



DEPARTMENT OF CITY PLANNING

APPEAL RECOMMENDATION REPORT

City Planning Commission

Date: December 3, 2020
Time: after 8:30 a.m.
Place: In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the CPC 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/commissions-boards-hearings> and/or by contacting cpc@lacity.org

Public Hearing: Required
Appeal Status: Not further appealable
Expiration Date: Subject to Mayor's Public Order, Tolling of Deadlines
Multiple Approval: No

Case No.: DIR-2019-3815-DB-1A
CEQA No.: ENV-2019-3816-CE
Incidental Cases: None
Related Cases: None
Council No.: 11 – Bonin
Plan Area: Palms – Mar Vista – Del Rey
Plan Overlay: None
Certified NC: Mar Vista
GPLU: Community Commercial
Zone: C2-1 and R3-1
Applicant: Augusto Rojas
Rojas Augusto and Grace M TRS;
Augusto and Grace Rojas Trust
Representative: Nichole Smith
HORIZON Development +
Entitlement
Appellant 1: Tupac A. Roberts, Vista Del
Pacífico Properties, LLC
Appellant 2: Mohammed J. Virani, Virani 1993
Family Trust & Esther Stuhl
Disclaimer Trust
Appellant 3: Harvey Lind, Sherlind Properties,
LLC

PROJECT LOCATION: 11961 West Venice Boulevard

PROPOSED PROJECT: The demolition of an existing medical office building and the construction of a new five-story, maximum 57-foot 6-inches in height, 30,681 square foot, multi-family apartment building consisting of 38 units over one level of subterranean parking containing 39 automobile stalls. The project reserves five of the units for Very Low Income Households. The project will require the grading and export of approximately 8,008 cubic yards of soil.

REQUEST: 1. Pursuant to Section 12.22 A.25 of the Los Angeles Municipal Code ("LAMC"), an appeal of the entire determination by the Director of Planning in approving a Density Bonus Compliance Review for a project totaling 38 dwelling units, reserving five of the units for Very Low Income Household occupancy for a period of 55 years, with the following On-Menu Density Bonus Incentives:


- Side Yard/Setback.** A 20 percent decrease from the side yard requirements, allowing 6 feet 5 inches in lieu of 8 feet;
- Floor Area Ratio.** An allowance for a 3:1 Floor Area Ratio in lieu of the otherwise maximum permitted 1.5:1 Floor Area Ratio; and
- Averaging of Floor Area Ratio, Density, Parking or Open Space, and permitting Vehicular Access.** An averaging of floor area, density, open space and parking over the Project-site, and permit vehicular access from a less restrictive zone to a more restrictive zone.

2. An appeal of a determination that based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Article 19, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

RECOMMENDED ACTIONS:

1. **Deny** the appeals;
2. **Determine** that, based on the whole of the administrative record, the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Statute and Guidelines, Article 19, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to State CEQA Statute and Guidelines, Section 15300.2 applies.
3. **Sustain** the action of the Director of Planning to conditionally approve the Density Bonus Compliance Review for a project totaling 38 dwelling units, reserving five of the units for Very Low Income Household occupancy for a period of 55 years, with the following On-Menu Density Bonus Incentives:
 - a. **Side Yard/Setback.** A 20 percent decrease from the side yard requirements, allowing 6 feet 5 inches in lieu of 8 feet;
 - b. **Floor Area Ratio.** An allowance for a 3:1 Floor Area Ratio in lieu of the otherwise maximum permitted 1.5:1 Floor Area Ratio; and
 - c. **Averaging of Floor Area Ratio, Density, Parking or Open Space, and permitting Vehicular Access.** An averaging of floor area, density, open space and parking over the Project-site, and permit vehicular access from a less restrictive zone to a more restrictive zone.

VINCENT P. BERTONI, AICP
Director of Planning


Faisal Roble, Principal City Planner


Juliet Oh, Senior City Planner


Jordann Turner, City Planner


Esther Serrato, City Planning Associate
Telephone: (213) 978-1211

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 273, 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 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 this 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 on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. 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 not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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PROJECT ANALYSIS

Project Summary

On July 25, 2020, the Director of Planning approved a Density Bonus / Affordable Housing Incentives Program Compliance Review for a project totaling 38 dwelling units, reserving 5 units for Very Low Income household occupancy for a period of 55 years, with three (3) On-Menu Density Bonus Incentives for a reduction in the side yard setback, an increase in the Floor Area Ratio ("FAR"), and an averaging of Floor Area Ratio, Density, Parking or Open Space, and permitting Vehicular Access.

The project is for the construction of a new five-story, 30,681 square foot apartment building consisting of 38 dwelling units. The project will have a maximum height of 57-feet 6-inches and Floor Area Ratio ("FAR") of approximately 2.89:1. One level of subterranean parking will be provided, consisting of 39 parking spaces. The project will also provide 52 long-term bicycle spaces and four (4) short-term bicycle spaces. The project proposes the demolition of the existing medical office building, and will require the grading of approximately 8,008 cubic yards of soil. One non-protected tree in the adjacent public right-of-way will be removed to accommodate the proposed driveway.

Pursuant to the Density Bonus / Affordable Housing Incentives Program, the project is eligible to and requests the following three (3) On-Menu Density Bonus Incentives to construct the proposed project:

- a. **Side Yard/Setback.** A 20 percent decrease from the side yard requirements, allowing a 6 foot 5 inch westerly side yard in lieu of 8 feet;
- b. **Floor Area Ratio.** An allowance for a 3:1 Floor Area Ratio in lieu of the otherwise maximum permitted 1.5:1 Floor Area Ratio; and
- c. **Averaging of Floor Area Ratio, Density, Parking or Open Space, and permitting Vehicular Access.** An averaging of floor area, density, open space and parking over the Project-site, and permit vehicular access from a less restrictive zone to a more restrictive zone.

Background

Subject Property

The subject site is located in the Palms - Mar Vista - Del Rey Community Plan, approximately 130 feet northeast of the intersection of Inglewood Boulevard and Venice Boulevard. The project site consists of two (2) lots totaling approximately 11,759 square feet, with approximately 60 feet of frontage along Venice Boulevard. The site is located within the Transit Priority Area in the City of Los Angeles and the West Los Angeles Transportation Improvement and Mitigation Specific Plan, and is approximately 4.62 kilometers from the Newport - Inglewood Fault zone. The site is within 1,500 feet of a Metro Rapid Bus Stop located along Metro Rapid Bus route 733, located along Venice Boulevard. Venice Boulevard is designated as a Boulevard II, as identified in the City's General Plan. The site is currently developed with a one-story, 3,795 square foot medical office building.

Surrounding properties are zoned C2-1 and R3-1 and are developed with one- to four-story commercial and multi-family residential uses. The properties to the north and east are zoned R3-1 and are developed with two-story multi-family residential structures. The property to the west is zoned C2-1 and is developed with a four story commercial office building. The properties to the

south, across Venice Boulevard, are zoned C2-1 and R3-1, and are developed with a fire station and a two-story multi-family residential structure.

Zoning and Land Use Designation

The subject site is zoned C2-1 and R3-1 and is designated for Community Commercial land uses. The site is located within the Transit Priority Area in the City of Los Angeles and the West Los Angeles Transportation Improvement and Mitigation Specific Plan.

The project site is located in the Palms – Mar Vista – Del Rey Community Plan Community Plan, which designates the site for Community Commercial land uses. The subject site is zoned C2-1 and R3-1, with a Height District No. 1. The R3 zone limits FAR to 3:1 and building height to 45 feet, and C2 zone limits FAR to 1.5:1 and does not limit building height. The site is also within the West Los Angeles Transportation Improvement and Mitigation Specific Plan.

Urban Design Studio

The Proposed Project was reviewed by the Department of City Planning, Urban Design Studio (UDS) on September 11, 2019. The resulting comments and suggestions focus primarily on the pedestrian experience, 360-degree design, and climate adaptive design. The following includes a discussion of UDS comments and suggestions.

Pedestrian First:

- Provide dimensions for driveway and reduce its width crossing sidewalk to minimum acceptable by LADOT.

360° Design:

- Need materials to be clearly called-out on elevations and for these drawings to more clearly delineate what is open, solid, what is window, etc.
- Clarify height of wall beside driveway shown on rendering.

Climate-Adapted:

- Provide dimensions for balconies and consider taking advantage of ability to project these 30" into required side yards to make them more usable.
- Provide depth and dimensions for all planters, to demonstrate that adequate soil volume is being provided for all required trees.
- Erythrina and Cupaniopsis are tree species, palms or yucca type plants can't be counted toward required 10 trees.
- Choice of dark color palette may seem *cool* yet contributes unnecessarily to urban heat island effect.

APPEAL ANALYSIS

Three (3) appeals were filed in a timely manner within the appeal period ending on July 10, 2020 by abutting property owners:

- Appellant No. 1 (A) Tupac A. Roberts, Vista Del Pacifico Properties, LLC
- Appellant No. 2 (B) Mohammed Virani, Virani 1993 Family Trust & Esther Stuhl Disclaimer Trust
- Appellant No. 3 (C) Harvey Lind, Sherlind Properties, LLC

The following is a summary of the appeal points (provided in Exhibit B) and staff's response. Appeal points are organized by appeal point topic (1, 2, 3, etc) and then by appellant (A, B, C). Similar appeal points are grouped for staff response.

APPEAL POINT 1: ZONING / HEIGHT / SETBACKS

Appeal Point 1 – A, B, C: *By combining this small 18%, R3 piece, with the larger 88%, C2 piece of the property, the applicant is receiving development benefits and bonus density incentives as if the entire property were R3, which is not consistent with the zoning stipulations.*

The close proximity of the proposed development, with it's reduced setbacks to 6 ½ ft., exposes [our tenants] to major noise distraction.

Appeal Point 1 – A, B: *The proposed 5 story, 60ft high building will totally overshadow our adjacent apartment building and block the light and overwhelm us. The proposed building is too close to us with its reduced setbacks and it's 5 story height is not nearly in keeping with the character of the neighborhood, which is all low rise buildings.*

Staff Response:

As provided in the Director's Determination (Exhibit C) and Project Background above, the project site is located in the Palms – Mar Vista – Del Rey Community Plan, which designates the site for Community Commercial land uses. The subject site is zoned C2-1 and R3-1, with a Height District No. 1. The R3 zone limits FAR to 3:1 and building height to 45 feet, while the C2 zone limits FAR to 1.5:1 and does not limit building height. The site's C2-1 and R3-1 zoning would require eight-foot side yards.

The applicant has requested three (3) On-Menu Incentives under the Density Bonus / Affordable Housing Incentive Program pursuant to LAMC Section 12.22 A.25 for: a. Side Yard/Setback. A 20 percent decrease from the side yard requirement, allowing a 6 foot 5 inch westerly side yard in lieu of 8 feet otherwise required in the C2 Zone by LAMC 12.14 C.2.; b. Floor Area Ratio. An allowance for a 3:1 Floor Area Ratio in lieu of the otherwise maximum permitted 1.5:1 Floor Area Ratio; and c. Averaging. An averaging of floor area, density, open space and parking over the Project-site, and permit vehicular access from a less restrictive zone to a more restrictive zone.

Under the Density Bonus / Affordable Housing Incentives Program, LAMC Section 12.22 A.25, and the findings required therein, the Commission must approve a Density Bonus and requested incentives unless the Commission makes a finding based on substantial evidence that the incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs. The record does not contain substantial evidence that would allow the Commission to deny the incentive by making a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for Very Low, Low, and Moderate Income Households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

The list of incentives in LAMC Section 12.22 A.25 was pre-evaluated at the time the Density Bonus Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Director will always arrive at the conclusion that the on-menu incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project. The requested incentives, a decrease in the side yard setback, an increase in FAR, and the Averaging of Floor Area Ratio, Density, Parking or Open Space, and permitting Vehicular Access, are expressed in the Menu of Incentives per LAMC 12.22 A.25(f)

and, as such, permit exceptions to zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested incentives allow the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased. These incentives support the applicant's decision to set aside 5 Very Low Income dwelling units for 55 years.

Therefore, the Director did not err or abuse in its discretion in approving the project.

APPEAL POINT 2: OWNERSHIP

Appeal Point 2 - A, B, C: The application does not prove ownership of the entire project site by the Applicant and therefore does not qualify for the granted development benefits and bonus density incentives.

Staff Response:

The application, filed on June 26, 2019, provides a grant deed demonstrating ownership of the subject site by the Applicant, *Rojas Augusto and Grace M TRS; Augusto and Grace Rojas Trust*. The project site consists of two (2) lots with approximately 60 feet of frontage along Venice Boulevard. The subject site is zoned C2-1 and R3-1.

Additionally, as stated in the Director's Determination and in Staff Response No. 1, the applicant is proposing to utilize Section 12.22 A.25 (Density Bonus) of the LAMC, which permits a density bonus of 35 percent, in accordance with California State Law (including Senate Bill 1818, and Assembly Bills 2280, 2222, and 2556). In exchange for setting aside a defined number of affordable dwelling units within a development, applicants may request up to three incentives in addition to the density bonus and parking relief which are permitted by right. The incentives are deviations from the City's development standards, thus providing greater relief from regulatory constraints. Utilization of the Density Bonus/Affordable Housing Incentives Program supersedes requirements of the Los Angeles Municipal Code and underlying ordinances relative to density, number of units, parking, and other requirements relative to incentives, if requested.

Therefore, the Director of Planning did not err abuse in its discretion in approving the Density Bonus.

APPEAL POINT 3: CELLULAR TOWER

Appeal Point 3 - C: *The proposed 5 story, 60ft high building will block the transmission service of At&t's and Sprint's existing rooftop cellular sites, which are situated on the East side parapet wall of our building, approx. 10 ft distance from the proposed apartments. These major rooftop antennae are aimed due east and transmit electromagnetic radio waves which will hit the top floor units of the proposed apartment building. This will create an unsafe, health hazard for occupants of the proposed project.*

Staff Response:

As stated in the Director's Determination, the project meets the eligibility criterion that is required for density bonus projects as required by Section 12.22 A.25 (e)(2). The appellant has identified no written public health or safety standards, policies or conditions upon which they base this appeal point.

Furthermore, as provided in Exhibit D, the project has been determined, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to State CEQA

Guidelines, Article 19, Sections 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.

Therefore, the Director did not err or abuse in its discretion in approving the project.

APPEAL POINT 4: TRAFFIC/ NOISE / AIR QUALITY / WATER QUALITY

Appeal Point 4 - A, B, C: *On page 1, item D, of the Project Determination, it states the approval of the project will not result in any significant traffic, noise, air quality pollution or adverse water quality. We vehemently oppose this finding as the increased vehicular traffic from the new development is too close to a transit bus stop, which is located in front of the "subject property." The additional traffic from this development will further impact the congestion that already exists outside the subject property on Venice Blvd. and this major intersection has been the site of many car accidents. We hereby request that the City require a traffic study to understand the impact on traffic of this proposed project. We hereby request an environmental impact report be required to determine the safety of this project. We object to the waiver of the CEQA.*

Staff Response:

The project does not exceed the threshold criteria established by the Los Angeles Department of Transportation (LADOT) for preparing a traffic study, according to the LADOT VMT Calculation prepared for the project on July 15, 2020, which indicates that the project would generate a net increase of 62 daily vehicle trips, which is less than the threshold of 250 daily trips that would otherwise require a Vehicle Miles Traveled ("VMT") analysis. Therefore, the project will not have any significant impacts to traffic.

The appellants have not provided any substantial evidence to show that the project will result in adverse impacts to noise, air quality, or water quality. As provided in the Director's Determination (Exhibit C), 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. Further, Interim thresholds were developed by DCP staff based on California Emissions Estimator Model (CalEEMod) runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds.

Furthermore, as discussed in the Director's Determination and provided in Exhibit D – Notice of Exemption Case No. ENV-2018-3816-CE, the project has been determined, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to State CEQA Guidelines, Article 19, Sections 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.

Therefore, the Director did not err or abuse in its discretion in approving the project.

APPEAL POINT 5: STREET TREE

Appeal Point 5 - A, B, C: *We object to the removal of the one non protected tree in the adjacent public right of way.*

Staff Response:

Removal of the street tree will require a permit from the Bureau of Street Services, Urban Forestry Division, to ensure compliance with replacement provisions. Furthermore, the tree removal was considered within the environmental scope of the project, shown in Exhibit D.

Therefore, the Director did not err or abuse in its discretion in approving the project.

APPEAL POINT 6: NOTIFICATION OF DETERMINATION

Appeal Point 6 – A, B: *We have reason to believe that the City's Letter of Determination was not mailed to us as we did not get the subject property development notification.*

Appeal Point 6 – C: *We have reason to believe that the City's Letter of Determination was not mailed to us on June 25th I if it only arrived at our office on July 6th. Therefore the 15 calendar day notice provision was not afforded to us. We have also contacted the neighboring property owner on the north side of the property, whose property address is 3758 Inglewood Blvd. and the property owner on the East side of the subject property (we are on the West side of the subject property) whose property address is 11951 Venice Blvd., both of which did not get the subject property development notification.*

Staff Response:

The mailing affidavit certifies that on June 25, 2020, an employee of the City of Los Angeles mailed a copy of the Letter of Determination to the applicant and to all owners of properties abutting, across the street or alley from, or having a common corner with the subject property, and to the local Certified Neighborhood Council, as required by LAMC Section 12.22 A.25(g). The abutting ownership map and mailing labels indicate that the property owners of 3758 Inglewood Boulevard and 11951 Venice Boulevard were notified. In addition, the status of the application was updated on the City Planning website as "Approved with Conditions" and a copy of the Determination Letter was posted. The right to appeal this project was not compromised; the appellants were provided sufficient time to file the appeal.

Therefore, the Director did not err or abuse in its discretion in approving the project.

CONCLUSION

In consideration of the foregoing, it is submitted that the Director of Planning acted reasonably in approving Case No. DIR-2019-3815-DB. Upon in-depth review and analysis of the issues raised by the appellants for the proposed project at 11961 West Venice Boulevard, no errors or abuse of discretion by the Director of Planning or his/her designees were found in regards to the appeal points raised. For the reasons stated herein, and as provided in the Findings in the Director's Determination, the proposed project does comply with the applicable provisions of the Density Bonus Affordable Housing Incentive Program, the Los Angeles Municipal Code, and the California Environmental Quality Act. The appeals of the Director's Determination cannot be substantiated and therefore should be denied.

EXHIBIT A
APPEAL APPLICATIONS
DIR-2019-3815-DB-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: DIR-2019-3815-DB

Project Address: 11961 Venice Blvd., Los Angeles, CA 90066

Final Date to Appeal: 07/10/2020

2. APPELLANT

Appellant Identity:
(check all that apply)

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

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

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

☐ Representative ☒ Owner ☐ Aggrieved Party
☐ Applicant ☒ Operator

3. APPELLANT INFORMATION

Appellant's Name: Vista Del Pacifico Properties, LLC

Company/Organization: Limited Liability Company

Mailing Address: 1632 1/2 West 134th St.

City: Gardena State: CA Zip: 90249

Telephone: (310) 779-4649 E-mail: tupac@inca-tvlifts.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: 2;6;7;8

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:  Date: 7/10/20

GENERAL APPEAL FILING REQUIREMENTS

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

1. Appeal Documents

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

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

b. Electronic Copy

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

c. Appeal Fee

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

d. Notice Requirement

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

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

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

NOTE:

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

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

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

NOTE:

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

E. TENTATIVE TRACT/VESTING

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

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

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

F. BUILDING AND SAFETY DETERMINATION

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

a. Appeal Fee

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

b. Notice Requirement

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

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

a. Appeal Fee

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

b. Notice Requirement

- ☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- ☐ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

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

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

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

2. Plan Approval/Compliance Review

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

a. Appeal Fee

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

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

Please note that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

| This Section for City Planning Staff Use Only | | |
|---|---|---|
| Base Fee: 89 - | Reviewed & Accepted by (DSC Planner): J. CHAN | Date: 7/13/20 |
| Receipt No: 2020155001-102-1 | Deemed Complete by (Project Planner): | Date: |
| <input type="checkbox"/> Determination authority notified | | <input type="checkbox"/> Original receipt and BTC receipt (if original applicant) |

July 9, 2020

Department City Planning – Metro DSC

201 N. Figueroa St – 4th Floor

Los Angeles, CA 90012

Via email: Planning.Figcounter@LACity.org

Appellant: Vista Del Pacifico Properties, LLC

Email: tupac@inca-tvlifts.com

Contact No: (310)779-4649

Address: 1632 ½ West 134th St., Gardena, CA 90249

Re: REQUEST TO FILE APPEAL - Case # DIR-2019-3815 DB – CEQA ENV- 2019-3816-CE

We have not received the City of Los Angeles Planning Department letter, dated June 25th, 2020 regarding the development of 38 apartment on the property located at 11961 Venice Blvd. (“subject property”).

We hereby request an extension of time to file a more detailed appeal and to gather the necessary information to support our appeal. Given all the disruption to work schedules caused by the Corona Virus, it would seem appropriate for the City to accommodate this reasonable request for an extension.

We are the property owners of 11951 Venice Blvd., and are located immediately adjacent, on the East side of the “subject property”. Our building is a two story, multi-family apartment complex above parking.

We object to this proposed project for the following reasons:

The subject property being developed is currently 50 ft wide on Zimas and yet the proposed development claims to be 61 ft wide. Zimas does not show a lot line adjustment to show inclusion of the additional 11 ft. in fee. Nothing has been provided in the application to prove fee simple ownership by the applicant of the 11ft strip which R3 zoning applicant is claiming overlays the entire development. The Zoning of the existing development property is C2. It appears that the applicant is planning on adding an adjacent 11ft. wide x 192.87 ft. deep strip of R3 land to their original property to expand their frontage from 50ft. to 60 ft. This additional R3 piece of property which is 2121 sft. is only 18% of the total property, while the original C2 property which is 9643 sft., is 82% of the total property. By combining this small 18%, R3 piece, with the larger 88%, C2 piece of the property, the applicant is receiving development benefits and bonus density incentives as if the entire property were R3, which is not consistent with the zoning stipulations.

The 20% set back reduction being proposed will cause irreparable harm to our property for the following reasons: (Due to the limited time constraints afforded us this is not a complete list and we will supplement it as we gather additional information).

The proposed 5 story, 60ft high building will totally overshadow our adjacent apartment building and block the light and overwhelm us. Our building, sitting in the shadow of this huge, high density building will not be appealing for tenants to occupy. The proposed building is too close to us with its reduced set backs and it's 5 story height is not nearly in keeping with the character of the neighborhood, which is all low rise buildings. This intimidating structure, right up against our building, will make our building less

appealing to tenants and thereby cause us potential vacancy and tremendous financial loss. Two families income is derived from our apartment building and we cannot afford to sustain this loss.

The close proximity of the proposed development, with it's reduced setbacks to 6 ½ ft., exposes our tenants to major noise distraction, which will adversely their lifestyle and ability to enjoy peace and quiet in their homes.

On page 1, item D, of the Project Determination, it states the approval of the project will not result in any significant traffic, noise, air quality pollution or adverse water quality. We vehemently oppose this finding as the increased vehicular traffic from the new development is too close to a transit bus stop, which is located in front of the "subject property". If a bus stops at the bus stop, there is no room for the cars to stack without blocking the traffic on Venice Blvd. The additional traffic from this development will further impact the congestion that already exists outside the subject property on Venice Blvd. and this major intersection has been the site of many car accidents.

We hereby request that the City require a traffic study to understand the impact on traffic of this proposed project.

We hereby request an environmental impact report be required to determine the safety of this project. We object to the waiver of the CEQA.

We also object to the removal of the one non protected tree in the adjacent public right of way. It is a mature tree matching others in the immediate area.

We have reason to believe that the City's Letter of Determination was not mailed to us as we did not get the subject property development notification. We wish to be on record as wishing to lodge an appeal. Ideally this matter should have a deadline extension so we can be appropriately notified and make our appeal more detailed.

To comply with the Covid 19 update, interim appeal filing procedures, dated April 17th, 2020, we submit this appeal as STEP ONE in the process.

We will ALSO deliver a copy of this appeal to the West Los Angeles Development Office, Services Center and we have also copied our councilman, Mike Bonin

Sincerely,

A handwritten signature in black ink, appearing to read 'Tupac A. Roberts', followed by a small 'x' mark.

Tupac A. Roberts, Managing Member

Vista Del Pacifico Properties, LLC

1632 ½ West 134th St., Gardena, CA 90249

tupac@inca-tvlifts.com

(310) 779-4649

Cc: Mike.Bonin@lacity.org

Cc: Len.Nguyen@lacity.org



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: DIR-2019-3815-DB

Project Address: 11961 Venice Blvd., Los Angeles, CA90066

Final Date to Appeal: 07/10/2020

2. APPELLANT

Appellant Identity:
(check all that apply)

- ☐ Representative
 ☒ Property Owner
 ☐ Applicant
 ☐ Operator of the Use/Site
- ☐ Person, other than the Applicant, Owner or Operator claiming to be aggrieved

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

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

3. APPELLANT INFORMATION

Appellant's Name: Virani 1993 Family Trust & Esther Stuhl Disclaimer Trust

Company/Organization: Living Trusts

Mailing Address: 16530 Ventura Blvd., Suite 306

City: Encino State: CA Zip: 91436

Telephone: 818-389-0066 E-mail: mjvirani@aol.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: 2. 6. 7. 8.

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: Mohammad J. Virji, TRUSTEE Date: 7-8-2020
Mohammad J. Virji, TRUSTEE ESTHER STUHL
DISCLAIMER TRUST 7-8-2020

GENERAL APPEAL FILING REQUIREMENTS

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

1. Appeal Documents

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

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

b. Electronic Copy

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

c. Appeal Fee

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

d. Notice Requirement

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

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

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

NOTE:

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

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

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

NOTE:

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

E. TENTATIVE TRACT/VESTING

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

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

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

F. BUILDING AND SAFETY DETERMINATION

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

a. Appeal Fee

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

b. Notice Requirement

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

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

a. Appeal Fee

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

b. Notice Requirement

- ☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- ☐ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

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

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

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

2. Plan Approval/Compliance Review

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

a. Appeal Fee

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

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

Please note that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

| This Section for City Planning Staff Use Only | | |
|---|---|---|
| Base Fee: 89- | Reviewed & Accepted by (DSC Planner): J. Curran | Date: 7/15/20 |
| Receipt No: 2020 197021-146-1 | Deemed Complete by (Project Planner): | Date: |
| <input type="checkbox"/> Determination authority notified | | <input type="checkbox"/> Original receipt and BTC receipt (if original applicant) |

Virani 1993 Family Trust & Esther Stuhl Disclaimer Trust

16530 VENTURA BOULEVARD, SUITE 306
ENCINO, CALIFORNIA 91436
(818) 389-0066

July 8, 2020

Department City Planning – Metro DSC
201 N. Figueroa St – 4th Floor
Los Angeles, CA 90012
Via email: Planning.Figcounter@LACity.org

Appellant: Mohammed Virani, Trustee
Disclaimer Trust under Ester and Lazar Stuhl, Living Trust dated May 8, 1986 and
Virani 1993 Family Trust.
mjvirani@aol.com
cell: 818-389-0066

Re: REQUEST TO FILE APPEAL - Case # DIR-2019-3815 DB – CEQA ENV- 2019-3816-CE

We have not received the City of Los Angeles Planning Department letter, dated June 25th, 2020 regarding the development of 38 apartment on the property located at 11961 Venice Blvd. (“subject property”).

We hereby request an extension of time to file a more detailed appeal and to gather the necessary information to support our appeal. Given all the disruption to work schedules caused by the Corona Virus, it would seem appropriate for the City to accommodate this reasonable request for an extension.

We are the Stuhl Family and the Virani Family Trust, the property owners of 3758 Inglewood Blvd., and are located immediately adjacent, on the North side of the “subject property”. Our building is a 2 Story, apartment building consisting of 12 units.

We object to this proposed project for the following reasons:

The subject property being developed is currently 50 ft wide on Zimas and yet the proposed development claims to be 61 ft wide. Zimas does not show a lot line adjustment to show inclusion of the additional 11 ft. in fee. Nothing has been provided in the application to prove fee simple ownership by the applicant of the 11ft strip which R3 zoning applicant is claiming overlays the entire development. The Zoning of the existing development property is C2. It appears that the applicant is planning on adding an adjacent 11ft. wide x 192.87 ft. deep strip of R3 land to their original property to expand their frontage from 50ft. to 60 ft. This additional R3 piece of property which is 2121 sft. is only 18% of the total property, while the original C2 property which is 9643 sft., is 82% of the total property. By combining this small 18%, R3 piece, with the larger 88%, C2 piece of the property, the applicant is receiving development benefits and bonus density incentives as if the entire property were R3, which is not consistent with the zoning stipulations.

The 20% set back reduction being proposed will cause irreparable harm to our property for the following reasons: (Due to the limited time constraints afforded us this is not a complete list and we will supplement it as we gather additional information).

The proposed 5 story, 60ft high building will totally overshadow our adjacent apartment building and block the light and overwhelm us. Our building, sitting in the shadow of this huge, high density building will not be appealing for tenants to occupy. The proposed building is too close to us with it's reduced set backs and it's 5 story height is not nearly in keeping with the character of the neighborhood, which is all low rise buildings. This intimidating structure, right up against our building, will make our building less appealing to tenants and thereby cause us potential vacancy and tremendous financial loss. Two families income is derived from our apartment building and we cannot afford to sustain this loss.

The close proximity of the proposed development, with it's reduced setbacks to 6 ½ ft., exposes our tenants to major noise distraction, which will adversely their lifestyle and ability to enjoy peace and quiet in their homes.

On page 1, item D, of the Project Determination, it states the approval of the project will not result in any significant traffic, noise, air quality pollution or adverse water quality. We vehemently oppose this finding as the increased vehicular traffic from the new development is too close to a transit bus stop, which is located in front of the "subject property". If a bus stops at the bus stop, there is no room for the cars to stack without blocking the traffic on Venice Blvd. The additional traffic from this development will further impact the congestion that already exists outside the subject property on Venice Blvd. and this major intersection has been the site of many car accidents.

We hereby request that the City require a traffic study to understand the impact on traffic of this proposed project.

We hereby request an environmental impact report be required to determine the safety of this project. We object to the waiver of the CEQA.

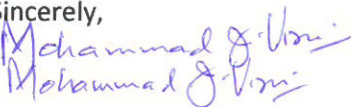
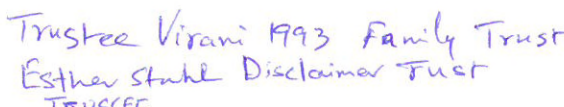
We also object to the removal of the one non protected tree in the adjacent public right of way. It is a mature tree matching others in the immediate area.

We have reason to believe that the City's Letter of Determination was not mailed to us as we did not get the subject property development notification. We wish to be on record as wishing to lodge an appeal. Ideally this matter should have a deadline extension so we can be appropriately notified and make our appeal more detailed.

To comply with the Covid 19 update, interim appeal filing procedures, dated April 17th, 2020, we submit this appeal as STEP ONE in the process.

We will ALSO deliver a copy of this appeal to the West Los Angeles Development Office, Services Center and we have also copied our councilman, Mike Bonin.

Sincerely,

 
Mohammad J. Virani, Trustee Virani 1993 Family Trust
Disclaimer Trust
TRUSTEE

Mohammed J. Virani, Trustee

Disclaimer Trust under Ester and Lazar Stuhl, Living Trust dated May 8, 1986 and Virani 1993 Family Trust.

mjvirani@aol.com

cell: 818-389-0066

Address: 16530 Ventura Blvd., Suite 306, Encino, CA 91436

Cc: Mike.Bonin@lacity.org

Cc: Len.Nguyen@lacity.org



APPLICATIONS:

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: DIR-2019-3815-DB

Project Address: 11961 Venice Blvd, Los Angeles CA 90066

Final Date to Appeal: 07/10/2020

2. APPELLANT

Appellant Identity:
(check all that apply)

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

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

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

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

3. APPELLANT INFORMATION

Appellant's Name: Sherlind Properties, LLC

Company/Organization: Limited Liability Company

Mailing Address: 13101 W. Washinton Blvd. #136

City: Los Angeles State: CA Zip: 90066

Telephone: 310-717-0091 E-mail: hlind@eoffices.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: 2; 6; 7; 8;

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: Harvey Lind Date: Jul 7, 2020

GENERAL APPEAL FILING REQUIREMENTS

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

1. Appeal Documents

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

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

b. Electronic Copy

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

c. Appeal Fee

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

d. Notice Requirement

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

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

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

NOTE:

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

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

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

NOTE:

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

E. TENTATIVE TRACT/VESTING

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

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

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

F. BUILDING AND SAFETY DETERMINATION

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

a. Appeal Fee

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

b. Notice Requirement

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

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

a. Appeal Fee

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

b. Notice Requirement

- ☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- ☐ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

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

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

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

2. Plan Approval/Compliance Review

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

a. Appeal Fee

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

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

Please note that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

| This Section for City Planning Staff Use Only | | |
|---|--|---|
| Base Fee: 89- | Reviewed & Accepted by (DSC Planner): J. C. [Signature] | Date: 7/9/20 |
| Receipt No.: 2020191001 - 61 | Deemed Complete by (Project Planner): | Date: |
| <input type="checkbox"/> Determination authority notified | | <input type="checkbox"/> Original receipt and BTC receipt (if original applicant) |

July 7, 2020

Department City Planning – Metro DSC

201 N. Figueroa St – 4th Floor

Los Angeles, CA 90012

Via email: Planning.Figcounter@LACity.org

Appellant: Harvey Lind, Managing Member

Sherlind Properties, LLC

13101 W. Washington Blvd. #136

Los Angeles CA 90066

hlind@eoffices.com

Cell: 310717-0091

Re: REQUEST TO FILE APPEAL - Case # DIR-2019-3815 DB – CEQA ENV- 2019-3816-CE

We are in receipt of the City of Los Angeles Planning Department letter, dated June 25th, 2020 regarding the development of 38 apartment on the property located at 11961 Venice Blvd. ("subject property").

We received the above referenced letter, which was dated June 25, 2020, on Monday, July 6th, leaving us only 4 days in which to prepare an appeal.

We hereby request an extension of time to file a more detailed appeal and to gather the necessary information to support our appeal. Given all the disruption to work schedules caused by the Corona Virus, it would seem appropriate for the City to accommodate this reasonable request for an extension.

We are Sherlind Properties, LLC, the property owners of 11965 Venice Blvd., and are located immediately adjacent, on the West side of the "subject property". Our building is a 3 Story , multi-tenant office building, whose occupants are largely medical practitioners, providing therapy services to local families, who live in the surrounding neighborhood.

Our rooftop is leased, long term, to two major cellular telephone networks (At&t & Sprint) which utilize our building as major hubs for their Westside cellular services. Both cellular companies have made major investments in these installations which each considers crucial to their network. The locations of the cellular towers went through a thorough review by the City to avoid the possibility of emitting high levels of radio frequency to nearby residents. The proposed 5 story building will have residents who will be residing within 10 ft. of these cellular towers and will place them in harms way.

We object to this proposed project for the following reasons:

The subject property being developed is currently 50 ft wide on Zimas and yet the proposed development claims to be 61 ft wide. Zimas does not show a lot line adjustment to show inclusion of the additional 11 ft. in fee. Nothing has been provided in the application to prove fee simple ownership by the applicant of the 11ft strip which R3 zoning applicant is claiming overlays the entire development. The Zoning of the existing development property is C2. It appears that the applicant is planning on adding an adjacent 11ft. wide x 192.87 ft. deep strip of R3 land to their original property to expand their frontage from 50ft. to 60 ft. This additional R3 piece of property which is 2121 sft. is only 18% of the total property, while the original C2 property which is 9643 sft., is 82% of the total property. By combining this small 18%, R3 piece, with the larger 88%, C2 piece of the property, the applicant is receiving development benefits and bonus density incentives as if the entire property were R3, which is not consistent with the zoning stipulations.

The 20% set back reduction being proposed will cause irreparable harm to our property for the following reasons: (Due to the limited time constraints afforded us this is not a complete list and we will supplement it as we gather additional information).

The proposed 5 story, 60ft high building will block the transmission service of At&t's and Sprint's existing rooftop cellular sites, which are situated on the East side parapet wall of our building, approx. 10 ft distance from the proposed apartments. These major rooftop antennae are aimed due east and transmit electromagnetic radio waves which will hit the top floor units of the proposed apartment building. **This will create an unsafe, health hazard for occupants of the proposed project.** The antennae on the roof have a hazardous warning posted, for any individual stepping in front of the antennae broadcast area. We therefore require the City of Los Angeles, by approving this project in its current form, to accept full liability for this potential health hazard. We fully anticipate that our tenants, At&t & Sprint will jointly exercise their legal rights to protect their existing cellular service from disruption from the close proximity of the proposed building. In turn we expect that they will also hold the City liable for any harm caused to building tenants that are placed in such close proximity to the path of their transmissions.

The use of our building is primarily medical, whereby medical practitioners are providing therapy sessions to individuals and groups. The proposed development blocks the light into our offices as well as the views from our offices. The close proximity of the proposed development, with it's reduced setbacks to 6 ½ ft., exposes our therapy offices to major noise distraction, which will adversely the therapists ability to provide quiet therapy sessions.

We have additional longstanding acupuncture tenants, whose offices face the proposed development, who also require a quiet peaceful setting to service their clients. All these tenants will have major objections to having a new development with a 6 ½ ft. setback from our building. These conditions could cause an exodus of our tenants which would cause us irreparable financial harm.

On page 1, item D, of the Project Determination, it states the approval of the project will not result in any significant traffic, noise, air quality pollution or adverse water quality. We vehemently oppose this finding as the increased vehicular traffic from the new development is too close to a transit bus stop, which is located in front of the "subject property". If a bus stops at the bus stop, there is no room for the cars to stack without blocking the traffic on Venice Blvd. The additional traffic from this development

will further impact the congestion that already exists outside the subject property on Venice Blvd. and this major intersection has been the site of many car accidents.

We hereby request that the City require a traffic study to understand the impact on traffic of this proposed project.

We are advising our cellular tenants of this proposed development and they will need additional time to respond and address the environmental concerns mentioned above that are being created by this project.

Because of these health concerns, we hereby request an environmental impact report be required to determine the safety of this project. We object to the waiver of the CEQA.

We also object to the removal of the one non protected tree in the adjacent public right of way. It is a mature tree matching others in the immediate area.

We have reason to believe that the City's Letter of Determination was not mailed to us on June 25th if it only arrived at our office on July 6th. Therefore the 15 calendar day notice provision was not afforded to us. We have also contacted the neighboring property owner on the north side of the property, whose property address is 3758 Inglewood Blvd. and the property owner on the East side of the subject property (we are on the West side of the subject property) whose property address is 11951 Venice Blvd., both of which did not get the subject property development notification. Both property owners have asked to be on record as wishing to lodge an appeal. Due to the short time constraints they have requested if they can join in our appeal. Ideally this matter should have a deadline extension so they can be appropriately notified.

To comply with the Covid 19 update, interim appeal filing procedures, dated April 17th, 2020, we submit this appeal as STEP ONE in the process.

We will ALSO deliver a copy of this appeal to the West Los Angeles Development Office, Services Center and we have also copied our councilman, Mike Bonin.


Sincerely,

Harvey Lind, Managing Member

Sherlind Properties, LLC

13101 W. Washington Blvd. #136

Los Angeles CA 90066

hlind@eoffices.com

Cell: 310717-0091

Cc: Mike.Bonin@lacity.org

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We have reason to believe that the City's Letter of Determination was not mailed to us on June 25th if it only arrived at our office on July 6th. Therefore the 15 calendar day notice provision was not afforded to us. The July 4th weekend may have slowed the mail and everyone is working from home with less access to their office mail. We have also contacted the neighboring property owner on the north side of the property, whose property address is 3758 Inglewood Blvd. and the property owner on the East side of the subject property (we are on the West side of the subject property) whose property address is 11951 Venice Blvd., both of which did not get the subject property development notification. Both property owners have asked to be on record as wishing to lodge an appeal. Ideally this matter should have a deadline extension so they can be appropriately notified.

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Sincerely,

Harvey Lind, Managing Member

Sherlind Properties, LLC

13101 W. Washington Blvd. #136

Los Angeles CA 90066

hlind@eoffices.com

Cell: 310717-0091

Cc: Mike.Bonin@lacity.org

Cc: Len.Nguyen@lacity.org

EXHIBIT B

**Director of Planning's Letter of Determination
(DIR-2019-3815-DB)**

DIR-2019-3815-DB-1A

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

VAHID KHORSAND
VICE-PRESIDENT

DAVID H. J. AMBROZ

CAROLINE CHOE

HELEN LEUNG

KAREN MACK

MARC MITCHELL

VERONICA PADILLA-CAMPOS

DANA M. PERLMAN

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
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VINCENT P. BERTONI, AICP
DIRECTOR

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

TRICIA KEANE
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

**DIRECTOR'S DETERMINATION
DENSITY BONUS & AFFORDABLE HOUSING INCENTIVES**

June 25, 2020

Applicant/Owner

Augusto Rojas
Rojas Augusto and Grace M TRS;
Augusto and Grace Rojas Trust
11961 Venice Blvd
Los Angeles, CA 90066

Representative

Nichole Smith
HORIZON Development +
Entitlement
12655 W. Jefferson Blvd
Playa Vista, CA 90066

Case No. DIR-2019-3815-DB

CEQA: ENV-2019-3816-CE

Location: 11961 Venice Boulevard

Council District: 11 – Bonin

Neighborhood Council: Mar Vista

Community Plan Area: Palms–Mar Vista–Del Rey

Land Use Designation: Community Commercial

Zone: C2-1 and R3-1

Legal Description: Lot FR 1 (Arb 5) and Lot 3 (Arb 5), Block A, East Ocean Park Villa Tract

Last Day to File an Appeal: July 10, 2020

DETERMINATION – Density Bonus/Affordable Housing Incentives Program

Pursuant to the Los Angeles Municipal Code ("LAMC") Section 12.22 A.25, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

DETERMINE, based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Article 19, Section 15332 (Class 32), and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

APPROVE the following three (3) incentives requested by the applicant for a project totaling 38 dwelling units, reserving 5 units for Very Low Income household occupancy for a period of 55 years, with the following requested incentives:

1. **Side Yard/Setback.** A 20 percent decrease from the side yard requirements, allowing 6 feet 5 inches in lieu of 8 feet;
2. **Floor Area Ratio.** An allowance for a 3:1 Floor Area Ratio in lieu of the otherwise maximum permitted 1.5:1 Floor Area Ratio; and
3. **Averaging of Floor Area Ratio, Density, Parking or Open Space, and permitting Vehicular Access.** An averaging of floor area, density, open space

and parking over the Project-site, and permit vehicular access from a less restrictive zone to a more restrictive zone.

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

CONDITIONS OF APPROVAL

1. **Site Development.** 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, West/Coastal/South Project Planning Division, 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. **Residential Density.** The project shall be limited to a maximum density of 38 residential units including Density Bonus Units.
3. **Affordable Units.** A minimum of 5 units, that is 15 percent of the base dwelling units, shall be reserved as affordable units, as defined by the State Density Bonus Law 65915 (c)(1) or (c)(2).
4. **Changes in Restricted Units.** Deviations that increase the number of restricted affordable units or that change the composition of units or change parking numbers shall be consistent with LAMC Section 12.22 A.25 (a-d).
5. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department ("HCIDLA") to make 5 units available to Very Low Income Households, for sale or rental, as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with any monitoring requirements established by the HCIDLA. Refer to the Density Bonus Legislation Background section of this determination.
6. **Yard/Setback.** The project shall provide a minimum 6-foot 5-inch westerly side yard setback, as shown in Exhibit "A".
7. **Floor Area Ratio.** The project shall be limited to area maximum Floor Area Ratio of 3:1.
8. **Automobile Parking.** Based upon the number and/or type of dwelling units proposed, a minimum of 43 parking spaces shall be provided for the project. Vehicle parking shall be provided consistent with LAMC Section 12.22 A.25, Parking Option 1, which permits one on-site parking space for each residential unit with one or fewer bedrooms; two on-site parking spaces for each residential unit with two to three bedrooms; and two-and-one-half parking spaces for each residential unit with four or more bedrooms. The Bicycle Parking Ordinance, LAMC Section 12.21.A.4, allows affordable residential projects to reduce required vehicle parking by 10 percent. Based upon the number and type of dwelling units proposed and the requested 10 percent reduction per the Bicycle Ordinance, 39 automobile parking spaces shall be provided.
9. **Adjustment of Parking.** In the event that the number of Restricted Affordable Units should increase, or the composition of such units should change (i.e. the number of bedrooms, or the

number of units made available to Senior Citizens and/or Disabled Persons), or the applicant selects another Parking Option (including Bicycle Parking Ordinance) and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth above.

10. **Adjustment of Parking.** In the event that the number of Restricted Affordable Units should increase, or the composition of such units should change (i.e. the number of bedrooms, or the number of units made available to Senior Citizens and/or Disabled Persons), or the applicant selects another Parking Option (including Bicycle Parking Ordinance) and no other Condition of Approval or incentive is affected, then no modification of this determination shall be necessary, and the number of parking spaces shall be re-calculated by the Department of Building and Safety based upon the ratios set forth above.
11. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC 12.21 A.16.
12. **Landscaping.** The landscape plan shall indicate landscape points for the project equivalent to **10% more than otherwise required** by LAMC 12.40 and Landscape Ordinance Guidelines "O". All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.

Administrative Conditions

13. **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 "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
14. **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.
15. **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.
16. **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.
17. **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.

18. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

19. **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.

PROJECT BACKGROUND

The proposed project is a five (5) story residential building containing 38 residential dwelling units, consisting of 33 market rate units and a minimum of five (5) Very Low Income units. The building will be approximately 30,681 square feet of floor area, with a Floor Area Ratio (“FAR”) of approximately 2.89:1. The project will provide 39 vehicle parking spaces in one subterranean parking level, and will replace four (4) vehicle parking spaces with bicycle parking as permitted by Los Angeles Municipal Code (LAMC) Section 12.21 A.4. The project will also provide 52 long-term bicycle spaces and four (4) short-term bicycle spaces. The existing medical office building will be demolished. There are no existing trees on the subject site. One non-protected tree in the adjacent public right-of-way will be removed to accommodate the proposed driveway. The project will require the grading and export of approximately 8,008 cubic yards of soil.

The subject site is located in the Palms - Mar Vista - Del Rey Community Plan, approximately 130 feet northeast of the intersection of Inglewood Boulevard and Venice Boulevard. The project site consists of two (2) lots totaling approximately 11,759 square feet, with approximately 60 feet of frontage along Venice Boulevard. The subject site is zoned C2-1 and R3-1 and is designated for Community Commercial land uses. The site is located within the Transit Priority Area in the City of Los Angeles and the West Los Angeles Transportation Improvement and Mitigation Specific Plan, and is approximately 4.62 kilometers from the Newport – Inglewood Fault zone.

Surrounding properties are zoned C2-1 and R3-1 and are developed with one- to four-story commercial and multi-family residential uses. The site is within 1,500 feet of a Metro Rapid Bus Stop located along Metro Rapid Bus route 733, located along Venice Boulevard. Venice Boulevard is designated as a Boulevard II, as identified in the City’s General Plan.

Density Bonus Background

In accordance with California State Law (including Senate Bill 1818, and Assembly Bills 2280, 2222, and 2556), the applicant is proposing to utilize Section 12.22 A.25 (Density Bonus) of the LAMC, which permits a density bonus of 35 percent. This allows for 39 total dwelling units in lieu of the otherwise maximum density limit of 28 dwelling units on the property. A density bonus is automatically granted in exchange for the applicant setting aside a portion of dwelling units, in this case 15 percent or 5 units, for habitation by Very Low Income Households for a period of 55 years. The Applicant selected Parking Option 1, which requires a total of 43 automobile parking spaces. The Applicant further utilized a 10 percent reduction of required automobile parking by replacing with bicycle parking consistent with LAMC Section 12.21 A.4, reducing the required parking to a total of 39 spaces. The project is providing a total of 39 spaces.

Housing Replacement

Pursuant to Government Code Section 65915(c)(3) and Assembly Bills 2222 and 2556, applicants of Density Bonus projects filed as of January 1, 2015 must demonstrate compliance with the housing replacement provisions which require replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control; or occupied by Low or Very Low Income Households. Pursuant to the Determination made by the Housing and Community Investment Department (HCIDLA) dated April 18, 2019, the proposed project is not subject to replacement under AB 2556. Refer to the Density Bonus Legislation Background section of this determination for additional information.

LAMC Criteria

As permitted by LAMC Section 12.22 A.25 the applicant is requesting three (3) incentives that will facilitate the provision of affordable housing at the site: a 20 percent decrease in the side yard setback, an increase in (Floor Area Ratio) FAR, and an Averaging of Floor Area Ratio, Density, Parking or Open Space, and permitting Vehicular Access. Pursuant to LAMC Section 12.22 A.25 (e)(2), in order to be eligible for any on-menu incentives, a Housing Development Project (other than an Adaptive Reuse Project) shall comply with the following criteria, which it does:

- a. *The façade of any portion of a building that abuts a street shall be articulated with a change of material or a break in plane, so that the façade is not a flat surface.*

The proposed residential development has one street-facing façade to the north of Venice Boulevard. As provided in Exhibit A, the street-facing façade is articulated to provide a variety of building planes and architectural materials to create visual interest along the street front. The project creates a substantial break in the building massing through a recessed lobby at the ground floor, as well as balconies and windows along the upper floors. The building is designed with individual unit balconies and building façade cutouts, which provide articulation in the building wall. The building design alternates different materials, textures, and colors, to add visual interest. The building materials include a mix of light and dark grey metal panels, white plaster, and clear glass, in addition to the landscaping enhancements along the street frontage.

- b. *All buildings must be oriented to the street by providing entrances, windows architectural features and/or balconies on the front and along any street facing elevation.*

The proposed residential development has one street-facing façade fronting Venice Boulevard to the south. As provided in Exhibit A, the project has one residential pedestrian entrance located along Venice Boulevard. The entrance is flanked by a window, which provides views into the lobby. Private balconies are provided at upper levels to articulate the building façade.

- c. *The Housing Development Project shall not involve a contributing structure in a designated Historic Preservation Overlay Zone (HPOZ) and shall not involve a structure that is a City of Los Angeles designated Historic-Cultural Monument (HCM).*

The proposed project is not located within a designated Historic Preservation Overlay Zone, nor does it involve a property that is designated as a City Historic-Cultural Monument.

- d. *The Housing Development Project shall not be located on a substandard street in a Hillside Area or in a Very High Fire Hazard Severity Zone as established in Section 57.25.01 of the LAMC.*

The project is not located in a Hillside Area, nor is it located in a Very High Fire Hazard Severity Zone.

DENSITY BONUS/AFFORDABLE HOUSING INCENTIVES COMPLIANCE FINDINGS

1. Pursuant to Section 12.22 A.25(c) of the LAMC, the Director shall approve a density bonus and requested incentive(s) unless the director finds that:
 - a. *The incentives are not required to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.*

The record does not contain substantial evidence that would allow the Director to make a finding that the requested incentives are not necessary to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for Very Low, Low, and Moderate Income Households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

The list of on-menu incentives in 12.22 A.25 was pre-evaluated at the time the Density Bonus Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Director will always arrive at the conclusion that the density bonus on-menu incentives are required to provide for affordable housing costs because the incentives by their nature increase the scale of the project.

The requested incentives, a 20 percent decrease in the side yard setback, an increase in FAR, and an Averaging of Floor Area Ratio, Density, Parking or Open Space, and permitting Vehicular Access, are expressed in the Menu of Incentives per LAMC 12.22 A.25(f) and, as such, permit exceptions to zoning requirements that result in building design or construction efficiencies that provide for affordable housing costs. The requested incentives allow the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated to residential uses is increased. These incentives support the applicant's decision to set aside five (5) Very Low Income dwelling units for 55 years.

Side Yard Setback: The proposed project requests a 20 percent reduction in the required side yard to allow a 6-foot 5-inch side yard setback in lieu of the 8-foot setback otherwise required in the C2 Zone by LAMC 12.14 C.2. The requirement for the side yard setback could limit the ability to construct the residential dwelling units permitted by-right and the Restricted Affordable units which are of a sufficient size. As proposed, the decreased side yard setback would allow for the construction of the affordable residential units.

Floor Area Ratio Increase: The subject site is zoned C2-1 and R3-1 which permits a base density of 28 units on the 11,759 square foot site, with a maximum 1.5:1 Floor Area Ratio (FAR) and unlimited height in the commercial zone and a maximum of 3:1 FAR and a maximum height of 45 feet in the residential zone.

The FAR Increase incentive permits a percentage increase in the allowable Floor Area Ratio equal to the percentage of Density Bonus for which the Housing Development Project is eligible, not to exceed 35 percent, or an FAR not to exceed 3:1, provided that the parcel meets the following conditions: it is within a commercial zone in Height District 1 (including 1VL, 1L and 1XL), it fronts on a Major Highway as identified in the City's General Plan, it includes a number of Restrictive Affordable Units sufficient to qualify for a 35% Density Bonus, and 50% or more of the commercially zoned parcel is located in or within 1,500 feet of a Transit Stop or Major Employment Center. The commercially

zoned project site is within 1,500 feet of a bus stop servicing Metro Rapid Bus Route 733, located along Venice Boulevard. Venice Boulevard is designated as a Boulevard II, as identified in the City's General Plan. As shown below, the total maximum floor area allowed by-right is 17,393.

| By-Right FAR | Buildable Lot Area (sf)* *sf gross lot area less required yards | Total Floor Area (sf) |
|--------------------------|--|------------------------------|
| 1.5:1 commercial zone | 9,643 | 9,643 X 1.5 = 14,465 |
| 3:1 residential zone | 976* | 976 X 3 = 2,928 |
| TOTAL | 10,619 | 17,393 |

By utilizing the FAR increase incentive, the Applicant is proposing a FAR of 3:1 in the C2-1 zone. The maximum floor area allowed is therefore 31,857 square feet. However, the Applicant is proposing 29,221 square feet of floor area.

| FAR with Incentive | Buildable Lot Area (sf)* *sf gross lot area less required yards | Total Floor Area (sf) + Incentive |
|-------------------------------|--|--|
| 3:1 commercial zone | 9,643 | 9,643 X 3 = 28,929 |
| 3:1 residential zone | 976* | 976 X 3 = 2,928 |
| TOTAL | 10,619 | 31,857 |

Averaging of Floor Area Ratio, Density, Parking or Open Space, and permitting Vehicular Access: The Project is comprised of two different zones, C2-1 and R3-1, with different allowable maximum FARs. The C2-1 Zone allows for a 1.5:1 FAR and the R3-1 Zone allows for a 3:1 FAR. The FAR averaging permits the total allowable floor area for all parcels to be allocated to the entire site. For this project the maximum allowable floor area is 31,857 square feet.

| Total Floor Area | Total Buildable Lot Area | Total Site FAR |
|-------------------------|---------------------------------|-----------------------|
| 29,221 | 10,619 | 29,221/10,619 = 2.75 |

The requested incentive will allow the developer to expand the Project's building envelope so that the restricted affordable units can be constructed and the overall space dedicated to residential units is increased. These incentives support the Applicant's decision to set aside five (5) Very Low Income units for 55 years.

The FAR Averaging incentive results in a maximum floor area of 31,857 (28,929 sf + 2,928 sf), or a FAR of 3:1 across the two zones. The Project is proposing 29,221 square feet of floor area, or a FAR of 2.75: 1 (29,221/10,617 = 2.75).

- b. *The Incentive will have specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning*

ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

There is no evidence in the record that the proposed density bonus incentive(s) will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22.A.25(b)). The finding that there is no evidence in the record that the proposed incentive(s) will have a specific adverse impact is further supported by the recommended CEQA finding. The findings to deny an incentive under Density Bonus Law are not equivalent to the findings for determining the existence of a significant unavoidable impact under CEQA. However, under a number of CEQA impact thresholds, the City is required to analyze whether any environmental changes caused by the project have the possibility to result in health and safety impacts. For example, CEQA Guidelines Section 15065(a)(4), provides that the City is required to find a project will have a significant impact on the environment and require an EIR if the environmental effects of a project will cause a substantial adverse effect on human beings. The proposed project and potential impacts were analyzed in accordance with the City's Environmental Quality Act (CEQA) Guidelines. Analysis of the proposed Project determined that it is Categorically Exempt from environmental review pursuant to Article 19, Sections 15332 (Class 32) of the CEQA Guidelines. The Categorical Exemption (CE) could be adopted, including, on the basis that none of the potential environmental effects of the proposed Project would cause substantial adverse effects on human beings, the physical environment, on public health and safety, or on property listed in the California Register of Historic Resources. Based on all of the above, there is no basis to deny the requested incentive.

CEQA FINDINGS

As the designee of the Director of Planning, I have determined, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to State CEQA Guidelines, Article 19, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

The Proposed Project is a five-story multi-family residential dwelling measuring 57-foot 6-inches in the C2 Zone and 45-feet in the R3 Zone. The Proposed Project contains 38 residential dwelling units (including 5 Very Low Income units). The building will be approximately 30,681 square feet of floor area, with a Floor Area Ratio ("FAR") of 2.89:1. The project will provide 39 vehicle parking spaces in one subterranean parking level, and will replace four (4) vehicle parking spaces with bicycle parking as permitted by Los Angeles Municipal Code (LAMC) Section 12.21 A.4. The project will also provide 52 long-term bicycle spaces and four (4) short-term bicycle spaces. The existing medical office building will be demolished. There are no existing trees on the subject site. One non-protected tree in the adjacent public right-of-way will be removed to accommodate the proposed driveway. The project will require the grading and export of approximately 8,008 cubic yards of soil. As a multi-family residential building and a project which is characterized as in-fill development, the project qualifies for the Class 32 Categorical Exemption.

CEQA Determination – Class 32 Categorical Exemption Applies

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 subject site is located within the Palms – Mar Vista – Del Rey Community Plan and is designated for Community Commercial Land Uses, corresponding to the CR, C2, C4, RAS3, and RAS4 Zones. The site is zoned C2-1 and is consistent with the land use designation. As shown in the case file, the project is consistent with the applicable Palms – Mar Vista – Del Rey Community Plan designation and policies and 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 subject site is wholly within the City of Los Angeles, on a site that is approximately 0.27 acres. The existing site is improved with a medical office building. Lots adjacent to the subject site are developed with the following urban uses: commercial and multi-family residential uses.

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

The site is previously disturbed and surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. There are trees on the subject site. There is one non-protected tree in the adjacent public right-of-way, as identified in the Tree Report prepared by McKinley & Associates on October 17, 2019, which will be removed to accommodate the proposed driveway.

- (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. More specifically, RCMs include but are not limited to:

- **Regulatory Compliance Measure RC-AQ-1(Demolition, Grading and Construction Activities): Compliance with provisions of the SCAQMD District Rule 403.** The project shall comply with all applicable standards of the Southern California Air Quality Management District, including the following provisions of District Rule 403:
 - All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
 - The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
 - All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
 - All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

- All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- Trucks having no current hauling activity shall not idle but be turned off.
- **Regulatory Compliance Measure RC-GEO-1 (Seismic):** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
- **Regulatory Compliance Measure RC-NO-1 (Demolition, Grading, and Construction Activities):** The project shall comply with the City of Los Angeles Noise Ordinance and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

These RCMs will ensure the project will not have significant impacts on noise and water. Furthermore, the project does not exceed the threshold criteria established by the Los Angeles Department of Transportation (LADOT) for preparing a traffic study. Therefore, the project will not have any significant impacts to traffic. Interim thresholds were developed by DCP staff based on California Emissions Estimator Model (CalEEMod) runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds.

(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 construction of a multi-family residential building will be on a site which has been previously developed and is consistent with the General Plan. Therefore, the project meets all of the Criteria for the Class 32.

CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 1 and Class 32:

- (a) **Cumulative Impacts.** *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. Therefore, no cumulative impacts would occur.

- (b) **Significant Effect 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.*

As mentioned, the project proposes a multi-family residential building in an area zoned and designated for such uses. Adjacent lots are developed with commercial and multi-family residential uses, and the subject site is of a similar size and slope to nearby properties. The project proposes a Floor Area Ratio (FAR) of 2.89:1 on a site that is permitted to have a maximum FAR of 3:1 through the Density Bonus Affordable Housing Program and pursuant to LAMC Section 12.22 A.25. The project size and height is not unusual for the vicinity of the subject site. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

- (c) **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 only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The State Route 27 is approximately 8.9 miles northwest of the subject site. Therefore, the subject site will not create any impacts within a designated as a state scenic highway.

- (d) **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*

According to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site.

- (e) **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 project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the site as a historic resource. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

DENSITY BONUS LEGISLATION BACKGROUND

The California State Legislature has declared that "[t]he availability of housing is of vital statewide importance," and has determined that state and local governments have a responsibility to "make adequate provision for the housing needs of all economic segments of the community." Section §65580, subds. (a), (d). Section 65915 further provides that an applicant must agree to, and the municipality must ensure, the "continued affordability of all Low and Very Low Income units that qualified the applicant" for the density bonus.

With Senate Bill 1818 (2004), state law created a requirement that local jurisdictions approve a density bonus and up to three "concessions or incentives" for projects that include defined levels of affordable housing in their projects. In response to this requirement, the City created an ordinance that includes a menu of incentives (referred to as "on-menu" incentives) comprised of eight zoning adjustments that meet the definition of concessions or incentives in state law (California Government Code Section 65915). The eight on-menu incentives allow for: 1) reducing setbacks; 2) reducing lot coverage; 3) reducing lot width, 4) increasing floor area ratio (FAR); 5) increasing height; 6) reducing required open space; 7) allowing for an alternative density calculation that includes streets/alley dedications; and 8) allowing for "averaging" of FAR, density, parking or open space. In order to grant approval of an on-menu incentive, the City utilizes the same findings contained in state law for the approval of incentives or concessions.

California State Assembly Bill 2222 went into effect January 1, 2015, and was amended by Assembly Bill 2556 on September 28, 2016, and with that Density Bonus projects filed as of that date must demonstrate compliance with the housing replacement provisions which require

replacement of rental dwelling units that either exist at the time of application of a Density Bonus project, or have been vacated or demolished in the five-year period preceding the application of the project. This applies to all pre-existing units that have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income; subject to any other form of rent or price control (including Rent Stabilization Ordinance); or is occupied by Low or Very Low Income Households (i.e., income levels less than 80 percent of the area median income [AMI]). The replacement units must be equivalent in size, type, or both and be made available at affordable rent/cost to, and occupied by, households of the same or lower income category as those meeting the occupancy criteria. Prior to the issuance of any Director's Determination for Density Bonus and Affordable Housing Incentives, the Housing and Community Investment Department (HCIDLA) is responsible for providing the Department of City Planning, along with the applicant, a determination letter addressing replacement unit requirements for individual projects. The City also requires a Land Use Covenant recognizing the conditions be filed with the County of Los Angeles prior to granting a building permit on the project.

Assembly Bill 2222 also increases covenant restrictions from 30 to 55 years for projects approved after January 1, 2015. This determination letter reflects these 55 year covenant restrictions.

Under Government Code Section § 65915(a), § 65915(d)(2)(C) and § 65915(d)(3) the City of Los Angeles complies with the State Density Bonus law by adopting density bonus regulations and procedures as codified in Section 12.22 A.25 of the Los Angeles Municipal Code. Section 12.22 A.25 creates a procedure to waive or modify Zoning Code standards which may prevent, preclude or interfere with the effect of the density bonus by which the incentive or concession is granted, including legislative body review. The Ordinance must apply equally to all new residential development.

In exchange for setting aside a defined number of affordable dwelling units within a development, applicants may request up to three incentives in addition to the density bonus and parking relief which are permitted by right. The incentives are deviations from the City's development standards, thus providing greater relief from regulatory constraints. Utilization of the Density Bonus/Affordable Housing Incentives Program supersedes requirements of the Los Angeles Municipal Code and underlying ordinances relative to density, number of units, parking, and other requirements relative to incentives, if requested.

For the purpose of clarifying the Covenant Subordination Agreement between the City of Los Angeles and the United States Department of Housing and Urban Development (HUD) note that the covenant required in the Conditions of Approval herein shall prevail unless pre-empted by State or Federal law.

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.

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.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

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.

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 \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

APPEAL PERIOD - EFFECTIVE DATE

The Determination in this matter will become effective and final fifteen (15) days after the date of mailing of the Notice of Director's Determination unless an appeal there from 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 this 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 online at <http://planning.lacity.org>.

Planning Department public offices are located at:

Downtown
Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7052

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

West Los Angeles
West Los Angeles Development
Services Center
1828 Sawtelle Boulevard, 2nd Floor
Los Angeles, CA 90025
(310) 231-2598

*Please note the cashiers at the public counters close at 4:30 PM.

Only an applicant or any owner or tenant of a property abutting, across the street or alley from, or having a common corner with the subject property can appeal this Density Bonus Compliance Review Determination. Per the Density Bonus Provision of State Law (Government Code Section §65915) the Density Bonus increase in units above the base density zone limits and the appurtenant parking reductions are not a discretionary action and therefore cannot be appealed. Only the requested incentives are appealable. Per Section 12.22 A.25 of the LAMC, appeals of Density Bonus Compliance Review cases are heard by the City Planning Commission.


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 Building 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 through the Department of City Planning website at <http://planning.lacity.org> or by calling (213) 482-7052 or (818) 374-5050. The applicant is further advised to notify any consultant representing you of this requirement as well.

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:


Faisal Roble, Principal City Planner

Reviewed by:


Juliet Oh, Senior City Planner

Prepared by:

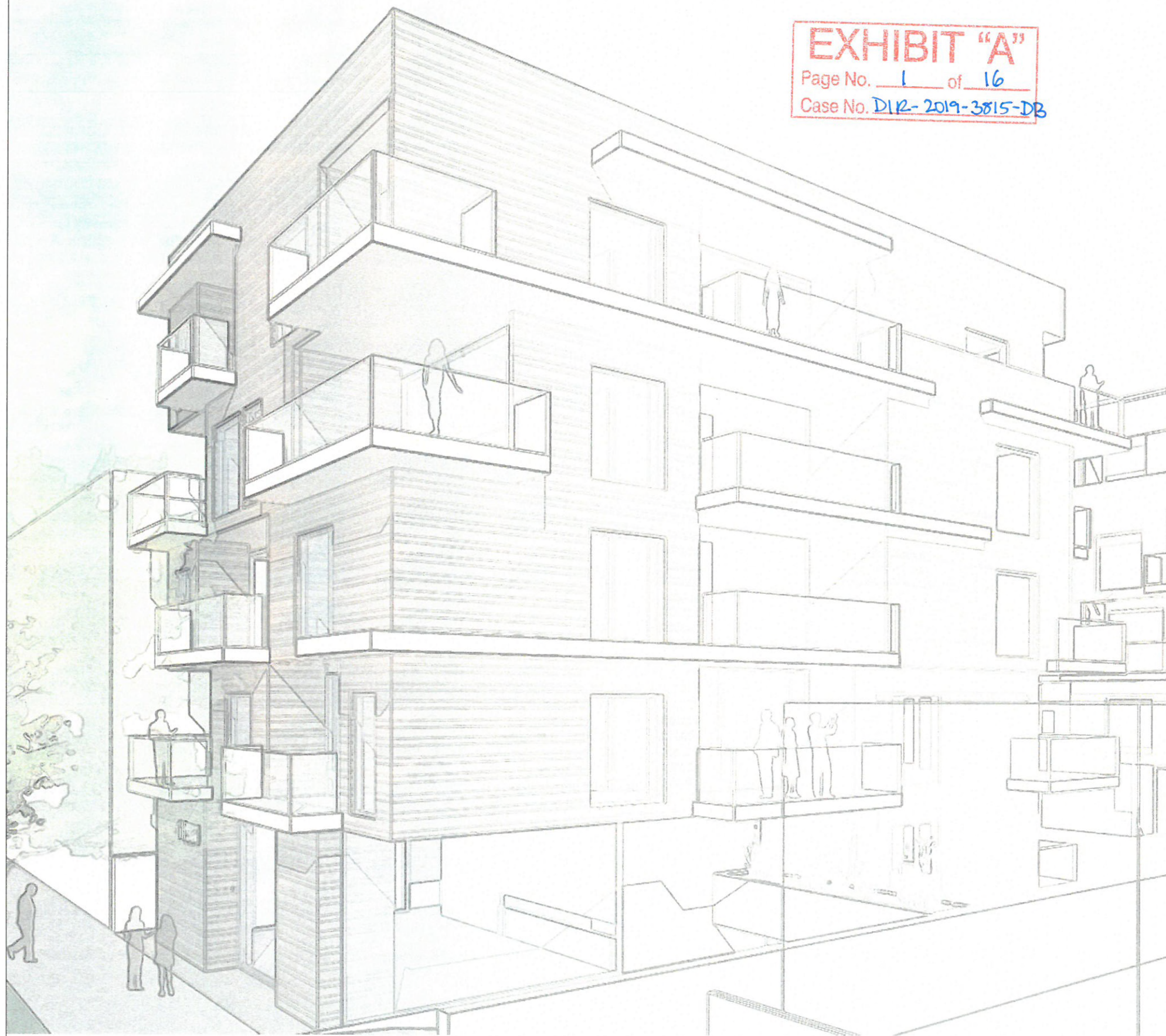

Esther Serrato, City Planning Associate

EXHIBIT C
APPROVED PROJECT PLANS
DIR-2019-3815-DB-1A

EXHIBIT "A"

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Case No. DIR-2019-3815-DB



11961 VENICE PROJECT

ENTITLEMENT SUBMITTAL | June 15, 2020

Asharch

6151 Cantelbury Dr #302, Culver City CA 90230

| OPEN SPACE REQUIRED | | |
|---------------------|------------|------------------|
| NAME | # OF UNITS | REQ'D OPEN SPACE |
| 1 BR | 26 | 2600 SF |
| 2 BR | 5 | 625 SF |
| STUDIO | 7 | 700 SF |
| Grand total | | 3925 SF |

OPEN SPACE REQUIREMENTS PER LAMC 12.21 G:

100 SF/UNIT < 3 HABITABLE ROOMS (STUDIO & 1 BR UNITS)
125 SF/UNIT = 3 HABITABLE ROOMS (2 BR UNITS)
175 SF/UNIT > 3 HABITABLE ROOMS (3 BR UNITS)

NOTE:

1. A KITCHEN IS NOT CONSIDERED A HABITABLE ROOM FOR PURPOSES OF CALCULATING OPEN SPACE.

PERCENT OF LANDSCAPED OPEN SPACE
LANDSCAPED OPEN 25%.

| OPEN SPACE PROPOSED | | | |
|--------------------------------|-----------|-----|-----------|
| NAME | LEVEL | QTY | AREA (SF) |
| 1ST FLOOR | | | |
| COMMON OPEN SPACE (CLUB HOUSE) | 1ST FLOOR | 1 | 525 |
| COMMON OPEN SPACE (COURTYARD) | 1ST FLOOR | 1 | 1713 |
| COMMON OPEN SPACE (COURTYARD) | 1ST FLOOR | 1 | 971 |
| PRIVATE OPEN SPACE | 1ST FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 1ST FLOOR | 1 | 50 |
| 2ND FLOOR | | | |
| PRIVATE OPEN SPACE | 2ND FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 2ND FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 2ND FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 2ND FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 2ND FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 2ND FLOOR | 1 | 50 |
| 3RD FLOOR | | | |
| PRIVATE OPEN SPACE | 3RD FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 3RD FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 3RD FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 3RD FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 3RD FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 3RD FLOOR | 1 | 50 |
| 4TH FLOOR | | | |
| PRIVATE OPEN SPACE | 4TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 4TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 4TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 4TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 4TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 4TH FLOOR | 1 | 50 |
| 5TH FLOOR | | | |
| PRIVATE OPEN SPACE | 5TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 5TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 5TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 5TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 5TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 5TH FLOOR | 1 | 50 |
| ROOF | | | |
| COMMON OPEN SPACE (ROOF TOP) | ROOF | 1 | 2548 |
| GRAND TOTAL | | | 6904 |

REQUIRED OPEN SPACE = 3925 SF
PROVIDED OPEN SPACE = 6904

REQUIRED LANDSCAPED OPEN SPACE
= 25% X 6904 SF = 1726 SF

PROVIDED LANDSCAPEING = 1748 SF

| UNIT COUNT | |
|-------------|-----|
| Name | QTY |
| 1 BR | 26 |
| 2 BR | 5 |
| STUDIO | 7 |
| Grand total | 38 |

PARKING

REQUIRED PARKING PER DENSITY BONUS OPTION 1

PARKING REQUIRED RESIDENTIAL

| Name | # OF UNITS | REQ'D PARKING STALLS |
|-------------|------------|----------------------|
| 1 BR | 26 | 26 |
| 2 BR | 5 | 10 |
| STUDIO | 7 | 7 |
| Grand total | | 43 |

PARKING REQUIRED = 43
10% REDUCTION DUE TO REPLACEMENT WITH BIKE
PARKING = 4.3

PARKING REDUCTION = 43 - 4.3 = 38.7

TOTAL PARKING REQUIRED = 39

PROVIDED PARKING

STANDARD MECHANICAL PARKING: 35
STANDARD PARKING: 2
ADA VAN ACCESSIBLE: 1
ELECTRIC VEHICLE: 1

TOTAL PARKING PROVIDED = 39

BIKE PARKING

REQUIRED BIKE PARKING

LONG TERM BIKE
1-25 UNIT: 1 PER 1 UNIT
25-100: 1 PER 1.5 UNIT

25 UNITS X 1 = 25
13 UNITS / 1.5 = 8.6=9

PARKING REPLACEMENT: 4 PER EACH PARKING
4 PARKING X 4 = 16

TOTAL REQUIRED BIKE PARKING = 25 + 9 + 16 = 50

SHORT TERM

1-25 UNIT: 1 PER 10 UNIT
25-100: 1 PER 15 UNIT

25 UNITS X 1 = 2.5 = 3
13 UNITS / 1.5 = 0.86 = 1

TOTAL REQUIRED SHORT TERM BIKE PARKING = 4

PROVIDED BIKE PARKING

LONG TERM BIKEPARKING:
52 BIKE PARKING PROVIDED

SHORT TERM BIKE PARKING:
4 BIKE PARKING PROVIDED

| SHEET INDEX | |
|-------------|--|
| A0-00 | COVER SHEET |
| A0-01 | PROJECT INFORMATION & SITE PLAN |
| A0-02 | SURVEY |
| A0-03 | FAR & OPEN SPACE CALCULATION |
| A1-00 | P1 & P2 FLOOR PLAN |
| A1-01 | 1ST & 2ND FLOOR PLAN |
| A1-02 | 3RD & 4TH FLOOR PLAN |
| A1-03 | 5TH & ROOF PLAN |
| A2-01 | BUILDING ELEVATIONS |
| A3-01 | BUILDING SECTIONS |
| L1-01 | OVERALL LANDSCAPE PLAN |
| L1-02 | CONCEPTUAL LANDSCAPE IMAGES |
| L1-03 | FIRST FLOOR LANDSCAPE PLAN AND INFORMATION |
| L1-04 | FIRST FLOOR LANDSCAPE PLANT PALETTE |
| L1-05 | ROOF LANDSCAPE PLAN AND INFORMATION |
| L1-06 | ROOF LANDSCAPE PLANT PALETTE |

LEGAL DESCRIPTION

APN: 4234021011

Lots: FR1 Arb5 and Lot 3 Arb 5
Block: A
Tract: East Ocean Park Villa

LAND DESC IN DOC 0004710, 76-4-16"TR= EAST
OCEAN PARK VILLA TRACT"POR OF LOTS 1 AND LOT 3
BLK A

FAR CALCULATION

PER FAR INCREASE INCENTIVE FAR IS INCREASED
TO 3:1;

- 15% affordable
- on a Major Highway Class II
- Near rapid transit line 733

BUILDABLE AREA:
R3: BUILDABLE AREA = 975.5 SF
C2: BUILDABLE AREA = 9,643.1 SF

TOTAL BUILDABLE AREA = 10,618.6

ALLOWABLE FAR = 10,618.6 X 3 = 31,855.8

PROPOSED FAR: 2.89 = (30,681/ 10,618.6)

| LEVEL | FAR | GROSS AREA |
|-------------|-------------|------------|
| 1ST FLOOR | RESIDENTIAL | 6024 SF |
| 2ND FLOOR | RESIDENTIAL | 6244 SF |
| 3RD FLOOR | RESIDENTIAL | 6246 SF |
| 4TH FLOOR | RESIDENTIAL | 6244 SF |
| 5TH FLOOR | RESIDENTIAL | 5923 SF |
| | | 30681 SF |
| GRAND TOTAL | | 30681 SF |

| PROJECT INFORMATION | |
|---------------------------|---|
| PROJECT NAME: | 11961 VENICE |
| ADDRESS: | 11961 VENICE BLVD, LOS ANGELES CA |
| OWNER: | AUGUSTO B ROJAS |
| PROJECT DESCRIPTION: | 38 UNIT 5 STORY TYPE V MULTIFAMILY RESIDENTIAL PROJECT |
| CONSTRUCTION TYPE: | 5 STORY TYPE V |
| ZONING: | C2-1 & R3-1 |
| SITE AREA: | R3 LOT AREA = 2,116.1 SF C2-1 LOT AREA = 9,643.1 SF TOTAL = 11,759.2 |
| ALLOWABLE DENSITY: | C2: 400SF/ UNIT = 24.1 = 25 UNITS R3: 800SF/UNIT = 2.6 = 3 UNITS TOTAL = 28 UNITS |
| DENSITY BONUS: | 35% DENSITY BONUS BASED ON PROVIDING 15% AFFORDABLE UNITS (5 VERY LOW INCOME) |
| PROJECT DENSITY: | DENSITY BONUS: 25 X 1.35 = 33.7 = 34 UNITS 3 X 1.35 = 4.05 = 5 UNITS TOTAL ALLOWABLE NUMBER OF UNITS = 34 + 5 = 39 |
| PROJECT INCENTIVES: | 1. FAR INCREASE: 3:1 IN LIEU OF 1.5:1 2. AVERAGE DENSITY C2 & R3 ZONES 3. REDUCE SIDE YARD REDUCE SIDE YARD BY 20% (6.6' IN LIEU OF 8') |
| FAR INCREASE: | PER FAR INCREASE INCENTIVE FAR IS INCREASED TO 3:1; - 15% affordable - on a Major Highway Class II - rapid transit line 733 within 500 feet |
| ALLOWABLE BLDG HEIGHT: | PER LAMC: C2: UNLIMITED R3: 45' PER CBC: TYPE VA: 70' |
| BLDG HEIGHT: | 57'-6" @ C2 45' @ R3 |
| OCCUPANCY TYPE: | R2 |



EXHIBIT "A"
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Case No. DIR-2019-3815-DB

11961 VENICE
11961 VENICE BLVD
LOS ANGELES, CA 90066

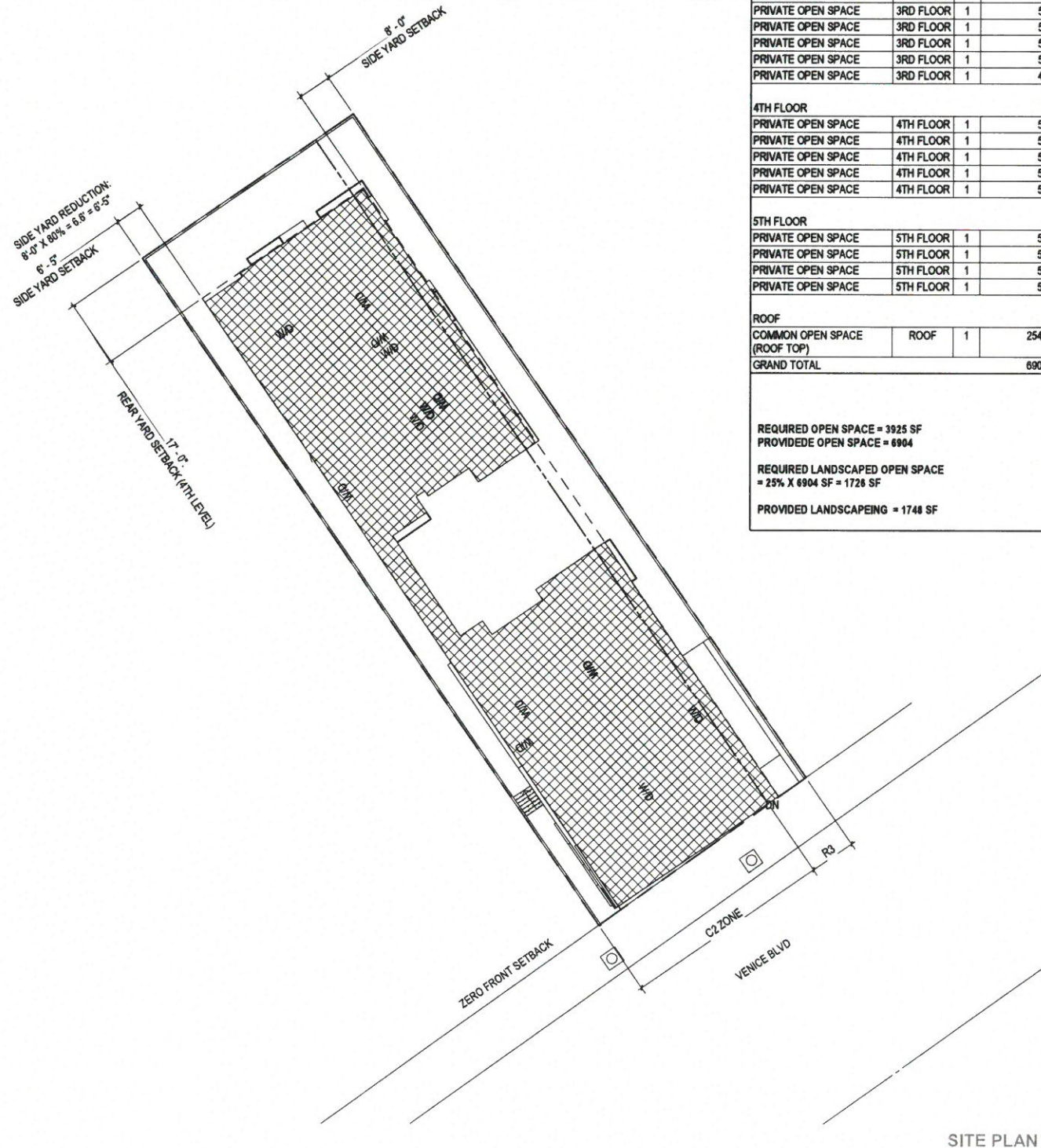
AUGUSTO B.
ROJAS

| | |
|----------------|---------------|
| Project Number | 180801 |
| Date | JUNE 15, 2020 |
| Drawn By | Author |
| Checked By | Checker |

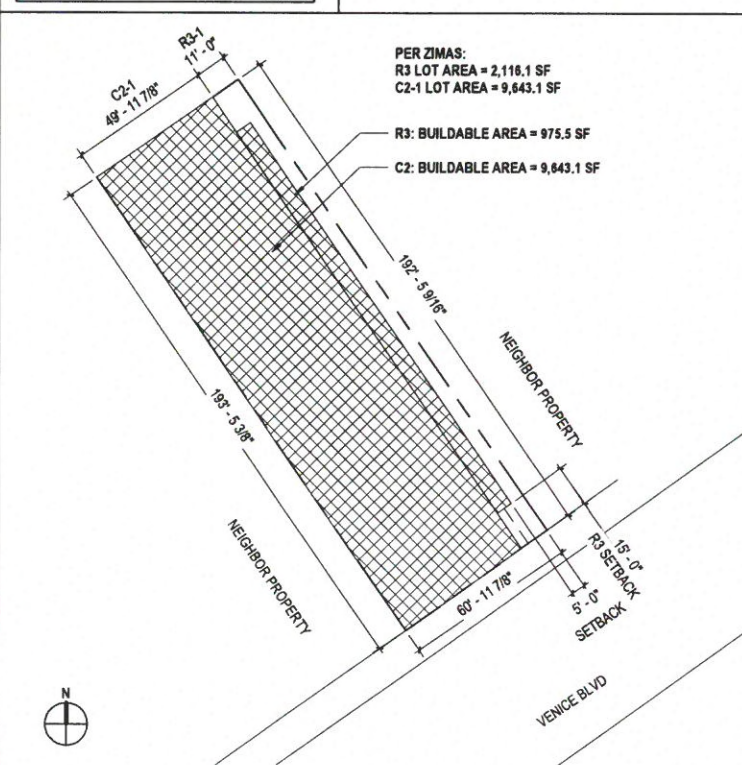
PROJECT
INFORMATION
& SITE PLAN

A0-01

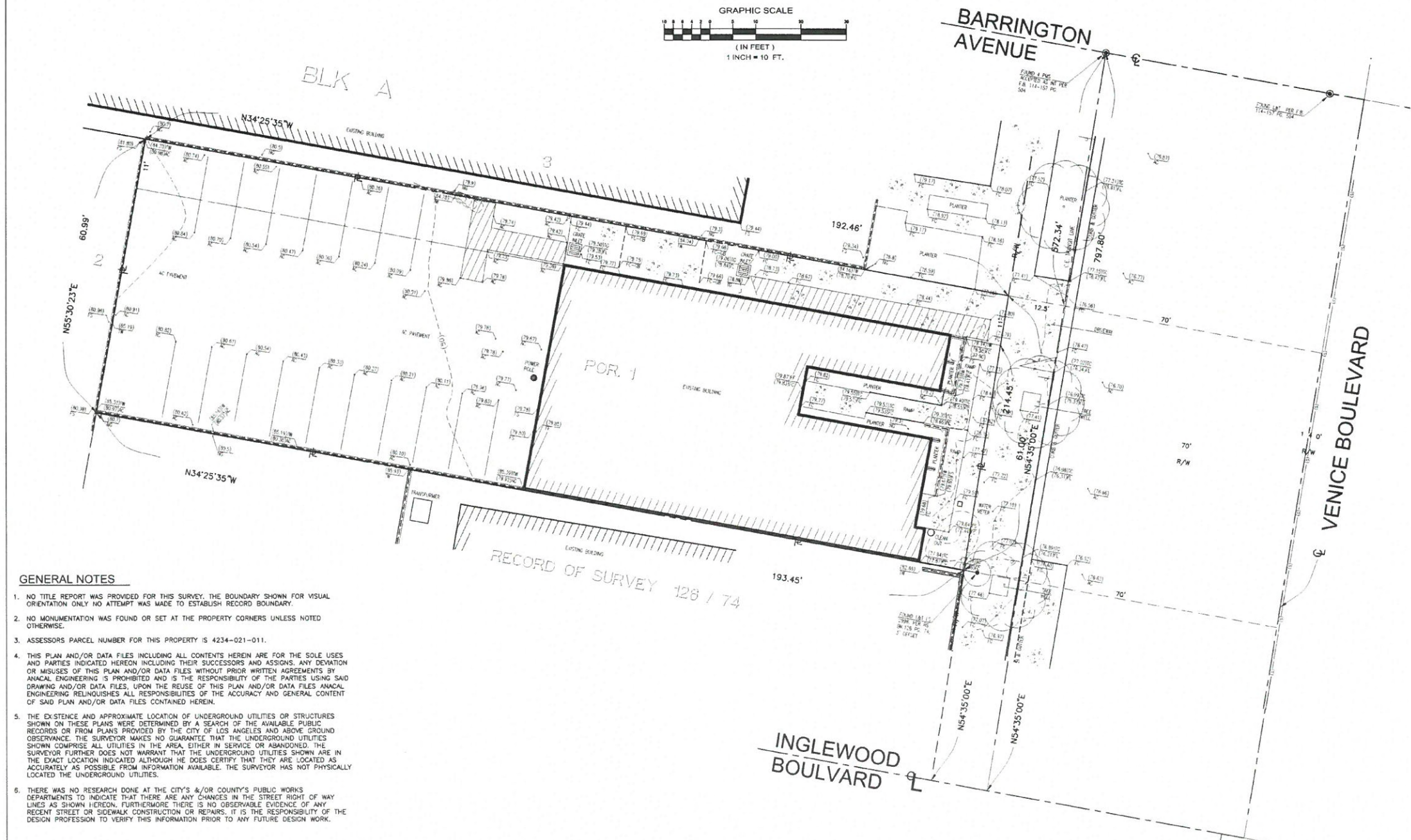
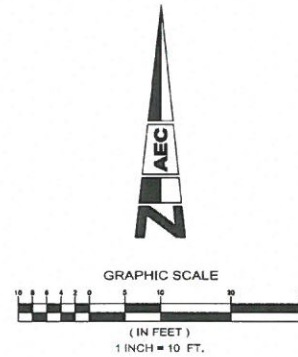
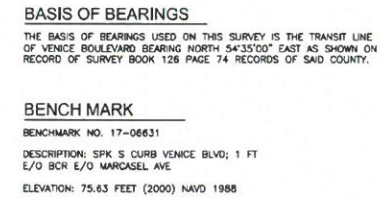
Scale As indicated



SITE PLAN



ENTITLEMENT | JUNE 15, 2020



BASIS OF BEARINGS

THE BASIS OF BEARINGS USED ON THIS SURVEY IS THE TRANSIT LINE OF VENICE BOULEVARD BEARING NORTH 54°35'00" EAST AS SHOWN ON RECORD OF SURVEY BOOK 126 PAGE 74 RECORDS OF SAID COUNTY.

BENCH MARK

BENCHMARK NO. 17-06631

DESCRIPTION: SPK S CURB VENICE BLVD; 1 FT
E/O BCH E/O MARCEAEL AVE.

ELEVATION: 75.63 FEET (2000) NAVD 1988

BENCH MARK
BENCHMARK NO. 17-06631
DESCRIPTION: SPK S CURB VENICE BLVD; 1 FT
E/O BCR E/O MARCASEL AVE
ELEVATION: 75.63 FEET (2000) NAVD 1988

C L ENGINEERING COMPANY
ENGINEERING & LAND SURVEYING
TUSTIN AVENUE ~ ANAHEIM, CALIFORNIA 92807
(714) 774-1763 FAX: (714) 774-4690
ADDRESS: anac@anacengineering.com
WEB SITE: anacengineering.com

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11961 VENICE
11961 VENICE BLVD
LOS ANGELES, CA 90066

AUGUSTO B.
ROJAS

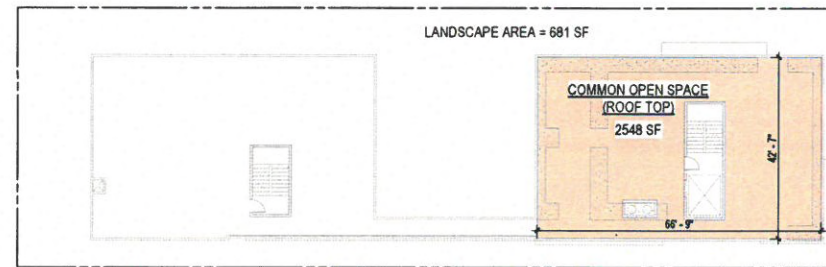
| | |
|------------|---------------|
| Date | JUNE 15, 2020 |
| Drawn By | Author |
| Checked By | Checker |

SURVEY

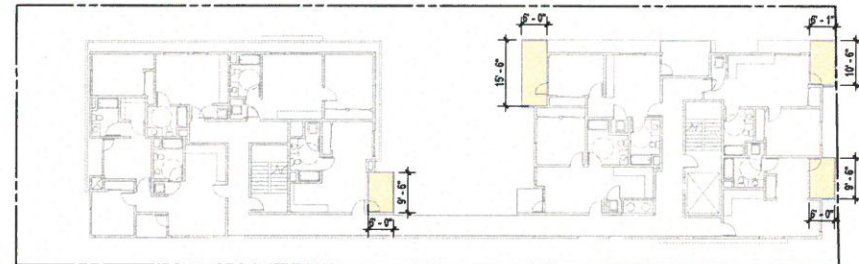
A0-02

ENTITLEMENT | JUNE 15, 2020

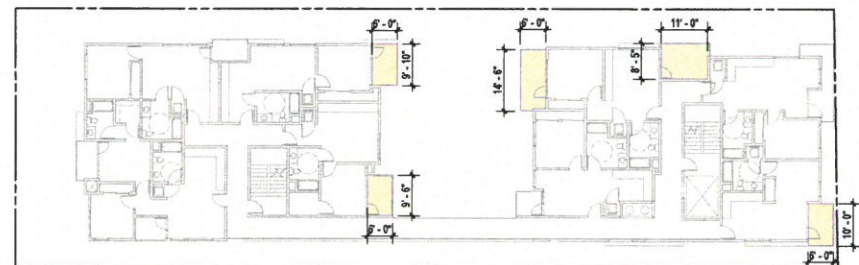
Scale



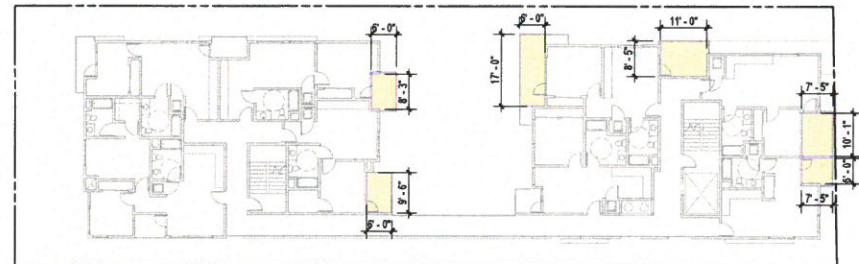
ROOF OPEN SPACE PLAN



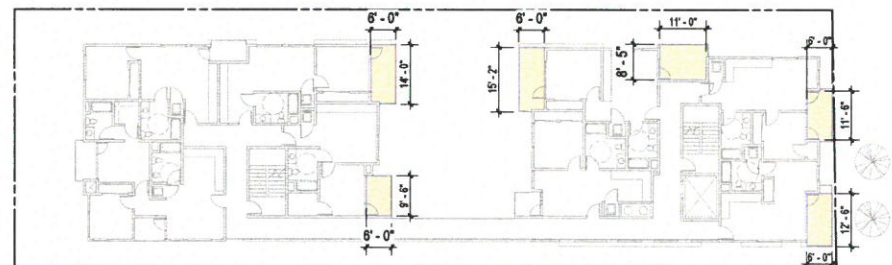
5TH FLOOR OPEN SPACE PLAN



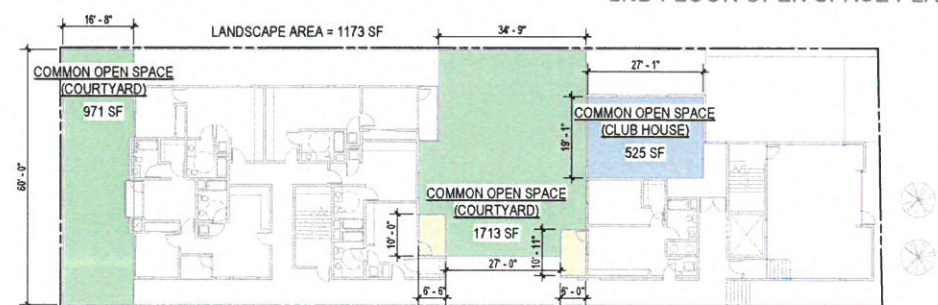
4TH FLOOR OPEN SPACE PLAN



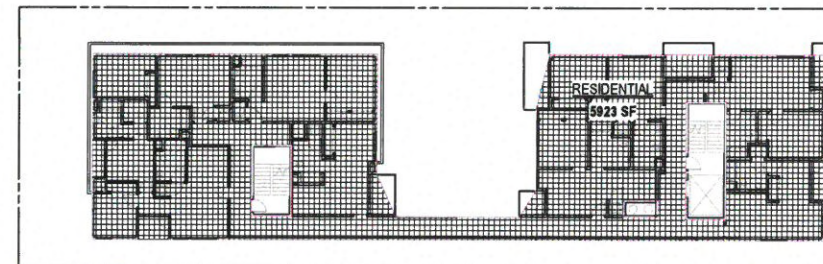
3RD FLOOR OPEN SPACE PLAN



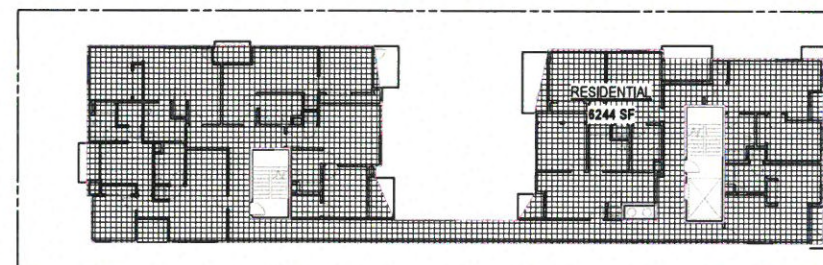
2ND FLOOR OPEN SPACE PLAN



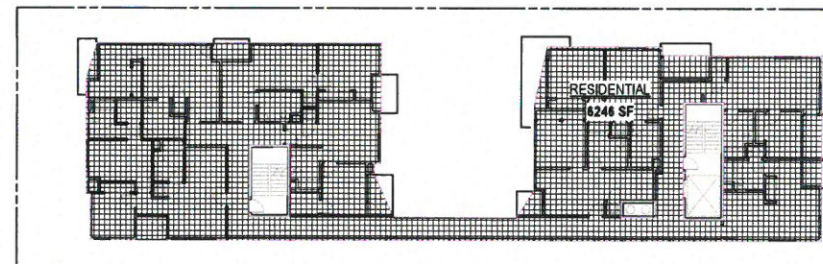
1ST FLOOR OPEN SPACE PLAN



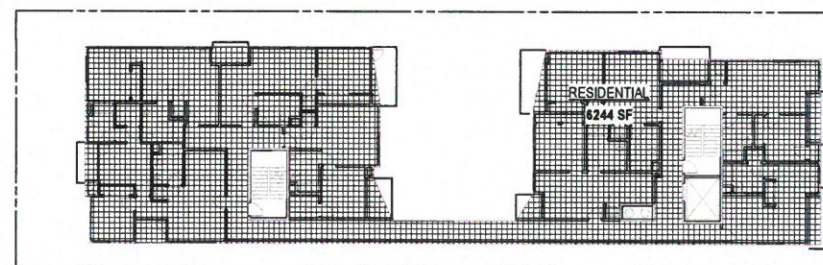
5TH FLOOR FAR PLAN



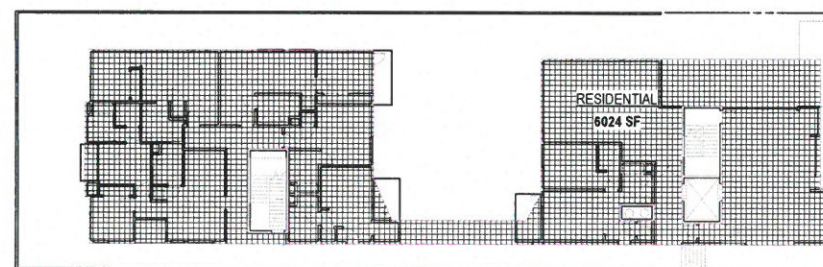
4TH FLOOR FAR PLAN



3RD FLOOR FAR PLAN



2ND FLOOR FAR PLAN



1ST FLOOR FAR PLAN

FAR CALCULATION

| LEVEL | FAR | GROSS AREA |
|-------------|-------------|------------|
| 1ST FLOOR | RESIDENTIAL | 6024 SF |
| 2ND FLOOR | RESIDENTIAL | 6244 SF |
| 3RD FLOOR | RESIDENTIAL | 6246 SF |
| 4TH FLOOR | RESIDENTIAL | 6244 SF |
| 5TH FLOOR | RESIDENTIAL | 5923 SF |
| | | 30681 SF |
| GRAND TOTAL | | 30681 SF |

OPEN SPACE PROPOSED

| NAME | LEVEL | QTY | AREA (SF) |
|--------------------------------|-----------|-----|-----------|
| 1ST FLOOR | | | |
| COMMON OPEN SPACE (CLUB HOUSE) | 1ST FLOOR | 1 | 525 |
| COMMON OPEN SPACE (COURTYARD) | 1ST FLOOR | 1 | 1713 |
| COMMON OPEN SPACE (COURTYARD) | 1ST FLOOR | 1 | 971 |
| PRIVATE OPEN SPACE | 1ST FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 1ST FLOOR | 1 | 50 |
| 2ND FLOOR | | | |
| PRIVATE OPEN SPACE | 2ND FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 2ND FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 2ND FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 2ND FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 2ND FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 2ND FLOOR | 1 | 50 |
| 3RD FLOOR | | | |
| PRIVATE OPEN SPACE | 3RD FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 3RD FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 3RD FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 3RD FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 3RD FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 3RD FLOOR | 1 | 47 |
| 4TH FLOOR | | | |
| PRIVATE OPEN SPACE | 4TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 4TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 4TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 4TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 4TH FLOOR | 1 | 50 |
| 5TH FLOOR | | | |
| PRIVATE OPEN SPACE | 5TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 5TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 5TH FLOOR | 1 | 50 |
| PRIVATE OPEN SPACE | 5TH FLOOR | 1 | 50 |
| ROOF | | | |
| COMMON OPEN SPACE (ROOF TOP) | ROOF | 1 | 2548 |
| GRAND TOTAL | | | 6904 |

PROVIDED LANDSCAPEING
1748 SF (SEE LANDSCAPE PLANS)
= 25.3% TOTAL OPEN SPACE

- COMMON OPEN SPACE (CLUB HOUSE)
- COMMON OPEN SPACE (COURTYARD)
- COMMON OPEN SPACE (ROOF TOP)
- PRIVATE OPEN SPACE

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11961 VENICE BLVD
LOS ANGELES, CA 90066

AUGUSTO B. ROJAS

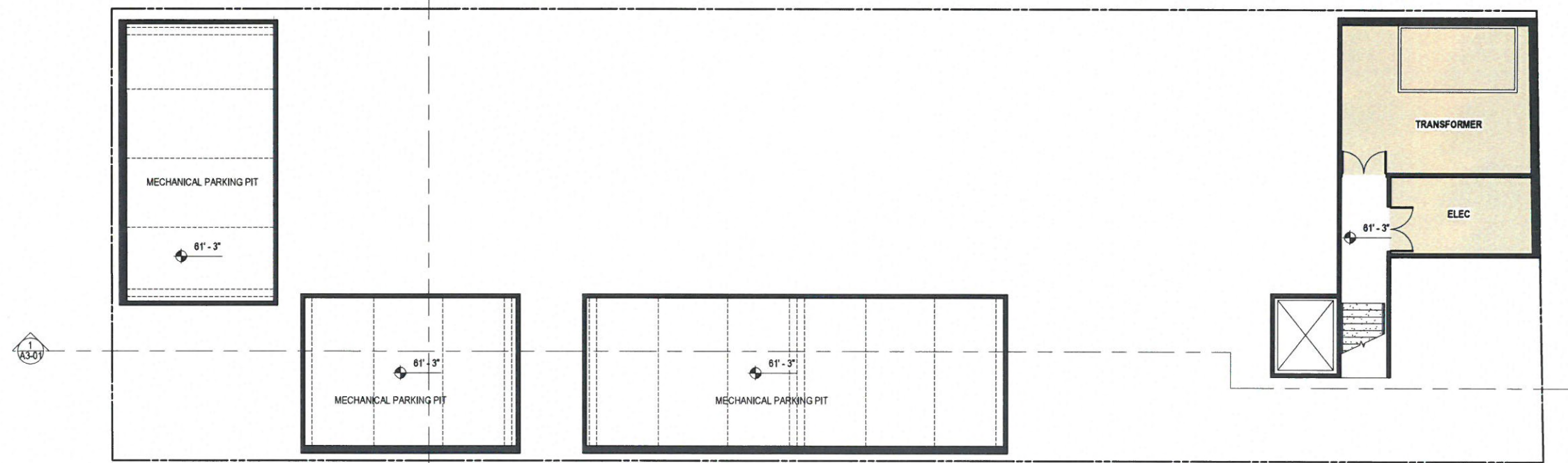
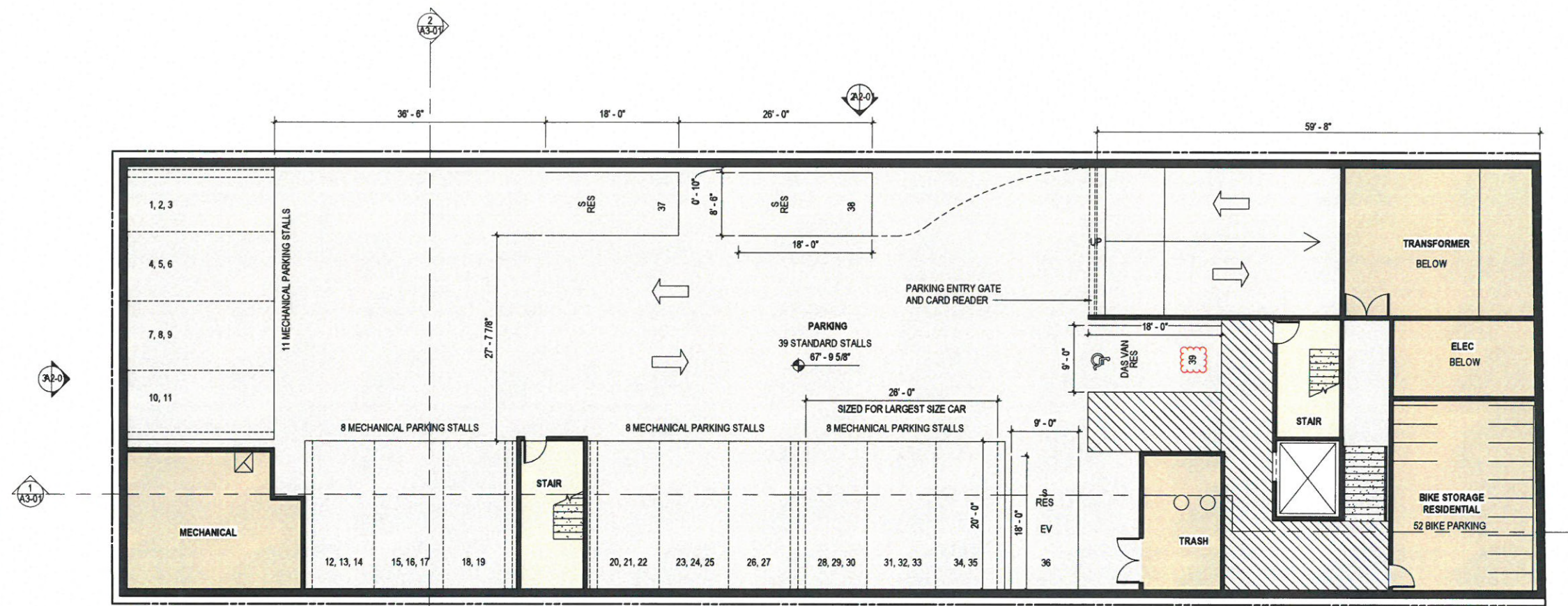
Project Number 180801
Date JUNE 15, 2020
Drawn By Author
Checked By Checker

FAR & OPEN SPACE CALCULATION

A0-03

Scale 1" = 20'-0"

ENTITLEMENT | JUNE 15, 2020



NOTES:
- PROVIDE EMERGENCY BACK-UP
POWER FOR CAR LIFTS

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11961 VENICE
11961 VENICE BLVD
LOS ANGELES, CA 90066

AUGUSTO B. ROJAS

Project Number 180801
Date JUNE 15, 2020
Drawn By -
Checked By -

**P1 & P2 FLOOR
PLAN**

A1-00

Scale 1/8" = 1'-0"

ENTITLEMENT | JUNE 15, 2020

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11961 VENICE
11961 VENICE BLVD
LOS ANGELES, CA 90066

AUGUSTO B. ROJAS

Project Number 180801
Date JUNE 15, 2020
Drawn By DRAWN BY
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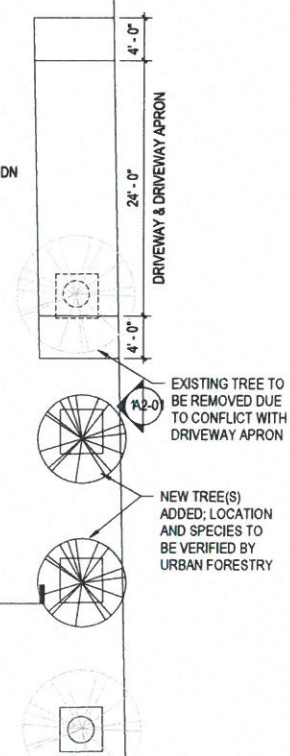
1ST & 2ND FLOOR PLAN

A1-01

Scale 1/8" = 1'-0"

ENTITLEMENT | JUNE 15, 2020

NOTES:
- PROVIDE NEW TREES AS PER DIRECTION OF URBAN FORESTRY TO REPLACE THE REMOVED STREET TREE. NUMBER OF TREE(S), LOCATION(S) AND SPECIES TO BE APPROVED BY URBAN FORESTRY.



2ND FLOOR PLAN

1ST FLOOR PLAN



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11961 VENICE BLVD
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AUGUSTO B. ROJAS

Project Number 180801
Date JUNE 15, 2020
Drawn By DRAWN BY
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3RD & 4TH FLOOR PLAN

A1-02

Scale 1/8" = 1'-0"

ENTITLEMENT | JUNE 15, 2020

4TH FLOOR PLAN

3RD FLOOR PLAN

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11961 VENICE
11961 VENICE BLVD
LOS ANGELES, CA 90066

AUGUSTO B. ROJAS

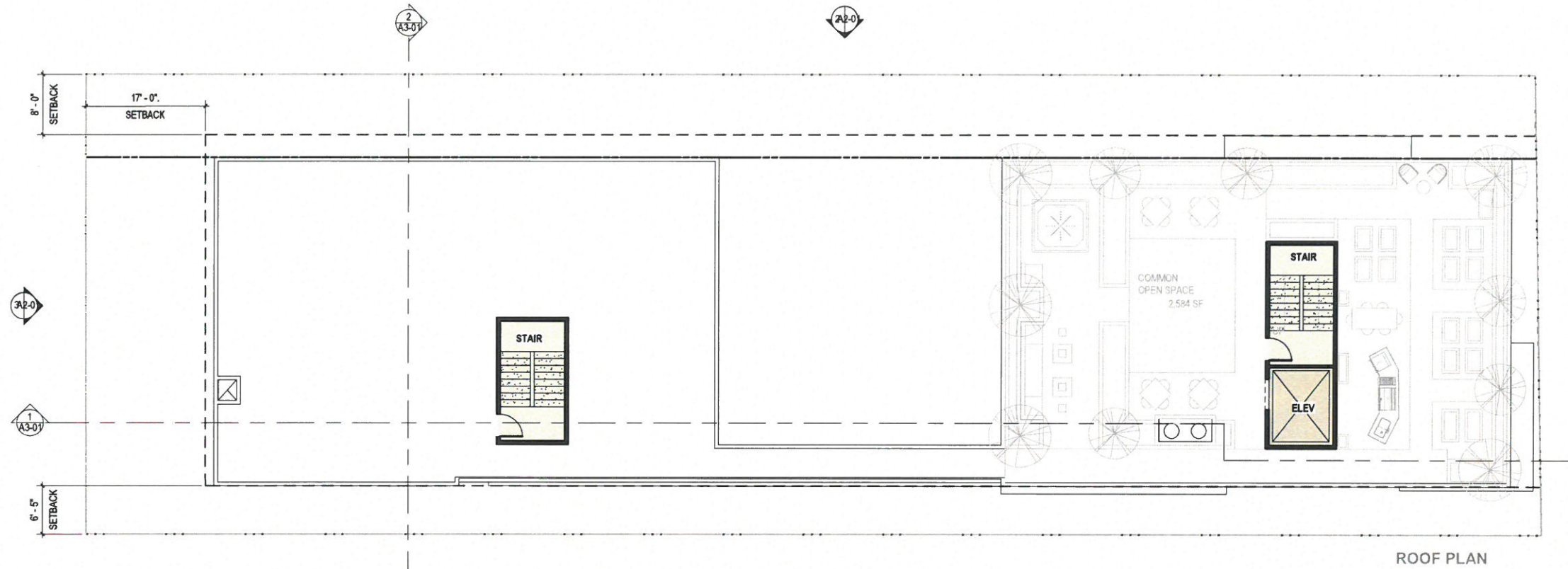
Project Number 180801
Date JUNE 15, 2020
Drawn By DRAWN BY
Checked By Checker

5TH & ROOF PLAN

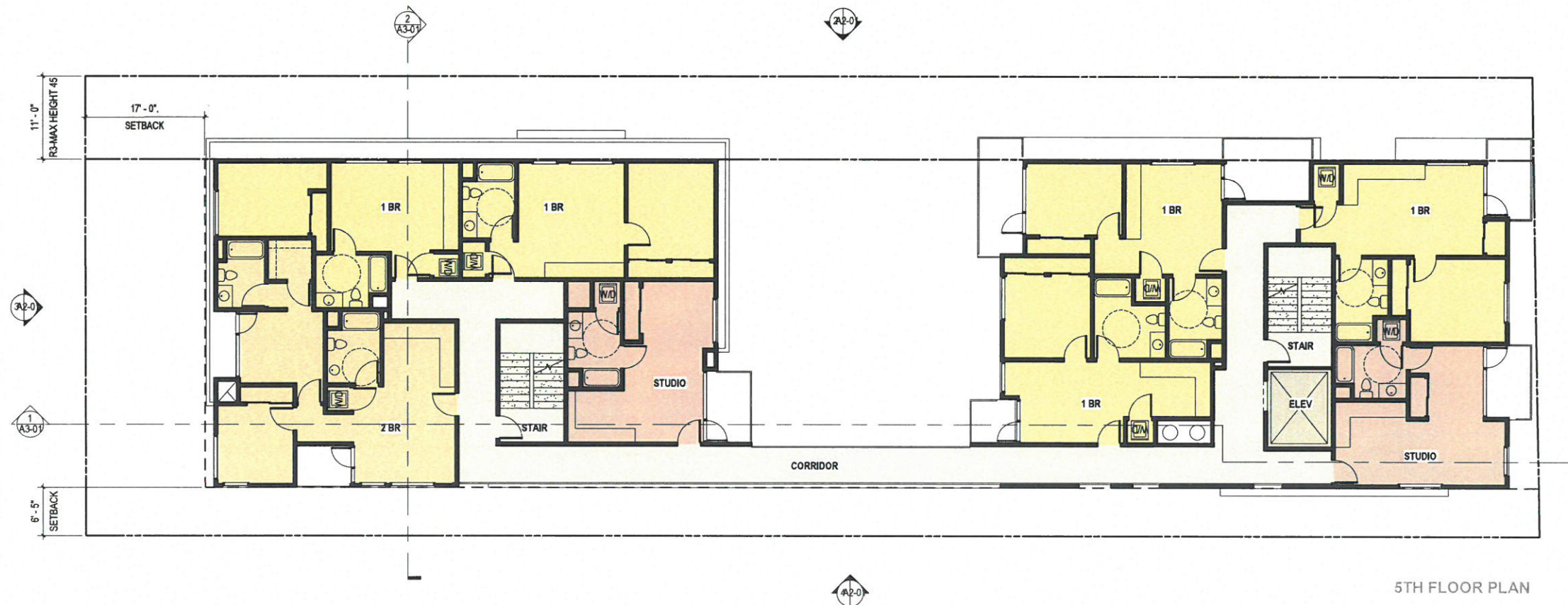
A1-03

Scale 1/8" = 1'-0"

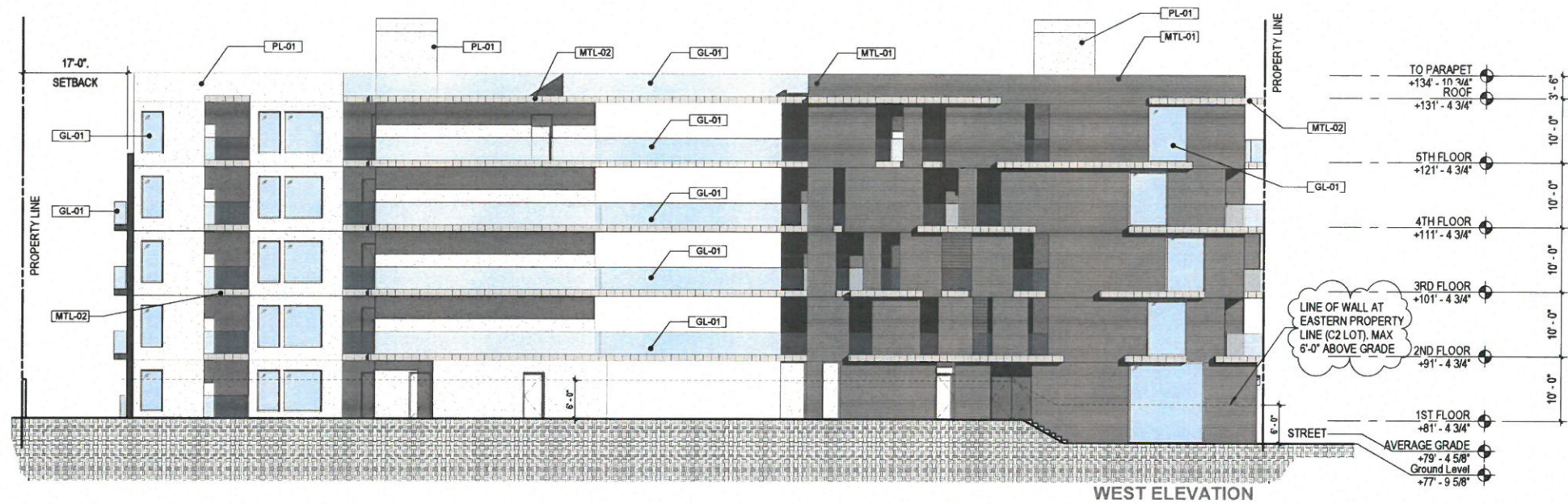
ENTITLEMENT | JUNE 15, 2020



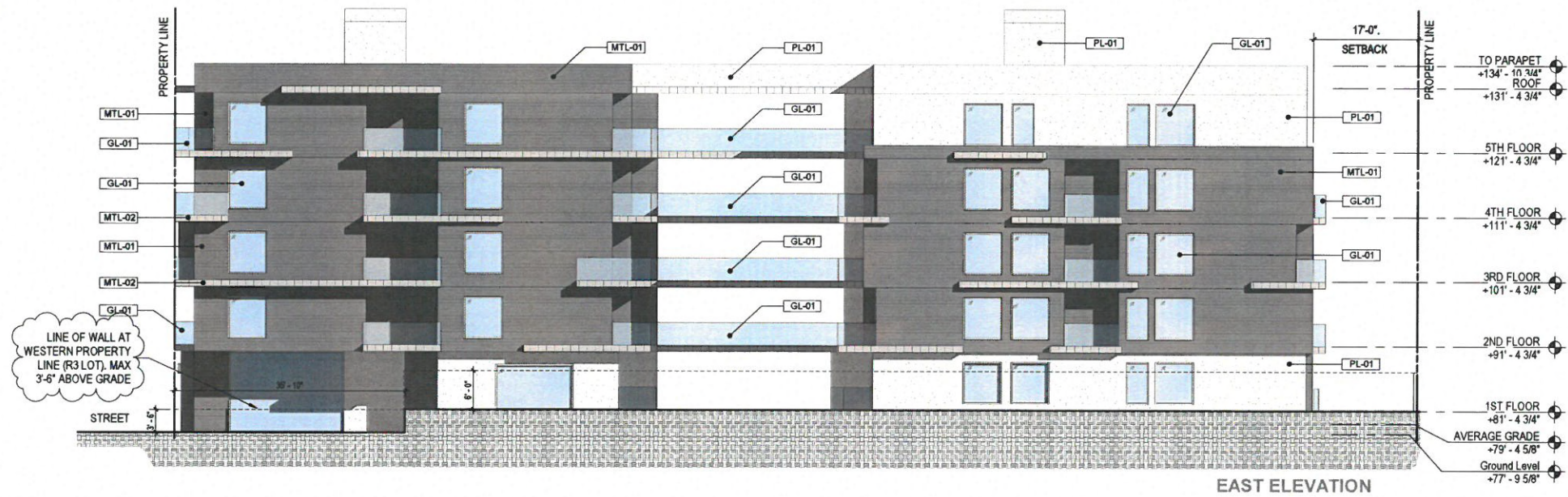
ROOF PLAN



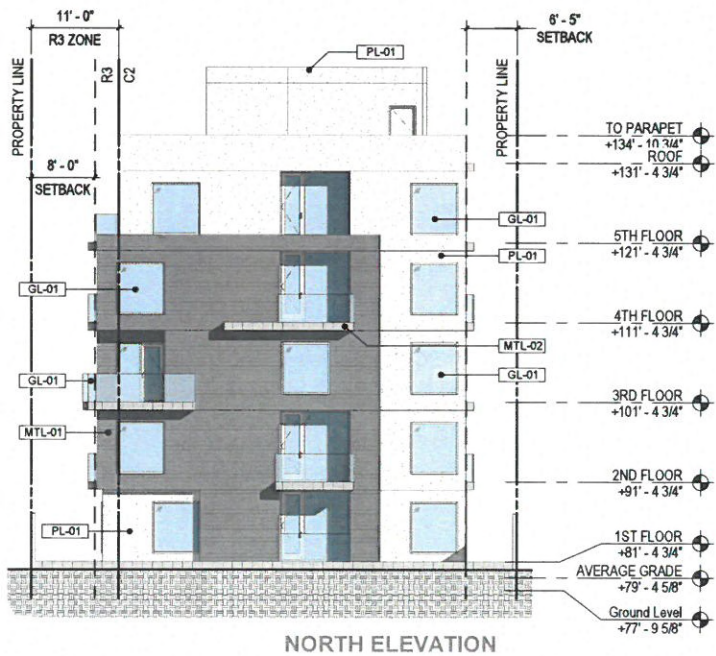
5TH FLOOR PLAN



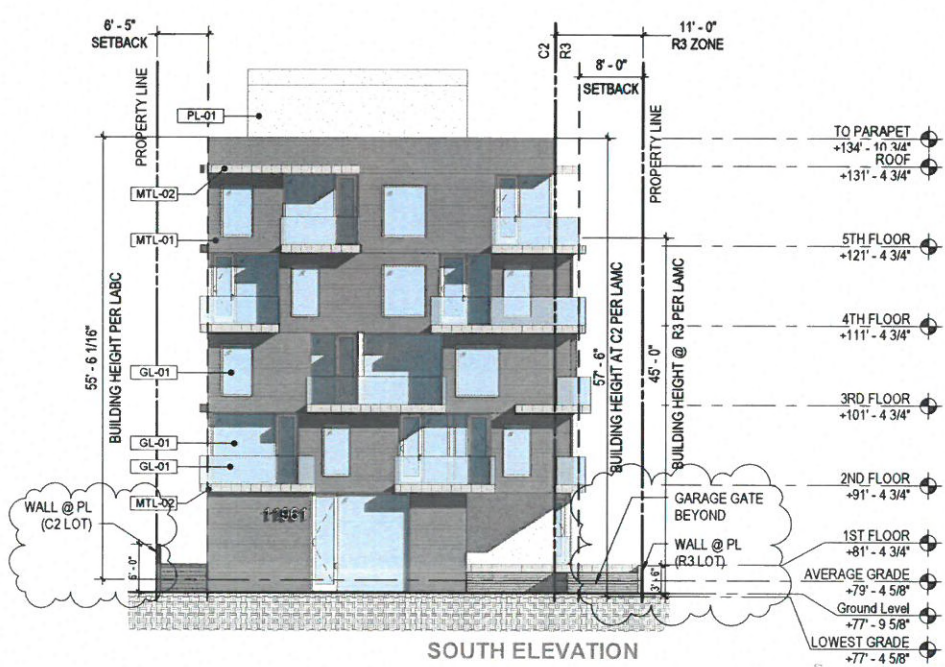
WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

MATERIAL LEGEND

| | |
|--------|--|
| MTL-01 | DARK GRAY METAL PANELS WITH HORIZONTAL SEAMS |
| MTL-02 | LIGHT GRAY METAL PANEL WITH VERTICAL SEAMS |
| PL-01 | WHITE PLASTER |
| GL-01 | CLEAR GLASS |

Asharch
6151 Cantebury Dr #302, Culver City CA 90230

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11961 VENICE
11961 VENICE BLVD
LOS ANGELES, CA 90066

AUGUSTO B. ROJAS

ENTITLEMENT | JUNE 15, 2020

| | |
|----------------|---------------|
| Project Number | 180801 |
| Date | JUNE 15, 2020 |
| Drawn By | Author |
| Checked By | Checker |

BUILDING ELEVATIONS

A2-01

Scale As indicated

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11961 VENICE
11961 VENICE BLVD
LOS ANGELES, CA 90066

AUGUSTO B. ROJAS

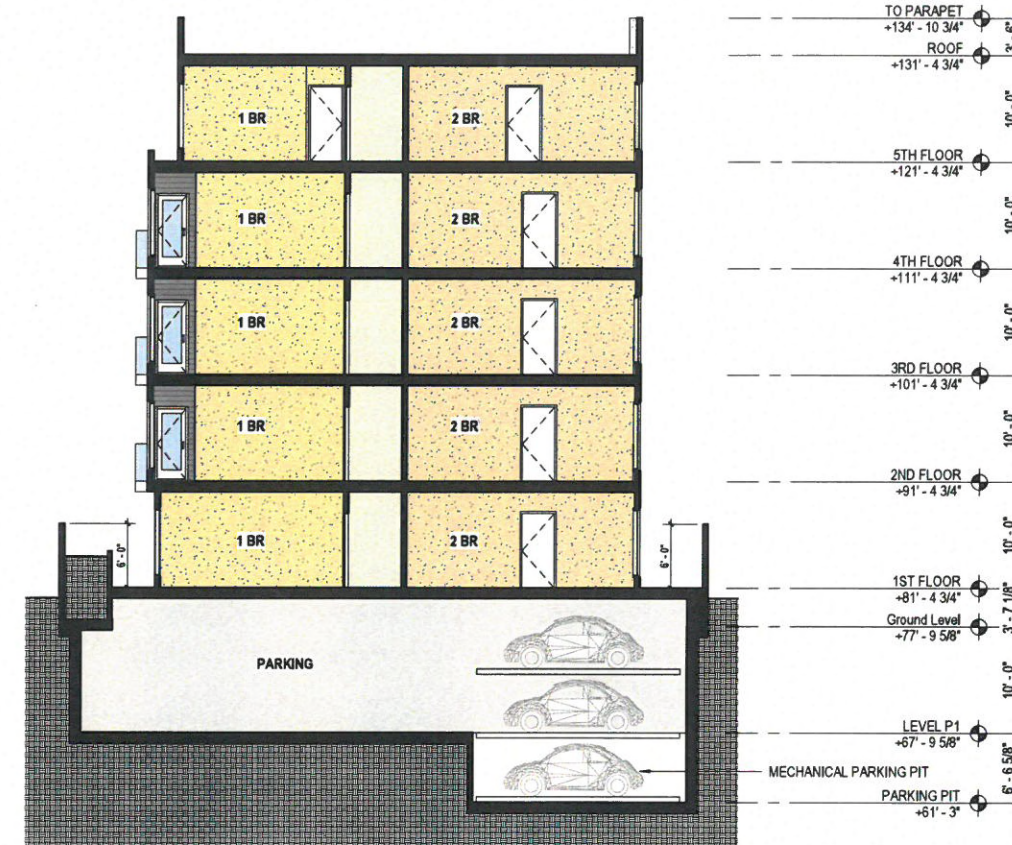
Project Number 180801
Date JUNE 15, 2020
Drawn By Author
Checked By Checker

BUILDING SECTIONS

A3-01

Scale 1/8" = 1'-0"

ENTITLEMENT | JUNE 15, 2020



BUILDING SECTION



BUILDING SECTION

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11961 VENICE
 11961 VENICE BLVD
 LOS ANGELES, CA 90066

AUGUSTO B. ROJAS

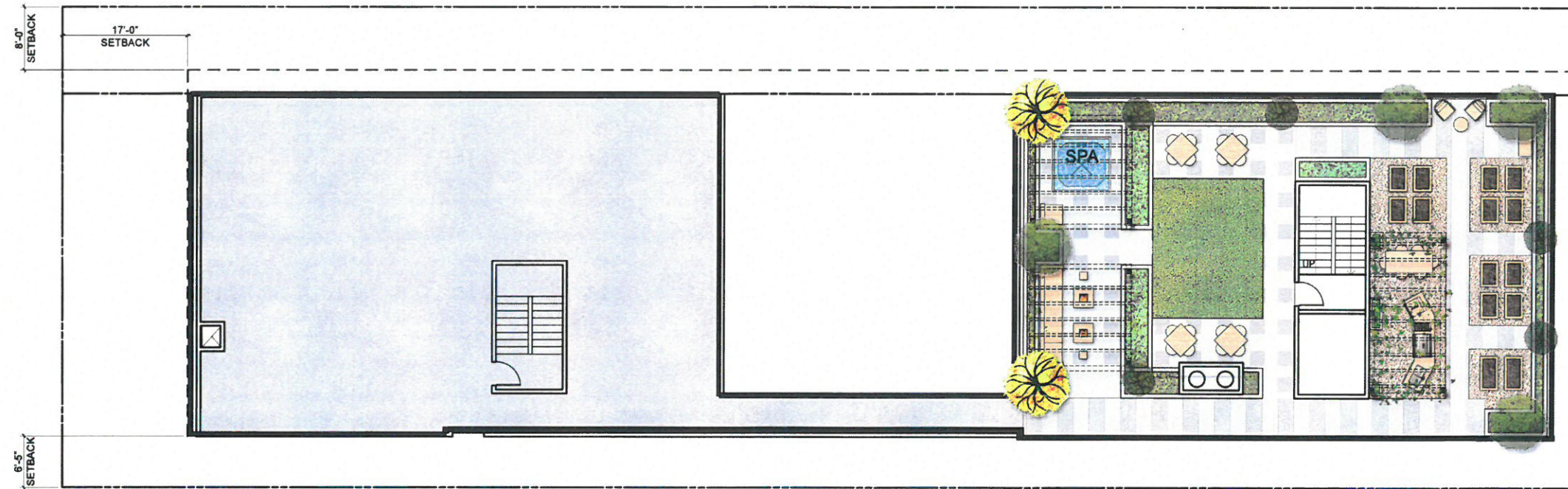
Project Number 180801
 Date JAN 20, 2020
 Drawn By Andrea J. Rojas
 Checked By Checker

**OVERALL
 LANDSCAPE
 PLANS**

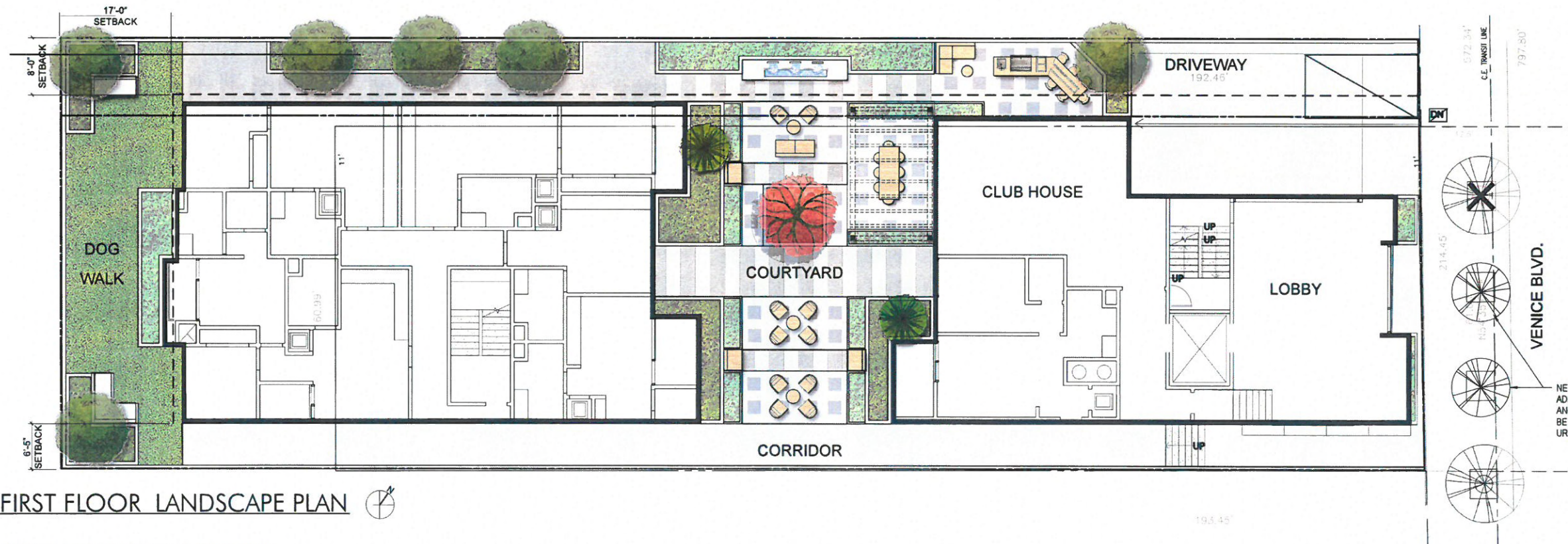
L1-01

Scale 1/8"=1'-0"

ENTITLEMENT | APRIL 5, 2020



② ROOF LANDSCAPE PLAN



① FIRST FLOOR LANDSCAPE PLAN

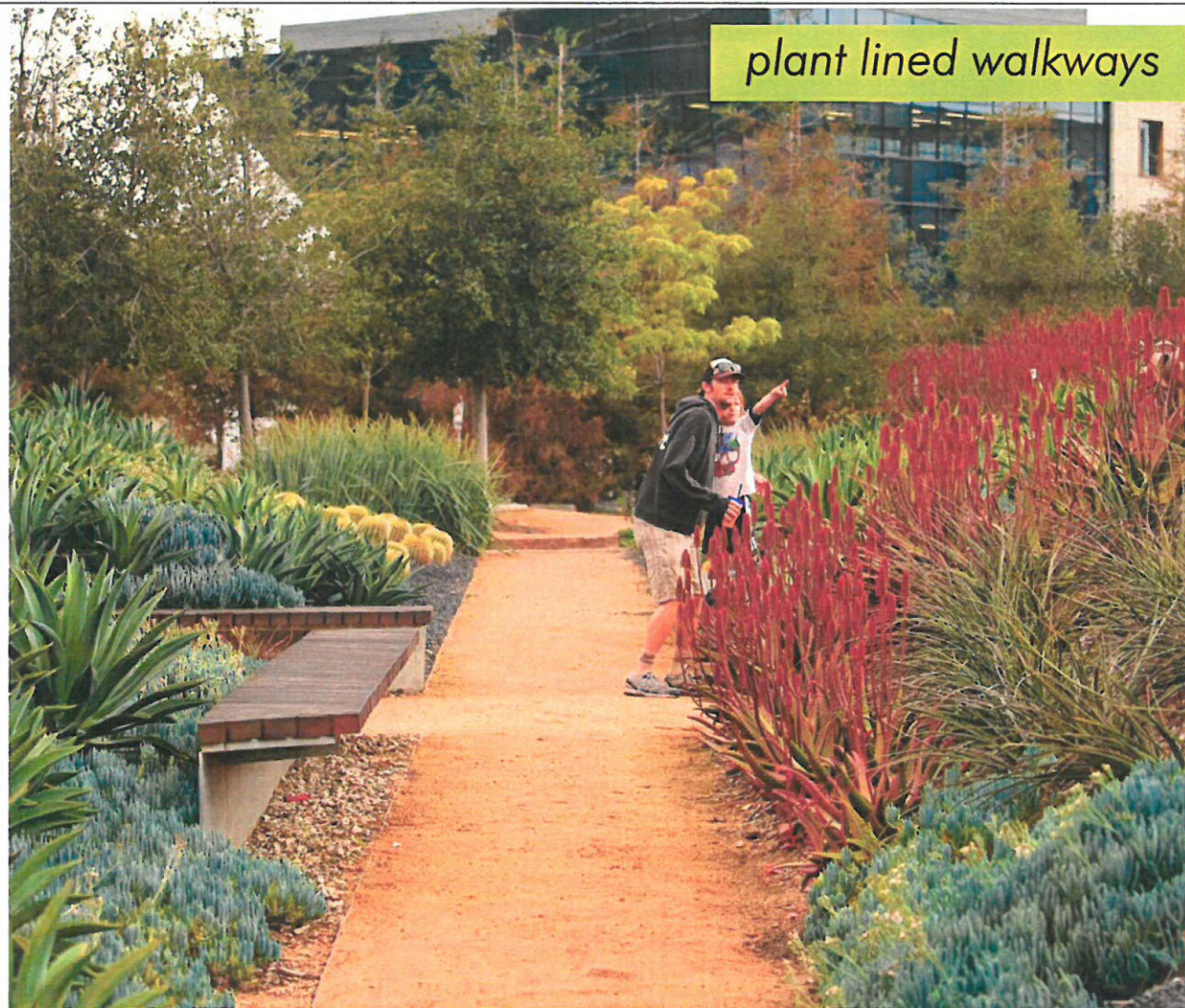
LANDSCAPE CALCULATIONS

DWELLING UNITS: 38 TOTAL
 REQUIRED COMMON SPACE: 3925 (SEE A0-01)
 COMMON SPACE PROVIDED: 6904 SF (SEE A0-03)
 REQUIRED LANDSCAPED OPEN SPACE AREA: 25%X 6904 SF= 1,726 SF
 PROVIDED LANDSCAPE AREA: 720.6+1027.4= 1,748 SF

MIN REQUIRED TREES: 4 PER UNIT
 38 UNITS/4: 9.5--->MIN REQUIRED TREES:10
 PROVIDED TREES: 21
 TOTAL TREES REMOVED: 1



dog walk



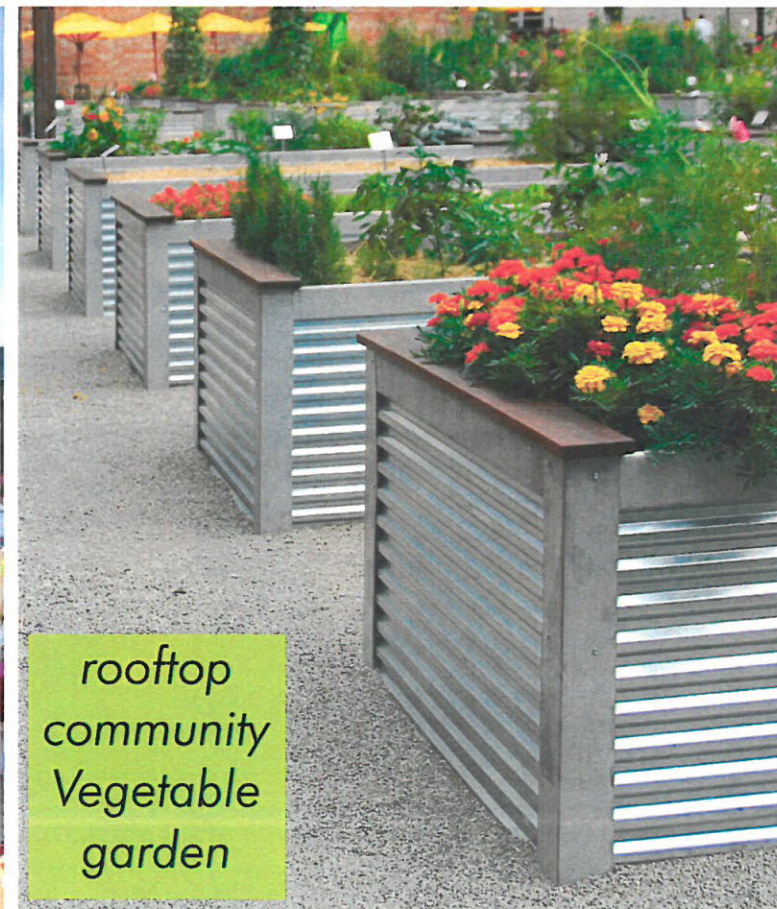
plant lined walkways



layered planters



trellis structures



rooftop
community
Vegetable
garden



seating areas surrounded by plants

11961 VENICE
11961 VENICE BLVD
LOS ANGELES, CA 90066

**AUGUSTO B.
ROJAS**

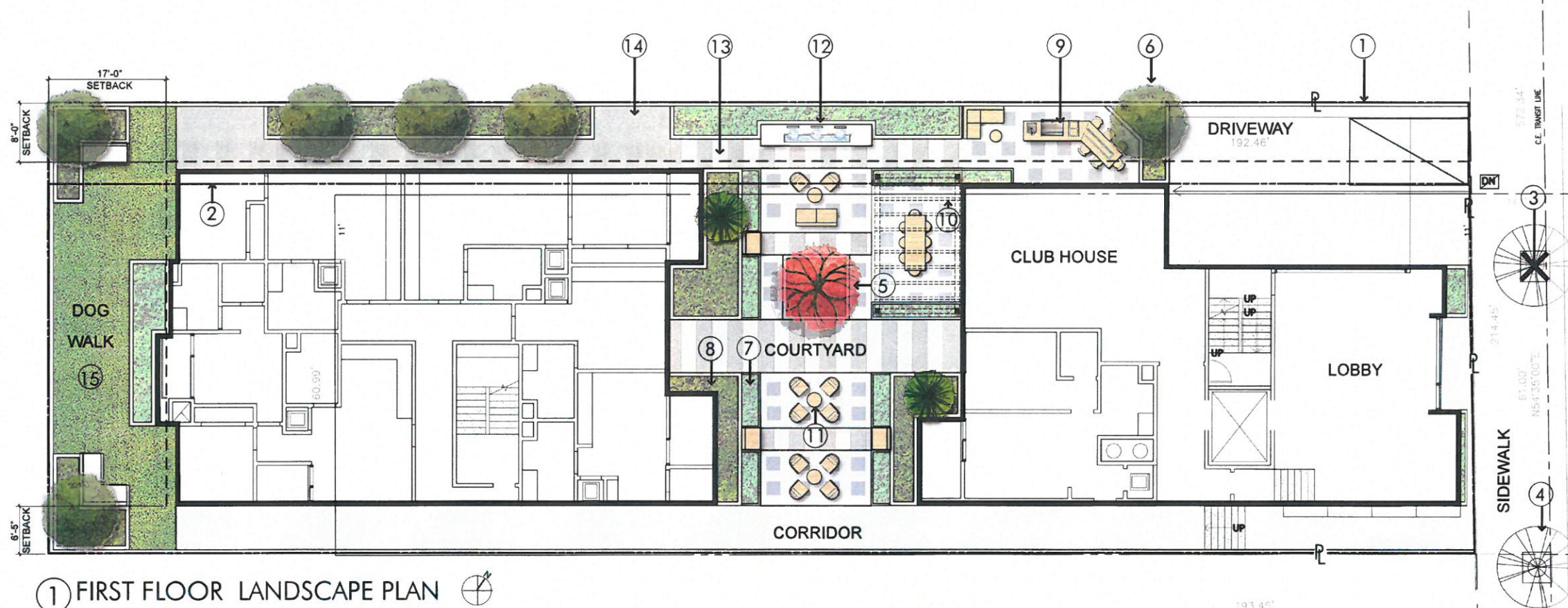
Project Number 180801
Date JAN 20, 2020
Drawn By Andrea J. Rojas
Checked By Checker

**CONCEPTUAL
LANDSCAPE
IMAGES**

L1-02

Scale

ENTITLEMENT | APRIL 5, 2020



RP Refined Projects
LANDSCAPE DESIGN & CONSTRUCTION
310-220-9510
3626 8TH AVE, LOS ANGELES, CA

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AUGUSTO B. ROJAS

Project Number 180801
Date JAN 20, 2020
Drawn By Andrea J. Rojas
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**FIRST FLOOR
LANDSCAPE PLAN
& INFORMATION**

L1-03

Scale 1/8"=1'-0"

ENTITLEMENT | APRIL 5, 2020

1 FIRST FLOOR LANDSCAPE PLAN

TREE LEGEND: PROPOSED TREES

| SYMBOL | NAME | WUCOLS | QUANTITY |
|--------|---|--------|----------|
| | Coral Tree <i>Erythrina caffra</i> | L | 1 |
| | Carrotwood Tree <i>Cupaniopsis anacardioides</i> | L | 6 |
| | Mountain Cabbage Tree <i>Cordyline Australis</i> | L | 2 |

PLANT DETAILS

| NO. | SIZE | BOTANICAL NAME | COMMON NAME | H | W | WUCOLS WATER USE | EVER GREEN | EXPOSURE | FLOWER COLOR |
|---|---------|--|------------------------|------|------|------------------|------------|---------------------------|----------------|
| Trees | | | | | | | | | |
| | 36" box | <i>Erythrina caffra</i> | Coral Tree | 20' | 40' | low | yes | Full Sun to | red |
| | 24" box | <i>Cupaniopsis anacardioides</i> | Carrotwood Tree | 40' | 30' | low | yes | Full Sun to Partial Shade | Orange Capsule |
| | 24" box | <i>Yucca gigantea</i> | Spineless yucca | 8' | 5' | low | yes | Full Sun | white |
| | 24" box | <i>Chamaerops humilis var. argentea</i> | Atlas Mountain Palm | 8' | 10' | low | yes | Full Sun | white |
| Medium & Small Shrubs & Perennials | | | | | | | | | |
| | 5 gal | <i>Philodendron Xanadu</i> | Xanadu Philadenron | 3' | 5' | low/med | yes | part shade | none |
| | 5 gal | <i>Bulbine frutescens 'Hallmark'</i> | Orange stalked bulbine | 3' | 4' | low | yes | sun | orange/yellow |
| Succulents | | | | | | | | | |
| | 5 gal | <i>Agave shawii x attenuata</i> | Agave 'Blue Flame' | 2-3' | 3' | low | yes | full sun | yellow/green |
| | 5 gal | <i>Aloe nobilis</i> | Golden toothed aloe | 1-2' | 3-4' | low | yes | full sun | coral/red |
| | 5 gal | <i>Crassula arborescens</i> | Silver Dollar Plant | 3' | 3' | low | yes | full sun | none |
| Ground Covers | | | | | | | | | |
| | 4" | <i>Rosmarinus officinalis 'prostratus'</i> | Creeping Rosemary | 2' | 4-8' | low | yes | sun | blue |

CONSTRUCTION LEGEND

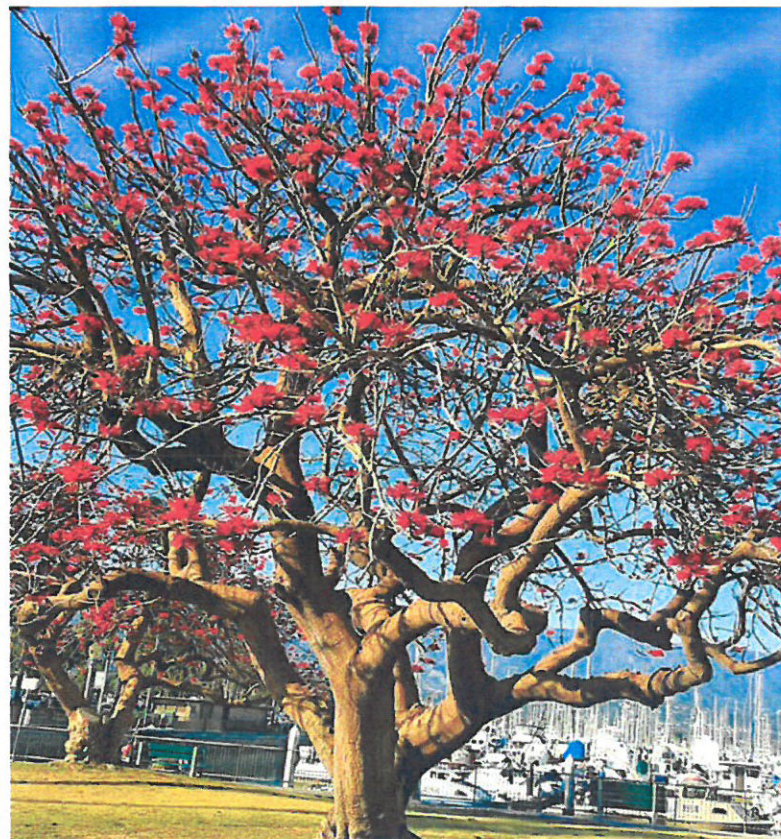
- 1 Property Line
- 2 Setback
- 3 Tree to be Removed to allow for driveway access
- 4 Existing Tree to Remain
- 5 Proposed Specimen Tree: Coral Tree
- 6 Proposed Trees (see Tree Legend)
- 7 2.5' tall planters
- 8 3.5' tall planters
- 9 Built-in BBQ & Outdoor Dining Area
- 10 Trellis
- 11 Outdoor Furniture
- 12 Water Feature
- 13 Decorative Paving Pattern
- 14 Concrete Paving
- 15 SYNlawn: Artificial Turf Lawn at Dog Walk

LANDSCAPE CALCULATIONS

PROVIDED LANDSCAPE AREA: 1,027.4 SF
PROVIDED TREES: 10
TREES REMOVED: 1
TREES TO REMAIN: 1



Carrotwood Tree
Cupaniopsis anacardioides



Coral Tree
Erythrina caffra



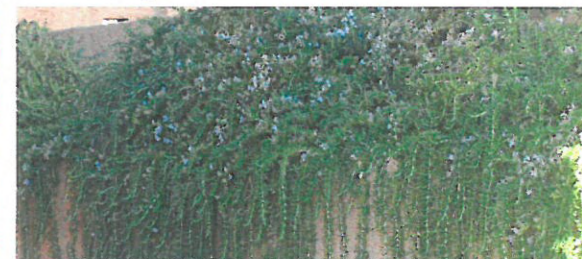
Xanadu Philadenron
Philodendron Xanadu



Mountain Cabbage Tree
Cordyline Australis



Blue Flame Agave
Agave shawii x attenuata



Trailing Rosemary
Rosmarinus officinalis



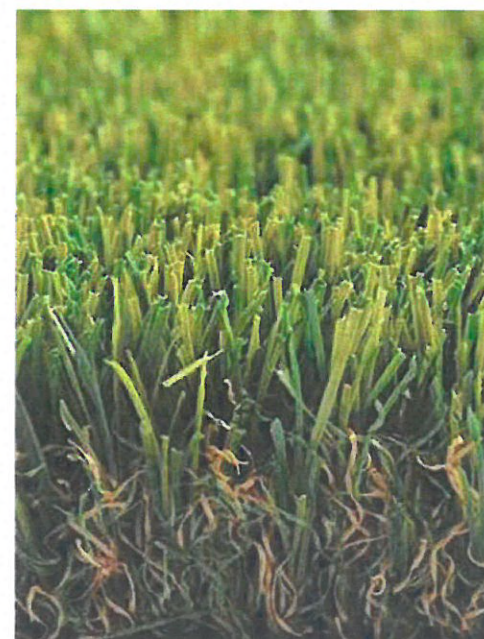
Atlas Mountain Palm
Chamaerops humilis Cerifera



'Tiny Tangerine' Bulbine
Bulbine frutescens



Aloe nobilis
Golden toothed aloe



SYNLawn Roofdeck Platinum
Fire Rated artificial grass not requiring
infill. Safety rated: Class A – ASTM E108,
ASTM E648 & ASTM E84

11961 VENICE
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LOS ANGELES, CA 90066

**AUGUSTO B.
ROJAS**

Project Number 180801
Date JAN 20, 2020
Drawn By Andrea J. Rojas
Checked By Checker

**FIRST FLOOR
LANDSCAPE
PLANT PALETTE**

L1-04

Scale 1/8"=1'-0"

ENTITLEMENT | APRIL 5, 2020

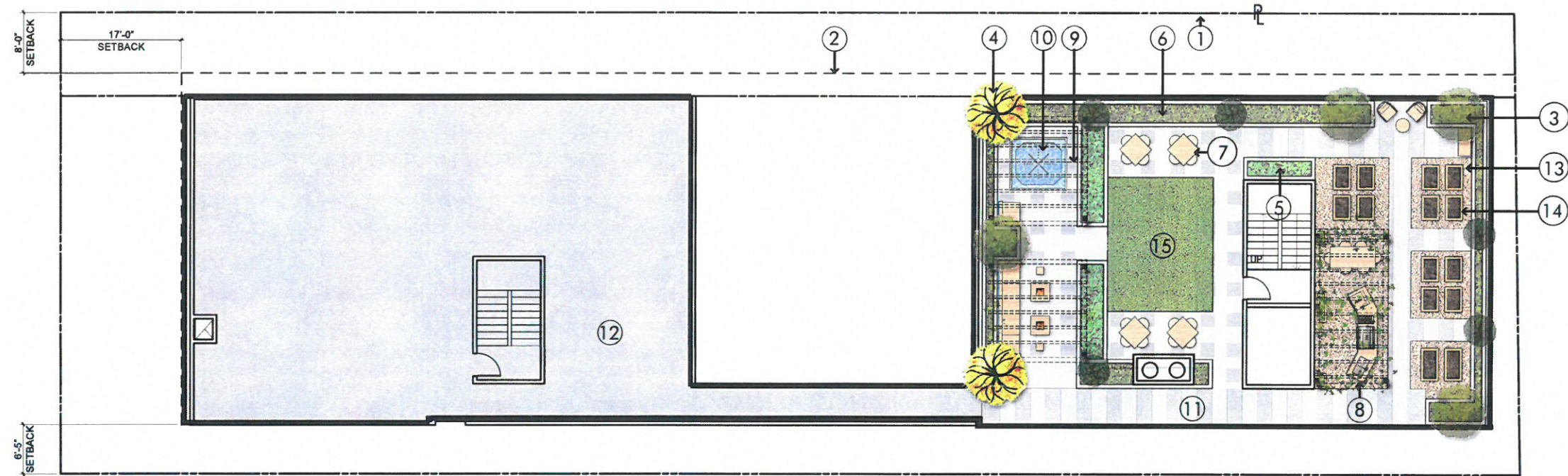


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2 ROOF LANDSCAPE PLAN

LANDSCAPE PLANT PALETTE & INFORMATION

| | SIZE | BOTANICAL NAME | COMMON NAME | H | W | WUCOLS WATER USE | EVER GREEN | EXPOSURE | FLOWER COLOR | BLOOM |
|---|---------|--|-----------------------------|--------|--------|------------------|------------|----------------------|---------------|----------------------|
| Trees | | | | | | | | | | |
| | 16g | <i>Arctostaphylos</i> x 'John Dourley' | John Dourley Manzanita Tree | 4-5' | 4-5' | low | yes | full sun | red, yellow | fall-winter |
| | 24" box | <i>Olea Wilsonii</i> 'Fruitless Multi' | Olive Tree | 15-25' | 15-20' | low | yes | full sun | insig | spring |
| | 24" box | <i>Parkinsonia</i> x 'Desert Museum' 'NLB' | Desert Museum Palo Verde | 25' | 25' | low | No | full sun | bright yellow | spring |
| Perennials Herbs, Edibles & Greens | | | | | | | | | | |
| | 5 gal | <i>Salvia apiana</i> | White sage | 4-5' | 4-5' | low | yes | full sun | blue | Spring/Winter |
| | 5 gal | <i>Rosmarinus officinalis</i> 'prostratus' | Upright Rosemary | 2-3' | 4-5' | low | yes | full sun | blue | Spring, Winter |
| | 5 gal | <i>Thymus vulgaris</i> | English Thyme | 2-3' | 4-5' | low | yes | full sun | blue | Spring-Summer |
| Large Shrubs | | | | | | | | | | |
| | 5 gal | <i>Leucospermum cordifolium</i> 'Giant Orange' | Flame Giant Pincushion | 4-5' | 6-8' | low | yes | full sun | yellow | Spring |
| Medium & Small Shrubs & Perennials | | | | | | | | | | |
| | 5 gal | <i>Bulbine frutescens</i> 'Hallmark' | Orange stalked bulbine | 3' | 4' | low | yes | sun | orange/yellow | Spring/summer |
| | 5 gal | <i>Salvia apiana</i> | white sage | 3' | 3' | low | yes | sun | white | Spring/Summer |
| | 5 gal | <i>Tagetes Lemmonii</i> 'Compacta' | Compact Mt. Lemon Marigold | 2-3' | 2-3' | low | yes | full sun/ part shade | yellow | Winter, Spring, Fall |
| | 5 gal | <i>Westringea fruticosa</i> | Westringea 'Grey Box' | 12-15' | 18-24" | low | yes | full sun | white | Summer |
| Succulents | | | | | | | | | | |
| | 5 gal | <i>Agave shawii</i> x <i>attenuata</i> | Agave 'Blue Flame' | 2-3' | 3' | low | yes | full sun | yellow/green | infrequent |
| | 5 gal | <i>Kniphofia uvula</i> | Red Hot Poker | 3' | 3.5' | med | yes | full sun | red | Summer |
| | 24" box | <i>Aloe nobilis</i> | Golden toothed aloe | 1-2' | 3-4' | low | yes | full sun | coral/red | Fall/Winter |
| Grasses, Rushes & Sedges | | | | | | | | | | |
| | 5 gal | <i>Chondropetalum lecorum</i> | Small Cape Rush | 2-3' | 3-4' | low | yes | sun or shade | brown | Fall |
| Ground Covers | | | | | | | | | | |
| | 4" | <i>Rosmarinus officinalis</i> 'prostratus' | Creeping Rosemary | 2' | 4-8' | low | yes | sun | blue | Spring/Summer |
| Vines | | | | | | | | | | |
| | 5 gal | <i>Tangerine Galium macropterum</i> | Tangerine Clematis | 10-15' | 2-3' | low | yes | full sun | orange | Late Winter/ Spring |

LANDSCAPE CALCULATIONS

PROVIDED LANDSCAPE AREA: 720.6 SF
PROVIDED TREES: 11

TREE LEGEND

| SYMBOL | NAME | WUCOLS | QUANTITY |
|--------|--|--------|----------|
| | Desert Museum Palo Verde <i>Parkinsonia</i> x 'Desert Museum' | L | 2 |
| | Fruitless Olive Tree <i>Olea Wilsonii</i> 'Multi' | L | 4 |
| | Manzanita <i>Arctostaphylos</i> 'John Dourley' | L | 5 |

CONSTRUCTION LEGEND

- 1 Property Line
- 2 Setback
- 3 Proposed Trees (See Tree Legend)
- 4 Proposed Specimen Trees
- 5 2.5' tall planters
- 6 3.5' tall planters
- 7 Outdoor Furniture
- 8 Built-in BBQ Structure
- 9 Trellis Overhead Structures
- 10 Spa
- 11 Decorative Paving Pattern
- 12 Simple Concrete paving
- 13 Landscape Gravel
- 14 Raised Vegetable Beds
- 15 SYNlawn: Artificial Turf Lawn

11961 VENICE
11961 VENICE BLVD
LOS ANGELES, CA 90066

AUGUSTO B. ROJAS

Project Number 180801
Date JAN 20, 2020
Drawn By Andrea J. Rojas
Checked By Checker

ROOF LANDSCAPE PLANT PALETTE

L1-05

Scale 1/8"=1'-0"

ENTITLEMENT | APRIL 5, 2020



Mexican Marigold
Tagettis lemonii



White Sage
Salvia apiana



Desert Museum Palo Verde
Parkinsonia x 'Desert Museum' NLB



Red Hot Poker
Kniphofia uvaria



Callaeum macropterum
Tangerine Clematis



English Thyme
Thymus Vulgaris



Blue Flame Agave
Agave shawii x attenuata



Fruitless Olive Tree
Olea Wilsonii 'Multi'



Manzanita
Arctostaphylos 'John Dourley'



Trailing Rosemary
Rosmarinus officinalis



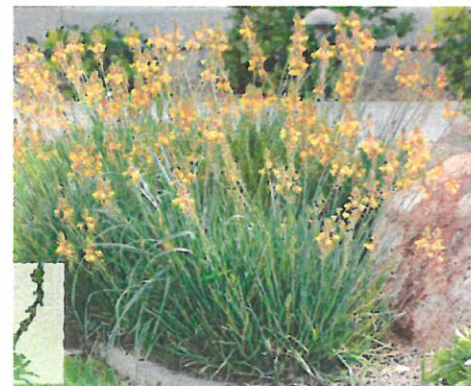
'Flame Giant' Pincushion
Leucospermum cordifolium



Westringia 'Grey Box'
Westringia fruticosa



Aloe nobilis
Golden toothed aloe



Bulbine frutescens
Tangerine Stalked Bulbine



SYNLawn Roofdeck Platinum
Fire Rated artificial grass not requiring infill.
Safety rated: Class A – ASTM E108, ASTM E648 & ASTM E84

11961 VENICE
11961 VENICE BLVD
LOS ANGELES, CA 90066

AUGUSTO B. ROJAS

Project Number 180801
Date JAN 20, 2020
Drawn By Andrea J. Rojas
Checked By Checker

**ROOF LANDSCAPE
PLANT PALETTE &
INFORMATION**

L1-06

Scale 1/8"=1'-0"

ENTITLEMENT | APRIL 5, 2020

EXHIBIT D
ENVIRONMENTAL CLEARANCE (ENV-2019-3816-CE)
DIR-2019-3815-DB-1A

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-2019-3815-DB / Density bonus & Affordable Housing Incentives

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2019-3816-CE

PROJECT TITLE

N/A

COUNCIL DISTRICT

11

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

☐ Map attached.**11961 West Venice Boulevard**

PROJECT DESCRIPTION:

☐ Additional page(s) attached.

The project is a 5-story multi-family residential dwelling measuring 57-foot 6-inches, contains 38 residential dwelling units (including 5 Very Low Income units) and 30,681 square feet of floor area. The project will provide 39 vehicle parking spaces in one subterranean parking level, and will replace 4 vehicle parking spaces with bicycle parking. The project will provide 52 long-term bicycle spaces and 4 short-term bicycle spaces. The existing medical office building will be demolished. There are no existing trees on the subject site. One non-protected tree in the adjacent public right-of-way will be removed to accommodate the proposed driveway. The project will require the grading and export of approximately 8,008 cubic yards of soil.

NAME OF APPLICANT / OWNER:

Scott Walter / 9033 Ramsgate, LLC, 9037 Ramsgate, LLC, & 9043 Ramsgate, LLC

CONTACT PERSON (If different from Applicant/Owner above)

Alix Wisner / Armbruster Goldsmith & Delvac LLP

(AREA CODE) TELEPHONE NUMBER

(310) 209-8800

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) **Sec. 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

The proposed project qualifies for a Class 32 Categorical Exemption as it is developed on an infill site and meets the conditions as follows: (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; (b) The proposed development occurs within city limits on a Project Site of no more than five acres substantially surrounded by urban uses; (c) The Project Site has no value as habitat for endangered, rare or threatened species; (d) Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) The Site can be adequately served by all required utilities and public services.

☒ 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

Esther Serrato



STAFF TITLE

City Planning Associate

ENTITLEMENTS APPROVED

Density bonus & Affordable Housing Incentives

FEE:

\$5,774.00

RECEIPT NO.

0104058805

REC'D. BY (DCP DSC STAFF NAME)

Ulises Gonzalez

DISTRIBUTION: County Clerk, Agency Record



JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2019-3816-CE

As the designee of the Director of Planning, I have determined, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to State CEQA Guidelines, Article 19, Section 15332 (Class 32), and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

The Proposed Project is a five-story multi-family residential dwelling measuring 57-foot 6-inches in the C2 Zone and 45-feet in the R3 Zone. The Proposed Project contains 38 residential dwelling units (including 5 Very Low Income units). The building will be approximately 30,681 square feet of floor area, with a Floor Area Ratio ("FAR") of 2.89:1. The project will provide 39 vehicle parking spaces in one subterranean parking level, and will replace four (4) vehicle parking spaces with bicycle parking as permitted by Los Angeles Municipal Code (LAMC) Section 12.21 A.4. The project will also provide 52 long-term bicycle spaces and four (4) short-term bicycle spaces. The existing medical office building will be demolished. There are no existing trees on the subject site. One non-protected tree in the adjacent public right-of-way will be removed to accommodate the proposed driveway. The project will require the grading and export of approximately 8,008 cubic yards of soil. As a multi-family residential building and a project which is characterized as in-fill development, the project qualifies for the Class 32 Categorical Exemption.

CEQA Determination – Class 32 Categorical Exemption Applies

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 subject site is located within the Palms – Mar Vista – Del Rey Community Plan and is designated for Community Commercial Land Uses, corresponding to the CR, C2, C4, RAS3, and RAS4 Zones. The site is zoned C2-1 and is consistent with the land use designation. As shown in the case file, the project is consistent with the applicable Palms – Mar Vista – Del Rey Community Plan designation and policies and 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 subject site is wholly within the City of Los Angeles, on a site that is approximately 0.27 acres. The existing site is improved with a medical office building. Lots adjacent to

the subject site are developed with the following urban uses: commercial and multi-family residential uses.

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

The site is previously disturbed and surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. There are trees on the subject site. There is one non-protected tree in the adjacent public right-of-way, as identified in the Tree Report prepared by McKinley & Associates on October 17, 2019, which will be removed to accommodate the proposed driveway.

- (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. More specifically, RCMs include but are not limited to:

- **Regulatory Compliance Measure RC-AQ-1(Demolition, Grading and Construction Activities): Compliance with provisions of the SCAQMD District Rule 403.** The project shall comply with all applicable standards of the Southern California Air Quality Management District, including the following provisions of District Rule 403:
 - All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
 - The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
 - All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
 - All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
 - General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
 - Trucks having no current hauling activity shall not idle but be turned off.
- **Regulatory Compliance Measure RC-GEO-1 (Seismic):** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
- **Regulatory Compliance Measure RC-NO-1 (Demolition, Grading, and Construction Activities):** The project shall comply with the City of Los Angeles Noise Ordinance and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

These RCMs will ensure the project will not have significant impacts on noise and water. Furthermore, the project does not exceed the threshold criteria established by the Los

Angeles Department of Transportation (LADOT) for preparing a traffic study. Therefore, the project will not have any significant impacts to traffic. Interim thresholds were developed by DCP staff based on California Emissions Estimator Model (CalEEMod) runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds.

(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 construction of a multi-family residential building will be on a site which has been previously developed and is consistent with the General Plan. Therefore, the project meets all of the Criteria for the Class 32.

CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 32:

(a) **Cumulative Impacts.** *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. Therefore, no cumulative impacts would occur.

(b) **Significant Effect 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.*

As mentioned, the project proposes a multi-family residential building in an area zoned and designated for such uses. Adjacent lots are developed with commercial and multi-family residential uses, and the subject site is of a similar size and slope to nearby properties. The project proposes a Floor Area Ratio (FAR) of 2.89:1 on a site that is permitted to have a maximum FAR of 3:1 through the Density Bonus Affordable Housing Program and pursuant to LAMC Section 12.22 A.25. The project size and height is not unusual for the vicinity of the subject site. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

(c) **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 only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The State Route 27 is approximately 8.9 miles northwest of the subject site. Therefore, the subject site will not create any impacts within a designated as a state scenic highway.

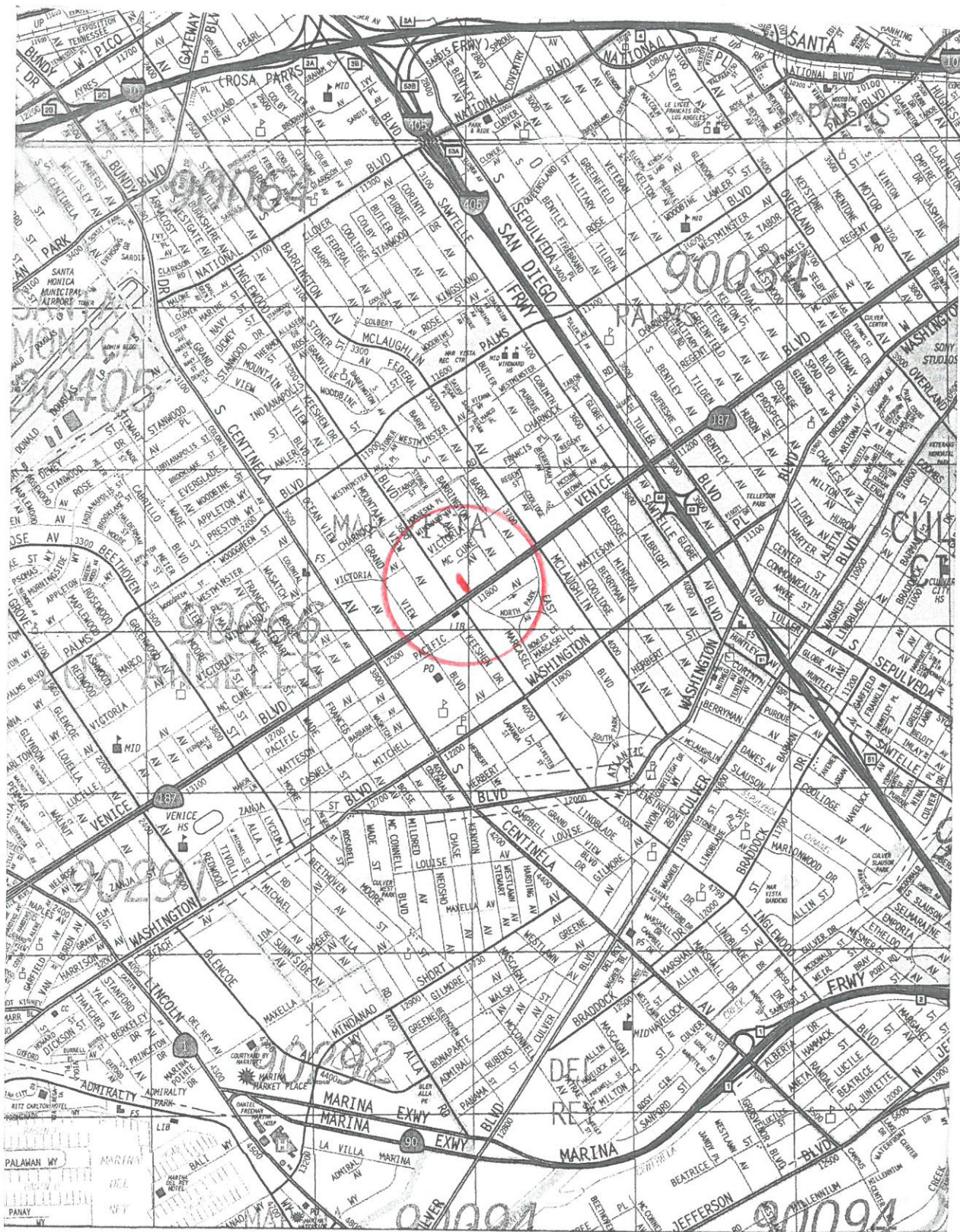
- (d) **Hazardous Waste Sites.** *A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code*

According to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site.

- (e) **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 project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the site as a historic resource. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

EXHIBIT E
MAPS, ZIMAS PARCEL PROFILE REPORT,
AND SITE PHOTOS
DIR-2019-3815-DB-1A

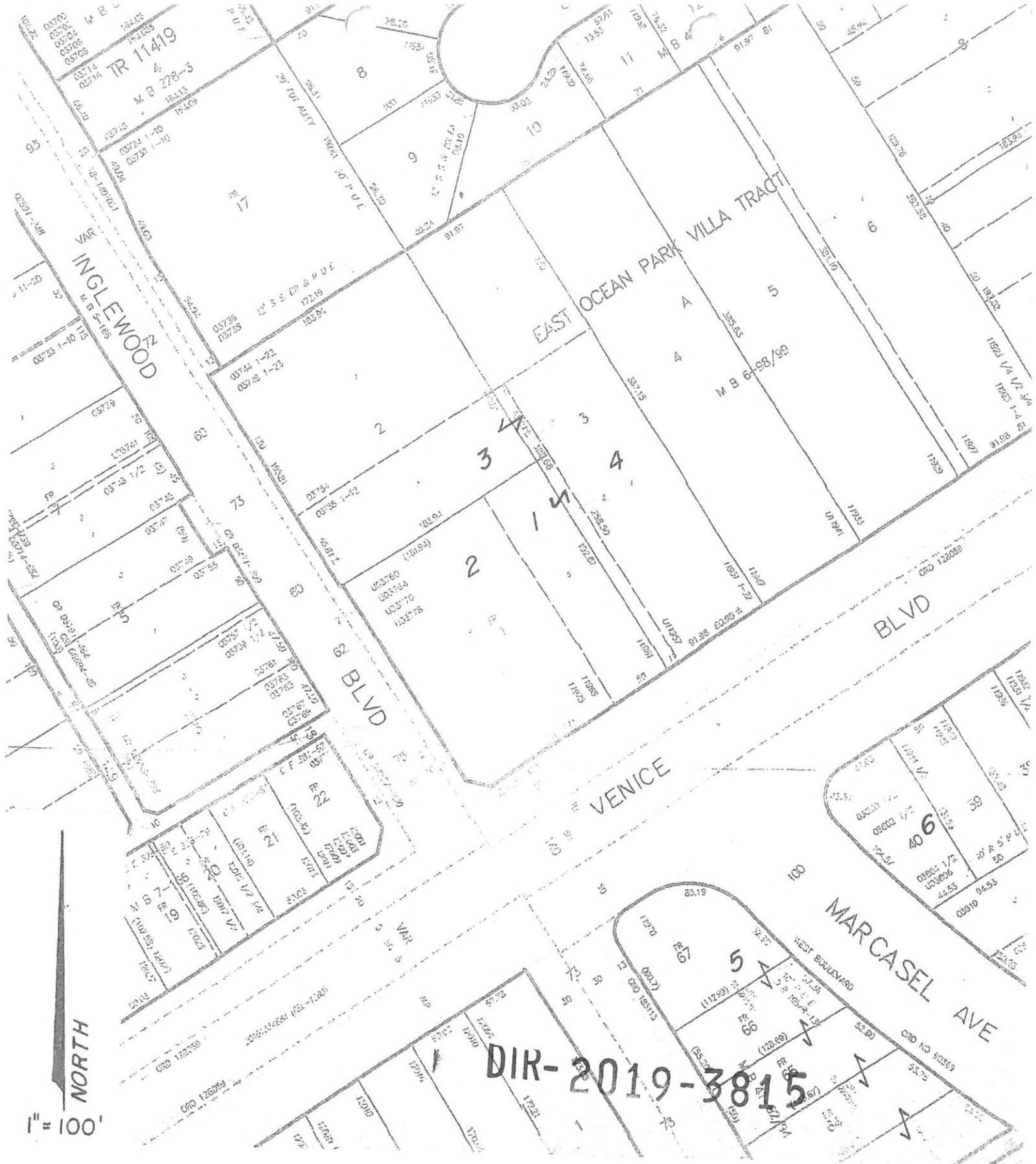


VICINITY MAP

SCALE 1"=2800'

DIR-2019-3815

N



ABUTTING OWNERSHIP MAP

CASE NO.
DATE 5-30-19
D.M. 114 B157

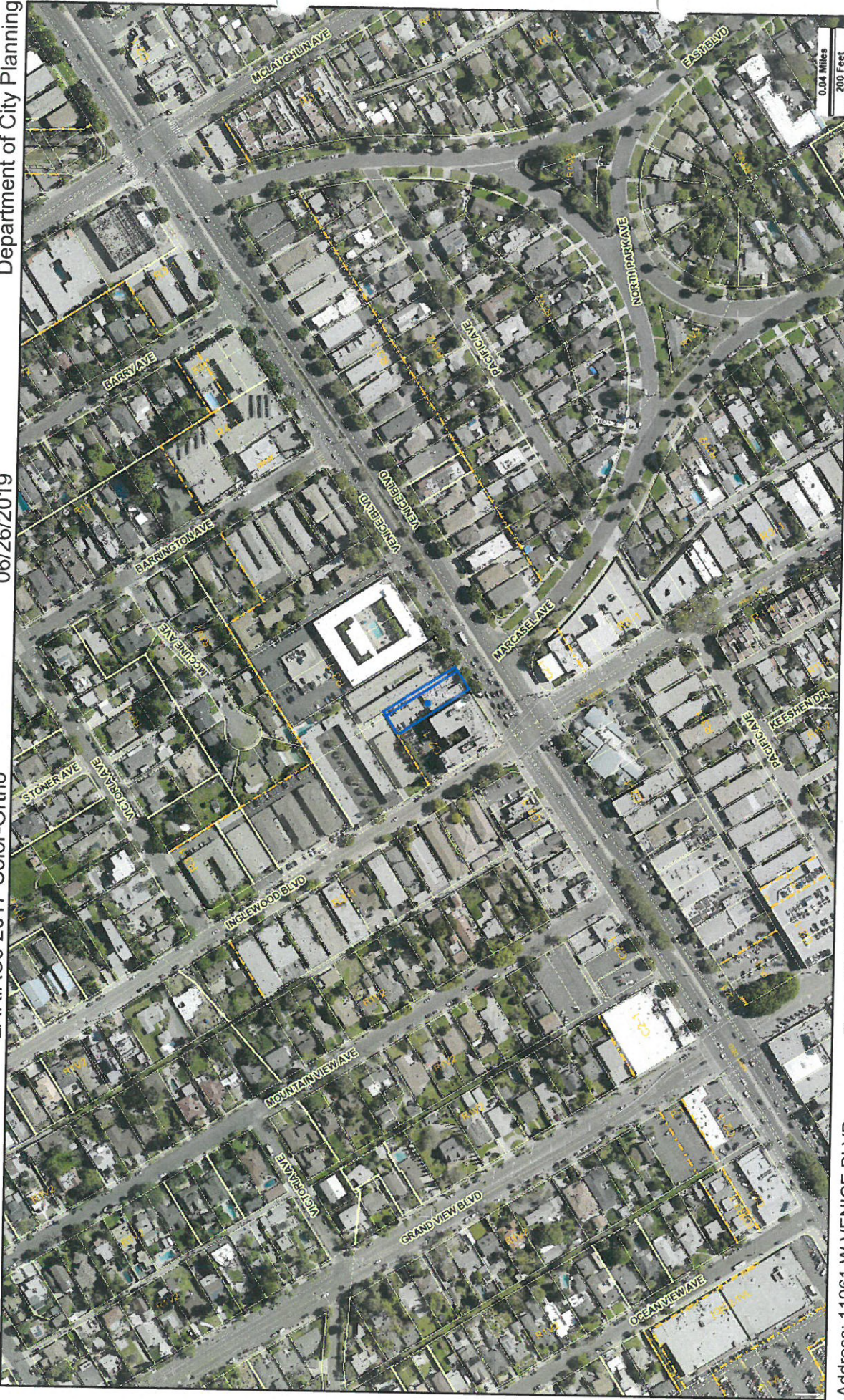
LEGEND:
I = OWNERSHIP NUMBER

ZIMAS INTRANET

LARIAC5 2017 Color-Ortho

06/26/2019

City of Los Angeles
Department of City Planning



Address: 11961 W VENICE BLVD

APN: 4234021011

PIN #: 114B157 1110

Tract: EAST OCEAN PARK VILLA
TRACT

Block: A

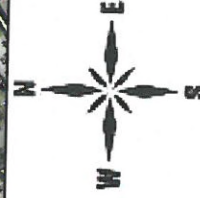
Lot: FR 1

Arb: 5

Zoning: C2-1

General Plan: Community Commercial

DIR-2019-3815



Streets Copyright (c) Thomas Brothers Maps, Inc.



City of Los Angeles Department of City Planning

6/26/2019 PARCEL PROFILE REPORT

PROPERTY ADDRESSES

11961 W VENICE BLVD

ZIP CODES

90066

RECENT ACTIVITY

None

CASE NUMBERS

CPC-2014-1457-SP
CPC-2014-1456-SP
CPC-2005-8252-CA
CPC-1984-226
CPC-1961-11737
ORD-183497
ORD-171492
ORD-168999
ORD-129279
ORD-120290
ENV-2014-1458-EIR-SE-CE
ENV-2005-8253-ND
ND-88-603-CUZ
AFF-27626
AF-92-911257-MB

Address/Legal Information

| | |
|------------------------------|-----------------------------|
| PIN Number | 114B157 1110 |
| Lot/Parcel Area (Calculated) | 9,643.1 (sq ft) |
| Thomas Brothers Grid | PAGE 672 - GRID C3 |
| Assessor Parcel No. (APN) | 4234021011 |
| Tract | EAST OCEAN PARK VILLA TRACT |
| Map Reference | M B 6-98/99 |
| Block | A |
| Lot | FR 1 |
| Arb (Lot Cut Reference) | 5 |
| Map Sheet | 114B157 |

Jurisdictional Information

| | |
|--------------------------|-----------------------------|
| Community Plan Area | Palms - Mar Vista - Del Rey |
| Area Planning Commission | West Los Angeles |
| Neighborhood Council | Mar Vista |
| Council District | CD 11 - Mike Bonin |
| Census Tract # | 2719.02 |
| LADBS District Office | West Los Angeles |

Planning and Zoning Information

| | |
|---|--|
| Special Notes | None |
| Zoning | C2-1 |
| Zoning Information (ZI) | ZI-2452 Transit Priority Area in the City of Los Angeles ZI-2192 West Los Angeles Transportation Improvement and Mitigation |
| General Plan Land Use | Community Commercial |
| General Plan Note(s) | Yes |
| Hillside Area (Zoning Code) | No |
| Specific Plan Area | West Los Angeles Transportation Improvement and Mitigation |
| Subarea | None |
| Special Land Use / Zoning | None |
| Design Review Board | No |
| Historic Preservation Review | No |
| Historic Preservation Overlay Zone | None |
| Other Historic Designations | None |
| Other Historic Survey Information | None |
| Mills Act Contract | None |
| CDO: Community Design Overlay | None |
| CPIO: Community Plan Imp. Overlay | None |
| Subarea | None |
| CUGU: Clean Up-Green Up | None |
| HCR: Hillside Construction Regulation | No |
| NSO: Neighborhood Stabilization Overlay | No |
| POD: Pedestrian Oriented Districts | None |
| RFA: Residential Floor Area District | None |
| RIO: River Implementation Overlay | No |
| SN: Sign District | No |
| Streetscape | No |
| Adaptive Reuse Incentive Area | None |

DIR-2019-3815

This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org
(*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

| | |
|---|---|
| Affordable Housing Linkage Fee | |
| Residential Market Area | High |
| Non-Residential Market Area | High |
| Transit Oriented Communities (TOC) | Not Eligible |
| CRA - Community Redevelopment Agency | None |
| Central City Parking | No |
| Downtown Parking | No |
| Building Line | None |
| 500 Ft School Zone | No |
| 500 Ft Park Zone | No |
| Assessor Information | |
| Assessor Parcel No. (APN) | 4234021011 |
| Ownership (Assessor) | |
| Owner1 | ROJAS,AUGUSTO AND GRACE M TRS AUGUSTO AND GRACE ROJAS TRUST |
| Address | 5924 HILL RD CULVER CITY CA 90230 |
| Ownership (Bureau of Engineering, Land Records) | |
| Owner | ROJAS, AUGUSTO & GRACE M. (TRS) ROJAS REVOCABLE FAMILY TRUST, DTD 4-21-92 ET AL |
| Address | 5924 HILL RD. CULVER CITY CA 90230 |
| Owner | ROJAS, AUGUSTO & GRACE M. (TRS) ROJAS REVOCABLE FAMILY TRUST, DTD 4-21-92 ET AL |
| Address | 5924 HILL RD. CULVER CITY CA 90230 |
| APN Area (Co. Public Works)* | 0.273 (ac) |
| Use Code | 1900 - Commercial - Professional Building - One Story |
| Assessed Land Val. | \$1,205,189 |
| Assessed Improvement Val. | \$120,686 |
| Last Owner Change | 06/05/2014 |
| Last Sale Amount | \$9 |
| Tax Rate Area | 67 |
| Deed Ref No. (City Clerk) | 5-870 5-868 297669 1850916 1207743 1046814 0-649 |
| Building 1 | |
| Year Built | 1962 |
| Building Class | D75A |
| Number of Units | 0 |
| Number of Bedrooms | 0 |
| Number of Bathrooms | 0 |
| Building Square Footage | 3,795.0 (sq ft) |
| Building 2 | No data for building 2 |
| Building 3 | No data for building 3 |
| Building 4 | No data for building 4 |
| Building 5 | No data for building 5 |
| Additional Information | |
| Airport Hazard | None |
| Coastal Zone | None |
| Farmland | Area Not Mapped |
| Urban Agriculture Incentive Zone | YES |

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 (*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

| | |
|---|------|
| Very High Fire Hazard Severity Zone | No |
| Fire District No. 1 | No |
| Flood Zone | None |
| Watercourse | No |
| Hazardous Waste / Border Zone Properties | No |
| Methane Hazard Site | None |
| High Wind Velocity Areas | No |
| Special Grading Area (BOE Basic Grid Map A-13372) | Yes |
| Oil Wells | None |

Seismic Hazards

Active Fault Near-Source Zone

| | |
|--------------------------------------|--|
| Nearest Fault (Distance in km) | 4.620768 |
| Nearest Fault (Name) | Newport - Inglewood Fault Zone (Onshore) |
| Region | Transverse Ranges and Los Angeles Basin |
| Fault Type | B |
| Slip Rate (mm/year) | 1.00000000 |
| Slip Geometry | Right Lateral - Strike Slip |
| Slip Type | Poorly Constrained |
| Down Dip Width (km) | 13.00000000 |
| Rupture Top | 0.00000000 |
| Rupture Bottom | 13.00000000 |
| Dip Angle (degrees) | 90.00000000 |
| Maximum Magnitude | 7.10000000 |
| Alquist-Priolo Fault Zone | No |
| Landslide | No |
| Liquefaction | No |
| Preliminary Fault Rupture Study Area | No |
| Tsunami Inundation Zone | No |

Economic Development Areas

| | |
|----------------------------------|------|
| Business Improvement District | None |
| Opportunity Zone | No |
| Promise Zone | None |
| Renewal Community | No |
| Revitalization Zone | None |
| State Enterprise Zone | None |
| Targeted Neighborhood Initiative | None |

Housing

| | |
|------------------------------------|---|
| Direct all Inquiries to | Housing+Community Investment Department |
| Telephone | (866) 557-7368 |
| Website | http://hcidla.lacity.org |
| Rent Stabilization Ordinance (RSO) | No |
| Ellis Act Property | No |

Public Safety

Police Information

| | |
|--------------------|---------|
| Bureau | West |
| Division / Station | Pacific |
| Reporting District | 1435 |

Fire Information

| | |
|-----------------------------|------|
| Bureau | West |
| Batallion | 4 |
| District / Fire Station | 62 |
| Red Flag Restricted Parking | No |

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 (*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

CASE SUMMARIES

Note: Information for case summaries is retrieved from the Planning Department's Plan Case Tracking System (PCTS) database.

| | |
|--------------------------|---|
| Case Number: | CPC-2014-1457-SP |
| Required Action(s): | SP-SPECIFIC PLAN (INCLUDING AMENDMENTS) |
| Project Descriptions(s): | SPECIFIC PLAN AMENDMENT |
| Case Number: | CPC-2014-1456-SP |
| Required Action(s): | SP-SPECIFIC PLAN (INCLUDING AMENDMENTS) |
| Project Descriptions(s): | SPECIFIC PLAN AMENDMENT |
| Case Number: | CPC-2005-8252-CA |
| Required Action(s): | CA-CODE AMENDMENT |
| Project Descriptions(s): | AN ORDINANCE ESTABLISHING PERMANENT REGULATIONS IMPLEMENTING THE MELLO ACT IN THE COASTAL ZONE. |
| Case Number: | CPC-1984-226 |
| Required Action(s): | Data Not Available |
| Project Descriptions(s): | AMENDMENT TO THE COASTAL TRANSPORTATION CORRIDOR SPECIFIC PLAN THE PROPERTY LOCATION IS GENERALLY BOUNDED ON THE EAST BY THE SAN DIEGO FWY; ON THE SOUTH BY THE CITY BOUNDARY OF THE CITY OF EL SEGUNDO; THE NORTH BY THE CITY BOUNDARY OF THE CITY OF SANTA MONICA AND ON THE WEST BY THE PACIFIC OCEAN PROPOSED PROJECT BROAD AMENDMENTS TO THE COASTAL TRANSPORTATION CORRIDOR SPECIFIC PLAN |
| Case Number: | CPC-1961-11737 |
| Required Action(s): | Data Not Available |
| Project Descriptions(s): | |
| Case Number: | ENV-2014-1458-EIR-SE-CE |
| Required Action(s): | SE-STATUTORY EXEMPTIONS CE-CATEGORICAL EXEMPTION EIR-ENVIRONMENTAL IMPACT REPORT |
| Project Descriptions(s): | ENVIRONMENTAL IMPACT REPORT |
| Case Number: | ENV-2005-8253-ND |
| Required Action(s): | ND-NEGATIVE DECLARATION |
| Project Descriptions(s): | AN ORDINANCE ESTABLISHING PERMANENT REGULATIONS IMPLEMENTING THE MELLO ACT IN THE COASTAL ZONE. |
| Case Number: | ND-88-603-CUZ |
| Required Action(s): | CUZ-ALL OTHER CONDITIONAL USE CASES |
| Project Descriptions(s): | Data Not Available |

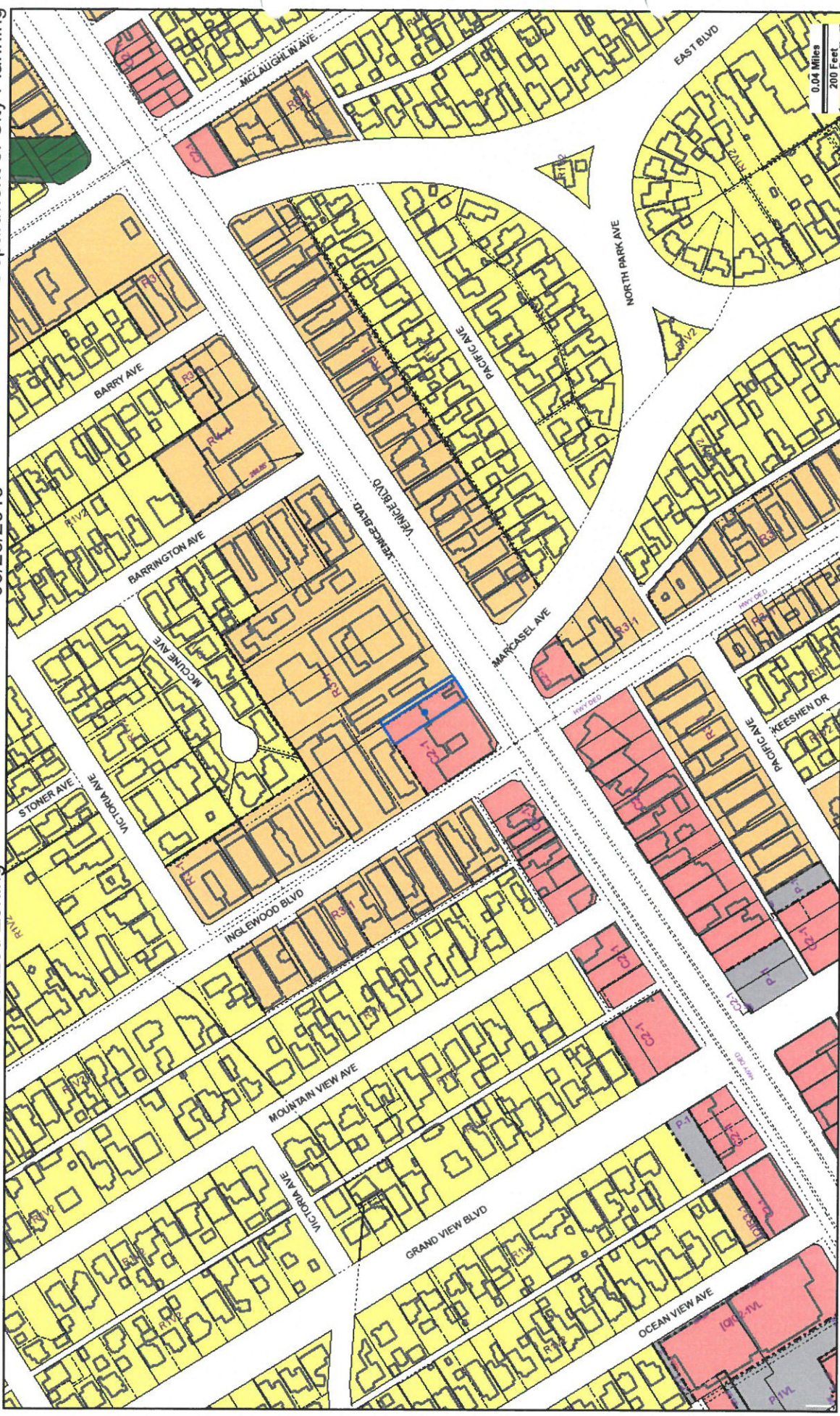
DATA NOT AVAILABLE

ORD-183497
ORD-171492
ORD-168999
ORD-129279
ORD-120290
AFF-27626
AF-92-911257-MB

06/26/2019

Generalized Zoning

ZIMAS INTRANET

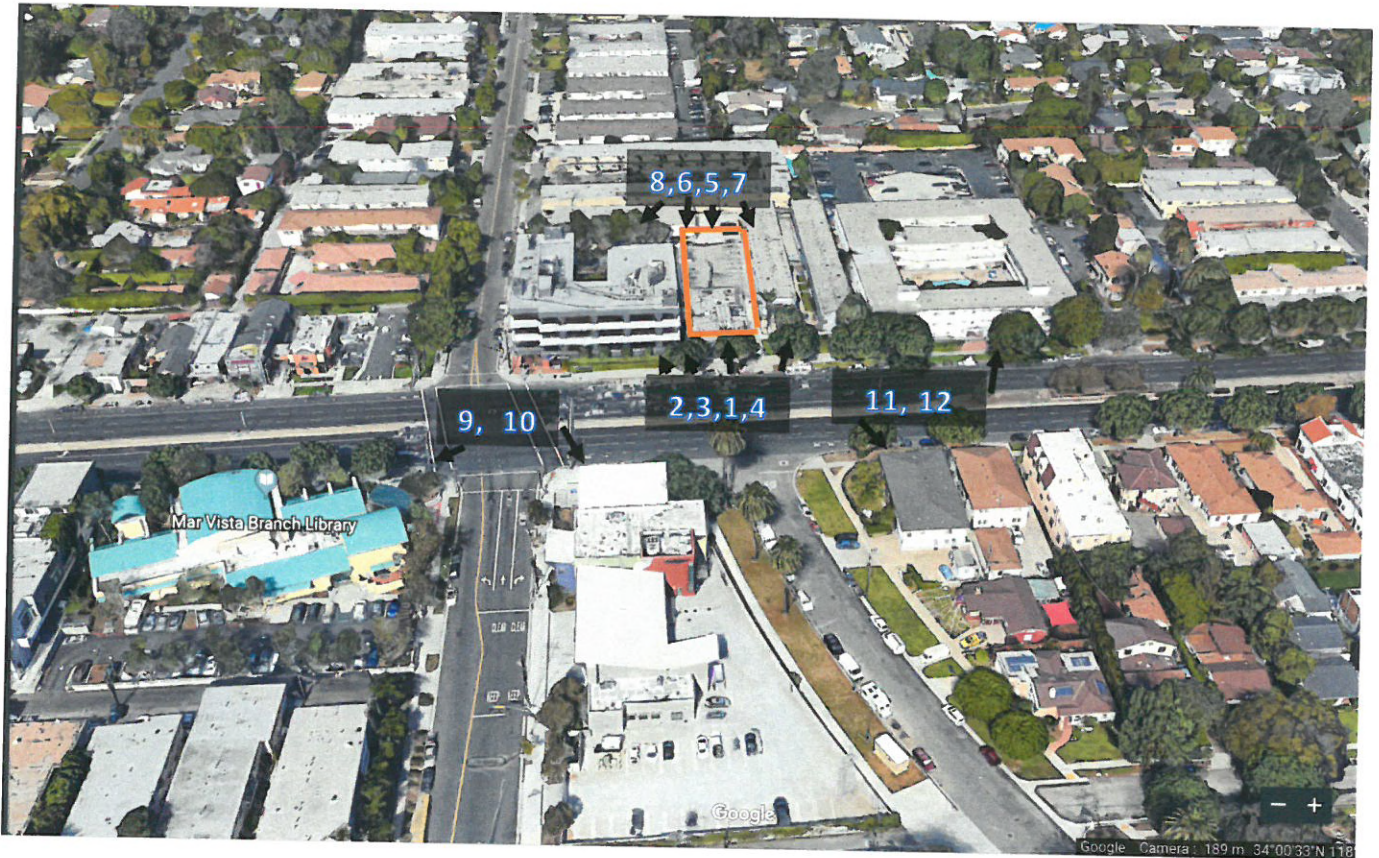


Tract: EAST OCEAN PARK VILLA
TRACT
Block: A
Lot: FR 1
Arb: 5

Zoning: C2-1
General Plan: Community Commercial

Address: 11961 W VENICE BLVD
APN: 4234021011
PIN #: 114B157 1110

Site Photographs
11961 Venice Blvd.
Los Angeles, CA 90066



Key aerial view shows signalized intersection at Venice Blvd. & Inglewood Ave., with crosswalk and divider median.



1. Subject site, facing north.



2. Adjacent use to the west, facing north.



3. Subject site showing adjacent multi-story buildings, facing north.



4. Adjacent multifamily, facing northeast.



5. Rear of subject property, showing relative scale of adjacent buildings, facing south.



6. Rear of subject property, showing relative scale of adjacent buildings, facing south.



7. Rear of property, showing eastern side yard, facing south.



8. View along western side yard, facing south.



9. Mar Vista Branch Public Library and intersection on Inglewood and Venice, facing south west.



10. Fire Station 62, facing southeast.



11. Multi-family abutting use, facing southeast.



12. Multi-family development at 11539 Venice Blvd.



13. 4-story multi-family new construction at 12027 Venice Blvd, west of aerial photo.



14. New mixed-use development at 12024 Venice Blvd, west aerial photo.

EXHIBIT F
AGENCY CORRESPONDENCE
DIR-2019-3815-DB-1A



REFERRAL FORMS:

AFFORDABLE HOUSING REFERRAL FORM

LOS ANGELES CITY PLANNING DEPARTMENT

This form is to serve as a referral to the Department of City Planning Development Services Center for affordable housing case filing purposes (in addition to the required Department of City Planning Application and any other necessary documentation) and as a referral to HCIDLA, CRA, LA County, or other City agency for project status and entitlement need purposes. This form shall be completed by the applicant and reviewed and signed by Department of City Planning staff prior to case filing. Any modifications to the content(s) of this form after its authorization by the Department of City Planning staff is prohibited.

CITY STAFF USE ONLY

Referral To:

☒ Planning DSC - Filing ☐ HCIDLA Funding ☐ CRA ☐ LA County ☐ Other: _____

NOTES:

Planning Staff Name and Title

Maidel Laverano, Planning Assoc

Planning Staff Signature

[Signature]

Date

4/26/2019

(The Department of City Planning reserves the right to require an updated AHRF for the project if more than 180 days have transpired since the above date, or as necessary, to reflect project modifications, policy changes and/or amendments to the LAMC, local laws, and State laws.)

I. PROPOSED PROJECT

1. PROJECT LOCATION/ ZONING

Project Address: 11961 Venice Blvd.

Project Name: _____

Applicant Name and Phone/Email: Augusto B. Rojas, 310-870-1224

Assessor Parcel Number(s): 4234-021-011

Community Plan: Palms-Mar Vista-Del Rey Number of Lots: 2 Lot Size: 11,764.67 s.f.

Existing Zone: C2-1 and R3-1 Land Use Designation: Comm. Commercial & Med. Residential

☒ Specific Plan ☐ HPOZ ☐ DRB ☐ Enterprise Zone ☐ CRA

☐ Q-condition/ D-limitation/ T-classification (please specify): _____

☐ Other pertinent zoning information (please specify): _____

☒ Location of Major Transportation Stop or Intersection (please specify):¹ Venice Blvd. & Inglewood Blvd.

2. DESCRIPTION OF PROPOSED PROJECT

A 5-story, 38 unit multi-housing project request a Density Bonus with on-menu incentives.

Amenities include a 449 sq. ft. ground level community space, 2,250 sq. ft. roof-top

community space, and units oriented toward a landscaped central courtyard. 38 Parking spaces

shall be provided in standard and mechanical lift spaces. 10% bicycle parking replacement utilized.

¹ Per AB 744, A Major Transit Stop means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. It also includes major transit stops that are included in the applicable regional transportation plan. Per Sec 12.22.A.25(b) of LAMC, the definition of Transit Stop/Major Employment Center includes: (1) a station stop for a fixed transit guideway or fixed rail system, (2) a Metro Rapid Bus stop or route, (3) the boundaries of three major economic activity areas, and (4) the boundaries of a college or university campus with an enrollment exceeding 10,000 students.

3. EXISTING USE

A. Describe Existing Development: A 3,795 sq. ft. medical office building with 21 surface parking spaces.

| Characteristic of existing use Dwelling Unit (DU), Commercial/ Industrial, or Other | Existing | | To Be Demolished | Proposed ² | |
|---|-----------------------------|----------------------------|---------------------|-----------------------------|----------------------------|
| | No. of DU or Guest Rooms | Approximate sq. ft./ea. | | No. of DU or Guest Rooms | Approximate sq. ft./ea. |
| Guest Rooms | | | | | |
| Studio | | | | 5 | 2,060 |
| One Bedroom | | | | 27 | 14,600 |
| Two Bedrooms | | | | 5 | 4,060 |
| Three Bedrooms | | | | | |
| _____ Bedroom | | | | | |
| Commercial / Industrial | 0 | 3,795 | 3,795 | 0 | 0 |
| Other: | | | | | |

B. Previous Cases Filed

| | (1) | (2) | (3) |
|-----------------------|-----|-----|-----|
| Case Number(s): | | | |
| Date Filed: | | | |
| Date Approved: | | | |
| End of Appeal Period: | | | |
| Environmental No. | | | |

4. TYPE OF APPLICATION

- ☐ Density Bonus (per LAMC Sec. 12.22.A.25) with **no** incentives filed in conjunction with a discretionary approval. If no entitlement case is requested, please contact the Los Angeles Department of Building and Safety (LADBS) at ladbs.org or call 3-1-1 within the City of Los Angeles or (213) 473-3231 outside of the City of Los Angeles.
- ☒ Density Bonus per LAMC Sec. 12.22.A.25 **with incentives on the menu** (please specify): FAR increase to allow 3:1 in the C2-1 zone, Yard reduction to allow 6.5 ft. in lieu of 8 ft. Averaging across zones.
- ☐ Density Bonus per LAMC Sec. 12.22.A.25 **with incentives off menu** (please specify): _____
- ☐ Density Bonus per LAMC Sec. 12.22.A.25 **with on and off menu incentives** (please specify): _____
- ☐ Greater Downtown Housing Incentive Area per LAMC Sec. 12.22.A.29, Ordinance 179,076 (Sections 7 and 9 through 11 of this form do not apply)
- ☐ Public Benefit Project per LAMC Sec. 14.00.A.2
- ☐ Unapproved Dwelling Unit per LAMC Sec. 14.00.A.10
- ☐ Agreement for Partnered Housing Between Commercial and Housing Developer:
 - ☐ 30% or more of total units provided for low income housing
 - ☐ 15% or more of total units provided for very low income housing
- ☐ General Plan Amendment per LAMC Sec. 11.5.6. Request: _____
- ☐ Zone/Height District Change per LAMC Sec. 12.32. Request: _____
- ☐ Conditional Use per LAMC Sec. 12.22.U.26
- ☐ Site Plan Review per LAMC Sec. 16.05
- ☐ Specific Plan Project Permit Compliance per LAMC Sec. 11.5.7.C
- ☐ Community Design Overlay per LAMC Sec. 13.08
- ☐ Coastal Development Permit per LAMC Sec. 12.20.2 or 12.20.2.1
- ☐ Tract or Parcel Map per LAMC Sec. 17.00 or 17.50
- ☐ Other discretionary incentives requested (please specify): _____

² Replacement units, per AB 2556, shall be equivalent to the number of units, size, and number of bedrooms of the existing development.

5. ENVIRONMENTAL REVIEW

- ☒ Environmental Review Not Required – Project is Ministerial.³ Please explain: Applicant will request a Class 32 exemption.
- ☒ Not filed (please contact the Department of City Planning Development Services Center for more information)
- ☐ Filed (indicate case number): _____

6. HOUSING DEVELOPMENT PROJECT TYPE (please check all that apply):

- | | | |
|---|---|---|
| <input type="checkbox"/> For Sale | <input type="checkbox"/> Moderate Income | <input type="checkbox"/> Transitional Foster Youth |
| <input checked="" type="checkbox"/> For Rent | <input checked="" type="checkbox"/> Market Rate | <input type="checkbox"/> Disabled Veteran |
| <input type="checkbox"/> Extremely Low Income | <input type="checkbox"/> Mixed Use Project | <input type="checkbox"/> Homeless |
| <input checked="" type="checkbox"/> Very Low Income | <input type="checkbox"/> Senior | <input type="checkbox"/> Special Needs (please describe): _____ |
| <input type="checkbox"/> Low Income | <input type="checkbox"/> Residential Hotel | |

7. DENSITY CALCULATION

A. Base Density: Maximum density allowable per zoning

Lot size 11,764.67 s.f. (a) 9,643.10 C2-1, 2,121.57 R3-1
 Density allowable by zone 400 and 800 units/s.f. of lot area (b) 25 (24.10 C2-1), 3 (2.65 R3-1)
 Units allowed by right (Base Density) 28 units (c) [c = a/b, Including fraction & round up to the next whole number] 25+3=28

11,759 PER ZIMAS

B. Maximum Allowable Density Bonus:

39 units (d) [d = c x 1.35, include fraction & round up to whole number] 3x1.35=4.05=5
 25x1.35=33.7=34
 5+34 = 39

C. Proposed Project: Please indicate total number of Units requested as well as breakdown by levels of affordability set by each category (HCD or HUD). For information on HCD and HUD levels of affordability please contact the Housing and Community Investment Department of Los Angeles (HCIDLA) at (213) 808-8843 or hcidla.lacity.org.⁴

| | Total | HCD (State) | HUD (TCAC) |
|--|--|--|------------|
| Market Rate | 32 | N/A | N/A |
| Managers Unit(s) - Market Rate | 1 | N/A | N/A |
| Extremely Low Income | | | |
| Very Low Income | 5 (4.2) | 5 | |
| Low Income | | | |
| Moderate Income | | | N/A |
| Seniors- Market Rate | | N/A | N/A |
| Seniors- Very Low Income | | | |
| Seniors- Low Income | | | |
| Seniors – Moderate Income | | | |
| Transitional Foster Youth–Very Low Income* | | | |
| Disabled Veterans – Very Low Income* | | | |
| Homeless – Very Low Income* | | | |
| Total # of Units per Category | 38 | 5 (e) | N/A (f) |
| Percent of Affordable Units by Category | | 15% (g) | 15% (h) |
| | | [g = e/c or e/i, whichever is less, c or i] [h = f/c or f/i, whichever is less, c or i] | |
| TOTAL # of Units Proposed | 38 (i) | | |
| Number of Density Bonus Units | 10 (j) [If i>c, then j=i-c; if i<c, then j= 0] | | |
| Percent Density Bonus Requested | 35% (k) [k= j/c] | | |
| Percent of Affordable Set Aside | 15% (c) x % of affordable housing units provided | | |

* Per AB 2442, a 10% setaside with Very Low Income units at 20% Density Bonus.

³ Ministerial Projects (aka, "By-Right") do not require any discretionary Planning approvals. Developers of such housing file building plans with the Department of Building & Safety. Plans are checked for compliance with the Building Code and, when in compliance, permits are issued to begin construction.

⁴ HCD (State) = Published affordability levels per California Department of Housing and Community Development. HUD (TCAC) = Published affordability levels per the United States Department of Housing and Urban Development.

- 8. SITE PLAN REVIEW CALCULATION** An application for Site Plan Review may be required for projects that meet any of the Site Plan Review thresholds as outlined in LAMC Section 16.05.C. unless otherwise exempted per Section 16.05.D. For Density Bonus projects involving bonus units, please use the formula provided below to determine if the project meets the Site Plan Review threshold for unit count. If project meets the threshold(s) but qualifies under the exemption criteria per Section 16.05.D please confirm exemption with Department of City Planning's DSC Housing Unit.

28 units allowed by right (permitted by LAMC) – 0 existing units = 28 units

- ☐ YES, Site Plan Review is required, if Proposed Base Density units minus existing units is equal to or greater than 50⁵
- ☒ NO, Site Plan Review is not required, if Base Density units minus existing units is less than 50
- ☐ NO, Site Plan Review is not required if Proposed Project is not utilizing a Density Bonus and total Project is less than 50
- ☐ Exempt (please specify): _____

II. DENSITY BONUS (LAMC Sec.12.22.A.25, Ordinance 179,681)

9. DENSITY BONUS OPTIONS (Please check all that apply)

- ☐ Land Donation
- ☐ Child Care
- ☐ Restricted Affordable Units Located Near Transit Stop/ Major Employment Center
- ☐ Common Interest Development with Low or Very Low Income Restricted Affordable Units for Rent
- ☐ Condominium Conversion

☒ **Parking (Please choose only one of the following options):**

- ☒ **Parking Option 1:** Based on # of bedrooms, inclusive of Handicapped and Guest parking. Fractional numbers are rounded down. 10% bicycle replacement proposed. 43- 4.3 (10% bicycle replacement)= 38.7= 38

| | # of Units | Spaces/Unit | Parking Required | Parking Provided |
|--------------------|------------|-------------|------------------|------------------|
| 0-1 Bedroom | 33 | 1 | 33 | 28 |
| 2-3 Bedrooms | 5 | 2 | 10 | 10 |
| 4 or more Bedrooms | | 2.5 | | |
| TOTALS | 37 | | 43 | 38 |

- ☐ **Parking Option 2:** Reduced only for Restricted Affordable Units: up to 40% of required parking for Restricted Affordable Units may be compact stalls. Fractional numbers are rounded down.

| | # of Units | Spaces/Unit | Parking Required | Parking Provided |
|--|------------|-------------|------------------|------------------|
| Market Rate (Including Senior Market Rate) | | Per code | 46 | 34 |
| Restricted Affordable | 4 | 1 | 4 | 4 |
| Very Low/ Low Income Senior or Disabled | | .5 | | |
| Restricted Affordable in Residential Hotel | | .25 | | |
| TOTALS | | | 50 | 38 |

- ☐ **Parking Option 3:** AB 744 - Applies to two types of projects: (A) 100% affordable developments consisting solely of rental units, exclusive of a manager's unit or units, with an affordable housing cost to lower income families; or (B) mixed-income developments consisting of the maximum number of very low- or low income units, which is 11% and 20% set aside, respectively.

⁵ Site Plan Review may also be required if other characteristics of the project exceeds the thresholds listed in Sec. 16.05 of the LAMC.

☐ **A) 100% Affordable Rental Projects**

| | # of Units | Spaces/Unit | Parking Required | Parking Provided |
|--|------------|-------------|------------------|------------------|
| Located within ½ mile of major transit stop | | 0.5 | | |
| Senior having either paratransit service or unobstructed access within ½ mile to fixed bus route service that operates at least 8 times/day | | 0.5 | | |
| Special needs having either paratransit service or unobstructed access within ½ mile to fixed bus route service that operates at least 8 times/day | | 0.3 | | |

☐ **B) Mixed Income Projects consisting of the maximum number of very low- or low income units, which is 11% and 20% set aside, respectively**

| | # of Bedrooms | Spaces/Bedroom | Parking Required | Parking Provided |
|---|---------------|----------------|------------------|------------------|
| Located within ½ mile of major transit stop with unobstructed access to project | | 0.5 | 21 | 38 |

APPLICABLE TO PARKING OPTION 3 – AB744 ONLY: (1) **Major transit stop** means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. It also includes major transit stops that are included in the applicable regional transportation plan. (2) The maximum ½ mile distance to a major transit stop is measured in a straight line ("as the crow flies"). (3) Tandem or uncovered parking is permitted. (4) Fractional numbers are rounded up.

10. INCENTIVES

- ☐ Please check if you are requesting an incentive from AB 2501 "Development Bonuses From a Mixed Use Development".

A. Project Zoning Compliance & Incentives (Please check all that apply)

| | <u>Required/ Allowable</u> | <u>Proposed</u> | <u>ON Menu</u> | <u>OFF Menu</u> |
|--|----------------------------|-----------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> (1) Yard/Setback (each yard counts as 1 incentive) | | | | |
| <input type="checkbox"/> Front | | | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Rear | | | <input type="checkbox"/> | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Side(s) | 8 ft. | 6.5 ft. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> (2) Lot Coverage | | | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> (3) Lot Width | | | <input type="checkbox"/> | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> (4) Floor Area Ratio ⁶ | C2-1 1.5:1 | C2-1 3:1 ** | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> (5) Height/ # of Stories ⁷ | | | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> (6) Open Space | | | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> (7) Density Calculation | | | <input type="checkbox"/> | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> (8) Averaging (all count as 1 incentive) | | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| FAR | x | | — | — |
| Density | x | | — | — |
| Parking | x | | — | — |
| OS | x | | — | — |
| Vehicular Access | x | | — | — |
| <input type="checkbox"/> Other (please specify): | | | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | | | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | | | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | | | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | | | <input type="checkbox"/> | <input type="checkbox"/> |

**15% affordable, near rapid bus line 733, located on a Major Highway Class II

TOTAL # of Incentives Requested:

3 0

⁶ If applicable, provide vicinity map showing 50% of commercially zoned parcel is within 1,500 feet from Transit Stop or Major Employment Center.

⁷ See Sec. 12.22.A.25(f) 5 for additional requirements.

B. Qualification for Incentives On the Menu: *(Please check only one)*

| Incentives | % Very Low Income | % Low Income | % Moderate Income |
|------------|--|---|---|
| One | <input type="checkbox"/> 5% to <10% | <input type="checkbox"/> 10% to <20% | <input type="checkbox"/> 10% to <20% |
| Two | <input type="checkbox"/> 10% to <15% | <input type="checkbox"/> 20% to <30% | <input type="checkbox"/> 20% to <30% |
| Three | <input checked="" type="checkbox"/> 15% or greater | <input type="checkbox"/> 30% or greater | <input type="checkbox"/> 30% or greater |
| 3+ | <input type="checkbox"/> (Specify): | <input type="checkbox"/> (Specify): | <input type="checkbox"/> (Specify): |

11. COVENANT:

All Density Bonus projects are required to prepare and record an Affordability Covenant to the satisfaction of the Los Angeles Housing Department's Occupancy Monitoring Unit **before** a building permit can be issued. Please contact the Housing and Community Investment Department of Los Angeles (HCIDLA) at (213) 808-8843 or hcidla.lacity.org

12. REPLACEMENT UNITS:

AB 2222 requires that density bonus eligible projects replace any pre-existing affordable housing units on the project site. Replacement units include the following: *(Answer the following with yes or no.)*

- A. Units subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income? No
- B. Units occupied by lower or very low income households below 80% AMI per California Department of Housing and Community Development Department levels not already listed above? No
- C. Units subject to the Rent Stabilization Ordinance not already listed above? No
- D. Units that have been vacated or demolished in the last 5 years? No
- E. Per AB 2556, are the number of replacement units, size and number of bedrooms equivalent to that being demolished (as shown on Existing Development Table on page 2 above)? No

III. GREATER DOWNTOWN HOUSING INCENTIVE AREA (GDHIA)

13. GREATER DOWNTOWN HOUSING INCENTIVE AREA (LAMC SEC. 12.22.A.29, Ordinance 179,076)

A. ELIGIBILITY FOR FLOOR AREA BONUS

NOTE: Published affordability levels per the United States Department of Housing and Urban Development (HUD/TCAC). Please consult with Los Angeles Housing Department's Occupancy Monitoring Unit for additional information.

- ☐ (1) 5% of the total number of dwelling units provided for Very Low Income households; and
- ☐ (2) One of the following shall be provided:
 - o 10% of the total number of dwelling units for Low Income households; or
 - o 15% of the total number of dwelling units for Moderate Income households; or
 - o 20% of the total number of dwelling units for Workforce Income households, and
- ☐ (3) Any dwelling unit or guest room occupied by a household earning less than 50% of the Area Median Income that is demolished or otherwise eliminated shall be replaced on a one-for-one basis within the Community Plan Area in which it is located.

B. INCENTIVES *(Please check all that apply)*

NOTE: Must meet all 3 eligibility requirements from above and provide a Covenant & Agreement (#11).

- ☐ (1) A 35% increase in total floor area.
- ☐ (2) Open Space requirement pursuant to Section 12.21.G reduced by one-half, provided fee is paid.
- ☐ (3) No parking required for units for households earning less than 50% AMI.
- ☐ (4) No more than one parking space required for each dwelling unit.

C. ADDITIONAL INCENTIVES TO PRODUCE HOUSING IN THE GREATER DOWNTOWN HOUSING INCENTIVE AREA

- ☐ (a) No yard requirements except as required by the Urban Design Standards and Guidelines
- ☐ (b) Buildable area shall be the same as the lot area (for the purpose of calculating buildable area for residential and mixed-use)
- ☐ (c) Maximum number of dwelling units or guest rooms permitted shall not be limited by the lot area provisions as long as the total floor area utilized by guest rooms does not exceed the total floor area utilized by dwelling units.
- ☐ (d) No prescribed percentage of the required open space that must be provided as either common open space or private open space.



RECEIVED
CITY OF LOS ANGELES

MAR 04 2020

CITY PLANNING
PROJECT PLANNING



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

DATE: April 18, 2019

TO: Augusto Rojas and Grace Mary Rojas, Trustees, or their successors in trust, under the Augusto and Grace Rojas Living Trust, dated May 05, 2014, and any amendments thereto, Owner

FROM: Marites Cunanan, Senior Management Analyst I *[Signature]*
Los Angeles Housing and Community Investment Department

SUBJECT: **AB 2556 (DB) Determination for
11961 W. Venice Blvd. Los Angeles, CA 90066**

Based on the Affordable Unit Determination Application submitted by Nichole Smith (Owner Representative) on behalf of Augusto Rojas and Grace Mary Rojas, Trustees, or their successors in trust, under the Augusto and Grace Rojas Living Trust, dated May 05, 2014, and any amendments thereto, (Owner), the Los Angeles Housing + Community Investment Department (HCIDLA) has determined that no units are subject to replacement under AB 2556 (formerly AB 2222).

Information about the existing property for the five years prior to the date of the application is required in order to make a determination. HCIDLA received the Affordable Unit Determination Application on or about March 7, 2019, so HCIDLA must collect data from March 2014 to March 2019.

Augusto Rojas and Grace Mary Rojas, Trustees, or their successors in trust, under the Augusto and Grace Rojas Living Trust, dated May 05, 2014, and any amendments thereto (Owner) acquired the property commonly known as: 11961 W. Venice Blvd. under APN 4234-021-011, Lots 1 and 3 on June 05, 2014 per Quitclaim Deed.

Per Google Earth images, Department of City Planning (ZIMAS), County Assessor Parcel Information (LUPAMS), First American Datatree database, Billing Information Management System (BIMS) database, Code, Compliance and Rent Information System (CRIS) database, Internet Search, and the Rent Stabilization Ordinance (RSO) Unit, the property commonly known as 11961 W. Venice Blvd. has a use code of "1900-Professional Building". Per the listing of active businesses on the City of Los Angeles big data website, this property has been used commercially since 2001.

The Los Angeles Department of Building and Safety database indicates that the Owner has not applied for either a Building Permit or a Demolition Permit for the project.

Per the Affordable Unit Determination Application received by HCIDLA on or about March 7, 2019, the Owner plans to construct a thirty-eight (38) unit residential building, pursuant to Density Bonus (DB) guidelines.

HCIDLA has determined that there were no residential units subject to replacement on the property, which is currently a commercial office and has remained so in the last five years. No AB 2556 replacement affordable units are required.

This determination is provisional and subject to verification by the RSO Section.

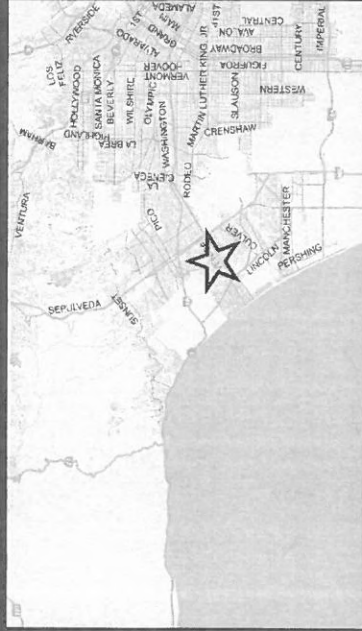
CITY OF LOS ANGELES VMT CALCULATOR Version 1.2



Project Screening Criteria: Is this project required to conduct a vehicle miles traveled analysis?

Project Information

Project:
Scenario:
Address:



Existing Land Use

Land Use Type: Value: Unit:
Office | Medical Office 3.8 ksf
Office | Medical Office 3.8 ksf

Proposed Project Land Use

Land Use Type: Value: Unit:
Housing | Multi-Family 33 DU
Housing | Affordable Housing - Family 5 DU
Housing | Multi-Family 33 DU

If the project is replacing an existing number of residential units with a smaller number of residential units, is the proposed project located within one-half mile of a fixed-rail or fixed-

☐ Yes ☐ No

Project Screening Summary

| Existing Land Use | Proposed |
|---|----------------------------|
| 113 Daily Vehicle Trips | 175 Daily Vehicle Trips |
| 833 Daily VMT | 1,060 Daily VMT |
| Tier 1 Screening Criteria | |
| Project will have less residential units compared to existing residential units & is within one-half mile of a fixed-rail station. <input type="checkbox"/> | |
| Tier 2 Screening Criteria | |
| The net increase in daily trips < 250 trips | 62 Net Daily Trips |
| The net increase in daily VMT ≤ 0 | 227 Net Daily VMT |
| The proposed project consists of only retail land uses ≤ 50,000 square feet total. | 0.000 ksf |
| The proposed project is not required to perform VMT analysis. | |



EXHIBIT G
PUBLIC CORRESPONDENCE
DIR-2019-3815-DB-1A

*No comments or letters were received
at the time of Staff Report preparation.*


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.

November 23, 2022

Case #: DIR-2019-3815 DB – CEQA ENV- 2019-3816-CE

Appellant: Sherlind Properties, LLC – Owner and eOffices – Management Company

Applicant: Dr. Augusta Rojas

Developer: Horizon Development

Proposed Project – 38 unit, 5 story Apartment Building with 39 Parking Spaces.

Sherlind Properties is the owner of the adjacent 4 story office building, immediately to the West of the subject development, for the last 20 years. Our building is owned and operated predominantly as a Medical Office building, under its management company, eOffices.

The building tenant list includes psycho therapists, physical therapists, acupuncturists, allergists, Venice Community Housing, as well as lawyers and accounts. All of these tenants provide essential services to the local surrounding community. None of our tenants received notice of this pending project and we feel compelled to act on their behalf to object to the proposed 5 story building with 6 ½ ft. set-backs from our property line, overshadowing our building. This will render much of our office space unusable due to the removal of light, air & privacy due to the close proximity of the proposed building. This will result in these businesses having to seek other locations to practice their professions. There is very little, if any medical space available in the surrounding area. Most of our tenants have told us they are so happy to have a safe, conducive office space to work, in their immediate neighborhood.

Our rooftop for the past 20 years has been a major strategic communication cell site hub, serving all of West Los Angeles area. It contains antennae for At&t, Sprint and Spectrum. These cell sites took 2-3 years of planning and City approvals with an approx. cost of \$500,000 each to construct. The proposed project is higher than our building and it will therefore block vital communications from our cell sites for miles around. The reduced side yard set-backs place the proposed apartments approx. 10 feet away from the cell sites and according to both Cellular Carriers will pose a health hazard for the tenants of the new building. At&t and Sprint are extremely large organizations which have major strategic technology roles in our community today and are considered “essential services”. It will take many months for them to determine what the impact of this development will be and what their alternatives, if any, might be. The time and cost for approval of any modifications to their service is unknown and is sure to be forcefully resisted. For us as building owners, the threat of losing these major tenants and the commensurate future losses to us, in the millions of dollars. We will be forced to join in the litigation with these Carriers as to who should pay for these damages, as significant financial costs will be incurred. This litigation is likely to include the City of Los Angeles and others.

We have been advised by the City that they have waived the CEQA requirements for this project without the need to advise any of the surrounding neighbors. Surely if we were advised we would have objected to some of the pressing issues that exist in the neighborhood that are not being addressed.

The Bonus Density calculations we believe are incorrect due to blending the two zoning types in a single application, when the property’s zoning is 82% Commercial C-2 with only 18% being R3.

Parking is extremely tight in the neighborhood and our tenant and their clients use street parking on Venice and Inglewood Boulevards. The proposed project offers no visitor parking and only 39 parking spaces for 38 units. Some tenants will have 2 cars adding parking strain. This added parking strain will cause many of the retail businesses, West of the project, to be unable to offer their customers parking.

This proposed project is out of character with the neighborhood which is comprised of ground floor retail, medical and 2 story apartment buildings. The neighborhood needs retail on the ground floor to be consistent with the rest of the street. Additionally, it is removing from the market place a medical building which is in short supply and is desperately needed in the community.

There is a major transit bus stop in front of our building up to the property line for the proposed project. Traffic is often backed up on Venice Blvd. in front of the proposed project. Venice Blvd. is now reduced to 2 traffic lanes heading West of Inglewood Blvd., which causes traffic to back up in front of the proposed project. The entrance to the parking of this building is too close to the bus stop and the major Venice/Inglewood intersection which will cause additional dangerous traffic congestion and delays. We request an EIR to address this issue. Inglewood Blvd. is now a major traffic thoroughfare street for commuters during morning and afternoon rush hour. At 9 am and 4 pm the street is grid locked. Adding an additional 38 residents who will enter their building right at this intersection is reckless. The Fire Departments station is also located at this intersection. When they are responding to emergency calls, this intersection becomes even more precarious. If we were allowed to provide input into these environmental concerns, this information could have been incorporated into the approval process, that has been unduly rushed and fast tracked with no input from neighbors and little concern to these issues. We oppose the proposed project as currently planned.

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