



DEPARTMENT OF CITY PLANNING

APPEAL RECOMMENDATION REPORT

West Los Angeles Area Planning Commission

Date: July 6, 2022
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: July 13, 2022

PROJECT LOCATION: 709 East Brooks Avenue

PROPOSED PROJECT: The demolition of a duplex and accessory structures, a parcel map for the subdivision of a 4,826 square-foot lot into two (2) small lots, and the construction of two (2) three-story, single-family dwellings with a roof decks. A total of 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, 17.51 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-2019-6453-PMLA-SL-1A
DIR-2019-6455-CDP-MEL-1A
ENV-2019-6456-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: Citizens Preserving Venice,
Robin Rudisill

Applicant: Wilshire View LLC

Representative: Fred Gaines, Gaines & Stacey
LLP

Sue Steinberg, Howard
Robinson & Associates

RECOMMENDED ACTIONS (AA-2019-6453-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-2019-6453-PMLA-SL and **CORRECT** a typographical error in Condition of Approval No. 16.f. to include a correct citation to LAMC Section 12.22 C.13.

RECOMMENDED ACTIONS (DIR-2019-6455-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** the appeal.
- 3. **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 of the Coastal Zone.

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

Juliet Oh for
Faisal Roble, Principal Planner

Juliet Oh
Juliet Oh, Senior City Planner

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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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PROJECT ANALYSIS

PROJECT SUMMARY

The subject site, 709 East Brooks Avenue, is a relatively flat, rectangular lot with a width of 40 feet and a depth of 130 feet – 7 inches, resulting in a total lot area of approximately 4,826 square feet. The property fronts Brooks Avenue to the south and abuts an alley, Indiana Court, to the north. The project site is located within the Los Angeles Coastal Transportation Corridor, Venice Coastal Zone Specific Plan (Oakwood Subarea), and the Single Permit Jurisdiction Area of the California Coastal Zone. The project site is also in a Liquefaction Zone and within 4.4 kilometers from the Santa Monica Fault.

The neighborhood and properties immediately surrounding the property is zoned RD1.5-1 and developed with single and multi-family dwellings ranging from one to three-stories in height. The properties to the east, along Lincoln Boulevard, are zoned [Q]C2-1-CDO and improved with commercial structures ranging from one to two stories in height.

The applicant requests a Coastal Development Permit and Mello Act Compliance Review to authorize the demolition of a duplex and accessory structures and the subdivision of a 4,826 square-foot lot into two (2) small lots, in conjunction with the construction of two (2) three-story single-family dwellings with roof decks. The project provides a total of five (5) parking spaces onsite.

On March 2, 2022, the Advisory Agency and Director of Planning issued separate decision letters approving Preliminary Parcel Map No. AA-2019-6453-PMLA-SL and Case No. DIR-2019-6455-CDP-MEL. An appeal was filed for each decision, in a timely manner, on March 16, 2022. The Appellant submitted appeal points that address both actions by the Director of Planning and Deputy Advisory Agency. The issues relevant to the Director's Determination are addressed in Appeal Point Nos. 1-10 and the issues relevant to the Advisory Agency action are addressed in Appeal Point Nos. 11-14.

APPEAL POINTS AND STAFF RESPONSES

APPEAL OF DIRECTOR'S DETERMINATION DIR-2019-6455-CDP-MEL-1A.

Below is a summary of the appeal points relevant to the Director of Planning's Decision (DIR-2019-6455-CDP-MEL) and staff's response.

Appeal Point No. 1: Adverse Cumulative Effect

The development is NOT in conformity with Chapter 3 of the California Coastal Act of 1976 because: Adverse cumulative effects were not considered.

The cumulative effects approach as stipulated in the Coastal Act assesses similar past and current projects and probable (not "known") similar future projects together with the proposed project. However, the only analysis that the City performs is based on the CEQA approach... Considering the proposed project, past and current similar projects, and probably similar future projects, there is an adverse cumulative effect on the character of both Brooks Avenue and the larger Oakwood area...

Staff Response No. 1

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. The Director’s 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 highly developed urban area – a long-established, residential neighborhood developed with single and multi-family dwellings. Per ZIMAS records, the two existing buildings on this site date back to 1924 and 1943. Neighboring properties of the project site were built in the same time frame of the early to mid-1900’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 two existing dwelling units with an equal number of 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

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

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. 9-10.)

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. 10-11.) As such, the Director's decision contains the required findings necessary for granting a coastal development permit.

As evidence, the appellant cites two other subdivision projects approved on this block of Brooks Avenue over the past 15 years (720-722 Brooks Ave & 742-748 Brooks Ave). In those projects, the existing 40-foot-wide lots were subdivided into two lots between 18.5 feet and 21.5 feet in width.

The proposed project is meaningfully different from the two projects cited by the appellant. The proposed project will maintain the existing lot width of 40 feet and construct two single-family dwellings that are compliant with all applicable land use regulations and are consistent with the character of the surrounding neighborhood and overall Oakwood subarea. Therefore, the project would not cause an adverse cumulative effect.

The appellant's contention that the proposed project would "...cause a cumulative effect that is adverse to the character of the neighborhood" rests on the assertion that the project is not compatible with the character of the neighborhood. As detailed in Finding No. 1 of the Director's Determination and Staff Response No. 2, the project is compatible with the character of the neighborhood. Therefore, it would not cause an adverse cumulative effect.

Appeal Point No. 2: Mass, Scale and Character

The development is NOT in conformity with Chapter 3 of the California Coastal Act of 1976 because: The project is not visually compatible with the mass, scale, and character of the surrounding neighborhood.

These proposed new homes have substantially higher FARs than their neighbors...

The project would not comply with LUP Policy I.E.2 because, at THREE times larger than the 1,869 square foot average size of homes on the block, it would not be compatible with the surrounding neighborhood, nor would it comply with LUP Policy I.E.3, which encourages varied styles of architecture while maintaining the neighborhood scale and massing.

In addition, the design of the house includes a flat, unarticulated façade, which will result in a sheer front wall. It will interrupt the pedestrian orientation of the block. The result will create a feeling for pedestrians that they are closed in by the design and that it is a significantly taller building among mostly one-story homes with step backs and varied planes.

The LUP allows roof heights of 30 feet only with a "varied or stepped back roofline" (i.e. a sloped roof). The 30-foot height of the roof along the project's sidewalls does not meet that requirement. Other nearby homes are either 1-story or have stepped back second floors. One two-structure dwelling has its third story in the back of the lot. None rise to 30 feet or 34 feet as does this project.

Staff Response No. 2

The appellant claims project is not visually compatible with the surrounding neighborhood because the floor area of the proposed small lot homes will be six times larger than the existing dwellings onsite and three times larger than the average dwelling on the block. They also cite the project's "flat, unarticulated façade" that "...will loom over the streetscape and is totally inconsistent with the block's established character, mass, and scale." As a result "...the project does not conform with Coastal Act Section 30251 or LUP Policies I.E.1, I.E.2, or I.E.3."

Finding No. 1 of the Determination discusses consistency with Coastal Act Section 30251 as follows:

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 project site and surrounding area are relatively flat with no views to and along the ocean; no natural landforms will be altered as part of the project. The proposed project includes the demolition of an existing duplex and accessory structures and construction of two three-story single-family dwellings with roof decks, one on each new small lot and five parking spaces onsite. The new residential structure on Parcel A (front lot) is 2,506 square feet. The new residential structure on Parcel B (rear lot) is 3,083 square feet. The development would replace a duplex with two single family dwellings, a total of two dwelling units. The project site fronts Brooks Avenue to the south. The rear alley, Indiana Court, provides vehicular access to the lot. The proposed development is in an area characterized as a medium density residential neighborhood that is predominantly improved with multi-family dwellings ranging from one to three stories in height. Both structures will be oriented towards Brooks Avenue, providing pedestrian access. There are 55 properties (excluding the project site) zoned RD1.5-1 on this block of Brooks Avenue between 7th Avenue to the west and Lincoln Boulevard to the east. These lots are developed with single and multi-family dwellings, of which 42 are one-story in height, 18 are two-stories in height, and 15 are three-stories in height. Furthermore, the nearby RD1.5-1 zoned lots along Indiana Avenue, Brooks Avenue, and Broadway Street to the north, west, and south respectively are comprised of a similar mix of single & multi-family dwellings ranging from one to three stories in height. Properties to the east along Lincoln Boulevard are zoned [Q]C2-1-CDO and improved with commercial structures ranging from one to two stories in height. The adjacent property to the south of the subject site is improved with a one-story single-family dwelling and a three-story single-family dwelling. The adjacent property to the north is improved with a one-story single-family dwelling. The proposed development is limited to the property line and will not encroach onto the public right-of-way.

The project's consistency with development standards in the Certified LUP is important in assessing the project's compatibility with the character of the surrounding area. The Certified LUP states that "[t]he development standards also define for each land use designation a density of housing units and lot coverage to maintain the scale and character of existing residential neighborhoods and minimize the impacts of building bulk and mass." (LUP, p.II-2.) The proposed development complies with the density, buffer/setback, yard,

and height standards outlined in Policies I.A.1, I.A.5, I.A.7, I.E.1, I.E.2, I.E.3, and II.A.3 of the Venice Land Use Plan (LUP), further discussed in Finding No. 2. The majority of structures in the area were constructed prior to the certification of the LUP in 2001 and adoption of the Venice Specific Plan in 1999 and 2004. The structures constructed after the certification of the LUP were reviewed and approved, as complying with the density, buffer/setback, yard, and height standards in the LUP as well as the applicable policies of the Coastal Act. Following the adoption of the LUP, much of the Venice Coastal Zone has seen new residential development. In this area, single-family dwellings have been demolished and replaced with new single-family dwellings or remodeled and expanded. As discussed during the Coastal Commission's adoption of the LUP, "the Venice LUP anticipated that homes in Venice would be replaced over time and that larger homes could be built, as long as the LUP's land use designations and limits on height, roof access structures, and lot consolidations are observed...[and] will effectively control the character and scale of existing single-family neighborhoods" (A-5-VEN-17-0016, 2020). The "Scale, Mass, and Character Compatibility & Visual Impact Analysis" prepared by Howard Robinson & Associates, submitted on December 22, 2021, analyzes the neighborhood block and found that approximately 22 structures (of the total 55 structures on the block) were 20 to 30 feet in height and maintained an average front yard setback of 18.42 feet. The new three-story single-family dwellings are limited to a flat roof height of 24 feet and include varied rooflines up to 30 feet in height. The new structure on Parcel A fronts Brooks Avenue and provides a 15-foot front yard setback after providing a street dedication eight feet in depth. The new structures provide side yard setbacks of five feet and a rear yard setback of 15 feet (measured from the centerline of the alley). The proposed density, massing, and height of the project is consistent with development on Brooks Avenue, are visually compatible with the character of the area and will enhance the existing neighborhood.

The appellant's first claim regarding the project's floor area relative to the existing structures references "Table 3: Summary Statistics" found on p.8 of the justification. Table 3 incorrectly states that there are zero three-story dwellings on the north side of the block and five three-story dwellings on the south side. In fact, there are three three-story dwelling units on the north side of the block and twelve three-story dwelling units on the south side. The omission of ten three-story dwellings in the appellant's analysis skews the data and results in an inaccurate average floor area for this block of Brooks Avenue.

As discussed in the Director's Determination, the proposed project is in a residential neighborhood characterized by single and multi-family residential structures ranging from one to three stories in height. Section 30251 provides that "development shall be sited and designed...to be visually compatible with the character of surrounding areas." Previous Coastal Commission decisions have found "height and setbacks as the most common methods for measuring compatibility" (Application No. A-5-VEN-17-0072) in addition to the policies outlined in the LUP. Development regulations for building height and yards/setbacks create a building envelope that limit the mass and scale of new structures. Such development regulations are included in the Venice Coastal Zone Specific Plan ("Specific Plan") and the LUP. As discussed in Finding No. 2 of the Director's Determination and Staff's Response to Appeal Point No. 3, 6, 8, 11, 13, and 14 the project conforms to all development regulations of the Specific Plan and LUP.

The appellant also asserts that the project's unarticulated façade is inconsistent with the scale, mass, and character of the neighborhood. As evidence, the appellant claims that "...nearby homes are either one-story or have stepped back second floors. One two-structure dwelling has its third story in the back of the lot." They also assert that the project's design will "...interrupt the pedestrian orientation of the block." However, the appellant neglects to mention that the abutting

lot to the west features a three-story dwelling that is not articulated and has no step backs above the first floor. Among the 19 two and three-story dwellings fronting Brooks Avenue, thirteen do not have second or third floor step backs while six feature step backs at the second or third level.

The appellant's claim about a 3-foot overhang in the front yard setback appears to reference Sheet A-2.0 of Exhibit A, which shows the west elevation of the proposed project. Sheet A-2.0 does show the second and third story of Parcel A overhanging the first story by three feet. However, this overhang occurs in the easterly side yard, not the front yard setback. The Site Plan (Sheet A-0.0) and Preliminary Parcel Map No. AA-2019-6453-PMLA-SL clearly show that no part of the proposed structure on Parcel A will incur into the easterly side yard setback. Moreover, the proposed dwelling does not incur into the required front yard setback and is located 23 feet from the current front lot line.

The "Scale, Mass, and Character Compatibility & Visual Impact Analysis" prepared by Howard Robinson & Associates, submitted on December 22, 2021, found that "...32 properties on this block, or 58% [of the total], feature over-in-height fences or hedges along the front property lines which block visibility and negate any benefits or relief provided by setbacks, step backs, or building articulation." However, the project will provide a 15-foot front yard setback beyond the 8-foot dedication required by the Bureau of Engineering. A LAMC compliant 42-inch wall along the front property line will be included. Relative to the prominent development pattern on this block of Brooks Avenue, the project will enhance the pedestrian experience by allowing visual openness from the sidewalk.

In addition, the Analysis prepared by Howard Robinson & Associates, notes that the three-story dwelling located at 705 Brooks Avenue, directly adjacent to the project site, is 30.73 feet in height. Six other dwellings on this block are over 30 feet in height.

The appellant asserts the project's Floor Area Ratio (FAR) is inconsistent with neighborhood character because it is three times larger than the average home on the block, and as a result, the project would "...adversely affect the character of the neighborhood."

However, a recent Coastal Commission action undermines the appellant's contention that the project's FAR is evidence of incompatibility with the neighborhood. The Coastal Commission has relied on height limits and setbacks to determine what is in character with the surrounding area – not metrics based on the project's floor area. On August 11, 2017, the Coastal Commission held a hearing for the appeal of a Coastal Development Permit issued by the City (DIR-2016-3550-CDP) for the demolition of an existing single-family dwelling and construction of a new 3,004 square-foot, 25-foot tall, two-story single-family dwelling with an attached two-car garage and roof deck on a 3,601 square-foot lot located at 2318 S. Clement Avenue. The Coastal Commission determined no substantial issue exists and sustained the original approval by the City. The Coastal Commission Staff Report A-5-VEN-17-0036 states the following:

*In order to determine whether or not a proposed project is appropriate with regard to community character, the Commission looks at all the development in an area to determine whether or not a proposed project is appropriate with regard to community character, mass, and scale for a specific project in a specific area. **Rather than using an FAR, the Commission utilizes height limits and setbacks to limit building mass and scale in Venice**, and this project's height and setbacks are consistent with the surrounding development, which is comprised primarily of one-story to three-story single- and multi-family residences. In fact, two-story residences are the overwhelming preference for permit applicants in the Southeast area of Venice, where one-story buildings are uneconomical to build, and three-story buildings are generally too big to*

conform with the character and scale of the area. Also, certified LUP Policy I. E.3 states that, “varied styles of architecture are encouraged...” This policy encourages variety of styles and discourages focus on subjective judgements about what architectural style is preferred. Instead, the Commission uses height limits and setback requirements to limit the size and scale of structures when determining what is in character with the surrounding area.

The appellant contests that the project does not meet the varied roofline standard of the LUP. The proposed project has a maximum flat roof height of 24 feet and a maximum varied roof height of 30 feet, compliant with the height limit outlined in the Specific Plan and LUP. The LUP provides the following definition for a varied roofline:

Varied Roofline: Any roof which has a slope in excess of 2 inches to 12 inches, including but not limited to a sloped, curved, or stepped back roofline.

As shown in Sheet A-1.4 of Exhibit A, the portions of both structures with a varied roofline have a slope of 2.25 inches to 12 inches, in compliance with both the LUP and Specific Plan.

Additionally, the project provides the required front, side, and rear yard setbacks. Therefore, the appellant’s claim lacks merit. As such, the project is visually compatible with the mass, scale, and character of the surrounding neighborhood.

Appeal Point No. 3: Subdivision of Multifamily zoned lots into Single Family

The development is NOT in conformity with Chapter 3 of the California Coastal Act of 1976 because: Subdividing lots and conversion of multi-family housing to single-family housing in the Venice Coastal Zone subverts Neighborhood Character and does not conform with the multi-family land use designation.

Recent decisions by the Coastal Commission did not allow the replacement of rentable MFR units with SFR homes in an area zoned MFR, such as this case...The Commission has previously rejected the substitution of a SFR home (even with an ADU or JADU) for a MFR structure(s).

Staff Response No. 3

The Appellant states the proposed project does not conform with the site’s multi-family land use designation.

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.

The subject site has a net lot area of 4,826 square feet. Pursuant to Policy 1.A.7.d of the LUP and Section 10.G.2.a(2) of the Specific Plan, the subject lot is limited to a maximum density of two dwelling units. As previously noted, the proposed project will maintain the existing site density of two dwelling units. Therefore, it is consistent with the land use designation outlined in LUP Policy 1.A.7.d.

The appellant also claims that subdividing lots in Venice and converting multi-family housing to single-family housing subverts neighborhood character, resulting in "...a significant break in the pattern of development and a significant change [to] the unique Venice subdivision development pattern..." (Appellant's Justification, p.14).

As discussed in Finding No. 1 of the Director's Determination and Staff's Response to Appeal Point No. 2, the existing layout of lots and development pattern of Brooks Avenue and the surrounding area are 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 Brooks 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.) as well as Staff Response No. 2, 6, and 20.

The "Scale, Mass, and Character Compatibility & Visual Impact Analysis" prepared by Howard Robinson & Associates, submitted on December 22, 2021, also demonstrates the project's compatibility with neighboring properties (Exhibit F). The property is currently improved with a duplex and accessory structures onsite with parking at the front of the property, accessed via Brooks Avenue. Under the proposed project, vehicular access will be from the alley, Indiana Court, consistent with the prominent development pattern on this block of Brooks Avenue.

Appeal Point No. 4: Loss of Low-income Units

The development is NOT in conformity with Chapter 3 of the California Coastal Act of 1976 because: The adverse cumulative impact and change to the character of the neighborhood due to the loss of two low-income units was not considered.

A change in the character of our multi-family neighborhoods is an urgent consideration when any project applies to demolish existing low-income multi-family structures only to be replaced with expensive single-family dwellings.

The Director's Determination finds that two 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... Areas with existing coastal housing for low and moderate income persons are sensitive coastal resource areas. Thus, low and moderate income housing in Venice must be protected as a coastal resource.

HCID determined that both units are replacement affordable under the Mello Act. It's obvious on its face that it's not right to destroy two affordable units and displace the low-income tenants living in them in order to build to build two market rate single-family dwellings.

The cumulative effect of this project going forward as proposed would adversely affect dozens of affordable units and the families living in them in future development proposals in the near future,

Staff Response No. 4

The proposed project will replace two existing dwelling units with two new single-family dwellings. The type and number of dwelling units provided complies with the density limitations of the Specific Plan and LUP.

The appellant refers to the current dwelling units as “existing low-income multi-family structures.” While both units are covered under the Rent Stabilization Ordinance, they are not deed restricted for low-income occupancy. The appellant also provides no evidence the units are currently occupied by low-income households. As stated in LAHD’s Mello Act Determination Letter dated December 23, 2019, “Due to the absence of sufficient verifiable documentation, HCIDLA was unable to verify the status of the two units on the property. In conjunction with the Owner in agreement with an affordable determination and as HCIDLA does not have sufficient verifiable documentation regarding the property, it is determined that two (2) affordable units exist on the property.” The units are determined to be affordable based on a lack of evidence to show otherwise.

The appellant alleges there is an unpermitted dwelling unit on the project site and that this should be included the HCID review. They suggest a legally permitted “sleeping room” is in fact a dwelling unit. However, there are no documented code violations for hosting an unpermitted dwelling unit. LAHD and the Department of City Planning consistently applies the provisions of the IAP to existing, legally permitted units.

The appellant contends that not replacing affordable units on site violates the Environmental Justice Policy is informing ongoing efforts to update Venice’s Local Coastal Program. Coastal Act Sections 30604(f) and 30604(g) are broad guidelines for development in the Coastal Zone, not required findings for approval of a Coastal Development Permit.

The appellant also claims the project site is a “sensitive coastal resource area” as defined by Coastal Act Section 30116 since it is an area “that provide(s) existing coastal housing...for low and moderate-income persons.”

Appellant’s claims regarding Section 30116 are not supported by the Coastal Act nor by any action of the Coastal Commission to designate the area of the project as a “sensitive coastal resource area.” The definition of “sensitive coastal resource area” under Section 30116 is related to Section 30502 of Chapter 6 of the Coastal Act, which section provided the Coastal Commission with authority until September 1, 1977 to designate “sensitive coastal resource areas within the coastal zone where protection of coastal resources and public access requires, in addition to the review and approval of zoning ordinances, the review and approval of the regional commissions and commission of other implementing actions.” (Pub. Res. Code 30502(a); 30502.5) There is no evidence in the record that the Coastal Commission ever designated the area where the project is proposed as a “sensitive coastal resource area” under Section 30502.

Furthermore, Appellant’s claims regarding the character of the neighborhood misstate the legal requirements of the Coastal Act where character is concerned. Section 30251 requires new development to be *visually* compatible with the character of surrounding areas only. (Pub. Res. Code 30251 [“Permitted development shall be sited and designed ... to be visually compatible with the character of surrounding areas...”].) Appellant’s claim fails to address the Director’s findings concerning the project’s visual compatibility with the surrounding areas.

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 analysis of the feasibility study or other substantial evidence to support their claim that the decision-maker has erred.

Appeal Point No. 5: Environmental Justice

The development is NOT in conformity with Chapter 3 of the California Coastal Act of 1976 because: The Coastal Act affordable housing provisions and the Commission's Environmental Justice Policy were not considered.

The City CDP...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 a LCP.

Staff Response No. 5

This appeal point does not challenge any of the findings made in the Director's Determination.

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.

Additionally, the "Coastal Act affordable housing provisions" cited by the applicant are guidelines, not requirements. Such guidelines will be incorporated in the preparation of the LCP. As discussed in this staff report and the Director's Determination, the necessary findings were made to determine the project is consistent with the Chapter 3 policies of the Coastal Act, Venice LUP, and other applicable regulations.

Appeal Point No. 6: Venice as a Special Coastal Community

The development is NOT in conformity with Chapter 3 of the California Coastal Act of 1976 because: Protection of Venice as a Special Coastal Community was not considered.

Staff Response No. 6

Finding No. 2 of the Director's Determination considers the Protection of Venice as a Special Coastal Community, as it states:

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 stucco, transparent glass, and Hardie Panels 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. The proposed three-story developments are consistent with the massing and height of the three-story single-family dwellings on Brooks Avenue. This section of the Oakwood neighborhood consists of homes with varying ages, styles, and sizes. There are 55 properties zoned RD1.5-1 (excluding the project site) on this block of Brooks Avenue between 7th Avenue to the west and Lincoln Boulevard to the east. These lots are developed with single and multi-family dwellings, of which 47 are one-story in height, 18 are two-stories in height, and 15 are three-stories in height. Furthermore, the nearby RD1.5-1 zoned lots along Indiana Avenue, Brooks Avenue, and Broadway Street to the north, west, and south respectively are comprised of a similar mix of single & multi-family dwellings ranging from one to three stories in height. Properties to the east along Lincoln Boulevard are zoned [Q]C2-1-CDO and improved with commercial structures ranging from one to two stories in height. 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. Two roof access structures less than 10 feet in height with a total area of 100 square feet, as measured from the outside walls, are proposed. The project proposes a roof access structure for each new single-family dwelling that will be 100 square feet in area, measured from the exterior walls. Both roof access structures will be less than 10 feet in height. 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.

As such, the project is consistent with the character, mass, and scale of the surrounding neighborhood and will protect the Special Coastal Community of Venice.

The appellant provides no evidence that the existing units are occupied by low-income tenants or that the project would prejudice the City's ability to prepare a LCP. As detailed in Finding No. 2 of the Director's Determination, the project is consistent with the LUP and Specific Plan and will not prejudice the ability of the City to prepare an LCP that is in conformity with Chapter 3 of the California Coastal Act.

Appeal Point No. 7: Unsigned plans

No architect seems to have signed the design drawings.

Staff Response No. 7

As shown in Exhibit A, the project plans were completed by Robert Thibodeau of DU Architecture and Design. The Department of City Planning does not require signatures on project plans submitted as part of an initial application. A signature is required on the FINAL project plans approved by the Los Angeles Department of Building and Safety.

Appeal Point No. 8: Yards established in subdivision are in violation of LUP

The Director errs and misleads where it states that the yards are in conformance with...LUP Policy I.A.7...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....This is not in conformance with the LUP, which requires yards to be consistent with the existing pattern of development. The uncertified small lot subdivision regulations do not allow for adequate yards that are compatible with the neighborhood and the original subdivision patterns and thus the proposed project is not in conformance with Coastal Act 30251 which requires a development to be visually compatible with the character of surrounding areas.

Staff Response No. 8

LUP Policy 1.A.7.d states:

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.

As discussed in Staff Response No. 13 the proposed project complies with required front, side, and rear yards of the underlying RD1.5 zone and the Small Lot Ordinance. Furthermore, as approved and conditioned under Case No. AA-2019-6453-PMLA-SL, the proposed project is subject to review and final approval by various City Departments for compliance with the requirements Zoning and Building Code. Compliance with the Green Building Code and Low Impact Development (LID) Ordinance ensure the project would adequately minimize impervious surfaces and manage stormwater runoff (infiltration or capture/use).

The required yards are applied to the perimeter of the subdivision, as such, the project observes the same front, side, and rear yard setbacks as any new or existing residential structure in the RD1.5 zone. As discussed in the Staff Response Nos. 3, 6, 8, 11, 13, and 14 as well as Finding No. 1 and 2 of the Director's Determination, the proposed project is consistent with the applicable policies of Chapter 3 of the Coastal Act and the certified LUP. The proposed development is visually compatible with the existing development in the area. Furthermore, the proposed development is consistent with the existing pattern of development along Brooks Avenue.

Appeal Point No. 9: Incorrect CEQA Exemption

Rather than prepare an Environmental Impact Report or Mitigated Negative Declaration for the project, the City has improperly approved the Project using 3 exemptions from the California Environmental Quality Act (CEQA). The City incorrectly determined that the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15303 (Class 1), 15315 (Class 15) and 15332 (Class 32). In addition, pursuant to CEQA Guidelines Section 15300.2, there is substantial evidence demonstrating that an exception to the categorical exemptions applies.

The Class 15 finding discusses a minor net gain in the number of units on the subject site, yet the Project has plans to replace two duplex units with two single family residences, which is not a net gain. Also, the finding indicates that there is one existing single-family dwelling, which is not

correct, there are two... Thus, the subdivision does not qualify for a Class 15 categorical exemption.

The City is improperly processing the project primarily relying on a Class 32 Categorical Exemption.

A correct cumulative impact analysis of the project as required by CEQA would show that the project meets the exception to a categorical exemption and the City must require a MND or EIR. Under CEQA Guidelines 15300.2, categorical exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. 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, and as explained herein this project does not protect but rather would substantially harm this Coastal Resource. In addition, the potential for adverse cumulative impact of the project must be considered, as also noted herein, 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 structures.

Staff Response No. 9

The appellant claims the project does not qualify for a Class 3 or a Class 1 Categorical Exemption. As noted in Finding No. 6 of the Director's Determination, the demolition of a "duplex or similar multifamily residential structure" qualifies for a Class 1 Categorical Exemption. Additionally, the new construction of up to three single-family dwellings qualifies for a Class 3 Categorical Exemption. As previously discussed, the project proposes the demolition of a duplex and the construction of two single-family dwellings. Therefore it qualifies for a Class 1 and a Class 3 Categorical Exemption from CEQA.

The appellant correctly notes a typo in Finding No. 6 of the Director's Determination where a "minor net gain in the number of units" is mentioned. This is incorrect, as the project will maintain the current number of dwelling units. However, this point does not actually challenge the project's eligibility for a Class 15 Categorical Exemption.

The appellant challenges the Class 15 and 32 findings by repeating their assertion that the overall project does not conform with the General Plan and Zoning, a required condition for a Class 15 Categorical Exemption to apply. Please see Staff Response No. 2 and 6, as well as the Advisory Agency and Director's Determinations for a full discussion on the project's consistency with the General Plan and underlying zoning.

The appellant claims the following exception would apply to the Class 32 Categorical Exemption:

Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

They claim the project's inconsistency with the site's land use designation represents a significant cumulative impact. However, the project is consistent with the underlying Low Medium II Residential Land Use Designation. Please see Staff Response No. 2 and 6 – as well as Finding No. 2 of the Director's Determination.

Finding No. 6 of the Director's Determination provides the following analysis regarding cumulative impact:

(b) *Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

There is not a succession of known projects of the same type and in the same place as the subject project. As mentioned, the project proposes the demolition of a duplex and accessory structures and the subdivision of a 4,826 square-foot lot into two (2) small lots, in conjunction with the construction of two (2) three-story single-family dwellings with roof decks. The project provides a total of (5) parking spaces onsite. The project is in an area zoned and designated for such development. Lots adjacent to the subject site are developed with urban uses. The project site, zoned RD1.5-1, is surrounded by similar residential uses. The lots along this block. The lots along this block of Brooks Avenue are also zoned RD1.5-1 and developed with single and multi-family dwellings ranging from one to three-stories in height. The lots to the north and west are also zoned RD1.5-1 and developed with single & multi-family dwellings ranging from one to three stories in height. The properties to the south, along Broadway Street, are zoned RD1.5-1, OS-1XL, & [Q]PF-1XL. These lots are improved with a mix of single & multi-family residential structures ranging from one to three stories in height as well as Oakwood Recreation Center, Broadway Elementary School, and Amino Venice Charter High School. The properties to the east, along Lincoln Boulevard, are zoned [Q]C2-1-CDO and improved with commercial structures ranging from one to two stories in height. The subject site is also of a similar size and scope to nearby properties. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project and as it may be subsequently amended or modified. Therefore, in conjunction with citywide RCMs and compliance with other applicable regulations, no foreseeable cumulative impacts are expected.

As discussed, the proposed two dwelling units would replace the existing density onsite and develop residential structures that comply with the regulations that apply to all other residential structures in the same area. The proposed use, height, massing, and layout are similar to that of the structures in the neighborhood.

The appellant also claims another exception to a CEQA categorical exemption applies because "...Venice has been identified by the Coastal Commission as a Coastal Resource, which is an environmental resource that must be protected, and as explained herein this project does not protect but rather would substantially harm this Coastal Resource." However, the Appellant does not state which specific exception they're referring to. Instead, they apply a Coastal Act provision to a completely different law. As discussed in this report and Finding Nos. 1 and 2 of the Director's Determination, the proposed development complies with the policies of the Coastal Act and Venice LUP.

The Appellant further argues "City Planning decided to expedite the process by proposing a categorical exemption for small-lot subdivisions in the Coastal Zone by piecemealing the application of CEQA exemptions as they are doing here." Finding No. 6 of the Director's Determination fully discloses the full scope of work as the demolition of existing structures, subdivision of the existing lot into two small lots, and the construction of a new single-family dwelling on each new lot. As analyzed in Finding No. 6, the project qualifies for a categorical exemption pursuant to CEQA Guidelines Sections 15301 (Class 1), 15303 (Class 3), 15315 (Class 15), and 15332 (Class 32), and the Exceptions outlined in the State CEQA Guidelines Section 15300.2 do not apply to the project.

Appeal Point No. 10: Mello Act Determination

In addition to the requirements of the Mello Act and the IAP, we must consider the Coastal Commission's Environmental Justice Policy, which indicates that existing affordable housing must be protected, and that the implementation of housing laws must be undertaken in a manner fully

consistent with the Coastal Act. The Environmental Justice Coastal Act provisions and Commission's policy were not considered in the city's determination.

Staff Response No. 10

See Staff Response No. 4 and 5.

APPEAL OF ADVISORY AGENCY DECISION AA-2019-6453-PMLA-SL-1A.

Below is a summary of the appeal points relevant to the Advisory Agency Decision (AA-2019-6353-PMLA-SL) and staff's response.

Appeal Point No. 11: The project violates the Venice Coastal Zone Specific Plan

The VCZSP requires either a VSO or a SPP on an entire project. However, here, City Planning is waiting until the existing structures are demolished and the lot is subdivided and then plans to prepares a VSO for the construction of each new small-lot home on each new lot, as if this one overall project is two projects. This is piecemealing the VCZSP. Demolition and subdivision are major components of this project. The City must evaluate conformance with the VCZSP with respect to the entire project— demolition, subdivision and new construction.

As per Section 8. Review Procedures, Venice Coastal Zone Specific Plan, Ordinance No. 175,693, applications for Venice Coastal Development Projects shall be filed and processed with either a Venice Sign Off ("VSO") or a Project Permit Compliance Review ("SPP").

The VCZSP requires either a...sign-off (VSO) or a Specific Plan Project Compliance Permit (SPP) for a development, which includes the entire project. Just because a project may be considered exempt and a VSO can be issued doesn't mean that the City can piecemeal the project in its issuance of that VSO compliance sign-off. The City cannot wait until the project is demolished and subdivided and then perform a VSO for VCZSP compliance on just the construction...this is piecemealing of the VCZSP ordinance...there is nothing in the VCZSP that allows for the VSO or SPP to be issued on portions of a development.

Here, the application for this (total) project has not been processed with either a VSO or SPP...City Planning will prepare two VSOs, covering only the new construction for each proposed new small lot home at the time of building permit submittal...and will not determine compliance of the overall project...with the VCZSP. Thus, the Specific Plan Ordinance has been violated.

Staff Response No. 11

The proposed project is subject to the policies of the certified LUP and the development regulations of the Venice Coastal Zone Specific Plan. It has been reviewed for compliance with these regulations as discussed in the Findings prepared for Case Nos. DIR-2019-6455-CDP-MEL and AA-2019-6453-PMLA-SL. The project involves the demolition of a duplex and accessory structures and the subdivision of a 4,826 square-foot lot into two (2) small lots, in conjunction with the construction of two (2) three-story single-family dwellings with roof decks.

However, separate Project Permit Compliance Review is not required because the project qualifies for a Director of Planning Sign-Off or Venice Sign Off.

Section 8A of the Venice Specific Plan states:

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 further 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.*

As such, City Planning would not wait until the existing structures are demolished before issuing the VSOs, as the appellant incorrectly contends.

Finding (a) on p.16 of the Advisory Agency's decision states the proposed density of two dwelling units complies with the requirements of the Specific Plan. Furthermore, the Advisory Agency's Decision includes Department of City Planning Condition No. 16.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. 12: 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 neither a Specific Plan VSO or SPP was performed at the same time as the PMLA, CDP, and Mello determinations.

Staff Response No. 12

The project has been considered and approved in compliance with LAMC Section 12.36, Projects Requiring Multiple Approvals. The project requires approvals by both the Director of Planning, a Coastal Development Permit pursuant to LAMC Section 12.20.2, and the Advisory Agency, a preliminary parcel map pursuant to LAMC Section 17.51 and 17.53. As such, the Advisory Agency and Director of Planning issued separate decision letters on March 2, 2022 approving Preliminary Parcel Map No. AA-2019-6453-PMLA-SL and Case No. DIR-2019-6455-CDP-MEL. Because the project qualifies for a VSO (See Staff Response No. 11), 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 Section 12.36.

Appeal Point No. 13: Proposed Map is not consistent with the General Plan, LUP, Specific Plan, or LAMC Section 17.50

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.

The new lots are half the size of the existing lots in the area...clearly not of a size compatible with the size of existing lots in the immediate neighborhood... Development in neighborhoods must take into account neighborhood character, which includes such things as mass and scale and lot subdivision patterns and the proposed subdivision should be reflective of the development patterns that already exist... 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.

... consistency and conformance with the LUP land use designation requires "duplexes and multi-family structures" and not single-family dwellings. This area is designated as a multi-family neighborhood.

Staff Response No. 13

The Advisory Agency's approval of Preliminary Parcel Map No. AA-2019-6453-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 (a) on p.16 of the Advisory Agency's Determination, 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-2019-6453-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 for all lots in this zone. The project proposes to subdivide a 4,826 square-foot lot to create two new small lots; Parcel A and Parcel B will have lot sizes of 2,254 and 2,572 square feet respectively. Both newly created lots will comply with the required density of 1,500 square-feet of lot area per dwelling unit per the RD1.5-1 Zone. The proposed project would provide two small lots consistent with the RD1.5-1 Zone and the Low Medium II Residential land use designation in the Venice Land Use Plan. Additionally, as a small lot subdivision, the map indicates the common access easement for vehicular and/or 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 applicable General Plan.

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 (a) on p.16 of the Advisory Agency's decision, 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 30 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 (front)	Parcel B (rear)
Lot Width	18 feet	40 feet	40 feet
Lot Area	600 square feet	2,254 square feet	2,572 square feet

Lot Coverage	Max 75% of Lot Area	46%	63%%
Perimeter	Side Lot Line – 5 feet Rear Lot Line – 5 feet	5 feet	5 feet SY, 15 feet RY
Front Yard (Front Lot Line)	Underlying zone – 15 feet	15 feet	.33 feet (not required)

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-2019-6453-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.

The subject site has a net lot area of 4,826 square feet. Pursuant to Policy 1.A.7.d of the LUP and Section 10.G.2.a(2) of the Specific Plan, the subject lot is limited to a maximum density of two dwelling units. As such, the proposed Map and the design or improvements (as defined by Section 66418 and 66419 of the Subdivision Map Act) are consistent with the applicable provisions of the General Plan, LUP and Specific Plan.

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 Brooks 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 Brooks Avenue have been legally subdivided to follow this pattern as well. Recent subdivisions on this block include projects located at 720-722 Brooks

Avenue and 742-748 Brooks 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 Brooks 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 is consistent with the current development pattern on this block and would not subvert neighborhood character.

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, LUP, Specific Plan, and LAMC, as discussed in the Advisory Agency decision and this report.

Appeal Point No. 14: Site is not physically suitable for type of development

...the proposed single family land use is not consistent with the LUP land use designation of “duplexes and multi-family structures” (LUP Policy I.A.7.d.). In addition, the site is not physically suitable for the proposed type of development as it needs to be much larger for the size of development proposed...

Due to the size of the development as compared to the size of the lot, the yards are not adequate. ...The small-lot subdivision regulations do not allow for adequate yards that are compatible with the neighborhood and in conformance with LUP Policy I.A.7.d and thus violate Coastal Act 30251, which requires a development to be visually compatible with the character of surrounding areas. ...the two houses meet in the middle at the lone line only 8” of separation is required. The plans show a separation of 10” there. It is not clear how a construction worker can stucco two 24” high walls in a space of only 8”! It makes more sense to have a common wall. Also, there is no fire separation with 8” of space, which is one of the purposes of yards. Also, in a big earthquake there may be more than 4” of sway at the top, so the houses could knock against each other.

As noted in condition 7.c (page 2), a minimum 5,000 square foot lot area is required for the RD1.5 zone. The proposed lot area is 4,826 square feet after dedications, less than 5,000 square feet in lot area. In condition 16.f, page 6, this City Planning condition cites a LAMC exception, stating that LAMC 12.22-C.19 allows the subject nonconforming lot in the RD1.5-1 Zone to be further reduced in lot area by the required dedications. However, that is not correct as LAMC Section 12.22-C.19 applies to “through lots” with a depth of 150 feet or more, whereas the subject lot is approximately 130 feet in depth; thus, the subdivision for a lot of 4,826 square-feet after dedications cannot be approved.

Staff Response No. 14

The appellant contends that Finding No. 1 of the Advisory Agency’s Determination was made in error because the approved yards are not compatible with the existing pattern of development. Thus, the project is not consistent with LUP Policy I.A.7.d and Coastal Act Section 30251.

Please see Staff Response No. 3, 6, 8, 11, and 13 for a full discussion.

The appellant does not challenge the findings made by the Deputy Advisory Agency in approving Parcel Map No. AA-2019-6453-PMLA-SL. Instead, the appellant expresses their displeasure with the Small Lot Subdivision Ordinance’s building separation requirements. The appellant does not substantiate claims about the project’s fire and earthquake risk.

As detailed in the Advisory Agency’s Determination, Parcel Map No. AA-2019-6453-PMLA-SL was reviewed by both the Los Angeles Fire Department and Department of Building and Safety.

Conditions of Approval requested by both departments, among many others, were incorporated in the Advisory Agency's Determination.

The appellant references Condition 7.c of Case No. AA-2019-6453-PMLA-SL, which is one of the conditions of approval requested by the Los Angeles Department of Building and Safety (LADBS). Condition 7.c states:

A minimum 5,000 SF lot area is required for RD1.5 zone. The proposed lot area to be divided after required dedication is less than 5,000 SF in lot area. Obtain City Planning approval to allow the lot with less than 5,000 SF in lot area to be divided into 2 small lots.

As detailed in Case No. AA-2019-6453-PMLA-SL, the applicant obtained approval from City Planning to allow the lot with less than 5,000 square feet in lot area to be divided into two small lots.

The appellant also contends that the subdivision cannot be approved because the exception cited in Condition 16.f (LAMC Section 12.22-C.19) allowing a nonconforming lot to be further reduced by required dedications is not applicable to this project. The appellant is correct that LAMC Section 12.22-C.19 would not apply here since the project site is less than 150 feet in depth. However, this is a typographical error.

Condition 16.f should reference LAMC Section 12.22-C.13, which states:

...If a lot resulting from the acquisition of all or a portion of a parcel for public use does not comply with the area requirements of the zone in which it is located, or if a legally existing nonconforming lot is further reduced in size because of such acquisition, said lot may be utilized and a building permit shall be issued for any purpose permitted in the zone, so long as the lot is not smaller in size or width than one-half (1/2) of the minimum area or width required for the zone.

Therefore, the project would qualify for this exception if the total lot area after dedications is at least 2,612.5 square feet. As shown in Exhibit A, the dedications required by the Bureau of Engineering will reduce the lot area from 5,225 square feet to 4,826 square feet. Thus, the project is consistent with LAMC Section 12.22-C.13 and the appeal point lacks merit.

CONCLUSION

Staff recommends the Commission deny the appeal and sustain the decision of the Advisory Agency to approve Parcel Map No. AA-2019-6453-PMLA-SL and map stamp-dated October 3, 2019 and to sustain the determination of the Director of Planning to approve a Coastal Development Permit and Mello Act Compliance Review for a project comprised of the demolition of a duplex and accessory structures, subdivision of a 4,826 square foot lot, and construction of two three-story single-family dwellings with roof decks, one on each new small lot with five parking spaces onsite. The new residential structure on Parcel A (front lot) is 2,506 square feet. The new residential structure on Parcel B (rear lot) is 3,083 square feet. Staff also recommends the Commission find that the project is Categorically Exempt pursuant to the California Environmental Quality Act.

Exhibit A

Appeal Application & Justification

A.1: Applications: AA-2019-6453-
PMLA-SL-1A & DIR-2019-6455-CDP-
MEL-1A

A.2: Justification: AA-2019-6453-
PMLA-SL-1A & DIR-2019-6455-CDP-
MEL-1A

A.1: Applications: AA-2019-6453-
PMLA-SL-1A & DIR-2019-6455-CDP-
MEL-1A



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-2019-6453-PMLA-SL

Project Address: 709 Brooks Ave, Venice

Final Date to Appeal: March 16, 2022

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: CITIZENS PRESERVING VENICE

Company/Organization: % Robin Rudisill

Mailing Address: 3003 Ocean Front Walk

City: Venice State: CA Zip: 90291

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

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

Self Other: _____

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: John Kodesell

Date: 3-15-22

for Citizens Preserving Venice

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.



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).

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- Zoning Administrator

Regarding Case Number: DIR-2019-6455-CDP-MEL

Project Address: 709 Brooks Ave, Venice

Final Date to Appeal: March 16, 2022

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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Self Other: _____

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Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

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- 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
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6. APPLICANT'S AFFIDAVIT

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

Appellant Signature: Robin Rhodesell Date: 3-15-22
for Citizens Preserving Venice

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A.2: Justification: AA-2019-6453-
PMLA-SL-1A & DIR-2019-6455-CDP-
MEL-1A

March 16, 2022
709 Brooks Ave, Venice
Appeal Reasons/Justification

DIR-2019-6455-CDP-MEL
AA-2019-6453-PMLA-SL
ENV-2018-6456-CE

NOTE: This appeal reasons/justification is written on a combined basis for the CDP, Mello, and PMLA-SL determinations, as well as violations of the Venice Coastal Zone Specific Plan and the Multiple Permits Ordinance.

**A. 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 as the development is NOT in conformity with Chapter 3 of the California Coastal Act of 1976 because:

1. Adverse cumulative effects were not considered.
2. The project is not visually compatible with the mass, scale and character of the surrounding neighborhood.
3. Subdividing lots and conversion of multi-family housing to single-family housing in the Venice Coastal Zone subverts Neighborhood Character and does not conform with the multi-family land use designation.
4. The adverse cumulative impact and change to the character of the neighborhood due to the loss of two low-income units was not considered.
5. The Coastal Act affordable housing provisions and the Commission's Environmental Justice Policy were not considered.
6. Protection of Venice as a Special Coastal Community was not considered.

1. Adverse cumulative effects were not considered.

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.” (emphasis added)

In Finding 1 of the City’s CDP, there is no cumulative effects analysis, which is an error and abuse of discretion. This is indicative of a pattern and practice by the City of failing to consider adverse cumulative effects in the Venice Coastal Zone and thus making ongoing erroneous Findings. Both individual and cumulative effects must be considered.

On December 7, 2021, the Coastal Commission’s Executive Director, Jack Ainsworth, sent a letter to Planning Director Vince Bertoni making clear that a cumulative effects analysis is required by the Coastal Act. See EXHIBIT A.

In addition, 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:

“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 [Coastal] 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."



Cumulative Effects Analysis.

The cumulative effects approach as stipulated in the Coastal Act assesses similar past and current projects and probable (not "known") similar future projects together with the proposed project. However, the only analysis that the City performs is based on the CEQA approach – see section on CEQA Section 15300.2 Exceptions to the Use of

Categorical Exemptions (b) Cumulative Impact, page 19. The City states that “there is not a succession of known projects of the same type and in the same place as the subject project.” It then simply describes the project and its streetscape without assessing similar past and current projects and probable similar future projects that, together with the proposed project, would cause a cumulative effect that is adverse to the character of the neighborhood.

Considering the proposed project, past and current similar projects, and probable similar future projects, there is an adverse cumulative effect on the character of both Brooks Avenue and the larger Oakwood area, as further explained below.

Streetscape Characteristics: Tables 1 and 2 array the physical characteristics of the north and south sides of the 700-800 block of Brooks Avenue (the “streetscape”). There are a total of 60 parcels on the two sides of this long block, two of which are vacant lots. The typical lot is 40’ wide and most are as much as 130’ deep. There have been several lot subdivisions, however, that have narrowed lot widths. These are a concern and will be discussed later.

Table 3 presents summaries of the basic streetscape information. The survey area is 62% 1-story residential structures, 29% 2-story structures, and 9% 3-story structures. Two-thirds of its parcels are single-family residential (SFR) and one-third are multi-family residential (MFR). And finally, the median floor-area-ratio of the survey area is still a modest 0.42 even with a number of new, large projects.

Prior City Actions: Table 4 lists City actions within the block since the adoption of the certified Venice Land Use Plan (LUP). Most actions have been typical and expected. However, the ones shaded will, if continue to be allowed, change the character of Brooks Avenue. If this development strategy continues there will be a proliferation of tall SFR homes replacing smaller multi-family units.

Adverse Cumulative Effect: In 2007 and again in 2018, City Planning approved the subdivision of three parcels into six narrower parcels. The first action (built in 2012) allowed the construction of two SFR homes on 20’-wide lots where one used to fill the street’s normal 40’ lot. However, in 2018 a subdivision of two 40’ lots on which there was a duplex and a triplex, resulted in the construction of four SFR homes on two lots of 18.5’ and two of 21.5’. Recent decisions by the Coastal Commission did not allow the replacement of rentable MFR units with SFR homes in an area zoned MFR, such as this case.

This proposed project removes a rentable duplex and replaces it with two 3-story SFR homes. Approval of this project would constitute an adverse cumulative effect on the character of Brooks Avenue and a Substantial Issue for the following reasons:

- The Commission has previously rejected the substitution of a SFR home (even with an ADU or JADU) for a MFR structure(s). See: A-5-VEN-19-0022

(Markevicius) - 21 29th Avenue, 4/08/19; A-5-VEN-20-0039 (Holzman) - 714-716 E Palms Blvd., 08/07/2020; A-5-VEN-21-0010 (Miles) - 426-428 Grand Blvd., 01/13/21.

- These proposed new homes have substantially higher FARs than their neighbors. As Table 3 shows, the median FAR of the survey area is 0.42- even with larger new homes included. The new homes on the block by themselves have FARs ranging from 0.84 to 1.02, two to three times the street's average. The total FAR of the two proposed small-lot homes is 1.16, with Parcel A having a FAR of 1.11 and Parcel B having a FAR of 1.20. Clearly, the associated mass, scale, and character will adversely affect the character of the neighborhood.
- The subdivision of a typical 40' wide parcel for an increasing number of smaller parcels, if not stopped, will change the character of the block. The sense of open space constricts, and the MFR-zoned streetscape becomes increasingly SFR. These taller, often narrower structures in no way conform to either the character of Brooks Avenue or of the larger Oakwood community.
- Houses built are now often 3-story structures with roof decks to compensate for the lack of ground-level yard space. If not challenged, this design template will continue to change the character of this block of Oakwood and will be used on other Oakwood streets.

Oakwood is an important neighborhood within Venice, which itself is one of the California Coastal Zone's Special Coastal Communities. It was one of the very few neighborhoods in Los Angeles County where African Americans could live. Those that lived here were the workers that built Venice initially. Oakwood remained a place of affordable housing for African American families and later also Latino families throughout the 20th century. Ironically, that changed in this century subsequent to the adoption of the 2001 LUP intended to protect it.

See also EXHIBIT B for WLAAPC Commissioner remarks in a past hearing regarding the need to protect Venice's community character as a Special Coastal Community and Coastal Resource from cumulative effects.

Finding 1 is in error as it does not include consideration of cumulative effects and thus is not in conformance with Section 30250(a) of the Coastal Act.

Table 1: North Side Properties

DATA ON HOUSING ALONG 700 - 800 BLOCK OF BROOKS AVENUE							
						Key:	Prior CP Actions
HOUSE NO.	HOUSE (SQ FT)	LOT (SQ FT)	HOUSE/ LOT (FAR)	LIVING UNITS	UNITS (SQ FT)	YEAR BUILT	STORIES
North Side of Block							
845*	7,168	7,380	0.97	7		1989	2
837 & 839	2,676	5,637	0.47	3	2@1,178; 320	1928	2
833 & 835	2,673	5,650	0.47	2	2,299; 374	1928	2
829	1,980	5,662	0.35	1		1924	1
825	2,320	5,043	0.46	1		2014	2
821	922	5,052	0.18	1		1924	1
817	1,019	5,062	0.20	1		1949	1
813	1,008	5,072	0.20	1		1926	1
807 & 809	5,190	5,081	1.02	2	2,595; 2,595	2014	2.5
805 & 805 1/2	1,583	5,091	0.31	2	1,071; 512	1924	1
801	1,112	5,100	0.22	1		1949	1
757	2,039	5,110	0.40	2	1,269; 880	1925;1931	1
753 & 755 (1 and 3)	3,124	5,120	0.61	4	1,232; 3@631	1959; 1928	1
749	1,180	5,219	0.23	1		1933	1
745	1,467	5,139	0.29	1		1928	1
741	2,718	5,148	0.53	2	1,860; 856	1934; 2004	1
737	1,248	5,158	0.24	1		1928	1
733	892	5,167	0.17	1		1921	1
729 & 731 (1 and 2)	2,216	5,177	0.43	3	1,200; 2@508	1953; 1924	2
725	1,299	5,187	0.25	1		1928	1
721	3,279	5,198	0.63	1		2013; 2020	2
717 & 719 (duplex)	1,630	5,209	0.31	2	815; 815	1952	1
713 & 715 (duplex)	1,630	5,215	0.31	2	815; 815	1952	1
709	980	5,225	0.19	2	660; 320	1924; 1943	1
705 & 707 (1 and 2)	2,958	5,005	0.59	3	1,048; 2@955	1927; 1988	1
701	1,792	6,942	0.26	1		1930	1

Table 2: South Side Properties

DATA ON HOUSING ALONG 700 - 800 BLOCK OF BROOKS AVENUE							
						Key:	Prior CP Actions
HOUSE NO.	HOUSE (SQ FT)	LOT (SQ FT)	HOUSE/ LOT (FAR)	LIVING UNITS	UNITS (SQ FT)	YEAR BUILT	STORIES
South Side of Block							
860	572	5,879	0.10	1		1947	1
856	872	5,848	0.15	1		1932	1
850 & 852 & 854	2,452	5,849	0.42	3	1,175; 2@1,226	1986	2
848 & 848 1/2	1,610	5,199	0.31	2	952; 658	1953; 1924	1
844	791	2,181	0.36	1		1929	1
840	747	2,177	0.34	1		2017	3
836	882	2,177	0.41	1		1954	1
832	vacant	2,177					
828	2,053	2,177	0.94	1		2013	2
826	1,405	2,177	0.65	1		2003	2
818 & 820	vacant	2,178					
816	1,525	2,178	0.70	2	762; 762	1954	1
810 & 812	2,092	4,356	0.48	1		2014	2.5
808	2,158	2,178	0.99	1		2014	2.5
804 & 806	3,693	5,201	0.71	2	2,540; 1,153	2014	2.5
800	1,340	5,201	0.26	1		1925	1
756	1,270	5,201	0.24	1		1950	1
752, 754 & 754 1/2	2,356	5,202	0.45	4	2@484; 2@694	1941; 1950	1
748	2,208	2,644	0.84	1		2018	3
746	2,208	2,276	0.97	1		2018	3
744	2,208	2,276	0.97	1		2018	3
742	2,208	2,645	0.83	1		2018	3
738 & 738 1/2 & 740	1,921	5,230	0.37	3	846; 2@538	1924; 1940	1
736	780	5,202	0.15	1		1947	1
732	2,996	5,202	0.58	1		2011	2
728	1,171	5,203	0.23	1		1937	1
724	1,509	5,203	0.29	1		1924	1
722	2,522	2,461	1.02	1		2013	2
720	2,522	2,461	1.02	1		2013	2
716	3,628	5,203	0.70	1		2012	1
712	900	5,204	0.17	1		1951	1
708	1,366	5,204	0.26	1		1924	1
702 & 704	1,603	4,554	0.35	2	801; 802	1951	1
700	3,907	4,572	0.85	1		2021	2

Table 3: Summary Statistics:

1- story:	South side	17	53%	SFR:	South side	25	78%
	North side	19	73%		North side	13	50%
	Total	36	62%		Total	38	66%
2-story:	South side	10	31%	Multi-Unit:	South side	7	22%
	North side	7	27%		North side	13	50%
	Total	17	29%		Total	20	34%
3 stories:	South side	5	16%	Average Size of All Homes (SF)	South side	1,882	
	North side	0	0%		North side	1,859	
	Total	5	9%		Total	1,869	
Average FAR (north):	0.37						
Average FAR (south):	0.46						
Average FAR (total):	0.42						

Table 4: Prior City Actions

Brooks Address	Resulting Size	Year Built	City Planning Case Numbers	Basic Improvement
700	3,907	2021	DIR-2018-4438-CDP	SFR
716	3,628	2012	?	SFR
721	3,279	2013, 2020	DIR-2020-4780-CDP-MEL; DIR-2013-773-VSO-MEL	SFR; Added ADU + Rec Room
720	2,522	2012	AA-2007-4143-PMLA-SL-1A; ZA 2007-41 61-CDP-ZAA-1A	SFR
722	2,522	2012	AA-2007-4143-PMLA-SL-1A; ZA 2007-41 61-CDP-ZAA-1A	SFR
732	2,996	2008	ZA-2008-2784-ZAA	SFR
741	2,718	2004	ZA 2001-5515(CDP)(ZAA)(SPP)	New Second Building
742	2,208	2018	ZA-2013-383-CDP-MEL; DIR-2016-1679-VSO	SFR
744	2,208	2018	ZA-2013-383-CDP-MEL; DIR-2016-1679-VSO	SFR
746	2,208	2018	ZA-2013-383-CDP-MEL; DIR-2016-1679-VSO	SFR
748	2,208	2018	ZA-2013-383-CDP-MEL; DIR-2016-1679-VSO	SFR
804	3,693	2010	ZA 2008-41 76(ZAA)	SFR
808	2,158	2013	DIR-2013-3764-VSO-MEL	SFR
810	2,092	2013	DIR-2012-2814-VSO-MEL	SFR
825	2,320	2014	DIR-2012-2366-VSO-MEL	SFR
826	1,405	2003	DIR-2002-6954(SPP)	New 2-story
828	2,053	2014	DIR-2012-2189-VSO	2-story Addition
807 & 809	5,190	2014	DIR-2012-2684-VSO-MEL	New 2 and 3-story duplex

2. The project is not visually compatible with the mass, scale and character of the surrounding neighborhood.

Coastal Act Section 30251 Scenic and visual qualities states:

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

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

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

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

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

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

Architecture states:

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

Finding 2 of the CDP is in error as the project does not conform with Coastal Act Section 30251 or LUP Policies I.E.1., I.E.2., I.E.3.

Given its size and the lot subdivision, the proposed project is not compatible with and will harm (rather than protect) the mass, scale, and character of the existing neighborhood.

The project would replace two 1-story rented structures totaling 980 (660 + 320) square feet with two structures totaling 5,589 (2,506 + 3,083) square feet on a lot zoned multi-family residential. The new homes will be ***SIX times larger*** than the existing homes. Also, each structure will have a roof deck which would give residents views into neighboring yards, so that privacy and a sense of security are being taken from

neighbors. The homes would tower over the adjacent homes to the east and west, which are both one-story.

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

The project would not comply with LUP Policy I.E.2. because, at *THREE times larger* than the 1,869 square foot average size of homes on the block, it would not be compatible with the surrounding neighborhood, nor would it comply with LUP Policy I.E.3., which encourages varied styles of architecture **while maintaining the neighborhood scale and massing**. This proposed project would not maintain the scale of the surrounding neighborhood and therefore harms the neighborhood rather than protecting it. This project is not compatible in mass, scale and character with the existing neighborhood.

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

Character has been defined by one industry expert as:

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

The Coastal Commission also designated Carmel as a Special Coastal Community. The unique community and visual character of Carmel as exhibited by the style, scale and rich history of its architecture, together with its beaches, recreational amenities and its landscape, all combine to form the special character of Carmel, a character that is a separate, significant coastal resource worthy of protection in its own right, similar to Venice. Carmel is a coastal resource known internationally as an outstanding visitor destination, similar to Venice. Carmel is primarily a residential community and thus its residential development plays a key role in defining its special character, similar to Venice. Carmel is distinctly recognized for its many small, well-crafted beach cottages,

similar to Venice. Large projects have great potential to alter Carmel's special community character, which is protected by the Coastal Act, similar to Venice. (source of Carmel details: Coastal Commission permit No. 3-02-008).

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

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

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

The sunken first floor façade is an unarticulated 7-foot by 27-foot flat entrance wall. The proposed façade of the second and third floor is a 17-foot high by 27-foot wide minimally-articulated wall *that overhangs 3 feet into the 15-foot front yard setback*. The roof deck is bounded by a metal mesh screen 3.5-foot high. This façade, pushed forward rather than stepped back, will loom over the streetscape and is totally inconsistent with the block's established character, mass and scale. There is almost no articulation to reduce the project's massing in the front, sides or back.

The side walls are 100' long with no plane breaks (the separation between the two structures is a mere 10 inches) and without regard to any encroachment planes. The

side wall heights varying from 24 feet to 30 feet and rise to 34 feet with the roof decks' two access structures. The LUP allows roof heights of 30 feet only with a "varied or stepped back roofline" (i.e., a sloped roof). The 30-foot height of the roof along the project's sidewalls does not meet that requirement. With a little more effort the designer could have designed a simple warehouse. No architect seemed to have signed the design drawings.

The City obviously overlooked the visual impact that the project's bulk and massing would have for pedestrians. With unarticulated sidewalls 100 feet long and at least 24 feet high, the project creates a visual impact that is extremely negative for pedestrians. Because this project is the third lot on a long block on a wide street it will be highly visible along both Brooks and Seventh Avenues. The project is therefore inconsistent with LUP Policies I.E.2 and I.E.3., which are designed to protect Venice's unique community character, a significant coastal resource. As described above, the City-approved development will have an adverse visual impact to the pedestrian scale of this neighborhood of Venice.

Other nearby homes are either 1-story or have stepped back second floors. One two-structure dwelling has its third story in the back of the lot. None rise to 30 feet or 34 feet as does this project.

Due to the bulky frontage, the home would appear to be very large compared to other homes in the neighborhood. The lack of articulation, if implemented on future projects, has the potential to adversely impact community character. Unfortunately, this front wall will dominate the neighboring houses rather than complimenting them. Redesigning the front wall to create texture and variation is needed. One possibility is to set the second floor 4-5 feet back from the front. Another is to vary planes in the wall.

Establishing this flat wall precedent would give birth to the possibility of a negative cumulative effect of maximizing floor space at the expense of compatibility with the character, mass and scale of the surrounding block.

The project is inconsistent with LUP Policy I.E.3, which states, "varied styles of architecture are encouraged ...while maintaining the neighborhood scale and massing" and, by extension, inconsistent with Chapter 3 of the Coastal Act. The LUP recognizes the importance of the existing pedestrian scale in residential neighborhoods and the need to conserve them. Therefore, new structures should be sited and articulated to respect a pedestrian scale while also maintaining visually compatibility with surrounding neighborhood.

The project does not protect the visual quality of this coastal neighborhood as it is not visually compatible with the character of the block, as required by Coastal Act Section 30251 Scenic and visual qualities.

This project does not respect the scale, massing and landscape of the existing residential neighborhood, as required by LUP Policy Preservation of Venice as a Special Coastal Community I.E.2 Scale.

The project does not maintain the neighborhood scale and massing as required by LUP Policy Preservation of Venice as a Special Coastal Community I.E.3. Architecture.

In addition, in its analysis of the project the City cites compatibility of the project with structures that are not only not in the view corridor of the project but they aren't in the same zone and are in a commercial zone on Lincoln Blvd. That is not an acceptable approach to a compatibility analysis.

In addition, because the project does not comply with the LUP, which is the detailed guidance for determining whether a project conforms with Coastal Act Chapter 3, by definition it would prejudice the LCP as it is not in conformance with Coastal Act Chapter 3.

The city CDP findings that the project conforms with the standard of review, the Coastal Act, and its guidance, the LUP, are in error and the city has abused its discretion in approving the CDP. The project cannot be approved as proposed.

3. Subdividing lots and conversion of multi-family housing to single-family housing in the Venice Coastal Zone subverts Neighborhood Character and does not conform with the multi-family land use designation.

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.

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.*” 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. Development in Venice’s unique neighborhoods

must take into account neighborhood character and should be reflective of the development patterns that already exist.

The LUP also states: *“The subdivision patterns in Venice are also 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, which makes the existing subdivision patterns a significant part of its character. This additional small lot subdivision development would cause an adverse cumulative effect as it would cause a significant break in the pattern of development and significantly change the unique Venice subdivision development pattern, causing harm to Venice’s character and its status as a Special Coastal Community.

Subdividing lots in the Venice Coastal Zone subverts neighborhood character, in violation of both the Venice Coastal Zone Specific Plan (VCZSP or Specific Plan) and the LUP. As the VCZSP Ordinance states, it supersedes all other LAMC regulations (only when the VCZSP is silent, the LAMC regulations apply). In addition, in the Coastal Zone, the LUP takes precedence over both the uncertified VCZSP and uncertified LAMC, and thus its specific provisions requiring compatibility of new development, including as relates to the subdivision of lots, with the surrounding neighborhood must be followed.

A cumulative effects study must be done for the Oakwood neighborhood in order to determine the effect of this type of change in the original 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 effect of another small lot subdivision resulting in single family dwellings in this multi-family coastal land use designation, this project should not be approved.

4. The adverse cumulative impact and change to the character of the neighborhood due to the loss of two low-income units was not considered.

A change in the character of our multi-family neighborhoods is an urgent consideration when any project applies to demolish existing low-income multi-family structures only to be replaced with expensive single-family dwellings. This violates Chapter 3 of the Coastal Act, the Mello Act, the Environmental Justice provisions and policy, as well as the LUP. The existing property is a rent stabilized (“RSO”) duplex with an unpermitted third rental unit. There were 3 low-income units on the property, which should have been included in the HCID review of replacement affordable units. See EXHIBIT C for evidence showing this. Subdividing a lot for purposes of high priced, single-family homes only serves to extract profits from this Coastal neighborhood and does nothing to preserve much needed affordable housing. The cumulative impact of this pattern and practice is to convert Oakwood from a multi-family, lower-income, racially diverse neighborhood into a high-priced single-family neighborhood. The existing units are

covered by the RSO. In addition, they were determined by HCID to be Mello replacement affordable units. See EXHIBIT D.

There is an apparent trend of multi-unit structures being redeveloped as single-family residences, displacing the existing lower income residents. There have been ongoing significant legislative efforts to alleviate the affordable housing crisis. Thus, the Coastal Commission has been rightfully emphasizing the importance of encouraging the protection of affordable housing (Coastal Act Sections 30604(f) and (g) and Coastal Commission's Environmental Justice Policy). 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.).

The cumulative impact of this project is to turn the lower income multi-family neighborhood of Oakwood into a high-end single-family neighborhood, an unacceptable result.

5. The Coastal Act affordable housing provisions and the Commission's Environmental Justice Policy were 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 two 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."

Coastal Act Section 30116 states:

"Sensitive coastal resource areas" means those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity, and that "Sensitive coastal resource areas" include areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons."

Areas with existing coastal housing for low- and moderate-income persons are sensitive coastal resource areas. **Thus, low- and moderate-income housing in Venice must be protected as a coastal resource.**

Also, see section D. below re. Mello Act Compliance Determination for details of the City's errors in its Mello Act Compliance Review. It is important for Coastal Staff to understand the Mello Act errors in assessing Environmental Justice for this project.

Having the correct interpretation of the Mello Act, which is the interpretation that supports protection of 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.

HCID determined that both units are replacement affordable under the Mello Act. It's obvious on its face that it's not right to destroy two affordable units and displace the low-income tenants living in them in order to build two market rate single-family dwellings!

Your decision in this case is not just about two units on Brooks Ave. The cumulative effect of this project going forward as proposed would adversely affect dozens of affordable units and the families living in them 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 effect of NOT correcting this error of destroying low-income housing would be devastating.

In support of this appeal, see EXHIBIT B for poignant remarks from one of the West L.A. Area Planning Commissioners regarding Environmental Justice and why it should be considered in the Venice Coastal Zone. However, the City continues to refuse to consider Environmental Justice, even though the Coastal Commission has strongly urged them to do so. See EXHIBIT E.

Lastly, the City Council has approved a motion that directs City Planning, with assistance from HCID, to report back with a detailed analysis on topics related to housing equity and access in the Coastal Zone, including displacement and gentrification effects on historically marginalized populations and impact of new

development and housing typologies (i.e. small lots, mansionization) on available market rate and affordable housing stock. See EXHIBIT F.

6. Protection of Venice as a Special Coastal Community was not considered.

The decision maker erred and abused its discretion in that its Findings do not adequately address Coastal Act Section 30253(e). 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 to single-family dwellings whereas development standards of this land use designation call for “Duplexes and Multi-Family structures.”

With respect to Coastal Act Section 30253(c) and its requirement to protect special communities, the City states: “Although the LUP identifies Venice as a Special Coastal Community, the subject site is located within a residential neighborhood and not within an area identified as a popular visitor destination for recreational use.” As the Coastal Commission has noted in many findings, the community character of all of Venice, including its residential neighborhoods, is a Coastal Resource to be protected.

In addition, the loss of the existing affordable housing, replaced by 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(e) 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 Sections 30604(f)(g) and (h) of the Coastal Act require encouraging lower cost housing opportunities. This City 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 errs and misleads where it states that the yards are in conformance with the LUP policies. LUP Policy I.A.7.d. states:

“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.”

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 front yard setback for Lot B is 0.33' and the rear yard setback for Lot A is 0.33'! In other words, Lot A's single-family dwelling has a front yard and NO rear yard and Lot B has NO front yard and only a 5' rear yard. This is 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. The uncertified small-lot subdivision regulations do not allow for adequate yards that are compatible with the neighborhood and the original subdivision patterns and thus the proposed project is not in conformance with Coastal Act 30251, which requires a development to be visually compatible with the character of surrounding areas.

At the City's appeal hearing on March 4, 2020 for the proposed project at 635 San Juan, a project with similar issues as the subject project, the City 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... 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 and failure to preserve the character of the surrounding Multi-Family area 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."

This City CDP determination findings should be consistent with this prior similar decision.

FINDING 3

As indicated in the first paragraph under this Finding, the guidelines are intended to be used with consideration of both individual and cumulative effects on coastal resources. There was no analysis of cumulative effects done by the City for this project and thus this Finding is in error. In addition, the finding states that "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." However, this is false, as further noted below. The City errs by not performing a determination that the project complies with the Venice Coastal Zone Specific Plan (VCZSP). Instead, after the CDP is issued and building permits are ready to be approved, compliance with the VCZSP for each separate new home is determined. This is unacceptable as compliance of the total project, demolition, subdivision and new construction – must be determined to comply with the VCZSP.

FINDING 4

In describing the project in the first paragraph, the city errs in not mentioning the subdivision of the lot, but rather only describes the project as the demolition of the existing duplex and the construction of the two new 3-story homes.

With respect to a very similar project at 315 6th Ave, the L.A. City Council found that "The project may not be within the neighborhood character and may result in the cumulative erosion of a stable multi-family neighborhood in the Coastal Zone. The existing community character is characterized by a high proportion of rental units, where the intent of the certified LUP is to maintain a stable rental housing market near the coast. The demolition of a duplex and the construction of single-family dwellings would erode the neighborhood character – defined by both its physical and social attributes; including racial, ethnic, and income diversity," and they found that the

project "...does not meet all of the requisite findings maintained in Section 12.20.2 of the Los Angeles Municipal Code for a Coastal Development Permit and undermines the mandate of the State's Mello Act to preserve the availability of affordable housing in the Coastal Zone." See EXHIBIT G for City Council motion.

Three of the projects listed entail small-lot subdivisions. As such grossly-sized small-lot subdivision projects do not conform with the Coastal Act and LUP, it is clear that this project, reviewed in connection with similar past projects, the effects of other similar current projects and the effects of probable similar future projects will cause an adverse cumulative effect.

Subdividing of the lots and then building 3-story SFR homes is the beginning of an adverse effect not only on Brooks, but on other streets in Oakwood. Because this project proposes to replace a duplex with two large SFR homes, it is probably doomed given recent decisions of the Coastal Commission.

B. CEQA

Rather than prepare an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND) for the project, the City has improperly approved the Project using 3 exemptions from the California Environmental Quality Act (CEQA). The City incorrectly determined that the Project is exempt from CEQA pursuant to CEQA Guidelines, Sections 15303 (Class 1), 15315 (Class 15), and 15332 (Class 32). In addition, pursuant to CEQA Guidelines Section 15300.2, there is substantial evidence demonstrating that an exception to the categorical exemptions applies.

Categorical Exemptions

The Class 15 finding discusses a minor net gain in the number of units on the subject site, yet the Project has plans to replace two duplex units with two single family residences, which is not a net gain. Also, the finding indicates that there is one existing single-family dwelling, which is not correct, there are two. 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 and IAP, as noted in detail below. Thus, the subdivision does not qualify for a Class 15 categorical exemption.

The City is improperly processing the project primarily relying on a Class 32 Categorical Exemption.

First, as a factual matter, the Advisory Agency's Class 32 analysis states that the Project is for the construction of two new single-family dwellings. Yet the Advisory Agency's finding incorrectly indicates that there is a minor net gain in the number of residential

units when in fact the number of residential units would be two – the same as the current number of units but with less affordability.

Also, CEQA Guidelines Section 15332(a) requires Findings that the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. However, this finding cannot be made as there is substantial evidence that the project is not consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations, as discussed herein.

As detailed herein and in the administrative record, the proposed project does not conform with General Plan and zoning requirements – specifically, the LAMC 12.20.2 coastal requirements, the Specific Plan Ordinance, the Small-Lot Subdivision Ordinance, the Multiple Permits Ordinance, LAMC 17.5 and LAMC 12.22 C.19, as well as the Mello Act and City’s Mello Act Interim Administrative Procedures (IAP). The Project is also not in conformance with the General Plan as it is inconsistent with the applicable land use zoning designation and regulations in the LUP, a part of the General Plan. Thus, the Project does not comply with CEQA Guidelines Section 15332(a).

CEQA Section 15300.2 Exceptions to the Use of Categorical Exemptions:

A correct cumulative impact analysis of the project as required by CEQA would show that the project meets the exception to a categorical exemption and the City must require a MND or EIR. Under CEQA Guidelines 15300.2, categorical exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. 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, and as explained herein this project does not protect but rather would substantially harm this Coastal Resource. In addition, the potential for adverse cumulative impact of the project must be considered, as also noted herein, 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 structures. The City cannot act on the project until the appropriate environmental documentation has been prepared and analyzed with respect to CEQA Section 15300.2(b) Cumulative Impact.

The above analysis is substantial evidence that the Director of Planning has erred and abused its discretion by finding that the project qualifies as a categorical exemption under CEQA. The project is not consistent with the applicable General Plan (includes the LUP) designation and all applicable General Plan policies and it also is not consistent with the applicable zoning regulations, as noted and listed above. A MND or EIR must be performed. It should also be noted that when the Small-Lot Subdivision Ordinance was first approved, City Planning required Small-Lot Subdivisions to have a

MND as they did not qualify for a CEQA exemption due to issues with the mass, scale and character of these significantly larger projects, the significant change in subdivision/development patterns, and these multi-family neighborhoods being converted to single-family neighborhoods. Subsequently, City Planning decided to expedite the process by proposing a categorical exemption for small-lot subdivisions in the Coastal Zone by piecemealing the application of the CEQA exemptions as they are doing here.

C. MELLO ACT COMPLIANCE DETERMINATION

In addition to the requirements of the Mello Act and the IAP, we must consider the Coastal Commission's Environmental Justice Policy, which indicates that existing affordable housing must be protected, and that the implementation of housing laws must be undertaken in a manner fully consistent with the Coastal Act. The Environmental Justice Coastal Act provisions and Commission's policy were not considered in the city's determination.

Similar in intent to the Mello Act, the Coastal Commission Environmental Justice Policy, Housing, page 8 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 Coastal Commission will increase these efforts with project applicants, appellants and local governments, by analyzing the cumulative impacts of incremental housing stock loss..."

"The Commission will also support measures that protect existing affordable housing. If the Commission staff determines that existing affordable housing would be eliminated as part of a proposed project in violation of another state or federal law, the Commission staff will use its discretion to contact the appropriate agency to attempt to resolve the issue." (Emphasis added)

The City has violated the Mello Act and its IAP and the Environmental Justice policy must be put into effect to resolve this violation.

City Planning has allowed the applicant to essentially self-certify that it is economically infeasible to replace existing affordable housing based on the developer's own study. The determination refers to a report from Howard Robinson & Associates, submitted on February 10, 2020. Once again, City Planning has failed to interrogate the study or apply any meaningful independent analysis to the study.

The WLAAPC has several times found that City Planning needs to provide an objective evaluation by an expert to evaluate a feasibility analysis. City Planning states (on page 21) that “Upon review of the feasibility study and supplemental documents submitted by the applicant, it would not be feasible to replace all the Affordable Existing Residential Units. As such, no Affordable Replacement Units are required for the project.” However, City Planning does not have the expertise to make such judgements and therefore the City must provide an objective evaluation by an expert to evaluate whether replacing the affordable units is indeed infeasible as indicated in the applicant’s feasibility analysis (we suspect not). In addition, the WLAAPC has objected to using comps outside the Venice Coastal Zone to support infeasibility. If the City is serious about protecting affordable housing, they should always insist that the affordable housing identified by the City’s Housing & Community Investment Department (HCID).

The Director of Planning erred in accepting a feasibility study and abused its discretion in finding that no affordable replacement housing is required in the proposed new project, based on the feasibility study it considered. As a result, City Planning’s Mello Act Compliance Review (pages 20-22) errs in stating that no affordable units are required to be replaced at the site, leading to a finding that fails to preserve the required number of affordable housing units, constituting a violation of the IAP.

In addition, as noted on page 13 above, HCID should have included the third unpermitted unit in its review for replacement affordable units. See EXHIBIT D. The Mello Act requires all affordable housing to be replaced and does not differentiate between permitted and unpermitted. That means that given that there are three replacement affordable units, all three are required to be replaced without a feasibility study.

D. VIOLATION OF THE VENICE COASTAL ZONE SPECIFIC PLAN ORDINANCE

There are two issues related to the VCZSP as it relates to the PMLA:

1. The VCZSP requires either a VSO or a SPP on an entire project. However, here, City Planning is waiting until the existing structures are demolished and the lot is subdivided and then plans to prepares a VSO for the construction of each new small-lot home on each new lot, as if this one overall project is two projects. This is piecemealing the VCZSP. Demolition and subdivision are major components of this project. The City must evaluate conformance with the VCZSP with respect to the entire project – demolition, subdivision and new construction.
2. The PMLA requires Findings that the project is in compliance with the VCZSP. But rather than City Planning performing the proper VCZSP analysis required by that

ordinance, they make compliance with the VCZSP a condition of the project, essentially trusting that the applicant will make sure that they comply.

As per Section 8. Review Procedures, Venice Coastal Zone Specific Plan, Ordinance No. 175,693, applications for Venice Coastal Development Projects shall be filed and processed with either a Venice Sign Off (“VSO”) or a Project Permit Compliance Review (“SPP”).

The VCZSP requires either a Director of Planning compliance sign-off (VSO) or a Specific Plan Project Compliance Permit (SPP) for a “development,” which includes the entire project. Just because a project may be considered exempt and a VSO can be issued doesn’t mean that the City can piecemeal the project in its issuance of that VSO compliance sign-off. The City cannot wait until the project is demolished and subdivided and then perform a VSO for VCZSP compliance on just the construction portion on each new lot, as if the development that must be in compliance with the VCZSP were only two separate construction projects (and as if no demolition or subdivision were involved). Again, this is piecemealing of the VCZSP ordinance compliance requirements.

Said another way, there is nothing in the VCZSP that allows for the VSO or SPP to be issued on portions of a development. If either a VSO or SPP will only be issued for part of the development, that will be a violation of the VCZSP Ordinance.

Here, the application for this (total) project has not been processed with either a VSO or a SPP. Rather, the determinations state that City Planning will prepare two VSOs, covering only the new construction for each proposed new small lot home at the time of building permit submittal, and City Planning will not determine compliance of the overall project – demolition, subdivision AND new construction – with the VCZSP. Thus, the Specific Plan Ordinance has been violated.

E. 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 neither a Specific Plan VSO or SPP was performed at the same time as the PMLA, CDP and Mello determinations.

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

See Parcel Map at EXHIBIT H.

Staff has avoided properly addressing these Small Lot Subdivision PMLA issues discussed below. The evidence shows that the planning administration in the early

years of small-lot subdivisions in the Coastal Zone had problems making the findings due to significant issues with the mass, scale and character of these larger projects, the significant change in subdivision/development patterns, and multi-family neighborhoods being converted to single-family neighborhoods and so decided to piecemeal the overall project when determining compliance with the VCZSP.

We implore you with regards to this project to address this workaround practice by the City Planning that violates the VCZSP ordinance, as small lot subdivisions are damaging Venice's community character rather than protecting it, as required by the Coastal Act.

The PMLA requires Findings that the project is in compliance with the VCZSP. But rather than the City performing the VCZSP compliance review required by that ordinance, compliance with the VCZSP is made a condition of the project, essentially trusting that the applicant will make sure that they comply. There are many things that could be required conditions of a project but compliance with a City ordinance cannot be a condition as it is a separate compliance requirement. It is the City's job to assure a project is in compliance with its ordinances. Simply making compliance with an ordinance a condition of a permit and/or asking the applicant to promise that they will comply does not achieve that.

The PMLA Findings specifically require evidence of a VCZSP review for the proposed development. Conditions of the Parcel Map that the project must comply with the VCZSP cannot take the place of a compliance review, which is needed to provide evidence of conformance.

Compliance with an Ordinance cannot be a condition of another entitlement (here a PMLA); and making VCZSP compliance a condition of a project, on top of doing a ministerial review of only the portion of the project that is for the construction of each separate small-lot home, after the PMLA has been issued, does not satisfy the VCZSP Ordinance or the Parcel Map required findings.

The City must correct these errors of violating its own Specific Plan Ordinance and its own Multiple Permits Ordinance and in making erroneous Findings in the PMLA. The WLAAPC must deny the Parcel Map and insist that it be sent back to be issued with correct Findings and a simultaneous issuance of a SPP determination for the entire project—demolition, subdivision and new construction. Performing only a ministerial VSO review for each proposed new small-lot home, after subdivision, on the new construction only and not including the demolitions and subdivision of land, which are part of the total project, does not meet the requirements of the VCZSP. 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 VCZSP or the Parcel Map required findings that the project comply with the VCZSP.

In order to make a PMLA Finding that the project is consistent with the Specific Plan, City Planning must do a VSO or a SPP determination, 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 PMLA-SL Determination cannot be made and the PMLA-SL must be denied, as further discussed below:

FINDING (a), The Proposed Map Will Be/Is Consistent With Applicable General Plan and Specific Plan, page 16

The Parcel Map requires consistency with the applicable Specific Plan and the General Plan, which includes the Venice Community Plan, which includes the LUP. Thus, the Parcel Map Findings are in error as they do not even mention compliance with the 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 small-lot 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. ***Declaring that the project will be required at a later date to satisfy certain conditions in order to meet specified Findings puts the cart before the horse and does not satisfy the legal requirement for review and approval of the project. 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 the Findings in the future*** (even then, the VCZSP compliance review must be for the whole project, not just for the new construction).

See also Violation of the Venice Coastal Zone Specific Plan Ordinance, above. This is an error as this Finding requiring consistency with the Specific Plan cannot be made.

These same issues that have been brought up in prior appeals and neither the City Planning staff nor the WLAAPC has addressed them. In fact, *the required Finding itself was changed* from what it was for years: "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. A finding cannot refer to a future promise and therefore changing the finding in this way does not meet the requirements of the Subdivision Map Act findings.

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.)

The new lots are half the size of the existing lots, and the vast majority of the lots in the area, which any reasonable mind would agree means that the new lots are clearly not of a size compatible with the size of existing lots in the immediate neighborhood. A subdivision to split an existing lot in half and reduce the original lot by 50% would not result in lot sizes compatible with the size of lots in the immediate neighborhood. Indeed, this is exactly the type of thing that LAMC 17.50 intends to prevent. Development in neighborhoods must take into account neighborhood character, which includes such things as mass and scale and lot subdivision patterns and the proposed subdivision should be reflective of the development patterns that already exist. Additional subdivisions such as this one 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.

The statement at the top of page 17 that "the proposed project would provide two small lots consistent with the RD1.5-1 Zone and the Low Medium II Residential land use designation in the Venice Land Use Plan" is incorrect. As previously mentioned, consistency and conformance with the LUP land use designation requires "duplexes and multi-family structures" and not single-family dwellings. This area is designated as a multi-family neighborhood. In addition, the LUP protects the existing subdivision pattern.

Thus, the proposed Map is not consistent with the General Plan as it is not consistent with the LUP, is not consistent with the Specific Plan, and it is not in compliance with LAMC Section 17.50. Finding (a) cannot be made in the affirmative.

FINDING (b), The Design or Improvement of the Proposed Subdivision Is Consistent With Applicable General and Specific Plans, page 17

This Finding also requires evidence of a Specific Plan review for the proposed project. Condition 16(c) of the PMLA determination (page 5) states that the project must comply with the Specific Plan. For all of the reasons stated above, the project does not comply with the Specific Plan or the General Plan (which includes the LUP). A condition for future compliance does not take the place of a VSO or SPP, which would provide evidence of conformance/consistency. In addition, the City has not done the required Specific Plan review for compliance for the total project but rather promises a VSO review of only the construction of the two separate new small-lot homes, ignoring the demolition and subdivision components of the total project.

The Director errs as there is substantial evidence that the design or improvement of the proposed subdivision is not consistent with applicable General (including LUP) and Specific Plans.

FINDING (c), The Site is Physically Suitable for the Type of Development, page 18

This Finding is in error as the proposed single family land use is not consistent with the LUP land use designation of “duplexes and multi-family structures” (LUP Policy I.A.7.d.). In addition, the site is not physically suitable for the proposed type of development as it needs to be much larger for the size of development proposed, as explained below.

Due to the size of the development as compared to the size of the lot, the yards are not adequate. The uncertified small-lot ordinance might allow these yards:

- i. **Setbacks shall be permitted as follows:**

Setback Matrix				
Lot No.	Front (S)	Rear (N)	Side (W)	Side (E)
A	15'	0.33'	5'	5'
B	.33'	5'	5'	5'

But Lot A’s single-family dwelling has a front yard and NO rear yard and Lot B has NO front yard and only a 5’ rear yard. This is not in conformance with LUP Policy I.A.7.d., which requires yards to be consistent with the existing scale and character of the neighborhood and requires that they accommodate the need for fire safety, open space, permeable land area for on-site percolation of stormwater. These yards are not consistent nor are they compatible with the existing pattern of development, which has much larger front and rear yards for each structure. Due to the significant reduction in yards for these types of small-lot homes, they are typically built as 3-story structures

with roof decks in order to compensate for the lack of ground-level yard space. The small-lot subdivision regulations do not allow for adequate yards that are compatible with the neighborhood and in conformance with LUP Policy I.A.7.d and thus violate Coastal Act 30251, which requires a development to be visually compatible with the character of surrounding areas.

In addition, this means that where the two houses meet in the middle at the lot line only $2 \times 4'' = 8''$ of separation is required. The plans show a separation of 10'' there. It is not clear how a construction worker can stucco the two 24' high walls in a space of only 8''! It makes more sense to have a common wall. Also, there is no fire separation with 8'' of space, which is one of the purposes of yards. Also, in a big earthquake there may be more than 4'' of sway at the top, so the houses could knock against each other.

In addition, as noted in condition 7.c. (page 2), a minimum 5,000 square foot lot area is required for the RD1.5 zone. The proposed lot area is 4,826 square feet after dedications, less than 5,000 square feet in lot area. In condition 16.f., page 6, this City Planning condition cites a LAMC exception, stating that LAMC 12.22 C.19 allows the subject nonconforming lot in the RD1.5 Zone to be further reduced in lot area by the required dedications. However, that is not correct as LAMC section 12.22 C.19 applies to "through lots" with a depth of 150 feet or more, whereas the subject lot is approximately 130 feet in depth; thus, the subdivision for a lot of 4,826 sq feet after dedications cannot be approved.

LAMC 12.22 C.19:

19. **Through Lot – May Be Two Building Site** – Where a through lot has a depth of 150 feet or more, each half of the lot may be improved as though it is a separate lot, with the rear line of each approximately equidistant from the front lot lines. The location of all buildings and the number of dwelling units therein shall comply with the requirements of the zone in which the through lot is located, except that in any case there may be at least one single-family dwelling on each half. (Amended By Ord. No 116,389, Eff. 6/29/60.)

EXHIBIT A

CALIFORNIA COASTAL COMMISSION

455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885
WWW.COASTAL.CA.GOV



December 7, 2021

Sent via U.S. Mail and E-Mail
Vincent Bertoni, Planning Director
City of Los Angeles – Department of City Planning
200 North Spring Street
Los Angeles, CA 90012

Re: Addressing cumulative effects in City coastal development permits

Dear Mr. Bertoni:

The California Coastal Commission has directed Commission staff to write to the City of Los Angeles (the City) concerning the requirement of the California Coastal Act of 1976 (Coastal Act) to approve development that is compatible with the community character of Venice. As the City is aware, residential development in Venice has been a matter of significant public concern and controversy, resulting in numerous appeals to the Commission of City-approved projects and lawsuits. The Commission believes that it is in the interest of the public, applicants, and our respective agencies to respond to community concerns by considering and evaluating the potential cumulative effects of proposed residential development on the community character of Venice, which is designated as a special coastal community, and that such an analysis is required by Coastal Act policies sections 30250(a), 30251, and 30253(e).

The City has taken the position in litigation that the Coastal Act does not require the City to address the cumulative effects of new residential development on Venice's character. (See, e.g., *Stanger v. California Coastal Commission*, Los Angeles Superior Court Case No. 18STCP02483, City of Los Angeles's Opposition to Petitioner's Opening Brief [arguing that petitioners' contention that the City failed to analyze project's cumulative impacts "relies heavily on their erroneous assumption that Section 30250 requires an assessment of cumulative impacts for all new development regardless of the Project's location"].) The Commission respectfully disagrees. Consistent with past Commission practice in numerous contexts, the Commission applies the requirements of Section 30250(a) to all new development to ensure it is located in areas "where it will not have significant adverse effects, either individually or cumulatively, on coastal resources." The City should consider the potential for adverse cumulative effects to coastal resources, including community character, when evaluating new residential projects in Venice. Incorporating a meaningful cumulative effects analysis consistent with the definition of "cumulative effect" in Coastal Act section 30105.5 into the City's decision-making process will benefit coastal resource protection and, we hope, reduce the number of appeals of City-approved projects and related litigation. To that end, the City should also adopt a Local Coastal Program that addresses community character and

acknowledges that a cumulative effects analysis is required by the Coastal Act for residential development in Venice.

Commission staff has appreciated a productive working relationship with City staff regarding the City's review and approval of development in the coastal zone, including in Venice. If questions arise as to how to implement requirements of the Coastal Act, as they often do, Commission staff is available to continue our ongoing and productive dialogue about coastal resource protection in Venice. Please feel free to contact Deputy Directory Steve Hudson if you have questions.

Sincerely,

DocuSigned by:
John Ainsworth
020ACE9D159C473
John Ainsworth
Executive Director
California Coastal Commission

CC: Mike Bonin, City Councilmember, City of Los Angeles
Lisa Webber, Deputy Director of Planning, City of Los Angeles
Jason P. Douglas, Senior Planning Deputy, City of Los Angeles
Oscar Medellin, Deputy City Attorney, City of Los Angeles

EXHIBIT B

June 2, 2021, WLAAPC hearing for 315 6th Ave

2:13:18 to 2:16:38

COMMISSIONER MARGUILES:

I'll go next. Commissioner Marguiles, for my two cents.

I think there's really significant cumulative impact issues here. I think absolutely, despite what we heard from the applicant, even in the retail fabric. I mean, we're here, and we're in the coastal zone and we have a mandate to protect what is unique and special about Venice as a unique coastal community. And there's two aspects to that that, you know, I'd like to talk about. One is scale, character, and mass. And that is, we are not Hermosa Beach. We are not Manhattan Beach. We're not Santa Monica. We have an intact, a partially intact...we've ruined it, you know, a lot of it, but we still have a fabric of small-scale bungalows and small structures that if one really took it seriously, one really could preserve what is unique about Venice and make sure that we don't become a series of the biggest houses you can build on our very small lots. So, I think there's an issue there that I'm having trouble with, in terms of consistency with the Coastal Act.

And then on the environmental justice side, I think it is, you know, close to...I am, like everyone in the city of Los Angeles, just dumbfounded at how much time, how long it is taking us to do what needs to be done, to find creative ways to create more affordable housing here. And Venice clearly is the pressure point. And the fact that we are locked into this from documents that go back 10 years and more, that we haven't been able to jump into action in a place like Venice and come up with solutions to allow us to increase density. The fact that we're still losing density in Venice and losing affordable housing - that is reprehensible.

And what I really would've liked to have seen, and I'm gonna make this suggestion if Jason's still here in the house - I think our council district should produce a feasibility study and they, in an objective way, should show us and show all the people who would like to redevelop some of these properties, how it can be done. And I think that could actually be constructive and helpful.

But on the environmental justice side, I have a different interpretation than you do, President Newhouse, which is about opportunity, which is about stability. It's not about who can afford to buy in. It's about who can afford to stay and who can resist the pressure of market rate developers, who pepper all of us with offers on our houses every single day. And there's no alternative. We provide no community-based housing, no models, no ways to keep the people here who have lived here for generations, who built this place, who actually are the diversity.

And so, you know, those are kind of even the sort of bigger, larger scale frustrations than my more immediate ones that I expressed earlier this evening. And it still leaves me in the same place, but at least I can cast a vote that is somewhat symbolic here, later. But this is what I think continues to be super frustrating about this commission is not having the tools to really do something about this.

EXHIBIT C

Letter from prior owner stating that there two different tenants that occupied the back house, indicating two rental units there, and that the front house was a separate unit:

April 4, 2020

Lewis Futterman
1485 PH LLC (a New York LLC)

Lew;

Per your request here is some background information on 709 Brooks Ave, Venice, CA 90291
I sold 709 Brooks Ave to you on September 24, 2018. In 2001 I purchased the property with friends. I brought out my partners in 2008. We had two different tenants occupy the back house at 709 1/2 Brooks Ave. Both tenants paid the market rates 1,500.00/1,600.00. The front house at 709 Brooks Ave was family occupied for years. After I purchased the property from my partner the property taxes increased \$6,000.00 per year. I had to eventually rent out the front home at 709 Brooks Ave for several years. The front home was also rented at market rate \$2,200. I occupied the front home after the tenant moved out. I then sold it to you. I don't understand why the city would think a person with a 500K mortgage and \$9,000(+) tax bill could rent that property as low income.

I also have no idea why you need this information as the property was to be demolished by now.

If you have any question please let me know.

Thank you,

Tamara G. Harris
Former Owner
(312) 217-2727 (M)

Building permit showing on Plot Plan Attachment that there are two separate single-family dwellings:

709 E Brooks Ave

Permit #: **01010 - 10000 - 00331**
 Plan Check #: _____
 Event Code: _____
 Printed: 02/09/01 10:57 AM

City of Los Angeles - Department of Building and Safety
APPLICATION FOR BUILDING PERMIT
AND CERTIFICATE OF OCCUPANCY

Bldg--New
 1 or 2 Family Dwelling
 Counter Plan Check

Last Status: Ready to Issue
 Status Date: 02/09/2001

TRACT TR 8415	BLOCK 3	LOTO 3	ASS MB 96-57158	PARCEL IDENT 111B145 1301	ADJACENT PARCEL 4230 - 007 - 091
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1. PARCEL INFORMATION

Ally - 20' R	Community Plan Area - Venice	Energy Zone - 6
DAS Business Office - WLA	Genus Tract - 2732.000	Earthquake-Induced Liquefaction Area - YES
Bldg. Line - No/NA	Coastal Zone Cont. Act - YES	Lot Size - 40 X 130
Council District - 6	District Map - 111B145	Lot Type - Interior

FORMS: 9031.5-5.1

2. CHECKLIST ITEMS

Combine Elec - Wrk. per 91.107.2.1.1.1

3. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner:
Garcia, Sabino And Rita 2535 Marvin Ave LOS ANGELES CA 90016

Tenant:

Agent - Relationship Agent for Owner:
Darnell Harmon 1123 W. Century Blvd LA, CA 90044 (323) 242-8087

4. DRAINAGE

PROCEDURE:
23 Storage Building

5. DESCRIPTION OF WORK

NEW (TO LEGALIZE) 14' x 20'-6" IRR SHAPED (209 SQFT) STORAGE ROOM AT REAR HALF OF LOT, PER CITY STANDARD. RELATED ELECTRICAL WORKS.

6. REGISTRATION FEE 3.2 - STD'S AND GAR

7. APPLICATION PROCESSING INFORMATION

BLDG. PC By: David McCombs DAS PC By: _____
 OK for Cashier: David McCombs Coord. OK: _____
 Signature: *[Signature]* Date: 02/09/01

8. PROJECT VALUATION & FEE INFORMATION (Next Fee Period)

Permit Valuation:	\$5,000	PC Valuation:	
FINAL TOTAL Bldg--New	186.51		
Permit Fee Subtotal Bldg--New	130.00		
Internal	33.80		
Fire Hydrant Rollover-To-Pay			
E.Q. Instrumentation	0.50		
Supp. O & S Surcharge	3.29		
Supp. Sys. Surcharge	9.86		
Planning Surcharge Major Fee	5.00		
Supp. Planning Surcharge	3.90		
Permit Issuing Fee	0.00		

Sewer Cap ID: _____ Total Bond(s) Due: _____

9. ATTACHMENTS

Plot Plan

For information and/or inspection requests call the LA County, Call toll-free (888) LA4BUILD
 Outside LA County, call (213) 977-4941. E-MAIL: DED@LACOUNTY.GOV

For Cashier's Use Only W/O #: 11000331

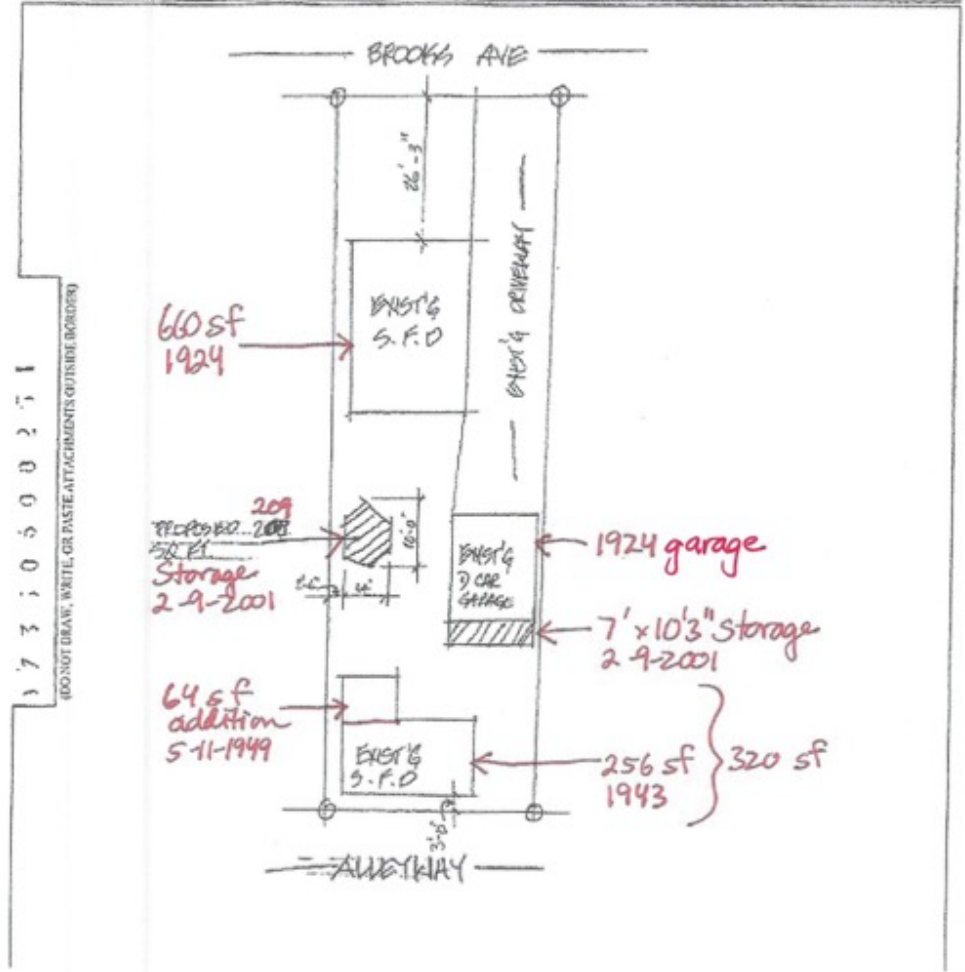
LA Department of Building and Safety
 815 G4 016416 02/09/01 11:13AM

BUILDING PERMIT-RES	\$130.00
EI RESIDENTIAL	10.00
ELECTRICAL PERMIT RES	433.30
ONE STOP SURCH	43.29
SYSTEMS DEVT FEE	19.36
MISCELLANEDUS	55.00
CITY PLANNING SURCH	43.90
Total Due:	1185.35
Check:	1185.35

01SL 17080

(notes added in red)

709 E Brooks Ave Permit Application #: 01010 - 10000 - 00331
Bldg. - New City of Los Angeles - Department of Building and Safety Plan Check #:
1 or 2 Family Dwelling Initiating Office: METRO
Counter Plan Check **PLOT PLAN ATTACHMENT** Printed on: 02/09/01 10:57:31



County Assessor records show two separate buildings:

Los Angeles County Office of the Assessor
Valuing People and Property

Parcel Details

Assessor's ID No: 4239-007-003
Address: 709 BROOKS AVE
LOS ANGELES CA
90291

Property Type: Multi-Family Residential

Region / Cluster: 07 / 07406
Tax Rate Area (TRA): 00067

- View Assessor Map
- View Index map

Recent Sales Information

Latest Sale Date:
Indicated Sale Price:

Search for Recent Sales

2020 Roll Values

Recording Date: 09/24/2018
Land: \$1,479,000
Improvements: \$153,000
Personal Property: \$0
Fixtures: \$0
Homeowners' Exemption: \$0
Real Estate Exemption: \$0
Personal Property Exemption: \$0
Fixture Exemptions: \$0

Tax bill payment information for 2020/21, as well as any changes to the 2020 Roll Values will be available after September 30, 2020

- Estimate supplemental taxes

Property Boundary Description
TRACT # 8415 LOT 3

Building Description

Building Improvement 1

Square Footage:	660
Year Build / Effective Year Built:	1924 / 1928
Bedrooms / Bathrooms	1 / 1
Units	1

Building Improvement 2

Square Footage:	320
Year Build / Effective Year Built:	1943 / 1948
Bedrooms / Bathrooms	1 / 1
Units	1

ZIMAS

Search

Reports

Resources

News

709 E BROOKS AVE

A

Address/Legal

Site Address	709 E BROOKS AVE
ZIP Code	90291
PIN Number	11B145 1301
Lot/Parcel Area (Calculated)	5,224.9 (sq ft)
Thomas Brothers Grid	PAGE 671 - GRID H5
Assessor Parcel No. (APN)	4239007003
Traffic	TR 0415
Map Reference	M B 95-07/58
Block	None
Lot	3
Arb (Lot Cut Reference)	None
Map Sheet	11B145

Jurisdictional

Planning and Zoning

Assessor

Assessor Parcel No. (APN)

Ownership (Assessor)

Owner1
Address

Ownership (Bureau of Engineering, Land Records)

Owner
Address

APN Area (Co. Public Works) 0.119 (ac)

Use Code 0200 - Residential - Double, Duplex, or Two Units - 4 Stories or Less

Assessed Land Vol. \$1,479,000

Assessed Improvement Vol. \$156,000

Last Owner Change 09/24/2018

Last Sale Amount \$1,600,016

Tax Rate Area 67

Deed Ref No. (City Clerk) 674547

Deed Ref No. (City Clerk) 663596

Deed Ref No. (City Clerk) 663595

Deed Ref No. (City Clerk) 663594

Deed Ref No. (City Clerk) 6-952

Deed Ref No. (City Clerk) 4-815

Deed Ref No. (City Clerk) 1423522

Deed Ref No. (City Clerk) 1505127

Deed Ref No. (City Clerk) 0974895

Building 1

Year Built 1924

Building Class D55B

Number of Units 1

Number of Bedrooms 1

Number of Bathrooms 1

Building Square Footage 660.0 (sq ft)

Building 2

Year Built 1943

Building Class D4B

Number of Units 1

Number of Bedrooms 1

Number of Bathrooms 1

Building Square Footage 320.0 (sq ft)

Building 3 No data for building 3

Building 4 No data for building 4

Building 5 No data for building 5

Case Numbers

Citywide/Code Amendment Cases

Additional

Seismic Hazards

Economic Development Areas

Housing



per Assessor

Real estate listings for the property:

JUST LISTED! 709 Brooks Ave • Venice, CA
2 Unit Venice Beach Income Property
Amazing Spanish duplex with permitted bonus structure is perfect for an investor or owner occupant. Zoned LARD1.5 on ~5,225 square foot lot is perfect for future development and/or expansion. This classic duplex is positioned with a front 2+1 detached bungalow, permitted detached bonus room, 1+1 detached bungalow at the rear of the property as well as detached 1 car garage with bonus room attached to the garage. Driveway access off the alley and front of the property and a total of 4 structures creates limitless opportunities. Recent improvements include new copper plumbing, sewer line, roof, new water heaters and upgraded owners unit. The front 2+1 unit and detached bonus structure, and garage will be delivered vacant. GRM, Cap rate is based on Scheduled annual rents, current expenses and new estimated taxes. Property is located in the high-demand rental market of "Venice AKA Silicon Beach" and close to Venice Beach, Abbot Kinney, Venice Pier, Marina Del Rey, Main Street and Google.

Learn more about this property [here](#).



Listing provided by [RE/MAX](#) and [RE/MAX](#) Real Estate Services, Inc. All rights reserved. © 2014

The 3-story, proposed project is grossly incompatible with the surrounding block/viewshed:



EXHIBIT D



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

DATE: December 23, 2019

TO: Faisal Roble, Principal City Planner
City Planning Department

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

SUBJECT: **Mello Act Determination for 709-709 ½ East Brooks Avenue, Venice, CA 90291**

Planning Case #: DIR-2019-6455-CDP-MEL

Based on information provided by Jared Johnson (Owner Representative) on behalf of 1485 PH LLC, a New York limited liability company (Owner), the Los Angeles Housing + Community Investment Department (HCIDLA) has determined that two (2) affordable units exist at 709-709 ½ East Brooks Avenue, Venice, CA 90291 (APN: 4239-007-003).

Per the statement on the application, the Owner is proposing to demolish the existing two (2) units in order to construct a new two (2) unit small lot subdivision.

1485 PH LLC, a New York limited liability company (Owner) acquired the property located on 709-709 ½ East Brooks Avenue, Venice, CA 90291 on September 24, 2018. The 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 requires HCIDLA to collect tenant income verification documents if available, or monthly housing cost data as substitute, for at least the previous three (3) years prior to the date of application with the Department of City Planning (DCP). The Owner filed an application with DCP on October 30, 2019. Therefore, HCIDLA must collect data from October 2016 through October 2019.

On November 8, 2019, HCIDLA mailed two certified letters to the property. The tenant letter mailed to 709 East Brooks Ave was returned on December 12, 2019 as "unclaimed". The tenant letter mailed to 709 ½ East Brooks Ave was delivered and signed on November 21, 2019.

Due to the absence of sufficient verifiable documentation, HCIDLA was unable to verify the status of the two units on the property. In conjunction with the Owner in agreement with an affordable determination and as HCIDLA does not have sufficient verifiable documentation regarding the property, it is determined that two (2) affordable units exist on the property.

HMS: 19-126732
APN: 4239-007-003

Mallo Determination – 709-709 ½ East Brooks Avenue, Venice, CA 90291
December 23, 2019
Page 2

cc: Los Angeles Housing and Community Investment Department File
1485 PH LLC, a New York limited liability company
Richard A. Rothschild, Western Center on Law and Poverty, Inc.
Susanne Browne, Legal Aid Foundation of L.A.
Jonathan Jager, Legal Aid Foundation of L.A.
Juliet Oh, City Planning Department

MAC:lm

HIMS: 19-126732
AFN: 4239-007-003

EXHIBIT E

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885



August 17, 2021

Jason Patrick Douglas
Senior Planning Deputy
Councilmember Mike Bonin
City of Los Angeles

Dear Mr. Douglas,

In response to your inquiry, the Commission strongly encourages all local governments, including the City of Los Angeles, to consider environmental justice in their review of coastal development permits. In 2016, the Coastal Act was amended to include section 30604(h) which states: *When acting on a coastal development permit, the issuing agency, or the commission on appeal, may consider environmental justice, or the equitable distribution of environmental benefits throughout the state.* In this case, “the issuing agency” is the City of Los Angeles. Although the City does not have a fully certified LCP, it still may consider environmental justice in its review, and the Commission urges the City to do so.

Sincerely,
DocuSigned by:

A handwritten signature in blue ink, appearing to read "Jessica Reed", enclosed in a blue rectangular box.

110847C3FC684AB...
Jessica Reed

Staff Attorney, California Coastal Commission

From: Jason Douglas <jason.p.douglas@lacity.org>

Subject: Environmental Justice Communication for Consideration by WLAAPC (DIR-2019-2610-CDP-MEL-1A; AA-2019-2609-PMLA-1A)

Date: August 17, 2021 at 3:07:24 PM PDT

To: James Williams <james.k.williams@lacity.org>, Robin Best <wildrudi@me.com>, Jason Douglas <jason.p.douglas@lacity.org>, Sue Kaplan <sueakaplan@gmail.com>, Planning APCWestLA <apcwestla@lacity.org>, Bill Przulucki <bill@power-la.org>, planning.rjeap@lacity.org, Faisal Roble <faisal.roble@lacity.org>, Juliet Oh <Juliet.Oh@lacity.org>

Good Afternoon James,

Please see the attached communication from our office for the WLAAPC's consideration.

It is our hope that WLA APC or the Commission Office can encourage the discussion of environmental justice and equity on future projects and potentially develop an Equity Framework for future determinations with assistance from the Department of City Planning's Office of Racial Justice, Equity, and Transformative Planning.

For convenience I have cc'd Faisal Roble and his team on this email for future discussion and consideration of this matter. Faisal Roble is the Department's Chief Equity Officer and oversees the Office of Racial Justice, Equity, and Transformative Planning.

Thank you!

—



Jason Patrick Douglas
Senior Planning Deputy
Councilmember Mike Bonin
City of Los Angeles
[213-473-7011](tel:213-473-7011) | www.11thdistrict.com



[Sign Up for Mike's Email Updates](#)



EXHIBIT F

PLANNING & LAND USE MANAGEMENT

MOTION

The City of Los Angeles must take the lead in pursuing environmental justice in our coastal communities. Recent debates over land return at Bruce's Beach are just one example of the painful legacy of racism and exclusion that was for too long built into our land use policies. The Coastal Zone must be made accessible to all Angelenos. As a City we must heal those communities harmed by a legacy of discriminatory practices.

The California Government Code §65040.12 defines "environmental justice" as the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. Furthermore, AB 2616 (Burke) amended the Coastal Act in 2016 to give all local governments, including the City of Los Angeles, the authority to consider environmental justice, or the equitable distribution of environmental benefits, when acting on a coastal development permit.

Subsequently, in 2019, the California Coastal Commission unanimously approved an 'Environmental Justice Policy' to ensure equitable access to clean, healthy, and accessible coastal environments. This policy document recognizes the injustices carried out against indigenous communities, communities of color, and other marginalized populations through discriminatory land use policies. However, local jurisdictions like the City of Los Angeles remain squarely responsible for ensuring equitable and fair housing practices, as the Coastal Commission lost authority to protect and create affordable housing in 1981.

To empower our local decision makers to advance State policy and Coastal Commission guidance, the City of Los Angeles would benefit from a similar framework to integrate environmental justice and equity into land use decisions in the Coastal Zone that require a Coastal Development Permit. A 'Coastal Equity and Environmental Justice Policy' would not only place our local determinations in greater conformity with Chapter 3 of the California Coastal Act of 1976, but take a step towards correcting decades of injustice and exclusionary land use practices.

I THEREFORE MOVE the City Council DIRECT Los Angeles City Planning in coordination with the Department's Office of Racial Justice, Equity, and Transformative Planning to report back within 60 days with a work program to develop a 'Coastal Equity and Environmental Justice Policy' that will inform future land use policy, promote greater public participation and engagement with underrepresented and/or underserved communities, and be reflected in project determinations in the Coastal Zone.

I FURTHER MOVE that City Council DIRECT Los Angeles City Planning, with assistance from Los Angeles Housing Department and other relevant agencies, to report back with a detailed analysis within 60 days on topics related to housing equity and access in the Coastal Zone; including, but not limited to:

- historic housing and demographic trends;
- displacement and gentrification effects on historically marginalized populations;
- impact of new development and housing typologies (e.g. small lots, mansionization) on available market rate and affordable housing stock; and
- the cumulative impacts of historic downzoning and land use policy on housing capacity.

I FURTHER MOVE that City Council INSTRUCT the Los Angeles City Planning, with assistance from Los Angeles Housing Department and other relevant agencies, to develop and present Environmental Justice policy and program recommendations as part of the upcoming Venice Local Coastal Program, Venice Community Plan, and the "Plan for a Healthy Los Angeles" updates.

SEP 28 2021



PRESENTED BY:



MIKE BONIN

Councilmember, 11th District

SECONDED BY:

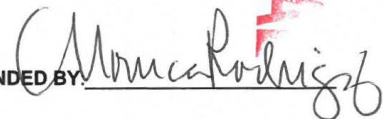


EXHIBIT G

MOTION

TO CITY CLERK FOR PLACEMENT ON NEXT
REGULAR COUNCIL AGENDA TO BE POSTED

#56

For Tuesday, June 29 Meeting

At its meeting on June 2, 2021, the West Los Angeles Area Planning Commission (WLAAPC) denied the appeal in the matter of [DIR-2019-2610-CDP-MEL-1A](#) and [AA-2019-2609-PMLA-SL-1A](#), for the property located at 313-315 South 6th Avenue. This denial sustained the Planning Director's Determination to approve a Coastal Development Permit, Mello Act Compliance Review, and Small Lot Subdivision to create a subdivision of a 6,380 square feet into two new small lots, in conjunction with the demolition of an a multifamily bungalow court consisting of four dwelling units and the construction of two three-story single-family dwellings with attached Accessory Dwelling Units (ADUs).

Action is needed to assert jurisdiction over the above described Commission action, to conduct further review, inasmuch as this proposed project is located in the Coastal Zone of the Venice community and would result in the destruction of four affordable housing units as determined by HCIDLA on July 17, 2019. Furthermore, the appellants assert that the feasibility study prepared by Howard Robinson & Associates and submitted on September 12, 2019 provides insufficient evidence in determining that it would not be feasible to replace all existing affordable residential units.

The project may not be within the neighborhood character and may result in the cumulative erosion of a stable multi-family neighborhood in the Coastal Zone. The existing community character is characterized by a high proportion of rental units, where the intent of the certified LUP is to maintain a stable rental housing market near the coast. The demolition of a four-unit bungalow court and the construction of single-family dwellings with attached ADUs would erode the neighborhood character - defined by both its physical and social attributes; including racial, ethnic, and income diversity.

Therefore, this project does not meet all of the requisite findings maintained in Section 12.20.2 of the Los Angeles Municipal Code for a Coastal Development Permit and undermines the mandate of the State's Mello Act to preserve the availability of affordable housing in the Coastal Zone.

I THEREFORE MOVE that pursuant to Section 245 of the Los Angeles City Charter, the City Council assert jurisdiction over the June 2, 2021 (Letter of Determination date: June 16, 2021), West Los Angeles Area Planning Commission action to deny the appeal, and thereby sustain the Planning Director's Determination to approve a Coastal Development Permit, Mello Act Compliance Review, and preliminary Parcel Map (Small Lot Subdivision) in the Coastal Zone, in the matter of Case Numbers DIR-2019-2610-CDP-MEL-1A and AA-2019-2609-PMLA-SL-1A, for the properties located at 313 and 315 South 6th Avenue.

I FURTHER MOVE that upon assertion of jurisdiction, the City Council VETO the above described action of the West Los Angeles Area Planning Commission and REMAND the matter to this Commission for reconsideration.

PRESENTED BY: _____

[Signature]
MIKE BONIN
Councilmember, 11th District

SECONDED BY: _____

[Signature]

JUN 25 2021

ORIGINAL

EXHIBIT H

709 Brooks Parcel Map

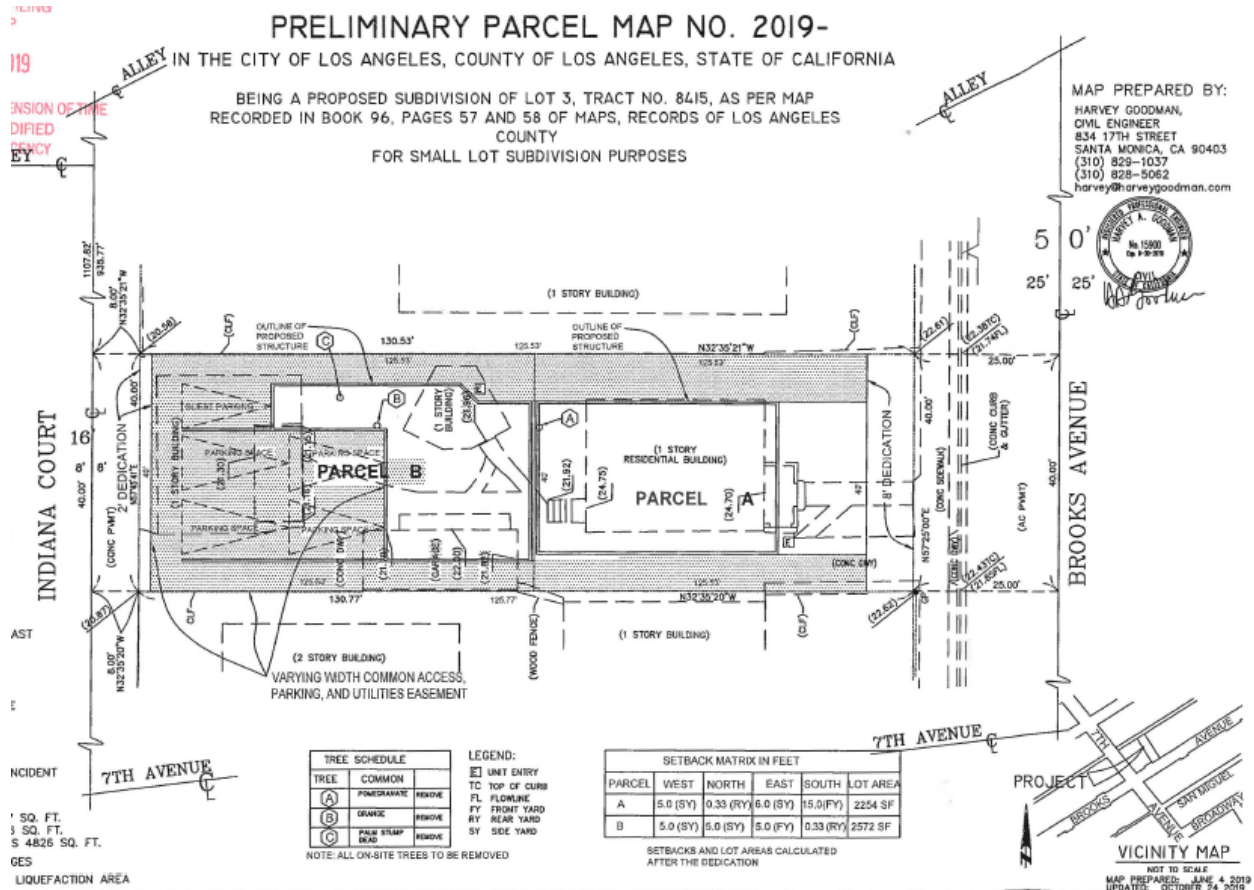


Exhibit B

Advisory Agency's Determination
AA-2019-6453-PMLA-SL

B.1: Letter of Determination

B.2: Preliminary Parcel Map stamp
dated October 30, 2019

B.3: ADM-2019-6454-SLD

B.1: Letter of Determination

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

CAROLINE CHOE
VICE-PRESIDENT

HELEN CAMPBELL
JENNA HORNSTOCK
HELEN LEUNG

YVETTE LOPEZ-LEDESMA
KAREN MACK
DANA M. PERLMAN
RENEE DAKE WILSON

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

VINCENT P. BERTONI, AICP
DIRECTOR

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

Decision Date: March 2, 2022

Appeal End Date: March 17, 2022

Applicant/Owner

Wilshire View LLC
750 N. San Vicente Blvd
Unit 800 West
West Hollywood, CA 90069

Representative

Jared Johnson
Howard Robinson & Associates
660 S. Figueroa St, #1780
Los Angeles, CA 90017

Case No. AA-2019-6453-PMLA-SL

CEQA: ENV-2019-6456-CE

Related Case: DIR-2019-6455-CDP-MEL,
ADM-2019-6454-SLD

Location: 709 East Brooks 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 3, Tract TR 8415

In accordance with provisions of Section 17.51 and 17.53 of the Los Angeles Municipal Code (LAMC), the Advisory Agency determines that the project is Categorically Exempt (Classes 1, 3, 15, and 32), and issues ENV-2019-6456-CE as the environmental clearance, and approves Parcel Map No. AA-2019-6453-PMLA-SL, located at 709 East Brooks Avenue, for a maximum **two (2) small lots**, for a maximum of **two (2) new small-lot homes** pursuant to the LAMC Section 12.22 C.27, as shown on map stamp-dated October 30, 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

Any questions regarding this report should be directed to Julia Li of the Land Development Section, located at 201 North Figueroa Street, Suite 290, or by calling (213) 808-8917.

1. That an 8-foot wide strip of land be dedicated along Brooks Avenue adjoining the tract to complete a 33-foot wide half public right-of-way in accordance with Collector Street Standards of LA Mobility Plan.
2. That a 2-foot wide strip of land be dedicated along Indiana Court (public alley) adjoining the tract to complete a 10-foot wide half public alley.
3. That if this parcel map is approved as small lot subdivision then the final map be labeled as "Small Lot Subdivision per Ordinance No. "185462" satisfactory to the City Engineer.
4. That all common pedestrian easement pathways shall be shown on the final map.
5. 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 this area.

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 Tract 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.

6. 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 June 10, 2019, Log No. 108497 and attached to the case file for Parcel Map No. AA-2019-6453-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 Laura Duong at (213) 482-0434 to schedule an appointment.

7. 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. Provide a copy of DIR case DIR-2019-6455-CDP-MEL. Show compliance with all the conditions/requirements of the DIR case as applicable.
 - c. A minimum 5,000 SF lot area is required for RD1.5 zone. The proposed lot area to

be divided after required dedication is less than 5,000 SF in lot area. Obtain City Planning approval to allow the lot with less than 5,000 SF in lot area to be divided into 2 small lots.

- d. Show street/alley dedications 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 dedications. Front yard requirement shall be required to comply with current code as measured from new property lines after all dedications.
- e. Provide and dimension the reciprocal private easement for pedestrian driveway egress and ingress, utilities, and drainage in the final 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.

8. 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.

9. 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 Parcel Map Action.
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - c. 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.
 - d. 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.
 - e. One or more Knox Boxes will be required to be installed for LAFD access to project. Location and number to be determined by LAFD Field Inspector. (Refer to FPB Req #75).
 - f. Site plans shall include all overhead utility lines adjacent to the site.
 - g. The following recommendations of the Fire Department relative to fire safety shall

be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

DEPARTMENT OF WATER AND POWER

10. 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 – SPECIFIC CONDITIONS

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).

11. 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

12. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. 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.

INFORMATION TECHNOLOGY AGENCY

13. To assure that cable television facilities will be installed in the same manner as other required improvements, please email ita.cabletvclearance@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) 202-2657 for any questions or comments, at your convenience.

14. 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

15. 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 been paid for tree plantings, the sub divider or contractor shall notify the Urban Forestry Division upon completion of construction to expedite tree planting.

Note: Removal or planting of any tree in the public right-of-way required must be approved by the Board of Public Works. Contact: Urban Forestry Division at: 213-847-307 for permit information. CEQA document must address parkway tree removals.

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 planning.lacity.org.

16. 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-2019-6453-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) parking spaces per dwelling unit

In addition to the above, provide a minimum of one-quarter (¼) guest parking spaces per dwelling. All exterior parking area lighting shall be shielded and directed onto the site. All guest parking spaces shall be open, 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 the yards required pursuant to LAMC Section 12.22 C,27:

i. Setbacks shall be permitted as follows:

Setback Matrix				
Lot No.	Front (S)	Rear (N)	Side (W)	Side (E)
A	15'	0.33'	5'	5'
B	.33'	5'	5'	5'

f. Pursuant to LAMC section 12.22 C.19, this approval allows the subject nonconforming lot in the RD1 .5 Zone with a lot area of less than 5,000 square feet to be further reduced in lot area by way of the required street/alley dedication.

g. All structures on any one parcel shall occupy no more than 80% of the lot area for that parcel.

h. Vehicular access for Parcels A and B shall be provided from the rear alley.

i. A common access easement with a minimum width of five feet shall be provided in the side yards along the eastern and western property lines.

j. The Subdivider shall comply with the Small Lot Design Standards, as reviewed under Case No. ADM-2019-6454-SLD and shall conform to the plans approved in Case No. ADM-2019-6454-SLD.

k. That the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6974) to comply with the **Venice Coastal Zone Specific Plan** and the **Coastal Transportation Corridor Specific Plan** prior to the issuance of a building permit, grading permit and the recordation of the final tract map.

l. **Landscape Plans.** 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 permit. 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. **Failure to comply with this condition as written shall require the filing of a modification to this parcel map in order to clear the condition.**

In the event the subdivider decides not to request a permit before the recordation of the final map, the following statement shall appear on the plan and be recorded as a covenant and agreement satisfactory to the Advisory Agency guaranteeing that:

- i. The planting and irrigation system shall be completed by the developer/builder prior to the close of escrow of 50 percent of the units of the project or phase.
 - ii. Sixty days after landscape and irrigation installation, the landscape professional shall submit to the homeowners/property owners association a Certificate of Substantial Completion (LAMC Section 12.40-G)
 - iii. The developer/builder shall maintain the landscaping and irrigation for 60 days after completion of the landscape and irrigation installation.
 - iv. The developer/builder shall guarantee all trees and irrigation for a period of six months and all other plants for a period of 60 days after landscape and irrigation installation.
- m. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high fence or wall made of slumpstone, decorative masonry, or other comparable-quality material shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
- n. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- o. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- p. A utility easement shall be provided per Department of Water and Power or similar agency requirements.
- q. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material, unless individual receptacles are provided in each home.
- r. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
- s. A Maintenance Agreement shall be formed, 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 members of the agreement and shall be subject to a proportionate share of the maintenance. The 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.
- t. 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.

- u. The small lot subdivision shall conform to the plans stamped Exhibit "A" and approved by the Director of Planning under Case No. ADM-2019-6454-SLD. In the event the Advisory Agency modifies Preliminary Parcel Map No. AA-2019-6453-PMLA-SL to be inconsistent with the stamped plans, the subdivider shall submit revised plans in substantial conformance with the approved map to the satisfaction of the Advisory Agency prior to the issuance of a building permit. In the event that any modifications result in substantial changes to the plans stamped Exhibit "A", as determined by the Director of Planning, the applicant may be required to file for and submit a new small-lot administrative clearance case.
- v. 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.

- w. 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.
- x. That prior to the issuance of the building permit or the recordation of the final map, a copy of the Case No. DIR-2019-6455-CDP-MEL shall be submitted to the satisfaction of the Advisory Agency. In the event that Case No. DIR-2019-6455-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 tract approval, the following conditions shall apply:

- 1. 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.
- 2. 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.

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) No street lighting improvements if no street widening per BOE improvement conditions. Otherwise, remove and reinstall existing conduit behind new curb and gutter on Brooks Avenue.

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 conditions, 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 are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
 - a. Improve Brooks Avenue adjoining the subdivision by the construction of the following:
 - 1) An integral concrete curb and gutter, and a 5-foot concrete sidewalk and landscaping of the parkway.
 - 2) Suitable surfacing to join the existing pavements and to complete a 20-foot wide half roadway.
 - 3) Any necessary removal and reconstruction of existing improvements.
 - 4) The necessary transitions to join the existing improvements.
 - b. Improve the alley being dedicated and adjoining the subdivision by removal of the existing alley pavement and construction of a new 18-foot wide total alley section with 2-foot wide center concrete longitudinal gutter based on 10-foot half alley from adjoining the subdivision including any necessary removal and reconstruction of existing improvements all satisfactory to the City Engineer.
 - c. Construct the necessary house connections or shared connections for each parcel satisfactory to West Los Angeles District Office of the Bureau of Engineering.

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 which 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, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines 15301 (Class 1), 15303 (Class 3), 15315 (Class 15), and 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.

A Categorical Exemption, ENV-2019-6456-CE, has been prepared for the proposed project consistent with the provisions of the California Environmental Quality Act and State CEQA Guidelines. The project proposes the subdivision of a 4,826 square-foot lot into two (2) small lots in the RD1.5-1 zone. The project includes the demolition of a duplex and accessory structures and the construction of two (2) three-story single-family dwellings. A total of five (5) parking spaces are provided on site.

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 a duplex and accessory structures.

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 on each newly created lot.

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. The project must a) be a subdivision of four or fewer parcels; b) conform with the General Plan and Zoning; c) require no variances or exceptions; d) have all services and access available per local standards; e) not be involved in a division of a larger parcel within the last two years; and f) not have a slope greater than 20 percent. Preliminary Parcel Map No. AA-2019-6453-PMLA-SL satisfies all six conditions and therefore qualifies for the Class 15 Categorical Exemption. Based on the facts herein, the project meets the conditions of 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 a duplex and accessory structures. 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. Brooks Avenue is an improved street 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 percent 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 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 project site is located within the Venice Community Plan and is designated for Low Medium II Residential land uses. The site is zoned RD1.5-1, consistent with the land use designation. As shown in the case file, the project is consistent with the applicable Venice Community Plan designation and policies, as well as all applicable zoning designations and regulations.

- b. *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.* The project site is wholly within the City of Los Angeles, on a site that is .12 acres. Lots surrounding the subject site are developed with single 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 uses. 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 would maintain the existing the number of residential units onsite, 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 because 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 in an urban tract with water supply, water treatment, sewage and waste disposal infrastructure, and power lines. Brooks Avenue is an improved street with existing utilities that service the various other dwellings in the area. The street and alley are accessible to emergency vehicles. Because the project would maintain the existing the number of residential units onsite, 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 two 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 structures 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.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Parcel Map No. AA-2019-6453-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 project site is located within the Oakwood Subarea of the Venice Coastal Zone Specific Plan, which regulates maximum permitted density, height, parking, and vehicle access.

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 as the corresponding zones. The Project Site is zoned RD1.5-1, which is consistent with the land use designation.

The Venice Coastal Zone Specific Plan allows a maximum density of two dwelling units for all lots in this zone. The project proposes to subdivide a 4,826 square-foot lot to create

two new small lots; Parcel A and Parcel B will have lot sizes of 2,254 and 2,572 square feet respectively. Both newly created lots will comply with the required density of 1,500 square-feet of lot area per dwelling unit per the RD1.5-1 Zone. The proposed project would provide two small lots consistent with the RD1.5-1 Zone and the Low Medium II Residential land use designation in the Venice Land Use Plan.

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. However, Parcel Map No. AA-2019-6453-PMLA-SL was prepared by a registered civil engineer, Harvey Goodman (No. 15900). Pursuant to LAMC Section 17.51 A, a preliminary parcel map 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/or 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 applicable General Plan.

(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 in the Venice Coastal Zone Specific Plan, the Specific Plan would permit a maximum of two dwellings on the approximately 4,826 square-foot site. As the map is proposed for the subdivision of one lot into two small lots, 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-way 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 a 8-foot dedication along Brooks Avenue to widen to Collector Street standards and a two (2)-foot dedication along Indiana Court, consistent with the standards of the Mobility Element. In addition, the Bureau of Engineering has recommended the construction of the necessary on-site 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 a level, regular shaped through lot with a net lot area of 4,826 square-feet. The site is developed with a duplex and accessory structures. It is located on the northern side of Brooks Avenue and has a frontage of 40 feet. The proposed project would demolish the existing structures to allow for the construction of two single-family dwellings on each newly created small lot. The project site is located within the 4.4 km 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, methane, or tsunami inundation zone. The site is located within a liquefaction zone and will be required to comply with all applicable regulations as it pertains to development within a liquefaction zone. 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 parcel map has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division (Soils Report Approval Letter dated 6/10/2019, Log Number 108497) prior to the recordation of the map and issuance of any permits. 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 properties on this block of Brooks Avenue and the surrounding area are also zoned RD1.5-1 with a land use designation of Low Medium II Residential. They are improved with a range of single and multi-family dwellings ranging from one to three stories in height. The project site is currently developed with a duplex and accessory structures. The proposed project would demolish the existing structures to allow for the construction of two single-family dwellings on each newly created small lot. The proposed small lot homes would be three-stories with a maximum varied roofline height of 30 feet. In the Oakwood Subarea of the Venice Coastal Zone Specific Plan, a maximum of two dwelling units per lot are permitted in the RD1.5-1 zone. Therefore, as proposed, the density is consistent with the zone and land use designation. 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 June 10, 2019, Log No. 108497, and attached to the case file for Parcel Map No. AA-2019-6453-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 a duplex and accessory structures. 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 a range of single and multi-family 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 Brooks Avenue, which is a public street. The project site consists of a parcel identified as Lot No. 3 of Tract TR 8415 and is identified by the Assessor Parcel Map No. 423-9007-003. 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 parcel 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 when 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 tentative and final maps for Parcel Map No. AA-2019-6453-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 West Los Angeles 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 Development Services Centers, located at:

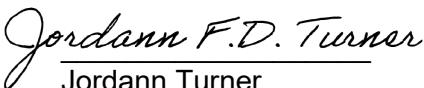
**Metro
Development Services Center**
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
(213) 482-7077

**Marvin Braude San Fernando
Valley Constituent Service
Center**
6262 Van Nuys Blvd.,
2nd Floor
Los Angeles, CA 91401
(818) 374-5050

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

Appeal forms are available on-line at www.planning.lacity.org.

VINCENT P. BERTONI, AICP
Advisory Agency


Jordann Turner
Deputy Advisory Agency

JT:EG:KF

B.2: Preliminary Parcel Map stamp
dated October 30, 2019

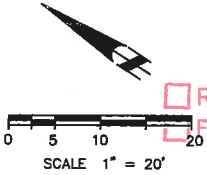
LOS ANGELES DEPT. OF CITY PLANNING
 SUBMITTED FOR FILING
 PARCEL MAP

OCT 30 2019

PRELIMINARY PARCEL MAP NO. 2019-

IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
 BEING A PROPOSED SUBDIVISION OF LOT 3, TRACT NO. 8415, AS PER MAP
 RECORDED IN BOOK 96, PAGES 57 AND 58 OF MAPS, RECORDS OF LOS ANGELES
 COUNTY
 FOR SMALL LOT SUBDIVISION PURPOSES

MAP PREPARED BY:
 HARVEY GOODMAN,
 CIVIL ENGINEER
 834 17TH STREET
 SANTA MONICA, CA 90403
 (310) 829-1037
 (310) 828-5062
 harvey@harveygoodman.com



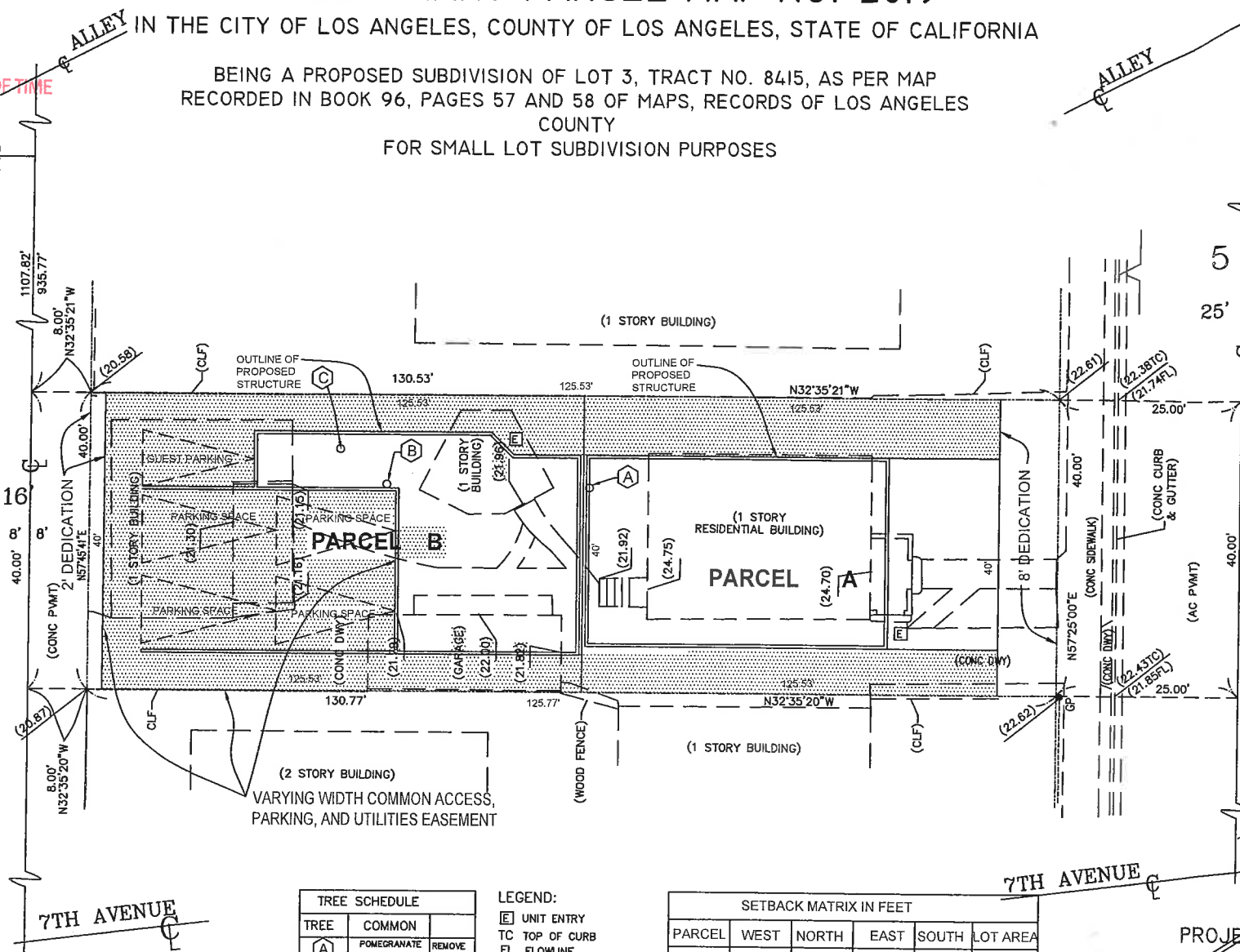
REVISED MAP
 EXTENSION OF TIME
 FINAL MAP UNIT
 MODIFIED
 DEPUTY ADVISORY AGENCY

OWNER/SUBDIVIDER
 1485 PH LLC
 ATTN: LEWIS FUTTERMAN
 380 LENOX AVENUE STE 6J
 NEW YORK, NEW YORK 10027

NOTES:

- PROJECT ADDRESS:
709 E. BROOKS AVENUE
LOS ANGELES, CA 90291
- PROPOSED PROJECT:
2 LOT SMALL LOT SUBDIVISION WITH
AT-GRADE GARAGES, 3 STORIES
MAX ALLOW BUILDING HT=30'
NOTE:
SMALL LOT SINGLE FAMILY SUBDIVISION
IN THE RD1.5-1XL ZONE, PURSUANT TO
ORDINANCE NO. 185462.
- PROPOSED PARKING:
4 SPACES IN GARAGES
(2 SPACES PER PARCEL)
AND 1 GUEST PARKING SPACE
- ZONE: RD1.5-1
- PROPOSED ROOF DRAINAGE TO BROOKS AVE
- SANITARY SEWER AND ALL UTILITIES
ARE EXISTING AND AVAILABLE
- PROJECT IS IN VENICE COASTAL ZONE
PROJECT IS IN CALVO EXCLUSION AREA
PROJECT IS IN LOS ANGELES COASTAL
TRANSPORTATION CORRIDOR
PROJECT IS IN OAKWOOD-MILWOOD SOUTHEAST
VENICE SUBAREA
- NO OAK TREES, WESTERN SYCAMORE,
CALIFORNIA BAY, AND SOUTHERN
CALIFORNIA BLACK WALNUT ON SITE.
ALL NON-PROTECTED TREES ON SITE TO BE
REMOVED
- T.G. PAGE 671 GRID H5
ASSESSOR PARCEL NO. 4239-007-003
DISTRICT MAP NO. 111 B 145
- COASTAL DEVELOPMENT PERMIT REQUIRED INCIDENT
TO SUBDIVISION
- AREA SUMMARY:
GROSS (TO CL STREET): 0.13 ACRES 5667 SQ. FT.
SUBDIVISION AREA: 0.11 ACRES 5226 SQ. FT.
LOT AREAS AFTER DEDICATION: 0.11 ACRES 4826 SQ. FT.
- TRASH ENCLOSURES LOCATED INSIDE GARAGES
- HAZARDOUS CONDITIONS: SITE LOCATED IN LIQUEFACTION AREA

INDIANA COURT



BROOKS AVENUE

7TH AVENUE

TREE SCHEDULE		
TREE	COMMON	
(A)	POMEGRANATE	REMOVE
(B)	ORANGE	REMOVE
(C)	PALM STUMP DEAD	REMOVE

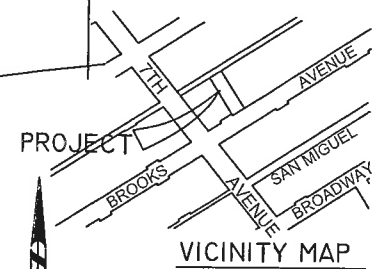
LEGEND:

[E]	UNIT ENTRY
TC	TOP OF CURB
FL	FLOWLINE
FY	FRONT YARD
RY	REAR YARD
SY	SIDE YARD

SETBACK MATRIX IN FEET					
PARCEL	WEST	NORTH	EAST	SOUTH	LOT AREA
A	5.0 (SY)	0.33 (RY)	6.0 (SY)	15.0 (FY)	2254 SF
B	5.0 (SY)	5.0 (SY)	5.0 (FY)	0.33 (RY)	2572 SF

SETBACKS AND LOT AREAS CALCULATED AFTER THE DEDICATION

NOTE: ALL ON-SITE TREES TO BE REMOVED



VICINITY MAP
 NOT TO SCALE
 MAP PREPARED: JUNE 4 2019
 UPDATED: OCTOBER 24 2019

FW 2019-6453

B.3: ADM-2019-6454-SLD



ADMINISTRATIVE REVIEW

SMALL LOT DESIGN STANDARDS (SLD)
Administrative Review

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

GENERAL INFORMATION

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

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

Determining a Project:

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

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

1. SUBMITTAL REQUIREMENTS

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

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

2. APPLICANT INFORMATION

Applicant Name LEWIS FUTTERMAN
 Address 380 LENOX AVE. Unit/Space Number Penthouse J
 City NEW YORK State NY Zip 10027
 Telephone 917.566.6477 E-mail _____

3. CASE INFORMATION

Administrative Clearance Case Number <u>RD 1.5-1</u>	Tract/Parcel Map Case Number <u>No change</u>	Additional Case Number (If applicable) <u>Low Medium II Residential</u>
Existing Zone <u>Residential</u>	Proposed Zone (If Applicable) <u>2-Unit Small Lot</u>	General Plan Land Use Designation
Existing Use	Proposed Use	

4. PROJECT SUMMARY

Project Address: 709 Brooks Ave. Venice, CA 90291
 Community Plan Area: Venice
 Specific Plan, DRB, CDO, POD, NOD, CPIO or SN, including subarea if applicable:
Venice Coastal Zone SP

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

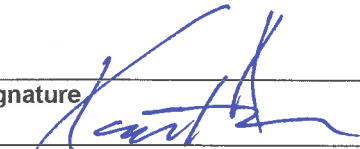
Proposed number of lots:	<u>2</u>	Proposed number of small lot homes:	<u>2</u>
Maximum building height:	<u>30'</u>	Number of stories:	<u>3</u>
Roof deck(s) proposed:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Maximum building height with railing:	<u>30'</u>
Total number of parking 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 	Phone Number <u>213-978-1210</u>
Print Name <u>Kevin Fulton</u>	Date <u>1/8/2021</u>
Receipt Number <u>0102110750</u>	Fee Miscellaneous sign off – Director

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.

Gates provided from rear alley side to connect to primary entryways.

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. Address and lighting shown on. Landing area provided.
- 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 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"/>	A-1.1	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A-1.1 & 2.0 & 2.1	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A-1.1	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A-2.0 & 2.1	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A-2.0 & 2.1	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A-1.1	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A-1.1	<input checked="" 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 break in façade plane of a minimum of 6 inches in depth that is carried up to the roofline.
 - iv. 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
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A-2.0	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A-2.0 & 2.1	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A-2.0 & 2.1	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A-2.0	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A-2.0	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A-1.4, 2.0, 2.1	<input checked="" type="checkbox"/>

7. Building Massing Variation

- a. 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.
- b. 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.
- c. 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.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A-1.1	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A-1.1	<input checked="" 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"/>	A-1.1	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A-1.1	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A-1.1	<input checked="" type="checkbox"/>

B. PEDESTRIAN CONNECTIVITY AND ACCESS

1. Pedestrian Pathways

- a. 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.
- b. 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.
- c. 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

- a. 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.
- b. 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

- a. All setback and open areas not used for buildings, parking areas, driveway, pedestrian pathways, utilities, and common open space areas shall be attractively landscaped and maintained.

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

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- 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
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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

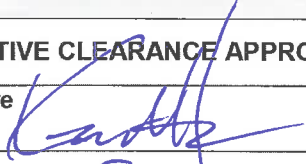
- a. All new dwellings proposed in addition to a Bungalow Court or Existing Structure Small Lot project shall also meet the applicable design standards in sections A, B, and C of the Small Lot Design Standards. 5. Landscaping All open areas not used for buildings, parking areas, driveway, pedestrian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

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Additional Design Details

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

8. ADMINISTRATIVE CLEARANCE APPROVAL

Planning Signature 	Phone Number 213-978-1210
Print Name Kevin Fulton	Date 1/8/2021

GENERAL NOTES

- 1. These construction documents have been prepared based on the requirement of all applicable local and state building codes, ordinances, and regulations.
2. Contractor shall have current workers' compensation insurance coverage in compliance with Section 3800 of the California Labor Code, on file with the state control board.
3. All work, construction, and materials shall comply with all provisions of the building code and with other rules, regulations and ordinances governing the place of building.
4. Building code requirements take precedence over the drawings and it shall be the responsibility of anyone supplying labor or materials to both to bring to the attention of the architect any discrepancies or conflict between the requirements of the code and the drawings.
5. The contract structural drawings and specifications represent the finished structure. They do not indicate the means or method of construction. The subcontractor shall provide all measures necessary to protect the structure during construction. Such measures shall include, but not be limited to, bracing, shoring for loads due to construction equipment, etc. Contractor shall provide plans and permits for temporary shoring of excavations that remove the lateral support from a public way or an existing building or structure. Observation visits to the site by the architect shall not include inspection of the above items.
6. In preparing a proposal, the contractor shall have visited the site, carefully examined the drawings and the methods of removal and storage of materials, the sequencing of operation and the problems attendant thereto. No allowance will be made to the contractor for any error through negligence in observing the site condition.
7. Architect shall be notified immediately by the contractor should any discrepancy or other questions arise pertaining to the working drawings. Work shall not commence until clarifications are obtained from the architect.
8. On-site verification of all dimensions and conditions shall be the responsibility of the contractor. Site conditions in conflict with the expressed dimensions herein shall be brought to the attention of the architect for consideration and new alignments may be established only with the written approval and acceptance of the architect.
9. Dimensions shall take precedence over scales shown on the drawings. Do not scale drawings. Large scale details govern over small scale details.
10. All dimensions are to the face of finish unless otherwise noted. All work shall be erected plumb, level, and true in accordance with the details.
11. Notes and details on drawings shall take precedence over general notes and typical details. Where no details are shown, construction shall conform to similar work on the project.
12. Provide temporary sanitary facilities for workmen's use per the local building department regulations.
13. Construction materials shall be spread out if placed on framed floors or roof. Load shall not exceed the design live load per square foot. Contractor shall provide adequate shoring and/or bracing where structure has not attained design strength.
14. No deviation from the structural design without written approval of the structural engineer and building department authority to deviate from the plans or specifications.
15. All material stored on the site shall be stacked neatly on skids, platforms or blocking "high and dry" protected as recommended by the manufacturers from potential damage and deterioration caused by the elements.
16. All equipment, hardware, and other items shall be supplied as specified, unless changes are reviewed and accepted by both owner and architect. If changes are required for any reason to comply with the design intent, contractor shall notify architect immediately with recommendation of remedial course of action.
17. Contractor shall notify utility companies prior to excavating for utilities and shall be responsible for locating all underground construction prior to excavation. Contractor shall notify owner and architect of any conditions found.
18. The contractor shall provide all necessary blocking, backing, framing, hangers or other support for all fixtures, equipment and cabinetry.
19. Regulations, Taxes, and Permits
The whole of the work shall be executed in strict accordance with the regulations and codes of the governmental agencies whose jurisdiction is applicable. The owner shall pay for plan checking and building permits. Each subcontractor shall satisfy local permit, license, insurance and safety requirements and shall be responsible for the job inspections pertaining to his/her trade. All applicable sales taxes shall be included in contract. Sub contractor shall obtain and pay for all permits pertaining to his/her trade.
20. Submittals
Contractor shall submit 3 copies of required shop drawings, calculations of fabricated products, and 5 copies of manufacturer's catalog sheets, brochures, color samples, installation instructions, etc. on manufactured products used or installed for the project owner's acceptance. The architect's approval of submittals and shop drawings shall not relieve the contractor from the responsibility for deviations from drawings or specifications unless he/she has, in writing, called the architect's attention to such deviations at the time of submittals; nor shall the contractor be relieved from responsibility for errors of any sort in the shop drawings.
21. Supply new, purely unadulterated, first line quality manufactured materials shipped to job site in original containers with the manufacturer's label showing exact type, size grade, weight, and use. Store in manner consistent with manufacturer's recommendations.
22. Workmanship
Shall be of the highest quality and done by skilled employees in the practice of their trade.
23. Responsibility of Subcontractors
A. Each subcontractor shall at all times be fully aware of the job progress to allow himself/herself ample lead time to commence each phase of his/her work.
B. Subcontractors shall thoroughly inspect adjacent work that may impact installation of their trade and notify general contractor, in writing, of any irregularities. Commencing work constitutes acceptance of conditions and therefore responsibility for and rectification any resulting, unsatisfactory work.
C. Materials and the work of others shall be inspected by each trade prior to the commencement of his/her particular standard as herein depicted, shall be replaced by the subcontractor at the subcontractor's sole expense including the work of others damaged by initial failure or corrective repairs. The inability of the general contractor, or his/her representative, to notice omitted or faulty materials or workmanship during construction shall not constitute a release from these requirements of subcontractor. If work is considered to be substandard, the work shall be tested as is standard to that industry. If the work fails to meet the testing standards, subcontractor shall pay for the testing and the replacement of the work. If the work passes the test the owner pays for the test and repair of said work.
F. Each subcontractor shall maintain adequate protection of all his/her work from damage and shall protect the owner's and other trades' work from damage or injury while fulfilling his/her contract. All materials, work in place, finishes, paving and sidewalks, and existing utilities shall be included in the requirement.
G. Structure and contents shall be protected from the inclemencies of weather during the term of the work.
H. In the event subcontractors' work is damaged by other trades, it will be the subcontractor's obligation to resolve the cost of repairs of said damage with responsible subcontractors. The general contractor shall have the power of final arbitration in these matters.
I. Each trade shall cooperate fully, both with the general contractor's superintendent and other trades, and consult with other trades (in writing, if need be), in order to "can out," allow passage, provide protection or do work necessary to allow others to follow in an orderly, professional manner.
J. All materials and appliances shall be uncrated by subcontractor responsible for installation, unless otherwise specified in contract.
24. Work Authorization and Payments
All work done or materials used shall be covered by a contract, contract change order, purchase order, or work order. No invoice will be processed unless it lists the contract, purchase order, work order, or change order number.
25. Clean-up
The contractor shall clean and remove from the site any debris and unused materials. Unused materials, equipment, scaffolding, and debris shall be removed from the site at completion. Final cleaning shall include: removal of all grease, dust, stains, labels, fingerprints, paint spots from the site, and exposed interior and exterior finish surfaces; polish surfaces so designated to shine finish; and repair, patch or touch up, or replace marred surfaces to specified finish, or to match adjacent surfaces.
SUPPLEMENTAL NOTES
1. General conditions of the contract for construction will be those agreed upon by and between the owner and the contractor. However, for the purpose of compiling these specifications, it has been assumed that the general conditions will be those contained in the AIA Document A111, a copy of which is on file at the office of the architect.
2. Should errors, omissions, or discrepancies appear in drawings or specification, or in the work done by others affecting this work, the architect shall be notified at once and will issue instructions as to procedure.
3. The contractor shall conform to and abide by all local, city, county, and state building and safety laws. Such laws shall be considered as part of these specifications and the provisions of such regulations shall be observed. The contractor shall notify the architect if drawings or specifications are at variance. Should the contractor perform any work contrary to such laws, or regulations, he/she shall bear all costs arising.
4. Named products make no guarantees for products identified by trade name or manufacturer.
5. The contractor shall review all documents related to this project for errors, omissions, and discrepancies prior to the start of construction. The contractor shall arrange a pre-construction meeting to review errors, omissions and discrepancies prior to the performance of any work.
6. The builder shall provide the owner a list of the heating, cooling, water heating, and warranty manuals, and lighting systems, and conservation or solar devices installed in the building and instructions on how to use them efficiently.
7. After installing insulation, the installer shall post in a conspicuous location in the building a certificate signed by the installer and the builder stating that the installation conforms with the requirements of Title 24, part 2, Chapter 2-53, and that materials installed conform with the requirements of Title 20, Chapter 2. The certificate shall state the manufacturer's name and material identification, the installed R-value, and weight per square foot.
8. The contractor shall provide a fire protection system during construction and maintain insurance.
9. The contractor shall protect trees and shrubs as indicated to remain by providing a fence around the tree or shrub of sufficient distance away and of sufficient height so that trees and shrubs shall not be damaged in any way. Contractor shall be responsible for any damage which may occur.
10. Provide plans for temporarily shoring of excavations that remove the lateral support from a public way or an existing building. Excavation adjacent to a public way require public works approval prior to issuance of building permit.
11. There shall be no trenches or excavations 5' or more in depth into which a person is required to descend or the contractor must obtain a necessary permit from the State of California Division of Industrial Safety prior to the issuance of a building or grading permit.
ADDITIONAL NOTES
1. These drawings shall remain the property of the design professional. Copies of the drawings and specifications retained by the client may be utilized only for his or her use and for copying the project for which they were prepared, and may not be used for the construction of any other project.
2. These drawings, specifications and other documents prepared by the architect for this project are instruments of the architect's service for use solely with respect to this project, and unless otherwise provided, the architect shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright.
3. All construction fabrication, and installations shall conform to the latest adopted editions of the UBC, UFC, UPC, NEC and any federal, state or local codes, regulations or ordinances of the governing agency having jurisdiction over this project. Such applicable codes etc. are those in effect at the time the permit application for the project is recorded.
4. The interior finishes shall comply with UFC appendix V1-C and UBC chapter 8.
5. All work performed and materials used shall be of the same standard of quality as that of the existing finished building as a minimum unless noted or scheduled otherwise.
6. Verify that services to be removed or abandoned have been properly and safely shut off, capped, or sealed.
7. Verify hours of work with landlord. Keep noise and vibration to a minimum. If performing any core drilling or similar activities, perform work in a safe manner in accordance with landlord's requirements, OSHA, state or federal guidelines. Protect space below from water damage or damage from falling debris.
8. Restore all removed cementitious fireproofing with new fireproofing to achieve required rating. Repair work to be satisfactory with county building inspectors.
9. Provide ceiling access panels as required to allow for service of or adjustment to any valves or mechanical items as required. Access panels to be flush with ceiling and painted to match ceiling. Provide rated access panels in rated ceiling equal to the level of protection as that of the ceiling.
10. Drywall contractor to carefully study the architectural and interiors drawings and provide 20 ga. backing where required for attachment of all items to be wall mounted.
CONSTRUCTION NOTES:
1. Construction to comply with all local, state, and national codes.
2. All dimensions are shown to face of finish u.o.n.
3. Contractor shall field verify all dimensions, notify architect immediately of any and all dimensional discrepancies before proceeding with work.
4. Contractor to install prefabricated fireplaces (City of LA approved) as per manufacturer's recommendations and in compliance with all relevant building codes.
5. When a shower is served by more than one showerhead, the combined flow rate of all the showerheads controlled by a single valve shall not exceed the flow rates specified in the maximum allowable flow rate column contained in Table 4.303.2 of the shower shall be designed to only allow one showerhead to be in operation at a time.
6. All plumbing, electric, and hvac fixtures and equipment to be city of LA approved and installed according to applicable codes. Plumbing fixtures are required to be connected to a sanitary sewer or an approved sewage disposal system.
7. Provide extra flush water closets for new construction. Existing shower heads and toilets must be adapted for low water consumption. The flow rates for all plumbing fixtures shall comply with the maximum flow rates in Table 4.303.2.
8. All wet areas in kitchen and baths to have 5/8" greenboard at walls and ceiling.
9. All wall areas in kitchen and baths to have 5/8" greenboard at walls and ceiling.
10. Provide 70" min. high non absorbent wall adjacent to shower and approved shatter-resistant materials for shower enclosures.
11. Every space intended for human occupancy shall be provided with natural light by means of exterior glazed openings in accordance with Section R303.1 or shall be provided with artificial light that is adequate to provide an average illumination of 6-foot candles over the area of the room at a height of 30 inches above the floor level.
12. Glass skylights to comply with 91.2409. plastic skylights to comply with 91.2603.7.1
13. Damp proof all walls and foundations below grade.
14. An approved seismic gas shut off valve will be installed on the fuel gas line on the down stream side of the utility meter and be rigidly connected to the exterior of the building or structure containing the fuel gas piping per ordinance 171.874 for work over \$10,000. Separate permit is required.
15. Water heater must be strapped to wall.
16. The construction shall not restrict a five-foot clear and unobstructed access to any water or power distribution facilities (power poles, pull-boxes, transformers, vaults, pumps, valves, meters, appurtenances, etc.) or to the location of the hook-up. The construction shall not be within ten feet of any power lines-whether or not the lines are located on the property. Failure to comply may cause construction delays and/or additional expenses.
17. No protected tree shall be relocated or removed without the approval from the Board of Public Works.
18. In new construction smoke alarms shall receive their primary power source from the building wiring and shall be equipped with battery back up and low battery signal. Smoke alarms shall be located in each sleeping room and hallway or area giving access to a sleeping room, and on each story and basement for dwellings with more than one story. Smoke alarms shall be interconnected so that actuation of one alarm will activate all the alarms within the individual dwelling unit.
19. Where a pool or hot tub is provided, provide an alarm for doors to the dwelling that form a part of the enclosure. The alarm shall sound continuously for a minimum of 30 seconds when the door is opened. It shall automatically reset and be equipped with a manual means to deactivate (for 15 secs. max) for a single opening. The deactivation switch shall be at least 54" above the floor.
20. Suction outlets shall be designed and installed in accordance with ANSI / APSP-7.
21. For existing pool on site, provide anti-entrapment cover meeting the current ASTM or ASME is required by the Assembly Bill (AB) No. 2977.
22. Bathub and shower floors, walls above bathtubs with a showerhead, and shower compartments shall be finished with a nonabsorbent surface. Such wall surfaces shall extend to a height of not less than 6 feet above the floor.
23. Kitchen sinks, lavatories, bathtubs, showers, bidets, laundry tubs and washing machine outlets shall be provided with hot and cold water and connected to an approved water supply.
24. Where a permit is required for alterations, repairs or additions exceeding one thousand dollars (\$1,000), existing dwellings or sleeping units that have attached garages or fuel burning appliances shall be provided with a carbon monoxide alarm in accordance with Section R315.1. Carbon monoxide alarms shall only be required in the specific dwelling unit or sleeping unit for which the permit is obtained.
25. Lots shall be graded to drain surface water away from foundation walls with a minimum fall of 6 inches within the first 10 feet.
26. Unit skylights shall be labeled by a LA City Approved Labeling Agency. Such label shall site the approved labeling agency name, product designation and performance grade rating (research report not required). Skylights and sloped glazing shall comply with section R308.6.
27. A copy of the evaluation report and/or conditions of listing shall be made available at the job site.
28. Smoke detectors shall be provided for all dwelling units intended for human occupancy, upon the owner's application for permit for alterations, repairs, or additions, exceeding one thousand dollars (\$1,000).
29. Automatic garage door openers, if provided, shall be listed in accordance with UL 325.
30. Bathrooms and other similar rooms shall be provided with mechanical ventilation capable of 50 cfm exhausted directly to the outside where required.
31. Provide anti-graffiti finish within the first 9 feet, measured from grade, at exterior walls and doors.
32. Heater shall be capable of maintaining a minimum room temperature of 68 degrees F at a point 3 feet above the floor and 2 feet from exterior walls in all habitable rooms at the design temperature.
33. Protection of wood and wood based products from decay shall be provided in the locations specified per section R317.1 by the use of naturally durable wood or wood that is preservative-treated in accordance with AWWA U1 for the species, product, preservatives and end use. Preservatives shall be listed in Section 4 of AWWA U1.
34. Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
35. Each appliance provided and installed shall meet ENERGY STAR if an ENERGY STAR designation is applicable for that appliance.
36. For projects that include landscape work, the Landscape Certification, Form GRN 12, shall be completed prior to final inspection approval.
37. An Operation and Maintenance Manual including, at a minimum, the items listed in Section 4.410.1, shall be completed and placed in the building at the time of final inspection.
38. Heater shall be capable of maintaining a minimum room temperature of 68 degrees fahrenheit at a point 3 feet above the floor and 2 feet from exterior walls in all habitable room at the design temperature.

GENERAL NOTES

- 8. The contractor shall provide a fire protection system during construction and maintain insurance.
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27. A copy of the evaluation report and/or conditions of listing shall be made available at the job site.
28. Smoke detectors shall be provided for all dwelling units intended for human occupancy, upon the owner's application for permit for alterations, repairs, or additions, exceeding one thousand dollars (\$1,000).
29. Automatic garage door openers, if provided, shall be listed in accordance with UL 325.
30. Bathrooms and other similar rooms shall be provided with mechanical ventilation capable of 50 cfm exhausted directly to the outside where required.
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36. For projects that include landscape work, the Landscape Certification, Form GRN 12, shall be completed prior to final inspection approval.
37. An Operation and Maintenance Manual including, at a minimum, the items listed in Section 4.410.1, shall be completed and placed in the building at the time of final inspection.
38. Heater shall be capable of maintaining a minimum room temperature of 68 degrees fahrenheit at a point 3 feet above the floor and 2 feet from exterior walls in all habitable room at the design temperature.

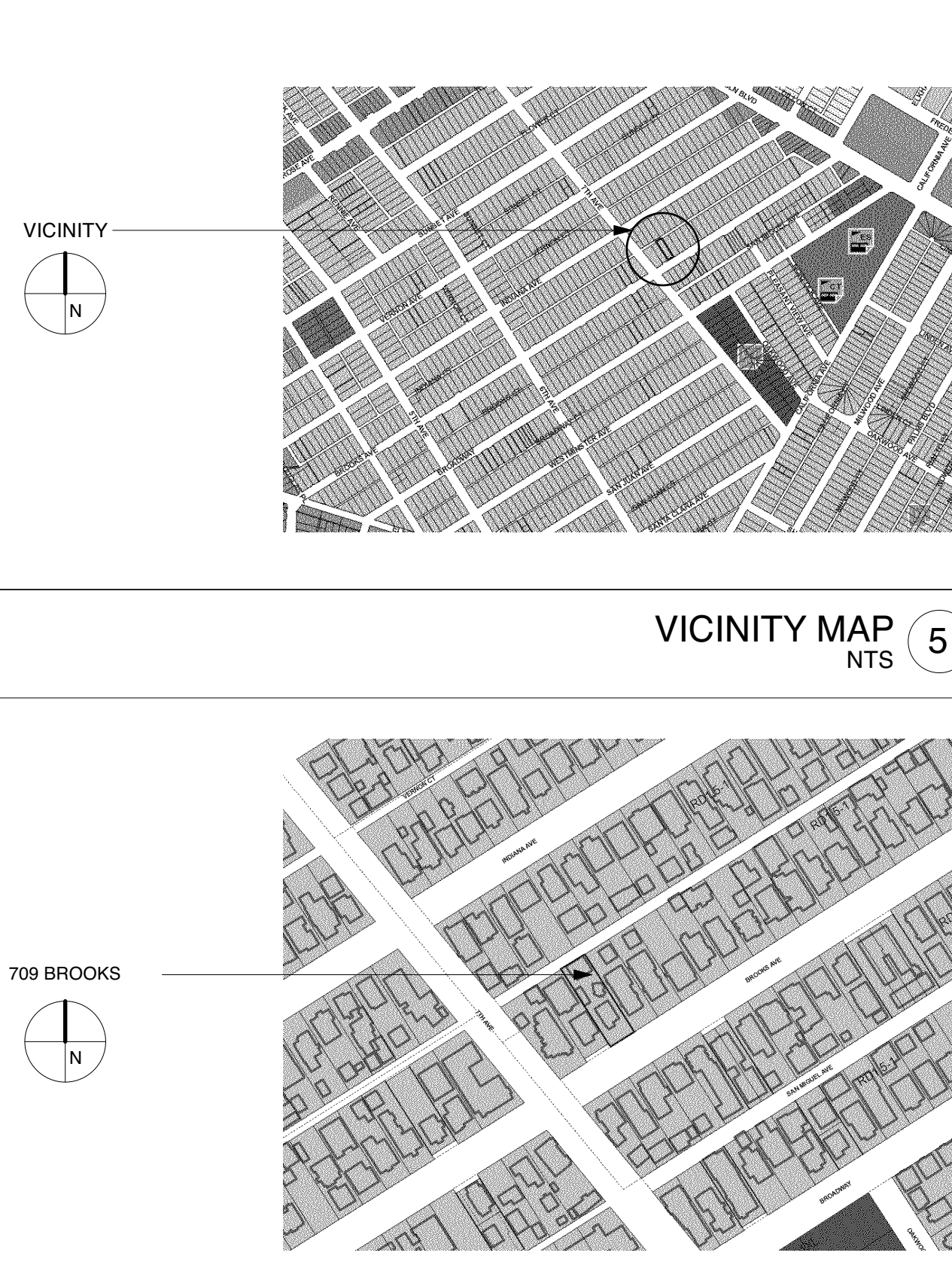


Table with 2 columns: ARCHITECTURAL and STRUCTURAL. Lists titles for sheets A-0.0 through A-3.0, including Title Sheet, First Floor Plan, Second Floor Plan, Third Floor Plan, Roof Plan, Exterior Elevations, and Sections.

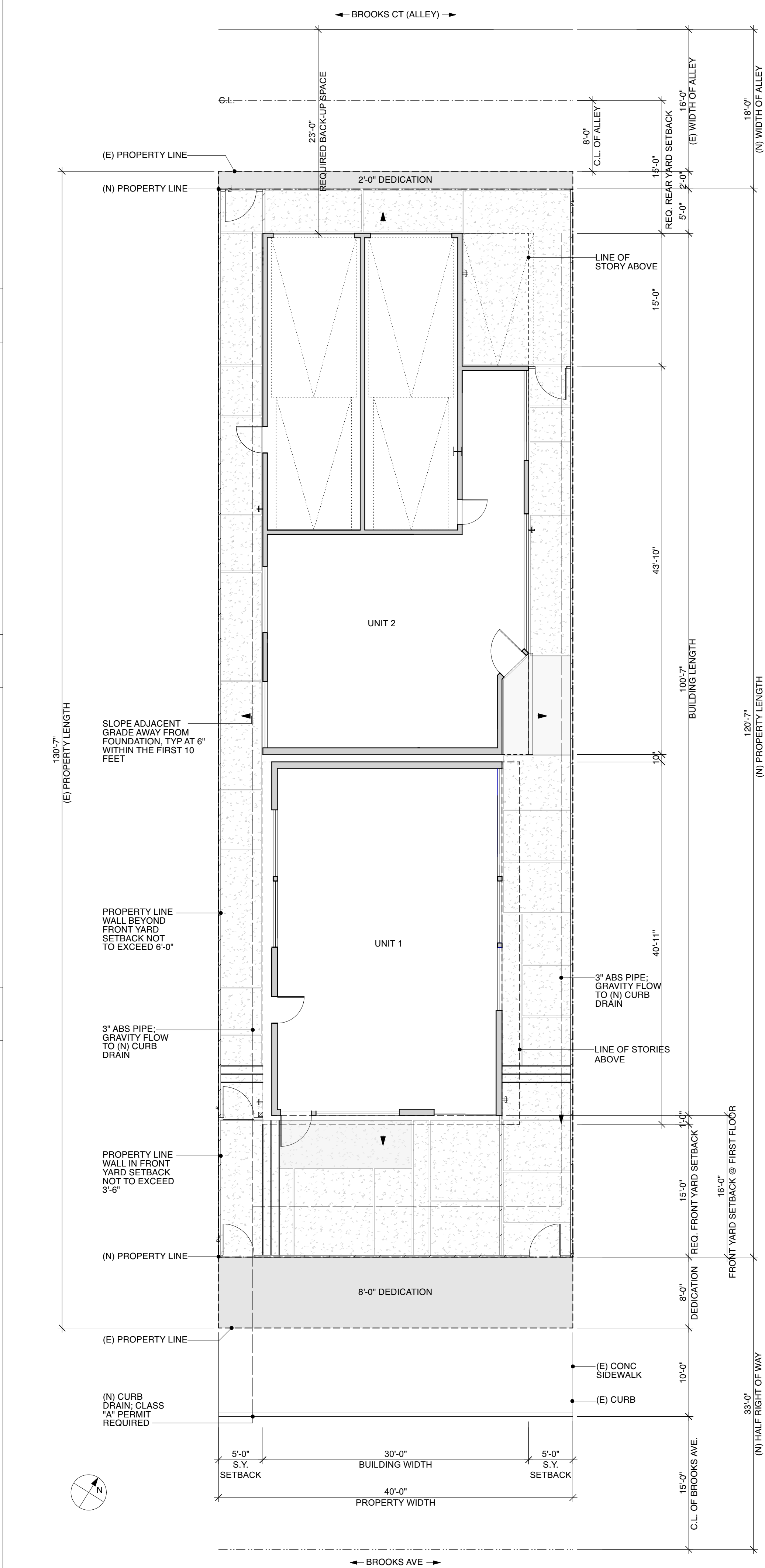
EXHIBIT "A"
Page No. 1 of 10
Case No. ADM-2019-6454-SLD

SHEET INDEX

Table with 2 columns: ADDRESS/CLIENT, SCOPE OF WORK, LEGAL DESCRIPTION, APN, SPECIFIC PLAN AREA/SUBAREA, ZONE, LOT SQ. FT. (APPROX.), FRONT UNIT, REAR UNIT, TOTAL PROPOSED AREA, TOTAL PROPOSED PARKING PROVIDED, CONSTRUCTION/OCCUPANCY, NO. OF STORIES, FIRE SPRINKLER SYSTEM, MAX. BUILDING HEIGHT, APPLICABLE BUILDING CODES. Includes project details for 709 E. Brooks Ave.

PROJECT DATA

GENERAL NOTES



PLOT PLAN / SITE PLAN

709 BROOKS AVE.
VENICE, CA 90291

ARCHITECT:
DU

DesignUniversal
ARCHITECTURE AND DESIGN
ROBERT THIBODEAU
624 VENICE BLVD
VENICE, CA 90291
PH: 310.452.8161
FX: 310.452.8171

OWNER:
LEWIS FUTTERMAN
380 LENOX AVE
PENTHOUSE J
NEW YORK, NY 10027
PH: 917.566.6477

CONTRACTOR:

SOILS ENGINEER:
SUBSURFACE DESIGNS
12848 FOOTHILL BLVD
SYLMAR CA 91342
PH: 818.898.1595
FX: 818.898.4003

SURVEYOR:

STRUCTURAL ENGINEER:
KMS STRUCTURAL DESIGN ENGINEERS
1377 BEVERLY GLEN BLVD
SUITE #308
LOS ANGELES CA 90024
PH: 310.497.0744

Table with 2 columns: REVISION / ISSUE, DATE. Shows 1. PRELIM DESIGN on 02.28.19.

TITLE SHEET

Table with 3 columns: DATE, DRAWN, SCALE. Shows DATE: 07.16.19, DRAWN: BIK, SCALE: AS NOTED.

A-0.0

PLOT PLAN / SITE PLAN

EXHIBIT "A"
Page No. 2 of 10
Case No. ADM-2019-6454-SLD

ARCHITECT:



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FX: 310.452.8171

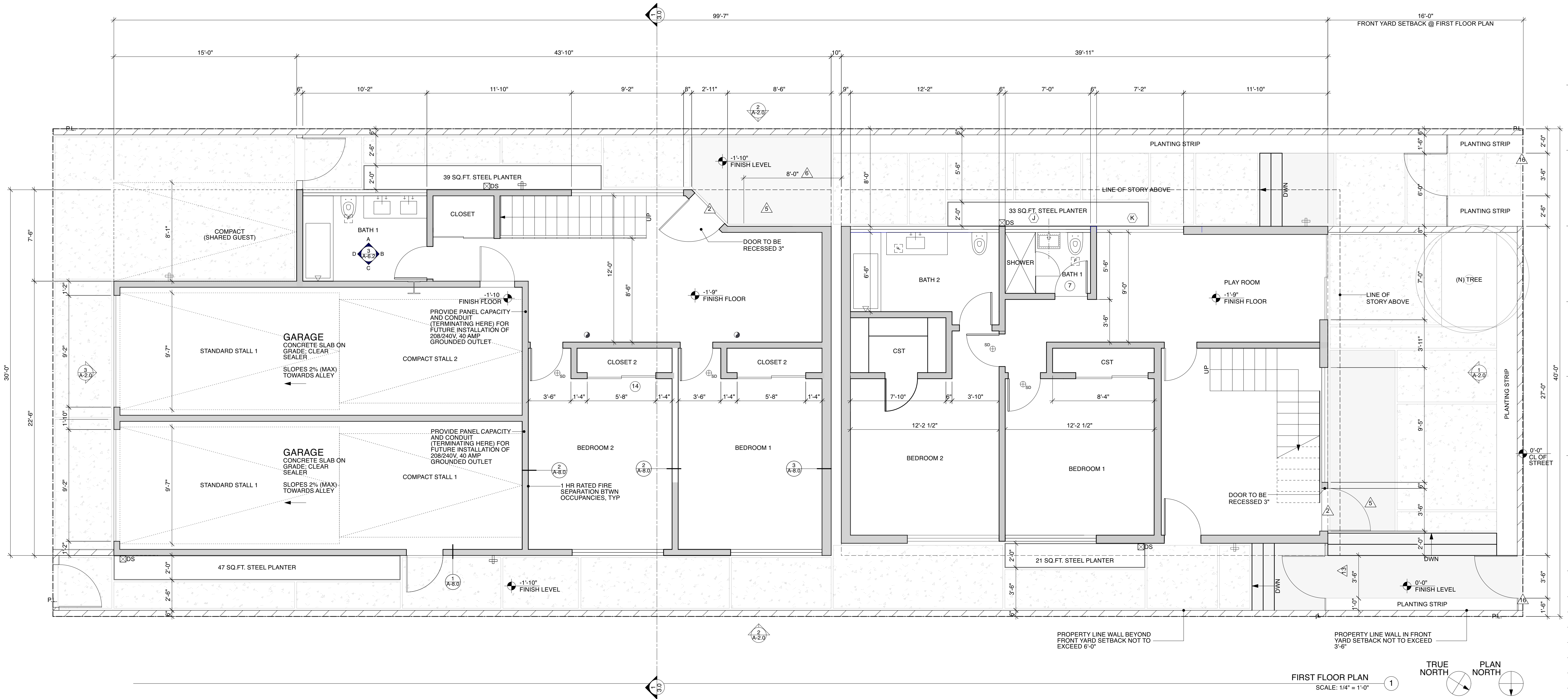
OWNER:
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PH: 310.497.0744



REVISION / ISSUE:	DATE:
1. PRELIM DESIGN	02.28.19

FIRST FLOOR PLAN

CALCULATIONS FOR HEAT ISLAND EFFECT:	SITE SURFACES FOR L.I.D. CALCS	LEGEND
		<ul style="list-style-type: none"> (N) PARTY WALLS (N) WALLS DETAIL MARKER SECTION MARKER INT ELEV MARKER WALL TYPE (SEE A-8.0 FOR DETAIL) WALL MOUNTED COMBINATION SMOKE AND CARBON MONOXIDE ALARM ENERGY STAR EXHAUST FAN W/ CONTROLLED HUMIDISTAT (50 CFM MIN) DUCTED TO TERMINATE TO THE OUTSIDE OF BUILDING HOSE BIB DOWNSPOUT
<p>SMALL LOT DESIGN STANDARDS:</p> <ul style="list-style-type: none"> ALL PRIMARY ENTRYWAYS PROVIDE ADDRESS, ORNAMENTAL LOW-LEVEL LIGHTING AND A LANDING AREA, SEE A-2.0 & 2.2 THE DOORWAY SHALL BE RECESSED AT LEAST 3" FROM THE BUILDING FACADE SEE A-1.1 EACH ENTRYWAY HAS AN OVERHEAD PROJECTION OF AT LEAST 6" SO AS TO DISTINGUISH THE FRONT DOOR FROM THE REST OF THE BUILDING FACADE, SEE A-2.0 / 2.1 ENTRYWAY IS CLEARLY MARKED WITH A SIDE LITE WINDOW PANEL, SEE A-2.0 / 2.1 ENTRYWAY LANDING IS DIFFERENTIATED FROM THE PEDESTRIAN PATHWAY BY CHANGE IN MATERIAL, SEE SHEET A-9.0 HOMES SHALL PROVIDE AT LEAST 8-FOOT SEPERATION BETWEEN THE FACE OF A PRIMARY ENTRYWAY, SEE A-1.1 EXTERIOR BUILDING MATERIALS ARE COMPOSED OF TWO DIFFERENT MATERIALS: STUCCO, HARDI PANELS, SEE A-2.0 / 2.1. PORCHES, AWNINGS, TERRACES, BALCONIES, EYEBROWS, OR TRELLISES OF AT LEAST 6" IN DEPTH THAT PROVIDE VARIATION IN THE BUILDING PLANE WINDOW TREATMENT RECESSED 3", SEE A-8.0 #3 6" BREAK IN FACADE, SEE A-2.0 SAME AS FIXED PLANTERS AS ARCHITECTURAL ENHANCEMENTS, SEE A-2.0 ROOF DECK PERIMETER STEPPED BACK 5'-0", SEE A-2.0 AND 2.1 PEDESTRIAN PATHWAYS MIN. 3'-0" WIDE FROM RIGHT OF WAY TO PRIMARY ENTRYWAYS, SEE A-1.1 PEDESTRIAN PATHWAY LOCATED WITHIN A COMMON ACCESS DRIVEWAY IS TREATED WITH A CHANGE OF MATERIALS, SEE SHEET A-9.0 FENCES OR WALLS ABUTTING THE STREET TO BE DECORATIVE POINT OF ENTRY PROVIDED INTO EACH LOT ABUTTING THE RIGHT-OF-WAY ALL YARDS OF A SUBDIVISION ABUTTING THE RIGHT-OF-WAY IS LANDSCAPED SETBACKS & OPEN AREAS NOT USED FOR BUILDINGS, PARKING AREAS, DRIVEWAY, PEDESTRIAN PATHWAYS, UTILITIES, AND COMMON OPEN SPACE AREAS SHALL BE ATTRACTIVELY LANDSCAPED AND MAINTAINED. ALL YARDS ABUTTING THE RIGHT-OF-WAY SHALL BE IMPROVED W/ LANDSCAPING AND AMENITIES. 		

DATE: 07.16.19
DRAWN: BIK
SCALE: 1/4" = 1'-0"

A-1.1

EXHIBIT "A"
Page No. 3 of 10
Case No. ADM-2019-6454-SLD

ARCHITECT:



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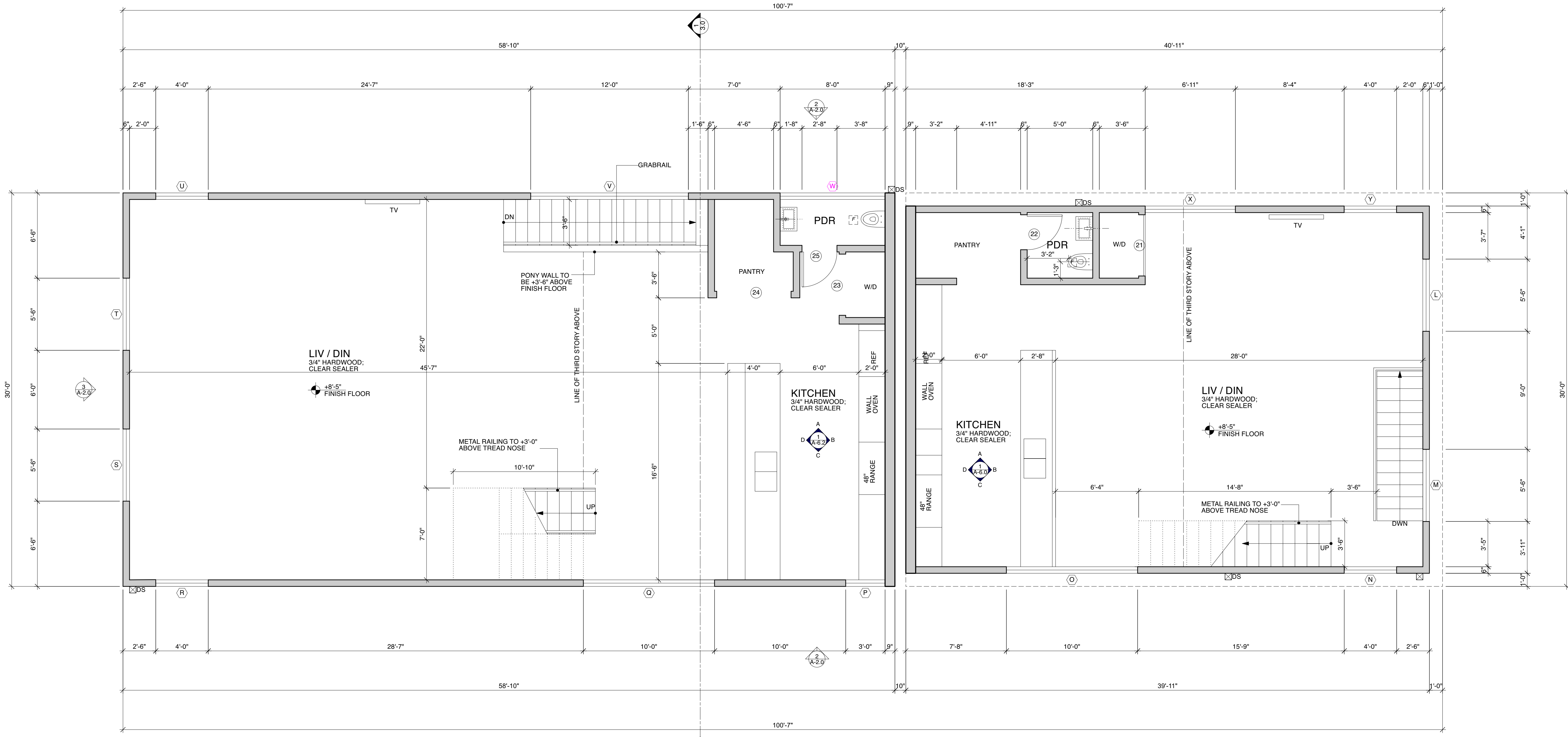
OWNER:
LEWIS FUTTERMAN
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PH: 917.566.6477

CONTRACTOR:

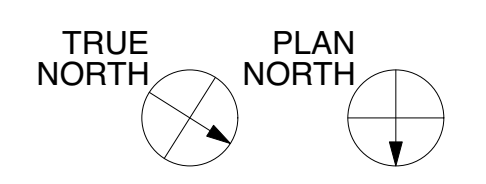
SOILS ENGINEER:
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SURVEYOR:

STRUCTURAL ENGINEER:
KMS STRUCTURAL DESIGN ENGINEERS
1377 BEVERLY GLEN BLVD
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LOS ANGELES CA 90024
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SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0" 1



REVISION / ISSUE:	DATE:
1. PRELIM DESIGN	02.28.19

SECOND FLOOR PLAN

DATE: 07.16.19 DRAWN: BIK SCALE: 1/4" = 1'-0"

LEGEND	
	(N) PARTY WALLS
	(N) WALLS
	DETAIL MARKER
	SECTION MARKER
	INT ELEV MARKER
	WALL TYPE (SEE A-8.0 FOR DETAIL)
	WALL MOUNTED COMBINATION SMOKE AND CARBON MONOXIDE ALARM
	ENERGY STAR EXHAUST FAN W/ ACCESSIBLE HUMIDISTAT (50 CFM MIN)
	HOSE BIB
	DN S DOWNSPOUT

A-1.2

EXHIBIT "A"
Page No. 4 of 10
Case No. ADM-2019-6454-SLD

ARCHITECT:



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OWNER:
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NEW YORK, NY 10027
PH: 917.566.6477

CONTRACTOR:

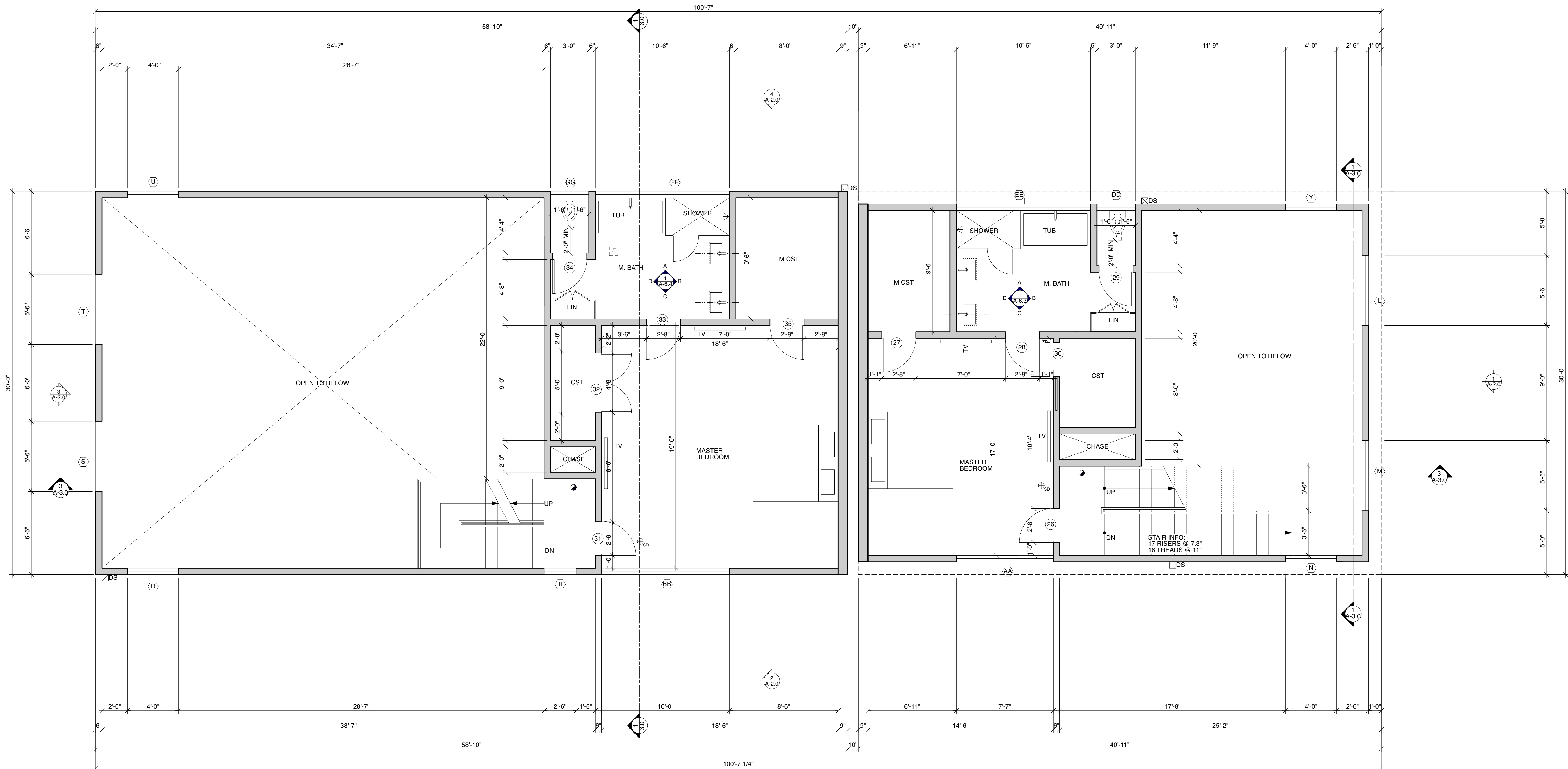
SOILS ENGINEER:

SUBSURFACE DESIGNS
12848 FOOTHILL BLVD
SYLMAR CA 91342
PH: 818.898.1595
FX: 818.898.4003

SURVEYOR:

STRUCTURAL ENGINEER:

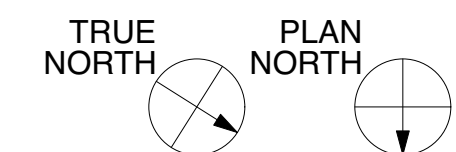
KMS STRUCTURAL DESIGN ENGINEERS
1377 BEVERLY GLEN BLVD
SUITE #308
LOS ANGELES CA 90024
PH: 310.497.0744



REVISION / ISSUE:	DATE:
1. PRELIM DESIGN	02.28.19

THIRD FLOOR PLAN

THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"



DATE: 07.16.19 DRAWN: BIK SCALE: 1/4" = 1'-0"

LEGEND	
	(N) PARTY WALLS
	(N) WALLS
	DETAIL MARKER
	SECTION MARKER
	INT ELEV MARKER
	WALL TYPE (SEE A-8.0 FOR DETAIL)
	WALL MOUNTED COMBINATION SMOKE AND CARBON MONOXIDE ALARM
	WALL MOUNTED SMOKE DETECTOR
	ENERGY STAR EXHAUST FAN W/ ACCESSIBLE HUMIDISTAT (50 CFM MIN)
	HOSE BIB
	DOWNSPOUT

A-1.3

EXHIBIT "A"
Page No. 5 of 10
Case No. ADM-2019-6454-SLD

ARCHITECT:



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OWNER:

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NEW YORK, NY 10027
PH: 917.566.6477

CONTRACTOR:

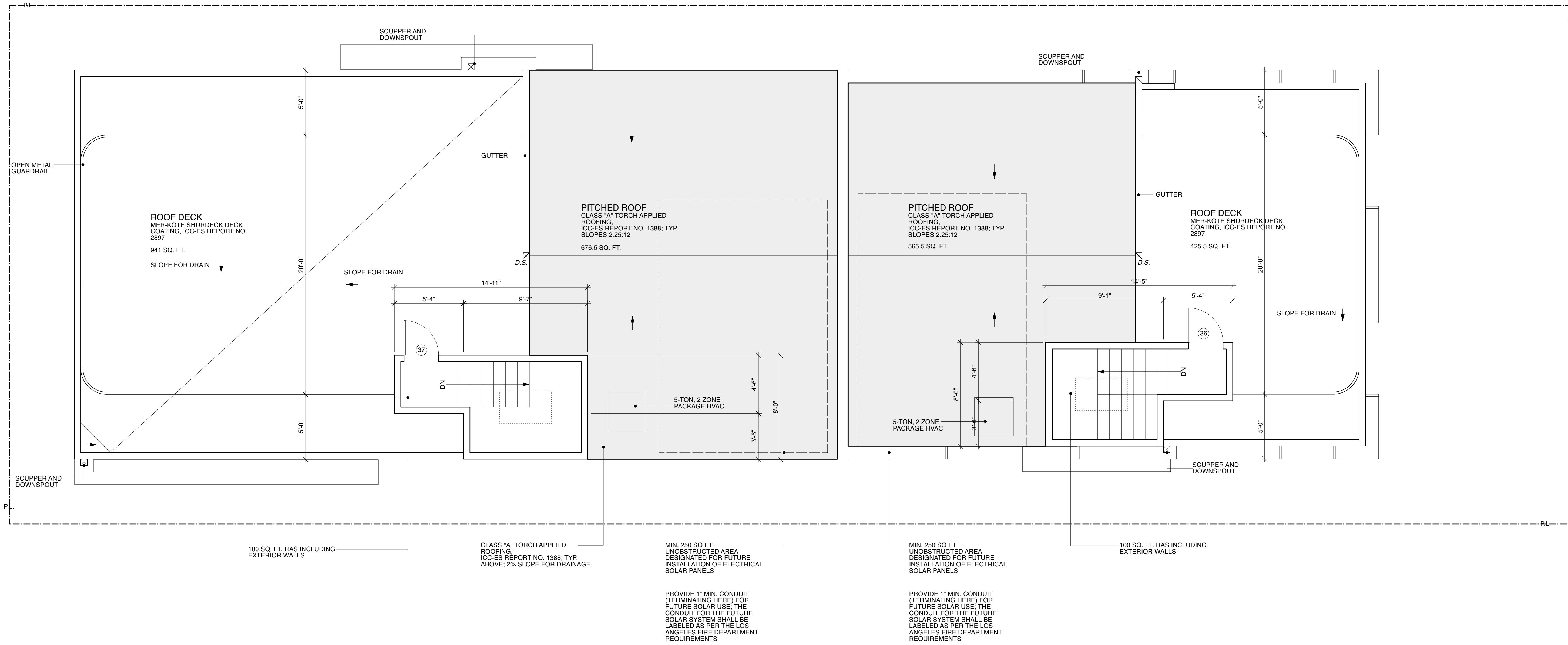
SOILS ENGINEER:

SUBSURFACE DESIGNS
12848 FOOTHILL BLVD
SYLMAR CA 91342
PH: 818.898.1595
FX: 818.898.4003

SURVEYOR:

STRUCTURAL ENGINEER:

KMS STRUCTURAL DESIGN ENGINEERS
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SUITE #308
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PH: 310.497.0744



REVISION / ISSUE:	DATE:
1. PRELIM DESIGN	02.28.19

ROOF PLAN

ROOF PLAN 1
SCALE: 1/4" = 1'-0"

DATE: 07.16.19 DRAWN: BIK SCALE: 1/4" = 1'-0"

LEGEND	
	(N) PARTY WALLS
	(N) WALLS
	DETAIL MARKER
	SECTION MARKER
	INT ELEV MARKER
	WALL TYPE (SEE A-8.0 FOR DETAIL)
	WALL MOUNTED COMBINATION SMOKE AND CARBON MONOXIDE ALARM
	ENERGY STAR EXHAUST FAN W/ ACCESSIBLE HUMIDISTAT (50 CFM MIN)
	HOSE BIB
	DOWNSPOUT

A-1.4

ARCHITECT:



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ARCHITECTURE AND DESIGN

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PH: 917.566.6477

CONTRACTOR:

SOILS ENGINEER:

SUBSURFACE DESIGNS
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SYLMAR CA 91342
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FX: 818.898.4003

SURVEYOR:

STRUCTURAL ENGINEER:

KMS STRUCTURAL DESIGN ENGINEERS
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SUITE #308
LOS ANGELES CA 90024
PH: 310.497.0744

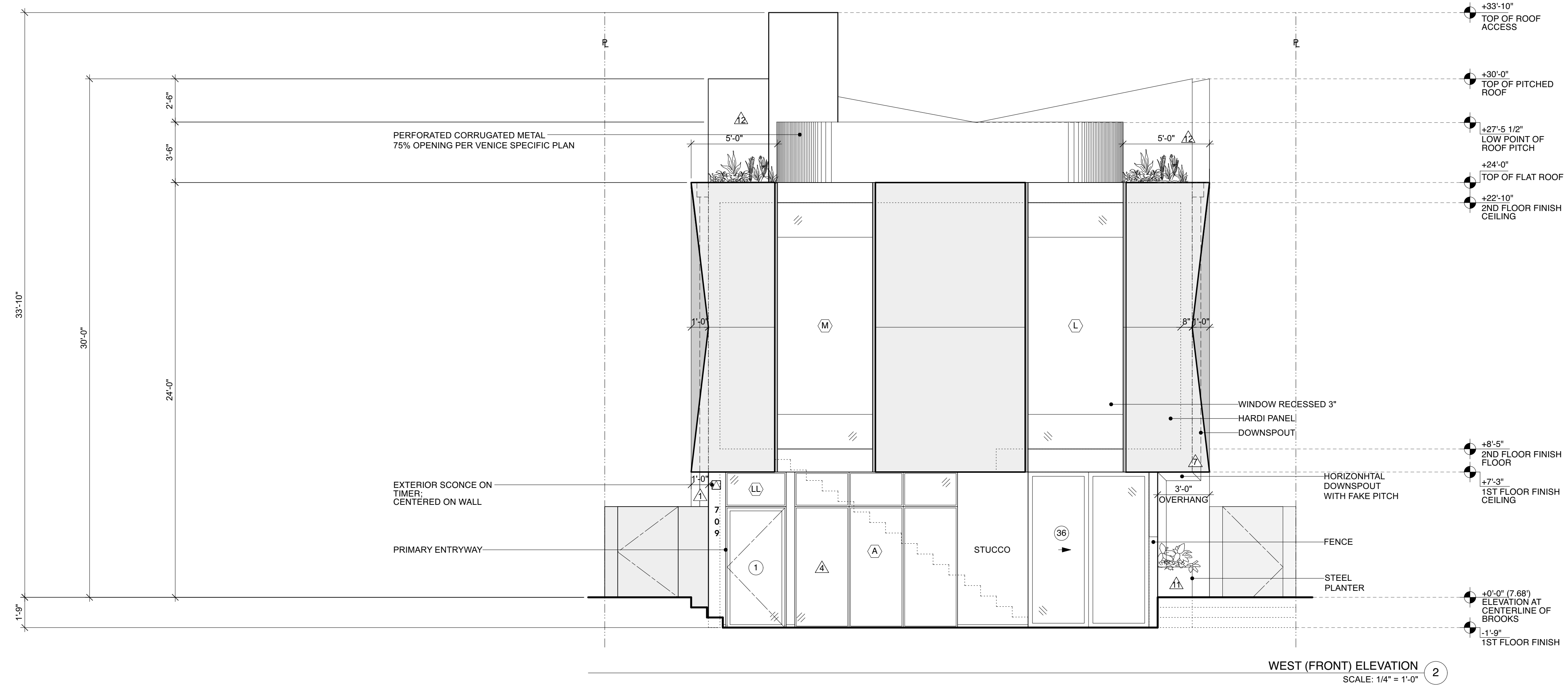
REVISION / ISSUE:	DATE:
1. PRELIM DESIGN	02.28.19

EXTERIOR ELEVATIONS

DATE:	DRAWN:	SCALE:
07.16.19	BIK	1/4" = 1'-0"

A-2.0

EXHIBIT "A"
Page No. 6 of 10
Case No. ADM-2019-6454-SLD



REVISION / ISSUE:	DATE:
1. PRELIM DESIGN	02.28.19

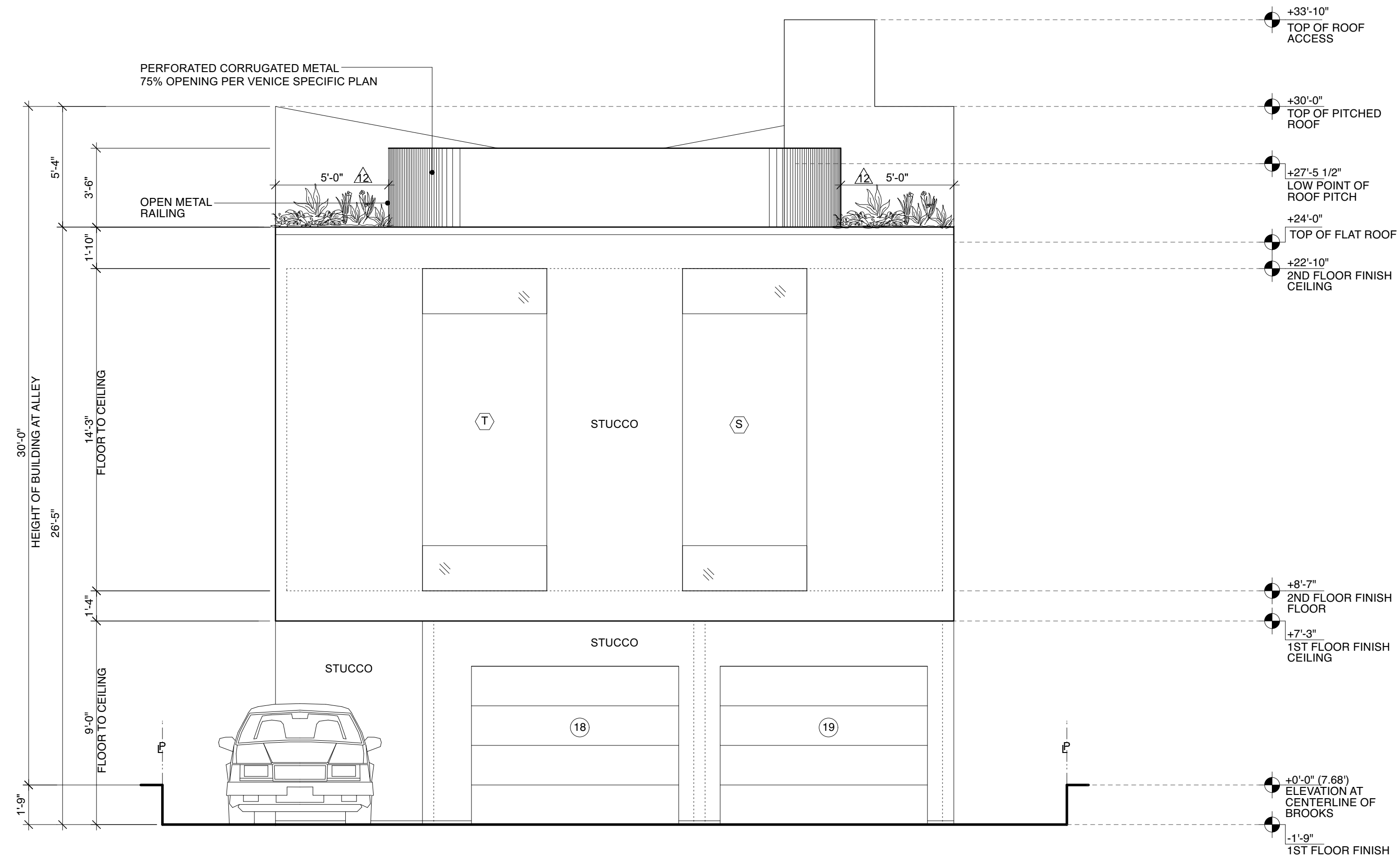
EXTERIOR ELEVATIONS

DATE:	DRAWN:	SCALE:
07.16.19	BIK	1/4" = 1'-0"

A-2.1



SOUTH ELEVATION
SCALE: 1/4" = 1'-0" 2



EAST ELEVATION
SCALE: 1/4" = 1'-0" 1

EXHIBIT "A"
Page No. 7 of 10
Case No. ADM-2019-6454-SLD

ARCHITECT:



DesignUniversal
ARCHITECTURE AND DESIGN

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FX: 310.452.8171

OWNER:
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PENTHOUSE J
NEW YORK, NY 10027
PH: 917.566.6477

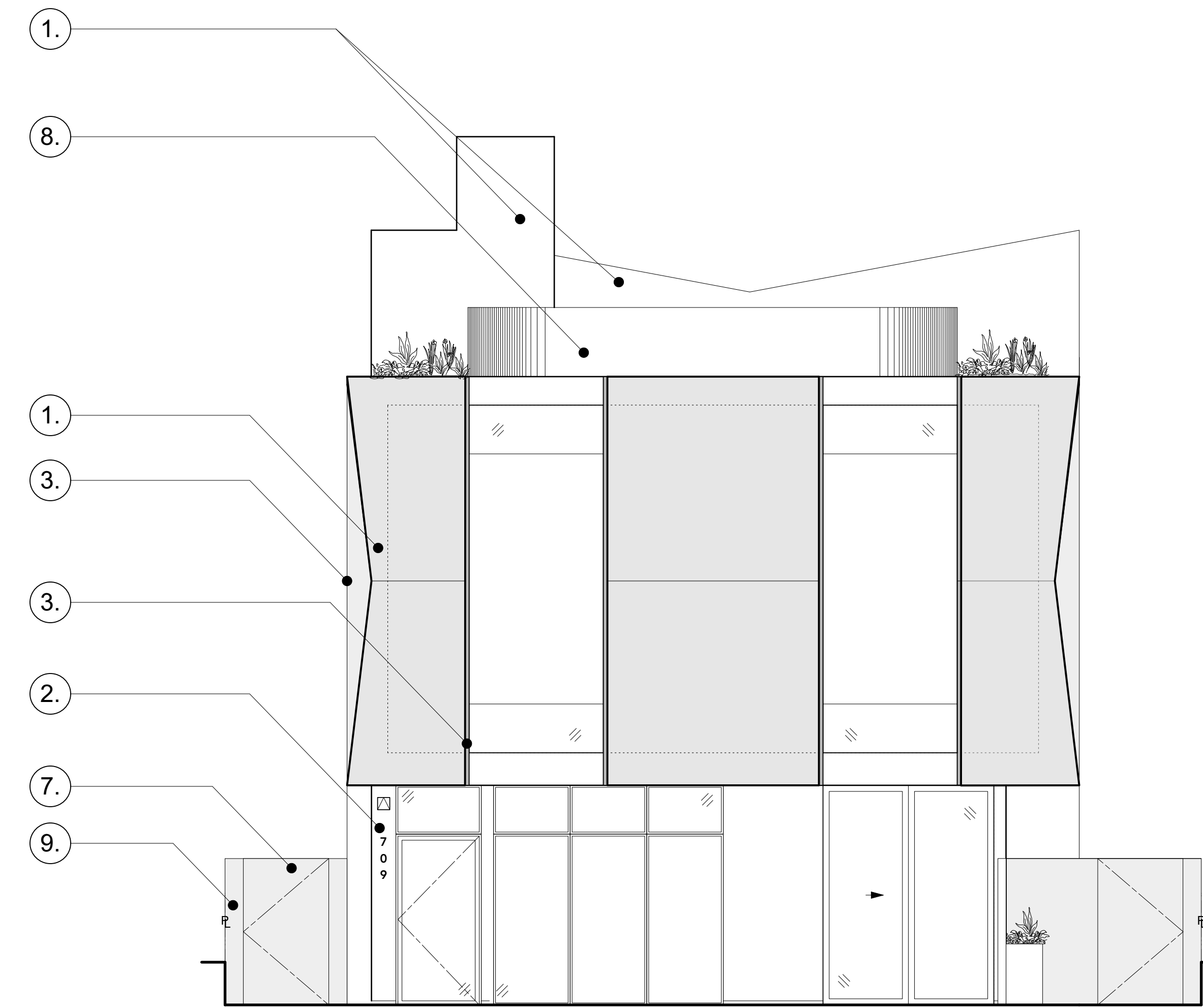
CONTRACTOR:

SOILS ENGINEER:
SUBSURFACE DESIGNS
12848 FOOTHILL BLVD
SYLMAR CA 91342
PH: 818.898.1595
FX: 818.898.4003

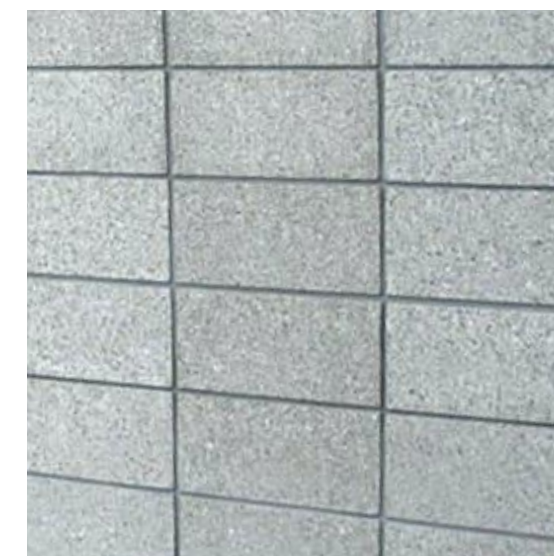
SURVEYOR:

STRUCTURAL ENGINEER:
KMS STRUCTURAL DESIGN ENGINEERS
1377 BEVERLY GLEN BLVD
SUITE #308
LOS ANGELES CA 90024
PH: 310.497.0744

EXHIBIT "A"
Page No. 8 of 10
Case No. ADM-2019-6454-SLD

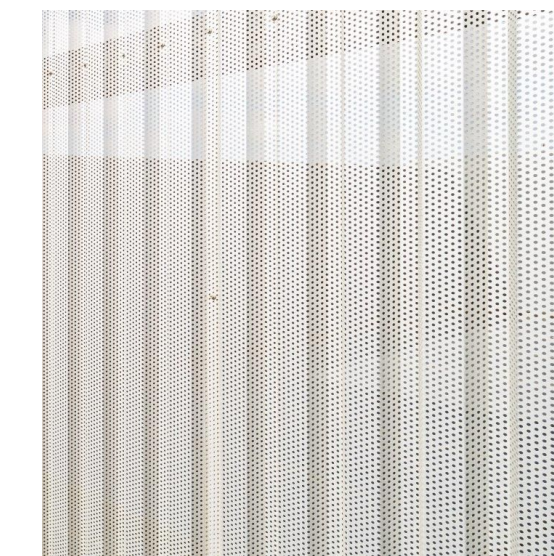


WEST (FRONT) ELEVATION 1
SCALE: 1/4" = 1'-0"



8"x8" CINDERBLOCK / STACK BOND JOINT

FENCE AND PROPERTY LINE WALL 9



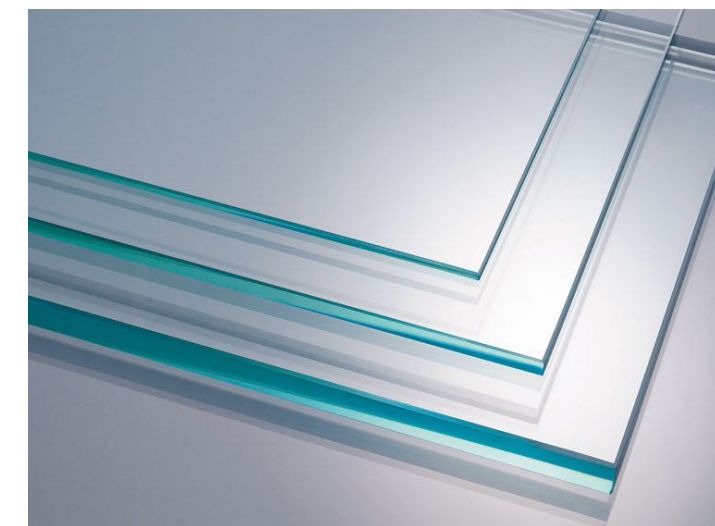
CORRUGATED METAL / WHITE
75% OPEN PER VENICE SPECIFIC PLAN

ROOF RAIL 8



STEEL / ANODIZED WHITE

PLANTERS AND SIDE DOORS 7



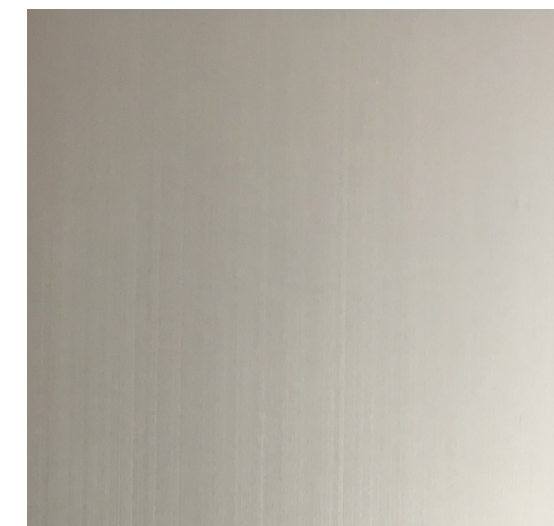
SOLARBAN XL 70 / INSULATED GLASS

WINDOWS AND DOORS 6



ACID WASHED CONCRETE
(TO DIFFERENTIATE FROM BROOM FINISH PAVEMENT)

STAIRS, PAVERS AND DRIVEWAYS 5



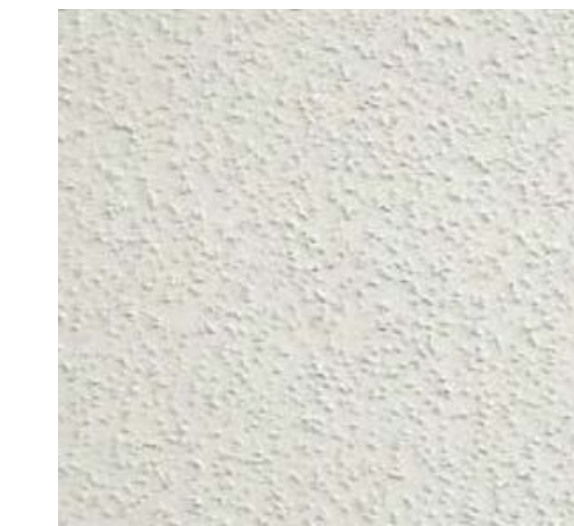
SKY-FRAME / LABYRINTH SF3 / ELOXIERT COLINAL E6.3145

ADDRESS, AWNINGS, DOOR AND WINDOW FRAMES AND TRIMS 3



HARDIE PANEL / SMOOTH WITH COLORPLUS TECHNOLOGY / ARCTIC WHITE

INSET FACADE 2



MERLEX STUCCO / P-505 AGATE / 20.30 TEXTURE

FACADE AND ROOF ACCESS STRUCTURES 1

REVISION / ISSUE:	DATE:
1. PRELIM DESIGN	02.28.19

MATERIALS

DATE: 07.16.19 DRAWN: BIK SCALE: NTS

A-9.0

FD SPK
ON CL INTER
PER CEFB 111-145-115
& PWF 1114-3067

N57°45'41"E
132.05'

20'
10'

165.76'

7TH AVENUE

N57°27'46"W

FD SPK/W LS 7882
ON CL INTER
PER CEFB 111-145-114
& PWF 1114-3067

EST CL INTER
BY FD 4 NAILS ON SMH
MATCHES FD TIES
PER CEFB 111-145-114

112.20'
N57°25'00"E

INDIANA COURT

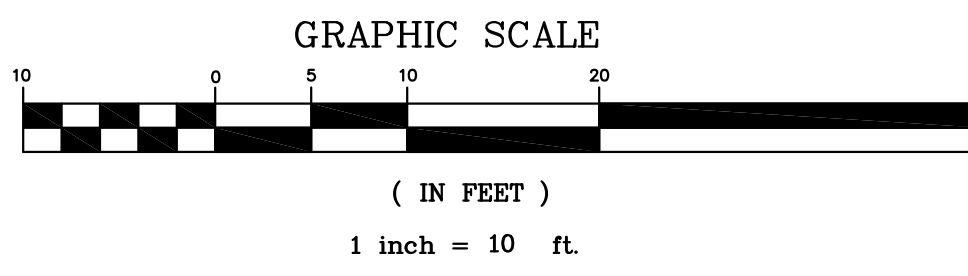
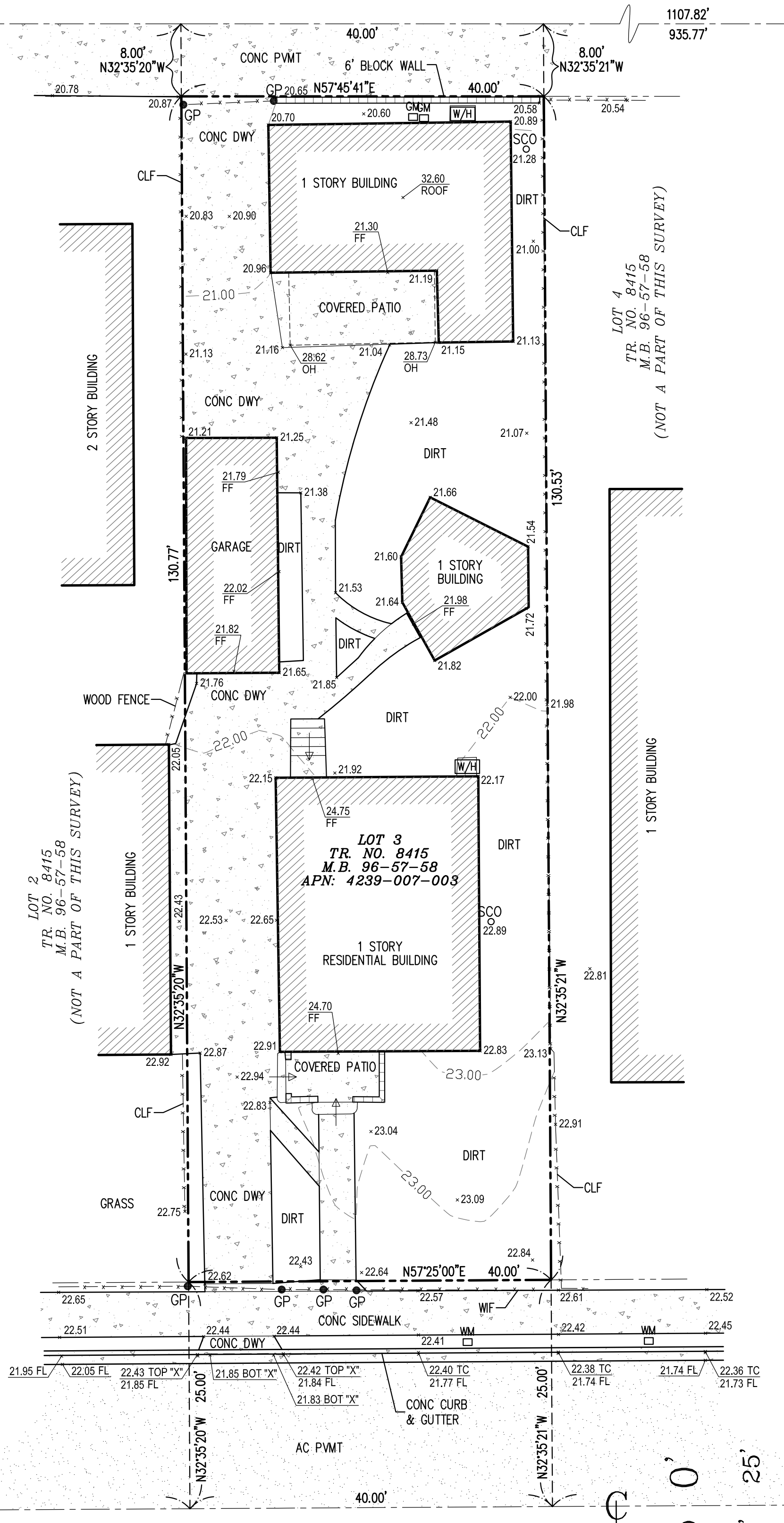
ALLEY

FD L&T
ON CL INTER
PER CEFB 23601-22
& PWF 1114-3067

FD L&T
ON CL INTER
PER CEFB 23601-22
& PWF 1114-3067

1107.82'
935.77'

EXHIBIT "A"
Page No. 9 of 10
Case No. ADM-2019-6454-SLD



LEGAL DESCRIPTION:
THE LAND REFERRED TO IN THIS SURVEY IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, AND IS DESCRIBED AS FOLLOWS:
LOT 3 OF TRACT NO. 8415 AS PER MAP RECORDED IN BOOK 96 PAGES 57-58 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
APN: 4239-007-003

BASIS OF BEARINGS:
THE BEARING NORTH 57° 25' 00" EAST, ON THE CENTERLINE OF BROOKS AVENUE AS SHOWN ON TRACT NO. 8415, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, AS PER MAP RECORDED IN M.B. 96, PAGES 57-58, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

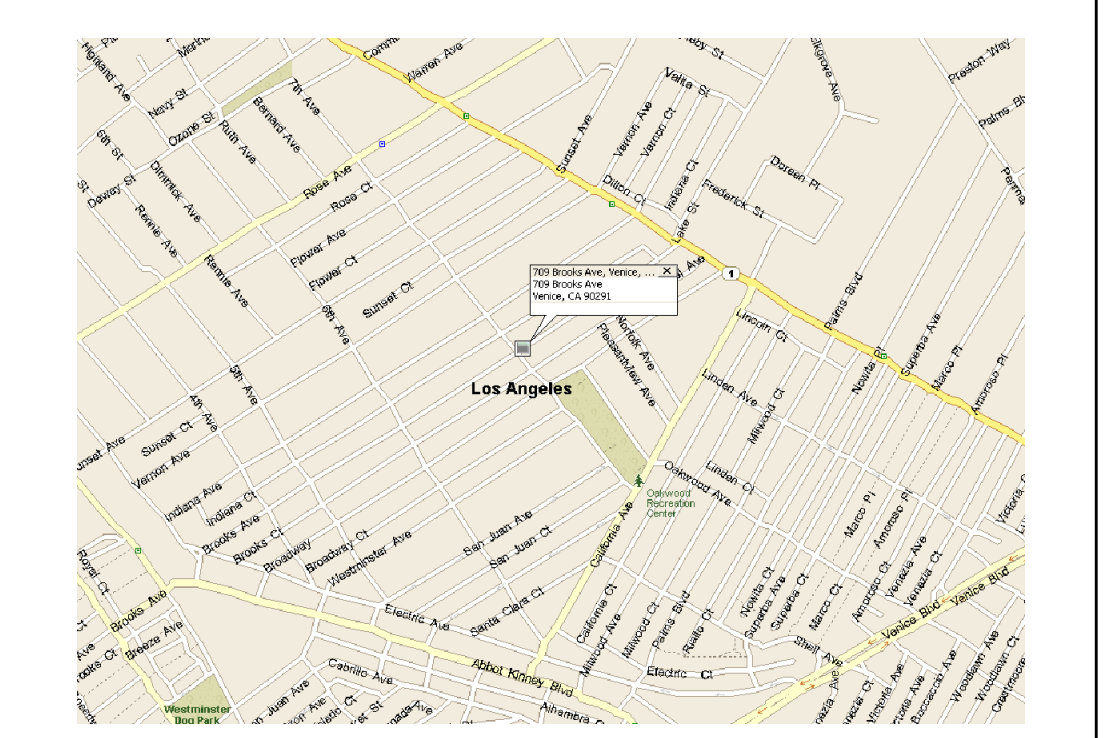
LAND AREA:
CONTAINING AN AREA OF 5,226.02 SQ. FT., OR 0.1200 ACRES, MORE OR LESS.

BENCHMARK:
STRUCTURE ID: 53315159
FOUND SANITARY SEWER MANHOLE ON INTER OF 7TH AVENUE AND INDIANA COURT.
ELEV. = 20.90 FT.

SURVEYOR'S NOTE:
THIS MAP IS NOT A BOUNDARY SURVEY. NO PROPERTY CORNERS HAVE BEEN SET AS PART OF THIS WORK.
SURVEY MONUMENTS FOUND IN THE COURSE OF THIS MAPPING HAVE BEEN SET BY OTHERS, AND USED ONLY AS REFERENCE FOR PURPOSES OF TOPOGRAPHIC MAPPING, WITHOUT THE VERIFICATION OF ITS AGREEMENT WITH APPLICABLE LEGAL DESCRIPTIONS AND SENIORITY OF DEEDS.
RELATION OF TOPOGRAPHIC FEATURES (FENCES, WALLS, TREES, POWER POLES, ETC.) TO PROPERTY LINES SHOWN ON THIS MAP IS SUBJECT TO THE ADJUSTMENTS TO ANY BOUNDARY SURVEY THAT IS TO BE DONE ON THE PROPERTY.
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. EASEMENTS, IF ANY, ARE NOT SHOWN.

LEGEND:

AC	ASPHALT CONCRETE	GM	GAS METER
APN	ASSESSOR'S PARCEL NUMBER	GP	GATE POST
BM	BENCHMARK	PP	POWER POLE
CEF	CITY ENGINEER'S FIELD BOOK	SC	SEWER CL OUT
CL	CENTERLINE	SMH	SEWER MANHOLE
CLF	CHAIN LINK FENCE	U	UP STAIRS/RAMP
CONC	CONCRETE	W/H	WATER HEATER
EST	ESTABLISH	WM	WATER METER
FD	FOUND		
FLE	FINISH FLOOR ELEV.		
FL	FLOWLINE ELEV.		
INT	INTERSECTION		
LS	LAND SURVEYOR		
L & T	LEAD & TACK		
MB	MAP BOOK		
OH	OVERHANG		
PROD	PRODUCED (PROLONGED)		
PVMT	PAVEMENT		
PWF	PUBLIC WORKS FIELD BOOK		
SPK/W	SPIKE & WASHER		
TC	TOP OF CURB ELEV.		
TR	TRACT MAP		
TW	TOP OF WALL ELEV.		
WF	WROUGHT IRON FENCE		



VICINITY MAP
NOT TO SCALE
M&G CIVIL ENGINEERING AND
LAND SURVEYING

TITLE: TOPOGRAPHIC SURVEY 709 BROOKS AVE., LOS ANGELES, CA 90291		
CLIENT: LUXE BUILT	JOB NO.:	18-13991
SCALE: 1" = 10'	DATE:	10/23/18
DESIGNED BY: F.G. / W.G.	REVISION (S):	
DRAWN BY: B.G.	SHEET 1	OF 1 SHEET
CHECKED BY: C.D.L.		

ARCHITECT:



DesignUniversal
ARCHITECTURE AND DESIGN

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SURVEYOR:

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SUITE #308
LOS ANGELES CA 90024
PH: 310.497.0744

REVISION / ISSUE:	DATE:
1. PRELIM DESIGN	02.28.19

TEXTURED ELEVATION

DATE: 07.16.19 DRAWN: BIK SCALE: 1/4" = 1'-0"

+33'-10"
TOP OF ROOF ACCESS

+30'-0"
TOP OF PITCHED ROOF

+27'-5 1/2"
LOW POINT OF ROOF PITCH

+24'-0"
TOP OF FLAT ROOF

+22'-10"
2ND FLOOR FINISH CEILING

EXHIBIT "A"
Page No. 10 of 10
Case No. ADM-2019-6454-SLD

+8'-5"
2ND FLOOR FINISH FLOOR

+7'-3"
1ST FLOOR FINISH CEILING

+0'-0" (7.68)
ELEVATION AT CENTERLINE OF BROOKS

-1'-9"
1ST FLOOR FINISH

WEST (FRONT) ELEVATION **1**
SCALE: 1/4" = 1'-0"

A-2.2

Exhibit C

Director's Determination
DIR-2019-6455-CDP-MEL

C.1: Letter of Determination

C.2: Stamped Plans "Exhibit A"

C.1: Letter of Determination

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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PRESIDENT

CAROLINE CHOE
VICE-PRESIDENT

HELEN CAMPBELL
JENNA HORNSTOCK
HELEN LEUNG

YVETTE LOPEZ-LEDESMA
KAREN MACK
DANA M. PERLMAN
RENEE DAKE WILSON

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

VINCENT P. BERTONI, AICP
DIRECTOR

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

DIRECTOR'S DETERMINATION

March 2, 2022

Owner/Applicant

Wilshire View LLC
750 N. San Vicente Blvd
Unit 800 West
West Hollywood, CA, 90069

Representative

Jared Johnson
Howard Robinson &
Associates
660 S. Figueroa St, #1780
Los Angeles, CA, 90017

Case No.: DIR-2019-6455-CDP-MEL

Related Cases: AA-2019-6453-PMLA-SL
ADM-2019-6454-SLD

CEQA: ENV-2018-6456-CE

Location: 709 East Brooks 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

Legal Description: Lot 3, Tract TR 8415

Last Day to File an Appeal: March 16, 2022

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 a duplex and accessory structures, the subdivision of a 4,826 square-foot lot into two (2) new small lots, and the construction of two (2) three-story single-family dwellings with roof decks. A total of (5) parking spaces are provided, and the project is located in the Single Permit Jurisdiction Area of the Coastal zone; and

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

APPROVE a Mello Act Compliance Review for the demolition of two (2) Residential Units and construction of two (2) 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. **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.
4. **Density.** Two (2) residential units shall be constructed. One (1) single-family dwelling shall be permitted on each new small lot created pursuant to Parcel Map AA-2019-6453-PMLA-SL and Small Lot Subdivision Ordinance 185,462; the small lot subdivision will result in two (2) Small Lots.
5. **Height.** The development shall be limited to a maximum height of 25 feet for flat portions of the roof and 30 feet for varied rooflines (slope greater than 2:12), measured from the midpoint of the centerline of Brooks Avenue. Any portion of the roof that exceeds 25 feet shall be set back from the required front yard at least one foot in depth for every foot in height above 25 feet. The proposed dwelling units shall have a flat roof height of 24 feet and a varied roof height of 30 feet with a slope of 2.25:12, as shown in Exhibit A.
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 shall be provided. All vehicle access shall be from the rear alley, Indiana Court.
7. **Roof Structures.** The Roof Access Structure (RAS) is limited to a maximum height of 35 feet, measured from the centerline of Brooks Avenue to the top edge of the RAS. The area within the outside walls shall be minimized and shall not exceed 100 square feet as measured from the outside walls. Chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the height limit by a maximum of five feet.
8. **Roof Deck.** Railings used on the proposed rooftop deck exceeding the maximum flat roof building height of 25 feet shall be of an open design and limited to a height of 42 inches. Solid glass railings shall be included in the measurement of building height
9. This approval is tied to Case No. AA-2019-6453-PMLA-SL. The applicant shall comply with the conditions of approval listed in Case No. AA-2019-6453-PMLA-SL, which are incorporated herein by reference.
10. No deviations from the Venice Coastal Specific Plan have been requested or approved herein. All applicable provisions of the Specific Plan shall be complied with.
11. Outdoor lighting shall be designed and installed with shielding so that light does not overflow into adjacent residential properties.

12. 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.
13. 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.
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, 709 East Brooks Avenue, is a relatively flat, rectangular lot with a width of 40 feet and a depth of 130 feet – 7 inches, resulting in a total lot area of approximately 4,826 square feet. The property fronts Brooks Avenue to the south and abuts an alley, Indiana Court, to the north. The project site is located within the Los Angeles Coastal Transportation Corridor, Venice Coastal Zone Specific Plan (Oakwood Subarea), and the Single Permit Jurisdiction Area of the California Coastal Zone. The project site is also in a Liquefaction Zone and within 4.4 kilometers from the Santa Monica Fault.

The applicant is requesting a Coastal Development Permit and Mello Act Compliance Review authorizing the demolition of a duplex and accessory structures and the subdivision of a 4,826 square-foot lot into two (2) small lots, in conjunction with the construction of two (2) three-story single-family dwellings with roof decks. The project provides a total of (5) parking spaces onsite.

The project site is zoned RD1.5-1 and designated for Low Medium II Residential land uses in the Venice Community Plan area. The lots along this block of Brooks Avenue are also zoned RD1.5-1 and developed with single and multi-family dwellings ranging from one to three-stories in height. The lots to the north and west are also zoned RD1.5-1 and developed with single & multi-family dwellings ranging from one to three stories in height. The properties to the south, along Broadway Street, are zoned RD1.5-1, OS-1XL, & [Q]PF-1XL. These lots are improved with a mix of single & multi-family residential structures ranging from one to three stories in height as well as Oakwood Recreation Center, Broadway Elementary School, and Amino Venice Charter High School. The properties to the east, along Lincoln Boulevard, are zoned [Q]C2-1-CDO and improved with commercial structures ranging from one to two stories in height.

Brooks Avenue is a designated Collector Street with a right-of-way width of 66 feet and a roadway width of 40 feet; the actual right-of-way width is 50 feet with a roadway width of 34 feet. Brooks Avenue is improved with an asphalt roadway, trees, curb, gutter, and sidewalk.

Indiana Court is an alley adjoining the subject site with a right-of-way and roadway width of 15 feet. Indiana Court is improved with a concrete roadway and has no sidewalk or gutter.

Previous zoning related actions onsite include:

ADM-2019-6454-SLD – On January 8, 2021, the Director of Planning approved plans, stamp dated January 8, 2021, for the construction of two small lot homes incidental to the proposed small lot subdivision, Case No. AA-2019-6453-PMLA-SL.

AA-2019-6453-PMLA-SL – On October 30, 2019, the Applicant filed a concurrent application for a Preliminary Parcel Map for the subdivision of a 4,826 square-foot lot to two small lots; Parcel A is 2,254 square feet and Parcel B is 2,572 square feet.

DIR-2014-2824-DI-1A – On October 23, 2014, the City Planning Commission denied the appeals and sustained the Director of Planning's revised Specific Plan Interpretation. 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.

Previous zoning related actions in the area include:

DIR-2019-2610-CDP-MEL-1A & AA-2019-2609-PMLA-SL – On August 26, 2021, the West Los Angeles Area Planning Commission denied the appeal and sustained the Director's

Determination, dated November 8, 2020, authorizing the demolition of four single-family dwellings and the construction of two three-story, single-family dwellings with an attached Accessory Dwelling Unit and roof deck, in conjunction with the subdivision of one lot into two small lots. The project, located at 313 & 315 ½ South 6th Avenue, is in the Single Permit Jurisdiction of the Coastal Zone.

DIR-2018-2002-CDP-MEL-1A & AA-2018-2001-PMLA-SL – On June 16, 2021, the West Los Angeles Area Planning Commission denied the appeal and sustained the Director's Determination, dated February 17, 2021, authorizing the demolition of a one-story, single-family dwelling and the construction of two single-family dwellings with roof decks, Jacuzzis, and swimming pools, in conjunction with the subdivision of one lot into two small lots. The project, located at 701 & 701 ½ East Vernon Avenue, is in the Single Permit Jurisdiction of the Coastal Zone.

DIR-2020-4780-CDP-MEL – On January 22, 2021, the Director of Planning approved a Coastal Development Permit and Mello Act compliance review authorizing the construction of a 567 square-foot Accessory Dwelling Unit, a 97 square-foot storage area, and a 139 square-foot office above an existing detached garage. The project, located at 721 East Brooks Avenue, is in the Single Permit Jurisdiction of the Coastal Zone.

DIR-2019-3180-CDP-MEL – On October 30, 2019, the Director of Planning approved a Coastal Development Permit and Mello Act compliance review legalizing one unpermitted dwelling unit in an existing two-story duplex with a guest room, resulting in a triplex. The project, located at 714-716 Indiana Avenue, is in the Single Permit Jurisdiction of the Coastal Zone.

DIR-2017-1973-CDP-MEL & AA-2018-1972-PMLA-SL – On July 6, 2018, the Director of Planning & Advisory Agency approved a Coastal Development Permit, Mello Act compliance review, and a Preliminary Parcel Map authorizing the demolition of a duplex and construction of two three-story single-family dwellings, in conjunction with the subdivision of one lot into two small lots. The project, located at 705 East Broadway Street, is in the Single Permit Jurisdiction of the Coastal Zone.

DIR-2018-191-CDP-MEL – On April 17, 2018, the Director of Planning approved a Coastal Development Permit authorizing the conversion of a detached recreation room to a garage with a second-story ADU, in conjunction with an addition to an existing one-story, 1,014 square-foot single-family dwelling, resulting in a two-story, 2,239 square-foot single-family dwelling with a roof deck. The project, located at 724 East Indiana Avenue, is in the Single Permit Jurisdiction of the Coastal Zone.

DIR-2016-1144-CDP-MEL – On February 10, 2017, the Director of Planning approved a Coastal Development Permit and Mello Act compliance review authorizing the conversion of a triplex into a single-family dwelling, interior and exterior improvements to the structure, as well as the construction of a new single-family residential structure to the rear with a two-car garage on the ground level. The project, located at 833, 835, and 835 ½ East Brooks Avenue is in the Single Permit Jurisdiction of the Coastal Zone.

ZA-2013-383-CDP-MEL & AA-2012-2949-PMLA-SL – On October 23, 2013, the Zoning Administrator & Advisory Agency approved a Coastal Development Permit, Mello Act compliance review, and a Preliminary Parcel Map to allow the construction of four, three-story single-family dwellings, in conjunction with the subdivision of two lots into four small lots. The project, located at 742, 744, 746, and 748 East Brooks Avenue, is in the Single Permit Jurisdiction of the Coastal Zone.

Public Hearing

A joint public hearing was held by the Deputy Advisory Agency (Jordann Turner) and Hearing Officer (Kevin Fulton) on January 28, 2021, at 10:00 a.m. In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the public hearing was conducted virtually and telephonically. The applicant's representative & architect, as well as three members of the public, attended the public hearing.

The applicant's representative (Susan Steinberg) & architect (Robert Thibodeau) provided a brief overview of the proposed project:

Susan Steinberg (Applicant's Representative)

- Emphasized that the project would not result in the loss of density on the site.
- Project would be compatible with the neighborhood, as another 30-foot structure abuts the lot and at least 10 other structures within 300 feet are at least 27 feet in height and feature a variety of architectural styles.
- Noted the site has no history of low-income occupancy & the previous owner as well as one of the current occupants submitted documentation of this.

Robert Thibodeau (Architect)

- The proposed side yard setbacks exceed the required side yard setbacks in the small lot ordinance.
- Project utilizes a mid-century design style like many other multi-family dwellings across Venice.

Robin Rudisill (Venice Resident)

- Claimed project would detrimentally affect the character of the neighborhood by changing it from multi-family to single-family.
- One of the existing dwelling units is subject to the Rent Stabilization Ordinance and there is another unpermitted unit that should also be included in the Mello Act determination.

Mary Jack (Venice Resident)

- Concerned that City would allow the destruction of existing multi-family housing to allow for the construction of new luxury housing.
- Expressed concern about the number of homes in Venice selling for more than \$3 million.

Amber Hartgen (Nearby Property Owner)

- Wanted to know if this subdivision would prevent additional pod housing from being constructed.
- Referenced another subdivision on this block of Brooks Ave that was approved for four small lots but had "pods" installed with 35 people currently living there.

In response, Ms. Steinberg stated that one of the two dwelling units onsite was owner-occupied while the other was rental unit before the property was acquired by the applicant. She stated that there is no third unpermitted dwelling unit and noted the lack of any enforcement action by LADBS. Finally, she reiterated that the project is well within the scale and character of the neighborhood.

The DAA took the case under advisement for three weeks.

Correspondence

Letter dated June 15, 2020

Robin Underwood, a Venice resident, voiced concerns that the project would result in the loss of affordable housing and the construction of "out of scale huge boxes" in the neighborhood.

Letter dated January 28, 2021

Robin Rudisill, a Venice resident, voiced concerns that the project would demolish existing low-income housing and would change the character of the Oakwood neighborhood from multi-family, lower-income to single-family, high-priced. She stated the the cumulative impacts of this project would violate Chapter 3 of the Coastal Act, the Venice Land Use Plan, and the Mello Act. She also reiterated that a third, unpermitted dwelling unit should be included in the Mello Act review.

Letter dated February 17, 2021

Robin Rudisill, a Venice resident, submitted a streetscape analysis of the 700-800 block of Brooks Avenue. She claimed this analysis showed the project to be grossly incompatible with the scale and character of the neighborhood, as the proposed dwelling units are 3 times larger than the average size of homes on the block.

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 project will demolish two existing dwelling units and accessory structures and construct two new 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 proposed project is located in a highly developed residential neighborhood zoned RD1.5-1 comprised of similar single and multi-family dwellings. The project will demolish two existing dwelling units and accessory structures and construct two new dwelling units. The new dwelling units will continue to be served by existing police and fire stations and will maintain connections and access to all public services required for residential uses, including water and sewage, waste disposal, gas, and electricity. As such, the project will be in an existing developed area contiguous

with similar residential uses, in an area that is able to accommodate new development.

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 project site and surrounding area are relatively flat with no views to and along the ocean; no natural landforms will be altered as part of the project. The proposed project includes the demolition of an existing duplex and accessory structures and construction of two three-story single-family dwellings with roof decks, one on each new small lot and five parking spaces onsite. The new residential structure on Parcel A (front lot) is 2,506 square feet. The new residential structure on Parcel B (rear lot) is 3,083 square feet. The development would replace a duplex with two single family dwellings, a total of two dwelling units. The project site fronts Brooks Avenue to the south. The rear alley, Indiana Court, provides vehicular access to the lot. The proposed development is in an area characterized as a medium density residential neighborhood that is predominantly improved with multi-family dwellings ranging from one to three stories in height. Both structures will be oriented towards Brooks Avenue, providing pedestrian access. There are 55 properties (excluding the project site) zoned RD1.5-1 on this block of Brooks Avenue between 7th Avenue to the west and Lincoln Boulevard to the east. These lots are developed with single and multi-family dwellings, of which 42 are one-story in height, 18 are two-stories in height, and 15 are three-stories in height. Furthermore, the nearby RD1.5-1 zoned lots along Indiana Avenue, Brooks Avenue, and Broadway Street to the north, west, and south respectively are comprised of a similar mix of single & multi-family dwellings ranging from one to three stories in height. Properties to the east along Lincoln Boulevard are zoned [Q]C2-1-CDO and improved with commercial structures ranging from one to two stories in height. The adjacent property to the south of the subject site is improved with a one-story single-family dwelling and a three-story single-family dwelling. The adjacent property to the north is improved with a one-story single-family dwelling. The proposed development is limited to the property line and will not encroach onto the public right-of-way.

The project's consistency with development standards in the Certified LUP is important in assessing the project's compatibility with the character of the surrounding area. The Certified LUP states that "[t]he development standards also define for each land use designation a density of housing units and lot coverage to maintain the scale and character of existing residential neighborhoods and minimize the impacts of building bulk and mass." (LUP, p.II-2.) The proposed development complies with the density, buffer/setback, yard, and height standards outlined in Policies I.A.1, I.A.5, I.A.7, I.E.1, I.E.2, I.E.3, and II.A.3 of the Venice Land Use Plan (LUP), further discussed in Finding No. 2. The majority of structures in the area were constructed prior to the certification of the LUP in 2001 and adoption of the Venice Specific Plan in 1999 and 2004. The structures constructed after the certification of the LUP were reviewed and approved, as complying with the density, buffer/setback, yard, and height standards in the LUP as well as the applicable policies of the Coastal Act. Following the adoption of the LUP, much of the Venice Coastal Zone has seen new residential development. In this area, single-family dwellings have been demolished and replaced with new single-family dwellings or remodeled and expanded. As discussed during the Coastal Commission's adoption of the LUP, "the Venice LUP anticipated that homes in Venice would be replaced over time and that larger homes could be built, as long

as the LUP's land use designations and limits on height, roof access structures, and lot consolidations are observed...[and] will effectively control the character and scale of existing single-family neighborhoods" (A-5-VEN-17-0016, 2020). The "Scale, Mass, and Character Compatibility & Visual Impact Analysis" prepared by Howard Robinson & Associates, submitted on December 22, 2021, analyzes the neighborhood block and found that approximately 22 structures (of the total 55 structures on the block) were 20 to 30 feet in height and maintained an average front yard setback of 18.42 feet. The new three-story single-family dwellings are limited to a flat roof height of 24 feet and include varied rooflines up to 30 feet in height. The new structure on Parcel A fronts Brooks Avenue and provides a 15-foot front yard setback after providing a street dedication eight feet in depth. The new structures provide side yard setbacks of five feet and a rear yard setback of 15 feet (measured from the centerline of the alley). The proposed density, massing, and height of the project is consistent with development on Brooks Avenue, are visually compatible with the character of the area and will enhance the existing neighborhood.

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 will demolish an existing duplex and accessory structures and construct two three-story single-family dwellings with roof decks, in conjunction with the subdivision of a 4,826 square-foot lot into two small lots. Five parking spaces will be provided onsite; two spaces for each single-family dwelling and one guest space that will be shared. The proposed development is limited to the subject property and will and will not obstruct access to Brooks Avenue. The project site is located 4,141 feet east of Venice Beach. No permanent structures would be placed within the public right-of-way and public access to the coast would not be impacted.

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 in a Liquefaction Zone and within 4.37 kilometers of the Santa Monica Fault. As such, the project is subject to compliance with the Zoning and Building Code requirements that will minimize risks to life and property in geologic hazard areas. The property is also located in Zone X, outside of the Flood Zone. Although the LUP identifies Venice as a Special Coastal Community, the subject site is located within a residential neighborhood and not within an area identified as a popular visitor destination for recreational use.

The project will demolish an existing duplex and accessory structures and construct two three-

story single-family dwellings with roof decks, in conjunction with the subdivision of a 4,826 square-foot lot into two small lots. The proposed use 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 and located 4,141 feet from Venice Beach. 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 paleontological resources identified on the site. The proposed dwelling units will not block any designated public access views. As conditioned, 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.

As discussed, the project will demolish an existing duplex and accessory structures and construct two three-story single-family dwellings with roof decks, in conjunction with the subdivision of a 4,826 square-foot lot into two small lots. The project site is zoned RD1.5-1 with a General Plan Land Use Designation of Low Medium II Residential.

Policy I.A.1 identifies general residential development standards regarding roof access structures and lot consolidation restrictions. The project proposes a roof access structure for each new single-family dwelling that will be 100 square feet in area, measured from the exterior walls. Both roof access structures will be less than 10 feet in height. The project does not propose any lot consolidations.

Policy I.A.5 outlines the importance of preserving and protecting stable multi-family residential neighborhoods and allowing for growth in areas where there is sufficient public infrastructure and services, and the residents' quality of life can be maintained and improved. As discussed, the project will maintain the existing site density of two dwelling units, consistent with the development pattern in the surrounding neighborhood. Additionally, the project site is in a developed residential neighborhood with access to sufficient public infrastructure

Policy I.A.7 outlines density and development standards for areas designated for Multiple Family Residential and Low Medium II Density. Subsection (d) specifically outlines development standards for projects in the Oakwood Subarea.

Use: Duplexes and multi-family structures. As discussed, the proposed project includes the demolition of an existing duplex and accessory structures and construction of two three-story single-family dwellings with roof decks, one on each new small lot and five parking spaces onsite. The new residential structure on Parcel A (front lot) is 2,506 square feet. The new residential structure on Parcel B (rear lot) is 3,083 square feet. The development would replace a duplex with two single family dwellings, a total of two dwelling units.

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 total density of two new dwellings: one unit on each newly subdivided lot. Parcel A has a lot size of 2,254

square-feet and Parcel B has a lot size of 2,572 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 Brooks Avenue and comply with the requirements of Ordinance No. 185,462.

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 24 feet and a varied roofline height of 30 feet.

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 stucco, transparent glass, and Hardie Panels 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. The proposed three-story developments are consistent with the massing and height of the three-story single-family dwellings on Brooks Avenue. This section of the Oakwood neighborhood consists of homes with varying ages, styles, and sizes. There are 55 properties zoned RD1.5-1 (excluding the project site) on this block of Brooks Avenue between 7th Avenue to the west and Lincoln Boulevard to the east. These lots are developed with single and multi-family dwellings, of which 47 are one-story in height, 18 are two-stories in height, and 15 are three-stories in height. Furthermore, the nearby RD1.5-1 zoned lots along Indiana Avenue, Brooks Avenue, and Broadway Street to the north, west, and south respectively are comprised of a similar mix of single & multi-family dwellings ranging from one to three stories in height. Properties to the

east along Lincoln Boulevard are zoned [Q]C2-1-CDO and improved with commercial structures ranging from one to two stories in height. 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. Two roof access structures less than 10 feet in height with a total area of 100 square feet, as measured from the outside walls, are proposed. The project proposes a roof access structure for each new single-family dwelling that will be 100 square feet in area, measured from the exterior walls. Both roof access structures will be less than 10 feet in height. 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.

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 and three compact parking spaces, one of which will serve as a guest parking space.

The proposed three-story single-family dwellings with roof decks are 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. As discussed, the project will demolish an existing duplex and accessory structures and construct two three-story single-family dwellings with roof decks, in conjunction with the subdivision of a 4,826 square-foot lot into two small lots. Five parking spaces will be provided onsite. 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 project consists of the demolition of a duplex and accessory structures and construction of two three-story single-family dwellings with roof decks. The project site is located within the Single Permit Jurisdiction of the Coastal Zone, where the local jurisdiction (City of Los Angeles) issues Coastal Development Permits. The Coastal Commission will render decisions on appeals of the City's Coastal Development Permits or Coastal Exemptions. The Coastal Commission took action on the following residential projects in the Venice Coastal Zone:

- In November 2021, the Commission found Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles and continued the project for a De Novo Hearing. The project consisted of the demolition of a one-story, 816 square-foot single-family dwelling with detached garage and the construction of a new 2,795 square-foot, 33 feet high, two-story single-family dwelling with an attached two-car garage, swimming pool, and roof deck. The project, located at 822 East Angelus Place, is located in the Single Permit Jurisdiction (A-5-VEN-21-0067).
- In November 2021, the Commission found Substantial Issue with an appeal of a Coastal Development Permit and approved the project with conditions, upholding the City's approval for the demolition of a one-story single-family dwelling and the construction of a new 2,834 square-foot, 28 feet high, two-story single-family dwelling with a detached garage, swimming pool, and roof deck, in the Single Permit Jurisdiction, located at 610 Mildred Avenue (Appeal No. A-5-VEN-21-0036).
- In September 2021, 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 1,380 square-foot, single-family dwelling with a detached garage, a subdivision into two smaller lots, and the construction of a new two-story, 35-foot high single-family dwelling with a roof deck and swimming pool on each newly subdivided lot, in the Single Permit Jurisdiction, located at 701 & 701 ½ East Vernon Avenue (Appeal No. A-5-VEN-21-0051)
- 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 dwelling, resulting in a two-story, 3,083 square-foot single-family dwelling with an attached garage, in the Single Permit Jurisdiction, located at 2334 Frey Avenue (Appeal No. A-5-VEN-18-0066).
- In August 2018, the Commission found No Substantial issue with an appeal of 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, in the Single Permit Jurisdiction, located at 2412 Clement Avenue (Appeal 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 dwelling and the construction of a 3,027 square-foot, two-story single-family dwelling with an attached garage and roof deck, in the Single Permit Jurisdiction, 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 garage and roof deck, in the Single Permit Jurisdiction, located at 2433 Wilson Avenue (Appeal No. A-5-VEN-18-0038).
- 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 of the demolition of a two-story single-family dwelling and the construction of a new two-story, 3,044 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, in the Single Permit Jurisdiction, located at 742-748 Brooks Avenue (Application No. A-5-VEN-16-0083).

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 subject property is located approximately 4,141 feet from the closest body of water within the coastal zone. Despite the distance to the water, the project could have a cumulative effect on public access to the coast if it resulted in a loss of on-street parking spaces or did not provide adequate parking for the dwelling. The existing duplex has a garage which is accessed from a

driveway on Brooks Avenue. The project provides five parking spaces that will be accessed from the rear alley, Indiana Court. Four parking spaces will be located in a garage and one space will be uncovered. As proposed, the project will not conflict with any public access or public recreation policies of the Coastal Act.

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

A Categorical Exemption, ENV-2019-6456-CE, has been prepared for the proposed project consistent with the provisions of the California Environmental Quality Act and the City CEQA Guidelines. As discussed, the project will demolish an existing duplex and accessory structures and construct two three-story single-family dwellings with roof decks, in conjunction with the subdivision of a 4,826 square-foot lot into two small lots. Five parking spaces are provided onsite. 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 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 a duplex and accessory structures.

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 on each of the newly subdivided lot.

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-2019-6453-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 one, one-story single-family dwelling. 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 in an urban tract with water supply, sewage and waste disposal infrastructure, and power lines installed. Brooks Avenue is an improved street 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 percent 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 project site is located within the Venice Community Plan and is designated for Low Medium II Residential land uses. The site is zoned RD1.5-1, consistent with the land use designation. As previously discussed, the project is consistent with the applicable Venice Community Plan designation and policies, as well as all applicable zoning designations and regulations.

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

The project site is wholly within the City of Los Angeles, on a site that is .12 acres. Lots surrounding the subject site are developed with single and multi-family dwellings.

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

The area around the site is urbanized and surrounded by residential uses. 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. The project will not result in a gain or loss of residential units, therefore, 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 in an urban tract with water supply, water treatment, sewage and waste disposal infrastructure, and power lines. Brooks Avenue is an improved street with existing utilities that service the various other dwellings in the area. The street and alley are accessible to emergency vehicles. Because the project would maintain the existing the number of residential units onsite, no significant increase in population or density is anticipated. As such, no significant impact on the capacity of existing utilities and services is anticipated.

CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions

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

- (a) *Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

The project is not located in a sensitive environment. Although the project is located within the Coastal Zone, the residential neighborhood is not identified as 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. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

There is not a succession of known projects of the same type and in the same place as the subject project. As mentioned, the project proposes the demolition of a duplex and accessory structures and the subdivision of a 4,826 square-foot lot into two (2) small lots, in conjunction with the construction of two (2) three-story single-family dwellings with roof decks. The project provides a total of (5) parking spaces onsite. The project is in an area zoned and designated for such development. Lots adjacent to the subject site are developed with urban uses. The project site, zoned RD1.5-1, is surrounded by similar residential uses. The lots along this block. The lots along this block of Brooks Avenue are also zoned RD1.5-1 and developed with single and multi-family dwellings ranging from one to three-stories in height. The lots to the north and west are also zoned RD1.5-1 and developed with single & multi-family dwellings

ranging from one to three stories in height. The properties to the south, along Broadway Street, are zoned RD1.5-1, OS-1XL, & [Q]PF-1XL. These lots are improved with a mix of single & multi-family residential structures ranging from one to three stories in height as well as Oakwood Recreation Center, Broadway Elementary School, and Amino Venice Charter High School. The properties to the east, along Lincoln Boulevard, are zoned [Q]C2-1-CDO and improved with commercial structures ranging from one to two stories in height. The subject site is also of a similar size and scope to nearby properties. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project and as it may be subsequently amended or modified. Therefore, in conjunction with citywide RCMs and compliance with other applicable regulations, no foreseeable cumulative impacts are expected.

- (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.*

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 activities typical of a residential neighborhood. Therefore, no unusual circumstances are present or foreseeable.

- (d) *Scenic Highways. A categorical exemption shall not be used for a project, which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.*

The project site is not located on or near a designated state scenic highway.

- (e) *Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

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. A categorical exemption shall not be used for a project, which may cause a substantial adverse change in the significance of a historical resource.*

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).

Therefore, 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 two Residential Units. A Determination issued by the Los Angeles Housing and Community Investment Department (HCIDLA) dated December 23, 2019, states that the property currently maintains two single-family dwellings. Since the City Planning Application was filed on October 20, 2019, HCIDLA had to collect data from October 2016 through October 2019. The Determination states that HCIDLA mailed two certified letters to the property on November 8, 2019. The tenant letter mailed to 709 East Brooks Avenue was returned on December 12, 2019 as “unclaimed”. The tenant letter mailed to 709 ½ East Brooks Avenue was delivered and signed on November 21, 2019. Due to the absence of sufficient verifiable documentation, HCIDLA was unable to verify the status of the two units on the property. Therefore, with insufficient verifiable documents and the Owner’s agreement to an affordable determination, it is determined that two (2) Affordable Existing Residential Units exist on the property.

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

The Affordable Existing Residential Unit are located within an existing duplex. 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 February 10, 2020, for project staff review. The study provided an analysis of the estimated costs and revenues of the proposed project, the demolition of an existing duplex and construction of two new single-family dwellings, but also provided an analysis of providing the Affordable Replacement Unit(s) onsite and within the Coastal Zone. Pursuant to Part 7.2 and 7.4 of the Interim Administrative Procedures, Affordable Replacement Units shall be located on-site or elsewhere 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 one 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 the Affordable Existing Residential Units. As such, no Affordable Replacement Units are required for the project.

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

The project proposes the construction of two (2) 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 two (2) new Residential Units is found to be categorically exempt from the Inclusionary Residential Unit requirement for New Housing Developments.

ADDITIONAL MANDATORY FINDING

9. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, areas of 500-year flood: areas of 100-year flood with average depths of less than 1-foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year-flood.

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 **10 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

Reviewed by:

Prepared by:


Elizabeth Gallardo, City Planner

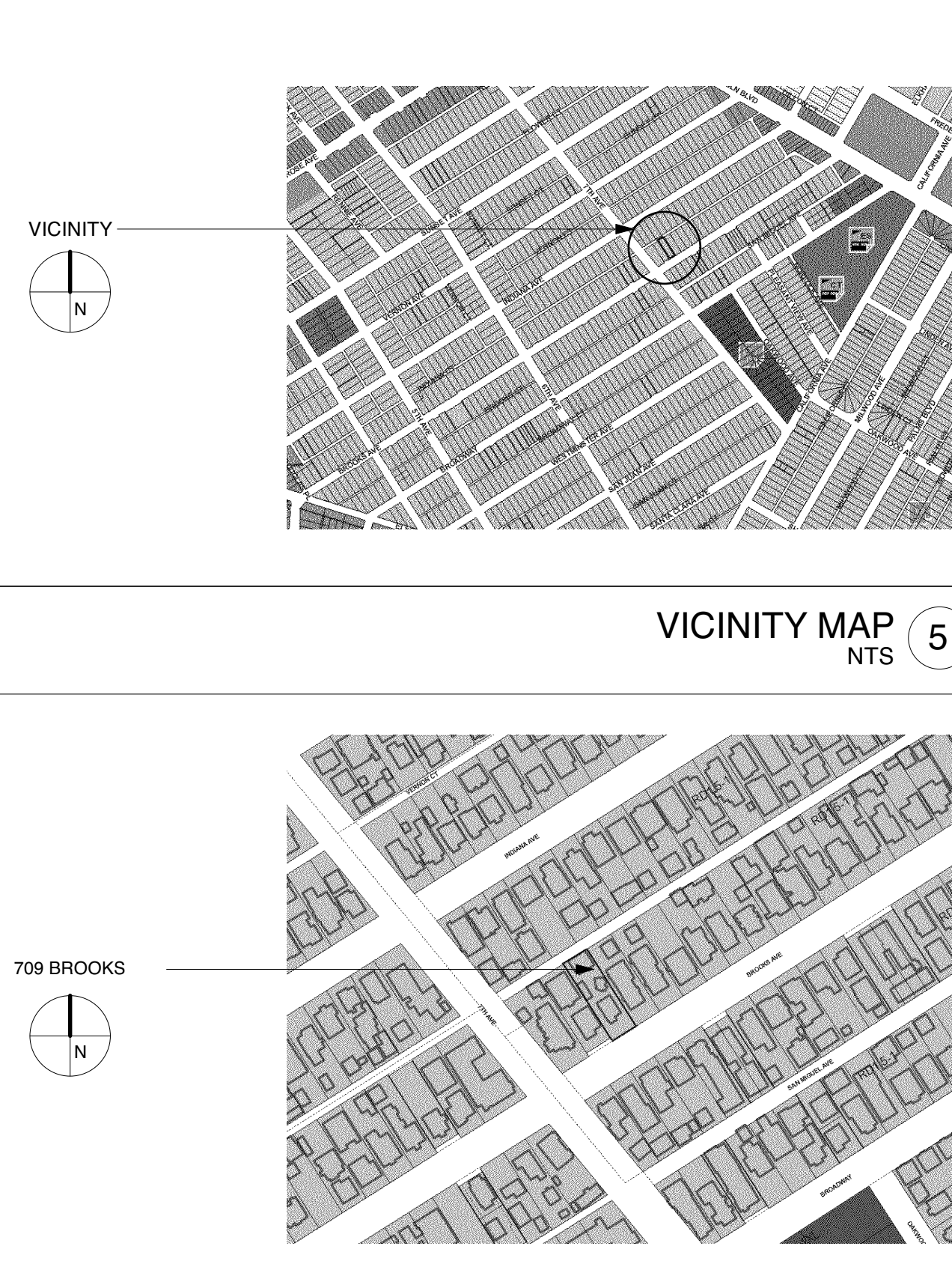

Kevin Fulton, Planning Assistant
kevin.fulton@lacity.org

C.2: Stamped Plans “Exhibit A”

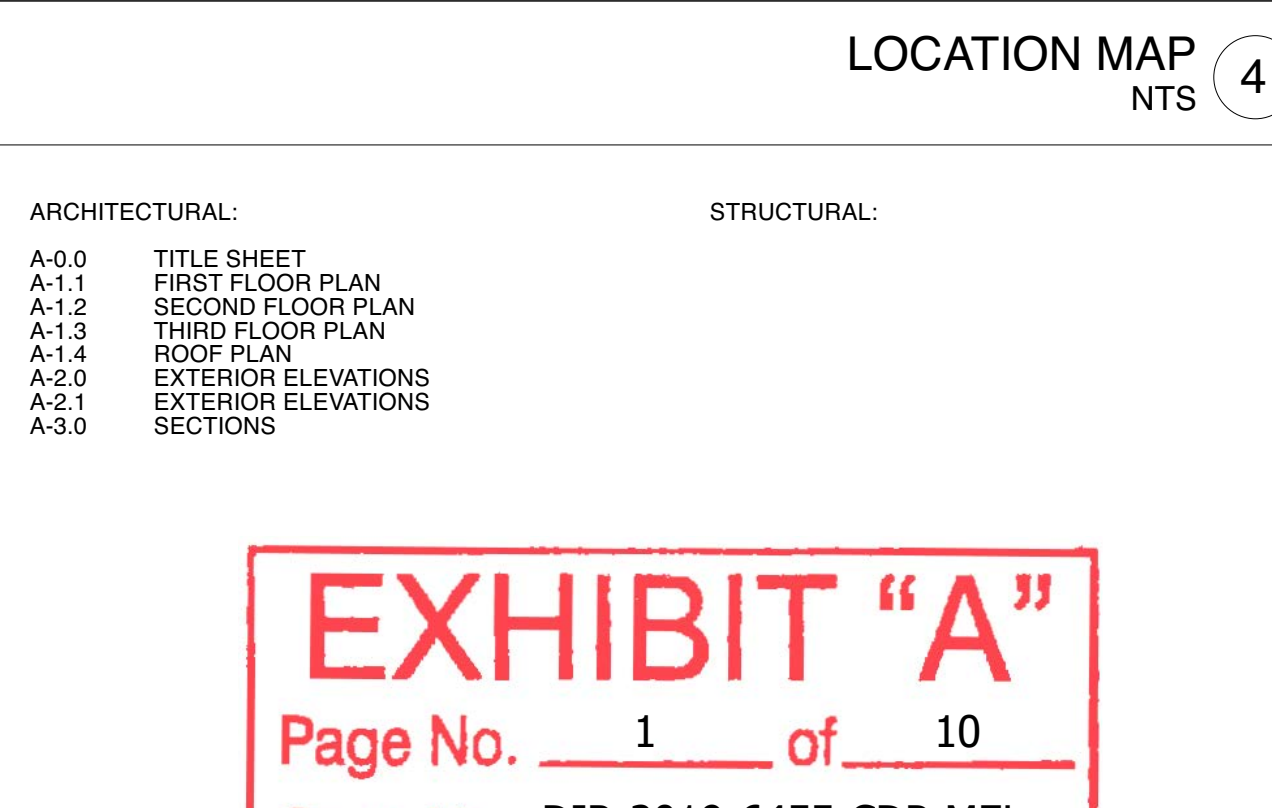
GENERAL NOTES

- 1. These construction documents have been prepared based on the requirement of all applicable local and state building codes, ordinances, and regulations.
2. Contractor shall have current workers' compensation insurance coverage in compliance with Section 3800 of the California Labor Code, on file with the state control board.
3. All work, construction, and materials shall comply with all provisions of the building code and with other rules, regulations and ordinances governing the place of building.
4. Building code requirements take precedence over the drawings and it shall be the responsibility of anyone supplying labor or materials to both to bring to the attention of the architect any discrepancies or conflict between the requirements of the code and the drawings.
5. The contract structural drawings and specifications represent the finished structure. They do not indicate the means or method of construction. The subcontractor shall provide all measures necessary to protect the structure during construction. Such measures shall include, but not be limited to, bracing, shoring for loads due to construction equipment, etc. Contractor shall provide plans and permits for temporary shoring of excavations that remove the lateral support from a public way or an existing building or structure. Observation visits to the site by the architect shall not include inspection of the above items.
6. In preparing a proposal, the contractor shall have visited the site, carefully examined the drawings and the methods of removal and storage of materials, the sequencing of operation and the problems attendant thereto. No allowance will be made to the contractor for any error through negligence in observing the site condition.
7. Architect shall be notified immediately by the contractor should any discrepancy or other questions arise pertaining to the working drawings. Work shall not commence until clarifications are obtained from the architect.
8. On-site verification of all dimensions and conditions shall be the responsibility of the contractor. Site conditions in conflict with the expressed dimensions herein shall be brought to the attention of the architect for consideration and new alignments may be established only with the written approval and acceptance of the architect.
9. Dimensions shall take precedence over scales shown on the drawings. Do not scale drawings. Large scale details govern over small scale details.
10. All dimensions are to the face of finish unless otherwise noted. All work shall be erected plumb, level, and true in accordance with the details.
11. Notes and details on drawings shall take precedence over general notes and typical details. Where no details are shown, construction shall conform to similar work on the project.
12. Provide temporary sanitary facilities for workmen's use per the local building department regulations.
13. Construction materials shall be spread out if placed on framed floors or roof. Load shall not exceed the design live load per square foot. Contractor shall provide adequate shoring and/or bracing where structure has not attained design strength.
14. No deviation from the structural design without written approval of the structural engineer and building department authority to deviate from the plans or specifications.
15. All material stored on the site shall be stacked neatly on skids, platforms or blocking "high and dry" protected as recommended by the manufacturers from potential damage and deterioration caused by the elements.
16. All equipment, hardware, and other items shall be supplied as specified, unless changes are reviewed and accepted by both owner and architect. If changes are required for any reason to comply with the design intent, contractor shall notify architect immediately with recommendation of remedial course of action.
17. Contractor shall notify utility companies prior to excavating for utilities and shall be responsible for locating all underground construction prior to excavation. Contractor shall notify owner and architect of any conditions found.
18. The contractor shall provide all necessary blocking, backing, framing, hangers or other support for all fixtures, equipment and cabinetry.
19. Regulations, Taxes, and Permits
The whole of the work shall be executed in strict accordance with the regulations and codes of the governmental agencies whose jurisdiction is applicable. The owner shall pay for plan checking and building permits. Each subcontractor shall satisfy local permit, license, insurance and safety requirements and shall be responsible for the job inspections pertaining to his/her trade. All applicable sales taxes shall be included in contract. Sub contractor shall obtain and pay for all permits pertaining to his/her trade.
20. Submittals
Contractor shall submit 3 copies of required shop drawings, calculations of fabricated products, and 5 copies of manufacturer's catalog sheets, brochures, color samples, installation instructions, etc. on manufactured products used or installed for the project owner's acceptance. The architect's approval of submittals and shop drawings shall not relieve the contractor from the responsibility for deviations from drawings or specifications unless he/she has, in writing, called the architect's attention to such deviations at the time of submittals; nor shall the contractor be relieved from responsibility for errors of any sort in the shop drawings.
21. Supply new, purely unadulterated, first line quality manufactured materials shipped to job site in original containers with the manufacturer's label showing exact type, size grade, weight, and use. Store in manner consistent with manufacturer's recommendations.
22. Workmanship
Shall be of the highest quality and done by skilled employees in the practice of their trade.
23. Responsibility of Subcontractors
A. Each subcontractor shall at all times be fully aware of the job progress to allow himself/herself ample lead time to commence each phase of his/her work.
B. Subcontractors shall thoroughly inspect adjacent work that may impact installation of their trade and notify general contractor, in writing, of any irregularities. Commencing work constitutes acceptance of conditions and therefore responsibility for and rectification any resulting, unsatisfactory work.
C. Materials and the work of others shall be inspected by each trade prior to the commencement of his/her particular standard as herein described, shall be replaced by the subcontractor at the subcontractor's sole expense including the work of others damaged by initial failure or corrective repairs. The inability of the general contractor, or his/her representative, to notice omitted or faulty materials or workmanship during construction shall not constitute a release from these requirements of subcontractor. If work is considered to be substandard, the work shall be tested as is noticed to that industry. If the work fails to meet the testing standards, subcontractor shall pay for the testing and the replacement of the work. If the work passes the test the owner pays for the test and repair of said work.
F. Each subcontractor shall maintain adequate protection of all his/her work from damage and shall protect the owner's and other trades' work from damage or injury while fulfilling his/her contract. All materials, work in place, finishes, paving and sidewalks, and existing utilities shall be included in the requirement.
G. Structure and contents shall be protected from the inclemencies of weather during the term of the work.
H. In the event subcontractors' work is damaged by other trades, it will be the subcontractor's obligation to resolve the cost of repairs of said damage with responsible subcontractors. The general contractor shall have the power of final arbitration in these matters.
I. Each trade shall cooperate fully, both with the general contractor's superintendent and other trades, and consult with other trades (in writing, if need be), in order to "can out," allow passage, provide protection or do work necessary to allow others to follow in an orderly, professional manner.
J. All materials and appliances shall be uncrated by subcontractor responsible for installation, unless otherwise specified in contract.
24. Work Authorization and Payments
All work done or materials used shall be covered by a contract, contract change order, purchase order, or work order. No invoice will be processed unless it lists the contract, purchase order, work order, or change order number.
25. Clean-up
The contractor shall clean and remove from the site any debris and unused materials. Unused materials, equipment, scaffolding, and debris shall be removed from the site at completion. Final cleaning shall include: removal of all grease, dust, stains, labels, fingerprints, paint spots from the site, and exposed interior and exterior finish surfaces; polish surfaces so designated to shine finish; and repair, patch or touch up, or replace marred surfaces to specified finish, or to match adjacent surfaces.
SUPPLEMENTAL NOTES
1. General conditions of the contract for construction will be those agreed upon by and between the owner and the contractor. However, for the purpose of compiling these specifications, it has been assumed that the general conditions will be those contained in the AIA Document A111, a copy of which is on file at the office of the architect.
2. Should errors, omissions, or discrepancies appear in drawings or specification, or in the work done by others affecting this work, the architect shall be notified at once and will issue instructions as to procedure.
3. The contractor shall conform to and abide by all local, city, county, and state building and safety laws. Such laws shall be considered as part of these specifications and the provisions of such regulations shall be observed. The contractor shall notify the architect if drawings or specifications are at variance. Should the contractor perform any work contrary to such laws, or regulations, he/she shall bear all costs arising.
4. Named products make no guarantees for products identified by trade name or manufacturer.
5. The contractor shall review all documents related to this project for errors, omissions, and discrepancies prior to the start of construction. The contractor shall arrange a pre-construction meeting to review errors, omissions and discrepancies prior to the performance of any work.
6. The builder shall provide the owner a list of the heating, cooling, water heating, and warranty manuals, and lighting systems, and conservation or solar devices installed in the building and instructions on how to use them efficiently.
7. After installing insulation, the installer shall post in a conspicuous location in the building a certificate signed by the installer and the builder stating that the installation conforms with the requirements of Title 24, part 2, Chapter 2-53, and that materials installed conform with the requirements of Title 20, Chapter 2. The certificate shall state the manufacturer's name and material identification, the installed R-value, and weight per square foot.
8. The contractor shall provide a fire protection system during construction and maintain insurance.
9. The contractor shall protect trees and shrubs as indicated to remain by providing a fence around the tree or shrub of sufficient distance away and of sufficient height so that trees and shrubs shall not be damaged in any way. Contractor shall be responsible for any damage which may occur.
10. Provide plans for temporarily storing of excavations that remove the lateral support from a public way or an existing building. Excavation adjacent to a public way require public works approval prior to issuance of building permit.
11. There shall be no trenches or excavations 5' or more in depth into which a person is required to descend or the contractor must obtain a necessary permit from the State of California Division of Industrial Safety prior to the issuance of a building or grading permit.
ADDITIONAL NOTES
1. These drawings shall remain the property of the design professional. Copies of the drawings and specifications retained by the client may be utilized only for his or her use and for copying the project for which they were prepared, and may not be used for the construction of any other project.
2. These drawings, specifications and other documents prepared by the architect for this project are instruments of the architect's service for use solely with respect to this project, and unless otherwise provided, the architect shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright.
3. All construction fabrication, and installations shall conform to the latest adopted editions of the UBC, UFC, UPC, NEC and any federal, state or local codes, regulations or ordinances of the governing agency having jurisdiction over this project. Such applicable codes etc. are those in effect at the time the permit application for the project is recorded.
4. The interior finishes shall comply with UFC appendix V1-C and UBC chapter 8.
5. All work performed and materials used shall be of the same standard of quality as that of the existing finished building as a minimum unless noted or scheduled otherwise.
6. Verify that services to be removed or abandoned have been properly and safely shut off, capped, or sealed.
7. Verify hours of work with landlord. Keep noise and vibration to a minimum. If performing any core drilling or similar activities, perform work in a safe manner in accordance with landlord's requirements, OSHA, state or federal guidelines. Protect space below from water damage or damage from falling debris.
8. Restore all removed cementitious fireproofing with new fireproofing to achieve required rating. Repair work to be satisfactory with county building inspectors.
9. Provide ceiling access panels as required to allow for service of or adjustment to any valves or mechanical items as required. Access panels to be flush with ceiling and painted to match ceiling. Provide rated access panels in rated ceiling equal to the level of protection as that of the ceiling.
10. Drywall contractor to carefully study the architectural and interiors drawings and provide 20 ga. backing where required for attachment of all items to be wall mounted.
CONSTRUCTION NOTES:
1. Construction to comply with all local, state, and national codes.
2. All dimensions are shown to face of finish u.o.n.
3. Contractor shall field verify all dimensions, notify architect immediately of any and all dimensional discrepancies before proceeding with work.
4. Contractor to install prefabricated fireplaces (City of LA approved) as per manufacturer's recommendations and in compliance with all relevant building codes.
5. When a shower is served by more than one showerhead, the combined flow rate of all the showerheads controlled by a single valve shall not exceed the flow rates specified in the maximum allowable flow rate column contained in Table 4.303.2 of the shower shall be designed to only allow one showerhead to be in operation at a time.
6. All plumbing, electric, and hvac fixtures and equipment to be city of LA approved and installed according to applicable codes. Plumbing fixtures are required to be connected to a sanitary sewer or an approved sewage disposal system.
7. Provide extra flush water closets for new construction. Existing shower heads and toilets must be adapted for low water consumption. The flow rates for all plumbing fixtures shall comply with the maximum flow rates in Table 4.303.2.
8. All wet areas in kitchen and baths to have 5/8" greenboard at walls and ceiling.
9. All wall areas in kitchen and baths to have 5/8" greenboard at walls and ceiling.
10. All wet areas in kitchen and baths to have 5/8" greenboard at walls and ceiling.
11. Provide 70" min. high non absorbent wall adjacent to shower and approved shatter-resistant materials for shower enclosures.
12. Every space intended for human occupancy shall be provided with natural light by means of exterior glazed openings in accordance with Section R303.1 or shall be provided with artificial light that is adequate to provide an average illumination of 6-foot candles over the area of the room at a height of 30 inches above the floor level.
13. Glass skylights to comply with 91.2409. plastic skylights to comply with 91.2603.7.1
14. Damp proof all walls and foundations below grade.
15. An approved seismic gas shut off valve will be installed on the fuel gas line on the down stream side of the utility meter and be rigidly connected to the exterior of the building or structure containing the fuel gas piping per ordinance 171.874 for work over \$10,000. Separate permit is required.
16. Water heater must be strapped to wall.
17. The construction shall not restrict a five-foot clear and unobstructed access to any water or power distribution facilities (power poles, pull-boxes, transformers, vaults, pumps, valves, meters, appurtenances, etc.) or to the location of the hook-up. The construction shall not be within ten feet of any power lines-whether or not the lines are located on the property. Failure to comply may cause construction delays and/or additional expenses.
18. No protected tree shall be relocated or removed without the approval from the Board of Public Works.
19. In new construction smoke alarms shall receive their primary power source from the building wiring and shall be equipped with battery back up and low battery signal. Smoke alarms shall be located in each sleeping room and hallway or area giving access to a sleeping room, and on each story and basement for dwellings with more than one story. Smoke alarms shall be interconnected so that actuation of one alarm will activate all the alarms within the individual dwelling unit.
20. Where a pool or hot tub is provided, provide an alarm for doors to the dwelling that form a part of the enclosure. The alarm shall sound continuously for a minimum of 30 seconds when the door is opened. It shall automatically reset and be equipped with a manual means to deactivate (for 15 secs. max) for a single opening. The deactivation switch shall be at least 54" above the floor.
21. Suction outlets shall be designed and installed in accordance with ANSI / APSP-7.
22. For existing pool on site, provide anti-entrapment cover meeting the current ASTM or ASME is required for the suction outlets of the swimming pool, toddler pool and spa for single family dwellings per the Assembly Bill (AB) No. 2977.
23. Bathroom and shower floors, walls above bathtubs with a showerhead, and shower compartments shall be finished with a nonabsorbent surface. Such wall surfaces shall extend to a height of not less than 6 feet above the floor.
24. Kitchen sinks, lavatories, bathtubs, showers, bidets, laundry tubs and washing machine outlets shall be provided with hot and cold water and connected to an approved water supply.
25. Where a permit is required for alterations, repairs or additions exceeding one thousand dollars (\$1,000), existing dwellings or sleeping units that have attached garages or fuel burning appliances shall be provided with a carbon monoxide alarm in accordance with Section R315.1. Carbon monoxide alarms shall only be required in the specific dwelling unit or sleeping unit for which the permit is obtained.
26. Lots shall be graded to drain surface water away from foundation walls with a minimum fall of 6 inches within the first 10 feet.
27. Unit skylights shall be labeled by a LA City Approved Labeling Agency. Such label shall site the approved labeling agency name, product designation and performance grade rating (research report not required). Skylights and sloped glazing shall comply with section R308.6.
28. A copy of the evaluation report and/or conditions of listing shall be made available at the job site.
29. Smoke detectors shall be provided for all dwelling units intended for human occupancy, upon the owner's application for permit for alterations, repairs, or additions, exceeding one thousand dollars (\$1,000).
30. Automatic garage door openers, if provided, shall be listed in accordance with UL 325.
31. Bathrooms and other similar rooms shall be provided with mechanical ventilation capable of 50 cfm exhausted directly to the outside where required.
32. Provide anti-graffiti finish within the first 9 feet, measured from grade, at exterior walls and doors.
33. Heater shall be capable of maintaining a minimum room temperature of 68 degrees F at a point 3 feet above the floor and 2 feet from exterior walls in all habitable rooms at the design temperature.
34. Protection of wood and wood based products from decay shall be provided in the locations specified per section R317.1 by the use of naturally durable wood or wood that is preservative-treated in accordance with AWWA U1 for the species, product, preservatives shall be listed in Section 4 of AWWA U1.
35. Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
36. Each appliance provided and installed shall meet ENERGY STAR if an ENERGY STAR designation is applicable for that appliance.
37. For projects that include landscape work, the Landscape Certification, Form GRN 12, shall be completed prior to final inspection approval.
38. An Operation and Maintenance Manual including, at a minimum, the items listed in Section 4.410.1, shall be completed and placed in the building at the time of final inspection.
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32. Provide anti-graffiti finish within the first 9 feet, measured from grade, at exterior walls and doors.
33. Heater shall be capable of maintaining a minimum room temperature of 68 degrees F at a point 3 feet above the floor and 2 feet from exterior walls in all habitable rooms at the design temperature.
34. Protection of wood and wood based products from decay shall be provided in the locations specified per section R317.1 by the use of naturally durable wood or wood that is preservative-treated in accordance with AWWA U1 for the species, product, preservatives shall be listed in Section 4 of AWWA U1.
35. Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
36. Each appliance provided and installed shall meet ENERGY STAR if an ENERGY STAR designation is applicable for that appliance.
37. For projects that include landscape work, the Landscape Certification, Form GRN 12, shall be completed prior to final inspection approval.
38. An Operation and Maintenance Manual including, at a minimum, the items listed in Section 4.410.1, shall be completed and placed in the building at the time of final inspection.
39. Heater shall be capable of maintaining a minimum room temperature of 68 degrees fahrenheit at a point 3 feet above the floor and 2 feet from exterior walls in all habitable room at the design temperature.



VICINITY MAP NTS 5



LOCATION MAP NTS 4

Table with 2 columns: ARCHITECTURAL and STRUCTURAL. Lists sheet titles such as TITLE SHEET, FIRST FLOOR PLAN, SECOND FLOOR PLAN, THIRD FLOOR PLAN, ROOF PLAN, EXTERIOR ELEVATIONS, and SECTIONS.

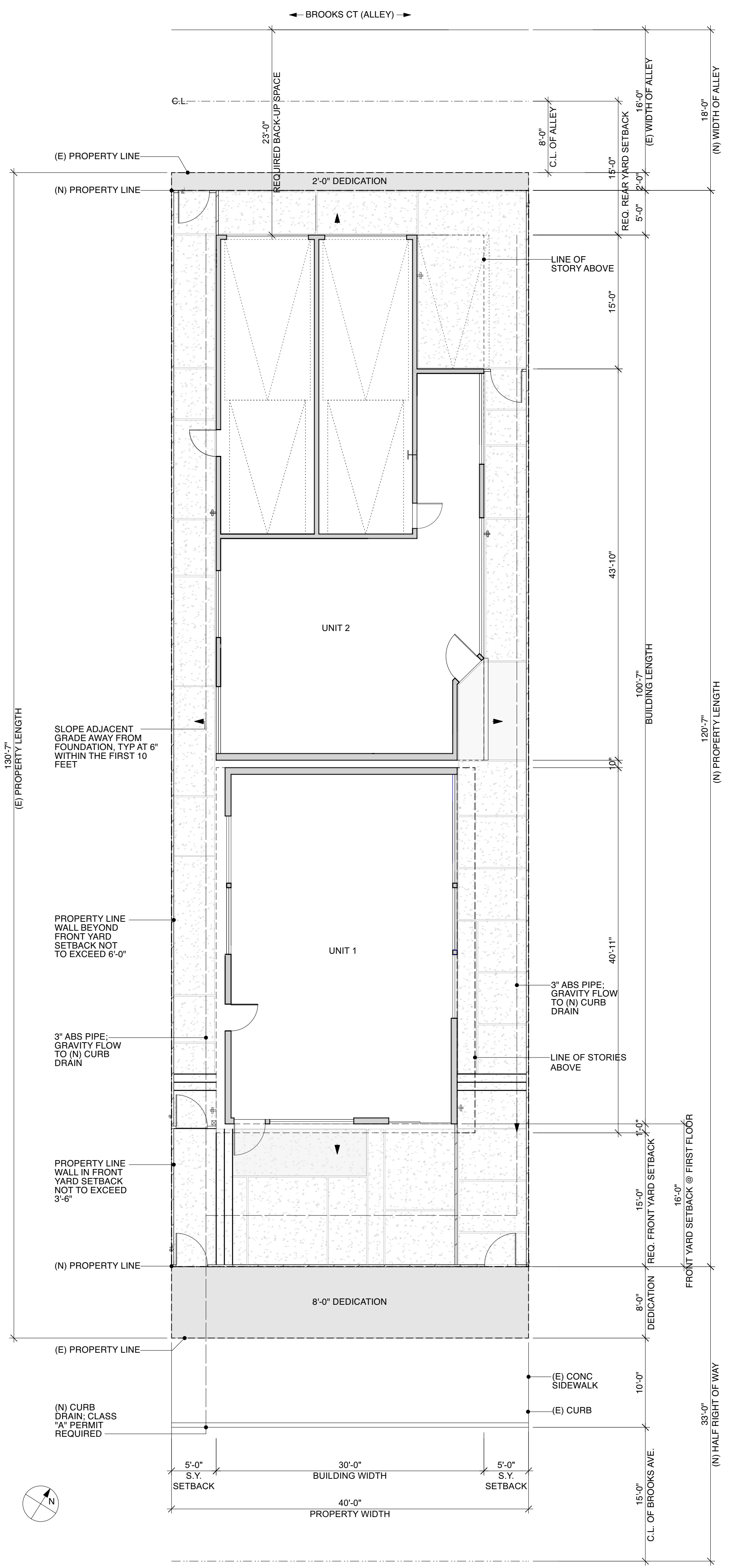
EXHIBIT "A"
Page No. 1 of 10
Case No. DIR-2019-6455-CDP-MEL

SHEET INDEX NTS 3

Table with 2 columns: ADDRESS/CLIENT, SCOPE OF WORK, LEGAL DESCRIPTION, APN, SPECIFIC PLAN AREA/SUBAREA, ZONE, LOT SQ. FT. (APPROX.), FRONT UNIT, REAR UNIT, TOTAL PROPOSED AREA, TOTAL PROPOSED PARKING PROVIDED, CONSTRUCTION/OCCUPANCY, NO. OF STORIES, FIRE SPRINKLER SYSTEM, MAX. BUILDING HEIGHT, and APPLICABLE BUILDING CODES.

GENERAL NOTES NTS 6

PROJECT DATA NTS 2



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

709 BROOKS AVE.
VENICE, CA 90291

ARCHITECT:
DU

DesignUniversal
ARCHITECTURE AND DESIGN
ROBERT THIBODEAU
624 VENICE BLVD
VENICE, CA 90291
PH: 310.452.8161
FX: 310.452.8171

OWNER:
LEWIS FUTTERMAN
380 LENOX AVE
PENTHOUSE J
NEW YORK, NY 10027
PH: 917.566.6477

CONTRACTOR:

SOILS ENGINEER:
SUBSURFACE DESIGNS
12848 FOOTHILL BLVD
SYLMAR CA 91342
PH: 818.898.1595
FX: 818.898.4003

SURVEYOR:

STRUCTURAL ENGINEER:
KMS STRUCTURAL DESIGN ENGINEERS
1377 BEVERLY GLEN BLVD
SUITE #308
LOS ANGELES CA 90024
PH: 310.497.0744

Table with 2 columns: REVISION / ISSUE, DATE. Row 1: 1. PRELIM DESIGN, 02.28.19

TITLE SHEET

Table with 3 columns: DATE, DRAWN, SCALE. Row 1: 07.16.19, BIK, AS NOTED

A-0.0

ARCHITECT:



DesignUniversal
ARCHITECTURE AND DESIGN

ROBERT THIBODEAU
624 VENICE BLVD
VENICE, CA 90291
PH: 310.452.8161
FX: 310.452.8171

OWNER:
LEWIS FUTTERMAN
380 LENOX AVE
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NEW YORK, NY 10027
PH: 917.566.6477

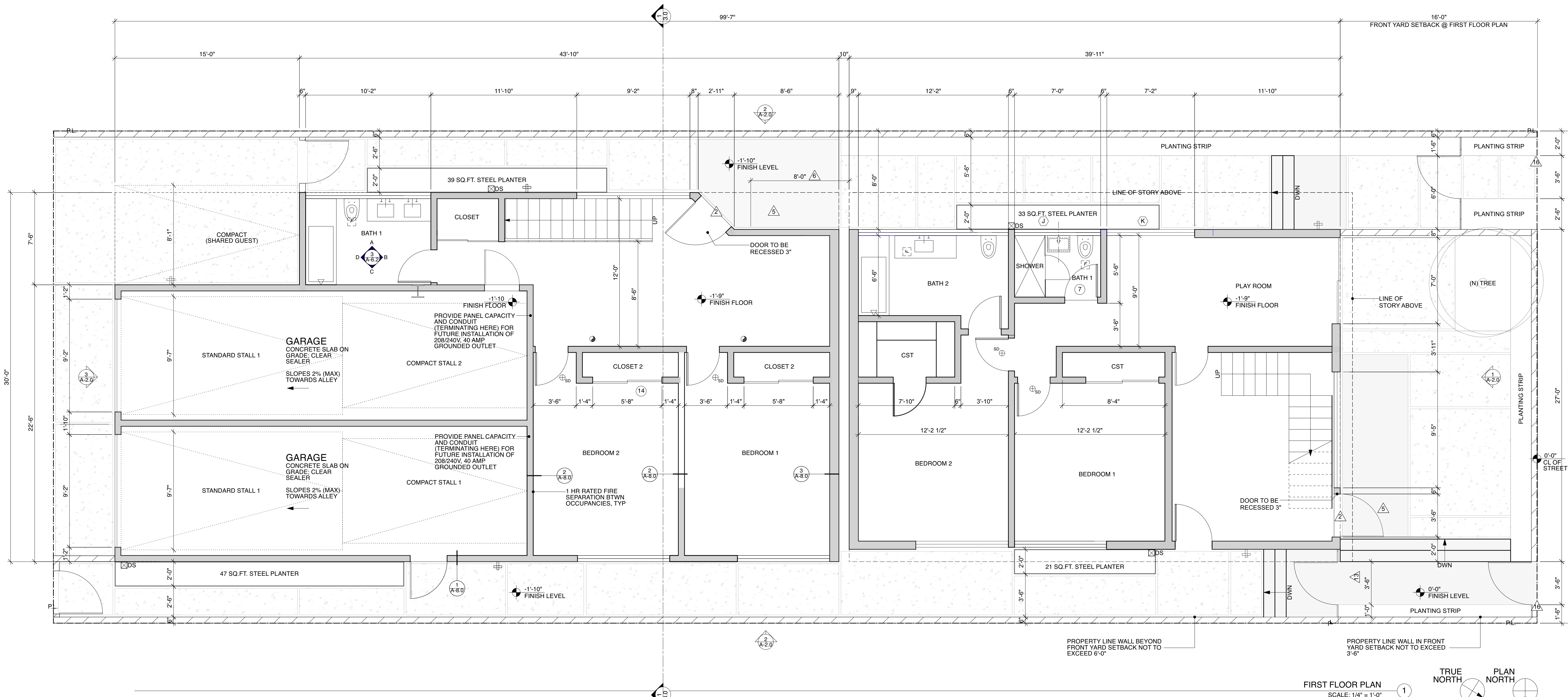
CONTRACTOR:

SOILS ENGINEER:
SUBSURFACE DESIGNS
12848 FOOTHILL BLVD
SYLMAR CA 91342
PH: 818.898.1595
FX: 818.898.4003

SURVEYOR:

STRUCTURAL ENGINEER:
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LOS ANGELES CA 90024
PH: 310.497.0744

REVISION / ISSUE:	DATE:
1. PRELIM DESIGN	02.28.19



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

EXHIBIT "A"
Page No. 2 of 10
Case No. DIR-2019-6455-CDP-MEL

CALCULATIONS FOR HEAT ISLAND EFFECT:	SITE SURFACES FOR L.I.D. CALCS	LEGEND
		<ul style="list-style-type: none"> (N) PARTY WALLS (N) WALLS DETAIL MARKER SECTION MARKER INT ELEV MARKER WALL TYPE (SEE A-8.0 FOR DETAIL) WALL MOUNTED COMBINATION SMOKE AND CARBON MONOXIDE ALARM ENERGY STAR EXHAUST FAN W/ CONTROLLED HUMIDISTAT (50 CFM MIN) DUCTED TO TERMINATE TO THE OUTSIDE OF BUILDING HOSE BIB DOWNSPOUT
<p>SMALL LOT DESIGN STANDARDS:</p> <ul style="list-style-type: none"> ALL PRIMARY ENTRYWAYS PROVIDE ADDRESS, ORNAMENTAL LOW-LEVEL LIGHTING AND A LANDING AREA, SEE A-2.0 & 2.2 THE DOORWAY SHALL BE RECESSED AT LEAST 3" FROM THE BUILDING FACADE SEE A-1.1 EACH ENTRYWAY HAS AN OVERHEAD PROJECTION OF AT LEAST 6" SO AS TO DISTINGUISH THE FRONT DOOR FROM THE REST OF THE BUILDING FACADE, SEE A-2.0 / 2.1 ENTRYWAY IS CLEARLY MARKED WITH A SIDE LITE WINDOW PANEL, SEE A-2.0 / 2.1 ENTRYWAY LANDING IS DIFFERENTIATED FROM THE PEDESTRIAN PATHWAY BY CHANGE IN MATERIAL, SEE SHEET A-8.0 HOMES SHALL PROVIDE AT LEAST 8-FOOT SEPERATION BETWEEN THE FACE OF A PRIMARY ENTRYWAY, SEE A-1.1 EXTERIOR BUILDING MATERIALS ARE COMPOSED OF TWO DIFFERENT MATERIALS: STUCCO, HARDI PANELS, SEE A-2.0 / 2.1. PORTICOS, AWNINGS, TERRACES, BALCONIES, EYEBROWS, OR TRELLISES OF AT LEAST 6" IN DEPTH THAT PROVIDE VARIATION IN THE BUILDING PLANE WINDOW TREATMENT RECESSED 3", SEE A-8.0 #3 6" BREAK IN FACADE, SEE A-2.0 SAME AS FIXED PLANTERS AS ARCHITECTURAL ENHANCEMENTS, SEE A-2.0 ROOF DECK PERIMETER STEPPED BACK 5'-0", SEE A-2.0 AND 2.1 PEDESTRIAN PATHWAYS MIN. 3'-0" WIDE FROM RIGHT OF WAY TO PRIMARY ENTRYWAYS, SEE A-1.1 PEDESTRIAN PATHWAY LOCATED WITHIN A COMMON ACCESS DRIVEWAY IS TREATED WITH A CHANGE OF MATERIALS, SEE SHEET A-8.0 FENCES OR WALLS ABUTTING THE STREET TO BE DECORATIVE POINT OF ENTRY PROVIDED INTO EACH LOT ABUTTING THE RIGHT-OF-WAY ALL YARDS OF A SUBDIVISION ABUTTING THE RIGHT-OF-WAY IS LANDSCAPED SETBACKS & OPEN AREAS NOT USED FOR BUILDINGS, PARKING AREAS, DRIVEWAY, PEDESTRIAN PATHWAYS, UTILITIES, AND COMMON OPEN SPACE AREAS SHALL BE ATTRACTIVELY LANDSCAPED AND MAINTAINED. ALL YARDS ABUTTING THE RIGHT-OF-WAY SHALL BE IMPROVED W/ LANDSCAPING AND AMENITIES. 		

FIRST FLOOR PLAN

DATE: 07.16.19
DRAWN: BIK
SCALE: 1/4" = 1'-0"

A-1.1

ARCHITECT:



DesignUniversal
ARCHITECTURE AND DESIGN

ROBERT THIBODEAU
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VENICE, CA 90291
PH: 310.452.8161
FX: 310.452.8171

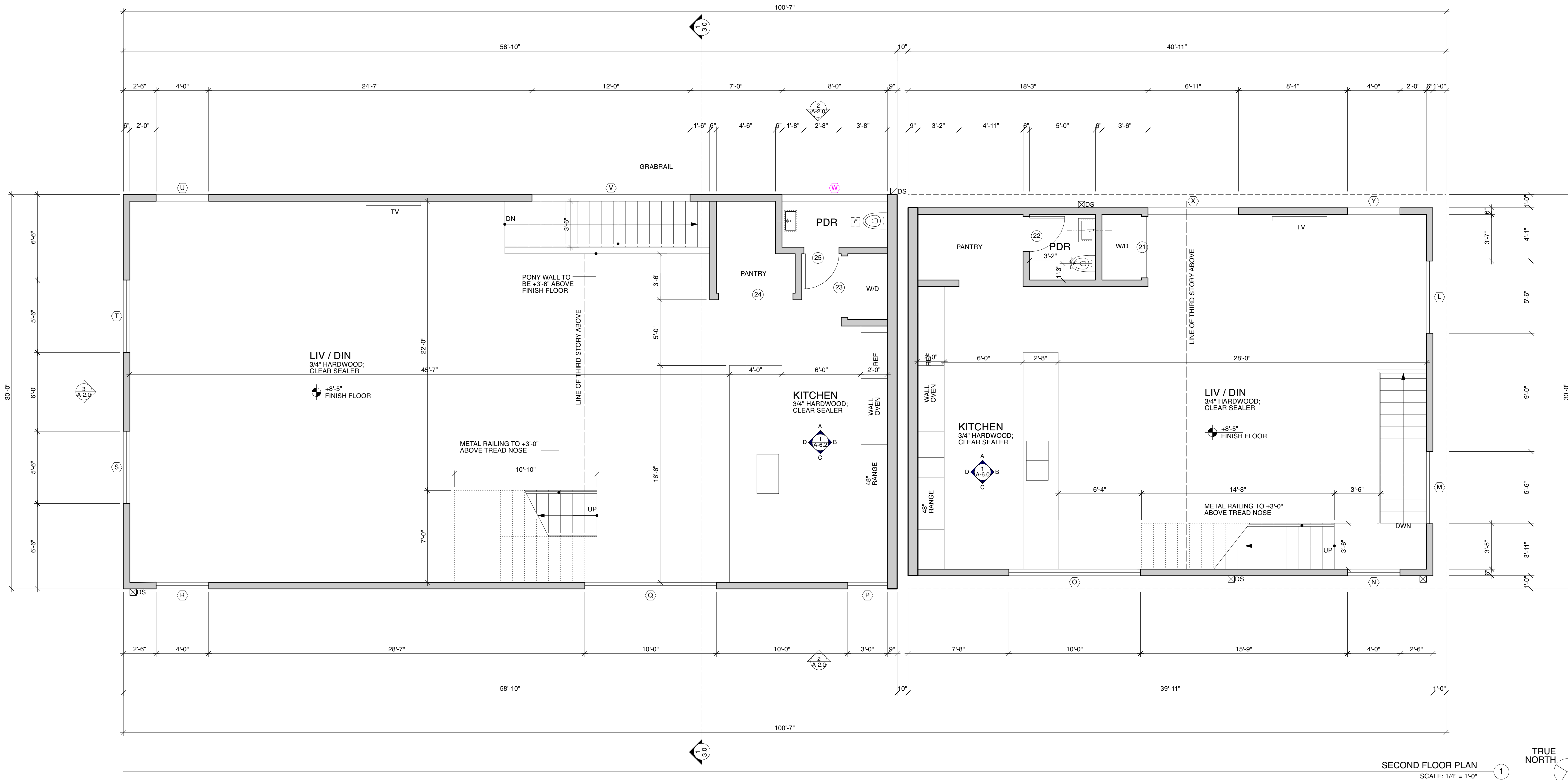
OWNER:
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CONTRACTOR:

SOILS ENGINEER:
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SURVEYOR:

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SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0" 1

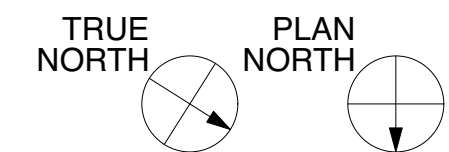


EXHIBIT "A"
Page No. 3 of 10
Case No. DIR-2019-6455-CDP-MEL

REVISION / ISSUE:	DATE:
1. PRELIM DESIGN	02.28.19

SECOND FLOOR PLAN

DATE: 07.16.19 DRAWN: BIK SCALE: 1/4" = 1'-0"

LEGEND	
	(N) PARTY WALLS
	(N) WALLS
	DETAIL MARKER
	SECTION MARKER
	INT ELEV MARKER
	WALL TYPE (SEE A-8.0 FOR DETAIL)
	WALL MOUNTED COMBINATION SMOKE AND CARBON MONOXIDE ALARM
	ENERGY STAR EXHAUST FAN W/ ACCESSIBLE HUMIDISTAT (50 CFM MIN)
	HOSE BIB
	DN S DOWNSPOUT

A-1.2

ARCHITECT:



DesignUniversal
ARCHITECTURE AND DESIGN

ROBERT THIBODEAU
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FX: 310.452.8171

OWNER:
LEWIS FUTTERMAN
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NEW YORK, NY 10027
PH: 917.566.6477

CONTRACTOR:

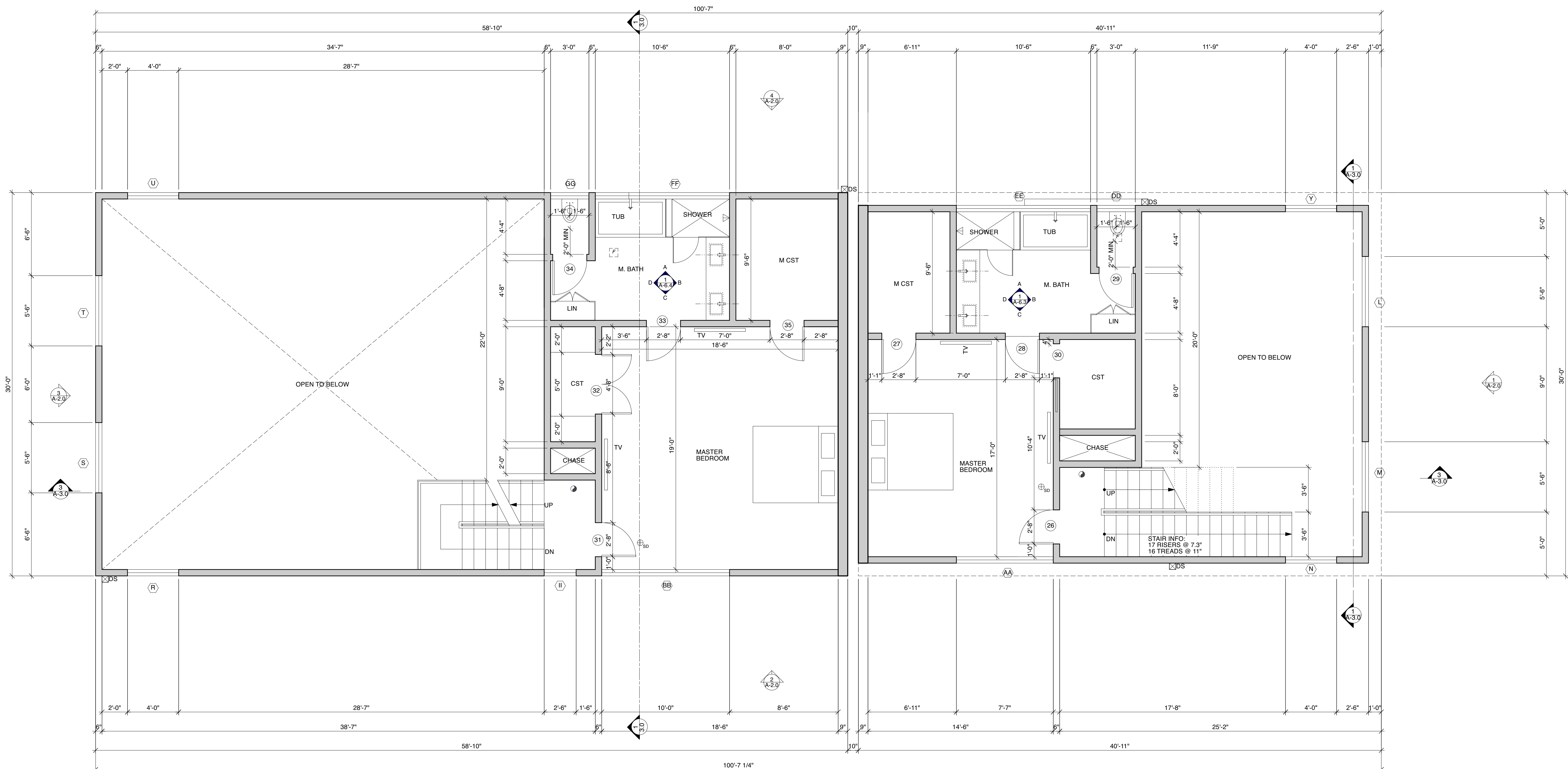
SOILS ENGINEER:

SUBSURFACE DESIGNS
12848 FOOTHILL BLVD
SYLMAR CA 91342
PH: 818.898.1595
FX: 818.898.4003

SURVEYOR:

STRUCTURAL ENGINEER:

KMS STRUCTURAL DESIGN ENGINEERS
1377 BEVERLY GLEN BLVD
SUITE #308
LOS ANGELES CA 90024
PH: 310.497.0744



REVISION / ISSUE:	DATE:
1. PRELIM DESIGN	02.28.19

THIRD FLOOR PLAN

THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"



EXHIBIT "A"
Page No. 4 of 10
Case No. DIR-2019-6455-CDP-MEL

LEGEND	
	(N) PARTY WALLS
	(N) WALLS
	DETAIL MARKER
	SECTION MARKER
	INT ELEV MARKER
	WALL TYPE (SEE A-8.0 FOR DETAIL)
	WALL MOUNTED COMBINATION SMOKE AND CARBON MONOXIDE ALARM
	WALL MOUNTED SMOKE DETECTOR
	ENERGY STAR EXHAUST FAN W/ ACCESSIBLE HUMIDISTAT (50 CFM MIN)
	HOSE BIB
	DOWNSPOUT

DATE: 07.16.19
DRAWN: BIK
SCALE: 1/4" = 1'-0"

A-1.3

ARCHITECT:



DesignUniversal
ARCHITECTURE AND DESIGN

ROBERT THIBODEAU
624 VENICE BLVD
VENICE, CA 90291
PH: 310.452.8161
FX: 310.452.8171

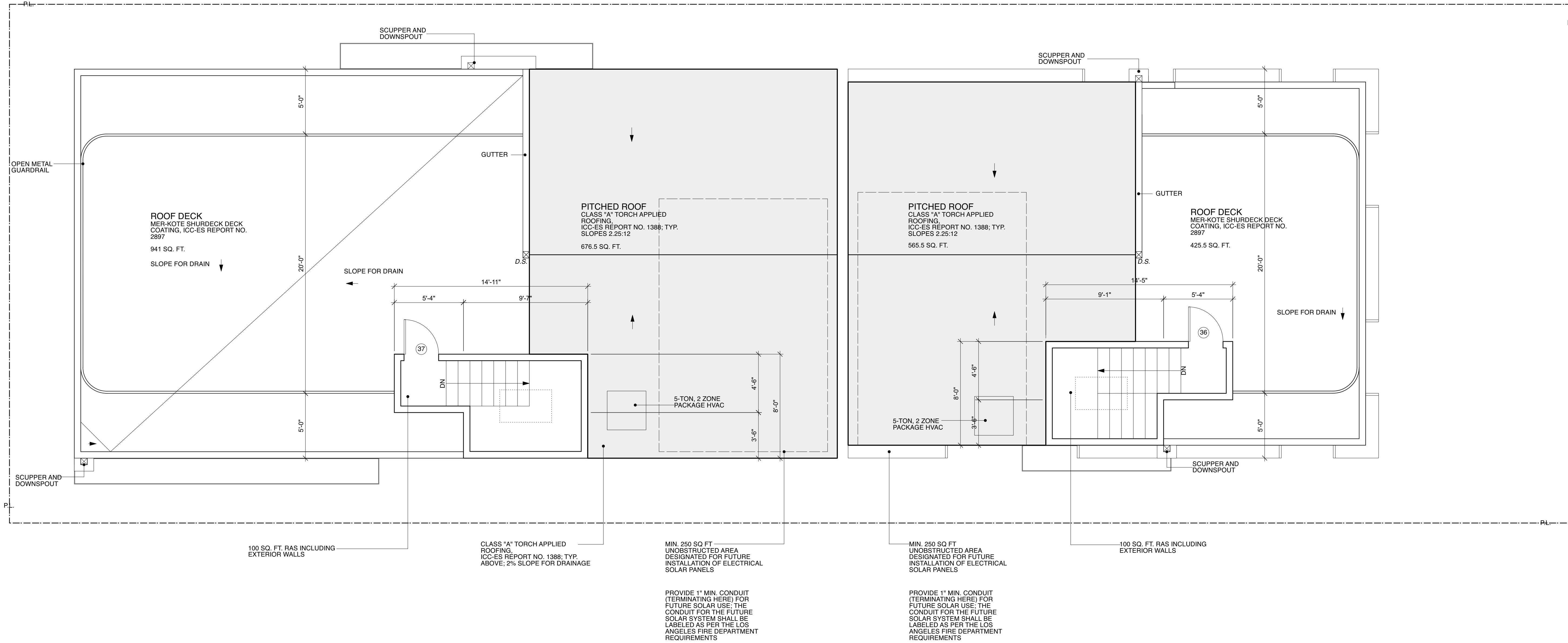
OWNER:
LEWIS FUTTERMAN
380 LENOX AVE
PENTHOUSE J
NEW YORK, NY 10027
PH: 917.566.6477

CONTRACTOR:

SOILS ENGINEER:
SUBSURFACE DESIGNS
12848 FOOTHILL BLVD
SYLMAR CA 91342
PH: 818.898.1595
FX: 818.898.4003

SURVEYOR:

STRUCTURAL ENGINEER:
KMS STRUCTURAL DESIGN ENGINEERS
1377 BEVERLY GLEN BLVD
SUITE #308
LOS ANGELES CA 90024
PH: 310.497.0744



REVISION / ISSUE:	DATE:
1. PRELIM DESIGN	02.28.19

ROOF PLAN

ROOF PLAN 1
SCALE: 1/4" = 1'-0"

EXHIBIT "A"
Page No. 5 of 10
Case No. DIR-2019-6455-CDP-MEL

DATE: 07.16.19 DRAWN: BIK SCALE: 1/4" = 1'-0"

LEGEND	
	(N) PARTY WALLS
	(N) WALLS
	DETAIL MARKER
	SECTION MARKER
	INT ELEV MARKER
	WALL TYPE (SEE A-8.0 FOR DETAIL)
	WALL MOUNTED COMBINATION SMOKE AND CARBON MONOXIDE ALARM
	ENERGY STAR EXHAUST FAN W/ ACCESSIBLE HUMIDISTAT (50 CFM MIN)
	HOSE BIB
	D.S. DOWNSPOUT

A-1.4

ARCHITECT:



DesignUniversal
ARCHITECTURE AND DESIGN

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CONTRACTOR:

SOILS ENGINEER:

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12848 FOOTHILL BLVD
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PH: 818.898.1595
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SURVEYOR:

STRUCTURAL ENGINEER:

KMS STRUCTURAL DESIGN ENGINEERS
1377 BEVERLY GLEN BLVD
SUITE #308
LOS ANGELES CA 90024
PH: 310.497.0744

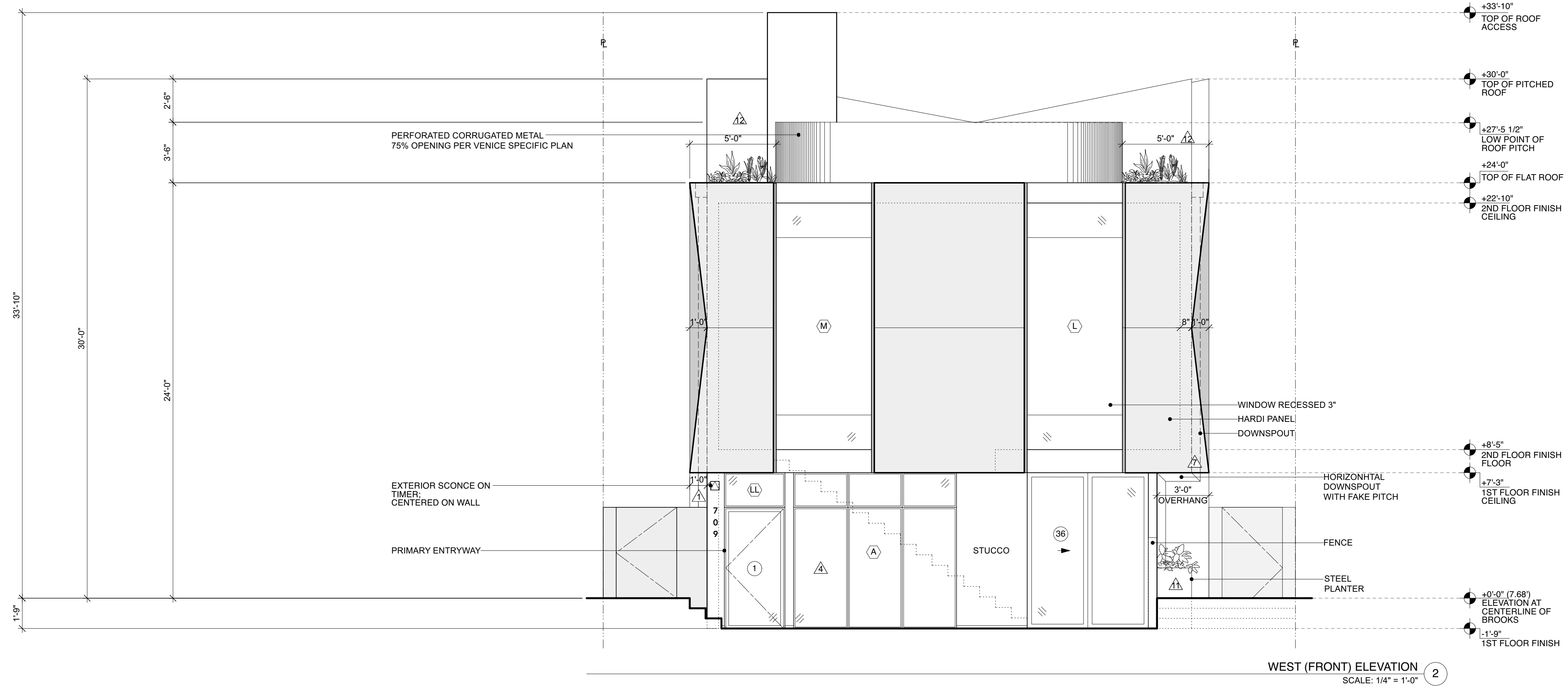
REVISION / ISSUE:	DATE:
1. PRELIM DESIGN	02.28.19

EXTERIOR ELEVATIONS

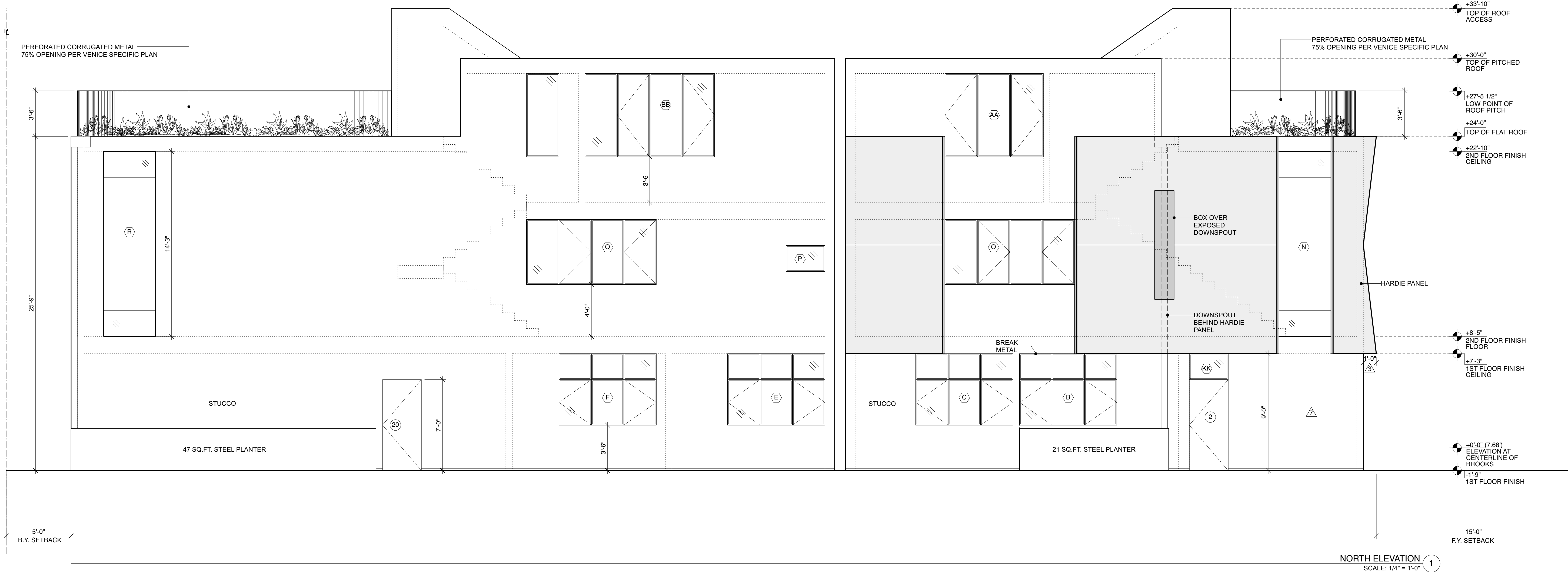
DATE:	DRAWN:	SCALE:
07.16.19	BIK	1/4" = 1'-0"

A-2.0

EXHIBIT "A"
Page No. 6 of 10
Case No. DIR-2019-6455-CDP-MEL



WEST (FRONT) ELEVATION 2
SCALE: 1/4" = 1'-0"



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

ARCHITECT:



DesignUniversal
ARCHITECTURE AND DESIGN

ROBERT THIBODEAU
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VENICE, CA 90291
PH: 310.452.8161
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OWNER:
LEWIS FUTTERMAN
380 LENOX AVE
PENTHOUSE J
NEW YORK, NY 10027
PH: 917.566.6477

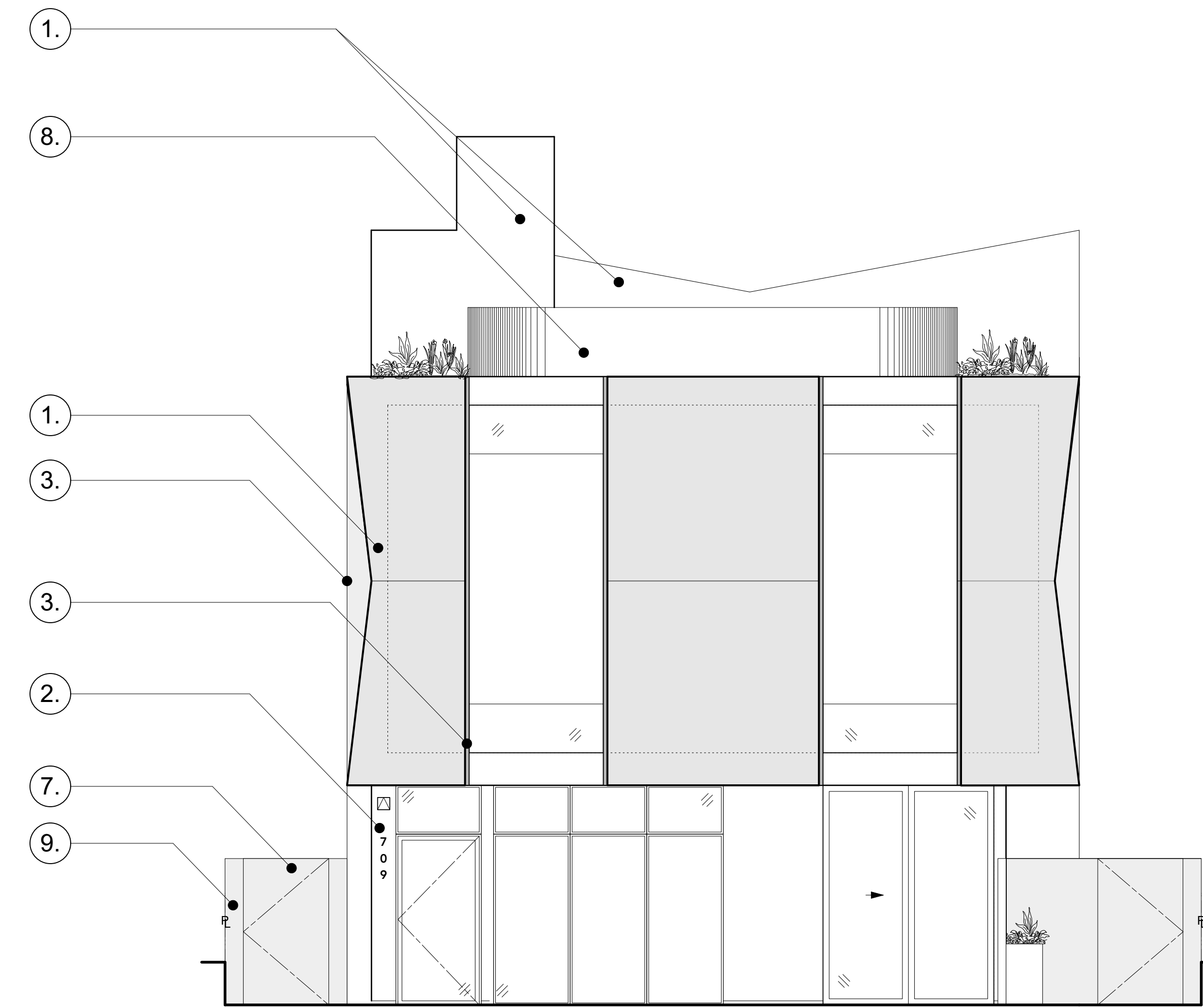
CONTRACTOR:

SOILS ENGINEER:
SUBSURFACE DESIGNS
12848 FOOTHILL BLVD
SYLMAR CA 91342
PH: 818.898.1595
FX: 818.898.4003

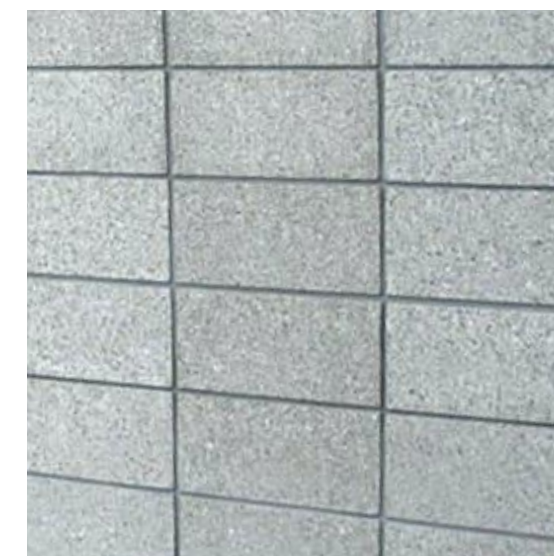
SURVEYOR:

STRUCTURAL ENGINEER:
KMS STRUCTURAL DESIGN ENGINEERS
1377 BEVERLY GLEN BLVD
SUITE #308
LOS ANGELES CA 90024
PH: 310.497.0744

EXHIBIT "A"
Page No. 8 of 10
Case No. DIR-2019-6455-CDP-MEL

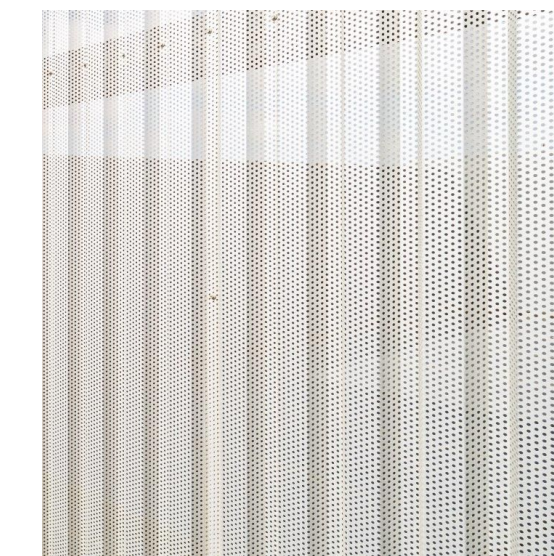


WEST (FRONT) ELEVATION 1
SCALE: 1/4" = 1'-0"



8"x8" CINDERBLOCK / STACK BOND JOINT

FENCE AND PROPERTY LINE WALL 9



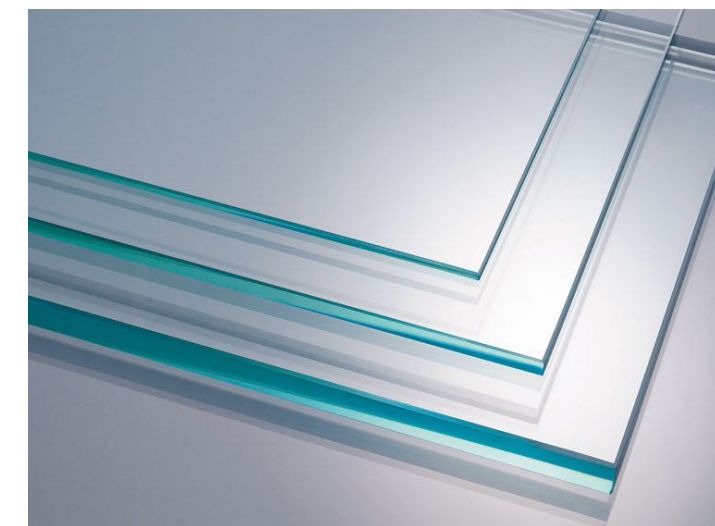
CORRUGATED METAL / WHITE
75% OPEN PER VENICE SPECIFIC PLAN

ROOF RAIL 8



STEEL / ANODIZED WHITE

PLANTERS AND SIDE DOORS 7



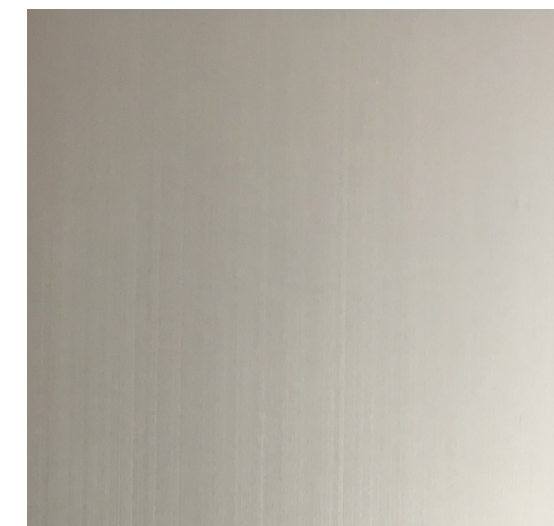
SOLARBAN XL 70 / INSULATED GLASS

WINDOWS AND DOORS 6



ACID WASHED CONCRETE
(TO DIFFERENTIATE FROM BROOM FINISH PAVEMENT)

STAIRS, PAVERS AND DRIVEWAYS 5



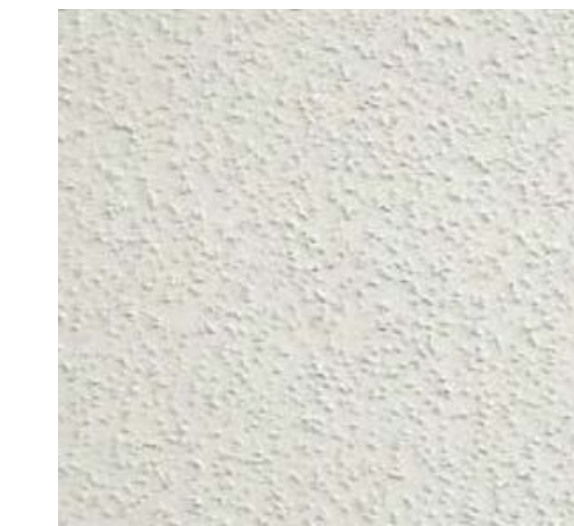
SKY-FRAME / LABYRINTH SF3 / ELOXIERT COLINAL E6.3145

ADDRESS, AWNINGS, DOOR AND WINDOW FRAMES AND TRIMS 3



HARDIE PANEL / SMOOTH WITH COLORPLUS TECHNOLOGY / ARCTIC WHITE

INSET FACADE 2



MERLEX STUCCO / P-505 AGATE / 20.30 TEXTURE

FACADE AND ROOF ACCESS STRUCTURES 1

REVISION / ISSUE:	DATE:
1. PRELIM DESIGN	02.28.19

MATERIALS

DATE: 07.16.19 DRAWN: BIK SCALE: NTS

A-9.0

FD SPK
ON CL INTER
PER CEFB 111-145-115
& PWF 1114-3067

N57°45'41"E
132.05'

20'
10'

7TH AVENUE

N57°27'46"W
165.76'

FD SPK/W LS 7882
ON CL INTER
PER CEFB 111-145-114
& PWF 1114-3067

EST CL INTER
BY FD 4 NAILS ON SMH
MATCHES FD TIES
PER CEFB 111-145-114

112.20'
N57°25'00"E

INDIANA COURT

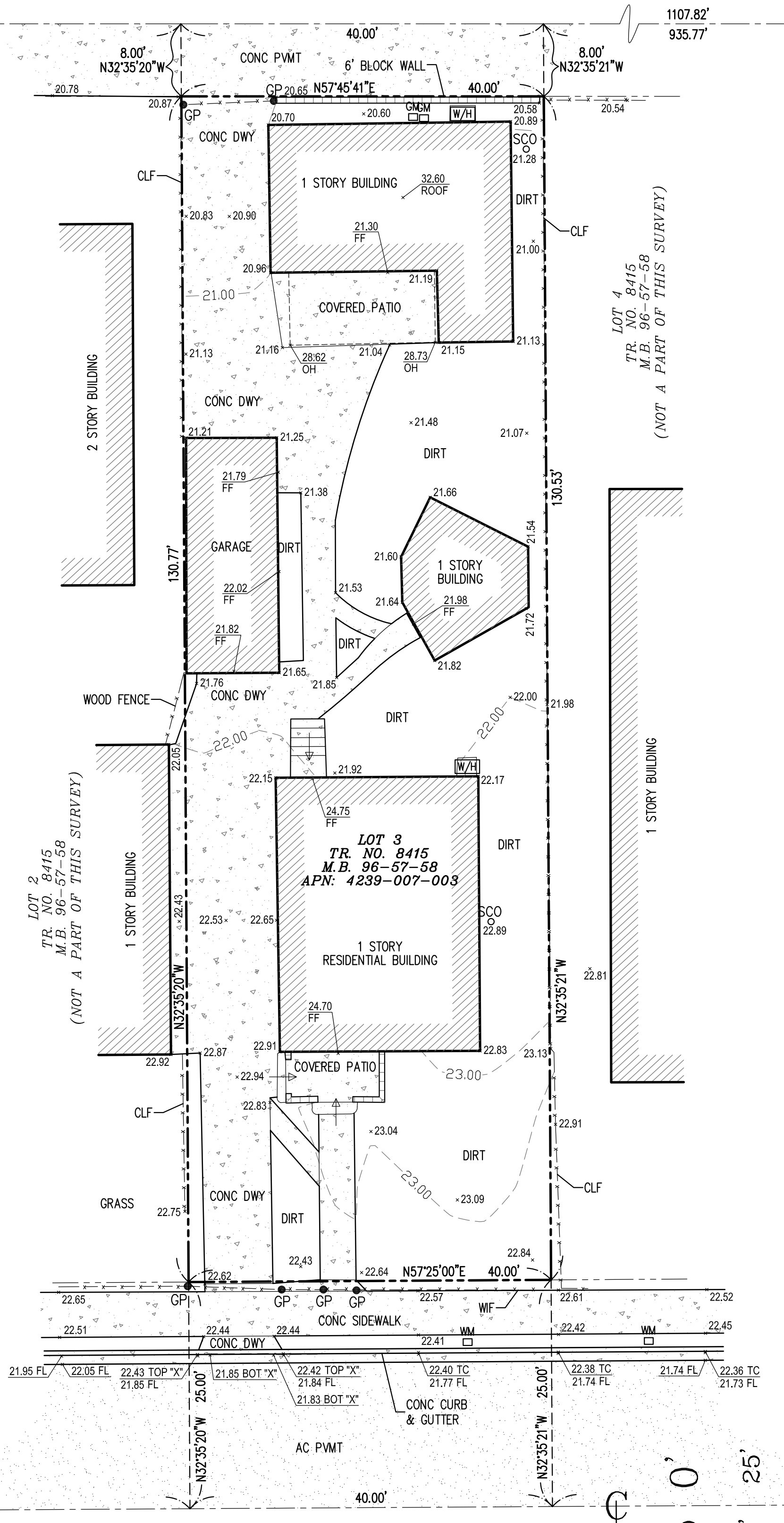
ALLEY

FD L&T
ON CL PROD
PER CEFB 23601-22
& PWF 1114-3067

FD L&T
ON CL INTER
PER CEFB 23601-22
& PWF 1114-3067

11.13'

EXHIBIT "A"
Page No. 9 of 10
Case No. DIR-2019-6455-CDP-MEL



LOT 4 8415
TR 96-57-58
M.B. 96-57-58
(NOT A PART OF THIS SURVEY)

LOT 2 8415
TR 96-57-58
M.B. 96-57-58
(NOT A PART OF THIS SURVEY)

LOT 3
TR NO. 8415
M.B. 96-57-58
APN: 4239-007-003

50'
25'

BROOKS AVENUE

N57°36'15"W
177.55'

ALLEY

1016.44'
1168.64'

FD SPK
ON CL INTER
PER CEFB 23601-22
& PWF 1114-3067

LEGAL DESCRIPTION:
THE LAND REFERRED TO IN THIS SURVEY IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, AND IS DESCRIBED AS FOLLOWS:
LOT 3 OF TRACT NO. 8415 AS PER MAP RECORDED IN BOOK 96 PAGES 57-58 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
APN: 4239-007-003

BASIS OF BEARINGS:
THE BEARING NORTH 57° 25' 00" EAST, ON THE CENTERLINE OF BROOKS AVENUE AS SHOWN ON TRACT NO. 8415, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, AS PER MAP RECORDED IN M.B. 96, PAGES 57-58, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

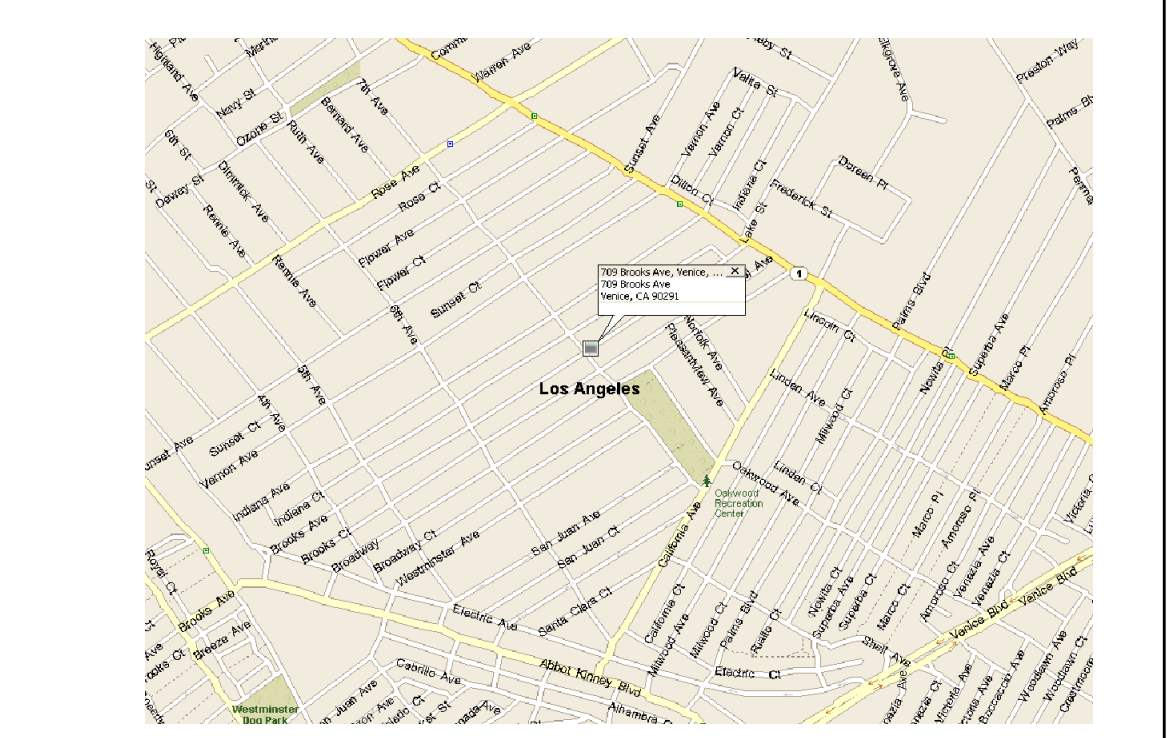
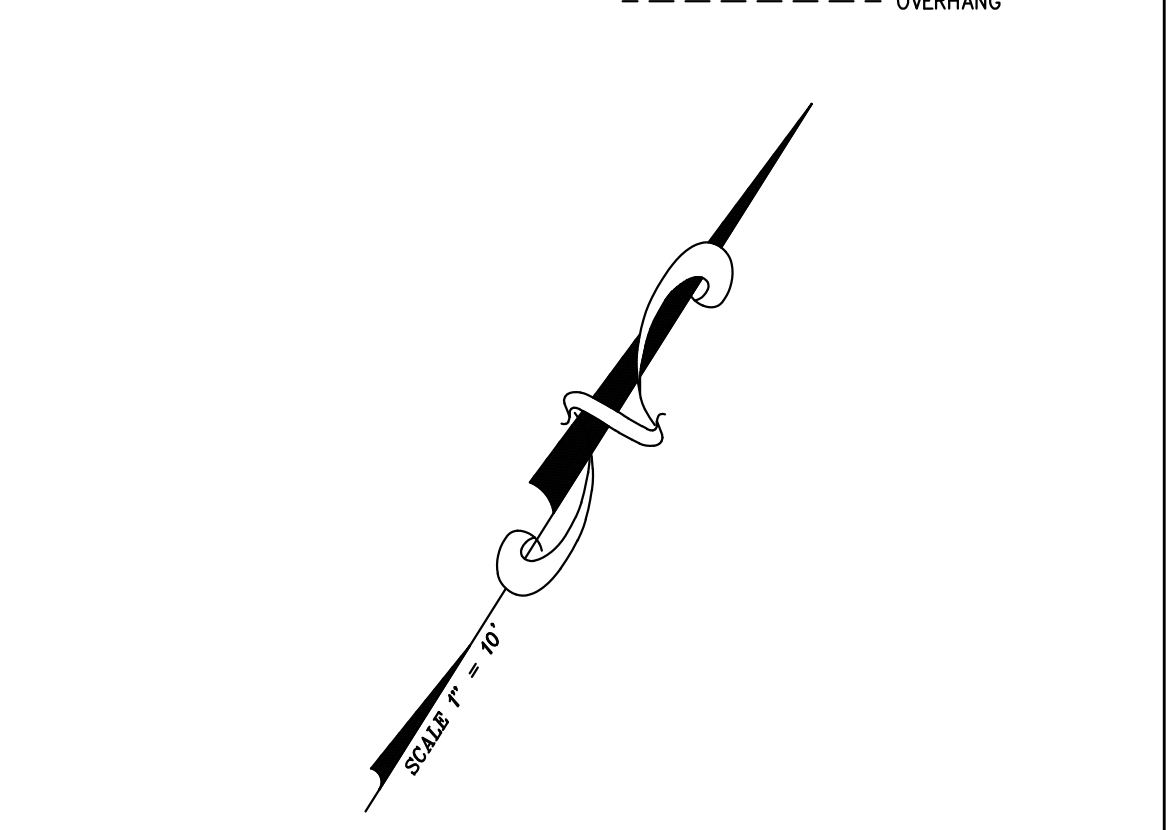
LAND AREA:
CONTAINING AN AREA OF 5,226.02 SQ. FT., OR 0.1200 ACRES, MORE OR LESS.

BENCHMARK:
STRUCTURE ID: 53315159
FOUND SANITARY SEWER MANHOLE ON INTER OF 7TH AVENUE AND INDIANA COURT.
ELEV. = 20.90 FT.

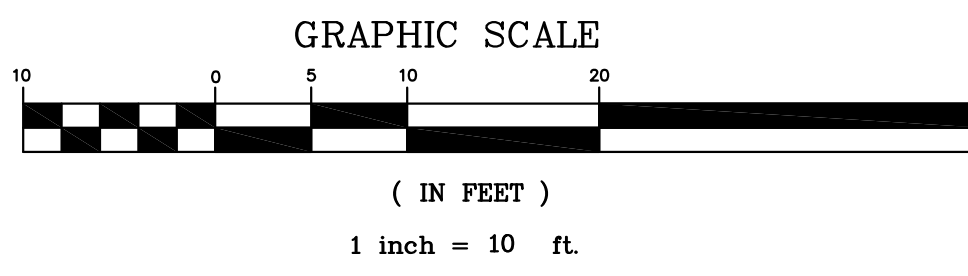
SURVEYOR'S NOTE:
THIS MAP IS NOT A BOUNDARY SURVEY. NO PROPERTY CORNERS HAVE BEEN SET AS PART OF THIS WORK.
SURVEY MONUMENTS FOUND IN THE COURSE OF THIS MAPPING HAVE BEEN SET BY OTHERS, AND USED ONLY AS REFERENCE FOR PURPOSES OF TOPOGRAPHIC MAPPING, WITHOUT THE VERIFICATION OF ITS AGREEMENT WITH APPLICABLE LEGAL DESCRIPTIONS AND SENIORITY OF DEEDS.
RELATION OF TOPOGRAPHIC FEATURES (FENCES, WALLS, TREES, POWER POLES, ETC.) TO PROPERTY LINES SHOWN ON THIS MAP IS SUBJECT TO THE ADJUSTMENTS TO ANY BOUNDARY SURVEY THAT IS TO BE DONE ON THE PROPERTY.
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. EASEMENTS, IF ANY, ARE NOT SHOWN.

LEGEND:

AC	ASPHALT CONCRETE	GM	GAS METER
APN	ASSESSOR'S PARCEL NUMBER	GP	GATE POST
BM	BENCHMARK	PP	POWER POLE
CEFB	CITY ENGINEER'S FIELD BOOK	SCO	SEWER CL OUT
CL	CENTERLINE	SMH	SEWER MANHOLE
CLF	CHAIN LINK FENCE	U	UP STAIRS/RAMP
CONC	CONCRETE	W/H	WATER HEATER
EST	ESTABLISH	WM	WATER METER
FD	FOUND		
FLE	FINISH FLOOR ELEV.		
FL	FLOWLINE ELEV.		
INT	INTERSECTION		
LS	LAND SURVEYOR		
L & T	LEAD & TACK		
MB	MAP BOOK		
OH	OVERHANG		
PROD	PRODUCED (PROLONGED)		
PVMT	PAVEMENT		
PWF	PUBLIC WORKS FIELD BOOK		
SPK/W	SPIKE & WASHER		
TC	TOP OF CURB ELEV.		
TR	TRACT MAP		
TW	TOP OF WALL ELEV.		
WF	WROUGHT IRON FENCE		



VICINITY MAP
NOT TO SCALE
M&G CIVIL ENGINEERING AND
LAND SURVEYING



TITLE: TOPOGRAPHIC SURVEY 709 BROOKS AVE., LOS ANGELES, CA 90291		
CLIENT: LUXE BUILT	JOB NO.:	18-13991
SCALE: 1" = 10'	DATE:	10/23/18
DESIGNED BY: F.G. / W.G.	REVISION (S):	
DRAWN BY: B.G.	SHEET	1
CHECKED BY: C.D.L.	OF 1 SHEET	

ARCHITECT:



DesignUniversal
ARCHITECTURE AND DESIGN

ROBERT THIBODEAU
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LOS ANGELES CA 90024

PH: 310.497.0744

REVISION / ISSUE:	DATE:
1. PRELIM DESIGN	02.28.19

TEXTURED ELEVATION

DATE: 07.16.19 DRAWN: BIK SCALE: 1/4" = 1'-0"



WEST (FRONT) ELEVATION 1
SCALE: 1/4" = 1'-0"

Exhibit D

Environmental Clearance
ENV-2019-6456-CE

D.1: Notice of Exemption

D.2: Geology and Soils Report
Approval Letter

D.1: 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

DIR-2019-6455-CDP-MEL & AA-2019-6453-PMLA-SL

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2019-5904-CE

PROJECT TITLE

709 Brooks Avenue

COUNCIL DISTRICT

11

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

709 East Brooks Avenue, 90291

Map attached.

PROJECT DESCRIPTION:

The demolition of a duplex and accessory structures and the subdivision of a 4,826 square-foot lot into two (2) small lots, in conjunction with the construction of two (2) three-story single-family dwellings with roof decks. The project provides a total of (5) parking spaces onsite.

Additional page(s) attached.

NAME OF APPLICANT / OWNER:

Wilshire View LLC

CONTACT PERSON (If different from Applicant/Owner above)

Susan Steinberg

(AREA CODE) TELEPHONE NUMBER

(310) 838-0180

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) **Section 15301 – Class 1, Section 15303 – Class 3, Section 15315 – Class 15, & Section 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

A Categorical Exemption, ENV-2019-6456-CE, has been prepared for the proposed project consistent, with the provisions of the California Environmental Quality Act and the City CEQA Guidelines. As discussed, the project will demolish an existing duplex and accessory structures and construct two three-story single-family dwellings with roof decks, in conjunction with the subdivision of a 4,826 square-foot lot into two small lots. Five parking spaces are provided onsite.

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 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 a duplex and accessory structures.

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 on each of the newly subdivided lot.

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-2019-6453-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 one, one-story single-family dwelling. 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 in an urban tract with water supply, sewage and waste disposal infrastructure, and power lines installed. Brooks Avenue is an improved street 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 percent 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 project site is located within the Venice Community Plan and is designated for Low Medium II Residential land uses. The site is zoned RD1.5-1, consistent with the land use designation. As previously discussed, the project is consistent with the applicable Venice Community Plan designation and policies, as well as all applicable zoning designations and regulations.

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

The project site is wholly within the City of Los Angeles, on a site that is .12 acres. Lots surrounding the subject site are developed with single and multi-family dwellings.

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

The area around the site is urbanized and surrounded by residential uses. 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. The project will not result in a gain or loss of residential units, therefore, 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 in an urban tract with water supply, water treatment, sewage and waste disposal infrastructure, and power lines. Brooks Avenue is an improved street with existing utilities that service the various other dwellings in the area. The street and alley are accessible to emergency vehicles. Because the project would maintain the existing the number of residential units onsite, no significant increase in population or density is anticipated. As such, no significant impact on the capacity of existing utilities and services is anticipated.

CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions

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

- (a) *Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

The project is not located in a sensitive environment. Although the project is located within the Coastal Zone, the residential neighborhood is not identified as 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. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

There is not a succession of known projects of the same type and in the same place as the subject project. As mentioned, the project proposes the demolition of a duplex and accessory structures and the subdivision of a 4,826 square-foot lot into two (2) small lots, in conjunction with the construction of two (2) three-story single-family dwellings with roof decks. The project provides a total of (5) parking spaces onsite. The project is in an area zoned and designated for such development. Lots adjacent to the subject site are developed with urban uses. The project site, zoned RD1.5-1, is surrounded by similar residential uses. The lots along this block. The lots along this block of Brooks Avenue are also zoned RD1.5-1 and developed with single and multi-family dwellings ranging from one to three-stories in height. The lots to the north and west are also zoned RD1.5-1 and developed with single & multi-family dwellings ranging from one to three stories in height. The properties to the south, along Broadway Street, are zoned RD1.5-1, OS-1XL, & [Q]PF-1XL. These lots are improved with a mix of single & multi-family residential structures ranging from one to three stories in height as well as Oakwood Recreation Center, Broadway Elementary School, and Amino Venice Charter High School. The properties to the east, along Lincoln Boulevard, are zoned [Q]C2-1-CDO and improved with commercial structures ranging from one to two stories in height. The subject site is also of a similar size and scope to nearby properties. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project and as it may be subsequently amended or modified. Therefore, in conjunction with citywide RCMs and compliance with other applicable regulations, no foreseeable cumulative impacts are expected.

- (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.*

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 activities typical of a residential neighborhood. Therefore, no unusual circumstances are present or foreseeable.

- (d) *Scenic Highways. A categorical exemption shall not be used for a project, which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.*

The project site is not located on or near a designated state scenic highway.

- (e) *Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

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. A categorical exemption shall not be used for a project, which may cause a substantial adverse change in the significance of a historical resource.*

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).

Therefore, 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.

Categorical Exemption No. ENV-2019-5904-CE was prepared for the proposed project consistent with the provisions of CEQA. The project consists of the demolition of a single-family dwelling and the construction of a new 3,437 square foot, two-story single-family dwelling with an attached garage, roof deck, and a swimming pool. A total of three onsite parking spaces are provided. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Sections 15301 (Class 1) and 15303 (Class 3).

The Class 1 Categorical Exemption includes demolition and removal of individual small structures: (1) One single-family residence. In

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

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

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


- (a) Location. The project is not located in a sensitive environment. Although the project is located within the Coastal Zone, the residential neighborhood is not identified as a sensitive environmental resource. The proposed project is consistent with the scale and uses proximate to the area. The subject site is not located in a fault or flood zone, nor is it within a landslide area. Although the site is located within a Liquefaction Zone, the project is subject to compliance with the requirements of the Building and Zoning Code that outline standards for residential construction.
- (b) Cumulative Impact. The project is consistent with the type of development permitted for the area zoned R2-1 and designated Low Medium I Residential use. The proposed development of a single-family dwelling will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not result in significant cumulative impacts.
- (c) Significant Effect. A Categorical Exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed project consists of work typical in a residential neighborhood and, as such, no unusual circumstances are present or foreseeable.
- (d) Scenic Highways. The only State-designated Scenic Highway in the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of the Topanga State Park. The subject property is located several miles to the southeast of State Route 27. Therefore, the proposed project will not create any impacts to scenic resources within a State-designated Scenic Highway.
- (e) Hazardous Waste Sites. According to the EnviroStor, the State of California’s database of hazardous waste sites, neither the subject property nor any property in the vicinity, is identified as a hazardous waste site.
- (f) Historical Resources. The subject site and exiting structure have not been identified as a historic resource or within a historic district (SurveyLA), the project is not listed on the National or California Register of Historic Places, or identified as a Historic Cultural Monument (HCM).

Therefore, the proposed project is determined to be categorically exempt and does not require mitigation or monitoring measures.

- 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 Kevin Fulton		STAFF TITLE Planning Assistant
ENTITLEMENTS APPROVED Coastal Development Permit, Mello Act Compliance Review, Preliminary Parcel Map		
FEE: \$ 373.00	RECEIPT NO: 0102110750	REC'D. BY (DCP DSC STAFF NAME) Kit Awakuni

DISTRIBUTION: County Clerk, Agency Record

Rev. 3-27-2019

D.2: Geology and Soils Report Approval Letter

BOARD OF
BUILDING AND SAFETY
COMMISSIONERS

VAN AMBATIELOS
PRESIDENT

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VICE PRESIDENT

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CITY OF LOS ANGELES
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ERIC GARCETTI
MAYOR

DEPARTMENT OF
BUILDING AND SAFETY
201 NORTH FIGUEROA STREET
LOS ANGELES, CA 90012

FRANK M. BUSH
GENERAL MANAGER
SUPERINTENDENT OF BUILDING

OSAMA YOUNAN, P.E.
EXECUTIVE OFFICER

SOILS REPORT APPROVAL LETTER

June 10, 2019

LOG # 108497
SOILS/GEOLOGY FILE - 2
LIQ

1485 PH, LLC
709 E. Brooks Avenue
Venice, CA 90291

TRACT: 8415
LOT: 3
LOCATION: 709 E. Brooks Avenue

ENV 2017-0456

<u>CURRENT REFERENCE REPORT</u>	<u>REPORT</u>	<u>DATE OF</u>	<u>PREPARED BY</u>
<u>REPORT/LETTER(S)</u>	<u>No.</u>	<u>DOCUMENT</u>	
Soils Report	GH18332-S	10/25/2018	Grover Hollingsworth and Associates
Oversized Doc.	"	"	"

The Grading Division of the Department of Building and Safety has reviewed the referenced report that provides recommendations for the proposed 2 and 3-story residence, with no basement, as described on page 4 and shown on the Geotechnical Map in the 10/25/2018 report.

Two borings were drilled to depths of 21 and 51.5 feet along with two test pits to depths of 5.5 and 8.5 feet. The earth materials at the subsurface exploration locations consist of up to 1 foot of uncertified fill underlain by up to 3.5 feet of soil that in turn is underlain by alluvium. According to the consultants, groundwater was encountered at a depth of 21 feet and historically highest groundwater is at about 8 feet below existing ground surface. Per the consultants, the site is underlain by highly expansive soils. The site is relatively level.

The consultants recommend to support the proposed structure on a "waffle grid" of deepened conventional foundations bearing on native undisturbed soils (see pgs. 15 & 16 in the referenced report).

The site is located in a designated liquefaction hazard zone as shown on the Seismic Hazard Zones map issued by the State of California. The Liquefaction study included as a part of the report demonstrates that the site soils are subject to liquefaction. The earthquake induced total and differential settlements are calculated to be 0.43 and 0.29 inches, respectively (based on 2/3rd the PGAM). However, these settlement magnitudes are considered by the Department to be within acceptable levels. The requirements of the 2017 City of Los Angeles Building Code have been satisfied.

The referenced report is acceptable, provided the following conditions are complied with during site development:

(Note: Numbers in parenthesis () refer to applicable sections of the 2017 City of LA Building Code. P/BC numbers refer the applicable Information Bulletin. Information Bulletins can be accessed on the internet at LADBS.ORG.)

1. The soils engineer shall review and approve the detailed plans prior to issuance of any permit. This approval shall be by signature on the plans that clearly indicates the soils engineer has reviewed the plans prepared by the design engineer; and, that the plans included the recommendations contained in their reports (7006.1).
2. All recommendations of the report that are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.
3. A copy of the subject and appropriate referenced reports and this approval letter shall be attached to the District Office and field set of plans (7006.1). Submit one copy of the above reports to the Building Department Plan Checker prior to issuance of the permit.
4. A grading permit shall be obtained for all structural fill (106.1.2).
5. All man-made fill shall be compacted to a minimum 90 percent of the maximum dry density of the fill material per the latest version of ASTM D 1557. Where cohesionless soil having less than 15 percent finer than 0.005 millimeters is used for fill, it shall be compacted to a minimum of 95 percent relative compaction based on maximum dry density. Placement of gravel in lieu of compacted fill is only allowed if complying with LAMC Section 91.7011.3.
6. Existing uncertified fill shall not be used for support of footings, concrete slabs or new fill (1809.2, 7011.3).
7. Drainage in conformance with the provisions of the Code shall be maintained during and subsequent to construction (7013.12).
8. Grading shall be scheduled for completion prior to the start of the rainy season, or detailed temporary erosion control plans shall be filed in a manner satisfactory to the Grading Division of the Department and the Department of Public Works, Bureau of Engineering, B-Permit Section, for any grading work in excess of 200 cubic yards (7007.1).

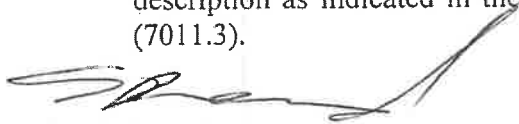
1828 Sawtelle Blvd., 3rd Floor, West LA (310) 575-8388

9. All loose foundation excavation material shall be removed prior to commencement of framing (7005.3).
10. The applicant is advised that the approval of this report does not waive the requirements for excavations contained in the General Safety Orders of the California Department of Industrial Relations (3301.1).
11. Excavations shall not remove lateral support from a public way, adjacent property or an existing structure. Note: Lateral support shall be considered to be removed when the excavation extends below a plane projected downward at an angle of 45 degrees from the

bottom of a footing of an existing structure, from the edge of the public way or an adjacent property. (3307.3.1)

12. A supplemental report shall be submitted to the Grading Division of the Department containing recommendations for shoring, underpinning, and sequence of construction in the event that any excavation would remove lateral support to the public way, adjacent property, or adjacent structures (3307.3). A plot plan and cross-section(s) showing the construction type, number of stories, and location of the structures adjacent to the excavation shall be part of the excavation plans (7006.2). Note: The consultants provided slot cut calculations in the Appendix, however, no recommendations for slot cuts were provided in the text of the report. Therefore slot cuts are not approved in this letter.
13. Unsurcharged temporary excavation may be cut vertical up to 5 feet. For excavations over 5 feet, the lower 5 feet may be cut vertically and the portion of the excavation above 5 feet shall be trimmed back at a gradient not exceeding 1:1, as recommended.
14. All foundations shall derive entire support from native undisturbed soils, as recommended and approved by the soils engineer by inspection (see pgs. 15 & 16 in the referenced report).
15. Footings shall be designed as specified and recommended on pages 15 to 19 of the referenced report.
16. The foundation/slab design shall satisfy all requirements of the Information Bulletin P/BC 2014-116 "Foundation Design for Expansive Soils" (1803.5.3).
17. Slabs on uncertified fill shall be designed as a structural slab (7011.3).
18. Slabs shall be at least 5 inches thick and shall be reinforced with ½-inch diameter (#4) reinforcing bars spaced a maximum of 16 inches on center each way, as recommended.
19. Concrete floor slabs placed on expansive soil shall be placed on a 4-inch fill of coarse aggregate or on a moisture barrier membrane.
20. The seismic design shall be based on a Site Class D as recommended. All other seismic design parameters shall be reviewed by LADBS building plan check.
21. The structure shall be connected to the public sewer system per P/BC 2017-027.
22. All roof, pad and deck drainage shall be conducted to the street in an acceptable manner in non-erosive devices or other approved location in a manner that is acceptable to the LADBS and the Department of Public Works (7013.10).
23. An on-site storm water infiltration system at the subject site shall not be implemented, as recommended.
24. All concentrated drainage shall be conducted in an approved device and disposed of in a manner approved by the LADBS (7013.10).
25. The soils engineer shall inspect all excavations to determine that conditions anticipated in the report have been encountered and to provide recommendations for the correction of hazards found during grading (7008 & 1705.6).

26. Prior to pouring concrete, a representative of the consulting soils engineer shall inspect and approve the footing excavations. The representative shall post a notice on the job site for the LADBS Inspector and the Contractor stating that the work inspected meets the conditions of the report. No concrete shall be poured until the LADBS Inspector has also inspected and approved the footing excavations. A written certification to this effect shall be filed with the Grading Division of the Department upon completion of the work. (108.9 & 7008.2)
27. Prior to excavation an initial inspection shall be called with the LADBS Inspector. During the initial inspection, the sequence of construction; protection fences; and, dust and traffic control will be scheduled (108.9.1).
28. Prior to the placing of compacted fill, a representative of the soils engineer shall inspect and approve the bottom excavations. The representative shall post a notice on the job site for the LADBS Inspector and the Contractor stating that the soil inspected meets the conditions of the report. No fill shall be placed until the LADBS Inspector has also inspected and approved the bottom excavations. A written certification to this effect shall be included in the final compaction report filed with the Grading Division of the Department. All fill shall be placed under the inspection and approval of the soils engineer. A compaction report together with the approved soil report and Department approval letter shall be submitted to the Grading Division of the Department upon completion of the compaction. In addition, an Engineer's Certificate of Compliance with the legal description as indicated in the grading permit and the permit number shall be included (7011.3).



GLEN RAAD
Geotechnical Engineer I

Log No. 108497
213-482-0480

cc: D U Architects, Applicant
Grover Hollingsworth and Associates, Project Consultant
WL District Office

Exhibit E

E.1: HCIDLA Mello Act
Determination, December 23, 2019

E.2: Feasibility Study, Howard
Robinson & Associates, February 10,
2020

E.1: HCIDLA Mello Act
Determination, December 23, 2019



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

DATE: December 23, 2019

TO: Faisal Roble, Principal City Planner
City Planning Department

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

SUBJECT: **Mello Act Determination for 709-709 ½ East Brooks Avenue, Venice, CA 90291**

Planning Case #: DIR-2019-6455-CDP-MEL

Based on information provided by Jared Johnson (Owner Representative) on behalf of 1485 PH LLC, a New York limited liability company (Owner), the Los Angeles Housing + Community Investment Department (HCIDLA) has determined that two (2) affordable units exist at 709-709 ½ East Brooks Avenue, Venice, CA 90291 (APN: 4239-007-003).

Per the statement on the application, the Owner is proposing to demolish the existing two (2) units in order to construct a new two (2) unit small lot subdivision.

1485 PH LLC, a New York limited liability company (Owner) acquired the property located on 709-709 ½ East Brooks Avenue, Venice, CA 90291 on September 24, 2018. The 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 requires HCIDLA to collect tenant income verification documents if available, or monthly housing cost data as substitute, for at least the previous three (3) years prior to the date of application with the Department of City Planning (DCP). The Owner filed an application with DCP on October 30, 2019. Therefore, HCIDLA must collect data from October 2016 through October 2019.

On November 8, 2019, HCIDLA mailed two certified letters to the property. The tenant letter mailed to 709 East Brooks Ave was returned on December 12, 2019 as "unclaimed". The tenant letter mailed to 709 ½ East Brooks Ave was delivered and signed on November 21, 2019.

Due to the absence of sufficient verifiable documentation, HCIDLA was unable to verify the status of the two units on the property. In conjunction with the Owner in agreement with an affordable determination and as HCIDLA does not have sufficient verifiable documentation regarding the property, it is determined that two (2) affordable units exist on the property.

cc: Los Angeles Housing and Community Investment Department File
1485 PH LLC, a New York limited liability company
Richard A. Rothschild, Western Center on Law and Poverty, Inc.
Susanne Browne, Legal Aid Foundation of L.A.
Jonathan Jager, Legal Aid Foundation of L.A.
Juliet Oh, City Planning Department

MAC:lm

E.2: Feasibility Study, Howard
Robinson & Associates, February 10,
2020

Financial Feasibility Study for Mello Act Determination

709 E Brooks Ave
Venice, CA 90291

Case Number:

DIR-2019-6455-CDP-MEL

Owner/Applicant:	1485 PH LLC
Prepared by:	Howard Robinson & Associates 660 S Figueroa St Suite 1780 Los Angeles, CA 90017
Submitted:	2/10/2020



Howard Robinson & Associates

February 10, 2020

Bindu Kannan
Los Angeles Department of City Planning
200 N. Spring Street, Room 720
Los Angeles, CA 90012

**RE: FEASIBILITY STUDY FOR MELLO ACT DETERMINATION
709 E BROOKS AVE, VENICE, CA 90291
CASE NUMBERS: DIR-2019-6455-CDP-MEL**

Dear Ms, Kannan

Enclosed please find a Mello Act financial feasibility study for the property located at 709 E Brooks Ave, Venice, CA 90291 in Council District 11. This financial feasibility study is being submitted in order to obtain Mello Clearance for the proposed development at this property, a Coastal Development Permit to allow the demolition of an existing Single-Family Dwelling (SFD) and accessory sleeping room and the construction of two (2) new SFDs on a 2-lot Small Lot Subdivision in the single jurisdiction area of the Coastal Zone.

The property is currently improved with one (1) SFD and one (1) detached accessory sleeping room. Due to a lack of verifiable documentation, the Los Angeles Housing and Community Investment Department (HCID) has determined that a total of two (2) affordable units exist at the site. See the attached determination letter, dated December 23, 2019 (Exhibit 1).

HCID has found two (2) affordable units on-site and the proposed project is to construct two (2) SFDs. This study first analyzes the financial feasibility of deeming one (1) of the proposed SFDs as an affordable unit. It will also analyze the feasibility of providing a replacement affordable unit elsewhere in Venice, in San Pedro, and within 3 miles of the Coastal Zone. These scenarios represent the most feasible options for providing replacement affordable housing, so a finding of infeasibility when examining these configurations indicates that providing any number of replacement units is infeasible.

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. As this project involves the demolition of two residential structures, each containing one dwelling unit, it qualifies for a feasibility study. Section 65590(g)(3), defines "Feasible" as

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310-838-0180 sue@howardrobinson.net
www.howardrobinson.net

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 a RAU 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 five financial pro-forma scenarios, after carefully analyzing costs and revenues for each type of project listed below, we have concluded that providing a Replacement Affordable Unit would not be financially feasible.

Please see the chart below for a summary of our findings:

Project	Total Project Cost (\$)	Net Revenue (\$)	Profit or Loss (\$)
Proposed project sold at market rate <i>(2 market rate SFDs)</i>	3,783,727	4,811,616	1,027,889
Subject Site with Affordable SFD <i>(1 market rate SFD on-site and 1 RAU on-site)</i>	3,783,727	2,924,023	-859,704
Venice Off-Site Replacement <i>(2 market rate SFDs on-site and 1 RAU off-site)</i>	6,386,751	5,089,207	-1,297,544
Generic San Pedro Site <i>(2 market rate SFDs on-site and 1 RAU off-site)</i>	5,423,217	5,089,207	-334,010
Generic Site w/in 3 Miles of Coastal Zone <i>(2 market rate SFDs on-site and 1 RAU off-site)</i>	5,396,317	5,089,207	-307,110

In performing our analysis, we estimated a construction hard cost rate of \$310 per square foot at the Subject Site and elsewhere in Venice. This estimate is based upon a detailed construction hard cost estimate of \$1,721,328 as prepared by the Applicant, see Exhibit 9 - Hard Cost Analysis. This estimate was further reduced to \$300 for projects in San Pedro and within 3 Miles of Coastal Zone, as construction tends to be less expensive outside of Venice.

Soft Costs such as City fees, financing, architecture, engineering, and insurance were similarly estimated conservatively 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 by the applicant, see Exhibit 7. 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 comparable sales of similar lots sold in the last two (2) years (see Exhibits 11-13).

The maximum sale price 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 10 for further details on calculation of maximum sales price used in this study.

Detailed financial analyses of the subject site and the studied off-site locations are attached as Exhibits 2-6, with supporting documents attached as Exhibits 7-14.

In conclusion, we have found it is financially infeasible to develop 1 affordable and 1 market rate SFD at the subject site. It is similarly infeasible to develop a RAU off-site in addition to the proposed development, regardless of location.

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 written in a cursive, flowing style with a long horizontal flourish at the end.

Susan Steinberg
Land Use Consultant

Contact information is as follows:

Owner/Applicant: 1485 PH LLC

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**
- Exhibit 2** **Financial Feasibility Analysis, Proposed Project Sold at Market Rate**
- Exhibit 3** **Financial Feasibility Analysis, Proposed Project with One Affordable Unit**
- Exhibit 4** **Financial Feasibility Analysis, Proposed Project and Replacement Affordable Unit in Venice**
- Exhibit 5** **Financial Feasibility Analysis, Proposed Project and Replacement Affordable Unit in San Pedro**
- Exhibit 6** **Financial Feasibility Analysis, Proposed Project and Replacement Affordable Unit within 3 Miles of the Coastal Zone**
- Exhibit 7** **Final Closing Statement**
- Exhibit 8** **Soft Cost Analysis**
- Exhibit 9** **Hard Cost Analysis**
- Exhibit 10** **Maximum Affordable Unit Price Explanation**
- Exhibit 11** **Land Cost Comparables, Venice**
- Exhibit 12** **Land Cost Comparables, San Pedro**
- Exhibit 13** **Land Cost Comparables, Within 3 Miles of the Coastal Zone**
- Exhibit 14** **Market Rate Comparable Sales**



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

DATE: December 23, 2019

TO: Faisal Roble, Principal City Planner
City Planning Department

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

SUBJECT: **Mello Act Determination for 709-709 ½ East Brooks Avenue, Venice, CA 90291**

Planning Case #: DIR-2019-6455-CDP-MEL

Based on information provided by Jared Johnson (Owner Representative) on behalf of 1485 PH LLC, a New York limited liability company (Owner), the Los Angeles Housing + Community Investment Department (HCIDLA) has determined that two (2) affordable units exist at 709-709 ½ East Brooks Avenue, Venice, CA 90291 (APN: 4239-007-003).

Per the statement on the application, the Owner is proposing to demolish the existing two (2) units in order to construct a new two (2) unit small lot subdivision.

1485 PH LLC, a New York limited liability company (Owner) acquired the property located on 709-709 ½ East Brooks Avenue, Venice, CA 90291 on September 24, 2018. The 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 requires HCIDLA to collect tenant income verification documents if available, or monthly housing cost data as substitute, for at least the previous three (3) years prior to the date of application with the Department of City Planning (DCP). The Owner filed an application with DCP on October 30, 2019. Therefore, HCIDLA must collect data from October 2016 through October 2019.

On November 8, 2019, HCIDLA mailed two certified letters to the property. The tenant letter mailed to 709 East Brooks Ave was returned on December 12, 2019 as "unclaimed". The tenant letter mailed to 709 ½ East Brooks Ave was delivered and signed on November 21, 2019.

Due to the absence of sufficient verifiable documentation, HCIDLA was unable to verify the status of the two units on the property. In conjunction with the Owner in agreement with an affordable determination and as HCIDLA does not have sufficient verifiable documentation regarding the property, it is determined that two (2) affordable units exist on the property.

cc: Los Angeles Housing and Community Investment Department File
1485 PH LLC, a New York limited liability company
Richard A. Rothschild, Western Center on Law and Poverty, Inc.
Susanne Browne, Legal Aid Foundation of L.A.
Jonathan Jager, Legal Aid Foundation of L.A.
Juliet Oh, City Planning Department

MAC:lm

Financial Feasibility Analysis
Proposed Project Sold at Market Rate
Project Site: 709 Brooks 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					\$1,652,237
Construction Hard Costs	Unit 1	3,063	\$310	\$949,530	
	Unit 2	2,506	\$310	\$776,860	
	Total	5,569	\$310	-	\$1,726,390
Soft Costs (Note #3)					
Fees/Permits				\$87,600	
Architecture and Engineering				\$75,000	
Insurance (C of C, Liab.)				\$15,000	
Financing				\$150,000	
Legal, Land Use Consulting & Accounting				\$45,000	
Property Taxes				\$32,500	
Total Soft Costs					\$405,100
Total Project Costs					\$3,783,727

Sale and Profit - Market Rate	
Revenue	
Sale Price - Market Rate - Unit 1	\$2,756,700
Sale Price - Market Rate - Unit 2	\$2,255,400
Less: Realtor Commission and Fees	<u>-\$200,484</u>
Net Revenue	\$4,811,616
Profit or Loss (proposed project sold at market rate)	\$1,027,889
Gross Profit Margin	21.36%

Financial Feasibility Analysis
Proposed Project Sold at Market Rate
Project Site: 709 Brooks 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		1,652,237	1,652,237
Const. Hard Costs		1,726,390	0	1,726,390
Soft Costs		405,100	0	405,100
	0	2,131,490	1,652,237	3,783,727

Profit Percentages

Profit as % of Project Costs	27.17%
Profit as % of Equity Invest.	62.21%

Loan to Cost Ratio

Loan to Cost Ratio	56.33%
Equity to Cost Ratio	43.67%

Total Project Costs per Sq. Ft.

Not Including Land	695.88
Including Land	1,235.30

Financial Feasibility Analysis
Proposed Project Sold at Market Rate
Project Site: 709 Brooks Ave

Assumptions

Land Value	\$1,652,237	(Note #1)
Land Cost Loan	0	
Land Cost Equity	\$1,652,237	
No. of Units	2	
Square Feet Front Unit	3,063	
Square Feet Back Unit	2,506	
Total Project Square Footage	5,569	
Hard Costs per Sq Ft	\$310	(Note #2)
Realtor Comm. and Fees	4%	
Gross Profit Margin for Condo Projects	15%	(Note #4)
Market Rate Sale Price per Square Foot	\$900	(Note #5)
Property Tax Rate	1.17%	

Financial Feasibility Analysis
Proposed Project Sold at Market Rate
Project Site: 709 Brooks Ave

Notes

- 1 Land Value is the price of the property upon most recent purchase.
- 2 Construction Costs are conservatively estimated at \$310 per sq ft. See Exhibit 9 for contractor's breakdown.
- 3 Soft Costs presented are discounted from applicant's estimate of soft costs for project to be as conservative as possible in our cost analysis. See Exhibit 8 for project cost estimates.
- 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 of single-family homes in Venice, see Exhibit 14.

Financial Feasibility Analysis
Proposed Project with One Affordable Unit
Project Site: 709 Brooks 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					\$1,652,237
Construction Hard Costs	Unit 1	3,063	\$310	\$949,530	
	Unit 2	2,506	\$310	\$776,860	
	Total	5,569	\$310	-	\$1,726,390
Soft Costs (Note #3)					
Fees/Permits				\$87,600	
Architecture and Engineering				\$75,000	
Insurance (C of C, Liab.)				\$15,000	
Financing				\$150,000	
Legal, Land Use Consulting & Accounting				\$45,000	
Property Taxes				\$32,500	
Total Soft Costs					\$405,100
Total Project Costs					\$3,783,727

Sale and Profit - Market Rate	
Revenue	
Sale Price - Market Rate - Unit 1	\$2,756,700
Sale Price - Affordable Unit - Unit 2	\$289,157
Less: Realtor Commission and Fees	-\$121,834
Net Revenue	\$2,924,023
Profit or Loss (proposed project sold at market rate)	-\$859,704
Gross Profit Margin	-29.40%

Financial Feasibility Analysis
Proposed Project with One Affordable Unit
Project Site: 709 Brooks 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		1,652,237	1,652,237
Const. Hard Costs		1,726,390	0	1,726,390
Soft Costs		405,100	0	405,100
	0	2,131,490	1,652,237	3,783,727

Profit Percentages

Profit as % of Project Costs	-22.72%
Profit as % of Equity Invest.	-52.03%

Loan to Cost Ratio

Loan to Cost Ratio	56.33%
Equity to Cost Ratio	43.67%

Total Project Costs per Sq. Ft.

Not Including Land	695.88
Including Land	1,235.30

Financial Feasibility Analysis
Proposed Project with One Affordable Unit
Project Site: 709 Brooks Ave

Assumptions

Land Value	\$1,652,237	(Note #1)
Land Cost Loan	0	
Land Cost Equity	\$1,652,237	
No. of Market Rate Units	1	
Number of Affordable Units	1	
Square Feet Unit 1	3,063	
Square Feet Unit 2	2,506	
Total Project Square Footage	5,569	
Hard Costs per Sq Ft	\$310	(Note #2)
Realtor Comm. and Fees	4%	
Gross Profit Margin for Condo Projects	15%	(Note #4)
Market Rate Sale Price per Square Foot	\$900	(Note #5)
Maximum Affordable Unit Sale Price	\$289,157	(Note #6)
Property Tax Rate	1.17%	

Financial Feasibility Analysis
Proposed Project with One Affordable Unit
Project Site: 709 Brooks Ave

Notes

- 1 Land Value is the price of the property upon most recent purchase.
- 2 Construction Costs are conservatively estimated at \$310 per sq ft. See Exhibit 9 for contractor's breakdown.
- 3 Soft Costs presented are discounted from applicant's estimate of soft costs for project to be as conservative as possible in our cost analysis. See Exhibit 8 for project cost estimates.
- 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 of single-family homes in Venice, see Exhibit 14.
- 6 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 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 10 for further details on calculation of max sales price.

Financial Feasibility Analysis
Proposed Project and Replacement Affordable Unit in Venice
Project Site: 709 Brooks 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					\$1,528,164
Construction Hard Costs	Unit 1	2,506	\$310		
	Total	2,506	\$310		\$776,860
Soft Costs (Note #3)					
Fees/Permits				\$80,000	
Architecture and Engineering				\$60,000	
Insurance (C of C, Liab.)				\$10,000	
Financing				\$100,000	
Legal, Land Use Consulting & Accounting				\$35,000	
Property Taxes				\$13,000	
Total Soft Costs					<u>\$298,000</u>
Total Project Costs					\$2,603,024

Sale and Profit - Market Rate	
Revenue	
Sale Price - 1 Affordable Unit	\$289,157
Less: Realtor Commission and Fees	-\$11,566
Net Revenue - Replacement Affordable Unit	\$277,591
Profit or Loss - Replacement Affordable Unit in Venice	-\$2,325,433
Profit or Loss - Proposed Project Sold at Market Rate (See Exhibit 2)	<u>\$1,027,889</u>
Profit or Loss - Project Total	-\$1,297,544
Gross Profit Margin	-25.50%

Financial Feasibility Analysis
Proposed Project and Replacement Affordable Unit in Venice
Project Site: 709 Brooks 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		1,528,164	1,528,164
Const. Hard Costs		776,860	0	776,860
Soft Costs		298,000	0	298,000
	0	1,074,860	1,528,164	2,603,024

Profit Percentages

Profit as % of Project Costs	-89.34%
Profit as % of Equity Invest.	-152.17%

Loan to Cost Ratio

Loan to Cost Ratio	41.29%
Equity to Cost Ratio	58.71%

Total Project Costs per Sq. Ft.

Not Including Land	428.91
Including Land	1,038.72

Financial Feasibility Analysis
Proposed Project and Replacement Affordable Unit in Venice
Project Site: 709 Brooks Ave

Assumptions

Land Value	\$1,528,164	(Note #1)
Land Cost Loan	0	
Land Cost Equity	\$1,528,164	
Number of Affordable Units	1	
Square Feet Per Unit	2,506	
Hard Costs per Sq Ft	\$310	(Note #2)
Realtor Comm. and Fees	4%	
Gross Profit Margin for Condo Projects	15%	(Note #4)
Market Rate Sale Price per Square Foot	\$900	(Note #5)
Maximum Affordable Unit Sale Price	\$289,157	(Note #6)
Property Tax Rate	1.17%	

Financial Feasibility Analysis
Proposed Project and Replacement Affordable Unit in Venice
Project Site: 709 Brooks Ave

Notes

- 1 See Exhibit 11 for land value calculation of a standard 5,000 sq. ft. lot based on recent sales of developable sites in Venice.
- 2 Construction Costs are conservatively estimated at \$310 per sq ft. See Exhibit 9 for contractor's breakdown.
- 3 Soft Costs presented are discounted from applicant's estimate of soft costs for project to be as conservative as possible in our cost analysis. See Exhibit 8 for project cost estimates.
- 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 of single-family homes in Venice, see Exhibit 14.
- 6 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 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 10 for further details on calculation of max sales price.

Financial Feasibility Analysis
Proposed Project and Replacement Affordable Unit in San Pedro
Project Site: 709 Brooks 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					\$589,690
Construction Hard Costs	Unit 1	2,506	\$300		
	Total	2,506	\$300		\$751,800
Soft Costs (Note #3)					
Fees/Permits				\$80,000	
Architecture and Engineering				\$60,000	
Insurance (C of C, Liab.)				\$10,000	
Financing				\$100,000	
Legal, Land Use Consulting & Accounting				\$35,000	
Property Taxes				\$13,000	
Total Soft Costs					\$298,000
Total Project Costs					\$1,639,490

Sale and Profit - Market Rate	
Revenue	
Sale Price - 1 Affordable Unit	\$289,157
Less: Realtor Commission and Fees	-\$11,566
Net Revenue - Replacement Affordable Unit	\$277,591
Profit or Loss - Replacement Affordable Unit in San Pedro	-\$1,361,899
Profit or Loss - Proposed Project Sold at Market Rate (See Exhibit 2)	\$1,027,889
Profit or Loss - Project Total	-\$334,010
Gross Profit Margin	-6.56%

Financial Feasibility Analysis
Proposed Project and Replacement Affordable Unit in San Pedro
Project Site: 709 Brooks 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		589,690	589,690
Const. Hard Costs		751,800	0	751,800
Soft Costs		298,000	0	298,000
	0	1,049,800	589,690	1,639,490

Profit Percentages

Profit as % of Project Costs	-83.07%
Profit as % of Equity Invest.	-230.95%

Loan to Cost Ratio

Loan to Cost Ratio	64.03%
Equity to Cost Ratio	35.97%

Total Project Costs per Sq. Ft.

Not Including Land	418.91
Including Land	654.23

Financial Feasibility Analysis
Proposed Project and Replacement Affordable Unit in San Pedro
Project Site: 709 Brooks Ave

Assumptions

Land Value	\$589,690	(Note #1)
Land Cost Loan	0	
Land Cost Equity	\$589,690	
Number of Affordable Units	1	
Square Feet Per Unit	2,506	
Hard Costs per Sq Ft	\$300	(Note #2)
Realtor Comm. and Fees	4%	
Gross Profit Margin for Condo Projects	15%	(Note #4)
Market Rate Sale Price per Square Foot	\$500	(Note #5)
Maximum Affordable Unit Sale Price	\$289,157	(Note #6)
Property Tax Rate	1.17%	

Financial Feasibility Analysis
Proposed Project and Replacement Affordable Unit in San Pedro
Project Site: 709 Brooks Ave

Notes

- 1 See Exhibit 12 for land value calculation of a standard 5,000 sq. ft. lot based on recent sales of developable sites in San Pedro.
- 2 Construction Costs are conservatively estimated at \$310 per sq ft. See Exhibit 9 for contractor's breakdown.
- 3 Soft Costs presented are discounted from applicant's estimate of soft costs for project to be as conservative as possible in our cost analysis. See Exhibit 8 for project cost estimates.
- 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 of single-family homes in San Pedro, see Exhibit 13
- 6 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 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 10 for further details on calculation of max sales price.

Financial Feasibility Analysis

Proposed Project and Replacement Affordable Unit within 3 Miles of the Coastal Zone Project Site: 709 Brooks 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					\$562,790
Construction Hard Costs	Unit 1	2,506	\$300		
	Total	2,506	\$300		\$751,800
Soft Costs (Note #3)					
Fees/Permits				\$80,000	
Architecture and Engineering				\$60,000	
Insurance (C of C, Liab.)				\$10,000	
Financing				\$100,000	
Legal, Land Use Consulting & Accounting				\$35,000	
Property Taxes				\$13,000	
Total Soft Costs					<u>\$298,000</u>
Total Project Costs					\$1,612,590

Sale and Profit - Market Rate	
Revenue	
Sale Price - 1 Affordable Unit	\$289,157
Less: Realtor Commission and Fees	<u>-\$11,566</u>
Net Revenue - Replacement Affordable Unit	\$277,591
Profit or Loss - Replacement Affordable Unit within 3 Miles of CZ	-\$1,334,999
Profit or Loss - Proposed Project Sold at Market Rate (See Exhibit 2)	<u>\$1,027,889</u>
Profit or Loss - Project Total	-\$307,110
Gross Profit Margin	-6.03%

Financial Feasibility Analysis**Proposed Project and Replacement Affordable Unit within 3 Miles of the Coastal Zone****Project Site: 709 Brooks 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		562,790	562,790
Const. Hard Costs		751,800	0	751,800
Soft Costs		298,000	0	298,000
	0	1,049,800	562,790	1,612,590

Profit Percentages

Profit as % of Project Costs	-82.79%
Profit as % of Equity Invest.	-237.21%

Loan to Cost Ratio

Loan to Cost Ratio	65.10%
Equity to Cost Ratio	34.90%

Total Project Costs per Sq. Ft.

Not Including Land	418.91
Including Land	643.49

Financial Feasibility Analysis**Proposed Project and Replacement Affordable Unit within 3 Miles of the Coastal Zone****Project Site: 709 Brooks Ave****Assumptions**

Land Value	\$562,790	(Note #1)
Land Cost Loan	0	
Land Cost Equity	\$562,790	
Number of Affordable Units	1	
Square Feet Per Unit	2,506	
Hard Costs per Sq Ft	\$300	(Note #2)
Realtor Comm. and Fees	4%	
Gross Profit Margin for Condo Projects	15%	(Note #4)
Market Rate Sale Price per Square Foot	\$500	(Note #5)
Maximum Affordable Unit Sale Price	\$289,157	(Note #6)
Property Tax Rate	1.17%	

Financial Feasibility Analysis
Proposed Project and Replacement Affordable Unit within 3 Miles of the Coastal Zone
Project Site: 709 Brooks Ave

Notes

- 1 See Exhibit 13 for land value calculation of a standard 5,000 sq. ft. lot based on recent sales of developable sites within 3 Miles of the Coastal Zone.
- 2 Construction Costs are conservatively estimated at \$310 per sq ft. See Exhibit 9 for contractor's breakdown.
- 3 Soft Costs presented are discounted from applicant's estimate of soft costs for project to be as conservative as possible in our cost analysis. See Exhibit 8 for project cost estimates.
- 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 of single-family homes in San Pedro, see Exhibit 13
- 6 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 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 10 for further details on calculation of max sales price.

BUYER/BORROWER STATEMENT
Final

File No.: 18-1143-MW
Officer/Escrow Officer: Michele Rene Wood

Printed Date/Time: 09/25/2018 - 9:38:28AM
Page 1 of 2

Closing Date: 09/25/2018

Disbursement Date: 09/25/2018

Buyer/Borrower: Legal 1031 Exchange Services, Inc.

Seller: Tamara G. Harris

Property: 709 -709 1/2 Brooks Avenue, Venice, CA 90291

DESCRIPTION	DEBITS	CREDITS
TOTAL CONSIDERATION	1,600,000.00	
Earnest Money		39,839.76
Earnest Money		8,160.24
PRORATIONS/ADJUSTMENTS:		
Property Tax @ 4,535.60 per 6 month(s) 7/01/2018 to 9/25/2018		2,116.62
Rents @ 1,600.00 per 1 month(s) 9/25/2018 to 10/01/2018		320.00
Security Deposit		1,800.00
TITLE CHARGES		
Lender/Mortgagee Premium for 1,250,000.00: Chicago Title Company Title-Lender Premium	1,504.00	
Deed Recording Fee: Chicago Title Company	28.00	
Mortgage Recording Fee: Chicago Title Company	131.00	
Title -Recording Service Fee: Chicago Title Company	14.45	
Title-Title Sub-Escrow Fee: Chicago Title Company	62.50	
UCC Filing Fee: Chicago Title Company	60.00	
Title-Endorsement: Chicago Title Company	25.00	
Lender/Mortgagee Premium for 350,000.00: Chicago Title Company Title - Lender/Mortgagee Premium - 2nd Loan	100.00	
Mortgage Recording Fee - 2nd Loan: Chicago Title Company	127.00	
Title-Notary Fee: Notary Public	30.00	
ESCROW CHARGES TO: Beachwood Escrow, Inc.		
Escrow Fee Title-Settlement Agent Fee	3,420.00	
Title-Mssgr/Overnight handling fees	157.50	
Title - Loan Tie-In Fee	175.00	
LENDER CHARGES		
New Deed of Trust to Quanta Finance:		1,250,000.00
Prepaid Interest: Quanta Finance Prepaid Interest	3,211.80	
Advance Fee: Quanta Finance Advance Fee	9,375.00	



BEACHWOOD ESCROW, INC.
 2016 Lincoln Blvd. Venice, CA 90291
 t:310.591.6418 f: 310.452.2127
 Rex@BeachwoodEscrowInc.com
 BeachwoodEscrowInc.com

BUYER/BORROWER STATEMENT
Final

File No.: 18-1143-MW

Printed Date/Time: 09/25/2018 - 9:38:28AM
 Page 2 of 2

Property: 709 -709 1/2 Brooks Avenue, Venice, CA 90291

DESCRIPTION	DEBITS	CREDITS
Underwriting Fee: Quanta Finance Underwriting Fee	500.00	
Valuation Fee: Quanta Finance Valuation Fee	1,500.00	
Wire Fee: Quanta Finance Wire Fee	25.00	
Borrowers 1st Month's Payment: Quanta Finance Borrowers 1st Month's Payment	9,956.58	
Broker Fee: First Capital Trust Deed Broker Fee	15,625.00	
New Deed of Trust to Tamara G. Harris:		350,000.00
Interest Adjustment From 9/25/2018 To 10/01/2018, 6 Days, @ 58.3333/per day: Tamara G. Harris	350.00	
ADDITIONAL DISBURSEMENTS:		
Homeowner's Insurance: Farmers Insurance	1,510.00	
SUBTOTALS	1,647,887.83	1,652,236.62
DUE TO BUYER/BORROWER	4,348.79	
TOTALS	1,652,236.62	1,652,236.62

Soft Costs Scenarios				
	Site	Venice	San Pedro	Within 3 Miles of Coastal Zone
Fees/Permits (PCD & DBS)	87,600	87,600	80,000	80,000
Architecture and Engineering	75,000	75,000	60,000	60,000
Insurance (C of C, Liab.)	15,000	15,000	10,000	10,000
Financing	150,000	150,000	100,000	100,000
Legal, Consulting, & Accounting	45,000	45,000	35,000	35,000
Property Taxes	32,500	32,500	13,000	13,000
Totals	405,100	405,100	298,000	298,000

Client:	A K Lofts
Location:	709 Brooks Ave. Venice, CA 90291

ITEM #	ITEM DESCRIPTION	(\$) Phase 1	(\$) phase 2	PRIORITY	INVOICE #
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1000	General Conditions				
1012	Supervision/Project Management/Administrative	120,000.00			
1014	General labor	120,000.00			
1516	Temporary toilet/Temp Electric	6,000.00			
1526	Security Fencing	4,500.00			
1600	Rental equipments (crane/scaffold, etc)	7,000.00			
	Engr,Survey and soils study fees	7,000.00			
2000	Structural/deputy inspections Site Visits	3,000.00			
2050	Building Permit	29,000.00			
2054	Demo / debris	15,000.00			
2056	Continuous trash removal	8,000.00			
	Excavation/Compaction	17,000.00			
3000	Concrete				
3300	Continuous footing (forming , rebar and ,pour slab on grad	40,000.00			
3304	Concrete pads (exc. Included)	35,000.00			
3312					
3314	Building Rough in				
	Structural Steel	71,000.00			
6000	Rough Plumbing	40,000.00			
6101	Framing work (labor and materials)	175,000.00			
6104					
6106	Rough Electrical	35,000.00			
6200	Rough HVAC	14,000.00			
6202					
6204	Interior Sprinkler System	20,000.00			
6206					
6208	Exterior Weathertight				
6210	Waterproofing decks, shower pans, etc	15,000.00			
6212	Gutters/ downspouts/screens	8,000.00			
6214	Windows /Doors/Sliders	45,000.00			
6302	Exterior wood siding	45,000.00			
6304	Lath andExterior stucco/ plaster	45,000.00			
6306					
	Future solar conduits for roof	2,000.00			
	Roofing/Torchdown	15,000.00			
7000					
7210	Drywall/Finish Carpentry				
7214	Insulation R30/R19 etc	15,000.00			
7218	Drywall and plaster	30,000.00			
7320	Tile/tile labor	25,000.00			
7322	Countertops/stonework/caesar stone	15,000.00			
7324	Closets/built ins	15,000.00			
7600	Finish Materials/ Millwork/ labor	35,000.00			
7602	Interior door/ frames	3,000.00			
7612	Finish Hardware- door knob/hinges/ hardware	5,500.00			
7624	Garage doors and motors(2)	4,500.00			
7800	Kitchen Cabinetry (2)	45,000.00			
	Bathroom Vanities	4,400.00			
8200	Hardwood floors and labor	40,000.00			
8204	Interior and Exterior painting	30,000.00			
8210	Plumbing Finishing	25,000.00			
8550	Electrical Finishing	12,000.00			
8700	HVAC Mechanical (2)	14,000.00			
	Stairways	60,000.00			
	Light Fixtures	14,000.00			
9000					
9250	Kitchen Appliances (2) kitchens	65,000.00			
9252	Refrigerators 48" (2)				
9300	Stove 48" /Convection Oven				
9300	Wine Coolers/Dishwashers				
9350	Garbage disposals				
9352	Kitchen Sinks and faucets(2)	2,500.00			
9360	Bathroom sinks/ faucets/ toilets (2)	19,500.00			

Client:	A K Lofts
Location:	709 Brooks Ave. Venice, CA 90291

ITEM #	ITEM DESCRIPTION	(\$) Phase 1	(\$) phase 2	PRIORITY	INVOICE #
9554	Bathroom Hardware toilet holders, etc	2,500.00			
9556	Washer and dryer (2)	5,000.00			
	Glass Shower doors and enclosures	10,000.00			
	Mirrors-med cabinet mirrors	5,000.00			
	Dishwashers (2)				
	Wine Coolers(2)				
9600	Hardscape				
9602	Driveway concrete	20,000.00			
9604	Sidewalks	4,500.00			
9700	Steel Gates and Fencing	20,000.00			
9702	Electric motor for gates and door king security	6,000.00			
9800					
9802	Landscaping				
9900	Trees/bushes/sod	20,000.00			
	water sprinklers	4,000.00			
10000	Landscape lighting	4,000.00			
10806	Audio Visual Prewiring/ Home Automating	15,000.00			
10810					
10820					
10830					
15000	Construction Budget Total	1,536,900.00			
15200	12% contingency of construction budge	\$184,428			
15500					
15600	Grand Total	\$1,721,328			
16000					
16100					
16200					
17000					
17100					
17200					
17300					
17400					

Total Project Square Feet 5569
Hard Costs / Square Foot \$309.09

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 (\$195,833) 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	\$91,887	\$156,815	\$239,836
Four	\$104,812	\$159,748	\$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					
	OBR	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 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

Land Value Comparison - Venice					
Address	Price	Sq. Ft.	Price / Sq. Ft.	Zone	Sales Date
760 Indiana Ave	\$1,415,000	5,280	\$268	RD 1.5	1/1/2019
745 Sunset Ave	\$1,650,000	5,800	\$284	RD 1.5	2/13/2019
628 Santa Clara Ave	\$1,895,000	5,200	\$364	RD 1.5	4/8/2019
656 California	\$2,650,000	5,384	\$492	RD 1.5	3/22/2019
112 Brooks Ave	\$1,353,000	3,000	\$451	RD 1.5	11/6/2018
Average	\$1,653,333		\$306		

Land Value of Site	\$1,528,164
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

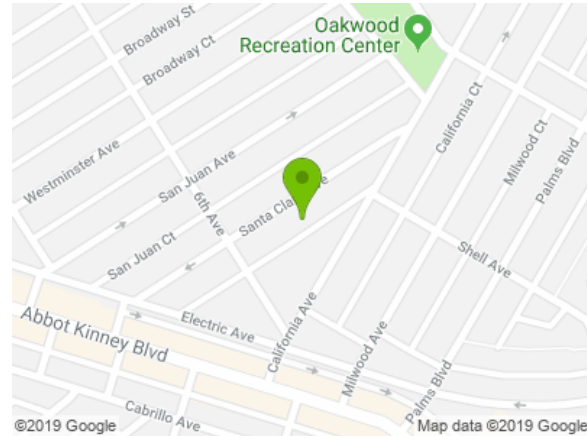
Floor size: 446 sqft

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 81

656 California Ave, Venice, CA 90291



656 California Ave, Venice, CA 90291

5,384 sqft

SOLD: \$2,650,000
Sold on 03/22/19

Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

First Day Offered---- Phenomenal Venice Residential location---One block from epicenter of Abbot Kinney! Robert Thibideau/DU Architecture Plans and Fully permitted for two unique loft-like 3000+ SF units at 656 California Avenue-----Demolished, graded----Ready to Build----For Sale or JV with Owner/Builder. Call for information. Vacant Lot Plans and Permits - Great Investment Opportunity.

Facts and Features

SPACES AND AMENITIES

Size

Unit count: 1

CONSTRUCTION

Type and Style

Vacant Land

Dates

Built in 1915

Home Value

SHARE

City, State, or Zip 81

112 Brooks Ave, Venice, CA 90291



112 Brooks Ave,
Venice, CA 90291
3 beds · 2 baths · 1,239 sqft

SOLD: \$1,353,000

Sold on 11/07/18

Zestimate®: \$1,381,513

EST. REFI PAYMENT

Est. Refi Payment:

\$5,255/mo



Note: This property is not currently for sale or for rent. The description below may be from a previous listing.

Development opportunity situated in a prime Venice location. A charming bungalow (824 sq. ft. 2 bed/1 bath) and back guest unit (415 sq. ft. 1 bed/ 1 bath) on 3,000 sq. ft. lot. Add on, rebuild, or add units - Zoned LARD 1.5. Enjoy that beach lifestyle and let your imagination run wild. Close to all including Abbot Kinney, the beach, Lincoln Blvd., trendy dining and shopping. Delivered vacant. Do not miss.

Facts and Features

Type
Single Family

Year Built
1907

Heating
No Data

Cooling
None

Parking
No Data

Lot
3,001 sqft

INTERIOR FEATURES

Bedrooms

Beds: 3

Other Rooms

Rooms: Guest House

Heating and Cooling

Appliances

Appliances included: Dishwasher

Flooring

Floor size: 1,239 sqft

Flooring: Hardwood, Tile

Land Value Comparison - San Pedro					
Address	Price	Sq. Ft.	Price / Sq. Ft.	Zone	Sales Date
210 Montreal St	\$1,225,000	6,226	\$197	R1	4/18/2019
1482 Hamilton Ave	\$400,000	5,736	\$70	R1	2/1/2019
2733 Kerckhoff Ave	\$363,000	2,500	\$145	R1	4/25/2019
3026 Carolina St	\$205,000	2,500	\$82	R1	3/19/2019
3127 Barbara St	\$600,000	6,250	\$96	R1	3/29/2019
Average	\$558,600		\$118		

Land Value of Site	\$589,690
Estimated price of replacement site in San Pedro calculated by multiplying the average price per sq. ft. times standard lot size (5000 sq. ft.).	



210 Montreal St Playa Del Rey, CA 90293

\$1,711,674 Redfin Estimate	\$1,225,000 Last Sold Price	— Beds	— Baths
— Sq. Ft.			
Built: 2018 Status: Sold			



Street View

Is This Your Home?

Track this home's estimate
& nearby sales activity

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](#) ^

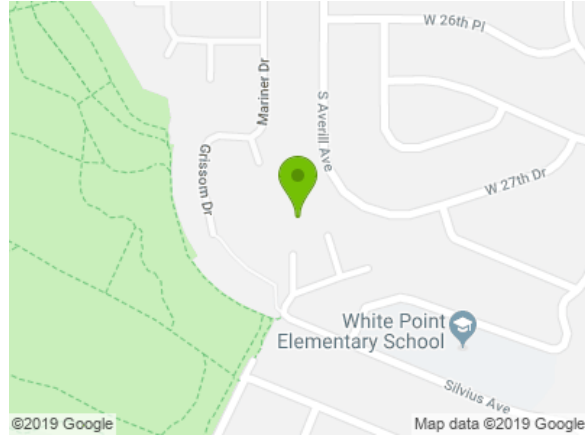
Style	Other
Property Type	Residential Single-Family
View	City, City Lights, Coastline, Marina, Ocean
Community	Playa Del Rey
County	<u>Los Angeles</u>
MLS#	18-391366



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 1/2 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

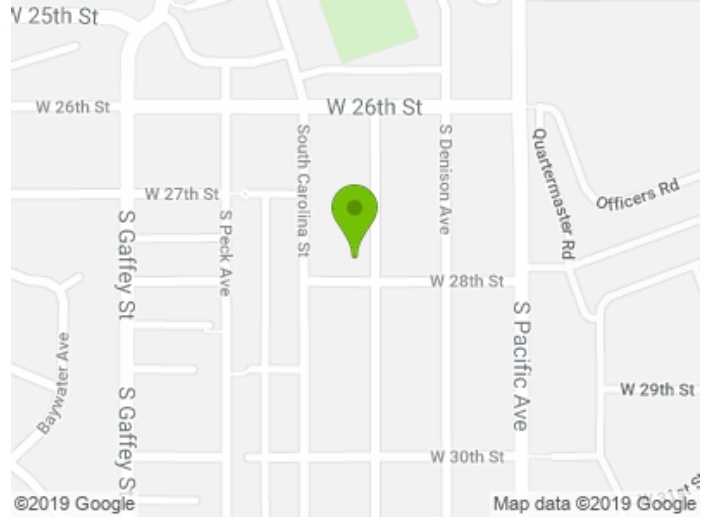
Size

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

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

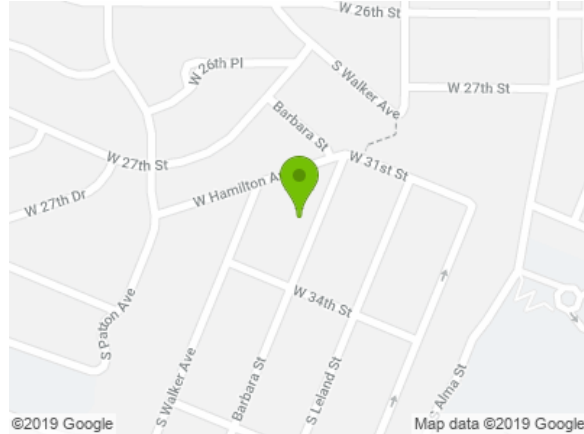
Unit count: 0

Home Value

SHARE

City, State, or Zip

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
Wall

Cooling
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

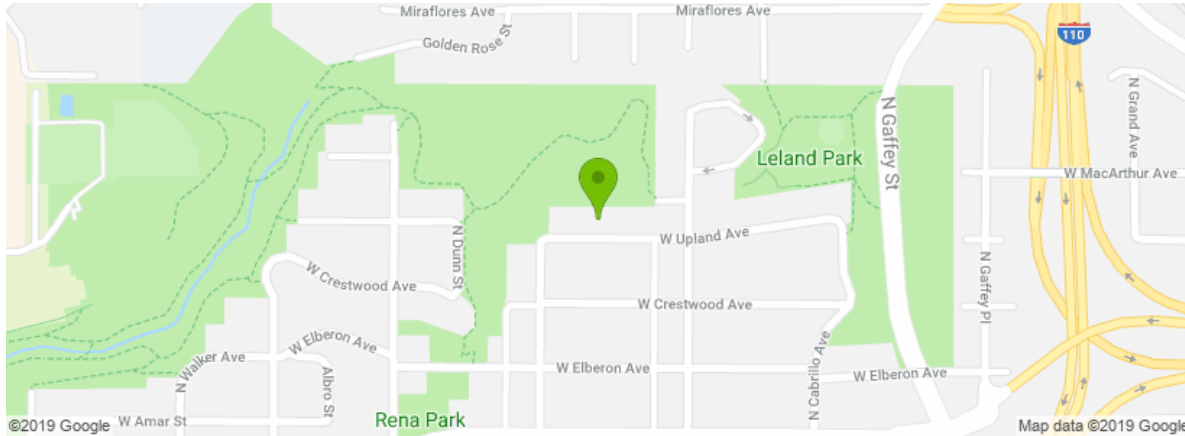
Land Value Comparison - Within 3 Miles of Coastal Zone					
Address	Price	Sq. Ft.	Price / Sq. Ft.	Zone	Sales Date
956 Upland St	\$360,000	4,800	\$75	R1	3/7/2019
1371 12th St	\$486,000	2,400	\$203	R1	12/19/2018
1511 Island Ave	\$210,000	5,536	\$38	R1	2/22/2019
1495 Santa Cruz St	\$500,000	2,775	\$180	R1	12/17/2018
409 Mar Vista Ave	\$308,000	4,585	\$67	R1	11/26/2018
Average	\$372,800		\$113		

Land Value of Site	\$562,790
Estimated price of replacement site in San Pedro 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 1 bathroom 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



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
& nearby sales activity

Sell your home for more,
pay a listing fee as low as 1%

Estimated sale price

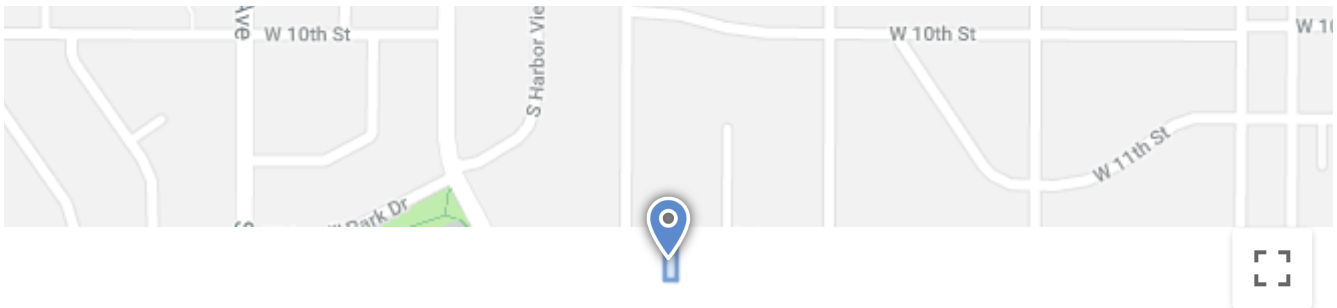
\$549,000 - \$606,000

[Sell My Home](#)

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.

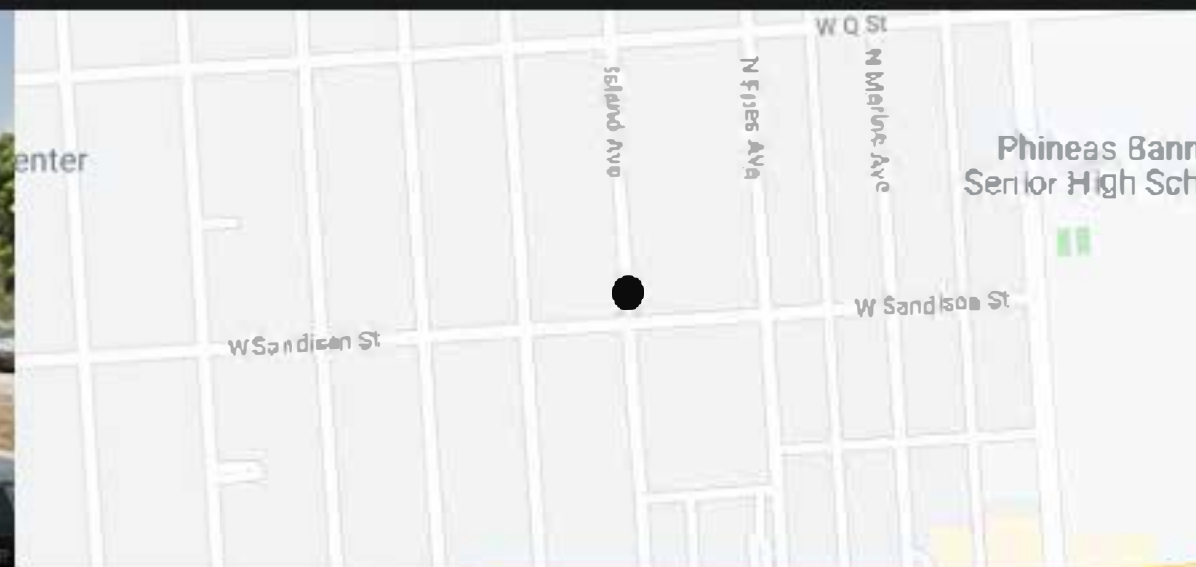
Property Type	Single Family Residence
View	None
Community	183 - Vista Del Oro
County	Los Angeles
MLS#	SB18268510



Map | [Report a map error](#)

[Map Nearby Homes For Sale](#)

[Expand Map](#) | [Street View](#) | [Directions](#)



1511 Island Ave Wilmington, CA 90744

5,536 sqft

SOLD: \$210,000
Sold on 07/26/19

EST. REFI PAYMENT
\$799/mo

[See current rates](#)

1511 Island Ave, Wilmington, CA is a vacant land home. This home last sold for \$210,000 in July 2019. The Rent Zestimate for this home is \$1,595/mo, which has decreased by \$456/mo in the last 30 days.

Facts and Features

BUILDING

Size
ElevationUnits: Feet

CONSTRUCTION

Type and Style

Vacant Land
PropertyType: Land

Other Construction Features

Stories: 0

EXTERIOR FEATURES

Ent

Home Shoppers are Waiting



Ask an agent about market conditions in your neighborhood.

Mitchell Steinberg

Phone

m.steinberg42@gmail.com

I own this home and would like to ask an agent about selling 1511 Island Ave, Wilmington, CA 90744.

[Contact Agent](#)

Or call 909-962-8695 for more info

Nearby Similar Sales

SOLD: \$200,000

Sold on 02/20/19

-- bds, -- ba, -- sqft

1061 N Fries Ave, Wilmington, CA 90744

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

Flooring

Floor size: 1,397 sqft

Heating and Cooling

Heating: Wall

Cooling: None

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

Market Rate Comparables - Venice					
Address	Price	Sq. Ft.	Price / Sq. Ft.	Zone	Sales Date
670 Oxford	\$2,325,000	3005	\$774	R1	6/29/2018
2823 Grayson Ave	\$2,455,000	2801	\$876	R1	5/6/2019
415 Venice Way	\$3,300,000	3300	\$1,000	RD1.5	3/29/2019
10 30th Ave	\$2,650,000	3396	\$780	RD1.5	11/14/2018
417 Venice Way	\$2,895,000	3154	\$918	RD1.5	6/6/2018
Average	\$2,825,000	3,163	\$870		



670 Oxford Ave
Venice, CA 90291
Status: Sold

\$2,471,238
Redfin Estimate

\$2,325,500
Last Sold Price

4
Beds

3
Baths

3,005 Sq. Ft.
\$822 / Sq. Ft.
Built: 2001



- Overview
- Redfin Estimate
- Public Facts
- Listing Details
- Tour Insights
- Property History
- Schools
- Neighborhood
- Similar Homes



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
\$2.35M - \$2.60M

Talk to Redfin About Selling

About This Home

Enjoy this captivating three story Venice Mediterranean Villa, centrally located within walking distance to Abbot Kinney, Marina Del Rey, and Venice Beach. This is an ideal family home, located in the renowned Coeur D' Alene School district. From the moment you step inside, you will be swept away by the open concept living room, dining room, and gourmet kitchen, that opens up to the backyard, great for indoor/outdoor casual dining and entertaining. There is a bedroom and bath conveniently located on the first floor that can be used for extended family or guests. The second floor features three bedrooms, including the expansive master suite, two baths and a large bonus room. Master bath includes a deep soaking tub, separate shower, and fireplace. Retreat to the sun drenched third level room, and take in the spectacular views from the rooftop deck, perfect for an office, art studio, or tranquil meditation and yoga space.

Show Less ^

Property History for 670 Oxford Avenue

Date	Event & Source	Price	Appreciation
Jun 30, 2018	Delisted TheMLS #18-348868		
Jun 29, 2018	Sold (MLS) (Sold) TheMLS #18-348868	\$2,325,500	—
Jun 29, 2018	Sold (Public Records) Public Records	\$2,325,500	5.5%/yr

See all property history v

** Price available after signing in.



2823 Grayson Ave
Venice, CA 90291
Status: Sold

\$2,486,918
Redfin Estimate

\$2,455,000
Last Sold Price

3
Beds

3
Baths

2,801 Sq. Ft.
\$888 / Sq. Ft.
Built: 1942



Favorite

Photos

Edit Facts

- Overview
- Redfin Estimate
- Public Facts
- Listing Details
- Tour Insights
- Property History
- Schools
- Neighborhood
- Similar Homes



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
\$2.36M - \$2.61M

Talk to Redfin About Selling

About This Home

This stunning Cape Cod inspired home offers 3 spacious bedrooms and 3 bathrooms located in one of Venice's most sought after neighborhoods. As you enter through the colorful and lush walkway the scene is set for warmth with the hardwood floors and wood

[Continue reading](#) ▾

Property History for 2823 Grayson Avenue

Date	Event & Source	Price	Appreciation
May 6, 2019	Sold (MLS) (Sold) TheMLS #19-421740	\$2,455,000	—
May 6, 2019	Sold (Public Records) Public Records	\$2,455,000	—
Apr 9, 2019	Pending TheMLS #19-421740	—	—

SHARE



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 appls., 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

10 30th Ave
 Venice, CA 90291
 Status: Sold

\$3,356,228
 Redfin Estimate

\$2,650,000
 Last Sold Price

5
 Beds

4
 Baths

3,396 Sq. Ft.
 \$988 / Sq. Ft.
 Built: 1910

Favorite

Photos

Edit Facts

- Overview
- Redfin Estimate
- Public Facts
- Listing Details
- Tour Insights
- Property History
- Schools
- Neighborhood
- Similar Homes



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
\$3.19M - \$3.53M

Talk to Redfin About Selling

About This Home

Looking for a beach house that you can make your own? Check out this 1910 Venice Beach Craftsman that was remodeled in the 1990's adding square feet as well as a new master bedroom & bath along with guest / maids quarters with a separate entrance. The

[Continue reading](#) ▾

Property History for 10 30th Avenue

Date	Event & Source	Price	Appreciation
Nov 14, 2018	Sold (MLS) (Closed) TheMLS #18-367164	\$2,650,000	—
Nov 14, 2018	Sold (Public Records) Public Records	\$2,650,000	8.0%/yr
Sep 27, 2018	Pending (Backup Offers Accepted) TheMLS #18-367164		

[See all property history](#) ▾



417 Venice Way
 Venice, CA 90291
 Status: Sold

\$2,931,875
 Redfin Estimate

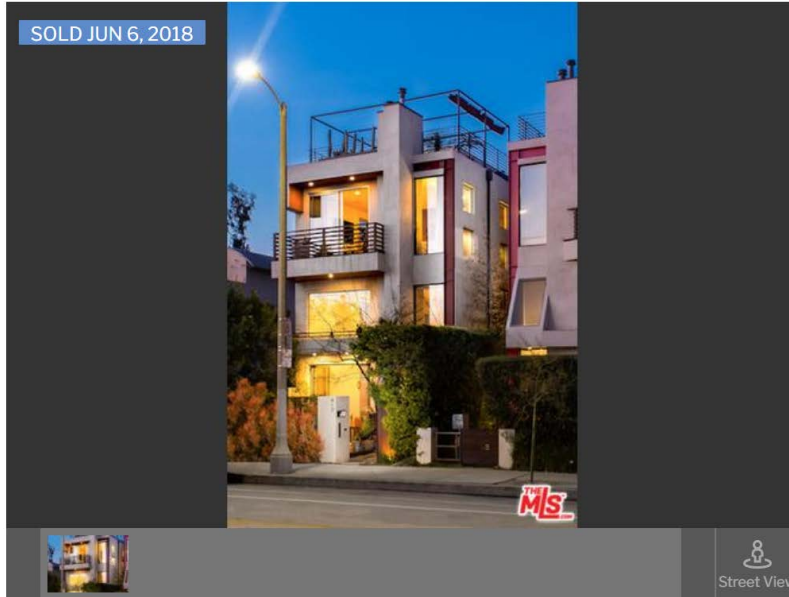
\$2,895,000
 Last Sold Price

3.5
 Beds
3.5
 Baths

3,154 Sq. Ft.
 \$930 / Sq. Ft.
 Built: 2007

Favorite Photos Edit Facts

Overview Redfin Estimate Public Facts Listing Details Tour Insights Property History Schools Neighborhood Similar Homes



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
\$2.79M - \$3.08M

Talk to Redfin About Selling

About This Home

This gorgeous architectural provides the ultimate in SoCal living w/ a truly remarkable location situated between Abbot Kinney & the beach. Designed with the utmost details & finishes, enter through your private 2-car garage which leads to an open & inviting floor-plan with double volume ceilings & windows that immerse the space w/ natural light. The high-end gourmet kitchen offers top of the line stainless steel appliances for all your cooking essentials. The 2nd level features a custom floating music studio/media room, mezzanine & laundry room. The 3rd level provides 3 bedrooms including a stunning sun-soaked master bed w/ custom built-in closet, skylights, fireplace & private balcony. Additional features include; brand new roof; new water heater; new whole house water filtration system; new built in speakers throughout wired to Sonos system w/ 5 independent zones; & new hi-def security system. Enjoy entertaining on the live-planted roof-deck w/ 360-degree city & mountain views.

Property History for 417 Venice Way

Date	Event & Source	Price	Appreciation
Jun 6, 2018	Sold (MLS) (Closed) TheMLS #18-306474	\$2,895,000	—
Jun 6, 2018	Sold (Public Records) Public Records	\$2,895,000	7.0%/yr
May 15, 2018	Pending TheMLS #18-306474		

[See all property history](#) ▾

** Price available after [signing in](#).

Exhibit F

Scale, Mass, and Character
Compatibility & Visual Impact
Analysis, prepared by Howard
Robinson & Associates, submitted on
December 22, 2021



Howard Robinson & Associates

Scale, Mass, and Character Compatibility & Visual Impact Analysis

709 E. Brooks Ave., Venice 90291

DIR-2019-6455-CDP-MEL

AA-2019-6453-PMLA-SL

This analysis has been prepared by Howard Robinson & Associates (HR&A) to show, with evidentiary support, that the subject project located at 709 E. Brooks Ave. is compatible with the pattern of development in the surrounding neighborhood as to scale, mass, and character. This report also analyzes the visual impact of the project on public views and the surrounding neighborhood.

- Compatibility as to scale, mass, and character was assessed based upon three (3) primary factors: height, front yard setback, and density.
- Visual Impact was assessed based on the project’s proposed height in relation to the heights of surrounding structures, as well as other factors that contribute to visual bulk, such as fences and landscaping, when viewed in context.
- This report is further supported by the applicable data for the neighborhood (Exhibit A – Compatibility Data), a neighborhood structural survey for all properties along Brooks Ave. between 7th Ave. and Lincoln Blvd. (Exhibit B), including stepbacks, roof top deck, and roof access structures, and a streetscape analysis showing the proposed structure in comparison to the project block (Exhibit C).

Summary of Study Findings

This study analyzed all structures on either side of the project block, Brooks Ave. between 7th Ave. and Lincoln Boulevard. This study captured the **55 individual properties** on the 700 and 800 blocks of Brooks Avenue.¹

The proposed project at 709 Brooks is a request to subdivide a 5,225 sq. ft. lot into two small lots, and construction of two, three-story (30’ in height), single family dwellings. Per the analysis of the 55 properties, which include single family and multi-family developments ranging from 1-3 stories in height, the average height on the two blocks is 19.42 in height. The average front yard setback is 18.42 feet and the average density in the RD1.5 zone is 1.8 units.

Comparison Table of Primary Compatibility Factors

	Height	Front Setback	Density
709 E. Brooks Ave.	30	18 ft.*	2
Average of Surrounding Development	19.42	18.42	1.8

¹ This study did not include the commercial structures directly adjacent to Lincoln Blvd., as they are separated from the residential neighborhood by an alley and their building form and development standards differ greatly from those of a multi-family residential neighborhood.

The proposed Small Lot Subdivision is above the average height for all structures on the project block but is within the range of 20% of the 55 total lots surveyed. Twenty percent of the structures (11) are 25 feet or taller, and another 20% had a height between 20 and 25 feet (11). As such, 40% of structures on the 700 and 800 block of Brooks are over 20 ft. in height. See breakdown of the heights:

25'- >30' in height	11 structures	20%
20'-25' in height	11 structures	20%
15'-20' in height	12 structures	22%
<15' in height	21 structures	38%

Furthermore, of these 22 structures above the block average (19.42 feet), 16 are multi-family developments like the proposed project. Likewise, of the 21 structures below 15 ft. in height, 16 are single-family dwellings. A clear pattern of greater heights for multi-family developments and lower heights for single-family developments exists on the project block. As this is a multi-family development, this project should be compared to other multi-family developments.

With regard to front yard setbacks, the project proposes a 15 ft. front yard setback and also provides a 3 ft. dedication, resulting in an 18 ft. setback from the property line. The project block has an average 18.6 ft. front yard setback with no discernable pattern difference between multi-family and single-family developments.

Use and density-wise, the project is compatible with the density of the neighborhood, which ranges from single-family dwellings to a 7-unit condominium at 845 E. Brooks Avenue. The average density is 1.8 units per property, while the Venice Specific Plan limits development in most cases to just two (2) units. The project proposes two (2) units, which both aligns with the average for the block and complies with the applicable density limitations.

Lastly, these blocks feature several elements which visually impact scale, mass, and character. For example, 32 properties, or 58%, feature over-in-height fences or hedges along the front property lines which block visibility and negate any benefits or relief provided by setbacks, step-backs, or building articulation. The subject project does not propose to create an intense, tall street wall along its front property line, but rather allows for open, visual access to the structure. As opposed to the heavy street wall along these properties, the subject project's visual openness enhances the pedestrian experience, while reducing impacts from scale and mass, mitigating the negative impacts resulting from these tall fences and dense landscaping adjacent to several properties. Photos of these over height fences have been provided as part of Exhibit B.

It is worth noting that the Los Angeles Municipal Code limits front yard fences to 42 inches and, therefore, it is likely that many of these conditions are illegal. Nonetheless, their presence impacts the scale, mass, character of the neighborhood. This is discussed further in the Visual Impact analysis section of this report.

Therefore, based upon a comprehensive review of development within the project area, the proposed Small Lot Subdivision is compatible with the existing pattern of development in the neighborhood, as the proposed height of 30 feet is comparable to 20% of the structures along the relevant portion of Brooks Avenue. The two-unit project is appropriate as to density and use. Further, the proposed project will have no negative visual impacts on pedestrians, as it provides an average front yard setback. And

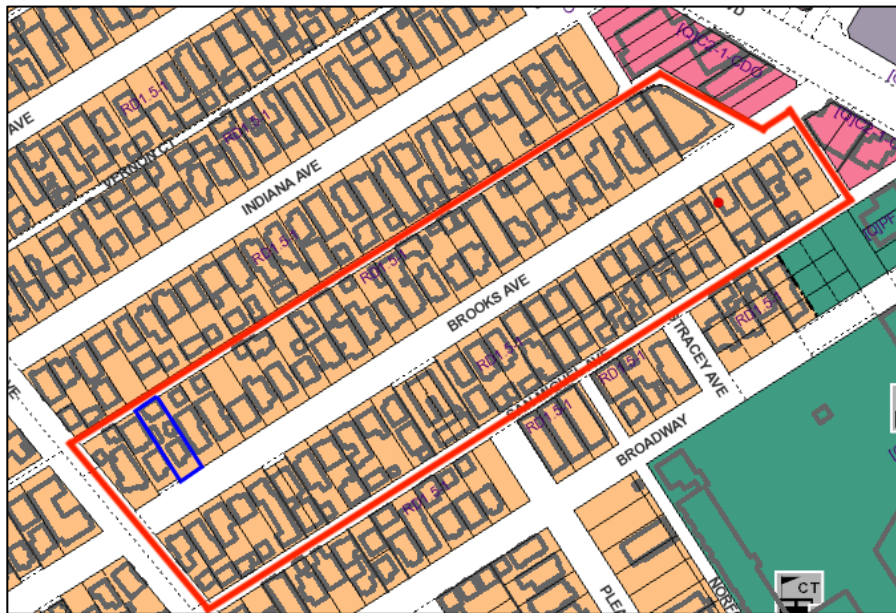
the proposed project helps to mitigate negative visual impacts resulting from nearby properties that have over-in-height front yard fences and landscaping.

Compatibility Analysis

As was previously stated, the analysis of the general development pattern in the area was on the properties along Brooks Ave., excluding commercially zoned properties along Lincoln Boulevard. Both sides of the street were included in this analysis, which ultimately captured 55 individual properties. This review presents a comprehensive analysis of development within the study area.

Please note that other comparable structures to the proposed project exist on adjacent blocks which are visible from the project site, examples of which have also been provided as they contribute to pattern of development of the broader neighborhood. However, these structures have not been included in this project block-specific assessment (Exhibit A).

A map of the study area is provided below:



Area of study circled in red. Project Site at center outlined in blue.

Please refer to Exhibit A for a table of all data analyzed in this study. The data used to assess the relevant compatibility factors (i.e., height, building footprint, etc.) is based upon LA County Assessor records, NavigatELA, ZIMAS, and/or other publicly available sources.

Compatibility Factors

There is no certified Local Coastal Program for Venice, however a certified Land Use Plan (LUP) does exist. Additionally, the Venice Community Plan and Venice Specific Plan serve as the current implementation mechanisms for the LUP. As noted earlier, in reviewing the project for compatibility we looked at the following compatibility factors which have the greatest impact on scale and mass: 1) height, 2) front setback, and 3) density. Other factors, such as articulation, stepbacks, or landscaping, that also have a visual impact on the neighborhood are discussed in the Visual Impacts section further on, as they are not regulated by any defined standards (with the exception of fence heights), but nonetheless impact the neighborhood. (Exhibit B)

Height

The proposed height of the subject project is 30 ft. Heights within the area of study vary from a low 10.15 ft. at 757 Brooks Ave. and a high of 34.3 ft. at 850 Brooks Avenue. Overall, the average height of all structures is 19.42 feet.

The proposed height is compatible with the pattern of development for the project block and the wider neighborhood. The following table lists structures on the block with comparable heights:

<u>Address</u>	<u>Height (ft.)</u>
705 E. Brooks Ave.	30.73
741 E. Brooks Ave.	28.79
807-809 E. Brooks Ave.	31.14
845 E. Brooks Ave.	31.1
742-748 E. Brooks Ave.	30
804-806 E. Brooks Ave.	32.63
808 E. Brooks Ave.	27.83
810-812 E. Brooks Ave.	30.31
850-854 E. Brooks Ave.	34.3

Furthermore, within a 500 ft. radius of the project site an additional 15 comparable structures exist, as noted below:

<u>Address</u>	<u>Height (ft.)</u>
672 Indiana Ave.	29.15
706-708 Indiana Ave.	30
748-750 Indiana Ave.	27.28
802 Indiana Ave.	28.93
832-834 Indiana Ave.	29.38
918 7 th Ave.	32.19
685 Broadway	36.46
709 Broadway	31.58
915 Broadway	29.33
655 Brooks Ave.	32.84
663-665 Brooks Ave.	35.88
677 Brooks Ave.	28.82
664 Brooks Ave.	36.67
672 Brooks Ave.	30.49

As discussed earlier, of the 55 total lots surveyed, 20% had a height ranging between 25-30+ ft. (11 structures) and 20% had a height between 20 and 25 feet (11 structures). As such, 40% of structures are over the 19.42 ft. average for the block. The average in this area is impacted by the

presence of small, older, single-family homes that are built at a smaller scale than the multi-family developments.

The data supports this link between density and height. Out of the 28 single-family homes along the block, only six (6) have a height above 20 ft., and only two (2) have a height over 25 feet. Additionally, out of these 28 single-family homes, 15 are under 15 ft. in height. The average height for single-family developments is 16.25 feet.

Conversely, of the 27 properties on the block improved with multi-family developments, ten (10) are between 25 and >30 ft. in height (37%) and six (6) others are between 20 and 25 ft. in height. Of the remaining properties eleven (11) have a height below 20 ft. The average height for multi-family developments along the block is 22 feet, although 37% range between 25 and more than 30 feet in height.

The connection between height and density is logical – in order to accommodate additional dwelling units on a property, additional height and floor area are necessary. The entire State of California, including the Coastal Zone, is facing a severe housing shortage. As this property, and all those surrounding it, are zoned for multi-family uses it would be counter-productive to the provision of housing in the Coastal Zone to require multi-family developments, within multi-family zones, to demonstrate compatibility with single-family uses – particularly when those uses are likely to be replaced with multi-family developments in the future.

Policy I.A.7. from the Coastal Commission-certified Venice Land Use Plan seeks to “accommodate the development of multi-family dwelling units in the areas designated as “Multiple Family Residential” and “Low Medium II Density” on the Venice Coastal Land Use Plan.” The subject property’s land use designation is Low Medium II, as is the vast majority of the Oakwood subarea. Indeed, no single-family zoning or low-density land use designation exists within this subarea. As such, it is reasonable to believe that it would be a violation of the certified Land Use Plan to **not** accommodate the development of multi-family dwelling units by requiring compatibility with single-family dwelling uses - uses that are actively contributing to the lack of housing in this neighborhood.

Indeed, it is unlikely that a new single-family dwelling would be permitted in this neighborhood, as the Coastal Commission has stated that maximizing density in zones that permit multi-family dwelling units is a priority. Furthermore, it would likely prejudice the City’s ability to prepare a full Local Coastal Program (LCP) for the Venice community, as the presence of single-family dwellings negatively impacts the character of multi-family neighborhoods by changing them to single-family neighborhoods. New SFDs are unlikely to be permitted in this neighborhood, as single-unit projects would be in violation of the LUP’s density and use provisions which state that the permitted density for this area is “one unit per 1,500-2,000 square feet of lot area” and the only permitted uses noted are “duplexes and multi-family structures”. As such, it is likely that all new development along this block will be multi-family projects, and increased height and floor area are necessary to accommodate these additional dwelling units.

Front Yard Setback

The subject project will be setback 18 ft. from the sidewalk. This setback factors in a 3 ft. dedication for possible future street widening purposes. The average setback from the project block is 18.6 ft. and the subject project is in line with this average.

Along the block, front yard ranges from a low of 3 ft. at 845 Brooks Ave. to 65 ft. at 818 Brooks Ave., however these extremes are atypical for the block. Furthermore, unlike height, there is no discernable link between density and a development's front yard setback.

Density

Density along the project block ranges from single-family dwellings to a 7-unit condominium. The proposed project is a 2-unit Small Lot Subdivision. The average density for the project block is 1.8 units. This level of density is compatible with the scale, mass, and character of the block.

As discussed earlier, there is a clear relationship between density and a structure's height, with single-family dwellings overwhelmingly single-story and 15 ft. in height or lower, while the vast majority of multi-family structures are over 20 ft. in height. The connection between density and the resulting mass and scale of a structure is due to the additional height and floor area necessary to accommodate additional residential units.

As the subject block is zoned entirely multi-family, it is important to recognize that the scale and character of multi-family projects, such as the subject Small Lot Subdivision, **should not** be dependent upon demonstrating compatibility with single-family structures on lots that allow for multiple units - particularly as the State of California, including the Coastal Zone, faces a severe housing shortage. The Coastal Act should not be used as a tool to restrict the creation of new housing units by forcing multi-family projects, in multi-family zones, with multi-family land use designations, to demonstrate compatibility with single-family dwellings. These single-unit properties are inappropriate for this zone and should be located in single-family zones.

Furthermore, the Coastal Commission has stated recently that new development should maximize the permitted density on a lot and, therefore, it is likely that many of the existing single-family properties along the subject block will ultimately be redeveloped with larger, multi-family projects over time.

Visual Impact

The data-based compatibility analysis demonstrates clearly that the project is compatible with the scale and character of this multi-family neighborhood. However, the raw data alone paints a picture that does not necessarily represent the scale and mass of the neighborhood **actually visible** along the block (Exhibit B). These visual impacts are analyzed in this section.

The attached Exhibit B provides photo evidence and data for each of the 55 dwellings on the 700 and 800 block of Brooks. Each photo display provides the data for: the year built, if the dwelling was remodeled, height, front yard setback, upper level setbacks, façade articulation, non-structural visual mass, roof deck and roof access structures.

This analysis has previously assessed comparable heights, front yard setbacks and density. However, upon reviewing data to assess the articulation and setbacks it is clear the primary visual impact on the neighborhood are the plethora of over-in-height fences and hedges along front property lines. The Venice Specific Plan does not address fence heights (including landscaping, such as hedges) in the Oakwood subarea, as such the Los Angeles Municipal Code's 42-inch height limit applies. Out of the 55 properties along the block, 34 feature a fence or hedge above 42 inches in height which either partially or fully blocks visual access to the property. Logically, it is difficult to explain why a structure that is not visible due to fencing or landscaping should be included in an assessment of the scale and character of a neighborhood,

as opposed to the fencing/landscaping itself. These fences exist and have a real impact on the character of the neighborhood.

See Exhibit B for photographs of all the structures along with an outline of their features such as height, setbacks, stepbacks, decks, etc. The following examples help to demonstrate the visual impact of tall fences and hedges:



Address: 708 E. Brooks Ave.
Single Family Dwelling
Height: 13.08 ft.
Front Setback: 14.2 ft.



Address: 720-722 E. Brooks Ave.
Duplex
Height: 29 ft. 2 in.
Front Setback: 15 ft. (10 ft. + 5 ft. future street dedication)

Although the first example, 708 E. Brooks Ave., is a small-scale single-family dwelling and the second example, 720-722 E. Brooks Ave., is a large-scale duplex, the visual impact from the pedestrian perspective is the same – mass and bulk directly adjacent to the sidewalk that blocks visibility to the structure behind. As such, it does not matter that the first example is only 13.08 ft. tall as the structure’s height itself is not visible. Only the height generated by the landscaping along the property line is visible. The visual impact of these fences and hedges mitigates any benefits to the pedestrian that would be generated by a lower height, front yard setbacks, or other development regulations applicable to the structure itself.

Conclusion

Based upon a comprehensive data-based review of development along the project block, the proposed project is compatible as to scale, mass, and character. The project’s height, front yard setback, and density are typical for this block, as well as the broader Oakwood subarea, which feature a wide mix of projects developed at various heights and densities.

- Of the 55 total lots surveyed, 20% had a height ranging between 25 and >30 ft. in height;
- Of the 27 properties on the block improved with multi-family developments, 37% are between 25 and >30 ft. in height;
- The average setback from the project block is 18.6 ft. and the subject project is in line with this average;
- The RD1.5 zone should be developed with multi-family projects, such as the proposed small lot subdivision. Multi-family projects should not have to demonstrate compatibility with single family structures on lots zoned for multi-family.

Additionally, as a result of the visual impacts on the block generated by the tall fences and hedges present, although there are 33 structures below 20 ft. in height, the character of the neighborhood is one of larger scale and massing. Limiting review to only the structures present on each property would miss this scale and mass, which do indeed result in real world impacts on the character of a neighborhood. This is why front yard fences and hedges are regulated, however, a lack of enforcement of said regulations has changed the character of this block from the pedestrian perspective. Both the structures themselves, as well as the manner in which the broader property is developed, including landscaping and fencing, contribute to the block’s character.

As such, while based solely on structural data, the project would be at the larger end of the spectrum for this block, it would not be unprecedented with 20% of structures over 25 ft. in height and 40% of structures over 20 ft. in height. Additionally, when factoring in other site features that contribute to scale, mass, and character, such as fences and landscaping, the project fits neatly within the typical pattern of development, which is characterized by many tall structures, tall fences, and tall hedges.

**709 Brooks Ave. Compatibility Analysis
Exhibit A**

Data of structures on
the 700 and 800 blocks of Brooks Ave.

Street Name	Address	Height	FY Setback	Density		
Brooks	701	17.35	15	1	25-30+	11
	705	30.73	20.75	3	15-20	12
	713-715	17.28	16	2	10-15 ft	21
	717-719	14.54	20	2	20-25 ft	11
	721	26.22	13.75	1		
	725	19.5	20	1		
	729-731	19.81	21	2		
	733	12.2	18.5	1	Total # of Lots	55
	737	15.88	20	1	Percent 25+	20%
	741	28.79	15	1	Percent 20-25	20%
	745	11.47	20	1		
	749	12.5	20	1		
	753-755	18.53	20	4	Percent of lots 20-30+	40%
	757-759	10.15	20	2		
	801	20.64	20	1	Note: All height data was obtained using the City's NavigateLA website and is therefore publically available to anyone.	
	805	20.74	19	2		
	807-809	31.14	15	2		
	813	10.46	20	1		
	817	13.48	20	1		
	821	17.03	19	1		
	825	21.85	20	1		
	829	12.53	20	1		
	833-835	26.32	20	2		
	837-839	22.08	20	3		
	845	31.1	6	7		
	700	14.49	15	1		
	702-706	16.59	20.75	2		
	708	13.08	14.2	1		
	712	14.9	16	1		
	716	23.3	20	1		
	720-722	16.59	15	2		
	724	11.49	20	1		
728	14.7	21	1			
732-734	24.85	15	1			
736	13.76	15	1			
738-740	12.89	16	2			
742-748	30	15	4			
752-754	23.41	15	4			
756	15.45	15	1			
800	14.31	20	1			
804-806	32.63	15	2			
808	27.83	13.5	3			
810-812	30.31	15	2			
816	14.97	15	2			
818-820	14.24	65	1			
824-826	23.61	15	2			
828	20.81	15	2			
830-832	13.88	32	3			
836	21.7	15	2			
840	13.72	6.75	2			
844	12.65	16	1			
848	17.24	18	2			
850-854	34.3	25	3			
856	19.45	20	1			
860	15.99	15	1			
Average	N/A	19.19	18.42	1.8		
Project Site	709	30	18	2		

Similar Height Properties within a 500 ft. radius.

Indiana	748-750	27.28
	706-708	30
	802	28.93
	832-834	29.38
7th Broadway	672	29.15
	918	32.19
	709	31.58
	915	29.33
	685	36.46
Brooks	672	30.49
	677	28.82
	663-665	35.88
	655	32.84
	664	36.67

Exhibit B

Photos and Data for Structures on the 700 and 800 blocks of Brooks



Address: 700 E. Brooks Ave.
Built: 1948
Addition/Remodel: 2020
Height: 24.5 ft.
Front Setback: 15 ft.
Upper Level Stepbacks: None
Articulation: Pitched roof, deck on second level, projecting element at right of second level
Non-Structural Visual Mass: None
Roof Deck: Yes, at rear.
Roof Access Structure: Yes, set back approximately 45 ft. from front wall
Notes: No historical designations or similar



Address: 702-704 E. Brooks Ave.
Built: 1951
Addition/Remodel: 2020
Height: 16.59 ft.
Front Setback: 20.75 ft.
Upper Level Stepbacks: None (1-story)
Articulation: Pitched roof
Non-Structural Visual Mass: Over-height fence, large tree
Roof Deck: Yes, at rear
Roof Access Structure: Setback approximately 45 ft. from front wall
Notes: No historical designations or similar



Address: 708 E. Brooks Ave.
Built: 1924
Addition/Remodel: 2005
Height: 13.08 ft.
Front Setback: 14.2 ft.
Upper Level Stepbacks: None (1-story)
Articulation: None (flat roof with parapet)
Non-Structural Visual Mass: Large vegetation along front property line
Roof Deck: None
Roof Access Structure: None
Notes: No historical designations or similar.



Address: 712 E. Brooks Ave.

Built: 1951

Addition/Remodel: N/A

Height: 13.08 ft.

Front Setback: 16 ft.

Upper Level Stepbacks: None (1-story)

Articulation: Pitched roofline

Non-Structural Visual Mass: None

Roof Deck: None

Roof Access Structure: None

Notes: No historical designations or similar.



Address: 716 E. Brooks Ave.
Built: 2011
Addition/Remodel: N/A
Height: 25 ft.
Front Setback: 20 ft.
Upper Level Stepbacks: None
Articulation: Punched-out window on second level
Non-Structural Visual Mass: Over-in-height fence along front property line and large trees
Roof Deck: Yes
Roof Access Structure: Yes
Notes: No historical designations or similar.



Address: 720-722 E. Brooks Ave. (Small Lot Subdivision)
Built: 2012
Addition/Remodel: N/A
Height: 30 ft.
Front Setback: 20 ft.
Upper Level Stepbacks: None
Articulation: None
Non-Structural Visual Mass: Tall trees and bamboo along front property line
Roof Deck: Yes
Roof Access Structure: Yes, 20 ft. setback from front wall
Notes: No historical designations or similar.



Address: 724 E. Brooks Ave.

Built: 1960

Addition/Remodel: 1978

Height: 11.49 ft.

Front Setback: 20 ft.

Upper Level Stepbacks: None

Articulation: Pitched roofline, varied front setback depth

Non-Structural Visual Mass: None

Roof Deck: None

Roof Access Structure: None

Notes: No historical designations or similar.



Address: 728 E. Brooks Ave.

Built: 1937

Addition/Remodel: 1992

Height: 14.7 ft.

Front Setback: 21 ft.

Upper Level Stepbacks: None

Articulation: Pitched roofline

Non-Structural Visual Mass: Large trees and shrubs block visual

Roof Deck: access to structure

Roof Access Structure: None

Notes: None

No historical designations or similar.



Address: 732-734 E. Brooks Ave.

Built: 2009

Addition/Remodel: N/A

Height: 25 ft.

Front Setback: 15 ft.

Upper Level Stepbacks: None

Articulation: None

Non-Structural Visual Mass: Over height fence and large shrub/tree

Roof Deck: None

Roof Access Structure: None

Notes: No historical designations or similar.



Address: 736 E. Brooks Ave.

Built: 1947

Addition/Remodel: N/A

Height: 13.76 ft.

Front Setback: 15 ft.

Upper Level Stepbacks: None

Articulation: Pitched roofline, covered porch

Non-Structural Visual Mass: Large tree

Roof Deck: None

Roof Access Structure: None

Notes: No historical designations or similar.



Address: 738-740 E. Brooks Ave.

Built: 1961

Addition/Remodel: 1998

Height: 12.89 ft.

Front Setback: 16 ft.

Upper Level Stepbacks: None

Articulation: Pitched roof element over front door

Non-Structural Visual Mass: None

Roof Deck: None

Roof Access Structure: None

Notes: No historical designations or similar.



Address: 742-748 E. Brooks Ave. (Small Lot
Built: Subdivision)
Addition/Remodel: 2016
Height: None
Front Setback: 30 ft.
Upper Level Stepbacks: 15 ft. (7 ft. dedication and 8 ft. FY
Articulation: setback)
Non-Structural Visual Mass: 4 ft.
Roof Deck: Pitched roofline, 3rd floor deck
Roof Access Structure: Hedges along front property line.
Notes: Yes
Yes*
No historical designations or similar.

*The Roof Deck and Roof Access Structure are located above detached accessory structures located behind the structures seen in the photo above. However, lots along the even side of Brooks Ave. are through lots with frontage also along San Miguel Ave. As such, the Roof Access Structure is set back 82 ft. from the "front wall" adjacent to Brooks Ave., but only 8 ft. from San Miguel Ave.



Address: 752-754 E. Brooks Ave.

Built: 1961

Addition/Remodel: None

Height: 23 ft.

Front Setback: 15 ft.

Upper Level Stepbacks: N/A*

Articulation: Pitched roofline

Non-Structural Visual Mass: Hedges along front property line.

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.

* There is an additional structure located behind the building in the photo above which has a height of 23 ft. and is setback approximately 75 ft. from Brooks Ave. and 10 ft. from San Miguel Ave.



Address: 756 E. Brooks Ave.

Built: 1961

Addition/Remodel: 1962

Height: 15.45 ft.

Front Setback: 15 ft.

Upper Level Stepbacks: N/A (1-story)

Articulation: Pitched roofline

Non-Structural Visual Mass: None

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 800 E. Brooks Ave.

Built: 1929

Addition/Remodel: None

Height: 14.3 ft.

Front Setback: 20 ft.

Upper Level Stepbacks: N/A (1-story)

Articulation: Roof parapet with varied roofline,

Non-Structural Visual Mass: covered porch

Roof Deck: None

Roof Access Structure: No

Notes: No

No historical designations or similar.



Address: 806 E. Brooks Ave.

Built: 2015

Addition/Remodel: None

Height: 25 ft.

Front Setback: 15 ft.

Upper Level Stepbacks: None

Articulation: None

Non-Structural Visual Mass: None

Roof Deck: Yes

Roof Access Structure: Yes, adjacent to front wall.

Notes: No historical designations or similar.



Address: 808 E. Brooks Ave.

Built: 2014

Addition/Remodel: None

Height: 15 ft.

Front Setback: 13.5 ft.

Upper Level Stepbacks: 5 ft.

Articulation: None

Non-Structural Visual Mass: None

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 810-812 E. Brooks Ave.

Built: 2013

Addition/Remodel: None

Height: 30 ft.

Front Setback: 15 ft.

Upper Level Stepbacks: 8 ft.

Articulation: None

Non-Structural Visual Mass: None

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 816 E. Brooks Ave.

Built: 1954

Addition/Remodel: None

Height: 14 ft.

Front Setback: 15 ft.

Upper Level Stepbacks: N/A (1-story)

Articulation: Pitched roofline

Non-Structural Visual Mass: None

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 818-820 E. Brooks Ave.

Built: 1923

Addition/Remodel: None

Height: 13 ft.

Front Setback: 65 ft.

Upper Level Stepbacks: N/A (1-story)

Articulation: None

Non-Structural Visual Mass: None

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.

*Property is composed of two lots: 818-820 E. Brooks Ave. and 821 E. San Miguel Ave. The lot adjacent to Brooks Ave. is vacant and functions as the property's front yard setback, with the lot adjacent to San Miguel Ave. fully built out with several structures.



Address: 824-826 E. Brooks Ave.

Built: 2003

Addition/Remodel: None

Height: 25 ft.

Front Setback: 15 ft.

Upper Level Stepbacks: None

Articulation: Projecting balcony element on 2nd level.

Non-Structural Visual Mass: Large trees along property line.

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 828 E. Brooks Ave.

Built: 1954

Addition/Remodel: 2012

Height: 25 ft.

Front Setback: 15 ft.

Upper Level Stepbacks: None

Articulation: 2nd story projecting balcony.

Non-Structural Visual Mass: Over-in-height fence along front property line, roof deck railing.

Roof Deck: Roof Deck: Yes

Roof Access Structure: Yes, set back approximately 17 ft. from front wall.

Notes: No historical designations or similar.



Address: 830-832 E. Brooks Ave.

Built: 1957

Addition/Remodel: 1974

Height: 15.25 ft.

Front Setback: 32 ft.

Upper Level Stepbacks: N/A (1-story)

Articulation: Pitched roof

Non-Structural Visual Mass: Line of palm trees along front building wall.

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 836 E. Brooks Ave.

Built: 1954

Addition/Remodel: None

Height: 14 ft.

Front Setback: 15 ft.

Upper Level Stepbacks: None (1-story)

Articulation: Pitched roofline

Non-Structural Visual Mass: Over-in-height fence along front property line, large trees/shrubs within front setback area.

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 840 E. Brooks Ave.

Built: 1954

Addition/Remodel: 2006

Height: 14.75 ft.

Front Setback: 6.75 ft.

Upper Level Stepbacks: None (1-story)

Articulation: Varied roof line with projecting element.

Non-Structural Visual Mass: None

Roof Deck: No

Roof Access Structure: Over-in-height fence along front property line, large hedge seen at left.

Notes: No historical designations or similar.



Address: 844 E. Brooks Ave.

Built: 1929

Addition/Remodel: None

Height: 12.65 ft.

Front Setback: 16 ft.

Upper Level Stepbacks: N/A (1-story)

Articulation: None

Non-Structural Visual Mass: Palm trees and hedge within front yard area.

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 848 E. Brooks Ave.

Built: 1933

Addition/Remodel: None

Height: 14 ft.

Front Setback: 18 ft.

Upper Level Stepbacks: None (1-story)

Articulation: Pitched roof

Non-Structural Visual Mass: Over-in-height fence along front property line.

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 850-854 E. Brooks Ave.

Built: 1933 & 1988

Addition/Remodel: None

Height: 23 ft.

Front Setback: 25 ft.

Upper Level Stepbacks: None

Articulation: Pitched roof

Non-Structural Visual Mass: Over-in-height fence along front property line, large trees.

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 856 E. Brooks Ave.

Built: 1933

Addition/Remodel: None

Height: 16 ft.

Front Setback: 20 ft.

Upper Level Stepbacks: N/A (1-story)

Articulation: Pitched roof, covered porch

Non-Structural Visual Mass: None

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 860 E. Brooks Ave.

Built: 1949

Addition/Remodel: None

Height: 15 ft.

Front Setback: 15 ft.

Upper Level Stepbacks: N/A (1-story)

Articulation: Unknown, structure not visible

Non-Structural Visual Mass: Over-in-height fence and hedges along front property line.

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 701 E. Brooks Ave.

Built: 1953

Addition/Remodel: None

Height: 17.35 ft.

Front Setback: 15 ft.

Upper Level Stepbacks: None

Articulation: Pitched roof

Non-Structural Visual Mass: None

Roof Deck: None

Roof Access Structure: None

Notes: No historical designations or similar



Address: 705 (front) and 707 (rear) E. Brooks Ave.
Built: 1987
Addition/Remodel: 2020
Height: Front: 11.90 ft. Rear: 30.73 ft.
Front Setback: 20.75 ft.
Upper Level Stepbacks: Front: None (1-story), Rear: None
Articulation: Pitched roof of front structure
Non-Structural Visual Mass: None
Roof Deck: None
Roof Access Structure: None
Notes: No historical designations or similar



Address: 713-715 E. Brooks Ave.
Built: 1952
Addition/Remodel: N/A
Height: 17.28 ft.
Front Setback: 16 ft.
Upper Level Stepbacks: None (1-story)
Articulation: Pitched roofline
Non-Structural Visual Mass: None
Roof Deck: None
Roof Access Structure: None
Notes: No historical designations or similar.



Address: 717-719 E. Brooks Ave.

Built: 1952

Addition/Remodel: N/A

Height: 14.54 ft.

Front Setback: 20 ft.

Upper Level Stepbacks: None

Articulation: None visible

Non-Structural Visual Mass: Over-in-height fence along front property line and large trees obscuring much of the structure

Roof Deck: None

Roof Access Structure: None

Notes: No historical designations or similar.



Address: 721 E. Brooks Ave.
Built: 2013
Addition/Remodel: N/A
Height: 26.22 ft.
Front Setback: 13.75 ft.
Upper Level Stepbacks: None
Articulation: Inlaid wall spanning both stories
Non-Structural Visual Mass: Tall trees along front property line, over-height fence
Roof Deck: None
Roof Access Structure: None
Notes: No historical designations or similar.



Address: 725 E. Brooks Ave.

Built: 1928

Addition/Remodel: 1978

Height: 12.51 ft.

Front Setback: 20 ft.

Upper Level Stepbacks: None

Articulation: Pitched roofline, varied front setback depth

Non-Structural Visual Mass: Fence along property line

Roof Deck: None

Roof Access Structure: None

Notes: No historical designations or similar.



Address: 729-731 E. Brooks Ave.

Built: 1953 (front) 1924 (rear)

Addition/Remodel: 1992

Height: Front: 14.89 ft., Rear: 19.81

Front Setback: 21 ft.

Upper Level Stepbacks: None

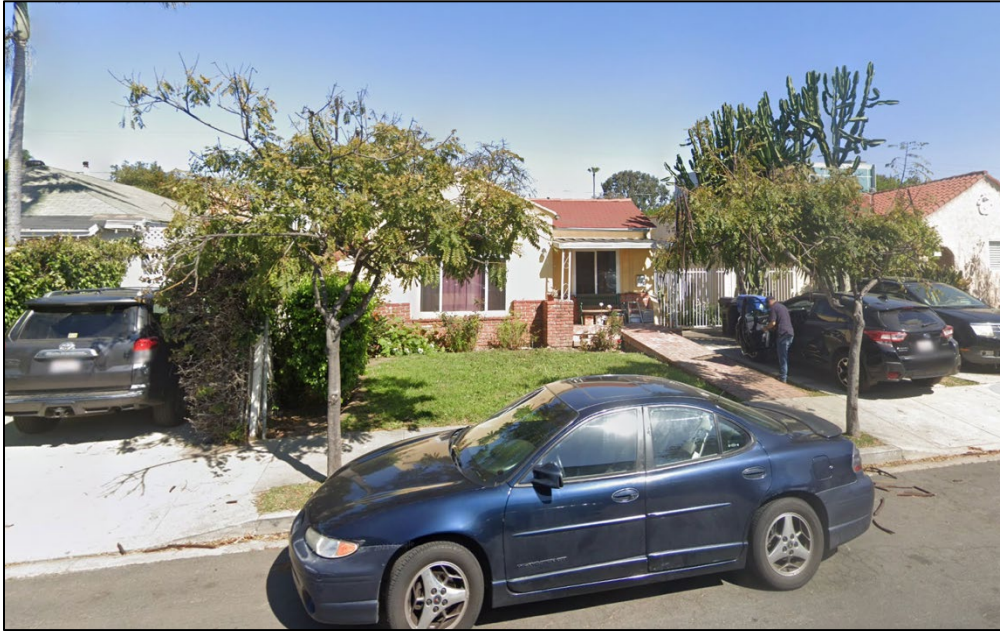
Articulation: Pitched roofline

Non-Structural Visual Mass: Large trees and shrubs block visual access to structure

Roof Deck: None

Roof Access Structure: None

Notes: No historical designations or similar.



Address: 733 E. Brooks Ave.

Built: 1926

Addition/Remodel: 1992

Height: 12.20 ft.

Front Setback: 18.5 ft.

Upper Level Stepbacks: None

Articulation: Pitched roofline, stepped back porch

Non-Structural Visual Mass: None

Roof Deck: None

Roof Access Structure: None

Notes:1 No historical designations or similar.



Address: 737 E. Brooks Ave.

Built: 1928

Addition/Remodel: N/A

Height: 15.88 ft.

Front Setback: 20 ft.

Upper Level Stepbacks: None

Articulation: Pitched roofline, fence with roof
extending above driveway

Non-Structural Visual Mass: Trees and shrubs

Roof Deck: None

Roof Access Structure: None

Notes: No historical designations or similar.



Address: 741-743 E. Brooks Ave.

Built: 1930 (front) 2004 (rear)

Addition/Remodel: N/A

Height: Front: 12.64 ft., Rear: 28.79

Front Setback: 15 ft.

Upper Level Stepbacks: Rear 2 story structure stepped back

Articulation: from front structure

None

Non-Structural Visual Mass: Large shrubs behind fence

Roof Deck: Yes, at rear

Roof Access Structure: None

Notes: No historical designations or similar.



Address: 745 E. Brooks Ave.

Built: 1928

Addition/Remodel: 1998

Height: 11.47 ft.

Front Setback: 20 ft.

Upper Level Stepbacks: None

Articulation: None visible

Non-Structural Visual Mass: Over-height hedges obscuring entirety of structure

Roof Deck: None

Roof Access Structure: None

Notes: No historical designations or similar.



Address: 749 E. Brooks Ave.

Built: 1933

Addition/Remodel: None

Height: 12.50 ft.

Front Setback: 20 ft.

Upper Level Stepbacks: None

Articulation: Pitched roofline

Non-Structural Visual Mass: None

Roof Deck: None

Roof Access Structure: None

Notes: No historical designations or similar.



Address: 753-755 E. Brooks Ave.

Built: 1959 (front) 1928 (rear)

Addition/Remodel: None

Height: 28.53 ft.

Front Setback: 20 ft.

Upper Level Stepbacks: N/A*

Articulation: Pitched roofline

Non-Structural Visual Mass: Fence along property line and large palm trees in front yard

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.

* There is an additional structure located behind the building in the photo above which has a height of 23 ft. and is setback approximately 75 ft. from Brooks Ave. and 10 ft. from San Miguel Ave.



Address: 757-759 E. Brooks Ave.

Built: 1925 (front) 1931 (rear)

Addition/Remodel: 1962

Height: 10.15 ft. 9.48 rear

Front Setback: 20 ft.

Upper Level Stepbacks: N/A (1-story)

Articulation: None

Non-Structural Visual Mass: Fence along property line and over-height hedges obscuring structure

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 801 E. Brooks Ave.

Built: 1949

Addition/Remodel: None

Height: 14.74 ft.

Front Setback: 20 ft.

Upper Level Stepbacks: N/A (1-story)

Articulation: Pitched roofline

Non-Structural Visual Mass: Trees and foliage in front yard

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 805 E. Brooks Ave.

Built: 1924

Addition/Remodel: None

Height: 14.31 ft.

Front Setback: 19 ft.

Upper Level Stepbacks: None

Articulation: Pitched roofline

Non-Structural Visual Mass: Large trees in front yard

Roof Deck: None

Roof Access Structure: None

Notes: No historical designations or similar.



Address: 807-809 E. Brooks Ave.

Built: 2014

Addition/Remodel: None

Height: 31.14 ft.

Front Setback: 15 ft.

Upper Level Stepbacks: 809 Brooks is stepped back from 807 Brooks

Articulation: Inlaid balconies on second floor

Non-Structural Visual Mass: Hedges and fence along property line and large tree in front yard

Roof Deck: Yes, at front (visible in photo)

Roof Access Structure: Yes, in center of roof

Notes: No historical designations or similar.



Address: 813 E. Brooks Ave.

Built: 1925

Addition/Remodel: None

Height: 10.46 ft.

Front Setback: 20 ft.

Upper Level Stepbacks: N/A (1-story)

Articulation: Varied roofline and open patio

Non-Structural Visual Mass: None

Roof Deck: None

Roof Access Structure: None

Notes: No historical designations or similar.



Address: 817 E. Brooks Ave.

Built: 1949

Addition/Remodel: None

Height: 13.48 ft.

Front Setback: 20 ft.

Upper Level Stepbacks: N/A (1-story)

Articulation: Pitched roofline

Non-Structural Visual Mass: Fence and trees in front yard

Roof Deck: None

Roof Access Structure: None

Notes: No historical designations or similar.



Address: 821 E. Brooks Ave.

Built: 1924

Addition/Remodel: None

Height: 17.03 ft.

Front Setback: 19 ft.

Upper Level Stepbacks: N/A (1-story)

Articulation: Pitched roofline

Non-Structural Visual Mass: Fence along property line and large tree
in front yard

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 825 E. Brooks Ave.

Built: 2014

Addition/Remodel: None

Height: 21.85 ft.

Front Setback: 20 ft.

Upper Level Stepbacks: None

Articulation: Covered balcony on second story

Non-Structural Visual Mass: Over-height hedges along property line

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 829 E. Brooks Ave.

Built: 1924

Addition/Remodel: None

Height: 12.53 ft.

Front Setback: 20 ft.

Upper Level Stepbacks: N/A (1-story)

Articulation: None

Non-Structural Visual Mass: None

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 835 E. Brooks Ave.
Built: 1928 & 2018
Addition/Remodel: None
Height: 25.62 ft.
Front Setback: 15 ft.
Upper Level Stepbacks: None
Articulation: Pitched roofline
Non-Structural Visual Mass: Over-height hedges along property line
obscuring first level of structure
Roof Deck: No
Roof Access Structure: No
Notes: No historical designations or similar.



Address: 837-839 E. Brooks Ave.

Built: 1928 (front and rear)

Addition/Remodel: 2012

Height: 22.08 ft.

Front Setback: 20 ft.

Upper Level Stepbacks: None

Articulation: Cross-gabled roof

Non-Structural Visual Mass: Over-in-height fence along front property line

Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



Address: 845 E. Brooks Ave.

Built: 1989

Addition/Remodel: 1974

Height: 31.11 ft.

Front Setback: 0-3 ft.

Upper Level Stepbacks: None

Articulation: Plane break along front building wall.

Non-Structural Visual Mass: Large trees along front building wall.

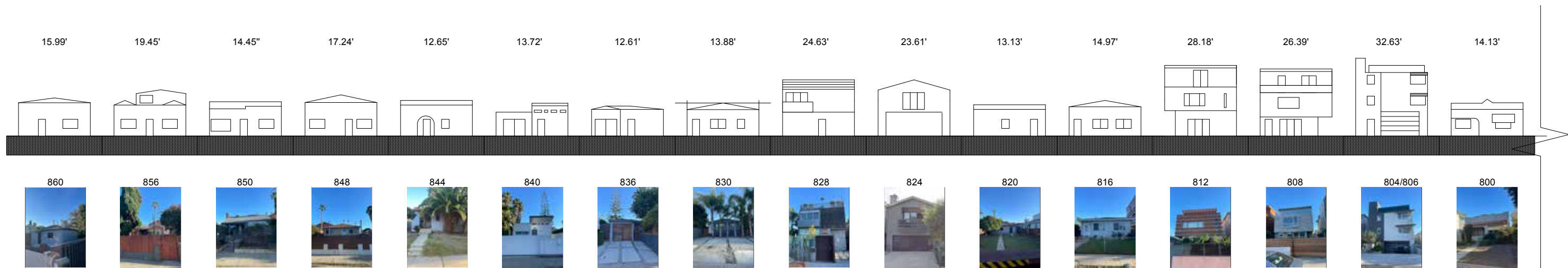
Roof Deck: No

Roof Access Structure: No

Notes: No historical designations or similar.



709 BROOKS AVE. VENICE, CA 90291 NORTH SIDE STREETSCAPE



709 BROOKS AVE. VENICE, CA 90291 SOUTH SIDE STREETSCAPE

Exhibit G

ZI-2406 Small Lot Subdivision
Director's Interpretation

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.

Exhibit H

Correspondence



Kevin Fulton <kevin.fulton@lacity.org>

709 E. Brooks Ave., Venice, CA

2 messages

Robin Underwood <kitfoxes3@hotmail.com>
To: "kevin.fulton@lacity.org" <kevin.fulton@lacity.org>

Mon, Jun 15, 2020 at 4:46 PM

Hi Kevin,

This project is being reviewed in VNC meeting and I would appreciate some information from you as none of the documents are posted on the City Planning website.

- a. This is a RSO property. Is it possible to get a copy of the HCIDLA determination letter and if the units were considered low income, therefore replacements should be required, which I do not see in the case description.
 1. Would you email a copy of the plans to me for review?
 2. The property has four structures on it. The addresses are 709 and 709 1/2. However, the applicant has listed only one single family dwelling to be demolished. Two of the structures were permitted as storage, but were they rented?

As you may know many of us in Venice, along with Councilman Bonin do not want to see lose of affordable housing to developers exploiting the neighborhood and building out of scale huge boxes in these diverse lots in Venice. You can check with Julie Oh about the issues and the POWER appeal that was won to stop similar development (San Juan, Venice.)

Thank you in advance for your help.

Robin Underwood
310-821-7085

Kevin Fulton <kevin.fulton@lacity.org>
To: Robin Underwood <kitfoxes3@hotmail.com>

Thu, Jun 18, 2020 at 1:43 PM

Hello Ms. Underwood,

I have attached a copy of the HCIDLA determination letter & the most recent set of project plans we have on file.

HCIDLA determined that two affordable units exist on the property. The applicant has the option of preparing a financial feasibility study on providing replacement affordable units. However, the Department's final decision on the number of replacement affordable units required will be included in the determination.

The property currently has two permitted dwelling units on site. I looked through the code enforcement history for both addresses and did not find anything indicating that other structures on site were rented as unpermitted dwelling units.

Please let me know if you would like to be added to the interested parties list for this case.

Best,

Kevin Fulton

[Quoted text hidden]

--

Kevin Fulton




Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 721
Los Angeles, CA 90012
Planning4LA.org
T: (213) 978-1210



2 attachments

 **709 Brooks HCIDLA.pdf**
76K

 **709 Brooks Plans.pdf**
1475K



Kevin Fulton <kevin.fulton@lacity.org>

709 Brooks/DIR-2019-6455-CDP-MEL

3 messages

Robin Rudisill <wildrudi@me.com>
To: Kevin Fulton <kevin.fulton@lacity.org>

Tue, Dec 15, 2020 at 8:03 PM

Hi Kevin,

I want to be sure we're on the Interested Party list for this case:

Robin Rudisill
3003 Ocean Front Walk
Venice, CA 90291

Sue Kaplan
763 Nowita Place
Venice, CA 90291

It would be great if you could also send notices and determinations to us via email:

wildrudi@mac.com for Robin

sueakaplan@gmail.com for Sue

Thank you...

*For the Love of Los Angeles
and our precious Coast,*
Robin Rudisill
(310) 721-2343

Kevin Fulton <kevin.fulton@lacity.org>
To: Robin Rudisill <wildrudi@me.com>

Wed, Dec 16, 2020 at 1:58 PM

Hello Robin,

I've added you both to the interested parties list and set a reminder to send an emailed copy of the hearing notice.

Best,

Kevin

[Quoted text hidden]

--



Kevin Fulton
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 721
Los Angeles, CA 90012
Planning4LA.org
T: (213) 978-1210



6/27/22, 6:27 PM

City of Los Angeles Mail - 709 Brooks/DIR-2019-6455-CDP-MEL

Robin Rudisill <wildrudi@me.com>
To: Kevin Fulton <kevin.fulton@lacity.org>

Wed, Dec 16, 2020 at 2:46 PM

Thanks Kevin!

Also, just fyi, not sure if you heard yet--someone tole me that the Venice Neighborhood Council voted to recommend denial of the project at their monthly meeting last night.

*For the Love of Los Angeles
and our precious Coast,*

Robin Rudisill
(310) 721-2343

[Quoted text hidden]



Kevin Fulton <kevin.fulton@lacity.org>

709 Brooks Ave--DIR-2019-6455-CDP-MEL & AA-2019-6453-PMLA

7 messages

Robin Rudisill <willdrudi@me.com>

Thu, Jan 28, 2021 at 9:50 AM

To: Kevin Fulton <kevin.fulton@lacity.org>, Jordann.Turner@lacity.org

Cc: Ira Brown <ira.brown@lacity.org>, Sue Kaplan <sueakaplan@gmail.com>

Kevin and Jordann,

We are writing to urge you to require significant modifications to the application for [709 Brooks Ave.](#)

Loss of housing density and change in the character of our multi-family neighborhoods to single family is an urgent consideration when any project applies to demolish existing low-income multi-family units only to be replaced with expensive single-family dwellings. The existing property is a rent stabilized ("RSO") duplex with an unpermitted third rental unit. Subdividing a lot for purposes of high priced, single-family homes only serves to extract profits from this Coastal neighborhood and does nothing to preserve much needed affordable housing. The cumulative impact of this pattern and practice is to change the character of Oakwood from a multi-family, lower-income, racially diverse neighborhood into a high-priced single-family neighborhood. This violates Chapter 3 of the Coastal Act, the Mello Act, as well as the certified Venice Land Use Plan.

Regarding the feasibility study, the West L.A. Area Planning Commission (WLAAPC) has found that City Planning needs to provide an objective evaluation by an expert to evaluate whether replacing the affordable units is indeed infeasible as indicated in the applicant's feasibility analysis (we suspect not). In addition, the WLAAPC has objected to using comps outside the Venice Coastal Zone to support infeasibility. If the City is serious about protecting affordable housing, they should always insist that the affordable housing identified by HCID, as well as any unpermitted rental units, be replaced.

There were 3 low-income units on the property. Please see attached evidence showing this.

1. EXHIBIT A--letter from prior owner stating that there two different tenants that occupied the back house, indicating two rental units there, and that the front house was a separate unit.
2. EXHIBIT B—building permit showing on Plot Plan Attachment that there are two separate single-family dwellings.
3. EXHIBIT C—County Assessor records show two separate buildings.
4. EXHIBIT D—HCID Mello Act replacement affordable units determination shows that there were two affordable units, but does not address the third rental unit. This must be corrected.
5. EXHIBIT E—Real estate listings for the property, showing

As the evidence in these exhibits show, there were three affordable rental units and all three must be considered by the Mello Act Compliance Determination.

6. EXHIBIT F--the 3-story, proposed project is grossly incompatible with the surrounding block/viewshed. We will provide you a viewshed streetscape with evidence supporting this finding.

Thank you for your consideration.

Sue Kaplan, President
Robin Rudisill, Treasurer
on behalf of Citizens Preserving Venice

**709 Brooks EXHIBITS.pdf**

2301K

Kevin Fulton <kevin.fulton@lacity.org>
To: Robin Rudisill <wildrudi@me.com>
Cc: Jordann Turner <Jordann.Turner@lacity.org>, Sue Kaplan <sueakaplan@gmail.com>

Wed, Feb 3, 2021 at 4:30 PM

Hi Robin,

I will add your comments to the case file.

Regarding the unpermitted 3rd unit - I don't see any evidence in your attachment suggesting that one of the two existing dwelling units had an unpermitted additional unit. Is there something I'm missing?

Best,

Kevin

[Quoted text hidden]

[Quoted text hidden]

1. EXHIBIT A--letter from prior owner stating that there two different tenants that occupied the back house, indicating two rental units there, and that the front house was a separate unit.
2. EXHIBIT B--building permit showing on Plot Plan Attachment that there are two separate single-family dwellings.
3. EXHIBIT C--County Assessor records show two separate buildings.
4. EXHIBIT D--HCID Mello Act replacement affordable units determination shows that there were two affordable units, but does not address the third rental unit. This must be corrected.
5. EXHIBIT E--Real estate listings for the property, showing

As the evidence in these exhibits show, there were three affordable rental units and all three must be considered by the Mello Act Compliance Determination.

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Thank you for your consideration.

Sue Kaplan, President
Robin Rudisill, Treasurer
on behalf of Citizens Preserving Venice

--



Kevin Fulton
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 721
Los Angeles, CA 90012
Planning4LA.org
T: (213) 978-1210



Robin Rudisill <wildrudi@me.com>
To: Kevin Fulton <kevin.fulton@lacity.org>
Cc: Jordann Turner <Jordann.Turner@lacity.org>, Sue Kaplan <sueakaplan@gmail.com>

Wed, Feb 3, 2021 at 10:21 PM

Hi Kevin,

It's the letter from the prior owner.

He mentions 2 rentals in the back building.

They added that "sleeping room" years ago and somewhere along the line they apparently converted it into a separate rental unit.

Do you see that?

If not, let's talk on the phone tomorrow.

***For the Love of Los Angeles
and our precious Coast,
Robin Rudisill
(310) 721-2343***

On Feb 3, 2021, at 4:30 PM, Kevin Fulton <kevin.fulton@lacity.org> wrote:

[Quoted text hidden]

Kevin Fulton <kevin.fulton@lacity.org>
To: Robin Rudisill <wilrudi@me.com>
Cc: Jordann Turner <Jordann.Turner@lacity.org>, Sue Kaplan <sueakaplan@gmail.com>

Thu, Feb 4, 2021 at 11:55 AM

Hi Robin,

Ah, I see what you mean. Just to be clear, are you claiming that one of the two accessory structures is the "sleeping room" you refer to?

Best,

Kevin

[Quoted text hidden]

Robin Rudisill <wilrudi@me.com>
To: Jordann.Turner@lacity.org
Cc: Kevin Fulton <kevin.fulton@lacity.org>, Ira Brown <ira.brown@lacity.org>

Tue, Feb 16, 2021 at 12:27 PM

Hi Jordann,

Thank you for the opportunity to provide more detail on the issues I raised in the 709 Brooks public hearing on January 28, 2021.

There are two issues re. the PMLA Findings as they relate to the implementation of the Venice Coastal Zone Specific Plan (VCZSP) ordinance:

1. In order to make a PMLA Finding that the project is consistent with the VCZSP, City Planning must perform a VCZSP compliance review, at the same time or prior to the PMLA determination, on the total project – demolition, subdivision and new construction – as opposed to a compliance review sign off on the new construction after demolition and subdivision.

2. The PMLA requires Findings that the project is in compliance with the VCZSP. But rather than the City performing the VCZSP compliance review required by that ordinance, compliance with the VCZSP is made a condition of the project, essentially trusting that the applicant will make sure that they comply. There are many things that could be required conditions of a project but compliance with a City ordinance cannot be a condition as it is a separate Director of Planning compliance requirement and entitlement, similar to a PMLA. It is the City's job to assure a project is in compliance with its ordinances; that's the whole point of the entitlements and related

determinations, and simply making compliance with an ordinance a condition of a permit and/or asking the applicant to swear that they will comply does not achieve that.

The VCZSP requires either a Director of Planning compliance sign-off (VSO) or a Specific Plan Project Compliance Permit (SPP) for a “development,” which includes the entire project. Just because a project may be considered exempt and a VSO is to be issued doesn’t mean that the City can piecemeal the project in its issuance of that VSO compliance sign-off. The City cannot wait until the project is demolished and subdivided and then perform a VSO for VCZSP compliance sign off on just the construction portion on each new lot, as if the development that must be in compliance with the VCZSP were only two separate construction projects (and as if no demolition or subdivision were involved). This is piecemealing of the VCZSP ordinance compliance requirements.

Demolition and subdivision are major components of this project. VCZSP compliance must be reviewed with respect to the entire project—demolition, subdivision and new construction—and cannot be implemented just by issuing a VSO covering only the portion of the total development that is for the construction on each of the lots after subdivision.

Said another way, there is nothing in the VCZSP that allows for the VSO (or SPP) to be issued on portions of a development. If either a VSO (or SPP) will only be issued for part of the development, the VCZSP Ordinance will be violated.

A PMLA cannot properly find that there has been compliance with the VCZSP when such a complete review has not yet been performed and there is thus no evidence of compliance. Such a procedural sequence does not satisfy the requirements of the law. There would be no evidence that the project is in compliance with the VCZSP.

Declaring that the project will be required at a later date to satisfy certain conditions in order to meet specified Findings puts the cart before the horse and does not satisfy the legal requirement for review and approval of the project. The PMLA Findings cannot be based on a condition that the project meets the Findings in the future (even then, the VCZSP compliance review must be for the whole project, not just for the new construction).

Also, we have noticed that sometime in the past one of the required PMLA Findings for PMLA determinations 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 thus changing the finding in this way does not meet the requirements of the Map Act. Note that this is not done this way for a VTT.

The PMLA Findings require evidence of a VCZSP review for the proposed development. Conditions of the Parcel Map that the project must comply with the VCZSP cannot take the place of a compliance review, which is needed to provide evidence of consistency.

Compliance with an Ordinance cannot be a condition of another entitlement (here a PMLA); and making VCZSP Ordinance compliance a condition of a project, on top of doing a ministerial review of only the portion of the project that is for the construction of each separate home, after the PMLA has been issued, does not satisfy the VCZSP Ordinance or the Parcel Map required findings.

In addition, as noted in the excerpt from LAMC 17.50 below, 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:

A subdivision to split an existing lot in half and reduce the original lot by 50% would not result in lot sizes compatible with the size of existing lots in the immediate neighborhood, thus the project would not comply with LAMC Section 17.50.

Also related to the PMLA Findings, I would like to add that subdividing lots in the Venice Coastal Zone subverts neighborhood character, in violation of both the VCZSP and the certified Venice Coastal Land Use Plan. As the VCZSP Ordinance states, it supercedes all other LAMC regulations (only when the VCZSP is silent, the LAMC regulations apply). In addition, in the Coastal Zone, the certified Venice Coastal Zone Land Use Plan takes precedence over both the uncertified VCZSP and uncertified LAMC, and thus its specific provisions requiring

compatibility of new development, including the subdivision of lots, with the surrounding neighborhood must be followed.

Development must take into account neighborhood character and should be reflective of the development patterns that already exist, which are a part of a neighborhood's character. This new small lot subdivision cause a break in the pattern of development and would cause an adverse cumulative impact because it would cause a significant break in the pattern of development of the immediate neighborhood and subarea, and the cumulative impact of such a significant break (new lots are 50% of the size of the vast majority of the existing lots in the neighborhood) in the pattern of development would be significant. 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, which makes the existing subdivision patterns a significant part of its character. The cumulative impact of this development would be to harm Venice's character, mass and scale and its status as a Special Coastal Community.

Please let me know if you have any questions in this regard.

***For the Love of Los Angeles
and our precious Coast,
Robin Rudisill
(310) 721-2343***

Begin forwarded message:

From: Robin Rudisill <wilrudrudi@me.com>
Subject: 709 Brooks Ave--DIR-2019-6455-CDP-MEL & AA-2019-6453-PMLA
Date: January 28, 2021 at 9:50:04 AM PST
To: Kevin Fulton <kevin.fulton@lacity.org>, Jordann.Turner@lacity.org
Cc: Ira Brown <ira.brown@lacity.org>, Sue Kaplan <sueakaplan@gmail.com>

Kevin and Jordann,

We are writing to urge you to require significant modifications to the application for 709 Brooks Ave.

Loss of housing density and change in the character of our multi-family neighborhoods to single family is an urgent consideration when any project applies to demolish existing low-income multi-family units only to be replaced with expensive single-family dwellings. The existing property is a rent stabilized ("RSO") duplex with an unpermitted third rental unit. Subdividing a lot for purposes of high priced, single-family homes only serves to extract profits from this Coastal neighborhood and does nothing to preserve much needed affordable housing. The cumulative impact of this pattern and practice is to change the character of Oakwood from a multi-family, lower-income, racially diverse neighborhood into a high-priced single-family neighborhood. This violates Chapter 3 of the Coastal Act, the Mello Act, as well as the certified Venice Land Use Plan.

Regarding the feasibility study, the West L.A. Area Planning Commission (WLAAPC) has found that City Planning needs to provide an objective evaluation by an expert to evaluate whether replacing the affordable units is indeed infeasible as indicated in the applicant's feasibility analysis (we suspect not). In addition, the WLAAPC has objected to using comps outside the Venice Coastal Zone to support infeasibility. If the City is serious about protecting affordable housing, they should always insist that the affordable housing identified by HCID, as well as any unpermitted rental units, be replaced.

There were 3 low-income units on the property. Please see attached evidence showing this.

1. EXHIBIT A--letter from prior owner stating that there two different tenants that occupied the back house, indicating two rental units there, and that the front house was a separate unit.
2. EXHIBIT B—building permit showing on Plot Plan Attachment that there are two separate single-family dwellings.
3. EXHIBIT C—County Assessor records show two separate buildings.

4. EXHIBIT D—HCID Mello Act replacement affordable units determination shows that there were two affordable units, but does not address the third rental unit. This must be corrected.

5. EXHIBIT E—Real estate listings for the property, showing

As the evidence in these exhibits show, there were three affordable rental units and all three must be considered by the Mello Act Compliance Determination.

6. EXHIBIT F--the 3-story, proposed project is grossly incompatible with the surrounding block/viewshed. We will provide you a viewshed streetscape with evidence supporting this finding.

Thank you for your consideration.

Sue Kaplan, President
Robin Rudisill, Treasurer
on behalf of Citizens Preserving Venice

2 attachments



Robin Rudisill <wildrudi@me.com>
To: Kevin Fulton <kevin.fulton@lacity.org>
Cc: Jordann Turner <Jordann.Turner@lacity.org>, Sue Kaplan <sueakaplan@gmail.com>

Wed, Feb 17, 2021 at 12:29 AM

Hi Kevin,

Based on the online permits and the documents attached as exhibits to our January 28th email (below), the buildings on the property are:

- 660 sf SFD: (1924)
- 320 sf SFD: 16' x 16' = 256 sf (1943) + 8' x 8' = 64 sf addition (May 11, 1949)
- Garage: (1924) with attached 7' x 10'3" storage ("bonus room") (2-9-2001)
- Detached irregular shaped storage ("bonus room"): 209 sf (2-9-2001)

See attached:

The sleeping room addition appears to be the 64 sf addition made in 1949.

Maybe an inspection of the property should be done in order to clarify whether this or the 209 sf bonus room was an unpermitted rental unit.

Also, the fairly recent description of the property as per the sales listing (see Exhibit E attached to our letter to you dated January 28,2021, below) is consistent as it indicates a front house, a permitted detached "bonus room," a back house at the rear of the property and a detached garage with attached "bonus room."

Thank you so much for looking into it.

*For the Love of Los Angeles
and our precious Coast,*
Robin Rudisill
(310) 721-2343

On Feb 4, 2021, at 11:55 AM, Kevin Fulton <kevin.fulton@lacity.org> wrote:

Hi Robin,

Ah, I see what you mean. Just to be clear, are you claiming that one of the two accessory structures is the "sleeping room" you refer to?

Best,

Kevin

On Wed, Feb 3, 2021 at 10:21 PM Robin Rudisill <wildrudi@me.com> wrote:

Hi Kevin,

It's the letter from the prior owner.

He mentions 2 rentals in the back building.

They added that "sleeping room" years ago and somewhere along the line they apparently converted it into a separate rental unit.

Do you see that?

If not, let's talk on the phone tomorrow.

***For the Love of Los Angeles
and our precious Coast,
Robin Rudisill
(310) 721-2343***

On Feb 3, 2021, at 4:30 PM, Kevin Fulton <kevin.fulton@lacity.org> wrote:

Hi Robin,

I will add your comments to the case file.

Regarding the unpermitted 3rd unit - I don't see any evidence in your attachment suggesting that one of the two existing dwelling units had an unpermitted additional unit. Is there something I'm missing?

Best,

Kevin

On Thu, Jan 28, 2021 at 9:50 AM Robin Rudisill <wildrudi@me.com> wrote:

Kevin and Jordann,

We are writing to urge you to require significant modifications to the application for [709 Brooks Ave.](#)

Loss of housing density and change in the character of our multi-family neighborhoods to single family is an urgent consideration when any project applies to demolish existing low-income multi-family units only to be replaced with expensive single-family dwellings. The existing property is a rent stabilized ("RSO") duplex with an unpermitted third rental unit. Subdividing a lot for purposes of high priced, single-family homes only serves to extract profits from this Coastal neighborhood and does nothing to preserve much needed affordable housing. The cumulative impact of this pattern and practice is to change the character of Oakwood from a multi-family, lower-income, racially diverse neighborhood into a high-priced single-family neighborhood. This violates Chapter 3 of the Coastal Act, the Mello Act, as well as the certified Venice Land Use Plan.

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Thank you for your consideration.

Sue Kaplan, President
Robin Rudisill, Treasurer
on behalf of Citizens Preserving Venice

--



Kevin Fulton
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 721
Los Angeles, CA 90012
Planning4LA.org
T: (213) 978-1210




--



Kevin Fulton
Planning Assistant
Los Angeles City Planning
200 N. Spring St., Room 721
Los Angeles, CA 90012
Planning4LA.org
T: (213) 978-1210



2 attachments **709 Brooks buildings.pdf**
150K **709 Brooks EXHIBITS.pdf**
2301K

Robin Rudisill <wildrudi@me.com>

Wed, Feb 17, 2021 at 3:06 PM

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

Cc: Jordann Turner <Jordann.Turner@lacity.org>, Sue Kaplan <sueakaplan@gmail.com>

Hi Jordann and Kevin,

Citizens Preserving Venice has one more item to submit for this case before the advisement period ends.

Attached is a Streetscape for the most commonly used survey area in evaluating compatibility of a project with the surrounding neighborhood, the block.

We did the Streetscape for both the 700 Brooks block and the 700-800 Brooks block.

The Streetscape shows that the size of the proposed project is 3 times larger than the average size of the homes on the 700 Brooks block, and that it is also 3 times larger than the average size of the homes on the 700-800 Brooks block!!

In addition, for the 700 Brooks block 84% of the homes are one- to two-story; and for the 700-800 Brooks block 91% of the homes are one- to two-story, showing that the vast majority of the homes in the Brooks survey area are one- to two-story.

This project is grossly incompatible with the mass, scale and character of the Brooks Streetscape survey area and thus is in violation of the Venice LUP and the Coastal Act , and it would cause a significant adverse cumulative impact. Accordingly, this project would harm Community Character and the Special Venice Coastal Community, which are Coastal Resources to be protected.

Streetscape/Survey Area

BROOKS AVE

709 A	2,506	2,254	1.11	Proposed project is 3 times larger than the average 700 block (5,569 sf vs. 1,853 sf)
709 B	3,063	2,572	1.19	
TOTAL	5,569	4,826	1.15	

HOUSE NO.	HOUSE SQ FT	LOT SQ FT	% HOUSE/ LOT (FAR)	MULTI-UNIT	YEAR BUILT	STORIES
North Side of 700 Block						
757	2,039	5,109.9	0.40	2	1925;1931	1
753, 755	3,124	5,119.5	2.65	4	1959; 1928	1
749	1,180	5,219.1	0.23	1	1933	1
745	1,467	5,138.7	0.29	1	1928	1
741	2,716	5,148.2	0.53	2	1930;2004	1
737	1,248	5,157.8	0.24	1	1928	1
733	892	5,167.4	0.17	1	1921	1
729, 731	2,216	5,177.4	0.43	3	1953; 1924	2
725	1,299	5,186.5	0.25	1	1928	1
721	2,496	5,198.2	0.48	1	2013	2
717, 719	1,630	5,208.8	0.31	3	1952	1
713, 715	1,630	5,215.3	0.31	2	1952	1
709	980	5,224.9	0.19	2	1924; 1943	1
705, 707	2,958	5,004.9	0.59	3	1927; 1988	3
701	1,792	6,942.2	0.26	1	1930	1
AVG 700 North	1,844		0.49			
South Side of 700 Block						
756	1,270	5,201.4	0.24	1	1950	1
754	2,356	5,201.6	0.45	4	1941;1950	1
748	2,208	2,645.6	0.83	1	2018	3
746	2,208	2,276.0	0.97	1	2018	3
744	2,208	2,270.0	0.97	1	2018	3
742	2,208	2,645.2	0.83	1	2018	3
738, 740	1,921	5,202.2	0.37	3	1924;1948	1
736	780	5,202.4	0.15	1	1947	1
732, 734	2,966	5,202.6	0.57	1	1937	2
728	1,171	5,202.8	0.23	1	1937	1
724	1,509	5,203.0	0.29	1	1924	1
720, 722	2,522	4,923.2	0.51	1	2012	2
716	3,628	5,203.4	0.70	1	1951	1
712	900	5,203.6	0.17	1	1951	1
708	1,366	5,203.8	0.26	1	1924	1
706	1,603	4,553.5	0.35	2	1951	1
700	832	4,572.4	0.18	1	1948	1
AVG 700 South	1,862		0.48			
AVG 700 Block	1,853		0.48			
# stories 700 Block:	1-story 72%	2-story 12%	1-story & 2-story 84%	3-story 16%		

South Side of 800 Block						
860	572	5,878.6	0.10	1	1945	1
856	872	5,848.4	0.15	1	1932	1
854	3,624	5,845.7	0.62	3	1933;1986	2
848	1,610	5,199.0	0.31	2	1953;1924	1
844	791	2,181.3	0.36	1	1929	1
840	747	2,176.9	0.34	1	1954	1
836	882	2,177.0	0.41	1	1954	1
832	VACANT	2,177.2	0.00			
828	2,053	2,177.8	0.94	1	1948	2
826	1,405	2,177.5	0.65	1	2003	2
820	VACANT	2,177.6	0.00	2		
816	1,525	2,177.8	0.70	2	1954	1
812	2,092	2,177.8	0.96	1	2013	2.5
808	2,158	2,178.1	0.99	1	2018	2.5
804	3,693	5,200.9	0.71	1	1929;2014	2
800	1,340	5,201.2	0.26	1	1925	1
AVG 800 South	1,669		0.47			
North Side of 800 Block						
845	7,168	7,379.5	0.97	7	1989	2
837, 839	2,676	5,637.4	0.47	2	1928	2
833, 835	2,999	5,649.6	0.53	2	1928	2
829	1,980	5,661.7	0.35	1	1924	1
825	2,320	5,042.8	0.46	1	2014	2
821	922	5,052.4	0.18	1	1924	1
817	1,019	5,062.0	0.20	1	1949	1
813	1,008	5,071.6	0.20	1	1926	1
807, 809	2,500	5,081.2	0.49	2	2014	2
805, 805 1/2	1,583	5,090.7	0.31	2	1924	1
801	1,112	5,100.3	0.22	1	1949	1
Avg 800 North	2,299		0.40			
AVG 800 Block	1,984		0.43			
AVG 700-800 Blocks	1,919		0.46			
# stories 700-800 Block:	1-story 65%	2-story 26%	1-story & 2-story 91%	3-story 9%		

*For the Love of Los Angeles
and our precious Coast,*
Robin Rudisill
(310) 721-2343

[Quoted text hidden]

[Quoted text hidden]

<709 Brooks buildings.pdf>

The sleeping room addition appears to be the 64 sf addition made in 1949.

Maybe an inspection of the property should be done in order to clarify whether this or the 209 sf bonus room was an unpermitted rental unit.

Also, the fairly recent description of the property as per the sales listing (see Exhibit E attached to our letter to you dated January 28, 2021, below) is consistent as it indicates a front house, a permitted detached "bonus room," a back house at the rear of the property and a detached garage with attached "bonus room."

Thank you so much for looking into it.

*For the Love of Los Angeles
and our precious Coast,*

Robin Rudisill
(310) 721-2343

[Quoted text hidden]

<709 Brooks EXHIBITS.pdf>

[Quoted text hidden]

Exhibit A

April 4, 2020

Lewis Futterman
1485 PH LLC (a New York LLC)

Lew;

Per your request here is some background information on 709 Brooks Ave, Venice, CA 90291
I sold 709 Brooks Ave to you on September 24, 2018. In 2001 I purchased the property with friends. I brought out my partners in 2008. We had two different tenants occupy the back house at 709 1/2 Brooks Ave. Both tenants paid the market rates 1,500.00/1,600.00. The front house at 709 Brooks Ave was family occupied for years. After I purchased the property from my partner the property taxes increased \$6,000.00 per year. I had to eventually rent out the front home at 709 Brooks Ave for several years. The front home was also rented at market rate \$2,200. I occupied the front home after the tenant moved out. I then sold it to you. I don't understand why the city would think a person with a 500K mortgage and \$9,000(+) tax bill could rent that property as low income.

I also have no idea why you need this information as the property was to be demolished by now.

If you have any question please let me know.

Thank you,

Tamara G. Harris
Former Owner
(312) 217-2727 (M)

709 E. Brooks Ave



Permit #:
Plan Check #:
Event Code:

01010 - 10000 - 00331

Printed: 02/09/01 10:57 AM

Bldg--New 1 or 2 Family Dwelling Counter Plan Check	City of Los Angeles - Department of Building and Safety APPLICATION FOR BUILDING PERMIT AND CERTIFICATE OF OCCUPANCY	Last Status: Ready to Issue Status Date: 02/09/2001
LIBRARY: TR 8415	BLOCK: 3	ASS MAP REF: MB 96-57/58
PARCEL ID: 111B145 1301		BOOK/PAGE/PARCEL: 4239 - 007 - 003

2. PARCEL INFORMATION Alley - 20' R BAS Branch Office - WLA Bldg. Line - No/NA Council District - 5 ZONES: RSD1.5-1.7	Community Plan Area - Venice Census Tract - 2732.000 Coastal Zone Cons. Act - YES District Map - 111B145	Energy Zone - 6 Earthquake-Induced Liquefaction Area - YES Lot Size - 40 X 130 Lot Type - Interior
---	---	---

4. DOCUMENTS ZI - ZI 1468 ZI - ZI 1874 ZI - ZI 2273	ORD - ORD-172019 ORD - ORD-172897 CPC - CPC-1987-648-ICO	CPC - CPC-1998-119-LCP
---	--	------------------------

5. CHECKLIST ITEMS Combine Elec - Wrk. per 91.107.2.1.1.1

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION		
Owners: Gomez, Sabino And Rita	2535 Marvin Ave	LOS ANGELES CA 90016
Tenant:		
Applicant (Relationship: Agent for Owner) Darnell Harmon -	1123 W. Century Blvd	LA, CA 90044 (323) 242-8087

7. EXISTING USE PROPOSED USE: 23 Storage Building	8. DESCRIPTION OF WORK NEW (TO LEGALIZE) 14' x 20'-6" IRR SHAPED (209 SQFT) STORAGE ROOM AT REAR HALF OF LOT, PER CITY STANDARD. RELATED ELECTRICAL WORKS.
--	--

9. APPLICATION PROCESSING INFORMATION	
BLDG. PC By: David McCombs OK for Cashier: David McCombs Signature: <i>David McCombs</i>	DAS PC By: Coord. OK: <i>S</i> Date: 02/09/01

For information and/or inspection requests originating within LA County,
Call toll-free (888) LA4BUILD
 Outside LA County, call (213) 977-4941. (LA4BUILD - 524-2845)

For Cashier's Use Only W/O #: 11000331

10. PROJECT VALUATION & FEE INFORMATION Final Fee Period	
Permit Valuation: \$5,000	PC Valuation:
FINAL TOTAL Bldg--New: 186.35 Permit Fee Subtotal Bldg--New: 130.00 Electrical: 33.80 Fire Hydrant Refuse-To-Pay: E.Q. Instrumentation: 0.50 Supp. O.S. Surcharge: 3.29 Supp. Sys. Surcharge: 9.86 Planning Surcharge Misc Fee: 5.00 Supp. Planning Surcharge: 3.90 Permit Issuing Fee: 0.00	Total Bond(s) Due:

LA Department of Building and Safety
 SL 15 04 016416 02/09/01 11:13AM

BUILDING PERMIT-RES	\$130.00
EI RESIDENTIAL	\$0.00
ELECTRICAL PERMIT RES	\$33.80
ONE STOP SURCH	\$3.29
SYSTEMS DEVT FEE	\$9.86
MISCELLANEOUS	\$5.00
CITY PLANNING SURCH	\$3.90
Total Due:	\$186.35
Check:	\$186.35

01SL 17085

11. ATTACHMENTS Plot Plan <i>[Handwritten mark]</i>

17350600219

709 E Brooks Ave

Permit Application #: 01010 - 10000 - 00331

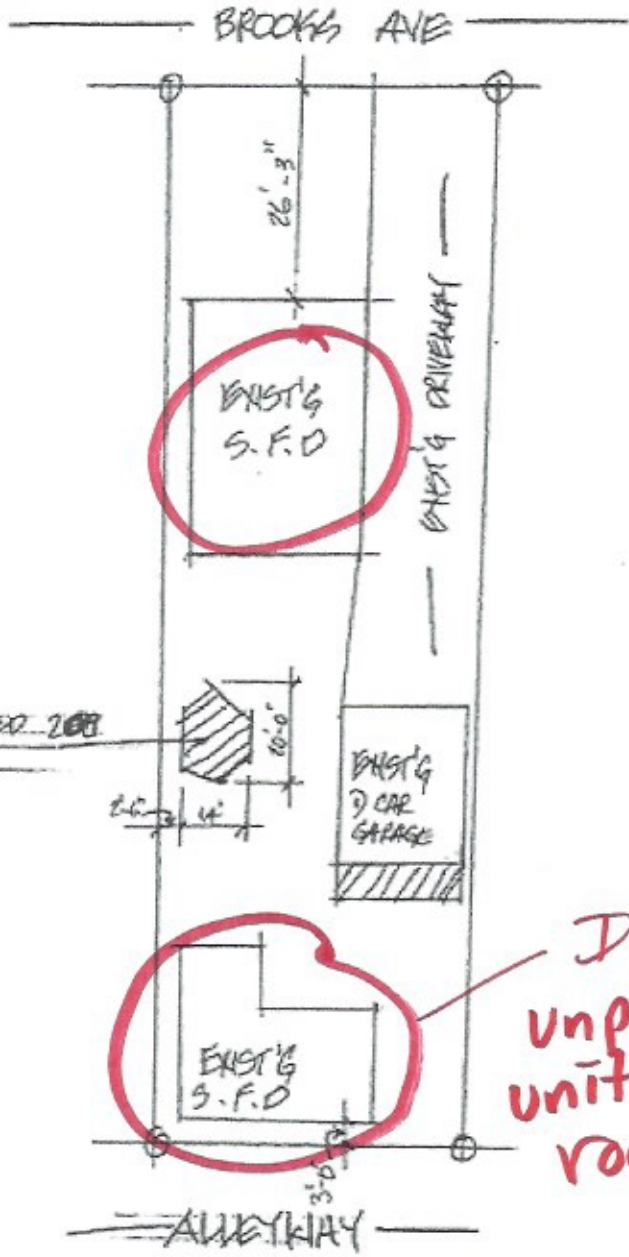
Bldg--New
1 or 2 Family Dwelling
Counter Plan Check

City of Los Angeles - Department of Building and Safety

Plan Check #:
Initiating Office: METRO
Printed on: 02/09/01 10:57:31

PLOT PLAN ATTACHMENT

17350500251
(DO NOT DRAW, WRITE, OR PASTE ATTACHMENTS OUTSIDE BORDERS)



Includes SFD +
unpermitted rental
unit - "sleeping
room"



Parcel Details



I want to...

Assessor's ID No: 4239-007-003
Address: 709 BROOKS AVE
 LOS ANGELES CA
 90291
Property Type: Multi-Family
 Residential
Region / Cluster: 07 / 07406
Tax Rate Area (TRA): 00067

- [View Assessor Map](#)
- [View Index map](#)

Recent Sales Information

Latest Sale Date:
Indicated Sale Price:

[Search for Recent Sales](#)

2020 Roll Values

Recording Date: 09/24/2018
Land: \$1,479,000
Improvements: \$153,000
Personal Property: \$0
Fixtures: \$0
Homeowners' Exemption: \$0
Real Estate Exemption: \$0
Personal Property Exemption: \$0
Fixture Exemptions: \$0

Tax bill payment information for 2020/21, as well as any changes to the 2020 Roll Values will be available after September 30, 2020

- [Estimate supplemental taxes](#)

Property Boundary Description

TRACT # 8415 LOT 3

Building Description

Building Improvement 1

Square Footage: 660
Year Build / Effective Year Built: 1924 / 1928
Bedrooms / Bathrooms: 1 / 1
Units: 1

Building Improvement 2

Square Footage: 320
Year Build / Effective Year Built: 1943 / 1948
Bedrooms / Bathrooms: 1 / 1
Units: 1



2/2

ZIMAS

Search

Reports

Resources

News!

709 E BROOKS AVE

A

Address/Legal

Site Address	709 E BROOKS AVE
ZIP Code	90291
PIN Number	111B145 1301
Lot/Parcel Area (Calculated)	5,224.9 (sq ft)
Thomas Brothers Grid	PAGE 671 - GRID H5
Assessor Parcel No. (APN)	4239007003
Tract	TR 8415
Map Reference	M B 96-57/58
Block	None
Lot	3
Arb (Lot Cut Reference)	None
Map Sheet	111B145

Jurisdictional

Planning and Zoning

Assessor

Assessor Parcel No. (APN)

Ownership (Assessor)

Owner1

Address

Ownership (Bureau of Engineering, Land Records)

Owner

Address

APN Area (Co. Public Works)* 0.119 (ac)

Use Code 0200 - Residential - Double, Duplex, or Two Units - 4 Stories or Less

Assessed Land Val \$1,479,000

Assessed Improvement Val \$156,060

Last Owner Change 09/24/2018

Last Sale Amount \$1,600,016

Tax Rate Area 67

Deed Ref No. (City Clerk) 674147

Deed Ref No. (City Clerk) 663596

Deed Ref No. (City Clerk) 663595

Deed Ref No. (City Clerk) 663594

Deed Ref No. (City Clerk) 6-962

Deed Ref No. (City Clerk) 4-845

Deed Ref No. (City Clerk) 1623522

Deed Ref No. (City Clerk) 1505127

Deed Ref No. (City Clerk) 0974626

Building 1

Year Built 1924

Building Class D55B

Number of Units 1

Number of Bedrooms 1

Number of Bathrooms 1

Building Square Footage 660.0 (sq ft)

Building 2

Year Built 1943

Building Class D4B

Number of Units 1

Number of Bedrooms 1

Number of Bathrooms 1

Building Square Footage 320.0 (sq ft)

Building 3 No data for building 3

Building 4 No data for building 4

Building 5 No data for building 5

Case Numbers

Citywide/Code Amendment Cases

Additional

Seismic Hazards

Economic Development Areas

Housing



per Assessor



Exhibit D 1/2



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

DATE: December 23, 2019

TO: Faisal Roble, Principal City Planner
City Planning Department

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

SUBJECT: **Mello Act Determination for 709-709 1/2 East Brooks Avenue, Venice, CA 90291**

Planning Case #: DIR-2019-6455-CDP-MEL

Based on information provided by Jared Johnson (Owner Representative) on behalf of 1485 PH LLC, a New York limited liability company (Owner), the Los Angeles Housing + Community Investment Department (HCIDLA) has determined that two (2) affordable units exist at 709-709 1/2 East Brooks Avenue, Venice, CA 90291 (APN: 4239-007-003).

Per the statement on the application, the Owner is proposing to demolish the existing two (2) units in order to construct a new two (2) unit small lot subdivision.

1485 PH LLC, a New York limited liability company (Owner) acquired the property located on 709-709 1/2 East Brooks Avenue, Venice, CA 90291 on September 24, 2018. The 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 requires HCIDLA to collect tenant income verification documents if available, or monthly housing cost data as substitute, for at least the previous three (3) years prior to the date of application with the Department of City Planning (DCP). The Owner filed an application with DCP on October 30, 2019. Therefore, HCIDLA must collect data from October 2016 through October 2019.

On November 8, 2019, HCIDLA mailed two certified letters to the property. The tenant letter mailed to 709 East Brooks Ave was returned on December 12, 2019 as "unclaimed". The tenant letter mailed to 709 1/2 East Brooks Ave was delivered and signed on November 21, 2019.

Due to the absence of sufficient verifiable documentation, HCIDLA was unable to verify the status of the two units on the property. In conjunction with the Owner in agreement with an affordable determination and as HCIDLA does not have sufficient verifiable documentation regarding the property, it is determined that two (2) affordable units exist on the property.

HIMS: 19-126732
APN: 4239-007-003

2/2

cc: Los Angeles Housing and Community Investment Department File
1485 PH LLC, a New York limited liability company
Richard A. Rothschild, Western Center on Law and Poverty, Inc.
Susanne Browne, Legal Aid Foundation of L.A.
Jonathan Jager, Legal Aid Foundation of L.A.
Juliet Oh, City Planning Department

MAC:lm

JUST LISTED! 709 Brooks Ave • Venice, CA

Exhibit E

2 Unit Venice Beach Income Property

Amazing Spanish duplex with permitted bonus structure is perfect for an investor or owner occupant. Zoned LARD1.5 on ~5,225 square foot lot is perfect for future development and/or expansion. This classic duplex is positioned with a front 2+1 detached bungalow, permitted detached bonus room, 1+1 detached bungalow at the rear of the property as well as detached 1 car garage with bonus room attached to the garage. Driveway access off the alley and front of the property and a total of 4 structures creates limitless opportunities. Recent improvements include new copper plumbing, sewer line, roof, new water heaters and upgraded owners unit. The front 2+1 unit and detached bonus structure, and garage will be delivered vacant. GRM, Cap rate is based on Scheduled annual rents, current expenses and new estimated taxes. Property is located in the high-demand rental market of “Venice AKA Silicon Beach” and close to Venice Beach, Abbot Kinney, Venice Pier, Marina Del Rey, Main Street and Google.

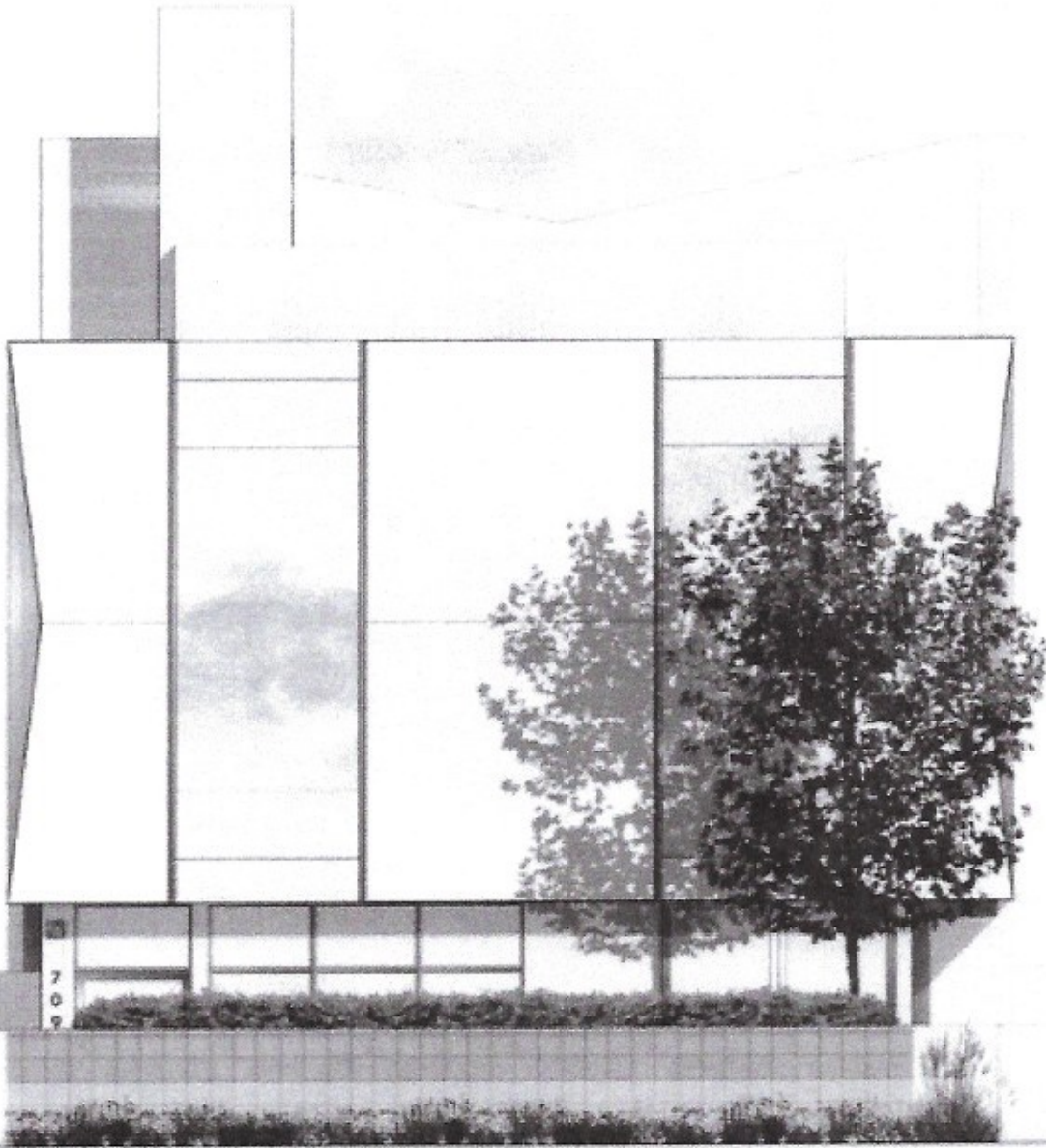
Learn more about this property here!

Share This Post



#DISTINCTHOMESLA / ABBOT KINNEY / BUNGALOW / CLASSIC / DUPLEX / FOR SALE / GOOGLE /

Exhibit F



7
0
9



Kevin Fulton <kevin.fulton@lacity.org>

709 Brooks Ave--DIR-2019-6455-CDP-MEL & AA-2019-6453-PMLA

9 messages

Robin Rudisill <wildrudi@icloud.com>
To: kevin.fulton@lacity.org
Cc: Sue Kaplan <sueakaplan@gmail.com>

Tue, Jul 13, 2021 at 5:24 PM

Hi Kevin,

I see this project is on hold.

Can you please let us know the status of the case and why it's on hold?

Thank you!

*For the Love of Los Angeles
and our precious Coast,*
Robin Rudisill
(310) 721-2343

Kevin Fulton <kevin.fulton@lacity.org>
To: Robin Rudisill <wildrudi@icloud.com>
Cc: Sue Kaplan <sueakaplan@gmail.com>

Tue, Jul 20, 2021 at 1:02 PM

Hi Robin,

The case is on hold because the applicant sold the property. It's my understanding that the new owner wants to move forward with the project. However, the case will remain on hold until we receive a grant deed showing proof of ownership and an updated City Planning application from the new owner.

Best,

Kevin

[Quoted text hidden]

--



Kevin Fulton
Planning Assistant
Pronouns: he, him, his
Los Angeles City Planning
200 N. Spring St., Room 721
Los Angeles, CA 90012
Planning4LA.org
T: (213) 978-1210
      <https://>

Robin Rudisill <wildrudi@icloud.com>
To: Kevin Fulton <kevin.fulton@lacity.org>
Cc: Sue Kaplan <sueakaplan@gmail.com>

Tue, Jul 20, 2021 at 2:33 PM

Hi Kevin,

What's the best way for us to find out when the case is taken off of hold?

Thank you!

*For the Love of Los Angeles
and our precious Coast,*

Robin Rudisill
(310) 721-2343

[Quoted text hidden]

Kevin Fulton <kevin.fulton@lacity.org>
To: Robin Rudisill <wildrudi@icloud.com>
Cc: Sue Kaplan <sueakaplan@gmail.com>

Thu, Jul 22, 2021 at 12:27 PM

I'm not aware of an automated way that notifies you about it coming off of hold - but I will put a note to remind me to follow up with you as soon as it is taken off hold.

[Quoted text hidden]

Sue Kaplan <sueakaplan@gmail.com>
To: Kevin Fulton <kevin.fulton@lacity.org>
Cc: Robin Rudisill <wildrudi@icloud.com>

Thu, Jul 22, 2021 at 2:11 PM

Kevin,

That is so nice of you and very helpful to us. Please put me on the notification list as well.

Sue

[Quoted text hidden]

Kevin Fulton <kevin.fulton@lacity.org>
To: Sue Kaplan <sueakaplan@gmail.com>
Cc: Robin Rudisill <wildrudi@icloud.com>

Fri, Jul 23, 2021 at 2:04 PM

Hi Sue,

I've added you to the interested parties list. You are on list as well Robin.

Best,

Kevin

[Quoted text hidden]

Robin Rudisill <wildrudi@icloud.com>
To: Kevin Fulton <kevin.fulton@lacity.org>

Fri, Jul 23, 2021 at 2:10 PM

Thanks!

*For the Love of Los Angeles
and our precious Coast,*

Robin Rudisill
(310) 721-2343

[Quoted text hidden]

Kevin Fulton <kevin.fulton@lacity.org>
To: Sue Kaplan <sueakaplan@gmail.com>
Cc: Robin Rudisill <wildrudi@icloud.com>

Fri, Oct 8, 2021 at 5:45 PM

The new owner has submitted the required documents & we have removed the holds for this project. The next step would be for us to issue a determination letter, which both of you will receive in the mail.

Let me know if you have any questions.

Best,

Kevin

On Thu, Jul 22, 2021 at 2:11 PM Sue Kaplan <sueakaplan@gmail.com> wrote:

[Quoted text hidden]

--



Kevin Fulton

Pronouns: He, His, Him

Planning Assistant

Los Angeles City Planning

200 N. Spring St., Room 721

Los Angeles, CA 90012

T: (213) 978-1210 | Planning4LA.org



Robin Rudisill <wildrudi@icloud.com>
 To: Kevin Fulton <kevin.fulton@lacity.org>
 Cc: Sue Kaplan <sueakaplan@gmail.com>

Fri, Oct 8, 2021 at 5:48 PM

Thank you Kevin, I very much appreciate the update!

I sincerely hope that you and the advisory agency take our comments and suggestions seriously. Otherwise, these poor people will be appealed at both the city and state level, which can be avoided if the Planning Director determination follows coastal regulations.

***For the Love of Los Angeles
 and our precious Coast,
 Robin Rudisill
 (310) 721-2343***

On Oct 8, 2021, at 5:45 PM, Kevin Fulton <kevin.fulton@lacity.org> wrote:

[Quoted text hidden]


INITIAL SUBMISSIONS

The following submissions by the public are in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3a. Please note that “compliance” means that the submission complies with deadline, delivery method (hard copy and/or electronic) AND the number of copies. The Commission’s ROPs can be accessed at <http://planning.lacity.org>, by selecting “Commissions & Hearings” and selecting the specific Commission.

The following submissions are not integrated or addressed in the Staff Report but have been distributed to the Commission.

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

ENABLE BOOKMARKS ONLINE:

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

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

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



F19a

May 6, 2022

A-5-VEN-21-0069
315 6th Ave, Venice

Re. Support Staff Recommendation for SI and Denial

Honorable Commissioners and Staff,

This project would be harmful to the social diversity of Oakwood and therefore Venice, and it is not compatible with the surrounding neighborhood. It decreases density in an area able to accommodate it, and the proposed single-family dwellings would not be in conformance with the multi-family land use designation. Also, the project results in the loss of four affordable units and displaces lower income residents.

Your decision in support of the staff recommendation to deny this project will be seminal in protecting the architectural and social diversity of Venice and therefore the character of Venice as a Special Coastal Community. We know that it is difficult to read every staff report and that most times you rely on the staff summaries. In this case, we strongly suggest that you read the report as it is both an inspiring read and the findings are critically important to Venice's future.

These findings bring us to the long-awaited conclusion (page 29) that much of the social diversity in Venice is concentrated in Oakwood and thus the social character of Oakwood must be preserved pursuant to LUP Policy I.E.1. and Coastal Act Section 30253(e).

Your Staff's work is outstanding and makes it clear that it is imperative that you put more pressure on the City to stop violating section 30625(c), which requires that its decisions be guided by applicable prior decisions of the Coastal Commission. These are not differences in subjective judgments but are violations of the Coastal Act by the City of L.A.

Once again, the City has violated Coastal Act section 30625(c).

Once again, the City of L.A. has taken an action that would change the character of a neighborhood designated in the LUP as multi-family into a single-family neighborhood.

Once again, the City of L.A. has taken an action that would have ADUs replace full multi-family rental units, thus reducing density.

Once again, the City of L.A. has not required maintaining density in existing developed areas with sufficient services and infrastructure and in areas less vulnerable to coastal hazards.

Once again, the City of L.A. failed to make or made inadequate findings regarding protection of Venice as a special coastal community.

Once again, the City of L.A. failed to consider social diversity.

Once again, the City of L.A. did an inadequate and erroneous job on its analysis of community character.

Once again, the City of L.A. failed to consider the yard and permeable area requirements of the LUP.

Once again, the City of L.A. failed to consider the Commission's Environmental Justice Policy and the affordable housing provisions of the Coastal Act.

Once again, the City of L.A. relies on the uncertified Venice Coastal Zone Specific Plan in its findings.

Once again, the City of L.A. failed to consider cumulative effects on density and community character.

We would also like to note that we the appellants are strongly in support of ADUs in order to increase density, which is the purpose of the ADU laws. We do not, however, support using ADUs in order to maintain density, for all of the reasons in your Staff's excellent report. If the applicant kept or replaced the four units and then added ADUs, that would be increasing density, the goal of the legislature in enacting the ADU laws.

The project should be denied. A new application would be limited to the project alternatives mentioned in the Staff Report that were discussed with the applicant's representatives that could lessen or avoid impacts to coastal resources and conform with the Coastal Act Chapter 3 policies:

- renovate or rebuild the four existing single-family homes onsite.
- remove the subdivision from the proposal and construct two duplexes that are smaller in mass and scale through reduced project height, additional front yard setbacks and landscaping and further structural articulation.
- construct a five-unit building with reduced mass and scale, with one unit being restricted affordable.

Lastly, we agree with Staff's interpretation of LUP policy I.A.7.d. and strongly encourage the Commission to require the City to follow the LUP and not the Venice Specific Plan, which does not provide for as much density and in this case would not provide for the 5th restricted affordable unit.

We trust that you will support Staff's recommendation and deny the project.

Sincerely,

Sue Kaplan

Sue Kaplan

President, Citizens Preserving Venice

Robin Rudisill

Robin Rudisill

Treasurer, Citizens Preserving Venice



MIKE BONIN

City of Los Angeles
Councilmember, Eleventh District

May 6, 2022

Chair Donne Brownsey
California Coastal Commission
455 Market Street, Suite 300
San Francisco, CA 94105
Donne.Brownsey@coastal.ca.gov

Support a Finding of Significant Issue and Deny the Project at 315 6th Avenue (A-5-VEN-21-0069)

Dear Chair Brownsey and Honorable Commissioners,

I write today to petition the California Coastal Commission (Commission) to support the [staff recommendation](#), dated April 21, 2022, to find that a Substantial Issue (SI) exists with this development and to deny the de novo permit.

The project before you, 315 6th Avenue (A-5-VEN-21-0069), raises a Substantial Issue as it contributes to the cumulative erosion of community character in the Oakwood neighborhood of the Venice - defined by both its physical and social attributes; including racial, ethnic, and income diversity. Ultimately, the project will result in two, expensive single family homes with accessory dwelling units (ADUs) through the demolition of four affordable units that currently exist on the site. This project is an example of a pattern of development that ultimately contributed to the wealth gap across the City and further hardened the residential segregation witnessed in my district.

Throughout my tenure as Councilmember for Council District 11, I have fought for the preservation and production of affordable housing in the Los Angeles Coastal Zone. In partnership with community and tenant organizations, we have delivered on this through the City's upcoming [Mello Act Ordinance](#). Additionally, I introduced legislation directing the City of Los Angeles to develop a [Coastal Equity and Environmental Justice Policy](#) to support the efforts of this Commission and ensure that coastal resources are protected and remain accessible to all Angelenos.

Westchester Office

7166 W. Manchester Boulevard
Los Angeles, CA 90045
(310) 568-8772
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(213) 473-7011
(213) 473-6926 Fax

West Los Angeles Office

1645 Corinth Avenue, Room 201
Los Angeles, CA 90025
(310) 575-8461
(310) 575-8305 Fax



I appreciate your consideration of this important issue in my district as it relates to this project and future cases that come before you. For further questions, please contact my Planning Director, Jason P. Douglas, at (213) 473-7011 or jason.p.douglas@lacity.org.

Regards,



MIKE BONIN

Councilmember, 11th District

cc: Vice Chair Caryl Hart, California Coastal Commission
Commissioner Dayna Bochco, California Coastal Commission
Commissioner Effie Turnbull-Sanders, California Coastal Commission
Commissioner Sara Aminzadeh, California Coastal Commission
Commissioner Linda Escalante, California Coastal Commission
Commissioner Mike Wilson, California Coastal Commission
Commissioner Katie Rice, California Coastal Commission
Commissioner Steve Padilla, California Coastal Commission
Commissioner Meagan Harmon, California Coastal Commission
Commissioner Roberto Uranga, California Coastal Commission
Commissioner Carole Groom, California Coastal Commission
Jack Ainsworth, Executive Director, California Coastal Commission
Steve Hudson, District Director, California Coastal Commission - South Coast District
Dani Ziff, California Coastal Commission - South Coast District
Commissioner Lisa Waltz Morocco, West Los Angeles Area Planning Commission
Vince Bertoni, Director of Planning, Los Angeles City Planning
Lisa Webber, Deputy Director of Planning, Los Angeles City Planning
Faisal Roble, Chief Equity Officer, Los Angeles City Planning
Juliet Oh, Los Angeles City Planning
Haydee Urita-Lopez, Los Angeles City Planning

MB:jpd

CALIFORNIA COASTAL COMMISSION

South Coast District Office
 301 E Ocean Blvd., Suite 300
 Long Beach, CA 90802-4302
 (562) 590-5071

**F19a**

Filed: 10/19/2021
 49th Day: N/A
 Staff: DZ-LB
 Staff Report: 04/21/2022
 Hearing Date: 05/13/2022

**STAFF REPORT:
 APPEAL – SUBSTANTIAL ISSUE & DE NOVO**

Appeal Number: A-5-VEN-21-0069

Applicant: 315 6th Avenue LLC (Brock Wylan)

Agent: Steve Kaplan

Local Government: City of Los Angeles

Local Decision: Approval with Conditions

Appellants: Citizens Preserving Venice and People Organized for Westside Renewal (POWER)

Project Location: 315 6th Avenue, Venice, City of Los Angeles, Los Angeles County (APN: 4240010010)

Project Description: Demolition of four single-family homes on a 6,380 sf. lot, subdivision of the lot into two lots (2,580 sf. front lot and 3,800 sf. rear lot), and construction of a 3-story, 2,591 sf. single-family residence with a 857 sf. accessory dwelling unit (ADU) on the rear lot and a 3-story, 2,088 sf. single-family home with a 1,102 sf. ADU on the front lot with a total of five parking spaces provided in a shared 928 sf. garage on the rear lot.

Staff Recommendation: Substantial Issue and Denial

IMPORTANT NOTE: The Commission will not take testimony on this “substantial issue” recommendation unless at least three commissioners request it. The Commission may ask questions of the applicant, any aggrieved person, the Attorney General or the Executive Director prior to determining whether or not to take testimony regarding whether the appeal raises a substantial issue. (14 CCR § 13115(c).) If the Commission takes testimony regarding whether the appeal raises a substantial issue, testimony is generally and at the discretion of the Chair limited to 3 minutes total per side. Only the applicant, the appellant, persons who opposed the application before the local government, and the local government shall be qualified to testify during this phase of the hearing. Others may submit comments in writing. (14 CCR § 13117.) If the Commission finds that the appeal raises a substantial issue, the de novo phase of the hearing will occur directly following that finding, during which it will take public testimony.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission determine that a **substantial issue exists** with respect to the grounds on which the appeal has been filed because the project, as approved by the City of Los Angeles, is inconsistent with the development and community character policies of the Venice Land Use Plan (LUP) and the Chapter 3 policies of the Coastal Act. Staff also recommends that, after a public hearing, the Commission **deny the de novo permit**.

If the Commission finds that substantial issues exist relating to the policies of Chapter 3 of the Coastal Act, the Commission's de novo review should consider whether the proposed development is consistent with the Chapter 3 policies of the Coastal Act. The certified Venice Land Use Plan is advisory in nature and provides guidance as to conformity of the development with the Chapter 3 policies.

The City of Los Angeles issued a local coastal development permit (CDP) with conditions on September 10, 2021 for the demolition of four single-family homes ranging in size from approximately 380 square feet (sf.) to 1,000 sf. on a 6,380 sf. lot, subdivision of the lot into a 2,580 sf. front lot and a 3,800 sf. rear lot, and construction of a 3-story, 2,591 sf. single-family home with an attached 857 sf. accessory dwelling unit (ADU) on the rear lot and a 3-story, 2,088 sf. single-family home with an attached 1,102 sf. ADU on the front lot. Before issuance, the West Los Angeles Planning Commission (WLAAPC)-approved project was appealed locally. On June 2, 2021, the WLAPPC denied the appeals. On June 29, 2021, the Los Angeles City Council unanimously voted to assert jurisdiction over the WLAAPC's action. The motion stated that "the project may not be within the neighborhood character and may result in the cumulative erosion of a stable multi-family neighborhood in the Coastal Zone...[and] the demolition of a four-unit bungalow court and the construction of single-family dwellings with attached ADUs would erode the neighborhood character – defined by both its physical and social attributes; including racial, ethnic, and income diversity." However, the City Council was unable to hear the item so it was remanded back to the WLAAPC which upheld the June 2, 2021 determination. The City's notice of final local action was received by the Commission's South Coast office on September 21, 2021, and the Commission's twenty working-day appeal period was established. One appeal with multiple appellants was received on October 19, 2021.

The subject site is located in the Oakwood subarea of Venice—a historically working-class community of color—in a neighborhood that contains an approximately even mix of single- and multi-family residential development with structures that are mostly one-story in height. A number of the properties in the area, like the subject site, are developed with multiple, small single-family homes constructed between 1905 and 1925 when Abbot Kinney's Venice was in its early development. Also of note: while income levels have risen significantly over time and populations of color have decreased significantly in Oakwood, it has higher pollution burden, more people of color, and more individuals below the federal poverty level than the rest of coastal Venice.

The appellants, Citizens Preserving Venice (represented by Robin Rudisill) and People Organized for Westside Renewal, or POWER, (represented by Bill Przlucki), argue,

generally, that the City-approved project is inconsistent with Coastal Act Sections 30250, 30251, and 30253, which, in part, require development to be sited in areas able to accommodate it, protect the visual quality of coastal communities, and protect the character of special coastal communities like Venice that are important visitor-serving destinations. Their reasoning is that the project is incompatible with the mass, scale, and character of the area, is not in conformance with the density designation defined in Venice LUP Policy I.A.7 or the multi-family residential protections in Policy I.A.5 because an ADU is not equivalent to a full residential unit, and will have a negative cumulative effect on the character of the area, including its social diversity (protected as an important characteristic of Venice by Policy I.E.1) due to the loss of affordable multi-family housing. Thus, the appellants assert that the City's action would prejudice its ability to prepare a Local Coastal Program that is in compliance with Chapter 3 of the Coastal Act. In addition, the appellants claim that the City failed to make or made inadequate findings regarding the project's consistency with Coastal Act Section 30253(e), which protects the character of special coastal communities like Venice, with Coastal Act Section 30251, which protects the visual character of coastal areas, with Venice LUP Policy I.E.1, which protects Venice's social diversity as a characteristic that makes Venice a special coastal community, and with Chapter 3 of the Coastal Act, generally, with respect to cumulative impacts. Further, they note that the City failed to consider environmental justice and the affordable housing provisions of the Coastal Act, which are not part of Chapter 3, the standard of review.

The appellants raise significant questions as to the project's consistency with the community character protection policies in the certified LUP and Coastal Act and the Coastal Act requirement to locate new development in areas able to accommodate it (Section 30250). In addition, staff agrees that the City did not make adequate community character, LUP consistency, or cumulative impact findings. For example, the City did not make findings regarding the project's consistency with the yard requirements of the LUP or its impacts, individually or cumulatively, on the social diversity of Venice. Additionally, Commission staff disagree with the City's findings that a single-family residence with an ADU is equivalent to a duplex. In previous actions, the Commission has found that ADUs are not functionally equivalent to full residential units. Although ADUs can be designed as separate units from the associated single-family residence, an ADU is, by its nature, accessory to the primary residence and is inherently dependent on the single-family residence to serve as a housing unit. ADUs usually share utility lines (power, water) with the associated single-family residence and, except in very limited situations, inapplicable here, cannot be sold separately from the primary residence. The approved reduction in density from four primary units to two primary units and two ADUs will set an adverse precedent that could prejudice the City's adoption of an LCP that conforms with Chapter 3. These kinds of projects must be viewed in the context of broader housing trends in the coastal zone as well as the significant housing crisis throughout the State. For these reasons, Commission staff recommend a finding of substantial issue.

This project would result in construction of two three-story, generally boxy, single-family residences with minimal landscaping or permeable open space that could otherwise reduce the apparent massing from the public street. Of the 60 properties containing 92 structures in the project vicinity, only two are three-stories, and both are multi-family

structures. The two attached ADUs are not considered full units and the subject lot would be subdivided, so the project is not characterized as a multi-family development. Thus, the project is inconsistent with the visual resource and community character policies of the Coastal Act.

It would also result in the reduction of density onsite and the allowable density (as a result of the subdivision) in an area that is less vulnerable to coastal hazards than most of Venice, inconsistent with Coastal Act Section 30250. In addition, while the Commission does not have the authority to regulate affordable housing in the coastal zone, the Coastal Act (Section 30253(e)) requires the protection of the character of special coastal communities, like Venice, that are popular visitor destinations. The certified LUP specifically names two characteristics that make Venice a special coastal community: architectural diversity and social diversity. When the LUP was certified, Venice and, notably, the Oakwood subarea due to historic marginalization, redlining, and other racist policies, had more people, more people of color, lower housing prices, and more income diversity (all elements of social diversity). Given that the four single-family residences on the subject lot that are proposed to be demolished are affordable (three determined affordable, one presumed affordable), that the applicant is not proposing to replace any of the affordable units, and that there have been several recent City- and Commission-approved projects in Venice that have resulted in the loss of affordable units, the impact of the proposed development would contribute to the cumulative loss of socioeconomic diversity in Oakwood and, thus, in Venice. For these reasons, and others discussed in the de novo project findings, Commission staff suggests that the proposed development is inconsistent with Sections 30250, 30251, and 30253 of the Coastal Act.

Pursuant to the LUP, the subject 6,380 sf. site allows for four independent residential units and could allow five if one of the units were restricted affordable. Commission staff had discussions with the applicant's representatives about project alternatives, including retention and renovation of the four existing units onsite or development of four to five new units, that might reduce the project's nonconformities with the Coastal Act, but the applicant chose to propose the same development approved by the City.

Therefore, Commission staff believes that there is a substantial issue with respect to the grounds on which the appeal was filed and that the project is not consistent with Chapter 3 of the Coastal Act, and recommends that the Commission, after public hearing, determine that a **substantial issue exists** and **deny the de novo permit**.

The motions and resolutions to adopt staff's recommendations are on Pages 6 (Substantial Issue) and 24 (De Novo Permit).

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I. MOTION AND RESOLUTION – SUBSTANTIAL ISSUE

Motion: I move that the Commission determine that Appeal No. A-5-VEN-21-0069 raises **NO SUBSTANTIAL ISSUE** with respect to the grounds on which the appeal has been filed under Section 30602 of the Coastal Act.

Staff recommends a **NO** vote. Following the staff recommendation on this motion will result in the Commission proceeding to conduct a de novo review of the application, and adoption of the following resolution and findings. Conversely, passage of this motion will result in a finding of No Substantial Issue, and the local action will become final and effective. The motion passes only by an affirmative vote of the majority of the appointed Commissioners present.

Resolution: The Commission hereby finds that Appeal No. A-5-VEN-21-0069 presents a **SUBSTANTIAL ISSUE** with respect to the grounds on which the appeal has been filed under Section 30602 of the Coastal Act regarding consistency with Chapter 3 policies of the Coastal Act.

II. APPELLANTS' CONTENTIONS

On October 19, 2021, within 20 working days of receipt of notice of final local decision, Citizens Preserving Venice (represented by Robin Rudisill) and People Organized for Westside Renewal, or POWER, (represented by Bill Przlucki), filed an appeal of Local CDP No. DIR-2019-2610-CDP-MEL (**Exhibit 4**), which included the following contentions:

1. The project is not in conformance with the multi-family residential protections in Policies I.A.5 through I.A.8 and would, thus, prejudice the ability of the City to prepare a Local Coastal Program that is in compliance with Chapter 3 of the Coastal Act.
2. The project is inconsistent with Coastal Act Chapter 3 Sections 30250, 30251, and 30253 because it is incompatible with the mass, scale, and character of the area and does not conform with the yard requirements of the certified LUP.
3. The project is inconsistent with Coastal Act Chapter 3 Sections 30250 and 30253 because it will have a negative cumulative effect on the character of the area due to the loss of multi-family housing and affordable housing units. It is also inconsistent with the Commission's Environmental Justice Policy and the affordable housing provisions of the Coastal Act, which the City did not address.
4. The City failed to make or made inadequate findings regarding the project's consistency with Coastal Act Section 30253(e), which protects the character of special coastal communities like Venice, with Coastal Act Section 30251, which protects the visual character of coastal areas, with Venice LUP Policy I.E.1, which protects Venice's architectural and social diversity, and with Chapter 3 of the Coastal Act, generally, with respect to cumulative impacts.

The appellants also raised issue with the City's Mello Act Compliance Review and California Environmental Quality Act Determination. They also asserted that the project description and plans provided to the public were incomplete, misleading, and a violation of due process. The

appellants stated that the City did not consider the Commission's Environmental Justice Policy or the affordable housing provisions in the Coastal Act that are not part of Chapter 3. However, the standard of review for this appeal is Chapter 3 of the Coastal Act. While the Commission's Environmental Justice Policy and the affordable housing policies of the Coastal Act are not part of Chapter 3, the Commission may consider environmental justice and the equitable distribution of environmental benefits when considering development, including development on appeal, in the coastal zone.

III. LOCAL GOVERNMENT ACTION

On November 9, 2020, the City of Los Angeles Director of Planning approved the project under Case No. DIR-2019-2610-CDP-MEL-1A (**Exhibit 3**). The local CDP approved:

The demolition of four single-family dwellings, a parcel map for the subdivision of a 6,380 sf. lot to create two Small Lots with lot areas of 3,800 sf. (Parcel A-rear lot) and 2,580 sf. (Parcel B-front lot), and the construction of a three-story single-family dwelling with an attached Accessory Dwelling Unit (ADU) and rooftop deck on each new small lot. The new residential structure on Parcel A is 3,448 sf. comprised of a 2,591 sf. single family dwelling (Unit A.2) and an 857 sf. ADU (Unit A.1). The new residential structure on Parcel B is 3,190 sf. comprised of a 2,088 sf. single-family dwelling (Unit B.2) and a 1,102 sf. ADU (Unit B.1). A total of five parking spaces are provided.

The Planning Director's approval was subsequently appealed to the West Los Angeles Area Planning Commission (WLAAPC) by POWER, Citizens Preserving Venice, Robin Rudisill, Kevin Denman, and Leanne Chase. On June 2, 2021, the WLAPPC denied the appeals. On June 29, 2021, the Los Angeles City Council unanimously voted to assert jurisdiction over the WLAAPC's action. The motion stated that "the project may not be within the neighborhood character and may result in the cumulative erosion of a stable multi-family neighborhood in the Coastal Zone...[and] the demolition of a four-unit bungalow court and the construction of single-family dwellings with attached ADUs would erode the neighborhood character – defined by both its physical and social attributes; including racial, ethnic, and income diversity." However, the City Council was unable to hear the item so it was remanded back to the WLAAPC which upheld the June 2, 2021 determination to deny the appeals and sustained the Planning Director's November 9, 2020 Determination. Thus, the local CDP was approved, and a Determination Letter dated August 26, 2021 was issued.

On September 21, 2021, the Commission received the City's Notice of Final Action for the project and opened the Commission's 20 working-day appeal period. On October 19, 2021, the last day of the appeal period, the above-mentioned appeal was received. No other appeals were received.

IV. APPEAL PROCEDURES

Section 30600(b) of the Coastal Act provides that prior to certification of its Local Coastal Program (LCP), a local jurisdiction may, with respect to development within its area of jurisdiction in the coastal zone and consistent with the provisions of Sections 30604, 30620 and 30620.5, establish procedures for the filing, processing, review,

modification, approval or denial of a coastal development permit. Pursuant to this provision, the City of Los Angeles developed a permit program in 1978 to exercise its option to issue local CDPs. Sections 13301-13325 of Title 14 of the California Code of Regulations provide procedures for issuance and appeals of locally issued CDPs. Section 30602 of the Coastal Act allows any action by a local government on a CDP application evaluated under Section 30600(b) to be appealed to the Commission. The standard of review for such an appeal is the Chapter 3 policies of the Coastal Act. [Cal. Pub. Res. Code §§ 30200 and 30604.]

After a final local action on a City CDP application, the Coastal Commission must be noticed within five days of the decision. After receipt of such a notice which contains all the required information, a twenty working-day appeal period begins during which any person, including the applicants, the Executive Director, or any two members of the Commission, may appeal the City decision to the Coastal Commission. [Cal. Pub. Res. Code § 30602.] As provided under section 13318 of Title 14 of the California Code of Regulations, the appellant must comply with the procedures for filing an appeal as required under section 13111 of Title 14 of the California Code of Regulations, including the specific grounds for appeal and a summary of the significant question raised by the appeal.

The action currently before the Commission is to find whether there is a “substantial issue” or “no substantial issue” raised by the appeal of the local approval of the City-approved project. Sections 30621 and 30625(b)(1) of the Coastal Act, and Section 13321 of the Commission’s regulations, require a de novo hearing of the appealed project unless the Commission determines that no substantial issue exists as to the project’s conformity with Chapter 3 of the Coastal Act.

Commission staff recommends a finding of **substantial issue**. If the Commission decides that the appellants’ contentions raise no substantial issue as to conformity with Chapter 3 of the Coastal Act, the action of the local government becomes final. Alternatively, if the Commission finds that a substantial issue exists with respect to the conformity of the action of the local government with the Chapter 3 policies of the Coastal Act, the local CDP is voided and the Commission will hear the de novo matter and dual permit application immediately following the substantial issue finding, unless the Commission schedules the de novo portion of the hearing for a future date. [Cal. Pub. Res. Code §§ 30621 and 30625.] Section 13321 of the Coastal Commission regulations specifies that de novo actions will be heard according to the procedures outlined in Sections 13114 and 13057-13096 of the Commission’s regulations.

If there is no motion from the Commission to find no substantial issue, it will be presumed that the appeal raises a substantial issue, and the Commission will hold the de novo phase of the public hearing on the merits of the application, using the Chapter 3 policies of the Coastal Act. The Venice LUP, certified on June 14, 2001, is used as guidance. Sections 13110-13120 of Title 14 of the California Code of Regulations further explain the appeal hearing process.

If the Commission decides to hear arguments and vote on the substantial issue question, those who are qualified to testify at the hearing as provided by Section 13117 of Title 14 of the California Code of Regulation, will typically have three minutes per side

to address whether the appeal raises a substantial issue. The only persons qualified to testify before the Commission at the substantial issue portion of the appeal process are the applicants, appellants, persons who opposed the application before the local government, and the local government. Testimony from other persons must be submitted in writing. The Commission will then vote on the substantial issue matter. It takes a majority of Commissioners present to find that the grounds for the appeal raise no substantial issue.

V. SINGLE/DUAL PERMIT JURISDICTION AREA

Within the areas specified in Section 30601, which is known in the City of Los Angeles permit program as the Dual Permit Jurisdiction area, the Coastal Act requires that any development which receives a local CDP also obtain a second (or “dual”) CDP from the Coastal Commission. For projects located inland of the areas identified in Section 30601 (i.e, projects in the Single Permit Jurisdiction), the City of Los Angeles local coastal development permit is the only CDP required. The subject project site on appeal herein is located within the Single Permit Jurisdiction Area. Therefore, the applicant is not required to obtain a second, or “dual”, CDP from the Commission for the City-approved development.

VI. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION AND LOCATION

The scope of work approved by the City includes the demolition of four single-family homes on a 6,380 sf. lot, subdivision of the lot into two lots (2,580 sf. front lot and 3,800 sf. rear lot), and construction of a three-story, 2,591 sf. single-family home with a 857 sf. accessory dwelling unit (ADU) on the rear lot and a three-story, 2,088 sf. single-family home with a 1,102 sf. ADU on the front lot with a total of five parking spaces provided in a shared garage on the rear lot (**Exhibit 2**). The four existing residential units approved to be demolished are approximately 380, 380, 600, and 1,000 sf. and were determined to be affordable.¹ The City did not require these affordable units be replaced.²

The five onsite parking spaces for both residences would be located on the rear lot and accessed through the rear alley. The two new homes would be 30 feet in height with a

¹ The Los Angeles Housing and Community Investment Department (HCIDCLA) issued a determination on July 17, 2019, that the four residential units onsite were affordable (including one presumed to be affordable). Data regarding the building area for one of the existing units was unavailable, thus, 1,000 square feet is an approximation.

² While existing affordable units in structures containing three or more units are required to be replaced under the Mello Act, the City’s Mello Act Determination (July 17, 2019) concluded that because the existing affordable units were contained in four single-family structures, the development was subject to the Mello Act requirements for single-family residences. Thus, the applicant was able to provide a study that assessed the feasibility of replacing the affordable units. The study and City concluded that the units’ replacement was infeasible.

slightly pitched roof (as shown in the City-approved plans).³ For the lot fronting 6th Avenue, the front yard setback, which would be developed with a sunken patio and 25 sf. planter, is 15 to approximately 18 feet; the third level would have a five-foot step back, which would be developed with a deck and 3.5-foot deck wall in line with the first and second level setback. The side yard setbacks would range from five to 8.5 feet on the north side of the property with an approximately ten-foot-high wall between the project site and the adjacent parking lot, and five feet on the south side. The rear yard setback, which would be developed with another sunken patio that extends from the rear of the front house, across the subdivision line, to the front of the rear structure, is eight feet, eight inches. For the rear lot, the front yard setback of eight feet, eight inches would be developed with the other half of the sunken patio and a 25 sf. planter. The rear yard setback would be five to eight feet from the garage and five feet from the second-story deck; the third level is set back approximately 15-feet from the rear property line.

The City-approved project observes all setbacks, parking, and height requirements of the City of Los Angeles uncertified Zoning Code. However, the project plans state that no open space is required pursuant to LAMC Section 12.21.G, which dictates open space requirements for multi-family residential developments with six or more units. Given the project does not involve six or more units, it is unclear if the proposed development is consistent with the City's open space requirements. In addition, there are questions as to consistency of the City-approved project with the standards of the certified Venice LUP described in more detail in the following sections of this report.

The project site is a 6,380 sf. lot located approximately ½ mile inland of the beach in the Oakwood subarea at 315 6th Avenue (**Exhibit 1**). The lot is adjacent to a parking lot on the corner of 6th Avenue and Rose Court and is similar in size to most of the residential lots in the area. It is designated as Multifamily Residential – Low Medium II by the certified Venice LUP and zoned RD1.5-1 by the uncertified Los Angeles Municipal Code. On the other side of the neighboring parking lot is a commercial strip that fronts Rose Avenue from 4th Avenue to Lincoln Boulevard. The residential area is generally characterized by similarly sized lots with approximately even numbers of single- and multi-family residences most of which are one-story and the remainder, with a couple of exceptions, are two-stories. There are two three-story residences in the vicinity and at least four properties have been subdivided (**Exhibit 5**).

B. FACTORS TO BE CONSIDERED IN SUBSTANTIAL ISSUE ANALYSIS

When determining whether an appeal raises a “substantial issue,” section 13115(c) of the Commission's regulations provide that the Commission may consider factors, including but not limited to:

³ While the City-approved plans (**Exhibit 2**) show a slightly pitched roof with a maximum height of 30 feet, the Final Determination staff report states that the single-family residences are 30-feet high with a flat roof. This would not be consistent with the certified Venice LUP height restrictions.

1. The degree of factual and legal support for the local government's decision that the development is consistent or inconsistent with the relevant provisions of the Coastal Act;
2. The extent and scope of the development as approved or denied by the local government;
3. The significance of the coastal resources affected by the decision;
4. The precedential value of the local government's decision for future interpretations of its LCP; and
5. Whether the appeal raises local issues, or those of regional or statewide significance.

The Commission may, but need not, assign a particular weight to a factor.

Staff recommends that the Commission find that **a substantial issue exists** with respect to whether the local government action conforms to the provisions of Chapter 3 of the Coastal Act for the reasons set forth below.

C. SUBSTANTIAL ISSUE ANALYSIS

As stated in Section IV of this report, the grounds for an appeal of a CDP issued by the local government prior to certification of its LCP are the Chapter 3 policies of the Coastal Act. Any local government CDP issued prior to certification of its LCP may be appealed to the Commission. The Commission shall hear an appeal unless it determines that no substantial issue exists as to conformity with Chapter 3 policies of the Coastal Act.

The appellants contend that the City-approved project is inconsistent with Sections 30250, 30251, and 30253 of the Coastal Act because it is incompatible with the mass, scale, and character of the area and does not conform with the multi-family preservation, yard, and community character protection requirements of the certified LUP.

Section 30250(a) of the Coastal Act states, in relevant part:

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.

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to

minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. 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.

Section 30253(e) of the Coastal Act states, in relevant part:

New development shall...

(e) where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Venice LUP Policy I.E.1 General, states

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.

Venice LUP Policy I.E.2 Scale, states.

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.

Venice LUP Policy I.E.3 Architecture, states.

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

Venice LUP Policy I.A.2 states, in part:

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.

Venice LUP Policy I.A.5 Preserve and Protect Stable Multi-Family Neighborhoods, states:

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.

Venice LUP Policy I.A.7 Multi-Family Residential – Low Medium II Density states, in part:

Accommodate the development of multi-family dwelling units in the areas designated as "Multiple Family Residential" and "Low Medium II Density" on the Venice Coastal

Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.

...Oakwood, Millwood, Southeast and North Venice

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...

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.

Height: Oakwood, Milwood, and Southeast Venice: Not to exceed 25 feet for buildings with flat roofs; or 30 feet for buildings utilizing a stepped back or varied roofline. The portion that exceeds 25 feet in height shall be set back from the required front yard one foot for every foot in height above 25 feet. Structures located along walk streets are limited to a maximum of 28 feet. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16).

Venice LUP Policy I.A.9 Replacement of Affordable Housing, states:

Per the provisions of Section 65590 of the State Government Code, referred to as the “Mello Act”, the conversion or demolition of existing residential units occupied by persons and families of low or moderate income shall not be permitted unless provisions have been made for replacement of those dwelling units which result in no net loss of affordable housing in the Venice Community in accordance with Section 65590 of the State Government Code (Mello Act).

Venice LUP Policy I.A.10 Location of Replacement Housing, states:

The replacement units shall be located in one or more of the following areas, listed in order of priority: 1) on the site of the converted or demolished structure; 2) within the site's Venice coastal subarea; 3) within the Venice Coastal Zone; 4) within the Venice Community Plan area east of Lincoln Boulevard; and, 5) within a three mile radius of the affected site.

Venice LUP Policy I.A.11 Replacement Ratios for Replacement Units, states:

The replacement units shall be located in one or more of the following areas, listed in order of priority: 1) on the site of the converted or demolished structure; 2) within the site's Venice coastal subarea; 3) within the Venice Coastal Zone; 4) within the Venice Community Plan area east of Lincoln Boulevard; and, 5) within a three mile radius of the affected site.

Venice LUP Policy I.A.15 In-Lieu Credits for Replacement Housing, states:

In-lieu of construction of the required affordable replacement units as set forth above, residential projects shall be permitted to pay a fee, equivalent to the cost to

subsidize each required dwelling unit. The in-lieu fee shall be set forth in the Citywide guidelines for the implementation of the Mello Act.

Venice LUP Policy I.A.16 Exceptions, states:

No exceptions to the replacement housing policies of this LUP shall be permitted within the Venice Coastal Zone except as permitted by Section 65590 of the State Government Code (Mello Act).

Section 30250 of the Coastal Act requires new development to “be located within, contiguous with, or in close proximity to, existing developed areas.” Sections 30251 and 30253 of the Coastal Act require that scenic areas and special communities be protected. These sections of the Coastal Act, together, support maintaining housing in areas with sufficient services and infrastructure and areas less vulnerable to coastal hazards and require development to be visually compatible with the character of surrounding areas and require protection of communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses. The Venice community, including the beach, the boardwalk, canals, and neighborhoods is one of the most popular visitor destinations in California. According to the Venice Chamber of Commerce, 15 million people visited Venice in 2015, drawn by the unique characteristics of the area.⁴ The Commission has previously found that Venice's unique social and architectural diversity should be protected as a Special Coastal Community.

When the Commission certified the Venice LUP in 2001, it considered the potential impacts that development could have on community character and adopted policies and specific residential building standards to ensure development was designed with pedestrian scale and compatibility with surrounding development. Given this history and the specific conditions surrounding the subject site and the diverse development pattern of Venice, it is appropriate to use the certified LUP policies as guidance in determining whether the project is consistent with Sections 30250, 30251, and 30253 of the Coastal Act. Thus, the contentions relating to LUP and Coastal Act compliance raised by the appellants are summarized and addressed below.

1. The project is not in conformance with the multi-family residential protections in Policies I.A.5 through I.A.8 or Coastal Act Sections 30250 and 30253.

LUP Policy I.A.5 requires the preservation and protection of multi-family residential neighborhoods and allows for growth in areas with sufficient services and infrastructure. Policies I.A.6 and I.A.8 include protections and standards for development located in Multi-Family Residential - Low Medium I and Medium Density zones, but do not apply to the project site. Policy I.A.7 applies to the subject site, which is designated Multi-Family Residential - Low Medium II. For the Oakwood subarea, this Policy dictates that the density allowed at Low Medium II sites is one residential unit per 1,500 to 2,000 sf.⁵ with a bonus density

⁴ Venice Chamber of Commerce website. <<http://venicechamber.net/visitors/about-venice/>>

⁵ For lots under 4,000 sf. the density is limited to two residential units.

of one unit per 1,500 sf. on lots larger than 4,000 sf. (for RD 1.5 zoned properties like the subject site) if such units are replacement affordable units reserved for low- or very low-income persons. Thus, under the LUP, the subject 6,380 sf. site allows for four residential units and could allow five if one of the units were restricted affordable.

The subject site is currently developed with four independent residential units in an area with sufficient services and infrastructure to accommodate development. The City approved demolition of the four units, subdivision of the lot, and construction of two single-family residences with two attached ADUs (one ADU per new single-family residence) and made findings that the ADUs were equivalent of two residential units, thereby maintaining the existing density. However, the Commission has repeatedly made findings that ADUs are not functionally equivalent to full residential units that might be lost as a result of redevelopment⁶ because an ADU is not independent of the single-family residence, but rather is accessory to and often reliant on it for utilities and similar integral functions. In addition, the City-approved subdivision would result in one 2,580 sf. lot and one 3,800 sf. lot that, according to LUP Policy I.A.7 would allow for one and two residential units, respectively. This means that if the sites were redeveloped in the future, the density would be limited to three full residential units thereby reducing the allowable density of the subject site by one unit and precluding the potential for use of a density bonus to replace lost affordable units (assuming the new lots would not be recombined in the future). Further, the multi-family character of the site, which reflects a unique pattern of multiple small single-family residences on single lots, would be lost.

Thus, the appellants' contention that the City-approved development is inconsistent with Coastal Act Sections 30250 and 30253, which support the maintenance of residential density in areas able to accommodate it, raises a substantial issue. Further, when the Venice LUP came before the Commission for certification in 2001, the Commission suggested modifications that would ensure the LUP was consistent with Chapter 3 of the Coastal Act. Some of these modifications resulted in changes to the density bonus provisions to ensure consistency with state law,⁷ and were, in part, included in response to concerns raised by community leaders in Oakwood about gentrification. If the development is carried out as approved by the City with the subdivision, the density bonus

⁶ Relevant CDP appeals/applications include, but are not limited to: A-5-VEN-18-0049, A-5-VEN-20-0037, A-5-VEN-20-0039, 5-20-0223, 5-20-0530, 5-20-0595, 5-20-0650, A-5-VEN-21-0010, 5-21-0422; 5-21-0467; 5-21-0539

⁷ The Commission found that without provisions for harmonizing the requirements of the density bonus statute and the Coastal Act, the density bonus provisions of the LUP do not conform with policies of Chapter 3 of the Coastal Act. The legal basis supporting these suggested modifications is set forth in the memorandum to Coastal Commissioners from Ralph Faust, Chief Counsel, Dorothy Dickey and Amy Roach, dated October 10, 1995.

provisions would no longer apply, which would be contrary to the Commission's findings for certification of the LUP.

2. The project is inconsistent with Coastal Act Chapter 3 Sections 30250, 30251, and 30253 because it is incompatible with the mass, scale, and character of the area and does not conform with the yard requirements of the certified LUP.

As argued by the appellants, this contention speaks to both the built and social character of Venice. Social character will be discussed under the following contention (#3). Therefore, this subsection will focus on the appellants' assertion that the City-approved development is inconsistent with the built or physical character of the surrounding area.

The City-approved project involves demolition of four small independent residential structures—three single-story, one two-story—ranging from approximately 380 to 1,000 sf. and construction of two three-story residences approximately 4,640 and 3,190 sf. in size (including the ADUs). When reviewing the project, the City conducted an analysis of 38 structures fronting 6th Avenue and Flower Avenue between Rose Court and Flower Court (**Exhibit 6**), and found that two are three-stories, 19 are two-stories, and 17 are one-story. In addition, it stated that the commercial corridor close to the site contains buildings one- to three-stories in height. For these reasons, and because there are no views of the beach from the project vicinity, the City found that the development is consistent with the visual resource protection policies of the Coastal Act.

However, the City's findings relied on the project's consistency with the two three-story residences, not the character of the area as a whole. After discussions with City staff, it was also made clear that there was only one three-story residence in the City's survey area. In any case, the one three-story structure in the City's survey area is a multi-family residence with three residential units and is located directly across the street from the subject lot; it is the only three-story structure on 6th Avenue between Rose Avenue and Sunset Avenue. In the Commission's larger survey area of 60 sites, there is only one other three-story residential structure located behind the project site (**Exhibit 5 & Appendix A**); it is also a multi-family structure. Commission staff expanded the survey area to include the residential properties that are part of this neighborhood that fronts 6th Avenue between the busy Rose Avenue and Sunset Avenue (which is used more than Flower Avenue) and the commercial buildings that are visible as one turns onto 6th Avenue from Rose Avenue.

These commercial developments on the corner of 6th Avenue and Rose Avenue are one story as viewed from 6th Avenue and the corner of 6th Avenue and Rose Avenue. In fact, all of the structures on 6th Avenue between Rose Avenue and Rose Court are one-story and all residences—except for the two three-story structures—on this stretch of 6th Avenue, the parallel block of Rennie Avenue, and the inland block of Flower Avenue are one or two-stories as seen from these streets. Thus, the dominant publicly visible pattern in the area is one- to two-story structures. The two City-approved three-story homes would be only the third and fourth three-story residential structures in the area and would be the only ones

that are single-family residences. The attached ADUs are not considered full residential units and the lot, as approved is subdivided, thus, the development is not characterized as multi-family. Therefore, the development raises significant questions as to the project's compatibility with the physical character of the area.

While the City discussed the number of building levels in the area in its findings for approval of the project, its only direct finding regarding the massing of the proposed structures states that the 3rd levels are stepped back, thereby reducing massing. The perceived mass of structures, including in the subject neighborhood, is also affected by the size and use of yard areas. The appellants claim that the City-approved development is inconsistent with the yard requirements of the LUP. LUP Policy I.A.7 requires yards that 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 City-approved plans state that no open space is required per the uncertified municipal code (Section 21.12.G). However, this code section regulates open space for multi-family residential developments with six or more units not the single-family homes that the City approved; therefore, it should not apply to this project. In any case, the code section describes the importance of having adequate open space (including to minimize massing), requires at least 25% of the open space areas to be planted with ground cover, shrubs, or trees, and does not appear to have an exclusion from open space requirements. Based on the approved project plans, the City approved paved entry ways, two sunken patios around 300 sf. each (the patio for the rear lot is bisected by the new approved property line), and several built-in planters (**Exhibit 2**). While there are no explicit open space or permeable yard standards in the LUP for this area, the planters appear to be relatively small, and there is no indication that the plans provide for permeable yard area, as required by the LUP.

In this case, the front structural setback is 15-feet, leaving a front yard of approximately 435 sf. and with the rear yard setback an open space between the buildings of about 493 sf. The front yard setback is consistent with the other development on the block, but when considered in conjunction with the height of the wall at the front yard setback, the City-approved development could appear more massive than the rest of the block. In addition, while the properties surrounding the subject site appear to have a mixed amount of yard space, as seen from aerial imagery from 2022 (**Exhibit 5**), only eight (or one-third) of the 23 residential properties that are bounded by Rose Court, 6th Avenue, Sunset Avenue, and Rennie Avenue appear to have minimal landscaping similar to what was approved by the City for the subject development. In addition, at least half of those eight sites⁸ provide five or more residential units, which have lower open space requirements. The subject development is not a multi-family development and does not appear to protect or provide substantial permeable and vegetated yard area. Thus, the appellants contention about the consistency of the yard

⁸ The site at 330 S Rennie Avenue that was subdivided into seven properties is counted as one property for the purpose of this analysis.

areas with the character of the area raises a significant question as to the City-approved development's conformance with the certified LUP and, therefore, Chapter 3 of the Coastal Act. Regardless, the City made no findings regarding the consistency of the development with the yard area requirements of the LUP.

Thus, the appellants contentions that the three-story residential development, as approved by the City, does not conform with the mass, scale, and character of the area raise significant questions as to the project's consistency with Chapter 3 of the Coastal Act.

3. The project is inconsistent with Coastal Act Chapter 3 Sections 30250 and 30253 because it will have a negative cumulative effect on the character of the area due to the loss of multi-family housing and affordable housing units.

The appellants specifically contend that the conversion of multi-family housing to single-family housing on subdivided lots does not conform with the multi-family land use designation and the loss of four low-income units would adversely impact and change the character of the area. The Commission's Environmental Justice Policy and the affordable housing policies of the Coastal Act are not part of Chapter 3. However, the Commission may consider environmental justice and the equitable distribution of environmental benefits when considering development, including development on appeal, in the coastal zone. In addition, Sections 30250 and 30253 are Chapter 3 policies and, thus, part of the standard of review for development in the City of Los Angeles.

As described in the response to contention #1, the City-approved project has the potential to set an adverse precedent for reductions in residential density to higher-cost, lower-density residential projects. Section 30253, specifically 30253(e), protects the special characteristics that make Venice a special coastal community and visitor destination. The certified Venice LUP includes Policy I.E.1, which protects two particular traits of Venice as elements that make Venice a "special coastal community"—architectural diversity and social diversity. Architectural diversity has been discussed in many City and Commission decisions for development in Venice. Social diversity, on the other hand, is not often addressed. The City staff report for approval of the subject development made no findings relating to the project's potential impacts on the social diversity of Venice.

Social diversity can include differences in cultures, political affiliations, and income levels, among other things. When the LUP was certified, Venice was described as a "quintessential coastal village where people of all social and economic levels are able to live in what is still, by Southern California standards, considered to be affordable housing;" this is memorialized in the introduction for Policy Group I of the LUP. Therefore, it is clear that the social diversity protected by the LUP as part of what makes Venice a special coastal community includes income diversity.

Commission staff do not have complete data regarding historic numbers of affordable housing units in Venice and the City was not able to provide any data

related to the number of affordable units that have been lost or replaced within Venice; however, it is clear that Oakwood—the subarea of Venice in which the subject project is located—was historically a Black enclave (one of the only along the coast of California) and working-class community. And while Commission staff do not have data regarding how many affordable units have been lost over time, in the last 15 years there have been a number of coastal development permits that have come before the Commission where the loss of affordable housing units has been approved without replacement⁹ considering the Commission does not have the direct authority to require maintenance of affordable housing.¹⁰ Although there have also been affordable housing projects approved by the Commission, City staff have suggested that very few of the affordable units lost have been replaced, and only a small proportion of City-approved projects come before the Commission.

As contended by the appellants discussed above, income diversity is a component of the social diversity that the Venice LUP seeks to protect as part of its unique community character. Thus, given the City-approved development would result in the loss of a multi-family development with four affordable units that could individually or cumulatively impact the social diversity of Venice, the appellants' contentions regarding the inconsistency of the City's approval with Section 30253 of the Coastal Act raise a significant question as to the development's conformance with Chapter 3 of the Coastal Act.

4. The City failed to make or made inadequate findings regarding the project's consistency with Coastal Act Section 30253(e), Coastal Act Section 30251, Venice LUP Policy I.E.1, and with Chapter 3 of the Coastal Act, generally, with respect to cumulative impacts.

Section 30105.5 of the Coastal Act 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 did not conduct a cumulative effects analysis. Thus, to evaluate the appellants' contention regarding the potential cumulative impacts of the City-approved residence, Commission staff assessed the development on community character, mass, and scale in connection with past, current, and probable future projects. The survey of residences in the subject area was categorized into three tables representing past redevelopment projects (Tables 1 and 2) and housing

⁹ Including, but not limited to: A-5-VEN-07-092, 5-13-066, A-5-VEN-15-0027, A-5-VEN-16-0083, A-5-VEN-19-0185, and A-5-VEN-20-0054. These cases, combined, allowed the demolition of 13 affordable units without replacement.

¹⁰ The affordable housing policies of the Coastal Act were repealed in 1981 and, therefore, in general, the Commission does not have authority to regulate or require the provision of affordable housing, although the Coastal Act does direct the Commission to encourage affordable housing pursuant to Section 30604.

that has not been permitted for redevelopment (Table 3), as found in **Appendix B** of the staff report.

The cumulative effects analysis goes beyond the City's analysis and includes 92 structures on 60 lots (**Exhibit 5**) surveyed by address for characteristics including lot size, residential density, and structure height and floor-area. **Appendix B** includes relevant data organized into three tables: properties involved in Commission Appeal/CDP actions in the survey area since 2001 (when the LUP was certified), properties that were the subject of City CDP/CEX actions since 2001, and all other properties in the survey area. In addition, Google Earth was used to assess the character of yard areas in the project vicinity.

Based on staff's analysis, like the four structures approved by the City to be demolished at the subject site, approximately 50% of the residential structures that have not been the subject of local or Commission development review since certification of the LUP in 2001 were built between 1905 and 1925. This period marks the early settlement of Venice. During this time, Black laborers traveled from the South (southern United States), as part of the Great Migration, to work in the early development of the Venice community, including in the nearby oil fields. They were confined to live within the boundaries of what is now called Oakwood, where the subject project is located. The segregation of this community from the rest of Venice was perpetuated through redlining, restrictive covenants, and intimidation. Nineteen (or 66%) of these old structures are like the subject property in that they are one of multiple small single-family residences on one property and all are under 1,300 sf. and almost all one-story high.

In contrast, every development project in this area that has been reviewed by the City since 2001 has resulted in an average building area of 2,825 sf. and the three reviewed by the Commission have resulted in an average building area of 2,982 sf. The average height of those structures is 27 feet. Further, nine of the 16 projects with data on the starting and ending building areas involved demolition of a residential unit less than 1,300 sf. Thus, the appellants' assertion that the City's approval of the demolition of four single-family homes under 1,300 sf. (three one-story and one two-story) and construction of two three-story single-family structures (with ADUs) 30 feet in height would contribute to an adverse cumulative impact on the character of the area, does raise questions as to the consistency of the City-approved project with the community character protection policies of the Coastal Act.

With regard to yard area, the City-approved development would reduce the amount of open and permeable area on the subject site. The cumulative loss of green open space was also the result of other projects approved in this area since certification of the LUP, including but not limited to projects very close to the subject site at 330 S Rennie Avenue and 337 S 6th Ave (**Appendix B & Exhibit 5**). Thus, the City-approved project could encourage a budding trend of loss of green space in the area thereby changing the character of the area.

The appellants also claim that the lot subdivision would have an adverse cumulative affect by causing a break in the existing pattern of development. The

LUP calls out the subdivision patterns in Venice as unique, specifically around the historic canals and rail lines. Thus, subdivision patterns also contribute to Venice's unique community character. This project site is located relatively far from the original canal and rail areas. Since 2001, at least four City actions in this area resulted in lot subdivisions: DIR-2017-3909-CDP (657 Flower Avenue), APCW-2008-2916-SPE-SPP-CDP-ZAA (614 Flower Avenue), ZA-2014-1264-CDP-SPP-MEL (330 Rennie Avenue), and ZA-2007-5100-CDP-SPP-MEL (338 Rennie Avenue). This project could cumulatively affect the character of the area if lots continue to be subdivided. Further, Section 30250 of the Coastal Act requires development to be located in areas able to accommodate it. Not only is this area able to accommodate it, but it is one of the least vulnerable areas of Venice in terms of coastal hazards. Thus, this specific contention raises a substantial issue.

Regarding the appellants' contentions that the City-approved project would also adversely affect the community character of Venice through the loss of four independent affordable units inconsistent with the community character policies of the LUP and Coastal Act, as described in the response to contention #3, Commission staff has not been able to find data on historic numbers of affordable units or recent changes in the number of affordable units in the coastal zone of Venice. As discussed previously, numerous City-approved projects in Venice that have come before the Commission have resulted in the loss of affordable units, and while some projects reviewed by the Commission have resulted in the addition of affordable units in the coastal zone, it is unclear how many affordable units lost have been replaced (as intended to be required by the LUP¹¹) and whether the combined loss of affordable units throughout the coastal zone and concentration of affordable units in large housing projects is changing the character of Venice. In any case, the City made no findings regarding this aspect of community character.

The Commission, therefore, finds that the appeal raises a substantial issue as to the project's consistency with Chapter 3 policies relating to community character in Venice.

Prejudice to City's Preparation of an LCP that Conforms to Chapter 3

The Venice LUP was certified by the Coastal Commission on June 14, 2001 but implementing ordinances have not been adopted. The City is currently working to adopt an updated LUP and Implementation Plan for Venice and subsequently obtain a fully certified LCP. Under Section 30604(a) of the Coastal Act, a local government's approval of a CDP must include findings that the project conforms with Chapter 3 of the Coastal Act and that the "permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3."

¹¹ The LUP's affordable housing policies require a 1:1 replacement of any affordable unit proposed to be demolished, however, they also cite the Mello Act, which has some exceptions for residential projects like single-family residential developments if the applicant can provide evidence that the replacement of the units is infeasible.

While the City provided a community character analysis, that analysis failed to address critical aspects of community character, including residential density, cumulative massing, yard character, and social diversity, that would be affected by the subject development. In its determination (**Exhibit 3**), the City found that a single-family residence with an ADU is a duplex and that there is no loss in density. The Commission, on the other hand, has repeatedly found that ADUs are not functionally equivalent to full residential units¹² because an ADU is not independent of the single-family residence, but rather is accessory to and often reliant on it for utilities and similar integral functions, and it is less likely to be used as a fully independent living unit than a separate unit or structure, which could be bought and sold independent of the single family residence. Therefore, the City-approved project raises a substantial issue on the grounds on which the appeal has been filed and could prejudice the City's ability to prepare an LCP in the future.

SUBSTANTIAL ISSUE FACTORS

The Commission's standard of review for determining whether to hear the appeal is whether the appeal raises a substantial issue as to conformity with Chapter 3 of the Coastal Act. Cal. Pub. Res. Code §30625(b)(1); 14 C.C.R. § 13321. The Commission's decision will be guided by the factors listed in the previous section of this report.

The first factor is the **degree of factual and legal support for the local government's decision** that the development is consistent or inconsistent with the relevant provisions of the Coastal Act. While the City found that the project would be consistent with the community character of the area and with Sections 30250, 30251, and 30253 of the Coastal Act, the City's community character analysis did not have adequate support for such a determination because it did not take into account the predominant residential density, structural massing, or yard areas, social diversity, or cumulative effects on community character. Thus, while the City found that the new structures would be stepped back from the street on the upper floors, would be consistent with the size of other three-story residential and commercial structures nearby, and maintain density, for the reasons described above, the City's community character analysis did not have adequate support for such a determination. In addition, the City found that a single-family residence with an ADU is equivalent to a duplex, which is not consistent with the Commission's findings on this matter. Therefore, the Commission finds that the City did not provide an adequate degree of factual and legal support for its decision, and this factor supports a finding of substantial issue.

The second factor is the **extent and scope of the development** as approved or denied by the local government. The City-approved development will demolish four small independent single-family residences on one lot, subdivide the lot, and construct two new large single-family residences with one attached ADU each in a highly developed area. The subject site, while designated for multi-family development, is situated in an area with approximately equal numbers of single- and multi-family properties. Similarly, the City has approved similar subdivisions in recent years. However, the ADUs are an accessory use to, and not independent of, the single-family residences. ADUs often

¹² Relevant CDP appeals/applications include, but are not limited to: A-5-VEN-18-0049, A-5-VEN-20-0037, A-5-VEN-20-0039, 5-20-0223, 5-20-0530, 5-20-0595, 5-20-0650

share utilities with the larger homes, cannot be sold separately except in specific circumstances not relevant here, and could be left vacant or used by the primary residents. Thus, the project would effectively result in the loss of two full residential units and would not be consistent with Coastal Act Sections 30250 and 30253 because density would not be maintained in an area able to accommodate it. In addition, individually and cumulatively, the mass and scale of the City-approved three-story structures with building areas of 3,200 and 4,600 sf. is not consistent with the character of the neighborhood in which 69% of the structures are one-story in height as seen from the street.¹³ Furthermore, the project eliminates four affordable units, which could affect the socioeconomic diversity of the area that is protected by the Venice LUP and Coastal Act Section 30253. Thus, especially due to the project's potential cumulative effects, this factor weighs in favor of a finding of substantial issue.

The third factor is the **significance of the coastal resources affected** by the decision. The Oakwood subarea—one of the only historically Black coastal communities in California¹⁴—contributes to that unique character, especially to the social diversity of Venice that is protected in the certified LUP. The City did not address this element of community character. Without a cumulative impacts analysis, it is unclear if projects like the City-approved development are changing the racial, ethnic, and income diversity that the certified LUP aims to protect. Based on a number of actions that the Commission has taken in recent years, developments have been approved that involved the loss of affordable units without replacement. Therefore, the Commission finds that the City-approved development could have a significant impact on coastal resources, including the unique character of the community, inconsistent with Sections 30250, 30251, and 30253, and this factor supports a finding of substantial issue. In addition, the City-approved development could be inconsistent with Section 30210 of the Coastal Act that requires public access be maximized for all. When assessed in combination with the Commission's Environmental Justice Policy, which allows the Commission to consider environmental justice in its actions, encourages coastal development to provide equitable benefits, and emphasizes the ability of the public to live, work, and play in the coastal zone, the cumulative loss of social diversity and density in Oakwood—a historically working-class community—could be disproportionately impacting public access to the coast for lower-income communities that are being priced out of the area.

The fourth factor is the **precedential value of the local government's decision** for future interpretations of its LCP. The City does not currently have a certified LCP, but it does have a certified LUP. The Commission relies on the certified LUP for Venice as guidance when reviewing appeals and approving projects because the LUP was certified by the Commission as consistent with Chapter 3 of the Coastal Act and incorporates policies particular to the goals of the City for development in Venice. The City-approved project is not consistent with the use designation for this area (LUP

¹³ Using Google Maps Street View

¹⁴ University of Virginia Racial Dot Map, <https://demographics.coopercenter.org/racial-dot-map/>

Policy I.A.7), the yard requirements (LUP Policy I.A.7), or the intent of the affordable housing replacement policies (LUP Policies I.A.9 through I.A.16), and raises questions as to the consistency of the City’s action with the community character protection policies of the certified LUP and Coastal Act.

In addition, the City’s community character findings are inadequate for a number of reasons, including that the cumulative effects of the development, which could be significant, were not analyzed. Furthermore, the City’s assertion that a single-family residence with an ADU is equivalent to a duplex could set an adverse precedent potentially resulting in significant loss of housing stock in urban areas where such density can be accommodated without significant coastal resource impacts. Thus, the project, as approved, raises a substantial issue as to its conformance with the certified LUP, and by extension, the Chapter 3 policies of the Coastal Act, as set forth above. Therefore, the Commission finds that the City-approved development will have a significant adverse impact on future interpretations of its LUP, and this factor supports a finding of substantial issue.

The final factor is **whether the appeal raises local issues, or those of regional or statewide significance**. Venice has been identified as a Special Coastal Community and is a visitor destination for those from around the state, nation, and world and, as such, is a coastal resource beyond the local community. The City’s findings did not adequately analyze the impacts of the development on this unique community character, which in the LUP is explicitly characterized as including architectural and social diversity for the purposes of Coastal Act Section 30253(e). The City-approved development is inconsistent with the Chapter 3 policies of the Coastal Act that are intended to protect such resources. Therefore, the Commission finds that the City-approved CDP does raise issues of statewide significance, and this factor supports a finding of substantial issue.

Conclusion

Applying the five factors listed above clarifies that the appeal raises a “substantial issue” with respect to the project’s consistency with Chapter 3 of the Coastal Act and the certified Venice LUP with respect to compatibility with community character. The decision is likely to set an adverse precedent for future interpretations of the Venice LUP and prejudice the City’s ability to prepare an LCP in the future. Therefore, the Commission finds that the appeal raises a substantial issue as to the project’s conformity with the Chapter 3 policies of the Coastal Act.

VI. MOTION AND RESOLUTION – DE NOVO

Motion: I move that the Commission **approve** Coastal Development Permit Application No. A-5-VEN-21-0069 proposed by the applicant.

Staff recommends a **NO** vote. Passage of this motion will result in denial of the permit and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution: The Commission hereby denies Coastal Development Permit Application No. A-5-VEN-21-0069 and adopts the findings set forth below on grounds that the development will not conform with the policies of Chapter 3 of the Coastal Act and will prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit would not comply with the California Environmental Quality Act because there are feasible mitigation measures or alternatives that would substantially lessen the significant adverse impacts of the development on the environment.

VII. FINDINGS AND DECLARATIONS

The findings set forth in the Substantial Issue discussion above are incorporated herein and relevant Coastal Act and certified Venice LUP policies are hereby incorporated from Section VI.C of the Substantial Issue portion of this staff report on pages 11 through 14.

A. PROJECT DESCRIPTION AND LOCATION

The project description and location are hereby incorporated by reference from Section VI on pages 9 and 10 of this staff report. After multiple discussions with Commission staff, the applicant did not propose any modifications to their project.

The Commission's standard of review for the proposed development is Chapter 3 of the Coastal Act. The City of Los Angeles LUP for Venice provides guidance.

B. VISUAL RESOURCES

One aspect of Venice's community character that is protected by the Chapter 3 policies of the Coastal Act (Sections 30251 & 30253) and the certified LUP is the architectural diversity. Additionally, the scale and massing of structures are limited to encourage visual compatibility with the general pedestrian-scale of development in Venice.

With regard to architectural diversity, the proposed development consists of two three-story modern structures that are generally boxy in shape with five-foot setbacks on the third levels (**Exhibit 2**). While this style is different from many of the homes in the Commission's survey area (**Exhibit 5**), thus maintaining a diversity of development, one of the cumulative effects of this development could be the loss of architectural diversity, especially in this geographic area. Since certification of the LUP, residential development on at least three of the four sites immediately surrounding the project (except the parking lot)—306-316 6th Avenue, 328 Rennie Avenue, 330 1-7 Rennie Avenue, and possibly 317 6th Avenue—have been redeveloped with similarly-styled structures that are also boxy and attempt to maximize the buildable area. The proposed development would continue this trend and, given that there are small, potentially historic residences built between 1910 and 1924 immediately adjacent to these sites and nearly half of the structures in the project vicinity are similarly aged or older, the cumulative effect and future impact to the character of the community if these sites and others in the area are redeveloped with large modern structures is significant. Therefore, the proposed development has the potential to cumulatively impact the

architectural diversity of the area, which as stated in the LUP is one of the characteristics that makes Venice a special coastal community protected under Section 30253(e) of the Coastal Act, and is, thus, inconsistent with Section 30253(e) of the Coastal Act.

As it relates to mass and scale, as stated in the Substantial Issue Findings of this report, the project's height and design—both structural and landscaping—have the potential to individually and cumulatively affect the character of the area. Regarding height, the proposed three-story, thirty-foot high residential structures would become two of the tallest buildings in the area, which is dominated by one- and two-story structures. Additionally, the other structures with three above-grade stories are multi-family homes while the proposed structures are single-family homes (with ADUs).

The massing of the proposed development can be analyzed by looking at the setbacks, step-backs, and open space on the site. The front, side, and rear-yard setbacks are all consistent with the minimum setback requirements of the certified LUP and uncertified zoning code. The proposed development also observes the LUP-required one-foot additional setback for levels above 25-feet. As shown in the City-approved plans (**Exhibit 2**), the first and second levels would be at the 15-foot setback line at one corner and set back a couple feet farther at the other corner; the third level would be setback another five feet but would have a deck with an approximately 3.5-foot-high guardrail that is aligned with the first and second levels. Thus, even with a 2.5-foot sunken ground level, from a pedestrian's viewpoint at the street, the front façade would appear as an approximately 18.5 to 23-foot-high wall, depending on the design of the guardrail. While a landscaped front yard could reduce the visible mass of this wall, the applicants have only proposed a small line of vegetation in front of the proposed front yard property fence, some plants perpendicular to the street along the side yard, and one approximately 25 sf. built-in planter. Thus, the mass of the proposed structure from public viewpoints would be incompatible with the general pedestrian-scale of the rest of the neighborhood.

In addition, the cumulative loss of open space/yard area on properties in this area, as described in the Substantial Issue portion of this report, could not only fail to minimize the mass of new development, but could also change the general character of 6th Avenue, which is currently a relatively green, tree-lined street. Therefore, the project does not conform with Sections 30251 and 30253 of the Coastal Act.

Environmental Justice

Further, the proposed development's general loss of green space and replacement with hardscape¹⁵ could also cumulatively affect the ability of the area to accommodate warmer temperatures associated with climate change. The urban heat island effect (where high temperatures are exacerbated in developed areas with little vegetation) already disproportionately affects communities that tend to be lower-income and disproportionately burdened by other environmental issues like poor air quality. Oakwood, a historically working-class community of color, is one of the inland subareas

¹⁵ Some plantings are proposed, as described in the previous paragraphs, but there is still a net loss of permeable, landscaped, and open space.

of coastal Venice and supports multi-family residential, commercial (mostly fronting Rose Avenue and Lincoln Boulevard-heavily trafficked streets), and industrial uses with one open space area (Oakwood Park and Recreation Center) and a high school. While income levels have risen significantly over time and the populations of color have decreased significantly in Oakwood, it is still a community that was founded and shaped by marginalization and discriminatory land use practices and has higher pollution burden, more people of color, and more individuals below the federal poverty level than the rest of coastal Venice.¹⁶ Given these discrepancies, lower open space requirements for higher density residential and commercial uses, and the existence of only one park area in Oakwood, the cumulative loss of vegetated yard areas here could disproportionately adversely affect this community as compared to the rest of Venice.

C. DEVELOPMENT

Section 30250 of the Coastal Act requires concentration of new development in existing developed areas able to accommodate it. This reduces vehicle miles traveled (required by Section 30253(d)), preserves open spaces that might otherwise be developed, provides more opportunities for people to live near the places where they work and recreate, and, thereby, reduces impacts to coastal resources. The Venice LUP contains building restrictions and density limits specific to individual areas and subareas of Venice, designed to protect community character and minimize impacts to coastal resources. The Venice LUP designates the project site and surrounding area (except for the commercial strip on Rose Avenue) as Multi-Family Residential—Low Medium Density II per Policy I.A.7, restated here:

Oakwood, Milwood, Southeast and North Venice

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. (See LUP Policies I.A.9 through I.A.16).

The City would argue that the LUP only allows for a maximum of two units on any Low Medium Density II-designated lot plus, for the areas above, one replacement affordable unit on lots over 4,000 sf. for every 1,500-2,000 sf. over 4,000 depending on the uncertified zoning designation. This is not consistent with some of the Commission's past findings for development in these areas.¹⁷ In addition, this reading of the policy would suggest that most of the residential lots in Venice's coastal zone, including the vast majority of Oakwood, would be limited to two residential units upon redevelopment. Many of the multi-family residences in the project vicinity have three or more units. Thus, cumulatively, this specific analysis could drastically reduce the residential density

¹⁶ CalEnviroScreen 4.0 and EPA EJSCREEN. The two census block groups that make up Oakwood were compared to the other census block groups in Venice.

¹⁷ A-5-VEN-21-0010, A-5-VEN-21-0051

of Venice, which would be inconsistent with Coastal Act Section 30250 because it reduces, rather than concentrates, residential density in a developed area able to accommodate new development. This is especially true in the subject area, which is less vulnerable to coastal hazards, and given the current housing crisis. As viewed in the context of the housing crisis and broader housing trends in the coastal zone, projects like the subject proposal that do not concentrate development in existing developed areas may instead contribute to further urban sprawl, counter to Coastal Act policies designed to concentrate residential development to minimize impacts to coastal resources (Sections 30250 and 30253).

Commission staff read this LUP policy as allowing for the construction of up to two units on lots under 4,000 sf., but on lots like the subject site that are over 4,000 sf., one residential unit for every 1,500-2,000 sf. of lot area plus a bonus unit (one per 1,500 sf. in RD1.5 zones) if that unit is a replacement affordable unit. Thus, the LUP allows four independent residential units plus one affordable replacement unit at this site. In any case, the LUP provides guidance for consistency with Chapter 3 of the Coastal Act, and, as stated above, the maintenance and concentration of density in an area like this is consistent with Coastal Act Section 30250.

As stated in the Substantial Issue discussion, the proposed subdivision would result in a reduction in the allowable density at the site from four units plus one bonus replacement affordable units to three units. In addition, the proposed development would reduce the density onsite from four units to two with ADUs, which are not considered full residential units. Further, unlike most of coastal Venice, this part of the Oakwood community is slightly higher in elevation and is anticipated to be safe from flood hazards, including those caused by groundwater and sea level rise, for the life of the development. Thus, this development, as proposed, is not consistent with Section 30250.

Additionally, the proposed reduction in density and loss of four affordable units would adversely impact the character of Oakwood (and Venice) that is protected as a coastal resource due to its uniqueness and draw of visitors to the coast. The certified Venice LUP, which provides guidance for the consistency of new development with Chapter 3 of the Coastal Act, calls out two specific characteristics of Venice that make it a special coastal community protected under Section 30253(e) of the Coastal Act (LUP Policy I.E.1): architectural diversity and social diversity. The potential impacts of the proposed development on architectural diversity are discussed in the previous subsection; the project's potential impacts on social diversity will be addressed in this section.

Social diversity can include differences in income-levels, ethnicity, race, political ideologies, and culture, among other things. Oakwood is unique from the rest of Venice in its social makeup. As previously mentioned, it has more residents of color and less wealthy people when compared to the other census blocks in coastal Venice. This is a legacy of the history of the area. The residential area now called Oakwood was established in the early years of Abbot Kinney's "Venice of America" (late 1800s, early 1900s) as a community of laborers for the growing seaside town and, eventually, in the nearby oil fields. Black individuals and families came to Venice as part of the Great Migration and were confined to live within the boundaries of Oakwood—it was one of

the only largely Black residential communities along California's coast.¹⁸ Redlining in the 1940s and 1950s furthered this restriction of freedom for people of color. In the 1960s and early 1970s, the Latino population in Oakwood grew significantly as communities were displaced with the construction of the 405 freeway.¹⁹ Around the 1980s, when Venice was experiencing a general boom in experimental architecture and art, Oakwood was experiencing gang injunctions, over-policing, and targeted code enforcement.²⁰ In part due to increased incarcerations of Oakwood residents and burdensome fines, many residents of color could not stay in their homes and as the activity of community organizations led to decreased violence in the 1990s, the area began to gentrify.²¹

The LUP was finalized and certified during this time and described Venice as a “quintessential coastal village where people of all social and economic levels are able to live in what is still, by Southern California standards, considered to be affordable housing. Diversity of lifestyle, income and culture typifies the Venice community.” However, this period of gentrification has continued into present-day, including as more tech companies have moved into Venice, adversely affecting the social diversity of Venice. Since certification of the LUP, the total recorded population of Venice has declined, the percentage of people who identify as white has increased to over 80% (statewide it is currently around 40% and in 2000 it was around 60%), and the median value of a home is nearly \$1.5 million with monthly housing costs at approximately \$2,700.²²

The Introduction of the LUP intentionally included language about how the socioeconomic diversity of Venice is one of the characteristics that makes Venice a unique and popular visitor destination. Given that much of the social diversity in Venice is concentrated in Oakwood, the social character of Oakwood must be preserved pursuant to LUP Policy I.E.1 and Coastal Act Section 30253(e). The proposed development would remove four small, old, affordable homes from the subject site and construct two large single-family homes. While the project would also include two ADUs that are expected to be more affordable than the single-family residences to which they are attached, they are not restricted affordable nor is there an assurance that the units will be rented out to separate individuals or families for the life of the development. Thus, the proposed project would both individually and cumulatively adversely impact the character of the area by reducing the stock of affordable units by four and continuing

¹⁸ <https://knock-la.com/venice-oakwood-black-neighborhood-history-a270785f0a04/>

¹⁹ Deener, A. (2012). *Venice: A contested bohemia in Los Angeles*. University of Chicago Press.

²⁰ Umemoto, K. (2018). *The truce: Lessons from an LA gang war*. Cornell University Press.

²¹ Deener, A. (2012). *Venice: A contested bohemia in Los Angeles*. University of Chicago Press.

²² U.S. Census data and [Venice, CA Household Income, Population & Demographics | Point2 \(point2homes.com\)](https://point2homes.com/) (accessed 4/18/22)

the development trend of new, larger, more expensive housing that is leading to reduced social diversity and changes in Venice’s character.

Therefore, the proposed development is not consistent with Section 30253(e) of the Coastal Act.

D. PROJECT ALTERNATIVES

There are project alternatives discussed with the applicant’s representatives that could lessen or avoid impacts to coastal resources and conform to the Coastal Act Chapter 3 policies. For example, the four existing single-family homes onsite could be renovated or rebuilt. The subdivision could be removed from the proposal and the applicant could propose two duplexes that are smaller in mass and scale through reduced project height, additional front yard setbacks and landscaping, and further structural articulation. The applicant could also propose a five-unit building with reduced mass and scale if at least one unit were restricted affordable. All four affordable units could also be replaced.

E. LOCAL COASTAL PROGRAM

Coastal Act Section 30604(a) states, in relevant part:

(a) Prior to certification of the Local Coastal Program, a Coastal Development Permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

The City of Los Angeles does not have a certified Local Coastal Program for the Venice area. The City of Los Angeles Land Use Plan (LUP) for Venice was effectively certified on June 14, 2001, and the City is in the process of a comprehensive update. The Commission's standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The certified Venice LUP is advisory in nature and may provide guidance.

Approval of this project could prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 of the Coastal Act. First, for the reasons described in Subsections B-D above, the proposed development is not consistent with Sections 30250, 30251, and 30253 of the Coastal Act. Second, the cumulative impacts of projects like this go against the policies and intent of the LUP—certified to provide guidance for City and Commission review of development projects for consistency with Chapter 3 of the Coastal Act—to preserve the diverse built and social character of Venice. The Commission, therefore, finds that the proposed project is not consistent with the provisions of Section 30604(a) of the Coastal Act.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096(a) of the Commission's regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). The findings above are incorporated herein by reference.

Under Section 15251(c) of Title 14 of the California Code of Regulations, the Commission's CDP regulatory process has been certified as the functional equivalent to the CEQA process. As a certified regulatory program, Section 21080.5(d)(2)(A) of CEQA still applies to the Commission's CDP regulatory process and prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect which the activity may have on the environment.

The City of Los Angeles is the lead agency for purposes of CEQA. As noted on the City's staff report dated January 7, 2021, the City determined that the proposed development was categorically exempt from CEQA requirements pursuant to CEQA Guidelines Sections 15303 (Class 3). Commission staff had discussions with the applicant's representatives about project alternatives, including development of four to five new units on the site and retention and renovation of the four existing units, that might reduce the project's impacts on the environment, but the applicant chose to propose the same development approved by the City.

Nevertheless, the proposed project has been found to be inconsistent with the Chapter 3 policies of the Coastal Act. CEQA does not apply to private projects that public agencies deny or disapprove, Pub. Res. Code § 21080(b)(5). Accordingly, because the Commission is denying the proposed project, it is not required to adopt findings regarding mitigation measures or alternatives which would substantially lessen any significant adverse effect the project would have on the environment.

Appendix A – Substantive File Documents

1. City of Los Angeles Letter of Determination for Case No. DIR-2019-2610-CDP-MEL-1A dated June 16, 2021
2. Staff Report for certification of the Venice LUP dated November 2, 2000

Appendix B – Neighborhood Survey Tables

Table 1. Past Commission actions on structures within the surveyed area since the Venice LUP certification in 2001.²³

Address	Action No.	Approval Year	Height (ft.)	Lot Size (sq. ft.)	Square Footage (original)	Square Footage (new)	L.A. County Assessor (sq. ft.)	
341 6 th Ave	5-11-287-W	2011	25	6,406	1,694	3,122	3,742	
611 Flower Ave	5-16-0788	2016	25	5,798	760	2,610	2,618	
605 Flower Ave	5-07-149-W	2007	30	5,798	1,326 3,214 ²⁴		1,326	
Average Square Footage (Original/Redeveloped):							1,260	2,982
Average Height (Redeveloped):							27	

Table 2. Past City of Los Angeles local CDPs and exemptions issued for redevelopment of all structures within the surveyed area since the Venice LUP certification in 2001. For the few multi-family structures in the survey area, the square footage of any detached structures were combined into one square footage.

Address	Action No.	Approval Year	Height (ft.)	Lot Size (sq. ft.)	Sq. Ft. (original)	Sq. Ft. (new)	L.A. County Assessor (sq. ft.)
306-316 S 6 th Ave and 601 E Flower Ave ²⁵	ADM-2017-4567-CEX & ADM-2018-3991-CEX	2017 & 2018	1-story	7,038	unknown		2,614
611 Flower Ave	DIR-2016-788-CEX	2016	25	5,798	760	2,610	2,618
641 E Flower Ave	DIR-2021-8071-CDP-MEL-HCA	In Review	1-story	5,799	unknown	TBD	1,504

²³ A-5-VEN-16-0024 (657 Flower Ave) resulted in the denial of a City-approved exemption, but no new development.

²⁴ This permit allowed for the construction of a second single-family residence on the lot (1,888 sq. ft.).

²⁵ CDP-1991-8; structure appears much larger

A-5-VEN-21-0069 (315 6th Avenue LLC)
 Appeal – Substantial Issue & De Novo

657 E Flower Ave	DIR-2017-3909-CDP ²⁶	2019	30	5,800	<i>unknown</i>		936
676 1-9 E Flower Ave	DIR-2016-4424 & 4364-CEX	2016	2-story	7,114	6,596	6,729	<i>unknown</i>
664 & 664 ½ E Flower Ave	ZA-2013-2220-CEX	2013	1-story	5,791	<i>unknown</i>		2,659
658 E Flower Ave	DIR-2017-2219-CEX	2017	1-story	5,792	868	868	868
618-622 E Flower Ave	APCW-2001-4820-SPE-CDP-ZV-ZAA-SPP & ZA-2005-2006-CDP	2002 & 2006	30	6,525	832	2,631	2,357
614 & 614 ½ E Flower Ave	APCW-2008-2916-SPE-SPP-CDP-ZAA ²⁷	2009	30	5,793	965	2,780	2,652 & 572
334 & 350 S 6 th Ave	DIR-2019-6301-CDP-SPP-SPPA-MEL	2021	3-story	2,993	644	3,060	644
337 & 339 S 6 th Ave	ZA-2014-4142-CDP	2018	30	6,406	1,941	2,708	1,970
321, 323, & 325 S 6 th Ave	ZA-2014-2188-CDP	<i>withdrawn</i>	N/A	N/A	N/A		2,882
317 & 317 ½ S 6 th Ave	ZA-2014-3908-CEX	2014	2-story	6,373	<i>unknown</i> ²⁸		1,232 & 1,064
328 S Rennie Ave	ZA-2014-2373-CDP-MEL-1A	2016	30	6,382	<i>unknown</i>	6,141	8,234
330 1-7 S Rennie Ave	ZA-2014-1264-CDP-SPP-MEL	2016	34 32 34 34 34 32 34	12,596 (subdivided in 7 lots)	880 500 780 1200	3,424 2,125 2,125 2,125 2,125 2,125 3,261	<i>no data</i>

²⁶ One single-family residence to two with subdivision.

²⁷ While the CDP appears to be for subdivision of the property only, a building permit with intent to issue on 8/14/2008 authorized a second-story and roof deck addition to a one-story home. Thus, the change in size of the residential structure is shown here.

²⁸ A building permit issued 7/15/2015 describes an approximately 300 sq. ft. increase in floor area and 8-foot increase in height.

336 & 336 ½ S Rennie Ave	DIR-2017-3631 & 2504-CEX	2016	1-story	6,380	unknown ²⁹		606 616 420
338 1 S Rennie Ave	ZA-2007-5100-CDP-SPP-MEL	2009	30 32 33	6,437 (subdivided in 3 lots)	1,534 ³⁰	2,328 2,051 2,073	2,474
348 S Rennie Ave	ZA-2012-1024-CEX	2012	27	6,380	1,615	2,393	2,562
Average Square Footage (Original/Redeveloped) ³¹ :					1,470	2,825	1,855
Average Height (Redeveloped) ³² :					27		

Table 3. All structures currently within the surveyed area that were constructed prior to certification of the Venice LUP in 2001. For the few multi-family structures in the survey area, the square footage of any detached structures were combined into one square footage.

Address	Original Year Built	Lot Size (sq. ft.)	Square Footage ³³
564 E Rose Ave and 303, 305, & 307 6 th Ave	1945, 1911, 1911, & 1911	7,008	1,275 (commercial), 667, 667, & (assumed) 667
604 E Rose Ave and 304 6 th Ave ³⁴	1968 & 1989	8,275	5,120 & 10,300 (commercial)
603 & 603 ½ E Flower Ave	1991	5,798	4,754
615 E Flower Ave	1921	5,798	738

²⁹ Building permits issued in 2017 and 2018 describe additions of under 200 sq. ft. with no increase in height.

³⁰ The demolition permits indicated two structures were authorized to be removed: one 950 sq. ft and one 816 sq. ft.

³¹ Unknown square footages were skipped in the calculation.

³² Assuming 1-story = 14 ft., 2-story = 27 ft., and 3-story = 30 ft. Note: many redeveloped building heights are above the 30-foot height limit included in the LUP.

³³ The square footage could include additions approved after the original construction but prior to the 2001 certification of the Venice LUP.

³⁴ CDP-1979-60 and CDP-1982-50

A-5-VEN-21-0069 (315 6th Avenue LLC)
 Appeal – Substantial Issue & De Novo

617 E Flower Ave	1956 ³⁵	5,799	2,802
629 E Flower Ave ³⁶	1992	5,799	1,635
633 E Flower Ave ³⁷	1991	5,799	1,684
637 E Flower Ave	1964	5,799	4,578
645 E Flower Ave ³⁸	1922	5,799	956
649 E Flower Ave	1922, 1924, & 1924	5,799	758, 816, & 816
653 E Flower Ave	1924, 1923, & 1923	5,800	1,248, 1,019, & 198
659 E Flower Ave	1924 & 1930	5,800	748 & 552
663 E Flower Ave	1938	5,800	2,188
667 E Flower Ave	1965	5,800	5,056
671 E Flower Ave	1923	3,500	660
673 E Flower Ave	1939	3,316	2,723
674 & 672 E Flower Ave	1923 & 1950	5,791	756 & 1,059
668 E Flower Ave	1928	5,791	550, 550, & 550
660 E Flower Ave	1923 & 1990	5,792	892 & 1,811
654 E Flower Ave	1924	5,792	1,041
652 & 650 E Flower Ave	1941 & 1922	5,792	848 & 886
646 E Flower Ave ³⁹	2000	5,792	2,084
642 E Flower Ave	1923	5,792	1,019
638 E Flower Ave ⁴⁰	1923	5,792	770
634 1-5 E Flower Ave	1963	5,793	4,918

³⁵ Appears to have been redeveloped in 2015 (duplex to duplex) without a CDP. City did process Venice Sign Off and Mello Determination.

³⁶ CDP-1990-30

³⁷ CDP-1990-31; CDP-1998-14

³⁸ CDP-1990-24

³⁹ CDP-1998-14

⁴⁰ CDP-1991-39

A-5-VEN-21-0069 (315 6th Avenue LLC)
Appeal – Substantial Issue & De Novo

630 E Flower Ave	1923	5,793	784 & 192
626 & 628 E Flower Ave	1951 & 1954	5,793	576 & 984
612 & 612 ½ E Flower Ave ⁴¹	1989	5,750	2,084
610, 604, & 600 E Flower Ave ⁴²	1987	9,453	6,339
354 S 6 th Ave	1922	1,622	644
603 E Sunset Ave	1922	2,533	832
565 E Sunset Ave & 349 S 6 th Ave	unknown	6,976	1,792 & 1,760
347 & 347 ½ S 6 th Ave	1913 & 1965	6,402	768 & 1,970
345 & 345 ½ S 6 th Ave	1922 & 1924	6,404	1,052 & 744
341 S 6 th Ave ⁴³	2012	6,405	3,742
333 & 333 ½ 6 th Ave	1949	6,407	3,532
334 S Rennie Ave	1912	6,380	988
340 & 340 ½ Rennie Ave	1905 & 1965	6,378	1,002 & 1,281
346 & 346 ½ Rennie Ave	1920 & 1923	6,377	680 & 564
Total Number of Residential Structures:			57
Average Square Footage:			1,508

*Information obtained from ZIMAS on April 11, 2022.

⁴¹ CDP-1990-7

⁴² CDP-1986-17

⁴³ Apparent local approval and construction of a single-family residence without a CDP.

Citizens Preserving Venice

June 27, 2022

DIR-2019-6455-CDP-MEL
AA-2019-6453-PMLA-SL
ENV-2018-6456-CE

Re. appeal hearing for 709 Brooks Ave, Venice
July 8, 2022

Honorable West L.A. Area Planning Commission,

Your decision on this appeal will be seminal in protecting both the architectural and social diversity of Venice and therefore Venice as a Special Coastal Community.

First, we request that you read our entire appeal and not just the planning staff's summary of the appeal and their responses. There are many critical points in our appeal, and it is imperative that you read that detail.

Also, we want to bring your attention to a recent Coastal Commission denial for a project very similar to 709 Brooks, which is attached. The Coastal Commission findings in the 315 6th Ave Coastal Staff report bring us to the long-awaited conclusion (page 29) that much of the social diversity in Venice is concentrated in Oakwood and thus in order to protect the character of Venice the social character of Oakwood must be preserved pursuant to LUP Policy I.E.1. and Coastal Act Section 30253(e). **We request that you read that entire report very carefully and use it as guidance in your decision on the subject appeal, as required by Coastal Act section 30625(c).**

Once again, in the 709 Brooks determination, the City Planning Department (the Decision Maker) has violated Coastal Act section 30625(c), which requires that its decisions be guided by applicable prior decisions of the Coastal Commission. This appeal gives you the opportunity to correct that by studying the 315 6th Ave Coastal Commission findings and decision and applying them to the 709 Brooks Ave project.

Once again, the Decision Maker failed to consider adverse cumulative effects.

Once again, the Decision Maker has taken an action to subdivide lots and convert multi-family housing to single-family housing in the Venice Coastal Zone, which subverts Neighborhood Character and does not conform with the multi-family land use designation. *"This project would result in construction of two three-story, generally boxy, single-family residences with minimal landscaping or permeable open space that could otherwise*

reduce the apparent massing from the public street.” (Staff Report. 315 6th Avenue; (underline added))

Once again, the Decision Maker failed to make or made inadequate findings regarding protection of Venice as a special coastal community.

Once again, the Decision Maker failed to consider social diversity.

Once again, the Decision Maker failed to consider the adverse cumulative impact and change to the character of the neighborhood due to the loss of low-income units.

Once again, the Decision Maker failed to consider the Coastal Act affordable housing provisions and the Commission’s Environmental Justice Policy.

Once again, the Decision Maker did an inadequate and erroneous job on its analysis of community character as the project is not visually compatible with the mass, scale and character of the surrounding neighborhood.

Once again, the Decision Maker failed to correctly consider the Commission’s Environmental Justice Policy, the Mello Act, and the City’s Mello Act Interim Administrative Procedures for all RSO affordable housing required in the Coastal application. The existing property is a rent stabilized (“RSO”) duplex with an unpermitted third rental unit. There were 3 low-income units on the property, which should have been included in the HCID review.

Once again, the Decision Maker failed to consider cumulative impacts on density and community character. The Appellants strongly support maintaining density in the Coastal Zone. Demolishing the three units to subdivide into two lots and building a SFD on each does not support retaining existing density.

Once again, the Decision Maker is improperly processing the project primarily relying on a Class 32 Categorical Exemption.

Once again, the Decision Maker has allowed the applicant to essentially self-certify that it is economically infeasible to replace existing affordable housing based on the developer’s own study, and City Planning has failed to interrogate the study or apply any meaningful independent analysis to the study.

Once again, the Decision Maker has violated the Venice Coastal Zone Specific Plan (VCZSP) by not evaluating the entire project as the ordinance requires, but rather only evaluating the new construction portion of the project via a VSO. This also results in a violation of the Multiple Permit Ordinance.

Once again, the Decision Maker has violated the Subdivision Map Act as there is no finding that the project conforms to the VCZSP, as the findings rely on future promises and not facts, as subdividing lots for this project subverts neighborhood character as the lots are not of a size compatible with the size of existing lots in the immediate neighborhood, as required by LAMC 17.50 and the LUP, and as yards and square footage of the lot are inadequate.

Although we cannot change the past, we have a responsibility to learn from it and to do what is right today. Please grant the Appeal and oppose this project.

Sincerely,

Citizens Preserving Venice

Sue Kaplan

Sue Kaplan, President

Robin Rudisill

Robin Rudisill, Treasurer



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June 27, 2022

Via Email: apcwestla@lacity.org

West Los Angeles Area Planning Commission
c/o Etta Armstrong, Commission Executive Assistant
200 North Spring Street, Room 272
Los Angeles, CA 90012

Re: Case Nos. AA-2019-6453-PMLA-SL and DIR-2019-6455-CDP-MEL
709 East Brooks Avenue, Venice
July 6, 2022 Commission Meeting
Support for Project Approval and Denial of Appeal

Dear Honorable Commissioners,

This office represents Wilshire View, LLC (the “Applicant”) regarding its applications to allow the demolition of a duplex, the subdivision of one lot into two (2) new small lots, and the construction of two (2) new three-story single-family homes (the “Project”) at 709 East Brooks Avenue, Venice, in the City of Los Angeles (the “City”). This correspondence responds to the appeals¹ filed by Citizens Preserving Venice (Robin Rudisill) and *requests that the appeals be denied and that the City’s approval of the Coastal Development Permit (“CDP”), Mello Act Compliance Review, and Parcel Map for the Project be sustained.*

A. PROJECT BACKGROUND

The subject property is a 4,826 square foot parcel located at 709 East Brooks Avenue (the “Property”) within the Oakwood-Milwood-Southeast Venice Subarea of the Venice Coastal Zone Specific Plan (the “Specific Plan”), the Los Angeles Coastal Transportation Corridor, and the Single Permit Jurisdiction area of the Coastal Zone. It is situated between 7th Avenue to the west, Indiana Avenue to the north, Lincoln Avenue to the east, and Broadway Street to the south. The Property is zoned RD1.5 (“Restricted Density Multiple Dwelling”) and is designated for Low Medium II Residential uses within the Venice Community Plan area. It is surrounded by other RD1.5-1 zoned lots and is in an area developed with a mix of single and multi-family dwellings

¹ The two appeals are for the City’s approval of related cases, Case No. AA-2019-6453 (Parcel Map) and Case No. DIR-2019-6455 (Coastal Development Permit and Mello Act).

ranging from one to three-stories in height. There are two dwelling units and accessory structures on the Property today that were constructed in or around the 1940s.

The Project applications were filed with the City in 2019, proposing to demolish the existing dwellings and accessory structures, and to divide the 4,826 square foot lot into two small lots (2,254 square feet [Parcel A] and 2,572 square feet [Parcel B]) to accommodate two (2) three level single-family dwellings with roof decks and a total of five (5) parking spaces.

A virtual joint public hearing was held by the City's Deputy Advisory Agency (Jordann Turner) and Hearing Officer (Kevin Fulton) on January 28, 2021. On March 2, 2022 letters of determination were issued for the related cases approving the Parcel Map (Case Nos. AA-2019-6453-PMLA-SL and ENV-2019-6456-CE), the CDP, and the Mello Act Compliance Review (Case No. DIR-2019-6455-CDP-MEL).

The subject appeals were filed on or around March 15, 2022.

B. THE CITY'S APPROVAL OF THE PROJECT MUST BE UPHELD

1. THE EVIDENCE SUPPORTS AND THE CITY HAS MADE ALL NECESSARY FINDINGS TO APPROVE THE PROJECT

The Project was designed to fully meet the guidelines and requirements contained in the Venice Coastal Specific Plan, Venice Community Plan, Los Angeles Municipal Code, and Government Code as applicable. No variances, exceptions or deviations from the Specific Plan are requested as part of the Project, and the Project qualifies for a Venice Sign-Off² pursuant to Section 8 of the Specific Plan.

After reviewing all the submitted materials, including the applications and plans for the Project, and after considering all testimony received at the public hearing, the Department of City Planning and Deputy Advisory Agency correctly determined that the requirements and prerequisites for approving a CDP, Mello Act Compliance Review, and Parcel Map respectively have been established.

a. The Project is Consistent with Chapter 3 of the Coastal Act

City staff carefully evaluated the Project for consistency with Chapter 3 policies. (*See* Director's Determination, dated March 2, 2022, pages 9-20.)

- **Cumulative Effects:** The appeal lists a number of recently issued CDPs for the 700 and 800 blocks of Brooks Avenue. The appeal uses this data in an attempt to argue that approval of the Project would result in a cumulatively adverse impact on coastal resources because smaller, older homes are being replaced with larger, newer homes. The chart provided, however, does little more than to illustrate the trend to replace small, now impractical dwelling units (which are nearly 100 years

² No Project Permit Compliance is required.

old and have reached their useful lifespan) with modernized housing that satisfies market demand and helps to alleviate the well-documented housing crisis. The Director's Determination states that the "project is in an area zoned and designated for such development and... is surrounded by similar residential uses... and *no foreseeable cumulative impacts are expected.*" (See Director's Determination, dated March 2, 2022, pp. 19-20.)

- **Visual Compatibility, Mass & Scale:** The appeal claims that the Project is not visually compatible with the mass, scale and character of the surrounding neighborhood and, as such, violates Coastal Act Section 30251 and Venice Land Use Plan Policies I.A.2, I.E.2, and I.E.3. However, the City found, and substantial evidence supports, that the Project complies with the density, buffer/setback, yard, and height standards outlined in Policies I.A.1, I.A.5, I.A.7, I.E.1, I.E.2, I.E.3, and II.A.3 of the LUP. (See Director's Determination, dated March 2, 2022, pp. 10-11.) Furthermore, the expert "Scale, Mass, and Character Compatibility & Visual Impact Analysis" prepared by Howard Robinson & Associates supports this conclusion:

"Therefore, based upon a comprehensive review of development within the project area, the proposed Small Lot Subdivision is compatible with the existing pattern of development in the neighborhood, as the proposed height of 30 feet is comparable to 20% of the structures along the relevant portion of Brooks Avenue. The two-unit project is appropriate as to density and use. Further, the proposed project will have no negative visual impacts on pedestrians, as it provides an average front yard setback. And the proposed project helps to mitigate negative visual impacts resulting from nearby properties that have over-in-height front yard fences and landscaping."

- **Neighborhood Character and Land Use Designation:** The appeal alleges that the two single-family dwellings proposed for two smaller lots are out of step with the "quintessential coastal village" neighborhood character and multi-family land use designation.

The Property is located within the Venice Community Plan and is designated for Low Medium II Residential land uses. The site is zoned RD1.5-1 which corresponds with the land use designation. Pursuant to LAMC Section 12.09.1.A, there are several allowed uses in the RD1.5-1 zone, one of which is a "one-family dwelling." Policy I.A.7 of the Venice Community Plan also provides guidance for uses and density in the Oakwood subarea.

Contrary to allegations raised in the appeal, the RD1.5 zone does not mandate multi-family housing. In fact, Policy I.A.7 states "lots smaller than 4,000 square feet are limited to a maximum density of two units." In this case, with the small lot

subdivision, both new resulting parcels are less than 4,000 square feet. There is no legal requirement to increase density, and because of the small lot sizes the new parcels would not be permitted to accommodate multi-family structures with three or more dwelling units. Not only are single-family residences permitted, but the Project maintains the identical residential density that has existed for well over half a century.

- **Mello Act Compliance:** As detailed in Section D below, the City followed all procedures for a complete and proper Mello Act Compliance Review.
- **The Coastal Commission's Environmental Justice Policy:** The appeal raises concerns that the City fails to address the Coastal Act's affordable housing provisions and the Coastal Commission's Environmental Justice Policy.

California law is clear that the Coastal Act does not provide any authority to protect affordable housing in the Coastal Zone. The Coastal Act requires the Coastal Commission to encourage housing opportunities for low and moderate-income households (Pub. Res. Code § 30604(f)) but states that “[n]o local coastal program shall be required to include housing policies and programs.” (Pub. Res. Code § 30500.1.) In addition, new residential development must be “located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it” or in other areas where development will not have significant adverse effects on coastal resources. (Pub. Res. Code § 30250.) As such, the Coastal Act makes effort to preserve existing density and affordable housing whenever possible, in ways that avoid significant adverse impacts on coastal resources. Here, existing density is being preserved and is located in an existing residential area able to accommodate it without impacting coastal resources.

With regard to the Coastal Commission's Environmental Justice Policy, there are no requirements now in place which affect the City of Los Angeles. The City is in the process of preparing a Local Coastal Program (“LCP”) for the Venice Coastal Zone and the City is working with Coastal Commission staff to incorporate policies within the LCP guidelines consistent with the Environmental Justice Policy. Until then, no such policy exists or applies to applicants with respect to project design in the Venice Coastal Zone area. To apply any potential future Environmental Justice policies or rules to the Project now would be without legal authority and would subject the Project to arbitrary standards.

- **Protection of Venice as a Special Coastal Community:** Contrary to appeal allegations, the City did consider preservation of Venice as a “Special Coastal Community” and made findings that the Project is consistent with Policies I.E.1, I.E.2, I.E.3, and II.A.3 of the Land Use Plan, the standards of the Specific Plan, and will not prejudice the ability of the City to prepare a Local Coastal Program. (*See* Director's Determination, dated March 2, 2022, pp. 13-14.)

b. The Project will Not Prejudice the Ability of the City to Prepare a Local Coastal Program

Finding 2 details the reasons why approval of the Project will not prejudice the City's future preparation or the Coastal Commission's future certification of a Local Coastal Program ("LCP"). (See Director's Determination, dated March 2, 2022, pp. 12-14.)

The appellant repeats arguments here that the Project is incompatible with the "character of the surrounding area" and asks that the West Los Angeles Area Planning Commission draw parallels between the Project and another recent unrelated project, which is not the standard of review or relevant here. The "Scale, Mass, and Character Compatibility & Visual Impact Analysis" prepared by Howard Robinson & Associates and the City's findings demonstrate that the Project is compatible with the character of the surrounding neighborhood and that Project approval will not prejudice the City's ability to prepare an LCP.

c. The Project is in Conformance with the County's Interpretive Guidelines for Coastal Planning and Permits

Finding 3 explains how the Project was reviewed, analyzed, and considered and that the Project was found to be in substantial conformance with the County's Regional Interpretive Guidelines, the Policies of the LUP, and Specific Plan.

The appellant does not challenge this finding but repeats allegations that cumulative impacts were not considered, and that the City may not condition Project approval on future compliance with the Specific Plan. As explained herein, the City did fully consider cumulative impacts and, per binding legal precedent (a case litigated by this same appellant), the City's Venice Specific Plan procedures are proper and lawful. (See *Venice Coalition to Preserve Unique Community Character v. City of Los Angeles* (2019) 31 Cal.App. 5th 42.)

d. Project Approval was Guided by Prior Coastal Commission Actions

City staff evaluated ten (10) prior Coastal Commission actions on CDPs in the immediate vicinity of the Property, and determined that the subject Project is consistent with other previously and recently approved projects.

e. The Project is Not Located Between the Nearest Public Road and the Sea and Is In Conformity with the Coastal Act's Public Access and Public Recreation Policies

The Property is situated approximately 4,141 feet from the closest body of water in the Coastal Zone.

With respect to public access and recreation, the City conceded that even though the Project is almost a mile from the coast, the Project may still have a cumulative effect on coastal resources if it resulted in inadequate parking or a loss of parking. But the City has correctly found that is not the case here, as a total of five (5) parking spaces will be provided for the two new single-family residences.

2. THE PROJECT DOES NOT RESULT IN A REAL OR PERCEIVED LOSS OF HOUSING DENSITY

The recent project located at 315 6th Avenue (the “6th Avenue Project”) can be distinguished from the subject Project and should not be viewed as precedential. The 6th Avenue Project CDP was approved by the West Los Angeles Area Planning Commission on August 26, 2021, appealed³, and denied by the Coastal Commission at its May 13, 2022 meeting.

The primary reason for the Coastal Commission’s denial was an “inequity” of replacement dwelling sizes. The 6th Avenue Project proposed the demolition of four small affordable bungalows, a subdivision of one lot into two lots, and the construction of two 3-story single-family residences each with a small Accessory Dwelling Unit (“ADU”). Following the public hearing portion of the meeting, Coastal Commissioner Dana Bochco and District Deputy Director Steve Hudson had a pointed discussion regarding the evolution of the State housing laws and the adequacy of replacement dwelling units. *During this discussion, Commissioner Bochco asked Mr. Hudson “[i]f [the applicant] wanted to, could he build four bigger houses than was there before? So actually, instead of ADUs, he builds four separate houses that are larger than what exists now. Is that acceptable under the ordinance?” Mr. Hudson replied, “[y]es, that’s correct.”* (See Coastal Commission video archive from May 13, 2022 meeting at 2:49:13 <https://cal-span.org/unipage/?site=cal-span&owner=CCC&date=2022-05-13>) The Coastal Commission determined that the replacement of four similarly sized homes with two larger homes plus two smaller ADUs was incommensurate and denied the CDP.

Here, the Project does exactly what the Coastal Commission deems perfectly acceptable under the Coastal Act. It provides two new larger dwelling units to replace two old smaller dwelling units, resulting in no actual or perceived net loss of residential units.

C. THE PROJECT FULLY QUALIFIES FOR ONE OR MORE CEQA EXEMPTIONS

The City determined that the Project is exempt from the California Environmental Quality Act (“CEQA”) and that there is no substantial evidence that one or more of the exceptions outlined in Section 15300.2 of the CEQA Guidelines applies. The March 2, 2022 Director’s Determination explains the inapplicability of each exception. (See Director’s Determination, dated March 2, 2022, pp. 19-20.) Despite the appeal alleging otherwise, a CEQA exemption pursuant to Section 15301 (Class 1), 15303 (Class 3), 15315 (Class 15), and/or 15332 (Class 32) is entirely appropriate here. (See Director’s Determination, dated March 2, 2022, pp.17-19.)

³ Robin Rudisill was also the appellant in the 6th Avenue Project and copies/pastes most of her arguments from that case as if they apply equally to this Project.

Once an agency determines that a project is categorically exempt from CEQA, its analysis is done. The appellant has not and cannot meet its burden to show that the Project is not exempt because it falls within one of the exceptions listed in the CEQA Guidelines. (*See Banker's Hill, Hillcrest, Park West Community Preservation Group v. City of San Diego* (2006) 139 Cal.App.4th 249.)

D. THE MELLO ACT COMPLIANCE REVIEW DETERMINATION IS LAWFUL AND COMPLETE

The City did not err or abuse its discretion approving the Mello Act Compliance Review for the Property. On December 23, 2019, the Los Angeles Housing Department (“LAHD”) issued a Mello Act Determination concluding that two (2) single-family affordable dwelling units exist on the Property. This determination was made with the property owner’s agreement and was based on LAHD’s inability to verify the unit status after efforts to contact the former tenants were unsuccessful.

On March 2, 2022, the City approved Mello Act Compliance Review pursuant to Parts 4.0, 4.8, and 2.4 of the City’s Interim Administrative Procedures for Complying with the Mello Act. A Financial Feasibility Study for Mello Act Determination prepared for the Property by Howard Robinson & Associates in February 2020 found that it is financially infeasible to develop affordable single-family residences and that off-site replacement projects are similarly infeasible. The Feasibility Study, the City’s review of the Feasibility Study, and the City’s concurrence that replacement of affordable units is infeasible, all comply with the legal parameters that the Applicant and City are obligated to follow. Despite an appeal argument that it is necessary to have an “objective evaluation by an expert,” there is no such requirement.

In addition, the appeal falsely claims that the City is required to consider the Coastal Commission’s Environmental Justice Policy in connection with a Mello Act determination. The Environmental Justice Policy, adopted by the Commission in March 2019, is guidance “for Commissioners, staff, and the public on how the Commission will implement” environmental justice policies in coastal development permits. The Environmental Justice Policy does not alter the City’s Mello Act requirements and is not guidance for the City or LAHD, at least until the time that those policies are incorporated into an LCP or otherwise codified to create legal requirements.

Finally, the appeal states that a “third unpermitted unit” exists on the Property and that three (3) affordable replacement units do not qualify for a feasibility study and are required to be provided. However, the claim that there is a “third unpermitted unit” is unsubstantiated. All official LADBS, LAHD, City Planning and County records reflect that there are two dwelling units, not three, on the Property. (*See* Certificates of Occupancy dated May 11, 1949, and March 22, 2001; and submitted video of current status of the Property.) Pursuant to Government Code Section 65590(b), because the Property is less than three dwelling units it is eligible for a feasibility study that is entitled to consider economic factors. (Gov. Code Section 65590(g)(3).)

E. THE CITY DID NOT VIOLATE THE VENICE COASTAL ZONE SPECIFIC PLAN ORDINANCE OR MULTIPLE PERMIT ORDINANCE

There is no violation of either the Venice Coastal Specific Plan or the City's Multiple Permit Ordinance, which requires that all discretionary actions for a project be filed together. All discretionary approvals for the Project (a CDP, Mello Act Compliance Review, and Parcel Map) were filed concurrently and a publicly noticed joint hearing was held to consider the entitlements.

The City determined at the time the Project plans were reviewed in connection with the CDP application, that no project permit compliance was required and that the Project qualifies for a Venice Sign-Off pursuant to Section 8 of the Specific Plan. A Venice Sign-Off is a ministerial action that is tied to issuance of a building permit and is provided by Planning staff during the building permit clearance phase.

The California Court of Appeal Second Appellate District considered this issue in 2019 and issued a judgment claiming the City's practices and procedures are lawful (again in a case previously litigated and lost by this same appellant).⁴

F. THE PARCEL MAP APPROVAL MUST BE UPHELD

On March 2, 2022 the Advisory Agency issued a letter of determination approving the Parcel Map and determined that the Project is categorically exempt from CEQA (Case Nos. AA-2019-6453-PMLA-SL and ENV-2019-6456-CE). The City provides detailed CEQA and Subdivision Map Act findings. (*See* Deputy Advisory Agency letter of determination, dated March 2, 2022, pp. 13-20.)

The appeal complains about the City's standard procedure of making compliance with the Specific Plan a condition of approval, however the Parcel Map approval is fully consistent with all State and City legal requirements.

As previously noted, the City's procedure is to appropriately review project plans that may require a CDP and make an initial determination pursuant to Section 8 of the Specific Plan as to whether the proposal qualifies for a Venice Sign-Off or a Project Permit Compliance (or other approval procedure). In the event of an initial determination of an administrative Venice Sign-Off, discretionary entitlements (if any) are conditioned on compliance with the Specific Plan and incorporated into the building permit clearance process. (*See* fn. 4.)

Furthermore, future compliance with certain ordinances, rules, or laws is legal and routinely implemented by the City (and other jurisdictions) as conditions of project approval. In this case, findings of consistency with the Specific Plan can be made and are proper since the Project is conditioned upon compliance and does not seek any exception or variance.

⁴ *See Venice Coalition to Preserve Unique Community Character v. City of Los Angeles* (2019) 31 Cal.App. 5th 42. Petitioner alleged that the City engaged in a pattern and practice of illegally exempting certain development projects in Venice from permitting requirements in the Venice Land Use Plan and in the California Coastal Act. The trial court granted summary judgment as to all causes of action and the appellate court affirmed judgment as a matter of law in favor of the City.

G. THE PROJECT HAS SUPPORT OF THE VENICE NEIGHBORHOOD COUNCIL

After this appeal was filed, on April 28, 2022, the Land Use and Planning Committee (“LUPC”) of the Venice Neighborhood Council voted 6-0 to support approval of the Project. On June 21, 2022, the full Venice Neighborhood Council Board voted 11-2 to support approval of the Project. In doing so, the Neighborhood Council rejected the claim by appellants that there were three dwelling units on the property.

H. CONCLUSION

The Project complies with all applicable laws. The fact that the appellant does not like the type of housing project that these laws allow, is not a valid basis on which to deny the Project. For the reasons contained in this letter and to be presented at the hearing, we urge the West Los Angeles Area Planning Commission to follow staff’s recommendation, deny the appeals, and approve the Project.

Thank you for your consideration of this matter.

Sincerely,

GAINES & STACEY LLP

Fred Gaines

By
FRED GAINES

cc: Jordann Turner, Deputy Advisory Agency (Via Email)
Kevin Fulton, Planning Assistant (Via Email)