

APPLICATIONS

APPEAL APPLICATION Instructions and Checklist



THIS SECTION FOR CITY PLANNING STAFF USE ONLY

Base Fee: _____

Reviewed & Accepted by (DSC Planner): _____

Case No.: _____ Date: _____

☐ Determination authority notified ☐ Receipt Number: _____

PURPOSE

This application is for the appeal of Los Angeles Department of City Planning determinations, as authorized by the LAMC. For California Environmental Quality Act Appeals use form [CP13-7840](#). For Building and Safety Appeals and Housing Department Appeals, use form [CP13-7854](#).

RELATED CODE SECTION

Refer to the Letter of Determination (LOD) for the subject case to identify the applicable Los Angeles Municipal Code (LAMC) Section for the entitlement and the appeal procedures.

APPELLATE BODY

Check only one. If unsure of the Appellate Body, check with City Planning staff before submission.

- ☐ Area Planning Commission (APC) ☐ City Planning Commission (CPC) ☒ City Council
☐ Zoning Administrator (ZA)

CASE INFORMATION

Case Number: ZA-2023-7218-ZV-CDP-MEL-HCA-1A

APN: 746-702-9016

Project Address: 700 Paseo del Mar, San Pedro, CA 90731

Final Date to Appeal: July 15, 2026

JUSTIFICATION / REASON FOR APPEAL

Is the decision being appealed in its entirety or in part?

☒ Entire

☐ Part

Are specific Conditions of Approval being appealed?

☐ YES

☒ NO

If Yes, list the Condition Number(s) here: _____

On a separate sheet, provide the following:

☒ Reason(s) for the appeal

☒ Specific points at issue

☒ How you are aggrieved by the decision

APPELLANT

Check all that apply:

☒ Person, other than the applicant, Owner or Operator claiming to be aggrieved

☐ Representative

☐ Property Owner

☐ Applicant

☐ Operator of the Use/Site

APPELLANT INFORMATION

Appellant Name: Noel Gould, June Smith, Robin Rudisill, Emma Rault

Company/Organization: _____

Mailing Address: 728 Paseo del Mar (see other individual addresses)

City: San Pedro State: CA Zip Code: 90731

Telephone: 310-625-1157 E-mail: aquarianstudios@hotmail.com

Is the appeal being filed on behalf or on behalf of another party, organization, or company?

☒ Self ☐ Other: _____

Is the appeal being filed to support the original applicant's position?

☐ YES

☒ NO

REPRESENTATIVE / AGENT INFORMATION

Name: _____

Company/Organization: _____

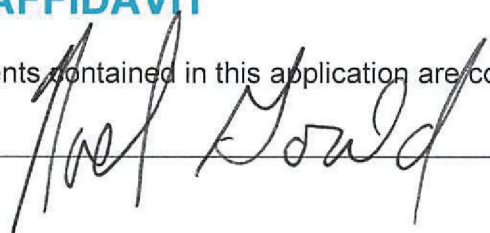
Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail: _____

APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true.

Primary
Appellant Signature:  Date: 7/15/26

GENERAL NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

The appellate body must act on the appeal within a time period specified in the LAMC Section(s) pertaining to the type of appeal being filed. Los Angeles City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

GENERAL APPEAL FILING REQUIREMENTS

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment. Appeals may be filed either online or in person as referenced below.

ONLINE APPEAL FILINGS THROUGH ONLINE APPLICATION SYSTEM (OAS)

Online Application System (OAS): The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning's DSC, and submit fee payment by credit card or e-check.



QR Code to Online Appeal Filing

IN PERSON APPEAL FILINGS

Drop off at DSC: Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, as well as the South Los Angeles DSC on Tuesdays and Thursdays, and payment can be made by credit card or check.

- a. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications.
- b. Alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

CITY PLANNING DEVELOPMENT SERVICES CENTERS – PUBLIC COUNTERS

Office	Address	Phone Number	Email
Metro DSC	201 N. Figueroa Street 4th Floor Los Angeles, CA 90012	(213) 482-7077	planning.figcounter@lacity.org
Van Nuys DSC	6262 Van Nuys Boulevard, Suite 251 Van Nuys, CA 91401	(818) 374-5050	planning.mbc2@lacity.org
South LA DSC <i>Tuesday and Thursday Only</i>	8475 S. Vermont Avenue, 1st Floor Los Angeles, CA 90044	(213) 978-1465	planning.southla@lacity.org

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

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

APPEAL DOCUMENTS

1. Hard Copy

Provide three sets (one original, two duplicates) of the listed documents for each appeal filed.

- ☐ Appeal Application
- ☐ Justification/Reason for Appeal
- ☐ Copy of Letter of Determination (LOD) for the decision being appealed

2. Electronic Copy

- ☐ Provide an electronic copy of the appeal documents on a USB flash drive. The following items must be saved as individual PDFs and labeled accordingly (e.g., "Appeal Form", "Justification/Reason Statement", or "Original Determination Letter"). No file should exceed 70 MB in size.

3. Appeal Fee

- ☐ *Original Applicant.* The fee charged shall be in accordance with [LAMC Section 19.01 B.1\(a\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.a. \(Appeal Fees\) of Chapter 1A](#) as applicable, or a fee

equal to 85% of the original base application fee. Provide a copy of the original application receipt(s) to calculate the fee.

- ☐ *Aggrieved Party*. The fee charged shall be in accordance with [LAMC Section 19.01 B.1\(b\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.b. \(Appeal Fees\) of Chapter 1A](#) as applicable.

4. Noticing Requirements

- ☐ *Copy of Mailing Labels*. All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per the LAMC for all appeals. See the Mailing Procedures Instructions ([CP13-2074](#)) for applicable requirements.
- ☐ Proof of payment or mailing must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant.

SPECIFIC CASE TYPES

ADDITIONAL APPEAL FILING REQUIREMENTS AND / OR LIMITATIONS

DENSITY BONUS (DB) / TRANSIT ORIENTED COMMUNITIES (TOC)

Appeal procedures for DB/TOC cases are pursuant to [LAMC Section 13B.2.5. \(Director Determination\) of Chapter 1A](#) or [LAMC Section 13B.2.3. \(Class 3 Conditional Use\) of Chapter 1A](#) as applicable.

- Off-Menu Incentives or Waiver of Development Standards are not appealable.
- Appeals of On-Menu Density Bonus or Additional Incentives for TOC cases can only be filed by adjacent owners or tenants and is appealable to the City Planning Commission.
 - ☐ Provide documentation confirming adjacent owner or tenant status is required (e.g., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, driver's license, bill statement).

WAIVER OF DEDICATION AND / OR IMPROVEMENT

Procedures for appeals of Waiver of Dedication and/or Improvements (WDIs) are pursuant to [LAMC Section 12.37 I of Chapter 1](#) or [LAMC Section 10.1.10. \(Waiver and Appeals\) of Chapter 1A](#) as applicable.

- WDIs for by-right projects can only be appealed by the Property Owner.
- If the WDI is part of a larger discretionary project, the applicant may appeal pursuant to the procedures which govern the main entitlement.

[VESTING] TENTATIVE TRACT MAP

Procedures for appeals of [Vesting] Tentative Tract Maps are pursuant [LAMC Section 13B.7.3.G. of Chapter 1A](#).

- Appeals must be filed within 10 days of the date of the written determination of the decision-maker.

NUISANCE ABATEMENT / REVOCATIONS

Appeal procedures for Nuisance Abatement/Revocations are pursuant to [LAMC Section 13B.6.2.G. of Chapter 1A](#). Nuisance Abatement/Revocations cases are only appealable to the City Council.

Appeal Fee

- ☐ *Applicant (Owner/Operator)*. The fee charged shall be in accordance with the [LAMC Section 19.01 B.1\(a\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.a. \(Appeal Fees\) of Chapter 1A](#) as applicable.

For appeals filed by the property owner and/or business owner/operator, or any individuals/agents/representatives/associates affiliated with the property and business, who files the appeal on behalf of the property owner and/or business owner/operator, appeal application fees listed under [LAMC Section 19.01 B.1\(a\) of Chapter 1](#) shall be paid, at the time the appeal application is submitted, or the appeal application will not be accepted.

Aggrieved Party. The fee charged shall be in accordance with the [LAMC Section 19.01 B.1\(b\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.b. \(Appeal Fees\) of Chapter 1A](#) as applicable.

July 15, 2026

Los Angeles City Council
City of Los Angeles
200 North Spring Street
L.A., CA 90012

RE: Appeal of Harbor Area Planning Commission determination dated June 30, 2026 regarding the project at 700 Paseo Del Mar/Walkers Cafe – Case No. ZA-2023-7218-XV-CDP-MEL-HCA-1A

Appeal Statement Re: De Novo Review, Charter 245 Motion, and Preservation of Appeal Rights

Appellants submit this appeal from the Harbor Area Planning Commission determination dated June 30, 2026, concerning Case No. ZA-2023-7218-ZV-CDP-MEL-HCA-1A, and to clarify how the previously submitted appeal justification should be reviewed in light of the applicable **de novo** standard of review.

Appellants understand that Councilmember McOsker has introduced a Charter Section 245 motion to assert jurisdiction over the Harbor Area Planning Commission action and to provide further public hearing and review regarding Walker's Café. Appellants appreciate and support Councilmember McOsker's motion and the Council Office's stated goal of preserving Walker's Café's long-term operation, historic function, and cultural integrity.

The City has confirmed that the Charter Section 245 motion does not extend the appeal period for the Harbor Area Planning Commission determination. Accordingly, appellants submit this appeal by the July 15, 2026 deadline and expressly reserve all rights to supplement the record during any Council, PLUM Committee, Charter Section 245, Coastal Commission, or other subsequent proceeding.

The City has also confirmed that no Notice of Final Action will be transmitted to the California Coastal Commission until the City's administrative processes have concluded.

The Council Office has further advised that the purpose of the Charter 245 action is to allow the City Council to consider additional conditions of approval to help preserve Walker's Café's long-term operation, historic function, and cultural integrity. Appellants support that objective. However, any additional conditions must be strengthened to be effective. A condition stating that the owner shall "strive" to operate or retain tenants for the café is not sufficiently enforceable. Likewise, allowing the owner merely to propose "minor modifications" related to deliveries, service, and patron circulation does not resolve the fundamental site-design problem created by the oversized residential structure. The conditions must require, not merely encourage, a site design that preserves adequate functional space for Walker's Café and ensures its continued operation as a public restaurant.

At the Harbor Area Planning Commission hearing, appellants understood the presentation and staff framing to focus on whether the Zoning Administrator had erred or abused discretion. Near the end of the hearing, however, the City Attorney clarified that the applicable standard of review is **de novo**.

That clarification was material. Until that point, the hearing had proceeded under an apparent error/abuse-of-discretion framework, and the appellants' presentation, the applicant's rebuttal, and the Commission's questioning were all affected by that framing.

The timing of that clarification matters. A de novo review is not simply a quick affirmance of the Zoning Administrator after a hearing framed around whether the Zoning Administrator erred. Under de novo review, the reviewing body must independently evaluate the whole record and determine whether the required Coastal Development Permit, Zone Variance, Mello Act, CEQA, historic preservation, and related findings can be made.

In addition, the reasons expressed by commissioners in support of the project appeared to focus primarily on broader economic benefits to the San Pedro community and the applicant's claim that the residential development would support the café's financial feasibility. Those may be policy considerations, but they are not substitutes for the required findings. The required question is whether the project as approved satisfies the Coastal Act, historic preservation standards, CEQA, the applicable variance findings, and neighborhood compatibility requirements.

On this record, the required findings cannot be made for the project as approved.

First, the City has not independently demonstrated that the project is visually compatible with the character, mass, and scale of the surrounding neighborhood under Coastal Act Section 30251. The approved project is not merely a 21-foot structure below the applicable 26-foot maximum height limit in the Coastal Zone. It is a 3,523-square-foot residential development, not counting the two-car garage and one-car carport, behind a 736-square-foot Historic-Cultural Monument. The City's compatibility analysis relied on materially flawed neighborhood height and character data, including overstated surrounding building heights and selective reliance on taller outliers and pre-Coastal Act multifamily buildings. Under de novo review, the Council must independently determine whether the project is compatible with the actual surrounding neighborhood, including the smaller-scale single-family homes and bungalow court directly surrounding the site.

Second, the City has not independently demonstrated compatibility with Walker's Café as a designated Historic-Cultural Monument. The relevant question is not simply whether the café façade, neon sign, or paint colors are preserved. Walker's Café is a historic restaurant and coastal visitor-serving use. Preserving it requires preserving the functional space necessary for it to operate, including loading, refrigeration, waste handling, service circulation, emergency access, and room for future adaptation. The approved residential structure overwhelms the site and leaves only a narrow residual space between the café and the new residence for dining, circulation, service, emergency movement, and operational support.

Third, the City has not independently resolved the conflict between the project's stated purpose — restoration and continued operation of Walker's Café — and the project's actual site plan, which makes the residential component the dominant use on the lot. The Los Angeles Conservancy has stated that

the plans, as currently proposed, put the future of this landmarked legacy business at serious risk and has requested, at minimum, a substantially reduced footprint for the house so the café has enough space to operate. The Council should give substantial weight to that independent preservation evidence.

Fourth, the City has not independently evaluated the site-circulation and emergency-access impacts created by the approved configuration. The issue is not whether a 10-foot passageway is wider than a minimum corridor width under the Building Code. Appellants did not claim the passageway is less than 36 inches. The issue is whether rear patio patrons, tables, chairs, service activity, deliveries, emergency response, walls, gates, and a large residential structure can all safely and functionally coexist in the same constrained space behind the café. In an emergency, patrons may move, but tables, chairs, six-foot block walls, and gated access points remain physical constraints on both evacuation and first-responder access. That functional site-design concern was not meaningfully addressed.

Fifth, the CEQA Class 3 “small structures” label does not answer the compatibility question. Whatever “small structures” may mean in the abstract for CEQA categorical-exemption purposes, this project is not small in relation to Walker’s Café, not small in relation to the functional space the café needs to survive, and not small in relation to the character, mass, and scale of the surrounding neighborhood. A categorical exemption label does not supply the missing Coastal Act, historic preservation, or neighborhood compatibility analysis.

Appellants do not oppose reopening Walker’s Café and do not oppose reasonable residential development on the property. Appellants request that the approval be modified to reduce the scale and footprint of the residential structure, preserve adequate functional and operational space for Walker’s Café, eliminate or substantially reduce incompatible roof-deck and wall impacts, require the café to remain operational as a public restaurant, and require substantial progress on café restoration before permits or occupancy for the rear residential development proceed.

Because review is **de novo**, the Council must independently evaluate the whole project and determine that the required findings cannot be made for the project as approved. Appellants further request that any modifications or additional conditions be enforceable, specific, and sufficient to correct the underlying site-design problem, including reducing the residential footprint as necessary to preserve adequate functional space for Walker’s Café.

ORIGINAL APPEAL, included as part of this appeal:

April 16, 2026

Harbor Area Planning Commission
City of Los Angeles
200 North Spring Street
Los Angeles, CA 90012

RE: APPEAL JUSTIFICATION FOR 700 Paseo del Mar / Walkers Café – Case No. ZA-2023-7218-ZV-CDP-MEL-HCA

Dear Commissioners,

We respectfully submit the following justification for our appeal of the City determination for the project at 700 Paseo del Mar under Case No. ZA-2023-7218-ZV-CDP-MEL-HCA:

Walker's Café is an historic resource and designated Historic-Cultural Monument and is one of the last authentic coastal visitor-serving establishments on the San Pedro bluffs. It is well known as a longstanding visitor-serving establishment that contributes to the cultural and community character of the coastal area. The community strongly supports the restoration and continued operation and success of the café, as well as reasonable residential development on the property.

This appeal does not oppose construction of a residence on the site. Rather, it seeks correction of significant factual and analytical errors in the determination and modification of the approved project to ensure that the scale and placement of the proposed residential structure are compatible with the historic resource, surrounding neighborhood character, and public safety requirements.

The approved design expands the residential structure across nearly the entire lot, leaving only a narrow residual space between the historic café and the residence. That limited space must accommodate circulation, emergency access, and operational functions for the café. As described in the sections that follow, the resulting configuration creates a constrained circulation environment that raises concerns regarding safety, compatibility, and the long-term viability of the historic use.

Importantly, these concerns are not inherent to residential development on the property. A smaller residential structure located generally within the footprint of the existing garage, or modestly expanded from that footprint, would allow both uses to coexist safely and compatibly while preserving the historic character of the site.

The purpose of this appeal is therefore to ensure that development on the property proceeds in a manner that:

- protects public safety and emergency access
- preserves the setting and functionality of the historic café
- maintains compatibility with the surrounding neighborhood
- supports continued visitor-serving use of the site

The corrections to this determination and recommended conditions are essential to ensure conformance with the Coastal Act policies protecting lower-cost visitor-serving uses, and to maintain compatibility with surrounding residential development.

The City determination fails to adequately address the compatibility of the proposed structure with the adjacent historic landmark and surrounding neighborhood character. The findings do not demonstrate compliance with required historic preservation and coastal visual compatibility standards, particularly regarding scale, massing and the preservation of the historic setting. As approved, the project introduces a structure whose size and mass overwhelm the established character of the area and diminish the setting of the historic resource.

In addition, the City's findings state that there would be no additional floor area. However, the service floor area would increase substantially, essentially doubling, from 44 indoor seats to allow a total of 73 seats (27 seats inside, 30 seats in an exterior rear patio, and up to 16 seats in the sidewalk/public right-of-way). This is a significant intensification of use and impact on the neighborhood. In addition, the project must be looked at as a whole and not on a piecemeal basis; thus, it is clear that when comparing *total size* of the project to the size of structures in the surrounding area, the character, mass and scale of the neighborhood is not maintained or even remotely visually compatible, as required by the Coastal Act. The overall square footage of the project itself increases from the existing 1,854 SF to 4,259 SF, not including the roof decks or parking area, a 129% increase, and to approximately 4,859 SF including an estimated 600 SF of garage and carport space. The project does not meet the required findings as the project's size, which includes both the historic café and the residential structure, is not compatible with the surrounding area and would have an adverse visual effect on the surrounding area. It should be noted that the San Pedro Community Plan also specifically protects stable single family neighborhoods from new "out of scale" development.

As set forth in detail herein, the project does not comply with the standard of review, Chapter 3 of the Coastal Act or follow the guidance of the certified San Pedro Coastal Land Use Plan and thus cannot be approved as proposed.

A. DETAILED APPEAL FINDINGS RE. ERRORS IN CITY DETERMINATION:

Finding 1 - The Project Was Evaluated on a Piecemeal Basis

The project is analyzed on a piecemeal basis. For both the Coastal Development Permit (CDP) and CEQA the City bases many of its conclusions only on either the single-family dwelling and ADU or on the café but not both. The findings must be made based on the total project. The determination is essentially a piecemeal review of the project, noting only potential compliance based on either the residential structure or the café, but not based on the project as a whole. A piecemeal review of a project's compliance with the Coastal Act or CEQA is not allowed and thus those findings fail.

Finding 2 - The Community Character Analysis is Based on Incorrect Height Data

The City determination (page 32) relied on the character study prepared by Howard Robinson and Associates in concluding that the proposed project is not expected to have a significant adverse impact on coastal resources. See applicant's height study at **EXHIBIT A**. The City found that the study indicates that the number of stories, height, Floor Area Ratio (FAR) and density of the proposed project are in line with that of the surrounding area. However, the study is materially flawed and cannot be relied on for any findings. The Community Character analysis relies on inaccurate height data for surrounding structures,

materially overstating the scale of neighborhood buildings. These are not rounding errors, they materially change the scale analysis. These are not random errors but rather there is a pattern or errors. These errors distort the baseline conditions used to evaluate compatibility and undermine the reliability of the City determination's findings regarding neighborhood character and visual scale. See attached Neighborhood Height Corrections in Applicant's Community Character Analysis at **EXHIBIT B** (detailed support is included in **Attachment I** to the appeal). Because the findings are based on the substantial evidence in a materially incorrect study, those findings are in error.

Finding 3 – The City Improperly Relies on Uncertified LAMC Standards Rather Than the Certified Coastal Framework and The Project Fails to Demonstrate Compliance With Coastal Act Section 30251

Under the Coastal Act, size of development is not allowed by right if it is in compliance with *uncertified* zoning regulations. Rather, development must be visually compatible with surrounding character and protective of scenic and community resources, in conformance with the standard of review, the Coastal Act Chapter 3 and the related guidance of the *certified* San Pedro Coastal Land Use Plan (LUP). If the single-family residence and ADU create far more mass and scale than the surrounding structures and overwhelm the historic café, then the required Coastal Act findings cannot be made.

The applicant states that the proposed new development of a single family dwelling with an attached ADU is wholly compliant with the uncertified San Pedro Specific Plan regulations and the uncertified zoning regulations of the R1-1XL zone.

However, the proposed project is not in conformance with the Coastal Act or the LUP as it would be dramatically larger than most SFDs and ADUs in the area and would have a significant adverse impact on community character, a Coastal Resource that is protected by the Coastal Act. Moreover, the applicant used several pre-Coastal Act apartment buildings as comps that are much larger than currently allowed. Cherry picking the largest surrounding buildings, mostly pre-Coastal Act apartment buildings, is disingenuous and only serves to confuse the community who can easily see and judge compatibility with their own eyes through their own experience. Also, as previously stated, the applicant's community character analysis materially overstates all of the cited buildings' heights and thus must be dismissed.

Page 36 – Finding 7. states “the new single-family dwelling and ADU are in line with the rest of the neighborhood use and in compliance with LAMC requirements.” However, the LAMC is an uncertified zoning document, and Coastal Zone projects must be evaluated based on the certified zoning documents. In addition, it has been proven herein that the total project is not “in line” with the rest of the neighborhood. Thus, this finding fails and the project WILL prejudice the ability of the City to prepare a local coastal program in conformity with Chapter 3 of the Coastal Act.

In addition, as noted herein in historic preservation terms, a new structure constructed in proximity to a designated historic resource must be compatible but differentiated. This means the new building should respect the historic property's scale, massing, materials, and setting without imitating it or creating a false sense of historical development. In this case, a modern house built directly behind the historic café would diminish the integrity and

setting of the landmark by visually and spatially competing with its original context. Such an addition would be considered incompatible with the historic resource because it fails to preserve the café's historic character, feeling, and association – key aspects of its significance under the Secretary of the Interior's Standards for Rehabilitation.

The proposed and, for this area, grossly oversized single-family dwelling/ADU, about 3,523 square feet PLUS garage space for three cars adds significantly to the mass and scale of the project and would also dramatically block the sun for over half the day and adversely impact the ability of adjoining residents to grow their gardens. Additionally, the windows would reflect the sunshine to the east and west residents' homes, depending on the time of day. Moreover, roof decks as well as the balconies would allow people using them to look into the windows and yards of the neighbors, greatly impacting their privacy as well as the privacy of potential diners jammed onto the back patio, which as an extremely minor concession has been reduced to 30 seats with tables and supposedly enough space for wait staff to serve patrons in a tiny rear area with a width of just over 13 feet abutting the residential structure and Walker's Café while those on the balcony have a clear and close ariel view of the Walker's Café customers. The project plans literally show chairs up against the south wall of the residential structure and the north side of Walker's Café. The community at large is very supportive of re-opening Walker's but are concerned that building a large residential development is the priority of the Prospect Group. Moreover, they claim, on the one hand, that they can't operate Walker's without the income generated by the project as proposed, and on the other hand, they say that the owners may live there, which would eliminate the potential income they claim to need.

In addition, there is no front or back yard for the proposed single-family dwelling and ADU. This is completely out of character with the neighborhood as every other property has a front and back yard. No variance was requested for the complete lack of a front yard. ADUs in the area are much smaller, closer to the lower end of the spectrum. In addition, the roof decks are out of character with the neighborhood and should be completely eliminated. The Roof Access Structures (RAS) (which are not shown in the renderings!) would result in the appearance of a third story.

[EMMA--INCLUDE?] When asked to describe the current location of service lines or necessary utility connections and any extensions or relocations of service lines, the applicant states that the development would utilize the existing LADWP electrical and water lines that already serve the site and that any required upgrades or modifications to these utility lines would be conducted in accordance with the requirements of the City. However, within the last few years, the applicant dug a large trench over 50 feet long, 3 feet wide, and about 4 feet deep to replace a large pipe that ran from the bathroom/kitchen area of the garage all the way to the street sewer system, without the required permits (it is not clear whether they were obtained after the fact).

The applicant also did a large amount of unpermitted work in the Café itself, were visited by a Department of Building and Safety, Andrew Beeli, who asked to gain entrance to inspect, which the applicant denied, and he immediately slapped a Department of Building & Safety Stop Work Order on the premises. They continued the unpermitted work the next day, ignoring the order. See email from Inspectors Paul Becker and Andrew Beeli at **EXHIBIT C**.

Coastal Act section 30251 Scenic and visual qualities:

...Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas...to be visually compatible with the character of surrounding areas...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.

This project, despite being extremely large--3,523 SF residential structure (not including the physical garage and carport space of approximately 600 SF, which adds to the mass of the house) plus the café equals 4,259 SF--would be surrounded by a 6' tall concrete block wall at the property line, further adding to the bulk of the property and creating a compound type effect.

The residential portion of the project, as proposed, would tower over Walker's Café and would also not be compatible simply because it's the same color and of Spanish Colonial design. Moreover, it would present as extremely large in total scale and mass. Mass and scale are vital considerations regarding compatibility, and this house by its size alone fails the compatibility test. Bear in mind that the majority of single-family homes in the area are only one story, and the area contains a mix of single family dwellings and apartments. All of the three-story apartment buildings in the area are *pre-Coastal Act*. Even though the post Coastal Act height limitation is 26 feet as measured from the average existing natural grade and this house is lower than that, the requirement of compatibility with the character, mass, and scale of the area is a huge mitigating factor in deciding what is ultimately allowed to be built. Furthermore, as mentioned earlier, the requirements of preserving an historic cultural monument forbid building anything that detracts from the character and feel of that monument, as the proposed large residential structure 13.5 feet behind it obviously would. In addition, the project has been represented by the applicant from the beginning as a Walker's Café focused project, and it seems to have changed to a large house and ADU focused project, with the restoration of Walker's Café as a necessary, and seemingly unwanted, component. See rendering of residential structure at **EXHIBIT D**.

The findings on page 34 indicate that the project would have a 40' 8" front yard setback from the street. One of the defining characteristics in San Pedro and the Point Fermin neighborhood in particular is large front yard setbacks as well as backyards. The project is thus grossly and completely incompatible with the area as there is no front yard or back yard because Walker's sits in front of the house and abuts the sidewalk leaving virtually no setback. This project also proposes a 6' high concrete block wall around the property line which has the effect of adding significant bulk to the project. Given that virtually every home in Point Fermin has a large open space front yard and back yard setbacks, the lack of any front or back yard setback for these homes results in serious and significant incompatibility of the project with the surrounding community character and the historic character of Walker's Café.

In addition, there are no homes in the area with roof decks (only one home in the entire area has a small viewing landing), and this project proposes an 890 SF roof deck on the single family dwelling and a 290 SF roof deck on the ADU, another significant factor of extreme incompatibility of the project with the area's community character. Roof decks increase the mass of a project and present as a third story, which is forbidden in both the San Pedro

Specific Plan and the LUP. Also, the roof decks and related Roof Access Structures are not reflected in the current rendering of the project, which makes it misleading.

Nothing is referenced and no evidence is provided in terms of the visual compatibility with the character of the surrounding area (page 33). Thus, the conclusion that the proposed project as conditioned will not impact scenic resources in the area is conclusory and not based on substantial evidence and thus and this finding is erroneous.

The sheer amount of lot coverage is grossly incompatible with the surrounding neighborhood and a violation of the Coastal Act and LUP policies.

Finding 4 - The Approved Residential Structure is Incompatible With the Historic Resource and the Project Fails to Demonstrate Compliance With the Secretary of the Interior's Standards

The approval fails to demonstrate compliance with the Secretary of the Interior's Standards for Rehabilitation, specifically the requirement that new construction adjacent to a historic resource be compatible in scale, massing and setting.

The Secretary of the Interior's Standards for Rehabilitation set out the following core requirements for adjacent new construction:

Standard 2: "The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.

Standard 9: "New additions, exterior alterations, or related new construction will not destroy historic materials, features, **and spatial relationships** that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, **size, scale and proportion, and massing** to protect the integrity of the property and its environment."

Standard 10: "New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and **integrity of the historic property and its environment** would be unimpaired." (emphasis added)

The applicant arguably already violated Standard 2 when they demolished a storage structure behind the café (that had been permitted in 1953) without permits, in July 2022. See **EXHIBIT E**. Moreover, the proposed new construction is not consistent with the size, scale, proportion and massing of the historic landmark, and is incompatible with its existing environment and spatial relationships.

Page 26 of the City's determination states: "**The proposed rehabilitation** has been reviewed by the Office of Historic Resources and found consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, as documented in the April 26, 2024 memorandum prepared by Historic Resources Group. The Cultural Heritage Commission has reviewed the project and will continue to provide oversight. **As such, the project**

enhances preservation of a designated Historic-Cultural Monument rather than intensifying development on the site.” (emphasis added)

However, the “proposed rehabilitation,” as documented in the April 26, 2024 memorandum prepared by Historic Resources Group—an independent consultancy firm contracted by the applicant—refers **only to the rehabilitation of the café**, not to the new build or the total project. Therefore, it is inaccurate to say that “the project” **as a whole** does not “intensify...development on the site.” In fact, development is increasing by over 260%--going from the café and garage of approximately 1,854 SF (736 SF café plus 1,118 SF garage) to 4,859 SF total (2,453 SF single-family dwelling plus 1,070 SF ADU, plus 736 SF for the café, plus 600 SF for estimated parking for residential structure which is part of the structural mass and must be included for consistency of comparison with the existing square footage).

Page 40 of the City’s determination states under section “f. Historical Resources”: “A memorandum prepared by Historic Resources Group, dated April 26, 2024, outlines the proposed rehabilitation and consistency with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. **The memorandum and proposed plans were reviewed and approved by the Office of Historic Resources, in an email dated June 21, 2024.** As discussed in the memorandum, the proposed project is consistent with the Secretary of the Interior's Standards.” (emphasis added)

However, here the phrase “proposed plans” refers to the café restoration, as this section is **only** about historical resources. According to City Planning’s Office of Historic Resources (OHR), the reference on page 40 to the “memorandum and proposed plans” being reviewed and approved” by OHR refers to an email from OHR to Monica Taimoori that states “the report [i.e. the applicant’s memorandum **about the café restoration**] “will suffice for CEQA purposes.”

It should be noted that this is the same email in which OHR states that they “remain concerned about the out of scale nature of the new construction in relation to the historic Walker’s Café and the surrounding neighborhood.” See **EXHIBIT F**.

Preservation of a historic resource includes preservation of the functional setting and circulation necessary for its continued operation.

As such, the findings do not show that the “project,” which includes both the residences and the café, are compatible.

Finding 5 -- The Project Reduces Operational Viability of the Historic Café

Although the finding on pages 25- 26 of the City determination states that the granting of the variance will not authorize new construction, increase floor area or physical expansion of the existing structure, it is not clear how the café seating is increasing to 73 seats and yet the kitchen/back room is not being increased at all. It is not clear how the same kitchen can support a significantly increased in intensity of use. Amplifying this operational issue, there was originally a storage shed behind the cafe that was illegally demolished in the summer of 2022. This structure was permitted in 1953, was illegally demolished shortly after

purchase by the current owners. That space and its square footage must be allocated back to the café. See Building Record for permitting of storage room **EXHIBIT G.**

The current plans rob the cafe of rear/alley access entirely, so that all commercial deliveries would have to occur through the front, which likely impacts restaurant operations. We have repeatedly pointed out that the rear patio of 13'6" also leaves no space for storage, dumpsters, or room for future expansion to allow the restaurant to grow/adapt according to financial needs/opportunities in the future.

Not only is it not clear in the plans or in the City's determination where the café's dumpster will be located, it is not clear how the café will get to the dumpster, which must be located on the alley side, or how the residents will get their garbage cans to Paseo del Mar for weekly pick up. For projects such as this that include a restaurant in a residential neighborhood, there typically are restrictions on noise related to the use of the dumpster after hours. This may also be a reason for an earlier closing time so that any noise resulting from dumpster use would end by 8 pm.

Related to this, we continue to implore the City to add the requested conditions that require a substantial effort to assure the success of this historic café.

The café is not only an historic coastal resource, but it is an important and long-time visitor serving destination, and historically a lower-cost use. Thus, steps must be taken to preserve this use.

As loyal supporters of the currently shuttered legacy business Walker's Cafe (HCM #1267), we ask you to rein the residential portion of the project in for the benefit of the landmark's viability.

Walker's Cafe is the oldest surviving restaurant in San Pedro and one of the oldest in all of Los Angeles. Founded in 1946 by a Navy veteran and his wife, it's a vital piece of San Pedro's military history and social fabric. It was a community hub for nearly eighty years, featured in iconic L.A. movies like *Chinatown*, and drew fans from all over the world. It obtained landmark designation in 2022 as a result of a grassroots campaign with over three thousand supporters.

Since purchasing the property in March 2022, applicant Prospect Group has been alarmingly unwilling to hear the community's concerns about the size of the proposed residential development and to prioritize reopening the cafe. They damaged a historic resource through extensive illegal construction and demolition and have refused to meet with numerous interested restaurant tenants.

Over time, it has become clear that Prospect Group's first and foremost priority is to build a large house on the parcel rather than reopen an iconic legacy business. The cafe is being completely boxed in and robbed of essential space it needs to remain a viable business.

Our priority, as a community, is not with any residential development of the site, but with Walker's Cafe resuming operations. As the Zoning Administrator, you are able to impose so-called Q conditions. To protect the future of this landmarked community treasure, we

ask you to, at minimum, impose the following crucial conditions to any approval of the project:

- 1) A substantially reduced footprint for the house in the back so the cafe has enough space to operate.
- 2) That the historic cafe at this location *must remain operational*.
- 3) Finally, we ask that no building permit for the house be granted until significant progress has been made on the restoration and revival of the cafe.

This will ensure that, no matter what else happens with the parcel, generations to come will be able to enjoy a cup of coffee and a bite to eat at this iconic establishment.

Finding 6 – The Project Fails to Demonstrate Compliance With Coastal Act Section 30252

Coastal Act 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...providing adequate parking facilities or providing substitute means of serving the development with public transportation...

The applicant states that they would continue to use the existing visitor serving parking for Point Fermin Park to service their significantly expanded restaurant, reducing existing public parking that serves the park and its amenities.

They also state that there is no adjoining public access point or public recreation facility that would be affected by the project and therefore the proposed development would not have any adverse impacts on public access to the coast. However, the entire park is a public recreation facility, including the three acres surrounding the Point Fermin Light House, built in 1874 that has become a National Monument, and that would be negatively impacted by the project, especially with service capacity essentially doubling to 73 patrons, many with cars taking up existing public parking.

The applicant claims that Paseo del Mar provides no direct coastal access. However, Paseo del Mar does provide direct access to Point Fermin Park and Sunken City where people enjoy spectacular ocean views of the harbor, Catalina, and access trails to the beach.

In its proposed findings, the applicant claims that “As proposed, the project would not conflict with any public access or public recreation policies of the Coastal Act.” However, as proposed, the project would rely on existing public parking and they propose 16 seats in the public right of way, which should not be allowed in a residential area. In addition, the proposal to take over the public right of way would force people to walk in the street dramatically increasing the risk to public safety. Moreover, they propose alcohol service in the public right of way as well in an area frequented by families with children. However, as noted in Appeal Finding 10 below, as per page 18 of the City determination “Applicant’s last statement” --The applicant’s representative, Elisa Paster, agreed to exclude alcohol service from the front sidewalk patio. That change must be reflected in the determination’s conditions.

Parking for the café is inadequate. As per the LUP, Appendix D, Parking Requirement Table, required parking for a restaurant is based on service floor area, including outdoor service floor area. Thus, the significant increase in seats requires consideration of additional parking or Al Fresco Dining approval, especially as the café is in a highly utilized visitor serving area with Pt. Fermin Park, the historic lighthouse, and Sunken City. The City's determination errs as it does not address these issues. The ability to offer some rear parking for the café is yet another reason for downsizing the development in the back.

In addition, simply requiring a condition (7f. on page 5 of 43) that states "the final approval of the number and location of parking is subject to review and approval by the Department of Building and Safety" is not adequate for a CDP. An explicit finding must be made in the CDP determination that the parking provided conforms with Chapter 3 of the Coastal Act.

In addition, the determination errs in saying the required parking for the single-family dwelling is two parking spaces. The LUP clearly states, in Appendix D, Parking Requirement Table, that for a single-family dwelling on a lot of 40 feet or more in width, or 35 feet or more in width if adjacent to an alley, that three parking spaces are required. The property description at the bottom of page 14 indicates that the property exceeds that width.

The determination also errs in the condition on page 7 that indicates no variance from the parking requirements has been requested or granted, as approval would allow for a parking variance from the requirements related to the additional outdoor seating area, which has not been requested, mentioned or considered.

Finding 7 – The Project Fails to Demonstrate Compliance With Coastal Act Section 30253

Coastal Act section 30253 Minimization of adverse impacts:

New development shall do all of the following... Minimize risks to life and property..., Minimize energy consumption and vehicle miles traveled, and Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Given the constrained access around the structures, including the lack of a front or rear yard for the residential structure, there are serious safety concerns with respect to emergency access and circulation and safety and fire department operations, including crowded or enclosed spaces adjacent to occupied uses, and site layout.

The project proposes outdoor dining in two separate locations:

- A rear yard seating area located between the historic café and the proposed residential structure
- Additional seating in the public right-of-way along Paseo Del Mar

The rear yard seating area is limited to approximately thirteen and one-half feet between the café and a continuous perimeter wall surrounding the residential structure. Access to this area requires movement through a ten-foot-wide passageway along the east side of the café followed by a turning movement into the rear yard.

The approved seating plan provides a total of approximately seventy-three seats, including twenty-seven interior seats, thirty seats in the rear patio, and sixteen seats in the public right-of-way along the sidewalk.

Patrons seated inside the café would exit directly through the front entrance. Patrons seated on the sidewalk would disperse into the public right-of-way. However, patrons seated in the rear patio have only one means of egress and must move through the rear seating area and exit to the street through the ten-foot passageway along the east side of the café. This passageway is also the only practical route for fire department personnel to reach the rear of the property and operate safely during emergency conditions.

This configuration creates a condition in which approximately thirty occupants rely on a single circulation route bounded by walls and structures.

In addition to serving as the sole egress route for rear patio occupants, the ten-foot passageway is the only practical access route for emergency responders to reach the rear of the property. Fire department personnel must be able to move equipment, maneuver safely, and maintain clear access during emergency operations. The presence of tightly spaced tables, chairs, and occupants within the rear yard and along the access route increases the likelihood of congestion and delay.

The rear yard seating area is the furthest point from the public street and requires movement through a confined space before reaching an exit. During an emergency, responders and occupants would be required to operate within the same constrained circulation environment.

Under Coastal Act Section 30253, development must minimize risks to life and property and ensure safe access for emergency response and evacuation.

The proposed layout concentrates rear patio occupants and emergency access into a single narrow circulation path within a confined space. This configuration increases the potential for delay, restricted maneuverability, and reduced operational effectiveness for emergency responders.

Importantly, the circulation constraint is not inherent to the presence of outdoor dining or residential development on the property. It results from the limited maneuvering space created by the size and placement of the proposed residential structure.

In addition, considering the significantly expanded service floor area to 73 seats (27 indoor seats and 46 outdoor seats, with 16 in the public right-of-way and 30 on the back patio), it is nonsensical to say the project minimizes vehicle miles traveled given a large portion of the significantly increased number of patrons would drive there. San Pedro and especially Point Fermin is a designated Special Coastal Community due to its character, with one of the oldest lighthouses in California and one of the most beautiful parks in the state, which also has hosted Music by the Sea and Shakespeare by the Sea among other events.

Additionally, citing compliance with the 26' height limit in the San Pedro Specific Plan does not mean the project is compatible with the surrounding area, as that is more than offset by the incompatibility of the overall size with the prevailing character, mass, and scale of the surrounding neighborhood.

Objective 1 in the LUP is to preserve and protect stable single-family residential areas from encroachment by other types of uses, including from higher density residential development. When the average ADU size in San Pedro is usually around 400 SF, a 1,070 SF ADU is much higher density than the vast majority of ADUs in the Coastal San Pedro neighborhoods.

LUP parking standard (a) states that adequate on-site parking *shall* be provided by new development. Yet again, the project proposes to continue to rely on existing public parking, despite a doubling of the café's service floor area. The applicant also claims that the project would adhere to the required setbacks, yet as previously mentioned, there is no front yard setback because that area is taken up by the Walker's Café building and outdoor rear patio seating for its patrons, nor is there any back yard. If the proposed house was much smaller, for example, occupying the general footprint where the garages currently are, there would be ample space to provide additional parking for the Café, but again, the applicant has turned this into a residentially focused project rather than a Walker's Café focused project.

Moreover, San Pedro, and Point Fermin in particular, is a Special Coastal Community because of its unique character and visitor serving amenities which require additional protection under the Coastal Act. Paseo del Mar also provides direct access to the Sunken City Trail, which is listed as third in order of priority to improve in the LUP, and the City's District One Five Council Office has made re-opening Sunken City a priority that they say will be completed in the near future.

The City indicates that the project would not induce any adverse changes to the adjacent park and would not cause environmental impacts on the park or other surrounding coastal areas. However, if the proposed significantly increased intensity of use is realized, many more people would have an effect on the park and on the Peregrine Falcon nesting and fledgling area on the bluffs at the western end of the park, as significantly more people would visit the area. The City errs in not recognizing the sensitive habitat areas nearby, including the Point Fermin bluffs on the western end of the park, which are well known nesting, breeding, and fledgling areas for the protected Peregrine Falcon. A photo of a Peregrine Falcon was taken on October 29, 2025 on the wire behind 724 Paseo del Mar immediately adjacent to 700 Paseo del Mar. See **EXHIBIT H**.

The City determination incorrectly states on page 34 that yard setback requirements for the residential structure will be maintained as there are no front or rear setbacks.

Due to all of the foregoing errors, this finding is invalid.

Finding 8 – The Project Fails to Follow Coastal Act Section 30625(c)

Coastal Act section 30625 (c) requires that *“decisions of the [Coastal] commission, where applicable, shall guide local governments or port governing bodies in their future actions under this division.”* The third example provided in the City determination (page 37, Finding 9), the 1355 W. Paseo del Mar development, occupies the same footprint as the existing structure prior to the remodel and retains the same square footage in the new structure. Thus, that project would lend support to the idea of having the proposed residential structure for this

project occupy the same (or up to 10% more) footprint occupied by the existing structure in the rear of the property, freeing up much needed space to support Walker's, as proposed herein, which should be the primary focus of this development).

Finding 9 -- Other Miscellaneous Findings [Emma--should we INCLUDE?]:

The project would adversely affect the welfare of the community as there is already an overconcentration of both premises for the sale or dispensing of alcoholic beverages and "high crime" (as defined) in the area. In addition, on page 25 of this report is a list (please see page 13) that shows the project is not only immediately adjacent to residential uses but is also immediately adjacent to parks, public playgrounds, and other similar uses and thus would detrimentally affect such uses. Moreover, three acres of Point Fermin Park is on the National Register of Historic places and has one of the oldest Lighthouses in California. Thus, the project cannot be approved as proposed.

In addition, as the project is in a residential neighborhood, the number of outdoor seats should be substantially reduced, due to the inevitable noise created by so many potential patrons and the impacts on the surrounding residential uses; and given that this is a residential neighborhood, there should be no service floor area in the public right of way.

State Mello Act (MEL) and State Housing Accountability Act (HCA): As noted herein, people have lived in the existing "garage" for decades and thus a residential structure is proposed for demolition. The existing "storage shed" is actually a garage that formerly had a bathroom and kitchen area, where people lived for decades. The Mello Act and Housing Accountability Act Compliance Reviews must consider the prior residential units, regardless of whether they were legally permitted as such.

From the HCM Application p.15 " The garage at the rear of the parcel dates back to 1928. Footnote 69. *It still contains an inspection pit used by the Landiers to service their vehicles.* Footnote 70. The grocery store was one of the very first commercial amenities in the area; between their bus service and the streetcar terminus about a block from their house, the Landiers were ideally positioned to cater to the growing stream of visitors and residents." See the photo showing the fleet of Jitneys in front of the building that became Walker's Café at EXHIBIT I.

Given that the vehicle inspection pit where they were serviced still exists in the garage and that, while records from that time are sparse, it's reasonable to conclude that they also refueled their vehicles there, part of what's before you to consider is a CEQA exemption. Considering that there were likely a great deal of contaminants dispersed into the ground where vehicles were serviced and likely refueled, exempting the project from CEQA where a gigantic residence it proposed to be built upon a likely contaminated area would likely be in violation of that law, and at a minimum, a detailed and thorough soil analysis must be required and performed before any such exemption from CEQA for the construction of the residential structure would be granted.

Finding 9 - Procedural Errors With Respect to Neighborhood Council Role and Involvement:

The Coastal San Pedro Neighborhood Council (CSPNC) should be included as a “cc” on all notices and all determinations issued for this project. (It was not indicated as copied on the February 19, 2026 determination or the April 1, 2026 Correction Letter.)

The CSPNC recommendation letter dated October 28, 2025 should be mentioned in the determination and its recommendations addressed. See **EXHIBIT J**. Rather than reference the official CSPNC recommendation letter, the only reference to the CSPNC is on page 17 with respect to its March 17, 2025 meeting, but the source of the reference is not clear as it only mentions a Council District 15 “representative” who sent the ZA an email with a list of 18 public comments. This is a highly unusual and possibly inappropriate disclosure. Neither is the CSPNC testimony at the hearing (page 18) mentioned.

Finding 10 -- Other Miscellaneous Errors that Must Be Corrected:

A. Zone Variance/Café Operations Errors

1. Condition 12. (page 7) Official California State lottery games and machines must not be allowed as it is incongruous with the stated nature of the use. This appears to be boilerplate language that was not correctly tailored to Walker’s.
2. Condition 14. (page 7) Camera surveillance system must not include any footage of the adjacent properties.
3. Condition 17. (page 7) References to “store” are incorrect.
4. Conditions 20. and 22. (page 8) are erroneous. There are no parking areas under the control of the applicant.
5. Condition 30. (page 9) Must be revised to be clear there is no sound system or amplified or acoustic music allowed. (see Conditions 35. & 36.)
6. Condition 31. (page 9) Private events must not be allowed in this residential area.
7. Page 15— The statement that “the café has previously sold beer and wine for on-site consumption since 1997, as indicated on their ABC License No. 329702.” is erroneous. The café never sold wine, only beer. As indicated on page 21 — “ Records from the California Department of Alcoholic Beverage Control indicate that a Type 40 (On-Sale Beer) license has been active at the subject property since July 21, 1997.” Thus, only beer use can be perpetuated in the Zone Variance.
8. Page 18 “Applicant’s last statement” --The applicant’s representative, Elisa Paster, agreed to exclude alcohol service from the front sidewalk patio, but that change is not reflected in the conditions and must be added.
9. Page 19 “conditions for further consideration by the ABC” — The hours of operation indicated must be changed to 8 am to 8 pm.
10. Page 23 Zone Variance Finding 2 “Continued Use of Existing Non-Conforming Historic Café” — The finding refers to a “corner-adjacent location;” however, the project is not on or adjacent to a corner.
11. Page 27 Zone Variance Finding 4 — 2023 crime statistics must be updated to latest year available— 2025.
12. Page 28 Zone Variance Finding 5 — The finding does not recognize the fact that the LUP is a part of the General Plan. The project (both residential and café portions) does not meet the San Pedro Community Plan Goal LU1.1: Neighborhood character. Maintain the distinguishing characteristics of San Pedro’s residential neighborhoods with respect to lot size, topography, housing scale and landscaping, to protect the

character of existing stable neighborhoods from new, out-of-scale development.” As is proven herein, this total project is out-of-scale development. Neither does the project comply with LU1.3 Neighborhood transitions, LU1.6 Alleys, or LU6.2 Mix of Uses.

13. Page 31 Zone Variance Finding 5 – “The ability to serve alcohol with entertainment” is incorrect as no entertainment is allowed.

B. Coastal Development Permit and Other Errors

1. CDP Condition 7.e. (page 5) is erroneous. Roof deck railings are required by the Department of Building and Safety to be a minimum of 42”.
2. CDP Condition 7.h. (page 6) is erroneous. It is written incorrectly as the limit of 36” for the roof deck railings is only applicable to the extent the top of the railings exceed the specified height limit. The structure height including roof deck railings cannot exceed 26 feet plus 3 feet (36”) = 29 feet.
3. Page 16 “Streets” – Paseo del Mar is a designated scenic highway as per the San Pedro Community Plan.
4. Page 16 “Previous zoning related actions on the site” – The applicant did not submit the Historic-Cultural Monument Nomination Form for Walker’s Café but rather a member of the public.
5. Page 20 “conditions for further consideration by the ABC” – although we agree some parking should be designated, no parking is being provided.
6. Page 35 CDP Finding 7 – It should be noted that although the LUP is advisory but its policies and standards must be followed unless there is a legally sufficient, fact-based and significant reason or special condition why it cannot be followed (based on case law – Pacific Palisades Bowl Mobile Estates, LLC v. City of Los Angeles and Douda v. California Coastal Commission).

Finding 11 – The Project is Not Exempt from CEQA and Requires Additional Environmental Analysis

The CEQA evaluation (City Determination pages 38 – 40) does not consider the total project. Also, the Class 31 categorical exemption is not met because, as stated herein, the Secretary of the Interior Standards are not met as the new construction adjacent to the historic resource is not compatible in scale, massing and setting. The Exceptions outlined in section 15300.2 *do* apply as a. Location. the project IS located in a sensitive environment (adjacent to an historic park and historic lighthouse) and the proposed total project is not consistent with the scale and uses proximate to the area, b. Cumulative Impacts. The project does not conform to the permitted regulations for the underlying zone (thus a zone variance is required), c. Significant Effect. the subject (total) project is not of a similar size and scope to the surrounding properties, d. Scenic Highways. Paseo del Mar is a designated scenic highway in the San Pedro Community Plan, and f. Historic Resources. the total proposed project is not consistent with the Secretary of the Interior’s Standards, as noted above. The project is not categorically exempt and requires an Environmental Impact Report (EIR), including an analysis of alternative projects.

B. ABUTTING OWNER PERSPECTIVE:

As owner of the properties at 724/728 Paseo del Mar, immediately adjacent to the Walkers Café property at 700 Paseo del Mar, I must emphasize three major concerns:

* The oversized ADU will negatively affect not only my property at 724/728 by its inappropriate placement and size because people will have visual and auditory impacts on those properties. I stand to lose tens of thousands of dollars of value.

* The proposal for seating for Walkers is infeasible as 1) the orientation of Walkers is south toward the Park and the Ocean, not my yard of two garages, and 2) its patrons would have nothing to look at but concrete and the back of the café unless an open fence showing the vegetation at 724 is built. Otherwise, I/my property will be providing the “visual” for that outdoor seating space.

* A build out as proposed will destroy the character of this unique coastal neighborhood, replacing a “charming early 20th century feel and look” to a “21st century grab and build façade.” The inevitable cumulative impact will be that eventually the entire block will look like that.

Thank you for your consideration, June Burlingame Smith

C. SPECIFIC RECOMMENDATIONS:

Recommended Conditions:

Coastal Development Permit Special Conditions:

These conditions stand on their own coastal authority and should be implemented using the Coastal Commission’s standard tools—recorded deed restriction, and no-change-of-use without CDP amendment, monitoring, and remedies.

A. Conditions for Continued Visitor-Serving Use

1. Walker’s Café shall be maintained and operated as a public sit-down restaurant open to the general public.
2. Minimum service: open at least 5 days/week, 8 hours/day, with clearly posted hours; reasonable, nondiscriminatory pricing; and no membership or private access requirements.
3. No substitution: the café space shall not be converted to any other use.
4. No reduction: any proposed reduction in café floor area or removal of the commercial kitchen would require an application for a CDP amendment.
5. Phasing: no temporary or final Certificate of Occupancy for any dwelling unit shall be issued until:
 - (i) café construction is final; and
 - (ii) the café has operated 90 consecutive days
6. Continuity: if café operations cease for more than 60 days, the permittee must re-open within 180 days.

7. Enforcement: this condition shall be secured by a recorded deed restriction running with the land; violations are subject to permit revocation/abatement and Coastal Act administrative penalties.

B. Other Conditions

1. Prior to issuance of building permits, a comprehensive traffic management and loading plan shall be submitted for review and approval by LADOT and City Planning, showing how deliveries to the café will be routed, timed, and accommodated without adverse impacts on the residential neighborhood or the public right-of-way.
2. The residential component of the project shall be designed and constructed such that all service, loading, garbage and recycling functions of the cafe are routed to the alley behind the lot, screened from residential uses, and designed to prevent noise and odor impacts such that the dumpster is not a nuisance to adjacent and nearby residential uses.
3. The applicant shall provide grease and other waste-water disposal strategies for the café kitchen that meet best-management practices for Coastal Zone environments, including spill-prevention, stormwater capture and signage prohibiting discharge to the marine environment.
4. Outdoor seating, service and operations of the café shall be limited to hours of operation that will avoid significant noise disturbance to adjacent residents; and an acoustical report shall be submitted, showing measures to mitigate noise, vibration and mechanical equipment in conformance with the City's Noise Ordinance, the San Pedro Community Plan, and the LUP. No music or amplified sound shall be allowed. No noise of any kind is allowed beyond the premises.
5. Landscaping and fencing along the rear alley and side property lines shall be designed to completely block views of all service activities – including loading, unloading, storage, trash, and equipment – from adjacent residential properties, and to ensure pedestrian safety. Under no circumstances shall any lighting of any kind spill over, trespass, or cast glare onto adjacent or nearby properties.
6. The residential structure on the site shall be substantially reduced in size and footprint to ensure that the lot provides adequate space to:
 - a. Establish a dedicated loading zone in the rear alley and a continuous side pathway for transporting supplies from the alley to the café and for moving refuse from the café to the dumpster,
 - b. Provide a pathway from the rear of the lot (where residential garbage cans will be stored) to Paseo del Mar (where residential collection occurs), which may also serve as a pedestrian access route from Paseo del Mar to the front entrance of the residential structure,
 - c. Allow for some expansion of the café kitchen and storage to accommodate the proposed expanded service floor area/seating, and
 - d. Fully meet all development standards of the LUP including limiting the residential structure to the size, mass and scale of adjacent and immediately surrounding residential development; and remove the roof deck, which is not compatible with the surrounding area.

This reduction and re-configuration of the residential structure is necessary to ensure that the commercial and residential functions both operate in a manner respectful of the

alley, the adjacent residences, the adjacent Point Fermin Park, the public right of way and the coastal environment.

7. The residential structure shall not be used for Home Sharing, Short-Term Rental, Vacation Rental, or any non-residential use.

C. Conditions for Covenant and Ongoing Reporting

Prior to issuing a CDP, it is necessary to record a covenant that ensures all future owners, successors, and assigns are obligated to comply with every Special Condition.

Prior to issuance of certificate of occupancy for the café expansion, the applicant shall record a covenant on the property deed in the Los Angeles County Recorder's office, binding the property and any successor in interest to operate the café and any residential uses in compliance with any "Q" conditions and all of the approved CDP conditions, and to submit annual reports to the Department of City Planning regarding compliance with loading, waste-management and operational conditions for a period of at least five (5) years. Any lease for the café must incorporate the CDP Special Conditions, with the lessee acknowledging Coastal enforcement authority.

The "Q" or Qualified Condition cited in the Los Angeles Municipal Code Section 12.32 can be used in connection with a Zone Change to impose limitations or standards on a parcel. Given that the current case includes a Zone Variance (ZV) and not a Zone Change, we respectfully ask the Department of City Planning to impose a "Q" condition (*or similar condition*) in this particular entitlement as a binding, enforceable way to stipulate protection for this historic property to continue as a cafe, in addition to the Special Conditions noted above.

Recommended Project Changes:

Replacement of the Existing Garage — Reasonable Scale vs. Lot-Filling Development

We recommend a significant decrease in size of the residential structure, including elimination of the roof decks and the concrete block wall. If the existing garage was to be demolished and only slightly expanded in size, including the footprint (and the addition of a second floor), the applicant could build 1,800 to 2,000 square feet of residential development at the back of the lot, including a more modest ADU similar to the smaller size of the majority of those in San Pedro, with a marvelous chef's garden on the west side of the property, they could create a great vibe, both enhancing Walker's and having the additional income from the two homes, without destroying the surrounding area's community character as the overall project would not be so massive. With a smaller residential structure there could also be space for extra parking for patrons. There would likely be wide community support for such a smaller in scale approach.

The project proposes demolition of the existing garage and construction of a new residential structure in its place. Replacement of the garage with a residence is not opposed. However, the approved design expands the residential structure across nearly the entire lot rather than maintaining a development pattern generally consistent with the existing garage location.

As described in the Emergency Access and Circulation section above, the expansion of the residential footprint leaves only a narrow residual space between the historic café and the residential structure to accommodate circulation, emergency access, and operational functions.

This narrow residual space must serve multiple simultaneous purposes, including:

- pedestrian circulation
- emergency responder access
- operational support for the café
- outdoor dining
- evacuation movement

The resulting condition compresses all functional activity into a single constrained area. The constrained circulation environment is therefore not caused by the existence of a residence on the property, but by the scale and placement of the proposed structure, which occupies nearly the entire lot and leaves only a limited buffer between the historic café and the residential use.

A smaller residential structure located generally within the footprint of the existing garage, or modestly expanded from that footprint, would provide adequate residential space while preserving necessary circulation and operational functions for the historic café and maintaining safe access for emergency response.

The issue is therefore not whether a residence may be constructed, but whether the scale and placement of the proposed structure are compatible with the continued safe and functional operation of the historic resource and surrounding neighborhood.

Requested Modifications

The appellant respectfully requests that the approval be modified to ensure that development on the property proceeds in a manner consistent with public safety requirements, historic preservation standards, and compatibility with the surrounding neighborhood. Specifically, the project should be revised to address the constrained circulation and compatibility concerns identified in this appeal.

The following modifications are requested:

1. Reduce the scale and footprint of the proposed residential structure

The residential structure should be reduced in size and configured generally within the footprint of the existing garage, or modestly expanded from that footprint, in order to preserve adequate circulation and operational space between the historic café and the residence.

2. Preserve adequate maneuvering and circulation space behind the café

The design should maintain sufficient open space between the historic café and the residential structure to allow safe circulation, emergency access, and operational support for the café, consistent with the safety objectives of Coastal Act Section 30253.

3. Ensure unobstructed emergency access to the rear of the property

The circulation route along the east side of the café and the rear yard area should remain clear and functionally usable for emergency responders and evacuation movement. Seating layouts and site design should not impede the ability of fire department personnel to access and operate safely within the rear yard area.

4. Modify site design features that contribute to constrained circulation

Site features that restrict maneuverability or create enclosed circulation conditions — including excessive lot coverage, continuous perimeter walls, and placement of structures immediately adjacent to the historic café — should be revised to improve safety, visibility, and access.

5. Maintain compatibility with the historic resource and surrounding neighborhood

The revised project should be designed to respect the scale, setting, and functional environment of the historic café and to maintain compatibility with the surrounding residential neighborhood, consistent with applicable historic preservation standards and Coastal Act policies.

Conclusion:

Walker's Café is a historic community resource that has served residents and visitors for generations. The continued success of the café depends not only on preservation of the building itself, but on preservation of the functional space and circulation necessary for safe and effective operation.

This appeal does not oppose residential development on the property. A residence located generally within the footprint of the existing garage, or modestly expanded from that footprint, would allow both residential and commercial uses to coexist successfully.

However, the currently approved design expands the residential structure across nearly the entire lot, leaving only a narrow residual space between the historic café and the residence to accommodate circulation, emergency access, and operational functions.

As described in this appeal, the resulting configuration creates a constrained circulation environment that increases risk to life and property and reduces compatibility with the historic resource and surrounding neighborhood.

Modification of the project to reduce the scale and placement of the residential structure would:

- improve safety and emergency access
- preserve the functional setting of the historic café
- maintain compatibility with the surrounding neighborhood
- support continued visitor-serving use of the site

For these reasons, the appellant respectfully requests that the approval be modified to ensure that development on the property proceeds in a manner consistent with public safety, historic preservation, and community character.

Thank you for your careful attention and for seriously considering the necessary changes to this important project and incorporating needed protections into the final CDP and Zone Variance determination.

We welcome the opportunity to provide any additional information or participate in continued review of the project to ensure responsiveness to the neighborhood, protection of the Dual Coastal Zone, and adherence to the City's land-use objectives.

Sincerely,

Noel Gould
Emma Rault
Robin Rudisill
June Smith

cc:
Councilmember McOsker
Monica Taimoori, City Planning Assistant

EXHIBITS

EXHIBIT A

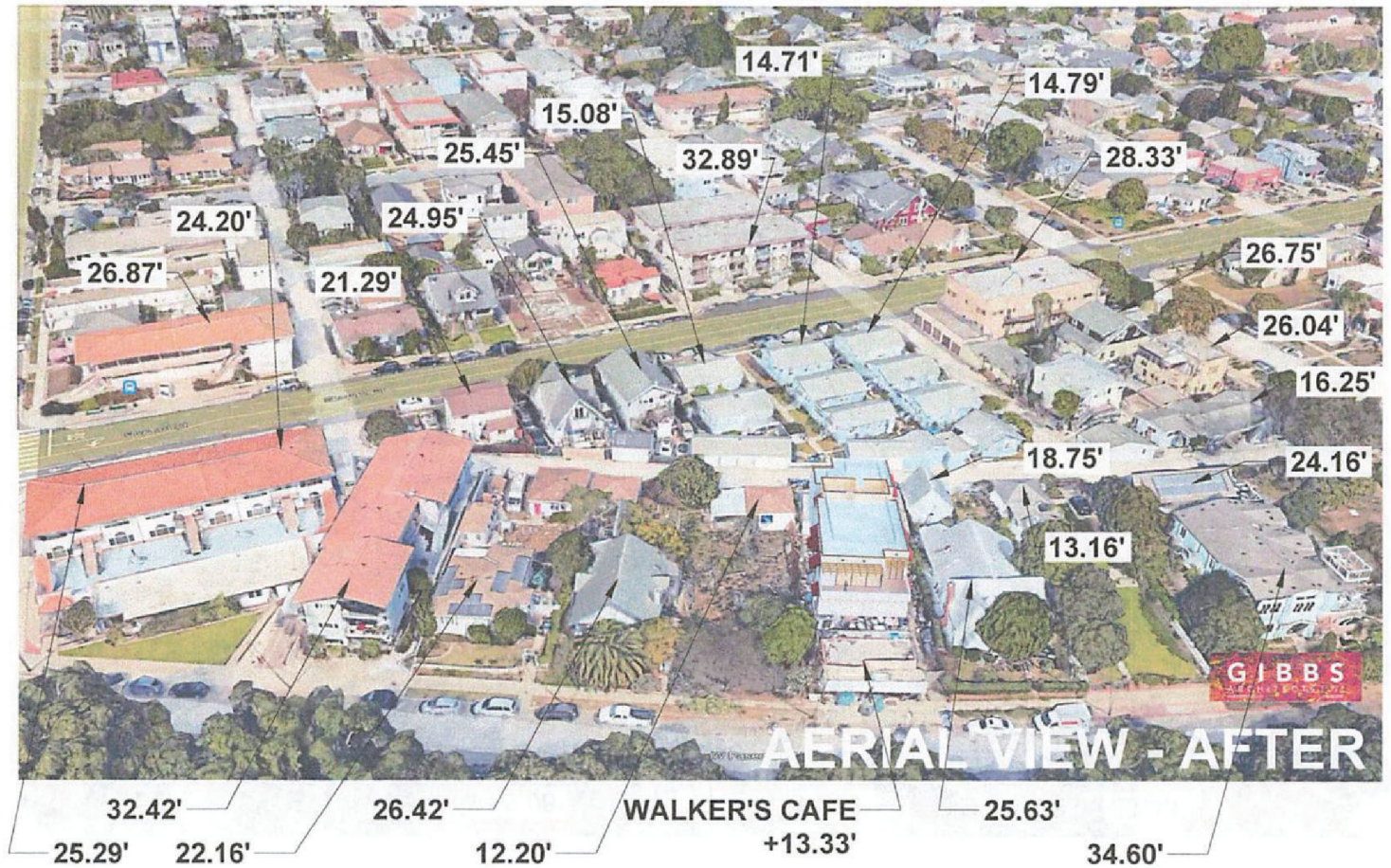


EXHIBIT B

NEIGHBORHOOD HEIGHT CORRECTIONS IN APPLICANT'S COMMUNITY CHARACTER ANALYSIS

ADDRESS	REPORTED HEIGHT	ACTUAL HEIGHT	VERIFICATION SOURCE
728 W. Paseo del Mar	26.42 feet	17 feet	DBS
730 W. Paseo del Mar	22.16 feet	12 feet	DBS
740 W. Paseo del Mar Apt. Bldg.	32.42 feet	29 feet	DBS
736 Shepard St. Apt. Bldg.	26.87 feet	16 feet	DBS
725-727 Shepard St.	21.29 feet	18.5 feet	DBS
705 Shepard St.	15.08 feet	12 feet	DBS
676 Shepard St. Apt. Bldg.	32.89 feet	26 feet	DBS
677 Shepard St. bungalows	14.71 feet	14 feet	DBS
675 Shepard St. bungalows	14.79 feet	14 feet	DBS
4115 S. Carolina St.	26.75 feet	20 feet	DBS
4127 S. Carolina St.	16.25 feet	15 feet	DBS
670 W. Paseo del Mar ADU	24.16 feet	21 feet	DBS
670 W. Paseo del Mar	34.60 feet	26 feet	DBS
680 W. Paseo del Mar	13.16 feet	12 feet	DBS
690 W. Paseo del Mar garage	18.75 feet	12 feet	DBS
690 W. Paseo del Mar	25.63 feet	18 feet	DBS
724 W. Paseo del Mar garage	12.20 feet	12 feet	DBS
TOTAL HEIGHT	378.13 feet using 17 properties reported by applicant	268.76 feet actual height according to LADBS records	
AVERAGE HEIGHT	22.24 feet	15.80 feet	
AVERAGE HEIGHT EXCLUDING MULTIFAMILY BLDGS.	20.43 feet	14.13 feet	
Note: Not all actual heights were found for comparison			

EXHIBIT C

Amanda,

There has been no movement towards compliance of our Order To Comply in almost a year.

At the beginning of the year I reached out to the Planning Dept, who has the planning case, and they also have heard nothing from the owners on this project. Basically we wrote an Order to Stop Work on a Historic building without the benefit of plans and permits. They continued to work and cover up unpermitted work. Planning and Historical got involved and helped get the owners to understand that they were altering a historic building without approval.

Planning should be involved in any discussions you have with this owner !

Let me know if you have more questions.

Sincerely,

Paul

Paul Becker, Senior Inspector
Los Angeles Dept. of Building & Safety
Code Enforcement Bureau
638 S Beacon St
San Pedro, CA 90732
310-732-4530 Office
E-mail paul.becker@lacity.org

On Wed, Jun 21, 2023 at 4:43 PM Amanda Enriquez <amanda.enriquez@lacity.org> wrote:
Thank you for getting back to me!

Hi Paul! Are you able to give me an update?

On Wed, Jun 21, 2023 at 4:11 PM Andrew Beeli <andrew.beeli@lacity.org> wrote:
Hello Amanda,

I would love to help with this, however my past Supervisor Senior Inspector Paul Becker would hurt more than my feelings if I did. I am no longer the Code Enforcement person for the San Pedro area. Paul can be reached at paul.becker@lacity.org
Regards,

Inspector Andrew Beeli

Building Mechanical Inspector

LADBS - Code Enforcement Bureau

7166 W. Manchester Ave. - Suite 10A

EXHIBIT D



EXHIBIT E



EXHIBIT F

T: (213) 682-6372 | Planning4LA.org



Effective July 1, 2024, City Planning fees will increase by 3.5% based on the Consumer Price Index for Urban Consumers (CPI-U). To view the updated Fee Schedule, see [here](#).

On Fri, Jun 21, 2024 at 2:17 PM Lambert Giessinger
<lambert.giessinger@lacity.org> wrote:

Hi Monica,

The report will suffice for CEQA purposes. However, we remain concerned about the out of scale nature of the new construction in relation to the historic Walker's Cafe and the surrounding neighborhood.

Lambert



Lambert Giessinger
Senior Architect | Office of Historic Resources
Los Angeles City Planning

[221 N. Figueroa St., Suite 1350](#)

[Los Angeles, CA 90012](#)

T: (213) 847-3648 | Planning4LA.org

On Tue, Jun 18, 2024 at 12:54 PM Lambert Giessinger
<lambert.giessinger@lacity.org> wrote:

Also-- do you know if the design of the new house has been revised?
Does the coastal zone/CDP requirement of "neighborhood compatibility" still factor in?



Lambert Giessinger
Senior Architect | Office of Historic Resources
Los Angeles City Planning

[221 N. Figueroa St., Suite 1350](#)

[Los Angeles, CA 90012](#)

T: (213) 847-3648 | Planning4LA.org

On Tue, Jun 18, 2024 at 12:37 PM Lambert Giessinger
<lambert.giessinger@lacity.org> wrote:

Hi Monica,

Thanks for following-up. Your June 4 email just came in with the one from yesterday. Give us a week to review the memo and see if the Cultural Heritage Commission's comments have been incorporated.

EXHIBIT G

3

**APPLICATION TO
ALTER, REPAIR, or DEMOLISH
AND FOR A
Certificate of Occupancy**

CITY OF LOS ANGELES
DEPARTMENT
OF
BUILDING AND SAFETY
BUILDING DIVISION

Lot No. #15
 Tract PECK OCEAN VIEW
 Location of Building 700 PASEO DEL MAR
 (House Number and Street)
 Between what cross streets? GAFFY & PACIFIC
 Approved by City Engineer
 Deputy
USE INK OR INDELIBLE PENCIL
 1. Present use of building CAFE Families _____ Rooms _____
 (Store, Dwelling, Apartment House, Hotel or other purpose)
 2. State how long building has been used for present occupancy. PROX 12 YEARS
 3. Use of building BOESSIE SAME Families _____ Rooms _____
 4. Owner MRS. WALKER Phone DA. 60176
 5. Owner's Address 1647 266TH ST. - LOMITA
 6. Certificated Architect _____ State _____ License No. _____ Phone _____
 7. Licensed Engineer _____ State _____ License No. _____ Phone _____
 8. Contractor OWNER State _____ License No. _____ Phone _____
 9. Contractor's Address _____
 10. VALUATION OF PROPOSED WORK \$ 900.00
 (Including all labor and material and all permanent lighting heating, ventilating, water supply, plumbing, fire sprinkler, electrical wiring and elevator equipment therein or thereon)
 11. State how many buildings NOW 2 BLDGS CAFE & GARAGE
 on lot and give use of each. (Store, Dwelling, Apartment House, Hotel or other purpose)
 12. Size of existing building 52' x 16' Number of stories high 1 Height to highest point 12
 13. Material Exterior Walls STUCCO Exterior framework WOOD
 (Wood, Steel or Masonry) (Wood or Steel)

14. Describe briefly all proposed construction and work:

STORAGE ROOM - WOOD EXTERIOR WALLS - CEMENT FLOOR

NEW CONSTRUCTION

15. Size of Addition 8' x 12' Size of Lot 52' x 130' Number of Stories when complete 1
 16. Footing: Width 12' Depth in Ground 12' Width of Wall 6" Size of Floor 2" x 8"
 17. Size of Studs 2" x 4" Material of Floor CON Size of Rafters 2" x 9" Type of Roofing ROOFING

I hereby certify that to the best of my knowledge and belief the above application is correct and that this building or construction work will comply with all laws, and that in the doing of the work authorized thereby I will not employ any person in violation of the Labor Code of the State of California relating to Workmen's Compensation Insurance.

SAN PEDRO

Sign here Bessie M Walker
 (Owner or Authorized Agent)

DISTRICT
OFFICE

By

FOR DEPARTMENT USE ONLY

PLAN CHECKING				OCCUPANCY SURVEY		Investigation Fee \$	
Valuation	\$ <u>400</u>	Area of Bldg	Sq. Ft.	Cert. of	Occupancy Fee	\$ <u>100</u>	
Fee	\$ <u>100</u>	Area of Bldg	Sq. Ft.	Bldg. Permit Fee	\$ <u>200</u>	Total	\$ <u>300</u>
TYPE	Maximum No. Occupants	Inside Lot	Key Lot	Lot Size	600 Ft. rear alley	600 Ft. side alley	Clerk
GROUP	Plans and Specifications checked	Corner Lot	Corner Lot Keyed	Fire District	No. <u>7</u>	District Map No. <u>5014</u>	Application checked and approved
For Plans See	Correction Verified	Bldg. Line	Continuous Inspection	SPRINKLER	Specified	Required	Inspector
Filed with	Plans, Specifications and Application rechecked and approved.			Valuation	Included	Yes	No

DO NOT WRITE BELOW THIS LINE

TYPE OF RECEIPT	DATE ISSUED	TRACER NO. (M)	RECEIPT NO.	CODE	FEE PAID
Plan Checking	6-29-53		3496		1.00
Supplemental Plan Checking					
Building Permit	JUL 6 - 1953		SP 6210		8.00

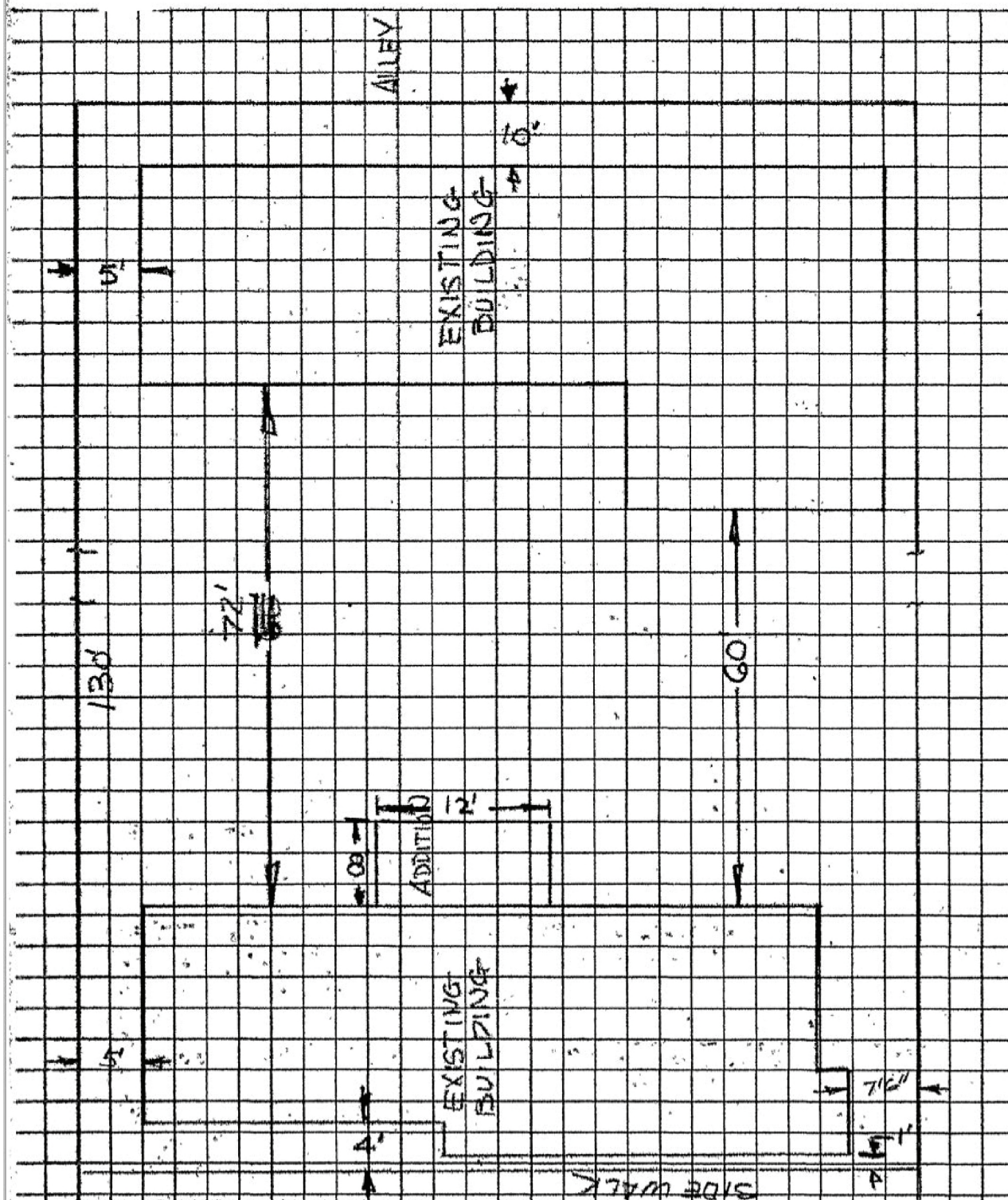


EXHIBIT H



EXHIBIT I

San Pedro centennial



All set to take San Pedrans on the jaunt from Beacon Street to Point Fermin is this fleet of jitneys owned and operated by the Landier family. The firm, L and L Transit, soon became San Pedro Motor Bus, which carried thousands of families about the area. At the right are owner Felicien Landier Sr., in the suit, and his son, Bob, in the

stack of tires. At their right standing alongside the vehicle is Felicien Landier Jr., father of Dolly Klett, owner of the 1916 photo. In the background is the family grocery store and cafe, now Walker's Cafe at Point Fermin. Grandmother Alice Landier is shown in one of the jitneys at the left. Note the turkey sitting on hood. Photo courtesy of Kathy Seixas.

EXHIBIT J



Doug Epperhart
President

Dean Pentcheff
Vice President

Sheryl Akerblom
Treasurer

1840 S Gaffey St., Box 34 • San Pedro, CA 90731 • cspnclive@gmail.com

October 28, 2025

Monica Taimoori, Planning Assistant
Office of City Planning
monica.taimoori@lacity.org

Re: Recommending approval, with conditions, of permits for development at 700 Paseo del Mar, San Pedro, Walker's Café (HCM #1267), ZA-2023-7218-CDP-CU-CUB-MEL-HCA

Resolved, The Coastal San Pedro Neighborhood Council recommends approval of the Walker's Café portion of the application with the following conditions:

- 1) That the alcohol service area be confined to seats inside Walker's and in the area on the property behind Walker's. It's neither appropriate, nor compliant with LAMC ordinances, to have sidewalk alcohol service, also while taking over the public right of way, in a residential neighborhood across from a park frequented by families with children.
- 2) The proposed seating in back be reduced from 44 seats to 30 seats. The proposed refrigeration and dry goods pantry are small, and the current plans leave no room for expansion of these areas or the kitchen if needed. We want Walker's to succeed.

Further Resolved, Coastal San Pedro Neighborhood Council recommends approval of the housing portion of the project and strongly encourages the applicant to design a residence/ADU combination that is smaller and more in line with the character, mass, and scale of the surrounding community.

Please contact Robin Rudisill, Chair of the Coastal San Pedro Neighborhood Council Planning, Land Use & Transportation Committee, at 310-721-2343 should you have any questions related to this letter and motion.

Sincerely,

A handwritten signature in black ink that reads "Douglas Epperhart".

Doug Epperhart, President
On behalf of the Coastal San Pedro Neighborhood Council Board

cc:
Tim McOsker, Los Angeles City Councilmember, CD15
Councilmember.McOsker@lacity.org
Pamela Thornton, Planning Director, CD-15



HARBOR AREA PLANNING COMMISSION

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

LETTER OF DETERMINATION

MAILING DATE: JUNE 30, 2026

Case No.: ZA-2023-7218-ZV-CDP-MEL-HCA-1A
CEQA: ENV-2023-7220-CE
Plan Area: San Pedro

Council District: 15 – McOsker

Project Site: 700 West Paseo del Mar

Applicant: Vartan Achabashian, Masis Holdings, LLC
Representative: Jesi Harris, Brian Silveira & Associates

Appellant: Noel Gould, Emma Rault, Robin Rudisill, June Smith

At its meeting of **June 2, 2026**, the Harbor Area Planning Commission took the actions below in conjunction on the following Project:

The continuation and rehabilitation of an existing 736 square-foot historic cafe, proposing 73 total seats with 27 indoor seats and 46 uncovered outdoor seats with on-site sale and consumption of beer and wine with the proposed hours of operation of 8:00 a.m. to 8:00 p.m. daily, and the demolition of an existing 1,118 square-foot garage, and the construction of a new, two-story 2,453 square-foot single-family dwelling with an attached 1,070 square-foot Accessory Dwelling Unit (ADU) both measuring 21 feet in height, along with an attached two-car garage and one carport in the Dual Permit Jurisdiction Area of the Coastal Zone.

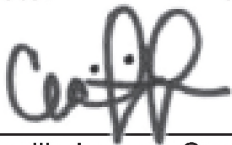
1. **Determined**, based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Sections 15301 (Class 1), 15303 (Class 3), and 15331 (Class 31), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical-resources applies;
2. **Denied** the appeal and **sustained** the Zoning Administrator's determination dated April 1, 2026;
3. **Approved**, pursuant to Chapter 1 Section 12.20.2 and Chapter 1A Section 13B.9.1 of the Los Angeles Municipal Code (LAMC), a Coastal Development Permit to allow the continuation and rehabilitation of an existing 736 square-foot historic cafe, proposing 73 total seats with 27 indoor seats and 46 uncovered outdoor seats with on-site sale and consumption of beer and wine with the proposed hours of operation of 8:00 a.m. to 8:00 p.m. daily, and the demolition of an existing 1,118 square-foot garage, and the construction of a new, two-story 2,453 square-foot single-family dwelling with an attached 1,070 square-foot Accessory Dwelling Unit (ADU) both measuring 21 feet in height, along with an attached two-car garage and one carport in the Dual Permit Jurisdiction Area of the Coastal Zone;
4. **Approved**, pursuant to LAMC Chapter 1 Section 12.27 and Chapter 1A Section 13.B.5.3, a Zone Variance to allow the continued use of an existing non-conforming historic cafe in the R1-1XL Zone;
5. **Approved**, pursuant to LAMC Chapter 1 Section 12.27 and Chapter 1A Section 13.B.5.3, a Zone Variance to allow the on-site sale and consumption of beer and wine in the R1-1 XL Zone;

6. **Approved**, pursuant to Government Code Sections 65590 and 65590.1 and the City of Los Angeles Interim Mello Act Compliance Administrative Procedures, a Mello Act Compliance Review for the construction of two new Residential Units in the Coastal Zone;
7. **Adopted** the attached Conditions of Approval; and
8. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Sheikh
Second: Gatlin
Ayes: Bagakis, Lara
Recuse: Sutton

Vote: 4 – 0



Cecilia Lamas, Commission Executive Assistant II
Harbor Area Planning Commission

APPEAL PERIOD - EFFECTIVE DATE

The decision of the Harbor Area Planning Commission as it relates to the Zone Variance is appealable to City Council within **15 days** after the mailing date of this determination letter. Any appeal not filed within the 15-day period shall not be considered by the Council.

Appeal of Coastal Development Permit. The proposed development is in the Dual Permit Jurisdiction Area of the Coastal Zone. Pursuant to LAMC Section 13B.9.1.G.1.f., no fee shall be charged for appeals of a Coastal Development Permit.

Provided no appeal has been filed by the noted date, a copy of the permit will be sent to the California Coastal Commission, pursuant to Section 13B.9.1.D.4 of Chapter 1A of the Los Angeles Municipal Code. Unless an appeal is filed with the California Coastal Commission before 20 working days have expired from the date the City's determination is deemed received by such Commission, the City's action shall be deemed final. As further stipulated in California Code of Regulations Section 13313, the permit shall not become effective until the requirements of Public Resources Code (PRC) Section 30601 have been fulfilled.

Furthermore, this coastal development permit shall be subject to revocation as provided in Section 13B.9.1.I.2 of Chapter 1A of the Los Angeles Municipal Code, as authorized by Section 30333 of the California Public Resources Code and Section 13105 of the California Administrative Code.

FINAL APPEAL DATE: JULY 15, 2026

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination on the CEQA clearance is an appealable clearance under Section 13B.11.1.F.2. (EIR, ND, MND, SCEA, Exemption/No Project) made by a decisionmaker other than the City Council; all available appeals on the entitlement approval(s) have been taken; and the Determination on the entitlement(s) is final and not further appealable.

WHO CAN FILE AN APPEAL

An Applicant or any other person aggrieved by the Decision Maker's decision may file an appeal.

HOW TO FILE AN APPEAL

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment. Appeals may be filed either online or in person as referenced below:

Forms are available online at <http://planning.lacity.gov/development-services/forms>.

ONLINE APPEAL FILINGS THROUGH ONLINE APPLICATION SYSTEM (OAS)



QR Code to
Online Appeal Filing

Online Application System (OAS): The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely online. Appeal fees may be paid for by credit card or e-check.

IN PERSON APPEAL FILINGS



QR Code to Forms
for In-Person Appeal
Filing

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, as well as the South Los Angeles DSC on Tuesdays and Thursdays only, and payment can be made by credit card or check.

- a. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications;
- b. Alternatively, appeal applications can be filed with staff at DSC public counters.

CITY PLANNING DEVELOPMENT SERVICES CENTERS – PUBLIC COUNTERS

Office	Address	Phone Number	Email
Metro DSC	201 N. Figueroa St 4th Floor Los Angeles, CA 90012	(213) 482-7077	planning.figcounter@lacity.org
Van Nuys DSC	6262 Van Nuys Blvd Suite 251 Van Nuys, CA 91401	(818) 374-5050	planning.mbc2@lacity.org
South LA DSC <i>Tuesday and Thursday Only</i>	8475 S. Vermont Ave, 1st Floor Los Angeles, CA 90044	(213) 978-1465	planning.southla@lacity.org

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

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

SCHEDULING CASE CONDITION CLEARANCE AND BUILDING PERMIT SIGN-OFFS

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).



QR Code to BuildLA
Appointment Portal for
Condition Clearance

In order to clear conditions and/or obtain building permit sign-offs, you must make an [appointment](#) with the Department of City Planning's Development Services Center (DSC). You may schedule a Case Condition Clearance Appointment with the DSC at appointments.lacity.org after the effective date of the determination..

See instructions on how to prepare for your appointment at planning.lacity.gov/project-review/case-filings

Attachments: Zoning Administrator's Determination dated April 1, 2026

cc: Christine Saponara, Associate Zoning Administrator

OFFICE OF ZONING ADMINISTRATION
200 N. SPRING STREET, ROOM 753
LOS ANGELES, CA 90012-4801
(213) 978-1318

ESTINEH MAJIAN
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
HENRY CHU

TIM FARGO
JONATHAN A. HERSHEY, AICP

PHYLLIS NATHANSON
CHRISTINE M. SAPONARA

COURTNEY SHUM
CHRISTINA TOY LEE
JORDANN TURNER

**CITY OF LOS ANGELES
CALIFORNIA**



**KAREN BASS
MAYOR**

**LOS ANGELES DEPARTMENT
OF CITY PLANNING
EXECUTIVE OFFICES**

VINCENT P. BERTONI, AICP
DIRECTOR

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

HAYDÉE URTA-LOPEZ
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

CHANG R. WEBER
DEPUTY DIRECTOR

planning.lacity.org

April 1, 2026

Vartan Achabashian (A)(O)
Masis Holdings, LLC
203 North San Fernando Boulevard
Burbank, CA 91502

Elisa Paster (R)
Rand Paster and Nelson, LLP
633 West Fifth Street, Unit #5880
Los Angeles, CA 90071

**CASE NO. ZA-2023-7218-ZV-CDP-MEL-
HCA**
**Zone Variance/Coastal Development
Permit/Mello Act Compliance Review**

700 West Paseo del Mar
San Pedro Community Plan
San Pedro Specific Plan
Zone: R1-1XL
C.D: 15 – McOsker
D.M.: 003B197
CEQA: ENV-2023-7220-CE
Legal Description: Lot 15, Block 7, Peck's
Ocean View Tract

CORRECTION LETTER

On February 19, 2026, the City of Los Angeles issued a Letter of Determination for the above-referenced case. Due to an unforeseen administrative issue involving mail processing, the determination was not mailed in accordance with established City procedures.

Accordingly, the Letter of Determination is hereby reissued and mailed with a corrected mailing date. No changes have been made to the substance, findings, conclusions, or conditions contained in the original determination.

The time period in which an appeal may be filed shall commence on the date of mailing of this reissued Letter of Determination. Any appeal must be filed within fifteen (15) days of the mailing date in accordance with applicable provisions of the Los Angeles Municipal Code Section 12.24 and/or other applicable sections of the Los Angeles Municipal Code.

Except for the corrected mailing date and this notice of re-issuance, all other provisions of the original determination remain unchanged and in full force and effect.

Inquiries regarding this matter should be directed to Monica Taimoori, Planning Staff for the Department of City Planning at (213) 682-6372 or monica.taimoori@lacity.org.

A handwritten signature in blue ink that reads "Christine M. Saponara". The signature is fluid and cursive, with the first name "Christine" and last name "Saponara" being more prominent than the middle initial "M".

CHRISTINE M. SAPONARA
Associate Zoning Administrator

CMS:CC:NM:MT

cc: Councilmember Tim McOsker
Fifteenth District
Adjoining Property Owners
Interested Parties

OFFICE OF ZONING ADMINISTRATION
200 N. SPRING STREET, ROOM 703
LOS ANGELES, CA 90012-4801
(213) 978-1318

ESTINEH MAILIAN
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
HENRY CHU
TIM FARGO
JONATHAN A. HERSHEY, AICP
PHYLLIS NATHANSON
CHRISTINE M. SAPONARA
COURTNEY SKUM
CHRISTINA TOY LEE
JORDANN TURNER

CITY OF LOS ANGELES
CALIFORNIA



KAREN BASS
MAYOR

**LOS ANGELES DEPARTMENT
OF CITY PLANNING
EXECUTIVE OFFICES**

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DIRECTOR

KEVIN J. KELLER, AICP
DEPUTY DIRECTOR

SHANIA M.M. BONSTEIN
DEPUTY DIRECTOR

HAYDÉE UIRTA-LOPEZ
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

CRAIG R. WEBER
DEPUTY DIRECTOR

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Decision Date: April 1, 2026

Appeal End Date: April 16, 2026

Vartan Achabashian (A)(O)
Masis Holdings, LLC
203 North San Fernando Boulevard
Burbank, CA 91502

Elisa Paster (R)
Rand Paster and Nelson, LLP
633 West Fifth Street, Unit #5880
Los Angeles, CA 90071

**CASE NO. ZA-2023-7218-ZV-CDP-MEL-
HCA**
**Zone Variance/Coastal Development
Permit/Mello Act Compliance Review**

700 West Paseo del Mar
San Pedro Community Plan
San Pedro Specific Plan
Zone: R1-1XL
C.D.: 15 – McOsker
D.M.: 003B197
CEQA: ENV-2023-7220-CE
Legal Description: Lot 15, Block 7, Peck's
Ocean View Tract

Pursuant to California Environmental Quality Act, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301 (Class 1), 15303 (Class 3), and Section 15331 (Class 31), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

Pursuant to Los Angeles Municipal Code (LAMC) Section 12.20.2 and Section 13B.9.1 of Chapter 1A, I hereby APPROVE:

a Coastal Development Permit to allow the continuation and rehabilitation of an existing 736 square-foot historic café, proposing 73 total seats with 27 indoor seats and 46 uncovered outdoor seats with on-site sale and consumption of beer and wine with the proposed hours of operation of 8 A.M. to 8 P.M. daily, and the demolition of an existing

1,118 square-foot garage, and the construction of a new, two-story 2,453 square-foot single-family dwelling with an attached 1,070 square-foot Accessory Dwelling Unit (ADU) both measuring 21 feet in height, along with an attached two-car garage and one (1) carport in the Dual Permit Jurisdiction Area of the Coastal Zone,

Pursuant to Los Angeles Municipal Code (LAMC) Section 12.27 of Chapter 1 and Section 13.B.5.3 of Chapter 1A, I hereby APPROVE

a Zone Variance to allow the continued use of an existing non-conforming historic café in the R1-1XL Zone,

Pursuant to Los Angeles Municipal Code (LAMC) Section 12.27 and Section 13.B.5.3 of Chapter 1A, I hereby APPROVE

a Zone Variance to allow the on-site sale and consumption of beer and wine in the R1-1XL Zone,

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

a Mello Act Compliance Review for the construction of two (2) new Residential Units in the Coastal Zone.

Upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plans submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety for purposes of having a building permit issued at any time during the term of this grant.

6. Prior to the effectuation of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (Covenant and Agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs, or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center for inclusion in the case file.
7. **Coastal Development Permit.** Approved herein is:
 - a. **Dual Permit Jurisdiction Area.** The project is located within the Dual Permit Jurisdiction area of the California Coastal Zone. The applicant shall file an application for a second (or "dual") coastal development permit with the Coastal Commission. Prior to the issuance of any permits, the Applicant shall submit proof of a valid ("dual") permit issued by the Coastal Commission.
 - b. **Residential Use.** The project shall be limited to a maximum density of one (1) new single-family dwelling and one (1) new Accessory Dwelling Unit (ADU), for a total of two (2) dwelling units on the subject property.
 - c. **Commercial Use.** The existing historic café shall be limited to 736 square feet.
 - d. **Height.** The existing historic café shall maintain the building height of 12 feet 10 inches, and the proposed two-story single-family dwelling and attached ADU shall be limited to a building height of 21 feet as measured from the average existing natural grade for the new attached structures, as shown in Exhibit "A".
 - e. **Roof Deck.** Railings used on the proposed roof deck shall not exceed 36 inches and be of an open design per San Pedro Specific Plan Section 5.B.5, as shown in Exhibit "A".
 - f. **Parking and Access.** As shown in "Exhibit A", a minimum of three (3) covered parking spaces shall be provided for residential use. Final approval of the number and location of parking is subject to review and approval by the Department of Building and Safety.
 - g. **Single-Family Zones Regulations.** Prior to the issuance of a grading or building permit, the applicant shall demonstrate compliance with Ordinance 184,802 including but not limited to:
 - i. The project shall provide an encroachment plane, a 45° angled plane above a height of 20 feet that the house cannot intersect.
 - ii. Side wall more than 45 feet in length and 14 feet in height require articulation.
 - iii. Roof decks are required to be set back at least 3 feet from the minimum side yard.

- iv. Driveways are limited to width to 25% of lot width (but not less than 9 feet) or the width of the existing driveway.
 - h. **San Pedro Specific Plan.** Prior to the issuance of a grading or building permit, the Department of Building and Safety shall determine that a project complies with the regulations of the San Pedro Specific Plan pursuant to Ordinance No. 166,352, including but not limited to:
 - i. Building or Structure for residential use shall be limited to two stories or a height of 26 feet as measured from the average existing natural grade to the highest point of the roof or parapet wall of the building, whichever is higher per San Pedro Specific Plan Section 5. B.1.
 - ii. Roof deck railings that do not exceed 36 inches and are of an open design.
 - i. Outdoor lighting shall be designed and installed with shielding so that light does not overflow into adjacent residential properties.
 - j. Prior to the commencement of site construction activities, construction schedule and contact information for any inquiries regarding construction activities shall be provided to residents and property owners within a 100-foot radius of the project site. The contact information shall include a construction manager and a phone number and shall be posted on the site in a manner, which is readily visible to any interested party.
8. **Zone Variance.** Authorized herein is the sale and dispensing of beer and wine for on-site consumption, in conjunction with an existing 736 square-foot non-conforming historic café and an uncovered outdoor patio in the public right-of-way. The grant shall be subject to the following limitations:
- a. The hours of operation shall be limited to 8:00 a.m. to 8:00 p.m. daily.
 - b. Indoor seating shall be limited to a maximum of 27 seats. The number of seats shall not exceed the maximum allowable occupant load as determined by the Department of Building and Safety.
 - c. Outdoor seating shall be limited to a maximum of 46 seats. The final number of seats and their location may be modified by the Department of Building and Safety in order to provide accessibility and required clearances from existing structures.
 - d. Outdoor seating in the public right-of-way shall be limited to a maximum of 16 seats. A Revocable Permit from the Bureau of Engineering, Department of Public Works is required for the outdoor dining located in the public right-of-way. The final number of seats and their location may be modified by said agency in order to provide accessibility and required clearances from existing structures. A copy of the approved Revocable Permit, including a plot plan and

any conditions thereto, shall be provided to the Department of City Planning prior to placing any seating in the public right of way as permitted by this grant.

9. After-hour use shall be prohibited, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
10. The establishment shall be maintained as a bona fide eating place (restaurant) with an operational kitchen and shall provide a full menu containing an assortment of foods normally offered in such restaurants. Food service shall be available at all times during operating hours. The establishment shall provide seating and dispense food and refreshments primarily for consumption on the premises and not solely for the purpose of food takeout or delivery.
11. Parking shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein.
12. Game machines, pool tables, or similar game activities or equipment shall not be permitted. Official California State lottery games and machines are allowed.
13. There shall be no Adult Entertainment of any type pursuant to LAMC Section 12.70.
14. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department.
15. The security plan must be reviewed and approved by the Police Department. The approved security plan will be maintained by the Department of City Planning and be made available to the Police Department and the Department of Building and Safety for the purpose of verification or inspections.
16. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site without being disruptive to persons on adjacent properties.
17. The exterior windows and glass doors of the store shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the store by Police and/or private security.
18. **Good Neighbor Program.** A telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
 - a. Entry, visible to pedestrians
 - b. Customer service desk, front desk or near the reception area.

Complaints shall be responded to within 24 hours. The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint, and (3) the manner in which the complaint was resolved.

19. **STAR/LEAD/RBS Training.** Within six months of the date of this determination and within six months of hire, all personnel acting in the capacity of a manager of the premise and all personnel who serve alcoholic beverages shall attend a Standardized Training for Alcohol Retailers (STAR) session sponsored by the Los Angeles Police Department. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months. Upon completion of the training, the applicant shall provide evidence to the Zoning Administrator that such training was provided.
20. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under the control of the applicant to assure such conduct does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
21. Loitering is prohibited on or around these premises and the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted in and outside of the subject facility.
22. At least one on-duty manager with authority over the activities within the facility shall be on the premises during business hours. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements, the conditions imposed by the Department of Alcoholic Beverage Control (ABC), and the conditional use granted herein. Every effort shall be undertaken in managing the facility to discourage illegal and criminal activities on the subject premises and in any exterior area, including accessory parking areas, over which the building owner exercises control, in an effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism, and truancy occur.
23. The approved conditions shall be retained on the premises at all times and produced immediately upon request of the Police Department, Department of Alcoholic Beverage Control, the Department of Building and Safety, the Department of City Planning, or other responsible agencies. The on-site Manager and employees shall be knowledgeable of the conditions herein.
24. The applicant shall provide the Zoning Administrator a copy of each license suspension thereof, or citation issued by the Los Angeles Police Department or State Department of Alcoholic Beverage Control upon such issuance.
25. The applicant shall be responsible for maintaining the premises over which they have control, including the adjoining sidewalk and any public or temporarily closed alleys abutting the site, free of debris and litter.
26. An electronic age verification device shall be purchased and retained on the premises to determine the age of any individual and shall be installed on at each point-of-sales

location. This device shall be maintained in operational condition and all employees shall be instructed in its use.

27. Smoking tobacco or any non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of the outdoor dining areas in accordance with Los Angeles Municipal Code Section 41.50 B 2 C. This prohibition applies to all outdoor areas of the establishment if the outdoor area is used in conjunction with food service and/or the consumption, dispensing or sale of alcoholic or non-alcoholic beverages.
28. The applicant(s) shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.
29. **Designated Driver Program.** Prior to the utilization of this grant, the applicant shall establish a "Designated Driver Program" which shall include, but not be limited to, signs/cards, notation on websites/social media, notifying patrons of the program. The signs/cards/website/social media shall be visible to the customer and posted or printed in prominent locations or areas. These may include signs/cards on each table, at the entrance, at the host station, in the waiting area, at the bars, or on the bathrooms, or a statement in the menus, a website, or on social media.
30. Any music, sound or noise which is under control of the applicant shall not violate Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance). At any time, a City representative may visit the site during operating hours to measure the noise levels. If, upon inspection, it is found that the noise level exceeds those allowed by the citywide noise regulation, the owner/operator will be notified and will be required to modify or eliminate the source of the noise or retain an acoustical engineer to recommend, design and implement noise control measures within property such as, noise barriers, sound absorbers, or buffer zones.
31. **Private Events.** Any use of the restaurant for private events, including corporate events, birthday parties, anniversary parties, weddings, or other private events which are not open to the general public, shall be subject to all the same provisions and hours of operation stated herein.
32. Partitions separating booth/dining areas shall not exceed 54 inches in height. No obstructions shall be attached, fastened or connected to the booths/dining areas within the interior space of the facility that restrict, limit or obstruct the clear observation of the occupants.
33. No enclosed room, other than restrooms, intended for use by patrons or customers shall be permitted. No private dining room with a separate access door shall be permitted.
34. No conditional use for dancing has been requested or approved herein. Dancing is prohibited.

35. There shall be no live entertainment or amplified music on the premises. There shall be no karaoke, disc jockey, topless entertainment, performers or fashion shows.
36. There shall be no speakers or amplified sound permitted in the outdoor dining area.
37. No employee or agent shall be permitted to accept money or any other item of value from a customer for the purpose of sitting or otherwise spending time with the customers while on the premises. No patrons shall be made available to act as escorts, companions, or guests of customers. Employees shall not be allowed to solicit or accept any alcoholic or non-alcoholic beverage from any customers in the premises.

Administrative Conditions

38. **MViP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per L.A.M.C Section 19.01- E.3 - Monitoring of Conditional Use Permits, Inspection, and Field Compliance for Review of Operations and Section 19.04 - Miscellaneous Clearance - ZA shall be paid to the City.
 - a. Within 24 months from the effective date of this grant, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. A second inspection will take place within 36 months of the first inspection. Observations and results of said inspection will be documented and included in the administrative file.
 - b. The owner and operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.
39. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the Department of City Planning within 30 days of the beginning day of their new operation of the establishment along with any proposed modifications to the existing floor plan, seating arrangement, or number of seats of the new operation.
40. Should there be a change in the ownership and/or the operator of the business, the Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval. The application, in association with

the appropriate fees, shall be submitted to the Development Services Center, Department of City Planning, within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add, or delete conditions, and if warranted, reserves the right to conduct a public hearing, that may also be conducted for nuisance abatement/revocation purposes.

41. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (Upon their initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19-01-E, the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.
42. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
43. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet and shall include any modifications or notations required herein.
44. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
45. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.

46. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
47. **Condition Compliance.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
48. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- i. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- ii. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- iii. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- iv. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

- v. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

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

be strictly observed.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on October 30, 2025, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a Coastal Development Permit pursuant to Section 12.20.2, a Zone Variance pursuant to Section 13B.5.3 of Chapter 1A of the Los Angeles Municipal Code, and a Mello Act Compliance Review pursuant to Sections 65590 and 65590.1 have been established by the following facts:

BACKGROUND

The subject site is a rectangular-shaped lot with an area of approximately 6,138 square feet in the R1-1XL Zone. The property has approximately 50 feet of frontage on the northeast side of Paseo del Mar, approximately 45 feet of frontage along the 20-foot-wide alley to the north, and a lot depth of approximately 130 feet. The site is located within the San Pedro Community

Plan area and has a land use designation of Low II Residential with a corresponding zone of R1. The site is zoned R1-1XL, which is consistent with the land use designation. The property is subject to Community Plan Map Footnote 7, which limits the area to Height District 1XL, allowing two (2) stories or 30 feet for Low II and Low Medium I and II Residential and Neighborhood Commercial Designations. The property is also within the San Pedro Specific Plan Area, which further restricts height to a limit of two stories or 26 feet as measured from the Average Natural Existing Grade to the highest point of the roof, or parapet wall of the building, whichever is higher. The site is within approximately 3.66 kilometers (2.27 miles) of the Palos Verdes Fault Zone. The site is also located within the BOE Special Grading Area, 500 feet of a park zone, and the Methane Buffer Zone. The site is located within the Dual Permit Jurisdiction of the California Coastal Zone but not located within the Calvo Exclusion area.

The site is currently improved with a one-story, 736 square-foot historic café that is 12 feet and 10 inches tall located in the front of the property and a 1,118 square-foot garage located in the rear of the property. Walker's Café was constructed in 1935 and had been in continuous operation since 1946 until its closure in October 2021 due to COVID-19-related reasons. During that time, it had been under an administrative review initially for the Historic-Cultural Monument (HCM) and now for the Coastal Development Permit and Zone Variance. The café has previously sold beer and wine for on-site consumption since 1997, as indicated on their ABC License No. 329702. This historic café was identified as individually eligible for listing as a Los Angeles Historic-Cultural Monument (HCM) by SurveyLA in 2012 as a "long time restaurant in San Pedro; in continuous operation as Walker's Burgers since 1942. Includes a neon sign." Walker's Café was designated HCM #1267 on August 24, 2022.

The applicant requests for a Coastal Development Permit to allow the rehabilitation of an existing 736 square-foot historic café, the demolition of an existing 1,118 square-foot garage, and the construction of a new, two-story 2,453 square-foot single-family dwelling with an attached 1,070 square-foot ADU along with an attached two-car garage and one (1) carport.

The applicant also filed for a Zone Variance to allow the continued use of an existing non-conforming historic café, proposing 73 total seats, with 27 indoor seats and 46 outdoor seats (16 seats in public right-of-way and 30 seats in rear patio), in conjunction with on-site sale and consumption of beer and wine with the proposed hours of operation of 8 A.M. to 8 P.M. daily, located in the R1-1XL Zone.

The adjacent properties across the alleyway to the north are zoned R2-1XL with a land use designation of Low Medium I Residential and are developed with multi-family dwellings that are up to three (3) stories in height. The adjacent properties to the east are zoned R1-1XL with a land use designation of Low II Residential and are developed with both single and multi-family dwellings that are up to two (2) stories in height. The property to the south across the street from Paseo Del Mar is zoned OS-1XL with a land use designation of Open Space and developed with Point Fermin Park. The adjacent properties to the west are zoned R1-1XL with a land use designation of Low II Residential and are developed with both single and multi-family dwellings that are up to three (3) stories in height.

Streets:

Paseo del Mar is designated Local Street Standard. The Mobility Plan 2035 designates a right-of-way width of 60 feet and designated roadway width of 36 feet and the street is dedicated to an approximately 80-foot right-of-way and improved to an approximately 55-foot roadway, with sidewalk, curb, and gutter.

Alley, adjoining the subject property to the north, has a width of approximately 20 feet with no curb or sidewalk.

Previous zoning related actions on the site include:

Case No. CHC-2021-10727-HCM- On December 21, 2021, the applicant submitted a Historic-Cultural Monument Nomination Form for Walker's Café, citing the proposed monument's historic, cultural and/or architectural significance. On March 25, 2022, the Cultural Heritage Committee took actions to include Walker's Café in the list of Historic-Cultural Monuments.

Building Permit No. 24016-10000-02615- On January 12, 2024, the applicant submitted an application for a Building Permit with the Department of Building and Safety to allow for the alteration to an existing restaurant, which is currently pending at the time of preparing this report.

Building Permit No. 24010-10000-00132- On January 12, 2024, the applicant submitted an application for a Building Permit with the Department of Building and Safety to allow a new two-story single-family dwelling with a roof deck, attached garage, and attached ADU, and to allow the renovation of an existing historic café, which is currently pending at the time of preparing this report.

Order to Comply No. 963812- On July 14, 2022, and August 12, 2022, the Department of Building and Safety issued an Order to Comply indicating that a site inspection revealed that there was construction done without Permits or Inspections.

Previous related actions in the 500 feet radius area include:

ADM-2023-1237-CEX – On March 24, 2023, an application for a Coastal Exemption was approved for a prescriptive patio cover addition to an existing single-family dwelling within the Single-Permit Jurisdiction of the California Coastal Zone at 710 and 712 West Shepard Street.

Correspondence

Planning staff received correspondence from LAPD Harbor Area in a letter dated April 1, 2024. LAPD stated that due to the revitalization efforts in the area, they were unopposed to the issuance of the license. However, acting in the interest of the public, LAPD recommends operating conditions be imposed to diminish vice-related problems that may develop at the proposed business.

Planning staff received a total of 46 comments submitted via email from constituents representing diverse opinions regarding the proposed project. Some constituents expressed disapproval of the proposed new construction of the single-family dwelling (SFD) and ADU at the rear of the property site, noting that the SFD and ADU are out-of-scale with the other buildings in the neighborhood. Furthermore, a majority of constituents submitted similar comments stating the following:

"The Prospect Group has been alarmingly unwilling to hear the community's concerns and prioritize reopening the café, even refusing to meet with potential new operators. Over time, it has become clear that Prospect Group's first and foremost priority is to build a large house on the parcel rather than reopen an iconic legacy business. The café is literally and figuratively painted into a corner. To protect the future of the landmarked community spot, they request that the Zoning Administrator impose the following crucial conditions to any approval of the project: 1) A substantially reduced footprint for the house in the back so the café has enough space to operate 2) As the Zoning Administrator, you are able to impose so-called Q conditions. For this site, we ask that you set the key condition that an operational restaurant or coffee shop must be maintained at the location to ensure that no matter what else happens with the parcel, generations to come will be able to enjoy a cup of coffee and a bite to eat at this iconic establishment."

Conversely, some constituents expressed full support of the plans as submitted and the revitalization efforts, citing that Walker's Café is in much need of a renovation. Furthermore, some comments noted that the project is in-scale with the character and density of the surrounding properties, consistent with other local land uses, and beneficial to neighbors of San Pedro.

Additionally, on March 20, 2025, Council District 15 representative sent an email with a list of 18 public comments taken during the March 17th Coastal San Pedro Neighborhood council. The comments represent mixed opinions, with some constituents in support of the project as presented, while others expressing concern over the size and scale of the proposed SFD and ADU in relation to the lot and existing historic café.

Public Hearing

A Notice of Public Hearing was sent to all property owners within 500' from the subject site. The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding the project. All interested persons were invited to attend the public hearing at which they could listen, ask questions, or present testimony regarding the project. The Office of Zoning Administration Public Hearing was conducted virtually on October 30, 2025, at approximately 9:30 a.m. The hearing was conducted by Associate Zoning Administrator Christine Saponara. The purpose of the hearing was to obtain public testimony from affected and/or interested persons regarding the application. Approximately 45 individuals participated in the meeting.

The applicant provided the following comments:

The applicant provided the following comments: The proposed project involves the rehabilitation of the 736 square-foot historic Walker's Cafe (HCM #1262) and the construction of a new residential complex. The request includes a Zone Variance to allow the continued use of the cafe and the on-site sale of beer and wine in the R1-1XL zone. The cafe proposes 73 total seats (27 indoor and 46 outdoor) with daily hours from 8:00 a.m. to 8:00 p.m. Additionally, the project includes the demolition of an existing garage to construct a 21-foot tall, two-story, 2,453 square-foot single-family dwelling and an attached 1,070 square-foot ADU. The applicant emphasized that the residential component is essential for the financial feasibility of restoring the historic landmark and that the design remains subordinate to the cafe to maintain the pedestrian-oriented character of Point Fermin.

Council District 15:

Representative Pamela Thornton stated that the Council Office supports the goals of reopening the cafe and the economic development of the community. She noted that the approval should strictly respect the historic character of the project. The office has received numerous emails containing both support and concerns and will be submitting recommended conditions to ensure the project serves the community effectively.

Public Testimony:

During the hearing, testimony was mixed but generally leaned toward support for the cafe's revival. Proponents, including long-time residents and representatives from the local Chamber of Commerce, highlighted the cafe's history as a community gathering spot and argued that the new housing is a thoughtful investment that will eliminate blight. Conversely, several neighbors expressed concerns regarding the scale and height of the new single-family dwelling, fearing it would set a precedent for over-development and impact private views. Specific concerns were also raised regarding the potential for loud music or "biker bar" activity, with some residents requesting "Q" conditions to ensure the cafe is operational before residential permits are issued.

Applicant's last statement:

Applicant's last statement: In rebuttal, representative Elisa Paster clarified that the single-family dwelling is crucial for the project's overall feasibility. She confirmed that the applicants have no intention of operating a bar, but rather a bona fide restaurant, and agreed to exclude alcohol service from the front sidewalk patio. She further noted that the project has been vetted by the Cultural Heritage Commission and that the new housing is consistent with state laws encouraging multi-unit properties on single lots. The Zoning Administrator took the case under advisement, leaving the record open for five days.

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grant, the Zoning Administrator has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the Office of Zoning Administration has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The Zoning Administrator has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the Office of Zoning Administration acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the Zoning Administrator.

- Any alcoholic beverage sold or dispensed for on-site consumption shall be served by employees of the establishment. No self-service of alcohol is allowed.
- There shall be no sales of wine by the bottle or storage of any bottle for future consumption.
- There shall be no minimum drink required of patrons.
- No person under 21 years of age shall sell or serve alcoholic beverages.
- There shall be no exterior advertising of any kind of type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages.
- There shall be no bottle service.
- No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the licensee provide, permit, or make available, either gratuitously or for compensation, male or female patrons who act as escorts, companions, or guests of and for the customer.
- There shall be no "bottle service" of distilled spirits; "Magnum" sized wine/champagne, nor "Buckets" of beer allowed.
- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
- The sale of alcoholic beverages for consumption off-premises shall be prohibited.
- There shall be no "Happy Hour" or reduced-price drinks.

- The maximum number of televisions used for television spectatorship shall be limited to one in the bar area. Additional televisions used for the purpose of displaying a menu, digital art or similar uses will be allowed.
- The hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. weekdays and 7:00 a.m. to 11:00 p.m. weekends. Last call for alcohol shall occur no later than 10:30 p.m. daily. After hours use of the facility, other than activities required for construction, clean up, inventory and maintenance type activities otherwise allowed per code are not permitted.
- The owner/operator shall always retain operational control of the premises and shall not sublet the premises to outside "promoters" for nightclub or concert activity.
- No cover charge shall be required to enter the premises. There shall be no requirement to purchase a minimum number of drinks at any time on the premises.
- The organization of an admissions line or line queue on the public sidewalk is prohibited.

- There shall be no coin-operated games or video machines maintained upon the premises at any time.
- No pay phone shall be maintained on the exterior of the premises.
- No person under 21 years of age shall sell or deliver alcoholic beverages with the exception of bona fide eating establishments.
- The subject alcoholic beverage license shall not be exchanged for a public premise type license.
- Off-street parking shall comply with the applicable provisions of the Los Angeles Municipal Code (LAMC).
- Vendor(s) delivery of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. and 7:00 p.m. each day of the week.
- The applicant shall be required to have a minimum of 10 parking spots designated for the business to facilitate a maximum of 40 patrons at time of full capacity. The parking spots will prevent the business from inhibiting parking at Point Fermin Park during business hours of operation for those community members visiting the park.

FINDINGS

ZONE VARIANCE

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

- 1. The strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.**

The site is located within the San Pedro Community Plan area and has a land use designation of Low II Residential with a corresponding zone of R1. The site is zoned R1-1XL, which is consistent with the land use designation. The property is subject to Community Plan Map Footnote 7, which limits the area to Height District 1XL, allowing two (2) stories or 30 feet for Low II and Low Medium I and II Residential and Neighborhood Commercial Designations. The property is also within the San Pedro Specific Plan Area, which further restricts height to a limit of two stories or 26 feet as measured from the Average Natural Existing Grade to the highest point of the roof, or parapet wall of the building, whichever is higher.

The general purpose and intent of zoning regulations are to limit uses to specific zones in order to comply with the general plan and provide compatibility between respective properties. However, such regulations are written on a citywide basis and cannot take into account individual unique characteristics of a specific property as well as consider changes in the use and demand of land. A variance is a grant of permission to depart from the literal enforcement of a zoning ordinance and allow the property to be used in a manner otherwise not permitted, provided that the spirit of the zoning regulations is observed and substantial consideration is given to the impacts on the surrounding

community.

Continued Use of Existing Non-Conforming Historic Café:

The subject property is improved with a one-story commercial structure constructed in 1935 and continuously operated as Walker's Café since 1946 until its temporary closure in 2021. The structure was purpose-built for commercial use and is designated as a Historic-Cultural Monument (HCM).

The café lawfully existed prior to the 1988 legislative rezoning of the property from a commercial zone to RD1.5-1XL, and subsequently to R1-1XL in 2024. As a result of these legislative actions, the use became nonconforming through no action of the property owner.

The strict application of the R1-1XL regulations would prohibit the continued commercial use of the structure and require conversion to a single-family residential use. Due to the building's original commercial design, layout, parking configuration, and HCM designation, conversion to residential use would require substantial alteration of the structure, potentially compromising its historic integrity. The property's longstanding commercial development pattern and physical improvements are unique circumstances not shared by surrounding residentially developed lots.

The zoning regulations are written on a citywide basis and do not account for properties developed with lawful commercial uses that later became nonconforming as a result of legislative rezoning. In this instance, the literal enforcement of the zoning code would effectively eliminate a long-established historic resource and require substantial structural modification inconsistent with preservation objectives.

Accordingly, the strict application of the zoning ordinance would result in practical difficulties and unnecessary hardship inconsistent with the general purpose and intent of the zoning regulations.

On-Site Sale and Consumption of Beer and Wine:

The applicant requests authorization for the on-site sale and consumption of beer and wine in conjunction with the existing historic café. While alcohol service may be permitted by Conditional Use in commercial zones, the R1-1XL Zone does not provide such an entitlement path. As a result of the legislative rezoning of the property, the applicant must request a variance to maintain an operational component that is customary and incidental to restaurant uses.

Records from the California Department of Alcoholic Beverage Control indicate that a Type 40 (On-Sale Beer) license has been active at the subject property since July 21, 1997, with no record of disciplinary action. The alcohol service has historically operated in conjunction with the café without documented adverse impacts.

Given the café's historic designation and operational model as a neighborhood-serving establishment, the availability of beer and wine service represents a customary accessory component typical of similar small-scale restaurants. The inability to provide this service would materially limit the functionality of the café use relative to comparable establishments located in commercial zones, thereby placing this uniquely situated property at a disadvantage due solely to legislative zoning changes.

Furthermore, the continued preservation and maintenance of the designated historic structure requires viable commercial operation. Without the ability to provide customary restaurant amenities, including limited alcohol service, the adaptive reuse and preservation of the historic resource would be jeopardized.

For these reasons, the strict application of the zoning ordinance would result in practical difficulties and unnecessary hardship inconsistent with the general purpose and intent of the zoning regulations.

- 2. There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

The subject site is a rectangular-shaped lot with an area of approximately 6,138 square feet in the R1-1XL Zone. The property has approximately 50 feet of frontage on the northeast side of Paseo del Mar, approximately 45 feet of frontage along the 20-foot-wide alley to the north, and a lot depth of approximately 130 feet. The site is located within the San Pedro Community Plan area and has a land use designation of Low II Residential with a corresponding zone of R1. The site is zoned R1-1XL, which is consistent with the land use designation. The property is subject to Community Plan Map Footnote 7, which limits the area to Height District 1XL, allowing two (2) stories or 30 feet for Low II and Low Medium I and II Residential and Neighborhood Commercial Designations. The property is also within the San Pedro Specific Plan Area, which further restricts height to a limit of two stories or 26 feet as measured from the Average Natural Existing Grade to the highest point of the roof, or parapet wall of the building, whichever is higher.

The adjacent properties across the alleyway to the north are zoned R2-1XL with a land use designation of Low Medium I Residential and are developed with multi-family dwellings that are up to three (3) stories in height. The adjacent properties to the east are zoned R1-1XL with a land use designation of Low II Residential are developed with both single and multi-family dwellings that are up to two (2) stories in height. The property to the south is zoned OS-1XL with a land use designation of Open Space and developed with Point Fermin Park. The adjacent properties to the west are zoned R1-1XL with a land use designation of Low II Residential are developed with both single and multi-family dwellings that are up to three (3) stories in height.

Continued Use of Existing Non-Conforming Historic Café:

While the subject property is similar in size and configuration to other R1-1XL lots in

the vicinity, it is uniquely improved with a purpose-built, one-story commercial structure constructed in 1935 and historically operated as Walker's Café for approximately 75 years. The structure lawfully existed prior to the City's 1988 legislative rezoning of the property from a commercial zone to RD1.5-1XL, and subsequent rezoning to R1-1XL in 2024. As a result of these legislative actions, the long-established commercial use became legal nonconforming through no action of the property owner.

This circumstance does not generally apply to other properties in the same zone and vicinity, which were developed and designed for single-family residential purposes consistent with the R1 zoning regulations. The subject property is uniquely burdened by the presence of a historically significant commercial structure that was constructed and operated in reliance upon prior commercial zoning classifications.

Additionally, the property has been identified through SurveyLA with status codes 3S, 3CS, and 5S3 as eligible for listing in the California Register and locally designated as a Historic-Cultural Monument. The historic significance of the structure is directly tied to its longstanding commercial use as a neighborhood café, including its character-defining features such as the neon signage. The historic designation imposes preservation obligations that are not applicable to other properties within the R1 zone.

Furthermore, the site's location adjacent to Point Fermin Park (Open Space zoning) to the south and multi-family residential zoning (R2-1XL) across the alley to the north creates a transitional context that differs from interior R1 parcels in the neighborhood. The presence of alley access and its corner-adjacent location further reflect development characteristics that historically supported commercial activity.

These combined circumstances, legislative downzoning of a long-standing commercial use, the existence of a purpose-built historic commercial structure, HCM designation, and the property's transitional location, constitute special circumstances applicable to the subject property that do not generally apply to other properties in the same zone and vicinity.

On-Site Sale and Consumption of Beer and Wine:

The special circumstances applicable to the continued café use likewise apply to the request for on-site beer and wine sales. The property's historic designation is tied to its identity as a neighborhood-serving commercial establishment. The California Department of Alcoholic Beverage Control records indicate that a Type 40 (On-Sale Beer) license has been active at the site since July 21, 1997, without disciplinary history.

The combination of (1) a historically designated commercial structure, (2) longstanding lawful alcohol service, and (3) the absence of an entitlement pathway under the current R1 zoning due solely to legislative rezoning, creates a unique circumstance not generally applicable to other R1 properties in the vicinity. Other R1 parcels were developed as residential uses and do not contain historic commercial improvements or longstanding accessory alcohol service.

Accordingly, these special circumstances are peculiar to the subject property and justify consideration of the requested variance.

3. **The Variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.**

Continued Use of Existing Non-Conforming Historic Café:

Other properties within the same vicinity that are zoned for commercial use possess the right to operate neighborhood-serving restaurant establishments consistent with their zoning classification. Those properties may lawfully maintain commercial structures and conduct restaurant operations as permitted uses.

Because of the legislative rezoning of the subject property from commercial to residential classifications in 1988 and 2024, the subject site is uniquely deprived of the ability to maintain the commercial use for which it was originally designed and historically utilized. Unlike surrounding residential parcels that were developed as single-family dwellings in conformity with the R1 zone, the subject property contains a purpose-built commercial structure constructed in 1935 and historically operated as a café for approximately 75 years.

Absent the requested variance, the property would be required to discontinue the commercial use and convert the historic structure to a single-family residential use, thereby depriving the owner of the same fundamental property right enjoyed by similarly situated commercial properties in the vicinity, namely, the right to utilize an existing restaurant building for restaurant purposes.

The variance is therefore necessary to preserve and enjoy a substantial property right, the continued operation of a small-scale restaurant use in a structure designed and historically utilized for that purpose, which is generally possessed by other restaurant properties in the same vicinity but is denied to the subject property solely due to legislative zoning changes and its unique historical development pattern.

On-Site Sale and Consumption of Beer and Wine:

Restaurants located within commercially zoned properties in the same vicinity possess the right to apply for and obtain a Conditional Use Permit for the on-site sale and consumption of beer and wine. This entitlement pathway provides commercial restaurant operators the opportunity to offer customary accessory alcohol service subject to operational safeguards.

Due to the subject property's current R1-1XL zoning — a classification applied through legislative action after decades of lawful commercial operation — the applicant is denied access to the same conditional use entitlement process that is available to

similarly functioning restaurant properties located in commercial zones. The inability to even seek that entitlement deprives the subject property of a substantial operational privilege generally available to comparable establishments in the area.

The requested variance restores parity by allowing the historic café to maintain an operational component that is typical and incidental to restaurant uses in the vicinity, subject to appropriate conditions of approval. Without the variance, the property would be uniquely constrained in a manner not generally applicable to other restaurant properties serving the same community.

Accordingly, the variance is necessary for the preservation and enjoyment of a substantial property right generally possessed by other properties in the same zone and vicinity but denied to the subject property due to its unique zoning history and historic development.

- 4. The granting of the Variance would not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the subject property is located.**

The subject site is a rectangular-shaped lot with an area of approximately 6,138 square feet in the R1-1XL Zone. The property has approximately 50 feet of frontage on the northeast side of Paseo del Mar, approximately 45 feet of frontage along the 20-foot-wide alley to the north, and a lot depth of approximately 130 feet. The site is located within the San Pedro Community Plan area and has a land use designation of Low II Residential with a corresponding zone of R1. The site is zoned R1-1XL, which is consistent with the land use designation. The property is subject to Community Plan Map Footnote 7, which limits the area to Height District 1XL, allowing two (2) stories or 30 feet for Low II and Low Medium I and II Residential and Neighborhood Commercial Designations. The property is also within the San Pedro Specific Plan Area, which further restricts height to a limit of two stories or 26 feet as measured from the Average Natural Existing Grade to the highest point of the roof, or parapet wall of the building, whichever is higher.

The adjacent properties across the alleyway to the north are zoned R2-1XL with a land use designation of Low Medium I Residential and are developed with multi-family dwellings that are up to three (3) stories in height. The adjacent properties to the east are zoned R1-1XL with a land use designation of Low II Residential are developed with both single and multi-family dwellings that are up to two (2) stories in height. The property to the south is zoned OS-1XL with a land use designation of Open Space and developed with Point Fermin Park. The adjacent properties to the west are zoned R1-1XL with a land use designation of Low II Residential are developed with both single and multi-family dwellings that are up to three (3) stories in height.

Continued Use of Existing Non-Conforming Historic Café:

The granting of the variance will not authorize new construction, increased floor area, or physical expansion of the existing structure. The historic café will remain a one-story

building with a height of 12 feet 10 inches and a total floor area of 736 square feet. The request is limited to interior and exterior rehabilitation of the existing structure and restoration of the historic neon sign.

The proposed rehabilitation has been reviewed by the Office of Historic Resources and found consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, as documented in the April 26, 2024 memorandum prepared by Historic Resources Group. The Cultural Heritage Commission has reviewed the project and will continue to provide oversight. As such, the project enhances preservation of a designated Historic-Cultural Monument rather than intensifying development on the site.

The café historically operated for approximately 75 years at this location. The variance does not introduce a new or intensified use but allows the continuation of a long-established neighborhood-serving establishment. Given the small building size, limited operational hours (8:00 a.m. to 8:00 p.m.), and absence of expansion, the continued operation is not expected to generate impacts materially different from historical operations.

Conditions of approval have been incorporated to ensure compatibility with surrounding residential uses, including operational limitations, noise controls, maintenance requirements, and monitoring provisions. As conditioned, the continued use of the café will not be materially detrimental to the public welfare nor injurious to nearby properties.

On-Site Sale and Consumption of Beer and Wine:

According to the California State Department of Alcoholic Beverage Control (ABC) licensing criteria, Census Tract Number 2976.01 is authorized three (3) on-site and one (1) off-site license. At the present time, there are 17 existing on-site licenses, including one (1) of which belongs to the Applicant.

Within Census Tract No. 2976.01, the following types of alcoholic beverage licenses are active:

- (2) Type 40 – On-Sale Beer (Applicant)
- (3) Type 41 – On-Sale Beer and Wine – Eating Place
- (2) Type 47 – On-Sale General – Eating Place
- (1) Type 48 – On-Sale General – Public Premises
- (3) Type 51 – Club
- (5) Type 58 – Caterer's Permit
- (1) Type 77 – Event Permit

According to information submitted by the applicant, there are no (0) establishments located within a 1,000-foot radius of the project site.

Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such license benefits the public welfare and convenience. The ABC also has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents. This request would not result in an additional license to Census Tract Number 2976.01, as the applicant has been operating under an ABC Type 40 License since 1997.

The grant authorized herein incorporates a number of conditions which will continue to make the use of the property and the sale and consumption of beer and wine more compatible with other uses in the surrounding community and provide for monitoring of the establishment. Operational hours have already been addressed in more detail and are limited from 8 A.M. to 8 P.M. daily. Furthermore, the sale of beer and wine will be closely regulated to prevent sales to minors. The conditions of the grant address noise, security, loitering and maintenance to deter any nuisance activity on or adjacent to the site. The conditions of the grant require STAR/LEAD/RBS training for employees, adequate site maintenance, installation of surveillance cameras, and the maintenance of age verification devices. These conditions are intended to deter or prevent nuisance or criminal activity such as loitering or public drinking and will improve public safety. Conditions reflect consideration of the surrounding sensitive uses such as the residential buildings. Some of the conditions also reflect consideration of current and/ or future residential tenants. As noted, the Background Section of this action also includes recommended conditions to the Department of Alcoholic Beverage Control for consideration in its review of an alcohol license for the subject historic café.

According to statistics provided by the Los Angeles Police Department's Southwest Division, within Crime Reporting District No. 587, which has jurisdiction over the subject property, a total of 110 crimes were reported in 2023 (94 Part I Crimes and 16 Part II Arrests), compared to the Citywide Average of 162 crimes and the High Crime Reporting District Average of 194 crimes. Part II Arrests reported include (1) DUI related arrests, (4) Other Assaults, and (2) Miscellaneous Other Violations. There were no reported crimes for violations to liquor laws, drunkenness, disturbing the peace, disorderly conduct, or gambling. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years. The above statistics indicate that the crime rate in the reporting district where the subject site is located is lower than the citywide average. Further, no evidence was submitted for the record establishing any link between the subject site and the area's crime rate.

As conditioned, the use is not expected to contribute to the area's crime rate and will not result in an undue concentration of establishments providing alcoholic beverages. Furthermore, specific conditions have been incorporated into this action, which are targeted at safeguarding the community and providing for a reasonable operation. Therefore, the granting of the variance would not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the subject property is located.

5. The granting of the Variance will not adversely affect any element of the General Plan.

Continued Use of Existing Non-Conforming Historic Café:

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are in the form of Municipal Code Requirements. The General Plan is comprised of the Framework Elements, seven state-mandated elements, and four additional elements.

The Framework Element establishes the broad overall policy and direction for the General Plan. The variance to allow the continued use and operation of the subject historic café is consistent with the following objectives and policy of the Framework Element:

Objective 7.2: Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.

Objective 7.3: Maintain and enhance the existing businesses in the City.

Objective 7.3.2: Retain existing neighborhood commercial activities within walking distance of residential areas.

The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The project site is located in the San Pedro Community Plan. The community plan designates the property for Low II Residential with a corresponding zone of R1. The site is zoned R1-1XL, which is consistent with the land use designation. The San Pedro Community Plan contains the following text:

Goal LU1: Complete, livable and quality residential neighborhoods throughout San Pedro that provide a variety of housing types, densities, forms and designs and a mix of uses and services that support the needs of residents.

LU1.1 Neighborhood character. Maintain the distinguishing characteristics of San Pedro's residential neighborhoods with respect to lot size, topography, housing scale and landscaping, to protect the character of existing stable neighborhoods from new, out-of-scale development.

LU1.2 Adequate housing and services. Provide housing that accommodates households of all sizes, as well as integrates safe and convenient access to schools, parks, and other amenities and services.

LU1.3 Neighborhood transitions. Assure smooth transitions in scale, form, and character, by regulating the setback, stepbacks, rear elevations, and backyard landscaping of new development where neighborhoods of differing housing type and density abut one another.

LU1.6 Alleys. Maintain and improve existing neighborhood alleys as an alternative, safe, well maintained vehicular access to homes that reduces curb cuts, driveways, and associated pedestrian-automobile conflicts along sidewalks.

LU1.7 Build Green. Developments should be sustainable and attractive, and incorporate green building design, systems and materials to the greatest extent feasible.

Goal LU5: Strong and competitive commercial districts that are aesthetically appealing, pedestrian-oriented, easily accessible and serve the needs of the community while preserving the unique commercial and cultural character of the community.

LU5.1 Investment. Conserve, strengthen and encourage investment in San Pedro's existing commercial districts.

LU5.2 Mix of uses. Encourage the vertical and horizontal integration of a complementary mix of commercial, service, and other nonresidential uses that address the needs of families and other household types living in urban neighborhoods. Such uses may include daycare and school facilities, retail and services, and parks, plazas, and open spaces.

Goal LU6: Attractive, pedestrian-friendly Neighborhood Districts that serve surrounding neighborhoods and business as local gathering places where people shop and socialize.

LU6.1: Neighborhood services. Encourage the retention of existing and the development of new commercial uses that are primarily oriented to the residents of adjacent neighborhoods and promote the inclusion of community services (e.g., childcare and community meeting rooms).

LU6.2: Mix of Uses. Encourage the vertical and horizontal integration of a complementary mix of commercial, service and other non-residential uses that address the needs of households living in urban neighborhoods. Such uses may include retail and services, entertainment, childcare facilities, daycare and school facilities, public meeting rooms, recreation, cultural facilities, and public open spaces, which enhance neighborhood activity.

LU6.4: Compatible "non-conforming uses" that are a recognized part of a neighborhood (e.g., "Mom and Pop" neighborhood stores), should be allowed to continue in accordance with applicable provisions of the Municipal Code.

Goal LU17: Preservation and restoration of cultural resources, neighborhoods, and landmarks which have historical and/or cultural significance.

LU17.1 Celebrate History. Protect, preserve and enhance San Pedro's historically significant resources. Support the completion of SurveyLA within the San Pedro Community Plan Area.

LU17.2. Protect, preserve and enhance the historic characteristics of distinctive historic neighborhoods such as Old San Pedro/Downtown, Vinegar Hill HPOZ and study the possible expansion of HPOZ as well as Averill Park and the Cabrillo/27th/Gaffey neighborhood.

The Framework Element and San Pedro Community Plan each recognize the importance of retaining viable neighborhood-serving uses near residences to support a pedestrian-friendly and amenity-rich environment. The proposed variance will assist in providing local amenities for residents of the neighborhood, provide a service to promote neighborhood stability, and encourage a mix of uses.

In light of the above, the project substantially conforms to the purpose, intent, and provisions of the General Plan and the San Pedro Community Plan, as such, the approval of the variance will not adversely affect any element of the General Plan.

On-Site Sale and Consumption of Beer and Wine:

The Framework Element establishes the broad overall policy and direction for the General Plan. Policy 7.3.2 of the Framework Element encourages the establishment and retention of "neighborhood commercial activities within walking distance of residential areas."

Approval of the conditional use permit request is consistent with the following Objectives and Policies of the Community Plan:

Goal LU5: Strong and competitive commercial districts that are aesthetically appealing, pedestrian-oriented, easily accessible and serve the needs of the community while preserving the unique commercial and cultural character of the community.

LU5.1 Investment. Conserve, strengthen and encourage investment in San Pedro's existing commercial districts.

LU5.2 Mix of uses. Encourage the vertical and horizontal integration of a complementary mix of commercial, service, and other nonresidential

uses that address the needs of families and other household types living in urban neighborhoods. Such uses may include daycare and school facilities, retail and services, and parks, plazas, and open spaces.

The Framework Element and San Pedro Community Plan each recognize the importance of retaining viable neighborhood-serving uses near residences to support a pedestrian-friendly and amenity-rich environment. The proposed variance will assist in providing local amenities for residents of the neighborhood, provide a service to promote neighborhood stability, and encourage a mix of uses.

The ability to serve alcohol with entertainment furthers the Community Plan's aim to encourage activity in the area and provides an amenity for local residents, employees, and visitors to enjoy. With the conditions and limitations imposed by the Zoning Administrator, the surrounding properties should be protected from predictable impacts of the proposed use. In light of the above, the project substantially conforms to the purpose, intent, and provisions of the General Plan and the San Pedro Community Plan, as such, the approval of the variance will not adversely affect any element of the General Plan.

Coastal Development Permit

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

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

The subject site is a rectangular-shaped lot with an area of approximately 6,138 square feet in the R1-1XL Zone. The property has approximately 50 feet of frontage on the northeast side of Paseo del Mar, approximately 45 feet of frontage along the 20-foot-wide alley to the north, and a lot depth of approximately 130 feet. The site is located within the San Pedro Community Plan area and has a land use designation of Low II Residential with a corresponding zone of R1. The site is zoned R1-1XL, which is consistent with the land use designation. The property is subject to Community Plan Map Footnote 7, which limits the area to Height District 1XL, allowing two (2) stories or 30 feet for Low II and Low Medium I and II Residential and Neighborhood Commercial Designations. The property is also within the San Pedro Specific Plan Area, which further restricts height to a limit of two stories or 26 feet as measured from the Average Natural Existing Grade to the highest point of the roof, or parapet wall of the building, whichever is higher. The site is within approximately 3.66 kilometers (2.27 miles) of the Palos Verdes Fault Zone. The site is also located within the BOE Special Grading Area, 500 feet of a park zone, and the Methane Buffer Zone. The site is located within the Dual Permit Jurisdiction of the California Coastal Zone but not located within the Calvo Exclusion area.

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 provisions are as follows:

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 measure shall be required.

The applicant filed for a Coastal Development Permit to allow the rehabilitation of an existing 736 square-foot historic café, the demolition of an existing 1,118 square-foot garage, and the construction of a new, two-story 2,453 square-foot single-family dwelling with an attached 1,070 square-foot ADU along with an attached two-car garage and one (1) carport. No (0) protected trees or non-protected trees are proposed to be removed. The project will maintain the existing one-story historic café in the R1-1XL zone in the Dual Permit Jurisdiction of the California Coastal Zone. The subject site is not located within an area with known Archaeological or Paleontological Resources. However, if such resources are later discovered during excavation or grading activities, the project is subject to compliance with Federal State and Local regulation already in place.

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. A Coastal Development Permit Context/Character Analysis Visual Impact Analysis conducted by Howard Robinson and Associates which was submitted on April 26, 2024, analyzed all residential properties on the block along Paseo del Mar between South Gaffey Street to the west and South Carolina Street to the east to assess the pattern of development within the surrounding area of the project site. The study suggested that the number of stories, height, Floor Area Ratio (FAR), and density of the proposed project are in line with that of the surrounding area. The applicant filed for a Coastal Development Permit to allow the rehabilitation of an existing 736 square-foot historic café, the demolition of an existing 1,118 square-foot garage, and the construction of a new, two-story 2,453 square-foot single-family dwelling with an attached 1,070 square-foot ADU along with an attached two-car garage and one (1) carport. The project will maintain the existing, one-story historic café in the R1-1XL zone. The lot fronts Paseo del Mar, which provides both pedestrian and vehicular access to the site. The alley to the rear of the property to the north provides vehicular access to the site. The property is located in a developed residential area with adequate vehicle access and infrastructure. The proposed project is not expected to 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 landforms, 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 project site is located in a neighborhood that is developed with residential structures that are one (1) to three (3) stories in height; new construction in the area is limited to a maximum height of 26 feet, pursuant to the San Pedro Specific Plan. The construction, maintenance, and use of the single-family dwelling will be 21 feet maximum and will not exceed the 26 feet to the top of the roof or parapet, as measured from the Average Existing Natural Grade as specified in the San Pedro Specific Plan. No (0) protected trees or non-protected trees are proposed to be removed. The property will maintain the existing one-story historic café in the R1-XL zone within the Dual Permit Jurisdiction of the California Coastal Zone. No natural landforms will be altered as part of the project. As such, the proposed project as conditioned will not impact scenic resources in 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 applicant filed for a Coastal Development Permit to allow the rehabilitation of an existing 736 square-foot historic café, the demolition of an existing 1,118 square-foot garage, and the construction of a new, two-story 2,453 square-foot single-family dwelling with an attached 1,070 square-foot ADU along with an attached two-car garage and one (1) carport. The provisions of ADU State Law and the City's ADU Ordinance (LAMC Section 12.22-A.33(c)(12)) require one parking space for an ADU unless 1) located within ½ mile walking distance from a bus or rail stop, 2) one block from a designated car share pickup or drop off location, 3) within an applicable historic district, or 4) part of a proposed or existing residence. The proposed project is located within ½ mile walking distance to the Metro Line 246 bus stop at the intersection of Shepard Street and Gaffey Street. As a result, no parking is required for the ADU, however, the project proposes a two-car garage with one (1) carport, which satisfies the parking requirements outlined above. No (0) protected trees

or non-protected trees are proposed to be removed. The property will maintain the existing one-story historic café in the R1-1XL zone. The subject site is located within a residential neighborhood within 500 feet from the ocean. The proposed single-family dwelling and attached ADU will be constructed in the rear of the lot behind the commercial building and will maintain yard setback requirements and no permanent structures will be placed within the public right-of-way and public access to the coast would not be impacted.

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 site is not located within a Very Fire Hazard Severity Zone or Liquefaction area and approximately 3.66 kilometers (2.27 miles) of the Palos Verdes Fault Zone. This property is located in the methane buffer zone and outside of the flood zone. The site is within a Special Grading Area and is located along the coastal bluff. The property is a popular visitor destination. The project proposes the rehabilitation of an existing 736 square-foot historic café, the demolition of an existing 1,118 square-foot garage, and the construction of a new, two-story 2,453 square-foot single-family dwelling with an attached 1,070 square-foot ADU along with an attached two-car garage and one (1) carport. No (0) protected trees or non-protected trees are proposed to be removed. The site will maintain the existing one-story, commercial café in the R1-XL zone. The use would have no adverse impacts on public access, recreation, public views, or the marine environment. No permanent structures would be placed within the public right-of-way and public access to the coast would not be impacted. Although, the subject site is located within a residential neighborhood within 500 feet from the ocean, the proposed scope of work will be done in the front of the property approximately 40 feet from the front yard property line, away from the coastal bluff. 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 project will not block any designated public access views. The proposed project is in conformity with Chapter 3 of the California Coastal Act.

7. **The permitted development will not prejudice 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.**

The San Pedro Community Plan designates the property for Low II Residential land uses, with corresponding zones of R1. There is currently no certified Local Coastal

Program ("LCP") for San Pedro. The San Pedro Coastal Land Use Plan (LUP) was certified by the California Coastal Commission on May 8, 1991; 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 San Pedro Specific Plan was adopted in 1990 to implement the Coastal Act and to serve as the implementation ordinance of the Local Coastal Program for that portion of the San Pedro community within the Coastal Zone. The Specific Plan contains regulations to protect views, public access, scenic resources, and limits building height, parking, and development on sloping and geologically hazardous lots located in the Coastal Zone. The San Pedro Specific Plan limits building height at the subject property to a maximum height of 26 feet (as measured from Average Existing Natural Grade) and two stories, in order to preserve scenic views of the Pacific Ocean.

The project is consistent with the following Housing policies and standards of the Land Use Plan:

Objective 1: To preserve and protect stable single-family residential areas from encroachment by other types of uses, including higher density residential development.

Objective 3: To designate changes in residential densities based on the relationship between neighborhood units, topography, nearness to highways, availability of commercial services, and adequacy of public facilities and at levels where it will not have significant adverse effects, either individually or cumulatively, on coastal access or coastal resources.

Policy 6: The continuation of existing compatible land uses that are a recognized part of a neighborhood, although non-conforming with respect to zoning or the designation of the Plan map (such as "mom and pop" neighborhood markets), be permitted.

Height Standard (a): No building or structure shall be erected or enlarged within that portion of the Coastal Zone designated for residential use which exceeds two stories or a height of 26 feet as measured from the average existing natural grade to the highest point of the roof or parapet wall of the building, whichever is higher.

Parking Standard (a): Adequate on-site parking shall be provided by new development and where feasible in remodels in order to maintain and enhance public access to the coast.

The project is consistent with the following Commerce policies and standards of the Land Use Plan:

Objective 1: To emphasize, rehabilitate and strengthen the Community Center as the focal point for the Community's social, civic, and economic life.

Objective 3: To improve the aesthetic quality of commercial developments and areas.

Objective 4: To designate local commercial areas conveniently serving the day-to-day needs of residential neighborhoods, while maintaining and enhancing coastal/recreational commercial uses along Pacific Avenue by regulating permitted uses.

The project proposes the rehabilitation of an existing 736 square-foot historic café, the demolition of an existing 1,118 square-foot garage, and the construction of a new, two-story 2,453 square-foot single-family dwelling with an attached 1,070 square-foot ADU along with an attached two-car garage and one (1) carport. The project will maintain the existing one-story, historic café in the R1-XL zone. The proposed project will remain compatible in scale with the adjacent properties to the north, east, and west of the subject property which are zoned R1-1XL and R2-1XL with a land use designation of Low II Residential and Low Medium I Residential and are developed with single and multi-family dwellings that are up three (3) stories in height. The existing café is a historic use that has previously been established as a neighborhood resource. The new single-family dwelling and ADU are in line with the rest of the neighborhood use and in compliance with LAMC requirements. As a result, the proposed rehabilitation of the existing historic café, the demolition of the existing garage, and the construction of a new, two-story single-family dwelling with an attached ADU will not prejudice the ability of the City to prepare a local coastal program in conformity with Chapter 3 of the Coastal Act.

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

The Los Angeles County Interpretative Guidelines were adopted by the California Coastal Commission (October 14, 1980) to supplement the Statewide Guidelines. Both regional and statewide guidelines, pursuant to Section 30620 (b) of the Coastal Act are designed to assist local governments the regional commissions, the commission, and persons subject to the provisions of this chapter in determining how the policies of this division shall be applied to the coastal zone prior to the certification of a local coastal program. As stated in the Regional Interpretative Guidelines, the guidelines are intended to be used "in a flexible manner with consideration for local and regional conditions, individual project parameters and constraints, and individual and cumulative impacts on coastal resources. In addition to the Regional Interpretive Guidelines, the policies of the San Pedro Coastal Land Use Plan (the Land Use Plan was certified by the Coastal Commission on May 8, 1991) have been reviewed and considered.

The applicant filed for a Coastal Development Permit to allow the rehabilitation of an existing 736 square-foot historic café, the demolition of an existing 1,118 square-foot garage, and the construction of a new, two-story 2,453 square-foot single-family dwelling with an attached 1,070 square-foot ADU along with an attached two-car garage and one (1) carport. The project will maintain the existing one-story historic café in the R1-XL zone. The proposed project is consistent with the use and development guidelines of the

Regional Interpretive Guidelines for the San Pedro portion of the Coastal Zone. The Regional Interpretive Guidelines have been reviewed, analyzed, and considered in light of the individual project in making this determination, and the project as conditioned is consistent with such Guidelines.

9. **The decision of the permit-granting agency has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code.**

The applicant filed for a Coastal Development Permit to allow the rehabilitation of an existing 736 square-foot historic café, the demolition of an existing 1,118 square-foot garage, and the construction of a new, two-story 2,453 square-foot single-family dwelling with an attached 1,070 square-foot ADU along with an attached two-car garage and one (1) carport. The project will maintain the existing one-story historic café in the R1-XL zone. The proposed project does not conflict with prior decisions of the Coastal Commission. The Coastal Commission has previously approved the following project in the San Pedro Coastal Zone:

- In December 2021, the Commission found a substantial issue on appeal and approved with conditions a Coastal Development Permit for the construction of a new two-story, 26-feet high, 3,695 square feet single-family dwelling home with 921 square feet detached garage, 1,154 square feet roof deck, and rear yard deck and spa on vacant bluff top lot in the R1-1XL in the dual permit jurisdiction area of the California Coastal Zone at 1305 West Paseo Del Mar (Application No. A-5-SNP-19-0136/5-20-0153).
- In December 2021, the Commission found a substantial issue on appeal and approved with conditions a Coastal Development Permit for the demolition of 1,302 square feet single-family dwelling and the construction of a new two-story, 26-feet high, 3,548 square feet single-family home with 665 square feet detached garage, 1,124 square feet roof deck, and rear yard deck on blufftop lot in the R1-1XL in the dual permit jurisdiction area of the California Coastal Zone at 1307 West Paseo Del Mar (Application No. A-5-SNP-19-0154/5-20-0152).
- In February 2020, the Commission approved a Coastal Development Permit for the demolition of 19-feet high, 2,328 square feet single-family home; and construction of 2-story, approximately 21-feet high, 2,328 square feet single-family home on bluff top lot in the R1-1XL in the dual permit jurisdiction area of the California Coastal Zone at 1355 West Paseo Del Mar (Application No. 5-18-0999).

As such, the 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.

10. **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 development is not located between the nearest public road and the sea or shoreline of any body of water. The proposed construction will occur in the north property boundary within the front yard setback and will not interfere with public access to the coast. The subject site is located within a residential neighborhood within 500 feet from the ocean and the proposed new construction is proposed in the rear portion of the property away from the coastal bluff. The project will maintain the existing one-story historic café, which will be accessed from Paseo del Mar. No permanent structures would be placed within the public right-of-way and public access to the coast would not be impacted. Furthermore, all seats within the public right-of-way will require review and approval from Bureau of Engineering, Department of Public Works through a revocable permit process. As proposed, the project will not conflict with any public access or public recreation policies of the Coastal Act.

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

A Categorical Exemption, ENV-2023-7220-CE, has been prepared for the proposed project consistent with the provisions of CEQA. The proposed project is for the rehabilitation of an existing 736 square-foot historic café, the demolition of an existing 1,118 square-foot garage, and the construction of a new, two-story 2,453 square-foot single-family dwelling with an attached 1,070 square-foot ADU along with an attached two-car garage and one (1) carport. The project will maintain the existing one-story historic café in the R1-XL zone within the Dual Permit Jurisdiction of the California Coastal Zone.

The Categorical Exemption prepared for the project is appropriate pursuant to CEQA Guidelines, Section 15301 (Class 1), Section 15303 (Class 3), and Section 15331 (Class 31). As described herein, each categorical exemption prepared covers different components of the project, including the restoration of an existing older historic café, the construction of one (1) new single-family dwelling and attached ADU, and the rehabilitation of the historical resource in the manner consistent with the Secretary of Interior Standards.

Specifically, the Class 1 categorical exemption allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of exiting public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. As discussed, the proposed project is for the continuation of an existing non-conforming historic café in conjunction with the on-site sale of beer and wine.

The Class 3 categorical exemption allows for the construction of a limited number of new, small facilities or structures, including one (1) single-family residence, or a second dwelling unit in a residential zone, and up to three (3) single-family residences in highly urbanized areas. As discussed, the proposed project is for the construction of a new, two-story single-family dwelling with an attached ADU.

The Class 31 categorical exemption consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservations, conservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, and Reconstruction Historic Buildings. As previously mentioned, the proposed project is for the rehabilitation of an existing historic café.

Furthermore, the Exceptions outlined in the CEQA Guidelines Section 15300.2 do not apply to the project:

- a. Location. The project is not located in a sensitive environment. Although the project is located within the Coastal Zone, the residential neighborhood is not identified as an environmental resource. The proposed project is consistent with the scale and uses proximate to the area. The subject project is located within a Special Grading Area and Methane Buffer Zone; however, it is not located in a fault or flood zone, landslide area, liquefaction area, very high fire severity area, or airport hazard area. The project is subject to compliance with the requirements of the Building and Zoning Code that outline standards for construction.
- b. Cumulative Impacts. The project is consistent with the type of development permitted for the area zoned R1-1XL and designated Low II Residential. The project proposed is the rehabilitation of an existing historic café, the demolition of an existing garage, and the construction of a new, two-story single-family dwelling with an attached ADU, and will not exceed thresholds identified for impacts to the area (i.e., traffic, noise, etc.), conforms to the permitted regulations for the underlying zone, and will not result in significant cumulative impacts.
- c. Significant Effect. The subject property is located in a highly urbanized area. The surrounding properties are developed with both single and multi-family dwellings and a park. The subject project is of a similar size and scope to these properties. The proposed project consists of work typical of residential development. Thus, there are no unusual circumstances that will lead to a significant impact on the environment.

- d. Scenic Highways. The only State-designated Scenic Highway in the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of the Topanga State Park. The subject site is located approximately 28.92 miles to the southeast of State Route 27. Therefore, the proposed project will not create any impacts to scenic resources within a State-designated Scenic Highway.
- e. Hazardous Waste Sites. According to the EnviroStor, the State of California's database of hazardous waste sites, neither the subject property nor any property in the vicinity, is identified as a hazardous waste site.
- f. Historical Resources. The subject site was identified in SurveyLA as a historic resource, eligible for listing in the California Register of Historical Resources (California Register) and locally as Historic-Cultural Monument (HCM) (status codes 3S, 3CS, and 5S3) as a "long time restaurant in San Pedro; in continuous operation as Walker's Burgers since 1942. Includes neon sign." The proposed project qualifies for a Class 31 Categorical Exemption, which is limited to the maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. The proposed project is for the continuation and rehabilitation of an existing 736 square-foot historic café, proposing 73 total seats, with 27 indoor seats and 46 uncovered outdoor seats (16 seats in public right-of-way and 30 seats in rear patio) with on-site sale and consumption of beer and wine with the proposed hours of operation of 8 A.M. to 8 P.M. daily. A memorandum prepared by Historic Resources Group, dated April 26, 2024, outlines the proposed rehabilitation and consistency with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings. The memorandum and proposed plans were reviewed and approved by the Office of Historic Resources, in an email dated June 21, 2024. As discussed in the memorandum, the proposed project is consistent with the Secretary of the Interior's Standards.

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

Mello Act Compliance Review

- 12. Pursuant to the City of Los Angeles Interim Administrative Procedures for Complying with the Mello Act, all Conversions, Demolitions, and New Housing Developments must be identified in order to determine if any Affordable Residential Units are onsite and must be maintained, and if the project is subject to the Inclusionary Residential Units requirement. Accordingly, pursuant to the settlement agreement between the City of Los Angeles and the Venice Town

Council, Inc., the Barton Hill Neighborhood Organization, and Carol Berman concerning implementation of the Mello Act in the Coastal Zone Portions of the City of Los Angeles, the findings are as follows:

Categorical Exemptions (Part 2.4) Small New Housing Developments

The project proposes the demolition of an existing 1,118 square-foot garage and the construction of a new 2,453 square-foot two-story single-family dwelling with an attached 1,070 square-foot two-story Accessory Dwelling Unit (ADU) along with an attached two-car garage and one (1) carport. The project will maintain the existing historic café in the front of the property, in the R1-1XL zone. Pursuant to Part 2.4.2 of the Interim Administrative Procedures, developments which consist of nine or fewer Residential Units are Small New Housing Developments and are categorically exempt from the Inclusionary Residential Unit requirement. Therefore, the proposed development of two new Residential Units is found to be categorically exempt from the Inclusionary Residential Unit requirement for New Housing Developments.

ADDITIONAL MANDATORY FINDINGS

13. 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. 186,952, have been reviewed and it has been determined that this project is not located within Flood Hazard Area. The project conforms with both the specific provisions and the intent of the Floodplain Hazard Management Ordinance.

APPEAL PERIOD - EFFECTIVE DATE

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

This determination will become effective after the end of appeal period date on the first page of this document unless an appeal is filed with the Department of City Planning. An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents and to allow appellants time to submit payment.

An appeal may be filed utilizing the following options:

Online Application System (OAS): The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill

out and submit an appeal application online directly to City Planning's DSC and submit fee payment by credit card or e-check.

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.gov/development-services/forms>. Public offices are located at:

Metro DSC	Van Nuys DSC	South LA DSC
201 N. Figueroa Street Los Angeles, CA 90012 planning.figcounter@lacity.org (213) 482-7077	6262 Van Nuys Boulevard Van Nuys, CA 91401 planning.mbc2@lacity.org (818) 374-5050	(In person appointments available on Tuesdays and Thursdays 8am-4pm only) 8475 S. Vermont Avenue 1st Floor Los Angeles, CA 90044 planning.southla@lacity.org

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

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

Verification of condition compliance with building plans and/or building permit applications are done at the City Planning Metro or Valley DSC locations. An in-person or virtual appointment for Condition Clearance can be made through the City's [BuildLA](http://BuildLA.appointments.lacity.gov) portal (appointments.lacity.gov). The applicant is further advised to notify any consultant representing you of this requirement as well.



QR Code to
Online
Appeal Filing



QR Code to
Forms for In-
Person Appeal
Filing



QR Code to BuildLA
Appointment Portal for
Condition Clearance

Furthermore, this coastal development permit shall be subject to revocation as provided in Section 13B.9.1.I.2 of Chapter 1A of the Los Angeles Municipal Code, as authorized by Section 30333 of the California Public Resources Code and Section 13105 of the California Administrative Code.

Provided no appeal has been filed by the above-noted date, a copy of the permit will be sent to the California Coastal Commission, pursuant to Section 13B.9.1.E.4 of Chapter 1A of the Los Angeles Municipal Code. Unless an appeal is filed with the California Coastal Commission before 20 working days have expired from the date the City's determination is deemed received by such Commission, the City's action shall be deemed final.

The proposed development is in the dual permit jurisdiction area, and will require an additional permit from the California Coastal Commission upon the expiration of the above 20 working day appeal period. For more information on filing a permit, applicants should visit <https://www.coastal.ca.gov/cdp/cdp-forms.html> or contact the Coastal Commission South Coast District Office: SouthCoast@coastal.ca.gov.

Inquiries regarding this matter should be directed to Monica Taimoori, Planning Staff for the Department of City Planning at (213) 682-6372 or monica.taimoori@lacity.org.

A handwritten signature in blue ink that reads "Christine M. Saponara". The signature is fluid and cursive.

CHRISTINE M. SAPONARA
Associate Zoning Administrator

CMS:CC:NM:MT

cc: Councilmember Tim McOsker
Fifteenth District
Adjoining Property Owners
Interested Parties