

**CALIFORNIA COASTAL COMMISSION**

South Coast District Office  
301 E Ocean Blvd., Suite 300  
Long Beach, CA 90802-4302  
(562) 590-5071



**F19a**

**A-5-VEN-21-0069 (315 6th Avenue, LLC)**

**May 13, 2022**

**CORRESPONDENCE**



# MIKE BONIN

City of Los Angeles  
Councilmember, Eleventh District

May 6, 2022

Chair Donne Brownsey  
California Coastal Commission  
455 Market Street, Suite 300  
San Francisco, CA 94105  
[Donne.Brownsey@coastal.ca.gov](mailto:Donne.Brownsey@coastal.ca.gov)

## Support a Finding of Significant Issue and Deny the Project at 315 6th Avenue (A-5-VEN-21-0069)

Dear Chair Brownsey and Honorable Commissioners,

I write today to petition the California Coastal Commission (Commission) to support the [staff recommendation](#), dated April 21, 2022, to find that a Substantial Issue (SI) exists with this development and to deny the de novo permit.

The project before you, 315 6th Avenue (A-5-VEN-21-0069), raises a Substantial Issue as it contributes to the cumulative erosion of community character in the Oakwood neighborhood of the Venice - defined by both its physical and social attributes; including racial, ethnic, and income diversity. Ultimately, the project will result in two, expensive single family homes with accessory dwelling units (ADUs) through the demolition of four affordable units that currently exist on the site. This project is an example of a pattern of development that ultimately contributed to the wealth gap across the City and further hardened the residential segregation witnessed in my district.

Throughout my tenure as Councilmember for Council District 11, I have fought for the preservation and production of affordable housing in the Los Angeles Coastal Zone. In partnership with community and tenant organizations, we have delivered on this through the City's upcoming [Mello Act Ordinance](#). Additionally, I introduced legislation directing the City of Los Angeles to develop a [Coastal Equity and Environmental Justice Policy](#) to support the efforts of this Commission and ensure that coastal resources are protected and remain accessible to all Angelenos.

### Westchester Office

7166 W. Manchester Boulevard  
Los Angeles, CA 90045  
(310) 568-8772  
(310) 410-3946 Fax

### City Hall

200 N. Spring Street, Room 475  
Los Angeles, CA 90012  
(213) 473-7011  
(213) 473-6926 Fax

### West Los Angeles Office

1645 Corinth Avenue, Room 201  
Los Angeles, CA 90025  
(310) 575-8461  
(310) 575-8305 Fax



I appreciate your consideration of this important issue in my district as it relates to this project and future cases that come before you. For further questions, please contact my Planning Director, Jason P. Douglas, at (213) 473-7011 or [jason.p.douglas@lacity.org](mailto:jason.p.douglas@lacity.org).

Regards,



**MIKE BONIN**

*Councilmember, 11<sup>th</sup> District*

cc: Vice Chair Caryl Hart, California Coastal Commission  
Commissioner Dayna Bochco, California Coastal Commission  
Commissioner Effie Turnbull-Sanders, California Coastal Commission  
Commissioner Sara Aminzadeh, California Coastal Commission  
Commissioner Linda Escalante, California Coastal Commission  
Commissioner Mike Wilson, California Coastal Commission  
Commissioner Katie Rice, California Coastal Commission  
Commissioner Steve Padilla, California Coastal Commission  
Commissioner Meagan Harmon, California Coastal Commission  
Commissioner Roberto Uranga, California Coastal Commission  
Commissioner Carole Groom, California Coastal Commission  
Jack Ainsworth, Executive Director, California Coastal Commission  
Steve Hudson, District Director, California Coastal Commission - South Coast District  
Dani Ziff, California Coastal Commission - South Coast District  
Commissioner Lisa Waltz Morocco, West Los Angeles Area Planning Commission  
Vince Bertoni, Director of Planning, Los Angeles City Planning  
Lisa Webber, Deputy Director of Planning, Los Angeles City Planning  
Faisal Roble, Chief Equity Officer, Los Angeles City Planning  
Juliet Oh, Los Angeles City Planning  
Haydee Urita-Lopez, Los Angeles City Planning

MB:jpd

May 5, 2022

SENT VIA EMAIL

AGENDA ITEM F19

California Coastal Commission  
South Coast District Office  
301 E. Ocean Boulevard, Suite 300  
Long Beach, CA 90802  
Attention: Dani Ziff

Re: Commission Appeal No. A-5-VEN-21-0069  
Local Government Permit No. DIR-2019-2610-CDP-MEL ("Project")  
Location: 315 6<sup>th</sup> Avenue, Venice  
Applicant: 315 6<sup>th</sup> Avenue LLC ("Applicant")

Members of the Commission:

The undersigned represents the Applicant in the above captioned appeal matter.

The purpose of this submission is to outline for staff and the Commission the reasons that (1) the appeal of the subject Project presents no substantial issues with respect to the grounds upon which the appeal has been filed; and/or (2) the de novo hearing process should deny the appeal and approve a coastal development permit (CDP) for the Project.

Prior to detailing our reasons in opposition to the subject appeal, I would like to bring to the attention of the Commission the opinion of the undersigned and my client that should the Commission fail to approve a CDP for this Project, such an action would be contrary to the substance and the spirit of the California Housing Crisis Act of 2019 and the recently passed provisions of California State Senate Bill 9. Each of said referenced legislative acts is intended to promote additional housing opportunities in the State. **The present policy of the Commission in not considering an accessory dwelling unit (ADU) as a residential dwelling unit for density purposes is out of step with the goals of the state legislature and the needs of the public. Although the Commission as recently made findings that ADUs are not functionally equivalent to a full residential unit, such findings objectively limit new coastal housing opportunities. Although SB 9 is not the standard of review for the Commission in this subject appeal matter, nonetheless the ADU policy of this Commission takes away housing opportunities from potential residents of the Venice coastal area.**

Please find below a summary of the Applicant's opposition and responses to the relevant appeal points raised by the Appellants in their subject appeal:

1. Proposed Project does not conform with Chapter 3 of the Coastal Act with respect to community character and visual resources.

Appellant Position: The Project description for the City's determination was incomplete and thus in error.

Applicant Rebuttal: As clearly detailed in the plans submitted to the Los Angeles City Planning Department ("City Planning") for the development, the Project consists of (i) a new residential structure on the rear 3,800 sf lot, including a 2,591 sq. ft. single family dwelling and an attached Accessory Dwelling Unit ("ADU") consisting of 857 sq ft; and (ii) a new residential structure on the front 3,190 sq. ft. lot, including a 2,088 sq. ft. single family dwelling and an attached ADU consisting of 1,102 sq.ft. As found by the West Los Angeles Area Planning Commission ("WLA APC"), "the proposed Project will be visually compatible with the character of the surrounding area."

2. Consideration of the adverse cumulative effects was omitted.

Appellant Position: In Finding 1 of the City's CDP, there is no cumulative effects analysis.

Applicant Rebuttal: At page F-10 of the WLA APC 8/26/21 Letter of Determination it states: "The project is consistent with the type of development permitted for lots zoned RD1.5-1 and Low Medium II Residential land use designation. The proposed construction of four dwelling units will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not result in significant cumulative impacts." In addition, substantial evidence submitted by the Applicant to City Planning supports the determination by City Planning and the WLA APC that the Project is located in an existing developed area that is able to accommodate it.

The Commission should respect the factual findings of the local jurisdiction.

3. The proposed Project will result in loss of density.

Appellant Position: The proposed Project is not consistent with Coastal Act 30250 because the Project involves a change from four housing units to two single-family dwellings and two ADUs in an existing developed area designated for multi-family residential.

Applicant Rebuttal: As defined in Los Angeles Municipal Code ("LAMC") Section 12.03, ADUs are "residential dwelling units", and from a functional standpoint there can be no distinction between a single-family dwelling and an ADU and a duplex. As

stated in the August 18, 2021 City Planning Appeal Recommendation Report (“Recommendation Report”) for the subject Project, *“the proposed development complies with the density limitations of the Specific Plan and would preserve the existing density of the subject site”* (emphasis added).

The Commission should respect the interpretation of the land use regulations of the local jurisdiction by City Planning.

4. Subdividing lots and the conversion of multi-family housing to single-family housing in the Venice Coastal Zone subverts Neighborhood Character.

Appellant Position: An additional small lot division would cause an adverse cumulative effect as it would cause a significant break in the pattern of development and significantly change the unique Venice subdivision development pattern.

Applicant Rebuttal: Again, quoting from the Recommendation Report, “The proposed preliminary parcel map allows for the subdivision of the existing lot in a manner consistent with the existing development pattern...and, as such, the subdivision would not impact the development pattern of the neighborhood”. In addition, please be advised that the Applicant submitted to City Planning a neighborhood height and context survey demonstrating its compatibility with neighboring properties.

5. The impact and change to the character of the neighborhood due to the loss of four low-income units was not considered.

Appellant Position: There is an apparent trend of multi-unit structures being developed as single-family residences. Expected population growth, assuming a continued shortage of new housing, will exacerbate the housing shortage in Venice.

Applicant Rebuttal: The proposed Project will replace four existing dwelling units with four new dwelling units, comprised of two single-family dwellings and two attached ADUs. The type of dwelling units proposed complies with the density limitations of the Venice Specific Plan.

The Appellants also raise concerns that a review by City Planning and the WLA APC did not address the Commission’s Environmental Justice Policy. As staff and the Commission well know, Los Angeles City Planning is in the process of preparing a Local Coastal Program for the Venice Coastal Zone. Consistent with the guidance provided in the Commission’s Policy, City Planning will be working with the Commission staff to incorporate within the LCP policy guidelines consistent with the Environmental Justice Policy. No such policy now exists within the guidelines provided to applicants in the design of their projects in the Venice Coastal Zone.

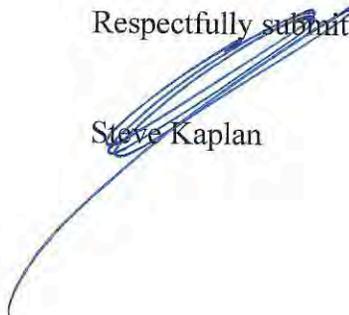
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In close, *this case has been heard and argued at three public hearings before the Los Angeles City Planning Department and the Applicants have prevailed in each instance. It is important to note that the Project put forth by my client is in conformity with all the dictates and requirements of the Venice Coastal Zone Specific Plan, the Venice Coastal Land Use Plan, the Venice Community Plan and the state Mello Act.*

Accordingly, and for all the reasons detailed above in this letter, it is the position of the Applicant that the appeal filed in this matter presents no substantial issue and that the appeal should be denied and the CDP for this Project should be approved by the Coastal Commission.

Thank you for your consideration of this submission.

Respectfully submitted,

  
Steve Kaplan

## F19a

May 6, 2022

A-5-VEN-21-0069  
315 6<sup>th</sup> Ave, Venice

Re. Support Staff Recommendation for SI and Denial

Honorable Commissioners and Staff,

This project would be harmful to the social diversity of Oakwood and therefore Venice, and it is not compatible with the surrounding neighborhood. It decreases density in an area able to accommodate it, and the proposed single-family dwellings would not be in conformance with the multi-family land use designation. Also, the project results in the loss of four affordable units and displaces lower income residents.

Your decision in support of the staff recommendation to deny this project will be seminal in protecting the architectural and social diversity of Venice and therefore the character of Venice as a Special Coastal Community. We know that it is difficult to read every staff report and that most times you rely on the staff summaries. In this case, we strongly suggest that you read the report as it is both an inspiring read and the findings are critically important to Venice's future.

These findings bring us to the long-awaited conclusion (page 29) that much of the social diversity in Venice is concentrated in Oakwood and thus the social character of Oakwood must be preserved pursuant to LUP Policy I.E.1. and Coastal Act Section 30253(e).

**Your Staff's work is outstanding and makes it clear that it is imperative that you put more pressure on the City to stop violating section 30625(c), which requires that its decisions be guided by applicable prior decisions of the Coastal Commission. These are not differences in subjective judgments but are violations of the Coastal Act by the City of L.A.**

Once again, the City has violated Coastal Act section 30625(c).

Once again, the City of L.A. has taken an action that would change the character of a neighborhood designated in the LUP as multi-family into a single-family neighborhood.

Once again, the City of L.A. has taken an action that would have ADUs replace full multi-family rental units, thus reducing density.

Once again, the City of L.A. has not required maintaining density in existing developed areas with sufficient services and infrastructure and in areas less vulnerable to coastal hazards.

Once again, the City of L.A. failed to make or made inadequate findings regarding protection of Venice as a special coastal community.

Once again, the City of L.A. failed to consider social diversity.

Once again, the City of L.A. did an inadequate and erroneous job on its analysis of community character.

Once again, the City of L.A. failed to consider the yard and permeable area requirements of the LUP.

Once again, the City of L.A. failed to consider the Commission's Environmental Justice Policy and the affordable housing provisions of the Coastal Act.

Once again, the City of L.A. relies on the uncertified Venice Coastal Zone Specific Plan in its findings.

Once again, the City of L.A. failed to consider cumulative effects on density and community character.

We would also like to note that we the appellants are strongly in support of ADUs in order to increase density, which is the purpose of the ADU laws. We do not, however, support using ADUs in order to maintain density, for all of the reasons in your Staff's excellent report. If the applicant kept or replaced the four units and then added ADUs, that would be increasing density, the goal of the legislature in enacting the ADU laws.

The project should be denied. A new application would be limited to the project alternatives mentioned in the Staff Report that were discussed with the applicant's representatives that could lessen or avoid impacts to coastal resources and conform with the Coastal Act Chapter 3 policies:

- renovate or rebuild the four existing single-family homes onsite.
- remove the subdivision from the proposal and construct two duplexes that are smaller in mass and scale through reduced project height, additional front yard setbacks and landscaping and further structural articulation.
- construct a five-unit building with reduced mass and scale, with one unit being restricted affordable.

Lastly, we agree with Staff's interpretation of LUP policy I.A.7.d. and strongly encourage the Commission to require the City to follow the LUP and not the Venice Specific Plan, which does not provide for as much density and in this case would not provide for the 5<sup>th</sup> restricted affordable unit.

We trust that you will support Staff's recommendation and deny the project.

Sincerely,

*Sue Kaplan*

Sue Kaplan

President, Citizens Preserving Venice

*Robin Rudisill*

Robin Rudisill

Treasurer, Citizens Preserving Venice



May 6, 2022

**Re: F19a | A-5-VEN-21-0069 | 315 6th Ave, Venice — SUPPORT Staff**

Dear Honorable Coastal Commissioners:

We are writing to urge you to **vote in favor of the staff report's recommendation** regarding Item F19a, A-5-VEN-21-0069 (315 6th Ave, Venice), to **determine that a substantial issue exists and to deny the de novo permit.**

The project is indeed inconsistent with the development and community character policies of the Venice Land Use Plan (LUP) and the Chapter 3 policies of the Coastal Act. Furthermore, the project substantially undermines the community's and the city's goals of preserving and increasing affordable housing within the Coastal Zone. Without housing access for people of all incomes, there is no chance to create meaningful environmental justice outcomes within the Coastal Zone, and the unique character of Venice's coastal community would be further eroded.

We agree with the staff's findings that replacing existing housing units with ADUs does not, in fact, maintain residential density, and we are frustrated that the applicant did not consider pursuing reasonable alternatives that could maintain or even increase residential density and affordability.

Additionally, when we worked with the residents who were residents of the project site at the time the applicant acquired the property and began their redevelopment effort, we found the applicant completely unwilling to work with the community to find any solution that would prevent the permanent displacement of long-term low-income community residents.

Through the specific details of the application and the facts discussed in the staff report, in combination with the "intangibles" derived from community engagement with the applicant throughout the redevelopment process, we are certain that this applicant does not respect the unique character of the Venice Coastal community, and we have little faith in their commitment to Chapter 3 of the Coastal Act, the Venice Land Use Plan (LUP), or in fact anything other than their own profits.

Thankfully, the Coastal Act can and should protect the community against extractive business models like the applicants that seek to profit off the degradation of our one of our state's most valuable assets, the Coast itself, which is meant to be shared in common by all, and not turned over to private actors for private gain.

Thank you in advance for your consideration.

Sincerely,

Bill Przylucki, Executive Director