

**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST DISTRICT OFFICE  
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# Th15a

**A-5-VEN-22-0012 (PLACE HOLDER DP, LLC)**

**SEPTEMBER 6, 2022**

**CORRESPONDENCE**

Susan Steinberg (Applicant Representative).....	2
Citizens Preserving Venice (Appellant).....	4



# Howard Robinson & Associates

September 2, 2022

To: California Coastal Commission  
455 Market St., Suite 300  
San Francisco, CA 94105

From: Howard Robinson & Associates  
660 S. Figueroa St., Suite 1780  
Los Angeles, CA 90017  
Susan Steinberg, Representative

**RE: 22 & 22 ½ E. Paloma Ave.  
Venice, CA 90291  
Appeal No. A-5-VEN-22-0012  
Item No. 16a**

Dear Honorable Commissioners,

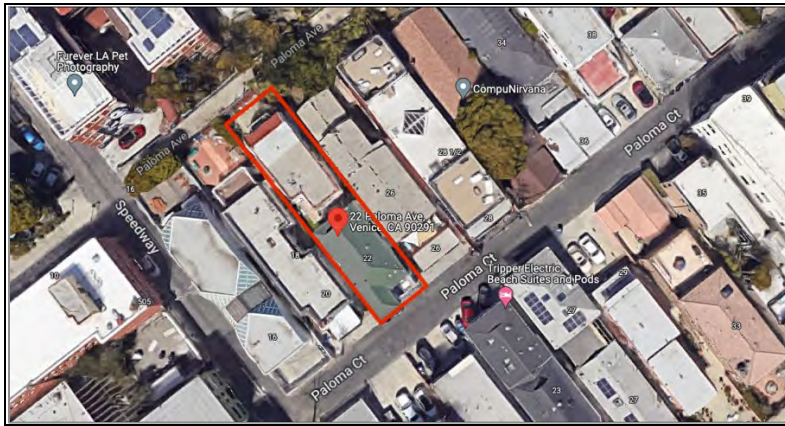
I am writing to you on behalf of my client, Place Holder DP, LLC, the owner of 22-22 ½ Paloma Avenue in Venice. This letter is a follow up to the letter dated May 6, 2022, which was submitted prior to the Substantial Issue hearing, and outlines why the appeal should be denied.

The project proposes a simple subdivision of land – the existing duplex and triplex will remain, and no demolition or construction are proposed. Both the duplex and triplex pre-date the Coastal Act and the Venice Coastal Zone Specific Plan and were developed with zero on-site parking or vehicular access to the duplex fronting the Walk Street. The proposed subdivision does not change any of that; the duplex and triplex will be maintained without change, just on separate parcels.

However, staff has erred by evaluating a hypothetical redevelopment followed by the assertion this hypothetical development does not comply with the Coastal Act, despite acknowledging the site can not feasibly be redeveloped.

We have provided ample information to staff outlining why redevelopment of the property is unlikely, and we appreciate staff's acknowledgment in their report that "the applicant contended that other existing site constraints render LUP-consistent redevelopment onsite infeasible regardless of whether the subdivision occurs" and agrees that "redevelopment that is consistent with both state laws and the certified LUP does appear infeasible at the subject lot."

However, staff's assertion that "these existing site constraints do not resolve or dismiss the new access issue created by the proposed project" is factually incorrect and should not be used as a basis to grant the appeal. The site has no existing access as the rear triplex is built across the entire property. As such, there is no existing vehicular access to the property as is. See aerial photo below, with the subject site outlined in red.



The exact access concerns that staff raise would arise if the property owner sought to demolish and reconstruct the front duplex only – which is within their rights. Such a request would require replacement of both units, per SB 330/SB 8, as well as to provide parking and vehicular access for those units that currently does not exist. This would not be feasible. Not only would such a project be denied a CDP, given its inability to provide parking, but it would likely be impossible due to the historic status of the structure prohibiting its complete demolition.

Given that the issue staff raises as a justification to grant the appeal is an existing condition, it is illogical to assert that the proposed subdivision somehow exacerbates this condition. Indeed, staff’s use of language such as “the project would formalize the existing lack of vehicle access to the duplex” is incorrect, as it implies that the existing conditions are somehow “informal” and/or temporary. Staff should explain how the subdivision “formalizes” what they acknowledge as an “existing lack of vehicular access” within the same sentence.

Staff goes on to state “the project would perpetuate the parking deficit on Parcel A, resulting in residents continuing to rely on the limited reserve of public parking near the Venice boardwalk.” This sentence in particular highlights the illogical fallacy inherent in staff’s argument. The project proposes no construction, no change in density or intensity of use, and triggers no additional parking. As such, denial of the CDP has no impact on parking conditions. Approval or denial of the requested CDP results in “residents continuing to rely on the limited reserve of public parking near the Venice boardwalk.”

A project that creates no new impacts and does not further exacerbate existing conditions should not be denied.

Staff has completely failed in their analysis of this project and its denial would likely not stand up in court. The Commission should not undermine its integrity by giving any credence to this baseless and illogical argument over an entirely hypothetical situation that staff acknowledges is infeasible anyway.

Sincerely,

*Susan Steinberg*

Susan Steinberg  
Principal

# Citizens Preserving Venice

## Th16a

September 2, 2022

A-5-VEN-22-0012

22 - 22 ½ Paloma, Ave Venice

**SUPPORT STAFF recommendation to DENY the project**

Dear Honorable Commissioners and Staff,

Protection of Venice's walk streets is a very important goal of the certified Land Use Plan (LUP). LUP Policy I.F.1. recognizes the walk streets as an historic coastal resource. LUP Policy I.D.3. indicates that the walk streets are highly scenic coastal areas. LUP Coastal Access Map at Exhibit 19a shows that the walk streets are a key pedestrian access point. In addition, the Venice walk streets essentially meet every aspect of the LUP definition of Venice as a Special Coastal Community: "An area recognized as an important visitor destination center on the coastline, characterized by a particular cultural, historical, or architectural heritage that is distinctive, provides opportunities for pedestrian and bicycle access for visitors to the coast, and adds to the visual attractiveness of the coast." The walk streets are part of our historic/architectural heritage, they are distinctive, they provide opportunities for pedestrian and bicycle access for visitors to the coast, and they add to the visual attractiveness of the coast.

Thus, we strongly agree with Staff that the proposed project violates Coastal Act section 30250 as it does not locate development in a manner that will not adversely impact coastal resources, including public access. We also strongly agree that any decision that could cause a cumulative effect of converting the walk street into a source of vehicle access, thus harming this coastal resource, must not be allowed.

We have just one concern: The state coastal exemption approved for proposed repair and maintenance, exterior façade work and removal of stairs at the property was not publicly disclosed. We strongly suggest that when a state coastal exemption application is filed that it be posted on the Commission website for a certain number of days, to give the public an opportunity to weigh in on the proposed development.

Once again, Staff has done an excellent job on a somewhat complex case, and we very much appreciate it. There is much that they could, and should, teach the City Planning Department and the City's Area Planning Commission (appeal board), which would avoid a significant waste of resources for City, State, the Public and the applicant.

Sincerely,

*Sue Kaplan*

Sue Kaplan, President

Citizens Preserving Venice