

## FINDINGS

(As Amended by the City Planning Commission at its meeting on March 12, 2026)

### Entitlement Findings

#### Density Bonus/Affordable Housing Incentives Compliance Findings

1. Pursuant to Government Code Section 65915 and LAMC Section 12.22 A.37, the Commission shall approve a density bonus and requested incentive(s)/waiver(s) unless the Commission finds that:
  - a. The Incentive does not result in identifiable and actual cost reductions, consistent with California Government Code Section 65915(k), to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5, or for rents for the targeted units to be set as specified in California Government Code Section 65915(c).

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested incentives do not result in identifiable and actual cost reduction to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low-, low-, and moderate-income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

Based on the set-aside of 16 percent of 20 base units for Very Low Income and Low Income Households, the applicant is entitled to four (4) Incentives under both Government Code Section 65915 and the Los Angeles Municipal Code (LAMC). The request for an increase in Floor Area Ratio (FAR), decrease in northwesterly and southeasterly side yard setbacks, and decrease in residential front yard setback qualify as requested incentives. The remaining requests allow an increase in the allowable height, removal of front façade step back provisions, and the increase in allowable square footage of the Roof Access Structure are Waivers of Development Standards.

**Floor Area Ratio (Off-Menu Incentive)** – An Off-Menu Incentive to allow a FAR of 2.96:1 in lieu of a FAR of 1.5:1, as otherwise required by the Venice Coastal Zone Specific Plan 11.B.3. Commercially zoned lots within the Venice Coastal Zone Specific Plan are allowed a FAR equal to 1.5 square feet of building floor area to each (1) square foot of buildable lot area for mixed use buildings.

Should the project adhere to the allowable FAR in the C2-1 zone, its total square footage would be limited to 13,635 square feet. The Off-Menu Incentive to increase the FAR by 97.3 percent would allow an increase of 13,254 square feet for a total of 26,889 square feet, which would accommodate a larger construction envelope to provide additional affordable units and additional market rate units. The ability to develop larger building or more units will increase the revenues from the market-rate floor area, which will lower the marginal cost of developing and operating the affordable units. The requested incentive allows the developer to expand the building envelope so that additional units can be

constructed, and the overall space dedicated to residential uses is increased. These Incentives support the Applicant's decision to provide four (4) affordable units for Very Low-Income Households.

**Side Yard Setback – Northwesterly (Off-Menu Incentive).** An Off-Menu Incentive to allow a reduced northwesterly side yard setback of 5 feet in lieu of the required 8-foot side yard setback, as otherwise required in the C2 Zone pursuant to LAMC Section 12.11.C.2. Off-Menu incentives are permitted a 37.5 percent reduction in the north-westerly side yard setback.

The applicant requests a reduction of three feet in northwesterly side yard to allow for efficient floor plates that maintain adequate light, air, and privacy through upper-level plane breaks and façade articulation, while avoiding structural inefficiencies that would increase cost and reduce the number of feasible residential units, including a potential impact to the very low-income units.

**Side Yard Setback – Southeasterly (Off-Menu Incentive).** An Off-Menu Incentive to allow a reduced southeasterly side yard setback of 5 feet in lieu of the required 8-foot side yard setback, as otherwise required in the C2 Zone pursuant to LAMC Section 12.11.C.2. Off-Menu incentives are permitted a 37.5 percent reduction in the north-westerly side yard setback.

The applicant requests a reduction of three feet in northwesterly side yard to allow for efficient floor plates that maintain adequate light, air, and privacy through upper-level plane breaks and façade articulation, while avoiding structural inefficiencies that would increase cost and reduce the number of feasible residential units, including a potential impact to the very low-income units.

**Front Yard Setback (Off-Menu Incentive).** An Off-Menu Incentives to allow a 100% decrease in front yard setback for residential floor area to allow 0 foot, 0 inch, in lieu of the required 5 feet as otherwise required by the Venice Coastal Zone Specific Plan Section 10.F.4.

Residential portions of a mixed-use structure are required to adhere to LAMC requirements, however, no less than 5 feet according to the Venice Coastal Zone-Specific Plan. Removal of the front yard setback will allow for the structure to align with the established street wall and reinforce pedestrian orientation and façade articulation along Main Street without compromising the size of residential units. The project proposes providing 20 residential units, including four (4) Very Low Income affordable units. The additional square footage permitted by the reduction of the front yard setback decreases the marginal costs of providing the units reserved for Very Low Income households. If the building were to adhere strictly to the 5-foot front yard setback requirement in the C2-1-O Zone, the project would be limited in the size and/or number of units the project could provide, undermining the project's financial feasibility by increasing the marginal costs of providing the units reserved for Very Low Income households. The requested incentive will allow the developer to expand the building envelope so the additional units can be constructed and the overall space dedicated for residential uses increased.

- b. The Incentive will have a Specific Adverse Impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the**

**Specific Adverse Impact without rendering the development unaffordable to low-income and moderate-income households. Inconsistency with the zoning ordinance or General Plan land use designation shall not constitute a Specific Adverse Impact upon the public health or safety.**

There is no substantial evidence in the record that the proposed incentive(s) or waiver(s) will have a specific adverse impact. Pursuant to California Government Code Sec. 65589.5(d)(2), specific adverse impact is defined as a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. As required by Section 12.22 A.37(c), the project meets the eligibility criterion that is required for the provisions of the State Density Bonus Program.

According to SurveyLA and the Office of Historic Resources, the existing structure located at 1422 Main Street was identified as a historic resource. A Historical Resource Assessment report was prepared on June 2021 and concluded the structure was not eligible for listing in the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), and for designation as a Los Angeles Historical Cultural Monument.

As such, the project also does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. Therefore, there is no substantial evidence that the proposed incentive(s) will have a specific adverse impact on public health and safety.

**c. The incentives are contrary to state or federal law.**

There is no substantial evidence in the record that the requested incentives are contrary to state or federal law.

**2. Pursuant to Government Code Section 65915 and LAMC Section 12.22 A.37, the Commission shall approve a density bonus and requested waiver(s) unless the Commission finds that:**

**a. The Development Standard associated with a request for a Waiver will not have the effect of physically precluding the construction of a development meeting the eligibility criteria described in Paragraph (c) at the densities or with the Base Incentives and Additional Incentives permitted under this subdivision.**

A project that meets the requirements of Government Code 65915 may request other “waiver[s] or reduction[s] of development standards that will have the effect of physically precluding the construction of a development meeting the [affordable set-aside percentage] criteria of subdivision (b) at the densities or with the concessions or incentives permitted under [State Density Bonus Law]” (Government Code Section 65915(e)(1)).

Therefore, the request for the following is recommended as Waivers of Development Standards. Without the below Waivers, the existing development standards would physically preclude development of the base units, build out of the incentives, and project amenities:

**Height (Waiver)** – A waiver to allow a 76.1 percent increase in total building height from the permitted 30 feet to 52 feet, 10 inches as otherwise required by the Venice Coastal Zone Specific Plan Section 10.F.3.a.

The project site is zoned C2-1-O with a Height District of 1, which provides for unlimited building height. However, the Venice Coastal Zone Specific Plan for the North Venice Subarea further limits building height to 30 feet for flat rooflines and 35 feet for varied rooflines. The proposed structure is functionally a four-story mixed-use structure, however due to the nature of the proposed solar trellis, the solar trellis functions as an additional floor. Compliance with the height limitations of the Specific Plan would reduce the solar trellis height and rooftop amenity dedicated to residential use. As such, the Off-Menu Incentive for increased height is necessary to accommodate a larger construction envelope to provide for the affordable units and market rate units. As with FAR, the ability to develop a larger building with more units will increase revenues from the market-rate units, which will lower marginal cost of developing and operating the affordable units, thereby making the project financially feasible. The requested incentive allows the developer to expand the building envelope so that the additional units can be constructed, solar trellis to abide by the Green Code, and increase the overall space dedicated to residential use.

**Step Back Provisions (Waiver)** – A Waiver to allow the removal of the step-back-provisions, in lieu of the 45 degree step back plane, as otherwise required by the Venice Coastal Zone Specific Plan Section 9.C.

The required step back provisions would reduce the square footage and private open space provided for each unit. Compliance with the step-back requirement would substantially reduce the floor area and livable space for the residential portion of the mixed use structure, as proposed. Without the waiver, the applicant would be physically precluded from constructing some portion of the residential units. The requested waiver will allow the developer to expand the building envelope so the units can be constructed, and the overall space dedicated to residential use is increased.

**Roof Access Structure (Waiver)** – A Waiver to increase the maximum exterior dimension to 176 square feet in lieu of 100 square feet as otherwise required by the Venice Coastal Zone Specific Plan Section 9.C.

The maximum permitted RAS of 100 square feet as measured from the exterior walls is typically permissible for a standalone residential structure, however, mixed use or multi-family structures require additional space for stair and elevator access. The Los Angeles Fire Department egress requirements and ADA accessibility to the rooftop amenities for all residents, including those with disabilities requires additional mechanical equipment and therefore, a larger roof access structure to accommodate.

- b. **The Waiver would have a Specific Adverse Impact as defined in California Government Code Section 65589.5(d)(2), upon public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the Specific, Adverse Impact. Inconsistency with the zoning ordinance or General Plan land use designation shall not constitute a Specific Adverse Impact upon the public health or safety.**

There is no substantial evidence in the record that the proposed incentive(s) or waiver(s) will have a specific adverse impact. Pursuant to California Government Code Sec. 65589.5(d)(2), specific adverse impact is defined as a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. As required by Section 12.22 A.37(c), the project meets the eligibility criterion that is required for the provisions of the State Density Bonus Program.

The project is not located on a substandard street in a Hillside area, Very High Fire Hazard Severity Zone, or any other special hazard area. Therefore, there is no substantial evidence that the proposed project and requested waivers would have a specific adverse impact on public health and safety.

**c. The Waiver would have an adverse impact on any real property that is listed in the California Register of Historical Resources.**

According to SurveyLA and the Office of Historic Resources, the existing structure located at 1422 Main Street was identified as a historic resource. A Historical Resource Assessment report was prepared on June 2021 and concluded the structure was not eligible for listing in the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), and for designation as a Los Angeles Historical Cultural Monument.

As such, the project also does not involve a contributing structure in a designated Historic Preservation Overlay Zone or on the City of Los Angeles list of Historical-Cultural Monuments. Therefore, there is no substantial evidence that the proposed waivers will have an adverse impact on public health and safety.

**d. The Waiver would be contrary to state or federal law.**

There is no substantial evidence in the record indicating that the requested waivers are contrary to any state or federal law.

### **3. Coastal Development Permit Findings**

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

The proposed project consists of the demolition of two single-family dwellings, and the construction of a 26,889 square foot, five-story, mixed-use building consisting of 20 residential units, of which four (4) residential units will be set aside for Very Low Income Households; 3,676 square-feet of restaurant uses, including 2,098 square feet of indoor dining Service Floor area and 467 square feet of outdoor dining Service Floor area; 656 square feet of office uses; a one level subterranean garage and a roof deck with solar trellis and a roof access structure, providing 28 parking spaces.

The proposed development utilizes the provisions of Density Bonus State Law to deviate from the requirements of the Venice LUP and Venice Specific Plan, as follows:

- The increase allowable FAR to 2.96:1 in lieu of 1.5:1,
- The removal of the 5-foot residential front yard setback in lieu of 5 feet,
- The increase building height to 52 feet, 10 inches in lieu of 30 feet,

- The remove the step back provisions in lieu of a 45 degree step back plane break, and
- The increase allowable exterior dimension of Roof Access Structure to 176 square feet in lieu of 100 square feet.

In addition, the proposed development utilizes the provisions of Density Bonus State Law to deviate from the requirements of the LAMC, as follows:

- Reduce the northwesterly side yard to allow 5 feet in lieu of 8 feet,
- Reduce the southeasterly side yard to allow 5 feet in lieu of 8 feet.

As discussed in Finding No. 1, the proposed Density Bonus project meets the requirements of Density Bonus State Law to be eligible for the density bonus, incentives, and waivers of development standards. In addition, the proposed development must also comply with the requirements of the Coastal Act. As provided in the findings below, the proposed development complies with the applicable policies of the Coastal Act and the Venice LUP.

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. Applicable provision are as follows:

#### Article 2 Public Access

*Section 30211 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.*

*Section 30212 (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) Adequate access exists nearby, or, (3) Agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

The proposed project consists of the demolition of two single-family dwellings, and the construction of a 26,889 square foot, five- story, mixed-use building consisting of 20 residential units, of which four (4) residential units will be set aside for Very Low Income Households; 3,676 square-feet of restaurant uses, including 2,098 square feet of indoor dining Service Floor area and 467 square feet of outdoor dining Service Floor area; 656 square feet of office uses; a one level subterranean garage and a roof deck with solar trellis and a roof access structure, providing 28 parking spaces.

The subject site is located within a half mile of a Major Transit Stop at Windward Circle. On September 22, 2022, the Governor signed Assembly Bill (AB) 2097, which added Government Code Section (§) 65863.2. AB 2097 prohibits a public agency from imposing or enforcing any minimum automobile parking requirement on any residential, commercial, or other development project that is within one-half mile of a Major Transit Stop, with minor exceptions. The property is located within 250 feet from a Major Transit Stop at Main Street

and Market Street. In addition to its close proximity to public transit, the applicant will still provide 28 subterranean vehicular parking spaces and 45 bicycle parking spaces for the commercial and residential tenants.

The project site is not located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone. Therefore, the proposed project will not interfere with or obstruct the public's right to access to coastal resources.

As such, the project conforms to the applicable Public Access policies of Chapter 3.

#### Article 5 Land Resources

*Section 30240 requires the protection of environmentally sensitive habitat areas and to prevent significant impacts on such areas.*

*Section 30244 Archaeological and Paleontological Resources.*

*Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.*

The proposed project consists of the demolition of two single-family dwellings, and the construction of a 26,889 square foot, five-story, mixed-use building consisting of 20 residential units, of which four (4) residential units will be set aside for Very Low Income Households; 3,676 square-feet of restaurant uses, including 2,098 square feet of indoor dining Service Floor area and 467 square feet of outdoor dining Service Floor area; 656 square feet of office uses, a one level subterranean garage and a roof deck with solar trellis and a roof access structure, providing 28 parking spaces. The proposed project includes a subterranean garage and will include the removal of 9,850 cubic yards of dirt.

Further, the project site is located in a highly urbanized area of the City and has been subject to past disturbance, including the construction of various types of land uses and the area is not located in an area identified to contain paleontological or archaeological resources. Any archaeological resources that may have existed near the project site surface are likely to have been disturbed or previously removed. However, previously unknown archaeological resources may exist beneath the Project Site that could be uncovered during project grading activities. If previously unknown archaeological resources are found during excavation and grading, the Project would be required to follow procedures detailed in California Public Resources Code Section 21083.2. The required compliance would ensure any found deposits are treated in accordance with federal, State, and local guidelines, including those set forth in PRC Section 21083.2. If archaeological or paleontological resources are discovered during grading activities, the project is subject to compliance with Federal, State and Local regulations already in place.

Further, the project site is not identified in the Venice Land Use Plan as a site located within or adjacent to an Environmentally Sensitive Habitat Area (ESHA). The proposed development would be fully developed within the boundaries of the private lots and would not impact sensitive habitat areas. As such, the project conforms to the applicable Land Resources policies of Chapter 3.

#### Article 6 Development

*Section 30250 Location; existing developed area.*

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

The project is located in an existing developed area surrounded by similar residential and commercial uses and will not have a significant adverse impact on coastal resources. Existing infrastructure servicing the existing residences will be used by the proposed development. Utility lines and water pipes will be connected to the proposed development. In addition, the project area is within the service area of the Los Angeles Fire Department Station 63 and the Pacific Division of the Los Angeles Police Department. Primary regional access is provided by the Marina Freeway, Venice Boulevard, and Lincoln Boulevard, which are all accessible within 1.5 miles of the Project Site.

The adjoining property to the north has a similar land use designation of Neighborhood Office Commercial and is zoned C2-1-O. The subject site is improved with two one-story, single-family dwellings constructed in 1921 and 1952. To the south of the project site is a two-story commercial structure also zoned C2-1-O constructed in 1962. The property to the west across Main Street is a three-story condominium constructed in 2008. The property to the east, across the abutting alley, is zoned RD1.5-1-O with a land use designation of Low Medium II Residential and developed with a two-story, fourplex, constructed in 1922.

The neighborhood and surrounding properties are developed with single and multi-family dwellings. Within a half mile radius of the subject site, there are five (5) C2-1-O zoned lots and ten (10) C4-1 zoned lots. The lots zoned C2-1-O are developed with one – two story structures. The C4-1 zoned lots are developed with one to three story structures. Based on the survey provided by the applicant team, the average height of the immediate area is approximately 21.9 feet and the average building height is 1.8 stories. While the proposed project will exceed these averages with a 5-story structure, approximately 52 feet, 10 inches, the average does not reflect the full range of existing structures. Structures nearby such as 1310-1320 Innes Place and 1501 Main Street are three stories with an approximate height of 30 feet. Without the proposed solar trellis, the structure would be considered 46 feet, 4 inches tall. As such, the proposed project is within the scale and character of the existing neighborhood and the Venice Coastal Development Project would not be materially detrimental to adjoining lots or the immediate neighborhood. As such, the proposed project is compatible in scale and character with the existing neighborhood, and the Venice Coastal Development Project would not be materially detrimental to adjoining lots or the immediate neighborhood.

Further, the proposed building is functionally a four-story mixed-use structure; the rooftop solar trellis results in a technical fifth-level measurement, but it is an open, lightweight shade element rather than an occupiable floor and materially reduces energy demand while enabling additional deed-restricted affordable housing. Within the broader Venice neighborhood, numerous four- and five-story buildings, including pre-Coastal Act structures such as Hotel Erwin, Venice Breeze Suites, and the Waldorf Building, establish

an existing mid-rise pattern along the commercial corridors. While the immediate block averages approximately 1.8 stories, that average does not reflect the full development context of Main Street and nearby corridors, where three- and four-story buildings already exist. The project incorporates articulated façades, step backs, balcony recesses, and a setback rooftop deck to reduce perceived massing and minimize visual impacts from the public right-of-way. In this context, the project reflects Venice's established eclectic mid-rise character and remains visually compatible consistent with Coastal Act Section 30251.

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 Scenic and Visual Qualities.*

*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. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

The architectural character of nearby development includes an eclectic mix of architectural styles including modern and contemporary style buildings. The project's proposed contemporary design fits into the architectural diversity of the neighborhood. The project height, massing and scale of the project is consistent with existing buildings along Main Street. As discussed above, the project would increase the maximum density for the subject site from six dwelling units to 20 dwelling units. The project would increase the maximum building envelope with a height increase of 22 feet and 10 inches, reduction in the residential front yard setback from 5 feet to 0 feet, reduction in the side yards from 8 feet to 5 feet, and increasing the FAR from 1.5:1 to 2.96:1. The proposed development will not adversely impact the scale or character of the street as it is situated on a busy corridor developed with multi-family residential and commercial structures that are comparable in height and massing.

The adjoining property to the north has a similar land use designation of Neighborhood Office Commercial and is zoned C2-1-O. The subject site is improved with two one-story, single-family dwellings constructed in 1921 and 1952. To the south of the project site is a two-story commercial structure also zoned C2-1-O constructed in 1962. The property to the west across Main Street is a three-story condominium constructed in 2008. The property to the east, across the abutting alley, is zoned RD1.5-1-O with a land use designation of Low Medium II Residential and developed with a two-story, fourplex, constructed in 1922.

The neighborhood and surrounding properties are developed with single and multi-family dwellings. Within a half mile radius of the subject site, there are five (5) C2-1-O zoned lots and ten (10) C4-1 zoned lots. The lots zoned C2-1-O are developed with one – two story structures. The C4-1 zoned lots are developed with one to three story structures. Based on the survey provided by the applicant team, the average height of the immediate area is approximately 21.9 feet and the average building height is 1.8 stories. While the proposed project will exceed these averages with a 5-story structure, approximately 52 feet, 10 inches, the average does not reflect the full range of existing structures. Structures

nearby such as 1310-1320 Innes Place and 1501 Main Street are three stories with an approximate height of 30 feet. Without the proposed solar trellis, the structure would be considered 46 feet, 4 inches tall. As such, the proposed project is within the scale and character of the existing neighborhood and the Venice Coastal Development Project would not be materially detrimental to adjoining lots or the immediate neighborhood.

Further, the proposed building is functionally a four-story mixed-use structure; the rooftop solar trellis results in a technical fifth-level measurement, but it is an open, lightweight shade element rather than an occupiable floor and materially reduces energy demand while enabling additional deed-restricted affordable housing. Within the broader Venice neighborhood, numerous four- and five-story buildings, including pre-Coastal Act structures such as Hotel Erwin, Venice Breeze Suites, and the Waldorf Building, establish an existing mid-rise pattern along the commercial corridors. While the immediate block averages approximately 1.8 stories, that average does not reflect the full development context of Main Street and nearby corridors, where three- and four-story buildings already exist. The project incorporates articulated façades, step backs, balcony recesses, and a setback rooftop deck to reduce perceived massing and minimize visual impacts from the public right-of-way. In this context, the project reflects Venice's established eclectic mid-rise character and remains visually compatible consistent with Coastal Act Section 30251.

As such, the proposed project is compatible in scale and character with the existing neighborhood, and the Venice Coastal Development Project would not be materially detrimental to adjoining lots or the immediate neighborhood. Furthermore, the proposed increase in density is consistent with higher density permitted in the underlying adjacent multi-family residential zone and fits within a building envelope that is compatible with the surrounding area. The increase in density and provision of affordable housing in the Coastal Zone is consistent with the California Coastal Commission's policies for increasing housing and affordable housing in the Coastal Zone.

The project's consistency with development standards in the certified Venice LUP is important in assessing the project's compatibility with the character of the surrounding area. The certified Venice LUP states that the development standards also define for each land use designation a density of housing units and lot coverage to maintain the scale and character of existing residential neighborhoods and minimize the impacts of building bulk and mass." (LUP, p.II-2.)

The proposed development complies with Policy I.A.13 (Density Bonus Application) which allows for reduced restrictions for density, height and setback standards as outlined in Policies I.A.1, I.A.8, I.E.1, I.E.2, I.E.3 and II.A.3 of the Venice Land Use Plan (LUP), further discussed in Finding No. 3.b. As such, the proposed development is visually compatible with the character of the surrounding area and will further enhance the visual quality of the area.

*Section 30252 Maintenance and Enhancement of Public Access.*

*The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that*

*the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.*

The project proposes the demolition of two single-family dwellings, and the construction of a 26,889 square foot, five-story, mixed-use building consisting of 20 residential units, of which four (4) residential units will be set aside for Very Low Income Households; 3,676 square-feet of restaurant uses, including 2,098 square feet of indoor dining Service Floor area and 467 square feet of outdoor dining Service Floor area; 656 square feet of office uses; a one level subterranean garage and a roof deck with solar trellis and a roof access structure, providing 28 parking spaces.

The subject site is located within a half mile of a Major Transit Stop at the Windward Circle. On September 22, 2022, the Governor signed Assembly Bill (AB) 2097, which added Government Code Section (§) 65863.2. AB 2097 prohibits a public agency from imposing or enforcing any minimum automobile parking requirement on any residential, commercial, or other development project that is within one-half mile of a Major Transit Stop, with minor exceptions.

The property is located within 250 feet from a Major Transit Stop at Main Street and Market Street and within 300 feet from the Windward Circle, a Major Transit stop within Venice. In addition to its close proximity to public transit, the applicant will still provide 28 subterranean vehicular parking spaces and 45 bicycle parking spaces for the commercial and residential tenants. The surrounding area is served by Big Blue Bus Route 1 located at the intersection of Main Street and Market Street, Culver City Bus Route No. 1 located at the intersection of Windward Avenue and Main Street, Los Angeles County Metropolitan Transit Authority (Metro) bus line 33 at the intersection of Main Street and Grand Boulevard.

Although the Venice Coastal Zone Specific Plan would otherwise require 118 spaces, the project site qualifies under AB 2097 due to its proximity to major transit and its designation within a High Quality Transit Area. As demonstrated in the Parking Demand Management Assessment provided, empirical surveys demonstrate substantial available capacity in nearby public and private parking facilities, with average utilization rates of approximately 62 percent on weekend evenings and 80 percent on weekend afternoons, leaving hundreds of available spaces during peak periods. A field survey of comparable Main Street restaurants confirms that existing establishments do not provide dedicated off-street customer parking, reflecting the area's shared-parking and multimodal access pattern. The project exceeds required bicycle parking, provides secure long- and short-term bicycle facilities, and is located within walking distance of bus routes, Metro Bike Share, and protected bike lanes. Given the demonstrated off-site capacity and the site's strong multimodal infrastructure, the proposed parking reduction will not create adverse coastal access or neighborhood parking impacts.

The proposed project is not located between the first public road and the sea and is located more than a half of a mile from the beach. The proposed project will not interfere with or obstruct the public's right to access to coastal resources. The proposed development will not have any adverse impacts on public access to the coast. No permanent structures will be placed within the public right-of-way and public access to the coast will not be obstructed. The proposed project will neither interfere nor reduce access to the shoreline as the site does not have direct access to any water or beach. As demonstrated in the

Parking Demand Management Assessment, the project will not have a significant adverse impact on coastal resources.

*Section 30253 Minimization of Adverse Impacts.*

*New development shall: (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development. (4) Minimize energy consumption and vehicle miles traveled. (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.*

The subject site is located within a Methane Zone, Liquefaction area, Flood Zone AE, Tsunami Hazard Area, within 5 kilometers of the Santa Monica Fault, and within the Single Permit Jurisdiction of the Coastal Zone.

The project site is also located within an area that may be affected by Sea Level Rise. On August 12, 2015, the Coastal Commission adopted a Sea Level Rise Policy Guidance document, updated and adopted On November 14, 2024. This policy document provides a framework and directions for local jurisdictions to address sea level rise (SLR) in Local Coastal Programs (LCPs) and Coastal Development Permits (CDPs). In May 2018, the City completed an initial sea level rise vulnerability assessment for the Venice Coastal Zone. The report provides that: Existing wide beaches generally protect Venice from coastal hazards. Coastal assets along or near the beachfront are potentially vulnerable during a large storm event in combination with SLR greater than 3.3 feet. After 4.9 feet SLR, beachfront assets are more vulnerable to damage from flooding or potential erosion of the beach. A SLR of 6.6 feet is a tipping point for Venice's exposure to extreme coastal wave events. Beachfront and coastal assets could flood annually, beaches could be greatly reduced in width, and high water levels could greatly increase potential for flooding of inland low-lying areas. As discussed in the analysis, there is considerable uncertainty around the timing of SLR, how coastal processes may be affected, and what adaptation approaches will be applied in the future (VSLRVA, pg. 45). Policies and development standards to address the potential impacts of SLR would be addressed in the City's LCP for the Venice Coastal Zone.

The proposed project consists of the demolition of two single-family dwellings, and the construction of a 26,889 square foot, five-story, mixed-use building consisting of 20 residential units, of which four (4) residential units will be set aside for Very Low Income Households; 3,676 square-feet of restaurant uses, including 2,098 square feet of indoor dining Service Floor area and 467 square feet of outdoor dining Service Floor area; 656 square feet of office uses, a one level subterranean garage and a roof deck with solar trellis and a roof access structure, providing 28 parking spaces. The proposed use would have no adverse impacts on public access, recreation, public views or the marine environment, as the property is located within a developed residential area and located a half mile 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. The proposed dwelling

will not block any designated public access views. As conditioned, the proposed project is in conformity with Chapter 3 of the California Coastal Act.

- b. 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. The subject site is located within the North Venice Subarea with a land use designation of Neighborhood Office Commercial and zoned C2-1-O.

The following are applicable policies from the certified Venice Land Use Plan:

**Policy I. A. 9. Replacement of Affordable Housing.** *Per the provisions of Section 65590 of the State Government Code, referred to as the “Mello Act”, the conversion or demolition of existing residential units occupied by persons and families of low or moderate income shall not be permitted unless provisions have been made for replacement of those dwelling units which result in no net loss of affordable housing in the Venice Community in accordance with Section 65590 of the State Government Code (Mello Act).*

**Policy I.A.10. Location of Replacement Housing.** *The replacement units shall be located in one or more of the following areas, listed in order of priority: 1) on the site of the converted or demolished structure; 2) within the site's Venice coastal subarea; 3) within the Venice Coastal Zone; 4) within the Venice Community Plan area east of Lincoln Boulevard; and, 5) within a three mile radius of the affected site.*

**Policy I.A.11. Replacement Ratios for Replacement Units.** *Replacement ratios shall be at a minimum of 1:1 (one unit replaced for each unit removed). Replacement ratios shall increase according to how far from the affected site replacement units are located as defined in the Mello Act.*

**Policy I.A.13. Density Bonus Applications.** *Required replacement dwelling units shall be counted as reserved units in any related State mandated density bonus application for the same project.*

The project consists of the demolition of two single-family dwellings, and the construction of a 26,889 square foot, five- story, mixed-use building consisting of 20 residential units, of which four (4) residential units will be set aside for Very Low Income Households, 3,676 square-feet of restaurant uses, including 2,098 square feet of indoor dining Service Floor area and 467 square feet of outdoor dining Service Floor area; 656 square feet of office uses, a one level subterranean garage and a roof deck with solar trellis and a roof access structure, providing 28 parking spaces. The proposed project is subject to the requirement under the Housing Crisis Act (SB 330/SB8) and the City's Interim Administrative Procedures for Complying with the Mello Act (IAP). The Los Angeles Housing Department

(LAHD) issued an SB330/SB8 Replacement Unit Determination (RUD) dated October 29, 2025 requiring the replacement of one (1) affordable replacement unit and one (1) market rate unit. As such, the four (4) residential units will be set aside for Very Low Income Households satisfies this requirement. Finding No. 5 provides a full discussion of the requirements under the IAP.

**Policy I.A.14.** Parking Requirements for Affordable Housing. Reduced parking is permitted for low income units only if: a) the project is consistent with LUP policy I.A.13; and b) it is demonstrated that the prospective occupants of the project will have a reduced demand for parking. However, if a unit changes its status from low or low-moderate income to market rate unit, parking should be provided for market rate units according to the parking standards listed in LUP Policies II.A.3 and II.A.4.

On September 22, 2022, the Governor signed Assembly Bill (AB) 2097, which prohibits a public agency from imposing or enforcing any minimum automobile parking requirement on any residential, commercial, or other development project that is within one-half mile of a Major Transit Stop, with minor exceptions. The subject site is located within a half mile of a Major Transit Stop at the Windward Circle. In addition to its close proximity to public transit, the applicant will still provide 28 subterranean vehicular parking spaces and 45 bicycle parking spaces for the commercial and residential tenants.

Further, the Venice Coastal Zone Specific Plan would otherwise require 118 spaces, the project site qualifies under AB 2097 due to its proximity to major transit and its designation within a High Quality Transit Area. Empirical surveys, provided the Parking Demand Management Assessment, demonstrate substantial available capacity in nearby public and private parking facilities, with average utilization rates of approximately 62 percent on weekend evenings and 80 percent on weekend afternoons, leaving hundreds of available spaces during peak periods. A field survey of comparable Main Street restaurants confirms that existing establishments do not provide dedicated off-street customer parking, reflecting the area's shared-parking and multimodal access pattern. The project exceeds required bicycle parking, provides secure long- and short-term bicycle facilities, and is located within walking distance of bus routes, Metro Bike Share, and protected bike lanes. Given the demonstrated off-site capacity and the site's strong multimodal infrastructure, the proposed parking reduction will not create adverse coastal access or neighborhood parking impacts.

**Policy I.B.2.** Mixed-Use Development. Mixed-use residential commercial development shall be encouraged in all areas designated on the Land Use Policy Map for commercial use. Residential density in commercial land use designations shall not exceed one unit per 800-1200 square feet of lot area and shall comply with the Floor Area Ratio (FAR) limits set forth in Policy I.B.7. The design of mixed-use development is intended to help mitigate the impact of the traffic generated by the development on coastal access roads and reduce parking demand by reducing the need for automobile use by residents and encouraging pedestrian activity. Such development shall comply with the density and development standards set forth in this LUP.

As discussed in Finding No 1 and 2, the project qualifies for as a Density Bonus Housing Development Project pursuant to LAMC Section 12.22 A.25 (Density Bonus Affordable Housing Program) and LAMC Section 12.24 U.26. The proposed development utilizes the provisions of Density Bonus State Law to deviate from the requirements of the Venice LUP and Specific Plan, as follows: Increase allowable FAR to 2.96:1 in lieu of 1.5:1,

decrease the front yard setback for residential floor area to allow 0 feet, 0 inches in lieu of 5 feet, increase the overall height for a total building height of 52 feet, 10 inches in lieu of 30 feet maximum, remove the step back provisions in lieu of a 45 degree step back plane, and Increase allowable exterior dimension of Roof Access Structure to 176 square feet in lieu of 100 square feet. As discussed in Finding No. 1, the project qualifies for the requested incentive and waiver. As such, the proposed development is visually compatible with the character of the surrounding area, proposed density bonus, incentives, and waivers are consistent with the applicable policies of the Coastal Act and Venice LUP

#### Preservation of Venice as a Special Coastal Community

**Policy I.E.1. General.** Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976.

**Policy I.E.2. Scale.** *New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer, and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods. Lot consolidations shall be restricted to protect the scale of existing neighborhoods. Roof access structures shall be limited to the minimum size necessary to reduce visual impacts while providing access for fire safety. In visually sensitive areas, roof access structures shall be set back from public recreation areas, public walkways, and all water areas so that the roof access structure does not result in a visible increase in bulk or height of the roof line as seen from a public recreation area, public walkway, or water area. No roof access structure shall exceed the height limit by more than ten (10') feet. Roof deck enclosures (e.g. railings and parapet walls) shall not exceed the height limit by more than 42 inches and shall be constructed of railings or transparent materials. Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.*

**Policy I.E.3. Architecture.** *Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.*

The proposed project is visually compatible with the character of surrounding areas and sited and designed to protect coastal visual resources. The neighborhood and surrounding properties are developed with multi-family dwellings and commercial structure with zoning classifications of C2-1-O, RD1.-1-O, and C4-1. Surrounding properties include single and multi-story commercial structures and single and multi-story residential structures.

The adjoining property to the north has a similar land use designation of Neighborhood Office Commercial and is zoned C2-1-O. The property is developed with a three-story apartment and a two story fourplex, constructed in 1911 & 1912. To the south of the project site is a two-story commercial structure also zoned C2-1-O constructed in 1962. The property to the west across Main Street is a three-story condominium constructed in 2008. The property to the east, across the abutting alley, is zoned RD1.5-1-O with a land use designation of Low Medium II Residential and developed with a two-story, fourplex, constructed in 1922.

To the south of the project site is a two-story commercial structure also zoned C2-1-O constructed in 1962. The property to the west across Main Street is a three-story condominium constructed in 2008. The property to the east, across the abutting alley, is zoned RD1.5-1-O with a land use designation of Low Medium II Residential and developed with a two-story, fourplex, constructed in 1922.

The neighborhood and surrounding properties are developed with single and multi-family dwellings. Within a half mile radius of the subject site, there are five (5) C2-1-O zoned lots and ten (10) C4-1 zoned lots. The lots zoned C2-1-O are developed with one – two story structures. The C4-1 zoned lots are developed with one to three story structures. Based on the survey provided by the applicant team, the average height of the immediate area is approximately 21.9 feet and the average building height is 1.8 stories. While the proposed project will exceed these averages with a 5-story structure, approximately 52 feet, 10 inches, the average does not reflect the full range of existing structures. Structures nearby such as 1310-1320 Innes Place and 1501 Main Street are three stories with an approximate height of 30 feet. Without the proposed solar trellis, the structure would be considered 46 feet, 4 inches tall. As such, the requested 22 feet, 10 inches above the permitted flat roof height will **not be** materially detrimental to the adjoining lots or the immediate neighborhood.

Further, the proposed building is functionally a four-story mixed-use structure; the rooftop solar trellis results in a technical fifth-level measurement, but it is an open, lightweight shade element rather than an occupiable floor and materially reduces energy demand while enabling additional deed-restricted affordable housing. Within the broader Venice neighborhood, numerous four- and five-story buildings, including pre-Coastal Act structures such as Hotel Erwin, Venice Breeze Suites, and the Waldorf Building, establish an existing mid-rise pattern along the commercial corridors. While the immediate block averages approximately 1.8 stories, that average does not reflect the full development context of Main Street and nearby corridors, where three- and four-story buildings already exist. The project incorporates

articulated façades, step backs, balcony recesses, and a setback rooftop deck to reduce perceived massing and minimize visual impacts from the public right-of-way. In this context, the project reflects Venice's established eclectic mid-rise character and remains visually compatible consistent with Coastal Act Section 30251.

**Policy II.C.1.** General Non-Vehicular Coastal Access Policy. Pedestrian and bicycle access ways are identified on Exhibit 19. Pedestrian Access and Bicycle Trails shall be developed, protected and maintained, and new development adjacent to the coast and coastal waterways shall be required to provide public access in a manner that is consistent with the policies of the Coastal Act.

The proposed project will provide 28 vehicular parking spaces and 45 bicycle parking spaces. The subject site is located within a half mile of a Major Transit Stop, Windward Circle. On September 22, 2022, the Governor signed Assembly Bill (AB) 2097, which prohibits a public agency from imposing or enforcing any minimum automobile parking requirement on any residential, commercial, or other development project that is within one-half mile of a Major Transit Stop, with minor exceptions. In addition to its close proximity to public transit, the applicant will still provide 28 subterranean vehicular parking spaces and 45 bicycle parking spaces for the commercial and residential tenants.

The proposed five story, mixed use structure is consistent with the policies of the Certified Venice Land Use Plan and the standards of the Venice Coastal Zone Specific Plan. The project will not prejudice the ability of the City to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act.

**c. 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 Interpretive 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 Interpretive 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 Interpretive Guidelines, the policies of the 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. As discussed in Finding No. 2.b, the proposed development is consistent with the applicable policies of the certified Venice LUP.

**d. 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 consists of the demolition of two single-family dwellings, and the construction of a 26,889 square foot, five- story, mixed-use building consisting of 20 residential units, of which four (4) residential units will be set aside for Very Low Income Households, 3,676 square-feet of restaurant uses, including 2,098 square feet of indoor dining Service Floor area and 467 square feet of outdoor dining Service Floor area; 656 square feet of office uses and a roof deck with solar trellis and a roof access structure, providing 28 parking spaces within a one level subterranean; 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 residential projects in the Venice Coastal Zone:

- In August 2025, the Commission, on consent, approved a Coastal Development Permit authorizing the after-the-fact demolition of a two-story, 6,952 square foot commercial building damaged by a fire in 2021 and the construction of a new three-story, 38 foot 4 inch high, 12,983 square foot mixed use building with 16 dwelling units, three of which will be set aside for Very Low Income Households; a 1,488 square foot roof deck with three roof access structures and 42 inch guardrails; a 1,363 square foot

- ground floor retail/take-out restaurant space; nine parking spaces including two reserved for a residential car share program; 26 bicycle spaces including 18 reserved for residents and 8 reserved for commercial employees and patrons; and 21 cubic yards of cut with 16 cubic yards retained for fill, located at 723 Ocean Front Walk (5-24-0402).
- In December 2024, the Commission, on appeal, found Substantial Issue with the City approval of a Coastal Development Permit authorizing the Venice Dell Community Project consisting of 1) the demolition of two existing, City-owned 196-space and seven-space public surface parking lots and an existing two-story, 1,970 square foot four-unit quadraplex; 2) the consolidation of 40 lots and subdivision into two ground lots and seven airspace lots; and 3) the construction of two new, three- and four-story, 35-ft. tall mixed-use structures totaling 103,957 square feet of habitable interior area and 137,805 square feet of interior garage area. The west structure includes a 67-ft. tall campanile, 63 affordable dwelling units, 3,065 square feet of commercial uses, 104 residential and commercial parking spaces, and one parking space reserved for public boat launch ramp access, as well as a subterranean level. The east structure includes 77 affordable dwelling units, a 2,875 square foot art studio, 250 public parking spaces, and three parking spaces reserved for public boat launch ramp access. An on-street loading/unloading space for vehicle access to the boat launch ramp would be provided on North Venice Boulevard. 9,100 cubic yards of cut and no fill is locally approved. At the de novo hearing, the Commission approved a modified project (5-22-0588).
  - In February 2024, the Commission, on appeal, found Substantial Issue with the City approval of a Coastal Development Permit authorizing the demolition of three residential structures, the merger of two lots into one 7,800 square foot lot, and the construction of a 15,016 square foot four-story, residential structure with eight condominium units (one unit Very Low Income and two Low Income) with 12 parking spaces and removal of five ornamental trees located at 2308 and 2310 Pisani Place (A-5-VEN-23-0044).
  - In November 2021, the Commission, on appeal, found Substantial Issue with the City approval of a Coastal Development Permit authorizing the demolition of three detached structures with nine dwelling units, consolidation of two lots, and construction of a new, three-story over basement, 13,412 square foot, mixed-use development including nine dwelling units, including one affordable dwelling unit, a 1,568 square foot restaurant, and 27 parking spaces on the two ocean-fronting lots at 815 Ocean Front Walk (A-5-VEN-21-0063).
  - In December 2020, the Commission, on appeal, found No Substantial Issue with the City approval of a Coastal Development Permit authorizing the demolition of a 2,056 square foot auto repair shop and addition to and conversion of a 2,482 square foot philanthropic use structure resulting in a four-story, 30,463 square foot mixed-use structure including 39 permanent supportive housing units and one manager unit, with 4,441 square feet of supportive services and 3,085 square feet of ground-floor commercial (office) space with a total of 6 on-site parking spaces, and 42 bicycle parking spaces located at 2467-2471 South Lincoln Boulevard (A-5-VEN-20-0060).
  - In June 2019, the Commission, on appeal, found No Substantial Issue with the City approval of a Coastal Development Permit authorizing the demolition of two institutional use structures and the construction of a 4-story, 35-unit affordable

supportive housing complex with approximately 1,875 square feet of administrative and program office space and 17 automobile and 48 bicycle parking spaces on two contiguous parcels located at 720 Rose Avenue (A-5-VEN-19-0020).

- On August 9, 2005, the Commission approved a Coastal Development Permit (de novo hearing) for the development of a three-story, 37-foot tall (up to 50 feet for one clock tower), mixed use project comprised of 70 residential condominium units of which seven are restricted for Very Low Income Households, five live/work units, and one groundfloor commercial use (bakery/restaurant), providing 247 parking spaces within a subterranean garage; the project is located on eight consolidated lots at 512 Rose Avenue, in the single permit jurisdiction (A-5-VEN-05-206).

In several decisions, the Coastal Commission approved increase density and Density Bonus incentives for increased height and reduced yards, determining that the resulting development would be consistent and visually compatible with existing development in the project vicinity. 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.

- e. 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 located about one half mile away from the Pacific Ocean shoreline. The project could have an impact on public access to the coast if it resulted in a loss of on-street parking spaces or did not provide adequate parking for the dwelling. As described in the Parking Demand Management Assessment, the proposed project provides an array of alternative modes of travel including parking and bicycle parking to adequately serve the residents and patrons. As proposed, the project will not conflict with any public access or public recreation policies of the Coastal Act. As proposed, the project will not conflict with any public access or public recreation policies of the Coastal Act.

- f. An appropriate environmental clearance under the California Environmental Quality**

**Act has been granted.**

A Categorical Exemption, ENV-2021-2021-CE, has been prepared for the proposed project consistent with the provisions of the California Environmental Quality Act. The project proposes the demolition of two single-family dwellings, and the construction of a 26,889 square foot, five-story, mixed-use building consisting of 20 residential units, of which four (4) residential units will be set aside for Very Low Income Households; 3,676 square-feet of restaurant uses, including 2,098 square feet of indoor dining Service Floor area and 467 square feet of outdoor dining Service Floor area; 656 square feet of office uses; a one level subterranean garage and a roof deck with solar trellis and a roof access structure, providing 28 parking spaces. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Sections 15301 (Class1) and 15332 (Class 32). A full discussion is provided in Finding No. 6.

**4. Project Permit Compliance Review Findings**

**a. The project substantially complies with the applicable regulations, findings, standards, and provisions of the Venice Coastal Zone Specific Plan.**

The project consists of the demolition of two single-family dwellings, and the construction of a 26,889 square foot, five-story, mixed-use building consisting of 20 residential units, of which four (4) residential units will be set aside for Very Low Income Households; 3,676 square-feet of restaurant uses, including 2,098 square feet of indoor dining Service Floor area and 467 square feet of outdoor dining Service Floor area; 656 square feet of office uses; a one level subterranean garage and a roof deck with solar trellis and a roof access structure, providing 28 parking spaces. As conditioned, the proposed project complies with the applicable General Land Use and Development Regulations set forth in Section 9, Land Use and Development regulations for the North Venice subarea set forth in Section 10.F, and the Parking provisions set forth in Section 13 of the Specific Plan as evidenced below:

*A. Section 8.C. Findings*

The project meets the required findings set forth in Section 8.C of the Venice Coastal Zone Specific Plan, as shown below:

**1. *The Venice Coastal Development Project is compatible in scale and character with the existing neighborhood, and that the Venice Coastal Development Project would not be materially detrimental to adjoining lots or the immediate neighborhood.***

The subject site is comprised of three (3) flat interior, rectangular shaped lots with frontages of approximately 90 feet on Main Street with a varying depth between 97 feet and 104 feet for a total lot width of approximately 9,090 square feet. The subject site adjoins an unnamed alley at the rear. The subject site is improved with two one-story, single-family dwellings constructed in 1921 and 1952. The proposed development is located within a Methane Zone, Liquefaction area, Flood Zone AE, Tsunami Hazard Area, and within 5 kilometers of the Santa Monica Fault.

The subject property is located within the Venice Community Plan area with a Neighborhood Office Commercial Land Use Designation. The subject property is also

located within the area of the Venice Coastal Land Use Plan certified by the California Coastal Commission and adopted as a plan amendment to the Venice Community Plan. The subject property is also located within the North Venice Subarea of the Venice Coastal Zone Specific Plan, the Los Angeles Coastal Transportation Corridor Specific Plan, and within the Single Permit Jurisdiction area of the California Coastal Zone.

To the south of the project site is a two-story commercial structure also zoned C2-1-O constructed in 1962. The property to the west across Main Street is a three-story condominium constructed in 2008. The property to the east, across the abutting alley, is zoned RD1.5-1-O with a land use designation of Low Medium II Residential and developed with a two-story, fourplex, constructed in 1922.

The neighborhood and surrounding properties are developed with single and multi-family dwellings. Within a half mile radius of the subject site, there are five (5) C2-1-O zoned lots and ten (10) C4-1 zoned lots. The lots zoned C2-1-O are developed with one – two story structures. The C4-1 zoned lots are developed with one to three story structures. Based on the survey provided by the applicant team, the average height of the immediate area is approximately 21.9 feet and the average building height is 1.8 stories. While the proposed project will exceed these averages with a 5-story structure, approximately 52 feet, 10 inches, the average does not reflect the full range of existing structures. Structures nearby such as 1310-1320 Innes Place and 1501 Main Street are three stories with an approximate height of 30 feet. Without the proposed solar trellis, the structure would be considered 46 feet, 4 inches tall. As such, the proposed project is within the scale and character of the existing neighborhood, and the Venice Coastal Development Project would not be materially detrimental to adjoining lots or the immediate neighborhood.

The proposed building is functionally a four-story mixed-use structure; the rooftop solar trellis results in a technical fifth-level measurement, but it is an open, lightweight shade element rather than an occupiable floor and materially reduces energy demand while enabling additional deed-restricted affordable housing. Within the broader Venice neighborhood, numerous four- and five-story buildings, including pre-Coastal Act structures such as Hotel Erwin, Venice Breeze Suites, and the Waldorf Building, establish an existing mid-rise pattern along the commercial corridors. While the immediate block averages approximately 1.8 stories, that average does not reflect the full development context of Main Street and nearby corridors, where three- and four-story buildings already exist. The project incorporates articulated façades, step backs, balcony recesses, and a setback rooftop deck to reduce perceived massing and minimize visual impacts from the public right-of-way. In this context, the project reflects Venice's established eclectic mid-rise character and remains visually compatible consistent with Coastal Act Section 30251.

**2. *The Venice Coastal Development Project is in Conformity with the Certified Venice Local Coastal Program.***

A Local Coastal Program is comprised of a Land Use Plan and Implementation Plan, certified by the California Coastal Commission. The Venice Local Coastal Land Use Plan ("LUP") was certified by the Coastal Commission on June 14, 2001, however, the necessary Implementation Plan was not certified. The proposed project conforms to the applicable policies of the certified Venice LUP, as outlined in Finding No. 2.b.

- 3. *The applicant has guaranteed to keep the rent levels of any Replacement Affordable Units at an affordable level for the life of the proposed project and to register the Replacement Affordable Unit with the Los Angeles Housing Department.***

Per the Mello Act Determination letter, dated May 18, 2022, the Los Angeles Housing Department has determined that no affordable units exist at the subject site. The subject site consists of a vacant lot and two single-family dwellings. The owner filed an application with City Planning on March 21, 2021. LAHD collected monthly housing cost data for at least the previous three (3) years from March 2018 to March 2021. The Rent Stabilization Ordinance ("RSO") Unit confirmed that 1410 South Main Street has been a vacant lot since March 2018. 1414 South Main Street, a two-bedroom unit, was rented during the lookback period at an average amount of \$ 3,885. The average Land Use Schedule 7 Maximum Allowable Rent for the years 2018 - 2021 for a Moderate Level two (2) bedroom unit is \$ 1,854, therefore the unit was rented at above affordable levels from March 2018 - March 2021. 1418 South Main Street, a two-bedroom unit, was rented during the lookback period at an average amount of \$ 3,551. The average Land Use Schedule 7 Maximum Allowable Rent for the years 2018 -2021 for a Moderate Level two (2) bedroom unit is \$ 1,854, therefore the unit was rented above affordable levels from March 2018 - March 2021. The data collected from March 2018 - March 2021 shows that no affordable units exist at 1410 - 1418 South Main Street. Also see Finding No. 5.

- 4. *The Venice Coastal Development Project is consistent with the special requirements for low- and moderate-income housing units in the Venice Coastal Zone as mandated by California Government Code Section 65590 (Mello Act).***

Inclusionary Residential Units are required for this project. The project proposes the construction of 20 new Residential Units. Pursuant to Part 5 of the Interim Administrative Procedures, development which consists of 10 or greater Residential Units are New Housing Developments and are required to provide Inclusionary Residential Units. The proposed development of 20 new Residential Units provides four (4) affordable units, of which two (2) are Inclusionary Residential units. Therefore, the project provides the required affordable units under the Mello Act. See Finding No. 5.

In addition to the requisite findings set forth in Section 8.C of the Specific Plan, the project also complies with all applicable provisions of the Specific Plan, as set forth below:

***B. Section 9. General Land Use and Development Regulations***

- 1. Lot Consolidation. Lot consolidation of more than two lots shall be permitted for mixed-use and multi-family residential Venice Coastal Development Projects, provided the project conforms to the existing scale and characteristic of the surrounding community, the required parking is onsite, and the project conforms to developments standards in Section 9.A.2 of the Specific Plan.***

The proposed project consists of the consolidation of three (3) residential lots for the construction of a five-story, 26,889 square foot, mixed-use building consisting of 20 residential units, of which four (4) residential units will be set aside for Very

Low Income Households, 3,676 square-feet of restaurant uses, including 2,098 square feet of indoor dining Service Floor area and 467 square feet of outdoor dining Service Floor area; 656 square feet of office uses and a roof deck with solar trellis and a roof access structure, providing 28 parking spaces within a one level subterranean garage. As discussed in Finding No. 1 and 2, the project qualifies for as a Density Bonus Housing Development Project pursuant to LAMC Section 12.22 A.25 (Density Bonus Affordable Housing Program) and LAMC Section 12.24-U.26. The project will utilize Land Use Policy I.B.7 where there are three lots with subterranean. Mixed use projects are permitted the consolidation of more than two lots if they conform to the existing scale and character of the surrounding community and provide adequate onsite parking. As discussed previously, the project is in line with midrise structures within a half mile of the project site that range in height from four to five stories. In addition, the project is eligible for AB 2097 and the City is not able to require additional parking for commercial and residential structures.

2. *Height. Height shall be measured from the centerline of the street or alley or walk adjacent to the front lot line measured from the projection of the midpoint of the lot frontage, except where more than one building is being constructed on that lot, height for each building shall be measured from the projection of the midpoint of each building.*

As shown in "Exhibit A", the height of the structure is measured from the centerline of Main Street and conforms to standard of measurement.

3. **Roof Structures.** Roof Access Structures shall not exceed the Flat Roof height limit by more than ten feet regardless of roof type. The project site proposes a 10-foot roof access structure with solar trellis, where building height is measured to the top of the solar trellis. As such, the project complies with Section 9.B. of the Specific Plan.

*C. Sections 10.F. Land Use and Development Regulations for North Venice Subarea*

1. *Density.* Projects in the North Venice Subarea on a commercially zoned lot shall exceed the density permitted in the R3 Zone.

As discussed in Finding No. 2, the project qualifies for an On-Menu Incentive for height pursuant to Los Angeles Municipal Code (LAMC) Section 12.22 A.25 (Density Bonus Affordable Housing Program). The project requests approval of a Density Bonus and the project propose 20 dwelling units, with four (4) affordable units, of which two (2) are considered Inclusionary Replacement Units. The project's proposed density is greater than 25 percent and as discussed in Finding No. 2, will not have any adverse effects on coastal resources.

2. *Height. Projects with a flat roof shall not exceed a maximum height of 30 feet. Projects with a varied roofline shall not exceed a maximum height of 35 feet.* The project proposes a Flat Roof with a maximum height of 52 feet 10 inches. As discussed in Finding No. 2, the project qualifies for a Waiver of Development Standards for height pursuant to Los Angeles Municipal Code (LAMC) Section 12.22 A.25 (Density Bonus Affordable Housing Program).

Pursuant to the Venice Specific Plan North Venice Subarea, Venice Coastal Development Projects with flat roofs may be up to 30 feet in height. The project's proposed height is measured from the centerline of Main Street. With approval of the Density Bonus incentive, the project complies with the height provisions of the Specific Plan. The height increase is also consistent with the mass and scale of existing buildings within half a mile of the project site with residential and commercial structures ranging from four to five stories.

3. *Access.* Driveways and vehicular access to Venice Coastal Development Projects shall be provided from alleys, unless the Department of Transportation determines that it is not Feasible. As shown in "Exhibit A", the proposed project maintains vehicle access from the abutting rear alley.

*D. Section 11 – Commercial Design Standard*

1. *Ground Floor Commercial Development.* Pursuant to the Venice Coastal Specific Plan, all commercial Venice Coastal Development Projects which fronts on Ocean Front Walk shall include a street wall which extends a minimum of 65 percent of the length of the Building Frontage, is set back zero feet from the building line, with a minimum height of 13 feet. In addition, a minimum of 50 percent of the area of the Ground Floor Street Wall of a commercial Venice Coastal Development Project shall be devoted to pedestrian entrances or windows; and there shall be at least one pedestrian entrance into each business or use for each Store Frontage. As proposed, two restaurants and one take out restaurant will be located on the Ground Floor of the new mixed-use building observing no setback from the building line. The commercial portion of the Street Wall has a height of 13 feet as required. The Street Wall that the restaurant and take out restaurant spaces will occupy is approximately 91 percent of the ground floor. A pedestrian walkway and entrance are provided for the restaurant from the front of the structure along Main Street. Therefore, the project complies with the ground floor commercial development provisions of the Plan.
2. *Floor Area Ratio.* As discussed in Finding No. 2, the project qualifies for an off-menu incentive, pursuant to LAMC Section 12.22 A.25 (Density Bonus Affordable Housing Program), for an FAR increase of 97.3 percent. The project proposes a FAR of 2.96:1 and a total lot area of 26,889 square feet.
3. *Access.* The project will provide access to the project site from the abutting alley. No new curb cuts are proposed along Main Street and all on-street parking opportunities will be maintained.
4. *Landscaping.* The project provides approximately 1,106 square feet of usable common open space on the roof deck of the structure. The project provides four new street trees.
5. *Light.* Any lighting is downward facing and is directed away from existing residential structures. The project is not located near Environmentally Sensitive Habitat Areas.
6. *Trash.* A residential and commercial trash enclosure/room is located at the ground level and includes regular trash and recycling chutes on all levels.

### *E. Section 13 – Parking*

*Pursuant to Section 13.D of the Specific Plan, restaurants shall provide one space per 50 square feet, window service restaurants shall provide one space per 50 square feet, office uses shall provide one space per 250 square feet, multi-family dwellings on a lot with a width of 40 feet or more shall provide two spaces for each dwelling unit, plus a minimum of one guest parking space for each four or fewer units, and Beach Impact Parking shall provide one space for each 640 square feet of floor area of the Ground Floor for commercial and industrial Venice Coastal Development Projects. As such, a total of 118 (73 Commercial and 45 Residential) parking spaces is required. However, the proposed project is located within a major transit stop (ZIMAS) and therefore, under Assembly Bill 2097 (AB 2097), the proposed project is not required to provide commercial or residential parking spaces, however, the proposed project will provide 28 vehicle parking spaces and 45 bicycle parking spaces to assist with mitigating any impacts around the project site.*

- b. The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

A Categorical Exemption, ENV-2021-2021-CE, has been prepared for the proposed project consistent with the provisions of the California Environmental Quality Act. The project proposes the demolition of two single-family dwellings, and the construction of a 26,889 square foot, five-story, mixed-use building consisting of 20 residential units, of which four (4) residential units will be set aside for Very Low Income Households; 3,676 square-feet of restaurant uses, including 2,098 square feet of indoor dining Service Floor area and 467 square feet of outdoor dining Service Floor area; 656 square feet of office uses; a one level subterranean garage and a roof deck with solar trellis and a roof access structure, providing 28 parking spaces. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Sections 15301 (Class 1) and 15332 (Class 32). A full discussion is provided in Finding No. 5. The Notice of Exemption and Justification for Project Exemption for Environmental Case No. ENV-2021-2021-CE is provided in the case file and attached as Exhibit D.

Therefore, no mitigation measures or alternatives were identified in the environmental review.

### **Mello Act Compliance Review**

- 5. Mello Act Compliance Review.** Pursuant to the City of Los Angeles Interim Administrative Procedures for Complying with the Mello Act (IAP), 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:

- a. Demolitions and Conversions (Part 4.0)**

The project consists of the demolition of two Residential Units and the construction of 20 Residential Units in the Coastal Zone. The owner filed an application with the Department of City Planning on March 11, 2021. Therefore, the Los Angeles Housing Department collected data from March 2018 to March 2021. Since March 2018, the property at 1410 South Main Street has been a vacant lot. 1414 South Main Street was rented during a look back period at an average amount of \$3,885. The average Land Use Schedule 7 Maximum Allowable Rent for the years 2018-2021 for a Moderate Level two (2) bedroom unit is \$1,854, therefore the unit was rented at above affordable levels from March 2018 – March 2021. As such, the data collected from March 2018 – March 2021 shows that no affordable units exist on site. Therefore, no Affordable Replacement Units are required.

#### **b. New Housing Developments (Part 5.0)**

Part 5.0 of the IAP requires New Housing Developments of 10 or more Residential Units to provide Inclusionary Residential Units and provides two options:

- Option 1 requires 20 percent of all Residential Units, be reserved for occupancy by Very Low or Low Income Households.
- Option 2 requires 10 percent of all Residential units, be reserved for occupancy by Very Low Income Households.

The applicant proposes the construction of 20 Residential Units, of which four (4) units will be set aside for Very Low Income Households for a period of 55 years. The project satisfies Option 2 of Part 5.0 of the IAP and the requirements of LAMC Section 12.22 A.37. The four affordable units are required to satisfy the requirements of the requested Density Bonus Incentives and Waivers. Therefore, they are subject to the requirements of LAMC Section 16.60 (RPO).

### **CEQA Findings**

#### **6. Environmental Findings**

A Categorical Exemption, ENV-2021-2021-CE, has been prepared for the proposed project consistent, with the provisions of the California Environmental Quality Act. The project proposes the demolition of two single-family dwellings, and the construction of a 26,889 square foot, five-story, mixed-use building consisting of 20 residential units, of which four (4) residential units will be set aside for Very Low Income Households; 3,676 square-feet of restaurant uses, including 2,098 square feet of indoor dining Service Floor area and 467 square feet of outdoor dining Service Floor area; 656 square feet of office uses; a one level subterranean garage and a roof deck with solar trellis and a roof access structure, providing 28 parking spaces. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Sections 15301 (Class 1) and 15332 (Class 32).

The Notice of Exemption and Justification for Project Exemption for Environmental Case No. ENV-2021-2021-CE is provided in the case file and attached as Exhibit D.

The Class 1 Categorical Exemption allows for demolition and removal of individual small structures such as a duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling

units will be demolished. The project proposes the demolition of two single-family dwellings, and the construction of a 26,889 square foot, five-story, mixed-use building consisting of 20 residential units, of which four (4) residential units will be set aside for Very Low Income Households; 3,676 square-feet of restaurant uses, including 2,098 square feet of indoor dining Service Floor area and 467 square feet of outdoor dining Service Floor area; 656 square feet of office uses; a one level subterranean garage and a roof deck with solar trellis and a roof access structure, providing 28 parking spaces. The project proposed the demolition of two dwelling units and therefore qualifies for an exemption of this Class.

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following five (5) criteria: a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations; b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; c) The project site has no value as habitat for endangered, rare or threatened species; d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and e) The site can be adequately served by all required utilities and public services. The project qualifies for a Class 32 Categorical Exemption as an infill project, as evidenced below:

CEQA Determination – Class 32 Categorical Exemption Applies

**a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations.**

The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations: The site is zoned C2-1-O and has a General Plan Land Use Designation of Neighborhood Office Commercial. The project proposes the demolition of two single-family dwellings, and the construction of a 26,889 square foot, five-story, mixed-use building consisting of 20 residential units, of which four (4) residential units will be set aside for Very Low Income Households; 3,676 square-feet of restaurant uses, including 2,098 square feet of indoor dining Service Floor area and 467 square feet of outdoor dining Service Floor area; 656 square feet of office uses; a one level subterranean garage and a roof deck with solar trellis and a roof access structure, providing 28 parking spaces and is in conformance with the General Plan and Zoning Designation.

**b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.**

The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The subject site is comprised of three (3) flat interior, rectangular shaped lots with frontages of approximately 90 feet on Main Street with a varying depth between 97 feet and 104 feet for a total lot width of approximately 9,090 square feet. The site is wholly within the City of Los Angeles, and is completely surrounded by urban uses. Surrounding properties include and multi-story residential uses.

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

The project site has no value as habitat for endangered, rare or threatened species. The site is not a wildland area, and is not inhabited by endangered, rare, or threatened species: The area around the site is highly urbanized and surrounded by residential uses. NavigateLA shows that the subject site is not located in a Significant Ecological Area. The subject site is improved with two one-story, single-family dwellings constructed in 1921 and 1952 and has no value as a habitat for endangered, rare or threatened species.

- d. **Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance for pollutant discharge, dewatering, and stormwater mitigations; and Best Management Practices for stormwater runoff. More specifically, RCMs include but are not limited to:

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

- **Regulatory Compliance Measure RC-GEO-1 (Seismic):** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
- **Regulatory Compliance Measure RC-NO-1 (Demolition, Grading, and Construction Activities):** The project shall comply with the City of Los Angeles Noise Ordinance and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

These RCMs will reduce any potential impacts on noise and water quality. Furthermore, the project does not exceed the threshold criteria established by the Los Angeles Department of Transportation (LADOT) for preparing a traffic study. The project will not conflict with any adopted policies, plans, or programs regarding public transit, bicycle facilities, or pedestrian facilities. Therefore, the project will not have any significant impacts to traffic. Likewise, air quality will not worsen as a result of the proposed project. Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with SCAQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

**e. The site can be adequately served by all required utilities and public services.**

The project site will be adequately served by all public utilities and services given that the property was previously developed with commercial uses surrounded by urban uses, served by existing infrastructure, and is consistent with the General Plan.

The project is a transit-oriented, infill development on a site within an urbanized area and meets the criteria outlined above. Therefore, the project qualifies for a Class 32 Categorical Exemption.

CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions

The City has considered whether the proposed Project is subject to any of the six (6) exceptions that would prohibit the use of a categorical exemption as set forth in State CEQA Guidelines Section 15300.2. The six (6) exceptions to this Exemption are: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

- a. **Cumulative Impacts.** *All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

The project is consistent with the type of development permitted for the area zoned C2-1-O and designated Neighborhood Office Commercial. The proposed project has submitted a Parking Demand Study and Noise Report to indicate no significant impacts will be made as a result of this project. As such, the proposed project will not exceed thresholds identified for impacts to the area (i.e., traffic, noise, etc.) and will not result in significant cumulative impacts.

- b. **Significant Effect Due to Unusual Circumstances.** *A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

The proposed project consists of the demolition of two single-family dwellings, and the construction of a 26,889 square foot, five-story, mixed-use building consisting of 20 residential units, of which four (4) residential units will be set aside for Very Low Income Households; 3,676 square-feet of restaurant uses, including 2,098 square feet of indoor dining Service Floor area and 467 square feet of outdoor dining Service Floor area; 656 square feet of office uses; a one level subterranean garage and a roof deck with solar trellis and a roof access structure, providing 28 parking spaces. The surrounding area is developed with similar residential and commercial uses. There are 9 existing midrise buildings within 0.5 miles of the project site that range between four to five stories. The proposed height and massing are not unusual for the project vicinity or the nearby Windward Circle. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

- c. **Scenic Highways.** *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.*

The only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. State Route 27 is located more than 7 miles northwest of the project site. Therefore, the project will not impact a designated state scenic highway.

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

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.

- e. **Historical Resources.** *A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

According to SurveyLA and the Office of Historic Resources, the existing structure located at 1422 Main Street was identified as a historic resource. A Historical Resource Assessment report was prepared on June 2021 and concluded the structure was not eligible for listing in the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), and for designation as a Los Angeles Historical Cultural Monument.

#### **ADDITIONAL MANDATORY FINDING**

8. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone AE, areas of One Hundred-Year Flood where the Base Flood elevations and Flood Hazard factors have been determined.