



Daniel Luna &lt;daniel.luna@lacity.org&gt;

## Public Comments Not Uploaded Re: PLUM meeting June 7, Item 8--CEQA appeal of 1301-1303 Abbot Kinney, Venice

Margaret Molloy &lt;mmmolloy@earthlink.net&gt;

Tue, Jun 7, 2022 at 1:58 PM

Reply-To: clerk.plumcommittee@lacity.org

To: councilmember.harris-dawson@lacity.org, councilmember.cedillo@lacity.org, gilbert.cedillo@lacity.org, councilmember.blumenfeld@lacity.org, councilmember.lee@lacity.org, councilmember.rodriquez@lacity.org, Armando Bencomo <clerk.plumcommittee@lacity.org>, Candy Rosales <candy.rosales@lacity.org>, mayor.garcetti@lacity.org, mike.n.feuer@lacity.org, Controller Galperin <controller.galperin@lacity.org>, terry.kaufmann-macias@lacity.org

Cc: debby.kim@lacity.org, gerald.gubatan@lacity.org, lisa.hansen@lacity.org, Councilmember Bonin <councilmember.bonin@lacity.org>, Bill Przylucki <bill@power-la.org>, elizabeth.erie@lacity.org, zhila.ross@lacity.org, christine.jerian@lacity.org, paola.bassignana@lacity.org, anissa.raja@lacity.org, solomon.rivera@lacity.org, luciralia.ibarra@lacity.org, chad.molnar@lacity.org, Jason Douglas <jason.p.douglas@lacity.org>, hannah.lee@lacity.org, erich.king@lacity.org, joshua.yeager@lacity.org, jonathan.coto@lacity.org, Sue Kaplan <sueakaplan@gmail.com>, steve.Lopez@latimes.com, liam.dillon@latimes.com, rosanna.xia@latimes.com, Judy Esposito <judy.esposito@msn.com>, Judy Goldman <jrgposte@aol.com>, David Ewing <moreseriousbus@gmail.com>, David Ewing <SeriousBus@aol.com>, Alley Bean <a@orsonbean.com>, Mary Jack <maryjackis@yahoo.com>, Naomi Nightingale <nightingalenaomi@yahoo.com>, Laddie Williams <cwilli7269@gmail.com>, Laddie Williams <CWilli7269@aol.com>, erika.smith@latimes.com, sandy.banks@latimes.com, Robin Abcarian <robin.abcarian@latimes.com>, Margaret Molloy <mmmolloy@earthlink.net>, deidre Samuels <djsamuels@ca.rr.com>, Richard Stanger <stangerr@ca.rr.com>, Amanda Seward <amandaseward@artvista.net>

### Honorable PLUM Council members and Staff,

Los Angeles is in a housing crisis and an unhoused crisis.

Here, Los Angeles County Assessor records show the last sale of the property was on 11/08/2016. This Applicant has **benefited from years of illegal financial benefits** from the unpermitted conversion of three Rent Stabilized residential homes on a popular street in Venice to 100% commercial use. This happened in plain sight!

Department of City Planning (DCP) records show that this **planning case was filed 03/26/2015**. DCP did accepted it for review on 12/03/2019, and assigned a planner on 03/18/2020. **The Letter of Determination was issued on March 22, 2021**. The appeal hearing at the West Los Angeles Area Planning Commission was on October 20, 2021.

**Generally, the office of the City Attorney will not prosecute an illegal conversion of residential housing (or other illegal conversion) if a planning case has been filed. It serves NO-ONE if a case is allowed to idle for YEARS with no prosecution, no resolution, and ZERO legal accountability.**

The Mello Act is a state housing element law that protects affordable housing in the coastal zone (within 1-5 miles of the California shoreline). **Venice Town Council v City of Los Angeles determined that 100% residential housing cannot be converted to other uses, including commercial uses, except in very narrow circumstances such as a truly coastal dependent use or infeasibility of residential housing.** Neither applies here.

In 2000, the City entered into a Settlement Agreement as a result of Venice Town Council v City of Los Angeles. For twenty years, DCP has failed to enforce many aspects of the Settlement Agreement including maintaining a Mello Database, producing an annual report, and creating an Affordable Housing Trust Fund. In 2000, DCP created the Interim Administrative Procedures for Complying with the Mello Act (IAP). The IAP states act all Mello Determinations are appealable. In spite of this, for more than ten years, DCP attached Mello Determinations to Venice Sign Offs (VSO), a single-sheet non-appealable administrative planning approval that requires no public notice or hearing. That rendered those determinations non-appealable in violation of its own IAP.

**Venice's historic social diversity has lost big time, and our stock of diverse housing, especially rent stabilized housing.**

**In this case, and others, the Department of City Housing allowed the Applicant to submit illegal commercial rent revenue in order to claim that there are no affordable units on site. That is antithetical to the very intent of the Mello Act.**

**Per Title 14, Section 13166(b), of the California Code of Regulations, PLUM must consider the potential for adverse impacts, either individually or cumulatively, on coastal access including housing access in the coastal zone area of Venice. It should nt be approved.**

Also, Section 13096 Title 14 of the California Code of Regulations **requires** Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). **Section 21080.5(d)(2) (A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.**

**PLEASE deny** ZA-2015-1155-SPP-CDP-MEL-ZV.

It is not good leadership to allow an applicant to “play the clock” by allowing a planning application to linger for years, while gaining unjustified commercial benefits, and then use those unjustified commercial benefits to further claim the there is no affordable housing on site. **Venice Town Council v City of Los Angeles determined that 100% residential housing cannot be converted to other uses, including commercial uses, except in very narrow circumstances such as a truly coastal dependent use or infeasibility of residential housing.** Neither applies here.

**PLEASE deny** ZA-2015-1155-SPP-CDP-MEL-ZV for these reasons.

Appreciatively,

Margaret Molloy