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June 17, 2026

Los Angeles City Council  
c/o Office of the City Clerk  
City Hall, Room 395  
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

**APPEAL CASE NO. CPC-2021-2020-DB-CDP-SPPC-MEL-HCA-1A AND ENV-2021-2021-CE,  
FOR A PROPERTY LOCATED AT 1410-1422 SOUTH MAIN STREET, 90292; CF 26-0721**

The project involves 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. The proposed mixed-use structure includes 3,676 square-feet of restaurant uses having 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 a solar trellis and a roof access structure, providing 28 parking spaces.

On March 12, 2026, the Los Angeles City Planning Commission ("CPC") determined pursuant to California Environmental Quality Act (CEQA) Guidelines, the Project is Exempt from CEQA pursuant to CEQA Guidelines, Article 19, Sections 15301 (Class 1) and 15332 (Class 32), and approved incentives and waivers under the State Density Bonus Program, a Coastal Development Permit for a project in the Single Permit Jurisdiction of the Coastal Zone, a Project Compliance for a project in the Venice Coastal Zone Specific Plan, and a Mello Act Compliance Review, related to Case No. CPC-2021-2020-DB-CDP-SPPC-MEL-HCA.

On May 5, 2026, the Department of City Planning received a timely appeal of the entire decision excluding the Density Bonus/Affordable Housing Incentive Compliance Review<sup>1</sup> for case no. CPC-2021-2020-DB-CDP-SPPC-MEL-HCA from Richard Garvey.

Below is a summary of the appeal points with a staff response to each point.

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<sup>1</sup> Pursuant to LAMC Section 12.22 A.37(d)(3), the decision of the City Planning Commission on incentives and waivers under the State Density Program is final and not further appealable.

## **APPEAL ANALYSIS**

### **Appeal Point No. 1**

*The City's Determination relies on an incomplete and misleading project description in violation of CEQA.*

### **Appeal Point No. 2**

*The transportation analysis is legally inadequate and not supported by substantial evidence.*

### **Staff Response to Appeal Point Nos. 1 and 2**

The Appellant contends "the City's determination is predicated on a project description that is materially incomplete and misleading because it excludes the transportation impacts of the project's restaurant uses," and "the City's determination relies on a transportation 'screening memorandum' to conclude that the project will not result in significant transportation impacts.... However, the record demonstrates that this figure is artificially low because it excludes restaurant trips. When those uses are properly included, the project would generate several hundred daily trips, well above the screening threshold that triggers further analysis."

The project description is complete and the CEQA analysis evaluates the whole of the action. As provided in Finding No. 6 of the Decision Letter, the project description analyzed for the CEQA analysis states:

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 approved project description explicitly incorporates all uses, including 20 residential units, 656 square feet of office uses, and 3,676 square feet of restaurant uses.

Further, the transportation analysis did not improperly omit uses. According to LADOT's Transportation Assessment Guidelines, a formal transportation assessment is only required for a development project if it is estimated to generate a net increase of 250 or more daily vehicle trips. The Los Angeles Department of Transportation (LADOT) Referral Memo, dated June 26, 2025, concluded that the project did not trigger the threshold for requiring a traffic study. Under CEQA, the metric for analyzing transportation impacts is no longer Level of Service (LOS), which measures local traffic congestion and auto delay. Instead, the State mandates measuring Vehicle Miles Traveled (VMT), which evaluates the total number and distance of regional trips a project generates. LADOT's Transportation Assessment Guidelines generally classify small-scale neighborhood retail and restaurant uses as "local serving." The underlying rationale is that local serving restaurants do not generate new regional vehicle trips; instead, they capture trips from people already in the area (e.g., residents, nearby workers, or existing beach visitors) or divert trips that would have otherwise gone to restaurants further away. Local serving uses shorten the overall distance people travel for goods and services; therefore, they are presumed to have a less-than-significant VMT impact. As such, the restaurant component was classified as local serving, and its square footage was excluded from the regional VMT trip generation calculation.

This left only the 20 residential units, which generated a low daily trip count (approximately 86 trips). Therefore, the City determined that the project fell below the threshold criteria established by LADOT to require a traffic study. As such, the administrative record demonstrates that the traffic and circulation impacts were evaluated.

The Appellant provides no expert technical data to counter this established methodology. As such, the transportation analysis proceeded in the manner prescribed by LADOT. By relying on LADOT's established screening thresholds and a complete project description, the City's determination that traffic impacts will be less than significant is supported by substantial evidence in the record. As such, the Appellant's contention is without merit.

### **Appeal Point No. 3**

*The City failed to analyze safety impacts associated with alley access, in violation of CEQA.*

### **Staff Response**

The Appellant contends "the City's determination includes generalized findings that site access and circulation are adequate, yet it contains no analysis of the project's reliance on a narrow alley for all vehicular access. The record establishes that the alley serving the site is substandard in width and already constrained. Despite this, the determination does not analyze how the project's increased intensity of use — including residential traffic, restaurant patrons, delivery vehicles, waste hauling, and emergency response — will function within this constrained space."

As previously discussed in Staff Response to Appeal Point No. 1 and 2, the proposed project does not meet the minimum daily vehicle trips to warrant a traffic study. Further, safety and access issues are addressed by development standards and City's building permit process. For example, the Venice Specific Plan restricts all vehicular access to the rear alley. By utilizing the alley, the project ensures that no new curb cuts are proposed along Main Street. This design protects the pedestrian experience on a major corridor and maintains all existing on-street parking opportunities. Further, the LAMC requires a loading zone adjoining the alley. This loading zone provides the necessary turning radius for trucks to pull into the subject site, conduct their loading and unloading, and exit without permanently blocking the alleyway. The project is required to comply with Regulatory Compliance Measures (RCMs) in the Zoning, Building, and Fire Codes, which outline access requirements for vehicles and emergency personnel, as implemented by the Los Angeles Department of Building and Safety (LADBS) the Bureau of Engineering (BOE) and LADOT.

The Appellant has provided no technical studies or substantial evidence to refute LADOT's determination or demonstrate a significant safety impact. The Appellant argument rests on conjecture and vague statements about circulation conflicts. The CPC's Decision Letter is based on LADOT's project screening criteria, development standards including the requirement for a loading zone and Regulatory Compliance Measures during the plan check process. The Appellant's claim that the City did not analyze safety impacts in violation of CEQA is without merit.

### **Appeal Point No. 4**

*The City failed to analyze cumulative transportation and parking impacts in a constrained coastal environment.*

#### **Staff Response to Appeal Point No. 4**

The Appellant contends “the CPC determination concludes that the project will not result in significant impacts without evaluating cumulative conditions. This approach ignores the reality that even modest increases in demand can have significant effects in an already constrained environment. The project’s substantial parking deficit — combined with increased intensity of use — will necessarily shift demand onto public streets used by residents and coastal visitors.”

As previously discussed in Staff Response to Appeal Point No. 1 and 2, the proposed project did not meet the minimum daily vehicle trips to warrant a traffic study. SB 743 changed how transportation impacts are evaluated under the California Environmental Quality Act (CEQA). Instead of measuring automobile delay and Level of Service (LOS), SB 743 established Vehicle Miles Traveled (VMT) as the primary metric to promote greenhouse gas reduction, multimodal networks, and diverse land uses.

As a result of this shift, the City of Los Angeles updated its Transportation Assessment Guidelines to evaluate Cumulative Impacts based on long-term VMT effects rather than localized traffic congestion. Under the VMT framework, long-term or cumulative effects are determined through a consistency check with the Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). Projects and land use plans that are consistent with the RTP/SCS regarding development location, density, and intensity are recognized as part of the regional solution for meeting these environmental goals.

The City relies on project-level VMT Screening Criteria to streamline the cumulative analysis. If a project is consistent with the SCAG RTP/SCS, it is generally considered to have a less than significant cumulative impact on VMT. Furthermore, if a project does not trigger a project-level impact (because it falls under the City's efficiency-based VMT thresholds), it automatically aligns with the long-term VMT and GHG reduction goals of the RTP/SCS. In these cases, a "less than significant" project-level conclusion is sufficient on its own to demonstrate that there is no cumulative VMT impact.

The Appellant has provided no technical studies or substantial evidence to refute LADOT's determination or demonstrate a significant cumulative impact. The Appellant argument rests on conjecture and vague statements about parking impacts and traffic congestion. The CPC's Decision Letter is based on a Parking Demand Study, Los Angeles Department of Transportation (LADOT) Referral Memo, Community Character Analysis, Historical Resource Assessment and a Noise Report, which concluded that the project will not exceed identified thresholds and will not result in significant cumulative impacts. The Appellant's claim that the City did not analyze cumulative impacts in violation of CEQA is without merit.

#### **Appeal Point No. 5**

*The City failed to properly apply and harmonize the State Density Bonus Law with the Coastal Act.*

#### **Appeal Point No. 6**

*The Project violates Coastal Act Section 30251 (Visual Resources and Community Character).*

#### **Appeal Point No. 7**

*The Project violates Coastal Act Section 30252 (Public Access and Parking).*

**Staff Response to Appeal Point Nos. 5-7**

The State Density Bonus law does not supersede or lessen the effect or application of the California Coastal Act. However, in turn, the City is required by State law to grant the requested Density Bonus incentives and waivers unless there is substantial evidence in the report that the requested incentives or waivers violate Chapter 3 policies of the Coastal Act, which govern public access, recreation, marine environment, and visual resources. As such, if a project's Density Bonus requests do not result in adverse impacts to these coastal resources, the City is mandated by State law to grant them to facilitate affordable housing. No such substantial evidence exists as outlined in further detail below.

The Appellant appears to take issue with "the CPC[']s determination conclud[ing] that the project is 'visually compatible' with the surrounding area despite acknowledging that it dramatically exceeds the prevailing scale.... The project is therefore out of scale with its surroundings, and the City's conclusion to the contrary is not supported by substantial evidence."

As provided in Finding No. 3 of the Decision Letter, the CPC analyzed the project's design, height, and mass, and determined that it aligns with the broader context of the Venice coastal zone. The CPC's analysis acknowledges the immediate block's average height of 1.8 stories or 21.9 feet but concludes this narrow average does not reflect the full range of existing structures in the area. There are existing three-story structures nearby, such as those located at 1310-1320 Innes Place and 1501 Main Street, which stand at an approximate height of 30 feet. Within the broader Venice neighborhood, there is an established mid-rise pattern along the commercial corridors. Numerous four- and five-story buildings already exist and define this eclectic character, including pre-Coastal Act structures such as Hotel Erwin, Venice Breeze Suites, and the Waldorf Building.

In addition, as described in the Decision Letter, the project incorporates articulated façades, step backs, and balcony recesses. The rooftop deck is intentionally set back to reduce perceived massing and minimize visual impacts from the public right-of-way. Because of these deliberate design choices, the CPC determined that the project reflects Venice's established eclectic mid-rise character and remains visually compatible with the surrounding area.

Further, the Appellant contends "the CPC determination concludes that the project will not adversely affect coastal access, relying heavily on proximity to transit and a Parking Demand Management Assessment.... By failing to ensure adequate parking or enforceable substitutes, the project shifts parking demand onto public streets used by beach visitors and residents, thereby impairing coastal access in violation of Section 30252."

As provided in Finding No. 3 of the Decision Letter, the CPC concluded that the project provides substitute means and Transportation Demand Management (TDM) strategies that satisfy this requirement. Coastal Act Section 30252 specifically states that new development should maintain and enhance public access by "providing adequate parking facilities or providing substitute means of serving the development with public transportation".

The site is highly accessible via public transit, located within 250 feet of a Major Transit Stop at Main Street and Market Street. The project will provide 100% subsidized, unlimited year-long Metro TAP cards to all residential tenants to encourage public transit use over vehicle ownership. The project significantly exceeds bicycle parking requirements by providing 45 total spaces (36 long-term and 2 short-term for residents; 4 long-term and 3 short-term for commercial uses). The site is also adjacent to protected bike lanes and a Metro Bike Share station. The development includes a dedicated on-site shared micromobility service featuring six e-cargo bikes for the exclusive use of its residential tenants. The project includes a local hire provision requiring the

commercial restaurant tenants to source employees from the local workforce, which significantly reduces the parking demand typically generated by commuting employees. AB 2097 prohibits local agencies from imposing minimum automobile parking requirements on developments within one-half mile of a Major Transit Stop. Despite this allowance to provide zero parking, the project provides 28 parking spaces on-site. Lastly, regarding direct physical access to the coast, the project is located more than a quarter of a mile from the beach and is not situated between the first public road and the sea.

The Appellant fails to provide any technical studies or substantial evidence to identify a Specific Adverse Impact. The Decision Letter includes the required findings to approve a Coastal Development Permit and determined that the project would not have an impact on coastal resources. As a result of the project's location and the availability of multimodal transit options, the CPC concluded that the development will not interfere with or obstruct the public's right to access coastal resources.

### **Appeal Point No. 8**

*The City failed to properly analyze and mitigate safety and access impacts under Coastal Act Section 30253; The Project violates Coastal Act Section 30253(e) and Venice LUP Policy I.E.1 by degrading Venice's designation as a Special Coastal Community.*

### **Staff Response to Appeal Point No. 8**

The Appellant contends "the CPC determination asserts that the project complies with Coastal Act Section 30253, yet provides no meaningful analysis of safety impacts associated with site access.... There is no analysis of turning movements, no evaluation of emergency vehicle access, and no discussion of conflicts between multiple vehicles or vehicles and pedestrians."

Coastal Act Section 30253 states:

new development shall do all of the following: (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (b) 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. (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development. (d) Minimize energy consumption and vehicle miles traveled. (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

The Appellant's concerns about safety in the rear alley are not related to the safety impacts addressed in Section 30253 such as geologic, flood, or fire hazards. Rather, Appellant's concerns relate to localized operational safety such as traffic flow, backing out, or pedestrian visibility. The City properly assessed local traffic and alleyway safety through separate municipal codes and Department of Transportation guidelines. Contrary to appellant's assertion, the project does comply with Section 30253 because the project site is subject to regulatory compliance measures. The project site is located within a Methane Zone, Liquefaction area, Flood Zone AE, Tsunami Hazard Area, and within 5 kilometers of the Santa Monica Fault. As such, the project is subject to compliance with the requirements of the Flood Hazard Management Specific Plan, as well as Zoning, Building, and Fire Safety Code requirements that will minimize risks to life and property

in flood, geologic, and methane hazard areas. Therefore, the project does not conflict with Section 30253, and the appeal point is without merit.

Further, the Appellant contends “the City’s determination fails to analyze or address the project’s impact on Venice’s designation as a Special Coastal Community, despite this being a core policy of the certified Venice Land Use Plan (“LUP”) and a requirement under the Coastal Act Chapter 3.... By failing to evaluate and ensure consistency with LUP Policy I.E.1 and Coastal Act Section 30253(e), the City has not proceeded in the manner required by law, and its finding of Coastal Act consistency is unsupported by substantial evidence.”

As previously discussed in Staff Response to Appeal Point Nos. 5, 6 and 7, the CPC’s Decision Letter concluded that the project reflects Venice’s established “eclectic mid-rise character” and remains visually compatible with the surrounding area, thus upholding the community’s distinctive character under Coastal Act Section 30251 and Section 30253 and LUP Policy I.E.1. The subject property is located about a quarter of a mile away from the Pacific Ocean shoreline, a popular visitor serving area. 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 such, the appeal point is without merit.

### **Appeal Point No. 9**

*The City’s Coastal Act consistency finding is internally contradictory and unsupported.*

### **Staff Response to Appeal Point No. 9**

The Appellant contends “the CPC determination repeatedly asserts that the project ‘will not have a significant adverse impact on coastal resources’ while simultaneously acknowledging significant deviations from development standards; a major parking deficit; increased density and intensity of use; and location in a constrained coastal area.”

What the Appellant characterizes as “internal contradictions” is the result of the CPC harmonizing the requirements of the Venice Specific Plan with the mandates of the State Density Bonus Law, supported by technical studies including a Parking Demand Management Assessment and a Community Character Analysis. Finding No. 3 of the Decision Letter acknowledges the parking deficit but concluded based on the analysis and measures provided in the Parking Demand Management Assessment that the project would not have a negative impact on coastal access, as discussed in detail in Staff Response to Appeal Points Nos. 5, 6 and 7.

In addition, Finding No. 3 of the Decision Letter acknowledges that the immediate area has an average height of 21.9 feet or 1.8 stories. However, this immediate area average does not reflect the full range of existing structures on Main Street and nearby commercial corridors, as discussed in detail in Staff Response to Appeal Points Nos. 5, 6 and 7.

The Appellant’s disagreement with the CPC’s conclusions does not render the findings contradictory. The Decision Letter explains how the authorized density bonus incentives and waivers are not detrimental to coastal resources. As such, the Appellant’s claim is without merit.

**Appeal Point No. 10**

*The City misapplied the Mello Act by failing to properly evaluate the loss of residential use and coastal housing protections.*

**Staff Response to Appeal Point No. 10**

The Appellant contends “the City’s findings fundamentally misinterpret and misapply the requirements of the Mello Act.... The statute is clear: residential use is to be protected and preserved in the Coastal Zone, and demolition for purposes of non-residential or mixed-use is strictly prohibited...”

This interpretation fundamentally mischaracterizes the project. The proposed development is a mixed-use project that heavily expands residential capacity. It demolishes two existing single-family dwellings to construct 20 new residential units. The project is replacing residential uses with more residential uses (in addition to the ground-floor commercial space). The City’s Interim Procedures for Complying with the Mello Act (IAP) requires additional analysis to determine the feasibility of maintaining residential uses only if a project would replace existing residential uses with a non-residential use. This provision does not apply because the project explicitly maintains and intensifies the residential use of the site, resulting in a net gain of 18 dwelling units.

Further, the Appellant contends the lot at 1410 Main Street is not vacant but contains a live/workspace constructed out of shipping containers. When making determinations under the Mello Act, the Department of City Planning relies on DBS building records to determine the permitted use of existing structures. The City’s Rent Stabilization Ordinance (RSO) registration and building permit data confirmed that the lot has been vacant since March 2018. The presence of unpermitted shipping containers temporarily placed on the lot does not constitute an established “residential structure” under the Mello Act’s definitions.

As such, the Appellant’s claim is without merit.

**Appeal Point No. 11**

*The City Improperly relied on a Categorical Exemption despite substantial evidence of significant impacts.*

**Appeal Point No. 12**

*The City’s CEQA findings lack substantial evidence.*

**Staff Response to Appeal Point Nos. 11 and 12**

The Appellant contends “this determination is unsupported and contrary to law. Under CEQA Guidelines §15300.2, categorical exemptions do not apply where there are: a reasonable possibility of a significant environmental effect: cumulative impacts; unusual circumstances; and impacts on scenic resources or historical resources.” and “an exemption is only valid where there is no substantial evidence supporting a fair argument of significant impacts.”

Once the City establishes that the project does not fit the criteria for those exemptions, the burden of proof shifts to the challenger (the Appellant). The City determined the project is exempt, and the Appellant must now prove that an “Exception to the Exemption” applies. To meet their burden, the Appellant cannot just express generalized fears or speculate about what might happen; they

must present "substantial evidence." CEQA Guidelines Section 15384 defines substantial evidence as facts, reasonable assumptions predicated upon facts, and expert opinions supported by facts, explicitly excluding "argument, speculation, unsubstantiated opinion or narrative". The Appellant has not provided substantial evidence of an exception.

As discussed in Finding No. 6 of the Decision Letter, the Categorical Exemption is supported by technical reports and Staff analysis, where the CPC established that the project does not fit the criteria for those exceptions.

The CPC determined that the project is consistent with the type of development permitted for the area zoned C2-1-O and designated Neighborhood Office Commercial. The CPC's determination notes that a 5-story mixed-use building is not an "unusual circumstance" because there are already nine existing mid-rise buildings ranging from four to five stories within a half-mile radius of the site. While the Appellant cites the site's location within the "Lost Venice Canals Historic District," the CPC relied on a Historical Resource Assessment prepared in June 2021. The assessment and the Office of Historic Resources concluded that the existing structure at 1422 Main Street is not eligible for listing in the National Register of Historic Places, the California Register of Historical Resources, or as a Los Angeles Historic-Cultural Monument. The Appellant does not provide substantial evidence to support their claim that an unusual circumstance exists or applies.

As previously discussed in Staff Response to Appeal Point No. 4, under current State law and LADOT procedures, cumulative traffic impacts are primarily measured through Vehicle Miles Traveled (VMT) and regional planning consistency. According to LADOT's Transportation Assessment Guidelines, long-term or cumulative effects on VMT are determined through a consistency check with the Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The RTP/SCS is the regional plan that demonstrates compliance with air quality and greenhouse gas reduction targets. Projects that do not demonstrate a project-level impact under the City's efficiency-based VMT thresholds are already shown to align with the long-term goals of SCAG's RTP/SCS. Therefore, a less than significant project impact conclusion is sufficient to demonstrate that there is no cumulative VMT impact.

Lastly, the project is required to adhere to strict Regulatory Compliance Measures (RCMs). This includes compliance with the City's Noise Ordinance to prevent significant noise impacts, and SCAQMD District Rule 403 for dust and exhaust control during demolition and construction. Because these standard regulations successfully mitigate potential impacts, no significant environmental effects will occur.

As such, the Appellant's claim is without merit.

### **Appeal Point No. 13**

*The City failed to respond to contrary evidence in the record.* The Appellant contends "an agency must respond to and address conflicting evidence.... The CPC determination does not meaningfully address these concerns. Instead, it relies on conclusory statements and generalized assertions. This failure renders the findings legally inadequate."

### **Staff Response to Appeal Point No. 13**

The City's Findings are based on technical reports and City guidelines on neighborhood compatibility, coastal access and affordable housing protections in the Coastal Zone. Further

discussion can be found in Finding No. 3 of the Decision Letter and in Staff Response to Appeal Point Nos. 5, 6 and 7. Moreover, this Appeal Point No. 13 is generally framed without citation to the alleged conflicting evidence. As such, the Appellant's claim is without merit, but Planning Staff reserves the ability to further respond to any specific claims that may be raised as part of this appeal.

#### **Appeal Point No. 14**

*The Findings are internally inconsistent and factually wrong.* The Appellant contends “contradictions...lack of reasoned analysis and undermine the validity of the findings.”

#### **Staff Response to Appeal Point No. 14**

Minor clerical errors do not invalidate the substantive land-use findings regarding coastal access, density, and neighborhood scale. Immaterial factual discrepancies alleged by the Appellant do not negate the core analysis of zoning, Coastal Act, and CEQA outlined in the findings, which remain thoroughly supported by substantial evidence in the record. These claims are too generalized, and Staff is unable to sufficiently respond. As such, the Appellant's claim is without merit.

#### **Appeal Point No. 15**

*The City failed to proceed in the manner required by law.* The Appellant contends “under Code of Civil Procedure §1094.5, a decision must be set aside where the agency: has not proceeded in the manner required by law; has made findings not supported by substantial evidence. The City failed to: properly apply the Coastal Act; harmonize Density Bonus law with Coastal Act requirements; conduct adequate CEQA review; and properly apply the Mello Act. Each of these constitutes an independent basis for reversal.”

#### **Staff Response**

The CPC and City Planning Staff adhered to all procedural and substantive requirements of the LAMC, State Density Bonus Law, the Coastal Act, and CEQA. The Appellant's generalized complaint fails to identify any actual procedural violation. As such, the Appellant's claim is without merit. Moreover, the process presumed under Code of Civil Procedure Section 1094.5 applies to writ proceedings and fall outside the scope of the administrative appeal that is currently pending.

#### **CONCLUSION**

Planning staff recommend that the PLUM Committee and City Council deny the appeals under Case No. CPC-2021-2020-DB-CDP-SPPC-MEL-HCA-1A and sustain the action of the CPC which determined based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines, Article 19, Section 15301 and 15332 and that there is no substantial evidence demonstrating that an exception to a Categorical Exemption pursuant to CEQA Guidelines, Section 15300.2 applies, and approve the Coastal Development Permit, Project Compliance, and Mello Act Compliance Review. Upon in-depth review and analysis of the issues raised by the Appellant, no substantial evidence exists of errors or abuse of discretion committed by the City Planning Commission in regard to the appeal points raised. The appeal cannot be substantiated and therefore should be denied.

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Sincerely,

VINCENT P. BERTONI, AICP  
Director of Planning

A handwritten signature in black ink, appearing to read "Ira Brown". The signature is fluid and cursive, with a large, stylized initial "I" and "B".

Ira Brown  
City Planner

VPB:SMP:JO:IB:SK