

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
301 E Ocean Blvd
Long Beach, CA 90802-4830
(562) 590-5071



January 26, 2023

Christopher Murray
Rosenheim & Associates, Inc.
21600 Oxnard Street, Suite 630
Woodland Hills, CA 91367

Re: **SECOND NOTICE OF INCOMPLETE APPLICATION**

Application No. 5-22-0588

Site Addresses: 2102 – 2120 S. Pacific Ave., 2106 – 2116 S. Canal St., 116 – 302 E. N. Venice Blvd., 319 E. S. Venice Blvd., Venice, Los Angeles County, CA 90291

Dear Christopher Murray,

On July 11, 2022, our office received the above referenced coastal development permit (CDP) application. The proposed project includes demolition of an existing public parking lot and quadruplex, consolidation and subdivision of existing lots, and construction of a new mixed-use, affordable housing development in Venice. On August 10, 2022, Commission staff requested additional information and materials. On December 29, 2022, the applicant submitted additional information and materials. Commission staff have reviewed all submitted materials and determined that additional clarification remains necessary. Please accept this letter as notification that Application No. 5-22-0588 is incomplete pending receipt of the requested information. To complete your application, please submit the following:

- 1. Application Fee.** Section I.B of Appendix E requires an application fee of \$1,059 per unit, and 140 units are proposed, resulting in a \$148,260 fee for the residential project component. Additionally, Section II.A. of Appendix E should include the square footage of the public parking garage. **Staff have not received the check for \$38,041 photographed in Tab 5 of the submittal. Please note that staff have received the applicants' request for an application fee reduction, which may change the total amount required. We have continued discussions with management and will provide an update.**
- 2. Project Plans.** Summarize all differences between the Exhibit A plans and the addendum plans, including new or eliminated features. **Provide a complete set of plans (both a digital copy and one 11x17 physical copy) that reflect the project proposal as currently proposed. This may include the Exhibit A plan sheets and addendum plans. The plans should not include features that are no longer proposed, such as the subterranean level shown on Sheet A.3.21, or tables with outdated estimates. Summarize any revisions included in the new plan set, excluding those already summarized in Section 6.F. of the response letter.**
- 3. Income Requirements.** Indicate the income requirements for the proposed 136 "Low Income" housing units. **The response letter indicates at least 7 "Extremely Low Income" housing units and 129 "Very Low Income" units are proposed (but may**

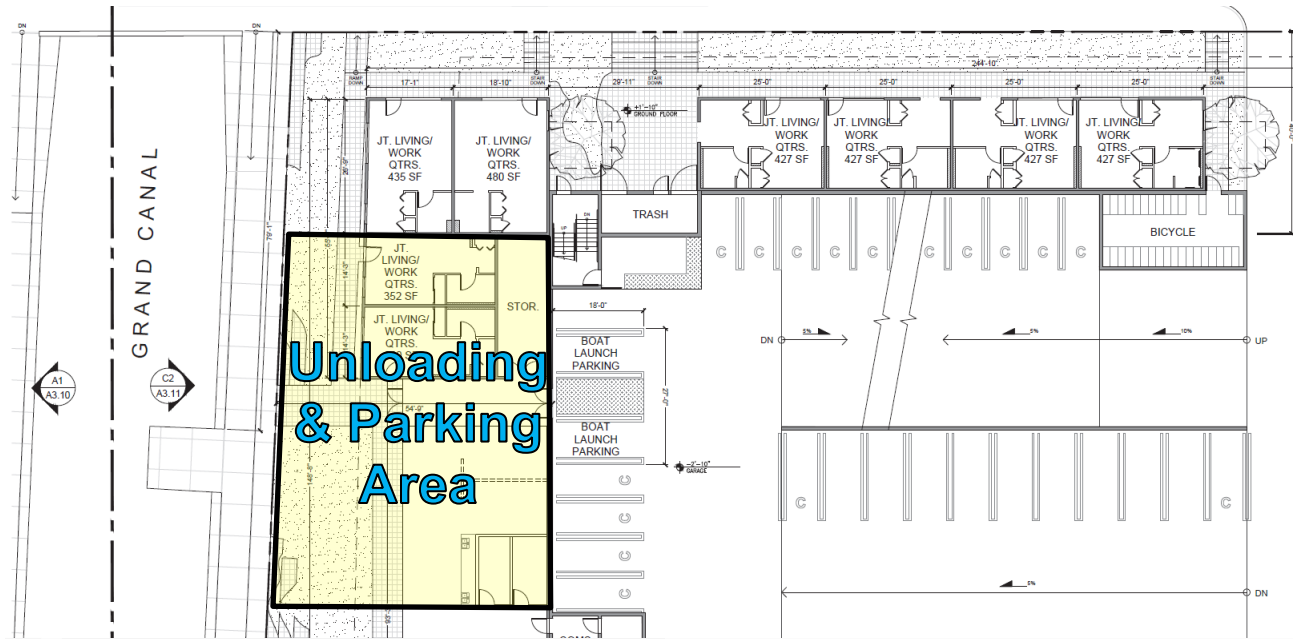
be adjusted to increase the percentage of “Extremely Low Income” units pending funding.) Clarify the discrepancy between this and the configuration of units summarized on Page 5 of the application cover letter dated July 8, 2022. Clarify which income level corresponds to the proposed supportive housing units and artist live-work units.

4. **Sea Level Rise Analysis.** Provide a summary of proposed measures and a feasibility analysis of additional measures to minimize risks and water quality impacts associated with inundation of the proposed development within the next 75 years, including, but not limited to, the use of shear walls, flood-proof materials, and locating mechanical equipment and hazardous substances on upper floors. **The submitted coastal hazards addendum indicates that the proposed materials may be retrofitted with safety measures in the event of future inundation, but does not specify any additional measures or provide any clarification on what retrofitting measures would be feasible. Provide an analysis of safety measures to feasibly minimize risk if warranted in the future.**
5. **Groundwater.** Provide the referenced geotechnical report and address the discrepancy in groundwater levels. **The submitted geotechnical report recommends minimization of onsite stormwater infiltration due to the associated risk of liquefaction. However, certified Venice LUP Policy I.D.1. requires canal-fronting development to provide “pervious surfacing with drainage control measures to filter storm run-off and direct it away from environmentally sensitive habitat area[.]” Analyze: A) how potential future rises in groundwater levels with sea level rise would influence liquefaction risk over the design life, and B) how the proposed foundation would withstand the higher differential settlement. Clarify whether the proposed 4,930 sq. ft. of onsite landscaping would be permeable. Indicate whether the project will increase or decrease the existing permeable area onsite. Provide a feasibility analysis of drainage control measures including, but not limited to, an onsite treatment facility, a drainage swale, and increasing the amount of pervious area onsite.**
6. **Tribal Cultural Resources.** Provide a feasibility analysis with at least two project design alternatives that would 1) avoid impacts to tribal cultural resources (e.g. eliminate all grading of native soils) and 2) minimize and mitigate impacts to tribal cultural resources (e.g. minimize the amount of grading and propose mitigation measures). **The response letter indicates the project has been redesigned to reduce the proposed volume of grading by 4,100 cy. Provide the currently proposed volume of cut and fill. These estimates should also be included on the plan set requested by Item 2 above.**
7. **Boat Launch Access Plan.** Provide a narrative plan to A) ensure the boat launch access ramp remains open during construction, and B) ensure the canal-cleaning vendor’s parking will be restricted to avoid blocking access to the public during peak use times. **Provide the proposed width of the path shown on the submitted boat launch access diagrams. Clarify where the canal-cleaning vendor will park during non-peak times and what non-peak times entails. The response letter indicates that the sidewalk in front of the oversized proposed boat launch unloading space**

will become the boat launch access ramp during construction. Clarify if this means a new ramp will be constructed and whether the fenced lot will be available during construction.

8. **Boat Launch Alternatives Analysis.** Provide an alternatives analysis, including but not limited to, plans showing at least seven public boat launch parking spaces and three loading areas located on the east side of Grand Canal adjacent to the boat launch access ramp. The alternatives analysis must also address the feasibility of:

A) maintaining the current location of the existing boat launch ramp loading area; **The response letter indicates that maintaining the existing unloading area adjacent to the boat ramp would eliminate 10 units and 400 sq. ft. of art studio. However, plan sheets A2.20 and A2.21 show 4 first-floor live-work units and 3 second-floor units within the footprint of the existing unloading area. Use narrative description and diagrams to specify how these areas correspond to 10 units and 400 sq. ft. of art studio. Provide analysis of maintaining the current location of the unloading area by eliminating (or relocating) 2 first-floor live-work units and a portion of artist studio to expand the first floor garage westward into the yellow area shown below. This method would allow visitors to walk directly from cars to the access ramp and provide boat ramp spaces without the need for relocation by parking vendors.**



B) constructing a new vehicle accessway for boat launching along the canal connecting North and South Venice Blvd; **The response letter indicates that constructing a new vehicle accessway enabling ramp access from North and South Venice Blvd. would eliminate any canal-fronting pedestrian walkways, 16 units, the entire community art studio, and 55-ft. of the public parking garage width. Use narrative description and diagrams to show the displacement of these areas.**

- C) locating the public boat launch access parking spaces in the portion of the parking structure closest to the boat launch ramp and providing direct access from the parking to the boat launch. **The response letter indicates “Access/egress to the boat launch loading area from both North and South Venice Blvd Capacity” will be provided to canal-cleaning vendors. Clarify the discrepancy between this statement and the applicants’ response to Item 7b. Label the 7 long-term boat access ramp parking spaces in the currently proposed boat launch access ramp diagrams.**
9. **Lots 701 and 731.** Provide a narrative description of the current operation of LADOT Lot Nos. 701 and 731, including the current rates per hour and/or per day for use of the public parking spaces and any changes to the parking rates that have occurred since Commission approval of CDP 5-94-081. **The response letter indicates current hourly and daily rates for Lots 731 and 701 that exceed the rates approved by a 2001 CDP (i.e. \$3-11/day adjusted seasonally.) Provide City records of all hourly and daily parking rate increases since 1994. Clarify the project description by A) providing a summary of rate increases since 1994 and evidence that all rate increases were approved via CDPs, CDP amendments, or Commission Executive Director approved exemptions; or B) revising the project description to request after-the-fact approval for an increase in public parking rates. Additionally, Page 16 of the response letter indicates up to \$25 per hour rates for parking on Thursday through Sunday and holidays. Confirm whether this is an hourly rate or flat rate for a full day. Additionally, staff have received photographs from an appellant showing signs with flat rates and no hourly rates listed (Attachment 1). Provide evidence of signage advertising hourly rates and clarify why hourly payment is not always available.**
10. **Parking Utilization Study.** Clarify why weekdays AM, weekends AM, and holidays PM were not included in the Tierra West parking survey. **The response letter indicates that weekend mornings and holiday afternoons are “known not to be peak demand periods[.]” Clarify the basis for this assumption, considering some visitors arrive at the beach at the beginning of the day and remain through the afternoon. Provide a figure showing average utilization data for City and County-managed public parking lots located in the study area on weekends AM and holidays PM, including Lots 701 and 731. The figure should be formatted consistent with Figures 3-8 of the parking study. Additionally, the Tierra West parking survey appears to contain a discrepancy: Page 10 indicates that data was collected “during peak summer months (July 2019 – September 2019)” via windshield/walking surveys on 16 separate occasions. But the data table on Page 55 in the appendix lists 16 surveys conducted on August 31 through September 19, 2019. Clarify the discrepancy and provide all data collected for the parking survey. Clarify why these dates were chosen to represent peak summer hours, rather than dates that included the 4th of July holiday and the season before LA County schools resumed instruction (August 15th.)**
11. **Temporary Replacement Parking Plan (TRPP).** Page 2 of the TRPP states that public parking in Lot 731 will be “completely or partially unavailable” during construction of the proposed east structure. However, the TRPP also states that the “west site

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portion of Lot 731” could be used for replacement parking during construction of the east structure. Clarify this discrepancy and indicate what area is encompassed by the west site portion of Lot 731. **Provide the number of public parking spaces available to the public if the eastern garage were constructed as Phase I. (Staff understand this method is not currently proposed by the applicant.)**

12. EV Parking. If the EV charging stations are intended for use in the proposed public parking structure, clarify why this component is not included in the subject application. Note that the Commission has recently required provision of EV parking spaces in conjunction with the approval of projects with a significant parking component. **Note the proposed number and location of EV charging stations on the plan set requested by Item 2 above. Also, clarify whether the proposed EV charging will be accessible to all models of EV cars as opposed to specific EV car models.**

13. Public Parking Management Plan (PPMP). Provide a narrative description clarifying:

- A. the qualitative difference between parking spaces available under Premium versus Value; **The letter suggests that while most self-park spaces on the first floor will be provided as Premium for \$15 per hour, other self-park spaces may be provided as Value for \$7.50 per hour. The letter suggests the \$7.50 difference in hourly rates may be based solely on proximity to elevators and access points. Confirm whether this is correct or provide a comprehensive explanation regarding the difference(s) in the different types of parking proposed.**
- B. the purpose of the rotating tier system described on Page 7 of the PPMP; **Explain how the tier system would mitigate carbon emissions. Clarify the discrepancy between Page 20 of the response letter, which indicates only daily rates are currently available onsite, and the hourly rates provided on Page 16. Clarify the primary purpose of charging more for Premium and Value spaces.**
- C. why the self-parking provided under Premium and Value is valued at higher rates than the mechanized lift parking provided under Economy; **The response letter suggests some Value parking spaces may be located on self-park floors. Confirm whether this is correct and/or provide the reasoning behind this proposal.**
- D. whether visitors on the first and third levels will be able to access their vehicles without vehicle retrieval from management; **Indicate whether the applicant is currently proposing to design a new parking app or use an existing app.**
- E. how visitors will safely unload their belongings (such as coolers, chairs, and other recreational equipment) in the attendant drop area without creating a vehicle back-up. **Provide a diagram showing the location of each drop zone and how vehicles would leave the inner lane to park.**

The applicants' submittal did not provide the requested proposal to mitigate the public access impacts of multiple years of boat launch inaccessibility, which include such options as expanding the size of the boat launch, improving public amenities in that location (such

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as a public restroom, water fountains, etc.), increasing the number of boat launch parking spaces, or other measures to improve public use of the boat launch.

Commission staff are considering options to address the obstruction of the Commission-required public boat launching ramp on-site, which constitutes an ongoing violation of the Coastal Act. The boat launch and parking is required to be open pursuant to the terms and conditions of CDP Nos. 5-91-584, 5-92-377, and subsequent amendments; its closure is inconsistent with and a violation of those permits. Commission Enforcement staff has instructed the City to open the boat launch pursuant to the permit requirements. Additionally, the increase in parking rates in Lot 731 without Commission authorization constitutes a violation of the conditions of CDP 5-94-081, unless the City can provide evidence of Commission approval for the rate increases.

Please do not limit your submittal to the above mentioned items—you may submit any information which you feel may help Commission staff gain a clear understanding of the scope of your project. Upon receipt of the requested materials, we will proceed with determining the completeness of your application. You can contact me with any questions at chloe.seifert@coastal.ca.gov.

Sincerely,



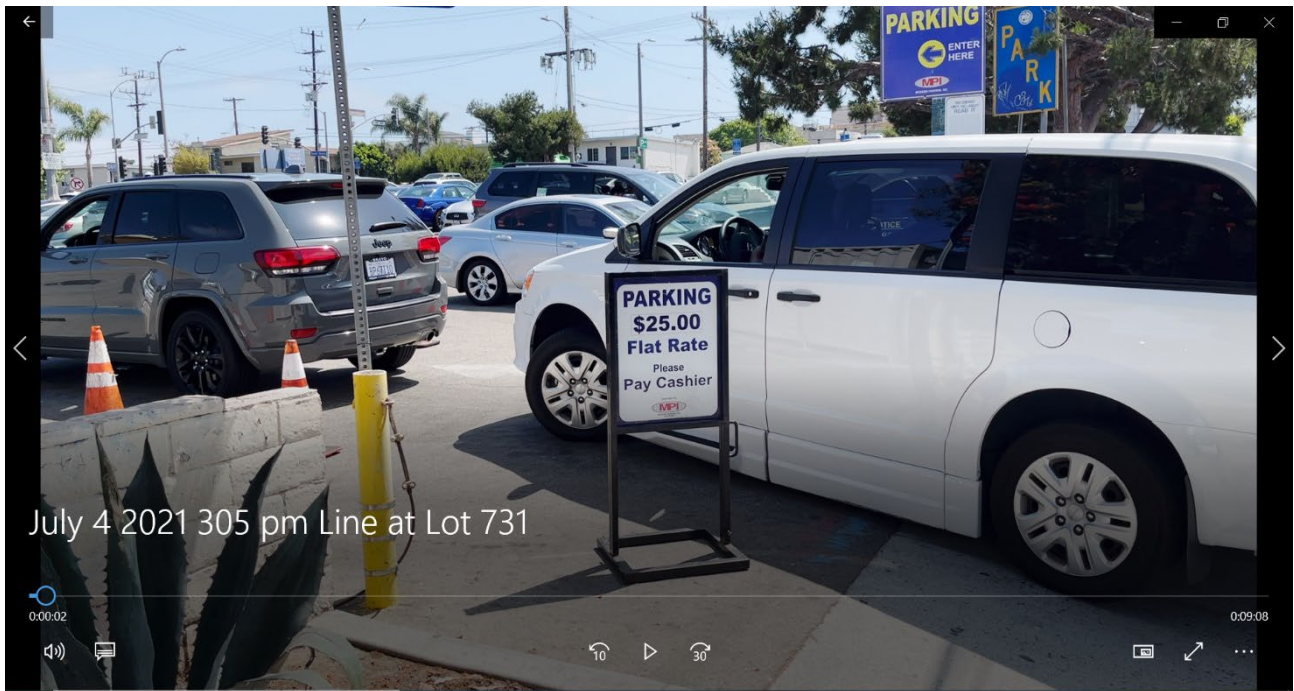
Chloe Seifert
Coastal Program Analyst II

cc: Ira Brown, City of Los Angeles Planning Department
Duncan Joseph Moore, Latham & Watkins
Beth Gordie, Latham & Watkins
Alicia Robinson, Latham & Watkins
Kailen Malloy, Latham & Watkins
Eric McNevin, Eric Owen Moss Architects

Attachment: Photos of Lot 731 Signage

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Attachment 1



Source: Jeffrey Kavin, appellant.