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Submissions by the public in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3, are distributed to the Commission and uploaded online. Please note that “compliance” means that the submission complies with deadline, delivery method (hard copy and/or electronic) AND the number of copies. Please review the Commission ROPs to ensure that you meet the submission requirements. The ROPs can be accessed at <http://planning.lacity.org>, by selecting “Commissions & Hearings” and selecting the specific Commission.

All compliant submissions may be accessed as follows:

- **“Initial Submissions”**: Compliant submissions received no later than by end of day Monday of the week prior to the meeting, which are not integrated by reference or exhibit in the Staff Report, will be appended at the end of the Staff Report. The Staff Report is linked to the case number on the specific meeting agenda.
- **“Secondary Submissions”**: Submissions received after the Initial Submission deadline up to 48-hours prior to the Commission meeting are contained in this file and bookmarked by the case number.
- **“Day of Hearing Submissions”**: Submissions after the Secondary Submission deadline up to and including the day of the Commission meeting will be uploaded to this file within two business days after the Commission meeting.

Material which does not comply with the submission rules is not distributed to the Commission.

ENABLE BOOKMARS ONLINE:

**If you are using Explorer, you need will need to enable the Acrobat  toolbar to see the bookmarks on the left side of the screen.

If you are using Chrome, the bookmarks are on the upper right-side of the screen. If you do not want to use the bookmarks, simply scroll through the file.

If you have any questions, please contact the Commission Office at (213) 978-1300.

SECONDARY SUBMISSIONS

Mark Sokol
1697 Pacific Ave.
Venice, CA 90291

February 1, 2021

Sent via electronic mail to apcwestla@lacity.org

Re: **SUPPORT** for APCW-2020-1521-SPE-SPP-CDP-CUB

Dear Area Planning Commissioners:

My family has owned the Hotel Erwin in Venice Beach since the hotel was opened in 1975. Although I write this letter as an individual, I am also the past president and currently a board member of the Venice Beach BID.

I am writing to support the application for The Waterfront. I have known Jake Mathews the owner for over 30 years. Jake's re-imagining of the Waterfront has earned my respect and support since its opening a few years ago. The restaurant has become a great place for residents and visitors of the Boardwalk to enjoy. In addition, the Waterfront has been an active participant in the community supporting local endeavors and offering events for families and children.

In "normal times" this application is deserving of your support. Today, during the pandemic which has set restaurants and other small businesses back considerably and even forced many to close, this applicant and application is even more important for this commission to back. Granting the requests will importantly help the Waterfront recover.

For the foregoing reasons, I strongly urge you to grant the requests before you in full.

Thank you for considering my comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Sokol', written in a cursive style.

Mark Sokol

Hotel Erwin

cc: Council Member Mike Bonin



Planning APC West LA <apcwestla@lacity.org>

SUPPORT for APCW-2020-1521-SPE-SPP-CDP-CUB, The Waterfront

1 message

Mark Sokol <mark@mphotel.com>
To: apcwestla@lacity.org
Cc: Mike Bonin <mike.bonin@lacity.org>

Mon, Feb 1, 2021 at 5:19 PM

Good Afternoon Mr. Williams,

Please see attached signed letter dated February 1, 2021. Thank you.

Mark Sokol
1697 Pacific Ave.
Venice, CA 90291

February 1, 2021

Sent via electronic mail to apcwestla@lacity.org

Re: **SUPPORT** for APCW-2020-1521-SPE-SPP-CDP-CUB

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Sincerely,

Mark Sokol

Hotel Erwin

cc: Council Member Mike Bonin



WaterfrontSupportLetter.pdf

251K

CALIFORNIA COASTAL COMMISSION

South Coast District Office
301 E Ocean Blvd., Suite 300
Long Beach, CA 90802-4302
(562) 590-5371



W16b

Filed: 07/22/20
180th Day: 01/18/21
Staff: D.Ziff-LB
Staff Report: 07/23/20
Commission Action: 08/12/20

ADOPTED FINDINGS: DE NOVO & REGULAR CALENDAR

Application Numbers: A-5-VEN-18-0049 & 5-20-0363

Applicant: Mobile Park Investment

Agent: Fred Gaines, Esq.

Location: 2812, 2814, 2816, & 2818 S. Grand Canal, Venice,
City of Los Angeles, Los Angeles County (APN:
4227019012)

Project Description: Demolition of a 2-story, 4-unit residential structure with
2 detached garages and construction of a 3-story, 30-
ft. high, 2,751 sq. ft. single-family dwelling with one
approximately 500 sq. ft. junior accessory dwelling
unit, one detached, 2-story 1,037 sq. ft. accessory
dwelling unit, and four onsite parking spaces.

Staff Recommendation: Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

The subject site is a large canal-front lot located approximately 750 feet from Venice Beach in the Venice Canals subarea. On March 16, 2017, the City of Los Angeles Director of Planning approved a coastal development permit (DIR-2016-51-CDP-SPP-MEL) for the demolition of an existing four-unit residential structure with two detached garages and construction of a new three-story, 4,632 square foot single-family home, which was appealed locally and, upon the City's denial of the local appeal, was appealed to the Coastal Commission on July 18, 2018. On December 11, 2019, the Commission determined that a substantial issue existed with respect to the grounds on which Appeal A-5-VEN-18-0049 was filed because the project, as approved by the City, was inconsistent with the unique multi-family character of the project area and could set an adverse precedent for future development in the neighborhood. The Commission held a second hearing on June 12, 2020 for the de novo and dual CDP application for the



James Williams <james.k.williams@lacity.org>

DIR-2020-6932-MEL-1A/2812-2818 Grand Canal/Feb 3, 2121 hearing, Item 6

1 message

Robin Rudisill <willdrudi@icloud.com>

Mon, Feb 1, 2021 at 3:58 PM

To: James Williams <james.k.williams@lacity.org>, Planning APCWestLA <apcwestla@lacity.org>

Cc: Bill Przylucki <bill@power-la.org>, Sue Kaplan <sueakaplan@gmail.com>, Jason Douglas <jason.p.douglas@lacity.org>

Please forward to the Commissioners for Wednesday's hearing:

Commissioners,

We look forward to seeing you at this Wednesday's hearing.

With respect to the 2812-2814-2816-2818 Grand Canal project, the applicant put the property back on the market just a few weeks after the August 12, 2020 Coastal Commission approval of a modified project for a single-family dwelling and two ADUs.

However, that does not appear to be the intention.

The MLS listing boasts about the fact that this is one of the largest lots on the famed Venice Canals and "one of the most significant trophy properties in all of Venice." The listing describes the "approved architectural plans" as a 4 bedroom, 3.5 bathroom single-family dwelling and a 1 bedroom, 1 bathroom guest house, with two parking spaces.

There is no mention of the required 4 parking spaces or the required ADU and JADU, as per Special Condition 7. of the State-issued CDP.

This is materially incorrect.

The permitted single-family dwelling was to have 3 bedroom, 2.5 bathrooms with an attached 1 bedroom, 1 bathroom JADU. Apparently they intend to modify the plans to make the project a single-family dwelling with 4 bedrooms and 3.5 bathrooms and with no JADU. In addition, apparently they intend to modify the plans to make the detached ADU into a "guest house," which is not a rental unit (with kitchen). Thus, they intend for the project to be a single family dwelling with swimming pool.

This shows that the applicant's intent is to effectively downzone the property by demolishing a four-unit RSO building for purposes of a single-family dwelling, a significant decrease to the existing density. This is also a good example of how developers propose ADUs on paper to supposedly maintain density but have no intention of using them as separate units, which was an appeal point when the project was previously before you.

The cumulative impact of approving this Mello Act Compliance Determination and allowing this project to proceed will be a significant loss of density in the Venice Canals area as there are 9 other similar properties on the same strip of the Grand Canal.

This Mello Act Compliance Determination should be denied and project changes required to replace the 4 units of the existing four-plex by subdividing the lot, with a single-family dwelling and an ADU on each lot, as allowed by the certified Land Use Plan, thus replacing the four rental units, maintaining density and also complying with the Mello Act.

Approved by the Coastal Commission (see attached):

Application of Mobile Park Investment to demolish 2-story, approx. 22-ft. high, 4-unit residential structure with 2 detached garages and construct 3-story, 30-ft. high, 2,751 sq.ft. single-family home with approx. 500 sq.ft. junior accessory dwelling unit, detached, 2-story 1,037 sq.ft. accessory dwelling unit, and 4 on-site parking spaces, at 2812-2818 Grand Canal, Venice, Los Angeles, Los Angeles County.

Advertising as (from listing website):

Remarks : Incredible opportunity to purchase one of the largest lots on the famed Venice Canals with highly curated, Coastal Commission approved architectural plans by Archive Design Group. Anchored by the premium

location, the sophistication of the architecture and design, 2814 Grand Canal is **sure to be one of the most significant trophy properties in all of Venice**. The west-facing lot provides an abundant amount of light and cooling elements for a highly functional and energy-efficient home. There is the **4BD/3.5BA primary home and a 1BD/1BA guest house** encompassing nearly 4,800 Sq Ft of indoor-outdoor luxury living with double the canal frontage, a large 1,200 Sq Ft grassy front lawn, and a pool & spa all within 2 blocks from the sand and just moments away from Abbot Kinney Blvd. Plans may be altered to fit the needs of an owner/user prior to final permit issuance.

Listing expired June 2020. Relisted Sept 2020 for \$4,995,000.

[CLICK HERE](#) to view all the properties or scroll down and view individually.

2814 GRAND CANAL Venice, CA 90291		
\$4,995,000	MLS#: 20-632752	
5 Beds	5.00 Baths	4,800/OT Bldg Sq Ft
More Details		

NOTICE: Due to COVID-19, DOM was frozen and not recorded in the history from March 15, 2020 to July 5, 2020.

Broker/Agent does not guarantee the accuracy of the square footage, lot size or other information concerning the conditions or feature of the property provided by the seller or obtained from Public Records or the other sources. Buyer is advised to independently verify the accuracy of all information through personal inspection and with appropriate professionals. The property may have video/surveillance devices.

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*For the Love of Los Angeles
and our precious Coast,*
Robin Rudisill
(310) 721-2343

2 attachments



_.jpeg
265K



Grand Canal CC project description.pdf

263K



DAY OF HEARING SUBMISSIONS

February 2nd, 2021

RE: The Waterfront Support for APCW-2020-1521-SPE-SPP-CDP-CUB

To Whom it may concern,

My name is Breanna Blaney, and I'm a Senior Associate at Dimensional Fund Advisors. I've been living/working in West LA for the past 4 years, and have found The Waterfront to be such a great spot to go to brunch and dinner, or even a drink (pre-COVID) with friends. Every time I go, I find it such a charming space, with really great cuisine, and a safe space for women to visit.

I also think that after the COVID-19 closures, it has actually established itself even more so as a beautiful and great restaurant. The Waterfront is a community leader in the Venice area, where friends, families, children, and even our four-legged friends are invited to share a beautiful afternoon.

I would definitely say the only thing missing at The Waterfront is having full liquor. I not only support The Waterfront's application for this, but encourage you to approve it, as it would be an instrumental way for a local small business to get back on its feet after the big COVID-19 hit they faced, and in turn benefit our community as a whole.

Humbly,

A handwritten signature in cursive script that reads "Bre Blaney".

Breanna Blaney

February 2nd, 2021

Re: **SUPPORT** for APCW-2020-1521-SPE-SPP-CDP-CUB

To whom it may concern,

I have grown up in West LA my entire life, and with the years saw how its community developed, with some bigger businesses taking over some of our landmarks, but also amazing small businesses tastefully replacing the old.

The Waterfront is an example of the latter. It is what I would call: such a vibe. It has an aesthetic many comment on when posted to my Instagram story because it is literally gorgeous, plus it's right on the Venice Boardwalk. It is the most ideal place to hang and have fun, not to mention the food is amazing.

The only thing I would say are lacking are my go-to drinks, margaritas and old fashioned!! I truly believe that this would make the experience everything and more, and truly help out a new local business thrive even more!

Sincerely,

A handwritten signature in black ink, appearing to read 'Clara Lysy', with a stylized, fluid script.

Clara Lysy



Planning APC West LA <apcwestla@lacity.org>

Support_For_TWFront_Venice

1 message

Karen Ballard <karen@karenballard.com>

Tue, Feb 2, 2021 at 8:21 PM

To: apcwestla@lacity.org

Cc: Jake Mathews <jake@9mileinvestments.com>

Hello,

I am writing in support of The Waterfront getting a liquor license and being able to have occasional Live music. I live at [22 Navy St.](#), and have for 11 years. This new group, directed by Jake Matthew's, has been doing a superb job trying to improve the neighborhood and particularly Ocean Front walk—the famous Venice Boardwalk. Re: **SUPPORT** for APCW-2020-1521-SPE-SPP-CDP-CUB

Please support their request. Thank you,

Karen Ballard

[22 Navy St. #204](#)

Sent from my iPhone

February 2, 2021

Re: SUPPORT for APCW-2020-1521-SPE-CDP-CUB

Dear Area Planning Commissioner,

I have been a west side local for over 8 years now, and I have to say it has been disheartening to see the continued disappearance of the soul of Venice to corporate money. When "On the Waterfront Cafe" originally closed down it felt like one of the last true staples was gone for good and we'd be left with another cookie cutter, overpriced place. I could not have been more wrong. The way that The Waterfront owners have honored the original establishment's connection to the neighborhood while simultaneously transforming it into a new and improved version of itself is remarkable.

It has truly become one of the cleanest, safest and most fun hangouts on the boardwalk, and brings some much needed quality cuisine to the area. The only thing it truly misses is the ability to offer cocktails that pair with their excellent food.

In my opinion you could not award a liquor license to a better establishment. They truly care about their impact on the community and have shown with their actions that they will always prioritize their relationship with their neighbors over their own personal gain. In my mind this is a no brainer, help a true community focused small business get back on their feet and create an even better spot for locals to feel local again.

Humbly,

A handwritten signature in black ink, appearing to be 'LB' followed by a stylized flourish.

Lance Billington

West Los Angeles Area Planning Commission
APCW-2020-1521-SPE-SPP-CDP-CUB-ZV
DAY OF HEARING SUBMISSION: February 3, 2021 - Agenda Item #5

Commissioners,

The Applicant has one critical request and two points of clarification listed below:

CRITICAL REQUEST:

Should the Commission approve the upgrade of the existing beer and wine CUB to full-line, we respectfully request that you condition your approval so that upon the effective date of your Determination Letter you allow the immediate effectuation of the upgraded CUB full-line permit in the existing restaurant's areas of service. A second part of the CUB grant can be conditioned so that approval of the CUB portion that corresponds with the new addition to be concurrent with the approval of the **second (or "dual") CDP**. This conditioning is critical to the applicant's ability to rebuild his business, and the ability to offer full-line alcoholic beverages is essential.

Our request is in-keeping with current City efforts to implement the (Restaurant Beverage Program) RBP, which establishes an expedited clearance process for restaurants to serve alcohol. Staff's suggested condition to delay the ability to serve full-line alcohol until a **second (or "dual") CDP** is approved, is not necessary as the Coastal Commission has no jurisdiction over CUB permits. In this instance, the final decision on CUB's is with the APC and this unnecessary condition could cause delays for as much an additional 8 - 24 months. **PLEASE CONSIDER.**

POINTS OF CLARIFICATION:

1. The hearing notice description reads: "two-story 1,792 square-feet addition comprised of 930 square feet of new service floor area, an outdoor recreation area, bar, office, and storage area."

Correction: The word "**bar**" is inaccurate. It is not a term used in the application. Planning added the term. The correct description is a "**beachfront walk-up window restaurant.**"

There is **ZERO** new service floor area within the proposed structure. All service floor area is outdoors.

2. Planning's Staff report indicates that "**only three** new parking spaces will be provided for the project **in lieu** of the 23 required spaces."

Correction: The project **provides 29 spaces on-site**, including the allowable ten bicycle substitution spaces (30% of the total parking required). The total number of required spaces is 39 (16 existing + 23 proposed).

The **accurate** SPE request is: "relief from parking requirements **to allow 29 spaces in-lieu** of the required **39 spaces** on Monday through Friday **ONLY** before **5:30 pm**. **Ten additional spaces** are provided off-site and used weeknights and weekends during all hours of operation."

Located on the boardwalk, this operator has suffered severe economic stresses caused by COVID-19, increased homeless activity, and a significant increase in crime, including drug use, theft, rape, arson, and murder since the closure of businesses on the North end of the boardwalk. We hope you consider how the granting of today's requests will help this small business to continue to invest in the Venice Boardwalk, put people back to work, and continue to provide a safe community gathering place for locals and visitors alike.

Thank You,

City Land Use, Inc.



Planning APC West LA <apcwestla@lacity.org>

APCW-2020-1521-SPE-SPP-CDP-CUB-ZV waterfront

1 message

Matt Fisher <matt.fishervence@gmail.com>
To: apcwestla@lacity.org

Wed, Feb 3, 2021 at 6:47 PM

Mike Newhouse refused to let me public comment on this project. I will be filing an ethics complaint.

This project should not be allowed because the new owners have been operating non-complaint since the beginning.

They remodeled the property after the beloved owners were forced out. They fired all the employees and remodeled. This remodel removed 2 of the three bathrooms and left no ADA access on the one left, it also removed a good portion of the parking lot, at least 5 spaces illegally, and are now pretending they didn't. They put outdoor dining and storage containers with an illegal store and porta pottys. Their gameroom is illegal as per building in safety as well. The city or DBS ordered them to remove and replace the bathrooms and parking, but they never did. They also illegally use oceanfront walk AKA the boardwalk as their loading zone or block the alley for hours with 18 wheelers. Most oceanfront walk properties have loading zones unlike the story's told by the owners.

They also put out planter boxes illegally to chase off homeless people and do not behave as they portray. This is a yuppie bar and not many are treated welcome. They do not allow anyone in and have told many homeless people and locals they are not allowed in even if they had money. Everything they said in comment was untrue.

These owners have done everything illegal, are not in compliance and should not be allowed any favors to gain square footage. No liquor license should be approved or anything considered until they are in compliance and better members to everyone in the community.

February 2nd, 2021

Re: The Waterfront Support for APCW-2020-1521-SPE-SPP-CDP-CUB

To whom it may concern,

My name is Samantha Marenzi and I am a Santa Monica resident who has been living here for over 3 years. I am not one to usually go out to dinner or brunch on the Venice Boardwalk, as I usually do not find it the safest place for young women to be.

That being said, since the Waterfront has opened, my friends and I have been going quite regularly to brunch on the weekends, as well as the occasional dinner. We find it so incredibly clean, lovely and safe, especially for being on the Boardwalk.

The Waterfront has now been a main restaurant for my friends and I to go to, and even during COVID they have been able to keep the energy going whilst feeling truly socially-distanced and safer than most other restaurants I've been to.

My friends and I all support The Waterfront, and can't wait to see it develop into possibly receiving its liquor license we've been all patiently waiting for.

Sincerely,

A handwritten signature in black ink that reads "Samantha Marenzi". The signature is written in a cursive, flowing style with a large initial 'S'.

Samantha Marenzi

February 2nd, 2021

Re: The Waterfront Support for APCW-2020-1521-SPE-SPP-CDP-CUB

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Samantha Marenzi

February 2nd, 2021

RE: Support for The Waterfront, APCW-2020-1521-SPE-SPP-CDP-CUB

Dear Area Planning Commissioners:

Awarding The Waterfront their liquor license is a wonderful opportunity to aid a small business that's having a positive impact.

It's been refreshing to have a business return to this area of Venice and bolsters that local feel that is rapidly diminishing in our area. With increasing corporate encroachment in Venice, it's vital to support the small, independent and genuine establishments like The Waterfront.

The Waterfront is the best venue in the area and their expansion would be a wonderful addition to our community.

Thank you for your consideration.

Humbly,

Edwin Brooks

Win Brooks



Bindu Kannan <bindu.kannan@lacity.org>

SUPPORT for THE WATERFRONT APCW-2020-1521-SPE-CDP-CUB

2 messages

Lance Billington <lbillington1@gmail.com>

Tue, Feb 2, 2021 at 5:35 PM

To: apcwestla@lacity.org

Cc: bindu.kannan@lacity.org

Hi there -

Please see attached letter of support for the above.

Thank you,
Lance Billington

--

LANCE BILLINGTON

lbillington1@gmail.com



WaterfrontSupportLetter_Lance Billington.pdf
178K

Bindu Kannan <bindu.kannan@lacity.org>

Wed,

Draft To: James Williams <james.k.williams@lacity.org>



Bindu Kannan
Venice Project Planning
Los Angeles City Planning

200 N. Spring St., Room 721
Los Angeles, CA. 90012
Planning4LA.org
Cell: (213) 978-1290

[Quoted text hidden]



WaterfrontSupportLetter_Lance Billington.pdf
178K

February 2, 2021

Re: SUPPORT for APCW-2020-1521-SPE-CDP-CUB

Dear Area Planning Commissioner,

I have been a west side local for over 8 years now, and I have to say it has been disheartening to see the continued disappearance of the soul of Venice to corporate money. When "On the Waterfront Cafe" originally closed down it felt like one of the last true staples was gone for good and we'd be left with another cookie cutter, overpriced place. I could not have been more wrong. The way that The Waterfront owners have honored the original establishment's connection to the neighborhood while simultaneously transforming it into a new and improved version of itself is remarkable.

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Humbly,

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Lance Billington



Bindu Kannan <bindu.kannan@lacity.org>

SUPPORT for THE WATERFRONT APCW-2020-1521-SPE-CDP-CUB

1 message

Sami Marenzi <slmarenzi@gmail.com>

Tue, Feb 2, 2021 at 1:10 PM

To: apcwestla@lacity.org

Cc: bindu.kannan@lacity.org

Hello,

Attached is my support letter for Waterfront's liquor license.

Thanks,
Sami Marenzi



WaterfrontSupportLetter_SamMarenzi 2.pdf

39K

February 2nd, 2021

Re: The Waterfront Support for APCW-2020-1521-SPE-SPP-CDP-CUB

To whom it may concern,

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Samantha Marenzi



Bindu Kannan <bindu.kannan@lacity.org>

SUPPORT for THE WATERFRONT APCW-2020-1521-SPE-CDP-CUB

1 message

Bre Blaney <breblaney@gmail.com>

Tue, Feb 2, 2021 at 9:07 PM

To: apcwestla@lacity.org

Cc: bindu.kannan@lacity.org

--

Breanna Rae Blaney

(704) 996-4320

breblaney@gmail.com



WaterfrontSupportLetter_Breanna Blaney.pdf

67K

February 2nd, 2021

RE: The Waterfront Support for APCW-2020-1521-SPE-SPP-CDP-CUB

To Whom it may concern,

My name is Breanna Blaney, and I'm a Senior Associate at Dimensional Fund Advisors. I've been living/working in West LA for the past 4 years, and have found The Waterfront to be such a great spot to go to brunch and dinner, or even a drink (pre-COVID) with friends. Every time I go, I find it such a charming space, with really great cuisine, and a safe space for women to visit.

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Humbly,

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Breanna Blaney



Bindu Kannan <bindu.kannan@lacity.org>

SUPPORT for THE WATERFRONT APCW-2020-1521-SPE-CDP-CUB

1 message

Clara Lysy <claralysy@gmail.com>

Tue, Feb 2, 2021 at 8:48 PM

To: apcwestla@lacity.org

Cc: bindu.kannan@lacity.org



WaterfrontSupportLetter_ClaraLysy.pdf

67K

February 2nd, 2021

Re: **SUPPORT** for APCW-2020-1521-SPE-SPP-CDP-CUB

To whom it may concern,

I have grown up in West LA my entire life, and with the years saw how its community developed, with some bigger businesses taking over some of our landmarks, but also amazing small businesses tastefully replacing the old.

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Sincerely,

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Clara Lysy



Feb. 3, 2021

West LA Area Planning Commission
via email: apcwestla@lacity.org

Re: Day-Of Submission to West LA Area Planning Commission: Item 6

Please add this to the day-of submission folder for Item 6: DIR-2020-6932-MEL-1A. Thank you.

From: Romy Ganschow <[REDACTED]>
Date: Monday, October 15, 2018 at 2:10 PM
To: Susanne Browne <[REDACTED]> William Przylucki <bill@power-la.org>
Subject: HCID Mello meeting tomorrow 10/16

Hi Susanne and Bill,

Just wanted to check in to confirm our plan for tomorrow's meeting with HCID. From our last call, I believe we set the following general plan, please let me know if I'm missing anything-

1. Introductions (is Dean coming?)
2. Discussion of 2816 Grand Canal Mello Issues (Romy/Dean?)
 - a. Information presented by developer's attorney re: divorce settlement should not have impacted Mello Determination because lump sum payment is not considered "income"
 - b. HCID's letter requesting further information was confusing about what the consequence would be if tenant did not respond
 - c. At the WLAAPC hearing, the developer's attorney stated that the tenant could not have been low income because the rent was \$3,000 and HCID did not clarify that this is not the standard.





Thanks,

Romy Ganschow | Staff Attorney

Legal Aid Foundation of Los Angeles

7000 S. Broadway | Los Angeles, CA 90003



Thank you.

Sincerely,

A handwritten signature in black ink that reads "Bill Przylucki".

Bill Przylucki, People Organized for Westside Renewal

Honorable Commissioners,

Below is detailed substantial evidence showing that the Mello Act Compliance Determination for the project is not in compliance with the IAP and that new City CDP and SPP determinations and associated Mello Act Compliance Determination are required for the project.

1. A standalone Mello Act Compliance Determination cannot be issued

As per IAP 6.0, for discretionary applications the decision-maker shall issue the Mello compliance determination as written conditions attached to the determination made with respect to the underlying case; and a standalone DIR Mello Act Compliance Determination shall be issued only for non-discretionary applications.

2. Mello Act/IAP compliance review cannot be piecemealed, and must address the replacement housing requirements

On page 2 of the Mello Act Compliance Determination, end of the first paragraph, it states that "The Mello Act Compliance review for the proposed demolition remains valid." At the end of the second paragraph, the determination states: "this Determination provides a review of the change in proposed Residential Units." The IAP does not allow a Mello Act Compliance Determination to be piecemealed and cover only the demolition portion of the project or only a change in the number of units. Rather, it must be based on the entire underlying project. Neither the demolition nor the addition of two residential units is a separate, standalone project. In addition, the last paragraph on page 2 of the Mello Act Compliance Determination should say the proposed development has two new residential units compared to the original application, not one.

The determination must consider all aspects of compliance with the IAP, including whether any converted or demolished residential units were occupied by Very Low, Low or Moderate Income persons or families. On page 2 of the determination in the second paragraph under "FINDINGS" it states that "...in order to determine if any Affordable Residential Units are onsite and must be maintained, and if the project is subject to the Inclusionary Residential Units requirement." However, the Findings just below that only address the inclusionary requirements and not the affordable units requirement. A Mello Act Compliance Review Determination is incomplete without addressing the required replacement housing aspect.

3. Venice Coastal Zone Specific Plan (VCZSP) compliance review cannot be piecemealed, a new SPP is required

With respect to related case ADM-2020-7423-VSO-ADU, a project cannot be piecemealed for purposes of compliance with the VCZSP, as is being done with this VSO. In addition, as per the VCZSP City ordinance, Section 8.A.1., all developments except for "improvements to an existing single or multiple-family dwelling unit that is not located on a Walk Street" require a SPP in the Dual Coastal Zone Permit Jurisdiction (aka "appealable area"). As per the Coastal Commission's April 21, 2020 letter re. Implementation of New ADU Laws ([https://documents.coastal.ca.gov/assets/rflg/California Coastal Commission ADU Memo dated 042120.pdf](https://documents.coastal.ca.gov/assets/rflg/California%20Coastal%20Commission%20ADU%20Memo%20dated%20042120.pdf)) new ADUs in the Coastal Zone are not a ministerial approval for the City (pre-LCP) and require discretionary approval via a CDP. Thus, even if the ADUs were a separate project, they cannot be approved via a VSO as City Planning is attempting to do by referencing the non-certified LAMC (see VSO in Exhibit C to the Staff Report for this appeal). In addition, the City CDP referenced has been voided and is not a related case. A VSO exemption from the SPP procedures contained in

LAMC Section 11.5.7 C. is not allowed here. A new SPP must be issued for this Dual Coastal Zone Venice Canals development (and not just for the ADUs).

4. City CDP was rescinded

The City's CDP--DIR-2016-51-CDP-SPP-MEL—is NOT a “related case” as indicated on page 1 of the Mello Act Compliance Determination. As explained on page 2, when the Coastal Commission determined that a Substantial Issue existed with respect to City CDP DIR-2016-51-CDP-SPP-MEL-1A, it was rescinded by the Coastal Commission and was replaced by the Coastal Commission's action on state Coastal Development Permit 5-20-0363, approved on August 12, 2020. The Planning system must reflect that recession and the voided City CDP cannot be considered a related case.

5. State CDP cannot serve as underlying case for the Mello Act Compliance Determination in order to comply with IAP 6.0

As indicated in Coastal Act Section 30011, the Coastal Commission is specifically prohibited from reviewing the City's application of the requirements of the Mello Act. In addition, as per Coastal Act Sections 30604(f) and (g) the Coastal Commission can encourage protection of existing or provision of new affordable housing but cannot require it as a condition of a state permit. Thus, a Mello Act Compliance Determination cannot be a part of the state-issued CDP, the only effective CDP for the project, as it cannot include conditions related to the Mello Act.

6. A new City CDP is required

Therefore, the City must issue a new CDP in order to issue a Mello Act Compliance Determination for this project. Also, this 2020 DIR case number for the Mello Act Compliance Determination is necessarily for a 2020 project. A 2020 determination for Mello compliance for this project requires compliance with SB 330 as does the required accompanying 2020 CDP.

7. The project approved by the state CDP is substantially different from that approved by the City

The changes to the project by the Coastal Commission were substantial as not only were two ADUs added but the single-family dwelling was significantly reduced in size and changed in design in order to more closely fit with the scale and character of the surrounding area.

8. Department of Building and Safety (DBS) cannot issue permits if the IAP is violated

Per IAP 2.6, the DBS shall not issue any permits or other approvals until it has received clearance from City Planning that the applicant has satisfied all conditions set forth in the Mello Act/IAP. In addition, IAP 8.3 indicates that DBS decisions and determinations may be appealed to the Board of Building and Safety commissioners pursuant to LAMC 98.0403.1. Those decisions are appealable to the applicable Area Planning Commission.

9. Significant Adverse Cumulative Impact of the project

The cumulative impact of this project would be for each of 9 adjacent RSO buildings on this strip of the Grand Canal (including the subject property, constituting a total of 37 RSO units--4 RSO units for 8 properties and 5 RSO units for one of the properties), to be converted to single family dwellings with ADUs that are not required to be rented, a total loss of the existing 37 affordable rental units and thus a horrendous and unacceptable impact to affordable housing in the Venice Canals and the entire Venice Coastal Zone.

I look forward to answering any questions you may have in this regard at today's hearing.

Thank you, Robin Rudisill, on behalf of POWER and CITIZENS PRESERVING VENICE

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