

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE**

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
DIR-2016-304-DB-SPR-1A	ENV-2016-2229-MND	11 – Bonin
PROJECT ADDRESS:		
12440 -12492 Venice Boulevard		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Pamela Day, Crimson EHO <input type="checkbox"/> New/Changed	(310) 405-0905	pamela@crimsonholdings.com
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A		
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Kathryn M. Schwertfeger	(310) 985-1581	chankael@aol.com
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A		
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Lakisha Hull	213-978-1319	Lakisha.hull@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
Entire Decision (245) Density Bonus and Site Plan Review		

FINAL ENTITLEMENTS NOT ADVANCING:

N/A

ITEMS APPEALED:

ENV-2016-2229-MND appealed on April 25, 2017

ATTACHMENTS:	REVISED:	ENVIRONMENTAL CLEARANCE:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration	<input type="checkbox"/>
<input checked="" type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input checked="" type="checkbox"/> Mitigated Negative Declaration	<input type="checkbox"/>
<input checked="" type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/>
<input type="checkbox"/> Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program	<input type="checkbox"/>
<input type="checkbox"/> Zone Change Map	<input type="checkbox"/>	<input type="checkbox"/> Other _____	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>		
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>		
<input type="checkbox"/> Exhibit A - Site Plan	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Mailing List	<input type="checkbox"/>		
<input type="checkbox"/> Land Use	<input type="checkbox"/>		
<input type="checkbox"/> Other _____	<input type="checkbox"/>		

NOTES / INSTRUCTION(S):

Transmittal per City Council Motion (245) to take jurisdiction.

FISCAL IMPACT STATEMENT:

Yes

No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION:

City Planning Commission (CPC)

Cultural Heritage Commission (CHC)

Central Area Planning Commission

East LA Area Planning Commission

Harbor Area Planning Commission

North Valley Area Planning Commission

South LA Area Planning Commission

South Valley Area Planning Commission

West LA Area Planning Commission

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
April 20, 2017	5 - 0
LAST DAY TO APPEAL:	APPEALED:
N/A	Yes (Environmental)
TRANSMITTED BY:	TRANSMITTAL DATE:
Rocky Wiles	May 16, 2017



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: MAY 10 2017

Case No.: DIR-2016-304-DB-SPR-1A
CEQA: ENV-2016-2229-MND
Plan Area: Palms - Mar Vista - Del Rey

Council District: 11 – Bonin

Project Site: 12440 -12492 Venice Boulevard

Applicant: Pamela Day, Crimson EHO

Appellants: Robert W. Logue and Kathy Logue; Ilah Hardesty; West Mar Vista Residents Association & South Mar Vista Neighborhood Association

At its meeting of **April 20, 2017**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Construction of a six-story, 83-foot high with a mezzanine level, mixed-use development totaling 62,652 square feet, with 2,100 square feet of retail space, 77 residential units reserving at least 11 percent or 7 dwelling units of the 58 base dwelling units for Very Low Income household occupancy for a period of 55 years. The Project includes one at grade level of parking and one subterranean parking level.

1. **Found** pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2016-2229-MND (“Mitigated Negative Declaration”), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; **found** the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; **found** the mitigation measures have been made enforceable conditions on the project; and **adopted** the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;
2. **Denied the appeal and sustained**, the Planning Director’s determination to approve a Density Bonus Compliance Review utilizing one On-Menu Density Bonus Affordable Housing Incentive pursuant to Section 12.22 A.25 of the Los Angeles Municipal Code (LAMC) for the project totaling 77 dwelling units, reserving at least 11 percent, or 7 dwelling units of the 57 base dwelling units permitted on the site, for Very Low Income household occupancy for a period of 55 years;
3. **Denied the appeal and sustained**, the Planning Director’s determination to approve a Site Plan Review pursuant to LAMC Section 16.05 for the construction of a six-story with a mezzanine level, mixed-use development, with 2,100 square feet of retail space, and 77

residential units, including one grade level of parking and one subterranean parking level, with a maximum building height of 83 feet;

4. **Approved** the technical corrections for the project base density pursuant to Assembly Bill 2501 (California Government Code Section 65915 (f)(5) for a project with 58 base dwelling units permitted and total of 77 dwelling units proposed, reserving at least 11 percent, or 7 dwelling units of the 58 base dwelling units permitted on the site, for Very Low Income household occupancy for a period of 55 years;
5. **Approved** the technical corrections for floor area for a total floor area of 62,652 square feet and Floor Area Ratio of 3:1, reflecting the 60,552 square feet of residential uses and 2,100 square feet of commercial uses;
6. **Adopted** the attached modified Conditions of Approval; and
7. **Adopted** the attached amended Findings.

The vote proceeded as follows:

Moved: Ambroz
Seconded: Dake Wilson
Ayes: Choe, Katz, Perlman
Absent: Mack, Millman, Mitchell, Padilla-Campos

Vote: 5 - 0



James K. Williams, Commission Executive Assistant II
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission is final and not further appealable.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Modified Conditions of Approval, amended Findings

c: Lakisha Hull, City Planner
Connie Chauv, City Planning Associate

TECHNICAL CORRECTIONS

AB 2501 was effective on January 1, 2017, which amends State Density Bonus Laws contained in Government Code Section 65915 to amend density calculations that result in a fractional number to be rounded up to the next whole number. As such, the base density calculations for the subject site is 58 base units, and the maximum allowed including the 35 percent density bonus is 79 total units allowed. Although AB 2501 allows a maximum of 79 total dwelling units on the subject site, the proposed project density remains unchanged at 77 dwelling units provided. The project density of 77 dwelling units was analyzed in the Mitigated Negative Declaration (ENV-2016-2229-MND).

On January 5, 2017, the applicant requested a technical correction to the Determination Letter to show a total floor area of 62,652 square foot and FAR of 3:1, reflecting the 60,552 square feet of residential uses and 2,100 square feet of commercial uses. The prior approvals show only the gross residential area of 60,552 square feet and an FAR of 2.62:1, and did not include the 2,100 square feet of commercial uses in the total floor area as provided in Exhibit A project plans. Therefore, as shown in the Exhibit A plans, the total floor area shall be 62,652 square feet and FAR shall be 3:1.

MODIFIED CONDITIONS OF APPROVAL

Therefore, the following conditions of approval are **modified** to read:

Density Bonus Conditions

3. **Affordable Units.** A minimum of 7 units, that is 11 percent of the base ~~58~~ ⁵⁷ dwelling units, shall be reserved as affordable units, as defined by the State Density Bonus Law 65915 (C)(2). No additional affordable units are required per Assembly Bill (AB) 2222 as replacement units as HCIDLA has determined there are currently no affordable units on-site.
6. **Floor Area.** The project shall be approximately 62,652 ~~60,552~~ square feet of floor area, as shown in Exhibit "A".
7. **Automobile Parking for Residential Uses.** The project qualifies for reduced parking requirements in accordance with AB 744 as a mixed income project within one half mile of a major transit stop to which the project has unobstructed access. Pursuant to AB 744, based upon the number and/or type of dwelling units proposed, a minimum of 46 automobile parking spaces is required for the residential uses of the project. The project proposes 62 one bedroom units, which require 31 parking spaces, and 15 two-bedroom units, which require 15 parking spaces, at a ratio of 0.5 parking spaces per bedroom. The project is proposing 25 additional vehicular parking spaces, including the 6 commercial parking spaces as stated below, for a total of 77 vehicular parking spaces provided. At least five percent of the total automobile parking spaces shall be installed with EV Charging Stations and a minimum of twenty percent of the total automobile parking spaces shall be capable of supporting future electric vehicle supply equipment (EVSE). EVSE, infrastructure, and all devices related to EV charging shall be installed in accordance with California Electrical Code and to the satisfaction of the Department of Building and Safety.

Administrative Conditions

37. 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~~ \$25,000. 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.

ADDITIONAL FINDINGS – SITE PLAN REVIEW (GENERAL PLAN CONSISTENCY)

The Determination Letter provides findings for consistency with the General Plan Framework Element, Palms – Mar Vista – Del Rey Community Plan (General Plan Land Use Element), Housing Element 2013-2021, and Citywide Design Guidelines (pages 16-19 of the Determination Letter).

In addition to the findings provided in the Determination Letter, additional findings for the Mobility Plan, Housing Element, Walkability Checklist, and City Planning Commission directives are provided below. Specifically, the project would provide a diverse set of uses that (1) facilitate vehicle trip reduction, reduce vehicle miles traveled, and reduce air pollution; (2) accommodate necessary residential growth and provide a mix of apartment sizes and affordability levels, including restricted very low income units; and (3) reinforce an existing community center by providing an array of retail choices, streetscape, and landscaping opportunities, and wide sidewalk that would be inviting to nearby residents and pedestrians along Venice Boulevard.

The findings in the Determination Letter are still applicable. The technical corrections for Floor Area Ratio are in substantial conformance with the original approval, and no substantial modifications have been proposed for the project. The Mitigated Negative Declaration (Case Number ENV-2016-2229-MND) analyzed the project based on an FAR of 3:1.

Palms – Mar Vista – Del Rey Community Plan

In addition to the findings provided in the Determination, the proposed project also conforms with the following additional policies of the Palms – Mar Vista – Del Rey Community Plan.

Objective 1-4: To promote the adequacy and affordability of multiple-family housing and increase its accessibility to more segments of the population.

Policy 1-4.1: Promote greater individual choice in type, quality, price and location of housing.

Objective 2-1: To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services within existing commercial areas.

Policy 2-1.2: Protect commercially planned/zoned areas from encroachment by residential only development.

The project utilizes State Density Bonus Law for the provision of affordable housing units on a site currently only built out with commercial uses. This promotes a wider range of housing units and price points available in the neighborhood. In addition, the project proposes a combination of residential and commercial uses on the commercially-zoned lot, thereby preventing residential-only development along commercial corridors, and also providing a transition between the commercial corridor and adjacent residential uses.

Mobility Plan 2035

The proposed project also conforms with the following additional policies of the Mobility Plan, including:

3.1 – Access for All: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement – as integral components of the City’s transportation system.

3.3 – Land Use Access and Mix: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

The project utilizes State Density Bonus Law for the construction of a mixed-use development that provides both housing opportunities and commercial spaces in close proximity to public transit along the Venice corridor. In addition, the project utilizes AB 744 (California Government Code Section 65915 (p)(2)) to decrease the number of required parking spaces by-right, encouraging multi-modal transportation and decreasing vehicle miles traveled in the neighborhood.

In addition, the site is located at the intersection of Venice and Wasatch, approximately 1,000 feet away from the intersection of Venice Boulevard and Centinela Boulevard. According to the Mobility Plan, this section of Venice Boulevard is identified as a “Comprehensive Transit Enhanced Street”, and this section of Centinela is identified as a “Moderate Transit Enhanced Street”. The Transit-Enhanced streets outlined in the Plan strive to:

“provide reliable and frequent transit service that is convenient and safe; increase transit mode share; reduce single-occupancy vehicle trips; and integrate transit infrastructure investments with the identity of the surrounding street”.

Therefore, these corridors are envisioned to receive:

“a number of enhancements to improve line performance and/or the overall user experience for people who walk and take transit. Enhancements may range from streetscape improvements to make walking safer and easier, to transit shelters, or bus lanes”.

The Mobility Plan also identifies Venice Boulevard as a key “Tier 1 Protected Bicycle Lane” street in its Bicycle Enhanced Network, which envisions “fully separated, protected bicycle lanes” along designated corridors.

The project is also within the future Coastal Transportation Corridor Specific Plan (“CTC”) and the future Livable Boulevards Streetscape Plan, both which implement the Mobility Plan. As planned, the CTC identifies a series of multi-modal enhancements to the Venice corridor, including streetscape improvements, cycle tracks, and rapid bus enhancements with increased service frequency and bus stop improvements. The CTC also identifies “Venice Rapid Bus Enhancements” along this portion of Venice Boulevard, which will increase frequency of service, and create a Venice Circulator Shuttle. The project is also consistent with the vision of the future Livable Boulevards Streetscape Plan, in providing pedestrian lights, outdoor seating, and stormwater collection along the project frontage on Venice Boulevard.

Housing Element 2013-2021

In addition to the findings provided in the Determination Letter, the proposed project also conforms with the following applicable policies of the Housing Element:

GOAL 2: A City in which housing helps to create safe, livable and sustainable neighborhoods.

Objective 2.2: Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit.

Policy 2.2.1: Provide incentives to encourage the integration of housing with other compatible land uses.

Policy 2.2.2: Provide incentives and flexibility to generate new multi-family housing near transit and centers, in accordance with the General Plan Framework element, as reflected in Map ES.1.

Objective 2.5: Promote a more equitable distribution of affordable housing opportunities throughout the City.

Program 98: In accordance with State law, provide a density bonus up to 35% over the otherwise allowable density as well as reduced parking requirements for all residential developments that include units affordable to very low-, low- and/or moderate-income households. Provide additional incentives and concessions to required development standards in order to provide the buildable area needed for the affordable units and increased density.

The proposed project will result in a net increase of 77 new residential units to the City's housing stock and conforms with the applicable provisions of the Housing Element. Pursuant to Density Bonus requirements, 11 percent of the base density, or 7 units, will be set aside for Very Low Income units. Additionally, this mixed-use development is sited in a Transit Priority Area and is in close proximity to multi-modal transportation options including major transit stops, and is within the Venice Boulevard portion included in the Great Streets Initiative Program. The project utilizes State Density Bonus Law to increase the allowable FAR from 1.5:1 to 3:1 and also reduce the parking requirements, thereby allowing the creation of affordable units around transit stops. Locating new housing in this portion of Venice Boulevard will allow residents to have better access to employment centers and places of interest in the downtown Mar Vista and Palms-Mar Vista-Del Rey Community Plan area.

The Housing Element states that the Framework Element "directs anticipated growth to high density, mixed use centers and to the neighborhoods around its 80 rail stations", and also that the Community Plan Update process will "coincide with the Framework Element's emphasis on designated centers, such as... along the City's current and proposed light-rail and bus rapid transit lines, where the City has made significant public infrastructure investments". Therefore, the proposed project is consistent with both the Framework Element and Housing Element's vision to target growth near public transit corridors.

In addition, this subject block of Venice Boulevard has been identified on the Housing Element's Inventory and Maps of Parcels Available for Housing by Community Plan Area. The Inventory of Sites for Housing identifies parcels suitable for additional residential development without the need for any discretionary zoning action by the City. Therefore, the project is consistent with the Housing Element's vision of providing housing on these applicable sites.

Walkability Checklist

The project would be consistent with the City's Walkability Checklist in that it would redevelop and enhance a key site along the Venice corridor, which is envisioned as a Great Street, Transit-

Enhanced corridor, and Bicycle-Enhanced corridor, and is central to the downtown Mar Vista neighborhood. The project will replace the existing two-story, 16,420 square-foot L-shaped commercial shopping center that is primarily vehicular-oriented. The existing shopping center locates the buildings towards the rear corner of the site, with its surface parking lot towards the street frontage at the corner of Venice and Wasatch, and poses conflicts to pedestrian activity and walkability.

As shown in the project plans, the proposed project would include a combination of streetscape and building design features to enhance the visual quality of the area and the walkability of the project site along Venice Boulevard. Furthermore, as conditioned in the Determination Letter, the project shall incorporate streetscape improvements in accordance with the Great Streets Initiative of Venice Boulevard (Condition No. 14 in the Determination Letter). Specifically, the project will provide pedestrian-oriented retail, streetscape seating, off-street parking, bicycle parking and drought-resistant landscaping to enhance this area of Venice Boulevard; create a strong street wall with pedestrian-oriented retail and a residential lobby along Venice Boulevard; and create a distinct “base” for pedestrian scale through high-end finishes and landscaped areas to separate the ground floor retail from the residences above. As stated in the Determination, all design elements, including off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements have been designed to be compatible with existing and future development on adjacent properties and neighboring properties, and better assist the walkability of the site.

SCAG 2016 RTP/SCS

The project is consistent with the policies and projections of the Southern California Association of Governments (SCAG). For instance, the site is within a “High Quality Transit Area” as defined by the Southern California Association of Governments (SCAG). The project is within SCAG’s 2020 population projections for the City in their 2016 Regional Transportation Plan¹. The types and amounts of development would be within the range anticipated in applicable policies and growth projections, including in the General Plan Framework, Palms-Mar Vista-Del Rey Community Plan, General Plan Housing Element, and regional/SCAG policies.

City Planning Commission Directives

The project would be consistent with the City Planning Commission directives including Do Real Planning, the Advisory Notice Relative to Above-Grade Parking, and policies regarding electric vehicle parking, solar panels, nighttime lighting, and place-making strategies.

The project would be consistent with applicable sections of the Planning Commission’s Do Real Planning Document. As identified in the Determination Letter, the project would be consistent with objectives related to walkability, density around transit, housing opportunities for every income, green buildings, landscaping, and smarter parking requirements.

The project will comply with the City Planning Commission Advisory Notice Relative to Above-Grade Parking. The project will replace the existing surface parking lot with a mixed-use development that minimizes the appearance of parking. New parking will be provided underground or at-grade and screened with a trellis wall, thereby promoting pedestrian-oriented design.

The project will configure twenty percent of the required parking as electric vehicle charging stations, and provide a photovoltaic space set-aside on the roof for future installation of solar-

¹ Southern California Association of Governments, 2016-2040 Regional Transportation Program, <http://scagrtpscs.net/Pages/default.aspx>

ready roofs. All exterior lighting shall be low-intensity and shielded to prevent glare or light spillover to pedestrians and adjacent properties. In addition, the project will incorporate place-making strategies that will contribute to the Great Streets Initiative of Venice Boulevard, including pedestrian-oriented retail, streetscape seating, off-street parking, bicycle parking and drought-resistant landscaping, trellis walls, and public art features.

ADDITIONAL FINDINGS – ENVIRONMENTAL (MITIGATED NEGATIVE DECLARATION)

The Determination provides findings for the Mitigated Negative Declaration (ENV-2016-2229-MND). Additional findings pertaining to environmental review are provided below:

- **Transportation/Traffic and Greenhouse Gas Emissions.** This project is consistent with the Mobility Plan's designation of Venice Boulevard as both a "Comprehensive Transit Enhanced Street" and a "Tier 1 Protected Bicycle Lane", as it provides a combination of residential uses, commercial uses, and streetscape enhancements within close proximity to major corridors and transit stops to encourage multi-modal transportation. The project site is within proximity of "Transit Stops" as defined by LAMC Section 12.22 A.25, "Major Transit Stops" as defined by California Public Resources Code ("PRC") Section 21064.3, and is within a "High Quality Transit Area" as defined by SCAG. In addition, the subject property is within the Venice Boulevard Great Street Initiative Program area, the Los Angeles Coastal Transportation Corridor ("CTC") Specific Plan, and the Livable Boulevards Streetscape Plan.
- **Population and Housing.** The residential uses and density are allowed by-right. Therefore, the increase in residential population resulting from the proposed project would not be considered substantial in consideration of anticipated growth for the Palms-Mar Vista-Del Rey Community Plan, and is within SCAG's population projections as stated above. The types and amounts of development would be within the range anticipated in applicable policies and growth projections, including in the General Plan Framework, Palms-Mar Vista-Del Rey Community Plan, General Plan Housing Element, and regional/SCAG policies.

Pursuant to PRC Section 21082.2 (b), the Department has determined that "the existence of public controversy over the environmental effects of a project shall not require the preparation of an environmental impact report if there is no substantial evidence in light of the whole record before the lead agency that the project may have a significant effect on the environment". Substantial evidence is defined as evidence that is of "ponderable legal significance" and is "reasonable in nature, credible, and of solid value" (Stanislaus Audubon Society, Inc., supra, 33 Ca1.App.4th at 152). It includes "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact"; it does not include "argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, or evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment." (PRC, 21082.2 (c) and Sections 15064(fj)(5)-(6), 15384 of the State CEQA Guidelines).