

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, 10th Floor
Long Beach, CA 90802-4302
(562) 590-5071

Filed: 10/31/97
49th Day: 12/19/97
180th Day: 4/29/98
Staff: CP-LB
Staff Report: 3/17/98
Hearing Date: April 7-10, 1998
Commission Action:



Tu/6a

STAFF REPORT: PERMIT EXTENSION REQUEST

APPLICATION NO.: 5-90-789-E5

APPLICANT: Stephen M. Gaggero

AGENT: Greg Maas, Avalon Corporation

PROJECT LOCATION: 601 Ocean Front Walk, Venice, City of Los Angeles, Los Angeles County

PROJECT DESCRIPTION: Public hearing on request for extension of amended permit for the construction of a two-story, 25 foot high, 14,536 square foot retail/fast food center with a 2,155 square foot exterior food service plaza. The amended project includes a 156 space, two-level subterranean parking garage.

[Applicant's original application proposed a 31 foot high, five-level, 24,267 square foot retail/fast food center with a 2,580 square foot food service plaza, and 151 parking spaces. The Commission approved project is significantly smaller.]

Lot Area	18,850 sq. ft.
Building Coverage	9,300 sq. ft.
Pavement Coverage	9,000 sq. ft.
Landscape Coverage	550 sq. ft.
Parking Spaces	156
Zoning	C-1
Plan Designation	Commercial
Ht abv fin grade	25 feet

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission find that the extension request is consistent with the Coastal Act and grant a new one-year term for the permit.

SUBSTANTIAL FILE DOCUMENTS:

1. Coastal Development Permit 5-90-789 (Gaggero).
 2. Coastal Development Permit Amendment 5-90-789-A1 (Gaggero).
 3. City of Los Angeles Local Coastal Development Permit No. CDP 88-036.
 4. Traffic Impact Analysis for 601 Ocean Front Walk, by Greer and Co., August 1988, December 1988 & January 1989.
 5. Coastal Development Permit 5-89-059 (Gaggero).
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PROCEDURAL NOTE:

Section 13169 of the California Code of Regulations provide that permit extension requests shall be reported to the Commission if:

- 1) The Executive Director determines that due to changed circumstances, the proposed development may not be consistent with the Coastal Act, or,
- 2) Objection is made to the Executive Director's determination of consistency with the Coastal Act.

In this case, the Executive Director determined that there were no changed circumstances which could possibly affect the consistency of the proposed development with the Coastal Act. Subsequently, the Commission received three letters objecting to the Executive Director's determination of consistency with the Coastal Act (Exhibits #5-7).

If three (3) Commissioners object to an extension request on the grounds that the proposed development may not be consistent with the Coastal Act, the application shall be set for a full hearing as though it were a new application. If three objections are not received, the permit will be extended for an additional one year period.

Approval of this Coastal Development Permit extension request will extend the expiration date of Coastal Development Permit 5-90-789 to November 10, 1998, one year from the previous date of expiration, and seven years from the date of the original Commission approval.

I. STAFF RECOMMENDATION

Staff recommends that the Commission grant the extension on the grounds that there are no changed circumstances which could cause the project, as originally approved, to be inconsistent with the Chapter 3 policies of the Coastal Act.

II. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. Project Description and History

The applicant has requested a one-year extension of Coastal Development Permit 5-90-789 (Blanchard/Gaggero) to construct a two-story, 25 foot high, 14,536 square foot retail/fast food center with a 2,155 square foot exterior food service plaza. A two-level subterranean parking garage provides 156 parking spaces. Coastal Development Permit 5-90-789 was approved by the Commission with several special conditions on November 10, 1991. Several of the "prior to issuance" conditions of the permit have not been satisfied by the applicant (See Appendix A). Therefore, Coastal Development Permit 5-90-789 has not been issued. The property is currently used as a parking lot.

In 1990, the applicant's original application proposed a 31 foot high, five-level, 24,267 square foot retail/fast food center with a 2,580 square foot food service plaza, and 151 parking spaces. The City approved project was brought before the Commission on appeal in 1991.

On November 10, 1991, the Commission approved Coastal Development Permit 5-90-789 (Blanchard/Gaggero) for a significantly smaller project consisting of a two-story retail/fast food center with two levels of subterranean parking. The first floor of the approved project was approved with 9,300 square feet of general retail area. The second floor of the project was approved with 5,900 square feet of enclosed general retail or walk-up food service area. A 2,500 square foot patio with seating for the walk-up food services was also approved on the second floor. A 450 square foot sit-down restaurant was permitted within the 5,900 square feet of enclosed second floor area.

The project approved by the Commission in 1991 was never built, and in 1994 the applicant submitted amendment request 5-90-789-A1 (Blanchard/Gaggero) for a revised project. [The applicant, Stephen Blanchard, has legally changed his name to Stephen Gaggero.]

On October 14, 1994, the Commission approved Coastal Development Permit Amendment 5-90-789-A1 (Blanchard/Gaggero) for the revised project. The revised project has less commercial area and more parking than the previously approved project. Coastal Development Permit Amendment 5-90-789-A1 eliminated the previously approved 450 square foot sit-down restaurant from the project, and added five on-site parking spaces for a total of 156 parking spaces. One of the purposes of the amendment was to free up parking in the project so that adequate parking could be made available for a proposed sit-down restaurant with 1,399 square feet of service area on the applicant's adjacent lot at 523 Ocean Front Walk. [See Coastal Development Permit Amendment 5-89-059-A (Blanchard/Gaggero)].

Coastal Development Permit Amendment 5-90-789-A1 also revised the special conditions of the underlying permit to allow for more efficient management of the affected properties if held under separate ownership. [See Appendix A for the current special conditions approved by Coastal Development Permit Amendment 5-90-789-A1 (Blanchard/Gaggero)].

The project is situated on three commercially zoned lots at the corner of Ocean Front Walk and Sunset Avenue (Exhibit #2). Ocean Front Walk is a popular commercial and residential pedestrian street on the beachfront which attracts many tourists and day visitors. The public beach and a public beach parking lot are located across Ocean Front Walk in front of the site.

Four previous one-year permit extensions were granted in 1993, 1994, 1995 and 1996. All four previous permit extensions were determined by the Executive Director to be immaterial permit extensions because there were no changed circumstances which could have caused the proposed development to be inconsistent with the Coastal Act. However, the determination of immaterial for the first extension request in 1993 was objected to by Helen and Jerome Johnson. Helen Johnson has also objected to this extension request (Exhibit #7).

The first extension request in 1993 was heard by the Commission as a material extension request. On December 16, 1993 the Commission granted the first extension on the grounds that there were no changed circumstances which could cause the project, as originally approved, to be inconsistent with the Chapter 3 policies of the Coastal Act.

This, the fifth permit extension request, was also determined by the Executive Director to be an immaterial permit extension because there are no changed circumstances which could cause the proposed development to be inconsistent with the Coastal Act. The Executive Director's determination was noticed to the public on December 1, 1997. On December 8, 1997, letters from Kristen Michel and Hortense Breitman were received in the Commission's Long Beach office objecting to the construction of the proposed project (Exhibits #5&6). Helen Johnson's objection letter was received on December 9, 1997 (Exhibit #7).

B. Grounds for Objection

On October 31, 1997, the applicant submitted an application to extend Coastal Development Permit 5-90-789 for a new one-year term. On December 1, 1997, the Executive Director determined and sent notice that there were no changed circumstances which could affect the proposed development's consistency with the Coastal Act.

Three objection letters were received within the ten working day period in which objections could be submitted to the Commission. On December 8, 1997, letters from Kristen Michel and Hortense Breitman were received in the Commission's Long Beach office objecting to the construction of the proposed project (Exhibits #5&6). Helen Johnson's objection letter was received on December 9, 1997 (Exhibit #7).

The objection letters raise several concerns about possible impacts of the previously approved project, including: the size of the project, blocking of private views, noise and air pollution, odors, vermin infestation, increased use of Speedway (traffic impacts), an excessive parking supply, and the historic opposition to the applicant's proposals. All three objection letters request that the Commission not grant another extension to the permit.

However, the objectors do not claim that there are any changed circumstances on the site or in the area since when the Commission originally approved the permit in 1991, or since 1994 when the permit amendment was granted for a revised project. No changed circumstances have been alleged which could possibly affect the consistency of the proposed development with the Coastal Act.

C. Issue Analysis

The criteria stated in Section 13169 of the California Code of Regulations for extending a Coastal Development Permit is the determination if there are any changed circumstances which would affect the consistency of the proposed development with the Coastal Act.

In this case, the objectors have not specified any changed circumstances that could affect the consistency of the proposed development with the Coastal Act. The objectors only state that the proposed project is excessively large, will block ocean views, will increase traffic on Speedway, and will negatively impact the neighborhood with noise and air pollution.

The Commission's 1991 approval, and subsequent amendment approval in 1994, addressed the traffic and public view issues in depth. In fact, the originally proposed project was brought before the Commission on an appeal based on the very same issues: traffic, parking, and scale of development.

The originally proposed project's cumulative impacts on traffic and parking was addressed by both the City and the Commission during their respective hearings on the project. The negative effects of the proposed project were identified and mitigated through several special conditions of approval. The City's approval included several conditions to reduce potential cumulative impacts on Speedway alley. The City conditions required the applicant to: 1) provide 14 Beach Impact Zone parking spaces; 2) provide a traffic signal on Rose Avenue; 3) reserve night-time parking spaces for local residents; 4) restrict alley parking to handicapped and employee parking; and, 5) restrict the hours of deliveries to the project.

The Commission reiterated the City's conditions and added its own requirements and restrictions to further reduce the potential cumulative impacts on the surrounding streets. All of the Commission's special conditions require specific mitigation measures to address the effects of the traffic which would be generated by the proposed commercial project (See Appendix A).

The special conditions of Coastal Development Permit 5-90-789 (Appendix A) require the applicant to provide: 1) adequate on-site parking for owners, customers and tenants of the project; 2) an attendant to supervise the parking lot during all hours of operation; 3) an area on his property (off of Speedway) for vehicles to queue while waiting for a parking space; 4) validated parking for customers; 5) an employee car-pool incentive program; and, 6) a signage program. In addition, the hours and days of deliveries to the site were limited in order to prohibit deliveries to the site during weekends and holidays when most conflicts with beach traffic would occur. The Commission's approval of the proposed was found to conform with the Chapter 3 Policies of the Coastal Act.

The Commission's most effective mitigating special condition, however, is special condition two which required the scale of the proposed project to be significantly reduced. The Commission approved Coastal Development Permit 5-90-789 (Blanchard/Gaggero) for a significantly smaller project than the project proposed by the applicant and approved by the City. The applicant's original application proposed a 31 foot high, 24,267 square foot commercial center with a 2,580 square foot food plaza. Coastal Development Permit 5-90-789 approved a two-story, 25 foot high, retail/fast food center with two levels of subterranean parking. The first floor was limited to 9,300 square feet of general retail area, and the second floor was limited to 5,900 square feet of commercial area with a 2,500 square foot food plaza. The applicant's 1994 permit amendment reduced the scale of the project even more than previously required by the Commission.

The local issues of noise, odors and air pollution were also addressed by the City of Los Angeles conditions of approval. Special condition one of Coastal Development Permit 5-90-789 requires the applicant to comply with all City of Los Angeles conditions of approval. Private views through private property are not protected by the Coastal Act.

Therefore, the Commission's approval of the permit and amendment have resulted in the size and height of the proposed structure to be significantly reduced. The smaller scale of the proposed project, in conjunction with the traffic and parking mitigation requirements contained in the special conditions of approval, have substantially lessened any significant adverse impacts that the proposed project may have on the environment. The Commission's approval of the proposed project, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act.

Staff has reviewed the applicant's extension request and the letters of objection and has determined that there are no changed circumstances which would affect the project's consistency with Chapter 3 of the Coastal Act. Therefore, staff recommends that the Commission grant the extension request on the grounds that there are no changed circumstances which could cause the project, as originally approved, to be inconsistent with the Chapter 3 policies of the Coastal Act.

9580F:CP

APPENDIX A

Special Conditions of Coastal Development Permit 5-90-789 as amended by amendment 5-90-789-A1 (Gaggero):

1. Conformance with City of Los Angeles Coastal Development Permit Conditions

The applicant shall comply with all conditions (mitigation measures) required by the City of Los Angeles under City of Los Angeles Local Coastal Development Permit Number CDP-88-36, except in the case of conditions that specifically differ from the conditions below. If conditions differ, or revised plans are required for this development by the Commission's action, the action of the Commission shall prevail.

2. Revised Plans

Prior to transmittal of the permit the applicant shall submit revised plans for the review and approval of the Executive Director. The plans shall include the following modifications to the plans filed with the application:

- a. The third floor of the building shall be eliminated. The height of the building shall be reduced to 25 feet above Ocean Front Walk at the Ocean Front Walk elevation and 20 feet above Speedway Alley at the corner of Sunset Avenue and Speedway Alley. Architectural projections, stair and elevator housings and mechanical units may exceed this height. No portion of the structure except for handicapped car ports, parking entrance ramp, elevator and the approved stair wells may extend within 26 feet of Speedway Alley.
- b. Uses on the first floor shall be designated as general retail, and shall not exceed 9,300 square feet of gross structural area. Uses on the second floor shall be limited to general retail and/or walk-up food service with no more than 5,236 square feet of total enclosed area (gross structural area) and 2,155 square feet of exterior food service area. No interior restaurant seating or restaurant service is permitted.
- c. A queuing area sufficient to accommodate two cars within the applicant's property shall be located adjacent to Speedway or within the entrance to the parking garage.
- d. The trees and shrubs the applicant selects from the ICO list for placement on Sunset Avenue shall have open structures and shall maintain public views and preserve defensible space for pedestrians along Sunset Avenue.

Appendix A

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- e. Parking for the revised building plans shall be provided on the following basis:

Ground Floor:	General retail @ 225:1	41 spaces
Second Floor:	General retail &/or walk-up food preparation: 5,236 sq. ft.	0 spaces
	Food patio: 2,155 sq. ft.	35 spaces
Off-site 511/517/523 OFW spaces		43 spaces
Unallocated		23 spaces
Beach Impact Zone		<u>14 spaces</u>
TOTAL		156 spaces

Multiple use spaces
(required by the City for nighttime use by residents) 16 spaces

3. Building and Parking Operation

Prior to transmittal of the permit the applicant shall submit for the review and approval of the Executive Director a deed restriction for recording, free of all prior liens and encumbrances except for tax liens, binding on all heirs and assigns of the applicant. The deed restriction shall run with the land for the life of the development approved in Coastal Development Permit 5-90-789 (5-90-789R; A5-90-789). The deed restriction shall provide:

- a. No fewer than 43 parking spaces on the subject property shall be made available to the owners, customers and tenants of 511, 517 and 523 Ocean Front Walk according to the allocation required by the terms and conditions of Coastal Development Permit 5-89-059 as recorded by the applicant. Upon issuance of the Certificate of Occupancy of the structure permitted under Coastal Development Permit 5-90-789, the applicant shall give notice to the owners and lienholders of those properties that construction has been completed and that they now have a permanent right to use the allocated parking within the approved structure for the use of the aforementioned property. In the event of sale, hypothecation or transfer of any of the properties to a third party, the deed restriction shall provide that any owner of 511, 517 or 523 Ocean Front Walk shall have a right to use as well as the obligation to pay for and use, the number of parking spaces provided in Coastal Development Permit 5-89-059. The owner of 601 Ocean Front Walk shall not charge any amount for such use which exceeds the standard rates charged to lessees and users of parking at 601 Ocean Front Walk, and shall otherwise treat the use of parking by owners, and their patrons and tenants, of 511, 517 and 523 Ocean Front Walk on an identical basis to the use of parking by patrons and tenants of 601 Ocean Front Walk.

Appendix A

Page 3

- b. The applicant shall agree that upon activation of this permit, no additional square footage, increases in intensity of use, increase in height, or of food service area or floor area other than described in condition 2 above will be permitted unless the Commission approves a subsequent Coastal Development Permit for this use.
- c. The applicant shall maintain an attendant at the parking lot during all hours in which any commercial business is open.
- d. Truck deliveries to the property or to 511, 517 or 523 Ocean Front Walk shall occur only between the hours of 9:00 am and 4:00 p.m. No truck deliveries shall occur on weekends or holidays. The applicant shall either a) provide a 60 foot by 10 foot truck loading zone parallel to Speedway alley, in addition to a 400 square foot loading zone, or b) shall agree that during approved truck delivery hours, the non-handicapped rear tandem parking spaces along Speedway Alley shall not be occupied. In the event the applicant elects b), above, in no event shall this provision be interpreted to mean that these spaces shall not be counted as a part of the total project parking.
- e. The applicant shall designate an area within his property adjacent to Speedway and the parking lot entrance for queuing of no fewer than two cars. The applicant shall permit no queuing of delivery trucks, of trash haulers or of cars entering the parking lot on Speedway Alley. The entry control and valet pick-up point for the parking lot shall be located at the bottom of the parking garage ramp.
- f. The applicant shall provide no fewer than 14 spaces for use by the general public for public access and replacement parking (also identified as BIZ spaces) on the premises. These spaces shall not be the spaces provided for 511, 517 and 523 Ocean Front Walk, or for development permitted pursuant to the subject permit.
- g. Patrons of the commercial establishments in 511, 517, 523 and 601 Ocean Front Walk shall be eligible for one hour of free parking with a validation from any retail establishment at 511, 517, 523 or 601 Ocean Front Walk and two hours of free parking with a validation from any sit-down restaurant at 523 Ocean Front Walk.
- h. The applicant and successors in interest at 511, 517, 523 and 601 Ocean Front Walk shall provide a parking management program applicable to the parking provided at 601 Ocean Front Walk for uses at 511, 517, 523 and 601 Ocean Front Walk. The parking management program shall provide that all employees of the commercial establishments at 511, 517, 523 and 601 Ocean Front Walk shall be eligible to participate in the Parking Car Pool Program outlined in condition number 5.
- i. Plaza level seating area and rest rooms shall be public spaces available to all members of the public without any requirement of purchase. The rest rooms may be keyed. All plaza or exterior food

service area noted in condition 2 above shall be identified as open to the public by appropriate visible signs; there shall be no table service and no table sign-in required for use of the tables.

- j. Access to the second floor plaza from Ocean Front Walk shall be secured and the second floor plaza vacated no later than 10:00 p.m.
- k. The plaza food service area may be open from the hours of 7:30 a.m. to 10:00 p.m., and shall be closed between the hours of 10 p.m. and 7:30 a.m.

4. Conformance with Interim Parking Provisions of Permit 5-89-059

Prior to transmittal of the permit the applicant shall provide a construction staging plan or a parking replacement plan for the review and approval of the Executive Director. The staging plan shall provide detailed schedules, leases, contracts and other methods that the applicant proposes to provide 43 parking spaces for the development on 511, 517 and 523 Ocean Front Walk during construction, as required by Coastal Development Permit 5-89-059. Pursuant to this requirement, the applicant shall either:

- a. Not begin construction until after September 15; and shall arrange the staging of construction so that parking may again be provided after Memorial Day weekend and throughout the summer; OR,
- b. If the parking structure is not usable for at least 43 spaces between Memorial Day Weekend and September 15, provide leases showing exclusive use of alternate parking sites to replace parking for those uses during the summer months. Temporary replacement parking may not be located on any lot that is presently used for beach, commercial or residential parking unless a parking plan that would increase the parking on such lots is provided by the applicant and approved by the Executive Director.

5. Parking, Car-pool and Transit Incentive Program

Prior to transmittal of the permit, the applicant shall record, free of all prior liens and encumbrances except for tax liens, a deed restriction or other suitable document, the form and content of which shall be subject to the review and approval of the Executive Director of the Commission. The document shall bind the applicant as landowner and all successors in interest, and run with the land for the life of the improvements approved in Coastal Development Permit 5-90-789. The restriction or other document shall assure the following:

- a. The applicant shall actively encourage employee participation in the California Transportation Ride Sharing Program by providing up to 15 spaces free of charge to registered car pools of 3 or more employees of commercial establishments at 511, 517, 523 and 601 Ocean Front Walk.

- b. The applicant shall implement a public transit fare reimbursement program for the employees of 601 Ocean Front Walk. The program shall be in effect for the life of the structure approved in Coastal Development Permit 5-90-789. The applicant shall provide for (50%) fifty percent reimbursement of actual expenditures of public transit transportation to and from 601 Ocean Front Walk by any employee employed by any commercial establishment at this location.
- c. The applicant shall provide, free of charge, space within the project for an exclusive, secure, bicycle parking area.
- d. The applicant shall implement a publicity program subject to the review and approval of the Executive Director that indicates how the future business owners and employees at 601 Ocean Front Walk will be made aware of the Parking, Car Pool and Transit Incentive Program. The publicity program shall commence during the first month of the occupancy of the development permitted in Coastal Development Permit 5-90-789.

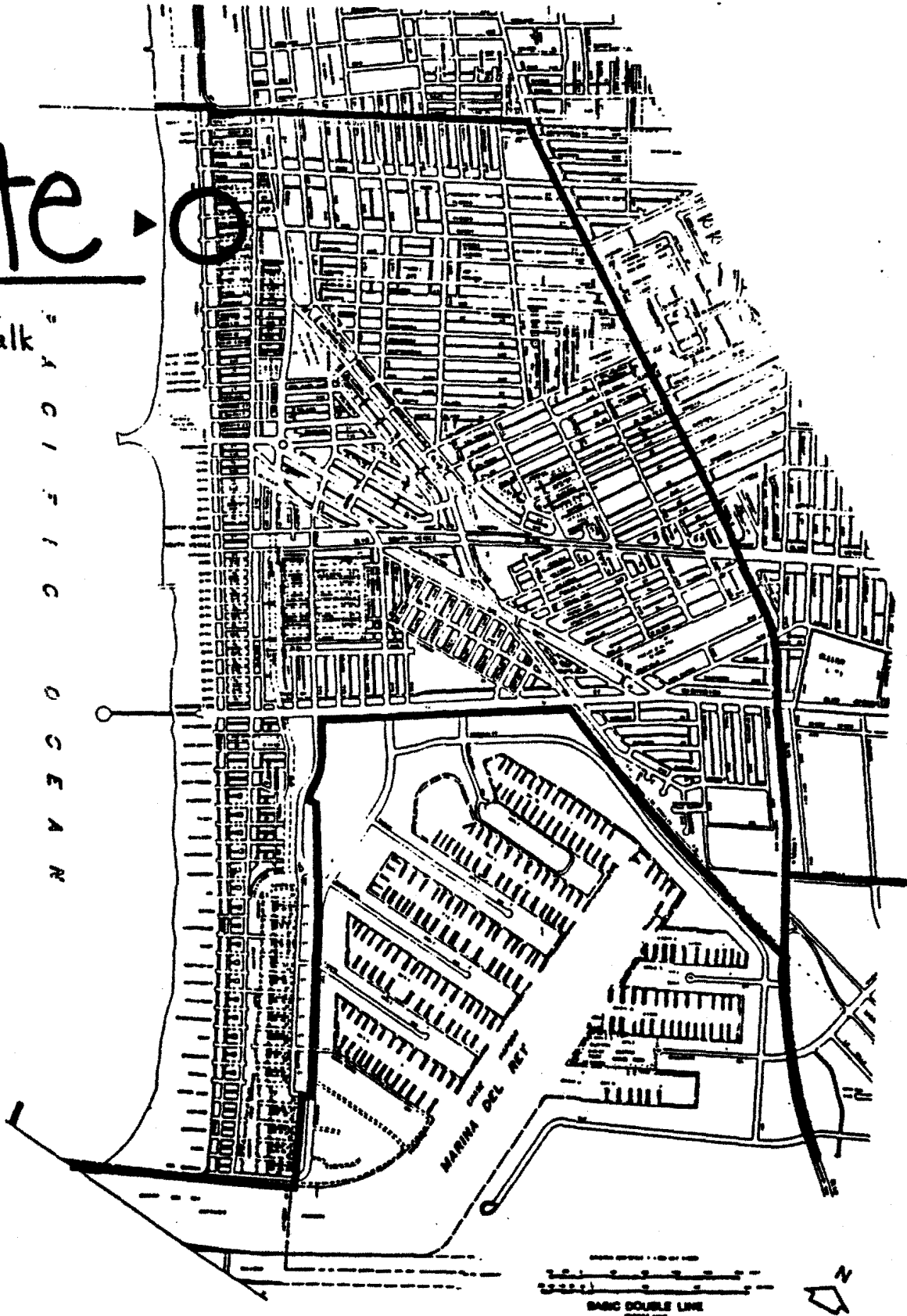
6. Signs

The applicant's final revised plans shall include a sign program. The applicant shall provide signs that show clear directions to the parking area, and shall indicate that parking validations for customers of the four properties listed above are available. No sign located within the applicant's property shall be rotating, flashing or internally illuminated. With the exception of one building identity sign facing Ocean Front Walk, signs shall not exceed 12 square feet, and with the exception of directory signs located within the interior courts, and temporary A-frame signs in use during business hours, shall be mounted on the building. No sign shall extend above the roofline of the structure or over any public way or alley.

Site • ○

601 Ocean
Front Walk

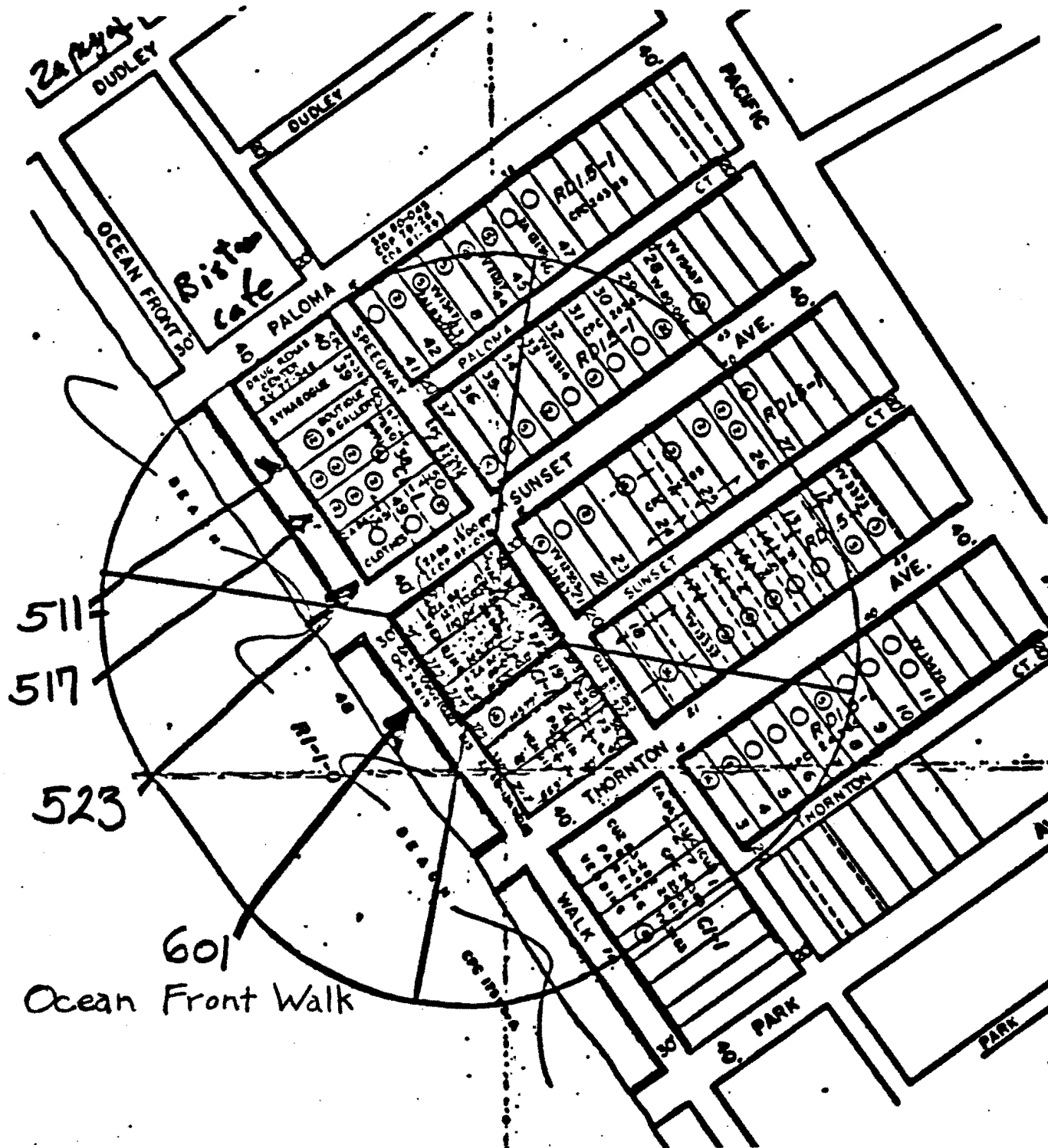
PACIFIC OCEAN



Location
Map

VENICE COASTAL ZONE COASTAL COMMISSION
5-90-789-E5

EXHIBIT # 1
PAGE 1 OF 1



COASTAL COMMISSION

5-90-789-A

EXHIBIT # 2

PAGE 1 OF 1

Project Location

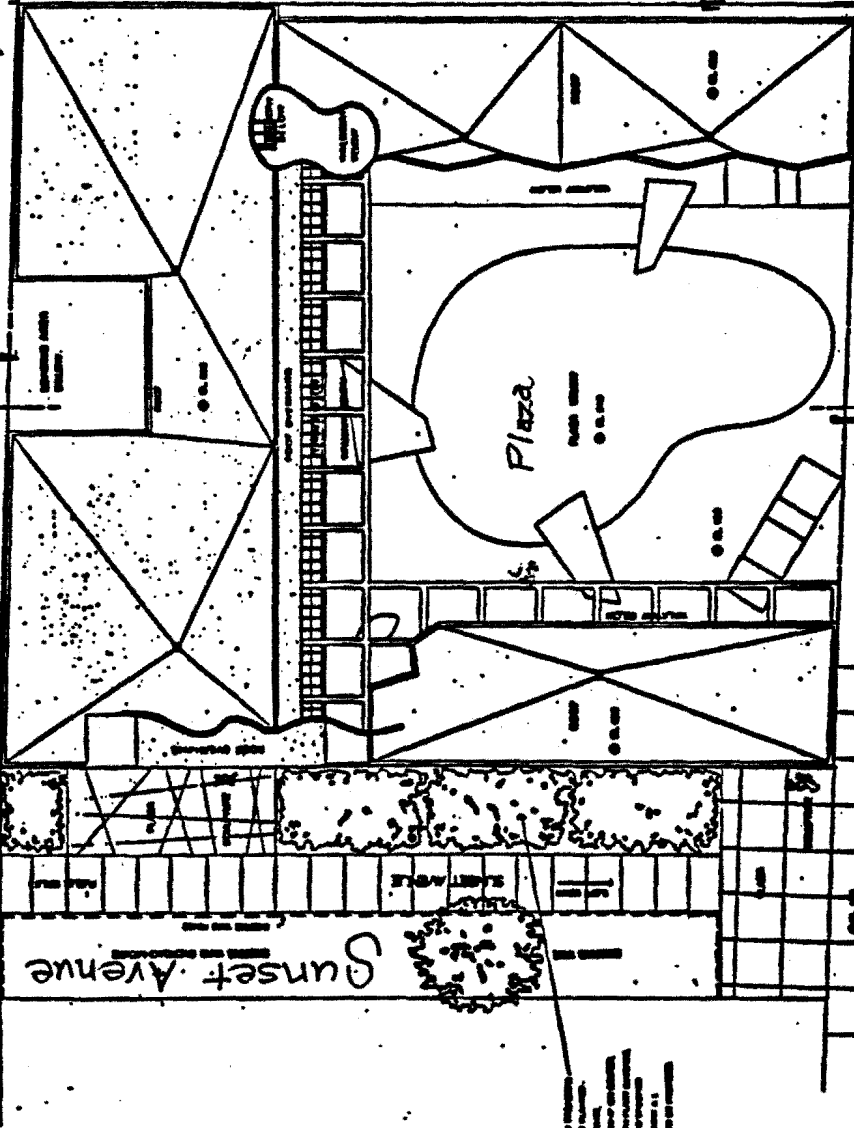
COASTAL COMMISSION

5-90-789-E5

EXHIBIT # 2

PAGE 1 OF 1

Speedway



156

PAVING TOTAL
 ○ STANDARD
 ○ COMPACT
 ○ VALET
 ○ HANDICAP
 GROSS TOTAL

TYPE	AREA	PAVING	VALET	HANDICAP	TOTAL
STANDARD	1.00	1.00	0.00	0.00	1.00
COMPACT	0.50	0.50	0.00	0.00	0.50
VALET	0.00	0.00	0.00	0.00	0.00
HANDICAP	0.00	0.00	0.00	0.00	0.00
TOTAL	1.50	1.50	0.00	0.00	1.50

Ocean Front Walk

GROSS STRUCTURAL AREA CALCULATIONS PER CALIFORNIA COASTAL COMMISSION INTERPRETIVE GUIDELINES

OCEAN FRONT WALK/SUNSET BUILDING VENICE, CALIFORNIA	601	ARCHITECT	PROVIDER	SITE PLAN	DATE
		ARQUITECTONICA	PROVIDER		

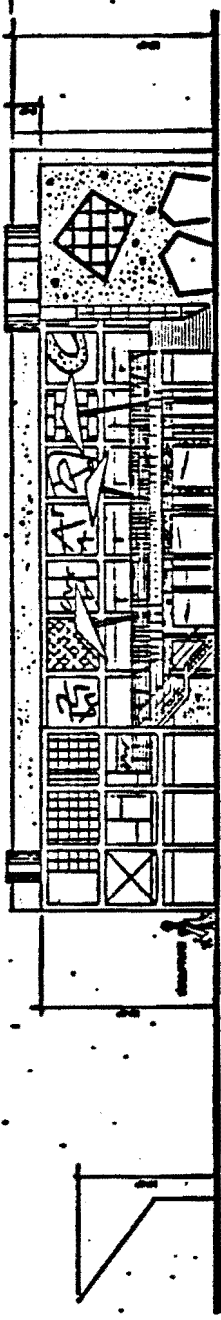
COASTAL COMMISSION
 5-90-789-E5

Site Plan

EXHIBIT # 3

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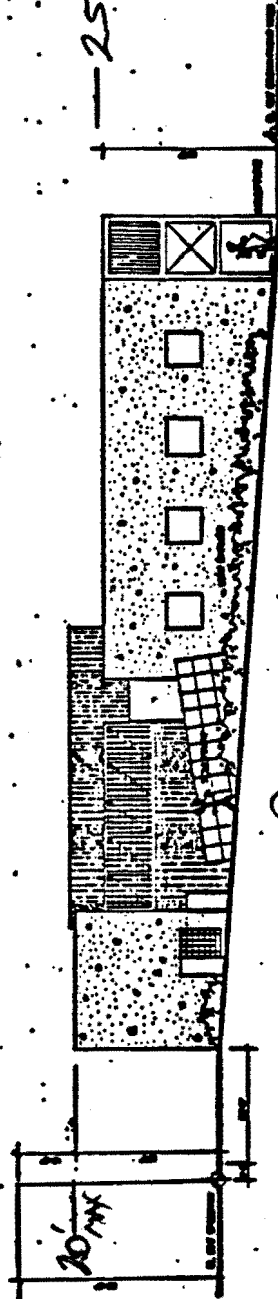
25' Max.



Ocean Front Walk

OCEAN FRONT WALK ELEVATION

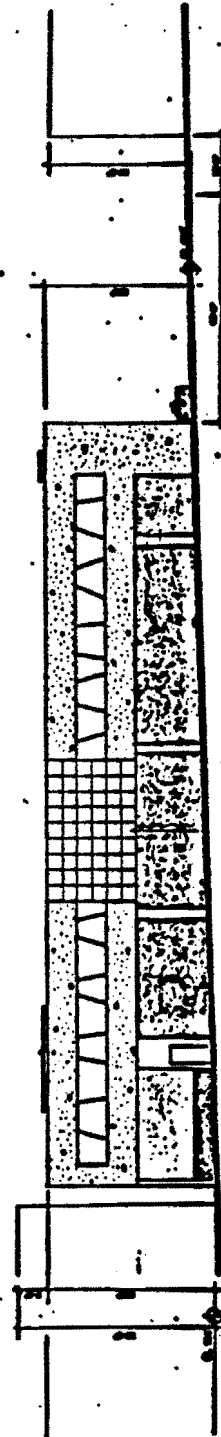
25' Max.



Sunset Avenue

SUNSET ELEVATION

MAX 20'



Speedway

SPEEDWAY ELEVATION

OCEAN FRONT WALK/SUNSET BUILDING VINCE, CALIFORNIA		601	ARCHITECTURE ARQUITECTONICA <small>ARCHITECTONICA, INC. 1000 10TH AVENUE, SUITE 100, SAN FRANCISCO, CA 94118</small>	ELEVATIONS scale: 1" = 10'-0"	SHEET NO. 0007 OF 17
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COASTAL COMMISSION

5-90-789-E5

EXHIBIT # 4

PAGE 1 OF 1

Elevations



Kristin Michel

17 Sunset Avenue. #4 • Venice, California 90291 • 310.396.2770

RECEIVED
DEC 8 1997

CALIFORNIA
COASTAL COMMISSION
December 14, 1997

California Coastal Commission
South Coast Area
200 OceanGate, 10th Floor
Long Beach, California 90802-4416

To Whom It May Concern,

This is concerning an extension request for Permit No. 5-90-789-E5

I object to the continuation of this permit. The proposed structure would ruin the quality of life for the surrounding residents.

- Increase of noise and air pollution from the trucks that cater to the food court as they drive and park on the small alley of Speedway.
- The traffic jams this would cause as the many trucks would fill the alley.
- I would completely lose my view of the ocean. Only to stare smack into the fortress walls of the proposed building.
- The stench from the garbage bids in the heat of summer from discarded food.
- The increase of traffic to the area.
- One has only to examine the other food courts on the Venice boardwalk to find they are all roach and rodent filled. This would greatly effect those of us that live here.

I hope you take my above list into consideration and not grant Stephen Gaggero an extension on his permit. Thank you for your time and work.

Sincerely,

Kristin Michel

COASTAL COMMISSION
5-90-789-E5

EXHIBIT # 5
PAGE 1 OF 1

Hortense Breitman
HB Investments
446 Peck Drive
Beverly Hills, CA 90212
(310) 277-2524 (office)
(310) 277-2106 (fax)

RECEIVED
DEC 8 1997
CALIFORNIA
COASTAL COMMISSION

December 5, 1997

Mr. Charles Posner
California Coastal Commission
200 Ocean Gate Suite 1000
Long Beach, CA 90802-446

Re: Notice of Extension Request for Coast Development Permit
Permit #5-90-789-E5

Dear Mr. Posner:

I am the owner of the 35-unit apartment building at 21 Thornton Ave, at the corner of Speedway and Thornton. My subterranean garage holds 42 cars. There is continual in and out traffic during each day. Per our lengthy telephone conversation this morning, I am submitting my objection to this extension. The original application permit to build this property at 601 Ocean Front Drive was given in 1991. The one-way Speedway is too narrow to accommodate the traffic that this building will generate. The main way to enter this Speedway is via Rose Ave., which is several blocks to the north and the exit is via Brooks Ave.; also several blocks away. I foresee tremendous congestion and serious traffic problems on the Speedway. Visibility is poor and the street is very narrow.

Permits should not be renewed every year without reconsidering the facts of the situation. With many children and adults crossing the speedway to get to the beach from the narrow walk streets, this poses a serious and hazardous threat. I do not object to this parcel being developed but it must be downsized tremendously. Conditions do not warrant building a structure of this size with so many parking places.

I would like to be notified in of any further action taken on this property.

Sincerely,

Hortense Breitman

Hortense Breitman

COASTAL COMMISSION

5-90-789-E5

EXHIBIT # 6

PAGE 1 OF 1

Helen Johnson
1718 Rossmont Drive
Redlands, CA., 92373
December 8, 1997
Phone: (909)792-6846

RECEIVED
DEC 9 1997

CALIFORNIA
COASTAL COMMISSION

Peter M. Douglas, Executive Director
California Coastal Commission, South Coast Area
P.O. Box 1450
Long Beach, CA., 90802-4416
re: Extension Request for Permit 5-90-789-E5
601 Ocean Front Walk, Venice

Dear Coastal Commission member:

My husband and I own the 6 unit apartment building at 18 Sunset Ave., Venice - just across the Speedway Alley from the proposed development at 601 Ocean Front Walk. We bought these apartments 23 years ago in 1974 right after they were built. Little did we know the 3 plus lots across Speedway Alley would be combined into one larger lot and a monstrous building with intensified fast food usage would be proposed to be built on that lot. That along Speedway a high solid continuous wall would be proposed with the very minimum setbacks, which would completely close off our beautiful unobstructed ocean view, that behind that overbearing continuous wall we would loose our ocean breeze and much of our sunlight.

AND HOW WAS THIS EVER TO HAPPEN??

Only one official public meeting concerning this development was ever held in the Venice area, and that one was by the City of Los Angeles in the very beginning on April 10, 1989 when James Crisp - a Zoning Administrator presided at a meeting in which Stephen Blanchard/Gaggero unveiled his development plans. That meeting was packed with interested people speaking for and against the development, but by far the majority of opinions voiced were in opposition of the development. Growing out of this first and only public meeting with Mr. Crisp presiding was to come an Environmental Impact Report. It was rumored that Crisp was NOT going to issue an EIR report favorable to the development because there had been so much opposition to the project. In any case, months did go by and an EIR was not issued -and there NEVER has been and EIR on this project. And therefore, there have been many environmental impact issues regarding this development which have never been adequately addressed-much less solved. Some of these major issues which will be further adversely impacted by this development in this beach front community will be traffic, overcrowding at the beach, drug trafficking and crime. These conditions have already become a blight on this otherwise beautiful coastal community. AND HOW WOULD THIS EVER HAPPEN? IT WOULD HAPPEN UNDER DURESS.

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For 10 years the unheard people of Venice and property owners have been battling an owner with money to hire an expert lawyer. Would justice be served?? This lawyer - Sherman Stacey - representing Blanchard/Gaggero dug up the never-before used California Streamline Act, and brought a \$20,000,000 law suit against the City of Los Angeles. With DURESS, a settlement was reached behind closed doors between the developer and the City of Los Angeles whereby the City was force to grant the developer's building permits. All of Venice will suffer from this legal action brought about by duress. However, my husband and I will become the major victims because of the location of our apartments being just across the Speedway from the development.

We, along with many people in the Venice area, implored the Coastal Commission to hold it's meeting at locations where people interested and drastically affected by this development could be heard. We requested that the meetings be held in the Los Angeles area, as in Marina Del Rey, but they were ALWAYS held a long ways from the location of the proposed development - as they WERE held at Carmel, Eureka and San Diego. Only a few of us were ever able to travel to these areas to voice our opinions. One such critical meeting was held in San Diego May 9, 1991 at which many of us from the Venice area did attend. Blanchard/Gaggero transported a rather large number of his vendors from the 601 OFW subject lot to that meeting to speak in favor of the development. Mary Lee Gray - who ran unsuccessfully against Ruth Galanter as Councilwoman from Venice - spoke, saying, "One reason there is so much frustration and anger regarding this project is that the people being affected - the victims of this proposed project - have never had an opportunity for the City of Los Angeles to act on their input into the outcome this project would make on their environment."

I shudder to think of the day Blanchard/Gaggero might start building his project. I remember the problems that we went through with Blanchard when he installed his vendors on his otherwise vacant lot before making the City's required improvements to obtain his Conditional Use Permit. For an entire year he had a portable toilet parked and serviced just off Speedway opposite our apartments and practically under our balconies. During that time we lost 2/3 of our tenants and could not rent our apartments until Darryl Fischer from Los Angeles City Zoning closed down Blanchard's vendors and mandated the necessary improvements to get his C.U.P. I have a letter from Blanchard in which he apologized for the toilets locations, but many months went by before they were moved and the improvements made to get his Conditional Use Permit.

I dread to see the day when Speedway Alley will be further impacted by this proposed building's intense parking in planned 2 story underground parking facility plus numerous street level loading and service slots. Already, Speedway, is a nightmare, with 601 Ocean Front Walk Blanchard/Gaggero's

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parking lot congestion, in which 42 vehicles are presently permitted - but on good beach days, he packs in up to 80 vehicles, according to counts made by our tenants from their balconies. Frequently, vehicles exiting Blanchard's parking lot speed up Sunset Way and crash into the corner of our building. Presently, a repair job awaits us from a truck impact (hit and run) seen by one of our tenants recently.

Although there are many people in Venice that oppose the Blanchard/Garrero development, few people have the courage to speak out against it - for fear of the developer's vindictivness. He uses threats and huge lawsuits against those who oppose him. I heard him threaten to sue a little elderly widow (Preva Springer) at the San Diego meeting. He threatens people who pass petitions in opposition to his proposed development. He brought multimillion dollar lawsuits for harassment against each of the officers of the North Venice Coalition. These officers were Steve Schlein, John Stein, Tuck Milligan and our attorney Barry Fisher. Although all 4 prevailed in court, Blanchard/Garraro appealed the cases, but, as I understand it, the appeals have not been accepted by the State Supreme court. Of course, we are well aware of the \$20,000,000 law suit Blanchard brought against the City of Los Angeles and along with the Streamline Act forcing the City to grant his building permits.

Obviously, we have many first hand reasons to request that the subject Stephen Blanchard/Garraro permit NOT BE RENEWED.

Sincerely,
Helen Johnson

Helen Johnson

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