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June 12, 2007

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CASE NO. ZA 2004-1415(CDP)(SPP)
(ZAD)(MEL)
LETTER OF CLARIFICATION
1046-48 W. Princeton Drive
Related Case: Tentative Tract No. 60907
Venice Planning Area
Zone: C4(OX)-2D
D.M.: 105B149
D.C.: 11
CEQA: ENV-2004-1396-MND
Fish and Game: Exempt
Legal Description: Attached to File

Department of Building and Safety

On June 1, 2005, the West Los Angeles Area Planning Commission, approved:

Pursuant to Section 11.5.7 of the Los Angeles Municipal Code and Section 7A of the Venice Coastal Specific Plan and Oxford Triangle Specific Plan,

A Project Permit for adaptive reuse of an industrial building for residential loft condominium residential purposes in compliance with Specific Plans;

Pursuant to Section 10 of the Oxford Triangle Specific Plan,

Plot Plan Review for the subject project;

Pursuant to Section 12.24-X,1 of the Los Angeles Municipal Code,

A Zoning Administrators Determination for the adaptive reuse of an existing industrial building to allow 30 residential loft condominium dwelling units;

Pursuant to Los Angeles Municipal Code Section 12.20.2,

A Coastal Development Permit for the construction, use and maintenance of a 30-unit residential loft condominium in the single permit area of the California Coastal Zone, and

Pursuant to California Government Code Sections 65590 and 65590.1 (Mello Act), findings for Mello Act Compliance, all on property located within the C4(OX)-4D Zone.

Included was the following condition:

5. OFF-SITE AFFORDABLE UNITS: Prior to the Recordation of the Final Map, or prior to the issuance of a building permit, the subdivider shall submit an Affordable Housing Provision Plan, approved by the Los Angeles Housing Department, for the required Inclusionary Residential Units to be provided off-site as net new, for-sale condominium units through new construction or adaptive reuse (conversion of existing non-residential structures) within the Coastal Zone and within Council District No. 11. Any off-site Inclusionary Units shall conform to the Performance Standards contained in Part IV of the Affordable Housing Incentives Guidelines adopted by the City Planning Commission on December 14, 1995.
 - a. The Plan will provide, as offered by the subdivider, 10% Very Low Income Affordable units. (Note: The maximum 30 dwelling units approved herein would require three (3) Very Low Income units).
 - b. The subdivider shall record a Covenant and Agreement (Planning Department General Form CP-6770) binding the subdivider to place the required off-site units in service (i.e., issuance of a Certificate of Occupancy) prior to the issuance of a Temporary or Final Certificate of Occupancy for the market-rate units.

This condition to be cleared by City Planner or above.

- c. The Housing Department, or its successor or assignee, shall be responsible for the ongoing monitoring and enforcement if these accessible affordable unit requirements.

The Housing Department reviewed the Affordable Housing Provision Plan, has no problem with the Plan but the LAHD also recommends an in-lieu fee option to avoid barriers to executing a legal agreement with the applicant for off-site property the applicant has not yet acquired. The inability to acquire off-site property has placed the

subdivider and City in a Catch 22: no agreement can be executed without purchase of off-site property; and the subdivider has been unable to acquire off-site property.

In light of the aforementioned facts, Condition No. 5 is hereby CLARIFIED to read:

5. OFF-SITE AFFORDABLE UNITS: Prior to the Recordation of the Final Map, or prior to the issuance of a building permit, the subdivider shall submit an Affordable Housing Provision Plan, approved by the Los Angeles Housing Department, for the required Inclusionary Residential Units to be provided off-site as net new, for-sale condominium units through new construction or adaptive reuse (conversion of existing non-residential structures) within the Coastal Zone and within Council District No. 11. Any off-site Inclusionary Units shall conform to the Performance Standards contained in Part IV of the Affordable Housing Incentives Guidelines adopted by the City Planning Commission on December 14, 1995.
 - a. The Plan will provide, as offered by the subdivider, 10% Very Low Income Affordable units. (Note: The maximum 30 dwelling units approved herein would require three (3) Very Low Income units).
 - b. The subdivider shall record a Covenant and Agreement (Planning Department General Form CP-6770) binding the subdivider to place the required off-site units in service (i.e., issuance of a Certificate of Occupancy) prior to the issuance of a Temporary or Final Certificate of Occupancy for the market-rate units.

This condition to be cleared by City Planner or above.

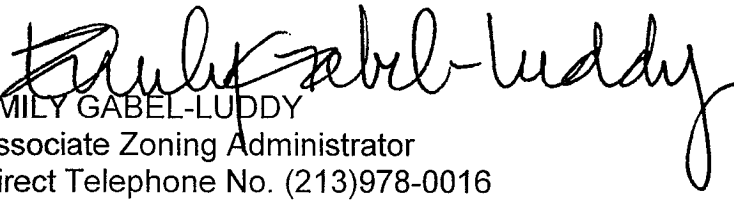
- c. The Housing Department, or its successor or assignee, shall be responsible for the ongoing monitoring and enforcement if these accessible affordable unit requirements.

OR

In the event, the applicant is unable to located affordable Inclusionary Residential Units either off-site within either the Coastal Zone and within Council District No. 11, or within the Extended Coastal Zone, to the satisfaction of the Housing Department, then the applicant shall pay not less than \$29,696 for each of the three required affordable Inclusionary Residential Units, for a total payment of not less than \$89,088.

This fee is to be paid to the Department of Building and Safety prior to issuance of any permits, and deposited into the Coastal Zone Affordable Housing Trust Fund. Applicant must provide proof of payment to the Department of City Planning, directed to the attention of the Associate Zoning Administrator.

All other conditions of Case No. ZA-2004-1415-CDP-SPP-ZAD-MEL remain without change.


EMILY GABEL-LUDDY
Associate Zoning Administrator
Direct Telephone No. (213)978-0016

cc: Councilmember Bill Rosendahl
Eleventh Council District
Adjoining Property Owners
County Assessor

EGL:jh