

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CEQA APPEAL	ENV-2017-1896-CE	11 - BONIN
PROJECT ADDRESS:		
685 East Westminster Avenue		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
685 Westminster Holdings LLC 11175 Santa Monica Boulevard Los Angeles, CA 90025 <input type="checkbox"/> New/Changed		
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Elisa L. Paster, Glaser Weil Fink Howard Avchen & Shapiro 10250 Constellation Blvd # 19, Los Angeles, CA 90067		
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Miguel Bravo 611 Sunset Avenue Venice, CA 90291	213-274-6626	miguel@bravo1.la
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A		
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Juliet Oh	213-978-1186	juliet.oh@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
N/A		

FINAL ENTITLEMENTS NOT ADVANCING:

N/A

ITEMS APPEALED:

CEQA Appeal

ATTACHMENTS:**REVISED:****ENVIRONMENTAL CLEARANCE:****REVISED:**

- ☒ Letter of Determination
- ☒ Findings of Fact
- ☒ Staff Recommendation Report
- ☒ Conditions of Approval
- ☐ Ordinance
- ☐ Zone Change Map
- ☐ GPA Resolution
- ☐ Land Use Map
- ☐ Exhibit A - Site Plan
- ☒ Mailing List
- ☐ Land Use
- ☐ Other _____

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- ☒ Categorical Exemption
- ☐ Negative Declaration
- ☐ Mitigated Negative Declaration
- ☐ Environmental Impact Report
- ☐ Mitigation Monitoring Program
- ☐ Other _____

- ☐
- ☐
- ☐
- ☐
- ☐
- ☐

NOTES / INSTRUCTION(S):

Related Case: DIR-2017-1895-CDP-MEL-1A

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:
August 15, 2018	4 - 1
LAST DAY TO APPEAL:	APPEALED:
N/A	CEQA appeal
TRANSMITTED BY:	TRANSMITTAL DATE:
Rocky Wiles Commission Office	August 30, 2018



WEST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

Mailing Date: AUG 21 2018

CASE NO. DIR-2017-1895-CDP-MEL-1A
CEQA: ENV-2017-1896-CE
Plan Area: Venice

Council District: 11 - Bonin

Project Site: 685 East Westminster Avenue

Applicant: 685 Westminster Holdings LLC
Representative: Robert Thibodeau

Appellants: Celia Williams, Margaret Malloy, Beth Allyn, Miguel Bravo and Lydia Ponce

At its meeting of **August 15, 2018**, the West Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following project:

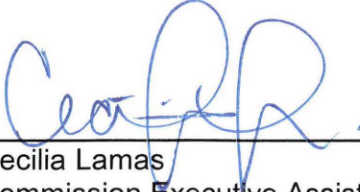
Interior and exterior renovations, and the change of use of a two-story, 12,311 square-foot church into a two-story, 11,760 square-foot single-family dwelling with a rooftop deck and attached four-car garage.

1. **Determined** based on the whole of the administrative record that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15301 and Section 15303 and Article II and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Denied** the appeal and **sustained** the Planning Director's determination to conditionally approve a Coastal Development Permit and Mello Act Compliance Review for the project; and
3. **Adopted** the attached Conditions of Approval and Findings of the Planning Director.

This action was taken by the following vote:

Moved: Newhouse
Second: Waltz Morocco
Ayes: Rozman, Yellin
Nayes: Margulies

Vote: 4 - 1


Cecilia Lamas
Commission Executive Assistant

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

Effective Date/Appeals: The action by the West Los Angeles Area Planning Commission on this matter is final and effective upon the mailing date of this determination and is the final appeal procedure **within the appeal structure in the City of Los Angeles.**

California Coastal Commission/Appeals: Pursuant to Section 12.20.2 I of the Los Angeles Municipal Code, the Commission's action shall be deemed final only after 20 working days have expired from the date this decision letter is deemed received by the Executive Officer of the California Coastal Commission and provided that a timely, valid appeal is not taken by the California Coastal Commission within said time frame. The proposed development **is in the single-permit jurisdiction area.**

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable to a City appellate body** and the decision is final. The applicant is advised that any work undertaken while the CEQA clearance is on appeal is at his/her/its own risk and if the appeal is granted, it may result in (1) voiding and rescission of the CEQA clearance, the Determination, and any permits issued in reliance on the Determination and (2) the use by the City of any and all remedies to return the subject property to the condition it was in prior to issuance of the Determination.

This Coastal Development Permit shall be subject to revocation as provided in Section 12.20.2 J of the Los Angeles Municipal Code.

Attachments: Determination letter dated March 28, 2018

c: Debbie Lawrence, Senior City Planner
Juliet Oh, City Planner

**DEPARTMENT OF
CITY PLANNING**

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
PRESIDENT

RENEE DAKE WILSON
VICE-PRESIDENT

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SAMANTHA MILLMAN
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VACANT

ROCKY WILES
COMMISSION OFFICE MANAGER
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**CITY OF LOS ANGELES
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<http://planning.lacity.org>

DIRECTOR'S DETERMINATION

March 28, 2018

Applicant/Owner

685 Westminster Holdings, LLC
11175 Santa Monica Blvd.
Los Angeles, CA 90025

Representative

Robert Thibodeau
DU Architects
812 Lincoln Blvd.
Venice, CA 90291

Case No. DIR-2017-1895-CDP-MEL

CEQA: ENV-2017-1896-CE

Related Case: DIR-2017-2506-VSO

Location: 685 East Westminster Avenue

Council District: 11 – Mike Bonin

Neighborhood Council: Venice

Community Plan Area: Venice

Specific Plan: Venice Coastal Zone –
Oakwood Subarea

Land Use Designation: Low Medium II Residential

Zone: RD1.5-1

Legal Description: Lot 23-25, Block L, Ocean Park
Villa Tract

Last Day to File an Appeal: April 11, 2018

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.20.2, I hereby:

Approve a Coastal Development Permit authorizing interior and exterior renovations, and the conversion (change of use) of a two-story, 12,311 square-foot church into a two-story, 11,760 square-foot single-family dwelling with a rooftop deck and attached four-car garage, located within the single permit jurisdiction area of the Coastal Zone; and

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

Approve a Mello Act Compliance Review for the construction of one Residential Unit in the Coastal Zone.

DETERMINE based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301 (City of Los Angeles CEQA Guidelines Article III, Section 1, Class 1, Category 1) and Section 15303 (City of Los Angeles CEQA Guidelines Article III, Section 1, Class 3, Category 1), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

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

CONDITIONS OF APPROVAL

1. Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Los Angeles Municipal Code or the project conditions.
2. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
3. **Density.** One dwelling unit shall be permitted.
4. **Height.** The subject project shall be limited to a maximum height of 25 feet for flat roofs and 30 feet for varied rooflines (slope greater than 2:12), measured from the centerline of Westminster Avenue. The portions exceeding 25 feet shall be set back from the required front yard at least one foot in depth for every foot in height above 25 feet. As shown in Exhibit A, the new portions of the roof are subject to these height restrictions and portions of the existing roof (where no change is proposed) will maintain the existing nonconforming height.
5. **Roof Structures.** Chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the height limit by a maximum of five feet.
6. **Parking and Access.** A total of four (4) parking spaces shall be provided onsite, within an attached garage. Vehicle access shall be provided from the rear alley.
7. No deviations from the Venice Coastal Zone Specific Plan have been requested or approved herein. All applicable provisions of the Specific Plan shall be complied with as further noted in DIR-2017-2506-VSO or any subsequent Venice Sign-Offs.
8. Outdoor lighting shall be designed and installed with shielding so that light does not overflow into adjacent residential properties.
9. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
10. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
11. Prior to the sign-off of plans by the Development Services Center, the applicant shall submit the plans for review and approval to the Fire Department. Said Department's approval shall be included in the plans submitted to the Development Services Center.
12. Prior to the commencement of site excavation and construction activities, construction schedule and contact information for any inquiries regarding construction activities shall be provided to residents and property owners within a 100-foot radius of the project site. The contact information shall include a construction manager and a telephone number, and shall be posted on the site in a manner, which is readily visible to any interested party.
13. Prior to the issuance of any permits, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's

Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

Administrative Conditions

14. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
15. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
16. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
17. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
18. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
19. **Condition Compliance.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
20. **Indemnification and Reimbursement of Litigation Costs.**
Applicant shall do all of the following:
 - (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
 - (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement,

including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

BACKGROUND

The project site consists of three rectangular lots, located at the northwest corner of 7th Avenue and Westminster Avenue, with a frontage of approximately 152 feet on Westminster Avenue and a depth of 130 feet; the project site has a total lot area of 18,746 square feet. The property is zoned RD1.5-1 with a land use designation of Low Medium II Residential.; the project is located within the Los Angeles Coastal Transportation Corridor Specific Plan and Venice Coastal Zone Specific Plan (Oakwood Subarea), as well as a Calvo Exclusion Area, Liquefaction Area, and within 4.56 kilometers of the Santa Monica Fault. The project is located within Zone X (Flood Hazard Management Specific Plan, Ordinance No. 172,081), areas determined to be outside the 500-year flood plain.

The applicant is requesting a coastal development permit authorizing interior and exterior renovations, and the conversion (change of use) of a two-story, 12,311 square-foot church into a two-story, 11,760 square-foot single-family dwelling with a rooftop deck and attached four-car garage. The project is located within the single-permit jurisdiction of the Coastal Zone.

The project site is comprised of three legal lots, currently developed with a church and surface parking lots. The lots immediately adjacent to the site and south of Westminster Avenue are developed with surface parking lots. The neighborhood and properties immediately surrounding the property are zoned RD1.5-1 and developed with single and multi-family residential structures ranging from one to three stories in height. The lots immediately east of 7th Avenue are zoned OS-1XL and developed with a recreational field, part of the Oakwood Recreation Center.

Westminster Avenue is designated as a Local Street with a right of way width of 50 feet and a roadway width of approximately 30 feet. Both sides of the street are improved with a concrete sidewalk, curb and gutter.

7th Avenue is designated as a Local Street with a right of way width of 60 feet and a roadway width of approximately 40 feet. Both sides of the street are improved with a concrete sidewalk, curb and gutter.

Broadway Court is an alley with a width of 15 feet and improved with a concrete roadway and gutter.

Previous zoning related actions onsite:

DIR-2017-2506-VSO – On July 27, 2017, a Venice Sign Off (VSO) was prepared for proposed interior and exterior renovations, change of use from church to single-family dwelling, the construction of a rooftop deck, and a four-car garage.

ZA-18151 – On June 6, 1966, the Zoning Administrator approved a conditional use and variance for the construction of a new two-story church and surface parking lot.

Previous zoning related actions in the area:

DIR-2017-1973-CDP-MEL – On May 18, 2017, an application for a coastal development permit and Mello Act compliance review was filed for the demolition of an existing duplex and construction of two single-family dwellings as part of a small lot development, subdivision of an existing residential lot into two small lots (parcel map), located at 705 East Broadway, within the single permit jurisdiction of the Coastal Zone.

ZA-2014-4131-CDP-ZAA-MEL – On March 10, 2016, the Zoning Administrator approved a coastal development permit, Zoning Administrator's adjustment, and Mello Act compliance review for the construction of a three-story, two-unit condominium, in

conjunction with Preliminary Parcel Map No. AA-2014-4129-PMLA, located at 659 East Broadway, within the single permit jurisdiction of the Coastal Zone.

ZA-2004-4969-CDP – On December 16, 2004, the Zoning Administrator approve a coastal development permit for the relocation of an existing playground in an existing park, on City owned property zoned OS-1XL, located at 767 California Avenue, within the single permit jurisdiction of the Coastal Zone.

Public Hearing

A Hearing Officer (Kenton Trinh) held a public hearing on August 7, 2017 at 10:00 a.m. at the West Los Angeles Municipal Building. The applicant, applicant's representative, and several members of the community were in attendance. The following outlines comments provided during the public hearing.

Robert Thibodeau (Representative) DU Architects

- There are similar projects involving the conversion of churches nearby.
- The project is the adaptive reuse of existing church into single-family dwelling.
- The project has the support of bishop and pastor (letters submitted).
- The church was built in 1966.
- The community is no longer supporting the church like before, so the property was sold.
- The project will not be flipped, but occupied by the property owner.
- The project has incorporated community input to keep the structure.
- The pitched roof is kept and renovated.
- The remaining areas will be reduced in height to accommodate rooftop deck.
- The LUPC/VNC Meeting was delayed; requested to keep open for two weeks.

Jay Penske (Owner/Applicant)

- Lived in the community for six years.
- Not a development.
- Will preserve character of Venice.
- Engaged with community regarding project.

JaJaun Valentine, Neighbor

- The church is sacred.
- It is sinful to convert.
- There is loss of quality of air due to large building.

Laddie Williams, Neighbor

- The church was sold illegally.
- Members of the church were duped.
- Horace Allen, the pastor, is currently being sued.
- Church was thriving, not in turmoil.
- Requested a full EIR and 500' radius for notification.
- The church is a historical landmark.

Lydia Ponce, Neighbor

- The property is sacred land.
- The property was sold illegal.
- The project does not benefit people of culture and color.

Sue Kaplan, Neighbor

- Likes the idea of adaptive reuse.
- The project will be too big for Venice.
- Open to the project if it is downsized.

- Requested the case be left open for applicant to meet with other community members.

Margaret Malloy, Neighbor

- The Ku Klux Klan was prevalent in the Venice community.
- There is a history of segregation.
- It is sacrilegious to convert the church.

Carol A. Powell, Neighbor

- A life-long Venice resident that baptized in church.
- The property is sacred ground.
- The property has a lot of history.

Ola Mitchell,

- Has lived in Venice since 1960.
- First Baptist church in Venice.
- Family funerals were held there.

The Applicant provided the following (additional comments):

- Looked at all documents, conditioned for clean title.
- Happy to share research
- Project will remain two stories
- No relation to other businesses in the area.
- This project did not contribute to the relocation of residents.

The case was taken under advisement for three weeks to allow additional comments/materials to be submitted for consideration.

Correspondence

The Venice Neighborhood Council (VNC) submitted a letter, dated November 14, 2017, recommending approval of the project. Approximately 21 emails were submitted by members of the community, of which 20 letters voiced opposition to the project and one letter was in support. Several phone calls were received, from members of the previous congregation of the First Baptist Church, in opposition to the proposed change of use.

Those in opposition to the project stated concerns regarding the potential loss (demolition) of a historic landmark, that the structure should be preserved, a size of the proposed single-family dwelling is far larger than the residential structures in the area and would not be consistent with the neighborhood.

The letter in support of the project indicated the proposed adaptive reuse of the structure is a good way to preserve the historic structure. The letter also notes that the surface parking lots are no longer to be leased to commercial uses, resulting in less traffic and noise to the residential neighborhood.

FINDINGS

Coastal Development Permit

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

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

The project site consists of three rectangular lots, located at the northwest corner of 7th Avenue and Westminster Avenue, with a frontage of approximately 152 feet on Westminster Avenue and a depth of 130 feet; the project site has a total lot area of 18,746 square feet. The property is zoned RD1.5-1 with a land use designation of Low Medium II Residential.; the project is located within the Los Angeles Coastal Transportation Corridor Specific Plan and Venice Coastal Zone Specific Plan (Oakwood Subarea), as well as a Calvo Exclusion Area, Liquefaction Area, and within 4.56 kilometers of the Santa Monica Fault. The project is located within Zone X (Flood Hazard Management Specific Plan, Ordinance No. 172,081), areas determined to be outside the 500-year flood plain.

The applicant is requesting a coastal development permit authorizing interior and exterior renovations, and the conversion (change of use) of a two-story, 12,311 square-foot church into a two-story, 11,760 square-foot single-family dwelling with a rooftop deck and attached four-car garage. The project is located within the single-permit jurisdiction of the Coastal Zone.

The project site is comprised of three legal lots, currently developed with a church and surface parking lots. The lots immediately adjacent to the site and south of Westminster Avenue are developed with surface parking lots. The neighborhood and properties immediately surrounding the property are zoned RD1.5-1 and developed with single and multi-family residential structures ranging from one to three stories in height. The lots immediately east of 7th Avenue are zoned OS-1XL and developed with a recreational field, part of the Oakwood Recreation Center.

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

Section 30244 requires reasonable mitigation measures to reduce potential impacts on archeological or paleontological resources. The subject site currently maintains a two-story structure (church) and surface parking lot. No additional grading or excavation is required for the proposed change of use and interior/exterior improvements. However, if additional grading and excavation is required, all such work is (and all previous grading has been) subject to review by the Department of Building and Safety and will comply with the requirements of the grading division. The subject site is not located within an area with known Archaeological or Paleontological Resources. However, if such resources are discovered during any excavation or grading activities, the project is subject to compliance with Federal, State and Local regulations already in place.

Section 30250 states that new development shall be located in areas able to accommodate it, areas with adequate public services, and in areas where such development will not have significant adverse impacts on coastal resources. The proposed project is located within an urbanized residential neighborhood developed with single and multi-family residential structures. The subject site maintains a frontage on Westminster Avenue and 7th Avenue, vehicle access is provided from the rear alley, Broadway Court. The existing streets and alley are part of the larger circulation network of the neighborhood

and City. The project will maintain the existing structure and connections with existing infrastructure systems (water, electricity, gas, wastewater, trash service, etc.) required for residential development. As such, the project will be located in an existing developed area contiguous with similar residential uses and will not have a significant adverse impact on coastal resources.

Section 30251 states the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. The subject site and surrounding area are relatively flat with no views to and along the ocean; no natural land forms will be altered as part of the project. The subject site is currently developed with a two-story church, approximately 42 feet to the highest point of the gable roof, and a surface parking lot. The project consists of the conversion of the church use to a residential dwelling unit (single-family dwelling) and interior and exterior improvements to the existing structure. The proposed interior and exterior work will not change the height or sloped roofline of the highest point of the roof, but will incorporate a break in the existing 12:12 slope with a slope of 2.5:12 and will also lower a portion of the existing flat roof from 26 feet 10 inches to 18 feet 7 inches to construct a new rooftop deck. The existing structure is that tallest and largest structure in the residential neighborhood, nonconforming as to height. No new structures are proposed to change the massing, scale, or character of the existing neighborhood. The neighborhood block is comprised of single- and multi-family structures ranging from one to three stories in height, as well as the subject (over-in-height) structure. The proposed exterior improvements would not significantly change the massing or scale of the existing structure, and the new flat roof conforms to (is less than) the height restriction of 25 feet. As such, the proposed exterior improvements are visually compatible with the character of the surrounding area.

Section 30252 states that new development should maintain and enhance public access to the coast. The project consists of a change of use and improvements to an existing structure within a residential neighborhood. The resulting single-family dwelling will provide four parking spaces within an attached garage, more than the three spaces required for the project. The property is located more than 0.7 miles from Venice Beach. No permanent structures would be placed within the public right-of-way to obstruct or impact public access to the coast.

Section 30253 requires new development to minimize risks to life and property in areas of high geologic, flood, and fire hazard, minimize impacts along bluffs and cliffs, and protect special communities and neighborhoods that are popular visitor destination points for recreational uses. The property is not located within a Flood Zone. The property is located within a Liquefaction Area, and 4.56 kilometers from the Santa Monica Fault. As such, the project is subject to compliance with Zoning, Building, and Fire Safety Code requirements that will minimize risks to life and property in the above-mentioned hazard areas.

As previously discussed, the proposed project would have no adverse impacts on public access, recreation, public views or the marine environment, as the property is located within a developed area and located more than 0.7 miles from Venice Beach. The project will neither interfere nor reduce access to the shoreline or beach. There will be no dredging, filling or diking of coastal waters or wetlands associated with the request, and there are no sensitive habitat areas, archaeological or paleontological resources identified on the site. As conditioned, the proposed project is in conformity with Chapter 3 of the California Coastal Act.

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

Coastal Act Section 30604(a) states that prior to the certification of a Local Coastal Program ("LCP"), a coastal development permit may only be issued if a finding can be made that the proposed development is in conformance with Chapter 3 of the Coastal Act. The Venice Local Coastal Land Use Plan ("LUP") was certified by the California Coastal Commission on June 14, 2001; however, the necessary implementation ordinances were not adopted. The City is in the initial stages of preparing the LCP; prior to its adoption the guidelines contained in the certified LUP are advisory. As discussed, the project consists of interior and exterior renovations, and the conversion (change of use) of a two-story, 12,311 square-foot church into a two-story, 11,760 square-foot single-family dwelling with a rooftop deck and attached four-car garage. The subject site is located within the Oakwood Subarea and is zoned RD1.5-1 with a General Plan Land Use Designation of Low Medium II Residential. The proposed project is consistent with the following policies of the Land Use Plan:

Policy I.A.7. Multi-family Residential – Low Medium II Density. The property is limited to two dwelling units, a maximum height of 25 feet for flat roofs and 30 feet for varied rooflines. The project will convert a church use into one residential dwelling unit and will maintain an existing two-story structure, with a maximum height of 42 feet 8 inches. The new portions of the project consist of a flat roof (rooftop deck) to be lowered to 16 feet 7 inches, consistent with the flat roof height limitation.

Policy I.E.5. Nonconforming Structures. Where extensive renovation of and/or major addition to a structure is proposed and the affected structure is nonconforming or there is another nonconforming structure on the site, or a project is proposed that would greatly extend the life of a nonconforming structure or that eliminates the need for the nonconformity, the following shall apply: Unless the City finds that it is not feasible to do so, the project must result in bringing the nonconforming structure into compliance with the current standards of the certified LCP, unless in its nonconformity it achieves a goal associated with community character (i.e. the reuse and renovation of a historic structure) or affordable housing that could not be achieved if the structure conforms to the current standards of the certified LCP. The existing structure is nonconforming as to the height limitations for new Development within the Oakwood Subarea of the Venice Specific Plan and Land Use Plan. The Plan limits height to a maximum of 25 feet for flat roofs and 30 feet for varied rooflines (slope greater than 2:12). The project proposed the reduction in the size and scale of the existing structure, but does not propose extensive renovations or major additions to the existing structure. Although the existing structure is not designated as or identified as a historic resource, it is a recognizable structure within the neighborhood. The proposed exterior improvements are consistent with the height limits of the LUP and Specific Plan and would not significantly alter the massing of the existing structure.

Policy II.A.3. Parking Requirements for multiple dwelling: single-family dwellings (on lots greater than 35 feet in width, if adjacent to an alley) are required to provide three parking spaces. The project provides four parking spaces onsite, within an attached.

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

The Los Angeles County Interpretative Guidelines were adopted by the California Coastal Commission (October 14, 1980) to supplement the Statewide Guidelines. Both regional and statewide guidelines, pursuant to Section 30620 (b) of the Coastal Act, are designed to assist local governments, the regional commissions, the commission, and persons subject to the provisions of this chapter in determining how the policies of this division shall be applied to the coastal zone prior to the certification of a local coastal program. As stated in the Regional Interpretative Guidelines, the guidelines are intended to be used "in a flexible manner with consideration for local and regional conditions, individual project parameters and constraints, and individual and cumulative impacts on coastal resources." In addition to the Regional Interpretative Guidelines, the policies of Venice Local Coastal Program Land Use Plan (the Land Use Plan was certified by the Coastal Commission on June 14, 2001) have been reviewed and considered. The project consists of interior and exterior renovations, and the conversion (change of use) of a two-story, 12,311 square-foot church into a two-story, 11,760 square-foot single-family dwelling with a rooftop deck and attached four-car garage. The Regional Interpretive Guidelines have been reviewed and the proposed project is consistent with the requirements for the Oakwood Subarea; the project also complies with the policies of the LUP and standards of the Specific Plan.

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

The project is located within the single permit jurisdiction of the Coastal Zone, where the local jurisdiction (City of Los Angeles) issues Coastal Development Permits. The Coastal Commission will render decisions on appeals of the City's Coastal Development Permits or Coastal Exemptions. The Coastal Commission took action on the following projects in the Venice Coastal Zone, involving residential uses:

- In February 2018, the Commission found Substantial Issue with a Coastal Development Permit issued by the City of Los Angeles; an appeal was filed with the Coastal Commission. The project consists of the demolition of a one-story, single-family dwelling and the construction of a two-story, 3,001 square-foot, single-family dwelling with an attached two-car garage and rooftop deck, in the single permit jurisdiction, located at 2412 Clement Avenue (Appeal No. A-5-VEN-17-0072).
- In February 2018, the Commission approved a Coastal Development Permit for the construction of a three-story, 30-feet-in-height, 4,579 square-foot single-family dwelling with three parking spaces in the dual permit jurisdiction, located at 210 Linnie Canal (Application No. 5-17-0598).
- In November, 2017, the Commission approved a Coastal Development Permit for the demolition of a one-story single-family dwelling and the construction of a two-story, 3,084 square-foot single-family dwelling with a rooftop deck and attached garage in the single permit jurisdiction, located at 2801 Sanborn Avenue (Application No. 5-17-0590).
- In September, 2017, the Commission approved a Coastal Development Permit for the demolition of a one-story single-family dwelling and the construction of a two-story, 3,857 square-foot single-family dwelling with a rooftop deck and attached garage in the single permit jurisdiction, located at 459 E. 28th Avenue (Application No. 5-17-0334).
- In August 2017, the Commission found No Substantial Issue with an appeal of a

Coastal Development Permit issued by the City of Los Angeles, upholding the City's approval of a coastal development permit for the demolition of a two-story single-family dwelling and construction of a new two-story, 3,004 square foot single-family dwelling, in the single permit jurisdiction, located at 2318 Clement Avenue (Appeal No. A-5-VEN-15-0036).

- In June 2017, the Commission approved an Administrative Permit for the major remodel and addition to a one-story, 793 square foot single-family, resulting in a two-story, approximately 26-foot high 1,454 square foot single-family residence; four uncovered parking spaces will be maintained on the 4,802 square-foot lot, located at 756 Sunset Avenue. (Application 5-17-0258).
- In June 2017, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles and approved the remodel of a 948 square-foot single-family dwelling comprised of a new second story, resulting in a 2,482 square-foot, two-story (28 feet in height) single-family dwelling with a two-car garage, located at 938 Amoroso Place. (Appeal No A-5-VEN-17-0018).
- In June 2017, the Commission found No Substantial Issue with an appeal of a Coastal Development Permit issued by the City of Los Angeles and approved the conversion of two-story, 23.5 foot high, 1,812 square-foot duplex into a 2,416 square foot single-family residence. The scope of work includes a 351 square-foot first floor addition, 253 square-foot second floor addition, and interior remodeling; two vehicular parking spaces will be maintained onsite. The project is located at 628 San Juan Avenue. (Appeal No. A-5-17-0019).
- In March 2017, the Commission approved an Administrative Permit for the substantial demolition, remodel, and second-story addition to a 946 square-foot single-family dwelling, resulting in a 25 feet-in-height, two-story, single-family dwelling, located at 818 Venezia Avenue. (Application No. 5-16-0956).

As such, this decision of the permit granting authority has been guided by applicable decisions of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior 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.

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

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

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

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

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

The subject property is not located between the nearest public road and the shoreline of any body of water located within the coastal zone, the site is located more than 0.7 miles from Venice Beach. No work is proposed in the right of way, the project will not interfere with public access to the coast. The project will maintain an existing structure and proposes interior and exterior improvements to convert the church into a residential use. The development is consistent with the referenced policies as it consists of the change of use from a church to a residential use that is consistent with that of the existing neighborhood.

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

A Categorical Exemption, ENV-2017-1896-CE, has been prepared for the proposed project consistent with the provisions of the California Environmental Quality Act and the City CEQA Guidelines. The project consists of interior and exterior renovations, and the conversion (change of use) of a two-story, 12,311 square-foot church into a two-story, 11,760 square-foot single-family dwelling with a rooftop deck and attached four-car garage. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Section 15301 (City of Los Angeles CEQA Guidelines Article III, Section 1, Class 1, Category 1) and Section 15303 (City of Los Angeles CEQA Guidelines Article III, Section 1, Class 3, Category 1).

The Class 1 Category 1 categorical exemption allows interior or exterior alterations, remodeling, or minor construction where there will be negligible or no expansion of use and the Class 3 Category 1 categorical exemption allows for single-family residences not in conjunction with the building of two or more units. In urbanized areas, up to three single family residences may be constructed under this exemption. The project proposes the conversion of an existing structure (church use) to a residential dwelling unit (single-family dwelling). The project will reduce the floor area of the structure from 12,311 square feet to 11,760 square feet and reduce the height of portions of the second floor from 26 feet 10 inches to 18 feet 7 inches.

Furthermore, the Exceptions outlined in Public Resources Code Section 15300.2. do not apply to the project:

- a) Location. The project is not located in a sensitive environment. Although the project is within the Coastal Zone, the residential neighborhood is not identified as an environmental resource. The proposed residential use is consistent with the residential uses in the neighborhood and the project will maintain an existing structure, with interior and exterior improvements. The subject site is not located in a fault or flood zone, nor is it within a landslide area. While the project is located within a liquefaction zone, the project is subject to compliance with the requirements of the Building and Zoning Code that outline standards for residential construction.
- b) Cumulative Impact. The project is consistent with the type of development permitted for the area zoned RD1.5-1 and designated Low Medium II Residential use. The proposed change of use will increase the density, as the current structure maintains a nonresidential use. However, the change of use resulting in one new dwelling unit will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not result in significant cumulative impacts.
- c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the

environment due to unusual circumstances. The proposed project consists of work typical to the RD1.5 zone, no unusual circumstances are present or foreseeable.

- d) Scenic Highways. The project site is not located on or near a designated state scenic highway.
- e) Hazardous Waste Sites. The project site is not identified as a hazardous waste site or is on any list compiled pursuant to Section 65962.5 of the Government Code.
- f) Historical Resources. The subject site and existing structure have not been identified as a historic resource or within a historic district (SurveyLA, 2015), the project is not listed on the National or California Register of Historic Places, or identified as a Historic Cultural Monument (HCM). The existing structure (church) was constructed in 1967 (certificate of occupancy issued in 1971) and was home to the First Baptist Church of Venice; the structure is currently vacant.

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

Mello Act Compliance Review

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

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

The project proposes the development of one Residential Unit: the conversion of an existing church into a single-family dwelling. Pursuant to Part 2.4.2 of the Interim Administrative Procedures, developments which consist of nine or fewer Residential Units are Small New Housing Developments and are categorically exempt from the Inclusionary Residential Unit requirement. Therefore, the proposed development of one Residential Unit is found to be categorically exempt from the Inclusionary Residential Unit requirement for New Housing Developments.

TIME LIMIT – OBSERVANCE OF CONDITIONS

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

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

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

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

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

TRANSFERABILITY

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

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this authorization is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or not complied with, then this authorization shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Director's determination in this matter will become effective after **10 days**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Determination, and received and receipted at a public office of the

Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at <http://cityplanning.lacity.org>. Public offices are located at:

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

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

West Los Angeles
Development Services Center
1828 Sawtelle Boulevard,
2nd Floor
Los Angeles, CA 90025
(310) 231-2912

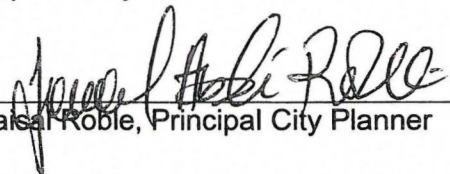
Furthermore, this coastal development permit shall be subject to revocation as provided in Section 12.20.2-J of the Los Angeles Municipal Code, as authorized by Section 30333 of the California Public Resources Code and Section 13105 of the California Administrative Code.

Provided no appeal has been filed by the above-noted date, a copy of the permit will be sent to the California Coastal Commission. Unless an appeal is filed with the California Coastal Commission before 20 working days have expired from the date the City's determination is deemed received by such Commission, the City's action shall be deemed final.

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.

VINCENT P. BERTONI, AICP
Director of Planning

Approved by:


Faisal Roble, Principal City Planner

Reviewed by:


Debbie Lawrence, AICP, Senior City Planner

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