

CALIFORNIA COASTAL COMMISSION

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Th17d

ADDENDUM

DATE: August 13, 2025

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **ADDENDUM TO ITEM Th17d, CDP APPLICATION NO. 5-24-0402 FOR THE COMMISSION MEETING ON THURSDAY, AUGUST 14, 2025.**

This addendum is designed to achieve the following objectives. First, it provides revisions to the staff report dated July 30, 2025, based on new information provided by the applicant. Second, it updates the record by supplementing it with correspondence that the Commission received after the staff report was published and provides responses to some of the issues raised in the recent correspondence.

I. MODIFICATIONS TO STAFF REPORT

The following modifications are made to the staff report dated July 30, 2025, in light of new information received from the applicant that demonstrates that compliance with Special Condition 1, as initially recommended by staff, is infeasible. Language to be deleted is identified by ~~strike through~~ and additions are underlined.

(a) On page 2, the last paragraph is revised as follows:

Regarding coastal resource impacts, the main concern raised by the project is its compatibility with the pedestrian-scale character of the surrounding area. While the structure would be taller than much of the adjacent development, there are other buildings over two stories and the project is designed with articulation that breaks up the massing of the structure. Additionally, according to the applicant, the proposed height is the minimum necessary to provide the three affordable units. The City approved a waiver of development standards for the inclusion of three larger, taller roof access structures (RAS), rather than one, 10-foot-high, 100 square foot RAS, that is typically allowed. ~~Additionally, the proposed development includes reduced setbacks and architectural projections that extend toward the public walkways along Park Avenue, Speed Way, and Ocean Front Walk thereby increasing its massing. Thus, Special Condition 1 requires the submittal of revised final plans to remove the architectural projections and modify the rear RAS to be open air and not enclosed, to reduce the overall massing of the proposed~~

structure. These roof access structures are the minimum necessary and located where necessary to provide safe access to the community open space on the roof without reducing the proposed residential units, commercial uses, and parking. Additionally, the roof access structures do not present a significant visual resource or community character impact. Thus, the project design can be found consistent with the LUP and with Chapter 3 of the Coastal Act.

(b) On page 3, the last two paragraphs are revised as follows and the list of conditions shall be renumbered accordingly:

To protect public access, minimize risks to life and property, ensure protection of avian species in the area, protect water quality and biological resources, and minimize potential impacts to archaeological and tribal cultural resources, staff recommends approval with ~~4413~~ Special Conditions: 1) ~~Revised Final Plans~~, 2) Retention of Three Income-Restricted Units, 3) Deed Restriction, 4) Transportation Demand Management Plan, 5) Prohibition of development in public space, 6) Construction Staging Plan, 7) No Future Shoreline Protective Device; Development Removal, 8) Assumption of Risk, Waiver of Liability and Indemnity, 9) Future Permit Requirement, 10) Bird Strike Prevention, 11) Nesting Bird Survey, 12) Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris; 13) Landscaping - Drought Tolerant, Non-Invasive Plants; and, 14) Protection of Archaeological and Tribal Cultural Resources.

As thus conditioned, Commission staff recommends that the Commission find the proposed project consistent with Chapter 3 of the Coastal Act and APPROVE CDP application 5-24-0402 with ~~4413~~ special conditions. The motion to carry out the staff recommendation is on page 5.

(c) On page 6, Special Condition 1 is removed in its entirety as follows:

~~**1. Final Plans Revised.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit in a form and content acceptable to the Executive Director, two (2) complete sets of final revised plans, prepared and certified by a licensed professional(s) as applicable, which shall substantially conform with the plans prepared by Breakform Design dated July 7, 2025, except shall be modified to include the following: A. The architectural overhangs on the second and third floors shall be removed from the structure along Ocean Front Walk, Speed Way, and Park Avenue. B. The portion of the roof access structure fronting Speed Way that exceeds the roof of the structure (exceeds 37 feet 8 inches) shall be unenclosed, with no walls or roof. Safety railings that do not exceed 41 feet, consistent with the top of parapet, are allowed.~~

(d) All Special Condition references within the report are renumbered to reflect the removal of Special Condition 1.

(e) On page 24, the last paragraph is revised as follows:

The proposed building would be 37 feet 8 inches high, nearly ten feet taller than the previous building onsite and nearly eight feet taller than the neighboring buildings on Ocean Front Walk, which are approximately 29 feet (801 and the taller unit located at 719 Ocean Front Walk). Additionally, the proposed building includes a parapet wall that reaches a height of 41 feet and three RAS that reach heights of 50 feet eleven inches, and

46 feet eight inches. The policies in the Venice LUP are generally understood to allow a maximum of one RAS per structure, at no more than 100 square feet in size², as measured from the outside walls, and no more than ten feet above the maximum roof height limit. All three of the RASs proposed would exceed the maximum allowed size, and one of the proposed RASs would exceed the 10 foot height limit for a maximum height of 13 feet three inches, thereby increasing the overall building height (with RAS) to 50 feet 11 inches high. Closest to Ocean Front Walk, there is one proposed RAS associated with a set of stairs and one RAS for the proposed elevator. When measured from Ocean Front Walk, these RASs are designed to be set back approximately 28 feet and 41 feet, respectively. When measured from Park Avenue, these RASs are proposed to be set back approximately 23 feet and 12 feet, respectively. Commission staff conducted a community character survey (**Exhibit 3**) of other developments along Ocean Front Walk within 700 feet northwest and southeast of the subject parcel and visually analyzed the streetscape around the site from various public vantage points. The staff analyzed the height of 22 structures within the search radius from 2 Breeze Avenue to 517 Ocean Front Walk in Venice. It was determined that the average building height is approximately 30 feet. Staff further found that the minimum and maximum height within the search radius ranged from 11.5 feet to 55.8 feet. It is important to note that the maximum height of 55.8 feet is the height of a structure located at 2 Breeze...

(f) The text beginning after the first paragraph on page 25, is modified as follows:

As proposed, the building's roof includes three RAS that reach total heights of 51 feet 7 inches, and 47 feet 4 inches from grade. The policies in the Venice LUP are generally understood to allow a maximum of one RAS per structure at no more than 100 square feet in size, as measured from the outside walls, and no more than 10 feet above the maximum roof height limit. In this case, the RAS for the two stairwells could not be converted to exterior stairs or made to approach the roof without a structure due to other City Building and Safety requirements, as explained by the applicant and confirmed by the City. All three of the RAS proposed would exceed the maximum allowed size and one of the proposed RAS would exceed the 10 foot height limit with a maximum height of 13 feet 3 inches. As stated by the City, the number of RAS is the minimum necessary to provide safe access to the community open space on the roof. The open space could not be relocated onsite without losing the proposed density and affordable units. Similarly, the sizes of the RAS are the minimum to comply with City safety requirements. Regarding visual resource and community character impacts, the RAS have various setbacks that reduce the massing of the structure to the maximum extent feasible. Closest to Ocean Front Walk, there are two connected RAS: one associated with a set of stairs and one RAS for the proposed elevator. When measured from Ocean Front Walk, these RAS are designed to be set back approximately 28 feet and 41 feet, respectively. When measured from Park Avenue, these RAS are proposed to be set back approximately 8 feet and 5 feet, respectively. The applicant and City explored alternative configurations that would increase the 5 foot setback from Park Avenue, but all alternatives would have resulted in the loss of commercial area, residential units and affordable units, and/or parking spaces and/or the relocation of the residential entrance to Ocean Front Walk, which is not consistent with LUP Policy II.C.10, which requires residential access to face the walk street. Thus, the rooftop design is consistent with LUP Policy I.A.13 as it is the minimum deviation from LUP standards to provide the affordable units. Additionally, there are minimal visual resource impacts given the RAS setbacks from Ocean Front Walk and the visual impacts from the rear RAS to pedestrians moving toward the beach along the walk street have been minimized and would not significantly impact the character of the area either individually,

due to the limited size of the rear RAS, or cumulatively, due to the unique circumstances and constraints associated with this development.

The proposed project is designed with architectural overhangs on the second and third levels that extend into the five to seven feet ½ inch front setback along Ocean Front Walk, into the reduced four-foot ten-inch side setback along Park Avenue, and into the three-foot six-inch rear setback along Speed Way. ~~This projection into the setbacks could significantly impact the pedestrian-scale character that is protected by the LUP (Exhibit 2).~~ The LUP includes allowances for incentives and deviations from development standards for affordable housing in conformance with State Density Bonus Law (Gov. Code § 65915), if the project is consistent with LUP Policy I.A.13. For Density Bonus applications pursuant to LUP Policy I.A.13., findings must be made as to whether the proposed development is the most protective of coastal resources (subsection c), including community character, is the least environmentally damaging alternative (subsections e and f), uses the minimum deviations required in order for the affordable units to be provided, and that the coastal resource impacts are minimized and mitigated to the maximum extent feasible. ~~While the applicant received waivers of development standards for reduced setbacks for the residential floors from six feet to four feet ten inches,~~ Despite the fact that the architectural projections that extend into the reduced setback areas do not appear to be required for the provision of the residential units. The architectural overhangs are an unnecessary design element, and their removal would, the projections are set back about three feet on average from the property line (within the first-floor footprint along Ocean Front Walk) and create visual breaks between the second and third stories and provide additional articulation, which helps to significantly reduce the massing as experienced by a pedestrian and highlight the articulation provided along Ocean Front Walk and Park Avenue, consistent with the walk street and community character policies of the Venice LUP, including Policies I.E.3 and II.C.10. In addition, the applicant provided renderings that show there is no significant difference between the massing with and without the architectural overhangs. Additionally, the RAS associated with stairs along Speed Way is enclosed, which further adds mass to the overall structure.

As proposed, the project ~~does not minimize~~ deviations from the LUP standards to the maximum extent feasible and, if approved in that manner, could set an adverse precedent for future Density Bonus projects that could cumulatively impacted the visual quality and character of the area. Thus, Special Condition 1 is imposed requiring the submittal of revised final plans that remove the projections into the setback areas along Ocean Front Walk and Park Avenue. Regarding the RASs, to provide the number of affordable units proposed on site, the proposed structure does not afford opportunities for ground floor open space. Thus, the applicant proposes to meet the City's open space requirement by providing a 1,488 square foot roof deck with three RASs. The proposed RASs are part of the suite of incentives the City approved for the inclusion of the on-site affordable units. However, the RASs significantly increase the overall height and massing of the proposed structure. Therefore, to reduce the massing of the structure, Special Condition 1 requires the RAS located along Speed Way and Park Avenue (Exhibit 2) to be designed with an "open" concept, which is that it does not have any walls or roof above the roof of the building (37 feet eight inches), except that it may have a safety railing that is no higher than 41 feet, consistent with the proposed parapet wall. The redesign of one of the three RASs would reduce the massing of the structure and, thereby, its impact on the visual quality of the walk street and community character of the area. As conditioned, the impacts to community character and visual resources would be minimized to an insignificant level

~~while providing affordable housing consistent with the LUP and is, thus, consistent with the visual resource and community character policies of the Coastal Act.~~

While the Commission is not aware of any other planned mixed-use Density Bonus projects along Ocean Front Walk, as ~~proposed~~^{conditioned} and described above, the ~~potential~~^{significant} impacts from this project are ~~minimized~~^{reduced}. Additionally, such projects support LUP and Coastal Act policies pertaining to the provision of affordable housing and serve to protect the social diversity element of Venice's character (LUP Policy I.E.1), which is just as important as its architectural diversity.

With the implementation of Special Conditions 1, 2, and ~~2~~³, the project concentrates residential and commercial development in an already developed area and provides affordable housing, and is consistent with the visual qualities and community character of the area. The Commission therefore finds the proposed project, as conditioned, is consistent with Sections 30250, 20251, and 30253 of the Coastal Act.

(g) On page 32, the first two paragraphs is revised as follows:

...LLC), A-5-VEN-18-0017 & 5-18-0212 (Targon), and 5-20-0583 (Shoda)). While the proposed roof overhangs extend into the five foot setback, the commercial level has a zero foot setback per the LUP, and it is expected that maintenance of such roof overhangs can occur from within the property without necessitating use of public walkways~~To further address concerns related to the psychological impact to public access from having architectural roof projections hanging within five feet of the popular walkways, as proposed, the Commission imposes Special Condition 1, which requires the submittal of revised plans that eliminate the architectural projections.~~

II. CORRESPONDENCE RECEIVED

Since publication of the staff report on July 31, 2025, the Commission has received public comments from Richard Stanger and Christopher Pederson. The emails received are included under the "Correspondence" tab of the agenda item.

III. RESPONSES TO COMMENTS

The following response to public comments is hereby incorporated as a 'Response to Comments' section of the staff report dated July 30, 2025 (as Section III.C, thus re-numbering the following 'California Environmental Quality Act' subsection).

On August 2, 2025, the Commission received an email from Richard Stanger in response to the staff report. In his email, Mr. Stanger provided information related to the Venice Neighborhood Council and its recommendations for potential changes to the uncertified Venice Community Plan and the certified Venice Land Use Plan (LUP) that relate to roof access structures and roof decks. According to the information provided, the Venice Neighborhood Council recommendation is that no roof decks should be allowed on structures three stories or within the front third of structures, and that access to roof decks should be limited to access from outside stairs from the top floor and located within the exterior walls and not via a roof access structure and thus suggests opposition to this aspect of the proposed development.

On August 4, 2025, the Commission received an email from Christopher Pederson in response to the staff report. In his email, Mr. Pederson expressed support for the proposed development but disagrees with Special Condition 4.C restating points made in the staff report regarding the project's proximity to major transit stops. He also asserts that the maintenance of the nine proposed parking spaces "violates state law [AB 2097] and is unenforceable," as it requires the nine proposed parking spaces to be maintained.

With respect to Mr. Stanger's contentions, the certified Venice Land Use Plan currently allows roof access structures and, as discussed in the Development section of this report, they are necessary to provide the proposed affordable units. As also described in the Development section of the report, authorization of this project with the proposed roof access structures does not adversely impact visual resources or community character individually or cumulatively.

With respect to Mr. Pederson's contention, the proposed development includes nine proposed parking spaces including the two spaces reserved for the residential electric car share program. While Gov. Code, § 65863.2 (AB 2097) states that minimum parking requirements cannot be imposed for development located within one-half mile of a major transit stop, this law does not waive the requirement for projects to comply with the coastal resource protection policies of the Coastal Act, including that impacts to public access must be mitigated where unavoidable. As discussed in this staff report, the proposed development would otherwise require the provision of 55 car parking spaces, meaning that there is a parking deficit of 46 spaces as proposed. Failure to provide adequate parking for new development on the beachfront subject site would likely result in and use of existing public on-street parking that is currently available for use by beachgoers, thus, impacting public access to the coast. In this case, the applicant received a waiver of parking requirements under the Density Bonus Law and is proposing some measures, including the car share program and bicycle parking, to mitigate for public access impacts that would be incurred if residents and commercial tenants/employees drive to the site and park in public parking areas, which are already under pressure due, in part, to the popularity of the area to visitors and for coastal recreation. To conclude, these mitigation measures are expected to minimize the project's impacts to public access; however, if the project were changed in the future to further reduce the number of parking spaces on site, then a new analysis of the project's impacts may be needed to avoid new impacts to public access. Thus, in this case, the nine parking spaces in question are proposed by the applicant, and Special Condition 4 (which is not Special Condition 3) simply memorializes this proposal, as well as the other components of the Transportation Demand Management Plan, in order to ensure the applicant's proposal is adequately implemented in a manner that minimizes impacts to public access.