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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.

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**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

WestLA Planning Commission
November 17, 2021 hearing
815 Angelus Place

Agenda Item 6

Via email

West L.A. Area Planning Commission,

This is the fourth hearing for this appeal, a project that from the outset should have been denied and the appeal granted. There have been three continuances but it is this last which is the most egregious. After deliberations and immediately before the vote where it seemed there was a consensus for denial, the President decided that a further meeting between the parties to come to an agreement would be beneficial. Never mind that the two parties have met several times throughout this appeal period and before and the applicant was resolute in not considering any suggestions from the appellants. Despite that, the President insisted. Knowing the strength of the evidence, both written and the oral testimony of many, this was clearly more about avoiding a positive outcome for the Appeal than trying once again to come to some agreement. At a minimum, this shows a strong bias to the applicant by a commissioner who consistently goes out on a limb for the real estate profession, beyond what due process allows.

Even a fellow commissioner objected to these kinds of continuances:

“It’s funny ... Commissioner Newhouse is always big on having people come together and try again. I actually [...] of bit of a different thought. I think the time to talk has passed. You know, we have come to this hearing, we have spent a lot of time, staff, community has sat and listened to this. I think good appreciable talks by applicant to the appellant should have taken place by now. It shouldn’t take the threat of a passing or not passing to make someone move. [...] when the time comes for a hearing, and we call this meeting to order that we are now voting on this and moving forward.” (Commissioner Waltz-Morocco June 16, 2021, at 50:51)

We appreciate Commissioner Waltz Morocco’s understanding of the appeal process and due process in general and her sense of fairness.

This is not the first time the President has used this ploy to avoid taking a vote that might result in upholding an appeal, hoping that with a continuance the Commission will forget the Substantial Evidence provided and strength of the appellant’s case. The public has witnessed this ploy many times.

It is not the role of the APC to encourage changes to a submitted project. Its responsibility is to review the documents, the project that has been submitted to them and to deliberate and determine a ruling based on the documents at hand. To do otherwise is an abuse of responsibility and abuse of discretion. It should not continue. Please rule on the matter before you and do not look for ways to make a project palpable. The onus should not be put on the appellants to further negotiate with an applicant simply because a commissioner wants to find a way to help the developer.

As to the grounds of this Appeal, the Appellants have made clear and have proven that this proposed project does not conform with the Coastal Act Chapter 3 and the certified LUP as to compatibility with scale and character of the neighborhood. In addition, the excessive massing disrupts the pedestrian orientation of this block and by extension the neighborhood. Its neighborhood, Presidents Row is a sensitive area, only recently being discovered by predators who would like to completely change its character and scale. Approving the appeal will prevent the degradation we have seen in other neighborhoods by indiscriminate large structures that do not respond to the existing neighborhood character.

Also, during your final consideration of the appeal, please be mindful that a determination based on liking the house and its style is an error of judgement. As per Commissioner Margulies' comments at the same June 16 hearing:

“Yeah, a few things here. I, this is not a beauty contest. Let's, let's start with that, please. Commissioners. I mean, whether you like the design is totally irrelevant and we're not looking at it in terms of its aesthetic quality, purely. What we're looking at is whether this is consistent with the Coastal Act, specifically Chapter 3. So, you know, I also looked at, and I read the case, I actually did read the case carefully...” (Commissioner Margulies, June 16, 2021)

Please read the Appellants' documentation, letters in support of the Appeal and the comments in the hearings by Commissioners Waltz Morocco and Margulies. It is all there to support you making the proper decision based on the proper Standard of Review--the Coastal Act Chapter 3 and the certified Venice Land Use Plan--to grant the Appeal.

Please hold the line and grant the appeal to prevent what would be a significant adverse cumulative impact on the special character of this neighborhood.

Sincerely,

Sue Kaplan
Venice resident

David Ewing
1234 Preston Way
Venice, CA 90291

Nov. 15th, 2021

Dear Honorable Commissioners:

Please deny VTT-82077-SL at 1169 E. Palms Blvd. and 1801-1821 Penmar Ave.

The underlying problem with this project is that it manipulates the process in ways detrimental to the community, to City Planning, and to the people the Small Lot Ordinance was created to help become homeowners.

AFFORDABLE HOME OWNERSHIP

What is the Small Lot Ordinance intended for? It's to allow people to become first time owners, people who would not have access otherwise, because they would not be able to afford a larger property.

If you are trying to make homes affordable, why would you give the developer entitlements that make the building larger and more expensive?

These are currently 7 RSO homes, so the developer isn't adding any housing, but is removing small, low cost rentals.

The applicant told us in November 2020 that the intention was to sell for \$2mm per unit? At over \$2000 per square foot, that's an almost unprecedented price, even for Venice.

USURPING PLANNING:

The process is being manipulated to deny the City its full dedications. Had the permits been submitted in the proper order, the Small Lot Subdivision application would have come first, and the City could have taken its dedications.

Instead, the applicant gamed the system by going to Department of Building & Safety first, and got administrative permits to expand the seven existing buildings. Because the permits were not discretionary, they didn't trigger the City dedications, so applicant got to max out his development of 7 RSO rentals by expanding into that land and preventing the City from exercising its full dedications.

It was only once these permits were issued on the basis of the existing, grandfathered use, consisting of seven, single-family RSO homes on a single parcel, and the remodeled, expanded buildings were already substantially built, that the developer filed for a Small Lot Subdivision.

I say, "gamed the system," because this is an experienced developer. It strains credulity to think the reversed order of the applications was a mistake or an afterthought. I believe he knew exactly what he was doing.

If you allow this, developers will be lining up to take advantage of the loophole you'd be opening. The impacts would be born by the City and its communities.

EASEMENT ISSUES:

2. Use of easement: where the BOE cannot get the dedication it wanted, it solves the problem by taking easement instead for most of the width that it needed. This workaround simply reduces the required setback, by allowing the sidewalk to occupy it.

This “fix” is being proposed with increasing frequency. It may obey the letter or the law, but it subverts planning, because the setbacks exist only on paper. In essence you get planning done by BOE and LADBS, for issues that they should not be responsible for. First, engineering issues are usurped inadvertently by LADBS. Then planning issues are using usurped with by BOE. Real planning gets the short end of the stick

MANIPULATION OF THE PROCESS:

If you allow multiple applications out of order, you invite problems like the ones here. This case shows how the system can be manipulated to enrich a developer while cheating the community and the City.

Instead of applying for a Small Lot Subdivision and then submitting building plans, or submitting them together, the applicant went to DBS first to get administrative permits, including generous adjustments, before he applied for a Small Lot Subdivision.

Was this accidental? Did he decide to divide the property only after he got his building permits? No. He told neighbors early on that he planned to subdivide and sell as individual homes. He even knew his pricepoint: \$2mm each.

But because he’s an experienced developer, he also knew that if he applied for a Small lot Subdivision, that would trigger the City’s dedications on his property along Palms Blvd. and Penmar Ave.

So instead, he applied for administrative permits from DBS that wouldn’t trigger the dedications. With those permits in hand, he turned around and applied for the Small Lot Subdivision.

By doing things out of order, the applicant is taking decisions that should be planning decisions. If you allow this, you’re creating a situation where an applicant can ‘shop’ their projects and choose which department to go to first in order to get the most beneficial entitlements.

DBS’ entitlements have usurped BOE’s prerogative to take its dedications. BOE had to give away its dedication on Penmar entirely. On Palms, it took an easement to satisfy its needs, in lieu of most of its dedication. The dedication was left was a strip just three inches wide, instead of five feet!

However, this workaround cut into the project’s de facto setback. Both of these actions, taken together, usurped DCP’s ability to maintain setbacks in anything near conformity with the zoning or the built environment.

City Planning, instead of carrying out its own mandate, was left with the thankless task of trying to justify the outcome of a process that had been thoroughly gamed for the applicant’s own enrichment at the expense of all the other concerns, from affordability to streetscape, as well as integrity of public process.

PRECEDENT SETTING:

If you go along with something like this, then you give a pass to developers to 'work' the system. You'll see dedications disappear and increasing calls for workarounds that impact neighbors instead of the developers,

Developers know when they're buying properties with dedications -- and the properties are priced accordingly. For speculators confident of beating the system, this means increased profits at the City's expense.

The question is what can you do about this now, when you're ruling on a land division for a project whose buildings are not only already entitled, but already built out and currently being stuccoed?

DENY THE SUBDIVISION.

Maintain the 7 units of RSO housing as already permitted. Developers should know that they game the system at their own risk, not the City's or the neighbors'.

Also, alert the Director of City Planning that the process is being manipulated in this manner, so appropriate measures can be taken to prevent similar problems from proliferating.

Thank you,

A handwritten signature in black ink, appearing to read 'David Ewing', with a stylized, flowing script.

David Ewing
1234 Preston Way
Venice 90291



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

Case No. VTT-82077-SL 1801-1821 S. Penmar Avenue & 1169 E. Palms Boulevard1 message

William Wood <eastveniceguy90291@yahoo.com>
To: "apcwestla@lacity.org" <apcwestla@lacity.org>
Cc: "james.k.williams@lacity.org" <james.k.williams@lacity.org>

Mon, Nov 15, 2021 at 12:54 PM

Honorable Commissioners:

I write in support of the appeal filed by the East Venice Neighborhood Association (EVNA) and petition signed by East Venice neighbors requesting that you deny the small lot subdivision as proposed and require as a condition of any approval that the Bureau of Engineering (BOE) mandate the 3-foot dedication along Penmar Avenue as BOE originally requested in the January 6, 2021 DAA hearing.

As explained in EVNA's appeal papers, the developers planned the project and attempted to process the approvals in a way that would hinder the City's ability to exercise the 3-foot dedication along Penmar Avenue. The West Los Angeles Area Planning Commission and the City as a whole should act in the interests of neighborhood residents and public safety, not in favor of developers that seek to game the system and profit at the expense of neighborhood, pedestrian, and traffic safety.

I respectfully request that you act in the public's interest and deny the project as proposed and require that the dedication along Penmar Avenue be used to protect our East Venice neighbors and public safety.

Respectfully,

William Wood
2001 Penmar Avenue
Venice CA 90291

widening street.

PETITION TO:

**Deny VTT-82077-SL or
use the 3-foot dedication to widen Penmar Avenue**

A dangerous traffic bottleneck on Penmar Ave. at Palms Blvd. can be fixed, but the Planning Dept. wants to hand over a 3-foot strip of land to a developer who's already bending rules. That much-needed 3-feet would provide extra street width to improve our safety and traffic flow for the entire community.

WE, the undersigned, hereby PETITION the West Los Angeles Area Planning Commission to:

- Deny or condition Small Lot Subdivision Case No. VTT-82077-SL at 1169 E. Palms Blvd and 1801-1821 S. Penmar Avenue **to implement the City's entire 3-foot Penmar Ave. dedication along this property.**
- Instruct the Bureau of Engineering (BOE) to **utilize its 3-foot Penmar Avenue dedication along this property and widen Penmar Avenue, as originally specified by BOE less than a year ago.**

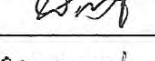
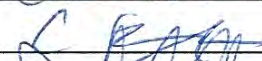
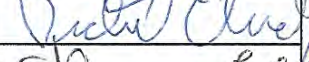
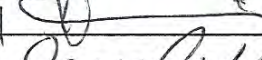
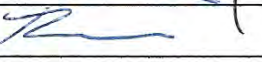
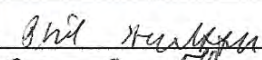
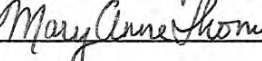
	Date	Name	Address	Signature
1.	11/8/21	Elke Asher	1726 Penmar Ave Venice CA 9029	
2.	11/8/21	Dylan Weiss	1726 Penmar Ave Venice CA 9029	
3.	11/10/21	Kali Ojima	1714 Penmar Ave Venice	
5.	11/10/21	Sean O'Neill	1410 Elk Grove Cir. Venice	
5.	11/10/21	Sophie L	1705 Penmar	
6.	11/10/21	Richard Hader	1066 Elk Grove Ave #1	
7.	11/10/21	Brooke Nancy	936 Lake Street Venice	
8.	11/11/21	Adam Suck	1446 Lake Street Venice	
9.	11/11/21	Ella Hanks	1430 Lake Street Venice	
10.	11/11/21	Tom S.	1444 Elk Grove Venice	
11.	11/14/21	Marlene Del	1201 Shrouded Ave Malibu CA 90261	
12.	11/14/21	Melissa Cooke	3422 Greenwood Ave Malibu CA 90261	
13.	11/14/21	DEVER RATH	1210 APPLETON WAY, VENICE	
14.	11/14/21	Max Keefler	1727 Penmar Ave Venice	
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	Date	Name	Address	Signature
1.	11/9/21	PACER PINI	1227 PALMS BLVD - Venice 90291	
2.	11/4/21	DANIELLE BURTO	1221 Palms Blvd Venice 90291	
3.	11/4/21	DAVID BURTO	1331 1/2 Palms Blvd 90291	
4.	11/11/21	SUE KAPLAN	VENICE	see encl
5.	11/11/21	CHAKA FORMAN	2239 Penmar Ave 90291	
6.	11/13/21	Cullen Kunkel	1015 Indiana Ave 90291	
7.	11/13/21	RICHARD ANDREY	1026 AMOROSO PL. 90291	
8.	11/14/21	STEPHAN HARRISON	1245 PALMS BLVD VENICE 90291	
9.	11/14/21	GARY BELL	1624 Glyndon Ave, Venice 90291	
10.	11/11/21	DAVID BURTO	1221 Palms Blvd	
11.	11/14/21	RAY CONSOY	1230 Preston Way, 90291	
12.	11/14/21	Eva Boyd	2017 Glencoe Ave, Venice, CA 90291	
13.	11/14/21	WOLFRATZ	2017 GLENCOE Ave, VENICE 90291	
14.	11/15/21	Phil Henrikson	1036 Doreen pl No4 Venice 90291	
15.	11/15/21	Mary Anne Thomas	1036 Doreen pl. No4 Venice 90291	
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	Date	Name	Address	Signature
1.	11-10-21	Judy Kehr	1840 Glyndon Av	Judy Kehr
2.	11-11-21	Maria Giribaldi	1258 Preston Way Venice CA 90291	Maria Giribaldi
3.	11-12-21	Woo Huang	1915 Penmar Ave. Venice, CA 90291	Woo Huang
5.	11-12-21	GENE BARNHART	1806 PENMAR AVE 90291	Gene Barnhart
5.	11-13-21	GENE BARNHART	1806 Penmar Av 90291	Gene Barnhart
6.	11/14/21	KEN DOUBIE	1832 PENMAR AVE, VENICE 90291	Ken Doubie
7.	11-14-21	Ronald Nawek	1257 Preston Way Venice 90291	Ronald Nawek
8.	11/14/21	Amelia Stone	1927 Glyndon Ave	Amelia Stone
9.	11/14/21	M. L. Brecht	1302 Preston Way Venice 90291	M. L. Brecht
10.	11/14/21	Kenny Double	1201 Palms Blvd. Venice, 90291	Kenny Double
11.	11/14/21	Kristen Gonzalez	1201 Palms Blvd. Venice, 90291	Kristen Gonzalez
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1.	11/12/21	CHRISTIAN HERNANDEZ	2001 PENMAR AVE #10 UBCA 90291	Christian Hernandez
2.	11/12/21	Meghan Phillips	2001 Penmar Ave #10 Venice CA 90291	Meghan Phillips
3.	11/12/21	Keilan Meertens	2001 Penmar Ave #11 Venice CA 90291	Keilan Meertens
5.	11/13/21	Shirley Gato	2001 Penmar Ave #8 Venice CA 90291	Shirley Gato
5.	11/12	SARAH GRUNDIE	1935 Penmar Ave Venice CA 90291	Sarah Grundie
6.	11/14/21	COURTNEY DUNN	1935 Penmar Ave Venice CA 90291	Courtney Dunn
7.	11/14	JORDYN KOMACK	1935 Penmar Ave Venice CA 90291	JORDYN KOMACK
8.	11/14/21	Kate Scanlon-Double	1832 Penmar Ave Venice	Kate Scanlon-Double
9.	11/15/21	Ezekiel Slatky	2001 Penmar Ave #7 Venice, CA 90291	Ezekiel Slatky
10.	11/15/21	William Wood	2001 Penmar Ave #3 Venice CA 90291	William Wood
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	Date	Name	Address	Signature
1.	10-10-21	marie Krueger	1222 Preston Way, Venice 90291	Marie Krueger
2.	10-10-21	John Krueger	1222 Preston Way, Venice 90291	John Krueger
3.	OCT 12, 21	CHRISTINE S. JACO	1245 Palms Blvd., Venice CA 90291	Christine S. Jacob
4.	11/9/21	DAVID KRASNE	1227 Palm St Blvd, Venice, CA 90291	David Krasne
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1.	11-9-21	MICHAEL STENGSR	1209 Preston Way, Venice 90291	Michael Stengsr
2.	11-11-21	Fiona Jezierska	1213 PRESTON WAY, Venice 90291	Fiona Jezierska
3.	11/11/21	Emile Gold	1211 Preston Way Venice 90291	Emile Gold
5.	11/11/21	SIMONE WALLACE	1213 Preston Way Venice 90291	Simone Wallace
5.	11-11/21	MARTIN BERMAN	12929 WARRLEN AVE 90066	Martin Berman
6.	11/13/21	Brian Bailey	1209 Preston Way (A04) 90291	Brian Bailey
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	Date	Name	Address	Signature
1.	11/12/21	Dennis Halloway	1072 Palms Blvd.	Dennis Halloway
2.	11/12/21	Laura Silagi	1072 Palms Blvd.	Laura Silagi
3.	11/12/21	Mindy Taylor-Ross	1033' Nowita, Venice 90291	Mindy Taylor-Ross
5.	11/12/21	Jack Ross	1033 Nowita Pl	Jack Ross
5.	11/12/21	David S. Ewing	1234 Preston Way, Venice 90291	David S. Ewing
6.	11.13.21	Marjorie David	1234 Preston Way, 90291	Marjorie David
7.	11-14-21	Robin Rudesill	3003 Ocean Front Walk, Venice	Robin Rudesill
8.	11-14-2021	MARIANNE SNEH	3003 OCEAN FRONT WALK, VENICE	Marianne C. Sneh
9.	11-14-2021	Pamela Harbour	2330 McKinley Ave Venice	Pamela Harbour
10.	11-14-21	JUDITH ESPOSITO	2341 BOONE AVE VENICE	Judith Esposito
11.	11-14-21	Doidre Samuels	309 Broadway*15 VENICE	Doidre Samuels
12.	11-14-21	Bul Megalos	1366 Morningside way VENICE 90291	Bul Megalos
13.	11-14-21	Judy Hammond	B66 Morningside way Venice 90291	Judy Hammond
14.	11-14-21	Jack Katos	926 E MARCO PL. VENICE 90291	Jack Katos
15.	11-14-21	JANET SMITH	926 E MARCO PL VENICE 90291	Janet Smith
16.	11-14-21	CHARLES STANGER	2409 CLARK AVE, VENICE	Charles Stanger
17.	11-14-21	Charmaine Sro	2409 Clark Avenue, Venice	Charmaine Sro
18.	11/14/21	Josiah Jordan	Venice 90291	Josiah Jordan
19.	11/14/21	SALLY DAVID	13603 Main PT	Sally David
20.	11/15/21	Ingrid Mueller	1050 Doreen Pl #3/Venice CA 90291	Ingrid Mueller

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**Deny VTT-82077-SL or
use the 3-foot dedication to widen Penmar Avenue**

A dangerous traffic bottleneck on Penmar Ave. at Palms Blvd. can be fixed, but the Planning Dept. wants to hand over a 3-foot strip of land to a developer who's already bending rules. That much-needed 3-feet would provide extra street width to improve our safety and traffic flow for the entire community.

WE, the undersigned, hereby PETITION the West Los Angeles Area Planning Commission to:

- Deny or condition Small Lot Subdivision Case No. VTT-82077-SL at 1169 E. Palms Blvd and 1801-1821 S. Penmar Avenue to implement the City's entire 3-foot Penmar Ave. dedication along this property.
- Instruct the Bureau of Engineering (BOE) to utilize its 3-foot Penmar Avenue dedication along this property and widen Penmar Avenue, as originally specified by BOE less than a year ago.

	Date	Name	Address	Signature
1.	11/08/21	Erica Moore	1507 Gynodra Ave Venice CA 90291	
2.	11/10/21	Sharyl Beebe	1421 Venice Blvd. #10, Venice CA 90291	Sharyl Beebe
3.	11/10/21	Melissa Burnhart	1415 Venice Blvd Apt 104 Venice CA 90291	Melissa Burnhart
5.	11/13/21	Michael Oberlander	13261 Venice Blvd 90291	
5.	11-13-21	Gregg Noldoxder	1506 Venice bl 90291	
6.	11-13-21	Vicki Bland	2307 Lovell Ave 90291	
7.	11-13-21	Regina	1506 Venice bl 90291	
8.	11/13/21	Rita Ochoa	4409 Carroll Ave Venice	Rita Ochoa
9.	11/13/21	Vinny B. Bland	1260 Venice bl Venice CA 90291	
10.	11/13/21	Reese Valden	705 Sun Set Ave Venice	
11.	11/13/21	Louie Gonzalez	529 1/2 Rose Ave Venice	
12.	11/13/21	Anore Mads	1407 Venice Blvd Venice 90291	
13.	11/14/21	KEVIN RAMIREZ	2128 PENMAR AVE	
14.	11/14/21	WALTER KACH	11904 Washington Blvd #4	
15.	11/14/21	Cristy Gallegos	11411 Washington Blvd #3	
16.	11/14/21	Harold Alvarado	114 Washington Blvd #3	
17.	11/14/21	Emmanuel Delcourt	1415 Venice Blvd	
18.	11/14/21	David Raymond	1035 Marco Place Venice	David Raymond
19.	11/14/21	Don Raymond	1035 Marco Place Venice 90291	David Raymond
20.				

DAY OF HEARING SUBMISSIONS