



DEPARTMENT OF CITY PLANNING

APPEAL RECOMMENDATION REPORT

West Los Angeles Area Planning Commission

Date: May 5, 2021
Time: After 4:30 p.m.*
Place: In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the APC meeting will be conducted entirely telephonically by Zoom [<https://zoom.us/>].

The meeting's telephone number and access code access number will be provided no later than 72 hours before the meeting on the meeting agenda published at <https://planning.lacity.org/about/commission-s-boards-hearings> and/or by contacting apcwestla@lacity.org

Public Hearing: Required
Appeal Status: Not further appealable under LAMC
Expiration Date: May 14, 2021

PROJECT LOCATION: 313 and 315 South 6th Avenue

PROPOSED PROJECT: The demolition of four (4) single-family dwelling units, a parcel map for the subdivision of a 6,380 square-foot lot to two (2) small lots, and the construction of a three-story, single-family dwelling with an attached Accessory Dwelling Unit (ADU), with a roof deck on each newly subdivided lot, five (5) parking spaces are provided onsite.

REQUESTED ACTIONS: An appeal of the Advisory Agency's determination to approve a Preliminary Parcel Map pursuant to LAMC Sections 12.22-C.27 and 17.53.

An appeal of the Director of Planning's determination to approve a Coastal Development Permit and Mello Act Compliance Review, pursuant to Los Angeles Municipal Code (LAMC) Section 12.20.2 and Government Code Sections 65590 and 65590.1 and the City of Los Angeles Interim Mello Act Compliance Administrative Procedures.

Case No.: AA-2019-2609-PMLA-SL-1A
DIR-2019-2610-CDP-MEL-1A
ENV-2019-2613-CE

CEQA:
Council No.: 11 – Mike Bonin
Plan Area: Venice
Specific Plan: Venice Coastal Zone – Oakwood Subarea
Certified NC: Venice
GPLU: Low Medium II Residential
Zone: RD1.5-1

Appellant: People Organized for Westside Renewal (POWER), Citizens Preserving Venice, Kevin Denman, Leanne Chase, Robin Rudisill
Representative: N/A

Applicant: Brock Wylan
Representative: Steve Kaplan Land Use Law

RECOMMENDED ACTIONS (AA-2019-2609-PMLA-SL-1A):

1. **DETERMINE** that, based on the whole of the administrative record, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Sections 15301, 15303, 15315, and 15332 and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.
2. **DENY** the appeal.
3. **SUSTAIN** the determination of the Advisory Agency to conditionally approve Preliminary Parcel Map No. AA-2019-2609-PMLA-SL.

RECOMMENDED ACTIONS (DIR-2019-2610-CDP-MEL-1A):

1. **DETERMINE** that, based on the whole of the administrative record, the project is exempt from the California Environmental Quality Act CEQA) pursuant to CEQA Guideline Sections 15301, 15303, 15315, and 15332 and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.
2. **DENY in part** the appeal and **GRANT in part** the appeal to **SUSTAIN** the determination of the Director of Planning to conditionally approve a Coastal Development Permit and Mello Act Compliance Review for the proposed project in the single-permit jurisdiction area of the Coastal Zone, and
3. **Adopt** the attached amended Findings and updated "Exhibit A".

VINCENT. P. BERTONI, AICP
Advisory Agency & Director of Planning

 for
Faisal Roble, Principal Planner


Juliet Oh, Senior City Planner


Elizabeth Gallardo, City Planner


Sienna Kuo, Planning Assistant
sienna.kuo@lacity.org

ADVICE TO PUBLIC: * The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 272, City Hall, 200 North Spring Street, Los Angeles, CA 90012 (Phone No. 213-978-1300)*. While all written communications are given to the Commission for consideration, the initial packets are sent to the Commission's Office a week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to the agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate. The meeting facility and its parking are wheelchair accessible. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request at least seven (7) days prior to the meeting by calling the City Planning Commission Office at (213) 978-1300.

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 2. DIR-2019-2610-CDP-MEL-1A
- Exhibit B Advisory Agency Determination AA-2019-2609-PMLA-SL
1. Letter of Determination
 2. Preliminary Parcel Map date-stamped September 18, 2019
 3. Revised Preliminary Parcel Map date-stamped March 31, 2020
 4. ADM-2019-2611-SLD
- Exhibit C Director's Determination DIR-2019-2610-CDP-MEL
1. Letter of Determination
 2. Stamped Plans "Exhibit A"
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- Exhibit D Environmental Clearance ENV-2019-2613-CE
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- Exhibit H Correspondence

PROJECT ANALYSIS

PROJECT SUMMARY

The subject site, 315 South 6th Avenue, is a relatively flat, rectangular, residential vacant lot with a width of 30 feet and a depth of 161 feet, with a total lot area of approximately 6,380 square feet. The property fronts 6th Avenue to the northeast and abuts an alley to the southwest. The subject lot is zoned RD1.5-1 with a General Plan land use designation of Low Medium II Residential. The project site is located in the single permit jurisdiction of the California Coastal Zone, within the Oakwood Subarea of the Venice Coastal Zone Specific Plan. The RD1.5-1-zoned neighborhood immediately surrounding the property is developed with one to three-story single-family dwellings and two-story, multiple-family dwellings.

The proposed project consists of the demolition of four single-family dwellings, a parcel map for the subdivision of a 6,380 square-foot lot to create two Small Lots with lot areas of 3,800 square feet (Parcel A-rear lot) and 2,580 square feet (Parcel B-front lot), and the construction of a three-story single-family dwelling with an attached Accessory Dwelling Unit (ADU) on each new small lot. The new residential structure on Parcel A is 3,448 square feet comprised of a 2,591 square-foot single family dwelling (Unit A.2) and an 857 square-foot ADU (Unit A.1). The new residential structure on Parcel B is 3,190 square feet comprised of a 2,088 square-foot single-family dwelling (Unit B.2) and a 1,102 square-foot ADU (Unit B.1). The size of each single-family dwelling and attached ADU are shown on an updated floor plan, submitted November 24, 2020 and included as Exhibit C.3. The proposed development provides five parking spaces, 2 spaces for each single-family dwelling and a guest parking space.

APPEAL POINTS AND STAFF RESPONSES

The Advisory Agency and Director of Planning issued separate decision letters on November 9, 2020 approving Preliminary Parcel Map No. AA-2019-2609-PMLA-SL and Case No. DIR-2019-2610-CDP-MEL. An appeal was filed for each decision, in a timely manner, on November 24, 2020. The Appellant submitted appeal points that address both actions by the Director of Planning and Deputy Advisory Agency. The issues relevant to the Advisory Agency action are addressed in Appeal Point Nos. 1-3 and the issues relevant to the Director's Determination are addressed in Appeal Point Nos. 4-15.

Appeal of Advisory Agency Decision AA-2019-2609-PMLA-SL-1A. Below is a summary of the appeal points relevant to the Advisory Agency Decision (AA-2019-2609-PMLA) and staff's response.

Appeal Point No. 1

Violation of the Venice Coastal Zone Specific Plan Ordinance.... the Venice Coastal Zone Specific Plan Ordinance has been violated because the Specific Plan compliance review has not yet been performed....covering the overall project—demolition, subdivision AND new construction

Staff Response No.1

The proposed project is subject to the policies of the certified LUP and the development regulations of the Venice Coastal Zone Specific Plan, and has been reviewed for compliance with these regulations as discussed in the Findings prepared for Case No. DIR-2019-2610-CDP-MEL. The project consists of the demolition of four dwelling units and the construction of one new single-family dwelling and ADU on two new small lots. However, separate Project Permit Compliance

Review is not required because the project qualifies for a Director of Planning Sign-Off or Venice Sign Off, as outlined in Section 8A of the Venice Specific Plan [*The following Venice Coastal Development Projects are exempt from the Project Permit Compliance procedures contained in LAMC Section 11.5.7 C. For these projects, no demolition, grading, building permit or certificate of occupancy shall be issued unless the Director of Planning has reviewed the application and determined, by signature, that the Venice Coastal Development Project complies with all applicable provisions of this Specific Plan.*].

Section 8A of the Specific Plan provides:

2. *In the Non-Appealable Area:*

- a. *Any improvement to an existing single or multiple-family dwelling unit that is not located on a Walk Street;*
- b. *New construction of one single family dwelling unit, and not more than two condominium units, not located on a Walk Street;*
- c. *New construction of four or fewer dwelling units, not located on a Walk Street;*
- d. *Demolition of four or fewer dwelling units.*

Finding No. (a) of the Advisory Agency's Decision states the proposed density of two dwelling units with attached accessory dwelling units complies with the requirements of the Specific Plan. Furthermore, the Advisory Agency's Decision includes Department of City Planning Condition No. 18.c, which states: *That the subdivider shall comply with the Venice Coastal Zone Specific Plan prior to the issuance of a building or grading permit. The subdivider shall obtain a Venice Sign Off (VSO) for each newly subdivided small lot, to be issued by a Venice Project Planner at the time of plan check.* As such, the project qualifies for a VSO and the Applicant is required to obtain approvals for compliance with the Specific Plan.

Moreover, the City's VSO process under Section 8A of the Specific Plan has been upheld by the California Court of Appeal in *Venice Coalition to Preserve Unique Community Character v. City of Los Angeles* (2019) 31 Cal.App.5th 42, 50, which held that Section 8A of the Venice Specific Plan creates a ministerial process for specified projects and exempts them from project permit compliance review. As the court noted in its decision, the VSO process does not require a hearing or notice and does not entitle opponents to notice and a hearing:

"We agree with the City and the trial court that the VSO process is ministerial. The director of planning is not required to exercise independent judgment; he or she only reviews a set of fixed, objective construction measurements. In contrast, the project permit compliance review in section 8C requires the director of planning to exercise independent, subjective judgment as to whether the project is generally compatible with the character of the existing neighborhood. [¶ ...] Because we agree with the court and the City that VSO projects do not need to be separately reviewed for compliance with the LUP, and because we agree that the VSO process is ministerial, we conclude that for VSO projects the Venice Coalition is not entitled to notice and a hearing."

Id. at 49-50.

Because the project qualifies for a VSO, it is not subject to Project Permit Compliance review. As such, the Appellant's claim lacks merit.

Appeal Point No. 2

Violation of the Multiple Permit Ordinance. The Multiple Permit Ordinance, which requires that all permits for a single project be issued together, is also being violated as the Specific Plan compliance review has not been performed at the same time as the PMLA, Mello and CDP determinations.

Staff Response No. 2

The project has been considered and approved in compliance with LAMC Section 12.36, Projects Requiring Multiple Approvals. The project is subject to multiple approvals including a Quasi-judicial Approval pursuant to LAMC Section 12.20.2, a Subdivision Approval, subject to LAMC Section 12.22 C.27, and the City of Los Angeles Interim Mello Act Compliance Administrative Procedures and Government Code Sections 65590 and 65590.1. As such, the Advisory Agency and Director of Planning issued separate decision letters on November 9, 2020 approving Preliminary Parcel Map No. AA-2019-2609-PMLA-SL and Case No. DIR-2019-2610-CDP-MEL. Because the project qualifies for a VSO (See Staff Response No. 1), the approvals have conditioned the project for compliance with the Venice Specific Plan through a Venice Sign Off. As conditioned, the applicant will receive any ministerial approvals such as the Venice Sign Off at the time of plan check. Ministerial approvals are not subject to LAMC 12.36.

Appeal Point No. 3

PMLA findings are in error and the PLMLA must be denied...The Director errs in that there is no evidence that the design or improvement of the proposed subdivision is consistent with applicable General (including LUP) and Specific Plans. The Parcel Map Findings are in error ... The PMLA cannot find that there has been compliance with the Specific Plan when such review has not yet been performed and thus there is no evidence of compliance.

Staff Response No. 3

The Advisory Agency's approval of Preliminary Parcel Map No. AA-2019-2609-PMLA-SL is based on compliance with the requirements outlined in the California Subdivisions Map Act (Government Code Sections 66473.1, 66474.60, .61 and .63), Small Lot Subdivision Ordinance (LAMC Section 12.22-C.27), and LAMC Section 17.53. The required Findings are provided in the Advisory Agency Decision. As discussed in Finding No. (a), the Advisory Agency considered the policies and regulations of the General Plan, Venice Land Use Plan (LUP), Venice Coastal Zone Specific Plan (VCZSP), and Los Angeles Municipal Code in reviewing the proposed preliminary parcel map.

LAMC Section 17.50 states the purpose of the preliminary parcel map:

The following parcel map regulations are intended to assure compliance with the Subdivision Map Act, the Comprehensive Zoning Plan of the City of Los Angeles as set forth in Article 2 of this chapter, and the various elements of the City's General Plan, to assure lots of acceptable design and of a size compatible with the size of existing lots in the immediate neighborhood; to preserve property values; to assure compliance with the Design Standards for Streets and Alleys as specified in Section 17.05 of this Code where street or alley dedication and/or improvement are required; and to prevent interference with the opening or extension of streets necessary for emergency vehicle access, proper traffic circulation and the future development of adjacent properties; and to provide that

the dividing of land in the hillside areas be done in a manner which will assure that the separate parcels can be safely graded and developed as building sites.

As discussed in Finding (a) of Case No AA-2019-2609-PMLA-SL,

...parcel maps are to be designed in conformance with the parcel map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. Additionally, the maps are to be designed in conformance with the Street Standards established pursuant to LAMC Section 17.05 B. The project site is located within the Venice Community Plan, which designates the site with a Low Medium II Residential land use designation. The land use designation lists the RD1.5, RD2, RW2, and RZ2.5 Zones as the corresponding zones. The project site is zoned RD1.5-1, which is consistent with the land use designation... The Venice Specific Plan allows a maximum density of two dwelling units per lot (one unit per 1,500 square feet of lot area). As shown on the parcel map, the Project proposes to subdivide the project site into two (2) small lots, pursuant to LAMC Section 12.22 C.27, which is consistent with the density permitted by the zone. Parcel A (rear) will have a lot area of 3,800 square feet and Parcel B (front) will have a lot area of 2,580 square feet, meeting the minimum lot area requirement of 1,500 square feet... Additionally, as a small lot subdivision, the map indicates the common access easement for vehicular and pedestrian access to the proposed small lots, consistent with LAMC Section 12.22 C.27. Therefore, the proposed map demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, and 12.22 C.27 and is consistent with the General Plan, the Venice Coastal Zone Specific Plan, and Ordinance 176,345.

In reviewing the proposed map, the Advisory Agency considered the location and layout of the lots, the total number of resulting lots and area, access to the site, location of existing and new infrastructure, and required dedications and improvement to the public right-of-way. Comment letters were submitted by City Agencies after review of the map and incorporated as conditions in the Advisory Agency's Decision, to ensure compliance with the provisions the LAMC.

As discussed in Finding No. (a), the proposed density and lot area are consistent with the regulations of the Specific Plan. As required by the Specific Plan, vehicle access is provided from the rear alley, five parking spaces are provided, and the height is limited to 25 feet. In addition, the proposed map is consistent with provisions of LAMC Section 12.22-C.27 (pursuant to Ordinance 176,354), which address minimum lot width, minimum lot area, maximum lot coverage, and yards. As evidenced in Table 1 below, the proposed subdivision meets all of the required standards.

Table 1. Development Standards of Small Lot Ordinance No. 185,462

Standard	Required	Parcel A (rear)	Parcel B (front)
Lot Width	18 feet	40 feet	40 feet
Lot Area	600 square feet	3,800 square feet	2,580 square feet
Lot Coverage	Max 75% of Lot Area	59.6%	40.4%%
Perimeter	Side Lot Line – 5 feet Rear Lot Line – 5 feet	5 feet	5 feet
Front Yard (Front Lot Line)	Underlying zone – 15 feet	17 feet 4 inches (not required)	15 feet

The Appellant states that there is no evidence to show the design and improvement of the subdivision is consistent with the General Plan, LUP, and Specific Plan.

Finding (b) of Case No AA-2019-2609-PMLA-SL further clarifies the terms “design” and “improvement”

For purposes of a subdivision, the terms design and improvement are defined by Section 66418 and 66419 of the Subdivision Map Act and LAMC Section 17.02. Design refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout. Pursuant to Section 66427(a) of the Subdivision Map Act, the location of the buildings is not considered as part of the approval or disapproval of the map by the Advisory Agency. Easements and/or access and improvements refers to the infrastructure facilities serving the subdivision. LAMC Section 17.50 and 17.05 enumerates the design standards for a parcel map and requires that each map be designed in conformance with the Street Design Standards and in conformance with the General Plan...

The subject site is designated for Low Medium II Residential land uses, subject to Policy 1.A.7.d of the LUP:

Use: Duplexes and multi-family structures.

Density: One unit per 1,500-2,000 square feet of lot area. Lots smaller than 4,000 square feet are limited to a maximum density of two units.

Replacement Units/Bonus Density: Lots greater than 4,000 square feet can add extra density at the rate of one unit for each 1,500 square feet of lot area in excess of 4,000 square feet on parcels zoned RD1.5, or one unit for each 2,000 square feet of lot area in excess of 4,000 square feet on parcels zoned RD2, if the unit is a replacement affordable unit reserved for low and very low income persons.

Finding No. (b) further clarifies the “design” and “improvement” of a subdivision relates to the configuration and layout of the proposed lots and site layout as well as the infrastructure facilities, not necessarily the size or specific features of proposed structures. As such, the proposed Map and the design or improvements (as defined by Section 66418 and 66419 of the Subdivision Map Act) is consistent with the applicable provisions of the General Plan, LUP and Specific Plan.

The subject site has a net lot area of 6,380 square feet. Pursuant to Policy 1.A.7.d of the LUP and Section 10.G.2.a(2), the subject lot is limited to a maximum density of two dwelling units. The site has an excess of 2,380 square feet of lot area, beyond the 4,000 square feet. However, as analyzed in Finding No. 7 of the Director’s Determination, a Feasibility Study prepared by Howard Robinson & Associates dated September 12, 2019, found it would not be feasible for the project to provide any Affordable Replacement Units. As such, the project density is limited to two dwelling units.

The appellant further states that subdividing lots in Venice subverts neighborhood character by causing a significant break in the pattern of development. An aerial view from ZIMAS shows that the development pattern along 6th Avenue and nearby streets can be characterized by narrow lots (40 feet wide) with multiple structures, usually one in the front of the lot and one towards the rear. Vehicle access is typically provided from the rear alley. Whereas most lots adhere to this pattern physically, several lots along 6th Avenue and Rennie Avenue (adjacent street) have been legally subdivided to following this pattern as well. Recent subdivisions include projects located at 334 6th Avenue, 354 6th Avenue, 330 South Rennie Avenue and 338 South Rennie Avenue. The proposed preliminary parcel map allows for the subdivision of the existing lot in a manner consistent with the existing development pattern, providing a building frontage on 6th Avenue, two residential structures, and vehicle access from the rear. Furthermore, the provisions of the Small

Lot Ordinance and Advisory Agency action require a 15-foot front yard setback and 5-foot side yards. As such, the subdivision would not impact the development pattern of the neighborhood.

The Advisory Agency made the required findings in the California Subdivisions Map Act (Government Code Sections 66473.1, 66474.60, .61 and .63), to approve a preliminary parcel map for the subdivision of a residential lot into two (2) small lots, consistent with the requirements of the Small Lot Subdivision Ordinance (LAMC Section 12.22-C.27), and LAMC Section 17.53. Furthermore, the project is consistent with the applicable provisions of the General Plan, Venice LUP, Specific Plan, and LAMC, as discussed in the Advisory Agency decision and this report.

Appeal of Director's Determination DIR-2019-2610-CDP-MEL-1A. Below is a summary of the appeal points relevant to the Director of Planning's Decision (DIR-2019-2610-CDP-MEL) and staff's response.

Appeal Point No. 4

There is a lack of factual and legal support for the decision. These determinations should be ... redone to include ... basic information about the project and the 4 units proposed, which is necessary to evaluate the project. Without evidence provided in the Findings about the project's dwelling unit sizes it cannot be determined whether it is in conformance with Coastal Act Sections 30251 and 30253.

Staff Response No. 4

The Appellant states that there is a lack of factual support for the decision because the project description is incomplete, as it does not specify the height or square-footage of the proposed structures, and further argues that the approved plans were not available for review. The published hearing notice did not indicate the proposed single-family dwelling and Accessory Dwelling Unit size, however, the public hearing held was directed towards the subdivision of the property. In addition, the public was allowed to provide public comment regarding the project during the public hearing and was encouraged to contact Staff with any questions regarding the scope of work of the proposed project.

At the time of filing, the parcel map was distributed amongst different agencies within the City to provide comments and feedback regarding the proposed project. As provided in the staff report for the Advisory Agency joint hearing, the Bureau of Engineering (BOE) submitted a memo dated October 22, 2019 with recommended conditions. These conditions are included in DAA's Determination as BOE – Specific Conditions, Condition Nos. 1-7, and BOE – Standard Conditions S1, S-2, S-3. As provided in the conditions of approval, the project is required to make specific improvements to reconstruct and repair the existing right-of-way adjacent to the property, however, no street dedications are required.

The Appellant states the approved plans, renderings, and preliminary parcel map are not posted online. LAMC Section 12.20.2-G.3 outlines the procedures for Notification of the Determination, which states: *A copy of the permit granting authority's action approving, conditionally approving or disapproving any application for a Coastal Development Permit, along with any findings made and conditions imposed in connection therewith, shall be mailed to the applicant and to any person or persons who, in writing, request a copy of such action.* A mailing affidavit certifies that on November 9, 2020, an employee of the City of Los Angeles mailed a copy of the Letter of Decision to the owner, applicant, representative, persons who signed in at the hearing, persons who requested notice in writing, Council District 11, the neighborhood council, and the required parties under the IAP. The approved plans, stamped as Exhibit A, are maintained in the project case file

as stated in Condition No. 1 and 16 of the Determination. Information concerning project scope and proposed plans is part of the public record, readily accessible during normal business hours to any person requesting to review the file. The information is also available through contacting project planning staff by phone or email. In previous appeals, appellants had contacted the project planner and were able to obtain electronic copies of the stamped Exhibit A and case file materials requested.

On November 26, 2020, the appellant, Robin Rudisill, contacted Department staff with a request to view the case file. Department staff made the case file available to the Appellant for review with the Records Management Division on December 7, 2020. The appellant did not respond to staff's email to schedule an appointment to review the case file.

An approved Exhibit A stamped set of plans are available on the City Planning website at the end of the review process and after any appeal action. More recently, filed materials such as applications and preliminary plans have been made available on the Department's Case summary and Documents website. However this is only available for new applications filed within the past year. As provided in the stamped Exhibit A, the information regarding height and square footage is as follows: the proposed structure on Parcel A will have a lot area of 3,800 square feet with a height of 30 feet and the proposed structure on Parcel B will be 2,580 square feet with a height of 30 feet.

The Applicant submitted an updated floor plan on November 24, 2020 to reflect the location and size of the single family dwelling units and attached ADUs. While the updated sheet was included in the project case file, they were not included in the stamped "Exhibit A." The updated floor plan sheet is included as Exhibit C.3 of this report. Staff further recommends the Commission adopt an updated "Exhibit A" approved plans to include the updated floor plan sheet and amended Findings to clarify the size of the residential units.

The proposed project is discussed in the background and findings of the Director's Determination; the project height is limited in Condition No. 5, to 30 feet. As discussed in Finding No. 1 and 2, the height and square footage of the proposed residential structures complies with the Zoning Code and the certified LUP. The LUP includes policies and development standards that address bulk, height, buffer, setbacks, parking, and access for residential development. Finding No. 1 of the Determination addresses the issue of visual compatibility, as follows:

The project is located within a residential neighborhood zoned RD1.5-1 and is developed with single and multi-family residential structures that are one to three stories in height. There are 38 residential structures in the neighborhood block bound by Rose Court to the north and Flower Court to the south. Of the 38 structures, 2 are three stories, 19 are two stories, and 17 are one-story structures. The proposed development provides a 15-foot front yard setback, consistent with the requirements of the RD1.5-1 zone and further steps the third-story back five feet from the front yard setback, reducing the massing of the structure at the façade...The subject site and surrounding area are relatively flat with no direct views to the Pacific Ocean; no natural landforms will be altered as part of the project.

Coastal Act Section 30251 discusses Scenic and Visual Qualities in the Coastal Zone. As provided in Finding No. 1 of the Directors Determination, in response to this sections, there are 38 residential structures in the neighborhood block bound by Rose Court and Flower Court, two of those residential structures are three stories, 19 are two stories, and 17 are one-story structures. There is no view to and along the ocean and scenic coastal areas.

Coastal Act Section 30253 discusses the Minimization of Adverse Impacts, which includes (1) minimizing risks to life and property in areas of high geologic, flood, and fire hazard. (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development. (4) Minimize energy consumption and vehicle miles traveled. (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses. The project site is located within the Calvo Exclusion Area, Liquefaction Zone, and is within 4.06 kilometers of the Santa Monica Fault. Therefore, minimization of risks to geologic and methane hazard areas are utilized as the property does not sit on natural landforms along bluffs and cliffs.

Appeal Point No. 5

Consideration of adverse cumulative impacts were erroneously omitted... In Finding 1 of the City's CDP, there is no cumulative impacts analysis, which is an error and abuse of discretion.

Staff Response No. 5

The Appellant states the City should prepare a cumulative effects analysis, required by Section 30105.5 of the Coastal Act. This provision is a definition for "cumulatively" or "cumulative effect" and governs the interpretation of these terms where they appear in the Coastal Act. It states:

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

The City's Findings for approval of a Coastal Development Permit are found at LAMC Section 12.20.2-G.1. Notably, these Findings require the Director to determine whether the development is in conformity with Chapter 3 of the Coastal Act, as follows:

*1. **Authority** – A permit granting authority shall have the authority to approve, conditionally approve or disapprove any application for a Permit under the provisions of the California Coastal Act of 1976; and standards as established by Division 5.5 Title 14 of the California Administrative Code. In making its determination under the provisions of this section, the permit granting authority shall not approve, or conditionally approve a permit unless it makes written findings, including specific factual findings, supporting the following conclusions:*

- (a) That the development is in conformity with Chapter 3 of the California Coastal Act of 1976 (commencing with Section 30200 of the California Public Resources Code).*
- (b) That the permitted development will not prejudice the ability of the City of Los Angeles to prepare a Local Coastal Program that is in conformity with Chapter 3 of the California Coastal Act of 1976.*
- (c) That the Interpretative Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed, and considered in the light of the individual project in making its determination.*

- (d) *That the decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code.*
- (e) *If the development is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, that the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.*
- (f) *Any other finding or findings as may be required for the development by the California Environmental Quality Act.*

The Determination provides a complete discussion of the required findings to approve the coastal development permit, including consistency with the applicable policies of Chapter 3 of the Coastal Act. Section 30250 (Location) is the only Chapter 3 policy that refers to cumulative effects. It states in its entirety that:

- (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.
- (b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.
- (c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

Pub. Res. Code § 30250

The Director has determined that the development is an infill project proposed to be located in an existing developed area – a long-established, residential neighborhood developed with single and multi-family dwellings. Per ZIMAS records, the four existing buildings on this site date back to 1923. Neighboring properties of the project site were built in the same time frame of the early 1900's with development along Rose Avenue beginning in the 1940's. As provided in Historic Resources Survey Report for the Venice Community Plan Area, dated March 2015, "The first subdivisions for residential development occurred in the area around 1903; many subsequent tracts were recorded after Venice was officially opened in 1905, and development activity continued through the mid-1920s" (SurveyLA, p.11). The report for the Historic Districts – Oakwood Planning District further states, "Original buildings were constructed primarily from 1905 through the 1920s, with a secondary wave of development during the 1940s and 1950s" (SurveyLA, p. 295). Over time, many of the residential lots have been redeveloped with new single-family and multi-family structures.

Section 30250 requires the Director to determine whether this existing developed area can "accommodate" the new development. While the term "accommodate" is not defined in the

Coastal Act, a common understanding for the term is: “1. (of physical space, especially a building) provide lodging or sufficient space for.”¹ The project proposes to keep the same number of dwelling units on site by replacing the 4 existing dwelling units with an equal number of dwelling units (2 Single Family Residences with 2 Accessory Dwelling Units). The findings of the Advisory Agency in the parcel map decision have determined that the proposed project site must meet the required off-street parking requirements; observe the required setbacks; provide five-foot-wide common access easement; comply with the Small Lot Design Standards; comply with landscape requirements; and meet all of the Bureau of Engineering Standard Conditions; and Parcel Map requirements under LAMC 17.00. (See, Advisory Agency Findings, pages 16 through 20.) As such, substantial evidence supports the Director’s determination that the development is located in an existing developed area that is able to accommodate it. (See, Director’s Determination, p. 7.)

The project is not located in “other areas” identified under 30250 where cumulative effects to Coastal Resources based on the project’s location outside of existing developed areas able to accommodate it would be concerned. Furthermore, as discussed in the Determination and this report, the proposed development is visually compatible with the scale and character of the surrounding area. (See, Director’s Determination, p. 7-8.) As such, the Director’s decision contains the required findings necessary for granting a coastal development permit.

Appeal Point No. 6

The proposed project would result in a loss of density and would not preserve overall density in an area able to accommodate it, and thus is inconsistent with the Coastal Act Section 30250.

Staff Response No. 6

The Appellant states that project would result in a loss of density and would not preserve overall density in an area able to accommodate it, and thus is inconsistent with Section 30250 of the Coastal Act. Staff recognizes that the Coastal Commission has recently taken issue with the loss of density on a case-by-case basis.

As discussed in Finding No. 2 of the Director’s Determination, the project is consistent with the applicable density provisions of the certified LUP. The subject site is designated for Low Medium II Residential land uses, subject to Policy 1.A.7.d:

Use: Duplexes and multi-family structures.

Density: One unit per 1,500-2,000 square feet of lot area. Lots smaller than 4,000 square feet are limited to a maximum density of two units.

Replacement Units/Bonus Density: Lots greater than 4,000 square feet can add extra density at the rate of one unit for each 1,500 square feet of lot area in excess of 4,000 square feet on parcels zoned RD1.5, or one unit for each 2,000 square feet of lot area in excess of 4,000 square feet on parcels zoned RD2, if the unit is a replacement affordable unit reserved for low and very low income persons.

The subject site has a net lot area of 6,380 square feet. Pursuant to Policy 1.A.7.d of the LUP and Section 10.G.2.a(2), the subject lot is limited to a maximum density of two dwelling units. The site has an excess of 2,380 square feet of lot area, beyond the 4,000 square feet. However, as analyzed in Finding No. 7 of the Director’s Determination, a Feasibility Study prepared by Howard

¹ (Oxford English Dictionary, <https://www.lexico.com/en/definition/accommodate/>.)

Robinson & Associates dated September 12, 2019, found it would not be feasible for the project to provide any Affordable Replacement Units. As such, the project density is limited to two dwelling units.

The Appellant contends each subdivided lot can support two dwelling units. The Department issued a Director's Interpretation (Case No. DIR-2014-2824-DI-1A) to further clarify the provisions of the Small Lot Subdivision Ordinance (LAMC Section 12.22-C.27) for projects within the Venice Coastal Zone Specific Plan. The Interpretation is outlined in Z.I. No. 2406, which provides: *the density of combined newly created lots shall not exceed the density permitted by zoning of the original, pre-subdivided lot*. The Director's Interpretation clarifies that the maximum permitted density for a lot cannot be increased as a result of the Small Lot Subdivision.

The proposed density of two dwelling units is the maximum density permitted for the site and consistent with the provisions of the Certified Land Use Plan. The Applicant proposes the construction of two ADUs to replace two existing dwelling units. As shown in the updated floor plan, the attached ADUs are 857 square feet (Unit A.1) and 1,102 square feet (Unit B.1). The ADUs are significantly larger than the existing single-family dwelling ranging in size from 384 square feet to 600 square feet. Accessory Dwelling Units are not subject to the density limitations in the Specific Plan. However, as defined in LAMC Section 12.03, ADUs are "residential dwelling units," and from a functional standpoint there could be no distinction between a single-family dwelling with an ADU and a duplex.

LAMC Section 12.03 provides the following definition of an ADU:

ACCESSORY DWELLING UNIT (ADU). *An attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same lot as the single-family or multifamily dwelling is or will be situated. ADUs include efficiency units as defined in Section 17958.1 of the Health and Safety Code, manufactured homes as defined in Section 18007 of the Health and Safety Code, and Movable Tiny Houses.*

The project will replace four single-family dwellings with four dwelling units comprised of a new single-family dwelling and ADU on two small lots. The proposed development complies with the density limitations of the Specific Plan and would preserve the existing density of the subject site.

Appeal Point No. 7

Subdividing lots and conversion of multi-family housing to single-family housing in the Venice Coastal Zone subverts Neighborhood Character.

Staff Response No. 7

The Appellant states that subdividing lots in Venice subverts neighborhood character by causing a significant break in the pattern of development.

As discussed in Staff's Response to Appeal Point No. 3, the existing layout of lots and development pattern of 6th Avenue and the surrounding area is characterized by 40-foot-wide lots fronting a street with vehicle access provided from an alley located to the rear of the lots. The proposed preliminary parcel map allows for the subdivision of the existing lot in a manner consistent with the existing development pattern, providing a building frontage on 6th Avenue, two residential structures, and vehicle access from the rear. Furthermore, the provisions of the Small

Lot Ordinance and Advisory Agency action require a 15-foot front yard setback and 5-foot side yards. As such, the subdivision would not impact the development pattern of the neighborhood.

Concerns over the project's compatibility with the surrounding area are addressed in Chapter 3 Findings for Section 30251. (See Director's Determination, p. 8-9.) The applicant has also provided a neighborhood height and context survey demonstrating its compatibility with neighboring properties (Exhibit F). The property currently maintains four single-family dwellings onsite with available parking at the rear of the property. The proposed project will sit at the allowable height of 30 feet for a pitched roof and similar to 312 and 316 6th Avenue, will have only one building viewable from 6th Avenue.

Appeal Point No. 8

The adverse cumulative impact and change to the character of the neighborhood due to the loss of four replacement affordable low-income units was not considered: The existing units were all covered under the Rent Stabilization Ordinance (RSO). In addition, all four were determined by HCID to be Mello replacement affordable units. DCP has erred in accepting a feasibility study in order to determine that replacement of existing affordable housing is infeasible when the IAP clearly does not allow this replacement to be waived due to infeasibility in this case.

Staff Response No. 8

As discussed in Staff Response No. 6, the proposed project will replace four existing dwelling units with four new dwelling units, comprised of two single-family dwellings and two attached ADUs. The type of dwelling units provided complies with the density limitations of the Specific Plan. Finding No. 7 of the Director's Determination provides a full discussion of the Feasibility Study prepared for the project. Part 8.0 of the Interim Administrative Procedures for Complying with the Mello Act (IAP) states, "Appellants have the burden of proof and shall present substantial evidence to support their appeal." The Appellant has not provided substantial evidence to support their claim that the decision-maker has erred.

Appeal Point No. 9

The Coastal Act affordable housing provisions and the Commission's Environmental Justice Policy was not considered.

Staff Response No. 9

The Coastal Commission adopted an Environmental Justice Policy on March 8, 2019, which states the Commission will work with local governments to adopt local coastal program policies that allow for a broad range of housing types including affordable housing, ADUs, transitional/supportive housing, homeless shelters, residential density bonuses, farmworker housing, and workforce/employee housing, in a manner that protects coastal resources consistent with Chapter 3 of the Coastal Act. The Department is in the process of preparing a Local Coastal Program for the Venice Coastal Zone. Consistent with the guidance provided in the Commission's Policy, the City will work with Coastal Commission staff to incorporate within the LCP policies consistent with the Environmental Justice Policy.

The Appellant further argues that the existing units must be considered one structure or a unified development, that a feasibility study should not be considered, and the affordable units must be replaced.

The IAP provides the following questions and procedures:

Part 4.6 QUESTION #6. Are 11 or more Residential Units proposed for demolition or conversion?

If the total number of Residential Units proposed for Demolition or Conversion is ten or fewer, staff shall record a "no" answer to question #6. Staff shall go to question #7.

If the Applicant is proposing to demolish or convert 11 or more Residential Units, staff shall record a "yes" answer to question #6. All of the Affordable Existing Residential Units recorded in the answer to question #4 must be replaced. The second exception category applies to a maximum of ten Residential Units.

Part 4.7 QUESTION #7. Are any Affordable Existing Residential Units in one-family or two-family dwellings?

If the answer to question #7 is "yes," staff shall go to question #8. If the answer to question #7 is "no," and all of the Affordable Existing Residential Units are in triplexes and other structures that contain three or more Residential Units, then all of the Affordable Existing Residential Units recorded in the answer to question #4 must be replaced. The second exception category does not apply to triplexes or other structures that contain three or more Residential Units.

Part 4.8 QUESTION #8. Is it infeasible for the applicant to replace any of the Affordable Existing Residential Units identified by answers to Questions #5 and #7?

The purpose of answering question#8 is to determine if it is feasible for the Applicant to provide Affordable Replacement Units... If the proposed Demolition or Conversion does not fit into an exception category, then all of the Affordable Existing Residential Units recorded in the answer to question #4 must be replaced.

Question #7 requires Planning staff to consider if the Affordable Existing Residential Units are in one-family or two-family dwellings. No reference is made to Unified Development, only to the type of existing structures. This section further clarifies that affordable units within triplexes and other structures that contain three or more Residential Units are required to replace all identified Affordable Existing Residential Units.

Assessor records for the site indicate four separate residential structures are maintained on the site, constructed in 1923, each structure maintains one dwelling unit. A search of the LADBS building permit history did not find a certificate of occupancy or building permits for the site, likely due to the age of the structures.

LAMC Section 12.03 provides the following definition of One-Family Dwelling:

DWELLING, ONE-FAMILY. A detached dwelling containing only one dwelling unit. (Amended by Ord. No. 107,884, Eff. 9/23/56.)

Therefore, the four separate structures were determined to be single-family dwelling. As such a feasibility study was submitted for review, pursuant to Part 4.8 of the IAP. Finding No. 7 of the Director's Determination provides a full discussion of the feasibility study.

Appeal Point No. 10

Venice as a Special Coastal Community was not considered in Finding 1.

Staff Response No. 10

As stated in Findings 1 and 2, the project is in conformity with Chapter 3 of the California Coastal Act of 1978. Chapter 3 of the Coastal Act includes general provisions as well as provisions for public access, recreation, the marine environment, land resources, development, and industrial development. The LUP identifies the Venice Coastal Zone as a Special Coastal Community. Findings 1 and 2 adequately states how the project is in conformance with Chapter 3 of the Coastal Act.

The LUP includes the following policies in identifying Venice as a Special Coastal Community:

Preservation of Venice as a Special Coastal Community

Policy I.E.1. General. Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976.

Policy I.E.2. Scale. New Development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer, and setback) shall be encouraged. All new development and renovations shall respect the scale, massing, and landscape of existing residential neighborhoods. Roof access structures shall be limited to the minimum size necessary to reduce visual impacts while providing access for fire safety. In visually sensitive areas, roof access structures shall be set back from public recreation areas, public walkways, and all water areas so that the roof access structure does not result in a visible increase in bulk or height of the roof line as seen from a public recreation area, public walkway, or water area. No roof access structure shall exceed the height limit by more than ten (10') feet. Roof deck enclosures (e.g. railings and parapet walls) shall not exceed the height limit by more than 42 inches and shall be constructed of railings or transparent materials. Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

Policy I.E.3. Architecture. Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.

The above-referenced policies are applicable to new Development in the Venice Coastal Zone. Policies I.E.1 and I.E.3 encourage a diversity in architectural style and building materials. The proposed structure incorporates a modern design with flat and sloped rooflines, utilizing wood and stucco on the façade of the structure. Similar to the Section 30251 of the Coastal Act, Policy I.E.2 addresses the importance of visual compatibility with the scale and character of existing development, specifying that scale refers to bulk, height, buffer, and setback. As discussed in Staff's Response to Appeal Point No. 2 and this section, the proposed three-story development is consistent with the massing and height of the three-story single-family dwellings on 6th Avenue. The Oakwood neighborhood consists of homes zoned RD1.5-1 with varying ages, styles, and sizes. There are 38 residential structures in the neighborhood block bound by Rose Court to the north and Flower Court to the south. Of the 38 structures, 2 are three stories, 19 are two stories, and 17 are one-story structures. As discussed in Finding No. 2 of the Determination, the proposed

project complies with the development standards outlined in Policy I.A.1 and I.A.7 of the LUP. No roof access structure is proposed and, as conditioned, the roof deck railings do not exceed 42" and are of an open design. Therefore, the proposed project complies with Policy I.E.1, I.E.2, and I.E.3 of the LUP.

Appeal Point No. 11

[T]he Director errs and misleads where it states that the yards are in conformance with the LUP policies. This is an error as they are looking at the project assuming no subdivision and only disclosing the front yard for one single-family dwelling and the rear yard for the other single-family dwelling. The rear yard setback is 0' for Lot B. In other words, one single-family dwelling has a front yard and essentially NO rear yard. This is also not in conformance with the LUP, which requires yards to be consistent with the existing scale and character of the neighborhood. These yards are not consistent nor are they compatible with the existing pattern of development.

Staff Response No. 11

LAMC Section 12.22-C.27 outlines the regulations for Small Lot Subdivisions (Ordinance No. 185,462). The provisions include requirements for yards along the perimeter of the subdivision to ensure that structures along the perimeter of the subdivision are sited in a manner that is consistent with existing development in the area.

LAMC Section 12.22-C.27(a)(6) through (8) states:

- (6) No front, side, or rear yard shall be required between interior lot lines created within an approved small lot subdivision.*
- (7) The provisions of the front yard of the underlying zone shall apply to the Front Lot Line of the perimeter of the subdivision.*
- (8) The following shall apply to the perimeter of the subdivision:*
 - (i) 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 five-foot side yard shall be required.*
 - (ii) For any subdivision that does not share a property line with an R1 or more restrictive single family zone, the following shall apply:*
 - a. A minimum five-foot yard shall be required along the Side Lot Line of the perimeter of the subdivision; and*
 - b. A minimum ten-foot yard shall be required along the Rear Lot Line of the perimeter of the subdivision, except that where the Rear Lot Line abuts an alley a minimum five-foot rear yard shall be required along the perimeter of the subdivision.*

The project is required to provide a 15-foot front yard at the Front Lot Line on 6th Avenue, 5-foot side yards, and a 5-foot rear yard at the Rear Lot Line along the alley. As shown in the approved parcel map, the project provides a 15-foot front yard, 5-foot side yards, and 5-foot rear yard. In addition, the rear structure (on Parcel A) observes a setback of 17 feet 4 inches from the front structure (on Parcel B). The proposed yards are consistent with the yard requirements of the

RD1.5 zone. As discussed in Finding No. 1 and 2 of the Director's Determination, the proposed development is visually compatible with the existing area and consistent with the policies of the LUP.

Appeal Point No. 12

As indicated in the second paragraph under this Finding [Finding No. 3 of the Director's Determination], the guidelines are intended to be used with consideration of both individual and cumulative impacts on coastal resources. There was no analysis of cumulative impacts done by the City for this project and thus this Finding is in error.

Staff Response No. 12

See Staff Response No. 5.

Appeal Point No. 13

None of the decisions of the California Coastal Commission listed are applicable to this case.

Staff Response No. 13

The purpose of Finding 4 of Case No. DIR-2016-3291-CDP-MEL is to provide evidence that the decision of the permit granting authority (Department of City Planning) is consistent with previous Coastal Commission actions, where applicable. The list of previous actions includes appeals of development comprised of Small Lot Subdivisions considered by the Coastal Commission, as follows:

- *In March 2017, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles, upholding the City's approval for the demolition of a two-story single-family dwelling and accessory structure, subdivision of the lot into two small lots, and the construction of two new two-story single-family dwellings, in the single permit jurisdiction, located at 415 & 417 Sunset Avenue (Appeal No. A-5-VEN-17-0001).*
- *In December 2016, the Coastal Commission approved the demolition of a duplex and triplex, subdivision to create four residential parcels, and construction of four three-story single-family dwellings, located at 742-748 Brooks Avenue (Application No. A-5-VEN-16-0083).*
- *In March 2016, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles, upholding the City's approval for the demolition of a single-family dwelling, a small-lot subdivision of a 4,670 square-foot lot into two lots, and the construction of a new two-story single-family dwelling on each lot, located at 758 Sunset Avenue (Appeal No. A-5-VEN-15-0071).*
- *In September 2014, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles, upholding the City's approval for the demolition of two single-family dwellings, a subdivision to create three new lots, and the construction of three new single-family dwellings, located at 644 Sunset Avenue and 607 7th Avenue (Appeal No. A-5-VEN-15-0071).*

The City of Los Angeles issues Coastal Development Permits for projects in the Single Permit Jurisdiction Area of the Coastal Zone. The Coastal Commission will consider appeals of City-issued permits in the Single Jurisdiction. As such, many of the recent actions by the Coastal Commission reflect approvals for development in the Dual Permit Jurisdiction Area, where a permit is required from both the City and the State.

Appeal Point No. 14

There are errors in the CEQA Categorical Exemption Findings and thus the project does not qualify for a categorical exemption from CEQA.

Staff Response No. 14

As provided in Finding No. 6 of the Directors Determination, The Class 1 categorical exemption allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. The Class 1 categorical exemption includes demolition and removal of individual small structures: (1) One single-family residence. In urbanized areas, up to three single-family residences may be demolished under this exemption; (2) A duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling units will be demolished; (3) A store, motel, office, restaurant, or similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use; (4) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. The project proposes the demolition of two existing single-family dwellings and a detached accessory structure (storage).

The Class 3 categorical exemption allows for construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. This includes one single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family dwellings may be constructed under this exemption. The proposed project qualifies for a Class 3, categorical exemption because it consists of the construction of one single-family residence and attached ADU on each of the newly subdivided lots.

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

1. *The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations.*
2. *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*
3. *The project site has no value as habitat for endangered, rare or threatened species.*
4. *Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*
5. *The site can be adequately served by all required utilities and public services.*

A full discussion of the CEQA Finding for the proposed project is provided in Finding No. 6 of the Director's Determination. The Appellant does not provide substantial evidence to support their claim that the project does not qualify for a categorical exemption.

Appeal Point No. 15

DCP erred in accepting a feasibility study, as the existing project requires that all existing affordable housing units be replaced without consideration of feasibility. DCP abused its discretion in finding that no affordable replacement housing is required in the proposed new project, based on the feasibility study it considered.

Staff Response No. 15

See Staff Response No. 9. Finding No. 7 of the Director's Determination provides a full discussion of the Feasibility Study prepared for the project. Part 8.0 of the Interim Administrative Procedures for Complying with the Mello Act (IAP) states, "Appellants have the burden of proof and shall present substantial evidence to support their appeal." The Appellant has not provided substantial evidence to support their claim that the decision-maker has erred.

CONCLUSION

Staff recommends the Commission deny the appeal and sustain the decision of the Advisory Agency to approve Parcel Map No. AA-2019-2609-PMLA-SL and map stamp-dated March 31, 2020 and deny in part and grant in part the appeal to sustain the determination of the Director of Planning to approve a Coastal Development Permit and Mello Act Compliance Review and adopt the modified Conditions, amended Findings and updated "Exhibit A" for a project comprised of the demolition of four single-family dwellings, the subdivision of one 6,380 square-foot lot into two new Small Lots that are 3,800 (Parcel A) and 2,580 (Parcel B) square feet in lot area, and the construction of a two-story single-family dwelling with a roof deck and attached ADU on each newly created small lot. Staff also recommends the Commission find that the project is Categorically Exempt pursuant to the California Environmental Quality Act.

AMENDED FINDINGS

Text changes are noted as follows: deletions in ~~bold strikethrough~~ and additions in **bold underline**.

Coastal Development Permit

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

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

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

Section 30244 Archaeological and Paleontological Resources. Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required. The proposed project consists of the demolition and construction of four dwelling units. The subject site is not located within an area with known Archaeological or Paleontological Resources. However, if such resources are later discovered during excavation or grading activities, the project is subject to compliance with Federal, State and Local regulations already in place.

Section 30250 Location; Existing Developed Area. (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels. The project site is located in a developed residential neighborhood improved with single and multi-family dwellings. The proposed project can be accommodated by the existing infrastructure and by existing public services. The area surrounding the project is developed with other residential dwellings thereby making the project site contiguous with, and in close proximity to, existing developed areas that are able to accommodate it.

Section 30251 Scenic and Visual Qualities. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting. The proposed project includes the demolition of four single-family dwelling units, subdivision resulting in two Small Lots, construction of a three-story, single-family dwelling unit with an attached Accessory Dwelling Unit (ADU)

on each new Small Lot, and five parking spaces onsite. **The new residential structure on Parcel A (rear lot) is 3,800 square feet, comprised of a 857 square-foot ADU on the ground level and a 2,591 square-foot single-family dwelling. The new residential structure on Parcel B (front lot) is 3,190 square feet, comprised of a 1,102 square-foot ADU on the ground level and a 2,088 square-foot single-family dwelling. The development would replace four single-family dwellings with two residential structures that contain two dwelling units.** The project is located within a residential neighborhood zoned RD1.5-1 and is developed with single and multi-family residential structures that are one to three stories in height. There are 38 residential structures in the neighborhood block bound by Rose Court to the north and Flower Court to the south. Of the 38 structures, 2 are three stories, 19 are two stories, and 17 are one-story structures. The proposed development provides a 15-foot front yard setback, consistent with the requirements of the RD1.5 zone and further steps the third-story back five feet from the front yard, reducing the massing of the structure at the facade. The site is located within an area adjacent to a commercial corridor zoned C4-1 that is designated for Community Commercial use and developed with commercial buildings one to three stories in height. The subject site and surrounding area are relatively flat with no direct views to the Pacific Ocean; no natural landforms will be altered as part of the project. As such, the proposed project will be visually compatible with the character of the surrounding area.

Section 30252 Maintenance and Enhancement of Public Access. The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development. The project proposes the demolition of four single-family dwelling units, subdivision of a lot to two small lots, construction of a three-story single-family dwelling unit with attached Accessory Dwelling Units and roof deck on each newly subdivided lot, with five parking spaces provided onsite; two spaces will be provided for each single-family dwelling and one guest parking space will be shared. As conditioned by Case No. AA-2019-2609-PMLA-SL, the project is required to construct a 5-foot wide sidewalk and landscaping on 6th Avenue and reconstruct portions of the rear alley. The project provides sufficient parking for the single-family dwellings and ADUs and the required improvements to the adjacent right-of-way will enhance maintain and enhance public access for both vehicles and pedestrians. No permanent structures will be placed within the public-right-of way and public access to the coast will not be obstructed. As such, the proposed project will not conflict with any public access policies of the Coastal Act.

Section 30253 Minimization of Adverse Impacts. New development shall: (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development. (4) Minimize energy consumption and vehicle miles traveled. (5) Where appropriate, protect

special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses. The property is located within the Calvo Exclusion Area, Liquefaction Zone, and within 4.06 kilometers from the Santa Monica Fault. As such, the project is subject to compliance with Zoning, Building, and Fire Safety Code requirements that will minimize risks to life and property in geologic and methane hazard areas.

The project proposes the demolition of four single-family dwelling units, subdivision of a 6,380 square-foot lot to two small lots, and the construction of a three-story, single-family dwelling with an attached ADU and roof deck for each lot, and five parking spaces located onsite. The project would have no adverse impacts on public access, recreation, public views, or the marine environment, as the property is located within a developed residential area adjacent to 6th Avenue. The project will neither interfere nor reduce access to the shoreline or beach. There will be no dredging, filling, or diking of coastal waters or wetlands associated with the request, and there are no sensitive habitat areas, archaeological or designate public access views. The proposed project is in conformity with Chapter 3 of the California Coastal Act.

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

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

Policy I.A.1 identifies general residential development standards regarding roof access structures and lot consolidation restrictions. No roof access structure is proposed. The project is limited to the development of one lot.

Policy I.A.7 outlines density and development standards for areas designated for multi-family dwellings.

Use: Duplexes and multi-family structures. The project consists of the construction of two three-story single-family dwelling unit with ADU and roof deck, one on each newly created lot. **The new residential structure on Parcel A (rear lot) is 3,448 square feet, comprised of a 857 square-foot ADU on the ground level and a 2,591 square-foot single-family dwelling. The new residential structure on Parcel B (front lot) is 3,190 square feet, comprised of a 1,102 square-foot ADU on the ground level and a 2,088 square-foot single-family dwelling.** Each new residential structure will contain two dwellings.

Density: One unit per 1,500-2,000 square feet of lot area. Lots smaller than 4,000 square feet are limited to a maximum density of two units. The project proposes a density of one parcel on each newly subdivided lot. Parcel A has a lot size of 3,800 square-feet and Parcel B has a lot size of 2,580 square-feet.

Yards: Yards shall be required in order to accommodate the need for fire safety, open space, permeable land area for on-site percolation of stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood. The proposed yards are consistent with existing pattern of development along 6th Avenue and comply with the requirements of Ordinance No. 176,354 (Small Lot Ordinance).

Height: Building height shall not exceed 25 feet for buildings with roofs or 30 feet for buildings with a varied roofline (slope greater than 2:12). Any portion that exceeds 25 feet in height shall be setback from the required front yard one foot for every foot in height above 25 feet. The proposed single-family dwellings will have a flat roof height of 30 feet.

Policy II.A.3 outlines the Parking Requirements for the project. Pursuant to Z.I. No. 2406, required parking for subdivision projects shall be the parking requirements for multiple dwelling uses, based on the width of the pre-subdivided lot, under Section 13.D of the Venice Coastal Zone Specific Plan. Multiple dwelling projects on lots 35 feet or more in width (if adjacent to an alley) are required to provide two spaces for each dwelling unit and one guest parking space for each four or fewer units. The proposed project provides five (5) parking spaces total, two standard parking spaces, two compact parking spaces, and one guest parking space. The provisions of ADU State Law and the City's ADU Ordinance (LAMC Section 12.22-A.33(c)(12)) require one parking space for an ADU unless 1) located within ½ mile walking distance from a bus or rail stop, 2) one block from a designated car share pickup or drop off location, 3) within an applicable historic district, or 4) part of a proposed or existing residence. Furthermore, no parking is required for Junior ADUs. The project includes the development of attached Junior ADUs, on each new lot. All parking spaces are accessible via the alley.

The proposed project is consistent with the policies of the Land Use Plan and the standards of the Specific Plan and will not prejudice the ability of the City to prepare a Local Coastal Program that is in conformity with Chapter 3 of the California Coastal Act.

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

The Los Angeles County Interpretative Guidelines were adopted by the California Coastal Commission (October 14, 1980) to supplement the Statewide Guidelines. Both regional and statewide guidelines, pursuant to Section 30620 (b) of the Coastal Act, are designed to assist local governments, the regional commissions, the commission, and persons subject to the provisions of this chapter in determining how the policies of this division shall be applied to the coastal zone prior to the certification of a local coastal program.

As stated in the Regional Interpretative Guidelines, the guidelines are intended to be used "in a flexible manner with consideration for local and regional conditions, individual project parameters and constraints, and individual and cumulative impacts on coastal resources. In addition to the Regional Interpretative Guidelines, the policies of Venice Local Coastal Program Land Use Plan (the Land Use Plan was certified by the Coastal Commission on June 14, 2001) have been reviewed and considered.

The proposed project consists of the demolition of four (4) single-family dwelling units,

subdivision of a 6,380 square-foot lot to two (2) small lots, and the construction of a three-story, single-family dwelling with an attached Accessory Dwelling Unit (ADU), with a roof deck on each newly subdivided lot, five (5) parking spaces are provided onsite, located in the Single Permit Jurisdiction area of the Coastal Zone. The Regional Interpretive Guidelines have been reviewed, analyzed, and considered and the proposed project is found to be in substantial conformance with the guidelines. In addition to the Regional Interpretive Guidelines, the policies and development standards of the Venice Local Coastal Program Land Use Plan and Venice Coastal Zone Specific Plan have also been reviewed, analyzed, and considered. The proposed project will also be in substantial conformance with the policies and development standards of the Certified Venice Land Use Plan and Specific Plan.

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

The new residential structure does not conflict with prior decisions of the Coastal Commission. The Coastal Commission recently approved the following projects in the Venice Coastal Zone:

- In August 2019, the Commission approved a Coastal Development Permit authorizing the demolition of a two-story single-family dwelling and the construction of a new three-story 3,631 square-foot single-family dwelling with an attached two-car garage and a roof deck, in the Dual Permit Jurisdiction, located at 237 Linnie Canal (5-19-0233).
- In December 2018, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit for the construction of a two-story addition to a 961 square-foot one-story single-family residence, resulting in a two-story, 3,083 square-foot single-family residence with an attached two-car garage, located at 2334 Frey Avenue (Appeal No. A-5-VEN-18-0066).
- In October 2018, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit for the demolition of a one-story single-family residence and the construction of a three-story 3,753 square-foot mixed-use development consisting of 759 square feet of ground floor retail use, a 2,092 square foot residential unit on the second floor, and a roof deck, with an attached 4-car garage, located at 706 S. Hampton Drive (Appeal No. A-5-VEN-18-0054).
- In August 2018, the Commission approved a Coastal Development Permit for the demolition of a one-story single-family dwelling and the construction of a two-story, 2,787 square-foot single-family dwelling with a roof deck and attached garage, located at 2412 Clement Avenue (Application No. A-5-VEN-17-0072).
- In August 2018, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit for the demolition of a 939 square-foot one-story single-family home and the construction of a 3,027 square-foot two-story, single-family home with an attached two-car garage and roof deck, located at 2416 Frey Avenue (Appeal No. A-5-VEN-18-0037).
- In August 2018, the Commission found No Substantial Issue with an appeal of a

Coastal Development Permit for the demolition of a 1,099 square-foot one-story single-family dwelling and the construction of a 2,811 square-foot two-story single-family dwelling with an attached two-car garage and a roof deck, located at 2433 Wilson Avenue (Appeal No. A-5-VEN-18-0038).

- In June 2018, the Coastal Commission approved the demolition of a 750 square-foot single-family dwelling on two lots and the construction of a three-story, 1,560 square-foot single-family dwelling and a three-story, 2,060 square-foot single-family dwelling, both with a roof deck and attached garage, located at 676 and 678 Marr Street (Application No. A-5-VEN-0042 & A-5-VEN-0044).
- In August 2017, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles, upholding the City's approval for the demolition of a two-story single-family dwelling and construction of a new two-story, 3,004 square foot single-family dwelling, in the single permit jurisdiction, located at 2318 Clement Avenue (Appeal No. A-5-VEN-15-0036).
- In March 2017, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles, upholding the City's approval for the demolition of a two-story single-family dwelling and accessory structure, subdivision of the lot into two small lots, and the construction of two new two-story single-family dwellings, in the single permit jurisdiction, located at 415 & 417 Sunset Avenue (Appeal No. A-5-VEN-17-0001).
- In December 2016, the Coastal Commission approved the demolition of a duplex and triplex, subdivision to create four residential parcels, and construction of four three-story single-family dwellings, located at 742-748 Brooks Avenue (Application No. A-5-VEN-16-0083).
- In March 2016, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles, upholding the City's approval for the demolition of a single-family dwelling, a small-lot subdivision of a 4,670 square-foot lot into two lots, and the construction of a new two-story single-family dwelling on each lot, located at 758 Sunset Avenue (Appeal No. A-5-VEN-15-0071).
- In September 2014, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles, upholding the City's approval for the demolition of two single-family dwellings, a subdivision to create three new lots, and the construction of three new single-family dwellings, located at 644 Sunset Avenue and 607 7th Avenue (Appeal No. A-5-VEN-15-0071).

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

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

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

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

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

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

The proposed project will neither interfere nor reduce access to the shoreline as the site is not located near any shoreline. The property has no direct access to any water or beach and there will be no dredging, filling, or diking of coastal waters or wetlands. In addition, there are no environmentally sensitive habitat areas or known archaeological or paleontological resources on the site.

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

A Categorical Exemption, ENV-2019-2613-CE, has been prepared for the proposed project consistent with the provisions of the California Environmental Quality Act and the City CEQA Guidelines. The project proposes the demolition of four (4) single-family dwelling units, the subdivision of a 6,380 square-foot lot to two (2) small lots, and the construction of a three-story, single-family dwelling with an attached Accessory Dwelling Unit (ADU), a roof deck on each newly subdivided lot, and five (5) parking spaces provided onsite in the Single Permit Jurisdiction of the Coastal Zone. **The new residential structure on Parcel A (rear lot) is 3,448 square feet, comprised of a 857 square-foot ADU on the ground level and a 2,591 square-foot single-family dwelling. The new residential structure on Parcel B (front lot) is 3,190 square feet, comprised of a 1,102 square-foot ADU on the ground level and a 2,088 square-foot single-family dwelling.** The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Sections 15301 (Class 1), 15303 (Class 3), 15315 (Class 15), and 15332 (Class 32).

The Class 1 categorical exemption allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. The Class 1 categorical exemption includes demolition and removal of individual small structures: (1) One single-family residence. In urbanized areas, up to three single-family residences may be demolished under this exemption; (2) A duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling units will be demolished; (3) A store, motel, office, restaurant, or similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use; (4) Accessory (appurtenant) structures including garages, carports, patios, swimming pools,

and fences. The project proposes the demolition of two existing single-family dwellings and a detached accessory structure (storage).

The Class 3 categorical exemption allows for construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. This includes one single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family dwellings may be constructed under this exemption. The proposed project qualifies for a Class 3, categorical exemption because it consists of the construction of one single-family residence and attached ADU on each of the newly subdivided lots.

The Class 15 categorical exemption allows for minor subdivisions in urban areas. A project qualifies for a Class 15 Categorical Exemption if it is a division of property in an urbanized area and meets the six (6) conditions as described in this section. Preliminary Parcel Map No. AA-2019-2609-PMLA-SL satisfies all six conditions and therefore qualifies for the Class 15 Categorical Exemption.

a. *A subdivision of four or fewer parcels.*

The project proposes to subdivide one parcel to create two new parcels.

b. *Conform with the General Plan and Zoning.*

The site currently is developed with four single-family dwellings. The site is zoned RD1.5-1 and has a General Plan Land Use Designation of Low Medium II Residential. The project proposes the construction of two single-family dwellings on two new lots and is in conformance with the General Plan and Zoning designation.

c. *Require no variances or exceptions.*

No variances or exceptions are requested or required as part of this project.

d. *Have all services and access available per local standards.*

The project site will be adequately served by all public utilities and services given that the property is located in an urban tract with water supply, sewage and waste disposal infrastructure, and power lines installed. 6th Avenue and the abutting alley are improved streets with existing utilities and infrastructure to serve residences in the area. The street and alley are accessible to emergency vehicles. Since there is a minor net gain in the number of units on the subject site, no significant increase in population or density is anticipated. There will be no significant impact on the capacity of existing utilities and services.

e. *Must not be involved in a division of a larger parcel within the last two years.*

There is no record of any previous subdivisions in the last two years on record for the subject site.

f. *Must not have a slope greater than 20 percent.*

No slope greater than 20% is indicated on the parcel map or topographic survey.

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

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

The site currently is developed with four single-family dwellings. The site is zoned RD1.5-1 and has a General Plan Land Use Designation of Low Medium II Residential. Since the project is for the construction of two new single-family dwellings, the project is in conformance with the General Plan and Zoning designation.

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

The site has a gross lot area of 6,358 square feet, approximately 0.14 acres, located at 313 South 6th Avenue and 315 South 6th Avenue, and is wholly within the City of Los Angeles. Lots surrounding the subject site are developed with single-family and multi-family dwellings.

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

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

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

The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will reduce any potential impacts on noise and water quality to less than significant. The creation of noise is limited to certain decibels, restricted to specific hours. The proposed project is not adjacent to any water sources and does not involve excavations that may have an impact on the water table. Because the project results in a minor net gain in the number of residential units, impacts to public services and air quality are deemed insignificant. Traffic congestion will not be impacted by the project; the number of trips generated by the development will not result in a net increase because the area's density and population will not change significantly. Likewise, air quality will not worsen as a result of the proposed project.

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

The project site will be adequately served by all public utilities and services given that the property is located in an urban tract with water supply, water treatment, sewage and waste disposal infrastructure, and power lines. 6th Avenue and the abutting alley are improved streets with existing utilities that service the various other dwellings in the area. The street and alley are accessible to emergency vehicles. Since there is a minor net gain in the number of units on the subject site, no significant increase in population or density is anticipated. As such, no significant impact on the capacity of existing utilities and services is anticipated.

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

- a. **Location.** The project is not located in a sensitive environment. The subject property and its surrounding residential neighborhood are not identified as an environmental resource. The proposed project is consistent with the scale and uses proximate to the area. The subject site is not located in a fault or flood zone, nor is it within a landslide area. Although the project is located within a Liquefaction Area, the project is subject to compliance with the requirements of the Building and Zoning Code that outline standards for residential construction.
- b. **Cumulative Impact.** The project is consistent with the type of development permitted for lots zoned RD1.5-1 and Low Medium II Residential land use designation. The proposed construction of four dwelling units will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not result in significant cumulative impacts.
- c. **Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed project consists of work typical in a residential neighborhood and, as such, no unusual circumstances are present or foreseeable.
- d. **Scenic Highways.** The project site is not located on or near a designated state scenic highway.
- e. **Hazardous Waste Sites.** The project site is not identified as a hazardous waste site or is on any list compiled pursuant to Section 65962.5 of the Government Code.
- f. **Historical Resources.** The subject site and existing structure have not been identified as a historic resource or within a historic district (SurveyLA, 2015), the project is not listed on the National or California Register of Historic Places, or identified as a Historic Cultural Monument (HCM)

The project is determined to be categorically exempt and does not require mitigation or monitoring measures; no alternatives of the project were evaluated. An appropriate environmental clearance has been granted.

Mello Act Compliance Review

Pursuant to the City of Los Angeles Interim Administrative Procedures for Complying with the Mello Act, all Conversions, Demolitions, and New Housing Developments must be identified in order to determine if any Affordable Residential Units are onsite and must be maintained, and if

the project is subject to the Inclusionary Residential Units requirement. Accordingly, pursuant to the settlement agreement between the City of Los Angeles and the Venice Town Council, Inc., the Barton Hill Neighborhood Organization, and Carol Berman concerning implementation of the Mello Act in the Coastal Zone Portions of the City of Los Angeles, the findings are as follows:

7. Demolitions and Conversions (Part 4.0).

The project includes the demolition of a single-family dwelling located on a 6,380 square-foot lot in the Venice Coastal Zone. A Determination issued by the Los Angeles Housing and Community Investment Department (HCIDLA) dated July 17, 2019 states that the property currently maintains

Four (4) residential units with one (1) bedroom each. HCIDLA determined the units were affordable based on current monthly housing cost provided by the current tenants. Due to the absence of documentation for 315 6th Avenue, Unit C, the Owner has agreed and accepted that this unit is presumed to be occupied by an affordable household. The current owner purchased the property on September 14, 2018 and claims that the property was owner-occupied beforehand by Stephen Doniger, a married man as his sole and separate property. Four (4) units were found to be affordable from the provided documentation exist. Therefore, four (4) Affordable Existing Residential Units are proposed for demolition.

It is infeasible for the applicant to replace any of the Affordable Existing Residential Units (Part 4.8)

The Affordable Existing Residential Units are located in four separate residential structures, single-family dwellings. Affordable Existing Residential Units within triplexes and other structures containing three or more Residential Units must be replaced. However, affordable units identified within one-family and/or two-family dwellings are subject to the provisions of Part 4.8, which asks: *Is it infeasible for the Applicant to replace any of the Affordable Existing Residential Units? Feasible is defined as capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technical factors.*

A feasibility study was prepared by Howard Robinson & Associates and submitted on September 12, 2019 for project staff review. The study provided an analysis of the estimated costs and revenues of the proposed project, the demolition of four existing residential structures and the construction of two single-family dwellings, each with an Attached ADU, but also provided an analysis of providing the Affordable Replacement Unit(s) onsite and within the Coastal Zone and can be provided through new construction or adaptive reuse (conversion of existing non-residential structures).

The supplemental information provided by the Applicant included the actual and estimated cost of land, improvements/ construction, fees, loans, and expected revenue. In reviewing the pro forma prepared as part of the feasibility study, the cost of the subject property as well as the cost of acquiring property elsewhere in the Coastal Zone was a significant factor that increased the cost of development. Providing two Affordable Replacement Unit onsite reduced the size of the proposed project and reduced the estimated revenue expected from the market rate dwelling unit. The cost of development also significantly increased when accounting for the cost of acquiring additional property to provide the Affordable Replacement Unit offsite.

Upon review of the feasibility study and supplemental documents submitted by the Applicant, it would not be feasible to replace all of the Affordable Existing Residential Units. As such, no Affordable Units are required for this project.

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

The project proposes the construction of four (4) Residential Units. Developments which consist of nine or fewer Residential Units are Small New Housing Developments and are categorically exempt from the Inclusionary Residential Unit requirement. Therefore, the proposed development of four (4) new Residential Units is found to be categorically exempt from the Inclusionary Residential Unit requirement for New Housing Developments.

AA-2019-2609-PMLA-SL-1A
DIR-2019-2610-CDP-MEL-1A

EXHIBIT A: Appeal Application

- AA-2019-2609-PMLA-SL-1A
 - Application
 - Justification
- DIR-2019-2610-CDP-MEL-1A
 - Application
 - Justification



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- ☒ Area Planning Commission ☐ City Planning Commission ☐ City Council ☐ Director of Planning
☐ Zoning Administrator

Regarding Case Number: AA-2019-2609-PMLA

Project Address: 315 6th Ave

Final Date to Appeal: 11/24/2020

2. APPELLANT

Appellant Identity:
(check all that apply)

- ☐ Representative ☐ Property Owner
☐ Applicant ☐ Operator of the Use/Site

- ☒ Person, other than the Applicant, Owner or Operator claiming to be aggrieved

☐ Person affected by the determination made by the **Department of Building and Safety**

- ☐ Representative ☐ Owner ☐ Aggrieved Party
☐ Applicant ☐ Operator

3. APPELLANT INFORMATION

Appellant's Name: POWER, CITIZENS PRESERVING VENICE, KEVIN DENMAN, LEANNE CHASE

Company/Organization: % Robin Rudisill, Treasurer, Citizens Preserving Venice

Mailing Address: 3003 Ocean Front Walk

City: Venice State: CA Zip: 90291

Telephone: 310-721-2343 E-mail: wilrudi@mac.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

- ☒ Self ☒ Other: See Appellants' names above

b. Is the appeal being filed to support the original applicant's position? ☐ Yes ☒ No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☒ Entire ☐ Part

b. Are specific conditions of approval being appealed? ☐ Yes ☒ No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- ☐ The reason for the appeal ☐ How you are aggrieved by the decision
☐ Specifically the points at issue ☐ Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: Robin Rudisill, for Appellants Date: 11/24/2020

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates)
Each case being appealed is required to provide three (3) sets of the listed documents.

- ☐ Appeal Application (form CP-7769)
☐ Justification/Reason for Appeal
☐ Copies of Original Determination Letter

b. Electronic Copy

- ☐ Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

- ☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
☐ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

- ☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
☐ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.
- ☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

- ☐ Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

- ☐ **1. Appeal of the Department of Building and Safety determination**, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee

- ☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- ☐ Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- ☐ **2. Appeal of the Director of City Planning determination** per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee

- ☐ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

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G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

- ☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

- ☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.
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NOTES

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APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- ☒ Area Planning Commission ☐ City Planning Commission ☐ City Council ☐ Director of Planning
☐ Zoning Administrator

Regarding Case Number: AA-2019-2609-PMLA-SL

Project Address: 315 6TH AVE, VENICE

Final Date to Appeal: NOVEMBER 24, 2020

2. APPELLANT

Appellant Identity:
(check all that apply)

- ☐ Representative ☐ Property Owner
☐ Applicant ☐ Operator of the Use/Site

- ☒ Person, other than the Applicant, Owner or Operator claiming to be aggrieved

☐ Person affected by the determination made by the **Department of Building and Safety**

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☐ Applicant ☐ Operator

3. APPELLANT INFORMATION

Appellant's Name: POWER, CITIZENS PRESERVING VENICE, KEVIN DENMAN, LEANNE CHASE

Company/Organization: % Robin Rudisill, Citizens Preserving Venice, Treasurer

Mailing Address: 3003 Ocean Front Walk

City: Venice State: CA Zip: 90291

Telephone: 310-721-2343 E-mail: wildrudi@mac.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

- ☐ Self ☒ Other: See Appellant's Names, above

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4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

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If Yes, list the condition number(s) here: _____

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6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: *Robin Indesell, for Citizens Preserving Verrill*

Date: *11-24-20*

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Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

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Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

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1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

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Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

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APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

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☐ Zoning Administrator

Regarding Case Number: DIR-2019-CDP-MEL

Project Address: 315 6th Ave, Venice

Final Date to Appeal: 11/24/2020

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Appellant Identity:
(check all that apply)

- ☐ Representative ☐ Property Owner
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Appellant's Name: POWER, CITIZENS PRESERVING VENICE, Kevin Denman, Leanne Chase

Company/Organization: % Robin Rudisill, Treasurer, Citizens Preserving Venice

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I certify that the statements contained in this application are complete and true:

Appellant Signature: Robin Rudisill, for Appellants Date: 11/24/2020

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Regarding Case Number: DIR-2019-2610-CDP-MEL

Project Address: 315 6TH AVE, VENICE

Final Date to Appeal: NOVEMBER 24, 2020

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Appellant Identity:
(check all that apply)

- ☐ Representative ☐ Property Owner
☐ Applicant ☐ Operator of the Use/Site

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315 6th Ave, Venice
DIR-2019-2610-CDP-MEL
AA-2019-2609-PMLA-SL
APPEAL JUSTIFICATION
November 24, 2020

NOTE 1: If any one or more of the CDP, PMLA or Mello Findings cannot be made in the affirmative then the determination must be denied.

NOTE 2: This appeal justification is written on a combined basis for the CDP, PMLA AND Mello Determinations.

A. VIOLATION OF THE VENICE COASTAL ZONE SPECIFIC PLAN ORDINANCE

In addition to the errors in the PMLA Findings summarized below, the Venice Coastal Zone Specific Plan Ordinance has been violated because the Specific Plan compliance review has not yet been performed and apparently the intention is to simply prepare a VSO covering the new construction only at the time of building permit submittal, and not covering the overall project – demolition, subdivision AND new construction.

B. VIOLATION OF THE MULTIPLE PERMIT ORDINANCE

The Multiple Permit Ordinance, which requires that all permits for a single project be issued together, is also being violated as the Specific Plan compliance review has not been performed at the same time as the PMLA, Mello and CDP determinations.

C. PMLA FINDINGS ARE IN ERROR AND THE PMLA MUST BE DENIED

Staff has avoided properly addressing these Small Lot Subdivision PMLA issues discussed below. The evidence shows that the prior planning administration had problems making the findings due to issues with the Mass, Scale and Character of these larger projects, the significant change in subdivision/development patterns, and these multi-family neighborhoods being converted to single-family neighborhoods, and therefore they failed to properly review the entire small-lot subdivision project as required by the Specific Plan Ordinance.

We implore you to address this illegal workaround/practice by the Department of City Planning (DCP) as small lot subdivisions are damaging Venice's community character rather than protecting it, as required by the Coastal Act.

The City needs to correct these errors of violating its own Specific Plan Ordinance and its own Multiple Permits Ordinance and in making erroneous Findings in the PMLA. You must deny the Parcel Map and insist that it be sent back to be issued with correct Findings and a simultaneous issuance of a Specific Plan Compliance determination for the entire project –

demolition, subdivision and new construction. Performing only a ministerial VSO review for each proposed home, after subdivision, on the new construction only and not including the demolitions which are part of the total project, is not performing a Specific Plan compliance determination on the entire project. Making Specific Plan compliance a condition of the project and doing a ministerial review of each separate home, after the PMLA has been issued, does not satisfy the Venice Specific Plan Ordinance or the Parcel Map required findings.

The City has not addressed these same issues that have been brought up in prior appeals.

Also, there is no evidence that the Advisory Agency considered the policies of the LUP.

In order to make a PMLA Finding that the project is consistent with the Specific Plan, City Planning must do a Specific Plan compliance review, at the same time or prior to the PMLA determination, on the total project – demolition, subdivision and new construction – not just a review of the new construction after subdivision, as is being done here.

The Findings of the Parcel Map cannot be made and the PMLA must be denied, as further discussed below:

FINDING (a), page 14

The Parcel Map requires consistency with the applicable Specific Plan and the General Plan, which includes the Venice Community Plan, which includes the certified Land Use Plan. Thus, the Parcel Map Findings are in error as they do not even mention compliance with the certified Land Use Plan (LUP), let alone find that the project is consistent with it.

Also, the PMLA states that two separate Specific Plan compliance reviews are yet to be done after subdivision, during Building Permit Plan Check on the new construction portion of the project for each of the resulting single-family dwellings. The PMLA cannot find that there has been compliance with the Specific Plan when such review has not yet been performed and thus there is no evidence of compliance. What we have here is a procedural sequence that does not satisfy the law. There is no evidence that the project is in compliance with the Specific Plan, and the PMLA Findings cannot be based on a condition that the project meets Findings in the future (even then, the Specific Plan compliance review must be for the whole project, not just for the new construction. See Violation of Specific Plan Ordinance below). This is an error as this Finding requiring consistency with the Specific Plan cannot be made.

These same issues have been brought up in the past and neither the staff nor the Commission addressed them. Instead, the required Finding itself was changed from "Proposed Map is Consistent With Applicable General and Specific Plans" to "The Proposed Map Will Be/Is Consistent With Applicable General and Specific Plans." This is unacceptable on its face for a Finding as there must be evidence to support a finding and it does not meet the requirements of the Map Act.

In addition, subdividing lots in the Venice Coastal Zone subverts neighborhood character. LAMC 17.50 states that one of the purposes of the preliminary parcel map is to

assure lots are of acceptable design *and of a size compatible with the size of existing lots in the immediate neighborhood*:

SEC. 17.50. PARCEL MAPS – GENERAL PROVISIONS.



A. Purpose. The following parcel map regulations are intended to assure compliance with the Subdivision Map Act, the Comprehensive Zoning Plan of the City of Los Angeles as set forth in [Article 2](#) of this chapter, and the various elements of the City's General Plan, to assure lots of acceptable design and of a size compatible with the size of existing lots in the immediate neighborhood; to preserve property values; to assure compliance with the Design Standards for Streets and Alleys as specified in [Section 17.05](#) of this Code where street or alley dedication and/or improvement are required; and to prevent interference with the opening or extension of streets necessary for emergency vehicle access, proper traffic circulation and the future development of adjacent properties; and to provide that the dividing of land in the hillside areas be done in a manner which will assure that the separate parcels can be safely graded and developed as building sites. (Amended by Ord. No. 143,254, Eff. 5/14/72.)

Development in neighborhoods must take into account neighborhood character and should be reflective of the development patterns that already exist. Additional subdivisions cause a break in the pattern of development. This additional small lot subdivision would cause an adverse cumulative impact as it would cause a significant break in the pattern of development for the immediate neighborhood and subarea. The LUP states, "The subdivision patterns in Venice are unique, the layout of which still reflects the original canal system and rail lines." Venice is known for its unique subdivisions and pattern of development and the cumulative impact of this development would be to harm the unique Venice development pattern.

Thus, the Map is not consistent with the General Plan as it is not consistent with the Specific Plan and the LUP, or in compliance with LAMC Section 17.50.

FINDING (b), page 15

Because no information is provided in the PMLA or CDP regarding the size of the project homes, there is no evidence to make the Findings for whether the proposed Map and the design and improvement of the proposed subdivision are consistent or inconsistent with the General Plan and the Specific Plan.

This Finding also requires evidence of a Specific Plan review for the proposed project. Condition 18(c) of the Parcel Map (page 6) that the project must comply with the Specific Plan does NOT take the place of a compliance review and permit, which would provide evidence of consistency.

The Director errs in that there is no evidence that the design or improvement of the proposed subdivision is consistent with applicable General (including LUP) and Specific Plans.

FINDING (c), page 16

This Finding is in error as the proposed density is not consistent with the LUP and thus the site is not physically suitable for the proposed type of development.

D. COASTAL DEVELOPMENT PERMIT--ERRORS AND ABUSE OF DISCRETION IN CITY CDP FINDINGS; LACK OF FACTUAL AND LEGAL SUPPORT FOR THE FINDINGS

FINDING 1

The Director of Planning erred and abused its discretion in approving the project because the development is NOT in conformity with Chapter 3 of the California Coastal Act of 1976 because:

1. There is a lack of factual and legal support in the determination and thus it cannot be determined whether the project conforms with Chapter 3 of the Coastal Act with respect to community character and visual resources;
2. Consideration of adverse cumulative impacts was erroneously omitted;
3. The proposed project would result in a loss of density and would not preserve overall density in an area able to accommodate it, and thus is inconsistent with Coastal Act Section 30250;
4. Subdividing lots and conversion of multi-family housing to single-family housing in the Venice Coastal Zone subverts Neighborhood Character;
5. The adverse cumulative impact and change to the character of the neighborhood due to the loss of four Mello replacement affordable low-income units was not considered.
6. The Coastal Commission's Environmental Justice Policy was not considered.
7. Venice as a Special Coastal Community was not considered in Finding 1

1. There is a lack of factual and legal support for the decision.

The project description for the City's determination is incomplete and thus in error. There is NO EVIDENCE PROVIDED in the City's hearing notices or the City's CDP or PMLA determination Findings regarding size of the proposed two single-family dwellings and two ADUs. There were no plans attached to the determinations, nor is the Parcel Map attached to the PMLA determination (it used to always be attached to City PMLA determinations), nor is this information available online in the documents posted on City Planning's website. In looking at the plans posted on the website, the ADUs are not even identified. Also, it isn't clear whether any street dedications are required. Impacted and interested parties who are provided these determinations need to have this basic, minimum information in order to understand and evaluate the project. This can only be seen as an effort by the applicant together with the City to be ever more non-transparent and is a clear violation of Due Process. Under the 5th and 14th amendments to the U.S. Constitution and Article 1, Section 7 of the State Constitution, stakeholders have Due Process rights when local agencies hold hearings for the purpose of making land use decisions.

These determinations should be remanded back to City Planning to be redone to include this substantial evidence and most basic information about the project and the 4 units proposed, which is necessary to evaluate the project.

It was not possible to evaluate whether the proposed project conformed with the Coastal Act Chapter 3 and the LUP. Coastal Act Sections 30251 and 30253 require a proposed project to be visually compatible with the character of surrounding areas and to protect the character and scale of the Special Coastal Community of Venice. Without evidence provided in the Findings

about the project's dwelling unit sizes it cannot be determined whether it is in conformance with Coastal Act Sections 30251 and 30253.

2. Consideration of adverse cumulative impacts was erroneously omitted.

Coastal Act Section 30105.5 states:

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

Coastal Act Section 30250 states:

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

In Finding 1 of the City's CDP, there is no cumulative impacts analysis, which is an error and abuse of discretion. This may also be indicative of a pattern and practice by the City of failing to consider adverse cumulative impacts in the Venice Coastal Zone and thus making ongoing erroneous Findings. The City cannot rewrite the Coastal Act to exclude consideration of adverse cumulative impacts. Both individual and cumulative impacts must be considered.

In two recent California Superior Court cases, the Court ruled that a cumulative impacts analysis is required. See excerpt from one of the Judgements, for petition for writ of mandate dated July 16, 2019--Rudisill et al v. California Coastal Commission et al. BS170522, below:

Cumulative Impact

The Coastal Act requires a cumulative impacts analysis: "[T]he incremental effects of an individual project shall be reviewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." §30105.5.

Petitioners assert that the Commission abused its discretion in not considering the Project's cumulative impact with other projects on the City's ability to prepare a Coastal Act-compliant LCP. Pet. Op. Br. at 18. In evaluating whether a project would prejudice the City's ability to prepare and adopt a LCP that protects the community's character, the Commission has previously stated: "Protecting community character is a classic cumulative impacts issue." AR 615.

Petitioners contend that approval of the Project would establish a precedent for massive, unarticulated homes that would adversely affect the special community of Venice and would prejudice the City's ability to prepare a certified LCP for Venice. When the Commission approves an out-of-scale project inconsistent with the Coastal Act, the approval can have adverse impacts on the neighborhood because the City will base future permitting decisions on previous Commission decisions. §30625(c) (local governments shall be guided by Commission decisions). The Project represents a 56% increase in the baseline size of the neighborhood. AR 55. If the Commission continues to approve such out of scale developments, there will be significant adverse

cumulative impacts to the scale and character of this low-density residential neighborhood, prejudicing the City's preparation of a Venice LCP. The Commission's failure to address this issue

is a deviation from its past practice of considering cumulative impacts. AR 548 (noting cumulative effects), 553 (project sets bad precedent and creates cumulative impact on neighborhood) 608 (project would have adverse cumulative impact on Venice community), 606 (noting cumulative effect), 622, 610-11.

Petitioners correctly point out that the Commission's opposition ignores the cumulative impact issue. Reply at 3. More important, the staff report's analysis failed to address the Project's cumulative impact with other past, present, and future projects on the community and on the City's ability to certify a LCP. AR 14. Petitioners argue that this failure was aggravated by the Commission's intent to change the neighborhood's character:

"Many of the residences that the appellants surveyed were built several decades ago and are naturally smaller than homes built by today's standards. As such, the Commission typically reviews past Commission action in an area to determine whether or not a proposed project is appropriate with regard to community character, mass, and scale for a specific project in a specific area." AR 11.

In other words, the Commission is focused on the "prevailing pattern of development" (AR 610) and the fact that, in today's expensive home market, developers seek to build larger homes on existing lots to increase market value and accommodate larger families. The Commission therefore principally compares new projects with those it has previously approved rather than to the small homes originally built decades earlier.

The Commission's approach is practical and appropriate, but it runs the risk of changing the character of the community as Petitioners argue. Reply at 5. The "foot in the door" and precedential approval of a larger project can lead to a set of approvals that cumulatively change the nature of a neighborhood. The Commission should be sensitive to this fact. It was obligated by section 30105.5 to address the Project's cumulative impact and failed to do so. The matter will be remanded to the Commission for evaluation of whether the Project raises a substantial issue of cumulative impact on the neighborhood and the City's ability to certify a LCP.

The Commission failed to proceed in the manner required by law and abused its discretion by not considering the Project's cumulative impact with other approved projects on the character of the neighborhood and the City's ability to certify a LCP.

.....

Finding 1 re. conformance with Chapter 3 of the Coastal Act is in err as it must include consideration of cumulative impacts.

3. The proposed project would result in a loss of density and would not preserve overall density in an area able to accommodate it, and thus is inconsistent with Coastal Act Section 30250.

The proposed project is not consistent with Coastal Act 30250 because the project involves a change from four housing units to two single-family dwellings and two accessory dwelling units (ADUs), in an existing developed area designated for multi-family residences. There is no evidence provided that shows that the accessory unit mitigates the loss of a normal unit. In addition, the ADUs are not shown on the plans nor is their size indicated, magnifying the concern that they are not intended to be used as separate dwelling units.

The use of ADUs to replace existing units does not mitigate the loss of a normal housing unit. According to the ADU legislation, the purpose of ADU's is to increase density by creating new second units in order to provide additional rental housing stock. It is not for the purpose of maintaining density. An ADU is an accessory dwelling to the single-family dwelling, not a normal separate unit. According to the State ADU law, ADU's are meant to increase the supply of the state's housing stock and cause an increase in dwelling units, and not to act to supposedly maintain density by replacing a housing unit with a much smaller ADU. Also, use of the ADU as a separate rental unit is not enforced by the City or the Coastal Commission and thus the practice of using an ADU as a replacement for a normal dwelling unit has generally been that it is just used as a part of the single-family dwelling and not as a separate rental unit.

Coastal Act Section 30253 protects Venice as a Special Coastal Community and Coastal Resource and requires that new development be compatible with the unique character of the neighborhood. This proposed project for two single-family dwellings with ADUs is not compatible with the neighborhood because the area consists primarily of multi-family residences.

The approval of the conversion of four units to two single family dwellings with ADUs, without any analysis of the impacts of the loss of housing density on the area, fails to preserve and protect the multi-family neighborhood in which the subject site is located. LUP Policy I.A.7. stipulates that allowed Uses on lots designated Multi-Family Residential – Low Medium II density consist of *"Two units per lot, duplexes and multi-family structures."* This does not cover this situation with two single-family dwellings and two accessory units.

The policies of the LUP specifically designate areas in Venice that are more appropriate for duplexes and multi-family developments. LUP Policy I.A.5. requires the protection and preservation of existing multi-family neighborhoods. In this case, the project site is located in the Oakwood subarea and is designated Multi-Family Residential – Low Medium II density in the LUP. The project would result in a loss of two units; therefore, approval of the project would be inconsistent with LUP Policies I.A.5. and I.A.7. and Coastal Act Section 30250 as it would not preserve overall density in an area able to accommodate it. As proposed, the project will result in the loss of housing density in an existing developed area designated by the LUP as appropriate for more dense development. The loss of two units may not seem significant on its own but there have been numerous projects involving loss of housing density in Venice; thus, the cumulative effects of loss of housing density in Venice is a concern. As a result, the Coastal Commission has been raising a substantial issue with respect to projects involving a loss in density.

In addition, the Decision Maker is inconsistent with respect to how the ADUs are characterized. They are referred to as JADUs in the parking requirements section (page 9).

4. Subdividing lots and conversion of multi-family housing to single-family housing in the Venice Coastal Zone subverts Neighborhood Character:

The overall character of the Venice Coastal Zone is its small scale and its diversity, as can be seen in its economic, cultural and architectural mix. The LUP clearly defines neighborhood character. A defining quality of Venice (and very true of Oakwood where this project is located) is its small scale and small lots, with much of its housing being affordable housing. The LUP describes Venice's neighborhood character as a "*quintessential coastal village*," and states "*Venice is really a group of identifiable neighborhoods with unique planning and coastal issues.*" Development in Venice's unique neighborhoods must take into account neighborhood character and should be reflective of the development patterns that already exist. Additional subdivisions such as this would cause a break in the pattern of development.

This additional small lot subdivision would cause an adverse cumulative impact as it would cause a significant break in the pattern of development. Venice is known for its unique subdivisions and pattern of development, and the cumulative impact of such a development would be to significantly change the unique Venice subdivision development pattern. "The subdivision patterns in Venice are also unique, the layout of which still reflects the original canal system and rail lines." (LUP)

A Cumulative Impact Study must be done for the Oakwood neighborhood in order to determine the effect of this type of change in the subdivision development pattern. The LUP very clearly characterizes the Venice Community as small in scale, which is part of its Community Character. Because of the adverse cumulative impact (defined in Coastal Act Section 30105.5 as *the incremental effects of the proposed individual project are reviewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects*) of another small lot subdivision in the Venice Coastal Zone, this project should not be approved.

5. The adverse cumulative impact and change to the character of the neighborhood due to the loss of four replacement affordable low-income units was not considered:

The existing units were all covered under the Rent Stabilization Ordinance (RSO). In addition, all four were determined by HCID to be Mello replacement affordable units.

Maintaining and increasing housing density has not always been a priority in the Coastal Zone. However, the state is currently experiencing a housing supply shortage of approximately 90,000 units on a yearly basis. From 2000 to 2015, Venice saw a reduction in housing by approximately 700 units!!! Also, there is an apparent trend of multi-unit structures being redeveloped as single-family residences. Expected population growth, assuming that current trends remain unchanged, will exacerbate the housing shortage in Venice. Housing shortages throughout the state have been met with growing efforts to address and improve availability. There have been ongoing significant legislative efforts to alleviate the housing crisis. Thus, the Coastal Commission has been rightfully emphasizing the importance of preserving existing housing stock in the Coastal Zone to minimize impacts to coastal resources (Coastal Act Section 30250), encourage affordable housing (Coastal Act Section 30604(f)), and reduce traffic impacts and encourage use of public transportation and public access (Coastal Act Section 30253). The LUP

policies also seek to preserve and maintain existing housing stock by designating duplexes and multi-family developments for areas deemed appropriate to sustain such development (Policies I.A.5. through I.A.8.).

6. The Coastal Act affordable housing provisions and the Commission's Environmental Justice Policy was not considered.

The Coastal Commission's Environmental Justice Policy states:

"The Commission recognizes that the elimination of affordable residential neighborhoods has pushed low-income Californians and communities of color further from the coast, limiting access for communities already facing disparities with respect to coastal access and may contribute to an increase in individuals experiencing homelessness."

The Director's Determination finds that four affordable units exist, yet it does not require replacement of the affordable housing. This Finding is inconsistent with the requirements of the Mello Act, the City of Los Angeles Interim Administrative Procedures for Complying with the Mello Act (IAP), the Commission's Environmental Justice Policy and the following provisions of the Coastal Act:

Coastal Act Section 30604(f) states:

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

Coastal Act Section 30604(g) states:

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

The existing housing units sit on a single inalienable parcel and share a single Assessor's Number, and all four units are rent stabilized, covered collectively under the Rent Stabilization Ordinance. Thus, for all City land use and housing enforcement purposes the four units are a single unified development, as defined in the IAP.

The term "structures" is not a common concept in land use law and a local jurisdiction must determine how to interpret the use of this term in the Mello Act. The answer lies within the IAP under the definition of "Unified Development." For example, previous City cases have found that existing affordable units must be replaced in cases where a single parcel contains multiple detached bungalows, all covered by the RSO. Likewise, in this case, the Director should have required replacement of all existing affordable units as this existing property meets the definition of Unified Development in the IAP. For purposes of deeds, taxes and regulatory enforcement there is no difference between a fourplex or four bungalows or a single-family home and a triplex, if they are operated as a single entity, aka "Unified Development," which this one is. The four single-family dwellings cannot be sold separately. They are managed as one. Therefore, the existing units must be interpreted as one entity or structure for purposes of this Mello Act Compliance Determination. A feasibility analysis is not required, and the four affordable units must be replaced.

Having the correct interpretation of the Mello Act, which is the interpretation that supports protection of our affordable housing (and, MOST IMPORTANTLY, the tenants living there), is critical to our affordable housing and homelessness crises.

Decisions must be made that will serve to PREVENT displacement of our lower income residents. PREVENTION is key.

We MUST stop the bleeding if we are to effectively act on our housing and homelessness crises.

It's obvious on its face that it's not right to destroy four affordable units and displace the low-income tenants living in them in order to build two market rate single-family dwellings and two ADUs! It's obvious on its face that four dwelling units on the same lot must be considered together, as one property, one development.

A "building" is not the same thing as a structure. Structure includes more than an individual building. According to the City's LAMC definitions, a structure includes fencing, walkways, driveways, storage units, plumbing and electrical, and thus can obviously include more than one building.

See attached Exhibit A for the layout of the 315 6th Ave Unified Development.

All units on an individual lot must be treated the same for any purpose. For example, a landlord of a property containing more than one building on a property, such as a bungalow court, cannot file an Ellis Act eviction on just one building but rather must file it on all of the dwelling units within the overall Unified Development.

Also, with respect to the definitions of dwelling units, the existing property clearly falls under the definition of Group Dwelling, which is: two or more one family, two family, or multiple dwelling apartment houses or boarding or rooming houses located on the same lot.

We have also spoken with one of the original lawyers on the Settlement Agreement that gave rise to the City's Mello Act IAP, and he agrees that it makes no difference under the Mello Act whether there is 0" or 3" or 5' or 10' between dwelling units on a given parcel, they should all be treated as one structure.

HCID has determined that all four units are replacement affordable under the Mello Act. These units must be replaced, and utilizing the correct definitions, as explained above, it is clear that no feasibility analysis is required.

Venice is full of examples of multi-family housing developments on one parcel where three or more units exist in separate buildings. These developments were built as Unified Developments and constitute one structure for purposes of Mello Act compliance.

Thus, your decision in this case is not just about four units on 6th Ave. The cumulative impact of this project going forward as proposed would adversely affect dozens of affordable units in

future development proposals in the near future, not only in the Venice Coastal Zone but in all of the Los Angeles Coastal Zones, and likely hundreds of units over the coming years.

The cumulative impact of NOT correcting this error of destroying low-income housing would be devastating.

7. Venice as a Special Coastal Community was not considered in Finding 1.

The decision maker erred and abused its discretion in that its Findings do not adequately address Coastal Act Section 30253. There is no mention of the fact that the Coastal Commission has designated Venice as a Special Coastal Community and a Coastal Resource to be protected. The fact is that this project would harm the Special Coastal Community, Coastal Resource of Venice as it changes the character of the neighborhood in that it is for single-family dwellings and the development standards of this particular area call for "Duplexes and Multi-Family structures."

In addition, the loss of the existing affordable housing, replaced by the proposed project, which is high end luxury housing, would significantly change the character and social diversity of the neighborhood. The social diversity of Venice is to be protected as a Special Coastal Community pursuant to Coastal Act Section 30253 and LUP Policy I.E.1. The proposed development is inconsistent with LUP Policy I.E.1., which protects the social (and architectural) diversity of Venice as a Special Coastal Community pursuant to Section 30253(e) of the Coastal Act. Coastal Act Section 30604(f)(g)(h) of the Coastal Act requires encouraging lower cost housing opportunities. This CDP determination authorizes the removal of multiple rent-stabilized units and sets an adverse precedent for future development by allowing displacement of lower-income residents, thereby disrupting the social diversity and community character of this area and prejudicing the City's ability to prepare an LCP.

FINDING 2

The Director of Planning erred and abused its discretion in approving the Project because there was a lack of factual and legal support for the decision. The project description was incomplete and thus in error. There is no information in the City's CDP or PMLA determinations regarding sizes of the two single-family dwellings and two ADUs. Thus, there is inadequate evidence provided to determine whether the development would prejudice the ability of the City of Los Angeles to prepare a Local Coastal Program that is in conformity with Chapter 3 of the California Coastal Act of 1976.

In addition, the Director errs and misleads where it states that the yards are in conformance with the LUP policies. This is an error as they are looking at the project assuming no subdivision and only disclosing the front yard for one single-family dwelling and the rear yard for the other single-family dwelling. The rear yard setback is 0' for Lot B. In other words, one single-family dwelling has a front yard and essentially NO rear yard. This is also not in conformance with the LUP, which requires yards to be consistent with the existing scale and character of the neighborhood. These yards are not consistent nor are they compatible with the existing pattern of development.

FINDING 3

As indicated in the second paragraph under this Finding, the guidelines are intended to be used with consideration of both individual and cumulative impacts on coastal resources. There was no analysis of cumulative impacts done by the City for this project and thus this Finding is in error.

FINDING 4

None of the decisions of the California Coastal Commission listed are applicable to this case.

PRIOR DECISIONS OF THE WLAAPC

Lastly, at your hearing on March 4, 2020 for the proposed project at 635 San Juan, a project with similar issues as the subject project, you upheld the appeal, and made the following findings:

The development **does NOT** conform with Chapter 3 of the Coastal Act. *"Such development would be inconsistent with the predominant multi-family residential character of the surrounding area and would also result in a loss of density in an area zoned for multi-family development. As such, the proposed project would result in development that is not compatible with the surrounding area.... The Venice LUP...includes development policies that serve to maintain the character of Venice's different neighborhoods. In Venice's multi-family neighborhoods, the LUP sets forth that "it is the intent of Venice LUP to maintain existing stable multi-family residential neighborhoods." (p. II – 10.) Policy I.A.5. titled "Preserve and Protect Stable Multi-Family Neighborhoods," requires that new development "Preserve and protect stable multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained and improved." Additionally, Policy I.A.7. states that in Multi-Family Low-Medium Density areas, "[s]uch development shall comply with the density and development standards set forth in this LUP." In particular, the development standards of this particular area call for "Duplexes and Multi-Family structures. The project proposes the development of two new single-family dwellings, inconsistent with the "duplexes and multi-family structures" outlined in Policy I.A.7. as permitted uses. Approval of the proposed development is inconsistent with these policies of the LUP designed to maintain the character of stable Multi-Family neighborhoods. And as such, is further inconsistent with the mandates of Section 30251 that new development be consistent with the character of the surrounding area." and*

The development **WILL** prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with Chapter 3 of the Coastal Act. *"Among the various Venice Coastal issues that were identified in the certified LUP were issues such as: the preservation of existing housing stock; preservation of community character, scale and architectural diversity; and development of appropriate height, density, buffer and setback standards...the issues identified in the LUP remain important matters for consideration in the City's efforts to prepare an LCP in conformity with Chapter 3 of the Coastal Act...The project is not consistent with Policy I.A.7. of the Land Use Plan. Furthermore, the loss of existing housing stock, failure to preserve the character of the surrounding Multi-Family area, and loss of density*

are inconsistent with the Coastal issues identified in the certified Venice LUP. As such, approval of the project will prejudice the ability of the City to prepare a Local Coastal Program that is in conformity with Chapter 3 of the California Coastal Act."

E. CEQA

There are errors in the CEQA Categorical Exemption Findings and thus the project does not qualify for a categorical exemption from CEQA:

Class 1

With respect to the existing structures, they are referred to as two existing single-family dwellings and a detached accessory structure (storage) in the section discussing a categorical exemption from CEQA (page 12), which is an error. It should be noted that only up to three single-family residences may be demolished under the Class 1 categorical exemption re demolitions and for this project there are four single-family dwellings. Thus, the demolitions do not qualify for a categorical exemption.

Class 3

The decision maker concludes that the proposed project qualifies for a Class 3 categorical exemption because it consists of the construction of one single-family residence and attached ADU on each of the newly subdivided lots. However, this would be piecemealing as it treats the project as two separate projects. This exemption applies only to the (one) project under consideration. Four units are being constructed (as noted under the Class 15 and Class 32 findings). Thus, the new construction does not qualify for a categorical exemption.

Class 15

This finding discusses a minor net gain in the number of units on the subject site, so it is not clear whether this finding was meant for a different project and whether this finding has been considered with the subject project in mind. In addition, the project does not conform with General Plan and Zoning requirements, including for coastal requirements, specific plan ordinance, Multiple Permits Ordinance and the Mello Act, as noted in detail above. Thus, the subdivision does not qualify for a Class 15 categorical exemption.

Class 32

This finding states that the project is for the construction of two new single-family dwellings and the ADUs are not considered. However, this finding also indicates that there is a minor net gain in the number of residential units, and it is not clear whether this finding was meant for a different project and whether this finding has been considered with the subject project in mind. In addition, the project does not conform with General Plan and Zoning requirements, including for coastal requirements, specific plan ordinance, Multiple Permits Ordinance and the Mello Act, as noted in detail above. Thus, the subdivision does not qualify for a Class 32 categorical exemption.

Piecemealing of the Exemptions:

Also, these alleged exemptions are being applied piecemeal, for each component of the

project—demolition, subdivision and new construction; the project must qualify for an exemption that covers the entire project. Thus, the project does not qualify for a categorical exemption from CEQA.

Exceptions to the Exemption:

The project is an exception to the alleged exemptions because Venice has been identified by the Coastal Commission as a Coastal Resource, which is an environmental resource that must be protected. In addition, the adverse cumulative impact of the project must be considered, as also noted above for the CDP, as the development is NOT consistent with the Low Medium II residential land use designation, which states that this zone is for duplexes and multi-family dwellings, as also noted above.

The above analysis is evidence that the DCP has erred and abused its discretion by finding that the project qualifies as a categorical exemption under CEQA. A Mitigated Negative Declaration (MND) or EIR must be performed. It should also be noted that originally DCP required Small-Lot Subdivisions to have a MND as they did not qualify for a CEQA exemption; and at some point DCP decided to use a work around this obvious requirement by piecemealing the application of the CEQA exemption as they are doing here.

F. MELLO ACT COMPLIANCE DETERMINATION

DCP's Letter of Determination (LOD) for 315 South 6th Ave., dated Nov. 9, 2020, contains errors and abuses of discretion. The West Los Angeles Area Planning Commission must, based on the evidence we will present in our appeal, uphold the appeal and deny permit DIR-2019-2610-CDP-MEL.

DCP's Mello Act Compliance Review (pg. 15-16) is in error finding that no affordable units are required to be replaced at the site, leading to a finding which fails to preserve the required number of affordable housing units, constituting a violation of the Interim Administrative Procedures (IAP). DCP erred in accepting a feasibility study, as the existing project requires that all existing affordable housing units be replaced *without consideration of feasibility*. DCP abused its discretion in finding that no affordable replacement housing is required in the proposed new project, based on the feasibility study it considered.

DCP Erred in Accepting a Feasibility Study

Once again, DCP has erred in accepting a feasibility study in order to determine that replacement of existing affordable housing is infeasible when the IAP clearly does not allow this requirement to be waived due to infeasibility in this case.

An applicant can only request, and DCP may only grant, a waiver to the requirement to replace existing affordable housing when the existing development at a subject property is a single-family home or a duplex. 315 6th Ave is neither. It is most properly defined as a "group dwelling" or "bungalow court." The existing project consists of a total of four units in detached bungalows which are inalienable on a single parcel (APN 4240-010-010).

The existing project also meets the "unified development" definition in the IAP. The project

consists of four buildings situated in a row running between 6th Ave. and Alley A. The two middle bungalows have no access to any street or public right of way and share a walkway with the two outside bungalows. The LA County Assessor describes the property type as Multifamily Residential consisting of four buildings with one bedroom and one bathroom each, all built in 1923.

Cumulative Impact

POWER has worked since 1999 to create and preserve affordable housing for lower-income families within the Coastal Zone of Los Angeles, especially within Venice. The IAP is a key piece of legislation that helps the community advance the goal of creating and preserving affordable housing. This case involves the permanent demolition of four Rent-Stabilized (RSO) apartments from the Venice Coastal Zone, and it raises a number of issues related to IAP enforcement that apply to other cases currently in process, and even more development scenarios likely to occur in the future, which will further impact the affordable housing stock within the Coastal Zone.

DCP's determination in this case will affect not only the existing tenants (currently awaiting hearings on Ellis Act evictions), but the way the IAP is enforced citywide. It is imperative that DCP take action to ensure the proper enforcement of the IAP to preserve affordable housing stock within the Coastal Zone.

IAP Question #7 requires Planning staff to consider if the Affordable Existing Residential Units are in one-family or two-family dwellings. No reference is made to "group dwelling" nor Unified Development, only to the type of existing structures.

This is incorrect. The Coastal Development Permit sought by the applicant includes a demolition component. The definition of a demolition contained in the IAP is:

"Demolition" means the demolition of one or more existing Residential Units. The structure or structures which contain these Residential Units are located on either a single lot or two or more contiguous or tied lots; or conform to the definition of a Unified Development.

The definition of a Unified Development is:

"Unified Development" means a development of two or more buildings which have functional linkages such as pedestrian or vehicular connections, with common architectural and landscape features which constitute distinctive design elements of the development, and that appears to be a consolidated whole when viewed from adjoining streets. Unified Developments may include two or more contiguous parcels or lots of record separated only by a street or alley.

315 6th Ave is clearly a Unified Development, and furthermore, the individual buildings exist on a single lot and are inalienable. The IAP does not contain any definitions for one-family or two-family dwellings. The mischaracterization of the Property as a one-family or two-family dwelling has serious implications for the applicant's proposal. The IAP only allows the acceptance of a feasibility study and the finding of infeasibility for a one-family or two-family dwelling. In other words, DCP actually had to mischaracterize the Property in order to accept

the feasibility study!

What is important is what the subject site is not: a one-family or two-family dwelling. Because the Property is rightly categorized as a Unified Development, all Affordable Existing Resident Units must be replaced without consideration of feasibility.

DCP Abused its Discretion in Making an Infeasibility Finding

Once again, DCP has allowed a developer to essentially self-certify that it is economically infeasible to replace existing affordable housing based on the developer's own study. The LOD refers to a Howard Robinson & Associates and submitted on September 12, 2019. Once again, DCP has failed to interrogate the study or apply any meaningful independent analysis to the study.

Conclusion

DCP has failed to correctly enforce the IAP, resulting in a failure to require the replacement of existing affordable units. DCP has also erred and abused its discretion in accepting a feasibility study which determined it is infeasible to replace affordable housing at 315 South 6th Ave despite the existing structure containing four affordable units, and in accepting that feasibility study based on the self-certification of the applicant.

Maintaining Residential Density Within the Coastal Zone

The proposed project raises concerns about the related issue of maintaining residential density within the Coastal Zone. The Mello Act favors residential density by prohibiting the conversion of residential to nonresidential uses and requiring the preservation of affordable residential units. At a minimum, maintaining residential density helps achieve the Mello Act's intent at a cumulative level, and requiring the preservation of density of all units (affordable and market rate) does not contradict the Mello Act.

Additionally, maintaining residential density is required by SB 330, and the Coastal Commission has increasingly interpreted that the Coastal Act requires maintaining existing residential density as a minimum development standard within the Coastal Zone.

The proposed project will demolish four one-bedroom units, each between 384 and 600 square feet, and construct new single-family homes with attached ADUs, each proposed ADU being larger than the existing units. However, there is no clear obligation on the part of the developer or future owners to operate the ADU as a separate full-time residence.

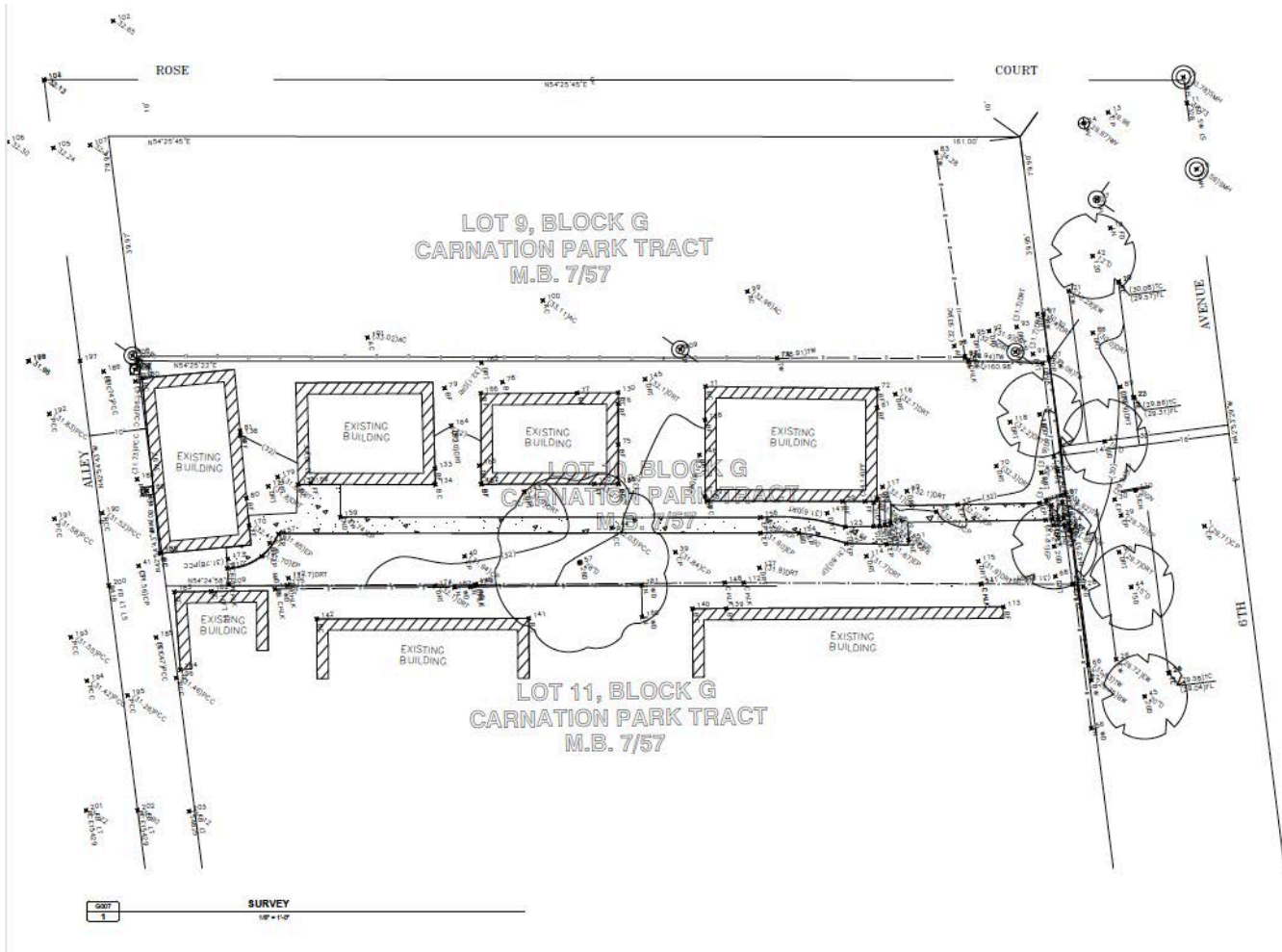
DCP should use conditions of approval, including affordable housing covenants, to ensure that the ADUs be used as long-term residential housing that is available to qualifying low- and moderate-income households, offering a first right of refusal for the two remaining tenants who are currently facing Ellis Act evictions.

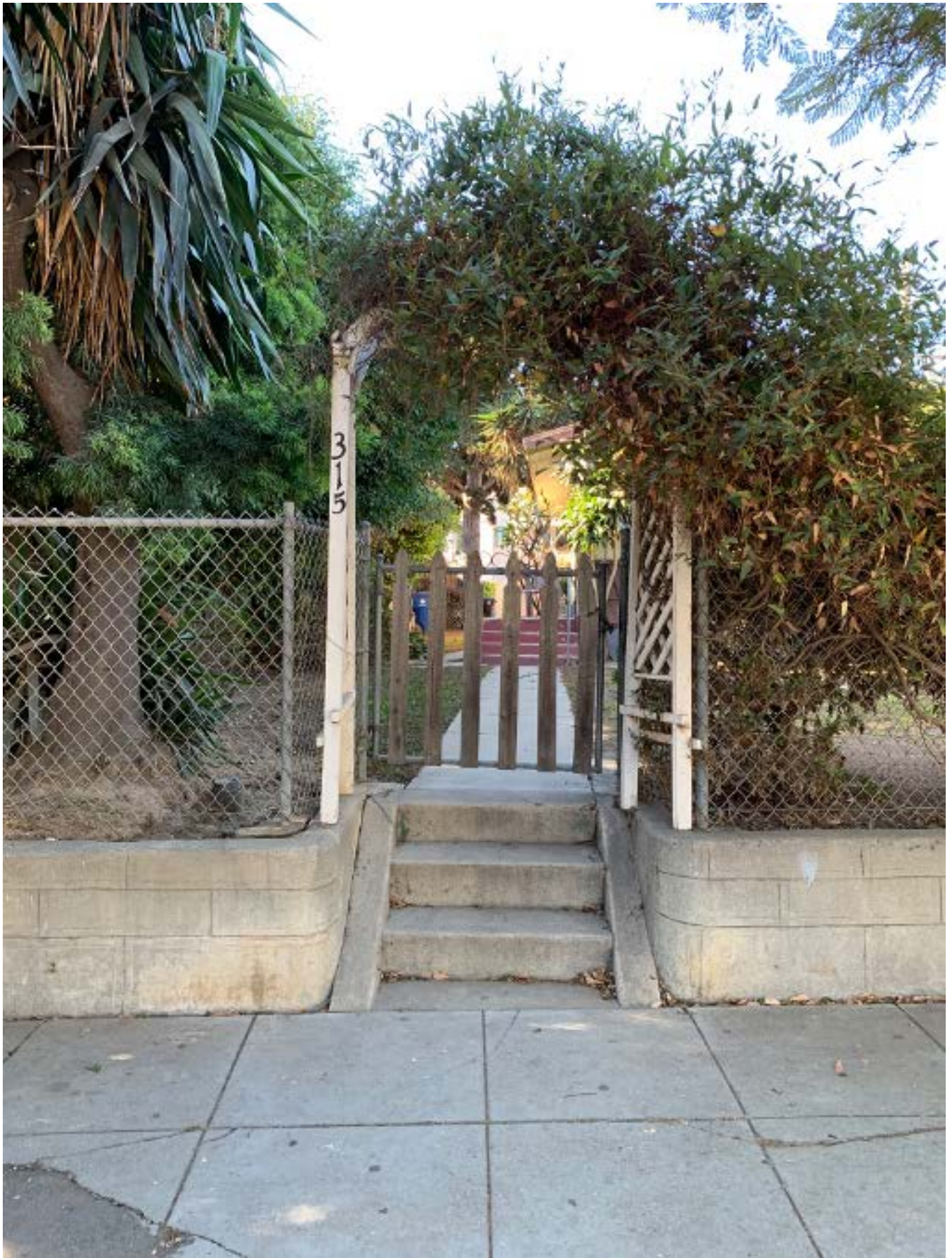
Unwillingness on the part of the applicant to provide a legal framework to ensure that the ADUs are used as separate long-term housing opportunities increases our suspicion that the ADUs would not, in fact, contribute to maintaining density within the Coastal Zone, as required by law.

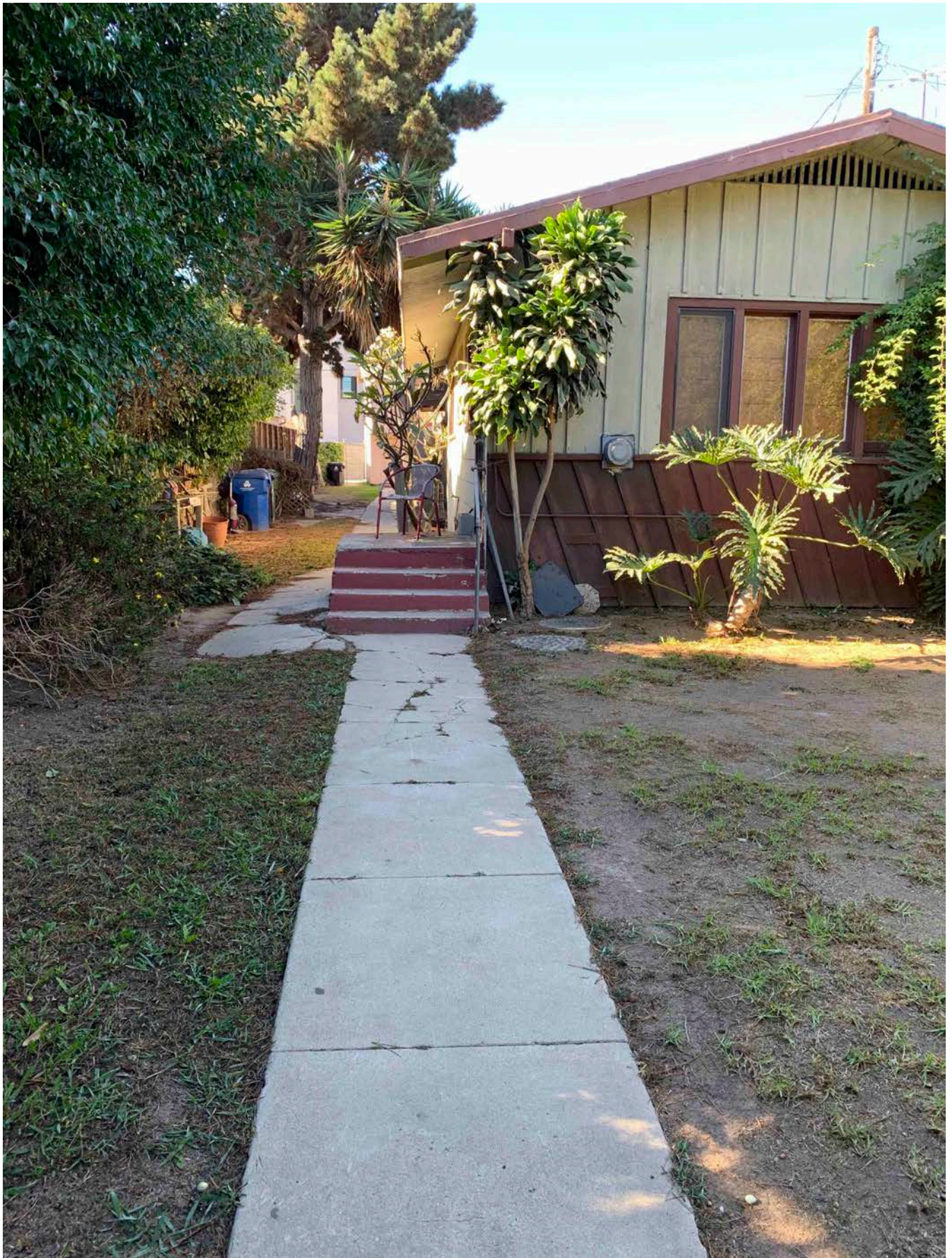
EXHIBIT A

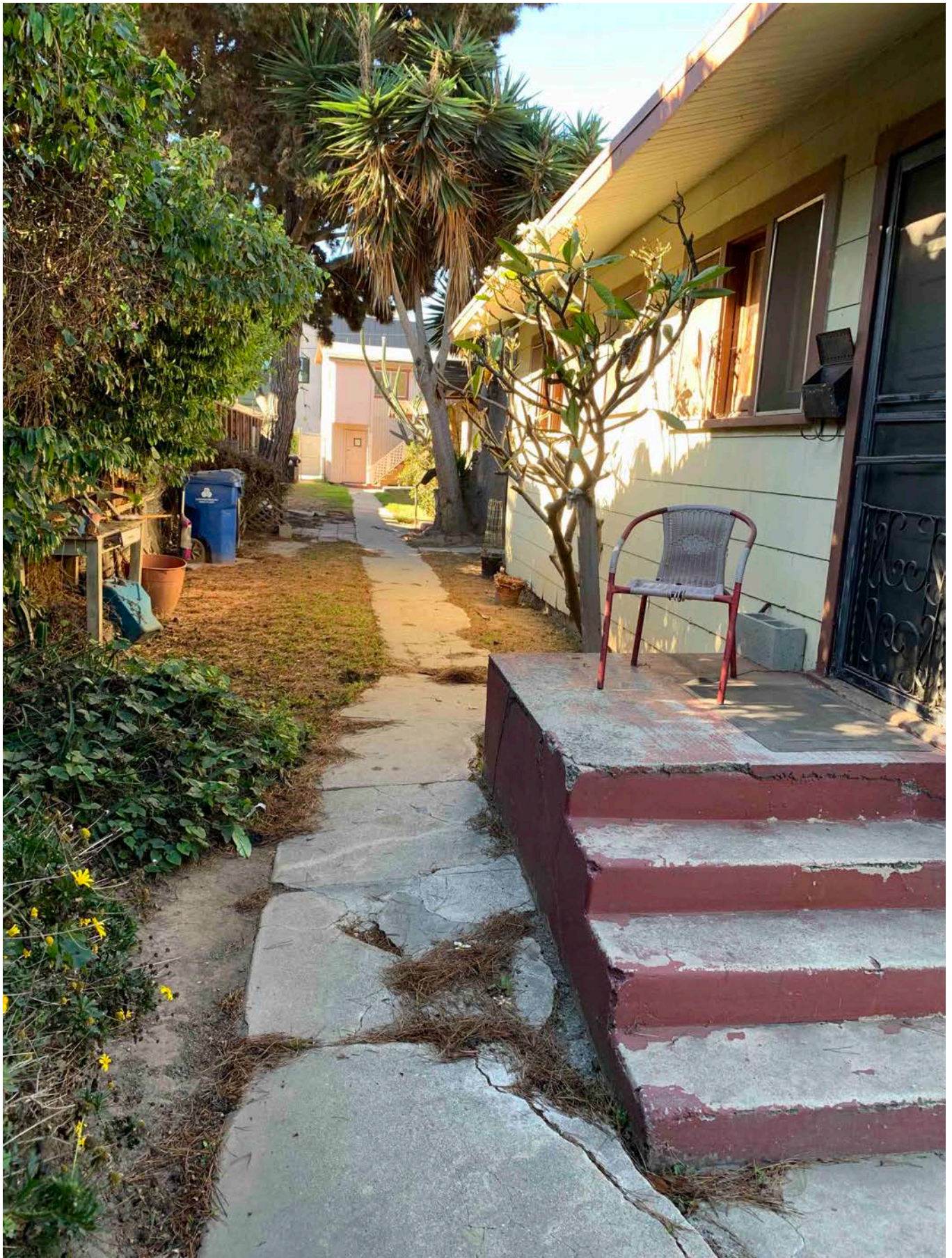
315 6TH AVE

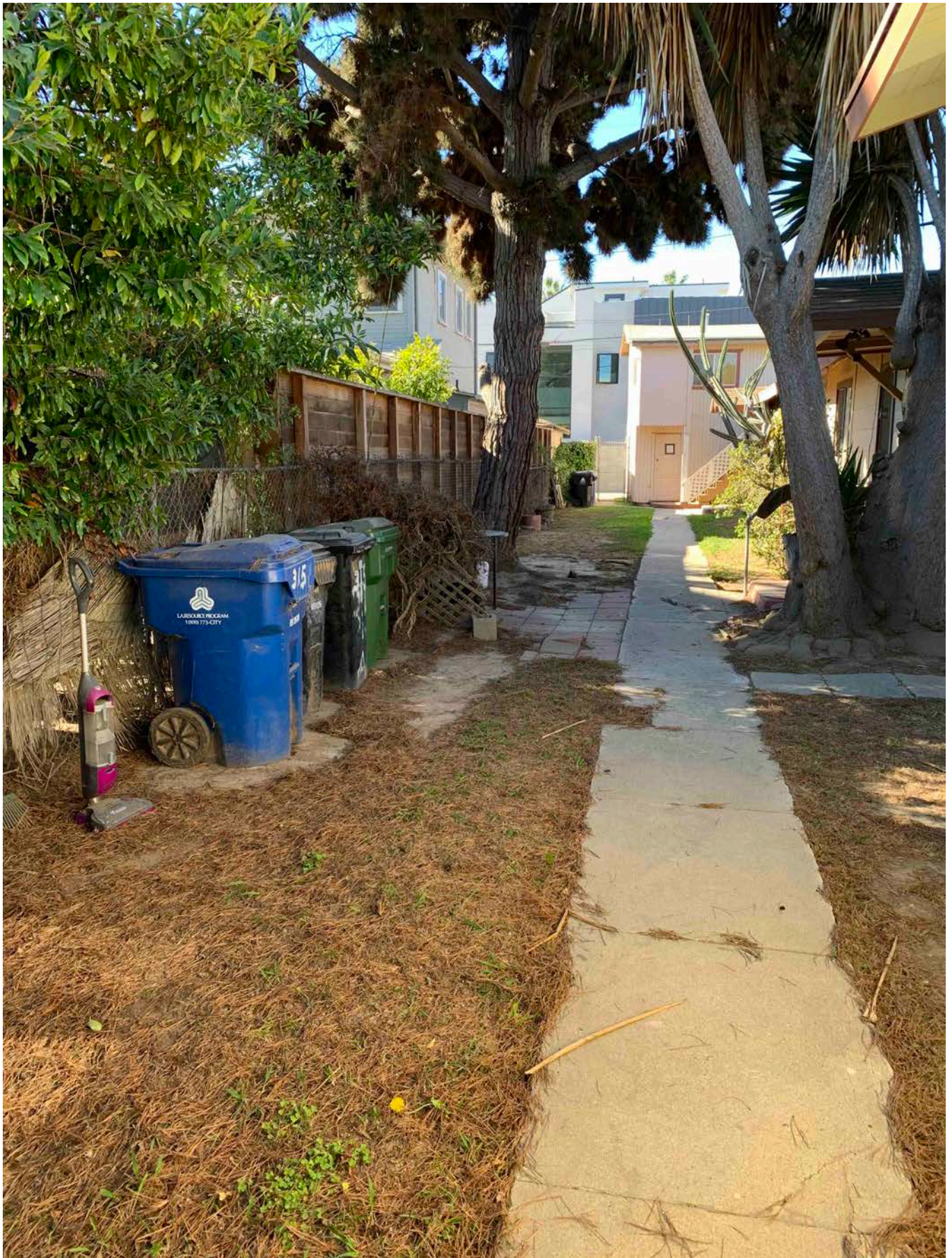
UNIFIED DEVELOPMENT

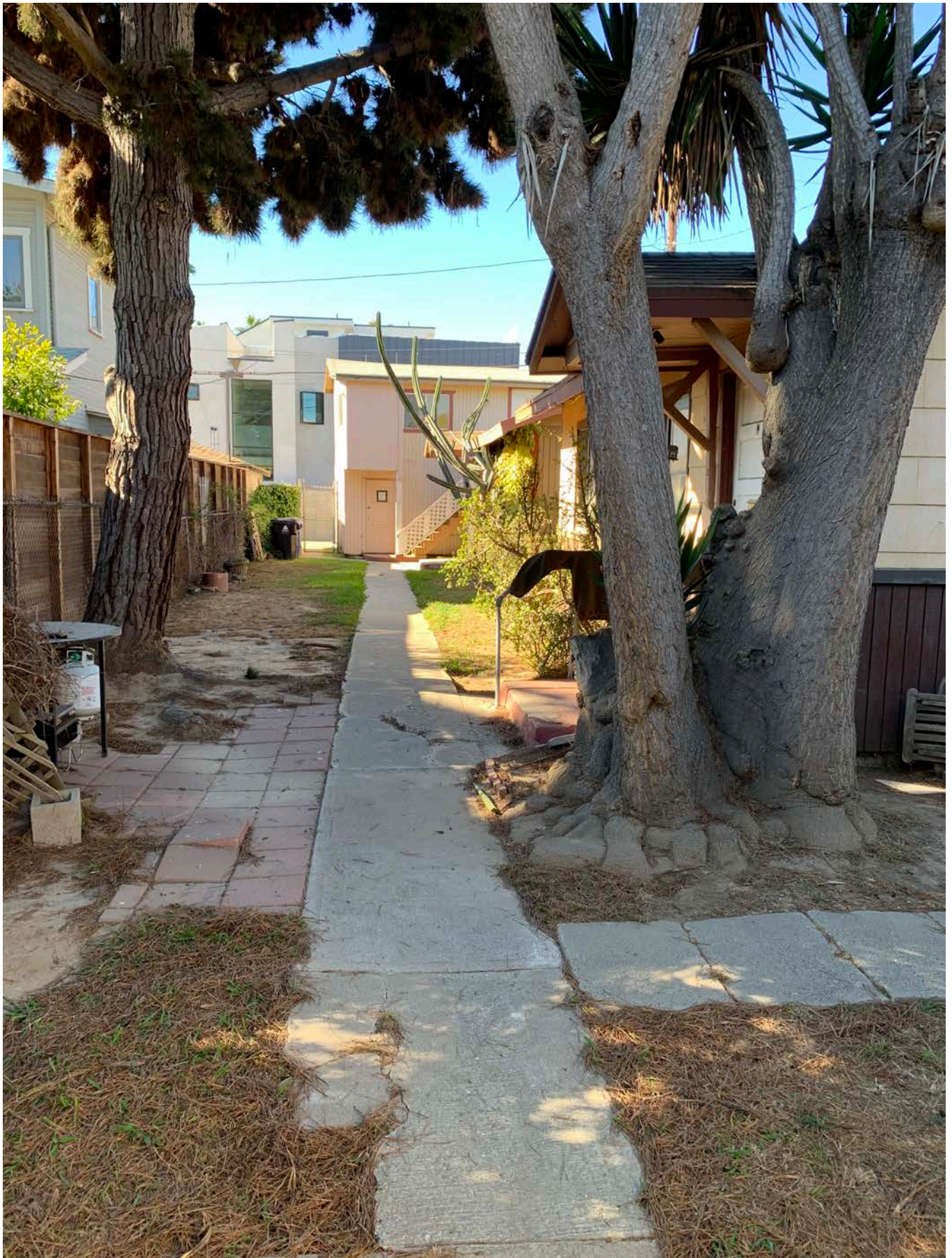






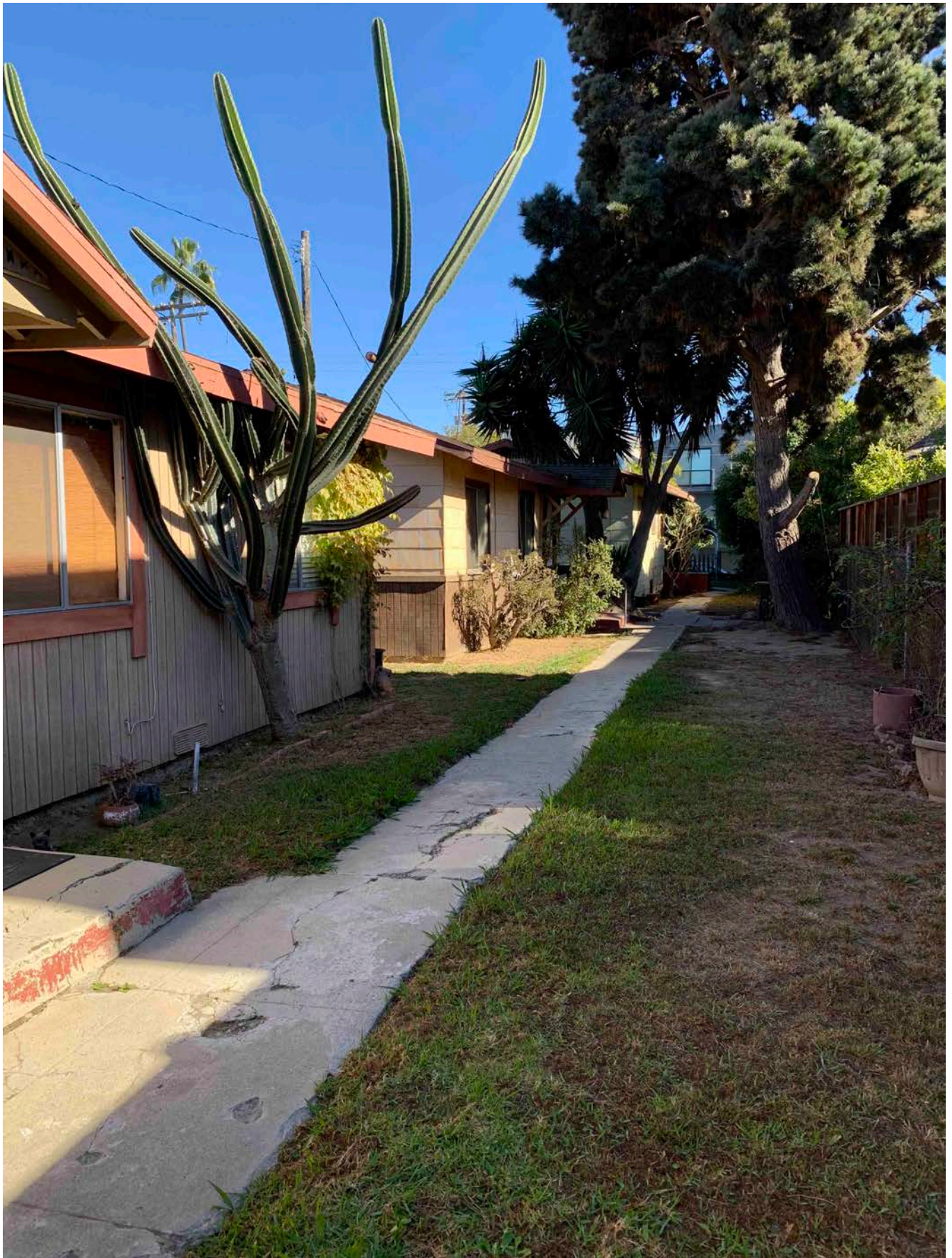












AA-2019-2609-PMLA-SL-1A
DIR-2019-2610-CDP-MEL-1A

EXHIBIT B: AA-2019-2609-PMLA-SL

- Letter of Determination
- Preliminary Parcel Map:
September 18, 2019
- Preliminary Parcel Map:
March 31, 2020
- ADM-2019-2611-SLD

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

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TRICIA KEANE
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

Decision Date: November 9, 2020

Appeal End Date: November 24, 2020

Applicant/Owner

Brock Wylan
315 6th Avenue LLC
c/o 111 E. 14th Street

Representative

Steve Kaplan
16133 Ventura Blvd., Ste. 700
Encino, CA, 91436

Case No. AA-2019-2609-PMLA-SL

CEQA: ENV-2019-2613-CE

Incidental Case: DIR-2019-2610-CDP-MEL

Location: 315 South 6th Avenue

Council District: 11 – Bonin

Neighborhood Council: Venice

Community Plan Area: Venice

Land Use Designation: Low Medium II Residential

Zone: RD1.5-1

Legal Description: Lot 10; Block G; Tract
CARNATION PARK TRACT

The Advisory Agency determines that, based on the whole of the administrative record, the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Sections 15301, 15303, 15315, and 15332, and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies, and issues ENV-2019-2613-CE as the environmental clearance. In accordance with provisions of Section 17.51 and 17.53 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approves Parcel Map No. AA-2019-2609-PMLA-SL, located at 313 & 315 South 6th Avenue, for a maximum **2 small lots**, pursuant to the LAMC Section 12.22 C.27, as shown on a parcel map stamp-dated September 18, 2019, in the Venice Community Plan. This unit density is based on the RD1.5-1 Zone. The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning Code as it applies to this particular property. The Advisory Agency's approval is subject to the following conditions:

NOTE on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

Bureau of Engineering approvals are conducted at the Land Development Group, located 201 N. Figueroa Street, Suite 200. Any questions regarding these conditions should be directed to Julia Li (213) 202-3481 or Michael Soto (213) 202-3498.

1. That if this parcel map is approved as "Small Lot Subdivision" then, if necessary for street address purposes, all the common access to this subdivision be named on the final map satisfactory to the City Engineer.
2. That if this parcel map is approved as "Small Lot Subdivision" then the final map be labeled as "Small Lot Subdivision per Ordinance 185462" satisfactory to the City Engineer.
3. That all common access easements, including the vehicular access and pedestrian access easement, be part of the adjoining lots.
4. That, if necessary, public sanitary sewer easement be dedicated on the final map based on an alignment approved by the West Los Angeles Engineering District Office.
5. That, if necessary, the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
6. That the subdivider make a request to the West Los Angeles District Office of the Bureau of Engineering to determine the capacity of existing sewers in the area.
7. That all pedestrian common access easements be shown on the final map.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

Grading Division approvals are conducted at 221 North Figueroa Street, 12th Floor suite 1200. The approval of this Parcel Map shall not be construed as having been based upon a geological investigation such as will authorize the issuance of the building permit of the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits.

8. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Geology and Soils Report Approval dated February 25, 2019, Log No. 107212, and attached to the case file for Parcel Map No. AA-2019-2609-PMLA-SL.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Eric Wong at (213) 482-6876 to schedule an appointment. Any proposed structures or uses on the site have not been checked for Building or Zoning Code requirements. Plan check may be required before any construction, occupancy, or change of use. Unless filed concurrently and included as part of the hearing notice with this subdivision, any additional deviations from the Los Angeles Municipal Code required by the Department of Building and Safety Office of the Zoning Engineer preliminary to the Zoning Engineer clearing the items on the report to the Advisory Agency, shall be separately filed through the City Planning Department Office of the Zoning Administrator.

9. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:

- a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
- b. Show all street/alley dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication. Front and rear yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).
- c. Provide and dimension the reciprocal private easement for pedestrian and driveway egress and ingress in the final map.

Notes:

This property is located in a Liquefaction Zone.

The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

The proposed buildings may not comply with City of Los Angeles Building Code requirements concerning exterior wall, protection of openings and exit requirements with respect to the proposed and existing property lines. Compliance shall be to the satisfactory of LADBS at the time of plan check.

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

DEPARTMENT OF TRANSPORTATION

Transportation approvals are conducted at 201 North Figueroa Street, Suite 500 Station 3. Please call (213) 482-7024 for any questions.

10. That the project be subject to any recommendations from the Department of Transportation.

FIRE DEPARTMENT

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY. In order to assure that you receive service with a minimum amount of waiting please call (213) 482-6509. You should advise any consultant representing you of this requirement as well.

11. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the

following:

- a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
- b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- c. Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
- d. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- e. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- f. Site plans shall include all overhead utility lines adjacent to site.
- g. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- h. Smoke Vents may be required when roof access is not possible; location and number of vents to be determined at Plan Review.
- i. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.
- j. Adequate offsite public and onsite private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.

DEPARTMENT OF WATER AND POWER

Questions regarding Water Services Organization (WSO) clearance should be directed to the Los Angeles Department of Water and Power, Water Distribution Engineering, P.O. Box 51111, Room 1425, Los Angeles, CA 90051-5700 or (213) 367-1218.

12. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).)

BUREAU OF STREET LIGHTING: *Street Lighting clearance for this Street Light Maintenance Assessment District condition is conducted at 1149 S. Broadway Suite 200. Street Lighting improvement condition clearance will be conducted at the Bureau of Engineering District office, see condition S-3. (c).*

13. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall

provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

BUREAU OF SANITATION

14. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structure or potential maintenance problem, as stated in the memo dated October 16, 2019. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

INFORMATION TECHNOLOGY AGENCY

15. To assure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

DEPARTMENT OF RECREATION AND PARKS

Park fees are paid at 221 North Figueroa Street. Suite 400, Los Angeles. Please contact Park Fees staff at (213) 202-2682 or at rap.parkfees@lacity.org.

16. That the Park Fee paid to the Department of Recreation and Parks be calculated as a Subdivision (Quimby in-lieu) fee.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: (213) 847-3077 for permit information. CEQA document must address parkway tree removals.

17. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. Parkway tree removals shall be replanted at a 2:1 ratio. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the sub divider or contractor shall notify the Urban Forestry Division at (213) 847-3077 upon completion of construction to expedite tree planting.

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

Clearances may be conducted at the Figueroa, Valley, or West Los Angeles Development Services Centers. To clear conditions, an appointment is required, which can be requested at <http://planning.lacity.org>.

18. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - a. Per the Director of Planning's Interpretation of Small Lot Subdivisions within the Venice Coastal Zone Specific Plan, the existing lot may be subdivided into two (2) small lots.

- b. A Certificate of Occupancy (temporary or final) for the building(s) in Parcel Map No. AA-2019-2609-PMLA-SL shall not be issued until after the final map has been recorded.
- c. That the subdivider shall comply with the **Venice Coastal Zone Specific Plan** prior to the issuance of a building or grading permit. The subdivider shall obtain a Venice Sign Off (VSO) for each newly subdivided small lot, to be issued by a Venice Project Planner at the time of plan check.
- d. Provide a minimum of two (2) off-street parking spaces per dwelling unit.

In addition to the above, provide a minimum of one-quarter (¼) guest parking spaces per dwelling. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning.

- e. Note to City Zoning Engineer and Plan Check. The Advisory Agency has considered the following setbacks in conjunction with the approved map. Minor deviations to the map's setbacks are allowed in the event that such deviations are necessary in order to accommodate other conditions of approval as required by other City agencies. In no event shall the setback from the perimeter boundary of the subdivision measure less than required pursuant to LAMC Section 12.22 C, 27 effective on April 18, 2018 (Ordinance No. 185,462):

- i. Setbacks shall be permitted as follows:

Setback Matrix				
Lot	Front	Rear	Side (E)	Side (W)
A (Rear)	17'-4"	5'-0"	5'-0"	5'-0"
B (Front)	15'-0"	0'-0"	5'-0"	5'-0"

- g. A five-foot-wide common access easement shall be provided from Parcel A to 6th Avenue.
- h. The Subdivider shall comply with the Small Lot Design Standards, as reviewed under Case No. ADM-2019-2611-SLD and shall conform to the plans approved in Case No. ADM-2019-2611-SLD.
- i. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
- j. That a solar access report shall be submitted to the satisfaction of the Advisory

Agency prior to obtaining a grading permit.

- k. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.

I. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate

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

For purposes of this condition, the following definitions apply:

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

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

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

- k. A Community Maintenance Agreement shall be prepared, composed of all property owners, to maintain all common areas such as trees, landscaping, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become party to the agreement and shall be subject to a proportionate share of the maintenance. The Community Maintenance Agreement shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded, to the Planning Department for placement in the tract file.
- l. That copies of all recorded Covenant and Agreement(s) for all reciprocal private easements shall be submitted to the Planning Department for placement in the tract file.
- m. That prior to the issuance of the building permit or the recordation of the final map, a copy of the Case No. DIR-2019-2610-CDP-MEL shall be submitted to the satisfaction of the Advisory Agency. In the event that Case No. DIR-2019-2610-CDP-MEL is not approved, the subdivider shall submit a parcel map modification.

DEPARTMENT OF CITY PLANNING - STANDARD SMALL LOT CONDITIONS

SL-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this map approval, the following conditions shall apply:

- a. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Development Services Center of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
- b. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

SL-2. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any grading or building permits before the recordation of the final map. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site. Desirable trees are those 8 inches or greater in diameter.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

S-1.

- a. That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Los Angeles Municipal Code (LAMC).
- b. That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- c. That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- d. That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- e. That drainage matters be taken care of satisfactory to the City Engineer.
- f. That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- g. That any required slope easements be dedicated by the final map.
- h. That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
- i. That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
- j. That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.

- k. That no public street grade exceeds 15%.
 - l. That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- a. Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - b. Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
 - c. All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - d. All improvements within public streets, private streets, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
 - e. Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3. That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
- a. Construct on-site sewers to serve the tract as determined by the City Engineer.
 - b. Construct any necessary drainage facilities.
 - c. Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.

Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- d. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division (213) 847-3077) upon completion of construction to expedite tree planting.

- e. Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- f. Construct access ramps for the handicapped as required by the City Engineer.
- g. Close any unused driveways satisfactory to the City Engineer.
- h. Construct any necessary additional street improvements to comply with the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- i. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - (1) Improve 6th Avenue adjoining the subdivision by the construction of the following:
 - A. An integral concrete curb and gutter, and a minimum 5-foot wide concrete sidewalk and landscaping of the remainder sidewalk areas.
 - B. Suitable surfacing to join the existing pavement and to complete an 18-foot wide half roadway.
 - C. Any necessary removal and reconstruction of the existing improvements.
 - D. The necessary transitions to join the existing improvements.
 - (2) Improve the alley adjoining the subdivision to the intersection with the northwesterly alley by the removal and reconstruction of the existing improvements to provide a new 20-foot wide alley with 2-foot wide longitudinal concrete gutter including the alley intersection with the northwesterly alley, all satisfactory to the West Los Angeles District Engineering Office.
 - (3) Construct the necessary onsite mainline and house connection sewers satisfactory to the City Engineer.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the parcel map action. However, the existing or proposed zoning may not permit this number of units.

Any removal of the existing street trees shall require Board of Public Works approval.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05-N of the Los Angeles Municipal Code (LAMC).

The final map must be recorded within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features that can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

FINDINGS OF FACT (CEQA)

The Advisory Agency determined based on the whole of the administrative record, the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 (Class 1), 15303 (Class 3), Section 15315 (Class 15), and Section 15332 (Class 32) and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies, under Case No. ENV-2019-2613-CE.

The Class 1 categorical exemption allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. The Class 1 categorical exemption includes demolition and removal of individual small structures: (1) One single-family residence. In urbanized areas, up to three single-family residences may be demolished under this exemption; (2) A duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling units will be demolished; (3) A store, motel, office, restaurant, or similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use; (4) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. The project proposes the demolition of two existing single-family dwellings and a detached accessory structure (storage).

The Class 3 categorical exemption allows for construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. This includes one single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family dwellings may be constructed under this exemption. The proposed project qualifies for a Class 3, categorical exemption because it consists of the construction of one single-family residence and attached ADU on each of the newly subdivided lots.

The Class 15 categorical exemption allows for minor subdivisions in urban areas. A project qualifies for a Class 15 Categorical Exemption if it is a division of property in an urbanized area and meets the six (6) conditions as described in this section. Preliminary Parcel Map No. AA-2019-2609-PMLA-SL satisfies all six conditions and therefore qualifies for the Class 15 Categorical Exemption.

- a. The project proposes to subdivide one parcel to create two new parcels.
- b. The site currently is developed with four single-family dwellings. The site is zoned RD1.5-1 and has a General Plan Land Use Designation of Low Medium II Residential. The project proposes the construction of two single-family dwellings on two new lots and is in conformance with the General Plan and Zoning designation.
- c. No variances or exceptions are requested or required as part of this project.

- d. The project site will be adequately served by all public utilities and services given that the property is located in an urban tract with water supply, sewage and waste disposal infrastructure, and power lines installed. 6th Avenue and the abutting alley are improved streets with existing utilities and infrastructure to serve residences in the area. The street and alley are accessible to emergency vehicles. Since there is a minor net gain in the number of units on the subject site, no significant increase in population or density is anticipated. There will be no significant impact on the capacity of existing utilities and services.
- e. There is no record of any previous subdivisions in the last two years on record for the subject site.
- f. No slope greater than 20% is indicated on the parcel map or topographic survey.

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

- a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations. The site currently is developed with four single-family dwellings. The site is zoned RD1.5-1 and has a General Plan Land Use Designation of Low Medium II Residential. Since the project is for the construction of two new single-family dwellings, the project is in conformance with the General Plan and Zoning designation.
- b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The site has a gross lot area of 6,358 square feet, approximately 0.14 acres, located at 313 South 6th Avenue and 315 South 6th Avenue, and is wholly within the City of Los Angeles. Lots surrounding the subject site are developed with single-family and multi-family dwellings.
- c. The project site has no value as habitat for endangered, rare or threatened species. The site is not a wildland area, and is not inhabited by endangered, rare, or threatened species. The area around the site is urbanized and surrounded by residential use. NavigateLA shows that the subject site is not located in a Significant Ecological Area.
- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will reduce any potential impacts on noise and water quality to less than significant. The creation of noise is limited to certain decibels, restricted to specific hours. The proposed project is not adjacent to any water sources and does not involve excavations that may have an impact on the water table. Because the project results in a minor net gain in the number of residential units, impacts to public services and air quality are deemed insignificant. Traffic congestion will not be impacted by the project; the number of trips generated by the development will not result in a net increase because the area's density and population will not change significantly. Likewise, air quality will not worsen as a result of the proposed project.
- e. The site can be adequately served by all required utilities and public services. The project site will be adequately served by all public utilities and services given that the property is located in an urban tract with water supply, water treatment, sewage and waste disposal infrastructure, and power lines. 6th Avenue and the abutting alley are improved streets with

existing utilities that service the various other dwellings in the area. The street and alley are accessible to emergency vehicles. Since there is a minor net gain in the number of units on the subject site, no significant increase in population or density is anticipated. As such, no significant impact on the capacity of existing utilities and services is anticipated.

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

- a. Location. The project is not located in a sensitive environment. The subject property and its surrounding residential neighborhood are not identified as an environmental resource. The proposed project is consistent with the scale and uses proximate to the area. The subject site is not located in a fault or flood zone, nor is it within a landslide area. Although the project is located within a Liquefaction Area, the project is subject to compliance with the requirements of the Building and Zoning Code that outline standards for residential construction.
- b. Cumulative Impact. The project is consistent with the type of development permitted for lots zoned RD1.5-1 and Low Medium II Residential land use designation. The proposed construction of four dwelling units will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not result in significant cumulative impacts.
- c. Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed project consists of work typical in a residential neighborhood and, as such, no unusual circumstances are present or foreseeable.
- d. Scenic Highways. The project site is not located on or near a designated state scenic highway.
- e. Hazardous Waste Sites. The project site is not identified as a hazardous waste site or is on any list compiled pursuant to Section 65962.5 of the Government Code.
- f. Historical Resources. The subject site and existing structure have not been identified as a historic resource or within a historic district (SurveyLA, 2015), the project is not listed on the National or California Register of Historic Places, or identified as a Historic Cultural Monument (HCM)

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Parcel Map No. AA-2019-2609-PMLA-SL the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The Land Use Element of the General Plan consists of the 35 Community Plans within the City of Los Angeles. The Community Plans establish goals, objectives, and policies for future developments at a neighborhood level. Additionally, through the Land Use Map, the Community Plan designates parcels with a land use designation and zone. The Land Use Element is further implemented through the Los Angeles Municipal Code (LAMC). The zoning regulations contained within the LAMC regulates, but is not limited to, the maximum permitted density, height, parking, and the subdivision of land. The subject site is located

within the Oakwood Subarea of the Venice Coastal Zone Specific Plan area.

The subdivision of land is regulated pursuant to Article 7 of the LAMC. Pursuant to LAMC Section 17.50, parcel maps are to be designed in conformance with the parcel map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. Additionally, the maps are to be designed in conformance with the Street Standards established pursuant to LAMC Section 17.05 B. The project site is located within the Venice Community Plan, which designates the site with a Low Medium II Residential land use designation. The land use designation lists the RD1.5, RD2, RW2, and RZ2.5 Zones as the corresponding zones. The project site is zoned RD1.5-1, which is consistent with the land use designation.

The project site has approximately 6,380 square feet of lot area. The Venice Specific Plan allows a maximum density of two dwelling units per lot (one unit per 1,500 square feet of lot area). As shown on the parcel map, the Project proposes to subdivide the project site into two (2) small lots, pursuant to LAMC Section 12.22 C.27, which is consistent with the density permitted by the zone. Parcel A (rear) will have a lot area of 3,800 square feet and Parcel B (front) will have a lot area of 2,580 square feet, meeting the minimum lot area requirement of 1,500 square feet.

Pursuant to LAMC Section 17.51 A, a preliminary parcel map is not required to be prepared by a licensed land surveyor or registered civil engineer, but is required to contain information regarding the boundaries of the project site, as well as the abutting public rights-of-way, hillside contours for hillside properties, location of existing buildings, existing and proposed dedication, and improvements of the tract map. The parcel map indicates the parcel map number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.51 A. Additionally, as a small lot subdivision, the map indicates the common access easement for vehicular and pedestrian access to the proposed small lots, consistent with LAMC Section 12.22 C.27. Therefore, the proposed map demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, and 12.22 C.27 and is consistent with the General Plan, the Venice Coastal Zone Specific Plan, and Ordinance 176,345.

(b) THE DESIGN OR IMPROVEMENT OF THE PROPOSED SUBDIVISION IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

For purposes of a subdivision, the terms *design* and *improvement* are defined by Section 66418 and 66419 of the Subdivision Map Act and LAMC Section 17.02. *Design* refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout. Pursuant to Section 66427(a) of the Subdivision Map Act, the location of the buildings is not considered as part of the approval or disapproval of the map by the Advisory Agency. Easements and/or access and *improvements* refers to the infrastructure facilities serving the subdivision. LAMC Section 17.50 and 17.05 enumerates the design standards for a parcel map and requires that each map be designed in conformance with the Street Design Standards and in conformance with the General Plan. As indicated in Finding (a), LAMC Section 17.05 C requires that the parcel map be designed in conformance with the zoning regulations of the project site. As the project site is zoned RD1.5-1 and located within the Venice Coastal Zone Specific Plan area, the Specific Plan would permit a maximum of two (2) dwelling units on the 6,380 square-foot site. As the map is proposed for a two-lot small lot subdivision, it is consistent with the density permitted by the zone. As a small lot subdivision, the map indicates the common access easements from the public right-of-ways for vehicular access.

The parcel map was distributed to and reviewed by the various city agencies of the

Subdivision Committee that have the authority to make dedication, and/or improvement recommendations. The Bureau of Engineering reviewed the parcel map for compliance with the Street Design Standards. The Bureau of Engineering has recommended dedication and/or improvements to the public right-of-way along 6th Avenue and the adjoining alleyway, consistent with the standards of the Mobility Element. In addition, the Bureau of Engineering has recommended the construction of the necessary onsite mainline sewers and all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 2010. As conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General Plan.

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE OF DEVELOPMENT.

The project site is 6,380 square feet in area. The proposed subdivision creates two new 40-foot wide small lots with lot areas of 3,800 (Parcel A) and 2,580 (Parcel B) square feet. The site is developed with four single-family residences, all to be demolished; the project proposes a single-family residence with an attached Accessory Dwelling Unit on each newly created lot.

The project site is located within the 4.05 km (2.52 miles) from the Santa Monica Fault, but is not located within the Alquist-Priolo Fault Zone. The site is not located within a designated hillside area or within the BOE Special Grading Area. The site is not located within a high fire hazard severity zone, flood zone, landslide zone, methane hazard site, or tsunami inundation zone. The site is located within a liquefaction zone and, as such, will be required to comply with all applicable regulations. Prior to the issuance of any permits, the project would be required to be reviewed and approved by the Department of Building and Safety and the Fire Department. The site is not identified as having hazardous waste or past remediation. The site is within Flood Zone X, which denotes areas outside of a flood zone. The site is subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas). The project conforms to both the specific provisions and the intent of the Specific Plan for the Management of Flood Hazards (Section 5 of Ordinance 172,081).

The parcel map has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. The subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Geology and Soils Report Approval dated February 25, 2019, Log No. 107212, and attached to the case file for Parcel Map No. AA-2019-2609-PMLA-SL. Therefore, the site will be physically suitable for the proposed type of development.

(d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

The proposed density of two single-family residences, each with an attached Accessory Dwelling Unit (ADU) over two lots is consistent with the density of the development in the immediate area. The properties surrounding the subject site have a land use designation of Low Medium II Residential and are zoned RD1.5-1. The adjoining property to the southeast is improved with a two-story triplex, and the adjoining lot to the northwest is a parking lot. Across the street from the property is a three-story condominium containing one residential unit. The property across the alley consists of a multi-story small lot subdivision under construction.

The project site is a 6,380 square-foot lot developed with a four single-family dwellings. The project proposes to construct two small lot homes; each would be three stories with a maximum height of 30 feet. As proposed, the density and height is consistent with the zone and land use designation. The density is also consistent with the Venice Coastal Zone Specific Plan, permitting a maximum of two dwelling units and a height of 30 feet. The parcel map has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. The subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Geology and Soils Report Approval dated February 25, 2019, Log No. 107212, and attached to the case file for Parcel Map No. AA-2019-2609-PMLA-SL. Therefore, the site will be physically suitable for the proposed type of development. Additionally, prior to the issuance of a demolition, grading, or building permit, the project would be required to comply with conditions herein and applicable requirements of the LAMC. As conditioned, the proposed tract map is physically suitable for the proposed density of the development.

- (e) THE DESIGN OF THE SUBDIVISION OR THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The project site is currently developed with four single-family dwellings. There are no protected trees on the project site or within the public right-of-way adjacent to the project site. The surrounding area is presently developed with residential structures. Neither the project site nor the surrounding area provides a natural habitat for fish or wildlife. It has been determined that the project and the design of the subdivision and proposed improvements will not cause substantial environmental damage or injury to wildlife or their habitat.

- (f) THE DESIGN OF THE SUBDIVISION OR TYPE OF IMPROVEMENTS IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

- (g) THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS, ACQUIRED BY THE PUBLIC AT LARGE, FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

As required by LAMC Section 12.03, the project site has a minimum of 20 feet of frontage along 6th Avenue, which is a public street. The project site consists of a parcel identified as Lot No. 10 in Block G of Carnation Park Tract and is identified by the Assessor Parcel Map No. 4240-010-010. While the project will provide a private easement for common/vehicular access purposes within the subdivision, there are no known easements acquired by the public at-large for access through or use of the property within the

proposed subdivision, as identified on the tract map. Necessary easements for utilities will be acquired by the City prior to the recordation of the proposed parcel map.

Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION SHALL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the preliminary and final maps for Parcel Map No. AA-2019-2609-PMLA-SL.

THE FOLLOWING NOTES ARE FOR INFORMATIONAL PURPOSES AND ARE NOT CONDITIONS OF APPROVAL OF THIS PARCEL MAP:

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with Section 17.05-N of the Los Angeles Municipal Code (LAMC).

Note: The above action shall become effective upon the decision date noted at the top of this letter unless an appeal has been submitted to the Central Area Planning Commission within 15 calendar days of the decision date. If you wish to file an appeal, it must be filed within 15 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 15-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

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

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

West Los Angeles
Development Service Center
1828 Sawtelle Boulevard, 2nd Floor
Los Angeles, CA 90025
(310) 231-2901

Appeal forms are available on-line at <http://planning.lacity.org>.

Pursuant to Ordinance 176,321, effective January 15, 2005, Parcel Map determinations are only appealable to the Area Planning Commission. There is no longer a second level of appeal to the City Council for Parcel Map actions of the Advisory Agency.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final, including all appeals, if any.

No sale of separate parcels is permitted prior to recordation of the final parcel map. The owner is advised that the above action must record within 36 months of this approval, unless an extension of time is granted before the end of such period. No requests for time extensions or appeals received by mail shall be accepted.

VINCENT P. BERTONI, AICP
Advisory Agency


Juliet Oh
Deputy Advisory Agency

JO:JK:SK

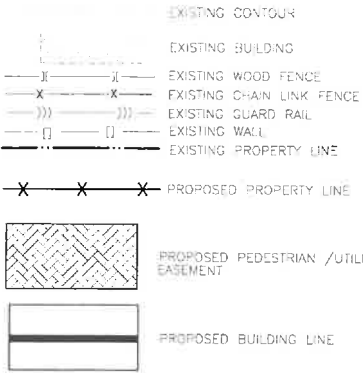
PRELIMINARY PARCEL MAP AA-2019-2609-PMLA-SL

FOR SMALL LOT SUBDIVISION PURPOSES ORDINANCE NO. 185,462

CITY OF LOS ANGELES
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BEING A SUBDIVISION OF LOT 10 OF BLOCK G OF CARNATION PARK TRACT
AS PER MAP RECORDED IN BOOK 7 PAGE 57 OF MAPS,
IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

LEGEND



NOTES:

- 1) TOTAL LOT AREA: 6,380 SQ FT
TOTAL GROSS BUILDABLE AREA: 7,254 SQ FT
NET RENTABLE AREA: 6,620 SQ FT
- 2) PROPOSED DEVELOPMENT: SMALL LOT SUBDIVISION RESULTING IN 2 NEW SMALL LOTS. CONSTRUCT NEW 3-STORY SINGLE-FAMILY DWELLING ON EACH LOT. DEMOLISH THREE EXISTING SINGLE-FAMILY DWELLINGS.
- 3) ZONING: RD1.5 - 1
- 4) SPECIFIC PLAN AREA: VENICE COASTAL ZONE.
- 5) SPECIFIC PLAN SUBAREA: OAKWOOD
- 6) CONCURRENT CDP CASE NO.: DIR-2019-2610-CDP-MEL
- 7) EASEMENT: AS SHOWN HEREON.
- 8) CAR PARKING SUMMARY:
2 SPACES PER DWELLING UNIT
1 GUEST SPACE PER FOUR DWELLING UNITS
TOTAL REQUIRED: 5
TOTAL SHOWN: 5
- 9) NO PUBLIC STREET DEDICATION ON THIS DEVELOPMENT.
- 10) NO PROTECTED TREE (OAKS, WESTERN SYCAMORE, CALIF. BAY OR S.C. BLACK WALNUT TREES) ON PROPERTY.
- 11) THERE ARE NO HAZARDS OR HAZARDOUS MATERIAL ON PROPERTY.
- 12) PROPOSED BUILDING HEIGHT SHALL BE MEASURED FROM CL GRADE OF 6TH AVENUE. MAX HEIGHT IS 30' FOR VARIED ROOF; ANY PORTION EXCEEDING 25' SHALL BE SETBACK FROM REQUIRED FRONT YARD SETBACK AT LEAST ONE FOOT IN DEPTH FOR EVERY FOOT IN HEIGHT ABOVE 25.
- 13) TRASH PICK UP IS LOCATE AND ACCESS THRU ALLEY. TRASH AREA SHALL BE SHARED BETWEEN PARCEL A & B.
- 14) THIS SITE IS IN LIQUEFACTION AREA.
- 15) ALL EXISTING STRUCTURES SHOWN ONSITE SHALL BE REMOVED.
- 16) ACCESSORY DWELLING UNITS ARE LOCATED WITHIN ONE-HALF MILE OF PUBLIC TRANSIT. THE ACCESSORY DWELLING UNITS ARE PART OF A PROPOSED PRIMARY RESIDENCE.

PROJECT

2-LOT SUBDIVISION

OWNER

315 6TH AVE. LLC, A CALIFORNIA LIMITED LIABILITY COMPANY
13101 WEST WASHINGTON BOULEVARD
LOS ANGELES, CA 90065

UTILITIES NOTE

WATERMAIN AND GASLINE ARE
AVAILABLE ON THE STREET.
THE LOCATIONS ARE TO BE
VERIFIED WITH UTILITY COMPANIES.

SETBACK MATRIX

PARCEL	AREA (GR SF)	FRONT	SIDE 1	SIDE 2	REAR
A (BACK)	3800	17'-4" (EAST)	5'-0" (NORTH)	5'-0" (SOUTH)	5'-0" (WEST)
B (FRONT)	2580	15'-0" (EAST)	5'-0" (NORTH)	5'-0" (SOUTH)	0'-0" (WEST)

LOS ANGELES DEPT. OF CITY PLANNING
SUBMITTED FOR FILING
PARCEL MAP

SEP 18 2019

☐ REVISED MAP ☐ EXTENSION OF TIME
☐ FINAL MAP UNIT ☐ MODIFIED
DEPUTY ADVISORY AGENCY

LEGAL DESCRIPTION:

LOT 10, BLOCK G OF CARNATION PARK TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 7, PAGE 57 OF MAPS, IN THE OFFICE OF COUNTY RECORDER OF SAID COUNTY.

BENCH MARK

CITY BENCHMARK ID: 16-01200

WIRE SPK E CURB 6TH AVE; 4 BFT S OF BC RET'S OF SUNSET AVE

ELEVATION: 24.988'

PREPARED FOR:

BROCK WYLAN
315 6TH AVENUE
LOS ANGELES, CA 90291

MAP PREPARED BY:

CaliLand Engineering, Inc.
Civil Engineering • Land Surveying • Subdivision
1216 SOUTH GARFIELD AVENUE, SUITE 200, ALHAMBRA, CA 91801
Phone: (626)281-2288 Fax: (626)281-2088
Visit us at: www.CaliLand.net

FIELD BOOK REF.

CITY OF LOS ANGELES

SURVEYED BY: KL
DRAWN BY: C
DATE: 08/11/2019

PRELIMINARY PARCEL MAP

SITE ADDRESS:

315 6TH AVENUE
LOS ANGELES, CA 90291

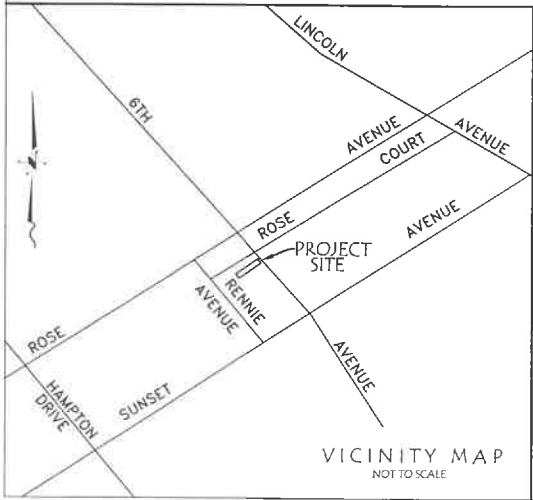
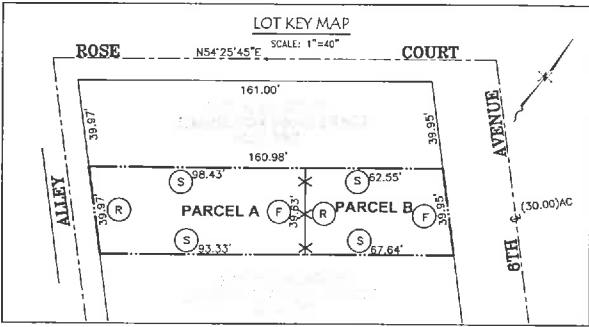
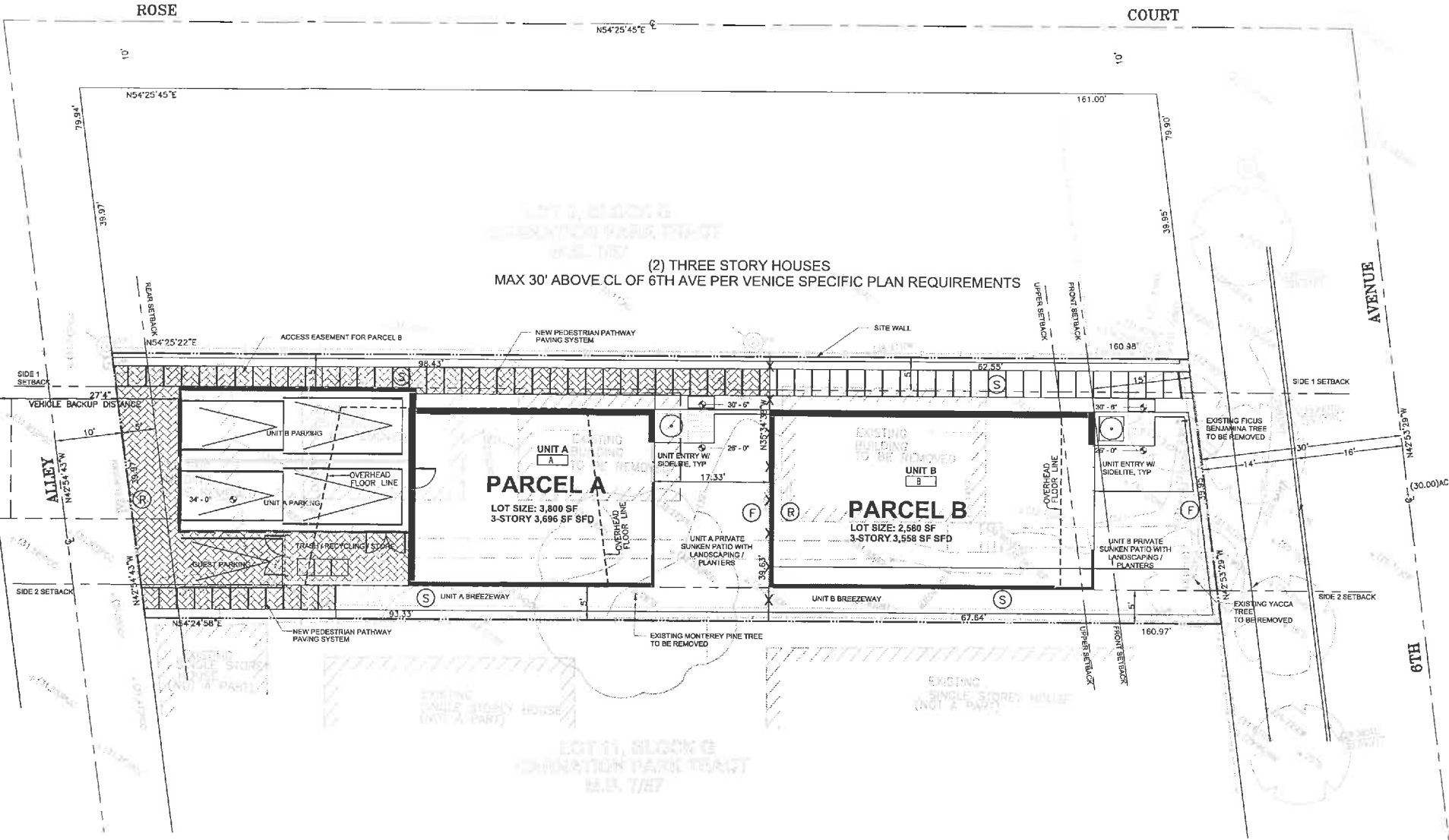
APN NO.: 4240-010-010

W.O. NO. 2018-1602

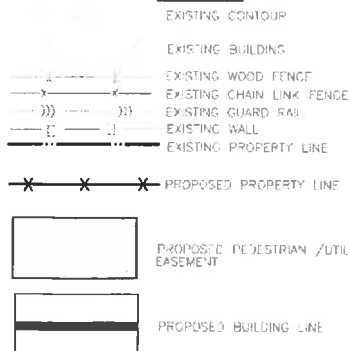
ROAD NO.

FILE NO.

SHEET 1 OF 1



LEGEND



NOTES:

- 1) TOTAL LOT AREA: 6,380 SQ FT
TOTAL GROSS BUILDABLE AREA: 7,254 SQ FT
NET RENTABLE AREA: 6,620 SQ FT
PROPOSED DEVELOPMENT: SMALL LOT SUBDIVISION RESULTING IN 2 NEW SMALL LOTS. CONSTRUCT NEW 3-STORY SINGLE-FAMILY DWELLING & ATTACHED ADU ON EACH LOT. DEMOLISH THREE EXISTING SINGLE-FAMILY DWELLINGS.
- 2) ZONING: RD1.5 - 1
SPECIFIC PLAN AREA: VENICE COASTAL ZONE.
SPECIFIC PLAN SUBAREA: OAKWOOD
CONCURRENT CDP CASE NO.: DIR-2019-2810-CDP-MEL
EASEMENT: AS SHOWN HEREON.
CAR PARKING SUMMARY:
2 SPACES PER DWELLING UNIT
1 GUEST SPACE PER FOUR DWELLING UNITS
TOTAL REQUIRED: 5
TOTAL SHOWN: 5
- 3) NO PUBLIC STREET DEDICATION ON THIS DEVELOPMENT.
- 4) NO PROTECTED TREE (OAKS, WESTERN SYCAMORE, CALIF. BAY OR S.C. BLACK WALNUT TREES) ON PROPERTY.
- 5) THERE ARE NO HAZARDS OR HAZARDOUS MATERIAL ON PROPERTY.
- 6) PROPOSED BUILDING HEIGHT SHALL BE MEASURED FROM CL GRADE OF 6TH AVENUE. MAX HEIGHT IS 30' FOR VARIED ROOF; ANY PORTION EXCEEDING 25' SHALL BE SETBACK FROM REQUIRED FRONT YARD SETBACK AT LEAST ONE FOOT IN DEPTH FOR EVERY FOOT IN HEIGHT ABOVE 25.
- 7) TRASH PICK UP IS LOCATE AND ACCESS THRU ALLEY. TRASH AREA SHALL BE SHARED BETWEEN PARCEL A & B.
- 8) THIS SITE IS IN LIQUEFACTION AREA.
- 9) ALL EXISTING STRUCTURES SHOWN ONSITE SHALL BE REMOVED.
- 10) ACCESSORY DWELLING UNITS ARE LOCATED WITHIN ONE-HALF MILE OF PUBLIC TRANSIT. THE ACCESSORY DWELLING UNITS ARE PART OF A PROPOSED PRIMARY RESIDENCE.

PROJECT

2-LOT SUBDIVISION

OWNER

315 6TH AVE. LLC, A CALIFORNIA LIMITED LIABILITY COMPANY
13101 WEST WASHINGTON BOULEVARD
LOS ANGELES, CA 90055

UTILITIES NOTE

WATERMAIN AND GASLINE ARE AVAILABLE ON THE STREET. THE LOCATIONS ARE TO BE VERIFIED WITH UTILITY COMPANIES.

SETBACK MATRIX

PARCEL	AREA(GR SF)	FRONT	SIDE 1	SIDE 2	REAR
A (BACK)	3800	17'-4" (EAST)	5'-0" (NORTH)	5'-0" (SOUTH)	5'-0" (WEST)
B (FRONT)	2580	15'-0" (EAST)	5'-0" (NORTH)	5'-0" (SOUTH)	0'-0" (WEST)

LOS ANGELES DEPT. OF CITY PLANNING
SUBMITTED FOR FILING
PARCEL MAP

MAR 31 2020

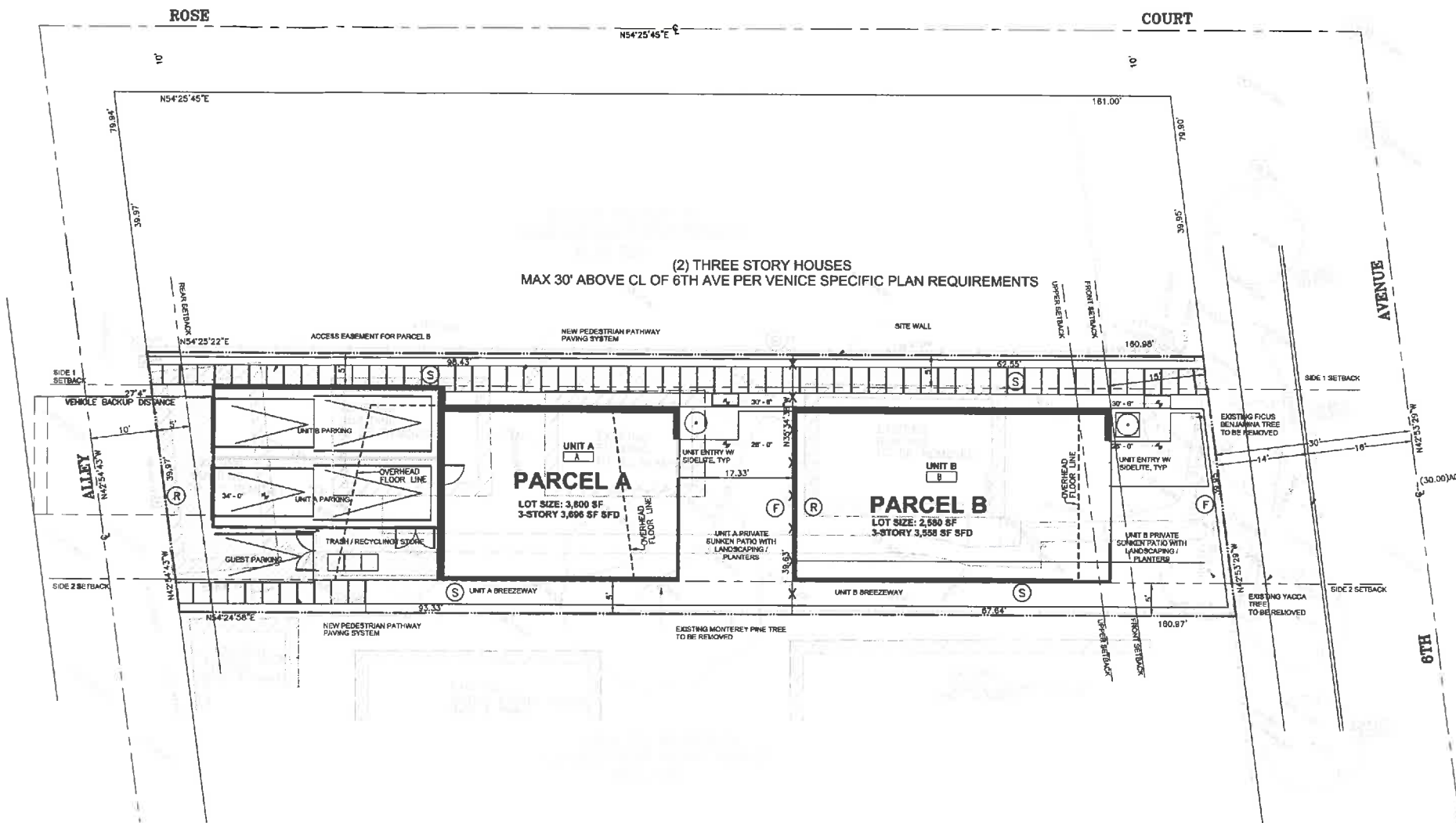
REVISED MAP EXTENSION OF TIME
FINAL MAP UNIT MODIFIED
DEPT ADVISORY AGENCY

PRELIMINARY PARCEL MAP AA-2019-2609-PMLA-SL

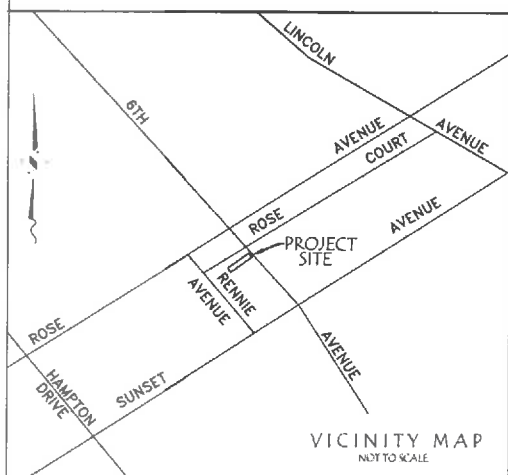
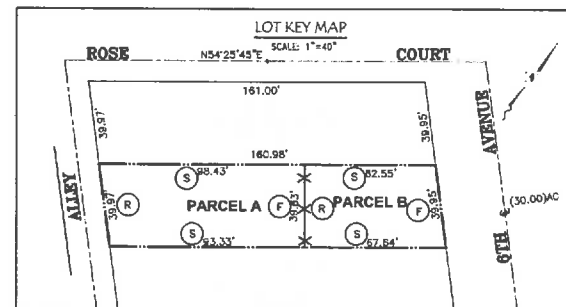
FOR SMALL LOT SUBDIVISION PURPOSES ORDINANCE NO. 185,482

CITY OF LOS ANGELES
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BEING A SUBDIVISION OF LOT 10 OF BLOCK G OF CARNATION PARK TRACT
AS PER MAP RECORDED IN BOOK 7 PAGE 57 OF MAPS,
IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY



PREPARED BY ME OR
UNDER MY DIRECTION ON: MARCH 10, 2020



LEGAL DESCRIPTION:

LOT 10, BLOCK G OF CARNATION PARK TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 7, PAGE 57 OF MAPS, IN THE OFFICE OF COUNTY RECORDER OF SAID COUNTY.

BENCH MARK

CITY BENCHMARK ID: 16-01300

WIRE SPIKE CURB 6TH AVE, 4 FEET S OF BC RET S OF SUNSET AVE

ELEVATION: 24.998

PREPARED FOR:

MOCK WYLAN
315 6TH AVENUE
LOS ANGELES, CA 90291

MAP PREPARED BY:

CaliLand Engineering, Inc.
Civil Engineering • Land Surveying • Subdivision
1218 SOUTH GARFIELD AVENUE, SUITE 200, ALHAMBRA, CA 91801
Phone: (626)281-2288 Fax: (626)281-2088
Visit us at: www.CaliLand.net

FIELD BOOK REF.

REVISIONS

APPR. DATE

CITY OF LOS ANGELES

SURVEYED BY: KL
DRAWN BY: C
DATE: 3/16/2020

PRELIMINARY PARCEL MAP

SITE ADDRESS:

315 6TH AVENUE
LOS ANGELES, CA 90291

APN NO.: 4240-010-010

W.D. NO.

2018-1602

ROAD NO.

FILE NO.

SHEET

OF 1



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:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Site Plan | <input checked="" type="checkbox"/> Materials Sheet |
| <input checked="" type="checkbox"/> Contextual and Dimensioned Floor Plans | <input checked="" type="checkbox"/> Renderings |
| <input checked="" type="checkbox"/> Detailed Elevations | <input type="checkbox"/> Landscape Plan (See Technical Requirements applicable to all landscape plans of form CP-6730) |
| <input checked="" type="checkbox"/> Roof Plan | |

2. APPLICANT INFORMATION

Applicant Name 315 6TH AVENUE, LLC

Address C/O WYLAN JAMES DEVELOPMENT Unit/Space Number _____

City 13101 WASHINGTON BLVD, Los Angeles State CA Zip 90066

Telephone 917-324-1402 E-mail Brock@wylanjames.com

3. CASE INFORMATION

ADM-2019-2611AA-2019-2629DNL-2019-2610

Administrative Clearance Case Number	Tract/Parcel Map Case Number	Additional Case Number (If applicable)
RD1.5-1	N/A	Low Medium II Residential
Existing Zone	Proposed Zone (If Applicable)	General Plan Land Use Designation
Small Multifamily	Small Lot	
Existing Use	Proposed Use	

4. PROJECT SUMMARY

Project Address: 315 6th Avenue, Venice, CA 90291

Community Plan Area: Venice Coastal Zone - Oakwood-Milwood-SE Venice

Specific Plan, DRB, CDO, POD, NOD, CPIO or SN, including subarea if applicable:

Small Lot Subdivision Type (check all that apply)

☒ New construction ☐ Small Lot Subdivision of Existing Dwelling Unit/s** ☐ Renovation/Addition

** If your project involves the small lot subdivision of existing dwelling units, please describe the proposed alterations.

(Please note that any nonconforming building, structure or improvements may be maintains or repaired or structurally altered provided it conforms to LAMC Section 12.23-A):

5. PROJECT DETAILS

Proposed number of lots:	<u>2</u>	Proposed number of small lot homes:	<u>2</u>
Maximum building height:	<u>28' - 9"</u>	Number of stories:	<u>3</u>
Roof deck(s) proposed:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Maximum building height with railing:	<u>29' - 9"</u>
Total number of parking spaces provided:	<u>5</u>	Number of guest parking spaces provided (If applicable):	<u>1</u>
Common open space provided:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Size of common open space:	<u>N/A</u>

The following section shall be completed by City Planning staff at the time of filing:

6. ACCEPTANCE FOR FILING

Project Type

- ☒ New Construction
☐ Change of use from apartment unit to Small Lot Home
☐ Modification to an existing Small Lot Home that constitutes a Project
☐ Not a Project

Planning Signature <u>Daisy B</u>	Phone Number <u>818-374-5050</u>
Print Name <u>Daisy Benicia</u>	Date <u>5/2/19</u>
Receipt Number <u>020262 8205</u>	Fee Miscellaneous sign off – Director <u>\$ 1,245.00</u>

Small Lot Design Standards Checklist

To be completed by applicant and subsequently verified by Project Planners during project review.

A. BUILDING DESIGN

1. Dwelling Orientation

- a. Small Lot Homes abutting a right-of-way, including a public street, walk street, public stairways ("right-of-way") or private street shall orient the primary entryway ("front door") toward the right-of-way or, where there is a physical site constraint, shall provide a clearly identifiable pedestrian entry to the site from the right-of-way.
- b. Small Lot Homes located in the interior of the subdivision shall orient the primary entryway toward and be visible from a pedestrian pathway that is connected to the right-of-way.
- c. Small Lot Homes that abut an alley shall orient the primary entryway toward the alley or shall be connected to a pedestrian pathway that leads directly to a right-of-way.

2. Primary Entryways

- a. All Small Lot Homes shall have a primary entryway. All primary entryways shall provide the address or unit identification, ornamental low-level lighting to illuminate the entry area, and a landing area.
- b. All primary entryways shall incorporate at least four of the following elements:
 - i. The entryway shall be recessed at least 2 feet from the building façade to create a covered porch or landing area.
 - ii. The doorway shall be recessed at least 3 inches from the building façade.
 - iii. The entryway shall be designed with an overhead projection of at least 6 inches such as an awning or other architectural design features so as to distinguish the front door from the rest of the building façade, unless prohibited by LAMC Section 12.22 C.20.
 - iv. The entryway shall be clearly marked with a side lite window panel, adjacent window, or a door with a window.
 - v. The entryway shall be raised or sunken at least one stair step from the pedestrian pathway.
 - vi. The entryway landing area shall be enhanced with unique paving material, texture, pattern, or color that is differentiated from the pedestrian pathway.

3. Primary Entryways Between Small Lot Homes

- a. Small Lot Homes shall provide at least an 8-foot separation between the face of a primary entryway of a Small Lot Home and the adjacent building wall of a neighboring Small Lot Home. The separation may include projections as listed in 2.b.iii above, but be clear to sky for a minimum of 7 feet. The separation shall be measured along the portion of the pedestrian pathway that provides access to the entryway.

Yes	No	N/A	Plan Sheet	Administrative Use Only
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A001	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A001	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A001	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A001	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A001	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A001	<input type="checkbox"/>

4. Façade Articulation

- a. Façades facing a right-of-way, the project perimeter, and all portions of exterior building elevations located greater than 7 feet from an adjacent Small Lot Home, shall be treated with an equal level of detail and articulation, and shall incorporate all of the following façade articulation techniques:
- i. Change in exterior building materials to include at least two high-quality building façade materials that accentuate or correspond to variations in building massing. Building materials may include, but are not limited to: wood, glass, brick, metal spandrel, cement board siding, or tile.
 - ii. Porticos, awnings, terraces, balconies, eyebrows, or trellises of at least 6 inches in depth that provide variations in the building plane.
 - iii. Window treatments that are extruded or recessed from the building façade a minimum of 3 inches. Windows or doors that are flush with the plane of the building (rather than extruded or recessed at least 3 inches) will not qualify as facade articulation.
 - iv. A break in the façade plane of a minimum of 6 inches in depth that is applied to at least 10 vertical feet of the facade.
 - v. Other additional architectural enhancements to the floor of the primary entrance and below, so as to create a human scale to the building. Examples include handrails, fixed planters, and ornamental details, such as lighting, molding, or tiles.

5. Varied Roofline

- a. For any Small Lot Home façade fronting a right-of-way exceeding two stories in height, the roofline shall be articulated by incorporating two of the following:
- i. A roof with a slope equal to or greater than 2 inches to 12 inches, including but not limited to a sloped or curved roofline at the top of the dwelling.
 - ii. A flat roof with a minimum of 2 feet vertical height difference for a minimum of 10 horizontal feet along the roofline of each building façade.
 - iii. A flat roof with a minimum of 2 feet vertical height difference for a minimum of 10 horizontal feet along the roofline of each building façade.
 - iv. A break in façade plane of a minimum of 6 inches in depth that is carried up to the roofline.
 - v. Any form of roofline modulation such as a step back, an outdoor stairwell, or a corner balcony.

6. Roof Decks

- a. All roof decks along the project perimeter and abutting residential uses shall be stepped back a minimum of 5 feet from the roof edge, so that they are oriented away from and screened to prevent direct views of abutting residential neighbors. Roof decks facing a right-of-way are not required to be stepped back.

Yes	No	N/A	Plan Sheet	Administrative Use Only
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A401	<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A201	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>

7. Building Massing Variation

- Small Lot Homes shall be grouped into clusters to avoid long spans of building wall. Clusters of Small Lot Homes shall be no more than six Small Lot Homes in a single continuous row or 180 linear feet, whichever is smaller. Clusters of Small Lot Homes shall be separated with a building gap of a minimum of 6 feet in width, which shall be treated with a combination of landscaping, open space, and common walkways or driveways.
- Small Lot Homes in a single row shall provide a lateral shift or break in the façade of a minimum of 6 inches for every three Small Lot Homes or 90 linear feet, whichever is smaller.
- Small Lot Homes shall be unique in design so that there is variety between Small Lot Homes within a subdivision. For a Small Lot Subdivision containing more than six Small Lot Homes in a single row, there shall be at least two variations in building design, such as changes in dwelling orientation, primary entryways, fenestration pattern, façade articulation, or varied roofline as prescribed in Subsections 1-5. For a Small Lot Subdivision of 20 or more Small Lot Homes, there shall be at least three variations in building design as stated above.

B. PEDESTRIAN CONNECTIVITY AND ACCESS

1. Pedestrian Pathways

- Pedestrian pathways of a minimum width of 3 feet shall be provided from the right of-way to all primary entryways and common areas, such as common open space areas, guest parking, mailboxes, and centralized trash enclosures.
- A pedestrian pathway located within or parallel to a Common Access Driveway shall be constructed and/or treated with a change of materials, finishes, pattern, or paving that distinguishes the pathway from vehicular traffic.
- Small Lot Subdivisions of 20 or more Small Lot Homes shall provide pedestrian and bicycle access to surrounding neighborhood rights-of-way.

2. Fences/Walls

- Fences or walls abutting the street or common open space areas shall be decorative, including but not limited to latticework, ornamental fences, screen walls, hedges or dense shrubs or trees. Solid masonry walls along the right-of way are not permitted.
- Fences or walls abutting the right-of-way and within the yard shall provide a point of entry into each lot abutting the right-of-way.

C. LANDSCAPING

1. Landscaping, Common Open Space Areas and Amenities

- 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.

Yes	No	N/A	Plan Sheet	Administrative Use Only
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A001	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
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<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A001	<input type="checkbox"/>

b. Required Common Open Space Areas must:

- i. Be open to the sky and have no structures that project into the common open space area, except as provided in Section 12.22 C.20 (b).
- ii. Be located at grade level, contiguous or connected, and readily accessible to all residents of the site.
- iii. Have a minimum area of 300 sq. ft. with no horizontal dimension less than 15 feet when measured perpendicular from any point on each of the boundaries of the open space area. Driveways, parking spaces, or pedestrian pathways cannot be counted toward the open space requirement.

- c. The combination of required Common Open Space Areas shall be multifunctional and designed to accommodate a range of passive, active, or social uses, with enhancements such as landscaping, activity lawns, swimming pools, spas, picnic tables, benches, children's play areas, ball courts, barbecue areas, sitting areas, decorative bike racks, and/or dog washing stations. Common open space areas may include enhanced side yards and rear yards that meet the minimum area and dimension requirement above.
- d. All yards of a subdivision abutting the right-of-way shall be improved with landscaping (combination of groundcover, shrubs, and trees) and amenities. Amenities may include: decorative fencing, uncovered patios, enhanced pedestrian pathways, garden walls, seating areas, and/or decorative bike racks.

Yes	No	N/A	Plan Sheet	Administrative Use Only
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A001	<input type="checkbox"/>

D. MIXED USE SMALL LOTS

Small Lot Subdivisions may provide Small Lot Homes that contain commercial uses at the ground floor ("Mixed Use Small Lot Homes"). Mixed Use Small Lots must comply with all other applicable regulations governing the site with regards to parking, signage, access, and FAR limitations in the LAMC. The following Design Standards shall be required for any Mixed Use Small Lot Home in addition to the other Design Standards contained in this document.

1. Building Orientation and Entry

- a. Mixed Use Small Lot Homes shall be first located along the perimeter of the subdivision abutting the right-of-way.
- b. A Mixed Use Small Lot Home shall provide a separate ground floor entrance to the commercial use, or an identifiable lobby that serves both the residential and commercial uses. The commercial entrance shall be directly accessible from the right-of-way and open during the normal business hours posted by the business.

2. Building Design

- a. A Mixed Use Small Lot Home shall be designed with an identifiable ground floor commercial component.
- b. Store entrances shall be recessed, not flush, with the edge of the building facade to articulate the storefront and provide shelter for persons entering and exiting.
- c. The ground floor commercial use shall be visually separated from upper residential floors, with a façade treatment such as an awning, framing, setback, or overhang of at least 18 inches in depth, so as to distinguish the commercial base of the building.

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>

- d. The storefront of a ground floor non-residential use that fronts a right-of-way shall consist of at least fifty percent transparent windows and doors, unless otherwise prohibited by other sections of the L.A.M.C.
- e. Signage for the ground floor commercial use shall be located at or adjacent to the ground level, and be located no higher than 14 feet.

Yes	No	N/A	Plan Sheet	Administrative Use Only
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>

E. BUNGALOW COURTS AND EXISTING STRUCTURE SMALL LOTS

Existing bungalow courts and detached single, duplex, or triplex dwelling structures may be subdivided in accordance with the 2018 Small Lot Code Amendment. The conversion of an existing "Bungalow Court or Existing Structure" to a Small Lot Subdivision shall only be required to comply with the following Design Standards.

1. Common Access Driveway

- a. Existing Common Access Driveways, pedestrian pathways, and central common open space areas shall be maintained and not reduced in size.

2. Pedestrian Pathway

- a. Pedestrian pathways of a minimum width of 3 feet shall be provided from the public rights-of-way to all primary entryways and common areas, such as centralized trash enclosures, guest parking, and open space easements. If narrower pathways exist, they may be maintained in the same footprint and area and shall not be further reduced in width.

3. Existing Structures

- a. New dwelling construction or additions to a designated or identified historic structure shall be in conformance with the Secretary of the Interior's Standards for Rehabilitation.

4. New Dwellings

- a. All new dwellings proposed in addition to a Bungalow Court or Existing Structure Small Lot project shall also meet the applicable design standards in sections A, B, and C of the Small Lot Design Standards. 5. Landscaping All open areas not used for buildings, parking areas, driveway, pedestrian pathways, utilities, or amenity areas shall be attractively landscaped and maintained.

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<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>
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Additional Design Details

This proposed project intends to work within the overarching modern design aesthetic found throughout Venice, CA and along 6th Avenue itself. Design features include angled roofs, large street facing windows, balconies that act as horizontal breaks, and vertical recessed windows that modulate the long facades along the sides of the property.

The following section shall be completed by Project Planning staff after the review and approval of submitted plans:

8. ADMINISTRATIVE CLEARANCE APPROVAL

Planning Signature <i>Sienna Kuo</i>	Phone Number <i>(213) 978-1376</i>
Print Name <i>Sienna Kuo</i>	Date <i>April 9, 2020</i>

INSTRUCTIONS: Administrative Clearance – SLD

1. **Submittal** - Applicants are required to submit a completed Administrative Clearance Application, including the project summary and checklist, at the time of Administrative Clearance filing.
2. **Review Materials** - Review of the application by an assigned project planner will verify if the project meets the requirements of the Small Lot Design Standards.
3. **Timing of Review** - The Administrative Clearance shall be completed prior to the scheduling of any required hearing for a proposed small lot subdivision map. In cases where a hearing has been waived, this review shall be completed prior to the issuance of the subdivision determination.
4. **Relief** - The Administrative Clearance does not provide any relief mechanisms for project applicants. Applicants are required to demonstrate compliance with all applicable design standards.
5. **Appeal Rights** - The Administrative Clearance process is non-appealable.
6. **Conditions of Approval** - As a condition of approval, all small lot subdivisions, including Vesting Tentative Tract Maps and Preliminary Parcel Maps, shall be required to conform to the plans approved during the Administrative Clearance review process. These plans shall be stamped Exhibit A and included in the related subdivision map case file.
7. **Building Permit Clearance** - Following the entitlement approval of a small lot subdivision map, subsequent building permit applications for the new construction of said map's small lot homes shall be in substantial conformance with the most recently approved set of plans.
8. **Other Applicable Approvals** - Applicants are strongly advised to consult with the Los Angeles Department of Building and Safety (LADBS) to ascertain if there are any other issues or necessary approvals associated with the project/site which should be resolved prior to filing. The design of the proposed project may require alterations in order to comply with the Los Angeles Municipal Code.
9. **Modifications to Projects Deemed Complete after April 18, 2018** - If a project's architectural plans are modified subsequent to the initial approval of the project and determined by the Department of City Planning to no longer be in substantial compliance with Exhibit A, the applicant shall file a new application for Administrative Clearance and pay all applicable fees.
10. **Exceptions** - The following projects are not required to file an Administrative Clearance pursuant to L.A.M.C. Section 12.22 C.27(c):
 - a. Any small lot subdivision entitlement application filed, accepted and deemed complete prior to April 18, 2018, as determined by the Department of City Planning.
 - b. Any project for which the City has approved a small lot subdivision discretionary land use entitlement as of April 18, 2018, but that has not yet submitted plans and appropriate fees to the Department of Building and Safety for plan check, as determined by the Department of City Planning.

City of Los Angeles Department of City Planning website: <http://planning.lacity.org>

AA-2019-2609-PMLA-SL-1A
DIR-2019-2610-CDP-MEL-1A

EXHIBIT C: DIR-2019-2610-CDP-MEL

- Letter of Determination
- Stamped Plans “Exhibit A”
- Updated Floor Plan

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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**CITY OF LOS ANGELES
CALIFORNIA**



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MAYOR

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DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

DIRECTOR'S DETERMINATION

November 9, 2020

Owner/Applicant

Brock Wylan
315 6th Avenue LLC
c/o 111 E. 14th Street

Representative

Steve Kaplan
16133 Ventura Blvd., Ste. 700
Encino, CA, 91436

Case No.: DIR-2019-2610-CDP-MEL

Related Cases: AA-2019-2609-PMLA-SL

CEQA: ENV-2019-2613-CE

Location: 315 South 6th Avenue

Council District: 11 – Bonin

Neighborhood Council: Venice

Community Plan Area: Venice

Specific Plan: Venice Coastal Zone -
Oakwood Subarea

Land Use Designation: Low Medium II Residential

Zone: RD1.5-1

Last Day to File an Appeal: November 24, 2020

DETERMINE that based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15301, 15303, 15315, and 15332, and determine that there is no substantial evidence demonstrating that an exception to the Categorical Exemption pursuant to CEQA Guidelines, Section 15300.2 applies;

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.20.2, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

APPROVE A Coastal Development Permit to allow the demolition of four (4) single-family dwelling units, subdivision of a 6,380 square-foot lot to two (2) small lots, and the construction of a three-story, single-family dwelling with an attached Accessory Dwelling Unit (ADU), with a roof deck on each newly subdivided lot, five (5) parking spaces are provided onsite, located in the Single Permit Jurisdiction area of the Coastal Zone; and

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

APPROVE a Mello Act Compliance Review for the demolition of four Residential Units and construction of four Residential Units in the California Coastal Zone.

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

CONDITIONS OF APPROVAL

1. Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
3. **Density.** Four Residential Units shall be constructed. One single-family dwelling and attached ADU shall be permitted on each new small lot created pursuant to Parcel Map No. AA-2019-2609-PMLA-SL and Small Lot Subdivision Ordinance 185,462; the small lot subdivision will result in two Small Lots.
4. **Setback.** The proposed project shall provide a front yard setback of 15 feet, fronting 6th Avenue.
5. **Height.** The project features both flat and varied rooflines; portions of the structure with flat rooflines shall be limited to a height of 25 feet and portions with varied rooflines (slope greater than 2:12) shall be limited to a height of 30 feet; the portions exceeding 25 feet shall be stepped back from the required front yard one foot in depth for every foot in height above 25 feet. Height shall be measured from the midpoint of the centerline of 6th Avenue.
6. **Parking and Access.** As shown in "Exhibit A" and as approved by the Department of Building and Safety, the subject project shall provide five (5) parking spaces onsite; each single-family dwelling will be designated two spaces and one guest parking space is provided. All vehicle access shall be from the rear alley.
7. **Roof Structures.** Chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the height limit by a maximum of five feet.
8. **Single Permit Jurisdiction Area.** The project is located within the Single Permit Jurisdiction Area of the California Coastal Zone. Prior to the issuance of any permits, the applicant shall provide a copy of the Coastal Commission's Notification that the City's coastal development permit is effective.
9. This approval is tied to Case No. AA-2019-2609-PMLA-SL. The applicant shall comply with the conditions of approval listed in Case No. AA-2019-2609-PMLA-SL, which are incorporated herein by reference)
10. Outdoor lighting shall be designed and installed with shielding so that light does not overflow into adjacent residential properties.
11. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
12. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

13. Prior to the sign-off of plans by the Development Services Center, the applicant shall submit the plans for review and approval to the Fire Department. Said Department's approval shall be included in the plans submitted to the Development Services Center.
14. Prior to the commencement of site excavation and construction activities a Construction Site Notice shall be posted on the site in a manner, which is readily visible to any interested party.
15. Prior to the issuance of any permits, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.

Administrative Conditions

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

Applicant shall do all of the following:

- i. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- ii. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- iii. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- iv. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- v. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

BACKGROUND

The subject site, 315 South 6th Avenue, is a relatively flat, rectangular, residential vacant lot with a width of 30 feet and a depth of 161 feet, with a total lot area of approximately 6,380 square feet. The property fronts 6th Avenue to the northeast and abuts an alley to the southwest. The subject lot is zoned RD1.5-1 with a General Plan land use designation of Low Medium II Residential. The project site is located in the single permit jurisdiction of the California Coastal Zone, within the Oakwood Subarea of the Venice Coastal Zone Specific Plan.

The RD1.5-1-zoned neighborhood immediately surrounding the property is developed with one to three-story single-family dwellings and two-story, multiple-family dwellings. The property is located within the Los Angeles Coastal Transportation Corridor Specific Plan, Venice Community Plan, Urban Agriculture Incentive Zone, a Calvo Exclusion Area, and Liquefaction Zone.

The applicant is requesting a Coastal Development Permit to authorize the demolition of four (4) single-family dwelling units, subdivision of a 6,380 square-foot lot to two (2) small lots, and the construction of a three-story, single-family dwelling with an attached Accessory Dwelling Unit (ADU), with a roof deck on each newly subdivided lot, five (5) parking spaces are provided onsite.

Sixth Avenue is a designated Local Street with a designated right-of-way width of 60 feet and developed to a roadway width of 26 feet. Sixth Avenue is improved with an asphalt roadway, gutter, curb, and sidewalk.

Court A is an alley adjoining the subject site to the south with a right of way width of 23 feet and roadway width of 20 feet; the actual right of way width is approximately 20 feet in width.

Previous zoning related actions in the area include:

DIR-2017-2944-CDP-MEL – On May 1, 2018, the Director of Planning approved a Coastal Development Permit and Mello Act compliance review authorizing the demolition of an existing one-story, single-family residence and detached garage and the construction of a new two-story, 3,616 square-foot single-family home with a roof deck, an attached two-car garage, and a swimming pool, within the Single Permit Jurisdiction area of the Coastal Zone, located at 640 E. Milwood Avenue.

DIR-2017-4862-CDP-MEL – On April 13, 2018, the Director of Planning approved a coastal development permit and Mello Act Compliance Review authorizing the demolition of an existing one-story single-family dwelling and construction of a new 2,411 square-foot two-story single-family dwelling, within the single permit jurisdiction area of the Coastal Zone, located at 2334 S. Cloy Avenue.

DIR-2017-1608-CDP-MEL – On October 23, 2017, the Director of Planning approved a coastal development permit and Mello Act Compliance Review authorizing the construction of a new two-story single-family dwelling, within the single permit jurisdiction area of the Coastal Zone, located at 2405 S. Boone Avenue.

DIR-2016-2992-CDP-MEL – On April 7, 2017, the Director of Planning approved a coastal development permit and Mello Act compliance review for the demolition of an existing single-family dwelling and the construction of a new, three-story, 2,706 square-foot single-family dwelling and a two-story accessory structure, located at 622 East Brooks Avenue.

ZA-2015-2749-CDP-MEL – On December 7, 2016, the Zoning Administrator approved a coastal development permit and Mello Act compliance review for the demolition of an existing single-family dwelling and the construction of a new, two-story, 2,996 square-foot single-family dwelling with an attached garage, located at 638 East Sunset Avenue.

ZA-2015-913-CDP-MEL – On January 29, 2016, the Zoning Administrator approved a coastal development permit and Mello Act compliance review for the demolition of a single-family dwelling and construction of a two-story, 3,503 square-foot single-family dwelling with an attached two-car garage within the single jurisdiction of the Coastal Zone, located at 644 East Sunset Boulevard.

Public Hearing

A joint public hearing was held by the Deputy Advisory Agency (Juliet Oh) and Hearing Officer (Jeff Khau) on March 11, 2020 at 10:20 a.m. at the Los Angeles City Hall, Room 1070. The project representative, Steve Kaplan, provided comments regarding the scope of work. No members of the public were present.

Correspondence

No correspondence was received as of the date of writing this report.

FINDINGS

Coastal Development Permit

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

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

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

Section 30244 Archaeological and Paleontological Resources. Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required. The proposed project consists of the demolition and construction of four dwelling units. The subject site is not located within an area with known Archaeological or Paleontological Resources. However, if such resources are later discovered during excavation or grading activities, the project is subject to compliance with Federal, State and Local regulations already in place.

Section 30250 Location; Existing Developed Area. (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels. The project site is located in a developed residential neighborhood improved with single and multi-family dwellings. The proposed project can be accommodated by the existing infrastructure and by existing public services. The area surrounding the project is developed with other residential dwellings thereby making the project site contiguous with, and in close proximity to, existing developed areas that are able to accommodate it.

Section 30251 Scenic and Visual Qualities. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting. The proposed project includes the demolition of four single-family dwelling units, subdivision resulting in two Small Lots, construction of a three-story, single-family dwelling unit with an attached Accessory Dwelling Unit (ADU) on each new Small Lot, and five parking spaces onsite. The project is located within a residential neighborhood zoned RD1.5-1 and is developed with single and multi-family residential structures that are one to three stories in height. There are 38 residential structures in the neighborhood block bound by Rose Court to the north and Flower Court to the south. Of the 38 structures, 2 are three stories, 19 are two stories, and 17 are one-story structures. The proposed development provides a 15-foot front yard setback, consistent with the requirements of the RD1.5 zone and further steps the third-story back five feet from the front yard, reducing the massing of the structure at the facade. The site is located within an area adjacent to a commercial corridor zoned C4-1 that is designated for Community Commercial use and developed with commercial buildings one to three stories in height. The subject site and surrounding area are relatively flat with no direct views to the Pacific Ocean; no natural landforms will be altered as part of the project.

As such, the proposed project will be visually compatible with the character of the surrounding area.

Section 30252 Maintenance and Enhancement of Public Access. The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development. The project proposes the demolition of four single-family dwelling units, subdivision of a lot to two small lots, construction of a three-story single-family dwelling unit with attached Accessory Dwelling Units and roof deck on each newly subdivided lot, with five parking spaces provided onsite; two spaces will be provided for each single-family dwelling and one guest parking space will be shared. As conditioned by Case No. AA-2019-2609-PMLA-SL, the project is required to construct a 5-foot wide sidewalk and landscaping on 6th Avenue and reconstruct portions of the rear alley. The project provides sufficient parking for the single-family dwellings and ADUs and the required improvements to the adjacent right-of-way will enhance maintain and enhance public access for both vehicles and pedestrians. No permanent structures will be placed within the public-right-of way and public access to the coast will not be obstructed. As such, the proposed project will not conflict with any public access policies of the Coastal Act.

Section 30253 Minimization of Adverse Impacts. New development shall: (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development. (4) Minimize energy consumption and vehicle miles traveled. (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses. The property is located within the Calvo Exclusion Area, Liquefaction Zone, and within 4.06 kilometers from the Santa Monica Fault. As such, the project is subject to compliance with Zoning, Building, and Fire Safety Code requirements that will minimize risks to life and property in geologic and methane hazard areas.

The project proposes the demolition of four single-family dwelling units, subdivision of a 6,380 square-foot lot to two small lots, and the construction of a three-story, single-family dwelling with an attached ADU and roof deck for each lot, and five parking spaces located onsite. The project would have no adverse impacts on public access, recreation, public views, or the marine environment, as the property is located within a developed residential area adjacent to 6th Avenue. The project will neither interfere nor reduce access to the shoreline or beach. There will be no dredging, filling, or diking of coastal waters or wetlands associated with the request, and there are no sensitive habitat areas, archaeological or designate public access views. The proposed project is in conformity with Chapter 3 of the California Coastal Act.

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

Coastal Act Section 30604(a) states that prior to the certification of a Local Coastal Program (LCP), a coastal development permit may only be issued if a finding can be made that the proposed development is in conformance with Chapter 3 of the Coastal Act. The Venice Local

Coastal Land Use Plan (LUP) was certified by the California Coastal Commission on June 14, 2001; however, the necessary implementation ordinances were not adopted. The City is in the initial stages of preparing the LCP; prior to its adoption the guidelines contained in the certified LUP are advisory. The following are applicable policies from the Venice Local Coastal Land Use Plan:

Policy I.A.1 identifies general residential development standards regarding roof access structures and lot consolidation restrictions. No roof access structure is proposed. The project is limited to the development of one lot.

Policy I.A.7 outlines density and development standards for areas designated for multi-family dwellings.

Use: Duplexes and multi-family structures. The project consists of the construction of two three-story single-family dwelling unit with ADU and roof deck, one on each newly created lot. Each new residential structure will contain two dwellings.

Density: One unit per 1,500-2,000 square feet of lot area. Lots smaller than 4,000 square feet are limited to a maximum density of two units. The project proposes a density of one parcel on each newly subdivided lot. Parcel A has a lot size of 3,800 square-feet and Parcel B has a lot size of 2,580 square-feet.

Yards: Yards shall be required in order to accommodate the need for fire safety, open space, permeable land area for on-site percolation of stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood. The proposed yards are consistent with existing pattern of development along 6th Avenue and comply with the requirements of Ordinance No. 176,354 (Small Lot Ordinance).

Height: Building height shall not exceed 25 feet for buildings with roofs or 30 feet for buildings with a varied roofline (slope greater than 2:12). Any portion that exceeds 25 feet in height shall be setback from the required front yard one foot for every foot in height above 25 feet. The proposed single-family dwellings will have a flat roof height of 30 feet.

Policy II.A.3 outlines the Parking Requirements for the project. Pursuant to Z.I. No. 2406, required parking for subdivision projects shall be the parking requirements for multiple dwelling uses, based on the width of the pre-subdivided lot, under Section 13.D of the Venice Coastal Zone Specific Plan. Multiple dwelling projects on lots 35 feet or more in width (if adjacent to an alley) are required to provide two spaces for each dwelling unit and one guest parking space for each four or fewer units. The proposed project provides five (5) parking spaces total, two standard parking spaces, two compact parking spaces, and one guest parking space. The provisions of ADU State Law and the City's ADU Ordinance (LAMC Section 12.22-A.33(c)(12)) require one parking space for an ADU unless 1) located within ½ mile walking distance from a bus or rail stop, 2) one block from a designated car share pickup or drop off location, 3) within an applicable historic district, or 4) part of a proposed or existing residence. Furthermore, no parking is required for Junior ADUs. The project includes the development of attached Junior ADUs, on each new lot. All parking spaces are accessible via the alley.

The proposed project is consistent with the policies of the Land Use Plan and the standards of the Specific Plan and will not prejudice the ability of the City to prepare a Local Coastal Program that is in conformity with Chapter 3 of the California Coastal Act.

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

The Los Angeles County Interpretative Guidelines were adopted by the California Coastal Commission (October 14, 1980) to supplement the Statewide Guidelines. Both regional and statewide guidelines, pursuant to Section 30620 (b) of the Coastal Act, are designed to assist local governments, the regional commissions, the commission, and persons subject to the provisions of this chapter in determining how the policies of this division shall be applied to the coastal zone prior to the certification of a local coastal program.

As stated in the Regional Interpretative Guidelines, the guidelines are intended to be used “in a flexible manner with consideration for local and regional conditions, individual project parameters and constraints, and individual and cumulative impacts on coastal resources. In addition to the Regional Interpretative Guidelines, the policies of Venice Local Coastal Program Land Use Plan (the Land Use Plan was certified by the Coastal Commission on June 14, 2001) have been reviewed and considered.

The proposed project consists of the demolition of four (4) single-family dwelling units, subdivision of a 6,380 square-foot lot to two (2) small lots, and the construction of a three-story, single-family dwelling with an attached Accessory Dwelling Unit (ADU), with a roof deck on each newly subdivided lot, five (5) parking spaces are provided onsite, located in the Single Permit Jurisdiction area of the Coastal Zone. The Regional Interpretive Guidelines have been reviewed, analyzed, and considered and the proposed project is found to be in substantial conformance with the guidelines. In addition to the Regional Interpretative Guidelines, the policies and development standards of the Venice Local Coastal Program Land Use Plan and Venice Coastal Zone Specific Plan have also been reviewed, analyzed, and considered. The proposed project will also be in substantial conformance with the policies and development standards of the Certified Venice Land Use Plan and Specific Plan.

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

The new residential structure does not conflict with prior decisions of the Coastal Commission. The Coastal Commission recently approved the following projects in the Venice Coastal Zone:

- In August 2019, the Commission approved a Coastal Development Permit authorizing the demolition of a two-story single-family dwelling and the construction of a new three-story 3,631 square-foot single-family dwelling with an attached two-car garage and a roof deck, in the Dual Permit Jurisdiction, located at 237 Linnie Canal (5-19-0233).
- In December 2018, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit for the construction of a two-story addition to a 961 square-foot one-story single-family residence, resulting in a two-story, 3,083 square-foot single-family residence with an attached two-car garage, located at 2334 Frey Avenue (Appeal No. A-5-VEN-18-0066).
- In October 2018, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit for the demolition of a one-story single-family residence and the construction of a three-story 3,753 square-foot mixed-use development consisting of 759 square feet of ground floor retail use, a 2,092 square foot residential unit on the second floor, and a roof deck, with an attached 4-car garage, located at 706 S. Hampton Drive (Appeal No. A-5-VEN-18-0054).
- In August 2018, the Commission approved a Coastal Development Permit for the demolition

of a one-story single-family dwelling and the construction of a two-story, 2,787 square-foot single-family dwelling with a roof deck and attached garage, located at 2412 Clement Avenue (Application No. A-5-VEN-17-0072).

- In August 2018, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit for the demolition of a 939 square-foot one-story single-family home and the construction of a 3,027 square-foot two-story, single-family home with an attached two-car garage and roof deck, located at 2416 Frey Avenue (Appeal No. A-5-VEN-18-0037).
- In August 2018, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit for the demolition of a 1,099 square-foot one-story single-family dwelling and the construction of a 2,811 square-foot two-story single-family dwelling with an attached two-car garage and a roof deck, located at 2433 Wilson Avenue (Appeal No. A-5-VEN-18-0038).
- In June 2018, the Coastal Commission approved the demolition of a 750 square-foot single-family dwelling on two lots and the construction of a three-story, 1,560 square-foot single-family dwelling and a three-story, 2,060 square-foot single-family dwelling, both with a roof deck and attached garage, located at 676 and 678 Marr Street (Application No. A-5-VEN-0042 & A-5-VEN-0044).
- In August 2017, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles, upholding the City's approval for the demolition of a two-story single-family dwelling and construction of a new two-story, 3,004 square foot single-family dwelling, in the single permit jurisdiction, located at 2318 Clement Avenue (Appeal No. A-5-VEN-15-0036).
- In March 2017, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles, upholding the City's approval for the demolition of a two-story single-family dwelling and accessory structure, subdivision of the lot into two small lots, and the construction of two new two-story single-family dwellings, in the single permit jurisdiction, located at 415 & 417 Sunset Avenue (Appeal No. A-5-VEN-17-0001).
- In December 2016, the Coastal Commission approved the demolition of a duplex and triplex, subdivision to create four residential parcels, and construction of four three-story single-family dwellings, located at 742-748 Brooks Avenue (Application No. A-5-VEN-16-0083).
- In March 2016, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles, upholding the City's approval for the demolition of a single-family dwelling, a small-lot subdivision of a 4,670 square-foot lot into two lots, and the construction of a new two-story single-family dwelling on each lot, located at 758 Sunset Avenue (Appeal No. A-5-VEN-15-0071).
- In September 2014, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles, upholding the City's approval for the demolition of two single-family dwellings, a subdivision to create three new lots, and the construction of three new single-family dwellings, located at 644 Sunset Avenue and 607 7th Avenue (Appeal No. A-5-VEN-15-0071).

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

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

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

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

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

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

The proposed project will neither interfere nor reduce access to the shoreline as the site is not located near any shoreline. The property has no direct access to any water or beach and there will be no dredging, filling, or diking of coastal waters or wetlands. In addition, there are no environmentally sensitive habitat areas or known archaeological or paleontological resources on the site.

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

A Categorical Exemption, ENV-2019-2613-CE, has been prepared for the proposed project consistent with the provisions of the California Environmental Quality Act and the City CEQA Guidelines. The project proposes the demolition of four (4) single-family dwelling units, the subdivision of a 6,380 square-foot lot to two (2) small lots, and the construction of a three-story, single-family dwelling with an attached Accessory Dwelling Unit (ADU), a roof deck on each newly subdivided lot, and five (5) parking spaces provided onsite in the Single Permit Jurisdiction of the Coastal Zone. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Sections 15301 (Class 1), 15303 (Class 3), 15315 (Class 15), and 15332 (Class 32).

The Class 1 categorical exemption allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. The Class 1 categorical exemption includes demolition and removal of individual small structures: (1) One single-family residence. In urbanized areas, up to three single-family residences may be demolished under this exemption; (2) A duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling units will be demolished; (3) A store, motel, office, restaurant, or similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use; (4) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. The project proposes the demolition of two existing single-family dwellings and a detached accessory structure (storage).

The Class 3 categorical exemption allows for construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor

modifications are made in the exterior of the structure. This includes one single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family dwellings may be constructed under this exemption. The proposed project qualifies for a Class 3, categorical exemption because it consists of the construction of one single-family residence and attached ADU on each of the newly subdivided lots.

The Class 15 categorical exemption allows for minor subdivisions in urban areas. A project qualifies for a Class 15 Categorical Exemption if it is a division of property in an urbanized area and meets the six (6) conditions as described in this section. Preliminary Parcel Map No. AA-2019-2609-PMLA-SL satisfies all six conditions and therefore qualifies for the Class 15 Categorical Exemption.

a. A subdivision of four or fewer parcels.

The project proposes to subdivide one parcel to create two new parcels.

b. Conform with the General Plan and Zoning.

The site currently is developed with four single-family dwellings. The site is zoned RD1.5-1 and has a General Plan Land Use Designation of Low Medium II Residential. The project proposes the construction of two single-family dwellings on two new lots and is in conformance with the General Plan and Zoning designation.

c. Require no variances or exceptions.

No variances or exceptions are requested or required as part of this project.

d. Have all services and access available per local standards.

The project site will be adequately served by all public utilities and services given that the property is located in an urban tract with water supply, sewage and waste disposal infrastructure, and power lines installed. 6th Avenue and the abutting alley are improved streets with existing utilities and infrastructure to serve residences in the area. The street and alley are accessible to emergency vehicles. Since there is a minor net gain in the number of units on the subject site, no significant increase in population or density is anticipated. There will be no significant impact on the capacity of existing utilities and services.

e. Must not be involved in a division of a larger parcel within the last two years.

There is no record of any previous subdivisions in the last two years on record for the subject site.

f. Must not have a slope greater than 20 percent.

No slope greater than 20% is indicated on the parcel map or topographic survey.

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

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

The site currently is developed with four single-family dwellings. The site is zoned RD1.5-

1 and has a General Plan Land Use Designation of Low Medium II Residential. Since the project is for the construction of two new single-family dwellings, the project is in conformance with the General Plan and Zoning designation.

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

The site has a gross lot area of 6,358 square feet, approximately 0.14 acres, located at 313 South 6th Avenue and 315 South 6th Avenue, and is wholly within the City of Los Angeles. Lots surrounding the subject site are developed with single-family and multi-family dwellings.

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

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

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

The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will reduce any potential impacts on noise and water quality to less than significant. The creation of noise is limited to certain decibels, restricted to specific hours. The proposed project is not adjacent to any water sources and does not involve excavations that may have an impact on the water table. Because the project results in a minor net gain in the number of residential units, impacts to public services and air quality are deemed insignificant. Traffic congestion will not be impacted by the project; the number of trips generated by the development will not result in a net increase because the area's density and population will not change significantly. Likewise, air quality will not worsen as a result of the proposed project.

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

The project site will be adequately served by all public utilities and services given that the property is located in an urban tract with water supply, water treatment, sewage and waste disposal infrastructure, and power lines. 6th Avenue and the abutting alley are improved streets with existing utilities that service the various other dwellings in the area. The street and alley are accessible to emergency vehicles. Since there is a minor net gain in the number of units on the subject site, no significant increase in population or density is anticipated. As such, no significant impact on the capacity of existing utilities and services is anticipated.

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

- a. **Location.** The project is not located in a sensitive environment. The subject property and its surrounding residential neighborhood are not identified as an environmental resource. The proposed project is consistent with the scale and uses proximate to the area. The subject site is not located in a fault or flood zone, nor is it within a landslide area. Although the project is located within a Liquefaction Area, the project is subject to compliance with the requirements of the Building and Zoning Code that outline standards for residential construction.

- b. **Cumulative Impact.** The project is consistent with the type of development permitted for lots zoned RD1.5-1 and Low Medium II Residential land use designation. The proposed construction of four dwelling units will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not result in significant cumulative impacts.
- c. **Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed project consists of work typical in a residential neighborhood and, as such, no unusual circumstances are present or foreseeable.
- d. **Scenic Highways.** The project site is not located on or near a designated state scenic highway.
- e. **Hazardous Waste Sites.** The project site is not identified as a hazardous waste site or is on any list compiled pursuant to Section 65962.5 of the Government Code.
- f. **Historical Resources.** The subject site and existing structure have not been identified as a historic resource or within a historic district (SurveyLA, 2015), the project is not listed on the National or California Register of Historic Places, or identified as a Historic Cultural Monument (HCM)

The project is determined to be categorically exempt and does not require mitigation or monitoring measures; no alternatives of the project were evaluated. An appropriate environmental clearance has been granted.

Mello Act Compliance Review

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

7. Demolitions and Conversions (Part 4.0).

The project includes the demolition of a single-family dwelling located on a 6,380 square-foot lot in the Venice Coastal Zone. A Determination issued by the Los Angeles Housing and Community Investment Department (HCIDLA) dated July 17, 2019 states that the property currently maintains Four (4) residential units with one (1) bedroom each. HCIDLA determined the units were affordable based on current monthly housing cost provided by the current tenants. Due to the absence of documentation for 315 6th Avenue, Unit C, the Owner has agreed and accepted that this unit is presumed to be occupied by an affordable household. The current owner purchased the property on September 14, 2018 and claims that the property was owner-occupied beforehand by Stephen Doniger, a married man as his sole and separate property. Four (4) units were found to be affordable from the provided documentation exist. Therefore, four (4) Affordable Existing Residential Units are proposed for demolition.

It is infeasible for the applicant to replace any of the Affordable Existing Residential Units (Part 4.8)

The Affordable Existing Residential Units are located in four separate residential structures, single-family dwellings. Affordable Existing Residential Units within triplexes and other structures containing three or more Residential Units must be replaced. However, affordable units identified within one-family and/or two-family dwellings are subject to the provisions of Part 4.8, which asks: *Is it infeasible for the Applicant to replace any of the Affordable Existing Residential Units? Feasible is defined as capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technical factors.*

A feasibility study was prepared by Howard Robinson & Associates and submitted on September 12, 2019 for project staff review. The study provided an analysis of the estimated costs and revenues of the proposed project, the demolition of four existing residential structures and the construction of two single-family dwellings, each with an Attached ADU, but also provided an analysis of providing the Affordable Replacement Unit(s) onsite and within the Coastal Zone and can be provided through new construction or adaptive reuse (conversion of existing non-residential structures).

The supplemental information provided by the Applicant included the actual and estimated cost of land, improvements/ construction, fees, loans, and expected revenue. In reviewing the pro forma prepared as part of the feasibility study, the cost of the subject property as well as the cost of acquiring property elsewhere in the Coastal Zone was a significant factor that increased the cost of development. Providing two Affordable Replacement Unit onsite reduced the size of the proposed project and reduced the estimated revenue expected from the market rate dwelling unit. The cost of development also significantly increased when accounting for the cost of acquiring additional property to provide the Affordable Replacement Unit offsite.

Upon review of the feasibility study and supplemental documents submitted by the Applicant, it would not be feasible to replace all of the Affordable Existing Residential Units. As such, no Affordable Units are required for this project.

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

The project proposes the construction of four (4) Residential Units. Developments which consist of nine or fewer Residential Units are Small New Housing Developments and are categorically exempt from the Inclusionary Residential Unit requirement. Therefore, the proposed development of four (4) new Residential Units is found to be categorically exempt from the Inclusionary Residential Unit requirement for New Housing Developments.

TIME LIMIT – OBSERVANCE OF CONDITIONS

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

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

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

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

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

TRANSFERABILITY

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

APPEAL PERIOD - EFFECTIVE DATE

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

Public offices are located at:

Metro Public Counter
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
(213) 482-7077

Valley Public Counter
6262 Van Nuys Blvd.,
2nd Floor
Los Angeles, CA 91401
(818) 374-5050

**West Los Angeles
Public Counter**
1828 Sawtelle Blvd.,
2nd Floor
Los Angeles, CA 90025
(310) 231-2901

Furthermore, this coastal development permit shall be subject to revocation as provided in Section 12.20.2-J of the Los Angeles Municipal Code, as authorized by Section 30333 of the California Public Resources Code and Section 13105 of the California Administrative Code. Provided no appeal has been filed by the above-noted date, a copy of the permit will be sent to the California Coastal Commission. Unless an appeal is filed with the California Coastal Commission before 20 working days have expired from the date the City's determination is deemed received by such Commission, the City's action shall be deemed final.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

VINCENT P. BERTONI, AICP
Director of Planning

Approved by:

Reviewed by:

 for
Faisal Roble, Principal City Planner


Juliet Oh, Senior City Planner

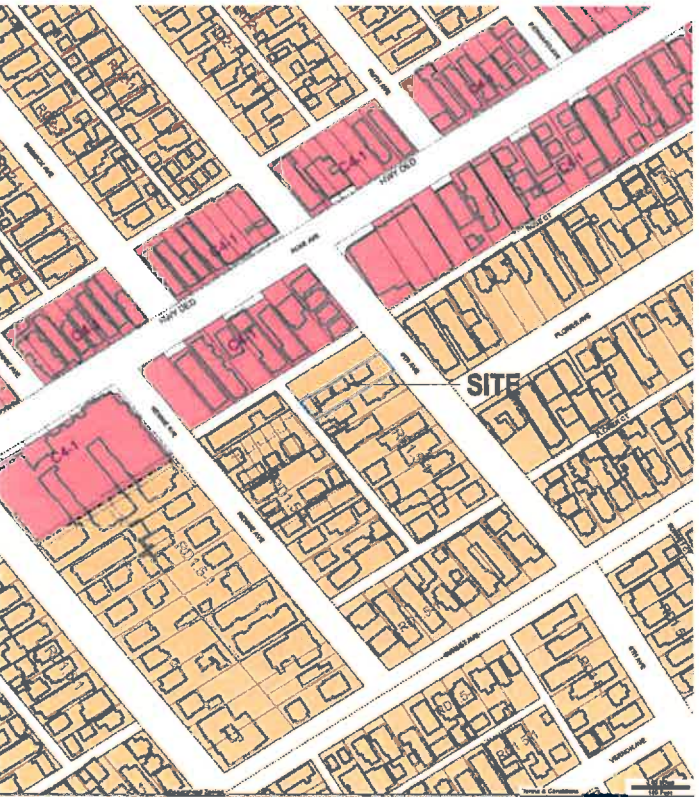
Prepared by:


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VICINITY MAP



PROJECT INFO

PROJECT ADDRESS	315 6TH AVENUE VENICE, CA 90291
ASSESSOR'S PARCEL NUMBER	4240010010
PARCEL AREA	6,358.2 SF
PROJECT DESCRIPTION	CONSTRUCTION OF A NEW SEPARATED DUPLEX 100% PRIVATE FUNDING
LEGAL DESCRIPTION	REF SURVEY
ZONING SUMMARY	RD1.5-1
SPECIFIC PLAN AREA	VENICE COASTAL ZONE
SPECIFIC PLAN SUBAREA	OAKWOOD-MILWOOD-SE VENICE
MAXIMUM ALLOWABLE HEIGHT	30'
FAR	3:1
PARKING	TWO SPACES PER DU 1 GUEST SPACE PER FOUR DUS TOTAL REQUIRED: 5 TOTAL SHOWN: 5
BICYCLE PARKING	SHORT TERM: ONE SPACE PER TEN UNITS TOTAL REQUIRED: 1 TOTAL SHOWN: 2 LONG TERM: ONE SPACE PER UNIT TOTAL REQUIRED: 2 TOTAL SHOWN: 2
OPEN SPACE	NOT REQUIRED PER LAMC 12.21.G
BUILDING OCCUPANCY SUMMARY	RESIDENTIAL
TYPE OF CONSTRUCTION	TYPE V-A OVER 1-A
FIRE PROTECTION	HFPA 13R
PROPOSED HEIGHT	30'
APPLICABLE CODES	• CITY OF LOS ANGELES MUNICIPAL CODE • 2018 CALIFORNIA RESIDENTIAL CODE* • 2018 CALIFORNIA FIRE CODE* • 2018 CALIFORNIA MECHANICAL CODE* • 2018 CALIFORNIA PLUMBING CODE* • 2018 CALIFORNIA ELECTRICAL CODE* • 2018 GREEN BUILDING STANDARDS
*WITH COUNTY OF LOS ANGELES AMENDMENTS	

DRAWING SYMBOLS LEGEND

SHEET REFERENCE	View Name
00	View Scale
VIEW NUMBER	
XX	GRID LINE AND BUBBLE
XX	BUILDING STORY / FLOOR NUMBER AND ELEVATION DATUM
Ref	BUILDING ELEVATION REFERENCES
Ref	BUILDING SECTION REFERENCES
N	PROJECT NORTH ARROW
0 1 2 4 10m	SCALE BAR
ROOM NAME	ROOM NAME AND NUMBER
101 150 SF	
COMMENT	REVISION CLOUD AND DELTA TAG
1 / A101	MATCHLINE
DOOR	DOOR NUMBER / TYPE
WINDOW	WINDOW & RELITE NUMBER / TYPE
TEMPERED GLAZING	TEMPERED GLAZING
PARKING STALL NUMBER AND TYPE	PARKING STALL NUMBER AND TYPE
COMPACT	
KEYNOTE NUMBER	KEYNOTE NUMBER



SHEET LIST	
NUMBER	NAME
G001	PROJECT INFO & ZONING
G006	NET AREAS
G007	SURVEY
A001	SITE PLAN
A200	FIRST & SECOND FLOOR PLANS
A201	THIRD & ROOF PLANS
A400	NORTH & SOUTH ELEVATIONS
A401	EAST & WEST ELEVATIONS
A500	SECTIONS

NOTES:

1. ALL DIMENSIONS IN IMPERIAL.
2. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACT DOCUMENTS.
3. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL ENGINEER'S DRAWINGS.
4. DO NOT SCALE FROM THIS DRAWING.
5. REPORT ANY ERRORS, CONTRADICTIONS AND OMISSIONS TO THE ARCHITECTS AS SOON AS POSSIBLE.
6. THESE PRELIMINARY DRAWINGS HAVE BEEN PREPARED FOR ONE CLIENT. THE DRAWINGS ARE APPROVED ONLY AND ARE SUBJECT TO FURTHER DESIGN DEVELOPMENT. THE USER FOR THESE DRAWINGS IS RECORD INFORMATION PREPARED BY STUDY, WHOSE ACCURACY CANNOT BE GUARANTEED. DO NOT SCALE FROM DRAWINGS.
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KEY:

REV	DATE	DESCRIPTION
1	02.25.20	PRELIMINARY REVIEW

COMPULSORY

Ben Adams Studio

229 W 31st Street
2nd Floor
Los Angeles, CA 90007

T +1(213) 268 8621
www.benadamsstudio.com
michael.wilsonkatsbas@benadamsstudio.com

JOB NO. 10-119

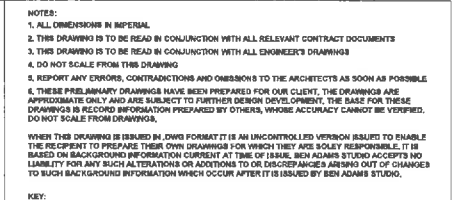
SCALE: As Indicated

STATUS: PRELIMINARY

DRAWING NAME: PROJECT INFO & ZONING

PROJECT NAME: 315 6th Avenue

DRAWING NO. G001/-

CONSULTANT

JOB NO:	18-119
SCALE:	1/8" = 1'-0"
STATUS:	PRELIMINARY

DRAWING NAME:	SURVEY
PROJECT NAME:	315 6th Avenue
DRAWING NO:	G007/-

G007	SURVEY
1	

1/8" = 1'-0"

EXHIBIT "A"
Page No. 3 of 9
Case No. DIR-2019-2610 -CDP-MEL

KEY:

A400
1



CONSULTANT



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www.benadernastudio.com
michael.walter.benaderna@benadernastudio.com

JCS 100: 19-119

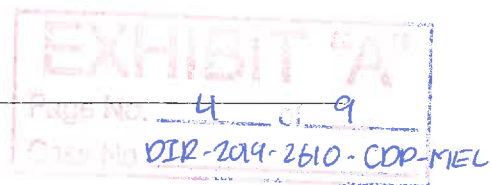
SCALE: As indicated

STATUS:	PRELIMINARY
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BRIDGE NAME: NORTH & SOUTH ELEVATIONS

PROJECT NAME: 315 6th Avenue

INSTRUMENT NO: **A400/-**





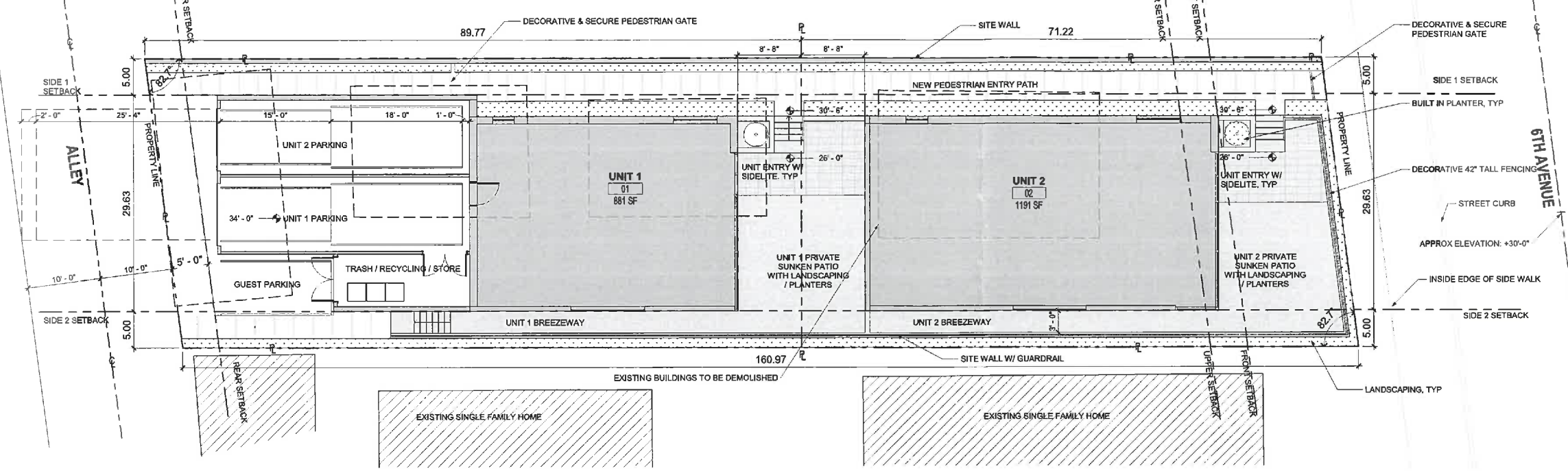
Drawing No: **A401/-**

EXHIBIT "A"

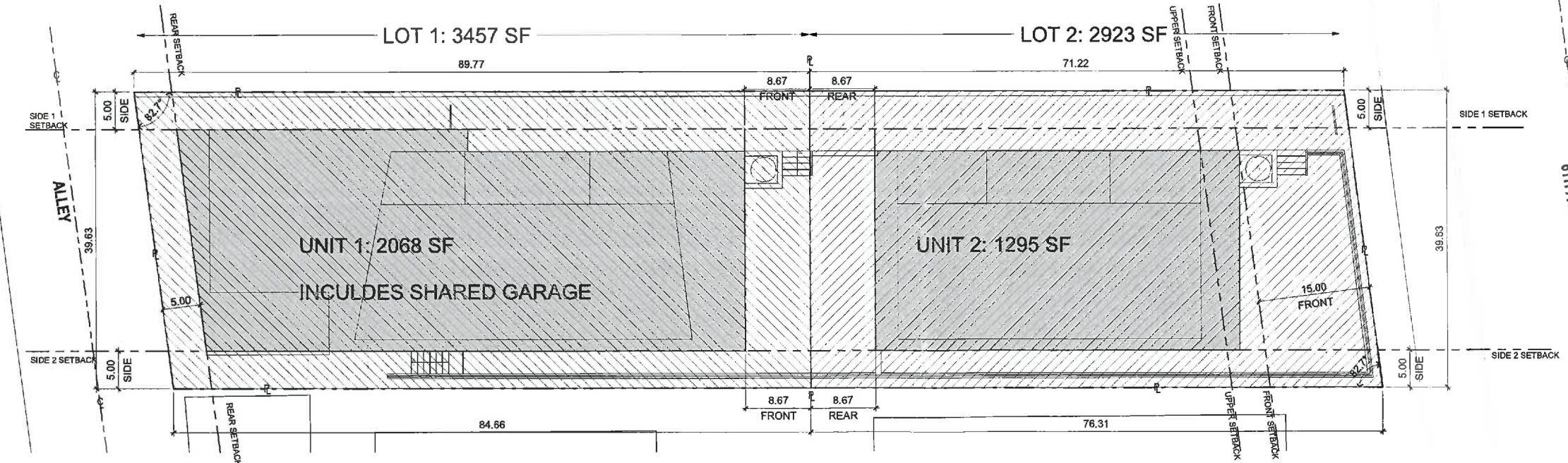
Page No. 5 of 9

Case No. DIR-2019-2610-CDD-MEL

(2) THREE STORY TOWNHOUSES
APPROX 6,500 GSF
MAX 30' ABOVE CL OF 6TH AVE PER VENICE SPECIFIC PLAN REQUIREMENTS



A001
1
Site Plan
1/8" = 1'-0"



A001
2
Lot Coverage
1/8" = 1'-0"

LOT COVERAGE

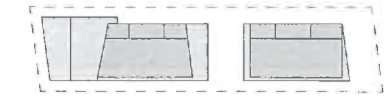
LOT	LOT AREA (SF)	BLDG	BLDG AREA (SF)	LOT COVERAGE (%)
1	3457 SF	1	2068 SF	59.8%
2	2923 SF	2	1295 SF	44.3%

SETBACK MATRIX

LOT	LOT AREA (SF)	FRONT	SIDE 1	SIDE 2	REAR
1	3457 SF	8'-8" (EAST)	5'-0" (NORTH)	5'-0" (SOUTH)	5'-0" (WEST)
2	2923 SF	15'-0" (EAST)	5'-0" (NORTH)	5'-0" (SOUTH)	8'-8" (WEST)

NOTES:
1. ALL DIMENSIONS IN IMPERIAL.
2. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACT DOCUMENTS.
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KEY:



SEAL

REV	DATE	DESCRIPTION
-	04/24/19	PRELIMINARY REVIEW

CONSULTANT

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michael.williams@benadamsstudio.com

JOB NO: 18-119

SCALE: As Indicated

STATUS: PRELIMINARY

DRAWING NAME: SITE PLAN

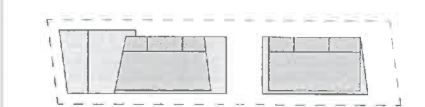
PROJECT NAME: 315 6th Avenue

DRAWING NO: A001/-

EXHIBIT "A"
Page No. 7 of 9
Case No. DJR-2019-2610-COPMEL

NOTES:
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KEY:



REV	DATE	DESCRIPTION
1	04.25.19	PRELIMINARY REVIEW

CONSULTANT

Ben Adams Studio

229 W 31st Street
 2nd Floor
 Los Angeles, CA 90007

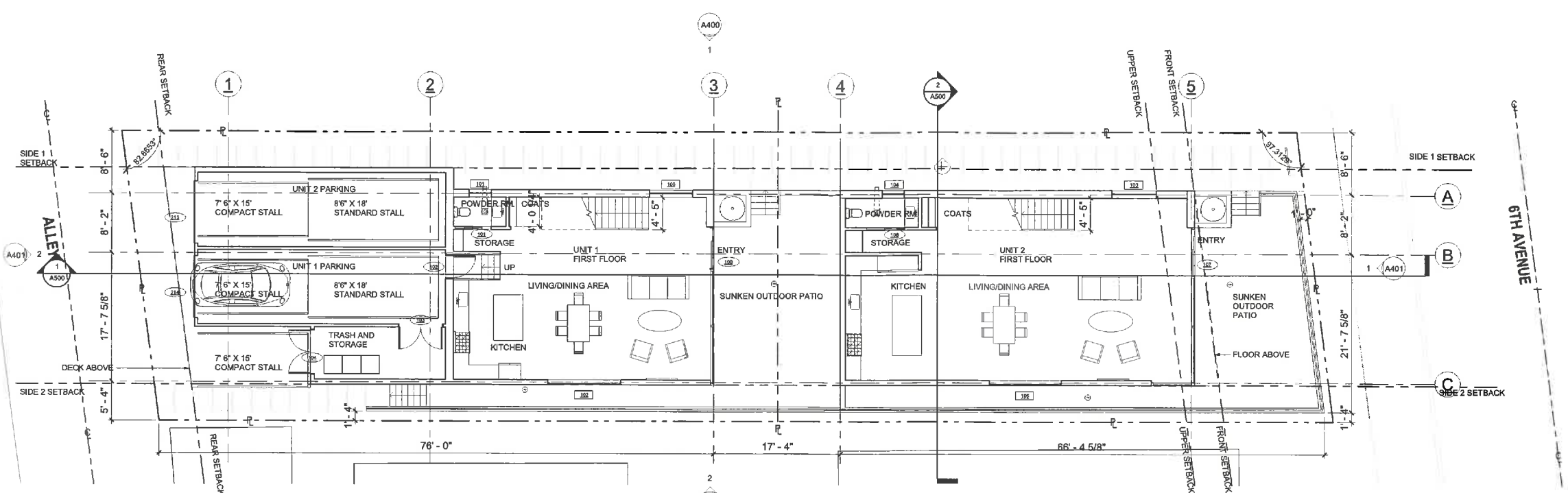
T +1(213) 258 8621
www.benadamsstudio.com
michael.silfiankutsa@benadamsstudio.com

JOB NO:	18-119
SCALE:	As Indicated
STATUS:	PRELIMINARY

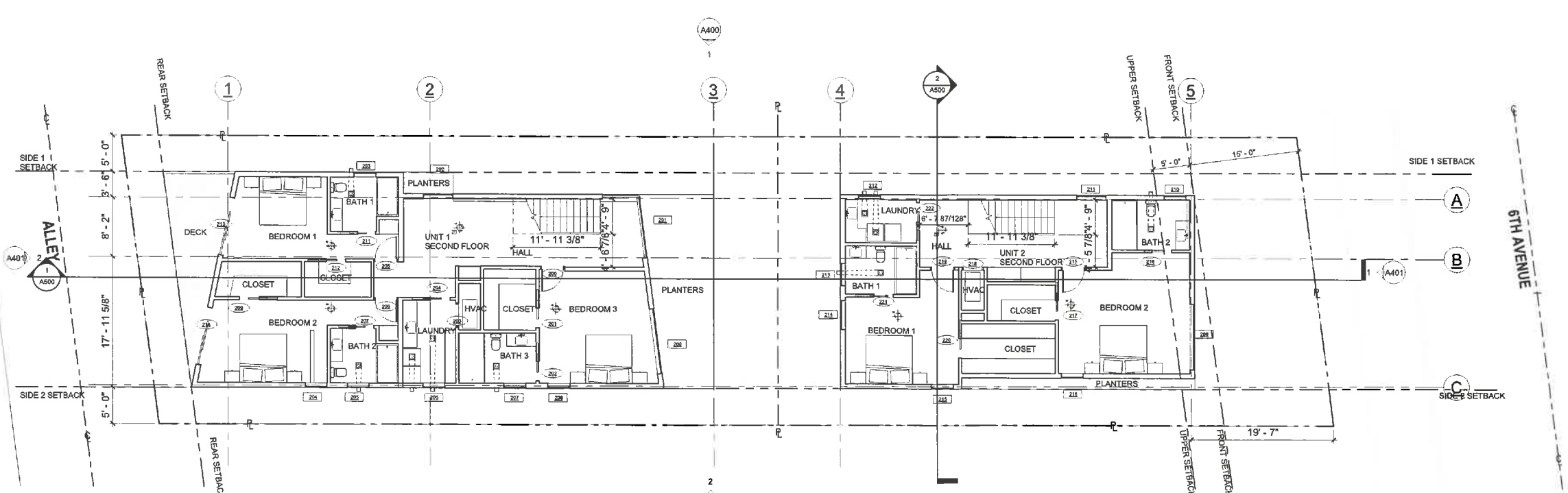
DRAWING NAME: FIRST & SECOND FLOOR PLANS

PROJECT NAME: 315 6th Avenue

DRAWING NO: A200/-

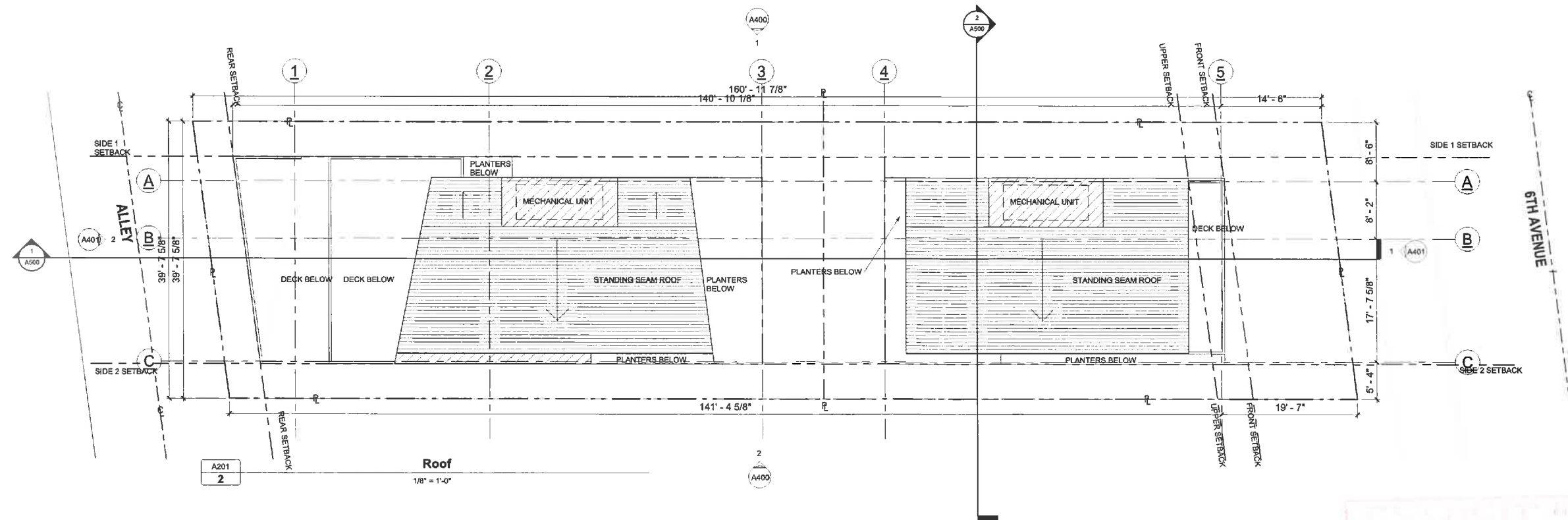
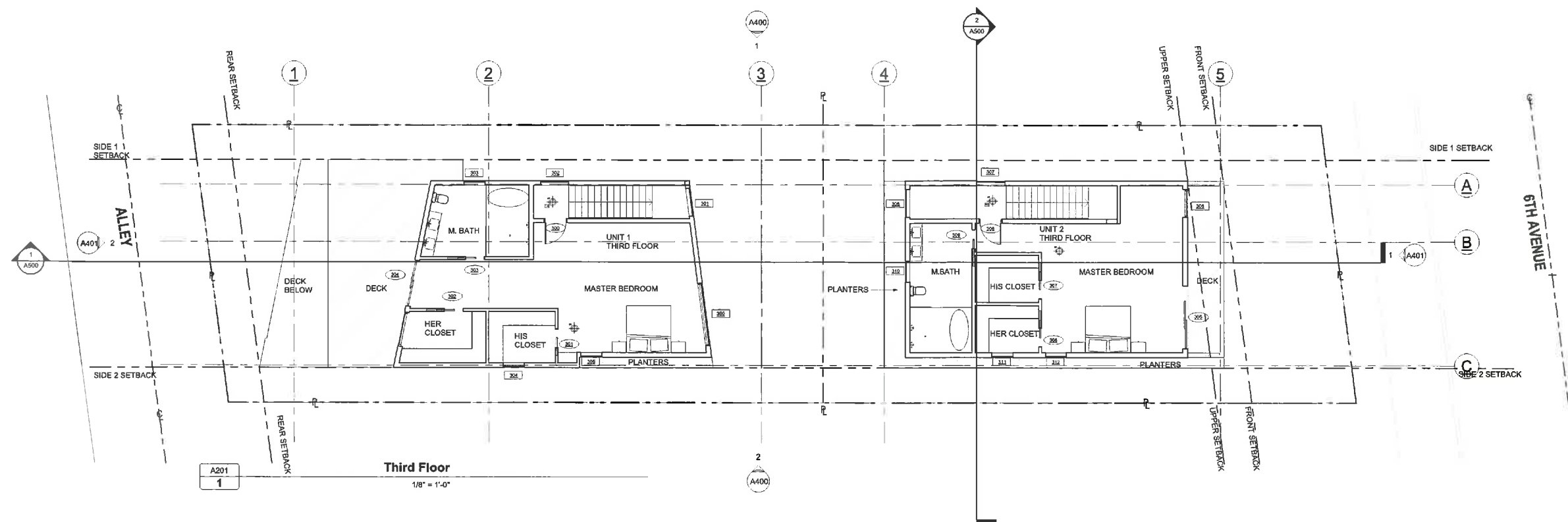


First Floor
 1/8" = 1'-0"



Second Floor
 1/8" = 1'-0"

EXHIBIT "A"
 Page No. 8 of 9
 Case No. DIR-2019-2610-CDP1982



NOTES:
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KEY:

SEAL

REV	DATE	DESCRIPTION
1	04/26/19	PRELIMINARY REVIEW

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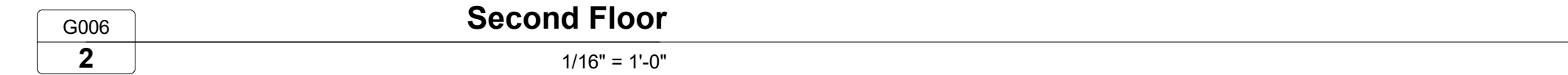
JOB NO:	16-119
SCALE:	As Indicated
STATUS:	PRELIMINARY

DRAWING NAME: THIRD & ROOF PLANS

315 6th Avenue

DRAWING NO: A201/-

EXHIBIT "A"
Page No. 9 of 9
Case No. DIR-2019-2610-COP-REL



KEY:



GROSS BUILDABLE AREA - TOTAL	
GARAGE	928 SF
UNIT A	3707 SF
UNIT B	3510 SF
	8145 SF

G006	First Floor
4	1/16" = 1'-0"



NET RENTABLE AREA	
FLOOR	AREA
UNIT A.1	
First Floor	857 SF
	857 SF
UNIT A.2	
First Floor	113 SF
Second Floor	1545 SF
Third Floor	933 SF
	2590 SF
UNIT B.1	
First Floor	1102 SF
	1102 SF
UNIT B.2	
First Floor	92 SF
Second Floor	1079 SF
Third Floor	917 SF
	2088 SF
	6638 SF

CONSULTANT



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michael.wilsonkatsibas@benadamsstudio.com

SCALE: 1/16" = 1'-0"

DRAWING NAME: AREAS

DRAWING NO: G006/A

AA-2019-2609-PMLA-SL-1A
DIR-2019-2610-CDP-MEL-1A

EXHIBIT D: Environmental Clearance

- Notice of Exemption

COUNTY CLERK'S USE

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 395
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

AA-2020-2609-PMLA-SL & DIR-2019-2610-CDP-MEL

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2019-2613-CE

PROJECT TITLE

315 South 6th Avenue

COUNCIL DISTRICT

11-Bonin

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)

315 South 6th Avenue☐ Map attached.

PROJECT DESCRIPTION:

The demolition of a demolition of four (4) single-family dwelling units, subdivision of a 6,380 square-foot lot to two (2) small lots, and the construction of a three-story, single-family dwelling with an attached Accessory Dwelling Unit (ADU), with a roof deck on each newly subdivided lot, five (5) parking spaces are provided

☐ Additional page(s) attached.

NAME OF APPLICANT / OWNER:

Brock Wylan

CONTACT PERSON (If different from Applicant/Owner above)

Sienna Kuo

(AREA CODE) TELEPHONE NUMBER

(213) 978-1376

EXT.

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

STATE CEQA STATUTE & GUIDELINES

☐ STATUTORY EXEMPTION(S)

Public Resources Code Section(s) _____

☒ CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)CEQA Guideline Section(s) / Class(es) 15301 (Class 1), 15303 (Class 3), 15315 (Class 15), and 15332 (Class 32)☐ OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

JUSTIFICATION FOR PROJECT EXEMPTION:

☐ Additional page(s) attached

Categorical Exemption, ENV-2019-2613-CE, has been prepared for the proposed project consistent, with the provisions of the California Environmental Quality Act and the City CEQA Guidelines. The project proposes the demolition of four (4) single-family dwelling units, the subdivision of a 6,380 square-foot lot to two (2) small lots, and the construction of a three-story, single-family dwelling with an attached Accessory Dwelling Unit (ADU), a roof deck on each newly subdivided lot, and five (5) parking spaces provided onsite in the Single Permit Jurisdiction of the Coastal Zone. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Sections 15301 (Class 1), 15303 (Class 3), 15315 (Class 15), and 15332 (Class 32).

The Class 1 categorical exemption allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. The Class 1 categorical exemption includes demolition and removal of individual small structures: (1) One single-family residence. In urbanized areas, up to three single-family residences may be demolished under this exemption; (2) A duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling units will be demolished; (3) A store, motel, office, restaurant, or similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use; (4) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. The project proposes the demolition of two existing single-family dwellings and a detached accessory structure (storage).

The Class 3 categorical exemption allows for construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. This includes one single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family dwellings may be constructed under this exemption. The proposed project qualifies for a Class 3, categorical exemption because it consists of the construction of one single-family residence and attached

ADU on each of the newly subdivided lots.

The Class 15 categorical exemption allows for minor subdivisions in urban areas. A project qualifies for a Class 15 Categorical Exemption if it is a division of property in an urbanized area and meets the six (6) conditions as described in this section. Preliminary Parcel Map No. AA-2019-2609-PMLA-SL satisfies all six conditions and therefore qualifies for the Class 15 Categorical Exemption.

a. A subdivision of four or fewer parcels.

The project proposes to subdivide one parcel to create two new parcels.

b. Conform with the General Plan and Zoning.

The site currently is developed with four single-family dwellings. The site is zoned RD1.5-1 and has a General Plan Land Use Designation of Low Medium II Residential. The project proposes the construction of two single-family dwellings on two new lots and is in conformance with the General Plan and Zoning designation.

c. Require no variances or exceptions.

No variances or exceptions are requested or required as part of this project.

d. Have all services and access available per local standards.

The project site will be adequately served by all public utilities and services given that the property is located in an urban tract with water supply, sewage and waste disposal infrastructure, and power lines installed. 6th Avenue and the abutting alley are improved streets with existing utilities and infrastructure to serve residences in the area. The street and alley are accessible to emergency vehicles. Since there is a minor net gain in the number of units on the subject site, no significant increase in population or density is anticipated. There will be no significant impact on the capacity of existing utilities and services.

e. Must not be involved in a division of a larger parcel within the last two years.

There is no record of any previous subdivisions in the last two years on record for the subject site.

f. Must not have a slope greater than 20 percent.

No slope greater than 20% is indicated on the parcel map or topographic survey.

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

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

The site currently is developed with four single-family dwellings. The site is zoned RD1.5-1 and has a General Plan Land Use Designation of Low Medium II Residential. Since the project is for the construction of two new single-family dwellings, the project is in conformance with the General Plan and Zoning designation.

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

The site has a gross lot area of 6,358 square feet, approximately 0.14 acres, located at 313 South 6th Avenue and 315 South 6th Avenue, and is wholly within the City of Los Angeles. Lots surrounding the subject site are developed with single-family and multi-family dwellings.

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

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

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

The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will reduce any potential impacts on noise and water quality to less than significant. The creation of noise is limited to certain decibels, restricted to specific hours. The proposed project is not adjacent to any water sources and does not involve excavations that may have an impact on the water table. Because the project results in a minor net gain in the number of residential units, impacts to public services and air quality are deemed insignificant. Traffic congestion will not be impacted by the project; the number of trips generated by the development will not result in a net increase because the area's density and population will not change significantly. Likewise, air quality will not worsen as a result of the proposed project.

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

The project site will be adequately served by all public utilities and services given that the property is located in an urban tract with water supply, water treatment, sewage and waste disposal infrastructure, and power lines. 6th Avenue and the abutting alley are improved streets with existing utilities that service the various other dwellings in the area. The street and alley are accessible to emergency vehicles. Since there is a minor net gain in the number of units on the subject site, no significant increase in population or density is anticipated. As such, no significant impact on the capacity of existing utilities and services is anticipated.

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

- a. **Location.** The project is not located in a sensitive environment. The subject property and its surrounding residential neighborhood are not identified as an environmental resource. The proposed project is consistent with the scale and uses proximate to the area. The subject site is not located in a fault or flood zone, nor is it within a landslide area. Although the project is located within a Liquefaction Area, the project is subject to compliance with the requirements of the Building and Zoning Code that outline standards for residential construction.
- b. **Cumulative Impact.** The project is consistent with the type of development permitted for lots zoned RD1.5-1 and Low Medium II Residential land use designation. The proposed construction of four dwelling units will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not result in significant cumulative impacts.
- c. **Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed project consists of work typical in a residential neighborhood and, as such, no unusual circumstances are present or foreseeable.
- d. **Scenic Highways.** The project site is not located on or near a designated state scenic highway.
- e. **Hazardous Waste Sites.** The project site is not identified as a hazardous waste site or is on any list compiled pursuant to Section 65962.5 of the Government Code.
- f. **Historical Resources.** The subject site and existing structure have not been identified as a historic resource or within a historic district (SurveyLA, 2015), the project is not listed on the National or California Register of Historic Places, or identified as a Historic Cultural Monument (HCM)

☒ None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.

☐ The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

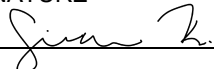
IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

Sienna Kuo



STAFF TITLE

Planning Assistant

ENTITLEMENTS APPROVED

Parcel Map (PMLA), Coastal Development Permit (CDP), and Mello Act Compliance Review (MEL)

FEE:

\$373.00

RECEIPT NO.

0202628205

REC'D. BY (DCP DSC STAFF NAME)

Daisy Benicia

DISTRIBUTION: County Clerk, Agency Record

Rev. 3-27-2019

AA-2019-2609-PMLA-SL-1A
DIR-2019-2610-CDP-MEL-1A


EXHIBIT E: Feasibility Study



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

DATE: July 17, 2019

TO: Debbie Lawrence, Senior City Planner
City Planning Department

FROM: Marites Cunanan, Senior Management Analyst I 
Los Angeles Housing and Community Investment Department

SUBJECT: **Mello Act Determination for 313 – 315 South 6th Avenue, Los Angeles, CA 90291**

Planning Case #: DIR-2019-2610-CDP-MEL

Based on information provided by Steve Kaplan (Representative) on behalf of 315 6th Ave. LLC, a California limited liability company* (Owner), the Los Angeles Housing + Community Investment Department (HCIDLA) has determined that four (4) affordable units exist at 313 – 315 South 6th Avenue, Los Angeles, CA 90291 (the "Property").

The Property consists of four (4) residential units with one (1) bedroom each. Owner is proposing to demolish the existing four (4) residential units and construct two (2) new single family dwellings. On September 14, 2018, Owner purchased the Property from Stephen Doniger, a married man as his sole and separate property. Owner has not applied for a Building Permit or a Demolition Permit with the Department of Building and Safety.

Section 4.4.3 of the Interim Administrative Procedures for Complying with the Mello Act states that if current monthly housing cost data indicates that the existing residential unit is affordable to a very low, low or moderate income household, then that residential unit shall be presumed to be occupied by a person or family with very low, low or moderate income. Owner filed an application with the Department of City Planning on May 2, 2019.

In May 2019, HCIDLA mailed a certified letter to each of the four (4) residential units on the Property. Three (3) of the tenant letters were received by the occupants and one (1) went unclaimed. HCIDLA received responses from the three (3) tenants who claimed the letter.

Based on information provided by both the tenants and the Owner, 315 S. 6th Ave., Units A, B and the Front House were determined to be affordable based on current monthly housing cost. Due to the absence of documentation for 315 S. 6th Ave., Unit C, the Owner has agreed and accepted that this unit is presumed to be occupied by an affordable household.

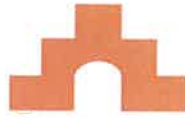
- **315 S. 6th Ave., Unit A** – \$1,256.30 charged for May 2019 rent.
- **315 S. 6th Ave., Unit B** - \$1,060.24 charged for May 2019 rent.
- **315 S. 6th Ave., Front House** - \$816.23 charged for May 2019 rent.

Land Use Schedule 7's threshold of affordability for a one (1) bedroom unit is \$1,608 per month. Based on the information provided, four (4) affordable units exist at 313 – 315 South 6th Avenue.

*315 6th Ave. LLC, a California limited liability company is also known as 315 6th Avenue, LLC, a California limited liability company.

cc: Los Angeles Housing and Community Investment Department File
315 6th Ave. LLC, a California limited liability company* (Owner)
Richard A. Rothschild, Western Center on Law and Poverty, Inc.
Susanne Browne, Legal Aid Foundation of L.A.
Juliet Oh, City Planning Department

MAC:nk



Howard Robinson & Associates

September 12, 2019

Jeff Khau
Los Angeles Department of City Planning
200 N. Spring Street, Room 720
Los Angeles, CA 90012

**RE: FEASIBILITY STUDY FOR MELLO ACT DETERMINATION
315 6th AVE, VENICE, CA 90291
CASE NO. DIR-2019-2610-CDP-MEL**

Dear Mr. Khau,

Enclosed please find a Mello Act financial feasibility study for the above-referenced property. This financial feasibility study is being submitted in order to obtain Mello Clearance related to a Coastal Development Permit to allow the demolition of four existing residential units and construction of two (2) new single-family dwellings and two accessory dwelling units (ADUs) pursuant to Case No. DIR-2019-2610-CDP-MEL.

The property is currently improved with four (4) units. The Los Angeles Housing and Community Investment Department (HCID) has determined that four (4) affordable units exist at the site. See the attached determination letter dated July 17, 2019 (Exhibit 1). Since the Venice Specific Plan limits the number of units in an RD1.5 zone to two or three when including an affordable unit, the Applicant is providing two single family dwellings each with an attached ADU in order to maintain the existing density. Selling all four units at an affordable rate would result in revenues less than the land cost and result in a clear net loss to the Applicant. This study instead examines the feasibility of providing the two proposed ADUs at an affordable rate. The project including two market rate units and two affordable ADUs will be more profitable than a project where all four units are affordable, so a finding of infeasibility with this configuration implies that a project with four affordable units would be infeasible as well.

Using conservative cost estimates and high revenue projections overstates the true profitability of the project. If the project is infeasible with an overestimated level of profitability, then it will remain infeasible at the true lower level of profitability. For this reason, this study assumes that the monthly rent received from renting the ADUs exactly offsets the decrease in market value of the property due to the application of an Affordable Housing Land Use Covenant. The true adverse impact on the market value of the property resulting from such a covenant will certainly be much greater than this study represents. The requirement to maintain an affordable unit on-site will decrease demand for the property and the asking price would need to be lower to

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compensate. Due to the difficulty in providing documentation of this effect, this method of estimation was chosen for its simplicity and to provide an overstated approximation of sale price.

The Mello Act, at California Government Code, Sec. 65590(b) states "the requirements ... for replacement dwelling units shall not apply to the following types of conversion or demolition unless the local government determines that replacement of all or any portion of the converted or demolished dwelling units is feasible...". Subsection 65590(b) (1) lists "[t]he conversion or demolition of a residential structure which contains less than three dwelling units..." as one of the types of project not required to provide replacement affordable units absent a finding of feasibility. Section 65590(g)(3), defines "Feasible" as meaning "... capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technical factors". Since infeasibility in relation to any one of these state-mandated factors leads to infeasibility of the project, the City must show feasibility with respect to all the enumerated factors in order to determine that providing a Replacement Affordable Unit (RAU) is feasible.

Although the burden of proof to show feasibility is on the local government, the applicant is submitting this study to assist the City in its analysis. The study shows that providing the Replacement Affordable Units (RAUs) is economically infeasible, based on analysis of the costs and revenues for construction of such a project, not only on-site, but also off-site, including locations nearby in Venice, in San Pedro, and within three (3) miles of the Coastal Zone (as required by the Mello Act, California Government Code, Sec. 65590(d)).

In all four financial pro-forma scenarios, after carefully analyzing costs and revenues for a project with two SFDs and two affordable ADUs, we have concluded that such a project would not be financially feasible.

Please see the chart below for a summary of our findings:

Site	Total Project Cost (\$)	Net Revenue (\$)	Profit or Loss (\$)
315 6 th Ave (Subject Site)	5,242,275	4,528,320	-713,955
Generic Venice Site	5,001,304	4,528,320	-472,984
Generic San Pedro Site	4,070,566	2,264,160	-1,806,406
Generic Site w/in 3 Miles of Coastal Zone	4,119,731	2,264,160	-1,855,571

Detailed financial analyses of the subject site and the studied off-site locations are attached as Exhibits 2-5, with supporting documents attached as Exhibits 6-14.

In performing our analysis, we used a construction hard cost for the RAU project at a rate of \$375 per square foot at the Subject Site. This estimate is based upon a construction hard cost estimate (see Exhibit 7 - Construction Hard Cost Estimates). This estimate is not an all-encompassing list,

omitting general contractor's overhead among other items which would increase the real cost. Since those items are not included, the provided hard cost estimate is a conservative one.

Soft Costs such as City fees, architecture, and engineering, were similarly estimated at moderate levels to illustrate that the project is financially infeasible even using the lowest reasonable development cost assumptions.

The Land Value of the subject site is the price paid for the property when it was purchased in 2016, see Exhibit 6. In computing the Land Cost for the off-site locations, costs reflect the current value of a vacant or "tear-down" standard lot of 5,000 sq. ft., then multiplied by the average sale price per sq. ft. for each area, as based upon comparables of recently sold lots (see Exhibits 9-11).

The sales value of an affordable unit is assumed to be \$289,157. HCID currently sets maximum sale prices for deed-restricted affordable units on a case by case basis. However, they published fixed prices annually until 2005. The \$289,157 figure is an estimate extrapolated from Housing Dept. 2005 published maximum sales price for low-income 2-BR unit (\$147,576), increased to reflect higher allowable HCID low-income rent and lower current loan rates. See Exhibit 12 for further details on calculation of maximum sales price.

The market rate sales prices per square foot are attached as Exhibits 13 and 14. Comparable sales in Venice are shown in Exhibit 13 while Exhibit 14 contains recent sales in San Pedro. The sale price value found in Exhibit 14 is used in estimating the sale price for the within 3 miles of the Coastal Zone scenario, as sales prices there and in San Pedro are equivalent.

In conclusion, we have found it is financially infeasible to develop affordable units as part of the proposed project. Off -site replacement projects are similarly infeasible.

Thank you for the opportunity to present our findings. Please call with any questions.

Sincerely,

A handwritten signature in black ink that reads "Susan Steinberg". The signature is fluid and cursive, with a long horizontal flourish extending from the end of the name.

Susan Steinberg
Land Use Consultant

Contact information is as follows:

Owner/Applicant: 315 6th Avenue LLC
c/o Brock Wylan

Representative: Susan Steinberg
Howard Robinson & Associates
660 S Figueroa St, Suite 1780
Los Angeles, CA 90017
310-838-0180
sue@howardrobinson.net

cc: Debbie Lawrence, Senior City Planner, LADCP

List of Exhibits

- | | |
|-------------------|--|
| Exhibit 1 | HCID Mello Determination Letter, July 17, 2019 |
| Exhibit 2 | Financial Feasibility Analysis, Subject Site |
| Exhibit 3 | Financial Feasibility Analysis, Generic Off-Site Lot in Venice |
| Exhibit 4 | Financial Feasibility Analysis, Generic Off-Site Lot in San Pedro |
| Exhibit 5 | Financial Feasibility Analysis, Generic Off-Site Lot Within 3 Miles of the Coastal Zone |
| Exhibit 6 | Final Closing Statement |
| Exhibit 7 | Construction Hard Cost Estimates |
| Exhibit 8 | Soft Cost Documents |
| Exhibit 9 | Land Cost Comparables for Venice |
| Exhibit 10 | Land Cost Comparables for San Pedro/Within the Coastal Zone Excluding Venice |
| Exhibit 11 | Land Cost Comparables for Lots Within 3 Miles of the Coastal Zone |
| Exhibit 12 | Maximum Affordable Unit Price Explanation |
| Exhibit 13 | Market Rate Comparables – Venice |
| Exhibit 14 | Market Rate Comparables – San Pedro |

Ex 2a

Revised - All Market Rate On-Site

Financial Feasibility Analysis
On-Site
Project Site: 315 6th Ave

Project Costs					
<u>Category</u>		<u>Building Sq. Ft.</u>	<u>Cost per Sq Ft.</u>	<u>sub-total</u>	<u>Total</u>
Land Cost					\$1,761,400
Construction Hard Costs	Unit A.1	857	\$375	\$321,375	
	Unit A.2	2,590	\$375	\$971,250	
	Unit B.1	1,063	\$375	\$398,625	
	Unit B.2	2,127	\$375	\$797,625	\$2,488,875
Soft Costs (Note #4)					
Fees/Permits				\$52,000	
Linkage Fees				\$118,000	
Architecture and Engineering				\$200,000	
Utilities and Site Costs				\$75,000	
Financing				\$547,000	
Total Soft Costs					<u>\$992,000</u>
Total Project Costs					\$5,242,275

Sale and Profit	
Revenue	
Sale Price: Unit A	\$3,447,000
Sale Price: Unit B	\$3,190,000
Less: Realtor Commission and Fees	<u>-\$265,480</u>
Net Revenue	\$6,371,520
Profit or Loss	\$1,129,245

Financial Feasibility Analysis
On-Site
Project Site: 315 6th Ave

Source of Funds, Financing, Project Calculations and Ratios

Sources of Funds				
	<u>Purchase Loan</u>	<u>Constr. Loan</u>	<u>Equity</u>	<u>Total</u>
Land	0	0	1,761,400	1,761,400
Const. Hard Costs		2,488,875		2,488,875
Soft Costs		992,000	0	992,000
	0	3,480,875	1,761,400	5,242,275

Profit Percentages

Profit as % of Project Costs	21.54%
Profit as % of Equity Invest.	64.11%

Loan to Cost Ratio

Loan to Cost Ratio	66.40%
Equity to Cost Ratio	33.60%

Total Project Costs per Sq. Ft.

Not Including Land	524.47
Including Land	789.86

Financial Feasibility Analysis
On-Site
Project Site: 315 6th Ave

Assumptions

Land Value	\$1,761,400	(Note #1)
Land Cost Loan	0	
Land Cost Equity	\$1,761,400	
Square Feet (Total)	6,637	
Unit A.1	857	
Unit A.2	2,590	
Unit A Total	3,447	
Unit B.1	1,063	
Unit B.2	2,127	
Unit B Total	3,190	
Hard Costs per Sq Ft	\$375	(Note #2)
Realtor Comm. and Fees	4%	
Gross Profit Margin for Condo Projects	15%	(Note #4)
Market Rate Sale Price per Square Foot	\$1,000	(Note #5)

Financial Feasibility Analysis
On-Site
Project Site: 315 6th Ave

Notes

- 1 Land Value is the price the Applicant paid for the property.
- 2 Hard Costs are estimated at \$375 per sq ft. This figure is based off a thorough breakdown of the anticipated construction hard costs, see Exhibit 7. This analysis does not include demolition or contractor's overhead and profit, among other items, so it is somewhat reduced from the actual costs. It is thus estimated at a moderate level to ensure that a conservative cost estimate is used.
- 3 Soft Costs presented are estimated at moderate levels, see Exhibit 8 for documentation of included costs.
- 4 As discussed in the 2006 Hamilton Rabinovitz & Alschuler study titled "Technical Study In Support Of A Permanent Mello Act Implementation Ordinance For The City Of Los Angeles Coastal Zone", condominium projects in the Coastal Zone must have a gross profit margin between 15-20% to be financially feasible. This pro forma uses 15% to be as conservative as possible. The Required Profit for Financial Feasibility can be calculated by multiplying the Total Project Costs by the 15% Profit Margin.
- 5 Market rate sale estimate is based on the per sq. ft. sale cost of recent comparable sales in Venice, see Exhibit 13.

Ex 2b

Revised - Affordable and Market Rate On-Site

Financial Feasibility Analysis
On-Site
Project Site: 315 6th Ave

Project Costs					
<u>Category</u>		<u>Building Sq. Ft.</u>	<u>Cost per Sq Ft.</u>	<u>sub-total</u>	<u>Total</u>
Land Cost					\$1,761,400
Construction Hard Costs	Unit A.1	857	\$375	\$321,375	
	Unit A.2	2,590	\$375	\$971,250	
	Unit B.1	1,063	\$375	\$398,625	
	Unit B.2	2,127	\$375	\$797,625	\$2,488,875
Soft Costs (Note #4)					
Fees/Permits				\$52,000	
Linkage Fees				\$118,000	
Architecture and Engineering				\$200,000	
Utilities and Site Costs				\$75,000	
Financing				\$547,000	
Total Soft Costs					<u>\$992,000</u>
Total Project Costs					\$5,242,275

Sale and Profit	
Revenue	
Sale Price: Unit A	\$3,447,000
Sale Price: Unit B	\$289,157
Less: Realtor Commission and Fees	-\$149,446
Net Revenue	\$3,586,711
Profit or Loss	-\$1,655,564

Financial Feasibility Analysis
On-Site
Project Site: 315 6th Ave

Source of Funds, Financing, Project Calculations and Ratios

Sources of Funds				
	<u>Purchase Loan</u>	<u>Constr. Loan</u>	<u>Equity</u>	<u>Total</u>
Land	0	0	1,761,400	1,761,400
Const. Hard Costs		2,488,875		2,488,875
Soft Costs		992,000	0	992,000
	0	3,480,875	1,761,400	5,242,275

Profit Percentages	
Profit as % of Project Costs	-31.58%
Profit as % of Equity Invest.	-93.99%

Loan to Cost Ratio	
Loan to Cost Ratio	66.40%
Equity to Cost Ratio	33.60%

Total Project Costs per Sq. Ft.	
Not Including Land	524.47
Including Land	789.86

Financial Feasibility Analysis
On-Site
Project Site: 315 6th Ave

Assumptions

Land Value	\$1,761,400	(Note #1)
Land Cost Loan	0	
Land Cost Equity	\$1,761,400	
Square Feet (Total)	6,637	
Unit A.1	857	
Unit A.2	2,590	
Unit A Total	3,447	
Unit B.1	1,063	
Unit B.2	2,127	
Unit B Total	3,190	
Hard Costs per Sq Ft	\$375	(Note #2)
Sale Price (Affordable Home)	\$289,157	(Note #3)
Realtor Comm. and Fees	4%	
Gross Profit Margin for Condo Projects	15%	(Note #5)
Market Rate Sale Price per Square Foot	\$1,000	(Note #6)

Financial Feasibility Analysis

On-Site

Project Site: 315 6th Ave

Notes

- 1 Land Value is the price the Applicant paid for the property.
- 2 Hard Costs are estimated at \$375 per sq ft. This figure is based off a thorough breakdown of the anticipated construction hard costs, see Exhibit 7. This analysis does not include demolition or contractor's overhead and profit, among other items, so it is somewhat reduced from the actual costs. It is thus estimated at a moderate level to ensure that a conservative cost estimate is used.
- 3 HCID currently sets maximum sale prices for deed-restricted affordable units on a case by case basis. However, they published fixed prices annually until 2005. The \$289,157.10 figure is an estimate extrapolated from Housing Dept 2005 published max sales price for low-income 2-BR unit (\$147,576), increased to reflect higher allowable HCID low income rent and lower current loan rates. See Exhibit 12 for further details on calculation of max sales price.
- 4 Soft Costs presented are estimated at moderate levels, see Exhibit 8 for documentation of included costs.
- 5 As discussed in the 2006 Hamilton Rabinovitz & Alschuler study titled "Technical Study In Support Of A Permanent Mello Act Implementation Ordinance For The City Of Los Angeles Coastal Zone", condominium projects in the Coastal Zone must have a gross profit margin between 15-20% to be financially feasible. This pro forma uses 15% to be as conservative as possible. The Required Profit for Financial Feasibility can be calculated by multiplying the Total Project Costs by the 15% Profit Margin.
- 6 Market rate sale estimate is based on the per sq. ft. sale cost of recent comparable sales in Venice, see Exhibit 13.

Financial Feasibility Analysis
Off-Site in Venice
Project Site: 315 6th Ave

Project Costs					
<u>Category</u>		<u>Building Sq. Ft.</u>	<u>Cost per Sq Ft.</u>	<u>sub-total</u>	<u>Total</u>
Land Cost					\$1,520,429
Construction Hard Costs	Unit A.1	857	\$375	\$321,375	
	Unit A.2	2,590	\$375	\$971,250	
	Unit B.1	1,063	\$375	\$398,625	
	Unit B.2	2,127	\$375	\$797,625	\$2,488,875
Soft Costs (Note #4)					
Fees/Permits				\$52,000	
Linkage Fees				\$118,000	
Architecture and Engineering				\$200,000	
Utilities and Site Costs				\$75,000	
Financing				\$547,000	
Total Soft Costs					\$992,000
Total Project Costs					\$5,001,304

Sale and Profit	
Revenue	
Sale Price: Unit A	\$3,447,000
Sale Price: Unit B	\$289,157
Less: Realtor Commission and Fees	-\$149,446
Net Revenue	\$3,586,711
Profit or Loss	-\$1,414,593

Financial Feasibility Analysis
Off-Site in Venice
Project Site: 315 6th Ave

Source of Funds, Financing, Project Calculations and Ratios

Sources of Funds				
	<u>Purchase Loan</u>	<u>Constr. Loan</u>	<u>Equity</u>	<u>Total</u>
Land	0	0	1,520,429	1,520,429
Const. Hard Costs		2,488,875		2,488,875
Soft Costs		992,000	0	992,000
	0	3,480,875	1,520,429	5,001,304

Profit Percentages	
Profit as % of Project Costs	-28.28%
Profit as % of Equity Invest.	-93.04%

Loan to Cost Ratio	
Loan to Cost Ratio	69.60%
Equity to Cost Ratio	30.40%

Total Project Costs per Sq. Ft.	
Not Including Land	524.47
Including Land	753.55

Financial Feasibility Analysis
Off-Site in Venice
Project Site: 315 6th Ave

Assumptions

Land Value	\$1,520,429	(Note #1)
Land Cost Loan	0	
Land Cost Equity	\$1,520,429	
Square Feet (Total)	6,637	
Unit A.1	857	
Unit A.2	2,590	
Unit A Total	3,447	
Unit B.1	1,063	
Unit B.2	2,127	
Unit B Total	3,190	
Hard Costs per Sq Ft	\$375	(Note #2)
Sale Price (Affordable Home)	\$289,157	(Note #3)
Realtor Comm. and Fees	4%	
Gross Profit Margin for Condo Projects	15%	(Note #5)
Market Rate Sale Price per Square Foot	\$1,000	(Note #6)

Financial Feasibility Analysis
Off-Site in Venice
Project Site: 315 6th Ave

Notes

- 1 See Exhibit 9 for land value calculation based on recent sales of developable sites in Venice.
- 2 Hard Costs are estimated at \$375 per sq ft. This figure is based off a thorough breakdown of the anticipated construction hard costs, see Exhibit 7. This analysis does not include demolition or contractor's overhead and profit, among other items, so it is somewhat reduced from the actual costs. It is thus estimated at a moderate level to ensure that a conservative cost estimate is used.
- 3 HCID currently sets maximum sale prices for deed-restricted affordable units on a case by case basis. However, they published fixed prices annually until 2005. The \$289,157.10 figure is an estimate extrapolated from Housing Dept 2005 published max sales price for low-income 2-BR unit (\$147,576), increased to reflect higher allowable HCID low income rent and lower current loan rates. See Exhibit 12 for further details on calculation of max sales price.
- 4 Soft Costs presented are estimated at moderate levels, see Exhibit 8 for documentation of included costs.
- 5 As discussed in the 2006 Hamilton Rabinovitz & Alschuler study titled "Technical Study In Support Of A Permanent Mello Act Implementation Ordinance For The City Of Los Angeles Coastal Zone", condominium projects in the Coastal Zone must have a gross profit margin between 15-20% to be financially feasible. This pro forma uses 15% to be as conservative as possible. The Required Profit for Financial Feasibility can be calculated by multiplying the Total Project Costs by the 15% Profit Margin.
- 6 Market rate sale estimate is based on the per sq. ft. sale cost of recent comparable sales in Venice, see Exhibit 13.

Financial Feasibility Analysis
Off-Site in San Pedro
Project Site: 315 6th Ave

Project Costs					
<u>Category</u>		<u>Building</u> <u>Sq. Ft.</u>	<u>Cost per</u> <u>Sq Ft.</u>	<u>sub-total</u>	<u>Total</u>
Land Cost					\$589,691
Construction Hard Costs	Unit A.1	857	\$375	\$321,375	
	Unit A.2	2,590	\$375	\$971,250	
	Unit B.1	1,063	\$375	\$398,625	
	Unit B.2	2,127	\$375	\$797,625	\$2,488,875
Soft Costs (Note #4)					
Fees/Permits				\$52,000	
Linkage Fees				\$118,000	
Architecture and Engineering				\$200,000	
Utilities and Site Costs				\$75,000	
Financing				\$547,000	
Total Soft Costs					\$992,000
Total Project Costs					\$4,070,566

Sale and Profit	
Revenue	
Sale Price: Unit A	\$3,447,000
Sale Price: Unit B	\$289,157
Less: Realtor Commission and Fees	-\$149,446
Net Revenue	\$3,586,711
Profit or Loss	-\$483,855

Financial Feasibility Analysis
Off-Site in San Pedro
Project Site: 315 6th Ave

Source of Funds, Financing, Project Calculations and Ratios

Sources of Funds				
	<u>Purchase Loan</u>	<u>Constr. Loan</u>	<u>Equity</u>	<u>Total</u>
Land	0	0	589,691	589,691
Const. Hard Costs		2,488,875		2,488,875
Soft Costs		992,000	0	992,000
	0	3,480,875	589,691	4,070,566

Profit Percentages	
Profit as % of Project Costs	-11.89%
Profit as % of Equity Invest.	-82.05%

Loan to Cost Ratio	
Loan to Cost Ratio	85.51%
Equity to Cost Ratio	14.49%

Total Project Costs per Sq. Ft.	
Not Including Land	524.47
Including Land	613.31

Financial Feasibility Analysis
Off-Site in San Pedro
Project Site: 315 6th Ave

Assumptions

Land Value	\$589,691	(Note #1)
Land Cost Loan	0	
Land Cost Equity	\$589,691	
Square Feet (Total)	6,637	
Unit A.1	857	
Unit A.2	2,590	
Unit A Total	3,447	
Unit B.1	1,063	
Unit B.2	2,127	
Unit B Total	3,190	
Hard Costs per Sq Ft	\$375	(Note #2)
Sale Price (Affordable Home)	\$289,157	(Note #3)
Realtor Comm. and Fees	4%	
Gross Profit Margin for Condo Projects	15%	(Note #5)
Market Rate Sale Price per Square Foot	\$1,000	(Note #6)

Financial Feasibility Analysis
Off-Site in San Pedro
Project Site: 315 6th Ave

Notes

- 1 See Exhibit 10 for land value calculation based on recent sales of developable sites in San Pedro.
- 2 Hard Costs are estimated at \$375 per sq ft. This figure is based off a thorough breakdown of the anticipated construction hard costs, see Exhibit 7. This analysis does not include demolition or contractor's overhead and profit, among other items, so it is somewhat reduced from the actual costs. It is thus estimated at a moderate level to ensure that a conservative cost estimate is used.
- 3 HCID currently sets maximum sale prices for deed-restricted affordable units on a case by case basis. However, they published fixed prices annually until 2005. The \$289,157.10 figure is an estimate extrapolated from Housing Dept 2005 published max sales price for low-income 2-BR unit (\$147,576), increased to reflect higher allowable HCID low income rent and lower current loan rates. See Exhibit 12 for further details on calculation of max sales price.
- 4 Soft Costs presented are estimated at moderate levels, see Exhibit 8 for documentation of included costs.
- 5 As discussed in the 2006 Hamilton Rabinovitz & Alschuler study titled "Technical Study In Support Of A Permanent Mello Act Implementation Ordinance For The City Of Los Angeles Coastal Zone", condominium projects in the Coastal Zone must have a gross profit margin between 15-20% to be financially feasible. This pro forma uses 15% to be as conservative as possible. The Required Profit for Financial Feasibility can be calculated by multiplying the Total Project Costs by the 15% Profit Margin.
- 6 Market rate sale estimate is based on the per sq. ft. sale cost of recent comparable sales in San Pedro, see Exhibit 14.

Financial Feasibility Analysis
Off-Site Within 3 Miles of the Coastal Zone
Project Site: 315 6th Ave

Project Costs					
<u>Category</u>		<u>Building Sq. Ft.</u>	<u>Cost per Sq Ft.</u>	<u>sub-total</u>	<u>Total</u>
Land Cost					\$638,856
Construction Hard Costs	Unit A.1	857	\$375	\$321,375	
	Unit A.2	2,590	\$375	\$971,250	
	Unit B.1	1,063	\$375	\$398,625	
	Unit B.2	2,127	\$375	\$797,625	\$2,488,875
Soft Costs (Note #4)					
Fees/Permits				\$52,000	
Linkage Fees				\$118,000	
Architecture and Engineering				\$200,000	
Utilities and Site Costs				\$75,000	
Financing				\$547,000	
Total Soft Costs					\$992,000
Total Project Costs					\$4,119,731

Sale and Profit	
Revenue	
Sale Price: Unit A	\$3,447,000
Sale Price: Unit B	\$289,157
Less: Realtor Commission and Fees	-\$149,446
Net Revenue	\$3,586,711
Profit or Loss	-\$533,020

Financial Feasibility Analysis
Off-Site Within 3 Miles of the Coastal Zone
Project Site: 315 6th Ave

Source of Funds, Financing, Project Calculations and Ratios

Sources of Funds				
	<u>Purchase Loan</u>	<u>Constr. Loan</u>	<u>Equity</u>	<u>Total</u>
Land	0	0	638,856	638,856
Const. Hard Costs		2,488,875		2,488,875
Soft Costs		992,000	0	992,000
	0	3,480,875	638,856	4,119,731

Profit Percentages	
Profit as % of Project Costs	-12.94%
Profit as % of Equity Invest.	-83.43%

Loan to Cost Ratio	
Loan to Cost Ratio	84.49%
Equity to Cost Ratio	15.51%

Total Project Costs per Sq. Ft.	
Not Including Land	524.47
Including Land	620.72

Financial Feasibility Analysis
Off-Site Within 3 Miles of the Coastal Zone
Project Site: 315 6th Ave

Assumptions

Land Value	\$638,856	(Note #1)
Land Cost Loan	0	
Land Cost Equity	\$638,856	
Square Feet (Total)	6,637	
Unit A.1	857	
Unit A.2	2,590	
Unit A Total	3,447	
Unit B.1	1,063	
Unit B.2	2,127	
Unit B Total	3,190	
Hard Costs per Sq Ft	\$375	(Note #2)
Sale Price (Affordable Home)	\$289,157	(Note #3)
Realtor Comm. and Fees	4%	
Gross Profit Margin for Condo Projects	15%	(Note #5)
Market Rate Sale Price per Square Foot	\$1,000	(Note #6)

Financial Feasibility Analysis
Off-Site Within 3 Miles of the Coastal Zone
Project Site: 315 6th Ave

Notes

- 1 'See Exhibit 10 for land value calculation based on recent sales of developable sites within 3 miles of the Coastal Zone.
- 2 Hard Costs are estimated at \$375 per sq ft. This figure is based off a thorough breakdown of the anticipated construction hard costs, see Exhibit 7. This analysis does not include demolition or contractor's overhead and profit, among other items, so it is somewhat reduced from the actual costs. It is thus estimated at a moderate level to ensure that a conservative cost estimate is used.
- 3 HCID currently sets maximum sale prices for deed-restricted affordable units on a case by case basis. However, they published fixed prices annually until 2005. The \$289,157.10 figure is an estimate extrapolated from Housing Dept 2005 published max sales price for low-income 2-BR unit (\$147,576), increased to reflect higher allowable HCID low income rent and lower current loan rates. See Exhibit 12 for further details on calculation of max sales price.
- 4 Soft Costs presented are estimated at moderate levels, see Exhibit 8 for documentation of included costs.
- 5 As discussed in the 2006 Hamilton Rabinovitz & Alschuler study titled "Technical Study In Support Of A Permanent Mello Act Implementation Ordinance For The City Of Los Angeles Coastal Zone", condominium projects in the Coastal Zone must have a gross profit margin between 15-20% to be financially feasible. This pro forma uses 15% to be as conservative as possible. The Required Profit for Financial Feasibility can be calculated by multiplying the Total Project Costs by the 15% Profit Margin.
- 6 Market rate sale estimate is based on the per sq. ft. sale cost of recent comparable sales in San Pedro, see Exhibit 14. Average home prices in San Pedro are comparable to those in nearby parts of Los Angeles outside of the Coastal Zone

RESOLUTION ESCROW

2701 Ocean Park Blvd., #100
Santa Monica, CA 90405

Phone: (310) 439-3883
Fax: (310) 439-3882

Prepared by: Katie McGuire

AMENDED BUYER'S FINAL SETTLEMENT STATEMENT

PROPERTY:	315 6th Avenue Venice, CA 90291	DATE:	September 14, 2018
		CLOSING/RECORD DATE:	September 14, 2018
BUYER:	315 6th Ave LLC	ESCROW NO.:	003344-KM

	<u>DEBITS</u>	<u>CREDITS</u>
FINANCIAL CONSIDERATION		
Total Consideration	1,750,000.00	
Deposit from Brock Wylan		52,500.00
Deposit from Konrad Sonnenfeld		1,698,000.00
PRORATIONS/ADJUSTMENTS		
1st 1/2 2018/19 property taxes at \$6,331.98/semi-annually from 07/01/2018 to 09/14/2018		2,567.97
RENT PRORATIONS		
Prorated Rents		2,821.76
Prepaid Security Deposits		5,510.12
OTHER DEBITS/CREDITS		
Allied Insurance for Homeowner's Insurance	2,550.00	
Resolution Escrow, Inc. as reimbursement for electronic storage fee	25.00	
Resolution Escrow Messenger/FedEx/courier fees, including process	22.00	
Resolution Escrow for Wire Fee	30.00	
TITLE/TAXES/RECORDING CHARGES - USA National Title Co.		
Title - Recording service fee	17.00	
Recording Grant Deed	25.00	
ESCROW CHARGES - Resolution Escrow, Inc.		
Title - Escrow Fee	2,750.00	
Total Refund	5,980.85	
TOTAL	\$ 1,761,399.85	\$ 1,761,399.85

SAVE THIS STATEMENT FOR INCOME TAX PURPOSES

RESOLUTION

ESCROW

2701 Ocean Park Blvd., #100
Santa Monica, CA 90405

Phone: (310) 439-3883
Fax: (310) 439-3882

PROPERTY ADDRESS:
315 6th Avenue
Venice, CA 90291

Date: September 14, 2018
Escrow No.: 003344-KM

RENT STATEMENT

Proration Date: September 14, 2018

In order that rents for the property I am conveying may be correctly prorated, I hereby state that the rentals as to amounts and dates to which they are paid are as follows:

House or Apt. No. Tenants Name	Period	Rental Amount	Paid To	Prorated Rent	Prepaid Rent	Security Deposit	Interest On Deposit
315	M	812.62	10/01/2018	460.48		702.48	
A	M	1,252.69	10/01/2018	709.86		2,100.00	
B	M	1,056.63	10/01/2018	598.76		850.00	
C	M	1,857.64	10/01/2018	1,052.66		1,857.64	

Totals	4,979.58	2,821.76	5,510.12
---------------	-----------------	-----------------	-----------------

*D=Daily, W=Weekly, M=Monthly, Q=Quarterly, S=Semi-Annually, A=Annually

Unless prior to date of recording I have notified you in writing of some change in tenancy, you are to consider that I will collect, or have collected all rents which fall due to the foregoing statement prior to date of recording, you will make the prorations of rent accordingly. You will also pay to the purchaser the above security money (if any) charging my account. Unless otherwise specified herein, all rents are on a month to month basis and no leases are in force.

01 - General Requirements	65,000.00
02 - Site Work	185,000.00
03 - Structural Concrete	425,600.00
05 - Structural Metals	89,000.00
06 - Rough Frame	485,000.00
07 - Thermal & Moisture Protect	135,000.00
08 - Windows & Doors	225,000.00
09 - Finishes	268,000.00
10 - Cabinets, Fixtures & Accessories	112,000.00
11 - Appliances	65,000.00
13 - Fire Sprinkler	45,000.00
14 - Plumbing	145,000.00
15 - HVAC	98,000.00
16 - Electrical	138,000.00
17 - Datas	35,000.00
18 - Exterior Improvements	58,900.00
 TOTAL	 2,509,500.00

Building Permit Fee Estimate

* Indicates required fields Calculate Fees Reset

<input checked="" type="radio"/> Total Fees for Permit Issuance <input type="radio"/> Submittal Fees for Plan Check Expedite Plan Check? <input checked="" type="radio"/> Yes <input type="radio"/> No				
Project Valuation: (2)	Building Type	Application Type	Number Of New Dwelling Units	
2,300,000	Residential <input checked="" type="radio"/>	Single-Family <input checked="" type="radio"/>	2	
FLOOR AREA (Enter the floor area in square feet for each use in the boxes below when "Yes" is checked for Arts Development)				
Arts Development? (3) Yes <input type="radio"/> No <input checked="" type="radio"/>				
Office (\$1.57 / sf)	Retail (\$1.31 / sf)	Manufact (\$0.51 / sf)	Warehouse (\$0.39 / sf)	Hotel (\$0.52 / sf)
0	0	0	0	0
School District Fees (Enter the floor area in square feet for each use in the boxes below when "Yes" is checked for the School District Fee)				
School District Fee? (4) Yes <input type="radio"/> No <input checked="" type="radio"/>				
Commercial (\$0.81 / sf)	Residential (\$3.79 / sf)	Garage (\$0.38 / sf)	Self Storage (\$0.26 / sf)	
0	0000	0	0	

PERMIT FEES	No Surcharges	Energy Surcharge Added(5)	Disabled Access Surcharge Added(7)	Energy & D.A. Surcharges Added(6,7)
Building Permit Fee (BP)	6222.50	2970.00	8166.87	9904.37
Plan Check Fee (PC)	11103.37	12109.60	12881.78	13370.91
Plan Maintenance (PM)	184.45	170.40	183.14	195.09
EQ Instrumentation (EI)	299.00	299.00	299.00	299.00
Issuing Fee	0.00	0.00	0.00	0.00
Planning (incl \$10 misc)	2543.35	2773.88	2831.23	3061.64
Dev Services Center Surcharge	593.59	648.74	680.02	713.17
System Dev Surcharge	1187.18	1293.47	1320.05	1426.34
Arts Dev (val > \$50k)	0.00	0.00	0.00	0.00
Dwelling Unit Construction Tax	400.00	400.00	400.00	400.00
Residential Development Tax	600.00	600.00	600.00	600.00
State Green Building Surcharge	92.00	92.00	92.00	92.00
School Fees	22740.00	22740.00	22740.00	22740.00
TOTAL	\$47,942.44	\$50,103.77	\$50,644.09	\$52,805.42

Notes:

Financing Estimate

PROJECT COSTS

Purchase Price \$ 1,749,000

Construction Costs

Entitlement Costs \$ 996,000

Hard Costs \$ 2,300,000

Total Construction Costs \$ 3,296,000

Total Direct Costs \$ 5,045,000

Holding Costs

Financing Costs \$ 547,092

Other Holding Costs \$ -

Total Holding Costs \$ 547,092

TOTAL PROJECT COST \$ 5,592,092

Linkage Fees

Linkage Fee Schedule as of June 29, 2018*

	Low Market Area	Medium Market Area	Medium-High Market Area	High Market Area
Type of Development Project	Fee per Square Foot			
Residential Uses (single-family home or multifamily with 6 or more units)	\$8	\$10	\$12	\$18
Residential Uses (2-5 units)	\$1	\$1	\$1	\$18
Nonresidential Uses (including Hotels)	\$3	\$4	N/A	\$5
Additional Charge for the Net Loss of Dwelling Units (added to any other applicable fees)	\$3	\$3	\$3	\$3

* Please check the current Linkage Fee Schedule maintained by the Department of City Planning for the most up to date information.



City of Los Angeles Department of City Planning

9/12/2019

PARCEL PROFILE REPORT (modified version)

PROPERTY ADDRESSES

313 S 6TH AVE
315 S 6TH AVE

ZIP CODES

90291

RECENT ACTIVITY

excluded from report

CASE NUMBERS

excluded from report

Address/Legal Information

PIN Number 111B141 332
Lot/Parcel Area (Calculated) 6,358.2 (sq ft)
Thomas Brothers Grid PAGE 671 - GRID H4
PAGE 671 - GRID H5
Assessor Parcel No. (APN) 4240010010
Tract CARNATION PARK TRACT
Map Reference M B 7-57
Block G
Lot 10
Arb (Lot Cut Reference) None
Map Sheet 111B141
111B145

Planning and Zoning Information

Specific Plan Area Venice Coastal Zone
Subarea Oakwood-Milwood-Southeast Venice
Other Historic Survey Information None
Affordable Housing Linkage Fee
Residential Market Area High
Non-Residential Market Area High

Land Value Comparison - Venice			
Address	Price	Sq. Ft.	Price / Sq. Ft.
760 Indiana Ave	\$1,415,000	5,280	\$268
745 Sunset Ave	\$1,650,000	5,800	\$284
628 Santa Clara Ave	\$1,895,000	5,200	\$364
609 Victoria	\$1,500,000	5,460	\$275
1122 Marco Pl	\$1,404,000	4,270	\$329
Average	\$1,572,800		\$304

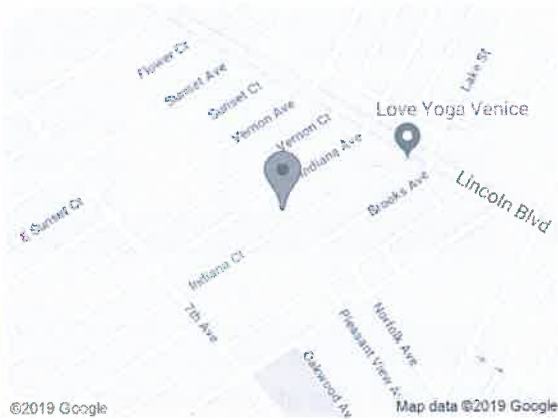
Land Value of Site	\$1,520,429
Estimated price of replacement site in Venice calculated by multiplying the average price per sq. ft. times standard lot size (5000 sq. ft.).	

SHARE

City, State, or Zip



760 Indiana Ave, Venice, CA 90291



760 Indiana Ave,
Venice, CA 90291
4 beds · 2 baths · 1,914 sqft

SOLD: \$1,415,000

Sold on 01/15/19

Zestimate®: \$2,435,650

EST. REFI PAYMENT

Est. Refi Payment:

\$5,524/mo

Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Bring your Builders! Great opportunity! Large lot 5281 sq ft West of Lincoln Build your dream home! AS-IS We can show the property now. All Cash. Quick Escrow. No Contingencies. No repairs or credits. Property will be delivered vacant. Hurry and show and Sell before Owner begins to build.....as it will go off market, then relisted by us when renovations are completed.

Facts and Features

**Type**

Single Family

**Year Built**

1928

Heating Type

Other

**Cooling**

None

**Parking**

1 space

**Lot**

5,227 sqft

INTERIOR FEATURES

Bedrooms

Beds: 4

Other Rooms

Rooms: Other

Heating and Cooling

Heating: Other

Cooling: None

Flooring

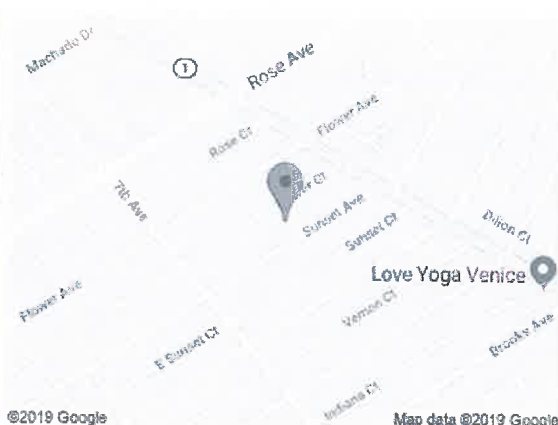
Floor size: 1,914 sqft

[SHARE](#)

City, State, or Zip



745 Sunset Ave, Venice, CA 90291



745 Sunset Ave,
Venice, CA 90291

1 bed · 1 bath · 446 sqft

SOLD: \$1,650,000

Sold on 02/13/19

Zestimate®: \$1,608,103

EST. REFI PAYMENT

Est. Refi Payment:

\$6,441/mo



Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

LOCATION, LOCATION, LOCATION! Build your dream estate on one of the largest lots available west of Lincoln at 5,796sqft. Tree lined Sunset Avenue is one of the most desirable streets in Venice, close distance to the new Rose Avenue and beach. Current house is an original 1922 beach bungalow. Rare opportunity to own a slice of paradise in our ever-dynamically-growing Venice. One of many potential uses for this land could be (BUYER MUST CHECK WITH THE CITY), to develop two houses with a substantial upside per a local developer. Recent sale on Brooks Ave shows that one house on a 2,462SQFT lot sold for \$1.9MILL. BUYER TO DO OWN DUE DILIGENCE AND SHOULD SPEAK TO A DEVELOPER/CONTRACTOR.

Facts and Features



Type
 Single Family



Year Built
 1922

Heating Type
 Other



Cooling
 No Data



Parking
 1 space



Lot
 5,796 sqft

INTERIOR FEATURES

Bedrooms

Beds: 1

Heating and Cooling

Heating: Other

Heating: None

Flooring

Floor size: 446 sqft

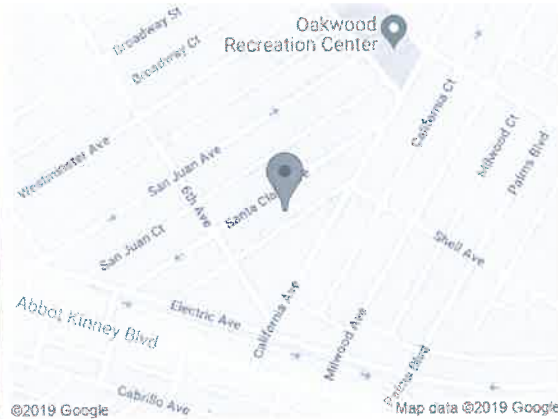
Flooring: Other

SHARE

City, State, or Zip



628 Santa Clara Ave, Venice, CA 90291



628 Santa Clara Ave,
Venice, CA 90291

3 beds · 3 baths · 1,714 sqft

SOLD: \$1,895,000

Sold on 04/08/19

Zestimate®: \$1,907,142

EST. REFI PAYMENT

Est. Refi Payment:

\$7,398/mo



Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Its all about LOCATION, this prime property is 2 blocks from Abbot Kinney and 6 blocks from the beach. The 5202 sq. ft. lot is in a highly desirable location and provides an opportunity to build on a quiet one-way street nestled between premier properties. The residence currently includes two bungalows in original condition and a rare opportunity to create your dream home in this ideal location. This highly desirable neighborhood is walking distance to all the best Venice restaurants, stores and beach. It is close to all Abbot Kinney, Rose, Main Street and Lincoln Blvd. The property is zoned 1.5 and sold as-is. All interested parties should do your due diligence on coastal commission guidelines.

Facts and Features



Type
Single Family



Year Built
1916

Heating Type
Wall



Cooling
None



Parking
No Data



Lot
1,742 sqft

INTERIOR FEATURES

Bedrooms

Beds: 3

Other Rooms

Rooms: Other

Heating and Cooling

Heating: Wall

Cooling: None

Flooring

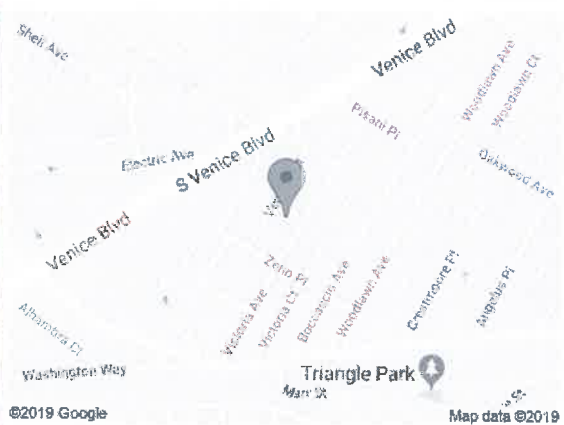
Floor size: 1,714 sqft

SHARE

City, State, or Zip

Q

609 Victoria Ave, Venice, CA 90291



609 Victoria Ave,
Venice, CA 90291
4 beds · 2 baths · 1,641 sqft

SOLD: \$1,500,000
Sold on 07/03/19
Zestimate®: \$1,497,301

EST. REFI PAYMENT
Est. Refi Payment:
\$5,633/mo

Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Two on a lot! Fantastic opportunity for an owner/user or an investor. This lovely 2 bedroom, 1 bath home has an additional, separate 2 bed 1 bath guest cottage with its own outdoor space situated on a highly desirable R2 lot in the Coeur d'Alene school district. The front house features an open kitchen with newer stainless steel appliances and granite counters, a remodeled bathroom with custom tilework, and two generously sized bedrooms, plus a large 2 car garage with additional parking for 2 in the driveway. The completely private sun drenched patio/garden in the back is perfect for summer barbecues and growing your own herbs and vegetables. The back cottage with its own sweet garden is also accessible via the alley, and is perfect for guests or use as an income property. Two blocks to Abbot Kinney and tucked into a quiet pocket of Venice, you're only a quick bike ride to the beach and a short stroll to Erewhon, Lemonade and all that Venice has to offer.

...

Facts and Features

<div><div></div></div> <div>Type</div> <div>Single Family</div>	<div><div></div></div> <div>Year Built</div> <div>1970</div>	<div><div></div></div> <div>Heating</div> <div>Wall</div>
<div><div></div></div> <div>Cooling</div> <div>None</div>	<div><div></div></div> <div>Parking</div> <div>4 spaces</div>	<div><div></div></div> <div>Lot</div> <div>5,458 sqft</div>

INTERIOR FEATURES

Bedrooms

Beds: 4

Other Rooms

Rooms: Living Room, Breakfast Bar, Dining Area

Heating and Cooling

Heating: Wall
Heating: Gas
Cooling: None
Heating: Wall Gas

SHARE

City, State, or Zip



1122 Marco Pl, Venice, CA 90291



1122 Marco Pl, Venice, CA 90291

2 beds · 2 baths · 1,080 sqft

SOLD: \$1,404,000

Sold on 03/26/19

Zestimate®: \$1,396,095

EST. REFI PAYMENT

Est. Refi Payment:

\$5,273/mo



Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Amazing opportunity in prime Venice location! Zoned R2. Enjoy one of the most central locations in Venice east of Lincoln on a quiet tree lined street. This ultra private home with bonus guest space in the rear has mature landscaping in front and back yards and is located just 1 mile from the beach. The home has hardwood floors and galley style kitchen, guest bedroom, updated master bathroom and master bedroom with french doors leading to private back yard and in-ground spa. Close to Superba, Penmar Golf and Rec Center, Whole Foods and the re-vitalized Lincoln Blvd. Perfect for investors or someone looking to customize their own home.

Facts and Features


Type
Single Family

Year Built
1951

Heating
Forced air

Cooling
None

Parking
No Data

Lot
4,268 sqft

INTERIOR FEATURES

Bedrooms

Beds: 2

Other Rooms

Rooms: Bonus Room, Living Room, Guest House, Master Bedroom, Converted Garage, Studio

Appliances

Appliances included: Dishwasher, Dryer, Refrigerator, Washer

Flooring

Floor size: 1,080 sqft

Land Value Comparison - San Pedro/Within Coastal Zone Excluding Venice			
Address	Price	Sq. Ft.	Price / Sq. Ft.
210 Montreal St	\$1,225,000	6,226	\$197
3026 Carolina St*	\$205,000	2,500	\$82
1482 Hamilton Ave	\$400,000	5,736	\$70
2733 Kerckhoff Ave	\$363,000	2,500	\$145
3127 Barbara St	\$600,000	6,250	\$96
Average	\$558,600		\$118

Land Value of Site	\$589,691
Estimated price of replacement site in San Pedro calculated by multiplying the average price per sq. ft. times standard lot size (5000 sq. ft.).	

* 3024 Carolina on ZIMAS

[Sign In](#)

210 Montreal St
Playa Del Rey, CA 90293

\$1,711,674

Redfin Estimate

Sq. Ft.

Built: 2018
Status: Sold

\$1,225,000

Last Sold Price

—
Beds—
Baths**SOLD APR 18, 2019**[Street View](#)

Is This Your Home?

Track this home's estimate
& nearby sales activity

[I'm the Owner](#)

Sell your home for more,
pay a listing fee as low as 1%

Estimated sale price

\$1.63M - \$1.80M

[Sell My Home](#)

About This Home

Incredible opportunity to build a home with spectacular views of the ocean the marina and the city. This property sits a couple blocks from the sand in Playa del Rey, above Vista del Mar, offering convenient access to LAX and the shops and restaurants in Marina del Rey. Excellent location in the heart of the desirable Silicon Beach, home to major technology companies including Google, Yahoo, YouTube, Facebook, Snapchat, and Salesforce. This affluent beachside community is considered to be a tech hub and is an ideal setting for building a dream home.

Show Less ^

Style

Other

Property Type

Residential Single-Family

View

City, City Lights, Coastline, Marina, Ocean

Community

Playa Del Rey

County

Los Angeles

MLS#

18-391366

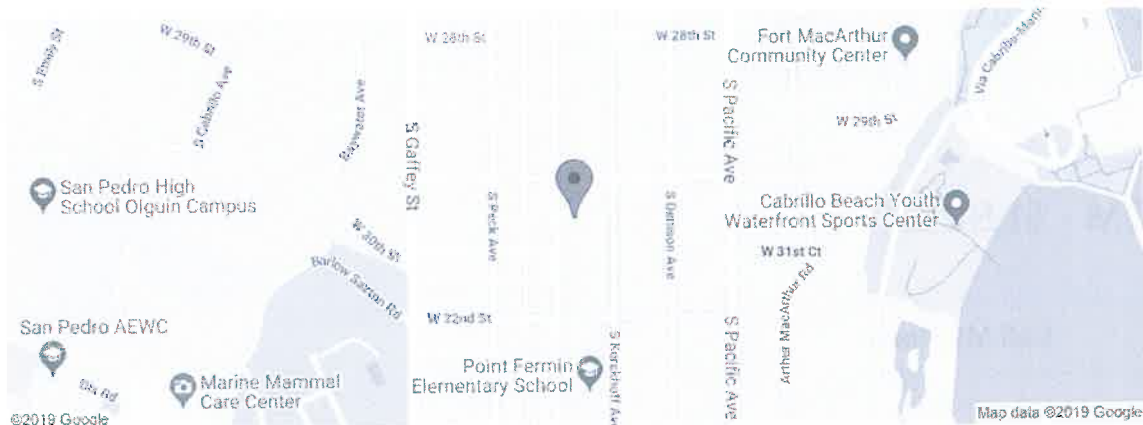


SHARE

City, State, or Zip



3026 S Carolina St, San Pedro, CA 90731



3026 S Carolina St,
San Pedro, CA 90731
2,500 sqft

SOLD: \$205,000
Sold on 03/19/19

Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Great opportunity to build a your new home minutes away from the ocean. Good size lot with a lot of potential. Very nice and quiet neighborhood in a great part of San Pedro.

Facts and Features

BUILDING

Size

ElevationUnits: Feet

SPACES AND AMENITIES

Size

Unit count: 0

Home Value

 SHARE

City, State, or Zip



1482 W Hamilton Ave, San Pedro, CA 90731



1482 W Hamilton Ave,
San Pedro, CA 90731
5,736 sqft

SOLD: \$400,000

Sold on 02/01/19

Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

MUST SEE THIS OCEAN VIEW LOT! This lot has been in plan check awaiting buyer to continue process of final private street conditions and Coastal Development Application. Both requiring 10 to 12 months to complete. Having the process up to this point essentially saves the buyer about 2 years in time and about \$100k dollars in city, architectural, engineering and other planning costs. Rare, Panoramic Ocean View Lot located on a quiet private street. Over 180 degree views from virtually every corner

of the "new house"! Magnificent views of Catalina Island, Long Point & White Point Nature Preserve & Education Center with absolutely stunning sunsets. Steps from the 102 acre park with walking trails, and minutes from the prestigious National Golf Course. Plans drawn and ready! Lot size 5736 Sq.Ft. Amenities: 3 bedroom 2 and ½ bathroom Residence, with Mid level Living, Dining, Family and Kitchen Open Great room, Entry and guest bathroom. Upper level includes a Private Master Bedroom Suite, with private Bathroom and Walk-in closet, 2 additional Bedrooms with associated Bathroom. Lower level includes Elevator Lobby from Grade Level Entry, Mud room, Laundry and Storage rooms, Large 2 car Garage, with 2 additional exterior guest and emergency vehicle parking. Secure entry from Parking level to Main Living level of residence, via stair and Elevator. Total sf of rendered residence is

Building Area:

Garage: 448 s.f.

Basement: 460 sf

1st Floor: 1,302 sf

2nd Floor: 1,355 s.f.

Total Residence: 3,565 s.f. Let's get started!

...

Facts and Features

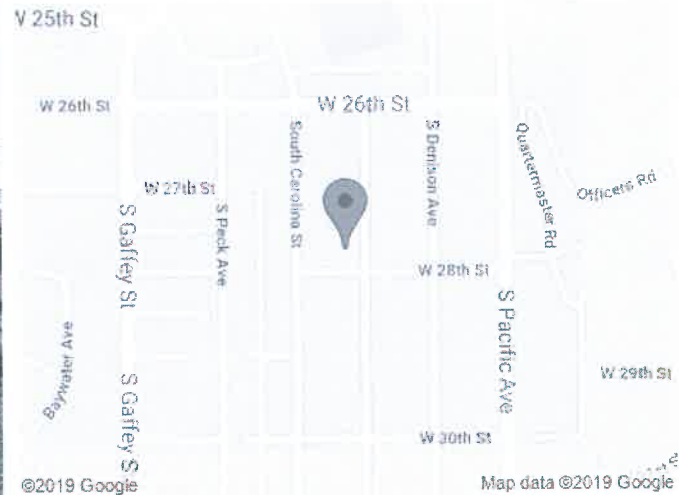
BUILDING

Size

ElevationUnits: Feet

CONSTRUCTION

Type and Style

2733 S Kerckhoff Ave, San Pedro, CA 90731**2733 S Kerckhoff Ave,**
San Pedro, CA 90731**1 bed · 1 bath · 660 sqft****SOLD: \$363,000**

Sold on 04/25/19

Zestimate®: \$385,352**EST. REFI PAYMENT****Est. Refi Payment:****\$1,408/mo**

Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

This home is calling you! Adorable 1 bedroom 1 bath home located near the Cabrillo Beach Marina and Beach. This home is ready for you to finish. Located just minutes to the beach, with the right touch this could be your perfect beach home.

Facts and Features

**Type**

Single Family

**Year Built**

1920

**Heating**

Wall

**Cooling**

None

**Parking**

1 space

**Lot**

2,500 sqft

INTERIOR FEATURES

Bedrooms

Beds: 1

Heating and Cooling

Heating: Wall

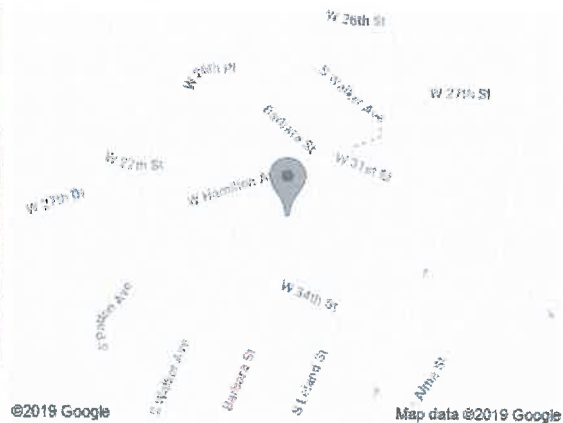
Cooling: None

 **SHARE**

City, State, or Zip



3127 Barbara St, San Pedro, CA 90731



3127 Barbara St,
San Pedro, CA 90731
3 beds • 1 bath • 1,125 sqft

SOLD: \$600,000

Sold on 03/29/19

Zestimate®: \$702,076

EST. REFI PAYMENT

Est. Refi Payment:
\$2,365/mo



Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

PROBATE AUCTION! The auction is on Saturday, November 17th, 2018, at 1:00 PM, on-site! NO ASKING PRICE! No Starting bid! Complete Auction info is on www.bidkw.com including the FAQs. This property will be sold as is, where is, and is subject to confirmation by the Superior Court. The sale will be conducted at the property site on the day of the auction. This Home features 3 bedrooms and 1 bath (+/- 1,125 sq. ft.) with an detached Garage. The lot size is +/- 6,250 sq. ft.

Facts and Features



Type
Single Family



Year Built
1952

Heating
WallCooling
None

Parking
1 space



Lot
6,250 sqft

INTERIOR FEATURES

Bedrooms

Beds: 3

Other Rooms

Rooms: Other

Heating and Cooling

Flooring

Floor size: 1,125 sqft

Flooring: Other

Other Interior Features

Room count: 4

Land Value Comparison - Within 3 Miles of Coastal Zone			
Address	Price	Sq. Ft.	Price / Sq. Ft.
956 Upland St	\$360,000	4,800	\$75
1371 12th St	\$486,000	2,400	\$203
1427 254th St	\$399,000	3,500	\$114
1495 Santa Cruz St	\$500,000	2,775	\$180
409 Mar Vista Ave	\$308,000	4,585	\$67
Average	\$410,600		\$128

Land Value of Site	\$638,856
Estimated price of replacement site within 3 miles of the Coastal Zone calculated by multiplying the average price per sq. ft. times standard lot size (5000 sq. ft.).	

SHARE

City, State, or Zip

956 W Upland Ave, San Pedro, CA 90731



956 W Upland Ave,
San Pedro, CA 90731
2 beds · 1 bath · 572 sqft

SOLD: \$360,000

Sold on 03/07/19

Zestimate®: \$365,687

EST. REFI PAYMENT

Est. Refi Payment:

\$1,395/mo



Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Investors delight, calling all investors. Best price in San Pedro located in the Trinity area. 2 bedroom 1bathroom home with your backyard overlooking the canyon. Newer roof and newer bathroom. Home needs some TLC.

Facts and Features

Type
Single Family

Year Built
1925

Heating
Wall

Cooling
None

Parking
1 space

Lot
4,800 sqft

INTERIOR FEATURES

Bedrooms

Beds: 2

Other Rooms

RoomType: All Bedrooms Down

Heating and Cooling

Heating: Wall

Cooling: None

Flooring

Floor size: 572 sqft

[Sign In](#)

1371 W 12th St
San Pedro, CA 90732

\$577,041

Redfin Estimate

1,108 Sq. Ft.

\$439 / Sq. Ft.

Built: 1923

Status: Closed Sale

\$486,000

Last Sold Price

3

Beds

1

Bath

SOLD DEC 19, 2018

[Street View](#)

Is This Your Home?

Track this home's estimate
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Sell your home for more,
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Estimated sale price

\$549,000 - \$606,000

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About This Home

3 Bed, 1 Bath SFR with Detached Garage & Office Space above. Property sold "AS IS, AS DISCLOSED." CASH OFFERS ONLY as this house will NOT qualify for any type of financing! This house is a TOTAL FIXER, maybe even a TEAR-DOWN. Walking Distance to Averill Park.

Property Type	Single Family Residence
View	None
Community	183 - Vista Del Oro
County	Los Angeles
MLS#	SB18268510



Google

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[Expand Map](#)

[Street View](#)

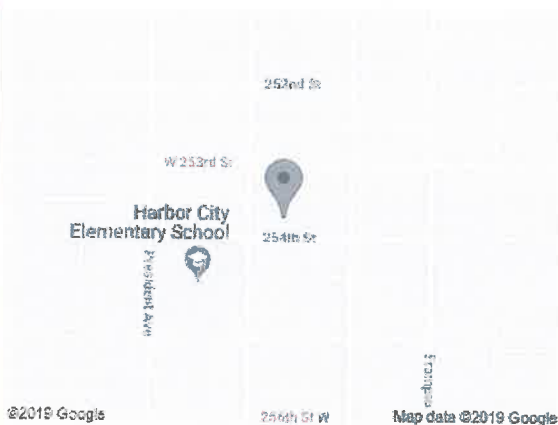
[Directions](#)

 SHARE

City, State, or Zip



1427 254th St, Harbor City, CA 90710



1427 254th St,
Harbor City, CA 90710
2 beds · 1 bath · 676 sqft

SOLD: \$399,000

Sold on 02/22/19

Zestimate®: \$416,623

EST. REFI PAYMENT

Est. Refi Payment:

\$1,545/mo

Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

INVESTORS DELIGHT !! A rare opportunity for the potential development of a new single family residence, multi-family residence, town homes, or the renovation and enlargement of this single family residence on a 7,176 square foot flat lot. The buyer is responsible to verify all uses for the development of this land, and obtain their own reports and investigations for this 50' x 140' property zoned LARD 1.5. The home features with a formal living room, kitchen, built-in linen closet in hallway, utility room, quaint front patio porch. Raised foundation with wood flooring. 2-car detached garage behind the home.

Facts and Features



Type
Single Family



Year Built
1948



Heating
No Data



Cooling
No Data



Parking
1 space



Lot
7,174 sqft

INTERIOR FEATURES

Bedrooms

Beds: 2

Other Rooms

Eating Areas: Eat In Kitchen

Heating and Cooling

Appliances

Cooking Appliances: Gas

Flooring

Floor size: 676 sqft

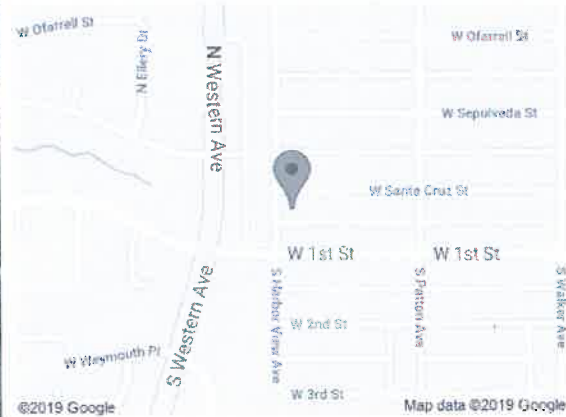
Flooring: Hardwood, Linoleum

SHARE

City, State, or Zip



1495 W Santa Cruz St, San Pedro, CA 90732



1495 W Santa Cruz St,
San Pedro, CA 90732
3 beds · 2 baths · 1,397 sqft

SOLD: \$500,000

Sold on 12/17/18

Zestimate®: \$570,716

EST. REFI PAYMENT

Est. Refi Payment:

\$1,939/mo



Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

This property is a fixer and was sold off-market. Put on MLS for comp purposes.

Facts and Features



Type

Single Family



Year Built

1944



Heating

Wall



Cooling

None



Parking

4 spaces



Lot

5,549 sqft

INTERIOR FEATURES

Bedrooms

Beds: 3

Heating and Cooling

Heating: Wall

Cooling: None

Flooring

Floor size: 1,397 sqft

SHARE

City, State, or Zip

409 Mar Vista Ave, Wilmington, CA 90744









409 Mar Vista Ave,
Wilmington, CA 90744
3 beds · 2 baths · 1,137 sqft

SOLD: \$308,000
Sold on 11/26/18
Zestimate®: \$333,819
EST. REFI PAYMENT
Est. Refi Payment:
\$1,192/mo

Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Nice and spacious corner lot. 3 bed, 2 bath, 1137 sqft home is the perfect opportunity for an investor or first time home buyer. Property in need of work and repairs. Detached Garage with 2 large fruit trees in the backyard, Walking distance to Hawaiian Ave Elementary School

Facts and Features

 Type Single Family	 Year Built 1958	 Heating Other
 Cooling None	 Parking 2 spaces	 Lot 4,573 sqft

INTERIOR FEATURES

Bedrooms

Beds: 3

Heating and Cooling

Heating: Other

Heating: None

Cooling: None

Flooring

Floor size: 1,137 sqft

Flooring: Other

Maximum Affordable Unit Price Explanation

Our methodology for calculating the affordable sale price is explained briefly in Note 3 for Exhibits 2-5. A more complete explanation is below, titled "Calculation of Maximum Affordable Unit Price – 2019". The result of this analysis was a sale price of \$289,157 for an affordable unit.

Most jurisdictions, including HCIDLA, do not publish a straightforward "maximum sale price" for affordable units. Below are three ways to estimate this figure.

1. Maximum Affordable Unit Price Change Since 2005

HCIDLA last published a maximum sale price in 2005. By examining the changes in HCIDLA published maximum income levels and mortgage rates since then, a current maximum sale price can be calculated.

- 1) 2005 LAHD "Mello Sales Price" for 2-BR unit = \$147,567
- 2) 2005 LAHD Maximum Income Level for a Low Income family of 3 persons = \$47,150
- 3) 2019 HCIDLA Maximum Income Level for a Low/Lower Income family of 3 persons = \$75,150
- 4) Percentage increase from 2005 to 2019 = 59.4%
- 5) Per Freddie Mac (<http://www.freddiemac.com/pmms/pmms30.html>), interest rate for average 30-year fixed rate mortgage loan in June 2005 = 5.58%
- 6) Per Freddie Mac, interest rate for average 30-year fixed rate mortgage in June 2019 = 3.80%
- 7) Using the Present Value formula to calculate the difference in Loan Amount, holding the loan term (30 years) and payment amount (\$1000) constant, and varying only the interest rate, the lower 2019 rate (3.80%) will support a 23% larger loan amount than the 2005 rate (5.58%). The loan amounts are \$174,575.38 and \$214,611.92, respectively.
- 8) Multiply the 2005 "Mello Sales Price" of \$147,576 by 1.594 (to recognize the increase in Maximum Income Level) = \$235,213.92
- 9) Multiply this amount (\$235,213.92) by 1.23 (to recognize the larger loan amount available to homebuyers due to decrease in 30-year fixed-rate average interest rate) = \$289,157.10

Other governmental agencies have published a maximum sales price for deed-restricted low-income affordable units, below are two relevant examples:

2. City of San Francisco Published Maximum Purchase Price

The City of San Francisco publishes a maximum purchase price for condo units as part of their regulations for condo conversions. The maximum price for a 2-bedroom unit at the low-income level (80% of median income) is \$246,250. This price is calculated at 2.5 times the area median income, rounded to the nearest \$50. In San Francisco, the

2019 family income for a family of 4 persons at 80% of area median is \$98,500 (see attached supporting doc's).

3. HCIDLA Monthly Housing Costs Limit

Instead of a published maximum sale price, HCIDLA requires that total housing costs (principal & interest on a mortgage loan, property taxes, HOA fees, insurance costs, etc.) not exceed a certain percentage of family income. California Health & Safety Code Section 50052.5 sets a limit of 30% of family income for lower-income households. California Code of Regulations Section 25 CCR 6920 defines "housing costs", generally as summarized above. In the City of L.A., the HCIDLA-published Maximum Income Level for a low/lower family of 3 persons is \$75,150 annually (or \$6262.50 per month). 30% of this amount would leave \$1,878.75 per month available for housing costs. If we assume property tax, HOA fees and insurance are 30% of total housing costs (likely an underestimate, these costs are typically higher at 35% - 38% for lower-priced condo ownership), that leaves 70% of gross income, or \$1,315 per month, for principal & interest payment. At the recent rate for a 30-year fixed rate mortgage loan (June 2019 average), a 3.6% interest rate would mean the maximum loan amount available with a \$1,315 monthly payment would be \$282,241.50. If we assume a 10% down-payment, the maximum unit purchase price possible for a low/lower income family is \$313,601.66.

1. Maximum Affordable Unit Price Change Since 2005

2005 Mello Sales Price	147,576
2005 Low Income Limit	47,150.00
2019 Low Income Limit	75,150.00
% Increase '05-'19	59.4%

Freddie Mac Weekly Interest Rates

Week	Interest Rate
6/2/2005	5.62
6/9/2005	5.56
6/16/2005	5.63
6/23/2005	5.57
6/30/2005	5.53
June 2005 Average	5.58
6/6/2019	3.82
6/13/2019	3.82
6/20/2019	3.84
6/27/2019	3.73
June 2019 Average	3.80

Increase in Available Loan

	2005 Loan	2019 Loan
Rate	5.58	3.8
Term (months)	360	360
Payment/month	1000	1000
Loan Amount	174,575.38	214,611.92
% Increase in Present Value		23%

Sales Price Adjusted for Income	235,213.92
Sales Price Adjusted for Interest Rate and Income	289,157.10

3. HCIDLA Monthly Housing Costs Limit

2019 Low Income Limit	75,150.00
Monthly Income	6262.50
Housing Cost Limit	30%
Loan Repayment %age	70%
Max Housing Cost/month	1315.13

Rate	3.80
Term (months)	360
Payment/month	1315.13
Loan Amount	282,155.31
Downpayment	10%
Total Sales Price	313,505.90

2005 Mello Income and Rent Limits to Determine Existence of Affordable Housing

Any tenant income or rent less than the moderate limits qualifies the unit as an affordable unit.

Table I: Qualifying Maximum Income Levels Based on Family Size

Income Level	Family Size							
	One	Two	Three	Four	Five	Six	Seven	Eight
Very Low	\$22,950	\$26,200	\$29,500	\$32,750	\$35,350	\$38,000	\$40,600	\$43,250
Low	\$36,700	\$41,900	\$47,150	\$52,400	\$56,600	\$60,800	\$65,000	\$69,150
Moderate	\$55,100	\$62,900	\$70,800	\$78,600	\$84,850	\$91,200	\$97,450	\$103,800

Table II: Maximum Allowable Rent Levels

Bedroom Size	Very Low	Low	Moderate
Single	\$573	\$917	\$1,377
One	\$655	\$1,047	\$1,572
Two	\$737	\$1,178	\$1,770
Three	\$818	\$1,415	\$2,121
Four	\$883	\$1,625	\$2,436

2005 Mello Sales Prices

Bedroom Size	Very Low	Low	Moderate
Single	\$57,375	\$91,773	\$137,882
One	\$65,500	\$104,695	\$163,737
Two	\$77,812	\$147,576	\$202,939
Three	\$91,687	\$156,815	\$239,836
Four	\$104,812	\$169,748	\$267,153

Very Low = 50% of Area Median Income
Low = 80% of Area Median Income
Moderate = 120% of Area Median Income

LOS ANGELES HOUSING & COMMUNITY INVESTMENT DEPARTMENT

2019 Income and Rent Limit - Land Use Schedule VII

Effective Date: July 1, 2019

2018 AMI \$69,300 ➤ 2019 AMI \$73,100 Change in the Area Median Income = 5.48%

Table I: Qualifying Maximum Income Levels Based on Family Size

Income Level	Family Size							
	One	Two	Three	Four	Five	Six	Seven	Eight
Extremely Low (30%)	\$21,950	\$25,050	\$28,200	\$31,300	\$33,850	\$36,350	\$39,010	\$43,430
Very Low (50%)	\$36,550	\$41,800	\$47,000	\$52,200	\$56,400	\$60,600	\$64,750	\$68,950
Low (80%)[1]	\$58,450	\$66,800	\$75,150	\$83,500	\$90,200	\$96,900	\$103,550	\$110,250
Median (100%)	\$51,150	\$58,500	\$65,800	\$73,100	\$78,950	\$84,800	\$90,650	\$96,500
Moderate (120%)	\$61,400	\$70,150	\$78,950	\$87,700	\$94,700	\$101,750	\$108,750	\$115,750

[1] 80% income exceeding median income is an anomaly just for this county due to HUD historical high cost adjustments to median.

Table II: Maximum Allowable Rent Levels

Rent Level	Bedroom Size					
	0BR	1BR	2BR	3BR	4BR	5BR
Extremely Low (30%)	\$384	\$439	\$493	\$548	\$592	\$636
Very Low (50%)	\$640	\$731	\$822	\$914	\$987	\$1,060
Low (60%)	\$768	\$877	\$987	\$1,097	\$1,184	\$1,272
Moderate (110%)	\$1,407	\$1,608	\$1,809	\$2,010	\$2,171	\$2,332

Affordable Rent for an extremely low-income (0% to 30% AMI) household is the product of 30% of Area Median Income
 Affordable Rent for a very low-income (0% to 50% AMI) household is the product of 30% of 50% of Area Median Income
 Affordable Rent for a low-income (50% to 80% AMI) household is the product of 30% of 60% of Area Median Income
 Affordable Rent for a moderate-income (80% to 120% AMI) household is the product of 30% of 110% of Area Median Income

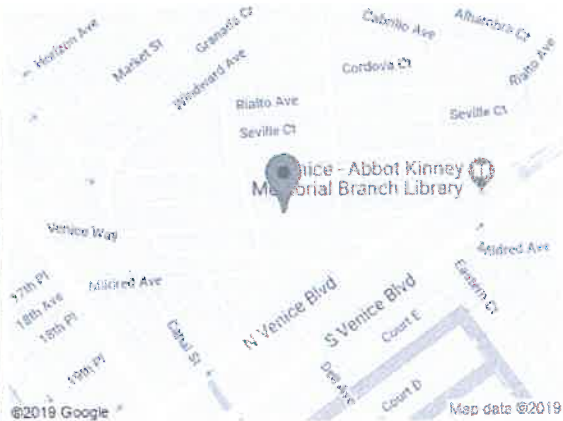
Market Rate Comparables - Venice				
Address	Date Sold	Sale Price	Floor Area (Sq. Ft.)	Sale Price per Sq. Ft. of Floor Area
415 Venice Way	29-Mar-19	\$3,300,000	3300	\$1,000.00
1366 Palms Blvd	14-Mar-19	\$5,125,000	5890	\$870.12
1239 Preston Way	23-Apr-19	\$5,225,000	5300	\$985.85
2318 Louella Ave	31-May-19	\$3,400,000	3500	\$971.43
250 Bernard Ave	27-Mar-19	\$3,310,000	3710	\$892.18
Averages		\$4,072,000	4,340	\$944

SHARE

City, State, or Zip



415 Venice Way, Venice, CA 90291



415 Venice Way, Venice, CA 90291

3 beds · 4 baths · 3,300 sqft

SOLD: \$3,300,000

Sold on 03/29/19

Zestimate®: \$3,287,353

EST. REFI PAYMENT

Est. Refi Payment:

\$12,526/mo



Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Escape to a luxurious coastal oasis in this brand new contemporary masterpiece by prestigious European architect, Andrea Schoening, in the heart of Venice on "Architects Row". Walk to the beach, Abbot Kinney, Rose, world class restaurants & shops. Fall in love w/ the open dining, spacious living w/ cozy fireplace & floor-to-ceiling windows. Gourmet kitchen w/ Vadara counters, Thermador apls., wine fridge & bkfst bar. 2nd level hosts decadent bedrooms w/ en-suite baths, spacious closets, & laundry. 5-star hotel-like master suite expands 3rd level w/ lounge, dual closets, soaring ceilings, balcony, sauna, jet tub, built-in vanity & dual sinks. Home features Sonos sound, 3 temp. zones, Ring security, oak floors & more. Enjoy beautiful sunsets w/ family & friends on the rooftop deck w/ ample space for spa, lounging & outdoor dining w/ amenities near by for seamless entertaining. Exquisitely designed w/ impeccable attention to detail & top finishes, this Venice estate will not last!

...

Facts and Features


Type
Single Family

Year Built
2018

Heating
Forced air

Cooling
Central

Parking
No Data

Lot
2,247 sqft

INTERIOR FEATURES

Bedrooms

Beds: 3

Bathrooms

Baths: 3 full, 2 half

Other Rooms

Rooms: Living Room, Master Bedroom, Breakfast Bar

SHARE

City, State, or Zip

Q

1366 Palms Blvd, Venice, CA 90291



1366 Palms Blvd,
Venice, CA 90291

5 beds · 6.5 baths · 5,890 sqft

SOLD: \$5,125,000

Sold on 03/14/19

Zestimate®: \$5,105,465

EST. REFI PAYMENT

Est. Refi Payment:
\$19,454/mo



Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Custom secluded compound just moments from Abbot Kinney Blvd in the heart of Venice Beach. This warm California Contemporary was designed with sophistication and ultimate class. Experience resort-style living on one of Venice's largest lots providing exclusivity, privacy and an abundant grassy backyard with pool and en-suite cabana. High ceilings and wide hallways allow for incredible scale and volume for an inviting gallery type environment. Featuring 5 bedrooms and 6.5 baths, a media room, walk-in wine cellar, multiple decks, patios, an outdoor living room, top-shelf finishes and pocketing Fleetwood doors epitomizing the indoor/outdoor living that we all adore. Architectural Digest worthy design and a luxurious palette align with the character of this meticulously crafted and tastefully landscaped home.

Facts and Features

Type
Single Family

Year Built
2018

Heating
Forced air

Cooling
Central

Parking
2 spaces

Lot
0.25 acres

INTERIOR FEATURES

Bedrooms

Beds: 5

Bathrooms

Baths: 6 full, 1 half

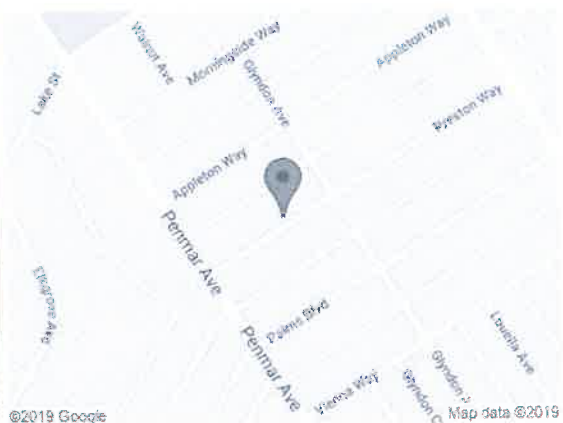
Other Rooms

Rooms: Living Room, Wine Cellar, Master Bedroom, Home Theatre, Cabana, Breakfast Bar

SHARE

City, State, or Zip

1239 Preston Way, Venice, CA 90291



1239 Preston Way,
Venice, CA 90291

5 beds · 6.5 baths · 5,307 sqft

SOLD: \$5,225,000

Sold on 04/23/19

Zestimate®: \$5,206,683

EST. REFI PAYMENT

Est. Refi Payment:

\$19,833/mo

Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Perfection awaits the most exacting of buyers in this brand new modern farmhouse resting on one of Venice's largest lots. The embodiment of indoor/outdoor living is at its best with sun-drenched interiors and inspirational functionality for entertaining. Multiple Outdoor Spaces including Private Courtyard w/ Fireplace, Expansive Private Oasis Backyard featuring Large Grassy Area, Built-In BBQ, Salt Water Pool & Spa, Pool House w/ FP, Bath & HVAC. Soaring Ceilings & Extra Wide Hallways give this home Amazing Scale & Prestige. 5 Beds & 6.5 Baths. Formal Dining is Accented w/ Reclaimed Wood from Wyoming, Bar, Fully Outfitted Media Room, Massive Great Room that adjoins the Kitchen for any Chef's Delight, Large Island, Thermador Appliances, Walk-In pantry, Enormous Master Suite w/ Vaulted Ceilings & Oak Beams, Oversized Walk-In Closet w/ Barn Doors & Built-Ins, Oversized Shower, Separate Soaking Tub & Make Up Vanity. All Bedrooms are En-Suite. Control 4 Smart Home, Fleetwood Doors, Oak Floors, CCTV, 5 Fireplaces, A DP Capital Home of this Stature and Sophistication is Not One to be Missed.

Facts and Features

	Type Single Family		Year Built 2019		Heating Forced air
	Cooling Central		Parking 1 space		Lot 0.25 acres

INTERIOR FEATURES

Bedrooms
Beds: 5

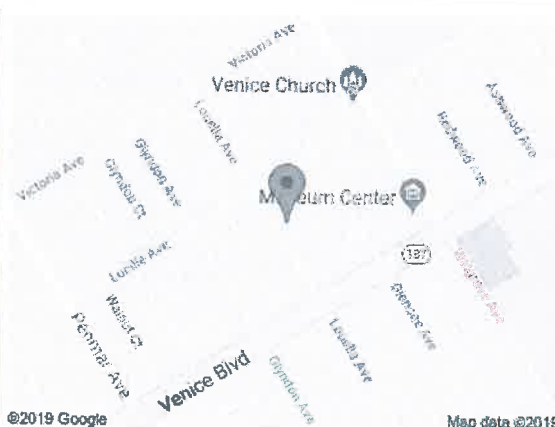
Bathrooms
Baths: 6 full, 1 half

 SHARE

City, State, or Zip



2318 Louella Ave, Venice, CA 90291



2318 Louella Ave, Venice, CA 90291

4 beds · 5 baths · 3,498 sqft

SOLD: \$3,400,000

Sold on 05/31/19

Zestimate®: \$3,391,050

EST. REFI PAYMENT

Est. Refi Payment:

\$12,906/mo



Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Stunning 2019 new construction in the heart of Venice, designed and built by Arzuman Brothers. This approximately 3,500 sqft house + 900 sqft rooftop deck is a uniquely designed California contemporary home that features the perfect blend of inside/outside flow and open space design. As you walk through you are greeted by towering windows throughout the home that provide excellent natural light. The gourmet kitchen includes a spacious large island, custom made cabinetry, Miele and Thermador appliances, and an attached breakfast table. The backyard features a zero edge pool, waterfall, ceramic tiles, and a detached structure that can be used as a pool cabana. Whether it's the backyard, multiple sitting areas inside, or the rooftop deck, this home is the perfect place to entertain. Once you retreat to the master suite, you are invited once again with open space and a perfect harmony of bedroom, bathroom, and walk-in closet. There you will see a see-through fireplace connecting the bed and bath along with a full walk out balcony overlooking the backyard. Full smart home that controls music, lights, air conditioning, cameras, security system, and much more. Close proximity to the beach and all the shops and restaurants on Abbot Kinney Blvd.

...

Facts and Features



Type
Single Family



Year Built
2019



Heating
Wall



Cooling
No Data



Parking
1 space



Lot
6,107 sqft

INTERIOR FEATURES

Bedrooms

Beds: 4

Bedroom Features: Master Suite, Master Bedroom, Walk In Closet

Bathrooms

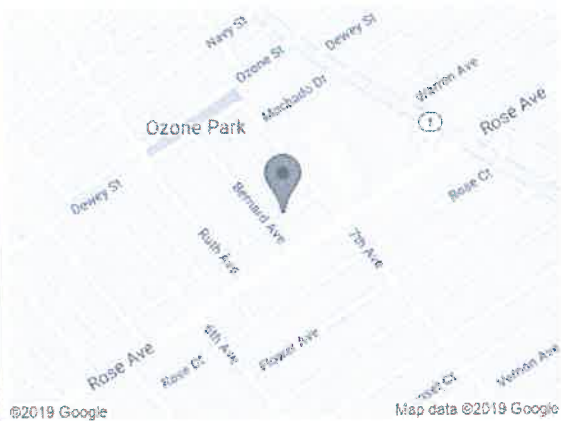
Baths: 4 full, 1 half

Bathroom Features: Powder Room, Tile

SHARE

City, State, or Zip

250 Bernard Ave, Venice, CA 90291



250 Bernard Ave,
Venice, CA 90291
4 beds · 5 baths · 3,711 sqft

SOLD: \$3,310,000
Sold on 03/27/19
Zestimate®: \$3,297,451
EST. REFI PAYMENT
Est. Refi Payment:
\$12,564/mo

Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Unique opportunity to own a stunning contemporary retreat designed by John Reed. This versatile property has potential as a single-family home, live/work space or multi-family investment. Prime Venice location, steps to restaurants & shopping on Rose, Main St, or Abbot Kinney & beach! Upper unit w/voluminous floorplan & sliding doors, ideal for indoor/outdoor beach living. Enjoy your favorite meals in the kitchen w/wine cellar, expansive island, ss Miele appliances, dining space & opens seamlessly to the outdoor lounge. Master boasts courtyard access, walk-in closet, soaker tub, glass shower & dual sink vanity. Lower level features bright & open living in a studio-style layout. The space is accented by floor-to-ceiling glass doors to tranquil courtyard w/BBQ. Sleek & sophisticated kitchen w/ss appliances & modern cabinets. Property features laundry room, elevator, office, gated, garage parking & more. This beach retreat is a must-see!

...

Facts and Features

Type
Single Family

Cooling
Central

Year Built
2016

Parking
3 spaces

Heating
Forced air

Lot
3,933 sqft

INTERIOR FEATURES


Bedrooms
Beds: 4

Other Rooms
Rooms: Living Room, Master Bedroom

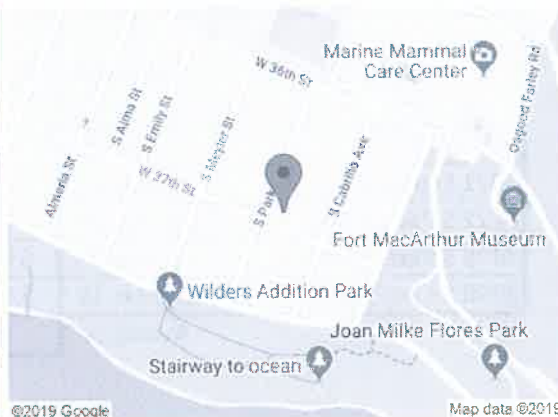
Heating and Cooling
Heating: Forced air
Cooling: Central

Market Rate Comparables - San Pedro/Within 3 Miles of Coastal Zone				
Address	Date Sold	Sale Price	Floor Area (Sq. Ft.)	Sale Price per Sq. Ft. of Floor Area
948 W 37th St	29-Mar-19	\$960,000	2,470	\$388.66
2071 Elanita Dr	14-Mar-19	\$975,000	2,698	\$361.38
2622 S Patton Ave	23-Apr-19	\$850,000	1,924	\$441.79
3429 S Kerckhoff Ave	31-May-19	\$1,016,000	2,121	\$479.02
3900 S Carolina St	27-Mar-19	\$1,125,000	1,911	\$588.70
Averages		\$985,200	2,225	\$452

SHARE

City, State, or Zip 100 

948 W 37th St, San Pedro, CA 90089



948 W 37th St,
San Pedro, CA 90089
 3 beds · 3 baths · 2,470 sqft

SOLD: \$960,000

Sold on 08/05/19

Zestimate®: \$961,342**EST. REF. PAYMENT****Est. Refi Payment:****\$3,684/mo**

Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Spectacular Ocean and Catalina Island Views! Built in 1976, this 3-bedroom, 2-1/2 bath home is located in one of San Pedro's most desirable areas, close to Nature Preserve, Pt. Fermin Park, Korean Friendship Bell, and is only about a block from the bluffs. Approximately 2,470 sq. ft. on 6,251 sq. ft. lot, this home offers vaulted ceilings, travertine flooring in entry, in half bath, and in kitchen, unique arched entrys, fireplace in living room, oversized formal dining room, granite kitchen with oak cabinetry and breakfast bar, opening to spacious family room and wet bar. Newer roof, solar panels, newer forced air furnace, engineered flooring through out the whole house, upgraded kitchen & bathroom fixtures and sink, RV-height 2-car garage. Tons of storage, huge laundry room, storage area, many built-ins. There is a newer Hot Springs Spa on the rear deck off the large master bedroom with it's spacious bath and walk-in closet. The rear yard has apple, lime, lemon, blood orange, tangerine, cherry, kumquat and two fruit-bearing avocado trees, plus orchid plants and plumeria trees...perfect for the gardening enthusiast. Very peaceful surroundings. Brokered And Advertised By:

...

WHAT I LOVE ABOUT THE HOME

Catalina and Ocean Views! Love the large bedrooms and the tons of storage in this home. Harcourts non-distressed luxury auction.

Facts and Features

Type
 Single Family



Year Built
 1976



Heating
 Forced air



Cooling
 None



Parking
 2 spaces



Lot
 6,250 sqft

INTERIOR FEATURES

SHARE

City, State, or Zip 100

2071 Elanita Dr, San Pedro, CA 90732



2071 Elanita Dr,
San Pedro, CA 90732
4 beds · 3 baths · 2,698 sqft

SOLD: \$975,000

Sold on 08/09/19

Zestimate®: \$976,090

EST. REFI PAYMENT

Est. Refi Payment:

\$3,742/mo



Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

A one of a kind Vista del Oro home sitting high above the street, showcasing amazing views. With a sweeping staircase upon entry and lovely hardwood floors, this four bedroom, three bath, custom home will be perfect for entertaining friends and family. The backyard features a built-in fire pit and a jacuzzi sitting atop the elevated hardscape. The breathtaking harbor and ocean views are best experiences in person. You can have it all with this one of a kind property!

Facts and Features



Type
Single Family



Year Built
1956



Heating
Forced air



Cooling
None



Parking
2 spaces



Lot
6,734 sqft

INTERIOR FEATURES

Bedrooms

Beds: 4

Other Rooms

RoomType: Living Room, Master Suite, Family Room, Walk-In Closet, Kitchen

Appliances

Appliances included: Dishwasher, Refrigerator

Flooring

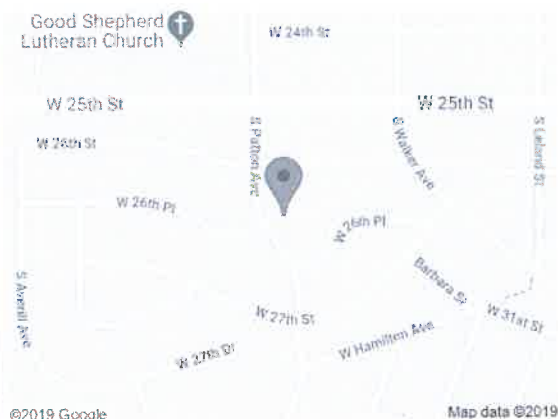
Floor size: 2,698 sqft

Other Interior Features

 SHARE

City, State, or Zip 100 🔍

2622 S Patton Ave, San Pedro, CA 90731



2 beds · 2 baths · 1,924 sqft

SOLD: \$850,000

Sold on 05/07/19

Zestimate®: \$857,456

EST. REFI PAYMENT

Est. Refi Payment:

\$3,262/mo



Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Peerless Palisades panoramic harbor view home! Lovely, peaceful, sparkling... This two level home is in excellent condition and decorated in the very best of taste. Take your own private elevator ride to the huge master suite upstairs with a sweeping harbor view and cozy fireplace! You'll delight in the extraordinary quality throughout the home from the crown molding and deluxe floors to the lovely light fixtures. It features an elegantly remodeled sunny and bright island gourmet kitchen with granite counters, built-in dishwasher, and stainless steel appliances. This home is roomy and spacious with a lovely entrance, 2 bedrooms (plus three bonus rooms!), 2 remodeled bathrooms, an exquisite formal dining area, and a cheerful living room. For entertaining, you'll enjoy the rear patio BBQ area and privacy fenced backyard. Don't miss the jetted tub in the master bathroom suite, walk-in closet, lovely plantation shutters, and detached bonus room with a brick oven fireplace! Shows AAAA, the highest possible rating! This property is on terrific street of flawless homes in a wonderful neighborhood. The price and terms can't be beat!

...

Facts and Features



Type
Single Family



Year Built
1945



Heating
Other

Cooling
None

Parking
2 spaces



Lot
6,473 sqft

INTERIOR FEATURES

Bedrooms

Beds: 2

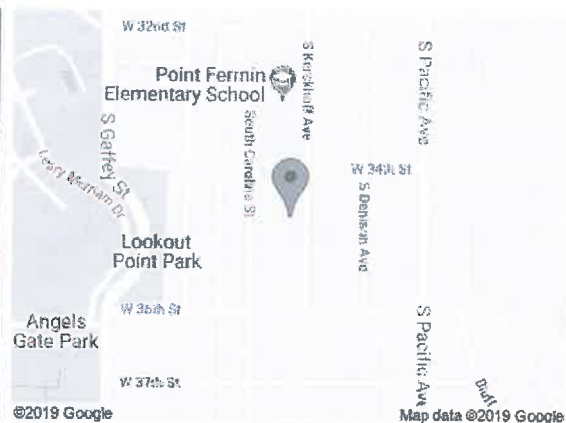
Other Rooms

RoomType: Master Suite

SHARE

City, State, or Zip 100 

3429 S Kerckhoff Ave, San Pedro, CA 90731



3429 S Kerckhoff Ave,
San Pedro, CA 90731

4 beds · 4 baths · 2,121 sqft

SOLD: \$1,016,000

Sold on 04/04/19

Zestimate®: \$1,027,670

EST. REFI PAYMENT

Est. Refi Payment:

\$3,899/mo



Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Welcome to the Beach House! Breathtaking, unobstructed, P-A-N-O-R-A-M-I-C 180-degree views of L.A. Harbor, Angel's Gate, Vincent Thomas Bridge, Long Beach and on down the coast as far as the eye can see from this custom, multi-level, 4-bedroom, 3-1/2 bath Entertainer's Dream Home! The cathedral ceilings lend well to open-style living, with walls of glass & skylights streaming with natural light. There are over 1,000 sq. ft. of decks (including rooftop deck) - perfect for enjoying the cool ocean breezes and enjoying the dynamic views. Hardwood flooring throughout main living areas, galley-style kitchen with tile countertops, walk-in pantry and pass-through bar. Two spacious bedrooms opening to rear patio/yard and full bath on the main level. Second level Family Room leads to spacious third level Master Suite/Master Bath with private deck, walk-in closet, granite countertops, slate flooring, and an oversized shower & separate jetted tub with views. Adjacent is the 4th bedroom with Berber carpet and ocean-inspired full bath. On the lower level there is a 600 sq. ft. permitted office space, man-cave, artist's studio, gym, kid's playroom or additional storage. Attached to the single-car garage is another good-sized storage room, workshop with 1/2-bath. Located in the desirable Pt. Fermin area, this home is the perfect beach home....only a short block to Cabrillo Beach, the Korean Friendship Bell, the Wildlife Nature Preserve and cliffs overlooking our beautiful coastline.

...

Facts and Features



Type
Single Family



Year Built
1950



Heating
Forced air



Cooling
None



Parking
2 spaces



Lot
4,791 sqft

INTERIOR FEATURES

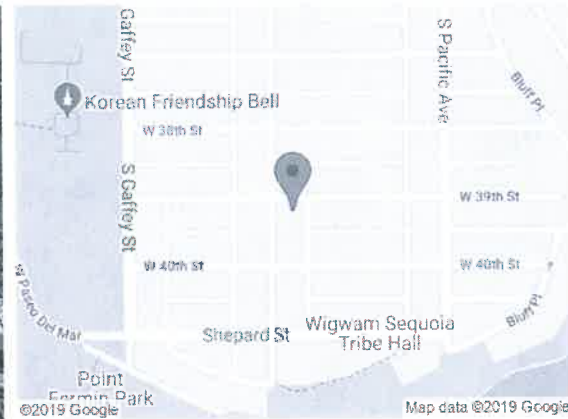
Bedrooms

Beds: 4

SHARE

City, State, or Zip 100

3900 S Carolina St, San Pedro, CA 90731



3900 S Carolina St,
San Pedro, CA 90731
 3 beds · 3 baths · 1,911 sqft

SOLD: \$1,125,000

Sold on 05/22/19

Zestimate®: \$1,133,462

EST. REFI PAYMENT

Est. Refi Payment:

\$4,318/mo



Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Vintage Craftsman Circa 1914...loaded with charm & character – on a corner lot, just a block from the ocean bluffs in desirable Pt. Fermin area. This home has been extensively restored, preserving the charm and character of the Craftsman-era. The kitchen is a chef's delight featuring Viking commercial 6-burner range and custom shaker cabinetry, oversized center island, granite countertops. Glistening original hardwood flooring on lower level, 10' coffered ceilings, large built-in window seat, fireplace, enormous formal dining room with built-in hutch & passthrough for serving. 3-bedrooms plus an upstairs office with peek view of the ocean, wood casement windows, swing-sized front porch, slate, and natural stone drought-resistant landscaping. This lovely classic home is close to Cabrillo Beach, one of California's premier surfing and wind sailing venues, Pt. Fermin Park popular for its Summer Concerts By The Sea and Paseo Del Mar known for its dynamic ocean vistas, cool ocean breezes ~ perfect for that morning walk or bike ride.

...

Facts and Features



Type
 Single Family



Year Built
 1914



Heating
 Wall



Cooling
 None



Parking
 2 spaces



Lot
 6,969 sqft

INTERIOR FEATURES

Bedrooms

Beds: 3

Other Rooms

RoomType: Master Suite, All Bedrooms Up, Master Bedroom, Formal Entry, Kitchen, Laundry

Heating and Cooling

Heating: Wall

Heating: Gas

Cooling: None

Heating: Floor Furnace

AA-2019-2609-PMLA-SL-1A
DIR-2019-2610-CDP-MEL-1A

**EXHIBIT F: Height/ Setback
Context Study**

315 6th Avenue - Neighboring Buildings Study



1. 620 Rose Ave
2 Stories
Commercial



2. 312 6th Ave
3 Stories
Multi Family



3. 314 6th Ave
3 Stories
Multi Family



4. 316 6th Ave
3 Stories
Multi Family



5. 320 6th Ave
3 Stories
Multi Family



6. Parking lot



7. 346 6th Ave
1 Story
Single Family



8. 350 6th Ave
1 Story
Single Family



9. 354 6th Ave
1 Story
Single Family



10. 356 6th Ave
1 Story
Single Family



11. 345 6th Ave
1 Story
Single Family



12. 341 6th Ave
2 Stories
Single Family



13. 339 6th Ave
3 Stories
Multi Family



14. 333 6th Ave
2 Stories
Multi Family



15. 321 6th Ave
2 Stories
Single Family



16. 317 6th Ave
1 Story
Single Family



17. 315 6th Ave
2 Stories
Multi Family



18. Parking lot



19. 307 6th Ave
1 Story
Single Family



20. 305 6th Ave
1 Story
Single Family

Project Site

AA-2019-2609-PMLA-SL-1A
DIR-2019-2610-CDP-MEL-1A

EXHIBIT G: Zoning Information Files

- Z.I. 2406 Director's Interpretation DIR-2014-2824-DI-1A
- Revised Z.I. 2406 Directors Interpretation



CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
<http://cityplanning.lacity.org/>

Determination Mailing Date: DEC 12 2014

CASE NO. DIR-2014-2824-DI-1A
CEQA: ENV-2004-2691-CE

Location: Venice Coastal Specific Plan Boundary Area

Council District: 11 – Bonin

Plan Area: Venice

Zone: Various

Applicant: City of Los Angeles

Appellant #1: 1716 Main Street, LLC,
Rep.: Epport, Richman, Robbins, LLP

Appellant #2: Kalnel Gardens, LL (Len Judakin)
Rep.: Alan Abshez

At its meeting of October 23, 2014, the City Planning Commission took the following action:

1. **Denied the appeals.**
2. **Sustained** the Director of Planning's revised **Specific Plan Interpretation** for the Venice Coastal Zone Specific Plan clarifying the relationship between Section 12.22 C. 27 of the Los Angeles Municipal Code, established by the Small Lot Subdivision Ordinance (Ordinance No. 176,354), and the Venice Coastal Specific Plan (Ordinance No. 172,897).

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

This action was taken by the following vote:

Moved: Perlman
Seconded: Dake-Wilson
Ayes: Ahn, Ambroz, Cabildo, Choe, Katz, Segura
Absent: Mack

Vote: 8 - 0

James K. Williams, Commission Executive Assistant II
City Planning Commission

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

Attachments: Revised Specific Plan Interpretation dated August 14, 2014
City Planners: Michelle Levy, Conni Pallini

**DEPARTMENT OF
CITY PLANNING**

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401

CITY PLANNING COMMISSION

RENEE DAKE WILSON
PRESIDENT
DANA M. PERLMAN
VICE-PRESIDENT

ROBERT L. AHN
DAVID H. J. AMBROZ
MARIA CABILDO
CAROLINE CHOE
RICHARD KATZ
JOHN W. MACK
MARTA SEGURA

JAMES K. WILLIAMS
COMMISSION EXECUTIVE ASSISTANT II
(213) 978-1300

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

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DEPUTY DIRECTOR
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DEPUTY DIRECTOR
(213) 978-1274

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

FAX: (213) 978-1275

INFORMATION
www.planning.lacity.org

**VENICE COASTAL ZONE SPECIFIC PLAN
DIRECTOR OF PLANNING
SPECIFIC PLAN INTERPRETATION (REVISED)**

August 14, 2014

Initiated by:
Director of Planning

**CASE NO: DIR-2014-2824-DI
SPECIFIC PLAN INTERPRETATION
CEQA: ENV-2004-2691-CE**

Location: Venice Coastal Zone Specific Plan

Council District: 11

Community Plan Area: Venice

Land Use: Various

Zone: Various

Appeal Period Ends: August 29, 2014

Pursuant to Los Angeles Municipal Code (LAMC) Section 11.5.7.H and the Venice Coastal Zone Specific Plan (Ordinance No. 175,693), I hereby **approve**:

A Specific Plan Director's Interpretation that clarifies the relationship between Section 12.22.C.27 of the LAMC, established by the Small Lot Subdivision Ordinance (No. 176,354), and the Venice Coastal Zone Specific Plan. The revised Director's Interpretation is intended to: (1) prevent small lot projects from exceeding densities otherwise allowed in the Specific Plan on individual lots; (2) highlight where conflicts between the LAMC and the Venice Coastal Zone Specific Plan exist and uphold the Specific Plan regulations where applicable; and (3) outline a review process for new small lot projects in the Venice Coastal Zone Specific Plan Area which takes into account the density, parking, and setback regulations of the Specific Plan. As set forth herein, this Director's Interpretation shall supersede the previous interpretation issued by the City Planning Commission (on appeal) on February 12, 2010 as Case Number DIR-2008-4703-DI-1A, and shall be applicable only within the Venice Coastal Zone Specific Plan Area.

AUTHORITY

Pursuant to LAMC Section 11.5.7.H, Interpretations of Specific Plans, the Director of Planning has the authority to interpret specific plans where there is a lack of clarity in the meaning of the regulations. Insofar as the Small Lot Subdivision Ordinance was adopted after the Specific Plan, an interpretation is necessary to identify areas of potentially conflicting provisions in the two ordinances and to allow for small lot subdivisions in Venice in a manner that is consistent with the intent and provisions of the Venice Coastal Zone Specific Plan. The Venice Coastal Zone Specific Plan contains provisions which are unique to each of ten subareas and each type of underlying zone within.

BACKGROUND

The Small Lot Subdivision Ordinance (No. 176,354) became effective on January 31, 2005 as Section 12.22.C.27 of the LAMC in order to permit lots in multi-family zones (including RD, R3, R4, R5, RAS, P and C) to be subdivided into smaller parcel sizes than would normally be permitted, as long as they comply with the density provisions established by both the zoning and the Los Angeles General Plan. Small Lot projects are not permitted in single-family zones. The ordinance is a smart-growth strategy to promote infill development of underutilized land in multi-family and commercial zones. By reducing minimum lot size requirements, the ordinance enables fee-simple ownership of single-family homes on smaller lot areas, resulting in buildings with compact building footprints. The ordinance stipulates that subdivisions resulting from the Small Lot Ordinance cannot increase the density of the underlying zone or the allowable height of structures within the zone. On January 29, 2014, an Advisory Agency Policy was issued along with Small Lot Design Guidelines. All projects filed after February 1, 2014 (see Attachment D) are required to comply with or meet the intent of the 2014 Small Lot Design Guidelines. The Policy states that the Guidelines are to be used in conjunction with any adopted Specific Plan, but shall not supersede adopted Specific Plan procedures or standards.

The Venice Coastal Zone Specific Plan was established in 1999 (Ordinance No. 172,897) and substantially revised in 2004 (Ordinance 175,693). The primary objective of the Specific Plan is to protect, maintain, enhance and, where feasible, restore the overall quality of the Coastal Zone environment and its natural and man-made resources. The Specific Plan regulates all development, including: uses, height, density, setbacks, buffer zones, parking, and other development standards in order for new construction and modifications to existing buildings to be compatible in character with the community and provide for the consideration of aesthetics, scenic preservation and enhancement, and to protect environmentally sensitive areas.

As with all development regulations of Chapter 1 of the LAMC that are generally applicable to all zones, the application of the Small Lot Ordinance can be made more or less restrictive within Specific Plans and other types of zoning overlay districts, particularly where Specific Plans tailor zoning densities and other development regulations to unique geographic areas and circumstances. Because the Venice Coastal Zone Specific Plan was written prior to the adoption of the Small Lot Subdivision ordinance, and the Citywide ordinance did not specifically exempt the Venice Coastal Zone Specific Plan area, the way the ordinance would relate to the Specific Plan could not be anticipated at the time the Small Lot Subdivision Ordinance was adopted and consequently a Director's Interpretation was necessary to clarify their relationship.

A Director's Interpretation for the Venice Coastal Zone Specific Plan was previously issued on January 26, 2009. That decision was appealed. The appeal cited concerns over parking requirement calculations and affordable housing provisions in the Specific Plan and was heard

by the City Planning Commission on June 11, 2009. On February 12, 2010, the City Planning Commission's determination became final, in which the Commission granted the appeal in part and sustained the January 26, 2009 determination of the Director of Planning with modifications, adding clarifying language regarding Beach Impact Zone parking requirements and requiring Replacement Affordable Units to be located onsite within a development. The City Planning Commission also adopted a Categorical Exemption (ENV-2004-2691-CE) as the environmental clearance for the action.

The 2010 interpretation stemmed from a policy to encourage the development of small lot projects citywide, including the Venice community. The purpose of the interpretation was to provide a framework for small lot subdivisions in the Venice Coastal Zone Specific Plan Area and to allow small lot projects in Venice to utilize similar incentives to those built into the Citywide Small Lot Subdivision Ordinance. At the time the interpretation was written, small lot development was seen as a way of introducing more affordable, fee-simple single-family homes into the Venice community – an area where housing prices have outpaced most of the City and where affordable housing is scarce.

ANALYSIS

The February 12, 2010 Director's Interpretation favored the Citywide Small Lot Ordinance over the local Specific Plan. Small lot subdivision projects in Venice were interpreted to be individual single-family lots resulting from a small lot subdivision. To this end, the interpretation held small lot projects in Venice to the single-family parking standards of the Specific Plan and applied the relevant Specific Plan procedures relative to density, parking, yards, access and setbacks to the lots resulting from the subdivision rather than the original lot in its pre-subdivision state. The rationale for this approach is that after a subdivision, each resulting lot becomes a single-family property, and should be subject to single-family property requirements and restrictions. In actuality, though small lot projects cannot increase the allowable density of a subdivision as a whole, they can result in increases in building massing beyond what was anticipated or contemplated in the Specific Plan for individual lots

Upon further examination of the purposes and intent of the Venice Coastal Zone Specific Plan, namely Section 4 which discussed the relationship of the Venice Coastal Zone Specific Plan to other provisions of the Municipal Code, the plan states that "Wherever provisions in [the Venice Coastal Zone Specific Plan] differ from provisions contained in Chapter 1 of the LAMC, (with regard to use, density, lot area, floor area ratio, height of buildings or structures, setbacks, yards, buffers, parking, drainage, fences, landscaping, design standards, light, trash and signage) this Specific Plan shall supersede those other regulations. Whenever [the Venice Coastal Zone Specific Plan] is silent, the regulations of the LAMC shall apply." The Specific Plan anticipated that there may be provisions of the Code which conflict with its policies, and expressly overrides other zoning provisions where there are conflicts. LAMC Section 12.22.C.27 is one such provision of the LAMC that contains different regulations.

The new interpretation more closely aligns with the spirit and intent of the Venice Coastal Zone Specific Plan development standards by applying the Specific Plan regulations to each individual lot within a small lot project, which will result in small lot developments that adhere to the density, setback and parking regulations of the Venice Coastal Zone Specific Plan where they are applicable. Together with the Small Lot Design Guidelines issued by the Advisory Agency in January 2014 (Attachment D), the revised Director's Interpretation is expected to yield small lot projects of a more compatible and proportional building footprint than is currently allowed under the 2010 Director's Interpretation, consistent with the purposes of the Venice Coastal Zone Specific Plan.

Changes in the Interpretation

The original Director's Interpretation attempted to reconcile Small Lot provisions in the Code with the Venice Coastal Zone Specific Plan by granting some flexibility for the Director to apply both the Citywide Small Lot Ordinance incentives and the Venice subarea zoning provisions. The previous Director's Interpretation applied single-family standards in the Venice Coastal Zone Specific Plan to individual lots resulting from a small lot subdivision, whereas the new interpretation applies multi-family standards in the Specific Plan to the small lot development as a whole (i.e. the pre-subdivision parcel).

The overall allowable density has not changed as a result of the revised interpretation as both the current and former interpretations emphasize that Small Lot projects may not increase the density allowed in the Subarea, or underlying zone, if applicable. However, the new interpretation strictly interprets the lot area, density, parking, and setback provisions of the Specific Plan to apply to newly created lots in Venice and applies these development standards to individual lots as well as the small lot development as a whole.

The new interpretation also provides greater clarity regarding Small Lot application procedures in the Venice Coastal Zone Specific Plan – Small Lot subdivision applications and Director of Planning approvals for Venice Coastal Zone Specific Plan cases must be reviewed simultaneously to ensure that density regulations governed by the Specific Plan are adhered to in small lot approvals.

Below is a summary of the revised interpretation. All other provisions of the 2010 Director's Interpretation shall be unchanged:

- **General Provisions:** The new interpretation underscores the fact that the Venice Coastal Zone Specific Plan's provisions override other LAMC provisions where differences exist, for example, with respect to density, parking, and yard provisions in certain Subareas.
- **Parking:** The 2010 Director's Interpretation allowed small lot projects with resulting lots containing only a single dwelling unit to utilize the single-family dwelling parking provisions in Section 13 of the Specific Plan. The new interpretation requires the small lot project, as a whole, to provide parking pursuant to the multiple dwelling provisions in Section 13 which require either two or two and one-quarter parking spaces per dwelling unit depending on the width of the lot.

As an example, using single-family development standards in the Venice Coastal Zone Specific Plan, projects are required to provide two parking spaces as a baseline, or three spaces in the Silver Strand and Venice Canals Subareas. In contrast, multi-family projects on lots greater than 40 feet wide are required to provide two spaces per dwelling unit plus additional guest parking at a rate of one space for each four or fewer dwelling units. Under the previous Director's Interpretation, small lot projects could utilize single-family parking standards, which would result in reduced parking requirements relative to other multi-family project types, such as condominiums and apartments, within multi-family zones. The new interpretation brings parking standards for Small Lot projects in the Venice Coastal Zone Specific Plan into conformance with parking requirements for other types of multi-family projects such as apartments and condominiums.

- **Setbacks:** The new Director's Interpretation requires that, notwithstanding setback provisions in the Small Lot Subdivision Ordinance and the underlying zone, each individual resulting lot within a new small lot subdivision must be consistent with Specific Plan setback requirements for individual lots, where limitations are set. If a small lot project is proposed in Subareas where provisions are silent with regard to setback limitations, the requirements of the Small Lot Subdivision ordinance and the underlying zone shall apply. For example, the Ballona Lagoon (Grand Canal) East Bank Subarea of the Venice Coastal Zone Specific Plan requires a 15-foot average setback along any lot line which separates the lot from the east bank of the Grand Canal. The Subarea also requires side yard setbacks measuring 3.5 feet in width between all resulting Small Lots. This is in addition to the Small Lot Subdivision Ordinance which requires a 5-foot setback between the Small Lot project boundary and non-Small Lot neighboring lots.
- **Lot Area and Density:** The revised Director's Interpretation states that the number of dwelling units permitted in the Small Lot project may not exceed the density permitted by zoning of the original, pre-subdivided lot. The interpretation further elaborates that in Subareas of the Venice Coastal Zone Specific Plan containing density regulations which are more restrictive than the LAMC, the project as a whole and each newly resulting lot must meet the density standards of the Subareas. It is anticipated that with this change, the number of units allowed per lot in certain subareas may be reduced from that allowed under the Municipal Code due to the restrictive nature of the Venice Coastal Zone Specific Plan.

GENERAL REQUIREMENTS AND PRINCIPLES

The Director's Interpretation is as follows:

1. Where provisions in the Venice Coastal Zone Specific Plan differ from provisions contained in Chapter 1 of the Los Angeles Municipal Code (LAMC), the Venice Coastal Zone Specific Plan shall supersede those other regulations. Where provisions are silent in the Venice Coastal Zone Specific Plan, regulations of the Los Angeles Municipal Code (LAMC) apply, including Section 12.22 C.27.
2. APPLICABILITY OF SMALL LOT ORDINANCE IN THE VENICE COASTAL ZONE SPECIFIC PLAN: Notwithstanding LAMC Section 12.22.C.27 (Small Lot Ordinance), small lot projects within the Venice Coastal Zone Specific Plan shall adhere to multi-family development procedures and standards established within the Specific Plan. Additionally, any standards which further restrict lot area, density, setbacks, stepbacks, lot coverage, open space, driveway access and/or parking shall apply to the entire subdivided area, including individual resulting small lots.

Applications for small lot developments within the Venice Coastal Zone Specific Plan shall be subject to Director of Planning review pursuant to Section 8 of the Specific Plan, either "Director of Planning Sign-Off" or "Project Permit Compliance Review", depending on the location of the project and number of dwelling units proposed. Project Permit Compliance review shall be completed concurrent with any application for a subdivision.
3. PARKING: Required parking for subdivision projects shall be based on the parking requirements for multiple dwelling uses, based on the width of the pre-subdivided lot, pursuant to Section 13.D of the Venice Coastal Zone Specific Plan. Beach Impact Zone Parking, if applicable, shall be provided pursuant to Section 13.E of the Specific Plan, consistent with multi-family parking requirements.
4. DRIVEWAYS: Pursuant to the Venice Coastal Zone Specific Plan, all driveways and vehicular access shall be from alleys, when present. When projects abut an alley, each newly resulting subdivided lot shall be accessible from the alley and not the street. Exceptions may be made for existing structures where alley access is infeasible.
5. SETBACKS: Front, rear, and side yard setbacks and lot coverage and open space requirements within each lot resulting from a small lot subdivision shall be consistent with the Specific Plan, where it sets limitations, if applicable. In the Ballona Lagoon West Bank and Ballona Lagoon (Grand Canal) East Bank Subareas, side yard setbacks on all lots within a small lot project must be 3.5 feet in width, consistent with Sections 10.A.2.b(4) and 10.B.2.b.3(d) of the Specific Plan. This requirement is in addition to the 5-foot setback where the lot abuts another lot not created pursuant to the small lot subdivision ordinance, pursuant to LAMC Section 12.22.C.27(e).
6. MULTIPLE LOTS: Existing lots may be subdivided into multiple small lots so long as the averaged newly resulting lot size is equivalent to the minimum requirement for "lot area per dwelling unit" established for each residential zone in the LAMC, except where minimum lot sizes per dwelling unit are further restricted in the Specific Plan, such as in the Marina Peninsula (D), North Venice (F), and Oakwood, Millwood, Southeast Venice (G) Subareas. For example, a 4500 square foot parcel in the RD1.5 zone may be subdivided into a maximum of 3 small lots with one measuring 1000 square feet, one

measuring 1800 square feet and one measuring 1700 square feet, given that the average lot size is 1500 square feet. However, if the same 4500 square foot parcel in the RD1.5 zone is located in the North Venice (F) or Oakwood, Millwood, Southeast Venice (G) Subareas, each lot must not be less than 1,500 square feet per dwelling unit.

7. DENSITY: The density of combined newly created lots shall not exceed the density permitted by zoning of the original, pre-subdivided lot, which is the "lot area per dwelling unit" restriction for each subarea and each zone, as determined by the Venice Coastal Zone Specific Plan. Where the Specific Plan is silent with respect to density, the density shall be based on the underlying zone in the Los Angeles Municipal Code.

APPEAL PERIOD

The Determination in this matter will become effective 15 days after the date of mailing, unless an appeal therefrom is filed with the Department of City Planning. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this grant and received and receipted at a public office of the Department of City Planning on or before the prescribed date or the appeal will not be accepted. Department of City Planning public offices are located at:


Figueroa Plaza
201 North Figueroa Street, #400
Los Angeles, CA 90012
(213) 482-7077

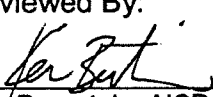
Van Nuys City Hall
6262 Van Nuys Blvd, 3rd Floor
Van Nuys, CA 91401
(818) 374-5050

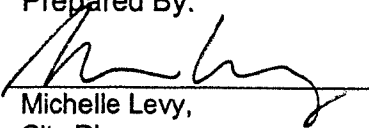
The applicant is further advised that all subsequent contact with this office regarding this grant must be with the decision-maker who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished by appointment only, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

APPROVED BY:


MICHAEL J. LOGRANDE
Director of Planning


Alan Bell, AICP
Deputy Director of Planning

Reviewed By:

Ken Bernstein, AICP,
Principal City Planner,
Policy and Historic
Resources Division

Prepared By:

Michelle Levy,
City Planner
(213) 978-1198

ATTACHMENTS

- A – Small Lot Subdivision Ordinance (Ord. No. 176,354)
- B – Venice Coastal Zone Subareas
- C – Venice Coastal Specific Plan Director's Interpretation
(DIR-2008-4703-DI-1A as adopted by the City Planning Commission on January 12, 2010)
- D – Small Lot Design Guidelines, effective February 1, 2014

CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
ZONING INFORMATION FILE

Z.I. NO. 2406
SMALL LOT SUBDIVISION
REVISED DIRECTOR'S INTERPRETATION

COUNCIL DISTRICT: 11

GENERAL REQUIREMENTS AND PRINCIPLES:

On October 23, 2014, case number DIR-2014-2824-DI-1A was approved by the City Planning Commission. The Director's Interpretation clarifies the Venice Coastal Specific Plan (Ordinance No. 175,693), as it relates to Section 12.22 C. 27 of the Los Angeles Municipal Code, established by the Small Lot Subdivision Ordinance (No. 176,354). The Director's Interpretation applies to all Small Lot Subdivision cases within the boundary of the Venice Coastal Zone Specific Plan.

The subject Director's Interpretation determines how the Small Lot Subdivision provisions shall be applied within the Venice Coastal Zone Specific Plan.

The Director's Interpretation shall be effective on or after October 23, 2014. Any project application deemed complete after this date, shall be subject to the Director's Interpretation contained herein. This Director's Interpretation supersedes the previous interpretation issued by the City Planning Commission on February 12, 2010 (Case No. DIR-2008-4703-DI-1A).

Instructions:

Refer all applicants who wish to submit an application for a Small Lot Subdivision (SL) within the boundary of the Venice Coastal Zone Specific Plan to the Department of City Planning Plan Implementation Division and Subdivisions staff.

The Director's Interpretation language is attached, covering the general requirements and principles.

The Director's Interpretation is as follows:

1. Where provisions in the Venice Coastal Zone Specific Plan differ from provisions contained in Chapter 1 of the Los Angeles Municipal Code (LAMC), the Venice Coastal Zone Specific Plan shall supersede those other regulations. Where provisions are silent in the Venice Coastal Zone Specific Plan, regulations of the Los Angeles Municipal Code (LAMC) apply, including Section 12.22 C.27.
2. APPLICABILITY OF SMALL LOT ORDINANCE IN THE VENICE COASTAL ZONE SPECIFIC PLAN: Notwithstanding LAMC Section 12.22.C.27 (Small Lot Ordinance), small lot projects within the Venice Coastal Zone Specific Plan shall adhere to multi-family development procedures and standards established within the Specific Plan. Additionally, any standards which further restrict lot area, density, setbacks, stepbacks, lot coverage, open space, driveway access and/or parking shall apply to the entire subdivided area, including individual resulting small lots.

Applications for small lot developments within the Venice Coastal Zone Specific Plan shall be subject to Director of Planning review pursuant to Section 8 of the Specific Plan, either "Director of Planning Sign-Off" or "Project Permit Compliance Review", depending on the location of the project and number of dwelling units proposed. Project Permit Compliance review shall be completed concurrent with any application for a subdivision.

3. PARKING: Required parking for subdivision projects shall be based on the parking requirements for multiple dwelling uses, based on the width of the pre-subdivided lot, pursuant to Section 13.D of the Venice Coastal Zone Specific Plan. Beach Impact Zone Parking, if applicable, shall be provided pursuant to Section 13.E of the Specific Plan, consistent with multi-family parking requirements.
4. DRIVEWAYS: Pursuant to the Venice Coastal Zone Specific Plan, all driveways and vehicular access shall be from alleys, when present. When projects abut an alley, each newly resulting subdivided lot shall be accessible from the alley and not the street. Exceptions may be made for existing structures where alley access is infeasible.
5. SETBACKS: Front, rear, and side yard setbacks and lot coverage and open space requirements within each lot resulting from a small lot subdivision shall be consistent with the Specific Plan, where it sets limitations, if applicable. In the Ballona Lagoon West Bank and Ballona Lagoon (Grand Canal) East Bank Subareas, side yard setbacks on all lots within a small lot project must be 3.5 feet in width, consistent with Sections 10.A.2.b(4) and 10.B.2.b.3(d) of the Specific Plan. This requirement is in addition to the 5-foot setback where the lot abuts another lot not created pursuant to the small lot subdivision ordinance, pursuant to LAMC Section 12.22.C.27(e).
6. MULTIPLE LOTS: Existing lots may be subdivided into multiple small lots so long as the averaged newly resulting lot size is equivalent to the minimum requirement for "lot area per dwelling unit" established for each residential zone in the LAMC, except where minimum lot sizes per dwelling unit are further restricted in the Specific Plan, such as in the Marina Peninsula (D), North Venice (F), and Oakwood, Millwood, Southeast Venice (G) Subareas. For example, a 4500 square foot parcel in the RD1.5 zone may be subdivided into a maximum of 3 small lots with one measuring 1000 square feet, one measuring 1800 square feet and one measuring 1700 square feet, given that the

average lot size is 1500 square feet. However, if the same 4500 square foot parcel in the RD1.5 zone is located in the North Venice (F) or Oakwood, Millwood, Southeast Venice (G) Subareas, each lot must not be less than 1,500 square feet per dwelling unit.

7. DENSITY: The density of combined newly created lots shall not exceed the density permitted by zoning of the original, pre-subdivided lot, which is the "lot area per dwelling unit" restriction for each subarea and each zone, as determined by the Venice Coastal Zone Specific Plan. Where the Specific Plan is silent with respect to density, the density shall be based on the underlying zone in the Los Angeles Municipal Code.

CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
ZONING INFORMATION FILE

**Z.I. NO. 2406
SMALL LOT SUBDIVISION
DIRECTOR'S INTERPRETATION**

Applies to projects deemed complete prior to Oct 23, 2014.

COUNCIL DISTRICT: 11

COMMENTS:

On June 11, 2009, case number DIR-2008-4703-DI-1A was approved by the City Planning Commission. The Director's Interpretation clarifies the Venice Coastal Specific Plan (Ordinance No. 175,693), as it relates to Section 12.22 C. 27 of the Los Angeles Municipal Code, established by the Small Lot Subdivision Ordinance (No. 176,354). The Director's Interpretation applies to all Small Lot Subdivision cases within the boundary of the Venice Coastal Specific Plan.

INSTRUCTIONS:

Refer all applicants who wish to submit an application for a Small Lot Subdivision (SL) within the boundary of the Venice Coastal Specific Plan to require a Planning clearance to the Department of City Planning Community Planning Bureau, West Coastal Unit and the Subdivisions Counter.

A portion of the Director's Interpretation language is attached, covering the general requirements and principals.

GENERAL REQUIREMENTS AND PRINCIPLES

A summary of the Interpretation is as follows, comprised of language that applies generally to Venice Coastal Specific Plan.

1. Where provisions are silent in the Venice Coastal Specific Plan, regulations of the Los Angeles Municipal Code (LAMC) apply, including Section 12.22 C.27.
2. **PARKING**: Required parking for subdivision projects shall be based on the parking requirements pursuant to the Venice Coastal Specific Plan, 2 or 3 spaces (depending on subarea). Each new lot resulting from a small lot subdivision that contains one unit will fall under the “single family dwelling” category in the Specific Plan. For the purposes of parking calculations, small lot subdivisions shall be considered “less than 40 feet in width, or less than 35 feet in width if adjacent to an alley.” Where new lots resulting from a small lot subdivision include multiple units on a lot, they shall provide two and a quarter parking spaces for each dwelling unit, and shall provide Beach Impact Zone Parking, if applicable, pursuant to Section 13 E of the Specific Plan, consistent with multi-family parking requirements.
3. **DRIVEWAYS**: Pursuant to the Venice Coastal Specific Plan, all driveways and vehicular access shall be from alleys, when present. When projects abut an alley, each newly resulting subdivided lot shall be accessible from the alley and not the street. Exceptions may be made for existing structures where alley access is infeasible.
4. **SETBACKS**: Front, rear, and side yard setbacks abutting an area outside of the subdivision shall be consistent with the Specific Plan, where it sets limitations. This includes locations where new lots abut a lot that is not created pursuant to the Small Lot Subdivision Ordinance and not part of the project, or where the lots abut a waterway or street.
5. **MULTIPLE LOTS**: Existing lots may be subdivided into multiple small lots so long as the averaged newly resulting lot size is equivalent to the minimum requirement for “lot area per dwelling unit” established for each residential zone in the LAMC, pursuant to the Small Lot Subdivision Ordinance. For example, a 4500 square foot parcel in the RD1.5 zone may be subdivided into a maximum of 3 small lots with one measuring 1000 square feet, one measuring 1800 square feet and one measuring 1700 square feet, given that the average lot size is 1500 square feet.
6. **MULTIPLE UNITS**: Lots subdivided pursuant to the Small Lot Subdivision Ordinance shall be limited to one unit per resultant lot, unless the lot size is large enough to permit additional units based on the “lot area per dwelling unit” calculation established for each residential zone. In no case may a newly resulting lot contain more than three units. Generally, the combined density of the newly resulting lots shall not exceed the permitted density of the original lot, pre-subdivision. For Subareas that restrict density by limiting the number of units on a lot by a defined number, the resulting density from multiple lots may increase the originally permitted density on one original lot. Unit restrictions prescribed for Subareas shall still apply to individual resulting lots, but not over the entire pre-subdivided area; for instance subarea “(C) Silver Strand,” limits density to one unit per lot in the RD1.5 zones, and subarea “(D) Marina Peninsula” limits R3 lots to two dwelling units per lot.) As a general example, for Subareas in

which numbers of units per lot are not defined and restricted, a 4,500 square foot parcel in the RD1.5 zone may be subdivided into two small lots with one comprised of a single-family home and the other comprised of two residential units. This is possible since each unit averages 1,500 square feet of lot area. Resulting small lots cannot be further subdivided in the future, and cannot add future additional units.

7. AFFORDABLE REPLACEMENT UNITS: Projects in subarea “(F) North Venice,” and subarea “(G) Oakwood, Milwood, Southeast Venice,” that include demolition of Affordable Units (as determined by Los Angeles Housing Department—LAHD) are required to provide “Replacement Affordable Unit(s)” as defined in Section 5(T) of the Specific Plan when there are any units in excess of two units on newly resulting single lots. Lots subdivided pursuant to the Small Lot Subdivision Ordinance shall be permitted a density based on the “lot area per dwelling unit” calculation established for each residential zone. Affordable replacement unit requirements apply to multiple units on a single lot, and are not required if the density is spread over newly resulting lots so that no lot has an excess of two units. The requirement to replace an affordable unit will increase the number of units that would otherwise be permitted under the Small Lot Subdivision Ordinance only when the development includes three units on a lot. Mello Act requirements to replace affordable units still apply in all circumstances, and consistent with the Specific Plan, any affordable replacement units shall be replaced on the small lot subdivision project site.
8. DENSITY: Density shall not exceed the density permitted by zoning of the original lot, which is the “lot area per dwelling unit” restriction for each zone as determined by the Venice Coastal Specific Plan, or when not explicit in the Specific Plan, the Los Angeles Municipal Code.

AA-2019-2609-PMLA-SL-1A
DIR-2019-2610-CDP-MEL-1A

EXHIBIT H: Correspondence

March 9, 2020

SENT VIA EMAIL

Department of City Planning
City of Los Angeles
200 North Spring Street, Room 721
Los Angeles, CA 90012
Attention: Jeff Khau, City Planning Associate

Re: 315 6th Avenue, Venice ("Property")
Case Nos. DIR-2019-2610-CDP-MEL; AA-2019-2609-PMLA-SL ("Project")

Dear Mr. Khau:

The undersigned represents Project proponent 315 6th Avenue, LLC, the applicant and owner of the above captioned Property site. This letter is submitted in support of the Project.

In addition to the findings previously submitted by the undersigned in this matter, and responsive to adding two Accessory Dwelling Units (ADUs) to the Project design after filing the subject applications, please find detailed below revised findings and justifications that must be established in order for the decision maker to approve the subject Coastal Development Permit application and coincident Project.

A. Coastal Development Permit Recommended Findings for Approval

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

Chapter 3 of the California Coastal Act provides standards by which "...the permissibility of proposed developments subject to the provisions of this division are determined." Pertinent to the instant request are the policies with respect to the proposed development Project.

Section 30250 of the Coastal Act provides that "*New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.*"

The proposed Project is consistent with the above-referenced policy as it is an infill development in a residential neighborhood. The Project involves the demolition of an existing 4-unit multi-residential complex on the Property, the subdivision of one existing lot totaling 6,380 square feet into 2 new small lots that are 3,853 (Parcel A – rear lot) and 2,527 (parcel B – front lot) square feet respectively and the construction of 2 new three-story, single family residences, each with an attached ADU containing 3,448 and 3,190 square feet respectively of total floor area with two attached 2-car garages, one unenclosed additional parking space and a roof deck for each home. No deviations from the Municipal Code's zoning regulations have been requested.

The proposed Project can be accommodated by the existing infrastructure and by existing public services. The area surrounding the Project is developed with other residential dwellings thereby making the Project site contiguous with, and in close proximity to, existing developed areas that are able to accommodate it.

A. Scenic and Visual Quality

Section 30251 of the Coastal Act provides that *"The scenic and visual qualities of coastal area shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and where feasible to restore and enhance visual quality in visually degraded areas."*

The subject site is not located near the shoreline and therefore will not impact or impair public views. Additionally, the proposed Project will comply with the requirements of the Venice Coastal Zone Specific Plan and the Oakwood-Milwood-Southeast Venice Subarea which establishes design guidelines for project.

Section 30252 of the Coastal Act provides that the location of the new development should maintain and enhance public access to the coast. Once constructed, the proposed Project will neither interfere nor reduce access to the shoreline and does not have direct access to any water or beach.

The Coastal Act requires that new development shall be compatible with and protect special communities and neighborhoods. In particular, Section 30253(5) of the Act states: *"New development shall where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses."*

Mirroring the Coastal Act, the Venice Land Use Plan (LUP) seeks to ensure that new development is compatible with the neighborhood character of the surrounding area and promotes the

architectural diversity that has defined Venice. The following sections of the Venice LUP set forth the policies that address compatibility with community character:

Policy I.A.2 Preserve Stable Single Family Residential Neighborhoods: Ensure that the character and scale of existing single family neighborhoods is maintained and allow for infill development provided that it is compatible with and maintains the density, character and scale of the existing development.

Policy I.E.1 General: Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act.

Policy I.E.2 Scale: New development within the Venice Coastal Zone shall respect the scale and character of the community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods.

The proposed Project is consistent with the neighborhood scale and character with respect to architectural style, height, massing, and setbacks. The residences which are 30 feet in height, are located within the Southeast Venice Subarea, and complies with the allowable varying building height of 30 feet with a flat roof. The proposed three-story residences are comparable in height with many of the residential dwellings in the immediate vicinity. In addition, the proposed square footage size of the dwellings do not maximize the allowable buildable area for the Project site as specified in the Venice Specific Plan guidelines and the provisions of the City of Los Angeles Municipal Code.

In support of the fact that the Project conforms to the character, mass and scale of the surrounding neighborhood, please find attached as Exhibit 1 a Neighboring Buildings Study and, attached as Exhibit 2, the minutes of the November 19, 2019 Board of Officers meeting of the Venice Neighborhood Council (VNC) whereat at item number 11A the VNC voted to support the Project.

Policy I.E.3 Architecture: Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.

As detailed on the submitted Project plans, and as compared to the surrounding properties, the proposed Project is consistent with the mixed architectural styles of the subject neighborhood and the Southeast Venice Subarea.

Section 30252 of the Coastal Act provides that the location of the new development should maintain and enhance public access to the coast. Once constructed, the proposed Project will

neither interfere nor reduce access to the shoreline in that the Project does not have direct access to any water or beach.

The Coastal Act requires that new development shall be compatible with and protect special communities and neighborhoods. In particular, Section 30253(5) of the Act states: *“New development shall where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.*

Venice has a wide range of scale and style of residential buildings throughout its various neighborhoods. Venice’s historical character, diverse population, as well as its expansive recreation area, Ocean Front Walk (boardwalk), and wide, sandy beach make it a popular destination not only for Southern California but also for national and international tourists. Accordingly, Venice has engendered a status as one of the more unique coastal communities in the State, and therefore, a coastal resource to be protected.

Historically, the Coastal Commission has routinely processed applications for Coastal Development Permits in Venice and the Commission has approved De Minimis Waivers for many single family residential projects on the basis that such residential demolition, remodel, addition, and new construction proposals were, in part, consistent with Venice’s diverse community character. More recently, concern over potential impacts to Venice’s community character has prompted further review by the Coastal Commission for proposed new development. The determination that the character of a proposed project is in conformance with the above policies is subjective in the absence of a clear definition of “community character” in a certified Local Coastal Program for Venice. In the interim, for proposed new single family residences, the Coastal Commission has analyzed the general development pattern in a neighborhood with respect to height, size, and architectural style to define community character.

In approving Coastal Development Permit application No. 5-14-0074 on June 13, 2014 for the construction of an addition to a single-family residence and construction of a new two story garage at 803-805 Marco place, the Commission noted that:

“...the surrounding neighborhood is comprised of a variety of old and new multi-unit residential structures and single family residences that vary in height, size, and architectural style. The majority of homes are 1 and 2 stories, with some 3 story structures. Other than the height and scale of the structure, it is difficult to define the style of the community. Architectural features of existing nearby homes include a mix of Craftsman bungalows and traditional Victorians, next door to Modern and Contemporary style homes. Inconsistencies in existing architectural style aside, the proposed development is consistent with the community character in size and scale of existing development.”

The Commission also noted that this project complied with the height requirements set forth in the Venice Specific Plan. Based on this community assessment, the Commission determined that the project was consistent with the community character.

With respect to the proposed Project, the height of the single-family dwellings is compatible with the greater neighborhood, which is developed with several two and three-story buildings that are interspersed among homes of smaller scale and various architectural styles. The eclectic patchwork of sizes and styles defines the neighborhood's community character, and promotes the unique architectural diversity is consistent with Venice LUP policies.

B. Shoreline Access

The Site is an infill site and is surrounded by residentially and commercially zoned properties developed with a mix of uses. The proposed residences will not interfere with or obstruct the public's right to access to coastal resources. The proposed development will not have any adverse impacts on public access to the coast.

C. Recreation and Visitor Serving Facilities

The Project is not adjacent or nearby recreational facilities for visitors. The Project proposes the construction of 2 single-family residences within an area surrounded by, and built out with, other residential uses. No recreation and visitor-serving facility has been alternatively proposed for the site. Therefore, the Project will not have any impact on Coastal recreation and visitor serving facilities.

D. Water and Marine Resources

This Project will not impact any marine resources. Other lots in the immediate area are developed with single family and duplex residences on traditional lots of varying dimensions. The site does not have direct access to any water or beach so there will be no dredging, filling or diking of coastal waters or wetlands. There is no commercial fishing or recreational boating on or adjacent to the site. Therefore, the Project will not have any impact on coastal water and marine resources.

E. Environmentally Sensitive Habitat Area

Section 30240 of the Coastal Act states in part:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas*
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly*

degrade those areas and shall be compatible with the continuance of those habitat and recreation areas.

The site is located within a fully developed residential community and there are no Environmentally Sensitive Habitat Areas nearby. The Project is limited to the boundary of the private property in an area that is fully developed with residential homes. Therefore, the Project will not have any impact on Coastal Environmentally Sensitive Habitat Areas.

F. Minimize Risk to Life and Property

Section 30253 of the Coastal Act states in part:

New development shall: (1) minimize risks to life and property in areas of high geologic, flood, and fire hazard; and (2) assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. The Project site is a flat and the lot is located in an area built out with similar residential uses. The site is not located in high geologic, flood or fire hazard area. Therefore, the Project is consistent with Section 30253 of the Coastal Act.

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

The Project is consistent with the goals of the California Coastal Act and the project will not prejudice the development, adoption or implementation of a Local Coastal Program (LCP) for the Venice Coastal Zone.

The Land Use Plan portion of the Venice Local Coastal Program has been certified by the California Coastal Commission pursuant to the California Coastal Act of 1976. The adopted Venice Community Plan designates the subject property for Low Residential density with a corresponding zone of RD1.5-1. The Project is located in the Southeast Venice Subarea of the Venice Coastal Zone Specific Plan. The proposed Project is consistent with the land use and development regulations of the Specific Plan. Therefore, there is no apparent reason to conclude that the approval of the construction of two single-family residences, each containing an ADU, on the site would interfere with the implementation of a Local Coastal Program.

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

The Guidelines are designed to provide direction to decision makers in rendering discretionary determinations on requests for coastal development permits pending adoption of an LCP, most

specifically associated with new development. In this instance, the project conforms to the Guideline standards for the Venice Community Plan and the Venice Coastal Zone Specific Plan with regards to land use, density, design and parking. Because the proposal is the construction of 2 single-family residential dwellings, the Project meets the density criteria of a RD1.5-1 Zone and poses no threat to the protection of coastal resources.

4. The decision herein has been guided by applicable decisions of the California Coastal Commission pursuant to Section 30625(c) of the California Public Resources Code.

The Coastal Commission has consistently indicated concern for the public views, important resources, accessibility, and improved access to recreational opportunities for the public and the impacts to marine resources or sensitive habitats. No outstanding issues have emerged that would indicate a conflict from this decision to construct a duplex dwelling on the site, and any other decision of the Coastal Commission regarding the addition to or development of residential dwellings in the Venice area. In addition, inasmuch as the property has no physical connection to the beach or any body of water, there are no Commission actions related to marine resources, wetlands, fishing, diving or other water issues.

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

The proposed Project will neither interfere nor reduce access to the shoreline as the site is not located near any shoreline. The property has no direct access to any water or beach and there will be no dredging, filling or diking of coastal waters or wetlands. In addition, there are no environmentally sensitive habitat areas or known archeological or paleontological resources on the site.

Therefore, the proposed construction of 2 single-family dwellings on the subject site is in conformance with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

B. Mello Act Determination

Pursuant to a Feasibility Study for Mello Act Determination prepared for the Property site located at 315 6th Avenue and submitted by Howard Robinson & Associates, the finding of said study indicates that it is financially infeasible to develop affordable single family residences and that off-site replacement projects are similarly infeasible. Accordingly, request is hereby made that the subject Project be approved without any restrictions on the sale or leasing of the Project units. A copy of an executive summary of said Feasibility Study is attached as Exhibit 3.

Jeff Khau, City Planning Department
March 9, 2020
Page 8

In conclusion, and for all the reasons addressed above, and in particular because of the demonstration of the Project's compatibility with the character, mass and scale with its surrounding community, request is hereby made to the City of Los Angeles Planning Department to grant approval of Case Nos. DIR-2019-2610-CDP-SPP-MEL and AA-2019-2609-PMLA-SL.

Thank you for your consideration of this submission.

Respectfully submitted,

Steve Kaplan



EXHIBIT 1

315 6th Avenue - Neighboring Buildings Study



1. 620 Rose Ave
2 Stories
Commercial



2. 312 6th Ave
3 Stories
Multi Family



3. 314 6th Ave
3 Stories
Multi Family



4. 316 6th Ave
3 Stories
Multi Family



5. 320 6th Ave
3 Stories
Multi Family



6. Parking lot



7. 346 6th Ave
1 Story
Single Family



8. 350 6th Ave
1 Story
Single Family



9. 354 6th Ave
1 Story
Single Family



10. 356 6th Ave
1 Story
Single Family



11. 345 6th Ave
1 Story
Single Family



12. 341 6th Ave
2 Stories
Single Family



13. 339 6th Ave
3 Stories
Multi Family



14. 333 6th Ave
2 Stories
Multi Family



15. 321 6th Ave
2 Stories
Single Family



16. 317 6th Ave
1 Story
Single Family



17. 315 6th Ave
2 Stories
Multi Family



18. Parking lot



19. 307 6th Ave
1 Story
Single Family



20. 305 6th Ave
1 Story
Single Family

Project Site

EXHIBIT 2



Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / www.VeniceNC.org
Email: info@VeniceNC.org / Phone or Fax: 310.606.2015



Board of Officers Regular Meeting Agenda REVISED

Westminster Elementary School (Auditorium)

1010 Abbot Kinney Blvd, Venice, 90291

Tuesday, November 19, 2019 at 6:30 PM

NOTE EARLIER START TIME

1. Call to Order and Roll Call (6:30 PM)

The meeting is called to order in memory of Joe Miller, owner/chef of Joe's Restaurant

PRESENT: Ira Koslow, George Francisco, Hugh Harrison, Melissa Diner, Theresa White, Robert Thibodeau, James Murez, Jaime Paige, Alex Neiman, CJ Cole, Matt Fisher, Sima Kostovetsky, Nisa Kove, Charles Rials, Jim Robb, Mark Ryavec, Christian Wrede, (17)

NOT PRESENT: John Reed, Brian Averill, Alix Gucovsky, Bruno Hernandez, (4)

2. Pledge Of Allegiance (6:31 PM -- 1 minute)

3. Approval of the Agenda (6:32 PM – 1 minute)

GF, MD (16, 0, 1)

Unanimous

FAVOR: George Francisco, Hugh Harrison, Melissa Diner, Theresa White, Robert Thibodeau, James Murez, Jaime Paige, Alex Neiman, CJ Cole, Matt Fisher, Sima Kostovetsky, Nisa Kove, Charles Rials, Jim Robb, Mark Ryavec, Christian Wrede,

OPPOSED:

ABSTAIN: Ira Koslow

Empower LA will move up

4. Approval of the Minutes of the August 20, 2019 VNC Board meeting. (6:33 PM)

JM, GF (16, 0, 1)

Unanimous

FAVOR: George Francisco, Hugh Harrison, Melissa Diner, Theresa White, Robert Thibodeau, James Murez, Jaime Paige, Alex Neiman, CJ Cole, Matt Fisher, Sima Kostovetsky, Nisa Kove, Charles Rials, Jim Robb, Mark Ryavec, Christian Wrede,

OPPOSED:

ABSTAIN: Ira Koslow

Unanimous

5. Declaration of Ex Parte Communications or Conflicts-Of-Interest (6:34 PM -- 1 minute)



Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / www.VeniceNC.org
Email: info@VeniceNC.org / Phone or Fax: 310.606.2015



<https://docs.google.com/document/d/1mufpw5teS1KI6TBIgUwMkShezrtaMlrI9ykg7zIVav4/edit?usp=sharing>

Alix presenting substitute motion as the motion on is not correct
PULLED by Ira Koslow

Alix clarified that this was not to be on the agenda and C was the correct motion.

10C **Venice Community Plan Footnote 6 Clarification**

MOTION: The Venice Neighborhood Council ("VNC") requests:

1. That the city attorney clarifies its interpretation of footnote 6
2. An explanation from LA Planning Dept. and the City Attorney regarding any changes in the applicability of footnote 6 to mixed-use projects and
3. Documentation of the analysis used in the decision making process in determining the interpretation of footnote 6 and its applicability to mixed use projects.

Recommended by LUPC 8-0-0 on 11-7-2019

Attachments:

<https://docs.google.com/document/d/1mufpw5teS1KI6TBIgUwMkShezrtaMlrI9ykg7zIVav4/edit?usp=sharing>

A and C passed on Consent

11. **LUPC (8:00 PM – 15 minutes)** (Alix Gucovsky on behalf of LUPC, Chair-lupc@VeniceNC.org)
(see project files for more detailed info at <http://www.venicenc.org/land-use-committee.php>)

11A **315 6th Avenue (15 minutes)**

Case: DIR-2019—2610 -CDP-MEL ENV 2019-2613-CE, ADM-2019-2611, AA 2019-2609

Applicant: Brock Wylan contact: brock@wylanjames.com

LUPC Staff: Tim Bonefeld

Representative: Steve Kaplan contact: sk.landuselaw@gmail.com

City Staff: Jeff Khau contact: jeff.khau@lacity.org

Case Description:

- Pursuant to LAMC section 12.20.2 a Coastal Development Permit for the development and construction of 2 new single family residences, including an ADU within each house
- Pursuant to LAMC 17.50 the approval of a Preliminary Parcel Map to effect the 2-lot small lot subdivision of the existing parcel;
- a Mello Act determination that no affordable housing units need to be replaced in the development of the project

MOTION: The VNC Board recommends approval of the project as presented.

Recommended by LUPC 4-1-1 on 11-8-2019

AG, GF (10, 9, 1)

FAVOR: George Francisco, Hugh Harrison, Melissa Diner, Theresa White, Robert Thibodeau, James Murez, John Reed, Jaime Paige, Sima Kostovetsky, Mark Ryavec,



Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / www.VeniceNC.org

Email: info@VeniceNC.org / Phone or Fax: 310.606.2015



OPPOSED: Alex Neiman, CJ Cole , Matt Fisher, Alix Gucovsky, Bruno Hernandez, Nisa Kove,
Charles Rials, Jim Robb, Christian Wrede,
ABSTAIN: Ira Koslow

12. **Old Business (PM - 0 minutes)**

[Discussion and possible action]

13. **New Business (8:15 PM – 195 minutes)**

[Discussion and possible action]

13A **Adoption of Venice Stakeholder Satisfaction Survey (30 minutes)** (Sima Kostovetsky on behalf of the Outreach Committee simak@venicenc.org)

MOTION: The VNC Board shall adopt the 2019 Venice Stakeholder Satisfaction Survey report and send the Survey data to the following Offices: The Office of Councilman Mike Bonin The Office of the Mayor The Office of Los Angeles County Supervisor Sheila Kuehl The Office of Congressman Ted Lieu The LAPD Pacific Division LADOT General Manager Seleta Reynolds WLA DOT Senior Transportation Engineer Western District Office - Mohammad Blorfroshan.

This motion shall be preceded by a 15 minute presentation by Outreach Committee members Hollie Stenson and Alby Navarro of the data and results of the Venice Stakeholder Satisfaction Survey.

Recommended by Outreach Committee 8-0-0 on 10/30/2019

Uploaded Documents:

<https://drive.google.com/open?id=1EyqrEcYxQoKRSObUKzv4-Vds91A33E0d>

The Motion, once passed and Results should be sent to:

- 1) Mike Bonin's Direct and Office: Councilmember.Bonin@Lacity.Org and morgan.bostic@lacity.org
- 2) Office of Mayor Garcetti: ami.fields-meyer@lacity.org and mayor.garcetti@lacity.org
- 3) Sheila Kuehl's Direct and Office: sheila@bos.lacounty.gov and zgaidzik@bos.lacounty.gov
- 4) Ted Lieu's office: janet.turner@mail.house.gov
- 5) Autumn Burke's Direct and Office: assemblymember.burke@assembly.ca.gov and brandon.stansell@asm.ca.gov
- 6) Ben Allen's Direct and Office: Senator.Allen@sen.ca.gov and Olina.wibroe@sen.ca.gov
7. LAPD Pacific Division, Captain Morrison: 30789@lapd.online
8. Justin Eisenberg, LAPD Deputy Chief, West Bureau Operations: justin.eisenberg@lapd.lacity.org
9. Cory Palka, LAPD Commander Operations, West Bureau: cory.palka@lapd.online
10. LADOT General Manager - Seleta Reynolds: Seleta.Reynolds@lacity.org
11. WLADOT Senior Transportation Engineer - Mohammad Blorfroshan: mo.blorfroshan@lacity.org

SK, GF (17-0-2)

FAVOR: George Francisco, Hugh Harrison, Melissa Diner, Theresa White, Robert Thibodeau, James Murez, John Reed, Jaime Paige , Alex Neiman, CJ Cole , Alix Gucovsky, Bruno Hernandez, Sima Kostovetsky, Nisa Kove, Jim Robb, Mark Ryavec, Christian Wrede,

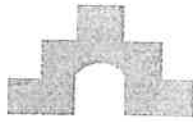
OPPOSED:

ABSTAIN: Ira Koslow, Matt Fisher

Charles Rials Not present

AN, JM Pulled by maker motion

EXHIBIT 3



Howard Robinson & Associates

September 12, 2019

Jeff Khau
Los Angeles Department of City Planning
200 N. Spring Street, Room 720
Los Angeles, CA 90012

**RE: FEASIBILITY STUDY FOR MELLO ACT DETERMINATION
315 6th AVE, VENICE, CA 90291
CASE NO. DIR-2019-2610-CDP-MEL**

Dear Mr. Khau,

Enclosed please find a Mello Act financial feasibility study for the above-referenced property. This financial feasibility study is being submitted in order to obtain Mello Clearance related to a Coastal Development Permit to allow the demolition of four existing residential units and construction of two (2) new single-family dwellings and two accessory dwelling units (ADUs) pursuant to Case No. DIR-2019-2610-CDP-MEL.

The property is currently improved with four (4) units. The Los Angeles Housing and Community Investment Department (HCID) has determined that four (4) affordable units exist at the site. See the attached determination letter dated July 17, 2019 (Exhibit 1). Since the Venice Specific Plan limits the number of units in an RD1.5 zone to two or three when including an affordable unit, the Applicant is providing two single family dwellings each with an attached ADU in order to maintain the existing density. Selling all four units at an affordable rate would result in revenues less than the land cost and result in a clear net loss to the Applicant. This study instead examines the feasibility of providing the two proposed ADUs at an affordable rate. The project including two market rate units and two affordable ADUs will be more profitable than a project where all four units are affordable, so a finding of infeasibility with this configuration implies that a project with four affordable units would be infeasible as well.

Using conservative cost estimates and high revenue projections overstates the true profitability of the project. If the project is infeasible with an overestimated level of profitability, then it will remain infeasible at the true lower level of profitability. For this reason, this study assumes that the monthly rent received from renting the ADUs exactly offsets the decrease in market value of the property due to the application of an Affordable Housing Land Use Covenant. The true adverse impact on the market value of the property resulting from such a covenant will certainly be much greater than this study represents. The requirement to maintain an affordable unit on-site will decrease demand for the property and the asking price would need to be lower to

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310-838-0180 sue@howardrobinson.net
www.howardrobinson.net

compensate. Due to the difficulty in providing documentation of this effect, this method of estimation was chosen for its simplicity and to provide an overstated approximation of sale price.

The Mello Act, at California Government Code, Sec. 65590(b) states "the requirements ... for replacement dwelling units shall not apply to the following types of conversion or demolition unless the local government determines that replacement of all or any portion of the converted or demolished dwelling units is feasible...". Subsection 65590(b) (1) lists "[t]he conversion or demolition of a residential structure which contains less than three dwelling units..." as one of the types of project not required to provide replacement affordable units absent a finding of feasibility. Section 65590(g)(3), defines "Feasible" as meaning "... capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technical factors". Since infeasibility in relation to any one of these state-mandated factors leads to infeasibility of the project, the City must show feasibility with respect to all the enumerated factors in order to determine that providing a Replacement Affordable Unit (RAU) is feasible.

Although the burden of proof to show feasibility is on the local government, the applicant is submitting this study to assist the City in its analysis. The study shows that providing the Replacement Affordable Units (RAUs) is economically infeasible, based on analysis of the costs and revenues for construction of such a project, not only on-site, but also off-site, including locations nearby in Venice, in San Pedro, and within three (3) miles of the Coastal Zone (as required by the Mello Act, California Government Code, Sec. 65590(d)).

In all four financial pro-forma scenarios, after carefully analyzing costs and revenues for a project with two SFDs and two affordable ADUs, we have concluded that such a project would not be financially feasible.

Please see the chart below for a summary of our findings:

Site	Total Project Cost (\$)	Net Revenue (\$)	Profit or Loss (\$)
315 6 th Ave (Subject Site)	5,242,275	4,528,320	-713,955
Generic Venice Site	5,001,304	4,528,320	-472,984
Generic San Pedro Site	4,070,566	2,264,160	-1,806,406
Generic Site w/in 3 Miles of Coastal Zone	4,119,731	2,264,160	-1,855,571

Detailed financial analyses of the subject site and the studied off-site locations are attached as Exhibits 2-5, with supporting documents attached as Exhibits 6-14.

In performing our analysis, we used a construction hard cost for the RAU project at a rate of \$375 per square foot at the Subject Site. This estimate is based upon a construction hard cost estimate (see Exhibit 7 - Construction Hard Cost Estimates). This estimate is not an all-encompassing list,

omitting general contractor's overhead among other items which would increase the real cost. Since those items are not included, the provided hard cost estimate is a conservative one.

Soft Costs such as City fees, architecture, and engineering, were similarly estimated at moderate levels to illustrate that the project is financially infeasible even using the lowest reasonable development cost assumptions.

The Land Value of the subject site is the price paid for the property when it was purchased in 2016, see Exhibit 6. In computing the Land Cost for the off-site locations, costs reflect the current value of a vacant or "tear-down" standard lot of 5,000 sq. ft., then multiplied by the average sale price per sq. ft. for each area, as based upon comparables of recently sold lots (see Exhibits 9-11).

The sales value of an affordable unit is assumed to be \$289,157. HCID currently sets maximum sale prices for deed-restricted affordable units on a case by case basis. However, they published fixed prices annually until 2005. The \$289,157 figure is an estimate extrapolated from Housing Dept. 2005 published maximum sales price for low-income 2-BR unit (\$147,576), increased to reflect higher allowable HCID low-income rent and lower current loan rates. See Exhibit 12 for further details on calculation of maximum sales price.

The market rate sales prices per square foot are attached as Exhibits 13 and 14. Comparable sales in Venice are shown in Exhibit 13 while Exhibit 14 contains recent sales in San Pedro. The sale price value found in Exhibit 14 is used in estimating the sale price for the within 3 miles of the Coastal Zone scenario, as sales prices there and in San Pedro are equivalent.

In conclusion, we have found it is financially infeasible to develop affordable units as part of the proposed project. Off -site replacement projects are similarly infeasible.

Thank you for the opportunity to present our findings. Please call with any questions.

Sincerely,

A handwritten signature in black ink that reads "Susan Steinberg". The signature is fluid and cursive, with a long horizontal flourish extending from the end of the name.

Susan Steinberg
Land Use Consultant

Contact information is as follows:

Owner/Applicant: 315 6th Avenue LLC
c/o Brock Wylan

Representative: Susan Steinberg
Howard Robinson & Associates
660 S Figueroa St, Suite 1780
Los Angeles, CA 90017
310-838-0180
sue@howardrobinson.net

cc: Debbie Lawrence, Senior City Planner, LADCP

CPRA 315 6th Ave, Venice

16 messages

Robin Rudisill <wilrudi@icloud.com>

Thu, Nov 26, 2020 at 3:21 PM

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

Cc: Sienna Kuo <sienna.kuo@lacity.org>

Hi Beatrice,

Under the CPRA, I request all documents related to the notice of hearing and mailing of the PMLA, CDP and Mello determinations, for the project at 315 6th Ave, including the list of to whom such notices and determination were sent.

Thank you!

*For the Love of Los Angeles
and our precious Coast,*
Robin Rudisill
(310) 721-2343

Beatrice Pacheco <beatrice.pacheco@lacity.org>

Wed, Dec 2, 2020 at 8:22 AM

To: Robin Rudisill <wilrudi@icloud.com>

Cc: Sienna Kuo <sienna.kuo@lacity.org>, Wanda Walker <wanda.walker@lacity.org>

Hello, Robin:

This is considered received today 12/2. My outgoing reply asked that anything related to a PRA request be forwarded to Wanda Walker because I was on vacation through Dec. 1. Our Dept. will respond accordingly.

LOS ANGELES
CITY PLANNING**Beatrice Pacheco**

Chief Clerk

Los Angeles City Planning**Records Management**

221 N. Figueroa St., Room 1450

Los Angeles, CA. 90012

Planning4LA.org

T: (213) 847-3732 | F: (213) 269-4127



[Quoted text hidden]

Sienna Kuo <sienna.kuo@lacity.org>

Thu, Dec 3, 2020 at 3:19 PM

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

Hi Beatrice,

I hope you are doing well. Will I receive a formal request from Records once this request has been processed?

[Quoted text hidden]

--

Sienna Kuo



LOS ANGELES
CITY PLANNING

Planning Assistant

Los Angeles City Planning

200 N. Spring St., Room 721

Los Angeles, CA 90012

Planning4LA.org

T: (213) 978-1376



E-NEWS

Beatrice Pacheco <beatrice.pacheco@lacity.org>

To: Sienna Kuo <sienna.kuo@lacity.org>

Thu, Dec 3, 2020 at 3:36 PM

Hello, sienna. Yes a formal response letter will be sent out with info on the records we have and how to access them.



LOS ANGELES
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E-NEWS

[Quoted text hidden]

Beatrice Pacheco <beatrice.pacheco@lacity.org>

To: Sienna Kuo <sienna.kuo@lacity.org>

Fri, Dec 4, 2020 at 11:58 AM

Hi, Sienna;

I see you are the assigned Planner, sorry for misunderstanding your question yesterday. The request below is related to:

DIR-2019-2610-CDP-MEL

AA-2019-2609-PMLA-LA

ADM-2016-1611-SLD

We will need to provide the requester with access to these case files, when can they be shipped to me here at Records Management, 221 N. Fig. Room 1450? Also, are there records for the ADM to provide besides emails? Please get back to me no later than Wednesday, 12/9. Thank you.



LOS ANGELES
CITY PLANNING

Beatrice Pacheco

Chief Clerk

Los Angeles City Planning

Records Management

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E-NEWS

[Quoted text hidden]

Sienna Kuo <sienna.kuo@lacity.org>
To: Beatrice Pacheco <beatrice.pacheco@lacity.org>

Mon, Dec 7, 2020 at 8:35 AM

Good Morning Beatrice,

I hope you had a great weekend. I am in the office today so I will prepare the case files and send them to you so it gets to you tomorrow.

There are no e-mail records of the ADM case file... I am not the original planner for this case, but I do not believe there was any correspondence regarding this specific case file because of the related cases.

Will all of the case files need to be sent or will I just need to provide the appellants with what they requested?

[Quoted text hidden]

--



Sienna Kuo
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 721
Los Angeles, CA 90012
Planning4LA.org
T: (213) 978-1376



Beatrice Pacheco <beatrice.pacheco@lacity.org>
To: Sienna Kuo <sienna.kuo@lacity.org>

Mon, Dec 7, 2020 at 8:40 AM

Hi, Sienna:

I'm great, thanks, hope you are too. All of the files must be sent over. For the DIR and the AA case, are there any emails that are not already in the case file that you have on your computer? If so, I will need those either printed and put in the file or printed to PDF along with their attachments and sent to me through email. Also, who was the original Planner for all the cases?

Thanks so much for your help with this.



Beatrice Pacheco
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[Quoted text hidden]

Sienna Kuo <sienna.kuo@lacity.org>
To: Beatrice Pacheco <beatrice.pacheco@lacity.org>

Mon, Dec 7, 2020 at 8:44 AM

Hi Beatrice,

All of the emails are already printed and in the case file. I will prepare additional information and have the case file sent to you this week.

The original planner for this case was Jeff Khau.

Please let me know if you have any questions or need additional information

[Quoted text hidden]

Beatrice Pacheco <beatrice.pacheco@lacity.org>

Mon, Dec 7, 2020 at 8:56 AM

To: Sienna Kuo <sienna.kuo@lacity.org>

Hi, Sienna:

Thank you. Also was Jeff Khau the original Planner for all 3 case fles?

DIR-2019-2610-CDP-MEL

AA-2019-2609-PMLA-LA

ADM-2016-1611-SLD

Thank you.



Beatrice Pacheco

Chief Clerk

Los Angeles City Planning

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[Quoted text hidden]

Sienna Kuo <sienna.kuo@lacity.org>

Mon, Dec 7, 2020 at 10:21 AM

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

Hi Beatrice,

Yes, Jeff was the original planner for all 3 case files.

[Quoted text hidden]

Beatrice Pacheco <beatrice.pacheco@lacity.org>

Mon, Dec 7, 2020 at 10:24 AM

To: Sienna Kuo <sienna.kuo@lacity.org>

Great, thank you.



Beatrice Pacheco

Chief Clerk

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[Quoted text hidden]

Sienna Kuo <sienna.kuo@lacity.org>
To: Beatrice Pacheco <beatrice.pacheco@lacity.org>

Mon, Dec 7, 2020 at 3:38 PM

Hi Beatrice,

I prepared the files. I believe it will get to you tomorrow or the day after.

Please let me know if you have any questions!

[Quoted text hidden]

Beatrice Pacheco <beatrice.pacheco@lacity.org>
To: Sienna Kuo <sienna.kuo@lacity.org>

Tue, Dec 8, 2020 at 7:27 AM

Thank you, Sienna, please ensure that each file has my name on a routing slip or post it, otherwise, my staff will think they need to check the files in.

Thanks again.



LOS ANGELES
CITY PLANNING

Beatrice Pacheco

Chief Clerk

Los Angeles City Planning

Records Management

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[Quoted text hidden]

Beatrice Pacheco <beatrice.pacheco@lacity.org>
To: Sienna Kuo <sienna.kuo@lacity.org>

Mon, Jan 4, 2021 at 11:25 AM

Hi, Sienna:

Happy New Year!

I am sending these files back your way since Ms. Rudisill never made an appointment to review them. Thank you.



LOS ANGELES
CITY PLANNING

Beatrice Pacheco

Chief Clerk

Los Angeles City Planning

Records Management

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[Quoted text hidden]

Sienna Kuo <sienna.kuo@lacity.org>
To: Beatrice Pacheco <beatrice.pacheco@lacity.org>

Mon, Jan 4, 2021 at 11:51 AM

Hi Beatrice,

Happy New Year! Thank you for letting me know.

I hope you have a great day!

[Quoted text hidden]

Beatrice Pacheco <beatrice.pacheco@lacity.org>
To: Sienna Kuo <sienna.kuo@lacity.org>

Mon, Jan 4, 2021 at 11:52 AM

Thanks, you too.



Beatrice Pacheco
Chief Clerk
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