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SECONDARY SUBMISSIONS

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THOMAS M. DONOVAN
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November 24, 2021

By Email
apcwestla@lacity.org

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

Re: DIR-2019-1115-CDP-MEL-1A, et al. // CEQA No. ENV-2019-1116-CE
Address: 17440-17444 West Castellammare Drive

Honorable Commissioners:

I represent Judi Watson (Appellant) in this Appeal of the above-referenced Director's Determinations.

The Appeal was scheduled to be heard on December 1, 2021, but apparently, City Planning has requested a continuance to February 2022. We understand that the Applicant has consented to this continuance.

As such, Appellant also consents to this continuance. We understand that no formal appearance by Appellant is necessary on December 1, 2021 and that this Appeal will be continued to February 2022.

Appellant reserves the right to lodge supplemental submissions regarding the Appeal to the WLA APC before the hearing in February. Please continue to keep the undersigned on the "interested parties" list in order to receive all notices from the City regarding this Appeal.

Please feel free to contact me for any reason regarding this Appeal. Thank you for your assistance in this matter.

Very truly yours,



Thomas M. Donovan

TMD:md
L-CWT.01

cc: Nick Vasuthasawat
Los Angeles City Planning
nick.vasuthasawat@lacity.org



Planning APC West LA <apcwestla@lacity.org>

17440-17444 Castellammare Public Hearing Continuance of DIR-2019-1115-CDP-MEL-1A/CEQA: ENV-2019-1116-CE to Feb 16, 2022

1 message

Jai Pal S Khalsa AIA <jaipal@tkgwest.com>

Sun, Nov 28, 2021 at 7:34 PM

To: apcwestla@lacity.org

Cc: Nick Vasuthasawat <nick.vasuthasawat@lacity.org>, Jordann Turner <jordann.turner@lacity.org>, Alan Block <Alan@blocklaw.net>, Justin Block <justin@blocklaw.net>, Sassan Salehipour <sasgeoinc@gmail.com>, Daniel Schneidereit <daniel.schneidereit@lacity.org>, Andy Chen <ycc746@gmail.com>, Jackie Chen <jackie11746@gmail.com>

Dear West LA APC and Planning Staff,

Good day, honorable members of the West LA Area Planning Commission. This letter is an acknowledgement and acceptance of a continuance recommended by Planning Staff for the hearing in the matter of DIR-2019-1115-CDP-MEL-1A/CEQA: ENV-2019-1116-CE

which was scheduled for 12-1-21, to February 16, 2022. Additional materials have been requested of the Applicant from our Geotechnical Engineers, the City of Los Angeles Grading Division and Building and Safety. We will need the extra time to generate those additional documents and approvals as needed from the various City departments. Thank you.

If you have questions or need more information feel free to contact us by phone or email. Thank you for your consideration in this matter.

Respectfully,

Jai Pal S Khalsa AIA

Architecture and Innovation

jaipal@tkgwest.com 310-409-6040

Agenda link, Item 6: <https://planning.lacity.org/dcpapi/meetings/document/70925>
Council District 11 - Bonin



PastedGraphic-1.tiff
56K



James Williams <james.k.williams@lacity.org>

1740 Penmar - Changes and Additional Submissions AA-2018-3776-PMLA-SL ; ZA-2018-3779-ZAA

Tony Russo <tony@crestrealestate.com>

Mon, Nov 29, 2021 at 4:27 PM

To: James Williams <james.k.williams@lacity.org>

Cc: Jordann Turner <jordann.turner@lacity.org>, Juliet Oh <juliet.oh@lacity.org>, Kevin Fulton <kevin.fulton@lacity.org>

Hello James,

Apologies, the Site Plan needed to be slightly updated to match the Parcel Map - the only correction was an inch reduction in the FYSB off of Preston from 8'-2" to 8'-1". Please see attached revised Site Plan and Secondary Submission to reflect this very small change.

Changed as of 11.24.2021

FYSB

•8'-1" (15'-0" required) after 5'-0" dedication along Preston

SYSB - Compliant

•7'-0" (6'-5" required) from R1V2 neighbor to the east

RYSB

•7'-0" (15'-0" required) from RD3-1XL neighbor to the north

SYSB

•5'-0" (6'-5" required) after variable 32'-0" dedication along Penmar from the centerline with a maximum of 15'-0" of dedication

Thanks,

Tony Russo | *Senior Planner*

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"Trusted through our Knowledge, Hard Work & Dedication"

[Quoted text hidden]

2 attachments

**1740 Penmar - Site Plan 20211129.pdf**

232K

**1740 Penmar - Secondary Submission AA-2018-3776-PMLA-SL & ZA-2018-3779-ZAA - 20211129.pdf**

425K



James Williams <james.k.williams@lacity.org>

1740 Penmar - Changes and Additional Submissions AA-2018-3776-PMLA-SL ; ZA-2018-3779-ZAA

1 message

Tony Russo <tony@crestrealestate.com>

Wed, Nov 24, 2021 at 9:35 PM

To: James Williams <james.k.williams@lacity.org>, apcwestla@lacity.org

Cc: Jordann Turner <jordann.turner@lacity.org>, Juliet Oh <juliet.oh@lacity.org>, Kevin Fulton <kevin.fulton@lacity.org>

Hello West LA APC,

Please see attached revised site plan and Parcel Map that shows further increases in the setbacks from the neighbors. This did necessitate a further reduction in the FYSB along Preston however (see below). I'm still working on the presentation and will share it next week.

Additionally, I have attached some materials for a Secondary Submission that include additional case file precedent and additional insight into the requests. We hope this information provides additional context for the West LA APC.

The following is a breakdown of the changes that we made in an effort to work with the abutting neighbors.

Approved as part of ZA/AA Determination

FYSB

- 10'-0" (15'-0" required) after 5'-0" dedication along Preston

SYSB - *Compliant*

- 6'-5" (6'-5" required) from R1V2 neighbor to the east

RYSB

- 5'-0" (15'-0" required) from RD3-1XL neighbor to the north

SYSB

- 5'-0" (6'-5" required) after variable 32'-0" dedication along Penmar from the centerline with a maximum of 15'-0" of dedication

Changed as of 11.24.2021

FYSB

- 8'-2" (15'-0" required) after 5'-0" dedication along Preston

SYSB - *Compliant*

- 7'-0" (6'-5" required) from R1V2 neighbor to the east

RYSB

- 7'-0" (15'-0" required) from RD3-1XL neighbor to the north

SYSB

- 5'-0" (6'-5" required) after variable 32'-0" dedication along Penmar from the centerline with a maximum of 15'-0" of dedication

Thanks,

Tony Russo | *Senior Planner*



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4 attachments



1740 Penmar - Neighborhood Compatibility Analysis Final.pdf

128K



1740 Penmar - Secondary Submission AA-2018-3776-PMLA-SL & ZA-2018-3779-ZAA.pdf

428K



1740 Penmar - Prelim Parcel Map 20211124.pdf

314K



1740 Penmar - Site Plan 20211124.pdf

246K



James Williams <james.k.williams@lacity.org>

WLAAPC Meeting December 1, 2021: Supplemental Submission for Item # 7 and 8: Planning Case No. AA-2018-3776-PMLA-SL-1A, ZA-2018-3779-ZAA-1A, ADM-2018-3775-SLD and ENV-2018-3779-1A

2 messages

Elfie Weiss <elfieastier@gmail.com>
To: apcwestla@lacity.org, james.k.williams@lacity.org
Cc: EVNA Venice <EVNA.Venice@gmail.com>

Mon, Nov 29, 2021 at 1:47 PM

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Good afternoon Honorable Commissioner,

My name is Elfie Astier, one of the appellant's for the Case No. AA-2018-3776-PMLA-SL-1A, ZA-2018-3779-ZAA-1A, ADM-2018-3775-SLD and ENV-2018-3779-1A.

I am submitting today as part of my supplemental submission, a petition signed by 118 neighbors, who oppose the setbacks reductions for the proposed subdivision at [1740 Penmar Avenue](#) in Venice, see planning cases referenced above.

The text of the petition is as follows:

"We, the undersigned, hereby petition the West Los Angeles Area Planning Commission (WLAAPC) to **uphold the required setback for the proposed Project located at [1740 S. Penmar Avenue in Venice](#)**. Setbacks are important to the character of a neighborhood; setbacks are the minimum distance of the building from the sidewalk or the adjacent property lines. WLAAPC upheld the setbacks for a previously proposed project on this same property. Our petition is to remain consistent with that ruling.

The current proposed project, like the previous one, is based on a Small Lot Subdivision. The SLS ordinance already lets applicants build a much larger building. This developer, just like the last one, **want more**, and once again the Planning Department caved in, giving away a combined 15-feet in front & rear setbacks, and 1.5 feet on the side setback facing Penmar Avenue! We petition the WLAAPC to hold the line once again, uphold the code and preserve the integrity of our neighborhood."

Please confirm receipt of this email and attachment.

Sincerely,

[Click to Download](#)

2021-11-28_1740 Penmar_Petition_Case No. AA-2018-3776-PMLA-SL and ZA-2018-3779-ZAA.pdf
26.3 MB

Elfie Astier

CEO / FOUNDER

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www.hotcakesbakes.com**James Williams** <james.k.williams@lacity.org>

To: Elfie Weiss <elfieastier@gmail.com>

Cc: EVNA Venice <EVNA.Venice@gmail.com>

Mon, Nov 29, 2021 at 1:54 PM

Thank you for your submission. It will be shared with the Commission and staff.

Best regards,

James

**James K. Williams****Commission Executive Assistant II**

Cultural Heritage Commission

West LA Area Planning Commission

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**LOS ANGELES
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Planning4LA.org

[Quoted text hidden]

1740 S. Penmar Avenue – Case No. AA-2018-3776-PMLA-SL, ENV-2018-3778-CE, ZA-2018-3779-ZAA, ADM-2018-3775-SLD

West Los Angeles Area Planning Commission – December 1, 2021 – Agenda items #7 and 8
Appeal Supplemental Submission

Honorable Commissioners,

The additional material is submitted as supplemental to justify the appeal of Case No. AA-2018-3776-PMLA-SL, ENV-2018-3778-CE, ZA-2018-3779-ZAA, ADM-2018-3775-SLD.

Five related separate appeals were filed. Two were for Case No. AA-2018-3776-PMLA-SL, and three for Case No. ZA-2018-3779-ZAA.

Department of City Planning (DCP) erred in its response to these appeals, and these errors must be corrected before the appeals can move forward.

The appellants request that the WLAAPC direct the DCP to submit an Appeal Recommendation Report for the appeal of Case No. ZA-2018-3779-ZAA (Item #8 on WLAAPC Agenda for December 1, 2021, meeting).

DCP Appeal Recommendation Report for Case No. AA-2018-3776-PMLA-SL, wrongly claim (staff response No. 1-3) that the appellants did not challenge the setback reductions in the appeal of the AA Case. The AA Determination Letter included a setback matrix, with the proposed project setbacks (page 6). The AA Determination necessarily incorporated and relied upon the setbacks that the appellants are challenging as part of both the ZA and AA appeals. However, DCP ignores, and therefore neglect to address or respond to the appellant's points regarding the setback reductions in the ZA case appealed. The two appeals cannot be meaningfully addressed without DCP addressing the appellant's argument regarding the setback reductions, which are the crux of these two appeals.

First and foremost, we emphasize that the appellants and the neighbors are not against the subdivision of this lot, and as with the previous SLS application in this location in, 2014, the neighborhood is not opposed to the parcel map.

The appellants' and neighbors' issues are, as in 2014, with the setback's reductions.

The proposed setback reductions allow for a much larger building envelope than would otherwise be allowed with the mandated setbacks, specifically those required by the 2018 SLS Amendment.

We believe that the DCP granting the setbacks reductions is an abuse of discretion, with no merit and not corroborated by evidence. DCP's decision relied on entirely faulty and irrelevant information provided by the applicant, contradicted the mandate of the 2018 SLS Ordinance, failed to contextualize the neighborhood pattern of development, and provided no evidence to support its conclusory finding that the setback reductions *'will not adversely or further degrade adjacent properties and the surrounding neighborhood'*.

Listed below are detailed analyses, based on, corroborated, and cross-referenced with sources from the DCP, Department of Building and Safety (LADBS), and LA County Assessor, that challenge the findings for the proposed setbacks reductions.

A. 2018 SLS Ordinance Amendment

We ask the WLAAPC to respect the intentions and requirements of the amended SLS Ordinance and deny the applicant's request for setback reductions.

The appellants understand that the 2018 Amendment precludes the Commission from setting some of the same conditions it set on the 2014 project. Unlike the previous SLS Design Guidelines, the present Small Lot Design Standards do not have verbiage about neighborhood character or the need for SLS projects to provide a transition in scale when abutting single-family lots. Nevertheless, the Amendment retains many neighborhood protections of the earlier guidelines and must be respected.

At the August 25, 2016 City Planning Commission Hearing, the DCP presented a Recommendation Report that justified the need for an amendment to the SLS Ordinance. Page A-8 states:

*"Through a combination of changes including yard requirements requiring greater building setbacks (Ordinance), façade, roofline, and building articulation (Design Standards), and access easements (Map Standards), it is estimated that massing will be reduced overall by 10 to 20 percent. With the Code Amendment, the front yard of the underlying zone shall apply to the front lot line of the perimeter of the subdivision, and a 10 foot rear yard shall be required along the Rear Lot Line of the perimeter of the subdivision. Subdivisions abutting any single family zone shall provide larger setbacks within side and rear yards per the underlying zone. **This will introduce more open spaces throughout the projects especially along the perimeter of the subdivision that abuts the street or neighboring lots.**"*

In the same document, P-10 states:

*"The State Subdivision Map Act establishes a discretionary review process for all tract and parcel map applications. The construction of individual homes on the resulting lots is a by-right process. **The proposed Ordinance and Design Standards are intended to update existing regulations to ensure small lot projects will be more sensitive and compatible with the existing neighborhood context and zoning.**"*

These recommendations are contained in the 2018 SLS Ordinance Amendment and SLS Design Standards. The DCP recommendations made clear the critical importance and purpose of setbacks in general, and specifically required larger setbacks when a subdivision abuts any single-family zone.

Ordinance No. 185462, page 3, Sec. 27(a)(8)(i) reads: **"For any subdivision that shares a property line with an R1 or more restrictive single family zone, the provisions of the front yard, side yard and rear yard of the underlying zone shall apply. A minimum 5-foot side yard shall be required."**

The property at 1740 S. Penmar Ave. shares a property line with a R1V1 single family zone. The required setbacks per the SLS Ordinance Amendment are 15-feet min. front yard, 6.41-feet min. side yards, and 15-feet min. rear yard. Yet, **the DCP's Decision in this case calls for drastically decreasing these required setbacks.**

B. MANDATED FINDINGS 1 and 2 (ZA DL page 12 and 14)

Pages 13 and 16 read: *"... A corner of the proposed garage on Parcel A will observe the minimum setback, while the remaining of the development on this parcel appears to observe setbacks equal to or greater than the 6.41 feet otherwise required. ..."*

The DCP had been clear that the plans submitted in SLS application (generally referred to as Exhibit A), do not preclude the property owner to make subsequent changes to the project. The Administrative Clearance (Case No. ADM-2018-3775-SLD), required to demonstrate that the project comply with the SLS Designs Standards is not appealable. The current proposed plans submitted and stamped as Exhibit A are non-binding. Once the applicant is granted setback reductions the footprint could be adjusted, and the two Small Lot Projects' buildings could increase in footprint and overall size, as long as they comply with the SLS Design Standards.

Granting the applicant's request of a reduced setback for one corner of the garage seems extreme. The planner states that *"the remaining of the development on this parcel appears to observe setbacks equal or greater than the 6.41 feet otherwise required."* If DCP is resolved to accommodate a non-compliant corner of the garage it could find another way to grant an adjustment for that one specific garage corner and height.

Please note that DCP has failed to list in its mandated findings, that the building on Parcel B has two other corners that do not *"observe equal or greater"* setback than 6.41 feet otherwise required. On the east side of the Parcel B building, along Penmar Ave., the 2nd floor covered terrace, and the 3rd floor covered roof deck corners, observe a 5-foot setback, refer to Exhibit A, Sheet A2.5 and A2.6.

Granting setback reductions for new buildings sets bad precedent. As we have seen in the setback reductions findings listed above, ZAA setback reductions can give incomplete information, **creating a potential cascading effect of collateral damages to the neighborhood's built and natural environment, its walkability, and its residents.**

We stay resolved that all elements of the NEW buildings meet the setbacks required by the SLS Amendments, but if DCP is set to give some 'relief' to the property-owner for the one corner of the garage of Parcel A, and the one corner of the 2nd floor terrace and the one corner of the 3rd floor covered roof deck of Parcel B, maybe it could approve a ZAA for these specific corners only, instead of adjusting the eastern side setback over the entire length of the 1740 Penmar Ave. property.

Pages 13 and 15 read *"..., with Parcel A (an interior lot) ..." "...and Parcel B (a reverse corner lot)..." "...for the purpose of determining required yards, the Preston Way property line is the front, ..."*

Pages 14 and 16 read: *"... Parcel A is oriented such that it front Penmar Avenue, with its functional side yard along the northern property line, thought corresponding to the rear yard of the parcel map. In the RD3 Zone, the side yard setback requirement is the greater of 5 feet or 10 percent of the lot width; in the case of Parcel A, this would correspond to approximately 4.5 feet, thus defaulting to the minimum 5-foot setback."*

The argument supporting the finding might seem justifiable, yet that is not what is required by the SLS Amendment, or by any other LAMC interpretation for that matter of fact. The DCP Planner cannot pick and choose the 'functional' side of the property yards. **Every lot in the city has a front, a rear and side yards.** There are no zoning regulations in the LAMC, that adjust or reconfigure lot yards according to the their 'functional' sides when regulating an internal lot, or a reverse corner lot.

When justifying his reasoning to grants the rear setback reductions, the DCP 'uses' Penmar Avenue (the 1740 Penmar Ave. property side yard) as the front of Parcel A, thus changing the property's rear yard, to Parcel A's side yard.

Yet, the *functional side* reasoning is not applied when DCP grants the setback reduction to the front yard of Parcel A. DCP does not require the functional front yard of Parcel A to meet the front yard setback of 15 feet, it does not require to meet either the RD3 property

side yard (6.87 feet), nor the required SLS Ordinance side yard (6.41 feet). DCP grants a side setback that is smaller than both the required RD3 and the SLS Ordinance – DCP grants the entirety of the property (Parcel A and Parcel B) eastern side a yard of 5-feet.

To justify the rear side, yard setback, DCP Planner re-orient the Parcel A as it suits him/her. If we follow the DCP argument, Parcel A does not have a front yard or a rear yard, but instead 3 side yards, and then the 'no' yard with the adjoining Parcel B.

On the same pages: *"Along the eastern side of Penmar Avenue, and among the properties which are oriented to front on Penmar Avenue, properties are developed such as they observe a zero-foot to approximately 5-foot setback from their side lot lines, just as proposed for Parcel A."*

This statement is true, but also incomplete. There are several properties facing Penmar Avenue in the immediate vicinity that are 40-50 feet wide, some of which are smaller than Parcel A or Parcel B. All the newly built homes on these relatively narrow lots respect the mandated setbacks; the older ones have original front yard setbacks that are very close to the 15 feet currently mandated by the RD3 underlying zone.

Furthermore, on the same pages: *"... The proposed setbacks allow for this in a manner that is consistent with the intent of the regulations of the zone code and pattern of development within the community. The unusual street-widening dedications required by of the property resulting in irregular shaped lots, and the orientation of Parcel A in relation to the setback requirement of the small lot subdivision make strict adherence to the zoning regulation impractical, but nonetheless, the proposed setbacks conform with the intent of those regulations."*

THEREFORE, we dispute the DCP mandated findings 1 and 2, as to:

1. DCP has not proven that the site characteristics make strict adherence to the zoning regulations impractical.
 - a. "Impractical" is not defined in the LAMC. According to Webster dictionary: impractical is an adjective that describe something that is 'non practical', 'not easy to do or use' or 'non suitable for the situation'. Synonyms are, inoperable, unusable, unworkable.
 - b. The orientation of the lot does not make the project impractical; the irregular shaped lot does not make the project impractical.
 - c. The 30 feet wide by 51 to 54 feet deep, approximately 1,585 sf buildable footprint, resulting by the SLS Ordinance setbacks, is NOT an impractical or unworkable footprint to develop upon.
 - d. One block north of the proposed project, there are 3 lots that have similar street frontage dimensions and smaller lot area. They have original homes dating from 1949 and 1952, with front setback ~15 feet. Are future developments on these lot impractical?
 - e. There are plenty of lots in Venice with narrower width and/or irregular geometries. For example, lots in the Venice canals are 30-feet wide (24-ft buildable width); lots on the Venice walk streets are 40-feet wide, (32-ft buildable width); Venice Pie-shaped lots on cul-de-sacs have more extreme geometries. Improvements on these lots are not considered impractical.
 - f. Properties selling prices are adjusted to take in consideration site and zoning regulation constraints.
 - g. Impractical and infeasible are words rarely used in architecture. The most beautiful, award-winning examples of old and new architecture often sit on irregular shaped lots. Architects often see irregularities in lot shape as assets, often stemming some of the most valued and creative buildings. Architects often design irregular shaped buildings on purpose, as to add character and interest. Architecture is a creative field: architects are not often deterred by site constraints. On the contrary, they embrace them to create amazing structures.
 - h. We hope that both WLAAPC, DCP, and the applicant realize that the proposed building is not the only possible design for this property, and that working within the mandated zoning regulations does not preclude a successful Small Lot Project. The building area might be slightly smaller, but with a buildable gross area of 4,755 sf, the project does not seem impractical.
 - i. Finally, as the applicant's representative has repeatedly attested, he/she could develop a by-right project. The lot would then maintain its rectangular shape and could house a more traditional building.
2. The applicant and DCP did not provide any evidence to corroborate that: *"... the project as a whole ... is compatible with and will not adversely affect or further degrade adjacent properties and the surrounding neighborhood, ..."*
 - a. Two adjacent property owners disagree, the setback reductions will degrade their adjoining properties.
 - b. Over 118 people believe that the setback reductions will adversely affect the surrounding neighborhood.
 - c. There is no cumulative impact study of this project's precedent-setting setbacks reductions.
 - d. The same apparent understanding used when deeming the lot shape impracticable for a project, is not extended to the adjoining neighbors when assessing the negative impact of this project setback reductions on their properties.

C. MANDATED FINDINGS 3 – General Plan and applicable (Venice) Community Plan (ZA DL page 17)

Page 17 read: *"Policy 1-1.2 Protect the quality of the residential environment and the appearance of community with attention to site and building design."*

"... The proposed new dwelling, in conjunction with the approved setbacks, are consistent with the pattern of development in the neighborhood."

This justification for this finding lacks data and context.

1. All large remodels and new developments along Penmar Avenue, fronting Penmar, have been built respecting the 15-foot front yard setback mandated by the underlying zone.
2. North of Venice Blvd, along Penmar Avenue only three properties (not counting the SLS at 1900 Penmar), have been improved in the past 10 years:

Property Address	Permitted Year	Lot Size	Building Area	Building Height	Front Setback	Side Setback	Rear Setback
1520 Penmar Ave (remodel + addition)	2018	5,500 sf	4,367 sf	26.6 feet	15 feet	5 feet	33 feet
1800 Penmar Ave/ 1210 Preston Way New Construction + ADU	2018	6,050 sf	3,869 sf	~23 feet + roof access	15 feet	6 feet	48.8 feet
	2020		714 sf	~20-feet	N/A	6 feet	5 feet
1814 Penmar	2012	5,700 sf	2,951 sf	22.75 feet	15 feet	5 feet (lot = 43.5')	26 feet

These three (3) developments have been improved with structures that respected required setbacks, and in all three cases Penmar Avenue was considered the front of the lot. All other buildings are original or small renovations of 1950's structures. All three developments and all other developments along Penmar Avenue were by-right and did not request adjustment or variances.

3. In the past 10-years, 3 properties (this is the fourth) have been subdivided.
 - a. **2478 Penmar Avenue in 2014.** The WLAAPC denied the applicant's request for reduced setbacks in 2014.
 - b. **1900 Penmar Avenue in 2017.** 1900 Penmar did not request reduced setbacks and was permitted and built, in compliance with the required zoning setbacks.
 - c. **1801-1821 Penmar and 1169 Palms – in 2021.** This project is the first example on Bungalow Court SLS in East Venice and was heard by this same Commission last month. It did not request setback reductions for the existing structures and complied with the underlying zone setbacks for the second story additions.
4. Most lots in East Venice are zoned R1V1 and the code requires a structure to comply with variable-mass zoning regulations, where the maximum height is 30-feet, with a 45-degree encroachment plane set at 22 feet on the side setback.
5. The average East Venice single-family zone lot ranges between 4,000 to 6,500 sf. The RFA code allowed for these properties is around 2,600 to 4,095 square feet.
6. The very large properties in Durley Park are an exception in Venice (almost 11,000 sf lots).
7. The inversely proportional lot-to-building-size requirements for single-family lots, reduced the RFA the larger the lot size
8. A comparable 3,000 sf single-family lot would allow a dwelling RFA of 1,950 sf and would require that 1,500 sf (50%) of the lot be open.

THEREFORE, we argue that the approved setbacks are NOT consisted with the pattern of development in the neighborhood. The only consistency is proposed building area.

D. FINDING OF FACTS – BACKGROUND

Although not advantageous to the property owner, however here, principal here is caveat emptor; properties with dedications are priced accordingly. City's Street dedications on the lot have been public information and are not a surprise. Purchasers know what they are buying. Also public are the conditions of approval granted in the 2014 WLAAPC Hearing that denied the requested setback reductions. The SLS Ordinance Amendment set clear requirements for a SLS abutting a single-family lot. (see above)

Applicant can apply for reduced setbacks, but findings must support such requests. The DCP staff must corroborate the applicant's findings; but in the case of subdivisions, corroboration is not the sole factor to be considered, DCP is obligated to measure the applicant's findings against the ordinance's charge "**to ensure small lot projects will be more sensitive and compatible with the existing neighborhood context and zoning.**" The reductions in this case fail that test by any reasonable standard.

The applicant's submitted findings, listed on pages 6 and 7 of the DCP Determination Letter (DL) of September 23, 2021, for Case No. ZA-201802018-3779-ZAA, and copied verbatim from the Applicant's PMLA-SL and ZAA Findings letter submitted in October 2020, seek to justify the request for setback reductions as a fair compensation for the land loss due to the dedication. But they are unsubstantiated by fact, irrelevant, misleading, and lack comparable data and context.

To critically analyze and respond to the many reasons listed in the applicant's ZAA submitted findings, we are breaking down the two paragraphs statement listed on page 6 and 7 of the Determination Letter.

1. *"While the proposed setback deviations are not within strict adherence of the requirements established by the RD3 Zone, the proposed building footprint of the site would be similar and in some cases significantly less intense than that of adjacent multi-family projects located on Penmar Avenue."*
2. *"... The permitted setback reductions will not create any noticeable adverse impacts to the surrounding neighborhood or street frontage."*
3. *"The reduced setbacks is (sic) a result of dedication requirements ..."*
4. *"... It should be noted that if a by-right, multi-family building was proposed on the subject site, street dedication and improvement would not have been required, ..."*

Item 1:

This statement is irrelevant, misleading, unsubstantiated, and erroneous as to a) the proposed subdivision shall comply with the setbacks outlined in the amended SLS Ordinance and not by the LAMC RD3 Zone; b) this project is not a multi-family project but a subdivision into two small lots for single-family use; c) the applicant did not provide any adjacent multi-family building footprint data that support the accurateness of the highly subjective *"significantly less intense"* comparison.

Although the applicant shall make strict adherence to the requirements established by the SLS Ordinance, we did check the required RD3 zone setbacks requirements, and we did find that the side setback required by the amended SLS Ordinance are, in the case of the property located at 1740 Penmar Avenue, slightly smaller than the one set forth by LAMC RD3 for a by-right project.

Code	Font yard Setback	Side Yard Setback	Rear Yard Setback
RD3 Zone Requirements	15 feet	6.87 feet (10% of the lot)	15 feet
SLS Ordinance Requirements	15 feet	6.41 feet	15 feet

For the second part of the applicant statement: there are only two multi-family projects adjacent to the 1740 Penmar property, and they are:

- a. Lincoln Place, across Penmar Avenue, a National Register of Historic Places Garden City Housing Development from the 1950s, which has 795 dwelling units on 38 acres of land. One of Lincoln Place multi-dwelling cluster, across Penmar Avenue (west) from the proposed SLS project, sits on 36,305 square feet of land. The building footprint of 1741 Penmar Avenue is 18,278 square feet. This building house 21 units and it's footprint included 5 stairwells and 5 passageways, and 7 covered private patios, 19 covered parking garages and 200sf of storage room.
- b. The recently approved SLS at 1169 Palms & 1801-1821 Penmar. The lot area of this property is 11,106 square feet, and the lot houses seven (7) existing and current bungalows. Each bungalows' footprint is around 575 sf, totaling 4,025 square feet of buildings footprint.

If compared, the 3 multi-family project lot coverage are:

	1740 Penmar Ave. Lot A	1740 Penmar Ave. Lot B	1741 Penmar Ave	1801-1821 Penmar Ave
Lot Size	3,023 sf	3,034 sf	36,305 sf	11,106 sf
Number or Dwelling Units	1	1	21	7
Building Footprint	1,806 sf	1,784 sf	12,440 sf	4,025 sf
Garage + Other Non-Residential uses Footprint	Included above	Included above	5,838 sf	1,333 sf
Total Bldg. Footprint	1,806 sf	1,784 sf	18,278 sf	5,358 sf
LOT COVERAGE	59.7%	58.8 %	45%	48%

THEREFORE, the building footprint comparison is irrelevant, misleading and erroneous, because: (1) the proposed parcel map project is not a multi-family project; (2) the land size and number or dwelling units of the two adjacent multi-family projects are not in the same order of magnitude and scale of the proposed parcel map buildings; and (3) as the table above shows, backed by square footage data, the proposed building footprint for the proposed parcel map is MORE *"intense"* than the one of the adjoining multi-family dwelling lots

Item 2:

"... The permitted setback reductions will not create any noticeable adverse impacts to the surrounding neighborhood or street frontage."

This opinion is not substantiated by any fact. The applicant's opinion is challenged by the appellants and by over 118 people (petition signatures) directly affected by the "noticeable adverse impacts". In fact, two of the appellants are the adjacent property owners, who would know better than anyone what the additional 15 linear feet of the three-story building would do to their light, sun, breeze, noise, and privacy.

Aside from the visual impact, which is, by definition, noticeable, this proposed 83-foot long, majority 30-foot-high building, resulting by the granting of multiple setback reductions, will generate bigger shadows than the building length of 68 feet, the maximum length allowed after the SLS Ordinance setbacks are deducted from the lot depth. No shadow study was provided; therefore, no actual measurable data sustain the applicant's statement. By the mere buildings size and the orientation of the lot, the larger building will create a bigger shadow on the adjoining neighbor property, limit coastal breeze, reduce privacy, and locate noisy activity (roof deck) in closer proximity of the two adjoining neighbors.

THEREFORE, the applicant's opinion, unsupported by any data is disputed by over 118 neighbors of the proposed SLS project.

Item 3:

"The reduced setbacks is (sic) a result of dedication requirements ..."

The statement is erroneous, as dedication and setbacks are independent. DCP setbacks are not conditioned by the dedication. They are separate issues. The reduced setbacks are NOT a result of dedication requirements. The applicant is using the dedications to justify the request for setback reductions. DCP decision on the setback's reduction is discretionary and must be supported by corroborated findings, dedication and setback reductions are not a quid-pro-quo transaction.

The DL of September 23, 2021 Case No. AA-2018-3776-PMLA-SL, list the BOE dedication on page 2, Item 2 and 3.

"That a 5-foot wide strip of land be dedicated along Preston Way adjoining the subdivision as shown on the proposed plan. In addition, a 15-foot radius property line return be dedicated at intersection with Penmar Avenue adjoining the subdivision."

"That a zero to variable width strip of land, 32-foot east of Penmar Avenue transitional centerline, be dedicated along Penmar Avenue adjoining the subdivision as shown on the proposed plan."

The applicant is requesting a total of 15-feet setback reduction, front (5 feet) and rear (10 feet), for the entire lot depth at 1740 Penmar. Additionally, the applicant is requesting a 1.41-foot side yard setback reduction along Penmar Avenue.

The City's dedications remove approximately 850 sf of the original lot area. If the lot would be developed with a RD3 by-right improvement, and therefore no dedication could be taken, the maximum allowable buildable footprint would equate to 3,847 sf. Conversely, the maximum building footprint allowed with a subdivision and mandated setbacks is 3,319 sf, which is 528 sf smaller than the by-right RD3 zoned footprint. When the DCP approved the setbacks reductions in conjunction with the SLS project, it increased the buildable footprint by 898 sf, a 58% increase to the allowed subdivision buildable footprint, an area greater than the City's dedication area of 850 sf.

THEREFORE, it seems that DCP goes above and beyond in compensating the applicant's area loss by the dedication, it gives them back an area that is larger than the dedication itself and all of which is buildable.

Item 4: *"...It should be noted that if a by-right, multi-family building was proposed on the subject site, street dedication and improvement would not have been required..."*

That statement is correct but irrelevant, and that alone does not justify the findings to grant the setback reductions. The applicant is not forced to improve the site with a parcel map. As the applicant has emphasized on several occasions, including during community outreach, the applicant could have improved the property with a multi-family dwelling and additional ADU.

THEREFORE, as compelling as it might sound, and as one might empathize for the applicant's loss of area due to the City's dedication, DCP does not stipulate any land 'exchange' provisions in the SLS Ordinance Amendment. DCP's thorough analysis and recommendations, fully aware that BOE land dedications can only be enforced when there is an application for a parcel map, did not include any provisions to reciprocate the property owner for the land loss due to City's dedication. Furthermore, if the City intended to compensate property owners for the land lost to dedications, it has had plenty of time to correct the omission since adoption of the SLS Ordinance and its amendment. In the absence of such, the clear intent of the governing law is that no compensation is called for.

In the name of transparency and due process, the DCP should make public any interpretation and/or direction that allows or directs city planners to grant reduced setbacks to compensate any SLS applicant for the loss of land due to dedication. This should include the

rationale for imposing the consequent impacts on occupants and owners of adjacent properties, and the neighborhood's residents, in whose interests those rear, and side setbacks are mandated.

THEREFORE, we dispute each of the Applicant findings as erroneous and conclusory because they are:

1. Unsupported by facts,
2. Unsubstantiated by the requirements set forth in the SLS Ordinance, its 2018 Amendment, and Design Standards,
3. Based on claims that are non-comparable

E. FINDING OF FACTS – BACKGROUND: *Previous Cases, Affidavits, and Orders (ZA DL page 8)* **Subject Property:**

There are four cases associated with the development of this property located at 1740 S. Penmar Avenue in Venice. The first is this case, itself, the Parcel Map application, in front of the WLAAPC Commission this week; the second is an Administrative Case related to this same Parcel Map application; the third a similar Small Lot Subdivision submitted in 2014 and the final one a withdrawal of the Zoning Administration Adjustment request submitted in concurrence with the 2014 SLS application.

Two of the subject property cases are particularly relevant, the one related to the 2014 Subdivision Application.

1. *Case No. AA-2014-581-PMLA-SL-1A: On November 19, 2014, the West Los Angeles Area Planning Commission denied an appeal and sustained the decision of the Deputy Advisory Agency approving the subdivision of one lot into two small lots to permit the construction of two small lot homes; in conjunction with this determination, new development would observe 5-foot setbacks from the northern and eastern adjoining properties, a 15-foot setback from Penmar Avenue, and a 5.2-foot setback from Preston Way.*
2. *Case No. ZA 2014-0583(ZAA) - On July 16, 2014, the Zoning Administrator accepted the applicant's withdrawal of this case for Zoning Administrator's Adjustments for reduced setbacks, passageways, and lot area in conjunction with a proposed Small Lot Subdivision, Case No. AA-2014-0581-PMLA-SL.*

In 2014, the WLAAPC discussed Case No. AA-2014-581-PMLA-SL-1A, a similar appeal for a proposed SLS project on the property at 1740 S. Penmar Avenue. After hearing testimony from appellant and neighbors, the Commissioners, City Attorney, and Planning Staff worked together for over 40 minutes to ameliorate that project.

Though the appeal was denied, the WLAAPC made a motion that added modifications to the project, noting that as proposed the project did not satisfy the General Plan and the SLS Guidelines.

To make it more compliant with the General Plan and the SLS Guidelines requirements, the WLAAPC added the following conditions:

1. The roof of both units must be sloped at a minimum of 25 degrees
2. Side yard minimum setback 5-feet
3. Rear yard minimum setback 15-feet
4. Front Yard minimum setback 15- feet
5. Additionally, the motion required a technical correction and a deletion within the Determination Letter.

The appeal was technically denied, but the final motion approved by the Commission was a victory for both the neighborhood and the appellant.

We urge the Commission to listen to the audio recording of November 19, 2014, because no written record of the motion is found in the Case File or WLAAPC Hearing minutes. The final motion can be heard in Part 5 of the audio starting at minute 30:48 (<https://planning.lacity.org/dcpapi/meetings/document/48460>).

The only DL found, in the DCP case filing system, for Case No AA-2014-581-PMLA-SL is the 9/24/2014 DL, which does not include the conditions imposed by the WLAAPC. On November 19, 2014, the WLAAPC **DID NOT** approve a 5-foot setback from the northern adjoining property, not a 15-foot setback from Penmar Avenue, not a 5.2 setback from Preston Way. We did not find any DCP document for that case, that lists the conditions added by the WLAAPC.

In concurrence with the 2014 Small Lot Subdivision application, the then applicant also requested multiple setback reductions, like the present applicant, using the rationale of being harmed by land loss to the dedication to justify the setback reductions. The findings submitted in 2014, seem to have been re-used for the current subdivision application. The same 2014 ZAA request findings are stamped with the 2018 subdivision Case No. 2018-3779-ZAA (see right side pocket of case file). In 2014, in conjunction with the subdivision application, the then applicant requested a ZAA ruling for reduction in setbacks, passageway and lot area (see page 3 of submitted findings).

On July 16, 2014, the DCP accepted the ZAA withdrawal for the setback reductions, passageway and lot size in conjunction with a proposed SLS. Yet, although DCP accepted the ZAA withdrawal, two months later, in the September 25, 2014, in the DL for attended

Case, Case No. 2014-581-PMLA-SL, the DCP approved substantial setbacks variations to the subdivision application, see specific conditions #15g, on page 4.

THEREFORE, the 2018 subdivision application findings submitted by the applicant for Case No. AA-2018-3776-PMLA-SL, are erroneous. In the DL of September 23, 2021, for Case No. ZA-2018-3779-ZAA, DCP copied/transcribed the applicant findings and negligently failed to corroborate the veracity of these submitted findings.

F. FINDING OF FACTS – BACKGROUND: *Previous Cases, Affidavits, and Orders (ZA DL page 8)* Surrounding Properties:

The following is meant to provide the WLAAPC with visuals about the Project Surroundings Properties findings listed to justify the reduced setbacks. Six findings about Surrounding Properties were listed on the Determination Letter (DL) dated September 23, 2021 (Case no.: ZA-2018-3779-ZAA). We list them here in the same order.

For the record, these same 6 findings, plus other Zoning Variances (ZV), ZAA and LADBS modifications, were included in the applicant's ZAA list of findings submitted to City Planning in October 2020 and discussed at the Advisory Agency (AA) Hearing for this subdivision on December 9, 2020.

Following the AA Hearing, on December 28, 2020, EVNA submitted a letter, analyzing each finding, and detailing why the applicant's findings did not support the applicants' request for reduced setbacks.

It is our hope that plot plans and photos of the DCP listed findings properties (DL page 8), will better highlight the stark difference between the findings' listed as "comparable examples" by DCP to grant the applicant's ZAA request.

According to the DCP planner granting the setback reductions, the findings listed below support DCP decision to grant the setback reductions. We will show you how none of the properties listed is in any form or shape comparable to the proposed Project.

Total Number of Findings Submitted	6 (for a total of 5 properties)
ZV and ZAA for Setback Adjustments (Variances and Adjustments)	4
Setback Reduction ZAA Submitted	3
Setback Reductions ZAA DENIED	1
Setback Reductions ZAA APPROVED	2
Setback Reduction ZAA Approved for NEW construction	ZERO

Just at a first glance, one can notice that out of the six listed findings, **only 2 of these properties were granted a Zoning Administration Adjustment for setback reductions**. Detail about the specific type of setback reduction will be described below under each case.

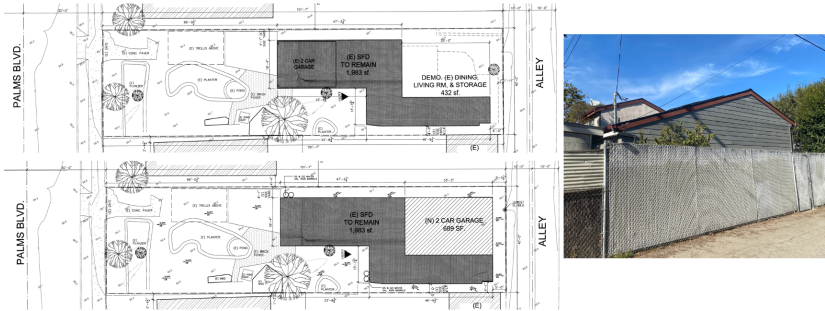
1) Case No AA-2016-0315-PMLA-SI-1A – 1900 -1910 S. Penmar Avenue

1. Year Approved: 2017
2. Small Lot Subdivision approved in 2017. **The SLS DID NOT seek any setback reductions.**
 - a. The dedications at 1900-1910 Penmar were much larger than the ones required for 1740 Penmar.
 - b. The City Dedication removed 13- feet along Palms Blvd, 9-feet along Penmar Avenue and 2.5-feet along the Alley.
 - c. The total area of the dedication was 2,499 square feet, 21.9% of the original lot area (11,408 sf)
 - d. The 1900-1910 Penmar Avenue applicant provided the required minimum setbacks
 - e. The 1900-1910 Penmar Avenue applicant designed the building as separate free-standing homes with a 7-foot gap between each structure.
 - f. This subdivision was designed and approved prior to the 2018 SLS Amendment when increased setbacks were introduced in cases where the SLS is abutting any R1 property.

2) Case No ZA-2015-2752 (ZAA) – 1044 Palms Blvd

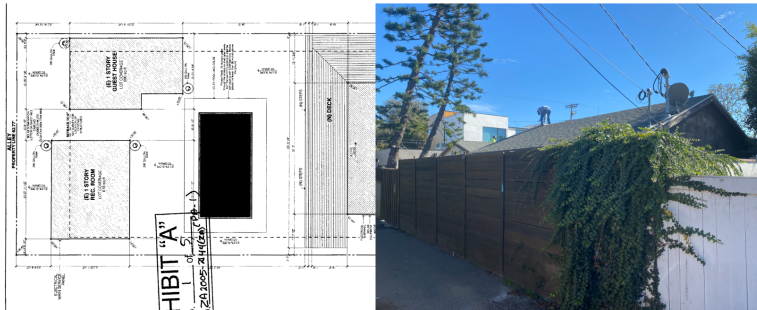
1. Year Approved: 2016
2. Single Family Zone Property = R1-1VLD Zone
3. Property width = 40-feet
 - a. Required setbacks: Front: Prevailing
 - b. Side: 5 ft; or 10% lot width where lot is < 50 ft wide, = 4 feet + 1ft if over 18-feet in height
 - c. Rear Setback = 15 feet (measured from Alley Centerline)
4. Proposed and Approved Side yard: 4'-1
 - a. Side setback required 5 feet, the roof pitch 10-inches above 18-feet triggered the additional foot for the setback.
 - b. We want to note that the applicant and current owner of this property was never told that lowering the roof by 10-inches would have removed the requirement for the side yard ZAA.

5. Proposed and Approved Rear Yard: 5'-0" from PL which is 15'-0" from Alley centerline, and therefore complies with code setback requirement
 - a. **Rear setbacks comply with the min. code requirement.**
6. Furthermore,
 - a. The 689-sf remodel resulted in an addition of 257 sf to the property.



3) Case No ZA-2005-2144 (ZV) – 1251 Appleton Way

1. Year Approved: 2005
2. **This is a Variance** not an Adjustment: findings must have proven hardship
3. Single Family Zone Property = R1-1VLD Zone
4. Zoning Variances Granted:
 - a. 6-inch easterly setback for (E) 2nd dwelling in – one- story high
 - b. Zero westerly setback for (E) Pool Equipment
 - c. 9-foot separation between (E) 2nd dwelling and (E) Red Room
5. All the structures are existing and to remain, the non- complying structures are one-story buildings
6. **This is a case of recording an existing, non-conforming setback and building separation**

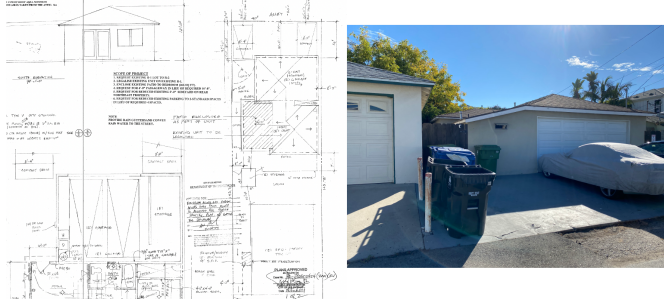


4) Case No ZA-2005-2144 (ZV)(PA1) – 1251 Appleton Way

1. Year Approved: 2019
2. **This is a correction to the Variance approved in 2005**
3. This is the same property as the one shown above; this Planning Case was an amendment to the previously approved Zoning Variance, and it removed one condition from the original 2005 Determination Letter that restricted all buildings on the property to one-story in height.

5) Case No ZA-2003-0424 (ZV)(ZAA) – 1157 Palms

1. Year Approved: 2003
2. This case involved a Variance and an Adjustment, the Variance findings must have proven hardship
3. Single Family Zone Property = R1-1VLD Zone
4. Zoning Adjustment:
 - a. 2-feet easterly side setback for (E) 2nd dwelling unit – one-story (12 feet high)
5. **This is another case of recording a non-conforming setback and building separation**



Case No ZA-2001-4447 (ZAA) – 1104 Palms Blvd.

1. Year Approved: 2003
2. Single Family Zone Property = R1-1VLD Zone
3. Zoning Adjustment: **DENIED**
4. We recommend reading the January 28, 2002, DL for this case, where the DCP planner did an outstanding analysis and corroboration of the applicant's submitted findings. (<https://planning.lacity.org/pdiscaseinfo/document/Mzg4Ng0/d656aa11-4807-4f64-b4c4-1f4fa6319788/pdd>)

As shown above, in the plot/site plan and photos, **NONE** of the findings listed in the applicant's ZAA application for reduced setbacks are comparable in scope and size to the setback reductions requested for the proposed subdivision project (ZA-2018-3779-ZAA). On the contrary, the findings in the six findings listed should prompt DCP to DENY such request. As we mentioned before, back in 2014, in the previous SLS application for this property, the Planner's Determination Letter granted similar setback reductions, but the Commissioners at the WLAAPC Hearing did not agree with the Planner justification and required greater setback.

THEREFORE, we ask Commissioners to uphold that same resolution and deny the setback's reductions for Case (ZA-2018-3779-ZA) and the Parcel Map (AA-2018-3776-PMLA-SL).

G. CONCLUSION

THEREFORE, per the above listed reasons, we believe that the Department of City Planning (DCP) granting the setbacks reductions is an abuse of discretionary power, with no merit and not corroborated by evidence.

The Decision Maker (DM) abused his/her discretion when a) used the width of the dedication along Preston Way as reasoning to grant a reduced front yard setback on Preston Way; b) granted a reduced side setback along the entirety of the property along Penmar Ave (eastern side) to mitigate the non-conformance of one corner of the garage on Parcel A; c) re-oriented Parcel A (internal lot), and changed the property rear yard to a side yard to justify the rear yard setback reduction.

In the context of compatibility, the DM failed to contextualize and neglected the built-environment density, when assessing the neighborhood pattern of development. The DM compared buildings area and height. His/her analysis (no data evidence was submitted) relies only on these two isolate parameters. Furthermore, the DM re-oriented Parcel A to align with the other front facing lots along Penmar Ave., only when it suits. The DM granted setback reduction on the north side (rear), yet failed to follow the same neighborhood pattern of development argument, when it comes to Parcel A front yards facing Penmar Ave.

The DCP and the Department of LADBS set the standards for pattern of development in every neighborhood, including East Venice. The DCP revise the zoning code and introduces new ordinances to regulate developments, such adjustments to the LAMC are carefully analyzed, presented to the public for comments in both survey form and public hearings, vetted by the City Attorney, voted by City Council, and finally adopted by the City Mayor. It is long process, not a hasty move.

We ask that this Commission respect the work and time put into the SLS Amendment Ordinance, we ask that you be consistent with this same Commission prior ruling, in this similar, and other SLS projects in East Venice, when they always denied setbacks reductions.

Please follow the DCP amended SLS Ordinance recommendation: **enforce the required setbacks** as they *"introduce more open spaces throughout the projects especially along the perimeter of the subdivision that abuts the street or neighboring lots..."* "...**to ensure small lot projects will be more sensitive and compatible with the existing neighborhood context and zoning.**"

Please make this SLS a better project, mandate the required minimum setbacks and ameliorate this Small Lot Project.

Sincerely,

EVNA



Planning APC West LA <apcwestla@lacity.org>

AA-2018-3776-PMLA-SL and ZA-2018-3779-ZAA

1 message

Michael Stenger <rockyboy65@ca.rr.com>
Reply-To: Michael Stenger <rockyboy65@ca.rr.com>
To: "apcwestla@lacity.org" <apcwestla@lacity.org>

Mon, Nov 22, 2021 at 3:33 PM

Dear Honorable West Los Angeles Area Planning Commissioners:

My name is Michael Stenger and I own the property ([1209 Preston Way](#)) on the eastern edge of the proposed project. I have lived here for 41 years and would be the neighbor most directly effected by the project. I have a single story 800 square foot house on a nearly 11,000 square foot lot. Most of my property is green space and garden. It's more like living in a park, My house sits on the very western edge of the lot. So having two 30' high nearly 100' in length houses would be devastating not only for my house, but a large portion of the garden as well. I would lose daylight, onshore wind, and of course privacy. In winter especially I would be plunged into darkness in the afternoon, with attendant higher utility bills. As I am handicapped from 50 years of battling debilitating arthritis (6 joint replacements and counting) I will be spending more and more time at home in the future. In short, the project would greatly diminish my ability to enjoy my property.

I believe this project fundamentally VIOLATES the intent of the Small Lot Subdivision (SLS) ordinance, namely to provide first-time home buyers an entry into the housing market, i.e., to go from renters to ownership. This is clearly stated in the city's website for SLS. These homes will probably sell for over \$2 million in todays market, hardly entry level, affordable housing which is what the community so desperately needs.

Further, from looking at the website, the projects envisioned for SLS are on much bigger parcels with many more "townhouses". Thus, the INTENT of the program, should be the foremost consideration for approving or denying a proposal.

The SLS ordinance, updated in 2018, calls for GREATER SETBACKS when abutting single family zones, like the one I'm on. When asked about this in the initial outreach meeting with Mr. Russo on 11/4/20, he responded that their design wouldn't work as well if they had to adhere to the setbacks specified in the ordinance. Tough. They had to know that going in, and should have designed it accordingly. That's on them; the community shouldn't have to bear the burden. As you probably know, a proposal similar to this one was tried in 2014, and the request for the reduced setbacks was denied by the Commission. The project was subsequently dropped.

I believe at a minimum the Commission should uphold the required setbacks. The developers in our neighborhood keep chipping away at the provisions of the SLS ordinance until loses it's desired intent. Please stop them from further "gaming the system".

Thanks for your consideration.

Michael Stenger



Case No. AA-2018-3776-PMLA-SL, ZA-2018-3779-ZAA, ENV-2018-3778-CE1 message

William Wood <eastveniceguy90291@yahoo.com>
To: "apcwestla@lacity.org" <apcwestla@lacity.org>
Cc: "james.k.williams@lacity.org" <james.k.williams@lacity.org>

Mon, Nov 29, 2021 at 4:27 PM

Dear Honorable Commissioners:

I write to request that you support the appeal(s) of the proposed project at [1740 Penmar Avenue](#) filed by the East Venice Neighborhood Association (EVNA) and neighboring property owners Elfie Astier and Micheal Stenger.

As explained in the supplemental appeal document filed by EVNA on November 29, 2001, the City Planning decisionmaker(s) made determinations that are not supported by any evidence or tangible data for their findings—and thus are arbitrary, capricious, and an abuse of discretion. They now seek to require the appellants to challenge these determinations by providing evidence to contradict their unsupported conclusions, improperly attempting to shift the burden to the appellants.

As also explained in the document filed by EVNA, City Planning and the staff response do not make recommendations that specifically address or respond to the appeals of the ZA case. There is no appeal recommendation report for the ZA case. Staff Response 1.3 for the AA case wrongly concludes that the appeal(s) do not challenge the findings made by the Deputy Advisory Agency (DAA) in approving the map on September 23, even though the DAA's September 23 letter lists a Setback Matrix with the setbacks to be permitted (for both lots) and that are necessarily part of and central to the SLS subdivision approval that depends on them.

A similar project for the same property was withdrawn in 2014 after the WLAAPC imposed conditions the developer found unfavorable. Those conditions required the developer to comply with the mandated setbacks under the zoning law. Those zoning laws and setbacks have not changed, and the 2018 Small Lot Subdivision ordinance amendment expressly requires that setbacks next to single-family homes comply with the setbacks of the underlying zone. Here those setbacks are a 15-foot minimum for the front and rear yards and a 6.41-foot minimum for side yards. But the current project has been approved with reduced setbacks that would negatively impact the immediate neighbors and the neighborhood generally.

The applicant has provided new plans to neighbors and appellants Elfie Astier and Michael Stranger with setbacks larger than those proposed and approved, but that are still less than those required under the applicable zoning law and small lot subdivision ordinance. Moreover, it appears that these new plans have not changed or reduced the size of the proposed structures but only moved them into the dedication at the corner of Preston and Penmar Avenues—shifting the location of the project at public expense while keeping the same footprint.

Smaller structures that conform with existing zoning laws are both practical and feasible. Many surrounding lots in the neighborhood have two structures on them and comply with existing zoning laws. The applicant could build two smaller structures, which would be less profitable. But they would be more affordable—and more consistent with the purpose and intent of the Small Lot Subdivision ordinance.

The applicant was aware of the applicable zoning laws when they bought the property. Yet they complain those laws make the proposed project impractical. The neighbors and neighborhood should not suffer because the applicant does not want to follow generally applicable laws.

Also, to the extent the applicant seeks to use the Small Lot Subdivision at [1900 Penmar Avenue](#) in support of this project, note that a majority of Commissioners at the September 7, 2016 WLAAPC hearing on the 1900 Penmar project stated they would deny that project if they had discretion to do so. The 1900 Penmar project is a testament to misuse of small lot subdivisions for profit: the houses there, although they have been reduced in price from approximately \$3.3 million to \$2.7 million, have been for sale for over nine months during the midst of an affordable housing crisis.

Respectfully,

William Wood
[2001 Penmar Avenue](#)
[Venice, CA 90291](#)

On Monday, November 15, 2021, 12:54:19 PM PST, William Wood <eastveniceguy90291@yahoo.com> wrote:

Honorable Commissioners:

I write in support of the appeal filed by the East Venice Neighborhood Association (EVNA) and petition signed by East Venice neighbors requesting that you deny the small lot subdivision as proposed and require as a condition of any approval that the Bureau of Engineering (BOE) mandate the 3-foot dedication along Penmar Avenue as BOE originally requested in the January 6, 2021 DAA hearing.

As explained in EVNA's appeal papers, the developers planned the project and attempted to process the approvals in a way that would hinder the City's ability to exercise the 3-foot dedication along Penmar Avenue. The West Los Angeles Area Planning Commission and the City as a whole should act in the interests of neighborhood residents and public safety, not in favor of developers that seek to game the system and profit at the expense of neighborhood, pedestrian, and traffic safety.

I respectfully request that you act in the public's interest and deny the project as proposed and require that the dedication along Penmar Avenue be used to protect our East Venice neighbors and public safety.

Respectfully,

William Wood
[2001 Penmar Avenue](#)
[Venice CA 90291](#)

1740 Penmar - Neighborhood Compatibility Analysis

Reference Number	Property Address	Use	No. of Stories	Height (if available)	Building Square Footage	Lot Size
1	1726 Penmar Ave	SFD	1		1471	5135
2	1209 Preston Way	SFD	1		660	10892
3	1211-1213 Preston Way	MF	2	21	4362	10893
4	1221 Preston Way	SFD	3	32.75	4721	10893
5	1227 Preston Way	SFD	2	27.6	5562	10893
6	1231-1233 Preston Way	MF	1		3368	10893
7	1239 Preston Way	SFD	2	28.5	5261	10893
8	1245 Preston Way	SFD	1		1976	10893
9	1257 Preston Way	SFD	1		1285	5691
10	1717 Glyndon Ave	SFD	2	28	2903	5494
11	1715 Glyndon Ave	SFD	1		1302	5494
12	1711 Glyndon Ave	SFD	1		1797	5494
13	1252 Appleton Way	MF	2	28	5216	10892
14	1250 Appleton Way	SFD	2	26	3604	10892
15	1240-1242 Appleton Way	MF	2	24.8	4407	10892
16	1234 Appleton Way	SFD	2	20.87	1449	10892
17	1228 & 1228 1/2 Preston Way	MF	1		2955	10892
18	1222 Appleton Way	SFD	1		1693	10892
19	1216 Appleton Way	SFD	1		1811	10892
20	1210 Appleton Way	SFD	1		1235	6000
21	1704 Penmar Ave	SFD	1		1430	5034
22	1712 Penmar Ave	SFD	2	22.5	2161	5010
23	1720 Penmar Ave	SFD	2	22	2513	7124
24	1632 Penmar Ave	MF	2	19.25	1725	3840
25	1630 Penmar Ave	SFD	1		742	2883
26	1628 Penmar Ave	SFD	1		940	2893
27	1620 Penmar Ave	SFD	1		1044	2904
28	1207-1209 Appleton Way	SFD			1680	10891
29	1215 Appleton Way	SFD	2 + B	32.6	6584	10891
30	1221 Appleton Way	MF	1	18	2369	10891
31	1227 Appleton Way	MF	2		2570	10545
32	1233 Appleton Way	SFD	2	27.41	5295	10891
33	1239 & 1239 1/2 Appleton Way	MF	2	20	3475	10890
34	1245 Appleton Way	MF	1		2183	10890
35	1251 Appleton Way	SFD	2	25.16	2795	10890
36	1252 Morningside Way	SFD	2		3440	10881
37	1246 Morningside Way	SFD	1		1951	10863
38	1240 Morningside Way	SFD	2	26	5964	10863
39	1234 Morningside Way	SFD	2	24.6	5969	10862
40	1228 Morningside Way	SFD	1		1231	10861
41	1220-1222 Morningside Way	MF	2	24	2516	10860
42	1214-1216 Morningside Way	SFD	1	16.74	3649	10860
43	1210-1212 Morningside Way	SFD	2 + B	28	8091	10859
44	1202 Morningside Way	SFD	1		1426	6593
45	1610 Penmar Ave	SFD	1		1834	6102
46	1169-1821 Penmar	MF	2	27	6196	11106
47	1165 Palms	MF	2	29.33	2190	5672
48	1161 Palms	SFD	1		904	5752
49	1155-1157 Palms	MF	1		1623	5752
50	1153 Palms	MF	1		1707	5752
51	1149 Palms	SFD	2	28	3348	5752
52	1145 Palms	SFD	1		1718	5751
53	1141 Palms	SFD			1375	5751
54	1137 Palms	SFD			1220	5751
55	1133 Palms	SFD	2		1645	5751
56	1128 Palms	SFD	2	32.5	1976	6063
57	1134 Palms	SFD	2	32	3494	6063
58	1138 Palms	SFD	2	28.33	2475	6064
59	1140 Palms	SFD	2		2743	6064
60	1144 Palms	SFD	1		1176	6064
61	1152 Palms	SFD	1		484	6064
62	1154 Palms	SFD	3	43	2923	6064
63	1158 Palms	MF	3		2255	6064

64	1160 Palms	MF	2	30	3257	7500
65	1915-1917 Penmar	C-MF	1		2410	8444
66	1149 Nowita	SFD	1		1120	4782
67	1208 Palms	SFD	3	30	3354	2837
68	1900 Penmar	SFD	3	30	3070	2867
69	1902 Penmar	SFD	3	30	3152	2849
70	1212 Palms	SFD	2	27.5	2856	10947
71	1216 Palms	SFD	2	22	4384	10886
72	1222 Palms	SFD	1		1692	10886
73	1232 Palms	MF	2	22	3645	10886
74	1257 Palms	SFD	2	24.77	3921	6656
75	1835 Glyndon	SFD	1		1023	4628
76	1251 Palms	SFD	2	29.5	4900	10892
77	1245 Palms	SFD	2	33	4427	10892
78	1239 Palms	SFD	1	23.5	2242	10892
79	1233 Palms	SFD	1	23	1505	10892
80	1227 Palms	SFD	2	22.67	3660	10892
81	1221 Palms	MF	1		2169	10893
82	1213 Palms	SFD	2	25	2538	10893
83	1209 Palms	SFD	2	27.1	778	10893
84	1832 Penmar	MF	2	22	3282	11658
85	1814 Penmar	SFD	2	22.75	2951	5430
86	1810 Penmar	SFD	1		945	5500
87	1806 Penmar	SFD	1		1492	5512
88	1800 Penmar ; 1200 Preston	SFD	2	28	4488	6051
89	1218 Preston	SFD	1		1914	10892
90	1222-1224 Preston	SFD	1	16.17	2793	10892
91	1230 Preston	MF	1		1518	10892
92	1234 Preston	SFD	2	26.75	3636	10892
93	1240 Preston	SFD	2	26	5481	10891
94	1246 Preston	SFD	2	28	6523	10891
95	1252 Preston	SFD	1		2532	10891
96	1258 Preston	SFD	1		1446	5639
97	1827 Glyndon	SFD	1		978	5644

of Buildings
in Analysis

Average Building
Square Footage

Neighborhood Averages

97

2744

Proposed Project

Proposed House

Property Address

Use

No. of
Stories

Height (if
available)

Square Footage

Lot Size

1740 Penmar (Lot A)

SFD

3

30

3168

6226

1740 Penmar (Lot B)

SFD

2

30

2844

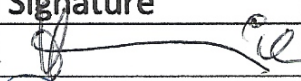
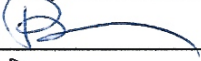
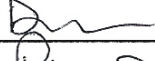
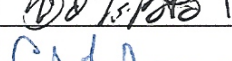
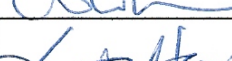
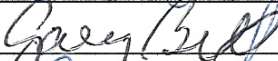
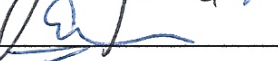
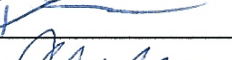
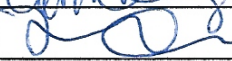
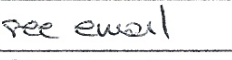
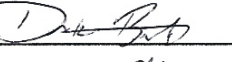
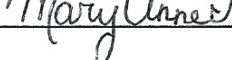
6226

PETITION TO:

Deny AA-2018-3776-PMLA-SL
and
Deny ZA-2018-3779-ZAA

We, the undersigned, hereby petition the West Los Angeles Area Planning Commission (WLAAPC) to uphold the required setback for the proposed Project located at 1740 S. Penmar Avenue in Venice. Setbacks are important to the character of a neighborhood; setbacks are the minimum distance of the building from the sidewalk or the adjacent property lines. WLAAPC upheld the setbacks for a previously proposed project on this same property. Our petition is to remain consistent with that ruling.

The current proposed project, like the previous one, is based on a Small Lot Subdivision. The SLS ordinance already lets applicants build a much larger building. This developer, just like the last one, want more, and once again the Planning Department caved in, giving away a combined 15-feet in front & rear setbacks, and 1.5 feet on the side setback facing Penmar Avenue! We petition the WLAAPC to hold the line once again, uphold the code and preserve the integrity of our neighborhood.

	Date	Name	Address	Signature
1.	4/9/21	NIAMMERSAMIN	1245 PALMS BLVD, 90291	
2.	11/9/21	PACIA PINI	1227 PALMS BLVD, Venice 90291	
3.	11/9/21	Danielle Bairo	1221 Palms Blvd Venice 90291	
4.	11/9/21	Ramona Luby	1230 Preston Way, 90291	
5.	11/11/21	JANET BARTK	1221 1/2 Palms Blvd 90291	
6.	11/11/21	CHAKA FORMER	2239 Penmar Av 90291	
7.	11/13/21	Carlton Cal	1016 Indian Ave 90291	
8.	11/13/21	RICHARD ANDREY	1020 AMOROSO PL. 90291	
9.	11/14/21	Gary Bell	1124 Glyndon Ave, Venice, 90291	
10.	11/14/21	Eva Boyd	2917 Glencoe Ave, Venice CA 90291	
11.	11/14/21	WOLFRATHELT	2017 GLEND AVE VENICE 90291	
12.	11/20/21	ANDY MOSAR	1239 PALMS BLVD	
13.	11/28/21	Brigid McBride	1222 Palms Blvd Venice CA	
14.	11/28/21	C. Rodriguez	1232 Palms Blvd	
15.	11/28/21	Chris Jackson	1234 Palms Blvd	
16.	11/28/21	Matthew Mearz	1240 Palms Blvd	
17.	11/11/21	SUE KARLON	VENICE	see email
18.	11/10/21	Derek Bairo	1221 Palms Blvd Venice CA 90291	
19.	11/15/21	Phil Henrikson	1036 Doreen pl No.4 Venice 90291	
20.	11/15/21	Mary Anne Thomas	1036 Doreen pl No.4 Venice 90291	

PETITION TO:

Deny AA-2018-3776-PMLA-SL
and
Deny ZA-2018-3779-ZAA

We, the undersigned, hereby petition the West Los Angeles Area Planning Commission (WLAAPC) to **uphold the required setback for the proposed Project located at 1740 S. Penmar Avenue in Venice**. Setbacks are important to the character of a neighborhood; setbacks are the minimum distance of the building from the sidewalk or the adjacent property lines. WLAAPC upheld the setbacks for a previously proposed project on this same property. Our petition is to remain consistent with that ruling.

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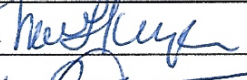
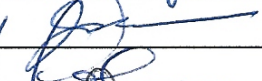
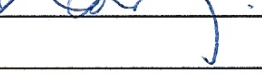
	Date	Name	Address	Signature
1.	11-11-21	Judy Kehr	1840 Glyndon Av	Judy Kehr
2.	11-11-21	Maria Guibadi	1258 Preston Way - Venice CA 90291	Maria Guibadi
3.	11-12-2021	Woo Hwang	1915 Penmar Ave. Venice, CA 90291	Woo Hwang
5.	11-12/21	JOHN BARNES	1806 PENMAR AVE VENICE	John Barnes
5.	11-13/21	Benevise Bura	1806 Penmar Ave Venice 90291	Benevise Bura
6.	11-13/21	Kira Martins	1160 PALMS BLVD Venice 90291	Kira Martins
7.	11-13/21	ERHARD PREIFER	1160 PALMS BLVD, VENICE 90291	Erhard Preifer
8.	11/14/21	KEN DOUBLE	1832 PENMAR AVE VENICE 90291	Ken Double
9.	11-14-21	Roma Nowak	1257 Preston Way Venice CA 90211	Roma Nowak
10.	11/14/21	Amelia Stone	1927 Glyndon Ave Venice	Amelia Stone
11.	11/14/21	M.C. Brecht	1302 Preston Way Venice	M.C. Brecht
12.	11/14/21	Kenny Double	1201 Palms Blvd, Venice, 90291	Kenny Double
13.	11/14/21	Kristen Gonzalez	1201 Palms Blvd. Venice, 90291	Kristen Gonzalez
14.	11/16/21	K. Scanlon-Double	1832 Penmar Ave, Venice 90291	K. Scanlon-Double
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PETITION TO:

Deny AA-2018-3776-PMLA-SL
and
Deny ZA-2018-3779-ZAA

We, the undersigned, hereby petition the West Los Angeles Area Planning Commission (WLAAPC) to **uphold the required setback for the proposed Project located at 1740 S. Penmar Avenue in Venice.** Setbacks are important to the character of a neighborhood; setbacks are the minimum distance of the building from the sidewalk or the adjacent property lines. WLAAPC upheld the setbacks for a previously proposed project on this same property. Our petition is to remain consistent with that ruling.

The current proposed project, like the previous one, is based on a Small Lot Subdivision. The SLS ordinance already lets applicants build a much larger building. This developer, just like the last one, **want more**, and once again the Planning Department caved in, giving away a combined 15-feet in front & rear setbacks, and 1.5 feet on the side setback facing Penmar Avenue! We petition the WLAAPC to hold the line once again, uphold the code and preserve the integrity of our neighborhood.

	Date	Name	Address	Signature
1.	10-10-21	marie Krueger	1222 Preston Way Venice 90291	
2.	10-10-21	John Krueger	1222 Preston Way Venice CA 90291	
3.	Oct 12, 2021	Lawrence Stabo	1245 Palms Blvd, Venice, CA 90291	
4.	11/9/21	DAVID KRAGNE	1227 Palms Blvd, Venice CA 90291	
5.	11/28/21	John Slavin	1222 Palms Blvd Venice, CA 90291	
6.	11/28/21	Caitlyn Browning	1242 Palms Blvd. Venice, CA	
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PETITION TO:

Deny AA-2018-3776-PMLA-SL
and
Deny ZA-2018-3779-ZAA

We, the undersigned, hereby petition the West Los Angeles Area Planning Commission (WLAAPC) to **uphold the required setback for the proposed Project located at 1740 S. Penmar Avenue in Venice**. Setbacks are important to the character of a neighborhood; setbacks are the minimum distance of the building from the sidewalk or the adjacent property lines. WLAAPC upheld the setbacks for a previously proposed project on this same property. Our petition is to remain consistent with that ruling.

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	Date	Name	Address	Signature
1.	11/12/21	Dennis Hathaway	1072 Palms Blvd.	Dennis Hathaway
2.	11/12/21	LAURA Silagi	1072 Palms Blvd	Laura Silagi
3.	11/12/21	Jack Ross	1033 Nowita Pl	Jack Ross
5.	11/12/21	Mindy Taylor-Ross	1033 Nowita, Venice 90291	Mindy Taylor-Ross
5.	11/12/21	David S. Ewing	1234 Preston Way, Venice 90291	David S. Ewing
6.	11-13-21	Margorie Davil	1234 Preston Way, 90291	Margorie Davil
7.	11-14-21	Robin Rudtsill	3003 Ocean Front Walk, Venice	Robin Rudtsill
8.	11-14-2021	MARIANNE SWEN	3003 OCEAN FRONT WALK, VENICE	Marianne Swen
9.	11-14-21	JUDITH ESPOSITO	2341 BOONE AVE VENICE	Judith Esposito
10.	11-14-21	Pamela Harbour	2330 McKinley Ave Venice	Pamela Harbour
11.	11/14/21	Deidre Samuels	309 Broadway #15 Venice	Deidre Samuels
12.	11/14/21	Bill Megalos	1366 Morningside Way Venice 9029	Bill Megalos
13.	11/14/21	Judy Hammond	1366 Morningside Wy Venice 9029	Judy Hammond
14.	11-14-21	Jim Kotay	926 EDUARDO PL VENICE 90291	Jim Kotay
15.	11-14-21	JANET SMITH	926 1/2 MARCO PL VENICE 90291	Janet Smith
16.	11-14-21	RICHARD STANER	2409 CLARK AVE., VENICE	Richard Stanger
17.	11-14-21	Charmaine SOD	2409 Clark Aven., Venice	Charmaine SOD
18.	11/14/21	Judith Gnan	Venice 90291	Judith Gnan
19.	11/14/21	SALLY DAVID	13603 Marjorie Dr.	Sally David
20.	11/15/21	Ingrid Mueller	1050 Doreen Pl Venice 90291	Ingrid Mueller

PETITION TO:

Deny AA-2018-3776-PMLA-SL
and
Deny ZA-2018-3779-ZAA

We, the undersigned, hereby petition the West Los Angeles Area Planning Commission (WLAAPC) to **uphold the required setback for the proposed Project located at 1740 S. Penmar Avenue in Venice**. Setbacks are important to the character of a neighborhood; setbacks are the minimum distance of the building from the sidewalk or the adjacent property lines. WLAAPC upheld the setbacks for a previously proposed project on this same property. Our petition is to remain consistent with that ruling.

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	Date	Name	Address	Signature
1.	11/9/21	Eric Astier	1726 Penmar Ave Venice CA 90291	[Signature]
2.	11/9/21	Dylan Weiss	1726 Penmar Ave Venice CA 90291	[Signature]
3.	11/10/21	Sean O'Neill	1410 Elagrove Cir Venice CA	[Signature]
5.	11/10/21	Suzanne L.	1705 Penmar	[Signature]
5.	11/10/21	Rachel H	1400 Elagrove Ave #1	[Signature]
6.	11/10/21	Bonnie Moran	936 Lake Street Venice	[Signature]
7.	11/11/21	Adrian Smith	1446 Lake Street Venice	[Signature]
8.	11/11/21	Ella Hirsch	1430 Lake Street Venice	[Signature]
9.	11/11/21	Tom S.	1444 Elagrove Venice	[Signature]
10.	11/14/21	Kushnig	1201 Shorewood Dr Malibu	[Signature]
11.	11/14/21	Amelia Locke	3422 Greenwood Ave Malibu CA 90265	[Signature]
12.	11/14/21	Max Keefe	1722 Penmar Ave Venice	[Signature]
13.	11/14/21	DEBBIE PATR	1240 APPLETON WAY Venice	[Signature]
14.	11/21/21	Krishna Dela	1401 SHOREWOOD Malibu	[Signature]
15.	11/21/21	Trent Good	2501 SHOREWOOD Malibu	[Signature]
16.	11/26/21	Bret M Weiss	12532 Harbor St Culver City	[Signature]
17.	11/26/21	Ruby Thompson	1341 Hohen Way Venice	[Signature]
18.	11/27/21	Bryette Laband	1384 Preston Way Venice CA 90291	[Signature]
19.	11/27/21	Betsy Clark	1328 Appleton Way Venice	[Signature]
20.	11/27/21	Sandy Oger	1328 Appleton Way Venice	[Signature]

PETITION TO:

Deny AA-2018-3776-PMLA-SL
and
Deny ZA-2018-3779-ZAA

We, the undersigned, hereby petition the West Los Angeles Area Planning Commission (WLAAPC) to **uphold the required setback for the proposed Project located at 1740 S. Penmar Avenue in Venice**. Setbacks are important to the character of a neighborhood; setbacks are the minimum distance of the building from the sidewalk or the adjacent property lines. WLAAPC upheld the setbacks for a previously proposed project on this same property. Our petition is to remain consistent with that ruling.

The current proposed project, like the previous one, is based on a Small Lot Subdivision. The SLS ordinance already lets applicants build a much larger building. This developer, just like the last one, **want more**, and once again the Planning Department caved in, giving away a combined 15-feet in front & rear setbacks, and 1.5 feet on the side setback facing Penmar Avenue! We petition the WLAAPC to hold the line once again, uphold the code and preserve the integrity of our neighborhood.

	Date	Name	Address	Signature
1.	11/12/21	CHRISTIAN HERNANDEZ	2001 PENMAR AVE #10 VENICE CA 90291	Christian Hernandez
2.	11/12/21	Meghan Phillips	2001 Penmar Ave #10 Venice CA 90291	Meghan Phillips
3.	11/12/21	Keilan Meertens	2001 Penmar #11, Venice CA 90291	Keilan Meertens
5.	11-13-21	Kenia Conito	2001 Penmar Ave #8 Venice CA 90291	Kenia Conito
5.	11/12	SPRANK GRIMBLE	1735 Penmar Ave Venice CA 90291	SPRANK GRIMBLE
6.	11/14/21	Courtney Dentig	1935 Penmar Ave Venice CA 90291	Courtney Dentig
7.	11/14	Jordan Kramack	1935 Penmar Ave Venice CA	Jordan Kramack
8.	11/14/21	Kate Seanlon-Dubbe	1832 Penmar Ave, Venice, CA 90291	Kate Seanlon-Dubbe
9.	11/15/21	Ezekiel Skotsky	2001 Penmar Ave #7, Venice, CA 90291	Ezekiel Skotsky
10.	11/15/21	William Wood	2001 Penmar Ave #3 Venice CA 90291	William Wood
11.	11/28/21	Rafael Schmitt	1816 PENMAR AVE JENICE, CA 90291	Rafael Schmitt
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PETITION TO:

Deny AA-2018-3776-PMLA-SL
and
Deny ZA-2018-3779-ZAA

We, the undersigned, hereby petition the West Los Angeles Area Planning Commission (WLAAPC) to **uphold the required setback for the proposed Project located at 1740 S. Penmar Avenue in Venice**. Setbacks are important to the character of a neighborhood; setbacks are the minimum distance of the building from the sidewalk or the adjacent property lines. WLAAPC upheld the setbacks for a previously proposed project on this same property. Our petition is to remain consistent with that ruling.

The current proposed project, like the previous one, is based on a Small Lot Subdivision. The SLS ordinance already lets applicants build a much larger building. This developer, just like the last one, **want more**, and once again the Planning Department caved in, giving away a combined 15-feet in front & rear setbacks, and 1.5 feet on the side setback facing Penmar Avenue! We petition the WLAAPC to hold the line once again, uphold the code and preserve the integrity of our neighborhood.

	Date	Name	Address	Signature
1.	11-9-21	MICHAEL STENGER	1209 Preston Way, Venice 90291	Michael Stenger
2.	11/11/21	Iwona Jezierska	1213 PRESTON WAY Venice CA 90291	I. Jezierska
3.	11/11/21	Emily Gold	1211 Preston Way Venice 90291	Emily Gold
5.	11/11/21	SIMONE WALLACE	1213 Presto Way Venice 90291	Simone Wallace
5.	11-11-21	MARTIN BENMAN	14929 WARMAN AVE LA CA 90048	Martin Benman
6.	11/13/21	Brian Bailey	1209 Preston Way La (ADU) 90291	Brian Bailey
7.	11/23/21	TOO KUNATA	1250 APPLETON WAY VENICE 90291	TOO KUNATA
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10.				

PETITION TO:

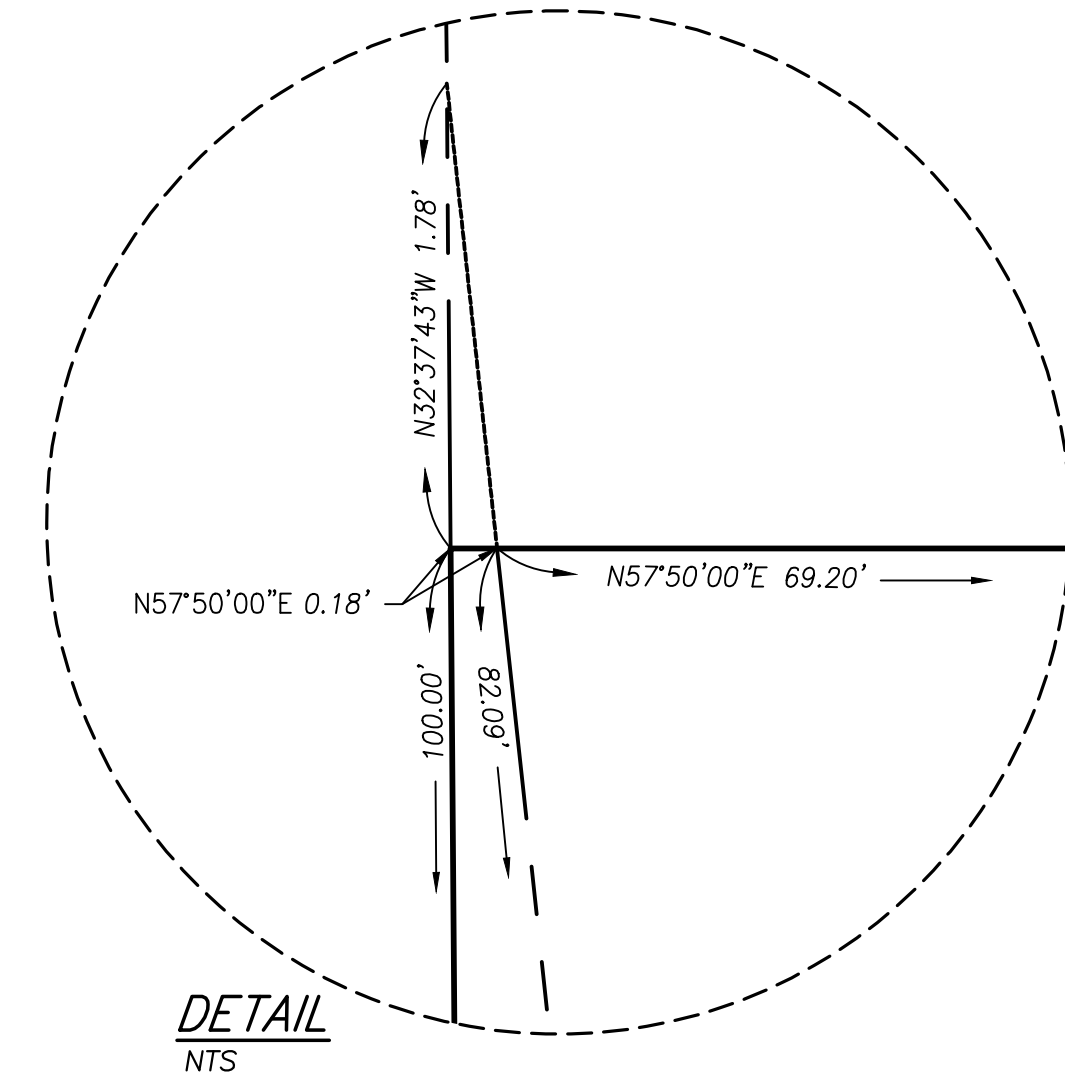
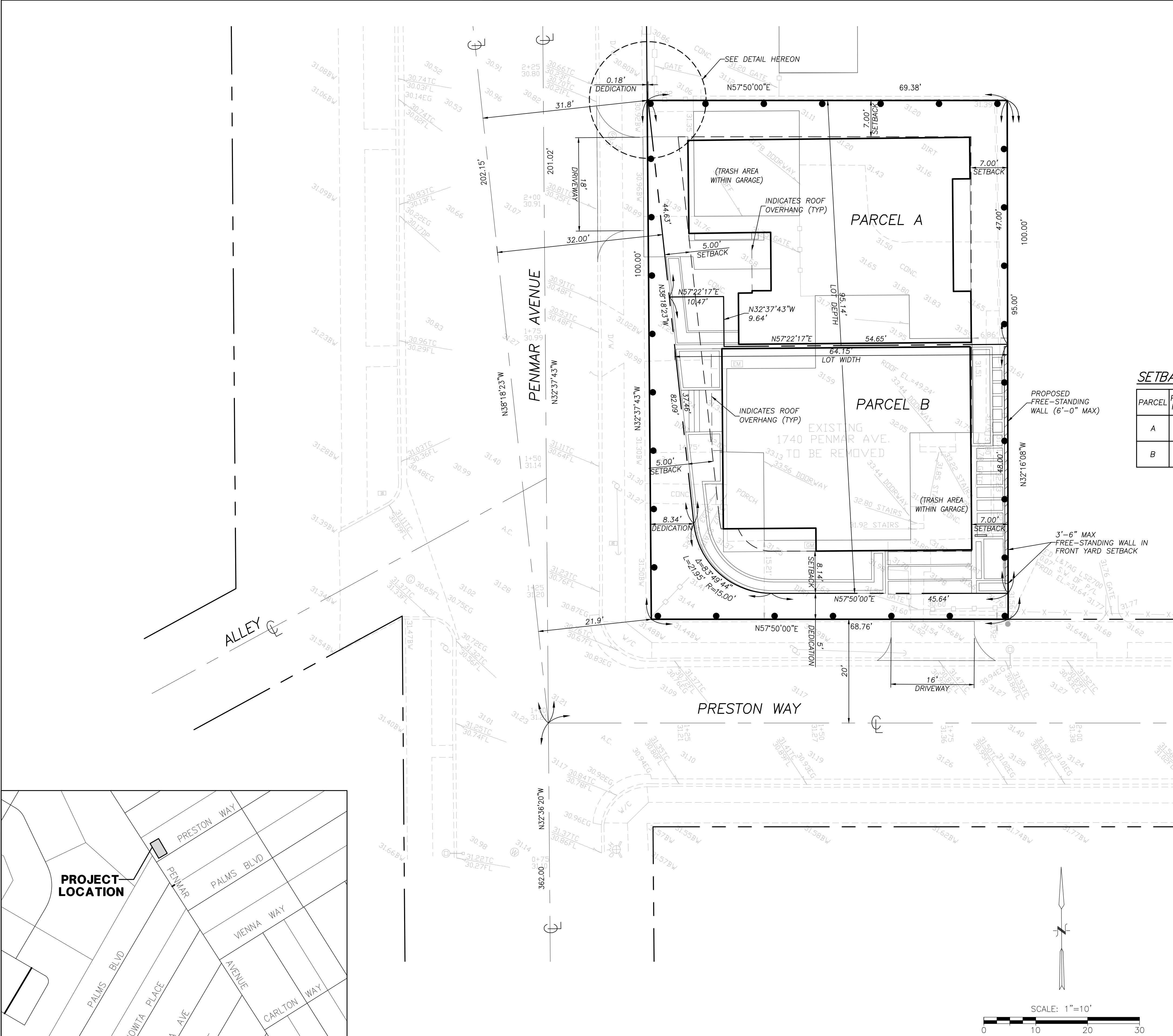
Deny AA-2018-3776-PMLA-SL
and
Deny ZA-2018-3779-ZAA

Page 1 of 2

We, the undersigned, hereby petition the West Los Angeles Area Planning Commission (WLAAPC) to **uphold the required setback for the proposed Project located at 1740 S. Penmar Avenue in Venice**. Setbacks are important to the character of a neighborhood; setbacks are the minimum distance of the building from the sidewalk or the adjacent property lines. WLAAPC upheld the setbacks for a previously proposed project on this same property. Our petition is to remain consistent with that ruling.

The current proposed project, like the previous one, is based on a Small Lot Subdivision. The SLS ordinance already lets applicants build a much larger building. This developer, just like the last one, **want more**, and once again the Planning Department caved in, giving away a combined 15-feet in front & rear setbacks, and 1.5 feet on the side setback facing Penmar Avenue! We petition the WLAAPC to hold the line once again, **uphold the code and preserve the integrity of our neighborhood**.

	Date	Name	Address	Signature
1.	11/10/21	Sharyl Beebe	1421 Venice Blvd. #10, 90291	Sharyl Beebe
2.	11/10/2021	Erick Moore	1507 S. Lynwood Ave Venice, CA 90291	Erick Moore
3.	11/10/2021	Melissa Bernhart	1415 Venice Blvd Apt 104 Venice CA 90291	Melissa Bernhart
5.	11/13/21	Michael Oberlander	13741 Venice Blvd LA CA 90066	Michael Oberlander
5.	11-13-21	Gregory Callabieton	1506 Venice bl 90291	Gregory Callabieton
6.	11-13-21	Vicki Blumstein	2307 Lovella Ave 90291	Vicki Blumstein
7.	11-13-21	Benjamin	1806 Venice Blvd 90291	Benjamin
8.	11/13/21	Rita Bernauer	469 Carroll Ave Venice CA 90291	Rita Bernauer
9.	11/13/21	Diana Binard	1200 Venice blvd Venice	Diana Binard
10.	11/13/21	Diane Valdez	705 Sunset Ave Venice	Diane Valdez
11.	11/13/21	Louise Goldstein	529 1/2 Rose Ave Venice	Louise Goldstein
12.	11/13/21	Anne May	1407 Venice bls Venice 90291	Anne May
13.	11/14/21	KEVIN RAMIREZ	2128 PENMAR AVE	Kevin Ramirez
14.	11/14/21	UNDA PUGH	11909 W Washington Blvd #9	UNDA PUGH
15.	11/14/21	Christy Callegas	11917 W Washington Blvd #3	Christy Callegas
16.	11/14/21	Ann Attamiano	11909 Washington Blvd #3	Ann Attamiano
17.	11/14/21	Emmanuel Delcourt	1415 Venice Blvd 405 90291	Emmanuel Delcourt
18.	11/14/21	Renee Raymar	1035 Marco Place Venice	Renee Raymar
19.	11/14/21	Dan Raymar	1035 Marco Place Venice	Dan Raymar
20.	11/14/21	Leodegaria	1415 Venice Blvd	Leodegaria



DETAIL
NTS

SETBACK MATRIX:

PARCEL	PENMAR AVE. FRONT YARD	PRESTON WAY FRONT YARD	REAR YARD	NORTH SIDE YARD	SOUTH SIDE YARD	BLDG. CLEARANCE
A	5'-0"	N/A	7'-0"	7'-0"	0'	0'
B	5'-0"	8'-1"	7'-0"	0'	N/A	0'

LOT COVERAGE:

PARCEL	PARCEL SIZE	GROUND FLOOR	LOT COVERAGE
A	3,055 SF	1,793 SF	59%
B	3,002 SF	1,794 SF	60%

NOTES:

- PER ZIMAS PARCEL PROFILE REPORT THERE ARE NO HAZARDOUS CONDITIONS THAT EXIST ON SITE.
- PER ZIMAS PARCEL PROFILE REPORT THE LOTS ARE IN A SPECIAL GRADING AREA.
- PARCELS A AND B WILL EACH BE IMPROVED WITH ONE SINGLE FAMILY RESIDENCE.
- USE: 2 SMALL LOTS PURSUANT TO ORD. NO. 185,462
- PARKING SPACES: 4 PARKING SPACES
- SEWAGE DISPOSAL BY UNDERGROUND SEWER SYSTEM.
- SURFACE DRAINAGE TO BE CONVEYED TO STREET.
- NO OAKS, WESTERN SYCAMORE, CALIF. BAY OR OR S.C. BLACK WALNUT TREES ON PROPERTY.
- SITE HAS SINGLE FAMILY DWELLING TO BE REMOVED.
- SITE IS LEVEL.
- THERE ARE NO EASEMENTS ON THE SUBJECT PROPERTY EXCEPT AS SHOWN.
- SITE IS IN HILLSIDE GRADING AREA BUT NOT IN ORDINANCE AREA.
- THERE ARE NO HAZARDS OR HAZARDOUS MATERIALS ON PROPERTY.
- 30' MAXIMUM HEIGHT OF PROPOSED BUILDINGS.
- FRONT YARD FOR PARCEL B ON PENMAR AVENUE.
- TRASH CONTAINER(S) TO BE LOCATED IN GARAGE.
- ZAA REQUEST FOR REDUCTIONS TO FRONT, SIDE, AND REAR SETBACKS.

PROJECT INFORMATION:

OWNER	PENMAR PROPERTIES, LLC 1740 PENMAR AVENUE LOS ANGELES, CA 90291
APPLICANT/ REPRESENTATIVE	CREST REAL ESTATE 1150 WEST OLYMPIC BOULEVARD SUITE 700 LOS ANGELES, CA 90064 (310) 994-6657 CONTACT: TONY RUSSO
CIVIL ENGINEER	LC ENGINEERING GROUP, INC. 889 PIERCE COURT SUITE 101 THOUSAND OAKS, CA. 91360 (805) 497-1244 (818) 991-7148 CONTACT: LENNIE I. LISTON, III
SURVEYOR	LAWRENCE J. SCHMAHL PLS 5748 11209 HOWARD STREET WHITTIER, CA 90606 (562) 908-0570

LAND USE DATA:

EXISTING:		
GROSS LOT AREA	0.26 AC	
NET LOT AREA	0.14 AC	
A.P.N. #	4244-026-001	
ZONING	[Q]RD3-1XL	
R.O.W. (TO BE DEDICATED)	850 S.F.	
FRONT YARD SETBACK	15FT	
REAR YARD SETBACK	15FT	
SIDE YARD SETBACKS	6.415FT	

PROPOSED:

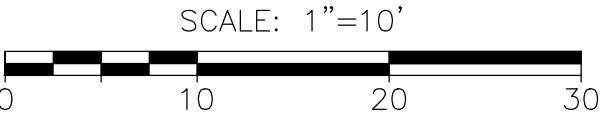
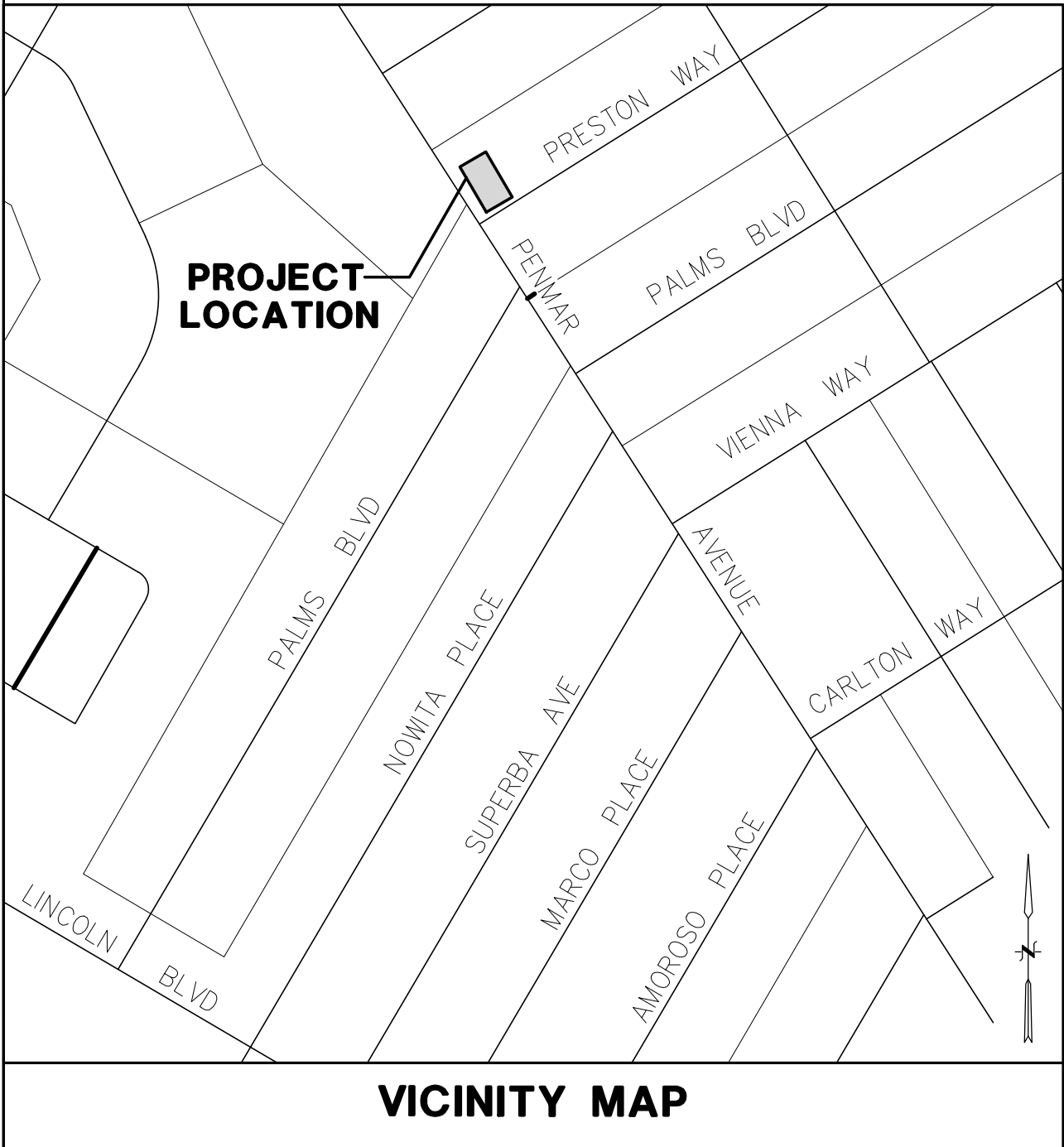
PARCEL A	3,055 S.F.	0.07 AC
PARCEL B	3,002 S.F.	0.07 AC
TOTAL NET AREA	6,057 S.F.	0.14 AC

LEGEND:

	EXISTING BOUNDARY
	PROPOSED BUILDING FOOTPRINT
	PROPOSED SETBACK
	PROPOSED PROPERTY LINE

LEGAL DESCRIPTION:

THE SOUTHERLY 100 FEET OF LOT 101 OF DURLY PARK, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 20 PAGES 94 AND 95, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.



REGISTERED ENGINEER NO. 93123 DATE		
SCALE: 1"=10'	J.N.: 7897	
DATE: 11-22-2021	DWG. NAME: 7897 PARCEL MAP.dwg	

PRELIMINARY PARCEL MAP
FOR
PENMAR PROPERTIES, LLC

1740 PENMAR AVE.
LOS ANGELES, CA 90291

SHEET
1
OF 1

1740 Penmar - AA-2018-3776-PMLA-SL ; ZA-2018-3779-ZAA
Secondary Submission and Revisions to Parcel Map

To the Honorable Commissioners,

The following is a summary of the project as proposed in bullet points with key information that may be helpful for the Commission in their understanding of the project and requests.

Additionally, the project has revised the setbacks between the two neighbors to increase proposed setbacks between them. The following is a breakdown of that change:

Approved as part of the ZA/AA's initial decision

FYSB

- 10'-0" (15'-0" required) after 5'-0" dedication along Preston

SYSB

- 6'-5" (6'-5" required) from R1V2 neighbor to the east

RYSB

- 5'-0" (15'-0" required) from RD3-1XL neighbor to the north

SYSB

- 5'-0" (6'-5" required) after variable 32'-0" dedication along Penmar from the centerline with a maximum of 15'-0" of dedication

Changed after further discussions with the applicant's neighbors

FYSB

- 8'-2" (15'-0" required) after 5'-0" dedication along Preston

SYSB

- 7'-0" (6'-5" required) from R1V2 neighbor to the east

RYSB

- 7'-0" (15'-0" required) from RD3-1XL neighbor to the north

SYSB

- 5'-0" (6'-5" required) after variable 32'-0" dedication along Penmar from the centerline with a maximum of 15'-0" of dedication

Project Description:

- Project proposes to demolish the existing single-family dwelling on the existing 1 lot and proposes a subdivision of the one lot into 2 along with a new 2-story single-family dwelling (Lot B) and 3 story single family dwelling (Lot A), each containing a 2-car garage, hardscape and landscaping improvements.
- Lot A (Zoning Code) Floor Area: 3,168 sf
- Lot A Max Allowable (3:1 FAR - $\sim 2500 \times 3 = 7,500$)

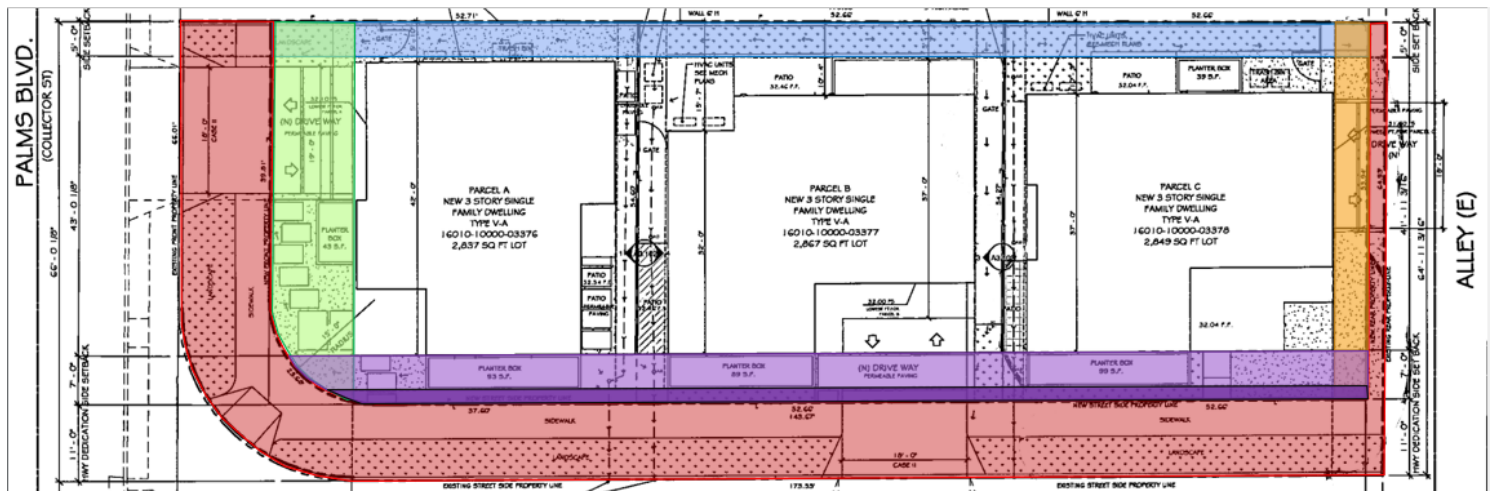
- 4 bedroom/3 bath
- 3 stories with 2nd floor rooftop patio facing Penmar
- Lot B (Zoning Code) Floor Area: 2,844 sf
- Lot B Max Allowable (3:1 FAR - $\sim 1900 \times 3 = 5,700$)
- 4 bedroom/3 bath
- 2 stories with rooftop deck facing Preston and Penmar
- Property is located in the Venice Community, Council District 11 and is zoned RD3-1XL.
- the total lot area for both lots is proposed as revised 11.24.2021 at 3,055 sf for Lot A and 3,002 sf for Lot B
- The surrounding properties are zoned RD3-1XL, R1V2, and RD1.5-1XL with single-family dwellings on standard lots and multifamily dwellings on irregular and standard lots, consistent with the pattern of zoning in the Venice Community.
- The existing single-family dwelling at is 1,504 square feet and was built in 1947

Neighborhood Outreach

- Conducted our outreach meeting with the VNC Thursday November 4th, 2020
- Additional follow up correspondence occurred with nearby neighbors throughout the process
- The project received **support** from the Venice Neighborhood Council's Full Board on December 15, 2020
- The Applicant continued to correspond with concerned neighbors and further increased the setbacks between the neighbors to the east at 1209 Preston and north at 1726 Penmar as revised

Similar Subdivision down the street

- Project at 1900-1910 Penmar received similar setbacks for their small lot subdivision (AA-2016-0315-PMLA-SL) of
 - o 12' FYSB
 - o 5' SYSB between R1 neighboring parcel
 - o 5' RYSB
 - o 7' SYSB (including a 2' sidewalk easement) along Penmar
- This project proposes similar SFDs at around 3,000 sf and were 3-stories and 30' in height.



1900-1910 PENMAR
AA-2016-0315-PMLA-SL

Project Details

- Each SFD is **3 Stories** and **30'-0"**
- Parcel A has a **3,354** sf SFD
- Parcel B has a **3,070** sf SFD
- Parcel C has a **3,152** sf SFD

Setback Details

FYSB - Green:

- 12'-0"** after 13'-0" dedication along Palms

SYSB - Blue:

- 5'-0"** from RIV2 neighbor to the east

RYSB - Orange:

- 5'-0"** from the Alley to the south after a 2'-6" alley dedication

SYSB - Purple:

- 7'-0"** (including 2'-0" sidewalk easement) after 11'-0" dedication along Penmar

Project Approvals

- Project was approved by the West LA APC January 18th, 2017 (a little over a year before the subject case file was submitted) unanimously by each member of the Commission that was present

Other Homes with Setback Relief

8 other structures in the immediate area with case files or building modifications with setback relief – many more existing structures have non-conforming setbacks upon visual inspection

17 other structures in the nearby area in the Venice Community Plan area received setback relief not previously included in the case file.

This shows a clear precedent of approvals by the ZA for such requests.

- Case No. ZA-2003-0424-ZV-ZAA
- 1157 East Palms Boulevard
- On June 2, 2003, the Zoning Administrator approved a Zone Variance authorizing only one of the required parking spaces per dwelling unit to be provided within a private garage, and to permit a second dwelling unit on a 6,182 square-foot lot zoned R1 , and approved a Zoning Administrators Adjustment authorizing a reduced easterly side yard setback of 2 feet, for a linear distance of 40 feet in lieu of the required 4 feet for the second dwelling unit, and to permit an 8-foot wide passageway in lieu of the required 10 feet.
- Case No. ZA-2015-2752-ZAA
- 1044 Palms Boulevard

- On February 2, 2016, the Zoning Administrator approved a Zoning Administrators Adjustment authorizing a 4-foot 1-inch side yard and a rear yard of 5 feet in lieu of a 5-foot side yard and 15-foot rear yard as otherwise required, in conjunction with the remodeling and expansion of an existing single-family dwelling in the R1-1VL-D Zone.
- Permit #15014-30000-00131
- 1138 Palms Boulevard
- On October 22, 2015, the Department of Building and Safety issued a permit for a 2nd story addition to the existing SFD. The permit notes that a portion of the house observes a zero-foot side yard setback that is existing non-conforming and was allowed to remain.
- Permit #97014-30000-06090
- 1832 Penmar Ave
- On August 10, 1998, the Department of Building and Safety issued a permit for a 1st and 2nd story addition to the existing SFD. The permit notes that the Department approved a modification to allow a 5'-6" side yard setback for the single family dwelling.
- Case No. ZA-2007-0297-ZAA-F
- 1315 East Vienna Way
- On May 4, 2007, the Zoning Administrator approved a Zoning Administrators Adjustment authorizing the construction, use and maintenance of a swimming pool that extends 6 feet 6 inches into required front yard (the Municipal Code requires a 27-foot 7.5-inch front yard setback); and approved a Zoning Administrator's Determination to permit the construction, use and maintenance of a 6-foot high fence in the side yard portion of the front yard setback and a 7-foot high pool security wall within the front yard setback area of a new single-family dwelling (the Municipal Code permits a maximum fence height of 3 feet 6 inches in the front yard setback)
- Case No. ZA 2005-6326-ZAA
- 1250 Vienna Way
- On June 14, 2006, the Zoning Administrator approved a Zoning Administrators Adjustment to permit a reduced front yard setback of 14-feet 3-1/2 inches in lieu of the required 17 feet 10-1/2 inches
- Case No. ZA-2002-5407-ZAA
- 1110 Palms Boulevard
- On May 19, 2003, the Zoning Administrator approved a Zoning Administrators Adjustment to permit a 12-1/2-foot rear yard in lieu of the required 15 feet, for expansion of a single-family dwelling in the rear of a site in the R1-IVLD Zone.
- Case No. ZA-2016-416-ZAA
- 1057 Indiana Ave
- On July 21, 2016, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.08-C,3 to permit a rear yard of 5 feet in lieu of the 15-foot rear yard as

otherwise required, all in conjunction with the addition to an existing single-family dwelling in the R1-1VL-D Zone

- Case No. ZA-2002-605-ZAA-SPP-MEL
- 915 Palms Blvd
- On May 30, 2002, the Zoning Administrator approved a Zoning Administrators Adjustment from Sections 12.09-C3 and 12.21 -C2(b) of the Los Angeles Municipal Code to permit a) a reduced rear yard setback of 5 feet in lieu of the required 15 feet and b) a passageway width of 5 feet in lieu of the required 10 feet from the street to the second dwelling in conjunction with the addition of a second unit to an existing single-family house in the R2 Zone

- Case No. ZA-2013-2462-ZAA
- 835 Milwood Ave
- On June 27, 2014, the Zoning Administrator approved a Zoning Administrators Adjustment from LAMC Section 12.09-C,3 to permit the construction of a second dwelling unit with a rear yard setback of 7 feet 8 inches in lieu of the required 15 feet in the R2-1 Zone

- Case No. ZA-2005-1804-ZAA
- 852 Palms Blvd
- On August 26, 2005, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.09-C,3 to permit a reduced rear yard of 5 feet 6 inches in lieu of the required 15 feet in conjunction with the construction of a new detached two-car, 429 square-foot garage, with 935 square-foot guest house above the garage at a maximum height of 28 feet

- Case No. ZA-2006-5005-ZAA
- 860 Nowita Place
- On November 14, 2006, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.21-C,5(f) to permit a reduced rear yard of 2 feet 6 inches in conjunction with the construction of a 402.4 square-foot recreation room over an existing 365 square-foot garage

- Case No. ZA-2006-5005-ZAA ; AA-2006-8716-CDP-ZAA
- 825 East Palms Blvd
- On June 12, 2009, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.09-C,3 of the Los Angeles Municipal Code to permit a reduced rear yard setback of 8.5 feet in lieu of the required 15 feet for Parcel Map AA-2006-8681 -PMLA-CC

- Case No. ZA-2006-5005-ZAA ; AA-2006-8716-CDP-ZAA
- 739 California Ave (aka 741 California)
- On March 8,2013, the Zoning Administrator approved a Zoning Administrators Adjustment from LAMC Section 12.09.1-B,2 to permit a reduced front yard setback of 5 feet along the

California Avenue frontage in lieu of the required 15- foot setback of the RD1.5-1 Zone for Parcel Map AA-2011-3026-PMLA-SL

- Case No. ZA-2007-1784-ZAA
- 860 Superba Ave
- On July 23, 2007, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.09-C,2 of the Code to permit a one-foot westerly side yard in lieu of the required minimum of 4.8 feet, and an Adjustment from Section 12.09-C,3 of the Code to permit a rear yard of 6 feet in lieu of the required minimum of 15 feet, all in conjunction with the expansion of an existing dwelling and its attachment to an existing garage in the R2-1 Zone

- Case No. ZA-2010-2062-ZAA-SPP
- 818 Nowita Place
- On December 2, 2011, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.09-C,3 to permit a rear yard setback of 12 feet in lieu of the required 15 feet, in conjunction with a proposed 172 square-foot second-story addition to an existing single-family dwelling

- Case No. ZA-2005-5582-ZAA
- 821 Superba Ave
- On December 22, 2005, the Zoning Administrator approved a Zoning Administrators Adjustment from Sections 12.09-C,2 and 3 of the Los Angeles Municipal Code to allow a reduced easterly side yard setback of 0-foot in lieu of the required 5 feet for a linear distance of 17 feet 9 inches and a reduced rear yard setback varying from 9112 inches to 5 feet in lieu of the required 15 feet, for a linear distance of 21 feet 2 inches, all in conjunction with the construction, use and maintenance of a second story addition to an existing single-family dwelling, and a second story addition above an existing garage, with both second floors being connected by an unenclosed bridge in the R2 Zone

- Case No. ZA-2016-4763-ZAA
- 742-746 Milwood
- On July 10, 2017, the Zoning Administrator approved a Zoning Administrators Adjustment to allow a 4-foot side yard setback in lieu of the required 5 feet pursuant to Section 12.08.C.2 in conjunction with the proposed renovation of an existing 2,352 square-foot two-story single-family dwelling and addition of 2,448 square feet, and a new 638 square-foot detached recreation room, swimming pool and spa, for a 4,860 squarefoot 24-foot 6-inch tall single-family dwelling

- Case No. ZA-2019-501-ZAA-F
- 717 California Ave
- On July 20, 2020, the Zoning Administrator approved a Zoning Administrators Adjustment to allow a 9-foot front yard along California Avenue and a 7-foot front yard along Santa Clara Avenue in lieu of the 15-foot front yards otherwise required by Section 12.09.1-B, 1 of the

LAMC in conjunction with the demolition of an existing 773 square-foot single-family dwelling; the construction of a new 6,528 square-foot two-story single-family dwelling

- Case No. ZA-2009-4050-ZAA
- 756 Palms Blvd
- On June 15, 2010, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.09-C,2 to permit construction, use and maintenance of a recreation room with a covered balcony, as a second floor addition to an existing detached garage, observing a reduced side yard setback of 2 feet 5 inches in lieu the required 4 feet, in conjunction with an existing single-family dwelling on an approximately 5,299 square-foot lot in the R2-1 Zone

- Case No. ZA-2001-3522-ZAA-SPP
- 763 Nowita Pl
- On November 29, 2001, the Zoning Administrator approved a Zoning Administrators Adjustment from Sections 12.21-C,5(f)and (d) of the Los Angeles Municipal Code to permit the addition of a 448 square-foot recreation room over the detached garage of an existing single-family dwelling, with a 0-foot rear yard setback and a separation of 3 feet between the accessory building and the main building

- Case No. ZA-2014-4641-CDP-ZAA-SPP-MEL
- 938 Amoroso Pl
- On March 2, 2017, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.09-C of the Los Angeles Municipal Code to permit a reduced rear yard setback of 0 feet in lieu of the required 15 feet

- Case No. ZA-2015-2907-CDP-SPP
- 934 Amoroso Pl
- On October 5, 2016, the Zoning Administrator approved a Zoning Administrators Adjustment from LAMC Section 12.08-C.3 to allow a rear yard of 3-feet 8-inches and a side yard of 1-foot 10-inches in lieu of the 15-foot rear yard and 4- foot side yard required by Section 12.09-C, all in conjunction with an addition to an existing single-family dwelling in the R2-1 zone

- Case No. ZA-2015-1165-CDP-ZAA-SPP-MEL
- 810 Amoroso Pl
- On February 29, 2016, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.09.1-B,3 of the Los Angeles Municipal Code to permit an 11 foot 6-inch rear yard setback in lieu of the required 15 feet in conjunction with the demolition of an existing single-family dwelling and the construction, use, and maintenance of a new single-family dwelling in the R2-1 Zone

- Case No. ZA-2017-4516-ZAA
- 933 Mildred Ave

- On August 23- 2018, the Zoning Administrator approved a Zoning Administrator's Adjustment to allow a rear yard setback of 5 feet 6 inches in lieu of the 15 feet otherwise required by LAMC Section 12.09 C.3 and an easterly side yard setback of 6 inches in lieu of the 3 feet 5 inch minimum otherwise required by LAMC Section 12.09 C.2., in conjunction with the demolition of the existing detached garage and construction of an attached garage with a second story addition to a single family dwelling in the R2-1 Zone

Other Homes in the Area with Comparable Square Footage

- Of the 82 single family homes analyzed, 25 were greater than 3,000 sf in size (over 30%)
- Of those 25, 5 are greater than 4,000 sf, 6 are greater than 5,000 sf, 2 are greater than 6,000 sf (including 1246 Preston across the street) and 1 is greater than 8,000 sf
- The Small Lot Sub at 1900 Penmar includes (3) new homes each greater than 3,000 sf (3070, 3152, 3354)

Other Homes in the Area with Comparable Height

- Of the 82 single family homes analyzed, 10 were greater than or equal to 30 feet in height (over 12%)
- Of the 82 single family homes analyzed, 19 were greater than or equal to 28 feet in height (over 23%)
- The Small Lot Sub at 1900 Penmar includes (3) new homes each greater than 3,000 sf (3070, 3152, 3354)

Findings

Parcel Map

- The proposed map is consistent with applicable General Plan and Specific Plans (in this case the General Plan and Venice Community Plan as it does not lie within a Specific Plan). Please refer to the original findings for elaboration
- The project's design and improvement of the proposed subdivision is consistent with the applicable General and Specific Plans (in this case the General Plan and Venice Community Plan as it does not lie within a Specific Plan). Please refer to the original findings for elaboration
- The site is physically suitable for the proposed type of development. Please refer to the original findings for elaboration
- the project's design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project received a Categorical Exemption and is not located in any environmentally sensitive area.
- The design of the subdivision and the proposed improvements are not likely to cause serious public health problems. This type of project is currently under construction down the street at 1900 Penmar with no public health risk or problem

- The design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The project is complying with all request dedications and will work with all necessary City agencies to clear their various conditions of approval.

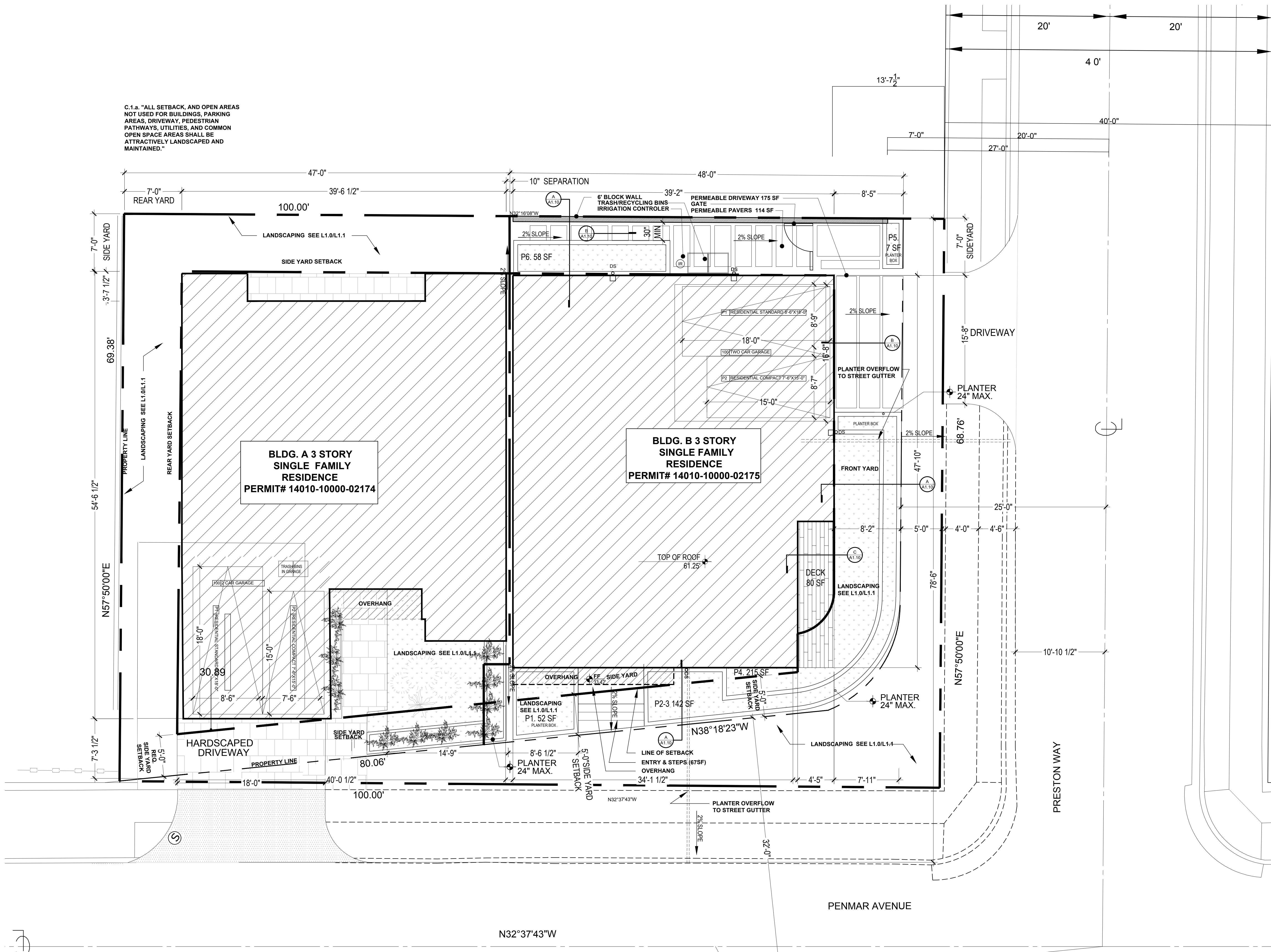
ZAA

- While site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations. The most impactful setback along the neighboring property to the north at 1726 Penmar functions as a side yard setback for Parcel A. If that was indeed considered a side yard setback, the parcel would be compliant with that setback. Additionally the large amount of required dedication impacts the lot configuration greatly and the applicant is requesting that similar considerations be made to this project in light of the strong precedent that the ZA has granted for other SFD's in the nearby area.
- In light of the project as a whole, including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety. Please refer to the "Other Homes in the Area with Comparable Square Footage", "Other Homes with Setback Relief" and "Other Homes in the Area with Comparable Height" sections above and the attached "1740 Penmar - Neighborhood Compatibility Analysis Final"
- The project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan and any applicable specific plan. Please refer to the original findings for elaboration

Final Words

- Project is in line with the existing character of the neighborhood as demonstrated by the analysis
- Project's setback relief is characteristic of other subdivision in the area (1900 Penmar) and other SFD's in the area that received relief
- What's the alternative?
 - o Existing lot has a buildable area of about 3,500 sf. With a 3:1 FAR and a 800 sf ADU, the applicant could build up to 11,300 sf for a new single family dwelling with ADU, with a 30' height limit and a rooftop deck on top of that 30'
 - o No hearing would be required for this and it would all be allowed by-right
 - o Considerations regarding SB9 have also not been fully factored into the conversation. This could allow such a subdivision to be by right with even less of a setback (4 foot side and rear yard setbacks) and no dedications.

C.1.a. "ALL SETBACK, AND OPEN AREAS NOT USED FOR BUILDINGS, PARKING AREAS, DRIVEWAY, PEDESTRIAN PATHWAYS, UTILITIES, AND COMMON OPEN SPACE AREAS SHALL BE ATTRACTIVELY LANDSCAPED AND MAINTAINED."



SITE PLAN GEN. NOTES:

- A. REFER TO FLOOR PLANS FOR DIMENSION NOT SHOWN.
- B. A LICENSED SURVEYOR SHALL PROVIDE BUILDING STAKING PRIOR TO FOUNDATION POUR TO INSURE PROPER LOCATION AND RELATIONSHIP TO THE PROPERTY LINES.
- C. ALL SOIL PREPARATION SHALL BE DONE ACCORDING TO THE SOILS REPORT SPECIFIC TO THIS LOT.
- D. THE DEVELOPER / GENERAL CONTRACTOR / OWNER IS RESPONSIBLE FOR THE VERIFICATION OF EXISTING CURB (OR EDGE OF STREET PAVING IF NO CURB EXISTS) LOCATION FOR THE PROPERTY LINE(S) WITH THE PUBLIC WORKS DEPARTMENT.
- E. SITE SHALL DRAIN TO AREA DRAINS AS DEPICTED ON THE PLAN.
- F. ALL PROPERTY LINES AND BUILDINGS BOTH EXISTING AND PROPOSED ARE SHOWN ON THIS SITE PLAN.

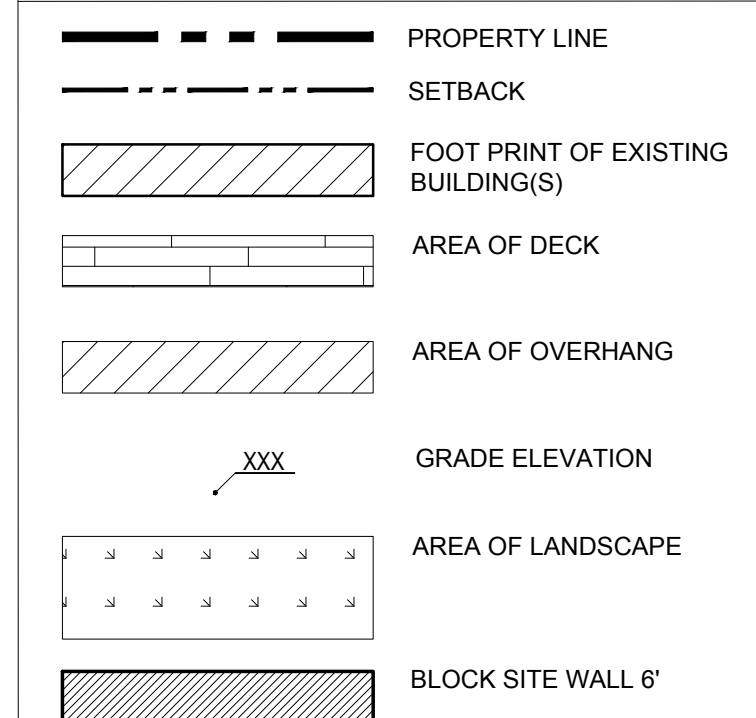
PLANNING NOTES:

- A. OUTDOOR LIGHTING SHALL BE DESIGNED AND INSTALLED WITH SHIELDING, SUCH THAT THE LIGHT SOURCE CAN NOT BE SEEN FROM ADJACENT RESIDENTIAL PROPERTIES OR THE PUBLIC RIGHT OF WAY. (MM)
- I. ALL AREAS OF THE PROPERTY NOT COVERED BY BUILDINGS, DRIVEWAYS, OR WALKWAYS SHALL BE LANDSCAPED WITH LOW-WATER AND DROUGHT-TOLERANT PLANTS, CONSISTENT WITH THE SMALL LOT DESIGN GUIDELINES AND AS SHOWN ON EXHIBIT "A".
- II. PERMEABLE PAVING MATERIALS SHALL BE USED WHERE ALLOWED BY THE ALTERNATIVE PAVING ORDINANCE NO. 182431.

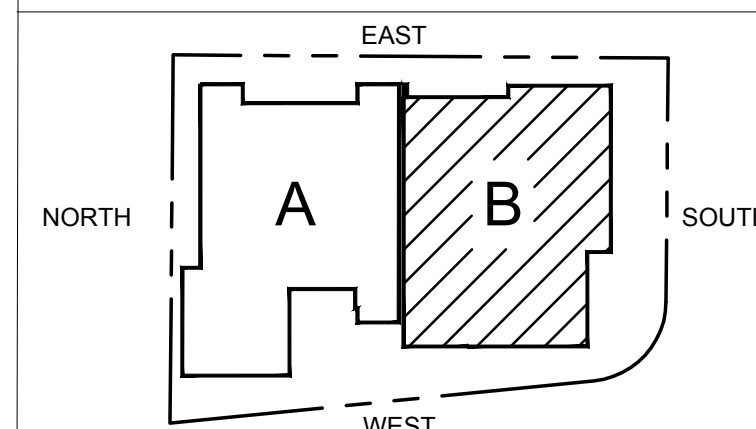
GREEN NOTES:

GREEN NOTES:
"FOR PROJECTS THAT INCLUDE LANDSCAPE WORK, THE
LANDSCAPE CERTIFICATION, FORM GRN 12, SHALL BE
COMPLETE PRIOR TO FINAL INSPECTION APPROVAL." (STATE
ASSEMBLY BILL NO. 1881)

SITE PLAN LEGEND:



KEY MAP



1740 PENMAR

1740 PENMAR AVE
VENICE, CA 90291

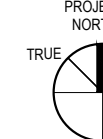
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DATE	REVISION
2015.05.10	SUBMITTAL SET
2016.10.14	PLAN CHECK SET
2017.03.13	BLD B CORRECTIONS
2017.03.24	BLD B CORRECTIONS - PC MEET
2017.04.07	BLD B CORRECTIONS - PC MEET

PLAN CHECK SET / BUDGET BID

JOB No: 2016-0015
PROJECT : 1740 PENMAR CONTAINER
PHASE : PLANCHECK SUBMITAL SET
FILE:



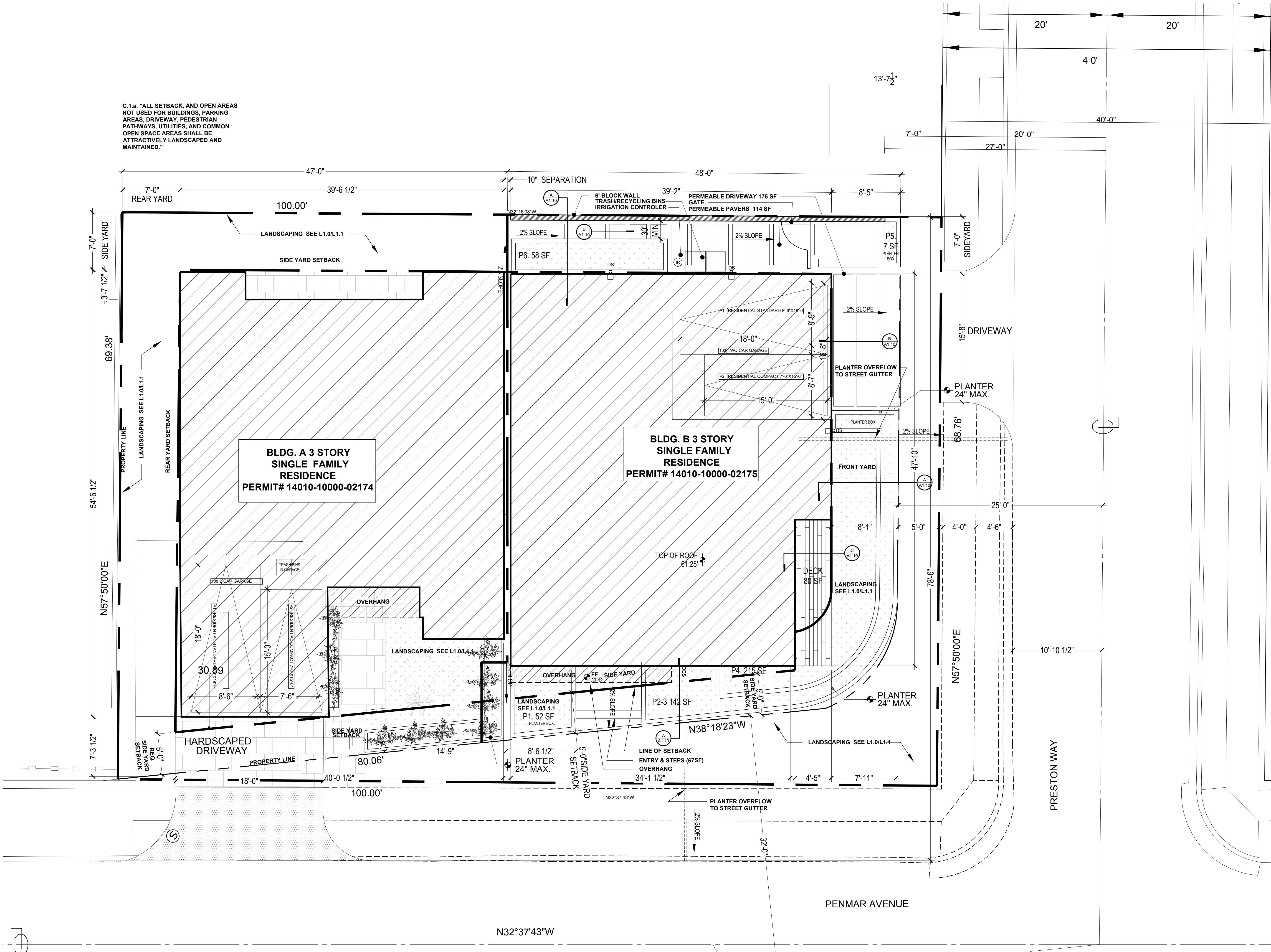
SITE PLAN

SITE PLAN

3/16" = 1'-0"

SCALE :

A1.2



C.1.a. "ALL SETBACK, AND OPEN AREAS NOT USED FOR BUILDINGS, PARKING AREAS, DRIVEWAY, PEDESTRIAN PATHWAYS, UTILITIES, AND COMMON OPEN SPACE AREAS SHALL BE ATTRACTIVELY LANDSCAPED AND MAINTAINED."

SITE PLAN GEN. NOTES:

- A. REFER TO FLOOR PLANS FOR DIMENSION NOT SHOWN.
- B. A LICENSED SURVEYOR SHALL PROVIDE BUILDING STAKING PRIOR TO FOUNDATION POUR TO INSURE PROPER LOCATION AND RELATIONSHIP TO THE PROPERTY LINES.
- C. ALL SOIL PREPARATION SHALL BE DONE ACCORDING TO THE SOILS REPORT SPECIFIC TO THIS LOT.
- D. THE DEVELOPER / GENERAL CONTRACTOR / OWNER IS RESPONSIBLE FOR THE VERIFICATION OF EXISTING CURB (OR EDGE OF STREET PAVING IF NO CURB EXIST) LOCATION FROM THE PROPERTY LINE(S) WITH THE PUBLIC WORKS DEPARTMENT.
- E. SITE SHALL DRAIN TO AREA DRAINS AS DEPICTED ON THE PLAN.
- F. ALL PROPERTY LINES AND BUILDINGS BOTH EXISTING AND PROPOSED ARE SHOWN ON THIS SITE PLAN.

PLANNING NOTES:

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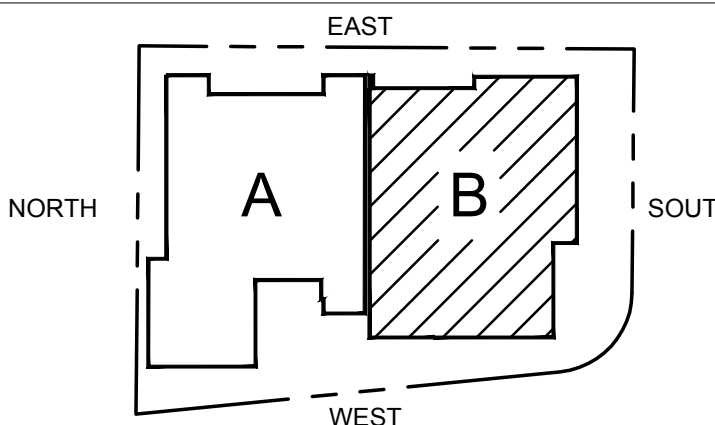
GREEN NOTES:

- GREEN NOTES:
*FOR PROJECTS THAT INCLUDE LANDSCAPE WORK, THE LANDSCAPE CERTIFICATION, FORM GRN 12, SHALL BE COMPLETE PRIOR TO FINAL INSPECTION APPROVAL. (STATE ASSEMBLY BILL NO. 1881)

SITE PLAN LEGEND:

- PROPERTY LINE
- SETBACK
- FOOT PRINT OF EXISTING BUILDING(S)
- AREA OF DECK
- AREA OF OVERHANG
- GRADE ELEVATION
- AREA OF LANDSCAPE
- BLOCK SITE WALL 6"

KEY MAP



1740 PENMAR

1740 PENMAR AVE
VENICE, CA 90231

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JOB No: 2016-0015
PROJECT: 1740 PENMAR CONTAINER
PHASE: PLANCHECK SUBMITAL SET
FILE:

SITE PLAN

SITE PLAN

3/16" = 1'-0"

SCALE:

A1.2

1740 Penmar - AA-2018-3776-PMLA-SL ; ZA-2018-3779-ZAA
Secondary Submission and Revisions to Parcel Map

To the Honorable Commissioners,

The following is a summary of the project as proposed in bullet points with key information that may be helpful for the Commission in their understanding of the project and requests.

Additionally, the project has revised the setbacks between the two neighbors to increase proposed setbacks between them. The following is a breakdown of that change:

Approved as part of the ZA/AA's initial decision

FYSB

- 10'-0" (15'-0" required) after 5'-0" dedication along Preston

SYSB

- 6'-5" (6'-5" required) from R1V2 neighbor to the east

RYSB

- 5'-0" (15'-0" required) from RD3-1XL neighbor to the north

SYSB

- 5'-0" (6'-5" required) after variable 32'-0" dedication along Penmar from the centerline with a maximum of 15'-0" of dedication

Changed after further discussions with the applicant's neighbors

FYSB

- 8'-1" (15'-0" required) after 5'-0" dedication along Preston

SYSB

- 7'-0" (6'-5" required) from R1V2 neighbor to the east

RYSB

- 7'-0" (15'-0" required) from RD3-1XL neighbor to the north

SYSB

- 5'-0" (6'-5" required) after variable 32'-0" dedication along Penmar from the centerline with a maximum of 15'-0" of dedication

Project Description:

- Project proposes to demolish the existing single-family dwelling on the existing 1 lot and proposes a subdivision of the one lot into 2 along with a new 2-story single-family dwelling (Lot B) and 3 story single family dwelling (Lot A), each containing a 2-car garage, hardscape and landscaping improvements.
- Lot A (Zoning Code) Floor Area: 3,168 sf
- Lot A Max Allowable (3:1 FAR - $\sim 2500 \times 3 = 7,500$)

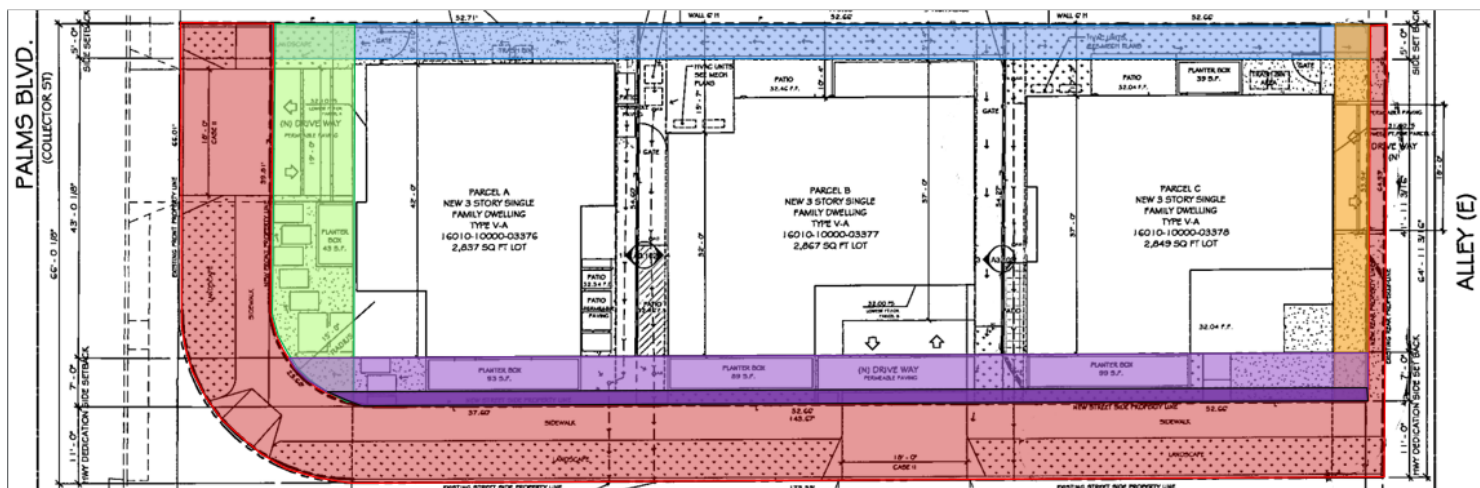
- 4 bedroom/3 bath
- 3 stories with 2nd floor rooftop patio facing Penmar
- Lot B (Zoning Code) Floor Area: 2,844 sf
- Lot B Max Allowable (3:1 FAR - $\sim 1900 \times 3 = 5,700$)
- 4 bedroom/3 bath
- 2 stories with rooftop deck facing Preston and Penmar
- Property is located in the Venice Community, Council District 11 and is zoned RD3-1XL.
- the total lot area for both lots is proposed as revised 11.24.2021 at 3,055 sf for Lot A and 3,002 sf for Lot B
- The surrounding properties are zoned RD3-1XL, R1V2, and RD1.5-1XL with single-family dwellings on standard lots and multifamily dwellings on irregular and standard lots, consistent with the pattern of zoning in the Venice Community.
- The existing single-family dwelling at is 1,504 square feet and was built in 1947

Neighborhood Outreach

- Conducted our outreach meeting with the VNC Thursday November 4th, 2020
- Additional follow up correspondence occurred with nearby neighbors throughout the process
- The project received **support** from the Venice Neighborhood Council's Full Board on December 15, 2020
- The Applicant continued to correspond with concerned neighbors and further increased the setbacks between the neighbors to the east at 1209 Preston and north at 1726 Penmar as revised

Similar Subdivision down the street

- Project at 1900-1910 Penmar received similar setbacks for their small lot subdivision (AA-2016-0315-PMLA-SL) of
 - o 12' FYSB
 - o 5' SYSB between R1 neighboring parcel
 - o 5' RYSB
 - o 7' SYSB (including a 2' sidewalk easement) along Penmar
- This project proposes similar SFDs at around 3,000 sf and were 3-stories and 30' in height.



1900-1910 PENMAR
AA-2016-0315-PMLA-SL

Project Details

- Each SFD is **3 Stories** and **30'-0"**
- Parcel A has a **3,354** sf SFD
- Parcel B has a **3,070** sf SFD
- Parcel C has a **3,152** sf SFD

Setback Details

FYSB - Green:

- 12'-0"** after 13'-0" dedication along Palms

SYSB - Blue:

- 5'-0"** from RIV2 neighbor to the east

RYSB - Orange:

- 5'-0"** from the Alley to the south after a 2'-6" alley dedication

SYSB - Purple:

- 7'-0"** (including 2'-0" sidewalk easement) after 11'-0" dedication along Penmar

Project Approvals

- Project was approved by the West LA APC January 18th, 2017 (a little over a year before the subject case file was submitted) unanimously by each member of the Commission that was present

Other Homes with Setback Relief

8 other structures in the immediate area with case files or building modifications with setback relief – many more existing structures have non-conforming setbacks upon visual inspection

17 other structures in the nearby area in the Venice Community Plan area received setback relief not previously included in the case file.

This shows a clear precedent of approvals by the ZA for such requests.

- Case No. ZA-2003-0424-ZV-ZAA
- 1157 East Palms Boulevard
- On June 2, 2003, the Zoning Administrator approved a Zone Variance authorizing only one of the required parking spaces per dwelling unit to be provided within a private garage, and to permit a second dwelling unit on a 6,182 square-foot lot zoned R1 , and approved a Zoning Administrators Adjustment authorizing a reduced easterly side yard setback of 2 feet, for a linear distance of 40 feet in lieu of the required 4 feet for the second dwelling unit, and to permit an 8-foot wide passageway in lieu of the required 10 feet.
- Case No. ZA-2015-2752-ZAA
- 1044 Palms Boulevard

- On February 2, 2016, the Zoning Administrator approved a Zoning Administrators Adjustment authorizing a 4-foot 1-inch side yard and a rear yard of 5 feet in lieu of a 5-foot side yard and 15-foot rear yard as otherwise required, in conjunction with the remodeling and expansion of an existing single-family dwelling in the R1-1VL-D Zone.
- Permit #15014-30000-00131
- 1138 Palms Boulevard
- On October 22, 2015, the Department of Building and Safety issued a permit for a 2nd story addition to the existing SFD. The permit notes that a portion of the house observes a zero-foot side yard setback that is existing non-conforming and was allowed to remain.
- Permit #97014-30000-06090
- 1832 Penmar Ave
- On August 10, 1998, the Department of Building and Safety issued a permit for a 1st and 2nd story addition to the existing SFD. The permit notes that the Department approved a modification to allow a 5'-6" side yard setback for the single family dwelling.
- Case No. ZA-2007-0297-ZAA-F
- 1315 East Vienna Way
- On May 4, 2007, the Zoning Administrator approved a Zoning Administrators Adjustment authorizing the construction, use and maintenance of a swimming pool that extends 6 feet 6 inches into required front yard (the Municipal Code requires a 27-foot 7.5-inch front yard setback); and approved a Zoning Administrator's Determination to permit the construction, use and maintenance of a 6-foot high fence in the side yard portion of the front yard setback and a 7-foot high pool security wall within the front yard setback area of a new single-family dwelling (the Municipal Code permits a maximum fence height of 3 feet 6 inches in the front yard setback)
- Case No. ZA 2005-6326-ZAA
- 1250 Vienna Way
- On June 14, 2006, the Zoning Administrator approved a Zoning Administrators Adjustment to permit a reduced front yard setback of 14-feet 3-1/2 inches in lieu of the required 17 feet 10-1/2 inches
- Case No. ZA-2002-5407-ZAA
- 1110 Palms Boulevard
- On May 19, 2003, the Zoning Administrator approved a Zoning Administrators Adjustment to permit a 12-1/2-foot rear yard in lieu of the required 15 feet, for expansion of a single-family dwelling in the rear of a site in the R1-IVLD Zone.
- Case No. ZA-2016-416-ZAA
- 1057 Indiana Ave
- On July 21, 2016, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.08-C,3 to permit a rear yard of 5 feet in lieu of the 15-foot rear yard as

otherwise required, all in conjunction with the addition to an existing single-family dwelling in the R1-1VL-D Zone

- Case No. ZA-2002-605-ZAA-SPP-MEL
- 915 Palms Blvd
- On May 30, 2002, the Zoning Administrator approved a Zoning Administrators Adjustment from Sections 12.09-C3 and 12.21 -C2(b) of the Los Angeles Municipal Code to permit a) a reduced rear yard setback of 5 feet in lieu of the required 15 feet and b) a passageway width of 5 feet in lieu of the required 10 feet from the street to the second dwelling in conjunction with the addition of a second unit to an existing single-family house in the R2 Zone

- Case No. ZA-2013-2462-ZAA
- 835 Milwood Ave
- On June 27, 2014, the Zoning Administrator approved a Zoning Administrators Adjustment from LAMC Section 12.09-C,3 to permit the construction of a second dwelling unit with a rear yard setback of 7 feet 8 inches in lieu of the required 15 feet in the R2-1 Zone

- Case No. ZA-2005-1804-ZAA
- 852 Palms Blvd
- On August 26, 2005, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.09-C,3 to permit a reduced rear yard of 5 feet 6 inches in lieu of the required 15 feet in conjunction with the construction of a new detached two-car, 429 square-foot garage, with 935 square-foot guest house above the garage at a maximum height of 28 feet

- Case No. ZA-2006-5005-ZAA
- 860 Nowita Place
- On November 14, 2006, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.21-C,5(f) to permit a reduced rear yard of 2 feet 6 inches in conjunction with the construction of a 402.4 square-foot recreation room over an existing 365 square-foot garage

- Case No. ZA-2006-8716-ZAA-CDP-SPP-MEL ; AA-2006-8681-PMLA-CC
- 825 East Palms Blvd
- On June 12, 2009, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.09-C,3 of the Los Angeles Municipal Code to permit a reduced rear yard setback of 8.5 feet in lieu of the required 15 feet for Parcel Map AA-2006-8681 -PMLA-CC

- Case No. ZA-2012-1994-ZAA ; ZA-2011-3310-CDP ; AA-2011-3026-PMLA-SL
- 739 California Ave (aka 741 California)
- On March 8, 2013, the Zoning Administrator approved a Zoning Administrators Adjustment from LAMC Section 12.09.1-B,2 to permit a reduced front yard setback of 5 feet along the

California Avenue frontage in lieu of the required 15- foot setback of the RD1.5-1 Zone for Parcel Map AA-2011-3026-PMLA-SL

- Case No. ZA-2007-1784-ZAA
- 860 Superba Ave
- On July 23, 2007, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.09-C,2 of the Code to permit a one-foot westerly side yard in lieu of the required minimum of 4.8 feet, and an Adjustment from Section 12.09-C,3 of the Code to permit a rear yard of 6 feet in lieu of the required minimum of 15 feet, all in conjunction with the expansion of an existing dwelling and its attachment to an existing garage in the R2-1 Zone

- Case No. ZA-2010-2062-ZAA-SPP
- 818 Nowita Place
- On December 2, 2011, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.09-C,3 to permit a rear yard setback of 12 feet in lieu of the required 15 feet, in conjunction with a proposed 172 square-foot second-story addition to an existing single-family dwelling

- Case No. ZA-2005-5582-ZAA
- 821 Superba Ave
- On December 22, 2005, the Zoning Administrator approved a Zoning Administrators Adjustment from Sections 12.09-C,2 and 3 of the Los Angeles Municipal Code to allow a reduced easterly side yard setback of 0-foot in lieu of the required 5 feet for a linear distance of 17 feet 9 inches and a reduced rear yard setback varying from 9112 inches to 5 feet in lieu of the required 15 feet, for a linear distance of 21 feet 2 inches, all in conjunction with the construction, use and maintenance of a second story addition to an existing single-family dwelling, and a second story addition above an existing garage, with both second floors being connected by an unenclosed bridge in the R2 Zone

- Case No. ZA-2016-4763-ZAA
- 742-746 Milwood
- On July 10, 2017, the Zoning Administrator approved a Zoning Administrators Adjustment to allow a 4-foot side yard setback in lieu of the required 5 feet pursuant to Section 12.08.C.2 in conjunction with the proposed renovation of an existing 2,352 square-foot two-story single-family dwelling and addition of 2,448 square feet, and a new 638 square-foot detached recreation room, swimming pool and spa, for a 4,860 squarefoot 24-foot 6-inch tall single-family dwelling

- Case No. ZA-2019-501-ZAA-F
- 717 California Ave
- On July 20, 2020, the Zoning Administrator approved a Zoning Administrators Adjustment to allow a 9-foot front yard along California Avenue and a 7-foot front yard along Santa Clara Avenue in lieu of the 15-foot front yards otherwise required by Section 12.09.1-B, 1 of the

LAMC in conjunction with the demolition of an existing 773 square-foot single-family dwelling; the construction of a new 6,528 square-foot two-story single-family dwelling

- Case No. ZA-2009-4050-ZAA
- 756 Palms Blvd
- On June 15, 2010, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.09-C,2 to permit construction, use and maintenance of a recreation room with a covered balcony, as a second floor addition to an existing detached garage, observing a reduced side yard setback of 2 feet 5 inches in lieu the required 4 feet, in conjunction with an existing single-family dwelling on an approximately 5,299 square-foot lot in the R2-1 Zone

- Case No. ZA-2001-3522-ZAA-SPP
- 763 Nowita Pl
- On November 29, 2001, the Zoning Administrator approved a Zoning Administrators Adjustment from Sections 12.21-C,5(f)and (d) of the Los Angeles Municipal Code to permit the addition of a 448 square-foot recreation room over the detached garage of an existing single-family dwelling, with a 0-foot rear yard setback and a separation of 3 feet between the accessory building and the main building

- Case No. ZA-2014-4641-CDP-ZAA-SPP-MEL
- 938 Amoroso Pl
- On March 2, 2017, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.09-C of the Los Angeles Municipal Code to permit a reduced rear yard setback of 0 feet in lieu of the required 15 feet

- Case No. ZA-2015-2907-CDP-SPP
- 934 Amoroso Pl
- On October 5, 2016, the Zoning Administrator approved a Zoning Administrators Adjustment from LAMC Section 12.08-C.3 to allow a rear yard of 3-feet 8-inches and a side yard of 1-foot 10-inches in lieu of the 15-foot rear yard and 4- foot side yard required by Section 12.09-C, all in conjunction with an addition to an existing single-family dwelling in the R2-1 zone

- Case No. ZA-2015-1165-CDP-ZAA-SPP-MEL
- 810 Amoroso Pl
- On February 29, 2016, the Zoning Administrator approved a Zoning Administrators Adjustment from Section 12.09.1-B,3 of the Los Angeles Municipal Code to permit an 11 foot 6-inch rear yard setback in lieu of the required 15 feet in conjunction with the demolition of an existing single-family dwelling and the construction, use, and maintenance of a new single-family dwelling in the R2-1 Zone

- Case No. ZA-2017-4516-ZAA
- 933 Mildred Ave

- On August 23- 2018, the Zoning Administrator approved a Zoning Administrator's Adjustment to allow a rear yard setback of 5 feet 6 inches in lieu of the 15 feet otherwise required by LAMC Section 12.09 C.3 and an easterly side yard setback of 6 inches in lieu of the 3 feet 5 inch minimum otherwise required by LAMC Section 12.09 C.2., in conjunction with the demolition of the existing detached garage and construction of an attached garage with a second story addition to a single family dwelling in the R2-1 Zone

Other Homes in the Area with Comparable Square Footage

- Of the 82 single family homes analyzed, 25 were greater than 3,000 sf in size (over 30%)
- Of those 25, 5 are greater than 4,000 sf, 6 are greater than 5,000 sf, 2 are greater than 6,000 sf (including 1246 Preston across the street) and 1 is greater than 8,000 sf
- The Small Lot Sub at 1900 Penmar includes (3) new homes each greater than 3,000 sf (3070, 3152, 3354)

Other Homes in the Area with Comparable Height

- Of the 82 single family homes analyzed, 10 were greater than or equal to 30 feet in height (over 12%)
- Of the 82 single family homes analyzed, 19 were greater than or equal to 28 feet in height (over 23%)
- The Small Lot Sub at 1900 Penmar includes (3) new homes each greater than 3,000 sf (3070, 3152, 3354)

Findings

Parcel Map

- The proposed map is consistent with applicable General Plan and Specific Plans (in this case the General Plan and Venice Community Plan as it does not lie within a Specific Plan). Please refer to the original findings for elaboration
- The project's design and improvement of the proposed subdivision is consistent with the applicable General and Specific Plans (in this case the General Plan and Venice Community Plan as it does not lie within a Specific Plan). Please refer to the original findings for elaboration
- The site is physically suitable for the proposed type of development. Please refer to the original findings for elaboration
- the project's design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The project received a Categorical Exemption and is not located in any environmentally sensitive area.
- The design of the subdivision and the proposed improvements are not likely to cause serious public health problems. This type of project is currently under construction down the street at 1900 Penmar with no public health risk or problem

- The design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The project is complying with all request dedications and will work with all necessary City agencies to clear their various conditions of approval.

ZAA

- While site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations. The most impactful setback along the neighboring property to the north at 1726 Penmar functions as a side yard setback for Parcel A. If that was indeed considered a side yard setback, the parcel would be compliant with that setback. Additionally the large amount of required dedication impacts the lot configuration greatly and the applicant is requesting that similar considerations be made to this project in light of the strong precedent that the ZA has granted for other SFD's in the nearby area.
- In light of the project as a whole, including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety. Please refer to the "Other Homes in the Area with Comparable Square Footage", "Other Homes with Setback Relief" and "Other Homes in the Area with Comparable Height" sections above and the attached "1740 Penmar - Neighborhood Compatibility Analysis Final"
- The project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan and any applicable specific plan. Please refer to the original findings for elaboration

Final Words

- Project is in line with the existing character of the neighborhood as demonstrated by the analysis
- Project's setback relief is characteristic of other subdivision in the area (1900 Penmar) and other SFD's in the area that received relief
- What's the alternative?
 - o Existing lot has a buildable area of about 3,500 sf. With a 3:1 FAR and a 800 sf ADU, the applicant could build up to 11,300 sf for a new single family dwelling with ADU, with a 30' height limit and a rooftop deck on top of that 30'
 - o No hearing would be required for this and it would all be allowed by-right
 - o Considerations regarding SB9 have also not been fully factored into the conversation. This could allow such a subdivision to be by right with even less of a setback (4 foot side and rear yard setbacks) and no dedications.

DAY OF HEARING SUBMISSIONS

1740 S. Penmar Avenue – Case No. AA-2018-3776-PMLA-SL, ENV-2018-3778-CE, ZA-2018-3779-ZAA, ADM-2018-3775-SLD

West Los Angeles Area Planning Commission – December 1, 2021 – Agenda items #7 and #8
Day-of-Appeal Submission

Honorable Commissioners,

My name is Paola Pini. I am one of four appellants of Case No. AA-2018-3776-PMLA-SL, ENV-2018-3778-CE, ZA-2018-3779-ZAA, ADM-2018-3775-SLD, that will be heard today, December 1st by the WLAAPC.

I am an architect, with over 30 years of professional experience, including small alpine projects, inter-regional high-speed transit master planning, single-family residences in the CA Coastal Zone, the design of medical buildings, hospitals, highly specialized university research institutes, and United States Embassy campuses abroad.

I'm submitting this Day-of-Appeal supplemental as the East Venice Neighborhood Association (EVNA) board member and representative, and on behalf of the four appellants. As an architect, with decades of professional experience, I have expertise in the reading of architectural plans and understanding of the City's zoning regulations.

As EVNA has emphasized in our appeal material, the appellants are not opposed to the Small Lot Subdivision but take issue with Department of City Planning's (DCP) abuse of discretion, lack of evidence to support their findings, and assessment of impracticability in granting the reduced setbacks for this project. The appellants do not challenge the height or design of the proposed buildings, but rather the unsubstantiated decisions and arbitrary decision-making process, that led to the setback reductions. We contest DCP's lack of response to the ZA appeals, and we ask DCP to address our specific concerns, including the negative impacts caused by the intrusion of additional building envelope resulting into the mandated setbacks. It seems that DCP interpreted our appeal to the setback reductions as disapproval of the entirety of the Small Lot Project. But this is not so. We ask that the Commissioners take care to address our actual concerns.

Our issues are only with the non-compliant and negative impact of the enlarged building envelopes.

We ask the WLAAPC to deny the setback reductions granted by the DCP to Case No. ZA-2018-3779-ZAA.

The purpose of this final day-of appeal submittal is to summarize our previously submitted analyses that challenge the DCP findings.

DCP misinterpreted our issues with setbacks reductions. Again, our issues are with the non-compliant and negative impact of the additional building envelope only - not the entirety of the Small Lot Project. We ask you to evaluate this document with only one issue in mind: the setbacks reductions. That issue contains four important elements clarified below:

- A. Case No. ADM-2018-3775-SLD evaluates the project compliance to the SLS Design Standards, and it is not appealable
- B. DCP's conclusions about the compatibility and pattern of development lack evidence and analysis parameters
- C. DCP provided no evidence to support its findings that there are no negative impacts created by the added building envelope
- D. DCP's assessment that building within the mandated building envelope would be "impractical" is conclusory, completely unsubstantiated in the findings; nor is it dealt with anywhere else in the ZA Determination Letter, nor in the DCP's related AA Case Recommendation Report. DCP Staff has ignored our appeal on the subject of the setback reductions.

A. Case No. ADM-2018-3775-SLD

The 122-page ZA packet submitted for your review includes architectural plans (Exhibit A) that are uncoordinated. The Parcel A building floor plans shown on Exhibit A do not match Building A's footprint shown on the site plan or on the Preliminary Parcel Map 20211124, which is not included in any of the documents submitted to the Commission.

The architectural floor plans for Building A (Exhibit A, dated 2017.04.07) are inconsistent with the site plan included in the same exhibit. The floor plans show a different building size than the site plan and the landscape plan. Listed below are the areas of discrepancies.

Page 52: A1.2 – The site plan show Building A footprint aligned with the required eastern side setback at 6.42'

Page 53: A2.0 – The floor plan for level 1 shows the building placement at approx. 11 feet from the eastern side setback

Page 54: A2.1 – The floor plan for level 2 shows the building placement at approx. 11 feet from the eastern side setback, and two small terraces (Keynote 205 and 207) project beyond the face of the building by approx. 3 feet

Page 55: A2.2 – The floor plan for level 3 shows the building placement at approx. 11 feet from the eastern side setback

Page 53: A2.3 – The roof plan shows the roof extending to the mandated eastern setback of 6.42'

Page 66: L1.1 – The landscape plan (dated 11.11.2020) shows Building A footprint aligning with the mandated eastern side yard.

The purpose of this review is to demonstrate that the plans approved in the ADM case are not coordinated with each other and need to be reconciled. **Additionally, and most importantly**, DCP's reasoning to grant a reduced western-side yard setback (Penmar) for the entire subdivision is excessive, inappropriate, and imprudent. It lacks merit and is an abuse of discretion. DCP grants a reduced side setback to the entire subdivision, because the non-compliance of one corner of the new garage on Parcel A (see page 53, sheet A2.0) The reduction to the entire western-side setback, would allow the applicant to, by-right, increase the size of both buildings.

B. Compatibly and lack of pattern of development evidence and parameters

DCP provides no substantiated evidence that the additional building envelope resulting by the setbacks reduction is compatible with the pattern of development in our neighborhood. DCP provides no parameters to assess the validity of its conclusion. It gives no indication about how the pattern of development is being measured. Are the building areas and building height the sole parameters measured? Is the pattern of development the past pattern, the current pattern, or the future pattern?

There are 89 multi-family properties along Penmar Ave, north of Venice Blvd.

- Seven very large ones are part of Lincoln Place, a National Register of Historic Places housing development with one and two-story buildings and an abundance of open space (garden city development).
- Three lots have been improved over the past 10 years with single-family 2-story buildings (one has a small roof deck above the 2nd floor). All improvements respected all zoning regulations including the required setbacks.
- Two lots have been subdivided:
 - 1900 Penmar Ave. Three free-standing, three-story buildings, that respected the mandated setbacks
 - 1801-1821 Penmar Ave. Bungalow Court SLS with two-story remodeled bungalows (new roof ridge at ~27 feet).
- The remaining 77 properties consist of single and multi-family dwellings, dating from the 1920s to 1970s. They have regular and irregular geometries and are one and two-story structures with original setbacks. Many align with the current code.

The purpose of this analysis is not to challenge the Subdivision or Small Lot Project as a whole, but rather to show that the approved additional building envelope and lot coverage at 1740 Penmar, is not in conformity with the neighborhood pattern of development. DCP erred in granting the reduced setbacks. Its decision was unsubstantiated, and the granting of the reduced setbacks is inconsistent with the pattern of development, as well as the zoning code. None of the other recent new constructions in East Venice has requested or received any deviation from zoning requirements.

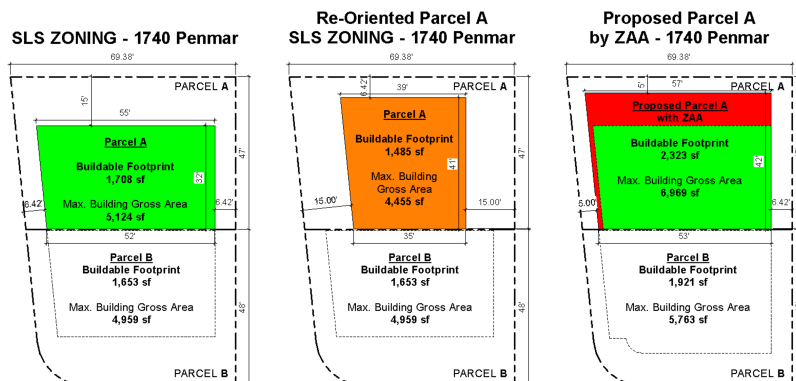
C. Negative impact of the ADDED Building Envelope

The DCP provided no evidence or analysis to corroborate its assessment. Simple geometry and trigonometry contradict the DCP's statements and findings. A larger building generates, by definition, larger shadows. Larger shadows are more impactful than smaller ones. The adjoining neighbors' single-story residences will be further negatively impacted by a larger building occupying 1740 Penmar Ave. than by a building that complied with the mandated zoning requirements.

D. "Impractical" to strictly adhere to the zoning regulations

DCP has provided no evidence to support its claim that adhering to the zoning regulations is "impractical". We disagree with the DCP's conclusion that the irregular lot geometry, orientation of Parcel A, and the mandated setbacks interfere with the practicality of the project. Strict adherence to the zoning regulations allows for a building footprint of 1,708 sf. The subsequent total building gross area is 5,124 sf, 1,783 sf larger than the proposed Building A (3,341 sf). 5,124 sf is an adequate size to accommodate a new single-family home. As an architect, I am confident that the project architect will be able to design a practical project within the buildable area of the site under the zoning regulations. The building(s) might be smaller, but not necessarily. The DCP's expertise is in planning - not in building design, architecture, construction, or budgeting. DCP erred in its assessment of practicality and provided no evidence for its findings of impracticability.

The property located at 1740 Penmar is a reverse corner lot, and the subdivision does not change its orientation. When DCP re-oriented the internal lot of Parcel A to justify the rear setback reduction, DCP should have then required the other sides of the re-oriented Parcel A to respect the mandated zoning setbacks. Neighborhood residents would not oppose a building on the re-oriented Parcel A that respected the mandated SLS zoning requirements, as shown in orange in the drawing below.



We ask the WLAAPC Commissioners to carefully consider the consequences of this precedent-setting setback reductions. Please uphold the zoning regulations set forth in the SLS Ordinance and deny the setback reductions for Case No. ZA-2018-3779-ZAA.

Sincerely,
Paola Pini
EVNA Board Member



James Williams <james.k.williams@lacity.org>

IMMEDIATE REQUEST for the supporting documents for ZA-2018-3779-ZAA and AA-2018-3376-PMLA-SL at 1740 PENMAR.

3 messages

Margaret Molloy <mmmolloy@earthlink.net>

Wed, Dec 1, 2021 at 5:44 PM

To: Chair-lupc <chair-lupc@venicenc.org>

Cc: LUPC <lupc@venicenc.org>, "President@venicenc.org" <President@venicenc.org>, Save Venice <venicelives.savevenice@gmail.com>, James Williams <james.k.williams@lacity.org>, oscar.medellin@lacity.org

I am asking for the renderings for this project immediately. We are in the appeal hearing. This is critical information

Margaret Molloy

On Dec 1, 2021, at 6:06 AM, Chair-lupc <chair-lupc@venicenc.org> wrote:

Thanks Margaret I will take a look and circle back with you

Sent from my Galaxy

----- Original message -----

From: Margaret Molloy <mmmolloy@earthlink.net>

Date: 11/30/21 10:03 PM (GMT-06:00)

To: LUPC <lupc@venicenc.org>, "President@venicenc.org" <President@VeniceNC.org>

Cc: Save Venice <venicelives.savevenice@gmail.com>

Subject: REQUESTING the supporting documents for ZA-2018-3779-ZAA and AA-2018-3376-PMLA-SL at 1740 PENMAR.

Hi all,

Can you please send em a link to LUPC's supporting documents for ZA-2018-3779-ZAA and AA-2018-3376-PMLA-SL at 1740 PENMAR?

They were online but I cannot find it online now.

Appreciatively,

Margaret Molloy

James Williams <james.k.williams@lacity.org>

Wed, Dec 1, 2021 at 5:48 PM

To: Kevin Fulton <kevin.fulton@lacity.org>, Jonathan Hershey <jonathan.hershey@lacity.org>, Juliet Oh <Juliet.Oh@lacity.org>, Jordann Turner <jordann.turner@lacity.org>



**LOS ANGELES
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james.k.williams@lacity.org
T: (213) 978-1295

Los Angeles City Planning
200 N. Spring St., Room 272
Los Angeles, CA 90012
Planning4LA.org

[Quoted text hidden]

James Williams <james.k.williams@lacity.org>
To: Margaret Molloy <mmmolloy@earthlink.net>

Wed, Dec 1, 2021 at 5:49 PM

Hi Margaret,

Your request has been forwarded to staff.

James

James K. Williams
Commission Executive Assistant II
Cultural Heritage Commission
West LA Area Planning Commission



james.k.williams@lacity.org

T: (213) 978-1295

Los Angeles City Planning

200 N. Spring St., Room 272

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**LOS ANGELES
CITY PLANNING**

[Quoted text hidden]



James Williams <james.k.williams@lacity.org>

IMPORTANT information for ZA-2018-3779-ZAA and AA-2018-3376-PMLA-SL at 1740 PENMAR.

2 messages

Margaret Molloy <mmmolloy@earthlink.net>

Wed, Dec 1, 2021 at 6:06 PM

To: James Williams <james.k.williams@lacity.org>, oscar.medellin@lacity.org, Terry Kaufmann Macias <Terry.Kaufmann-Macias@lacity.org>

Cc: Paola Pini <atelier2p@gmail.com>, Robin Rudisill <wildrudi@me.com>, David Ewing <moreseriousbus@gmail.com>

Thank you Mr. Williams,

Can you please let staff and cCommissioners know that Exhibit C, Small Lot Design Standards Approved Plans, ADM-2018-3775-SLD, "revised" on 9/22/21, in Case No: AA-2018-3776-PMLA-SL-1A on pages 51-59

- https://planning.lacity.org/plndoc/Staff_Reports/2021/12-01-2021/AA_2018_3776.pdf.

The SLD document shows the **Applicant** Information with phone number, 949-285-0062 and email contact email as Brittanydteague@gmail.com.

2. APPLICANT INFORMATION

Applicant Name <u>Penmar Properties LLC</u>		
Address <u>1144 E Charleston Blvd</u>		Unit/Space Number _____
City <u>Las Vegas</u>	State <u>NV</u>	Zip <u>89104</u>
Telephone <u>(949) 285-0062</u>	E-mail <u>brittanydteague@gmail.com</u>	

3. CASE INFORMATION

<u>ADM-2018-3775-SLD</u>	<u>AA-2018-3776-PMLA-SL</u>	<u>ZA-2018-3779-ZAA</u>
Administrative Clearance Case Number	Tract/Parcel Map Case Number	Additional Case Number (If applicable)
<u>[Q] RD3 - 1XL</u>		<u>Low Medium 1 Residential</u>
Existing Zone	Proposed Zone (If Applicable)	General Plan Land Use Designation
<u>1 SFD</u>	<u>2 SFDs</u>	
Existing Use	Proposed Use	

The phone number listed, 949-285-0062, has just responded to my missed phone call and confirmed that this is the phone for developer Brittany Teague.

As such, the Applicant's representative Tony Russo, Planning staff, ZA J9nathan Hershey, and the ZA' Letter of Determination all cite to the Venice Neighborhood Council board's vote on this property application.

There is a clear conflict of interest in the VNC board's vote because then vice-president George Francisco is a longtime business-associate of Venice developers Jason and Brittany Teague.

The Commission MUST be informed of this fact.

Please confirm receipt.

Margaret Molloy

Date: December 1, 2021

Subject: Legal Ownership or Representation of 1740 Penmar Avenue.

Dear Commissioners, for the reasons stated below, please require the Applicants or their Representative to disclose prior to hearing this matter, if Venice developers Brittany and Jason Teague have any financial interest in the property at 1740 Penmar Avenue. The legitimacy of the Venice Neighborhood Council (VNC) board's vote is at issue.

VNC's (then) Land Use & Planning Committee (LUPC) members Mathew Royce, Daffodil Tyminski, and Tim Bonefeld all recused for this case. LUPC voted 5-0-0 to deny the project. Contrary to LUPC's recommendation of denial, the VNC board voted to approve, with former VNC vice-president, George Francisco, who has a long-term business relationship with the Teague's, voting twice.

Ms. Teague's name appears on #2, Applicant Information, Small Lot Design (SLD) Standard Administrative Review form for this property

Margaret Molloy

From: Margaret Molloy <mmmolloy@earthlink.net>

Subject: Urgent additional information request for ZA-2018-3779-ZAA and AA-2018-3376-PMLA-SL at 1740 PENMAR

Date: November 30, 2021 at 8:23:20 PM PST

To: kevin.fulton@lacity.org, Juliet Oh <juliet.oh@lacity.org>, Vince Bertoni <vince.bertoni@lacity.org>, Beatrice Pacheco <beatrice.pacheco@lacity.org>, Terry Kaufmann Macias <Terry.Kaufmann-Macias@lacity.org>, oscar.medellin@lacity.org

Cc: Save Venice <venicelives.savevenice@gmail.com>

Hello Mr. Fulton, Ms. Oh, Mr. Bertoni, and Ms. Pacheco,

On December 8, 2020, Item 8c on the Venice Neighborhood Council's (VNC) Land Use & Planning Committee (LUPC) was ZA-2018-3779-ZAA and AA-2018-3376-PMLA-SL at 1740 PENMAR. Online documents for LUPC for this property included the page of the Small Lot Design (SLD) Standard Administrative Review form for this property. There are no supporting documents currently online for VNC or LUPC for this property.

SLD #2, Applicant Information, shows Penmar Properties LLC with an address in Las Vegas, Nevada. This is the same information as the documents that you have produced today for the ownership of the property (thank you!).

The "Email" for the Applicant is Brittanydteague@gmail.com. This is Venice developer Brittany Teague, who develops many Venice properties with her husband Jason Teague. The Applicant's representative was Tony Russo.

Mathew Royce is the architect for APCW-2021-2020-CDP-MEL-SPE-SPP-WDI at 1410 – 1422 Main Street, a project of Brittany Teague and Jason Teague. That project was filed on 3/11/2021. LUPC members Mathew Royce, Daffodil Tyminski and Tim Bonefeld all recused for ZA-2018-3779-ZAA and AA-2018-3376-PMLA-SL. This also appears to suggest that the developer, representative, or consultant, operates in Venice.

For this reason, please provide all documents or communications in any form for Brittany Teague, Jason Teague, or any of their representatives, for this property, including the complete 8-page Small Lot Design (SLD) Standard Administrative Review form

I am requesting this information immediately. The West Los Angeles Area Planning Commission hearing for this property is tomorrow, December 1, 2021. All recipients please confirm receipt of this information request.

Appreciatively,

Margaret Molloy

From: Beatrice Pacheco <beatrice.pacheco@lacity.org>

Subject: Re: Public Information Request re ZA-2018-3779-ZAA-1A and AA-2018-3776-PMLA-SL-1A at 1740 South Penmar Avenue, Venice.

Date: November 30, 2021 at 3:06:39 PM PST

To: Margaret Molloy <mmmolloy@earthlink.net>

Cc: Kevin Fulton <kevin.fulton@lacity.org>

Hello, Ms. Molloy:

Attached are records related to your request. Should you have any questions regarding these records, please reach out to Kevin Fulton, he is copied here.

Exhibit 1: Small Lot Design (SLD) Standard Administrative Review for **1740 South Penmar Avenue, Venice**.
#2, Applicant Information - "Email" is Brittanydteague@gmail.com is Venice developer Brittany Teague



ADMINISTRATIVE REVIEW

SMALL LOT DESIGN STANDARDS (SLD)
Administrative Review

RELATED CODE SECTION: Los Angeles Municipal Code Section 12.22 C.27(a)(2) authorizes the Director of Planning's review for compliance with the Commission's Small Lot Design Standards.

GENERAL INFORMATION

New Applications - This application and full set of architectural plans as listed below shall be filed concurrently with any small lot subdivision application request (*Vesting Tentative Tract or Preliminary Parcel Map*) and along with any applicable Geographic Project Planning Referral Form (CP-7812).

Modifications to Approved Projects (Deemed Complete After April 18, 2018) - Any subsequent modifications to architectural plans found not to be in substantial compliance with the originally approved Exhibit A shall be required to file a new application for Administrative Clearance and pay all applicable fees concurrently with a building permit application for a small lot project ("Project").

Determining a Project:
For the purposes of Small Lot Administrative Clearance application, the term "Project" includes the erection or construction, reconstruction, rehabilitation, relocation, addition to, or exterior alteration of any building or structure, which require the issuance of a demolition permit, grading permit, or building permit. Projects include the preservation of existing structures in a single lot and the subdivision of land for Small Lot purposes. A Project excludes work that consists solely of interior remodeling, interior rehabilitation or repair work that does not result in alterations to the façade or change in floor area. *The following are examples of building permits that are generally exempt from administrative review:*

- Re-roof with no alterations to the existing roof form, roof details, eave depth, eave details, or facades of the buildings
- In-ground swimming pools where permitted by the LAMC
- Roof-mounted solar modules
- Maintenance, repair, and/or rehabilitation of existing foundations
- Maintenance, repair, and/or rehabilitation of existing window and door treatments
- Mechanical equipment
- Exterior lighting

1. SUBMITTAL REQUIREMENTS

Size and Number of Copies: Provide one full size and five (5) 11"x17" color copies of architectural plans containing the following:

☒ Site Plan	☐ Materials Sheet
☒ Contextual and Dimensioned Floor Plans	☐ Renderings
☒ Detailed Elevations	☐ Landscape Plan (See Technical Requirements applicable to all landscape plans of form CP-6730)
☒ Roof Plan	

2. APPLICANT INFORMATION

Applicant Name <u>Penmar Properties LLC</u>		
Address <u>1144 E Charleston Blvd</u>		Unit/Space Number _____
City <u>Las Vegas</u>	State <u>NV</u>	Zip <u>89104</u>
Telephone <u>(949) 285-0062</u>	E-mail <u>brittanydteague@gmail.com</u>	

3. CASE INFORMATION

Administrative Clearance Case Number	<u>AA-2018-3776-PMLA-SL</u>	<u>ZA-2018-3779-ZAA</u>
	Tract/Parcel Map Case Number	Additional Case Number (if applicable)
Existing Zone	Proposed Zone (if Applicable)	General Plan Land Use Designation
Existing Use	Proposed Use	

CP-6975 [03.05.2019] Small Lot Admin ReviewPage 1 of 8

Exhibit 2: LUPC vote on ZA-2018-3779-ZAA and AA-2018-3376-PMLA-SL at 1740 PENMAR.

C.

Case: AA-2018-3776-PMLA-SL ; ZA-2018-3779-ZAA
Address: 1740 Penmar Ave
Applicant: Penmar Properties
LUPC Staff: Shep Stern
Representative: Tony Russo
Description: Demo of 1 SFD and a small lot subdivision of the existing 1 lot into 2 lots for the purpose of constructing 2 new SFDs. ZAA for reductions in the required yards (5' SYSB, 5' RYSB, 10' FYSB in lieu of 6'-4" SYSB, 15' RYSB, 15' FYSB)

Public Comment & Possible Action: Motion

Motion: LUPC recommends The VNC Board recommend denial as presented due to the applicant not showing significant hardship to justify setback relief requests
Motion Approved by LUPC (AG/SS 5-0-0) MR,TB,DT Recused



James Williams <james.k.williams@lacity.org>

WLAAPC Hearing December 1 2021 - 1740 Penmar Avenue Venice

2 messages

William Wood <eastveniceguy90291@yahoo.com>

Wed, Dec 1, 2021 at 2:19 PM

To: apcwestla@lacity.org, james.k.williams@lacity.org

Cc: evna.venice@gmail.com, Paola Pini <atelier2p@gmail.com>, "elfie@hotcakesbakes.com" <elfie@hotcakesbakes.com>, "rockyboy65@ca.rr.com" <rockyboy65@ca.rr.com>

Dear Honorable Commissioners and Mr. Williams,

I write to authorize Paola Pini to speak on behalf of the East Venice Neighborhood Association during this afternoon's WLAAPC hearing on the proposed project at 1740 Penmar Avenue.

Also, EVNA and the other appellants request that the Commission reverse the sequencing of the proposed agenda items for the 1740 Penmar project and hear the ZA (setbacks adjustments) item, which is listed as #8 on the published agenda, before the AA (small lot subdivision) item, which is listed as #7 on the published agenda. Doing so would streamline the Commission's work and serve the public's interests.

As explained in EVNA's supplemental appeal documents and elsewhere, the approved setbacks are integral to the AA case, as illustrated by the Setback Matrix listed on page 6 of the AA Determination Letter. Hearing the AA item before the ZA item could prejudice the appeals of the ZA case, and the Commission should hear the ZA case unfettered by any decision regarding the AA case. Moreover, the evidentiary discussion for the ZA case will provide context for a more informed and independent decision by the Commissioners. If the Commissioners were to hear the AA case first and affirm the decision, and then hear the ZA case and rule for the appellants, that would necessitate going back to the AA case to amend the Setback Matrix. Otherwise, the related cases might not be reconciled and the setbacks in the AA Determination Letter might never be updated, potentially allowing the proposed project to proceed with the wrong setback dimensions.

EVNA also raises this issue and makes this request because the lack of completed and coordinated information between the Determination Letter and WLAAPC conditions has the potential to result in the proliferation of inaccurate information and flawed evidence that might affect the integrity of future decisions. For example, the applicant for this 2018 small lot subdivision for 1740 Penmar lists setbacks for the proposed 2014 small lot subdivision on this same lot, but did not include the conditions the WLAAPC imposed at its November 19, 2014 hearing which led to the developer's withdrawal of the application. Apparently the 2014 WLAAPC conditions (setbacks and roofline adjustment) imposed on the then-proposed project were never recorded into any planning document and cannot be found on the DCP case portal. One must listen to the recording of the Commission's November 19, 2014 meeting to find the conditions the Commissioners imposed on that project. Incomplete recordkeeping and lack of coordination within City Planning thus can affect the integrity of research and misrepresent the history of the Commission's judgments, as seems to have happened with this project.

For the reasons above, EVNA respectfully requests that the Commission hear the ZA (setbacks adjustments) item before the AA (small lot subdivision) item, in order to streamline the Commission's work and ensure the consistency and integrity of the Commission's and City Planning's decisionmaking the recordkeeping.

Respectfully,

William Wood

James Williams <james.k.williams@lacity.org>
To: William Wood <eastveniceguy90291@yahoo.com>

Wed, Dec 1, 2021 at 2:21 PM

Thank you for your submission.



James K. Williams
Commission Executive Assistant II
Cultural Heritage Commission
West LA Area Planning Commission

james.k.williams@lacity.org
T: (213) 978-1295

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CITY PLANNING**

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