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CALIFORNIA

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December 18, 1987

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Department of Building and Safety

Re: CASE NOS. CDP 87-036 AND
ZA 87-1142(SM)
COASTAL DEVELOPMENT PERMIT
AND SLIGHT MODIFICATION
2724 Washington Boulevard
Venice Planning Area
Zone: R4-1
D. M. 7189
C. D. 6
EIR: MND 87-630-C(SM)
Legal Description: A portion of
29.42-acre allotment of
Vincente Machada de Lugo
(Superior Court Case No. 14797)

Approved (as modified herein) is the above-noted request seeking:

a coastal development permit to construct a three-story, 50-unit apartment building with 101 parking spaces, in the single permit jurisdiction area of the California Coastal Zone. Also, to permit a slight modification to reduce both the front and rear yards from the required 15 feet each to 12 feet each, in the R4-1 Zone,

upon the following terms and conditions:

1. That the use and development of the property shall be in substantial conformance with the site and floor plans submitted with the application and marked Exhibit "A", except as modified herein.
2. That no structure built on the subject site shall exceed a height of 30 feet above the centerline of Washington Boulevard, as measured to the highest point of the roof or parapet.
3. That the development shall provide for resident parking on the subject property at a ratio of two parking spaces for each dwelling unit containing one or more separate bedrooms, and at a ratio of one parking space for each studio-type, single-occupancy dwelling, and further, guest parking at a ratio of one parking space for each seven dwelling units or fraction thereof.
4. That the proposed eight studio-type apartments shall be limited to occupancy by one person each.

5. That the facades of structures facing Washington Boulevard and Garfield Avenue shall be sufficiently segmented to provide visual relief.
6. That existing low- and moderate-income housing units on the site shall be replaced to the satisfaction of the City Community Development Department in accordance with the Council Policy Statement adopted on March 20, 1984 under an amendment to Council File No. 81-6299, unless the said Department determines that the existing dwelling units on the site are not classified as low- and moderate-income housing units for which no replacement is required.
7. That all other use, height and area regulations of the Municipal Code be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
8. That the project shall be provided with an air filtration system to improve the air quality effects on the project inhabitants. However, this requirement shall not preclude the installation of operable windows for passive or natural heating or cooling opportunities.
9. That prior to issuance of a grading permit, a plot plan prepared by a reputable tree expert as defined by Ordinance 153,478, indicating the location, size, type and condition of all existing trees on the site shall be submitted for approval to the Department of City Planning and the Street Tree Division of the Bureau of Street Maintenance. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement of a minimum of 24-inch box trees on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site.
10. That all windows facing Washington Boulevard shall be constructed with double-pane glass. Exterior walls and floor ceiling assemblies exposed to the exterior in that direction shall provide an airborne sound insulation system to achieve a Sound Transmission Class (STC) of 50 (45 if field tested) as defined in Uniform Building Code Standard No. 35-1, 1979 edition or any revision thereof. The developer, as an alternative, may retain an acoustical engineer to submit evidence satisfactory to the Department of City Planning for any alternative means of sound insulation sufficient to reduce interior noise levels below 40 dBA in any habitable room.
11. That adequate provision shall be made for on-site storage area(s) for trash receptacles, including provision for separation for recycling purposes.

The applicant's attention is called to the fact that this authority is to satisfy the requirements of Section 12.20.2,G of the Los Angeles Municipal Code and that any permit or license required by law must be obtained from the proper public agency. This permit may not be assigned to another person, except as provided in the California Administrative Code. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than the applicant, it is incumbent that the applicant advise them regarding the conditions of this approval.

The Zoning Administrator's determination in this matter with respect to the City's action will become effective after January 4, 1988, unless an appeal

therefrom is filed with the Board of Zoning Appeals. Any appeal must be filed on the prescribed forms and received and receipted at a public office of the City Planning Department on or before the above date or the appeal will not be accepted. 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.

The use hereby authorized is conditional upon the privileges' being utilized within two years after the effective date hereof, and if they are not utilized or construction work is not begun within said time and carried on diligently to completion, this authorization shall become void and any privilege or use granted hereby shall be deemed to have lapsed unless a Zoning Administrator has granted an extension of time limit, after sufficient evidence has been submitted indicating that there was unavoidable delay in taking advantage of the grant. Any extension of time request must be received by this Office in writing prior to the expiration of the permit accompanied by the appropriate fee.

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.

FINDINGS OF FACT

After thorough consideration of the statements and plans contained in the application, the report of the Zoning Analyst and statements made at the public hearing before the Zoning Administrator on November 30, 1987, all of which are by reference made a part hereof, as well as personal knowledge of the property and the surrounding district, I find that:

1. The subject property is a level, 0.659-acre parcel in a parallelogram shape, located on the northwest corner of the intersection of Washington Boulevard and Garfield Avenue, having an address of 2724 Washington Boulevard.

The parcel is currently improved with six structures, consisting of three two-story apartment buildings with four units each, two duplexes and a four-car garage.

The property to the north is developed with an elementary school, with the playground abutting the subject property, and the school buildings further to the north.

Across Washington Boulevard directly south and southwest are all multiple-family structures in the R3, R4, and C2 Zones and with building heights of 30, 28, and 25 feet. To the southeast is a commercial development of small shops in a single-story, row-type structure, and a gas station at the corner.

To the east across Garfield Avenue are a row of small commercial enterprises, the nearest in a two-story structure, the others in single-story buildings. A motel has eight of its units next to these shops with the larger portion of the motel further east across Van Buren

Avenue, at the intersection of Washington Boulevard and Washington Street. To the northeast are all single-family dwellings.

Directly to the west are two two-story apartments, 25 feet high, developed to approximately R3 density. Further, to the west, across Coeur D'Alene Avenue, is a three-story, 12-unit, luxury condominium approximately 45 feet high.

Washington Boulevard, fronting the subject site, is designated a scenic highway, of variable width ranging from 70 to 90 feet, and improved with curbs, gutter, and sidewalks.

Washington Street is designated a major highway, 100 feet in width, improved with curbs, gutters, and sidewalks.

Garfield Avenue, along the east side of the subject property, is designated a local street, 60 feet wide, and improved with curbs, gutters, and sidewalks.

No applicable cases are indexed on the subject property or the adjoining properties.

2. The development is in conformance with Chapter 3 of the California Coastal Act of 1976. Chapter 3 of the Coastal Act contains the various policy provisions of such legislation. Pertinent to the instant use are the policies with respect to:

Locating and Planning New Development.

New development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land division, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

New development shall be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development and minimize energy consumption and vehicle miles travelled.

The subject development is being provided with an air filtration system to reduce the air quality effects on residents of the project. Further, the project is being developed in close proximity to existing development of a similar type and, to a large degree, constitutes a fill-in project.

3. The development will not prejudice the ability of the City of Los Angeles to prepare a Local Coastal Program (LCP) that is in conformance with Chapter 3 of the California Coastal Act of 1976. Currently, there is no

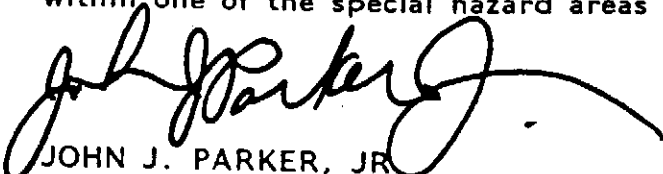
adopted LCP for this portion of the Coastal Zone; in the interim, the adopted Venice Community Plan serves as the functional equivalent in conjunction with any pending LCP under consideration. The adopted Venice Community Plan designates the subject property for High-Medium density residential uses, corresponding to the R4 Zone. The proposed project is consistent with the adopted Community Plan.

4. The Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission (revised October 14, 1980), and any subsequent amendments thereto have been reviewed, analyzed and considered in making this determination. Such Guidelines are designed to provide direction to decision-makers in rendering discretionary determinations on requests for coastal development permits pending adoption of an LCP. In this instance, the Guideline standards concerning the following are relevant:
 - A. The height of new structures should not exceed 25 feet above the centerline of the frontage road.
 - B. Parking should be provided at the ratio of two spaces for each dwelling unit, one space for each guest room, and one guest parking space for each seven dwelling units. The Community Planning and Development Division recommends a height limitation of 30 feet in this area. Further, the proposed eight single-occupancy dwellings have been interpreted as been equivalent to guest rooms for parking purposes. Therefore, the development, as conditioned, conforms with the applicable Interpretative Guidelines.
5. The decision herein has been guided by applicable decisions of the California Coastal Commission pursuant to Section 30625(c) of the California 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.
6. 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 proposed development is in conformance with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.
7. An appropriate environmental clearance under the California Environmental Quality Act has been granted. On September 23, 1987, a mitigated negative declaration, was granted; I concur in the issuance of such environmental clearance and find it adequate to satisfy the requirements of the California Environmental Quality Act of 1970, as amended.
8. Circumstances make the literal application of the yard and area requirements impractical in this case. The reduced setback areas are necessary to permit the provision of an amount of parking sufficient to satisfy the Interpretative Guidelines for coastal planning and permits. Landscaping at the front and rear of the buildings will compensate for the reduced setbacks.
9. At the public hearing, approximately 12 persons were present. Four persons spoke in support of the request, including a representative of

Councilwoman Ruth Galanter. Two persons spoke in opposition. Two letters were received from the same individual, one in support of the development under the coastal permit and one in opposition to the requested slight modification. The applicant noted that the proposed breakdown of dwelling units would be eight single-occupancy studios, 28 two-bedroom units and 14 three-bedroom units. For the purposes of parking, the single-occupancy units could be interpreted as guest rooms, requiring one parking space per unit. Therefore, of the 101 parking spaces proposed to be provided, nine would constitute guest parking at a ratio of one parking space for approximately every five and one-half dwelling units. The developer proposes to construct the building with a segmented facade appearance, similar to another project by the same developer. The 32-foot-in-height building is requested in order to provide 9-foot ceilings within the dwellings and to raise the structure high enough so that problems with the high water table in the area are not confronted. Other speakers expressed a need for a traffic light at the intersection of Garfield Avenue and Washington Boulevard. The Council office supported the basic request, but felt that a 30-foot height limitation would be consistent with the proposed guidelines and equitable with other developers in the future. The Council office was also concerned with the adequacy of trash collection capacity on the subject property. The slight modification is requested to provide sufficiently wide parking aisles (28 feet, instead of 24 feet). If the slight modification were denied, the aisles would have to be narrower, and the individual parking spaces wider, thereby reducing the number of parking spaces provided.

The points in opposition centered upon the number of accidents in the street, the proximity of the school to the north, and that there would be too much traffic considering that adjacent use. It was also felt that the normally required 15-foot yards would be needed to provide an extra margin for safety. It was felt that any relaxation of parking or setback standards would set an undesirable precedent for the area.

The Los Angeles flood hazard maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance 154,405, have been reviewed and it has been determined that this project is not located within one of the special hazard areas as defined therein.



JOHN J. PARKER, JR.
Associate Zoning Administrator

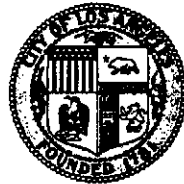
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cc: Director of Planning
County Assessor
Councilwoman Ruth Galanter
Sixth District
Adjoining Property Owners

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February 5, 1990

Leon Kaplan
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Robert Katherman
880 West 1st Street, #615
Los Angeles, CA 90012

Department of Building and Safety

Re: CASE NOS. CDP 87-036 and
ZA 87-1142(SM)
LETTER OF CLARIFICATION
2724 Washington Boulevard
Venice Planning Area
Zone R4-1
D.M. 7189
C.D. 6
EIR: MND 87-630-C(SM)
Legal Description: A portion
of 29.42 acre allotment of
Vicente Machada de Lugo
(Superior Court Case No. 14797)

On December 18, 1987 (modified May 19, 1988), the Associate Zoning Administrator issued a determination on the subject case authorizing:

a coastal development permit to construct a three-story, 50-unit apartment building with 95 parking spaces, in the single permit jurisdiction area of the California Coastal Zone. Also, to permit a slight modification to reduce both the front and rear yards from the required 15 feet each to 12 feet each, in the R4-1 Zone.

Included were the following conditions:

3. That the development shall provide for resident parking on the subject property at a ratio of two parking spaces for each dwelling unit containing one or more separate bedrooms, and at a ratio of one parking space for each studio-type, single-occupancy dwelling, and further, guest parking at a ratio of one parking space for each seven dwelling units or fraction thereof.
4. That the proposed eight studio-type apartments shall be limited to occupancy by one person each.

In a letter dated January 24, 1990, from Robert Katherman, representing the applicant, states: "Because of significant cost overruns associated with the excavation of the subterranean parking lot due to a much higher ground water table than anticipated, the apartment project is no longer financially feasible. As a consequence, my client is in the process of filing an application for tentative tract map approval for the site.

Since the Coastal Development Permit deals with the physical development of the site, we believe that the subject Coastal Development Permit would apply to a condominium project as well as an apartment project although the request and grant was for an apartment development. Because the building will be constructed in a fashion identical to the conditions under the Coastal Development Permit, we would ask that you clarify the subject Coastal Development Permit to specifically provide for condominium sales of individual units rather than rental units."

In consideration of these facts, the Administrator hereby corrects the grant clause, and Condition Nos. 3 and 4 in the subject case to read:

a coastal development permit to construct a three-story, 50-unit apartment or condominium building with 95 parking spaces, in the single permit jurisdiction area of the California Coastal Zone. Also, to permit a slight modification to reduce both the front and rear yards from the required 15 feet each to 12 feet each, in the R4-1 Zone.

3. That the development shall provide for resident parking on the subject property at a ratio of two parking spaces for each dwelling unit containing one or more separate bedrooms, and at a ratio of one parking space for each studio-type, single-occupancy dwelling, and further, guest parking at a ratio of one parking space for each seven dwelling units or fraction thereof. However, this condition shall not abrogate the authority of the Advisory Agency to impose greater parking ratios.
4. That the proposed eight studio-type dwellings shall be limited to occupancy by one person each.

All other terms and conditions of CDP 87-036 and ZA 87-1142(SM) shall remain as originally written.

The Zoning Administrator's determination in this matter will become effective after February 20, 1990, unless an appeal therefrom is filed with the Board of Zoning Appeals. Any appeal must be filed on the prescribed forms, accompanied by the required fee 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.



JOHN J. PARKER, JR.
Associate Zoning Administrator

JJP:lmc

cc: Director of Planning
County Assessor
Councilwoman Ruth Galanter
Sixth District
Adjoining Property Owners