

From: John Stein js@johnstein.net
Subject: Fw: VNC LUPC Meeting May 28, 2026; AGENDA ITEM 17: 601 OCEAN FRONT WALK
Date: May 27, 2026 at 8:40 AM
To: Robin Rudisill wilrudrudi@mac.com



----- Forwarded Message -----

From: John Stein <js@johnstein.net>
To: LUPC@venicenc.org <lupc@venicenc.org>
Sent: Tuesday, May 26, 2026 at 09:38:04 PM EDT
Subject: VNC LUPC Meeting May 28, 2026; AGENDA ITEM 17: 601 OCEAN FRONT WALK

VNC LUPC Meeting May 28, 2026
Commentary by John Stein, 20 Sunset Ave.

AGENDA ITEM 17: 601 OCEAN FRONT WALK

To the VNC LUPC:

1) Incomplete Application: This major project will set the future direction of Ocean Front Walk. It is premature for the LUPC to consider it because the application was submitted and made available for public review only on April 24, 2026. There has not been sufficient time for the public to become familiar with the project's details.

Nor has Planning accepted the application as complete. City Planner Ira Brown informed me by email on May 19 that “the application is on hold.” This applicant previously withdrew applications for this site with the Coastal Commission and City Planning before they were completed. The LUPC should table discussion of this project until the application is complete.

2) Ownership and Accountability: The application lacks the required Ownership Disclosure. Discussion should be tabled until it is provided. Applicant 601 OFW LLC was formerly named Boardwalk Sunset LLC, as stated in a 2019 application to the Coastal Commission for an extension of Permit 5-90-789. According to California Court of Appeals Ruling B241675 (see attached Exhibit 1: Applicant’s Broken Credibility), Boardwalk Sunset LLC, aka Applicant 601 OFW LLC, and Joseph Praske (who signed the application as owner) are alter egos of Stephen Gaggero.

Gaggero and Praske play a shell game among a collection of LLCs, trusts, and a corporation, all ruled alter egos of Gaggero, and the multiple positions they hold within these entities, avoiding responsibility by claiming that authority lies elsewhere or pleading ignorance. They refused to provide trust and partnership documents as demanded by the court.

According to California Court of Appeals Ruling B207567, Stephen Gaggero has a history of avoiding accountability by attempting to conceal his ownership. Gaggero gave “[t]he overall impression of concealment rather than disclosure of the facts.” He “flat out lied.” “Mr. Gaggero’s unbelievable explanations of his ‘understanding’ or lack thereof in the face of this correspondence absolutely shattered what little credibility he had left.” “[t]here is little of

correspondence absolutely shattered with little credibility to that effect. [There is little of [Gaggero's testimony the court] can believe unreservedly.]

3) **Cumulative Impact:** The cumulative impact that would ensue from this project, as proposed, would lead to excessive traffic congestion along Speedway Alley and a shortage of parking, limiting public access. This project would set precedents for scale, use intensity, and parking, incentivizing comparable buildout along at least 5 full or half-block sections of Ocean Front Walk that are now only partially built with single-story buildings.

The applicant requests, as an incentive under the State Bonus Density Law, as implemented by the Municipal Code, a height increase from the 30 ft allowed by code to 50 ft. Incentives must be granted by right unless Planning finds, *“based upon substantial evidence in the record [that] the incentive would have a specific adverse impact upon ... the physical environment...”* The Code further states: *“‘Significant, adverse impact’ means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified and written ... conditions as they existed on the date the application was deemed complete.”*

If a traffic analysis identifies and quantifies significant cumulative impacts, it could constitute an adverse impact on the physical environment and authorize the Planning Department to deny incentives. Past traffic analyses for this property, prepared by the developer, failed to analyze cumulative impacts along Speedway Alley, despite being asked to do so under DOT guidelines. A traffic analysis that considers cumulative impacts along Speedway should be required as part of a complete application.

Alternatively, Planning could scale back the project as a mitigation measure if it found cumulative impact under CEQA. CEQA defines cumulative impact as *“the change in the environment resulting from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects”*. The Coastal Commission required, as a mitigating condition for a perceived but unanalyzed environmental impact associated with a previously approved project at this site (5-90-789), a 40% reduction in floor area and a 19% reduction in height. A subsequent environmental impact analysis for this property (ENV-2015-103-MND) found significant but unquantified environmental impact.

The cumulative effect of new 50-ft buildings along Ocean Front Walk, replacing low, one-story buildings among the tall, narrow buildings built without parking in the early 20th century, would destroy the *“scale and ...architectural flavor of Ocean Front Walk”*... *“that establishes the community character that attracts visitors to the area”* (quotes from the attached Exhibit 2: Coastal Commission Cumulative Impact Findings)

The applicant requests reduced setbacks as an incentive under the State Bonus Density Law. The applicant requests reduced setbacks along Speedway Alley from 16' to 14'-1.5" (measured from the center of Speedway Alley) or from 6' to 4'-1.5" (measured from the alley's edge), and along Sunset Ave from 7' to 0', with bike racks for 36 bikes in the public right-of-way on Sunset Ave.

Instead, as mitigating measures for cumulative environmental impact, setbacks should be increased along Speedway Alley to alleviate traffic congestion and along Sunset Ave to protect public beach access. Speedway Alley is called to serve multiple vehicular and pedestrian uses,

like a street, but is just a single-lane, 20-ft-wide alley. The Sunset Ave setback is especially needed given the large development coming to the bus lot at the end of Sunset Ave and the proposed path through that development to the bus stop on Main Street.

"The linked pedestrian ways, Ocean Front Walk and the walk streets, have been identified in the draft Local Coastal Program as a recreational resource and also as the design feature that establishes the community character that attracts visitors to the area." (See Exhibit 2, p.11)

4) Parking: Planning could scale back this project by disallowing substitutions of required parking spaces with short-term outdoor bike stalls on Ocean Front Walk and Sunset Avenue, both public property. Alternatively, Planning could disallow transportation incentives for the shared cars, cargo bikes, and scooters provided.

The current project provides no additional parking beyond the 43 spaces already there, which are covenanted for the exclusive use of 511, 517, and 523 Ocean Front Walk (although that covenant has never been observed, and is likely unenforceable given the applicant's uncooperative reputation as reported in the above-cited Appeals Court rulings).

According to page 1 of the applicant's submitted plans, the code requires an additional 67.5 parking spaces for the 30 dwelling units, 40 spaces for the "general retail space" (although the applicant states elsewhere in the application that he intends an unspecified portion of this for restaurant use, which requires more parking), and 14.1 Beach Impact Zone spaces, for a total of 117 spaces for the new development. In addition to the 43 already covenanted spaces, the grand total is 160 parking spaces.

In lieu of the 67.5 parking spaces required for the 30 dwelling units, the applicant proposes 28 long-term covered bike stalls and 3 short-term outdoor bike stalls on public property along Ocean Front Walk and Sunset Ave. The State Bonus Density Law, as implemented by the LA Municipal Code, appears to allow an incentive reduction to 15 parking spaces, rather than the 67.5 required for the 30 dwelling units, but not to zero. In lieu of the 40 parking spaces required for general retail space, the applicant proposes 5 long-term covered bike stalls and 5 short-term bike stalls on Ocean Front Walk and Sunset Ave. The applicant proposes to replace 13 of the already covenanted parking spaces with 52 short-term bike stalls on Ocean Front Walk and Sunset Ave.

In sum, instead of the required 117 parking spaces for the new development, which are reduced to 65 by a Bonus Density Law incentive, the applicant proposes zero parking spaces and 93 bike stalls, 60 of which would be short-term on public property along Ocean Front Walk and Sunset Ave.

Outside bike stalls on public property are no substitute for required parking. Bikes locked outside overnight are likely to be stolen, and the stalls would not be used for overnight bike parking.

The plans ambiguously show short-term bike stalls on either side of Ocean Front Walk. The applicant should specify which one he is proposing. Directly in front of the building, they would block access to the commercial space. Across Ocean Front Walk, they would displace artists and performers

artists and performers.

The applicant states on page one of the plans: “Per AB2097, no parking is required other than the 43 covenanted spaces.” However, Zimas identifies 601 OFW as ineligible under AB2097.

(For the 43 covenanted parking spaces, the applicant may or may not be allowed to replace 30% (13) of them with 52 short-term outdoor bike stalls on public property.)

5) Shared cars, cargo-bikes, and scooters: To compensate for the lack of parking spaces, the applicant proposes cargo bikes and scooters for tenant use, some available gratis, and 3 ride-share vehicles available for rent from Envoy (EnvoyThere.com).

The nearest supermarket, Whole Foods, is over 4,800 ft, or almost a mile, away via city streets. Few people, even at a reasonably young age, would happily ride a cargo bike or scooter back and forth on public streets for grocery shopping and for more distant local errands.

Envoy’s least expensive cars rent for \$12/hr and are commonly stationed at high-end hotels and resorts. Unlike point-to-point car rentals, Envoy’s would continue charging hourly fees until the vehicle is returned. That makes them very expensive for half-day errands and prohibitively expensive for full-day outings or for commuters who need a car all day.

Shared bikes and shared ride-share vehicles are a noble idea, but residents would still find owning and parking cars on the street cheaper and more convenient, further straining the area's limited street parking.

The overall lack of parking in this project would greatly exacerbate the area's existing parking shortage, impede public access, and set an unworkable precedent for cumulative development along Ocean Front Walk.

Respectfully submitted,

John Stein

Attached:

Exhibit 1 – Applicant’s Broken Credibility

Exhibit 2 – Coastal Commission Cumulative Impact Findings

**Exhibit 1 - Applicant's
Broken Credibility.pdf**

3.1 MB



**Exhibit 2 - Coastal
Commission...**

9.8 MB



**APPLICANT BOARDWALK SUNSET LLC, AKA STEPHEN GAGGERO,
CONCEALS, LIES, LACKS CREDIBILITY AND IS NOT TO BE BELIEVED**

Appeals Court Ruling B241675:

Applicant Boardwalk Sunset LLC is an alter ego for Steven Gaggero, the individual.

Appeals Court Ruling B207567:

"[t]he overall impression was of concealment rather than disclosure of the facts."

"Mr. Gaggero's unbelievable explanations of his 'understanding' or lack thereof in the face of this correspondence absolutely shattered what little credibility he had left".
Similarly, Gaggero **"flat out lied** in his responses to a whole series of questions" on another subject.

"when it ventures outside the subjects which are corroborated by contemporaneous writings, there is little [of Gaggero's testimony] it can believe unreservedly."

Filed 11/7/14

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

COURT OF APPEAL – SECOND DIST.

FILED

Nov 07, 2014

JOSEPH A. LANE, Clerk

Sina Lui Deputy Clerk

STEPHEN M. GAGGERO et al.,

Plaintiffs and Appellants,

v.

KNAPP, PETERSEN & CLARKE et al.,

Defendants and Respondents.

B241675

(Los Angeles County
Super. Ct. No. BC286925)

APPEAL from an order of the Superior Court for the County of Los Angeles.

Robert L. Hess, Judge. Affirmed.

Westlake Law Group and David Blake Chatfield for Plaintiff and Appellant
Stephen M. Gaggero.

Law Offices of Edward A. Hoffman and Edward A. Hoffman for Appellants
Pacific Coast Management, Inc.; 511 OFW LP; Gingerbread Court LP; Malibu Broad
Beach LP; Marina Glencoe LP; Blu House LLC; Boardwalk Sunset LLC; and Joseph
Praske, as Trustee of the Aquasante Foundation, the Arenzano Trust, and the Giganin
Trust.

Miller, Randall A. Miller and Steven S. Wang for Defendants and Respondents.

SUMMARY

In May 2010, we affirmed a judgment, including an attorney fee award of more than \$1.2 million, against plaintiff Stephen M. Gaggero in a malpractice lawsuit he brought against defendants Knapp, Petersen & Clarke and several of its principals.

Plaintiff did not pay the judgment.

In April 2012, defendants moved to add additional judgment debtors to the judgment. These additional judgment debtors included (a) six entities (four limited partnerships and two limited liability companies) that were owned by plaintiff in 1998, with assets then valued at \$35 or \$40 million; (b) an entity that managed those assets; and (c) the trustee, Joseph Praske, of three trusts to which plaintiff had transferred his ownership of all the limited partnerships and limited liability companies in 1998. The trial court found all of these were plaintiff's alter egos, and added as additional judgment debtors the entities and Mr. Praske, in his capacity as trustee of the three trusts that held all the entities to which plaintiff had transferred his entire estate.

The additional judgment debtors and plaintiff appeal from the court's order, raising many arguments. They contend they cannot be alter egos as a matter of law, because "outside reverse veil-piercing" is a doctrine that applies to them and is forbidden in California. They contend the evidence of alter ego status is insufficient, claiming there is no "unity of interest and ownership" between them and plaintiff. They contend that, even if they were alter egos, defendants did not prove they controlled the litigation.

They contend the trusts are irrevocable (the trust documents are not in evidence), and irrevocable trusts may never be held liable for the debts of their settlors. They contend the trial court's findings that trustee Praske refused to produce the trust documents was not supported by the evidence (and that plaintiff's failure to produce them is not attributable to Mr. Praske).

They contend defendants are estopped to claim they are alter egos because defendants allegedly admitted in the underlying litigation that the additional judgment debtors and plaintiff were financially separate.

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

STEPHEN M. GAGGERO,

Plaintiff and Appellant,

v.

KNAPP, PETERSEN & CLARKE et al.,

Defendants and Respondents.

B207567

(Los Angeles County
Super. Ct. No. BC 286925)

COURT OF APPEAL - SECOND DIST.

FILED

MAY 06 2010

JOSEPH A. LANE

Clerk

Deputy Clerk

APPEAL from a judgment of the Superior Court for the County of Los Angeles. Robert L. Hess, Judge. Affirmed.

Bostwick & Jassy, Gary L. Bostwick and Jean-Paul Jassy; Westlake Law Group and Julian A. Simonis; and Benedon & Serlin and Gerald M. Serlin, for Plaintiff and Appellant.

Sedgwick, Detert, Moran & Arnold, Randall A. Miller, Lori S. Blitstien, Hall R. Marston and Matthew A. Reed for Defendants and Respondents.

SUMMARY

Stephen M. Gaggero brought a lawsuit in December 2002 against Knapp, Petersen & Clarke and three of its lawyers, Steven Ray Garcia, Stephen M. Harris, and Andre Jardini (collectively, the Knapp firm). The Knapp firm represented Gaggero from August 2000 until its withdrawal in January 2002, in connection with numerous lawsuits in which Gaggero was a plaintiff or defendant. Gaggero asserted claims against the Knapp firm for breach of contract, breach of fiduciary duty and professional negligence, among others, in connection with five matters handled by the firm. After Gaggero presented his evidence at a bench trial consuming almost three weeks in the summer of 2007, the trial court granted defense motions for judgment under Code of Civil Procedure section 631.8. Judgment was entered in February 2008, and the trial court later granted the Knapp firm attorney fees of over \$1.2 million.

Gaggero appeals, asserting numerous errors by the trial court in (1) ruling that Gaggero failed to prove damages; (2) excluding evidence in connection with several defense motions in limine; and (3) sustaining objections to proffered evidence on the ground Gaggero had not produced it in discovery. He further asserts error in granting the Knapp firm's motions for judgment, contending he sustained his burden of proving breaches of fiduciary duty, breach of contract and professional negligence, and he claims the fee award was improper. We find no merit in any of Gaggero's contentions and affirm the judgment in its entirety.

FACTUAL AND PROCEDURAL BACKGROUND

We begin our recital of the facts in this case with a few observations from the trial court's statement of decision, all of them fully supported by the record, and none of them alluded to in Gaggero's recitation of the evidence.¹ We then describe the

¹ The Knapp firm filed a motion to dismiss Gaggero's appeal on the ground that his failure to support claims in his opening brief with the necessary argument and citation to the record, including failure to set forth all the material evidence, constituted an abandonment of the claims, rendering the appeal subject to dismissal.

various lawsuits the firm handled for Gaggero, the events and conduct forming the basis for Gaggero's claims in this lawsuit, and the trial court's rulings.

*
1. **The trial court's credibility determinations.**

The trial court made adverse credibility determinations with respect to all three of the witnesses in Gaggero's case-in-chief: Gaggero himself; David Chatfield, a lawyer who appeared for Gaggero in various actions after the Knapp firm's withdrawal; and Gaggero's expert on legal ethics and malpractice issues, Attorney David Parker. As to Gaggero, who testified during all or part of 11 days, the court stated:

- With respect to Gaggero's demeanor, Gaggero displayed "two different personas," alternating between ignorance and sophistication. The court's overall impression was that Gaggero "was a highly experienced litigant who micro-managed his attorneys and whose attention to minutiae was almost obsessive." He was "often argumentative or evasive or deliberately obtuse in his answers." His memory for events was "very selective," and he "was feigning ignorance at a number of points"
- As to the content and veracity of his testimony, "[t]he overall impression was of concealment rather than disclosure of the facts. [En. omitted.]" The court was "struck by the number of times during his cross-examination Mr. Gaggero would make categorical statements in response to questions, which would then be refuted by contemporaneous documents." After describing one example, the court stated, "Mr. Gaggero's unbelievable explanations of his 'understanding' or lack thereof in the face of this correspondence

While we do not condone a litigant's failure to present a complete picture of the evidence on appeal, we deny the motion and decide the appeal, which asserts claims in addition to substantial evidence claims, on its merits.

absolutely shattered what little credibility he had left.” Similarly, Gaggero “flat out lied in his responses to a whole series of questions” on another subject.

- The court concluded that “when it ventures outside the subjects which are corroborated by contemporaneous writings, there is little [of Gaggero’s testimony] it can believe unreservedly.”

As to Chatfield, the court found him “extremely evasive,” with a “remarkable lack of knowledge” of matters he should have known; Chatfield gave “confused and inconsistent testimony with respect to his handling of Mr. Gaggero’s matters,” and his testimony concerning his interactions with the Knapp firm attorneys was “less than fully credible.”

As to expert Parker, the court found him “hostile and combative . . . to a degree which damaged his credibility.” In addition, the court found that Parker’s conduct in trying to secure a witness for Gaggero during the trial showed an abandonment of “the appearance of objectivity and neutrality for that of an advocate on behalf of Mr. Gaggero” and “compromised the integrity of Mr. Parker’s testimony in the Court’s eyes.”

Bearing in mind the trial court’s credibility determinations – with which we have no authority (or inclination) to disagree – we turn to the circumstances generating this lawsuit.

2. The underlying lawsuits.





Gaggero hired the Knapp firm to handle a number of matters, including matters relating to the five lawsuits that eventually generated this one. These were:

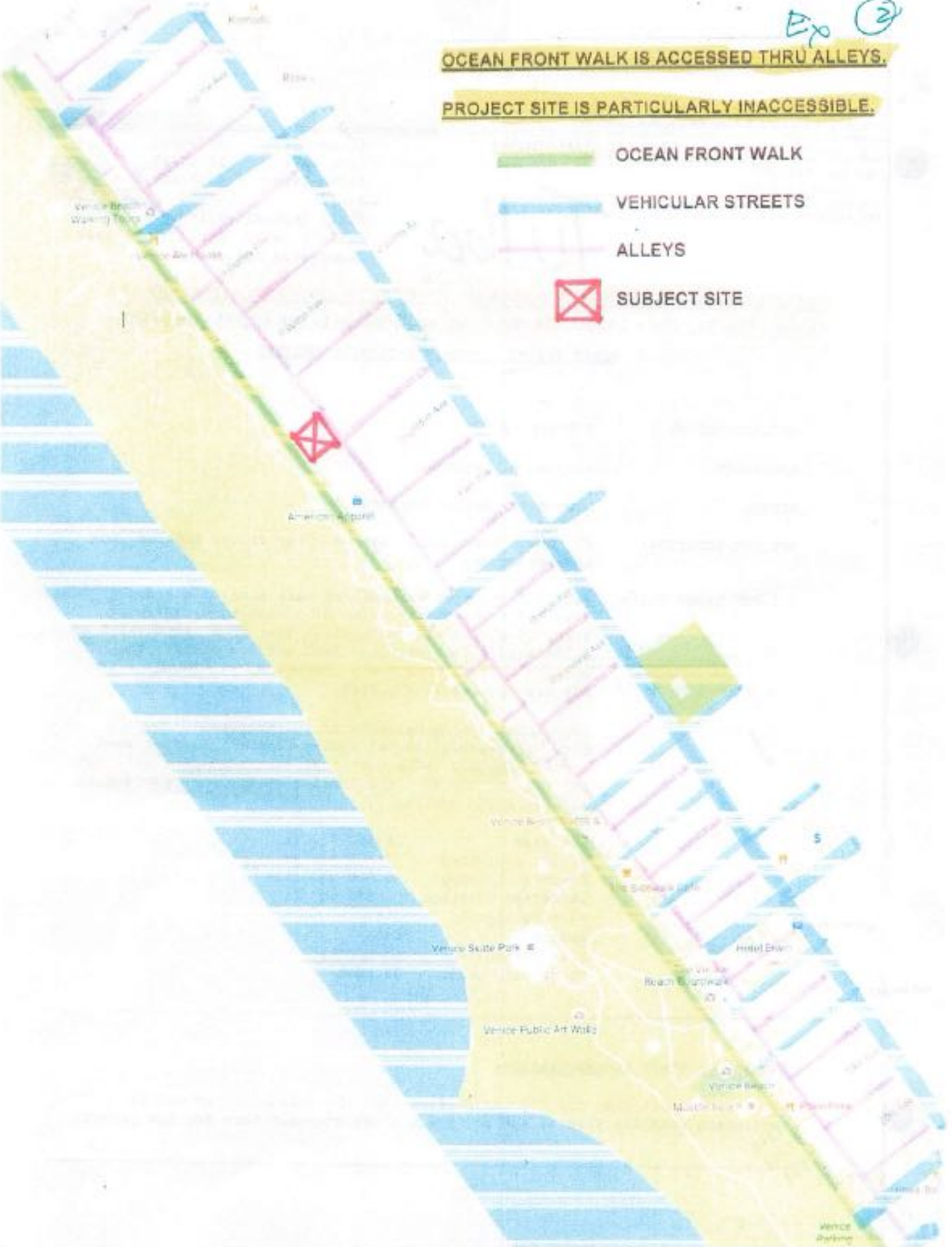
* Gaggero v. Venice North Beach Coalition (VNBC). This was a malicious prosecution suit against a group of homeowners who had unsuccessfully opposed one of Gaggero’s real estate development projects. The suit was dismissed as a result of an anti-SLAPP motion, and VNBC was awarded about \$100,000 in attorney fees in 1995. The judgment was affirmed on appeal, was final and unpaid, and VNBC was

Exo ②

OCEAN FRONT WALK IS ACCESSED THRU ALLEYS.

PROJECT SITE IS PARTICULARLY INACCESSIBLE.

-  OCEAN FRONT WALK
-  VEHICULAR STREETS
-  ALLEYS
-  SUBJECT SITE



CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 OceanGate, 10th Floor
Long Beach, CA 90802-4302
(562) 590-5071

Filed: 10/31/97
49th Day: 12/19/97
180th Day: 4/29/98
Staff: CP-LB
Staff Report: 3/17/98
Hearing Date: April 7-10, 1998
Commission Action:



Tulba

THE COASTAL COMMISSION SCALED BACK THE APPLICANT'S 1990 PROPOSED PROJECT.

Original Size: 24,267sf + 2,580sf = 26,847sf; Scaled back size: 14,536 + 2,155 = 16,691sf

STAFF REPORT: PERMIT EXTENSION REQUEST

APPLICATION NO.: S-90-789-Z5

APPLICANT: Stephen M. Gaggero

AGENT: Greg Maas, Avalon Corporation

PROJECT LOCATION: 601 Ocean Front Walk, Venice, City of Los Angeles, Los Angeles County

PROJECT DESCRIPTION: Public hearing on request for extension of amended permit for the construction of a two-story, 25 foot high, 14,536 square foot retail/fast food center with a 2,155 square foot exterior food service plaza. The amended project includes a 156 space, two-level subterranean parking garage.

[Applicant's original application proposed a 31 foot high, five-level, 24,267 square foot retail/fast food center with a 2,580 square foot food service plaza, and 151 parking spaces. The Commission approved project is significantly smaller.]

Lot Area	18,850 sq. ft.
Building Coverage	9,300 sq. ft.
Pavement Coverage	9,000 sq. ft.
Landscape Coverage	550 sq. ft.
Parking Spaces	156
Zoning	C-1
Plan Designation	Commercial
Ht abv fin grade	25 feet

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission find that the extension request is consistent with the Coastal Act and grant a new one-year term for the permit.

II. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. Project Description and History

The applicant has requested a one-year extension of Coastal Development Permit 5-90-789 (Blanchard/Gaggero) to construct a two-story, 25 foot high, 14,536 square foot retail/fast food center with a 2,155 square foot exterior food service plaza. A two-level subterranean parking garage provides 156 parking spaces. Coastal Development Permit 5-90-789 was approved by the Commission with several special conditions on November 10, 1991. Several of the "prior to issuance" conditions of the permit have not been satisfied by the applicant (See Appendix A). Therefore, Coastal Development Permit 5-90-789 has not been issued. The property is currently used as a parking lot.

In 1990, the applicant's original application proposed a 31 foot high, five-level, 24,267 square foot retail/fast food center with a 2,580 square foot food service plaza, and 151 parking spaces. The City approved project was brought before the Commission on appeal in 1991.

On November 10, 1991, the Commission approved Coastal Development Permit 5-90-789 (Blanchard/Gaggero) for a significantly smaller project consisting of a two-story retail/fast food center with two levels of subterranean parking. The first floor of the approved project was approved with 9,300 square feet of general retail area. The second floor of the project was approved with 5,900 square feet of enclosed general retail or walk-up food service area. A 2,500 square foot patio with seating for the walk-up food services was also approved on the second floor. A 450 square foot sit-down restaurant was permitted within the 5,900 square feet of enclosed second floor area.

The project approved by the Commission in 1991 was never built, and in 1994 the applicant submitted amendment request 5-90-789-A1 (Blanchard/Gaggero) for a revised project. [The applicant, Stephen Blanchard, has legally changed his name to Stephen Gaggero.]

On October 14, 1994, the Commission approved Coastal Development Permit Amendment 5-90-789-A1 (Blanchard/Gaggero) for the revised project. The revised project has less commercial area and more parking than the previously approved project. Coastal Development Permit Amendment 5-90-789-A1 eliminated the previously approved 450 square foot sit-down restaurant from the project, and added five on-site parking spaces for a total of 156 parking spaces. One of the purposes of the amendment was to free up parking in the project so that adequate parking could be made available for a proposed sit-down restaurant with 1,399 square feet of service area on the applicant's adjacent lot at 523 Ocean Front Walk. [See Coastal Development Permit Amendment 5-89-059-A (Blanchard/Gaggero)].

Coastal Development Permit Amendment 5-90-789-A1 also revised the special conditions of the underlying permit to allow for more efficient management of the affected properties if held under separate ownership. [See Appendix A for the current special conditions approved by Coastal Development Permit Amendment 5-90-789-A1 (Blanchard/Gaggero)].

CALIFORNIA COASTAL COMMISSION

SOUTH COAST AREA
245 W. BROADWAY, STE. 380
P.O. BOX 1450
LONG BEACH, CA 90802-4415
(213) 590-5071

Reconsideration granted:	8/14/91
Appeal Filed:	9/9/91
Substantial issue on appeal	10/8/91
180th Day from reconsideration:	2/10/92
Staff:	PE-LB
Staff Report:	10/31/91
Hearing Date:	11/10/91
Commission Action on Findings:	1/13/92
Final findings issued	1/15/92

REVISED FINDINGS

APPLICATION NO.: A5-90-789 and 5-90-789R

APPLICANT: Stephen M. Blanchard AGENT: Sherman Stacey

PROJECT LOCATION: 601 Ocean Front Walk, Venice, Los Angeles County

PROJECT DESCRIPTION: Construction of 31 ft high, five-level 24,267 sq. ft. gross area (21,629 net area) retail/fast food center, with 2580 sq. ft. food service plaza, including offices, retail, food stands and food plaza, and including 38,592 sq. ft. two level subterranean parking lot, with 151 parking spaces.

COMMISSION ACTION: APPROVAL WITH CONDITIONS

DATE OF COMMISSION ACTION: November 10, 1991

COMMISSIONERS ON PREVAILING SIDE: Commissioners Cervantes, Giacomini, Glickfeld, MacElvaine, Malcolm, McInnis, Moulton-Patterson, Nathanson, Neely, Wright, Chairman Gwyn.

SUMMARY OF STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following revised findings in support of the Commission's action on November 10, 1991, approving with conditions the permit for the Commercial/food service development.

LOCAL APPROVALS RECEIVED:

1. Los Angeles City CDP 088-36
2. Proposed mitigation measures pursuant to Settlement Agreement between the City of Los Angeles and Stephen M. Blanchard on CDP 88-036; ZA 88-1300(PP)(CUZ)(CUB)(ZV).

A5-90-789 and 5-90-789R(Blanchard)
page 11

operation of the lot, and the conditions imposed in this permit would require an amendment to permit 5-89-059 with regard to the parking provided for these three adjacent properties.

In May, 1991, the Commission considered application 5-90-789(Blanchard), with a number of conditions proposed by staff. The condition subject to the most controversy would have increased the ratio of parking to floor area, and slightly reduced the project intensity. The applicant opposed any changes in the parking ratios. Opponents stated that the conditions did not sufficiently reduce the project's impacts, and also objected to the intensity of the commercial use at this site. The Commission denied the project based on parking, impact on the traffic system and cumulative impact. In addition to these Coastal Act issues, Commissioners were concerned that no local permit had been issued pending settlement of litigation. At the time the applicant had sued the City to require the city to release all permits based on Government Code 65950 et. seq.

In June of 1991, the City settled litigation with the applicant and issued the Coastal Development permit, in addition to a number of local variances and conditional approvals which were also subject to the litigation. This litigation was separate from litigation with neighborhood opponents which was not settled.

In June, 1991, the applicant applied to the Commission for a reconsideration of its denial of his permit. The Commission granted this reconsideration, 5-90-789R (Blanchard), in August of 1991. According to Section 13109.5(d) of the California code of Regulations, if the Commission grants the reconsideration, the permit is heard as a de novo matter. In September, 1991, the City's approval of the Coastal Development permit by the settlement was appealed to the Commission. The Commission found substantial issue in October, 1991. If the Commission finds substantial issue with a permit granted under Section 30600(b), the permit is then considered by the Commission as a de novo matter. In a dual permit area, as described in Section 30601(1) of the Coastal Act, both the appeal and the underlying permit are considered in one action. The Commission, in its present action, is considering both the appealed permit CDP 88-036, appeal number A5-90-789, and the Coastal Development permit denied in May 1991, 5-90-789, which it voted to reconsider (5-90-789R).

B. Area Description

Ocean Front Walk in North Venice is a heavily used public pedestrian way, adjacent to a public beach, that has become an international visitor attraction. Sunset Avenue is a walk street that connects a neighborhood of single family homes, duplexes and small apartment buildings to the beach. Speedway Alley is a twenty-foot wide one-way alley that provides the only vehicular access to the project. The homes along Sunset Avenue are served by narrow alleys that connect Speedway Alley to Pacific Avenue. (See vicinity map, Exhibit 1 and 2).

The linked pedestrian ways, Ocean Front Walk and the walk streets, have been identified in the draft Local Coastal Program as a recreational resource, and

A5-90-789 and 5-90-789R(Blanchard)
page 12

also as the design feature that establishes the community character that attracts visitors to the area. Older development along Ocean Front Walk consists of tall narrow buildings and low long buildings. The taller structures that now are located on Ocean Front Walk are residential, for the most part older single-room-occupancy hotels. These older hotels and one story, small scale commercial buildings, constructed during the early years of the century have established a scale and an architectural flavor of Ocean Front Walk.

The growing popularity of Ocean Front Walk has resulted in many reconversions to commercial use, and the establishment of tourist oriented booths selling food, sunglasses, crafts, clothing and imported items.

C. Development--Intensification of use:

This development represents the third multi-level commercial structure that the Commission has considered on Ocean Front Walk. In three its previous approvals, of multiple story commercial structures, the Commission restricted retail commercial uses to the first floors of the approved structures and allowed offices and residential uses on the second and third floors of new commercial structures. It did not permit food service in any of these developments, because there was not sufficient parking to accommodate food service.

Section 30250(a) of the Coastal Act requires that development be concentrated in areas capable of accommodating it and that development be consistent with Chapter 3 policies and not have individual or cumulative impacts on coastal resources. Section 30251 requires that special neighborhoods that are visitor attractions be preserved; and Section 30252 requires that development provide adequate parking so that the parking needs generated by development do not reduce public access to the beach.

The Coastal Interpretive Guidelines (Exhibit 7) were developed to assure consistency with the Coastal Act, specifically, the access and development policies, including Sections 30210, 30211, 30250, 30251 and 30252.

The Interpretive Guidelines include parking standards for residential commercial and food service establishments, establish a height limit of thirty feet for commercial uses along Ocean Front Walk, prohibit residential construction in commercially zoned beach-front areas, and, in order to assure compatibility of scale, require a break in the structural facade of a building extending more than 60 feet along a walk street, and the provision of street level entrances and exits along walk streets.

Permit history for Ocean Front Walk

This project is one of seventy-five commercial projects on Ocean Front Walk in Venice that have been considered by the Commission. Some of these permits were never acted on, resulting in more than one action on the same address.

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Most of the beach front north of 20th St in North Venice is zoned commercial. For many years, the area was developed with commercial uses including carnival attractions and Bingo games. In the late 1940's the City closed down the Bingo operations and public transit to the area was reduced. Tourist use declined, and many buildings were demolished or converted to residential use. In recent years Venice Beach has regained popularity as a destination for day use. Many owners of older store fronts and newer small apartment structures re-converted to commercial use, a use permitted by right in a commercial zone. Owners of property fronting Ocean Front Walk, including owners of the lots vacated by the demolitions, converted open areas to open-air vending, a use that has attracted many visitors to the area.

The majority of the projects the Commission considered were interim uses of land, involving no major investment or commitment of resources. They included (1) conversions of the first floors of existing buildings from residential to commercial use, (2) construction of small tilt-up structures or (3) open-air vending, the erection of temporary booths for sale of merchandise.

Only three major commercial structures have been permitted and only two have been constructed since 1973. These commercial structures were planned on large lots, like this one, that were the focus of a number of competing uses, including parking for visitors, and parking for the neighborhood. Permits for new structures included: 5-86-518 (Venice Park Assoc.); 5-85-701(Safran); A-62-81 (Haskins and Slome), 5-88-474 (Oheb), and, (on Windward Avenue) 5-82-670(Saxe). There are at least three additional large undeveloped frontages that could be developed to the intensity proposed by this applicant. In addition, there are numerous one story structures that could demolish and recycle to the intensity proposed in this project.

The Commission approved most of the applications with conditions that concentrated on parking issues. In fact, when parking could not be provided, usually in cases involving sit-down dining, the Commission denied applications: 5-87-130 (Galper Baldon), and 5-86-508 (Elzas). In all approvals, the Commission imposed conditions to require that the applicants provide parking for users of the development. In the case of the construction of new structures, that extended over more than two lots of the original subdivision, the Commission has required the provision of parking to replace the parking that previously was provided on the vacant lots, based on the general impact on the parking system in the neighborhood of large new development, and based on the previous use of these particular lots for commercially operated parking. This requirement was based in part on the cumulative impact of new commercial uses in attracting visitors and employees to the area.

1) Visitor Serving Uses. In approving the commercial conversions, vending or new commercial development, the Commission has relied heavily on Sections 30221 and 30223 of the Coastal Act that establish a priority for visitor serving uses over residential uses. The Commission has found that commercial enterprises provide accommodations to the public, and has therefore treated many retail and food-service uses as visitor-serving uses. The Commission has anticipated that there will be fewer conflicts between

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commercial tenants and the beach-going public than it has seen between residents of beach-fronting homes and the public because commercial tenants require less privacy and quiet than residential occupants.

In Venice, the Commission has heard increasing neighborhood opposition to commercial development, based on the total amount of restaurant, fast food and commercial conversions that have taken place. In this instance too, the local residents contend that 1) the total amount of commercial development located in this neighborhood exceeds the total amount required of other residential neighborhoods in other coastal communities, 2) the level of commercial development has reached saturation point, 3) the traffic, noise and crowding resulting from this development has begun to affect the residential area on the east side of Speedway Alley, an area that is zoned RD 1.5. (limited duplex) for residential use, and not contemplated for commercial uses, 4) overcrowding on Ocean Front Walk will destroy the qualities that has made Ocean Front Walk a visitor attraction.

The applicant contends that commercial use is a priority under Sections 30221 and 30223. He also contends that he is entitled to the level of development other projects have received, argues that his three story development is identical to other three story mixed use developments the Commission has approved and states that there is no problem with cumulative impacts of commercial development because the number of projects that have actually been built is very small. The opponents contend that the project is not identical because it included second story retail and food service, which no other project contained resulting in more square footage dedicated to intense uses than have previously been permitted.

The Commission finds that while the Coastal Act favors visitor serving uses, the Coastal Act does not give unlimited priority to visitor commercial uses. No development is exempt from conformance with requirements of other sections of the Coastal Act. The Commission further finds that uncontrolled commercial development can destroy the ambience that has made an area attractive to visitors.

The Commission must consider both its record of approving commercial uses on site-by-site basis in this area, and what will emerge as the balance between commercial and residential uses in the Land Use Plan. The Commission notes that the LUP proposes a mixed residential and commercial area for Ocean Front Walk. It further notes that the height of the old hotels is not necessarily an appropriate standard for intensively used present-day commercial structures. In considering commercial uses that are of much greater intensity of use than the older hotels, at three times the height of the prevailing commercial structures, the Commission must examine the impacts of development at like intensity on the remainder of the commercially zoned lots.

While it cannot approve this structure at three stories, the Commission finds that it can approve this structure at two stories. However, in approving this development at two stories, the Commission finds that it must require that no future additions of height or other intensification occur at this site without additional, thorough Commission review as to the cumulative impacts of

development on community character and beach access. Issues related to the proper mix and intensity of use for commercial and residential development in the Venice community would be best addressed in the local Coastal Program(LCP); however, it is not known when the Venice LCP will be submitted. In the meantime the applicant wishes to proceed with the project. The Commission finds that with the special conditions reducing the intensity of development that the project can be approved as conforming with Chapter 3 policies.

2) Parking standards.

Section 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on site recreational facilities to serve the new development.

This project, as originally proposed, and approved by the City, did not conform to the Commission's parking guidelines for three reasons. First, the City's calculations of the parking requirements were based on an area calculation that did not include all of the enclosed areas of the structure, and the Commission consistently bases parking calculations on all enclosed areas. Secondly, the parking calculations did not include calculations for the food service plaza, even though the Commission consistently requires parking for food service areas. Finally, the project as originally proposed also included a reduction in spaces from the strictest interpretation of the guidelines, based on a provision of the Venice Interpretive Guidelines that allows walk-up food service to provide fewer spaces than other take-out food service uses.

Most of the conditions imposed by the Commission on commercial projects in Venice have addressed parking. In Venice, re-opening old stores, the growth of vending operation, and concurrent gentrification, has resulted in chronic parking problems for residents and beach visitors. The older houses and stores were built in many instances without parking. In addition, the street distribution network does not provide street parking. The alleys and Pacific Avenue do not provide legal parking. Ocean Front Walk and the walk streets are limited to pedestrians. The absence of vehicular access and parking has created the public open spaces that attract visitors and residents to Venice. An increased number of cars over the capacity of the system would, the Commission has found, increase legal and illegal pressure to convert walk streets from public open space to parking lots.

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the limited parking and access system and because of the benefits these applicants receive from public parking lots, the Commission has required spaces available to the general public in addition to parking normally required, generally limiting the price to the amount charged at the county lots. The intention of the condition was that increased cars brought in by the development would not impede beach access or impact the walk streets and the existing on-street parking which now serves the beach and the existing development.

The Commission has imposed this condition on three major commercial developments in Venice, including 5-86-518 (Venice Park Assoc.; (5-85-701) (Safran), A-62-81 (Haskins and Slome) In two instances the buildings have been built. This replacement parking has generally been required to be available on a daily or monthly lease basis, and in most instances at a fee no more than is currently charged on the County's beach parking lots. Many lots are operating in violation of this provision of their conditions, which, as the applicant has noted, in no way establishes a precedent for operation in that manner. A site visit revealed that the parking in these two buildings is being operated as commercial lots, with the operators charging all users of the spaces 8-10 dollars a day for use of the spaces.

The Commission, in one instance, 5-85-701(Safran), also permitted the developer to design a parking lot in a configuration that required an attendant. The Commission then justified the configuration on the grounds that the spaces gained by the configuration would be available to the general public as replacement parking; and also justified the replacement parking condition, in part, on the grounds that the commission had permitted a configuration that it would not had permitted if the development had not provided extra parking. The Commission then required that these spaces (in the aisles and on parking machines) be used for replacement parking purposes. In approving the Safran project with this condition, the Commission allowed the applicant to provide the "replacement" parking in the aisles of the parking lot to be operated by an attendant, provided that an appropriate local variance was granted. That applicant ultimately was not able to obtain a parking variance which also included the use of tandem, aisle and car-lift spaces from the City of Los Angeles. In the present case, the applicant received a variance from the City of Los Angeles by operation of law for 18 aisle spaces, and a condition that required 14 BIZ spaces. In the case of 5-86-518 (Park Place), the parking spaces were not in the aisle, but were allowed to be tandem.

The Commission finds that the development is located on streets that provide no street parking. Many of the small commercial developments that it has approved use parking on lots such as this one to provide parking. The cumulative effects of development of lots like this at this intensity has not been examined. The proposed development consists of small high intensity shops that will have many employees and that may attract more visitors to the area than a similar store located outside of the Coastal Zone.

Based on the foregoing, an additional reason to require BIZ and replacement spaces is that if there is a defect in the calculations for parking, the

The Commission also notes that large new structures have been required to set back off of Speedway, and Ocean Front Walk and this structure has no setback from Ocean Front Walk and a reduced set back off Speedway.

The Venice ICG and the Guidelines for North Venice limit heights to 30 feet unless the applicant has received housing incentive variances from the local government and has provided additional floors in his structure devoted to a use that would be otherwise unprofitable and difficult to provide. Three other applicants who received height incentives provided extra parking, or housing for low and moderate income senior citizens. The application of height increases only on the basis of incentives creates variation in heights, rather than creating a new maximum. This applicant has not provided additional levels devoted to public purposes and therefore has no grounds for his exception to the height limit of one foot.

The opponents contend that the applicant is not adequately set back from the Ocean Front Walk, Speedway and the Walk Street. The Commission notes that the face of the building on Ocean Front Walk is not massive, but contains ground level entrances. The structure to the north is set back, but other structures are constructed to the property lines. Even though the applicant contends that the building does not present a flat, enclosed face toward Ocean Front Walk the Commission finds that its total scale must be considered in relationship to the existing development. As originally proposed, the building would have been both as high as the narrow high residential hotels that were developed before the First World War, which include no parking, and as wide as some of the newer apartment structures. The Commission finds that the subject development is the largest retail commercial structure it has yet considered in this area and must be examined in relationship to the precedents it sets for the recycling of older structures along Ocean Front Walk. The Commission cannot find that this building as originally proposed is consistent with the concerns of maintaining the sense of small scale in the beach area called out in the guidelines.

As conditioned, to remove the third floor of the development, the bulk of the structure as seen from the Walk Street and from Ocean Front walk will be significantly reduced. The front edge of the structure and about two thirds of the side of the structure will not extend above 25 feet above Ocean Front Walk (two stories). The rear of the structure will be below a point twenty feet above Speedway Alley at the north-east corner of the lot. As the applicant describes it, if a line were drawn at right angles from the line from the ground to this point 20 feet in the air, all portions of the rear of the structure will lie below this line. This does mean that portions of this story will be as high as 23 feet above Speedway Alley at the southern (south-east) end of the building, because of the hill. The third level, (the second level above Speedway Alley) which was six to eight feet from Speedway Alley, will be removed, allowing more light and air along Speedway Alley.

The Commission notes however, that the development is on the property line on Sunset Avenue, and the houses behind it have been required by the Commission to maintain a 15 foot set back. The applicant also proposes to place bushes and trees in the public right of way. One of the public views to be protected in Venice is the view of the ocean that appears to a pedestrian walking down

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E. CEQA

This project does not have an EIR, but was processed on the basis of a mitigated negative declaration that, as noted above, has been challenged because it did not analyze the cumulative impact of commercial build-out on Speedway, a narrow one-way alley that could theoretically serve another 200,000 square feet of commercial development.

The Commission's regulations provide the Commission must examine the environmental impacts of development, and find that no feasible alternative could be approved that would cause less environmental damage. The Commission finds that approval of a residential project would, as the opponents contend, cause much less traffic impact, but would have other impacts in terms of bringing a use incompatible with the Ocean Front Walk crowds onto Ocean Front Walk. The Commission notes that it has received letters and petitions as part of this project that outline the conflict between residential and commercial use but also the conflict between residential use and the beach front recreation that takes place on Ocean Front Walk. On site visits on April 12 and April 19, 1991, the staff observed few extra parking spaces, traffic jams on Speedway, little parking, and large and very lively crowds on Ocean Front Walk engaged in standing in queues for fast food, walking and observing each other. In some spaces the crowds were so large it was difficult to walk. It was difficult to conclude that there was too much fast food on Ocean Front Walk, in fact a number of places, notably the Meatless Messhall and the Venice Car Barn, that had rights to food use had converted to T shirt distribution.

Ocean Front Walk was full, lively and an attractive visitor destination. It would be difficult to live on Ocean Front Walk with the level of crowds that were present. Traffic on Speedway was slow and the beach traffic, including the cars looking for parking did obstruct, the flow of traffic into the alleys that served the existing residential areas.

No conclusion could be drawn about whether Ocean Front Walk was too full, whether commercial development caused "overcrowding" on the walk or whether commercial operations merely were attracted by the number of potential customers.

Staff did observe that the mitigation programs imposed by the Commission were not operating as the Commission had required. None of the parking required as off site parking for commercial development was identified or available, and all commercial establishments with on-site parking were renting their spaces as commercial beach parking all-day spaces, with no validation for customers (one exception, \$5.00 validation for the Sidewalk Cafe). Staff observed heavy cumulative impacts on parking. Beach goers, however, were parking in City lots four and five blocks from the beach and going to the the beach.

The Commission has now considered and approved a recommendation to allow limited development and require parking provided to accommodate the development and additional spaces to provide for cumulative impacts. The Commission found that for this scale of development, which is a large-scale project for this community, it must look at the cumulative impacts of all this possible development along Speedway alley. It examined material that

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indicated that some existing commercial development would be made uneconomic by the development of the larger lots, and it examined maps indicating that many of the remaining lots were either vacant, or developed with one-story buildings. The Commission considered the possibility that the remaining lots were likely to develop to the scale of the original proposal. It found that there was not yet adequate information to evaluate the cumulative impacts of the originally proposed development of either the large lots or the recycling of all the commercial lots on public access, and on the traffic system, which it noted, was not designed for vehicular access.

On the other hand, the Commission was reluctant to deny the owner of a commercially zoned parcel the development of a visitor serving, commercial use. The Commission finds that a two-level, lower, building, with adequate parking could be approved. The Commission finds that as conditioned to construct a two story development, with no future improvements, there is a feasible alternative. In order to make it feasible, it has allowed some additional food uses and extended the hours of operation. Secondly, it examined the conditions imposed by the Los Angeles City traffic department in lieu of traffic studies and has imposed conditions to provide cumulative impact parking, city required neighborhood night-time parking, and to limit the use of Speedway for truck delivery to weekdays and to operate the parking lot without allowing queuing.

Based on the cumulative impacts of future development, the City may impose stricter conditions on other projects. This applicant has stated that it is not feasible for him to wait until the planning process is over. As it has in numerous other occasions of this sort, the Commission is allowing development now but requiring that no future additions occur, which means that if in the future larger structures are approved, the applicant has traded both the risk of stricter regulations and the potential opportunity of a larger project for development now.

The Commission acknowledges that there is no cumulative impact analysis of build-out along Speedway Alley of the existing commercially zoned vacant lots. However, the Commission in the past has allowed limited commercial development without such an analysis. As now conditioned to remove significant square footage from the project, to include numerous other conditions addressing cumulative impact parking, operation of parking, reservation of public rights, and limiting local impacts by limiting the hours of operation, the project is consistent with other commercial projects the Commission has approved and will not have cumulative or individual impacts on parking or traffic.

The development as now conditioned is the least environmentally damaging feasible alternative, and will not cause cumulative impacts on resources under the definition of the California Environmental Quality Act.


F. Unpermitted Development

Although some of the uses of land and development observed existing on this lot is not in conformity with the terms and conditions of the Commission's

Determination (To Be Completed By Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

	City Planner	(213) 978-1310
Signature	Title	Phone

Evaluation Of Environmental Impacts:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the filing, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration, Section 15263 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

-
- Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.

XIV-30. Public Services (Police)

- Environmental impacts may result from project implementation due to the location of the project in an area having marginal police services. However, this potential impact will be mitigated to a less than significant level by the following measure:
- The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of deep space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 485-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

XVI-80. Transportation/Traffic

- The project will result in impacts to transportation and/or traffic systems. However, the impact can be reduced to a less than significant level through compliance with the following measure(s):
- Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.
- Temporary pedestrian facilities should be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
- Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.



Construction but not operational impacts mitigated.

From: John Stein js@johnstein.net
Subject: Re: VNC LUPC Meeting May 28, 2026; AGENDA ITEM 17: 601 OCEAN FRONT WALK
Date: May 27, 2026 at 6:46 PM
To: Mark Mack mark.mack@venicenc.org, Robin Rudisill robin.rudisill.vnclupc@gmail.com



Hello Mark and Robin,

In my commentary below, I call for a traffic analysis to look at the cumulative impact along OFW and Speedway. I now understand that traffic analyses are performed according to LADOT's downloadable VMT calculator. Is there anyone on the LUPC who is familiar with this tool and could use it to calculate Vehicle Miles Traveled from a combination of 4-6 hypothetical projects on those larger OFW parcels ripe for redevelopment?

As stated in my commentary, I'm looking to give Planning the ammunition to modify the Bonus Density Law incentives. But to do so, it has to find "*Significant, adverse impact*" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified and written ... conditions..." I'm thinking that if the VMT calculator found a significant impact, according to the calculator's definition, that could allow Planning to whittle down the incentives, e.g., allowing the density incentive or maybe some of the parking incentive, but denying the height or setback incentives.

Anyone on the committee familiar with this calculator?

John

The **City of Los Angeles VMT Calculator** is an **Excel-based tool** developed by the **Los Angeles Department of Transportation (LADOT)** and the **Department of City Planning (DCP)** to estimate project-specific daily household and work Vehicle Miles Traveled (VMT) for land use development projects. 🌐

On Wednesday, May 27, 2026 at 10:01:11 AM EDT, Mark Mack <mark.mack@venicenc.org> wrote:

Thank you for your letter and we will consider it in our *internal* discussion this upcoming project

On May 26, 2026, at 6:38 PM, John Stein <js@johnstein.net> wrote:

VNC LUPC Meeting May 28, 2026
Commentary by John Stein, 20 Sunset Ave.

AGENDA ITEM 17: 601 OCEAN FRONT WALK

To the VNC LUPC:

1) Incomplete Application: This major project will set the future direction of Ocean Front Walk. It is premature for the LUPC to consider it because the application was submitted and made available for public review only on April 24, 2026. There has not been sufficient time for the public to become familiar with the project's details.

Nor has Planning accepted the application as complete. City Planner Ira Brown informed me by email on May 19 that “the application is on hold.” This applicant previously withdrew applications for this site with the Coastal Commission and City Planning before they were completed. The LUPC should table discussion of this project until the application is complete.

2) Ownership and Accountability: The application lacks the required Ownership Disclosure. Discussion should be tabled until it is provided. Applicant 601 OFW LLC was formerly named Boardwalk Sunset LLC, as stated in a 2019 application to the Coastal Commission for an extension of Permit 5-90-789. According to California Court of Appeals Ruling B241675 (see attached Exhibit 1: Applicant’s Broken Credibility), Boardwalk Sunset LLC, aka Applicant 601 OFW LLC, and Joseph Praske (who signed the application as owner) are alter egos of Stephen Gaggero.

Gaggero and Praske play a shell game among a collection of LLCs, trusts, and a corporation, all ruled alter egos of Gaggero, and the multiple positions they hold within these entities, avoiding responsibility by claiming that authority lies elsewhere or pleading ignorance. They refused to provide trust and partnership documents as demanded by the court.

According to California Court of Appeals Ruling B207567, Stephen Gaggero has a history of avoiding accountability by attempting to conceal his ownership. Gaggero gave “[t]he overall impression of concealment rather than disclosure of the facts.” He “flat out lied.” “Mr. Gaggero’s unbelievable explanations of his ‘understanding’ or lack thereof in the face of this correspondence absolutely shattered what little credibility he had left.” “[t]here is little of [Gaggero’s testimony the court] can believe unreservedly.”

3) Cumulative Impact: The cumulative impact that would ensue from this project, as proposed, would lead to excessive traffic congestion along Speedway Alley and a shortage of parking, limiting public access. This project would set precedents for scale, use intensity, and parking, incentivizing comparable buildout along at least 5 full or half-block sections of Ocean Front Walk that are now only partially built with single-story buildings.

The applicant requests, as an incentive under the State Bonus Density Law, as implemented by the Municipal Code, a height increase from the 30 ft allowed by code to 50 ft. Incentives must be granted by right unless Planning finds, “based upon substantial evidence in the record [that] the incentive would have a specific adverse impact upon ... the physical environment...” The Code further states: “‘Significant, adverse impact’ means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified and written ... conditions as they existed on the date the application was deemed complete.”

If a traffic analysis identifies and quantifies significant cumulative impacts, it could constitute an adverse impact on the physical environment and authorize the Planning Department to deny incentives. Past traffic analyses for this property, prepared by the developer, failed to analyze cumulative impacts along Speedway Alley, despite being asked to do so under DOT guidelines. A traffic analysis that considers cumulative impacts along Speedway should be required as part of a complete application.

From: John Stein js@johnstein.net
Subject: Re: VNC LUPC Meeting May 28, 2026; AGENDA ITEM 17: 601 OCEAN FRONT WALK
Date: May 27, 2026 at 7:13 PM
To: Mark Mack mark.mack@venicenc.org, Robin Rudisill robin.rudisill.vnclupc@gmail.com



I'd be happy to help craft hypothetical criteria and identify the specific land parcels that would be included in such a study.

John

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VNC LUPC Meeting May 28, 2026
Commentary by John Stein, 20 Sunset Ave.

AGENDA ITEM 17: 601 OCEAN FRONT WALK

From: John Stein js@johnstein.net
Subject: Re: VNC LUPC Meeting May 28, 2026; AGENDA ITEM 17: 601 OCEAN FRONT WALK
Date: May 27, 2026 at 6:46 PM
To: Mark Mack mark.mack@venicenc.org, Robin Rudisill robin.rudisill.vnclupc@gmail.com



Hello Mark and Robin,

In my commentary below, I call for a traffic analysis to look at the cumulative impact along OFW and Speedway. I now understand that traffic analyses are performed according to LADOT's downloadable VMT calculator. Is there anyone on the LUPC who is familiar with this tool and could use it to calculate Vehicle Miles Traveled from a combination of 4-6 hypothetical projects on those larger OFW parcels ripe for redevelopment?

As stated in my commentary, I'm looking to give Planning the ammunition to modify the Bonus Density Law incentives. But to do so, it has to find "*Significant, adverse impact*" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified and written ... conditions..." I'm thinking that if the VMT calculator found a significant impact, according to the calculator's definition, that could allow Planning to whittle down the incentives, e.g., allowing the density incentive or maybe some of the parking incentive, but denying the height or setback incentives.

Anyone on the committee familiar with this calculator?

John

The **City of Los Angeles VMT Calculator** is an **Excel-based tool** developed by the **Los Angeles Department of Transportation (LADOT)** and the **Department of City Planning (DCP)** to estimate project-specific daily household and work Vehicle Miles Traveled (VMT) for land use development projects.

On Wednesday, May 27, 2026 at 10:01:11 AM EDT, Mark Mack <mark.mack@venicenc.org> wrote:

Thank you for your letter and we will consider it in our *internal* discussion this upcoming project

On May 26, 2026, at 6:38 PM, John Stein <js@johnstein.net> wrote:

VNC LUPC Meeting May 28, 2026
Commentary by John Stein, 20 Sunset Ave.

AGENDA ITEM 17: 601 OCEAN FRONT WALK

To the VNC LUPC:

1) Incomplete Application: This major project will set the future direction of Ocean Front Walk. It is premature for the LUPC to consider it because the application was submitted and made available for public review only on April 24, 2026. There has not been sufficient time for the public to become familiar with the project's details.

Nor has Planning accepted the application as complete. City Planner Ira Brown informed me by email on May 19 that “the application is on hold.” This applicant previously withdrew applications for this site with the Coastal Commission and City Planning before they were completed. The LUPC should table discussion of this project until the application is complete.

2) Ownership and Accountability: The application lacks the required Ownership Disclosure. Discussion should be tabled until it is provided. Applicant 601 OFW LLC was formerly named Boardwalk Sunset LLC, as stated in a 2019 application to the Coastal Commission for an extension of Permit 5-90-789. According to California Court of Appeals Ruling B241675 (see attached Exhibit 1: Applicant’s Broken Credibility), Boardwalk Sunset LLC, aka Applicant 601 OFW LLC, and Joseph Praske (who signed the application as owner) are alter egos of Stephen Gaggero.

Gaggero and Praske play a shell game among a collection of LLCs, trusts, and a corporation, all ruled alter egos of Gaggero, and the multiple positions they hold within these entities, avoiding responsibility by claiming that authority lies elsewhere or pleading ignorance. They refused to provide trust and partnership documents as demanded by the court.

According to California Court of Appeals Ruling B207567, Stephen Gaggero has a history of avoiding accountability by attempting to conceal his ownership. Gaggero gave “[t]he overall impression of concealment rather than disclosure of the facts.” He “flat out lied.” “Mr. Gaggero’s unbelievable explanations of his ‘understanding’ or lack thereof in the face of this correspondence absolutely shattered what little credibility he had left.” “[t]here is little of [Gaggero’s testimony the court] can believe unreservedly.”

3) Cumulative Impact: The cumulative impact that would ensue from this project, as proposed, would lead to excessive traffic congestion along Speedway Alley and a shortage of parking, limiting public access. This project would set precedents for scale, use intensity, and parking, incentivizing comparable buildout along at least 5 full or half-block sections of Ocean Front Walk that are now only partially built with single-story buildings.

The applicant requests, as an incentive under the State Bonus Density Law, as implemented by the Municipal Code, a height increase from the 30 ft allowed by code to 50 ft. Incentives must be granted by right unless Planning finds, “based upon substantial evidence in the record [that] the incentive would have a specific adverse impact upon ... the physical environment...” The Code further states: “‘Significant, adverse impact’ means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified and written ... conditions as they existed on the date the application was deemed complete.”

If a traffic analysis identifies and quantifies significant cumulative impacts, it could constitute an adverse impact on the physical environment and authorize the Planning Department to deny incentives. Past traffic analyses for this property, prepared by the developer, failed to analyze cumulative impacts along Speedway Alley, despite being asked to do so under DOT guidelines. A traffic analysis that considers cumulative impacts along Speedway should be required as part of a complete application.

Alternatively, Planning could scale back the project as a mitigation measure if it found cumulative impact under CEQA. CEQA defines cumulative impact as *“the change in the environment resulting from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects”*. The Coastal Commission required, as a mitigating condition for a perceived but unanalyzed environmental impact associated with a previously approved project at this site (5-90-789), a 40% reduction in floor area and a 19% reduction in height. A subsequent environmental impact analysis for this property (ENV-2015-103-MND) found significant but unquantified environmental impact.

The cumulative effect of new 50-ft buildings along Ocean Front Walk, replacing low, one-story buildings among the tall, narrow buildings built without parking in the early 20th century, would destroy the *“scale and ...architectural flavor of Ocean Front Walk”* ... *“that establishes the community character that attracts visitors to the area”* (quotes from the attached Exhibit 2: Coastal Commission Cumulative Impact Findings)

The applicant requests reduced setbacks as an incentive under the State Bonus Density Law. The applicant requests reduced setbacks along Speedway Alley from 16' to 14'-1.5" (measured from the center of Speedway Alley) or from 6' to 4'-1.5" (measured from the alley's edge), and along Sunset Ave from 7' to 0', with bike racks for 36 bikes in the public right-of-way on Sunset Ave.

Instead, as mitigating measures for cumulative environmental impact, setbacks should be increased along Speedway Alley to alleviate traffic congestion and along Sunset Ave to protect public beach access. Speedway Alley is called to serve multiple vehicular and pedestrian uses, like a street, but is just a single-lane, 20-ft-wide alley. The Sunset Ave setback is especially needed given the large development coming to the bus lot at the end of Sunset Ave and the proposed path through that development to the bus stop on Main Street.

“The linked pedestrian ways, Ocean Front Walk and the walk streets, have been identified in the draft Local Coastal Program as a recreational resource and also as the design feature that establishes the community character that attracts visitors to the area.” (See Exhibit 2, p.11)

4) **Parking:** Planning could scale back this project by disallowing substitutions of required parking spaces with short-term outdoor bike stalls on Ocean Front Walk and Sunset Avenue, both public property. Alternatively, Planning could disallow transportation incentives for the shared cars, cargo bikes, and scooters provided.

The current project provides no additional parking beyond the 43 spaces already there, which are covenanted for the exclusive use of 511, 517, and 523 Ocean Front Walk (although that covenant has never been observed, and is likely unenforceable given the applicant's uncooperative reputation as reported in the above-cited Appeals Court rulings).

According to page 1 of the applicant's submitted plans, the code requires an additional 67.5 parking spaces for the 30 dwelling units, 40 spaces for the “general retail space” (although the applicant states elsewhere in the application that he intends an unspecified portion of this

for restaurant use, which requires more parking), and 14.1 Beach Impact Zone spaces, for a total of 117 spaces for the new development. In addition to the 43 already covenanted spaces, the grand total is 160 parking spaces.

In lieu of the 67.5 parking spaces required for the 30 dwelling units, the applicant proposes 28 long-term covered bike stalls and 3 short-term outdoor bike stalls on public property along Ocean Front Walk and Sunset Ave. The State Bonus Density Law, as implemented by the LA Municipal Code, appears to allow an incentive reduction to 15 parking spaces, rather than the 67.5 required for the 30 dwelling units, but not to zero. In lieu of the 40 parking spaces required for general retail space, the applicant proposes 5 long-term covered bike stalls and 5 short-term bike stalls on Ocean Front Walk and Sunset Ave. The applicant proposes to replace 13 of the already covenanted parking spaces with 52 short-term bike stalls on Ocean Front Walk and Sunset Ave.

In sum, instead of the required 117 parking spaces for the new development, which are reduced to 65 by a Bonus Density Law incentive, the applicant proposes zero parking spaces and 93 bike stalls, 60 of which would be short-term on public property along Ocean Front Walk and Sunset Ave.

Outside bike stalls on public property are no substitute for required parking. Bikes locked outside overnight are likely to be stolen, and the stalls would not be used for overnight bike parking.

The plans ambiguously show short-term bike stalls on either side of Ocean Front Walk. The applicant should specify which one he is proposing. Directly in front of the building, they would block access to the commercial space. Across Ocean Front Walk, they would displace artists and performers.

The applicant states on page one of the plans: "*Per AB2097, no parking is required other than the 43 covenanted spaces.*" However, Zimas identifies 601 OFW as ineligible under AB2097.

(For the 43 covenanted parking spaces, the applicant may or may not be allowed to replace 30% (13) of them with 52 short-term outdoor bike stalls on public property.)

5) Shared cars, cargo-bikes, and scooters: To compensate for the lack of parking spaces, the applicant proposes cargo bikes and scooters for tenant use, some available gratis, and 3 ride-share vehicles available for rent from Envoy (EnvoyThere.com).

The nearest supermarket, Whole Foods, is over 4,800 ft, or almost a mile, away via city streets. Few people, even at a reasonably young age, would happily ride a cargo bike or scooter back and forth on public streets for grocery shopping and for more distant local errands.

Envoy's least expensive cars rent for \$12/hr and are commonly stationed at high-end hotels and resorts. Unlike point-to-point car rentals, Envoy's would continue charging hourly fees until the vehicle is returned. That makes them very expensive for half-day errands and

prohibitively expensive for full-day outings or for commuters who need a car all day.

Shared bikes and shared ride-share vehicles are a noble idea, but residents would still find owning and parking cars on the street cheaper and more convenient, further straining the area's limited street parking.

The overall lack of parking in this project would greatly exacerbate the area's existing parking shortage, impede public access, and set an unworkable precedent for cumulative development along Ocean Front Walk.

Respectfully submitted,

John Stein


Attached:

Exhibit 1 – Applicant's Broken Credibility

Exhibit 2 – Coastal Commission Cumulative Impact Findings

<Exhibit 1 - Applicant's Broken Credibility.pdf><Exhibit 2 - Coastal Commission Cumulative Impact Findings.pdf>

Mark Mack
mark.mack@venicenc.org

From: DZ xtravoice@gmail.com 
Subject: LUPC Meeting May 28, 2026; AGENDA ITEM 17: 601 OCEAN FRONT WALK
Date: May 27, 2026 at 8:18 AM
To: LUPC@venicenc.org



I completely concur with my neighbor, John Stein, on this issue. He and I have been following and discussing the potential development of the parking lot at the end of our block for nearly 10 years. The issues he lays out below speak to my concerns as well.

**thank you,
Debbie Zeitman**

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From: Jeremy Blank jblank@comllp.com
Subject: LUPC Meeting on May 28, 2026. Agenda Item 17: Project at 601 Ocean Front Walk
Date: May 27, 2026 at 9:01 PM
To: LUPC@venicenc.org



Please see attached pdf letter with exhibits. I also pasted the text below in this email for ease of access. Thank you for your consideration.

Letter Respectfully Submitted to Venice Neighborhood Council (LUPC@venicenc.org)

Date: May 27, 2026

Re: LUPC Meeting on May 28, 2026. Agenda Item 17: Project at 601 Ocean Front Walk

Dear Venice Neighborhood Council and Land Use & Planning Committee:

My name is Jeremy Blank, and I am a resident and property owner of 13 Sunset Ave, Venice beach, located on the corner of Sunset Avenue and Speedway Alley. The proposed project is deeply troubling and inconsistent with the Venice beach neighborhood. I urge the committee members to oppose this version of the project and require at least 4 critical revisions to make the project palatable:

1. Reduce the Height by 20 feet (from 50 to 30 ft, code's maximum allowable height)
2. Increase the setback along the Sunset Avenue walk-street to 15 feet
3. Increase the setback along Speedway Alley to 26 feet to avoid massive traffic jams
4. Add at least 40 more parking spaces.

Below is a detailed explanation of each critical modification:

- 1) The structure's proposed height is 50 feet. This is **20 feet above maximum allowable height** of 30 feet (as required by VCZSP Section 10.F.3(a). The towering structure would be catastrophic visually and functionally to our beach neighborhood.

Importantly, the 1991 & 1998 Coastal Commission reports (Permit# 5-90-789-A1) for the development of this same very lot (and same owner), imposed conditions to reduce the height of the 1991 proposed project from 31 feet to 25 feet (and no higher than 20 ft at Speedway) in order to mitigate the negative impacts of the project. See Exhibit #3. The Commission also decided to eliminate the proposed third floor of the Project.

- 2) There is **ZERO proposed setback** on the Northern side **along the Sunset Ave walk-street**. A minimum of 7 feet is required by LAMC 12.13 C.2(c). And in fact, **each home along Sunset Avenue is setback approximately 15 feet using a "stringline approach"**. I commissioned a licensed surveyor, Lawrence J Schmah, to measure the setback distance of all houses on Sunset Ave from the coast to Pacific Avenue. The Survey is attached as Exhibits #1 & 2 to this letter. (Please

PACIFIC AVENUE. THE SURVEY IS ATTACHED AS EXHIBITS #1 & 2 TO THIS LETTER. (PLEASE recall that the 601 OFW Project's actual street address is also 8-10 Sunset Ave.)

Most relevant is the property at 18 Sunset Ave, which is the next immediate property up the block. It is set back 14.73 to 15.44 feet from Sunset Ave. The 601 OFW Project as proposed is setback ZERO feet, and **would dramatically infringe on and impede visual access to the beach**. Instead, a "stringline" approach is much more appropriate for the neighborhood and precedent. Furthermore, taking the average of ALL Sunset Avenue houses on the Project's side of the block results in an average setback of 14.03 feet. Therefore, the Committee and Council should be aware that it is not just the immediate house at 18 Sunset Ave which is setback far more than the proposed Project, but it is the entire block.

- 3) Increase the setback along Speedway Alley to 26 feet. Even today (with an open clean flat parking lot on the project site), Speedway is the site of consistent hourly traffic jams. UPS and Amazon trucks constantly stopping, tourists seeking parking, beachgoers bicycling, skateboarders, parents walking baby strollers, residents coming and going. Adding a 4 story massive structure (with limited parking) will be harmful to beach access and inevitably create a line-up of cars queuing in traffic.

The Coastal Commission's 1992 & 1998 decisions for the development of this SAME lot, required a setback to Speedway alley of 26 feet (see Exhibit #3).

Speedway is the only street/alley for vehicular access to the coast and all Ocean Front Walk properties for a span of 6 blocks. To all of Venice, it is clear that Speedway can NOT handle the increased vehicular traffic created by this large building. Speedway is a chokepoint. A serious and specific Speedway traffic study must be done to determine what traffic the north section of Speedway can in fact handle. It is my understanding that both CEQA and prior Coastal Commission reports require that such a study be done on this portion of Speedway for this Project.

- 4) Ensure more parking spaces. The project proposes 42 units (30 residential including 3 "Penthouses" and 12 commercial units). Add to this that the existing parking lot is covenanted to supply over 43 additional spaces to tenants of 511, 517, and 521 Ocean Front Walk. However, the proposed project only has 46 parking spaces. So the simple "need" will be at least $42+43 = 85$ units, as compared to the supply proposed of only 46 parking spaces.

Today, the parking lot at 601 OFW is a critical space for coastal visitors to park and visit Venice. It is clear that this Project will reduce parking availability for the public to visit Venice. The number 1 problem for visitation to Venice is parking (and the number 1 problem for the neighborhood is that Speedway is already jammed up daily with visitors and trucks to support the beach). Each Coastal Commission report I have ever read for Ocean Front Walk projects states that a "direct relationship exists between the provision of adequate parking and availability of public access to the coast" and "the location and amount of new development should maintain and enhance public access to the coast". It

is simply obvious that the current Project will contradict this Commission guidance and will reduce access to the coast for visitors.

I would greatly appreciate if the Committee and VNC would consider the very reasonable points made above and require corresponding modifications so that this Project is not a liability of the neighborhood and a major detractor from beach visitation and access.

Thank you,



Jeremy Blank
+1-646-319-1219
jblank@comllp.com

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**2026 05 27 Letter of
Jeremy Blank to VN...**



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Ocean Front Walk projects states that a "direct relationship exists between the provision of adequate parking and availability of public access to the coast" and "the location and amount of new development should maintain and enhance public access to the coast". It is simply obvious that the current Project will contradict this Commission guidance and will reduce access to the coast for visitors.

I would greatly appreciate if the Committee and VNC would consider the very reasonable points made above and require corresponding modifications so that this Project is not a liability of the neighborhood and a major detractor from beach visitation and access.

Thank you,

A handwritten signature in black ink, appearing to be the initials 'JB' with a stylized flourish.

Jeremy Blank
+1-646-319-1219
jblank@comllp.com

EXHIBIT #2

Survey of Sunset Avenue, Venice (Coast to Speedway to Pacific Ave)
Calculation of Average Sunset Ave Setback (Project's Side of the Street)

* Note Project's address is 8-10 Sunset Ave & 601 Ocean Front Walk

18 Sunset Ave	14.73	<i>* property closest to Project</i>
	15.44	
20 Sunset Ave	14.13	
	14.26	
22 Sunset Ave	13.67	
	13.59	
28 Sunset Ave	11.58	
	11.68	
34 Sunset Ave	10.36	
	10.29	
36 Sunset Ave	14.69	
	14.62	
38 Sunset Ave	14.51	
	14.43	
40 Sunset Ave	15.14	
	14.99	
44 Sunset Ave	14.91	
	14.91	
48 Sunset Ave	14.61	
	13.60	
52 Sunset Ave	15.42	
	15.37	
56 Sunset Ave	14.96	
	14.84	
Total Average	14.03	

EXHIBIT #3

4

STATE OF CALIFORNIA - THE RESOURCES AGENCY

PETE WILSON, Governor

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Ocean Gate, 10th Floor
Long Beach, CA 90802-4302
(562) 590-5071

Filed: 10/31/97
49th Day: 12/19/97
180th Day: 4/29/98
Staff: CP-LB
Staff Report: 3/17/98
Hearing Date: April 7-10, 1998
Commission Action:

Tu/16a



STAFF REPORT: PERMIT EXTENSION REQUEST

APPLICATION NO.: 5-90-789-E5
APPLICANT: Stephen M. Gaggero
AGENT: Greg Maas, Avalon Corporation
PROJECT LOCATION: 601 Ocean Front Walk, Venice, City of Los Angeles, Los Angeles County

PROJECT DESCRIPTION: Public hearing on request for extension of amended permit for the construction of a two-story, 25 foot high, 14,536 square foot retail/fast food center with a 2,155 square foot exterior food service plaza. The amended project includes a 156 space, two-level subterranean parking garage.

[Applicant's original application proposed a 31 foot high, five-level, 24,267 square foot retail/fast food center with a 2,580 square foot food service plaza, and 151 parking spaces. The Commission approved project is significantly smaller.]

Lot Area	18,850 sq. ft.
Building Coverage	9,300 sq. ft.
Pavement Coverage	9,000 sq. ft.
Landscape Coverage	550 sq. ft.
Parking Spaces	156
Zoning	C-1
Plan Designation	Commercial
Ht abv fin grade	25 feet

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission find that the extension request is consistent with the Coastal Act and grant a new one-year term for the permit.

EXHIBIT #3 continued

APPENDIX A

Special Conditions of Coastal Development Permit S-90-789 as amended by amendment S-90-789-A1 (Gaggero):

1. Conformance with City of Los Angeles Coastal Development Permit Conditions

The applicant shall comply with all conditions (mitigation measures) required by the City of Los Angeles under City of Los Angeles Local Coastal Development Permit Number CDP-88-36, except in the case of conditions that specifically differ from the conditions below. If conditions differ, or revised plans are required for this development by the Commission's action, the action of the Commission shall prevail.

2. Revised Plans

Prior to transmittal of the permit the applicant shall submit revised plans for the review and approval of the Executive Director. The plans shall include the following modifications to the plans filed with the application:

- a. The third floor of the building shall be eliminated. The height of the building shall be reduced to 25 feet above Ocean Front Walk at the Ocean Front Walk elevation and 20 feet above Speedway Alley at the corner of Sunset Avenue and Speedway Alley. Architectural projections, stair and elevator housings and mechanical units may exceed this height. No portion of the structure except for handicapped car ports, parking entrance ramp, elevator and the approved stair walls may extend within 26 feet of Speedway Alley.
- b. Uses on the first floor shall be designated as general retail, and shall not exceed 9,300 square feet of gross structural area. Uses on the second floor shall be limited to general retail and/or walk-up food service with no more than 5,236 square feet of total enclosed area (gross structural area) and 2,155 square feet of exterior food service area. No interior restaurant seating or restaurant service is permitted.
- c. A queuing area sufficient to accommodate two cars within the applicant's property shall be located adjacent to Speedway or within the entrance to the parking garage.
- d. The trees and shrubs the applicant selects from the ICO list for placement on Sunset Avenue shall have open structures and shall maintain public views and preserve defensible space for pedestrians along Sunset Avenue.

From: Sonia Montejano stmontejano@gmail.com
Subject: Fwd: 601 Ocean Front Walk
Date: May 28, 2026 at 10:06 AM
To: lupc@venicenc.org



Sent from my iPhone

Begin forwarded message:

From: Sonia Montejano <stmontejano@gmail.com>
Date: May 28, 2026 at 9:23:16 AM PDT
To: LUPC@venice.org
Cc: Steve Meadows <agiantleap@aol.com>, Rosaura Luna <rm.luna@live.com>
Subject: 601 Ocean Front Walk

May 28, 2026 meeting
Agenda Item #17

As a resident at 20 Paloma Ave, Venice, this proposal for development would negatively impact my quality of life.

Parking is a big problem in the area, not only for residents but also for the millions of visitors Venice gets every year.

Please do not ruin our community further by allowing this out of scale monumental project to move forward.

The best argument against it is simply; No parking = No Building Permits!!!!!!

Sincerely,

Sonia Montejano

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