

Communication from Public

Name:

Date Submitted: 01/17/2022 03:40 PM

Council File No: 21-1495

Comments for Public Posting: Attached is a letter from Citizens Preserving Venice in support of the CEQA Appeal made by East Venice Neighborhood Council at the PLUM meeting of January 18. Please forward to members of PLUM and enter into the public record.

Citizens Preserving Venice

January 16, 2022

Re: ENV-2020-4774-CE

Via portal: LACouncilComment.com

Honorable PLUM Committee Members:

Citizens Preserving Venice asks that you uphold the CEQA appeal of ENV-2020-4774-CE, the Small Lot project located at 1169 Palms Blvd./802 Penmar Ave. (VTT-82077-SL-HCA), which would have ongoing adverse impacts on our Venice Community for the following reasons.

First, the project, as conditioned by the West Los Angeles Area Planning Commission (WLAAPC), has a fatal, adverse impact on the City's ability to mitigate a severe traffic constriction of a Collector Street, Penmar Ave. and bring the street closer to the City's engineering standards. The roadway narrows at this property from 38 ft to 28 ft, and this is the only place where it is less than 38 ft wide between Rose Ave and Palms Blvd.

Vehicles often have to wait for opposing traffic to clear this chokepoint. Yet the CEQA exemption was granted with no findings of fact. Instead, the WLAAPC Determination makes a finding of law mischaracterized as a finding of fact, and leaves the WLAAPC's determination completely unsupported by any findings of fact in its dismissal of CEQA under a categorical exemption:

FINDINGS OF FACT (CEQA)

The City of Los Angeles determined based on the whole of the administrative record that the project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

That's all the "finding" says. Traffic is not even mentioned, and on the CEQA checklist—it's left unchecked! This determination is an error and abuse of discretion.

This error happened because the City failed to follow the normal procedure for applying for permits, allowing the developer to apply for permits in reverse order: he applied for building permits from LADBS before applying for a Small Lot tract map. Because the building permits were ministerial the City did not have an opportunity to take its five-foot wide dedication for road or sidewalk widening or other uses, such as wider parkways to allow larger trees or more planting, and so the building plans were allowed to encroach on the Penmar dedication.

We agree with East Venice Neighborhood Association that the Subdivision application should have come first, protecting the City's ability to use its dedication. It appears that the applicant piecemealed the project applications in this reverse sequence in order to evade the City's requirements to use the dedication, thus allowing the applicant to encroach on the dedication area with new construction of porches.

Citizens Preserving Venice

Finally, we can see that this scrambling of the order of the applications, if allowed to stand, will provide other developers with a path to increased profits at the City's and the community's expense.

All of Venice including the Coastal Zone (west of Lincoln Blvd) will be impacted if these permits are to stand. This intersection is a main thoroughfare for those crossing Lincoln Boulevard and so creates even more of a danger for all Venice residents and pedestrians. Thus, CPV strongly urges you to grant the Appeal and condition this project to address the CEQA traffic problem by using the dedication on Penmar Ave. and denying the intrusion of not yet built porches.

Yours Truly,

Sue Kaplan, President,
on behalf of
Citizens Preserving Venice

Formatted: Space After: 0 pt

Communication from Public

Name:

Date Submitted: 01/17/2022 03:47 PM

Council File No: 21-1495

Comments for Public Posting: Attached is the revised formatting version of Citizens Preserving Venice letter in support of the Appeal. Please enter this into the public record and forward it the members of PLUM. Thank you.

Citizens Preserving Venice

January 16, 2022

Re: ENV-2020-4774-CE

Via portal: LACouncilComment.com

Honorable PLUM Committee Members:

Citizens Preserving Venice asks that you uphold the CEQA appeal of ENV-2020-4774-CE, the Small Lot project located at 1169 Palms Blvd./802 Penmar Ave.(VTT-82077-SL-HCA), which would have ongoing adverse impacts on our Venice Community for the following reasons.

First, the project, as conditioned by the West Los Angeles Area Planning Commission (WLAAPC), has a fatal, adverse impact on the City's ability to mitigate a severe traffic constriction of a Collector Street, Penmar Ave. and bring the street closer to the City's engineering standards. The roadway narrows at this property from 38 ft to 28 ft, and this is the only place where it is less than 38 ft wide between Rose Ave and Palms Blvd.

Vehicles often have to wait for opposing traffic to clear this chokepoint. Yet the CEQA exemption was granted with no findings of fact. Instead, the WLAAPC Determination makes a finding of law mischaracterized as a finding of fact, and leaves the WLAAPC's determination completely unsupported by any findings of fact in its dismissal of CEQA under a categorical exemption:

FINDINGS OF FACT (CEQA)

The City of Los Angeles determined based on the whole of the administrative record that the project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

That's all the "finding" says. Traffic is not even mentioned, and on the CEQA checklist—it's left unchecked! This determination is an error and abuse of discretion.

This error happened because the City failed to follow the normal procedure for applying for permits, allowing the developer to apply for permits in reverse order: he applied for building permits from LADBS before applying for a Small Lot tract map. Because the building permits were ministerial the City did not have an opportunity to take its five-foot wide dedication for road or sidewalk widening or other uses, such as wider parkways to allow larger trees or more planting, and so the building plans were allowed to encroach on the Penmar dedication.

We agree with East Venice Neighborhood Association that the Subdivision application should have come first, protecting the City's ability to use its dedication. It appears that the applicant piecemealed the project applications in this reverse sequence in order to evade the City's requirements to use the dedication, thus allowing the applicant to encroach on the dedication area with new construction of porches.

Citizens Preserving Venice

Finally, we can see that this scrambling of the order of the applications, if allowed to stand, will provide other developers with a path to increased profits at the City's and the community's expense.

All of Venice including the Coastal Zone (west of Lincoln Blvd) will be impacted if these permits are to stand. This intersection is a main thoroughfare for those crossing Lincoln Boulevard and so creates even more of a danger for all Venice residents and pedestrians. Thus, CPV strongly urges you to grant the Appeal and condition this project to address the CEQA traffic problem by using the dedication on Penmar Ave. and denying the intrusion of not yet built porches.

Yours Truly,

Sue Kaplan, President,
on behalf of
Citizens Preserving Venice