

DEPARTMENT OF  
CITY PLANNING  
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# CITY OF LOS ANGELES

CALIFORNIA



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## DIRECTOR'S DETERMINATION

April 14, 2022

**Owner**

26 Holding LLC  
Oded Cohen  
326 South Highland Avenue  
Los Angeles, CA 90036

**Applicant / Representative**

Arutyun Sunbatyan  
NE Designs, Inc.  
15230 Burbank Boulevard  
Suite #106  
Sherman Oaks, CA 91411

**Case No.** DIR-2019-1463-CDP-MEL  
**CEQA:** ENV-2019-1464-CE

**Location:** 7346 South Rindge Ave

**Council District:** 11 - Bonin

**Neighborhood Council:** Westchester/Playa Del Rey

**Community Plan Area:** Westchester – Playa Del Rey

**Specific Plan:** Los Angeles Coastal  
Transportation Corridor

**Land Use Designation:** Low Residential

**Zone:** R1-1

**Legal Description:** Lot 22, Block 31, Tract TR 8557

**Last Day to File an Appeal:** April 28, 2022

**DETERMINED**, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15301 and 15303, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Pursuant to the Los Angeles Municipal Code (LAMC) Section 12.20.2, as the designee of the Director of Planning, I hereby:

**Approve** a Coastal Development Permit authorizing the demolition of an existing one-story, 1,214 square-foot single-family dwelling and the construction of a new three-story (two stories above a habitable basement level), 4,991 square-foot single-family dwelling with a roof deck, basement, and attached two-car garage, and 949 cubic yards of cut, 9 cubic yards of fill, and the export of 955 cubic yards of soil, located in the Dual Permit Jurisdiction of the Coastal Zone.

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

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

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



10. Prior to the issuance of any permits, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the subject case file.

### **Administrative Conditions**

11. **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.
12. **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.
13. **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.
14. **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.
15. **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.
16. **Condition Compliance.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
17. **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



## BACKGROUND

The subject site, located at 7346 South Rindge Avenue, is a rectangular sloping lot, located approximately 100 feet from the intersection of Rindge Avenue and Redlands Street. The project site consists of one lot totaling 7,832 square feet, with approximately 50 feet of frontage along Rindge Avenue. One 20-foot wide alley abuts the project site to the east. The site is currently developed with a one-story, 1,214 square-foot single-family dwelling unit and attached two-car garage built in 1953. There are no known designated historic resources or cultural monuments on the subject site.

The subject property is located in the R1-1 Zone and designated Low Residential, which allows the construction of single-family residential development within the Westchester – Playa del Rey Community Plan. The site is located within Dual Permit Jurisdiction Coastal Zone, and the Los Angeles Coastal Transportation Corridor Specific Plan. The subject property is located in a Methane Buffer Zone, Special Grading Area (BOE Basic Grid Map A-13372), and is located approximately 7.4 kilometers from the Palos Verdes Fault Zone.

The applicant requests a Coastal Development Permit and Mello Act Compliance Review to authorize the demolition of the existing one-story, 1,214 square-foot single-family dwelling and the construction of a new three-story (two stories above a garage and habitable basement level), 4,991 square foot single-family dwelling measuring 35 feet in height with a roof deck, basement, and attached two-car garage, as well as excavation and grading comprised of 949 cubic yards of cut, 9 cubic yards of fill, and the export of 955 cubic yards of soil.

The neighborhood and properties immediately surrounding the subject site are developed with one- to three-story single-family residential dwellings with attached two-car garages in the R1-1 Zone. The residential lots are located in an area developed with and zoned for single-family residential uses and maintain moderate landscaping and vegetation.

### Streets abutting the subject site and surrounding streets

Rindge Avenue is a Local Street designated to a right-of-way width of 60 feet and roadway width of 36 feet, and is improved with an asphalt roadway, curb, gutter, and sidewalk.

Alley adjoins the subject property to the east, is dedicated to a width of 20 feet, and is improved with an asphalt roadway.

### Previous zoning related actions on the site/in the area include:

ZA-2014-89-CDP-MEL – On January 18, 2017, the Zoning Administrator denied a Coastal Development Permit and Mello Act Compliance Review Determination for the demolition of a 2,176 square-foot single-family residence and the construction of a 3,986 square-foot single-family dwelling with an attached 2-car garage within the Dual Permit Jurisdiction Area of the California Coastal Zone, located at 7356 Vista Del Mar Lane.

ZA-2015-325-CDP-MEL – On December 9, 2015, the Zoning Administrator approved a Coastal Development Permit authorizing the demolition of a 2,432 square-foot single-family dwelling and the construction of a 35-foot tall, 3,442 square-foot single-family dwelling with a 456 square-foot attached garage, and the conversion of an existing detached garage into a 667 square-foot recreation room in the R1-1 Zone, within the Single Permit Jurisdiction Area of the California Coastal Zone, located at 7329 South Trask Avenue.



- Neighbor called worried about building and view
- Applicant advised neighbor that since sloping down, 45-feet will not block views since at lower elevation
- No other neighbors have contacted Applicant
- Project providing 11-foot 10-inch setback, which is more than double required setback

An advisement period was held for 8 weeks.

The applicant initially proposed the construction of a two-story, 6,028 square-foot single-family dwelling measuring 45 feet in height, with a roof deck, basement, and attached two-car garage, as well as 980 cubic yards of grading. However, in response to public comments during the Public Hearing, the applicant revised the proposed project. The revised project proposes a three-story (two stories above a garage and habitable basement), 4,991 square foot single-family dwelling measuring 35 feet in height with a roof deck, basement, and attached two-car garage. The revised project reduces the overall size and height of the structure.

### Correspondence

Council District 11 submitted a letter prior to the public hearing requesting that the Director hold the case under advisement to allow the Applicant to complete additional public outreach.

A comment was submitted by Cynthia N. Locher prior to the public hearing expressing concerns regarding the notice of public hearing, topographic survey, stability of the soil, the height and square footage of the project, and the potential for obstruction of views. The commenter additionally requested information on the case process.

A comment was submitted by Mark Cully prior to the public hearing expressing concerns regarding the front yard setback, height, placement, and massing of the proposed project. The commenter additionally requested information on the case process.

A comment was submitted by Wade Siegel prior to the public hearing expressing concerns regarding soil failure, erosion, and the proposed retaining wall.

A comment was submitted by Jennifer Dakoske Koslu following the public hearing expressing concerns about the turnover of homes in the area, the massing of the proposed project, the stability of the soil, and the lack of outreach by the Applicant. The commenter requests that the City deny the request until additional public outreach is completed and the project is redesigned.

A comment was submitted by Timothy Carrick following the public hearing expressing concerns regarding the character and scale of the project, as well as the obstruction of views and solar energy potential. The commenter further described the Applicant's communication with the public including the Westchester – Playa del Rey Neighborhood Council.



*of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

The subject site and surrounding area are characterized by bluffs with views to and along the ocean. However, no natural land forms will be altered as part of the project. The project will demolish an existing single-story, single-family dwelling and construct a three-story (two stories above a habitable basement level) single-family dwelling, roof deck, and attached garage. The subject site is on an interior lot with frontage along Ringe Avenue to the west and a rear alley to the east. Vehicular access to the lot is provided via Ringe Avenue. The proposed development is located in an area characterized as a low density residential neighborhood developed primarily with one and two-story single-family dwellings. The front of the proposed structure will be oriented towards Rindge Avenue, providing pedestrian access. There are 11, R1-1 zoned lots on Rindge Avenue between Manchester Avenue to the north and Redlands Street to the south, excluding the subject site. These lots are developed with single-family homes, of which five are one-story in height, six are two-stories in height, and one is three-stories in height. Furthermore, the lots across Ringe Avenue to the west are zoned R1-1 comprised primarily of two-story single-family dwellings. Properties east across the subject site's rear alley are zoned R1-1 comprised of two- and three-story single-family dwellings. The proposed development is limited to the property line and will not encroach onto the public right-of-way.

The project will have no adverse effects on public access, recreation, public views, or the marine environment as the property is located approximately 0.2 miles from the closest body of water, and separated by a single-family residential development and several streets. As a result, the project will not interfere or 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 applicant is requesting a Coastal Development Permit authorizing the demolition of an existing one-story, 1,214 square-foot single-family dwelling and the construction of a new three-story (two stories above a habitable basement level), 4,991 square-foot single-family dwelling with a roof deck, basement, and attached two-car garage, as well as excavation and grading comprised of 949 cubic yards of cut, 9 cubic yards of fill, and the export of 955 cubic yards of soil. The subject property is zoned R1-1 and fronts on Rindge Avenue. Furthermore, with a height of 42 feet, the project is in compliance with the maximum permitted height of 45 feet. Therefore, the project will not block any protected views of the ocean or coastline and the proposed project is in conformity with Chapter 3 of the California 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 (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 functional equivalent. The property is located within the Westchester - Playa del Rey Community Plan area and designated for Low Residential land uses, with a corresponding zone of R1-1. The Westchester – Playa Del Rey Community Plan designates the subject property for Low Residential land uses with the corresponding zone of R1 in Height District No. 1. The use of the subject property for single-family residential purposes will be consistent with the Community Plan land use designation and zoning. The proposed project will meet the Community Plan's objective of developing new housing to meet the needs of the existing residents and projected population of the area. Furthermore, the proposed project is designed to be in conformance with all applicable provisions of the LAMC, including, but not limited to, those regulating height, setbacks, density, and parking. As conditioned, the project will not prejudice the goals and objectives of the Westchester – Playa del Rey Community Plan or ability of the City to prepare a Local Coastal Program.

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

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

The Regional Guidelines for Playa del Rey address parking, density, and include special provisions for preservation of public access, compatibility with wetlands and habitat areas, and the maintenance of vista points and natural landforms. The applicable provisions of the California Coastal Commission's Regional Interpretive Guidelines have been reviewed and considered in preparation of these findings. The project consists of the demolition of an existing one-story, 1,214 square-foot single-family dwelling and the construction of a new three-story (two stories above a garage and habitable basement), 4,991 square-foot single-family dwelling with a roof deck, basement, and attached two-car garage, as well as excavation and grading comprised of 949 cubic yards of cut, 9 cubic yards of fill, and the export of 955 cubic yards of soil. The project, which is not located on a bluff or hillside area, would not alter any natural land forms, nor would it impact access to the coast. The 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.

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

The project consists of the demolition of an existing one-story, 1,214 square-foot single-family dwelling and the construction of a new three-story (two stories above a garage and habitable basement), 4,991 square-foot single-family dwelling with a roof deck, basement, and attached two-car garage, as well as excavation and grading comprised of 949 cubic



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

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

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

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

The subject property is located approximately 0.2 miles from the closest body of water within the coastal zone and is separated from the sea by several streets and many other single-family dwellings. The project would not have a cumulative effect on public access to the coast, as the applicant is maintaining two existing parking spaces, and is not required to provide additional parking. As proposed, the project will not conflict with any public access or public recreation policies of the Coastal Act.

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

A Categorical Exemption, ENV-2019-1464-CE, has been prepared for the proposed project consistent with the provisions of the California Environmental Quality Act. The project consists of the demolition of an existing one-story, 1,214 square-foot single-family dwelling and the construction of a new three-story, 4,991 square-foot single-family dwelling with a roof deck, basement, and attached two-car garage, and 949 cubic yards of cut, 9 cubic yards of fill, and the export of 955 cubic yards of soil. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Sections 15301 (Class 1) and 15303 (Class 3).

The Class 1 Categorical Exemption allows for the demolition and removal of individual small structures. In urbanized areas, up to three single-family residences may be demolished under this exemption. The proposed project involves the demolition of an existing single-family dwelling. Therefore, this exemption applies.

The Class 3 Categorical Exemption allows for construction and location of limited numbers of new, small facilities or structures; this includes one single-family residence, or a second dwelling unit in a residential zone. The proposed project involves the construction of a new single-family dwelling. Therefore, this exemption applies.

Furthermore, the Exceptions outlined in the CEQA Guidelines Section 15300.2 do not apply to the proposed 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 project is consistent with the scale and uses proximate to the area. The subject site is not located in a fault or flood zone, nor is it within a landslide area. Although the project is located within a Methane Buffer Zone and Special Grading Area (BOE Basic Grid Map A-13372), the project is



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

**7. Demolitions and Conversions (Part 4.0).**

The project includes the demolition of an existing one-story, 1,214 square-foot single-family dwelling. A Determination issued by the Los Angeles Housing and Community Investment Department (HCIDLA) dated December 3, 2019 states that the no affordable units exist at 7346 South Rindge Avenue. On May 26, 2004, Betty May Robinson transferred ownership of the property to Betty May Robinson, a widow, and Delbert Steve Howell, a single man, together as joint tenants. On July 2, 2018, Delbert Steve Howell, a single man, sold the property to 26 Holdings, LLC, a California limited liability company. On June 24, 2019, 26 Holdings, LLC, a California limited liability company transferred ownership of the property to Owner. Owner has applied for a Building Permit (18010-20000-06211) and Demolition Permits (19019-20000-00058 & 19019-20000-01262) with the Department of Building and Safety. Section 4.4.3 of the Interim Administrative Procedures for Complying with the Mello Act requires that HCIDLA collect tenant income verification documents if available, or monthly housing cost data as substitute, for at least the previous three (3) years prior to the date of application with the Department of City Planning (DCP). Owner filed an application with DCP on March 11, 2019. HCIDLA must collect data from: March 2016 through March 2019. On July 9, 2019, HCIDLA mailed a certified letter to the property, which was marked "Vacant" and returned to HCIDLA on July 23, 2019. Property tax records and Department of Water and Power (DWP) bills show that the property was owner occupied from at least March 2016 through June 2018. DWP confirmed that there was minimal to no usage on the property from July 2018 through March 2019. Therefore, no Affordable Existing Residential Units are proposed for demolition or conversion; and the applicant is not required to provide any Affordable Replacement Units.

**8. Small New Housing Developments (Part 2.4)**

Pursuant to 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 construction of one new Residential Unit is found to be categorically exempt.

**ADDITIONAL MANDATORY FINDING**

9. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is not located in a flood zone.



Public offices are located at:

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

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

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

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

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

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

VINCENT P. BERTONI, AICP  
Director of Planning

Approved by:

Reviewed by:

 for  
Faisal Roble, Principal City Planner

  
Juliet Oh, Senior City Planner

Prepared by:

  
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