



APPLICATIONS:

APPEAL APPLICATION CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) Instructions and Checklist

Related Code Section: The Los Angeles Municipal Code (LAMC) Section 11.5.13 (Ord. No. 186,338) established the appeal procedure to the City Council for California Environmental Quality Act (CEQA) determinations.

Purpose: *The Appeal* - A CEQA clearance can only be appealed if a non-elected decision-making body (ZA, APC, CPC, DIR) makes a determination for a project that is not further appealable. To initiate appeal of a CEQA document this form must be completely filled out with the required materials attached and filed within 15 calendar days from the final administrative decision, of the entitlement application.

General Information

Appealable CEQA documents:

- Certified Environmental Impact Report (EIR)
- Sustainable Communities Environmental Assessment (SCEA)
- Mitigated Negative Declaration (MND)
- Negative Declaration (ND)
- Categorical Exemption (CE)
- Sustainable Exemption (SE)

NOTE:

- Actions not appealable include an addendum, findings made pursuant to CEQA Guidelines Section 15162, or an action in which the determination does not constitute a project under CEQA.
- All CEQA appeals are heard by the City Council.
- This form is only for the appeal of Department of City Planning determinations: All other CEQA appeals are filed with the City Clerk pursuant to the LAMC Section 197.01.
- 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.

1. Case Information

Environmental Case Number: ENV-2020-5333-CE

Related Entitlement Case Number(s): ZA-2015-1155-SPP-CDP-MEL-ZV-1A

Project Address: 1301 AND 1303 Abbot Kinney Blvd

Date of Final Entitlement Determination: November 9, 2021

The CEQA Clearance being appealed is a(n):

- EIR
 SCEA
 MND
 ND
 CE
 SE

2. Appellant Identity (check all that apply)

- Representative
 Property Owner
 Other Person
 Applicant
 Operator of the Use/Site

3. Appellant Information

Appellant Name: CITIZENS PRESERVING VENICE

Company/Organization: % Robin Rudisill, Treasurer

Mailing Address: 3003 Ocean Front Walk

City: Venice State: CA Zip: 90291

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

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

- Self
 Other: _____

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. Appeal Justification

Attach a separate sheet providing your specific reasons for the appeal. Your reasons must state how you believe CEQA was incorrectly applied, providing a legal basis for the appeal.

6. Applicant's Affidavit

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

Appellant Signature: *John Podesill* Date: 11-23-21

ENVIRONMENTAL APPEAL FILING REQUIREMENTS

Note: City Clerk prepares mailing list for CEQA appeals per LAMC Section 11.5.13 E.

1. 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.

- Environmental Appeal Application (form CP-7840)
- Justification/Reason for Appeal
- Copies of the written Determination Letter, from the final appellate body, which must be a non-elected decision-making body

2. 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. "Environmental Appeal Application.pdf", "Justification/Reason Statement.pdf", "Final Determination Letter.pdf"). No file should exceed 9.8 MB in size.

3. Appeal Fee

- Original Applicant - A fee equal to 85% of the original application fee of the Environmental case; provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- Other Persons - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified	<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)	

JUSTIFICATION FOR CEQA APPEAL
Project Site: 1301-1303 Abbot Kinney Blvd
Case No. ENV-2020-5333-CE
ZA-2015-1155-SPP-CDP-MEL-ZV-1A

I. Identification of Appellants

This appeal is being filed on behalf of Citizens Preserving Venice (Appellant). Citizens Preserving Venice is a non-profit organization organized under the laws of the state of California and dedicated to preserving the quality of life in the Venice area of Los Angeles.

Appellants reserve the right to supplement these comments.

II. Appellant is aggrieved by the decision.

Appellants will be adversely impacted by the Project because they have a substantial interest in ensuring that (1) the City's decision are in conformity with the requirements of law, (2) the requirements of the law are properly executed, and (3) the public duties of City officials are enforced – all as they relate to application of the California Environmental Quality Act (CEQA) and other laws that protect the quality of life in the Venice community. Appellants also act affirmatively to protect and enhance the life of the neighborhood as experienced by its residents.

Citizens Preserving Venice has demonstrated interest and an extensive history of advocacy in land use issues and in the preservation of historical resources in Venice. Appellant Citizens Preserving Venice is a 501(c)3 organization with the goals of preserving the character and scale of Venice as a Special Coastal Community, including its history and its social, cultural, racial and economic diversity, and of stabilizing affordable housing in Venice. Appeals have been our most effective tool in pursuing our goals.

The efforts of Citizens Preserving Venice are for the purpose of significant benefits for the general public interest in stabilizing affordable housing in the Venice Coastal Zone and preserving and protecting Venice from the forces causing over development and destruction of Venice's Special Coastal Community character, *which is to be preserved and protected by law*. Strong and proper enforcement of the Mello Act and the Coastal Act is crucial to achieving these goals. As further detailed in the Appeal points below, Citizens Preserving Venice is harmed as the project does not protect housing in the Venice Coastal Zone nor does it preserve existing affordable housing stock as required under the Mello Act, which also harms the Special Coastal Community social character of Venice.

III. Justifications/Reasons for the Appeal.

The West Los Angeles Area Planning Commission (WLAPC) erred and abused its discretion in determining that: (1) the Project is exempt from CEQA pursuant to CEQA Guidelines, Sections 15303 and 15332; and (2) there is no substantial evidence demonstrating that an exception to the Categorical Exemption (CE) pursuant to CEQA Guidelines, Section 15300.2 applies. To the contrary, the evidence shows that the Project does not qualify for a CE from CEQA.

Rather than prepare an Environmental Impact Report (EIR), Negative Declaration (ND), or Mitigated Negative Declaration (MND) for the project, the City has improperly approved the Project using a CE pursuant to CEQA Guidelines, Section 15332, Article 19 (Class 32 – In-fill Development Projects).

In addition, it is not clear why there is an existing MND for the project and the City has overridden it with a CE:

<https://planning.lacity.org/pdiscaseinfo/document/MjI1NDM40/46e6f77e-051c-4e11-ad6d-6ce8558211cd/pdd>

The City has already determined that there is a potential for cumulative impacts and correctly prepared a MND. The City must not override the MND with a CE but rather it should prepare an updated 2020 MND for all of the same reasons it originally prepared a MND.

A. The Project Does NOT Qualify for Class 32 Categorical Exemption.

The City is improperly processing the Project primarily relying on CEQA Guidelines, Article 19, Section 15332 (Class 32 – In-fill Development Projects), yet substantial evidence shows that the Project does not meet the criteria for a Class 32 CE.

The legal justifications for the Project’s approval under the Class 32 CE fail when examined closely. Per CEQA Guidelines Section 15332(a), to qualify for a Class 32 exemption a project must be “*consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.*” As detailed herein and in the administrative record, the proposed Project does not conform with Los Angeles General Plan, which includes the Venice Community Plan, the Venice Coastal Zone Specific Plan and the certified Venice Land Use Plan, and Zoning requirements – specifically the Venice Coastal Zone Specific Plan ordinance, the Coastal Development Permit regulations, and California Government Code Section 65590 and 65590.1 (the Mello Act) and the City of Los Angeles Interim Mello Act Compliance Administrative Procedures (IAP) and the City’s Zone Variance regulations.

Pursuant to the CEQA Guidelines, Section 15332(a), the class 32 categorical exemption does not meet the condition that “The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.” As such, all entitlements requested are appealable under CEQA and challenged herein as pertains to these required CEQA Findings.

The project does not comply with all applicable zoning code regulations, for the entitlements requested: LAMC 11.5.7 (SPP), LAMC 12.20.2 (CDP), the Mello Act and IAP, (MEL), and LAMC 12.27 (ZV).

In addition, the project does not comply with CEQA Guidelines, Section 15332(e) as it has not been shown that the project can be adequately served by all required utilities and public services. It is well known by existing residents in the surrounding community as well as throughout Venice that there are significant traffic problems on Abbot Kinney Boulevard, and that the lack of loading zones (causing a proliferation of delivery trucks clogging the street) as well as the presence of many unpermitted commercial uses that require those deliveries are contributors to that. It is also well known in the community that the surrounding infrastructure, including for water and sewer, is already inadequate for the level of existing development and requires significant repairs and maintenance.

The City has approved a CE in error. The project is not consistent with the applicable Los Angeles General Plan, Venice Community Plan, Venice Coastal Zone Specific Plan, and certified Venice Land Use Plan and related policies and it also is not consistent with the applicable zoning regulations, as further detailed below. Therefore, the project does not comply with CEQA Guidelines Section 15332(a).

Details of where the project is inconsistent with applicable zoning designation and regulations:

1. Violation of the Venice Coastal Zone Specific Plan Ordinance No. 175,693, LAMC 11.5.7

The Specific Project Compliance permit findings are in error as the project is not compatible in scale and character with the existing neighborhood and thus it would be materially detrimental to adjoining lots and the immediate neighborhood. The project requires the demolition of a duplex built in 1922 and a single-family dwelling built in 1912. Also, as the findings state, “this segment of Abbot Kinney Boulevard is predominately one-story in character with 27 (73%) one-story structures, primarily constructed in the 1920’s.” In addition, this project is on Abbot Kinney Blvd between Venice Blvd and Brooks Ave, an area that the certified Venice Land Use Plan identifies as a significant architectural, historical or cultural landmark in the Venice Coastal Zone.

1.

The fact is that this project would harm this historic section of Abbot Kinney Blvd as it removes a structure that contributes to the character of the historic street and it adds a

structure that is materially out of scale and character with the surrounding neighborhood. The loss of these two historic buildings will harm the existing distinctive feel that conveys a strong sense of time and place of the area. The proposed new project would compromise the scenic or visual scale and character of the neighborhood and would change the visual character of the surrounding area.

The Section 8.C. Findings 3. and 4. are also in error as HCID made its determination of no affordable units based on the existing unpermitted, illegal commercial use, which is a violation of the Mello Act, as noted below in the Mello Act section 3. It is a significant error for the ZA to say that the project meets these two findings.

2. The Coastal Development Permit Was Approved in Error and Constituted an Abuse of Discretion.

The project is an exception to the alleged Class 3 and Class 32 exemptions because Venice has been identified by the Coastal Commission as a Coastal Resource, which is an environmental resource that must be protected.

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

- a) There is a lack of factual and legal support in the determination and thus it cannot be determined whether the project conforms with Chapter 3 of the Coastal Act with respect to community character and visual resources;
- b) Consideration of adverse cumulative effects was erroneously omitted;
- c) The proposed project would result in a loss of density and would not preserve overall density in an area able to accommodate it, and thus is inconsistent with Coastal Act Section 30250;
- d) The adverse cumulative impact and change to the character of the neighborhood due to the loss of potential Mello Act replacement affordable low-income units was not considered;
- e) The Coastal Commission's Environmental Justice Policy was not considered; and
- f) Venice as a Special Coastal Community was not considered in Finding 1.

Coastal Act Sections 30251 and 30253(e):

The decision maker erred and abused his discretion in that his Findings do not adequately or correctly address Coastal Act Sections 30251 and 30253.

Coastal Act Section 30251 Scenic and visual qualities states:

“The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas...”

Coastal Act Section 30253(e) Minimization of adverse impacts states:

“New development shall...where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.”

There is no mention in the determination of the fact that the Coastal Commission has designated Venice as a Special Coastal Community and a Coastal Resource to be protected. The project requires the demolition of a duplex built in 1922 and a single-family dwelling built in 1912, which is relevant to its evaluation under Coastal Act Section 30253.

Preservation of Cultural Resources Policy I. F. 1. Historic and Cultural Resources states:

“The historical, architectural and cultural character of structures and landmarks in Venice should be identified, protected and restored where appropriate, in accordance with historical preservation guidelines. The following buildings, streets, and trees have been identified through the coordinated efforts of surveys performed by the Venice Historical Society, Venice Community, State Coastal Conservancy and City of Los Angeles as significant architectural, historical and cultural landmarks in the Venice Coastal Zone.”

The list referenced includes Abbot Kinney Boulevard between Venice Boulevard and Brooks Avenue, where this project is located.

Also, as the ZA states on page F-3, “this segment of Abbot Kinney Boulevard is predominately one-story in character with 27 (73%) one-story structures, primarily constructed in the 1920’s.” The fact is that this project would harm the Special Coastal Community and Coastal Resource of Venice and the historic section of Abbot Kinney Blvd as it is materially out of scale with the surrounding neighborhood. The loss of these two historic buildings will harm the distinctive feel that conveys a strong sense of time and place of the area, and thus the character of the area. The ZA’s conclusion is incorrect as the proposed new project would compromise the scenic or visual scale and character of the neighborhood and would change the visual character of the surrounding area and thus violates Coastal Act Section 30251.

In addition, the loss of the existing affordable housing would significantly change the character and social diversity of the neighborhood. The social diversity of Venice is to be protected as a Special Coastal Community pursuant to Coastal Act Section 30253 and LUP Policy I.E.1. The proposed development is inconsistent with LUP Policy I.E.1., which protects the social (and architectural) diversity of Venice as a Special Coastal Community pursuant to Section 30253(e) of the Coastal Act, and Coastal Act Sections 30604(f)(g)(h) of

the Coastal Act, which require encouraging lower cost housing opportunities, as the CDP determination authorizes the removal of multiple rent-stabilized units and sets an adverse precedent for future development by not protecting affordable housing, resulting in displacement of lower-income residents and thereby disrupting the social diversity and community character of this area and prejudicing the City's ability to prepare an LCP.

As per current Executive Director of the Coastal Commission, Jack Ainsworth, at a hearing on August 12, 2015 (416-418-422 Grand Blvd):

"...the certified Land Use Plan...includes really robust policies for protection of affordable housing. And they require replacement at a one-to-one ratio within the community, very robust, but they reference the Mello Act...one of the reasons why they have such protective policies of affordable housing was that in the LUP they make the connection of a very socially diverse community as being sort of the fabric of that community and the character of that community and that supports that idea of this diverse community. So, if you don't have this affordable housing...you lose the character of Venice which everyone comes from around the world to experience."

In addition, the California Legislature amended the Coastal Act, specifically Section 30604, for the Commission to consider environmental justice (as defined in Sections 30113 and 30107.3) and encourage lower cost housing opportunities. The Coastal Commission's Environmental Justice Policy states:

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

The project is not consistent with the Special Coastal Community protection policies of the Coastal Act with respect to social diversity, which is directly impacted by the loss of affordable housing, and thus the project would prejudice the City's ability to prepare an LCP in the future.

Cumulative Effects:

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

governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.

Coastal Act Section 30105.5 states:

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

Coastal Act Section 30250 states:

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

One of the primary issues for this project is the potential adverse cumulative impacts to community character. Venice has been identified by the Coastal Commission as a unique Coastal Resource. The cumulative impacts of the development, including the loss of replacement affordable housing stock, would have significant impacts on the community character of Venice, which is a significant coastal resource that would be adversely affected by this project.

Review of a project’s incremental effects does not only mean determining whether the impacts of a project can be identified as a single “increment” among many others. It also means considering the probability that the project may serve to promote more such projects with further “incremental” impacts, resulting in a significant cumulative impact.

In Finding 1 of the CDP, the cumulative adverse impacts of this proposed project are not considered, which is an error and abuse of discretion. This may also be indicative of a pattern and practice by the City of failing to consider adverse cumulative impacts in the Venice Coastal Zone and thus erroneously approving projects that could cause adverse cumulative impacts. The City cannot rewrite the Coastal Act to exclude consideration of adverse cumulative impacts. Both individual and cumulative impacts must be considered. Finding 1 re. conformance with Chapter 3 of the Coastal Act must include consideration of cumulative impacts.

Use of ADU does not maintain density:

The proposed Project raises concerns about the related issue of maintaining residential density within the Coastal Zone. The Mello Act favors residential density by prohibiting the conversion of residential to nonresidential uses and requiring the preservation of affordable residential units. At a minimum, maintaining residential density helps achieve the Mello Act’s intent at a cumulative level, as it requires the preservation of density of all units (affordable and market rate).

Additionally, maintaining residential density is required by SB 330, which should apply to this project as the project was changed in 2020, resulting in a new, revised application. Also, the Coastal Commission has increasingly interpreted that the Coastal Act requires maintaining existing residential density as a minimum development standard within the Coastal Zone.

As indicated in the determination on page F-17, "Density: Commercial zones are limited to the residential density permitted in the R3 zone," which is 1 unit per 800 square feet of lot area as per VCZSP Section 10.F.2.b. and LAMC Section 12.10). **As the lot is 3,392 square feet, the project is therefore restricted to a maximum of four dwelling units (not two units as erroneously indicated by the ZA). The project should replace the three existing units with real housing units and not a third unit that is an ADU.**

Use of an ADU rather than replacing all three existing units should not be used to evade the parking requirements for a third unit.

See partial transcript in **EXHIBIT B** of the WLAAPC at the August 19, 2020 hearing for the project at 426-428 Grand Blvd re. findings that use of ADU cannot be used for maintaining density. The Coastal Commission has made the same findings for similar projects where ADU's are being used to replace existing units. These precedents must be followed.

See also the Coastal Commission decision on March 11, 2021 at Agenda Item 12a (the Coastal Commission agreed with the Staff findings and recommendation and declared a Substantial Issue) that finds that an ADU does not replace existing housing for purposes of maintaining density, which the City must follow in making this determination:

<https://www.coastal.ca.gov/meetings/agenda/#/2021/3>

As per Coastal Act Section 30625(c) this decision must be used as guidance:

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

3. Mello Act Compliance Review is in error.

Evasion of Code Enforcement

The three existing rent stabilized housing units are listed at HCID as having no exemptions from the RSO, in other words they are registered with the City as residential rental units. This case was filed in 2015 and City Planning has allowed it to sit for the past six years. Due to the fact that a planning case was filed, HCID and the Department of

Building and Safety have refused to act on the many complaints re. this property, including the illegal change of use, thus they have gotten a “free pass” on their illegal commercial use of the property for the past six years. This is a loophole in the process and a well-known strategy for evading code enforcement for violation of a C of O in order to continue with an unpermitted use. The same strategy has been used for other projects, such as 1214 Abbot Kinney Blvd, 1511 Abbot Kinney Blvd, 320 Sunset Ave, and many others.

Affordable Replacement Units:

Both HCID and City Planning are violating the Mello Act and the IAP by using the existing unpermitted, illegal commercial use that is a violation of the Mello Act (conversion from residential to commercial is not allowed) as a basis to conclude that no affordable units exist at the project site. There would never be an affordable unit when basing a finding on an existing commercial use that is violating the Mello Act as the analysis must be based on housing data and not commercial tenant data. The only correct answer for compliance with the IAP is that housing cost is zero, thus making the existing units affordable. As there is no requirement for feasibility for 3 units, all units would be replaced. The City is not only violating the Mello Act requirement that a residential use cannot be converted to a commercial use (there has been an illegal change of use) but the City is also violating the Mello Act and IAP requirements for determining whether there are existing affordable units. See attached **EXHIBIT A for erroneous HCID letter.**

The City MUST stop this pattern and practice of violating the Mello Act and thereby robbing the Venice Coastal Zone of millions of dollars’ worth of affordable units that would otherwise be available for the current lower income population. This pattern and practice by the City of basing determinations of affordable units on the rent of an existing illegal commercial use is not only violating the letter and the spirit of the Mello Act law but it is also a form of institutional racism as the majority of the lower income population is minorities.

The City’s actions are directly causing the loss of millions of dollars’ worth of affordable housing, for the direct benefit of developers and resulting in the direct loss of Venice’s lower income population due to evictions with no available replacement units in the community.

The City must go back to the last residential use to determine affordability, and if those records are not available then the rule and practice is that the units must be assumed to be affordable because the housing cost is \$0. Commercial rents may not be used in the place of “housing cost” as per the IAP. Assuming that the units will be deemed affordable, as the three RSO units are part of a triplex (see attached **EXHIBIT A**) there is no feasibility requirement, and the affordable units must be replaced.

Mixed Use:

The City errs in that it piecemeals the project for purposes of the Mello Act Compliance Determination. On page 1 of the November 9, 2021 WLAAPC determination it states:

“approved, pursuant to Government Code Sections 6550- and 65590.1 and the City of Los Angeles Interim Mello Act Compliance Administrative Procedures, a Mello Act Compliance Review for the demolition of three Residential Units and the construction of three Residential Units in the Coastal Zone.”

The review thus fails to consider the commercial portion of the project and thus only considers the residential part of the project in the Mello Act Compliance Review, a violation of the IAP which requires that the Mello Act Compliance Review is for the same project as for the associated discretionary permits. This is obviously being done in order to evade the Mello Act and IAP requirement that residential structures not be demolished or converted for purposes of non-residential uses.

Demolition of a residential structure for purposes of a commercial use is prohibited by the Mello Act. A mixed-use project is a commercial use and is not two separate projects, one commercial and one residential. A mixed use is considered a commercial use in the certified Land Use Plan and for any zoning purpose.

Government Code 65590(b) states:

"The conversion or demolition of any residential structure for purposes of a nonresidential use which is not "coastal dependent," as defined in Section 30101 of the Public Resources Code, shall not be authorized unless the local government has first determined that a residential use is no longer feasible in that location."

For purposes of this project, the City interprets the Mello Act as this:

The conversion or demolition of any residential unit or use for purposes of a nonresidential use which is not "coastal dependent," as defined in Section 30101 of the Public Resources Code, shall not be authorized unless the local government has first determined that a residential use is no longer feasible in that location."

The City cannot exceed its jurisdiction by changing the wording and the meaning of the Mello Act in order to provide for Mixed Uses replacing 100% residential structures. One of the three main goals of the state Mello Act is to protect all housing, both affordable and market rate, from conversion to non-residential use (see IAP 1.3 Rule 1.). “Structure” and “unit or use” are very different things. The Mello Act specifically and obviously uses the word “structure” in order to protect and maintain 100% residential structures and uses in the Coastal Zone, no matter the zoning. The Mello Act is clear, and the City cannot change this state law.

The City’s logic that there would not be a conversion of the residential use if the mixed-use building has the same number of units is also faulty as even if the number of

residential units or uses is not changed, there would still be the issue of a demolition of a residential structure for purposes of a nonresidential use and that is specifically not allowed under the Mello Act. In other words, even if the residential units or use is maintained by replacing the same number of units, a 100% residential structure is being demolished for the purpose of a nonresidential use, *which is explicitly not allowed*.

Words have specific meanings under the law. This interpretation of the Mello Act by the City allowing conversions to mixed use not only exceeds its jurisdiction by changing the words, intent and/or meaning of the Mello Act but the proposed changes would also change the wording, intent and meaning of the IAP, which is the City approved document in effect as the direct result of a Settlement Agreement for a lawsuit against the City re. it's implementation of the Mello Act. This change by the City would make the IAP less protective by allowing conversions of 100% residential structures to mixed use commercial uses if the number of units remains the same.

In addition, the Mello Act is blind to zoning as it specifically protects housing in any zone. Demolition of a residential structure for purposes of a mixed-use project is not allowed in a residential zone or in a commercial zone. A project in a commercial zone that demolishes a single-family or multi-family residential structure to construct a mixed-use structure with the same number of residential units does not preserve the residential structure and it changes the residential character of both the structure and the surrounding area. If it was allowed to convert or demolish residential structures for such commercial uses, residential structures currently in commercial zones would be quickly demolished and replaced by more lucrative commercial uses, with the cumulative impact of a significant loss of housing. The City has approved some projects where a residential structure is demolished for purposes of a mixed use, on the basis that the new project will have the same number of residential units. However, these approvals violated the law as the Mello Act prohibits the demolition of a residential structure (which of course includes the units or uses in them) for purposes of a nonresidential, commercial use, whether or not the project replaces the number of existing units in the residential structure. Thus, because the units within the structures are being demolished for purposes of a nonresidential, commercial use, the demolition is not allowed.

The ZA erred and abused his discretion in determining there are no existing affordable units and in approving a demolition of a residential structure for purposes of a commercial use.

Cumulative Impact of HCID error and abuse of discretion.

The IAP is a key piece of legislation that helps the community advance the goal of creating and preserving affordable housing. This case raises a number of issues related to IAP and related Settlement Agreement enforcement that apply to other cases currently in process, and even more development scenarios likely to occur in the future, which will further impact the affordable housing stock within the Coastal Zone.

The WLAAPC determination in this case will affect not only the existing project, but the way the IAP is enforced in coastal zones citywide. It is imperative that the City take action to ensure the proper enforcement of the IAP to preserve affordable housing stock within the Coastal Zone.

In addition, because the project description changed significantly in 2020, the project is subject to SB 330 and the replacement requirements for existing affordable units. The WLAAPC and ZA erred in not applying SB 330 and the City must do so before final approval of the project.

4. Violation of LAMC Section 12.27, a Zone Variance to remove the requirement for an onsite loading zone as required by LAMC Section 12.21 C.6.

The required findings for a Zone Variance cannot be made and are in error. The applicant is proposing to do a project that is simply not allowed for a lot of this size. It is true that lots elsewhere in the City are larger, conforming lots, able to accommodate such a project. However, this lot size and others in the surrounding area are not able to accommodate such a large project, as evidenced by the fact that they are unable to meet the applicable laws, such as the Venice Coastal Zone Specific Plan and LAMC Section 12.21 C.6 requiring a loading zone. The subject site is not unique as it is similar to all of the surrounding lots in size. The fact that it was originally developed as a single-family home and a duplex is significant because the Mello Act protects residential structures from being replaced with non-residential projects such as this one. The fact that the use may have been commercial for a long period of time is only relevant in that it has been a long-time unpermitted use and violating the law (the Mello Act is a state law) is certainly not a reason to say the subject site is unique for purposes of the findings for this zone variance.

B. The project qualifies for a CEQA Guidelines Section 15300.2 exception to the CE.

As detailed in CEQA Guidelines Section 15300.2, there are exceptions to when a Categorical Exemption may be used:

15300.2. EXCEPTIONS

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly

sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

- (b) **Cumulative Impact.** All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.
- (c) **Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- (d) **Scenic Highways.** A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.
- (e) **Hazardous Waste Sites.** A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- (f) **Historical Resources.** A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

Cumulative Impacts

The proposed project may not be eligible for a CE pursuant to CEQA Guidelines Section 15300(b) due to the potential for cumulative impacts on the designation of Venice as a Special Coastal Community and due to the impacts on existing affordable housing and displacement of existing residents.

Section 15355 of the State CEQA Guidelines defines a cumulative impact as the condition under which “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts... The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time” (California Code of Regulations [C.C.R.] Section 15355). In other words, a project evaluated within a certain area may contribute to a larger impact/effect in conjunction with other projects in that area.

Under CEQA Guidelines 15300.2, CE's are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. Based on the substantial evidence provided herein, a correct cumulative impact analysis of the project as required by CEQA would show that the project meets the exception to a CE and that the City must require an MND or EIR.

Unusual Circumstances Preclude Usage of Class 32 Exemption

Under CEQA Guidelines 15300.2, CE's 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 noted by the City itself on page F-22, "The subject site is unique as it was originally developed as a single-family home and a duplex. For several decades, these residences have been used for commercial purposes." This is an unusual circumstance because although the zone is commercial, and although the applicant has violated the Mello Act and IAP by using the residential structure for commercial uses, the Mello Act requires the protection of residential structures and does not allow them to be replaced with non-residential projects, such as this mixed-use project. As further explained in detail herein, the project is a violation of the Mello Act and IAP with respect to protection of existing residential structures and affordable housing. In addition, an unusual circumstance is that the property lies in an historic and cultural landmark in the Venice Coastal Zone, Abbot Kinney Boulevard, between Venice Boulevard and Brooks Avenue (certified Land Use Plan Policy I. F. 1.).

The Project's unusual circumstances, as further detailed herein, have the potential to result in a number of potentially significant project and cumulative impacts.

The City cannot act on the project until the appropriate environmental documentation has been prepared and analyzed with respect to Sections 15300(b) and (c).

IV. Conclusion

The above analysis is evidence that the City erred and abused its discretion by finding that the project qualifies as a CE under CEQA. A ND, MND or EIR must be performed.

WLAPC therefore erred in sustaining the DCP decision, denying Appellant's appeal, and in its determination that no exception to the CEQA categorical exemptions applies to the Project. The City failed to correctly enforce the IAP, resulting in a failure to correctly implement the IAP with respect to the replacement of existing affordable units and with respect to the requirement that existing residential structures not be replaced with non-residential uses. **Accordingly, Appellants urge the City Council to grant Appellant's appeal.**


EXHIBIT A



Eric Garcetti, Mayor
Richard D. Cervantes, General Manager

DATE: September 13, 2016

TO: Jae H. Kim, Senior City Planner
City Planning Department

FROM: Robert Manford, Environmental Affairs Officer 
Los Angeles Housing and Community Investment Department

SUBJECT: **Mello Act Determination for
1301- 1303 South Abbot Kinney Boulevard, Venice, CA 90291
490 Santa Clara Boulevard, Venice, CA 90291**

Planning Case #: ZA-2015-1155-CDP-SPP-MEL

Based on information provided by the owner, Huron Drive, LLC, the Los Angeles Housing and Community Investment Department (HCIDLA) has determination that no affordable unit exists at 1301 - 1303 South Abbot Kinney Boulevard, Venice, CA 90291 and 490 Santa Clara Boulevard, Venice, CA 90291.

The property consists of a triplex multi-family unit of which comprises of three (3) bedroom units. Per the statement on the application, owner is proposing to demolish the existing triplex multi-family unit and construct two (2) live-work units. On December 13, 2013, Huron Drive, LLC, purchased the property from Noriyuki Masaki. Owner has not filed for a building or demolition permit.

Section 4.4.3 of the Interim Administrative Procedures for Complying with the Mello Act requires that HCIDLA collect monthly housing cost data for at least the previous three (3) years. The owner's Mello application statement was received by HCIDLA on July 11, 2016. HCIDLA must collect data from: July 2013 through July 2016.

Owner provided commercial lease agreements for all units commencing on July 14, 2013 to August 5, 2016 in which the monthly rental checks provided averaged above the moderate level of Schedule VII. From April 2015 to January 2016, the single family dwelling was vacant according to owner. Owner provided the Department of Water and Power utility bills for the single family dwelling which shows that the utility usage was near zero for this time period. Under the City of Los Angeles Department of Planning Parcel Profile Report (ZIMAS) database, the property is zoned as a C2 - Commercial. Under the Code, Compliance and Rent Information System (CRIS), inspectors' attempts to inspect the property on July 9, 2008 and July 27, 2012, but each time the inspector determined that the property was used as a business instead of a residential property based on their visual inspection.

Based on the information provided by the owner, the residential property was used as a commercial property and the monthly rental amount collected was above the moderate of schedule VII making the units not affordable.

cc: Los Angeles Housing and Community Investment Department File
Huron Drive, LLC, a California limited liability company, Owner
Richard A. Rothschild, Western Center on Law and Poverty, Inc.
Susanne Browne, Legal Aid Foundation of L.A.
Juliet Oh, City Planning Department

RM:IP:MAC:wj
HIMS: 16-123168

EXHIBIT B

TRANSCRIPT EXCERPTS OF WEST L.A. AREA PLANNING COMMISSION APPEAL
HEARING FOR 426-428 GRAND BLVD

August 19, 2020

<https://planning.lacity.org/StaffRpt/Audios/West/2020/08-19-2020/5%20DIR-2018-1485.mp3>

TIME: 1:13:45

JULIET OH, CITY PLANNING:

I'm going to offer a little bit of clarification, because I believe the applicant did make a statement about this being a two-family dwelling, and I just want to provide some clarification on that. The code provides a definition of two-family dwelling and the project would not meet that definition of two-family dwelling because it meets a different definition. It's a single-family dwelling with an attached ADU, and it's important to recognize the attached ADU because a separate part of our zoning code, 12.22 A.33. does address the provisions and requirements for accessory dwelling units, so if we were to call this a two-family dwelling there are different implications regarding the required parking, where the entrances are located, and things like that. So, we want to be sure to call this a single-family dwelling with an attached ADU for zoning code purposes. But we do recognize that an accessory dwelling unit still meets the definition of a residential dwelling unit. So, while we can't call it a two-family dwelling unit, it's still is considered a residential dwelling unit.

TIME: 01:27:40

COMMISSIONER WALTZ-MOROCCO:

Ira, on page A-2 of your report, you talk about how this project functions the same as a duplex. How do you mean that? Because I mean, just for example, a duplex has separate utilities, a duplex has separate addresses. A duplex has different leases, you know. Somebody is paying something, somebody's paying something else. So, I just was curious how you would say that a single-family home with an ADU embedded inside of it functions the same as a duplex.

IRA BROWN, CITY PLANNING:

One way would be the size of the ADU. It is 840 square feet, and it's replacing a dwelling unit that is of similar size, if not smaller than, than that.

COMMISSIONER WALTZ-MOROCCO:

Oh, okay. And there is no provision about having this ADU have any kind of separate utility or separate address, right? There's nothing here for that, right?

IRA BROWN, CITY PLANNING:

That is correct. The regulations for ADUs would be through the building code and those codes aren't there to require those types of changes.

COMMISSIONER WALTZ-MOROCCO:

So, in the building code, it doesn't have anything about giving an ADU more autonomy?

IRA BROWN, CITY PLANNING:

No, it doesn't. It does require certain sanitary facilities, cooking facilities, but it's not the zoning code type of requirements, more for life safety.

TIME: 01:36:26

COMMISSIONER ROZMAN:

I think just as a last thought about the notation that this property is not actually a two-family structure, and that this really is a single-family unit with an ADU tacked on, I think really this is going to be the future of these construction projects, that we're going to see these multi-million-dollar projects with an ADU tacked on the back in an effort to skirt some of these density requirements. And I kind of view this project as one of those, and it really looks like a disingenuous effort to restore density to the site. So, I definitely take issue with that. But I'll open it up to the rest of the commission for more comments. Thank you.

TIME: 01:46:35

JULIET OH, CITY PLANNING:

So, I'm just going to read the definitions from the ordinance, and this is 12.22 A.32., the home sharing ordinance. So, it defines a rental unit as "a dwelling unit, guestroom, accessory living quarters, other residential structure or portion thereof." And an ADU by definition is, "a residential dwelling unit." So, in addition to that, in order to qualify as a short-term rental unit under the home sharing ordinance, it has to be, I don't know what that person is called, but it has to be a primary residence. So, the state ADU law and our ordinance does encourage ADUs to be rented. I mean, it's supposed to be an alternative sort of rental unit, and ideally as an affordable rental unit. And so, it makes sense. But as far as I can tell in the definitions, and I haven't gone through the entire ordinance, I don't know if there are any limitations that would apply to ADUs.

COMMISSIONER ROZMAN:

So, it sounds like the ADU portion of this property could potentially be used for a short-term rental.

JULIET OH, CITY PLANNING:

Right. If it meets the criteria in the ordinance.

COMMISSIONER ROZMAN:

Okay. And I asked that question because I think we need to discuss the practical applications and the intent of the Mello Act to preserve affordable housing. And when you look at the replacement of two affordable units by not only a very unaffordable - for the general population - rental unit of the single-family home, which is you know, in excess of 3,000 square feet, and then the potential use of the ADU for really another stream of income, I think there is absolutely no application of the Mello Act that's being protected with this project moving forward, as a point of order, or...

COMMISSIONER WALTZ-MOROCCO:

Right. Thank you, Commissioner Rozman. I appreciate that. Yeah, I mean, I feel like, Commissioners, we're all sort of nibbling around the same idea here. I mean I feel like we've been here before, when we were talking about coastal issues, character issues, compatibility issues. I mean, I listened back to the testimony from the APC - Commissioner Margulies, you were actually there - to see what was discussed back then. But for me, honestly, this all comes down to loss of density in the coastal zone, and I'll get to why, and compatibility with the area, and the change of character that I think will happen over time if this configuration, which is duplex, is not equal to single family home plus ADU. I mean, I just think that we are kidding ourselves that an ADU and a single-family home functions, or it has the purpose of a duplex. And, in full disclosure, we've had cases like this before and I'm just starting to see them come and come and come now. I think, Commissioner Rozman, you were saying that it's sort of this unfortunate shortcut that people are using. That's not the right word. And how do I answer the fact that I was thinking about something differently not that long ago? Well, you know that saying where "I did what I did then, but I know better, so I do better." "I know better now, so I do better now." And I don't know, I just see this coming again and again and again, and there's just no way that a single-family home with an attached, not even a detached, ADU will really serve the purpose of what we're talking about here. And then over time, we talked about the character of this neighborhood changing completely, because what you have right now is a multifamily community mixed with other uses, which will pretty much turn into single-family homes. And the ADUs will be sort of absorbed into them. So that's pretty profound. And I think that flies in the face of not only, well, it flies in the face of a lot of things, but certainly flies in the face of Chapter 3 of the Coastal Act.

COMMISSIONER MARGUILES:

This is Commissioner Marguiles. Commissioner Waltz-Morocco, I just want to tag on to that some significant concerns about the cumulative impacts of this project in relation to the process of creating the updated local coastal plan and program. And as we've seen as each domino falls or adds to the change in character and scale of a neighborhood, especially in a historic district, this is an argument put forward by the applicant in every case, that Venice's whole diversity, that things have been changing, that there is no character anymore. And I think we, and Juliet, thank you for your explanation about requiring scale studies and massing studies. I mean I have to say, I think they were very revealing. I think they actually illustrate quite well, in this case, the outsize nature of the structure, the single-family residence. It may not be so different historically from some of the multifamily structures that were on this street, but it is significantly different than the fabric of the, especially the contributors, but of many of the other houses that were here prior to the signoffs and lack of enforcement of the Mello Act over time on this block. So, I'd like to raise that issue in terms of findings of Chapter 3, having to do with the cumulative impact of this project. And one last thing has to do with being able to make the finding that this is consistent with previous cases. I know there was a case that was cited specifically in 2019, a [Coastal Commission] Substantial Issue found with the conversion of an existing one-story 1,000 square foot duplex to a single-family dwelling, at 812-814 Amoroso Place. And this is I think a case that has a lot of validity and similarity, except that this one is a little bit different. I believe that if this case were another one, the issue was that it was a single-family residence, plus an ADU in a primarily single-family neighborhood or block with primarily single-family houses, and this goes above and beyond, that if we are unable to make the IAP actually work for its intent to preserve affordable housing, which seems to be what we're hearing and we've heard over and over again, at least in this case, we're looking at the loss of affordable units in a multifamily neighborhood, for a single-family house with a small, even if it's larger than the existing one bedrooms that are there now, it's still, you know, this is not equitable. I just think about the stories we heard from the tenants who were evicted and abused by the landlord. So over time here, we heard about a community of people who lived in a kind of communal situation who knew each other, what we all wish we had. People who talk to their neighbors, who know their neighbors. And I don't think tacking an ADU on to the back of a large single-family residence is going to create a community or maintain a community. So that's my feeling about this.

COMMISSIONER WALTZ-MOROCCO:

Commissioner Marguiles, that was a very good point. All right. So, any other questions for Oscar or staff? Someone want to make a motion here? Anyone? Excuse me, wait. Excuse me. Nope? Okay.

COMMISSIONER MARGUILES:

Commissioner Waltz-Morocco, I have to find...if you're willing to help me a little bit on the findings...

COMMISSIONER WALTZ-MOROCCO:

I'm happy to...you know what? Commissioner Waltz-Morocco. I think we're all contributors to this motion. It all sounds like we had our own thoughts. So, you start off and we can add on.

TIME: 1:55:40

COMMISSIONER MARGULIES:

I'd be happy to do that. This is Commissioner Margulies, **making the motion for item number 5, case number DIR 2018-1485-CDP-MEL-1A**, and environmental case number ENV-2018-1486-CE. **I move to grant the appeal and overturn the Planning Director's determination. This is to grant the appeal and overturn the Planning Director determination of April 22, 2020 and adopt the Commission's findings as stated on the record.** And our reasons for doing that are the inability to make the findings that this is consistent with Chapter 3 of the Coastal Act--that this project will not be consistent with the character of this historic district, that it will create a cumulative impact and prejudice the process of drafting a new local coastal program for Venice, and that it will not achieve the objectives of either the LUP or the Coastal Commission's Environmental Justice objectives of providing diverse and equitable housing along the coast.

COMMISSIONER WALTZ-MOROCCO:

Commissioner Waltz-Morocco. James Williams, just a point of order. May I add onto that motion? I can add on, correct?

JAMES WILLIAMS:

Yes. You can make a friendly amendment to her motion.

COMMISSIONER WALTZ-MOROCCO:

Commissioner Waltz-Morocco. I'd also like just to make sure we talk a little bit about how it flies in the face of the LUP, that in [Policies] I. A. 5. and I. A. 7. they talk about how we want to preserve multi-family dwelling units. And I think you mentioned something about the character of the neighborhood, making sure we understand that this ADU attached to a single-family unit over time will have these cumulative impacts and then thus change the character of the neighborhood. I think that's pretty much what you said as well. I'm just looking at my list. I think that's what I have.

COMMISSIONER MARGULIES:

This is Commissioner Margulies. I accept the friendly amendment. I just want to clarify that the character that we're talking about is both a physical character of the structures and the open space and the social character, over which we heard from the tenants and their testimony and read the letters to that effect, that this was a very mixed income and diverse community of people who lived on these three lots, including the 424-426 Grand Avenue, which we're looking at tonight.

COMMISSIONER WALTZ-MOROCCO:

I'd also like to point out that and just say in our motion that it's out of scale. I mean, we've found in testimony that there's one single-family home on a double lot. So, the scale of this house is just completely out of scale for the neighborhood.

COMMISSIONER ROZMAN:

This is Commissioner Roseman. I'm happy to second this motion.

COMMISSIONER WALTZ-MOROCCO:

That's a very long motion. Sorry, James Williams.

JAMES WILLIAMS:

No worries.

OSCAR MEDELLIN:

This is Oscar Medellin, just for the record as well. I know that Commissioner Waltz-Morocco mentioned that she wanted to also adopt your previous comments as well. Once you started deliberation, many other Commissioners made several helpful comments that are in line with your motion. So, it would be useful for the record, if we could also, you don't have to do this now, but we could just readopt those by reference, all the comments that were made by Commissioners once deliberation began.

COMMISSIONER MARGULIES:

Commissioner Margulies. Happy to, if it's my motion, you could do it to your friendly amendment, but for the main motion, **I'm happy to adopt the discussion and the deliberations of all the Commissioners.**

COMMISSIONER WALTZ-MOROCCO:

Yes, I second that. Thanks. Thank you. Thank you, Oscar.

COMMISSIONER MARGULIES:

I'll just throw this out there--I'm not sure that we have made a comment specifically about the Mello Act here. This is a Mello case. Oscar, are we required to address the Mello findings or the Mello decision in our motion?

OSCAR MEDELLIN:

This is Oscar Medellin, for the record. You can comment on the Mello approval or the feasibility study, that you want to do here. You do not have to make a finding on that appeal point, however. Mello applies when the city is going to approve a demolition or a conversion. And so, since your motion is to disapprove this proposed project, you don't necessarily have to make a finding to show that Mello has been performed here. However, I think it's pretty clear from the testimony and from the comments by the Commission that you were disappointed with the feasibility study and perhaps the lack of a corroboration there. So, you're free to address those points now, if you'd like, or you can move on.

COMMISSIONER MARGULIES:

This is Commissioner Margulies. I'll just address two points there specifically. And thank you for reminding me. One is that the timing of the information, that due process, it sounded to me like the testimony we heard today concerning the availability of this very thorough feasibility study, was not sufficient for the appellants to review in detail, and that the lack of the City's objective review of Mello cases again, is a hindrance to our ability to evaluate them on appeal.

COMMISSIONER WALTZ-MOROCCO:

Thank you, Commissioner Margulies.

COMMISSIONER MARGULIES:

And that's my motion.

COMMISSIONER WALTZ-MOROCCO:

Okay. James Williams, do we need Heather to second that again?

JAMES WILLIAMS:

Yes, please.

COMMISSIONER ROZMAN:

Yes. Commissioner Rozman. I second that again.

JAMES WILLIAMS:

We have a motion and a second on the table. Commissioner Margulies?

COMMISSIONER MARGULIES:

Aye.

JAMES WILLIAMS:
Commissioner Rozman?

COMMISSIONER ROZMAN:
Aye.

JAMES WILLIAMS:
Commissioner Waltz-Morocco?

COMMISSIONER WALTZ-MOROCCO:
Aye.

JAMES WILLIAMS:
The motion carries.

COMMISSIONER WALTZ-MOROCCO:

All right. Well, everyone we've completed our Zoom meeting. We did it. I'm very proud of everyone. Thank you everyone who's on the call still, on the computer, on the phone. I certainly appreciate everyone's time. Thank you, staff. Thank you, Commission Staff. Thank you, all the departments for helping us with these cases today. Seeing no further business with this commission, this meeting is now

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Receipt Number:231121A44-345BAF0B-478A-46AC-910D-587711B19E64, Amount:\$109.47, Paid Date:11/23/2021

Applicant: CITIZENS PRESERVING VENICE - RUDISILL, ROBIN (310-7212343)
Representative:
Project Address: 1301 - 1303 S ABBOT KINNEY BLVD, 90291

NOTES: Pursuant to Section 11.5.13 of LAMC, the applicant/an aggrieved person(s) is appealing the decision of the California Environmental Quality Act for ENV-2020-5333-CE.

ENV-2020-5333-CE-1A			
Item	Fee	%	Charged Fee
Appeal by Aggrieved Parties Other than the Original Applicant *	\$89.00	100%	\$89.00
Case Total			\$89.00

Item	Charged Fee
*Fees Subject to Surcharges	\$89.00
Fees Not Subject to Surcharges	\$0.00
Plan & Land Use Fees Total	\$89.00
Expediting Fee	\$0.00
Development Services Center Surcharge (3%)	\$2.67
City Planning Systems Development Surcharge (6%)	\$5.34
Operating Surcharge (7%)	\$6.23
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Plan & Land Use Fees Total	\$89.00
Expediting Fee	\$0.00
Development Services Center Surcharge (3%)	\$2.67
City Planning Systems Development Surcharge (6%)	\$5.34
Operating Surcharge (7%)	\$6.23
General Plan Maintenance Surcharge (7%)	\$6.23
Grand Total	\$109.47
Total Invoice	\$109.47
Total Overpayment Amount	\$0.00
Total Paid (this amount must equal the sum of all checks)	\$109.47

Council District: 11
 Plan Area: Venice
 Processed by MCCOY, NOAH on 11/23/2021

Signature: _____