with the provisions of the Coastal Act and the LUP which require that all new developments in the Venice Coastal Zone be compatible in mass, scale and character with the Silver Triangle as it was "existing" in 2001 when the LUP was adopted. If the City gives any consideration at all to compatibility, the City determines that the project is compatible with the largest homes in this area, and ignores the project's incompatibility with the modest single-story homes which existed in 2001 and continue to dominate this area today.

The Silver Triangle neighborhood was in 2001, and for the most part remains, unique. The homes that existed in this area in 2001 were virtually all single-story homes with an average size of less than 1200 square feet. Most of these single-story homes still exist today, along with some compatible two-story homes of reasonable size. 70% of the homes in the Silver Triangle today are less than 1500 square feet in size. It is these single-story homes with which all new developments, whether one- story or two-story, must be compatible.

A few large incompatible projects were built in this area since 2001. With the exception of one, all of homes in the Silver Triangle which exceed 2,500 square feet in size were granted permits by the City by use of "diminimus waivers" or otherwise without the benefit of a Coastal Development Permit process (no notice to affected homeowners, no public hearing, and no rights of appeal). A project's compatibility with the largest of the homes in the area is irrelevant, disingenuous and wrong.

The few massive incompatible projects built since 2001 are already having an adverse cumulative effect on the overall development of this neighborhood. If the Project is approved it will add to the adverse cumulative effect on future development, and will predudice the ability of the City to prepare a local coastal program (LCP) that maintains the mass, scale and character of the neighborhood existing in 2001 in conformity with Chapter 3 of the Coastal Act.

All of the residents of these single-story homes will be negatively impacted by the Director's Determination. Their voices must be heard.

I urge the Planning Commission to grant the appeal of Richard Stanger.

Frank DeFurio, a long time resident of the Silver Triangle

Citizens Preserving Venice

March 31, 2021

West Los Angeles Area Planning Commission
apcwestla@lacity.org.

Re: DIR-2020-3520-CDP-MEL-1A, Agenda Item #6 on April 7, 2020 Agenda

By email only, as an attachment

Dear Commissioners:

Citizens Preserving Venice supports the appellants' position to deny City Planning's issuance of a Coastal Development Permit for the subject project at 610 East Mildred Avenue.

The appeal raises two important challenges to the project. First, City Planning strongly implies that conformance only to height and parking limits absolves the project from prejudicing the City's ability to prepare the Local Coastal Program. We believe that the four policies of the Venice Land Use Plan that deal with ensuring, protecting, and maintaining the mass, scale, and character of a project's neighborhood **must** be considered as well. These policies were totally ignored in the Director's Determination for this project although repeatedly raised in public comment. (Conforming to lot consolidation and roof access structure requirements were included, although both are irrelevant to this project.)

Second, the Director's Determination is silent on the adverse cumulative effect of this project. Not including such an analysis was recently found by two Superior Court judges in separate cases to invalidate their projects' Coastal Development Permits. The Coastal Commission has prepared its own adverse cumulative effects analyses for several recent Venice projects, yet City Planning did not begin to address this requirement in its evaluation of this project. Such analyses **must** be done.

The neighborhood known as the Silver Triangle is unique in Venice as it was developed as a homogeneous neighborhood of small, affordable homes on small lots after WWII. Beach Avenue is the only street developed in the "canal" era with even smaller homes on even smaller lots. The Venice Land Use Plan acknowledges the mass, scale and character of the Silver Triangle by classifying it as one of the few Single-Family Residential-Low areas in Venice. Its character is being quickly eroded by adverse very large projects such as this one, justified only because its size conforms to other similar projects in an on-going cycle of negative cumulative impacts.

Appellants' arguments are persuasive and should be supported.

Sincerely,

Sue Kaplan, President

On behalf of Citizens Preserving Venice

Citizens Preserving Venice

April 2, 2021

West Los Angeles Area Planning Commission
apcwestla@lacity.org.

Re: DIR-2020-3520-CDP-MEL-1A

610 Mildred

Agenda Item #6 on April 7, 2020 Agenda
Support appeal/Deny project

Dear Commissioners:

The appeal raises two important challenges to the project.

First, City Planning's findings indicate that conformance only to height and parking limits absolves the project from prejudicing the City's ability to prepare the Local Coastal Program. However, it is irrefutable that the policies of the certified Venice Land Use Plan regarding compatibility and maintaining the mass, scale, and character of a project's neighborhood must be considered as well. These policies were completely ignored in the Director's Determination for this project in spite of being repeatedly raised by the Public at City hearings and in written correspondence.

Second, the Director's Determination is silent on the adverse cumulative effect of this project. Not including such an analysis was recently found by two Superior Court judges in separate cases to invalidate their projects' Coastal Development Permits. Also, the Coastal Commission has prepared its own adverse cumulative effects analyses for several recent Venice projects, yet City Planning still does not address this requirement in its evaluation of this project. Such analyses must be done and Finding 4 requires that the decision of the permit granting authority is guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.

The single-family neighborhood known as the Silver Triangle is unique in Venice as it was developed after WWII as a homogeneous neighborhood of small, affordable homes on small lots. In addition, Beach Avenue (the property is on the corner of Mildred and Beach) is the only street developed in the "canal era" with even smaller homes on even smaller lots. The certified Venice Land Use Plan acknowledges the need for protection of the mass, scale and character of the Silver Triangle by classifying it as one of the few Single-Family Residential-Low areas in Venice.

Adherence to the Coastal Act and certified Venice Land Use Plan require your support of this appeal.

Sincerely,

Sue Kaplan, President
On behalf of Citizens Preserving Venice

Citizens Preserving Venice (CPV), a nonprofit 501c(3), was founded in 2018, as group dedicated to preserving and protecting the character and scale of Venice as a Special Coastal Community. We work with the Venice community preserving the history, including the social, cultural and economic diversity and protecting affordable housing by promoting healthy growth throughout Venice.

DAY OF HEARING SUBMISSIONS



Planning APC West LA <apcwestla@lacity.org>

2110 Barry Ave1 message

isabelle duvivier <isabelle@idarchitect.com>

Wed, Apr 7, 2021 at 3:26 PM

To: apcwestla@lacity.org

Cc: Jay Ross <ross_jay@hotmail.com>, Joanne Dantonio D'Antonio <trees@ncsa.la>, Isabelle Duvivier <isabelle@idarchitect.com>

To Whom It May Concern,

I am the CD11 Community Forest Advisory Committee representative appointed by Council Member Bonin.

I have followed this development and I am hoping the developer will consider flipping his project and using the existing driveway in order to preserve the TWO existing mature trees.

CFAC is concerned that tree removals only get reviewed at the end of a project's construction. While we are working to change this procedure, we feel it is imperative all boards reviewing development projects, consider tree removals and trees retained when deciding to oppose or support projects.

This project is in the rare situation in that it is being reviewed by the WLA Area Planning Commission after, once being reviewed by Urban Forestry Division (due to project revisions or appeal) so it came to CFAC attention. We have had many internal discussion and feel that flipping the project driveway might help save our natural resources which provide shade, water infiltration, carbon sequestration, beauty, and butterfly habitat.

Thank you

Isabelle Duvivier, FAIA LEED AP

Duvivier Architects

Architecture, Planning & Sustainable Design

CFAC CD11

[350 Westminster Avenue](#)[Venice, CA 90291](#)[Office 310-399-4944](#)[Cell 310-291-0871](#)www.idarchitect.com

LAW OFFICES OF
THOMAS M. DONOVAN
A PROFESSIONAL CORPORATION
11900 W. OLYMPIC BOULEVARD, SUITE 450
LOS ANGELES, CALIFORNIA 90405
(310) 260-6016

April 6, 2021

Honorable Commissioners
West Los Angeles Area Planning Commission
200 N. Spring Street, Room 272
Los Angeles, CA 90012

Attention: Commission Executive Assistant

Re: Case No. ZA-2020-1441-ZAA-1A // CEQA No. ENV-2020-1442-CE
2110 South Barry Avenue

Honorable Commissioners:

I am a resident of the 2110 South Barry Ave. neighborhood where the “Project” is located. I “attended” the initial hearing on 3/17/21 and I still support the Appeal.

LAMC 12.28. C (4) governs the findings needed to grant an adjustment. LAMC 12.28. C (4)(a) requires that there must be a finding that the “site characteristics or existing improvements make adherence to the zoning regulations impractical or infeasible.”

There is nothing impractical or infeasible about building this project with the Code required setbacks. The site is flat and vacant. Any impracticality or infeasibility (if such exists) was created by the Applicant in not designing the Project to be fully under the Code.

On 3/17/21, a Commissioner suggested that because severe adverse impacts were not alleged, then an adjustment should be permitted because the setback decrease was “de minimis.” This might apply under LAMC 12.28. C (4) (b). But it would be improper to apply this analysis under 12.28.C (4) (a). Whether or not the adjustment would be “de minimis” (because it only involves a foot on each side of the property) is irrelevant to section (a) of this statute.

LAMC 12.28. C (4) was amended in 2012 and this only emphasizes that the City thought these findings were important. The City did not include language in section (a) allowing adjustments if they are “de minimis.” Regardless, a finding that the setback changes are “de minimis” only proves Appellant’s point: A two-unit Project can be built on the site without an adjustment to provide smaller setbacks.

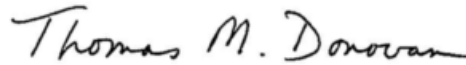
LAMC 12.08. C (2) was amended in 2017, demonstrating that the City believed it necessary to require larger setbacks for buildings over 2-stories in height. Read in conjunction with LAMC 12.09 it specifically applies to lots of less than 50 ft. in width. This width, by itself, does not make it automatically impractical or infeasible to adhere to the Code regarding setbacks. This Code provision specifically provides for a setback increase of one foot for projects above 2-stories. Clearly, the City does not find one foot to be “de minimis.” A zoning statute should not be ignored just because it is only 3 – 4 years old.

For the WLA APC to grant an adjustment, solely because it felt that the setback adjustment was “de minimis” or because the neighborhood is changing, would totally violate and neuter these setback and adjustment statutes. The City’s land use policies are codified in its zoning code. Approving an adjustment in this case goes against not only the letter of the law, but the underlying policies of the City’s zoning code.

Granting an adjustment under these facts will set a precedent. Developers will know that they don’t have to adhere to the Code setbacks. It will demonstrate to all City neighborhoods that the City will not follow its own rules. It would be an abuse of discretion and unfair for the WLA APC to grant an adjustment, in violation of the Code, simply because commissioners thought it was not a big deal.

Based upon the above, this Commission should determine that the Findings in support of a side yard adjustment are not supported by substantial evidence. Therefore the Commission should grant the Appeal and deny the proposed adjustment.

Very truly yours,

A handwritten signature in black ink that reads "Thomas M. Donovan". The signature is written in a cursive, flowing style.

Thomas M. Donovan



Planning APC West LA <apcwestla@lacity.org>

DIR-2020-3520-CDP-MEL-1A, 610 Mildred Avenue, Agenda Item #6.

1 message

Ingrid Marsten <ingridmarsten@gmail.com>
To: apcwestla@lacity.org

Wed, Apr 7, 2021 at 10:16 AM

Dear Commissioner,

My husband and I live within 100 yards of 610 Mildred Avenue, which is at the corner of Mildred and Beach Avenue. We live on 2319 Beach Avenue, the fourth (4th) house down from 610 Mildred.

We are opposed to the expansion of this much square footage because it would completely change the charming character of our neighborhood. Most homes around here in the Silver Triangle are one family residences that are much smaller than the proposed building. Even the corner building across the way from 610 Mildred, which is zoned R3, is in character with the neighborhood by staying low in height and individual square footage.

Additionally, if the proposed change were approved, traffic at the already dangerous corner of Mildred and Beach would become even more dangerous, as such a big house would completely block the view for turning traffic. Please note that the official bike path goes through and down on Mildred Avenue and reconnects on the other side of Washington Blvd. at the Oxford basin/MDR.

We hope that some compromise can be found, and that after evaluation and input from the direct neighborhood, the building 610 Mildred remains as is or at least will not be built with such high square footage (McMansion- like). The proposed building is almost three times as big as most houses on this block.

Sincerely,
Ingrid and Wade Marsten
2319 Beach Avenue
Venice, CA 90291