



# MIKE BONIN

City of Los Angeles  
Councilmember, Eleventh District

The Honorable Jose Huizar  
Chair  
Planning and Land Use Management Committee  
Los Angeles City Council  
City of Los Angeles  
200 North Spring Street  
Los Angeles, CA 90012

Re: **522 Venice Boulevard - CF 14-0035 (VTT-70870-SL-1A, ZA-2013-1420 (CDP-1A, ENV-2009-2489-MND-REC2))**

Dear Councilmember Huizar:

At the West Los Angeles Area Planning Commission hearing, I strongly opposed the project proposed for 522 Venice Boulevard. A copy of the letter that I submitted regarding the project is attached. I remain strongly opposed to this project, which is scheduled to be heard by the Planning and Land Use Management Committee on March 18, 2014. I urge you to deny the appeal pending before you and to uphold the Area Planning Commission's well-reasoned denial of the project.

The Area Planning Commission recognized the significant concerns with this project - concerns that were raised by the community throughout the project's process and that were echoed by the two groups of neighbors who appealed the original approvals of the Deputy Advisory Agency and the Zoning Administrator. As the Area Planning Commission concluded in its denial findings, the project is out of scale, out of character, and out of compliance with the Venice Coastal Zone Specific Plan.

### **The Project Does Not Satisfy the Necessary Findings for Approval of a Subdivision**

The Area Planning Commission denied the requested subdivision, determining that the project did not meet the findings required by the City's Zoning Code and the California Subdivision Map Act for a subdivision to be approved. According to the Map Act, a subdivision cannot be approved unless that subdivision, including the provisions for its design and improvement, is consistent with the general plan and any specific plan adopted for the area.

As explained in more detail in the attached letter, the project is not consistent with the Venice Coastal Zone Specific Plan. The project is out of character with the surrounding development. The

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project lacks setbacks and buffers that are consistent with the surrounding community, and the project site is not physically suitable for the proposed type and density of development. Invoking the affordable housing density bonus provisions does not excuse the requirement to comply with the Specific Plan or other applicable laws and regulations.

**The Project Does Not Satisfy the Necessary Findings for Approval of a Coastal Development Permit**

For many of the same reasons that the project fails to satisfy the necessary findings under the Subdivision Map Act, the project also fails to satisfy required findings for a coastal development permit. As the Area Planning Commission explained in its findings, the project is not in conformity with Chapter 3 of the Coastal Act of 1976. Additionally, the project is not consistent with the Coastal Commission's Interpretive Guidelines as applied to this particular project.

The Regional Interpretive Guidelines for the South Coast Region (Los Angeles County), which were adopted by the Coastal Commission to supplement the Statewide Guidelines, are used in the process of evaluating how the policies of Chapter 3 of the Coastal Act apply to individual projects. Prior to certification of a complete local coastal program for an area, these guidelines are used in conjunction with any certified portion of the local coastal program to evaluate projects in that area. The Coastal Commission certified the land use plan portion of the Venice Local Coastal Program in 2001. Many of the provisions of the land use plan were also incorporated into the Specific Plan. Therefore, proposed projects need to be evaluated in light of these local documents as well as the Regional and Statewide Interpretive Guidelines.

As indicated in the Area Planning Commission's findings and as stated at the hearing, the project is too tall and too bulky, and therefore is out of scale and character with the community. As evidence of the anticipated scale of development in this community, the Regional Interpretive Guidelines state that the height of new residential development in the Southeast Venice subarea, where this project is located, should not exceed 25 feet above the mean centerline of the frontage road. The land use plan contains a similar height limit (25 feet maximum for a flat roof), and that height limit is echoed in the Specific Plan. Taken together, this indicates that the low height, low slung scale of residential development is what was intended for this area, and the project does not fit that character.

The land use plan seeks to protect and maintain existing stable single- and multi-family residential neighborhoods. In the Southeast Venice subarea, yards are recognized as an important means to accommodate the need for open space, permeable land area, and on-site recreation consistent with the existing scale and character of the neighborhood. Having yard setbacks and buffers consistent with the surrounding area, therefore, is a way to ensure that the character of the development is compatible. The setbacks and buffers for this project, however, are not consistent with the surrounding community.

**The CEQA Analysis for the Project Is Insufficient**

As stated in the attached letter, the concerns regarding the project are compounded by the fact that the analysis under the California Environmental Quality Act was insufficient. Of particular note were concerns about the sufficiency of the traffic analysis. The applicant attempts to address the concerns regarding traffic, pedestrian, and cyclist safety through a traffic study that was prepared in the last couple of weeks and submitted to PLUM on March 14, 2014. The study was not reviewed or approved by the City Department of Transportation, and it was not made available to the public as part of the review process for the project. This study was also not available to the decision makers throughout the hearing process, and therefore, was not part of the record of decision for the project for the Zoning Administrator, the Deputy Advisory Agency, or the Area Planning Commission. However, even with the additional information, the fundamental issues with the project still remain, namely, the project is not consistent with the General Plan or the Specific Plan for the area.

I still believe that this site has the potential to be built with a project that will be an asset to the Venice community. Redevelopment of this site with a project that complies with applicable law and is in character with the surrounding development would be a benefit to this neighborhood and the Venice community as a whole. Unfortunately, the project being proposed is not consistent with applicable rules and regulations and is not compatible with the surrounding area. Given the significant concerns with this project, I respectfully request that your Committee deny the appeal and uphold the decision of the Area Planning Commission to deny the requested subdivision and coastal development permit.

Regards,



**MIKE BONIN**

*Councilmember, District 11*

cc: Councilmember Gilbert A. Cedillo  
Councilmember Mitchell Englander  
Sharon Gin, Office of the City Clerk



# MIKE BONIN

City of Los Angeles  
Councilmember, Eleventh District

Re: 522 Venice Boulevard – Case Nos. VTT-70870-SL-1A, ZA-2013-1420 (CDP)-1A,  
ENV-2009-2489-MND-REC2

Dear Honorable Commissioners,

I am writing to express my strong opposition to the proposed project located at 522 Venice Boulevard. I stand with the community in opposing this project, which is scheduled to be heard by your Commission on December 4, 2013. I urge you to grant the appeals filed in this case and to overturn the Deputy Advisory Agency and Zoning Administrator approvals.

The Venice Neighborhood Council and members of the community that would be impacted by this project have raised numerous and legitimate concerns about the project—concerns that were not properly taken into consideration when the Deputy Advisory Agency and Zoning Administrator previously issued approvals of the project. For those reasons and for the reasons included below, I believe that the necessary findings for approval of the requested subdivision and Coastal Development Permit cannot be made. As a result, the project as proposed cannot go forward and should be denied.

## 1. The Project Is Not Consistent with the Specific Plan.

Countless concerns have been raised about this project. Chief among them is the fact that the project is not consistent with the Venice Coastal Zone Specific Plan (“Specific Plan”). One of the City’s primary purposes in adopting the Specific Plan was to regulate development, “including height, density, setback, buffer zone and other factors in order that it be compatible in character with the existing community.” (Specific Plan § 3.F.) Pursuant to Section 66473.5 of the California Subdivision Map Act (“Map Act”), a subdivision cannot be approved unless that subdivision, including the provisions for its design and improvement, is consistent with the general plan and any specific plan adopted for the area. The Coastal Act requires such consistency and conformity as well for new residential development. This project, however, is out of scale, out of character, and out of compliance with the Specific Plan. Therefore, according to applicable law, the project cannot be approved as proposed.

### a. The Project Is Too Tall and Is Out of Character with Surrounding Development.

The project is proposed to be 3 stories with additional parapet and roof features projecting above the third floor. The maximum building height is proposed to be 40.5 feet, but the roof features could project over 43 feet in height according to the project’s conditions of approval. Section 10.G.3 of the Specific Plan sets a very strict height limit for Venice, and in this particular area, heights are limited to 25 feet for a building with a flat roof, and can only go up to 30 feet if the roofline is articulated. This project proposes to exceed the maximum height limit by over 10 feet, which is a significant increase in the total height of the 10 buildings proposed for the project site.

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In setting a height limit for this area of Venice that is lower than the height limit generally applicable in the City, the Specific Plan contemplated the maintenance of the low-rise, low-slung beach community character that currently exists in the surrounding neighborhood. The area surrounding the project is characterized by mainly one- and two-story residential uses, with many of them being one-story single-family homes. There are few, if any, buildings in the surrounding area that reach the heights proposed by this project. The proposed 3 stories and 40.5-foot height would be completely out of character for this community as well as in conflict with the Specific Plan.

**b. The Project Lacks Setbacks and Buffers Consistent with the Surrounding Community.**

The project proposes to build essentially to the sidewalk along Venice Boulevard. This area is characterized by larger setbacks from the street along Venice Boulevard, and the creation of green parkway and buffer space to create a better pedestrian experience along the street. The project involves the vacation of City property that will be incorporated into the project site, and that vacation required a finding that such City property was no longer needed for public purposes. I do not believe that such a finding can be made. In order for this project to be consistent with the development pattern in the surrounding area along Venice Boulevard, it is critical that the buffer along the street be maintained, and the project be set further back from the sidewalk. The lack of sufficient setbacks consistent with the surrounding community just exacerbates the overheight, bulky, and massive nature of the project, making it even more out of character with the area.

**2. The Project Site Is Not Physically Suitable for the Proposed Type and Density of Development.**

Simply put, the project is just too big for the property. In fact, a prior iteration of the project proposed fewer units—12 units—on a larger project site. In redesigning the project, the applicant has attempted to maximize the development on the project site in a manner that is out of character with the surrounding community. The area is characterized by smaller block patterns and pedestrian-scale streets. Many of the blocks in the area contain only 15 or 16 houses, which means this one project proposes an entire block's worth of development on one lot. The proposed project also lacks thoughtful design, and instead proposes large expanses of unarticulated facades that tower over the neighborhood. The neighboring properties should not be subject to the massive scale, blank walls, and bulky design in a neighborhood that is characterized by varied architecture and articulated design.

**3. Using the Affordable Housing Density Bonus Provisions Does Not Mean the Project Is Exempt from Other Rules and Requirements.**

The only response presented thus far to the argument that the project is not consistent with the Specific Plan is the assertion that somehow invoking the Affordable Housing Density Bonus provisions alleviates the requirement to comply with the Specific Plan. However, the Density Bonus provisions do not obviate the requirement that a project also comply with other applicable laws, such as the provisions of the Map Act and the Coastal Act, both of which are state laws. Rather, the project must comply with all applicable laws, rules, and regulations, and as proposed, it does not satisfy the requirements necessary for the requested subdivision to be approved.

#### **4. The Project Raises Traffic, Pedestrian, and Cyclist Safety Concerns.**

In addition to the concerns regarding consistency with the Specific Plan, the project also raises potential traffic, pedestrian, and cyclist safety concerns. The intersection of Venice Boulevard, Mildred Avenue, and Ocean Avenue is a particularly constrained intersection, and the proposed project will only exacerbate the concerns that already exist in that area. Over the past decade, there have been several reported accidents at that intersection, the majority of which involved pedestrians and cyclists, rather than only vehicles. However, the reported incidents only paint a partial picture of the traffic safety concerns in that area because, as examples from the community show, there are many instances of “near misses” or other incidents that go unreported, which means they are going unaddressed. The stretch of Mildred Avenue, where this project is proposed to be located, is narrow, congested, and has an irregular configuration, which can raise issues regarding the proper circulation of pedestrians, cyclists, and vehicles in the area. Adding a driveway that will serve 15 residential units—many, if not all, of which will be multiple car households—will further impact the already congested and constrained conditions at that intersection. This corner of Mildred Avenue cannot support an additional driveway serving as the only access to a project of this size. Any access to this project site for a project like the one proposed should be required to come from Venice Boulevard.

Unfortunately, because of the size of the proposed project, a traffic study was not required by the Department of Transportation. While this project may be below the threshold typically used to determine when a traffic study for multifamily residential development is required, due to the specific circumstances of this project, it appears further study would be warranted. If the traffic safety concerns of the area were studied, there are a number of potential improvements that could be identified and that may address the traffic and safety concerns in the area. Improvements such as peak hour turning restrictions, the installation of bike lanes, the installation of crosswalks, and the clear delineation of pedestrian space at the intersection of Venice Boulevard, Mildred Avenue, and Ocean Avenue could significantly improve the conditions in the area.

#### **5. The CEQA Analysis for the Project Is Insufficient.**

The concerns regarding compatibility with the neighborhood, safety of the project, and satisfaction of the required findings are compounded by the fact the analysis of the project under the California Environmental Quality Act (“CEQA”) was insufficient. As noted above, no analysis of traffic impacts was done, even though the information presented by the community raised a fair argument that a potential impact exists. Additionally, there are several instances in which analysis of a potential impact was deferred until the building permit stage, which is well after project approval. CEQA requires that the public and the decision makers be notified of the potential impacts of a project prior to the approval of the project in order to make an informed decision. By deferring studies and analysis until well after the project approval, the Mitigated Negative Declaration for this project fails to provide sufficient analysis of the project’s potential environmental impacts. Without a sufficient environmental analysis under CEQA, this project cannot be approved. Therefore, before the City could act to approve this project, the CEQA analysis would need to be revised and recirculated.

### Conclusion

This site has the potential to be developed with a project that can be a compliment and an asset to the community. It is a gateway into this part of Venice, and the community would benefit from redevelopment of the site with a project that is appropriate for the property. Unfortunately, the project that is currently proposed is not compatible with the surrounding community and is not consistent with applicable laws and regulations. Given the number of significant concerns with this project as proposed, I respectfully request that your Commission grant the appeals and deny this project.

Regards,



**MIKE BONIN**

*Councilmember, District 11*