

CALIFORNIA COASTAL COMMISSION

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W14a

A-5-VEN-21-0036 (Venice)
JULY 7, 2021

CORRESPONDENCE

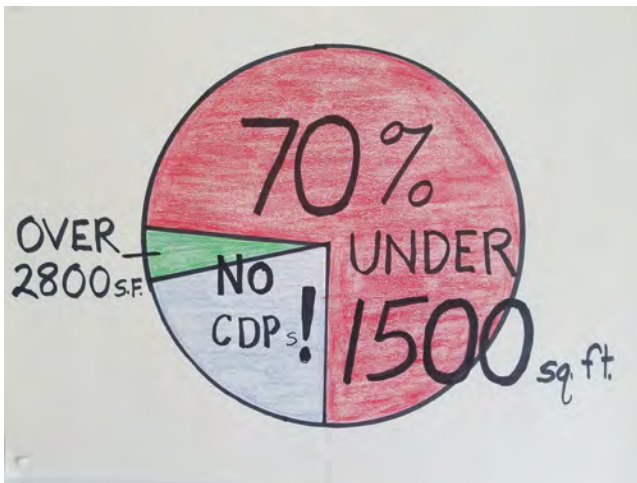
From: [Judy Esposito](#)
To: Doyle.Jennifer@Coastal
Subject: Appeal # A-5-Ven-21-0036 610 Mildred Ave. Venice agenda item W14 a hearing date: 7-7-21
Date: Thursday, July 1, 2021 6:19:28 PM

Appeal # A-5-Ven-21-0036 610 Mildred Ave. Venice Agenda item W 14a
hearing date 7-7-21

Coastal Commission,

This project is YET ANOTHER perfect example of cumulative effect !! The city so wrongly bases approval of new McMansions, on the **minority** of larger homes, **that were approved with de minimis waivers ! No community input was sought !!** The larger homes are NOT the majority !! Yet they are the only ones LOOKED AT FOR JUSTIFICATION !! We have no McMansion protection !!! The Coastal Commission is in place to protect the character of coastal neighborhoods. You are not doing your jobs !!

Seventy percent of the homes in the Silver Triangle are under 1500 sq. ft. Virtually all the homes in this neighborhood over 2500 sq. ft. were built without going through the CDP process.



I am writing to object, in the strongest possible terms, to the proposed over development of 610 Mildred in Venice. The scale of the project is completely over the top. Regard must be given to mass and scale and character of the project and this one is completely inappropriate on all 3 considerations. **The neighborhood as a WHOLE must be looked at !!**

This project is **3 X the size** of other homes on the block !!

This lot is at the beginning of the Silver Triangle and such a MASS of this **size**, would serve to block out all other structures on Beach, as well as offering a stifling blocked IN feel to all of its neighbors and to the street of Mildred itself ! It would act as a massive wall and give Mildred a feeling of being in a tunnel.

Homes on the north side of Mildred Ave. are zoned Multi-Family and should never be considered as part of the Silver Triangle neighborhood. Those homes were recently built and are NOT part of the Silver Triangle !!!

My neighbor **Richard Stanger**, an appellant, has written to you with **detailed and correct information** about our neighborhood. Our Silver Triangle neighborhood is zoned **Single-Family Residential LOW and that must be respected.**

A project of 3008 sq. ft. + 423 sq. ft. of accessory structure and a swimming pool. WHAT ?? + 3 parking spaces is simply ridiculous. The **SIZE** is outrageous.

Developers have no vested interest in protecting the quality of our neighborhood, but rather maximizing square footage for their own maximum financial gain. This of course, causes irreparable damage to the entire neighborhood. The city and Coastal Commission are allowing this horrific destruction !!

Please take all of Richard Stanger's information into very careful account. The damage caused by this McMansion would be terrible to bear for our Silver Triangle neighborhood and for Venice itself. This is another nail in the coffin of the destruction of our precious coastal neighborhood. **Look at what has been done to the Silver Triangle !!** It is so blatantly obvious that out of scale homes have been approved !!! NO CUMULATIVE ANALYSIS WAS DONE !!!! LOOK AT THE VENICE CANALS ! New homes there now look like MASSIVE HOTELS ! It's complete destruction of finite coastal areas. Almost NO open space or vegetation at all !

A cumulative impact analysis should be required for this project.

This appeal raises a Substantial Issue.

Most sincerely,

Judith Esposito
Pamela Harbour Venice Residents

From: [Frank Defurio](#)
To: [Doyle, Jennifer@Coastal](mailto:Doyle.Jennifer@Coastal)
Subject: Re: Agenda Item W14a Appeal Number A-5-VEN-21-0036 Hearing Date: 07/07/2021 610 Mildred Ave, Venice, City of Los Angeles
Date: Friday, July 2, 2021 2:51:42 PM

Jennifer Doyle,

I inadvertently failed to include this map which I referred to the email that I sent to you moments ago. Please include the map in your review of the previous email and include it if the previous email is shared by you with others.

Thank you,
Frank DeFurio



Frank DeFurio

From: Frank Defurio <defurio@msn.com>

Sent: Friday, July 2, 2021 2:37 PM

To: jennifer.doyle@coastal.ca.gov <jennifer.doyle@coastal.ca.gov>

Subject: Agenda Item W14a Appeal Number A-5-VEN-21-0036 Hearing Date: 07/07/2021 610 Mildred Ave, Venice, City of Los Angeles

To: California Coastal Commission

Re: Appeal Number A-5-VEN-21-0036 clearly raises a SUBSTANTIAL ISSUE
610 Mildred Avenue, Venice, City of Los Angeles

This letter is in opposition to the proposed project located at 610 East Mildred Avenue, Venice, California, and in **support of a finding of SUBSTANTIAL ISSUE**. With a total square footage of more than 3,400 square feet, **the project is not in compliance with the provisions of the Coastal Act and the Venice Land Use Plan (LUP)** because: (1) the project is not compatible in mass, scale and character with the **“existing neighborhood”**, and (2) the size of the project will have a significant detrimental cumulative effect and impact on the **"surrounding neighborhood"**.

The City and Coastal Commission staff improperly compared the project to developments outside the "surrounding neighborhood", and to newly constructed developments that should not be considered as part of the "existing neighborhood", as those terms are used in the Coastal Act and the LUP.

The LUP was adopted in 2001. The property is in the neighborhood known as the Silver Triangle. This area is unique and is shown on the map below. The neighborhood is bound by Mildred Avenue to the north, Harbor Street to the south and Ocean Avenue to the west. The properties on the north side of Mildred Avenue and on the south side of the Harbor Street are zoned Multi-Family, and therefore should not be included in the Silver Triangle "neighborhood" for the purpose of determining the project's compatibility with mass, scale and character of this neighborhood or the project's cumulative effect on the surrounding neighborhood. The Silver Triangle, as so defined and shown on the map below, is the "surrounding neighborhood", and the surrounding neighborhood as it existed in 2001 is the "existing neighborhood" as those terms are used in the Coastal Act and the LUP. **It is this surrounding neighborhood as it existed in 2001 with which the project must be compatible in mass, scale, and character, and with respect to which the project's cumulative effect on the surrounding neighborhood must be considered.**

The homes that existed in this neighborhood in 2001 were virtually all single-story homes with an average size of less than 1200 square feet. These modest homes define the true mass, scale, and character of the Silver Triangle. This is not to say that all new projects must be single story. But they must be compatible with the single-story homes. Most of these single-story

homes still exist today, along with a few compatible two-story homes of reasonable size. 70% of the homes in this neighborhood today are less than 1500 square feet in size. It is these modest size homes with which all new developments, whether one-story or two-story, must be compatible. A few large incompatible homes were built in this neighborhood since 2001 without considering their compatibility with the existing neighborhood. **With a few exceptions, all of homes in this area which exceed 2,500 square feet in size were built without the benefit of a full Coastal Development Permit (no notice to affected homeowners, public hearing, or rights of appeal).** Compatibility with the smaller homes was not considered. These massive structures should not now be considered when defining the mass, scale, and character of this neighborhood.

The fact that the size of the proposed project is compatible with the largest of the homes in this neighborhood is irrelevant. The project must be compatible as well with the smaller homes that existed in 2001.

If this project is approved by the Coastal Commission based on its compatibility with the largest of the homes, it will be due to the detrimental cumulative effect and impact of the previous out-of-scale developments. Out-of-scale projects, including this project, have recently gained their approval by the City based on their compatibility with the previously improperly approved out-of-scale projects. **The dubious use by the City and the Coastal Staff to argue that the size of this project will not have a significant detrimental cumulative effect on the surrounding neighborhood, proves that this project and the largest of new construction in this neighborhood has had, and will continue to have, a significant detrimental cumulative effect and impact.**

Appeal Number A-5-VEN-21-0036 clearly raises a SUBSTANTIAL ISSUE.

Frank DeFurio, a long-term Venice resident



June 1, 2021

California Coastal Commission
Shannon Vaughn, Coastal Program Manager
301 E. Ocean Boulevard, Suite 300
Long Beach, CA 90802

Re: Reasons for Appeal
DIR-2020-3520-CDP-MEL-1A ("Project")
610 Mildred Avenue ("Property")

Honorable Commissioners:

I am a property stakeholder in the Silver Triangle neighborhood of Venice, Ca. For the past 5 years, I have provided my opinions on the various proposed projects that continue to be approved by the city, even though these projects have negatively impacted the mass, scale and character of the Silver Triangle. I am requesting that the California Coastal Commission support this appeal for the following reasons:

1. The Project is not in conformance with Chapter 3 of the California Coastal Act, specifically Sections 30250(a), 30251 and 30253(e).
2. The Project fails to meet the neighborhood protection policies of the 2001 Venice Land Use Plan by ignoring Policies I.A.2 (Preserve Stable Single-Family Neighborhoods), I.E.1 (General), I.E.2 (Scale), I.E.3 (Architecture).
3. The Project will prejudice the ability of the City of Los Angeles to prepare a local coastal program in conformity with Chapter 3 of the California Coastal Act.
4. The Project will have a negative cumulative effect on the character and scale of its immediate neighbors and on the larger Silver Triangle neighborhood.
5. The analysis of the Project in the Director's Determination ("Determination") is substantially flawed, misrepresenting the area, using prior irrelevant zoning decisions, selectively choosing policies in the Venice Land Use Plan (LUP), and ignoring relevant recent judicial rulings.

There is a lot of contention among the neighbors, local and state government regarding the affordability of homes in Venice. What was once a semi-sleepy coastal town is now turning into an enclave for the wealthy. Although I could be happy about the rising property values in the Silver Triangle, I would much prefer daylight between properties as well as the low-rise nature of the original bungalows, or, at a maximum, homes with an FAR value of less than 50%. Most people are blaming the mansionization of our neighborhood on the developers who are scooping up the old homes, tearing them down, and replacing them with 2 and 3 story homes. The current projects being pushed through the city are 3 times larger than the original homes! I don't have a problem with large homes as I am an architectural designer and I work on homes in the neighborhood of 4,000 to 11,000 sf, but these projects do not belong on 3600 sf lots! I do not blame the developers for these developments. I blame the City of West Los Angeles for continuing to approve these projects! There are neighborhoods surrounding the Silver Triangle that have mansionization

ordinances in place. These neighborhoods have lots sizes averaging 1.5 to 2 times the size of ours, and have FARs in place that limit projects far smaller than the ones being built in our neighborhood! How is that possible I ask you?

Less than 4 years ago, the average home FAR in our neighborhood was 38%. 5 to 7 years ago it was 30%. The new homes being approved are over 80% FAR. If this does not specifically address item #4 above, cumulative effect, then our situation is hopeless.

There are currently 2 homes for sale in the Silver Triangle. One asking for \$3,600,000, and the other listing at \$3,875,000. The original "tear down" homes being sold are averaging \$1,450,000. This should give you some indication of what size new homes are replacing the old ones. It's a shame that the existing residents are losing all of the most valuable qualities of the neighborhood. No more daylight in the front or back yards. No more privacy as the new homes bear straight down on their neighbors. No more available parking. No more gardens or outdoor space. Just massive 28' tall homes that are built from setback to setback line.

In closing, I recommend that the Report's conclusion that the project will not have an adverse cumulative effect be changed. Approving a project this large will clearly be used in the future to justify other similarly large projects.

Please support this appeal, as we have nowhere else to turn.

Thank you,

Stacy Fong

Owner of 2342 Cloy Avenue, Venice, CA 90291 and 2326 Cloy Avenue, Venice, CA 90291

July 2, 2021

Agenda Item: W14a

Appeal Number: A-5-VEN-21-0036

Appellants: Richard Stanger, Ingrid Marston,
Warren Adler, Citizens Preserving Venice

Position: Support Substantial Issue, but augment
staff report re. cumulative effects

Via Email: Jennifer.Doyle@coastal.ca.gov

California Coastal Commission
c/o South Coast District Office
301 E. Ocean Blvd, Suite 300
Long Beach, Ca 90802

Honorable Commissioners:

We agree with your Staff's Substantial Issue recommendation and appreciate their work on this appeal. The purpose of this letter is to request that the Commission augment the recommendation of your staff to include a finding that the adverse cumulative effect of this project also constitutes a Significant Issue. This is important because this item is the first Commission action on a (non de novo) project since the two superior court rulings that a cumulative effects analysis is required. **We believe staff's analysis** in this regard requires adjustment so that it does not establish an unacceptable precedent.

In its September 10, 2020 hearing, the Commission discussed the meaning of cumulative effects and how an analysis of cumulative effects applied to a project in the Silver Triangle neighborhood (A-5-VEN-17-0016 (Korchia), 2325 Wilson Avenue). A superior court decision for this case had ruled that the Commission failed to address the cumulative effect of that project. The Commission discussed the relationship between protecting community character vs. meeting maximum size and setback requirements. Five Commissioners voted against the project, indicating that such a large project, along with similar past, other current and probable future projects, constituted an adverse cumulative effect that could or would change the character of the neighborhood. Also, several others who voted for the project shared similar concerns! Here are excerpts from that discussion along with the votes:

COMMISSIONER WILSON: (No.) *For me, cumulative impact is a trajectory, is an **analysis of a trajectory** ... where **the** neighborhood is going, and if we see it continue in that direction, it will change substantially, and in a way that is irrevocable.*

COMMISSIONER HART: (No.) *Community character is more than square feet and **the bulk of the house**. It's **the type of the** house and whether that house in fact, in my mind, fits in with the of this neighborhood.*

COMMISSIONER MANN: (No.) *What the lot allows and what the zoning allows is different than community character, there are two different assessments.*

COMMISSIONER O'MALLEY: (No.) *I think the court [is] saying that the Commission has to consider whether the appeal raises a substantial issue with respect to the*

project's cumulative impact, with other approved projects, on the character of the neighborhood. At least to me [that] indicates that we should only consider the size, scope, and impact of these newer previously approved projects with great regard to their collective and cumulative impact on the preexisting community before their approval, rather than using them as some sort of guide as to whether this project alone fits with the newer post-project character of the community.

COMMISSIONER LUCE: (No.)

COMMISSIONER RICE: (Yes.) *I mean frankly, the community character would be changed if everything built **out to the limits of what's allowed by code.***

COMMISSIONER HOWELL: (Yes.) *If every home that was being built in Venice was of this size, then the cumulative impact of these homes would be to change the community character.*

Finally, in a prior Commission Significant Issue ruling (A-5-VEN-17-0072 (Paz) 2412 Clement Avenue) the based its decision in part by finding: *"When you get rid of a 700 square foot house and you replace it with a 3,000 square foot house you are fundamentally disrupting the social character that the LUP is designed to protect."*

Before you now is the appeal of another McMansion of similar design to the one you heard last September. The Staff Report recommends a finding of Significant Issue. We do not disagree! However, the recommendation is primarily based on its visual impact to pedestrians, and does not correctly address the project's adverse cumulative effect.

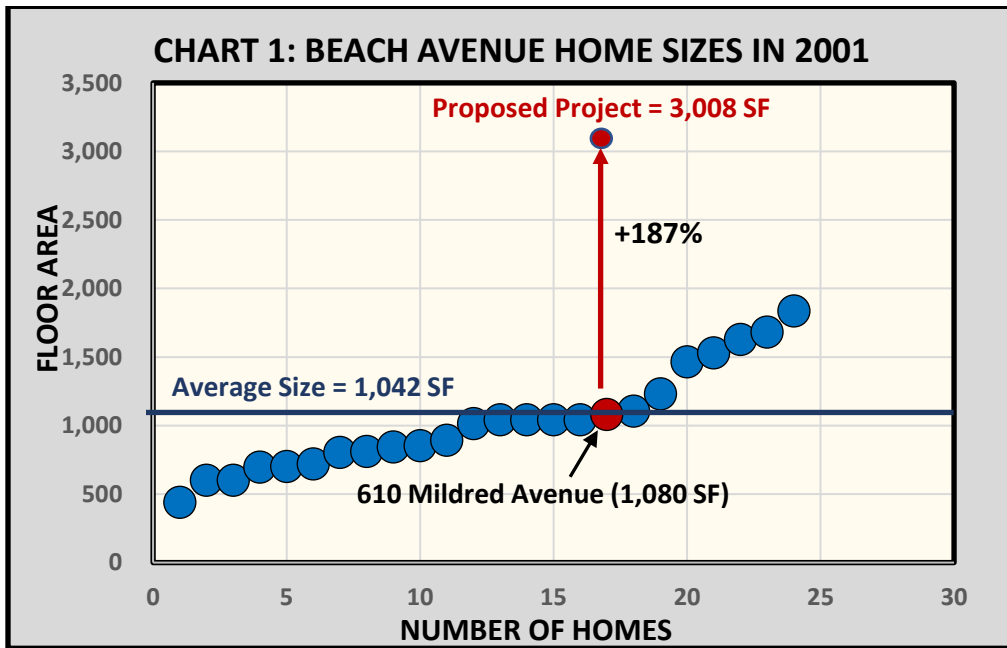
We are asking you to augment the staff recommendation to include the adverse cumulative effect of the project as another reason for the finding of Significant Issue.

Our concern is that **Staff's** cumulative effects analysis does not, in fact, evaluate the cumulative effect of the project. We believe the Staff Report, by finding that this home does not contribute to the on-going adverse cumulative effect, is remiss, as explained below, and that this important factor should also be a reason to find Significant Issue.

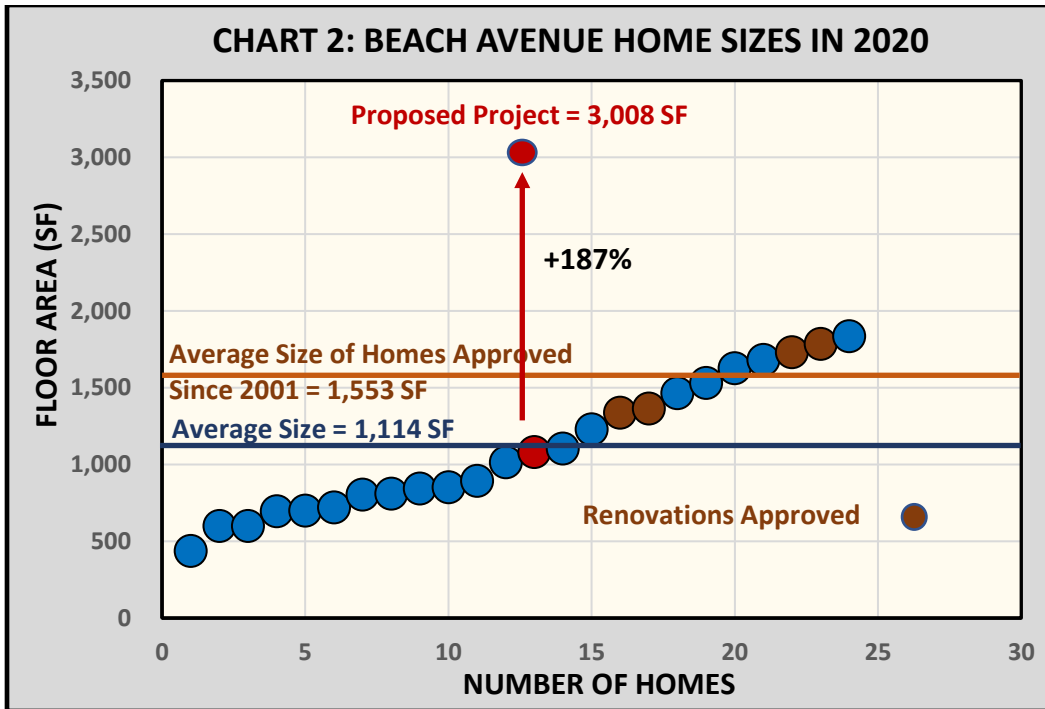
- The analysis expands the normal "streetscape/blockscape" study area used by City Planning, the Applicant, and the Appellant to arbitrarily include two blocks of an adjacent street not similar to the much narrower street, smaller-lot, 1920-era Beach Avenue. McKinley is 36' wide whereas Beach is only 28' wide, a significant difference. The two blocks of McKinley have bigger lots and consequently a number of bigger homes, most built since the 2001 VLUP, which skews the results of the analysis.
- The analysis only looks at height and size, ignoring the VLUP policies that were to protect – and still must - community character of the 2001 existing neighborhood.
- The analysis looks only at the number of 2021 homes that are similar in size: *"The information analyzed by Commission staff shows that the City-approved residence has a height and size consistent with past Commission and City actions on similar residences since 2001."* (Page 14). However, the Superior Court revoked the CDPs for two similar homes on similar streets that used the same review procedure as is used here.
- The Staff Report's Tables 1-3 include a number of serious errors. Seven of the homes listed in Table 3 as built before 2001 were in fact built after that (VLUP certified). (Large 2-story homes were not built anywhere in this neighborhood in the 1948-1954 period,

as indicated in the Commission's tables.) These errors raise questions of the validity of the Staff Report's conclusions based on these tables. Attached is a copy of the corrections and comments we sent Commission staff on July 2.

- Of the 24 homes on Beach Avenue, 62% are still 1-story. Not one is even within 1,000 SF of the project size¹, which is three times the size of the average/median home size on Beach Avenue either in 2001 or now. (See Charts 1 and 2 below.) Similarly, 63% of all homes even within the Commission's expanded study area are 1-story homes. Nevertheless, the Staff Report downplays the importance of VLUP policies to protect these small homes in its discussion of cumulative effects.



¹ One home is 1,753SF based on L.A. County Assessor's files, but 2,300SF from Zillow website.



- The Staff Report states that “*The Commission staff is not aware of future development projects in the study area.*” The definition of cumulative effect in the Coastal Act is “probable” future projects, not “known” future projects. The Commission staff has enough experience with this neighborhood to know that there is a high probability of applications for future very large homes. The size of probable future projects can easily be extrapolated to show the trajectory of the current project together with past and current similar current projects. Without considering probable future projects a cumulative effects analysis has not been achieved.

We are very thankful for the effort, findings and Substantial Issue recommendation by Commission staff. However, given the Commission’s importance of the cumulative effects analysis, as confirmed by the two recent Superior Court rulings, it is important to correctly follow the definition of cumulative effects in performing the analysis.

Sincerely,

[signed]

Richard Stanger
 Ingrid Marsten
 Warren Adler
 Sue Kaplan, Citizens Preserving Venice

Comments on Staff Report Study Area – Submitted July 2 to South Coast Staff

1. Why, when City, applicant and appellant all use Beach Avenue as the study area does staff adds two blocks of McKinley? With few exceptions, McKinley homes were built in the post-WWII era on a wider street with larger lots. The area selected seems arbitrary. Also, the area of analysis most commonly used is called the Viewshed, which is defined as “the geographical area that is visible from a location. It includes all surrounding points that are in line-of-sight with that location and excludes points that are beyond the horizon or obstructed by terrain and other features (e.g. buildings, trees).” The majority of properties, on McKinley, 32 of 55 (58%), can’t even be seen from the subject property. The areas of the study area that cannot be seen from the project site is larger than the area of the study area that can be seen. In addition, McKinley is 36’ wide, almost 30% wider than Beach Ave, which is 28’ wide. The viewshed, aka the streetscape, “visual street,” or block, would more appropriately be the area circled in red (the area circled in black was used):

Beach Study Area and Coastal-Expanded Study Area:

- Viewshed/Streetscape used by City, Applicant and Appellant
- Study Area used by Coastal Commission Staff



2. On page 14 the Staff Report states that “the size of the proposed project is generally similar in scale to nearby development¹¹ on comparably sized lots.” Three homes are listed in the footnote (3 of 54 homes). Why does the size of the lot matter? There is nothing in the VLUP that says a larger lot gets to have a bigger dwelling. That is an FAR

argument that isn't used in the VLUP. Every building must, however, be compatible with the mass, scale and character of its neighbors.

3. If the proposed project is approved, would it not be used to justify a similar-sized dwelling within your study area that would adversely affect the 51 remaining homes? That would be an adverse cumulative effect?

The text notes (Page 13) that 15 of the 23 2-story homes have "setback facades or second story additions toward the rear of the lots." This and their size indicates that they are probably compatible with the mass, scale, and character of the 31 1-story homes in the study area. Therefore, of the 54 homes in the study area, 46 are compatible in mass, scale and character (85%) and none are over 2,000 SF.

Corrections to Tables:

- Table 1 should not include 610 Mildred Avenue since it is not a "past" Commission action (we see that it's not part of the average calculation but it still shouldn't be there).
- Table 2 indicates that 2416 McKinley has a dwelling of 4,779 SF. In fact it is a consolidated lot. (#2416 has a 1,918 SF dwelling and #2420 has a 2,024 SF dwelling.) #2420 is correctly listed in Table 3.
- Table 3 wrongly indicates that there are 10 homes over 2,000 SF that were built prior to 2001, when there are actually only three (#2420 McKinley, #592 Olive, and #620 Mildred). And only #592 Olive (1996) comes close to the size of 610 Mildred Ave.
- Table 3 has the errors shown in the table below. These homes need to be in Table 2.

| Address | Action # | Approval Year | Sq. Ft. | | Coastal Date |
|-----------------------------------------|----------|---------------|------------|------------|--------------|
| | | | (original) | (new) | |
| 2325 McKinley (not listed in tables) | | 2005 | | | |
| 2425 McKinley Ave | | 2007 | ? | 2,244 | 1950 |
| 2417 McKinley Ave | | 2006 | ? | 2,304 | 1949 |
| 2412 McKinley Ave | | 2007 | ? | 2,314 | 1949 |
| 2321 McKinley Ave | | 2007 | ? | 3,219 | 1948 |
| 2332 Beach Ave | | 2004 | ? | 1,784 | 1948 |
| 2318 Beach Ave | | 2004 | ? | 1,364+626* | 1936 |
| 2337 Beach Ave | | 2006 | ? | 2,918 | 1921 |

#2318 Beach has two buildings on the lot, one 1,364 SF and one 626 SF. It is not one 1,990 SF building. (Page 12 bottom)

#620 Mildred was rebuilt in 1991 as a 2-unit dwelling, not in 1939.