



# Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / [www.VeniceNC.org](http://www.VeniceNC.org)

Email: [info@VeniceNC.org](mailto:info@VeniceNC.org) Phone: 310-421-8627



## **Board of Officers Meeting Agenda**

Westminster Elementary School (Auditorium)

1010 Abbot Kinney Blvd, Venice, 90291

**Tuesday, January 19th, 2016 at 7:00 PM**

**BOARD MEETINGS:** The Venice Neighborhood Council holds its regular meetings on the third Tuesday of the month and may also call any additional required special meetings in accordance with its Bylaws and the Brown Act. All are welcome to attend.

**TRANSLATION Services:** Si requiere servicios de traducción, favor de notificar a la oficina 3 días de trabajo (72 horas) antes del evento. Si necesita asistencia con esta notificación, por favor llame a nuestra oficina 213.473.5391.

**POSTING:** In compliance with Government Code section 54957.5 the agenda and non-exempt writings that are distributed to a majority or all of the board members in advance of regular and special meetings may be viewed at Beyond Baroque (681 Venice Blvd), the Venice Library (501 S. Venice Blvd), and the VNC website (<http://www.venicenc.org>), or at the scheduled meeting. For a copy of any record related to an item on the agenda, please contact [communications@venicenc.org](mailto:communications@venicenc.org).

**PUBLIC COMMENT:** The public is requested to fill out a "Speaker Card" to address the Board on any Old or New Business item on the agenda and the Treasurer's Report. Comments from the public on these agenda items will be heard only when that item is being considered. Comments from the public on other agenda matters or on matters not appearing on the agenda but within the Board's subject matter jurisdiction will be heard during the Public Comment period. Public comment is limited to one (1) minute per speaker, unless modified by the presiding officer of the Board. No new speaker cards will be accepted once Public Comment has begun.

**COMMUNITY IMPACT STATEMENTS:** Any action taken by the Board may result in the filing of a related CIS

**DISABILITY POLICY:** See last page.

**ALL AGENDA TIMES ARE APPROXIMATE AND SUBJECT TO CHANGE ON THE NIGHT OF THE MEETING.**

**1. Call to Order and Roll Call (7:00PM – 1 minute)**

Thank you to Whole Foods, Abbot's Habit, and Jessica Blumenthal for the food and refreshments.

**2. Pledge Of Allegiance (7:01PM -- 1 minute)**

**3. Approval of Outstanding Board minutes (7:02PM – 1 minute)**

<http://www.venicenc.org/wp-content/uploads/2012/12/151215BoardMinutes.pdf>

**4. Approval of the Board Agenda (7:03PM – 1 minute)**

**5. Declaration of Ex Parte Communications or Conflicts-Of-Interest (7:04PM -- 1 minute)**

All Board members shall declare any ex parte communications or conflicts-of interest relating to items on this meeting's agenda.

**6. Scheduled Announcements and Presentations (7:05PM – 45 minutes)**

**A Public Safety - LAPD Report (10 minutes):** Senior Lead Officers Peggy Thusing

([25120@lapd.lacity.org](mailto:25120@lapd.lacity.org)), Kristan Delatori ([32914@lapd.lacity.org](mailto:32914@lapd.lacity.org)), Gregg Jacobus, [35162@lapd.lacity.org](mailto:35162@lapd.lacity.org), Lt. Lydia Leos [23216@lapd.lacity.org](mailto:23216@lapd.lacity.org), OFW Beach Detail Supervisor. Includes a monthly Venice crime report and updates on law enforcement issues in Venice.

**B Government Reports (15 minutes)** (Representatives have standing place on the agenda, but are not always available to attend)

- City Councilmember Mike Bonin, Field Deputy, Jesus "Chuy" D. Orozco, 310-568-8772 ([jesus.d.orozco@lacity.org](mailto:jesus.d.orozco@lacity.org))
- Congressman Ted Lieu, Representative Janet Turner, 310-496-9896



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([janet.turner@mail.house.gov](mailto:janet.turner@mail.house.gov))

- State Senator Ben Allen, Representative Fernando Morales, 310-318-6994 ([fernando.morales@sen.ca.gov](mailto:fernando.morales@sen.ca.gov))
- State Assemblyperson Autumn Burke, Rep Odysseus Bostick, 310-412-6400 ([odysseus.bostick@asm.ca.gov](mailto:odysseus.bostick@asm.ca.gov))
- LA County Supervisor Sheila Kuehl Westside Field Deputy Rachel Zaiden, 213-974-3333 ([rzaiden@bos.lacounty.gov](mailto:rzaiden@bos.lacounty.gov))
- Mayor Eric Garcetti, Westside Deputy, Daniel Tamm, 213-978-0836 ([Daniel.Tamm@Lacity.org](mailto:Daniel.Tamm@Lacity.org))
- Ejjah Cooper – Oakwood Rec Park Director, 310-452-7479 ([ejjah.cooper@lacity.org](mailto:ejjah.cooper@lacity.org))
- Commissioner Joel Jacinto - Board of Public Works; Rep Shelley Wong ([shelley.wong@lacity.org](mailto:shelley.wong@lacity.org))

## C VNC Announcements (5 Minutes)

- President - Mike Newhouse ([President@VeniceNC.org](mailto:President@VeniceNC.org))
- Vice President - Marc Saltzberg ([VicePresident@VeniceNC.org](mailto:VicePresident@VeniceNC.org))
- Westside Regional Alliance of Councils- Mike Newhouse, WRAC President, Marc Saltzberg, VNC Representatives. ([Chair@westsidecouncils.org](mailto:Chair@westsidecouncils.org)),
- Los Angeles Neighborhood Council Coalition (LANCC) Ivan Spiegel ([Parliamentarian@VeniceNC.org](mailto:Parliamentarian@VeniceNC.org))
- VNC Representative to DWP: Dede Audet
- Venice Chamber Of Commerce: Carl Lambert, President ([carl@lambertinc.com](mailto:carl@lambertinc.com))
- VNC Elections 2016: Ivan Spiegel, Elizabeth Wright
- Homeless Count: Erika Lee

## 7. Treasurer's Report (7:50PM - 3 minutes) (Hugh Harrison on behalf of Budget & Finance Committee), ([Treasurer@VeniceNC.org](mailto:Treasurer@VeniceNC.org))

*[Discussion and possible action]*

[EXHIBIT]

## A MOTION: The Venice Neighborhood Council approves the Monthly Expenditure Reports for December 2015.

RECOMMENDED BY BUDGET AND FINANCE COMMITTEE on January 5, 2016 [4-0-0].

## 8. General Consent Calendar (7:50PM -- 1 minute)

*[All agenda items on the Consent Calendar will pass when the Consent Calendar is approved. No discussion or Public Comment is allowed on any item. Items may be removed by any board member or stakeholder. Removed items will go to the end of the agenda and be treated as regular agenda items with discussion and public comment.]*

## A Constant disturbances on OFW (Melissa Diner on behalf of the Ocean Walk Front Committee [melissa.diner@venicenc.org](mailto:melissa.diner@venicenc.org))

**MOTION:** Whereas the Ocean Front Walk Committee has heard repeatedly from business owners, community members and individuals of noise complaints and constant disturbances. The Venice Neighborhood Council recommends that the City enforce disturbing the peace laws after 12am and before 5am on Ocean Front Walk.



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RECOMMENDED BY OCEAN FRONT WALK COMMITTEE 6-0-0

**9. Land Use and Planning Committee (LUPC) Consent Calendar (7:51 PM -- 1 minute)**

*[All agenda items on the Land Use and Planning Committee (LUPC) Consent Calendar will pass when the LUPC Consent Calendar is approved. No discussion or Public Comment is allowed on any item. Items may be removed by any Board member or Stakeholder. Removed items will go to the end of agenda item 11. Land Use and Planning Committee and will be treated as regular LUPC agenda items, with discussion and public comment.]*

**A 330-330½-332-332½ Rennie Ave (“Rennie Row”), Oakwood Subarea**

RD1.5-1 zone, General Plan Land Use Plan designation: Multiple-Family Residential Low Medium II ZA-2014-1264-CDP-SPP-MEL and VTT-72727-SL (Vesting Tentative Tract—5+ lots) and ENV-2014-1262-MND

VCZSP Compliance: SPP (DIR for SLS/VCZSP pre-October 2014)

<http://www.venicenc.org/330-332-rennie-ave/>

CITY HEARING NOT YET SCHEDULED

Project Description: Mello Act Determination, demo of 5 existing residential units in 4 buildings on two separate lots totaling 12,700 sq ft, Small-Lot Subdivision to create 7 new record lots with 7 new individual SFD’s (note: case filed on 4/10/14, accepted for review on 1/22/15)

Applicant: Brian Silveira

LUPC Staff: Robin Rudisill, Chair

Recommended by LUPC on 12-7-15 by a vote of 5-0-0 (RR/MR):

**MOTION:** The VNC Board recommends approval of the project as presented, with the following additions to the Project Description:

1. Trees shown in renderings and plans will be transplanted mature trees of the approximate height shown,
2. There will be no roof access structures for the first, second and seventh units.
3. The project will include:
  - mature landscape of the approximate height shown on the south side yard,
  - community bike racks,
  - a community garden,
  - flowering landscape (birds of paradise),
  - use of front yard area of the building for a “pedestrian friendly,” front porch-like open gathering area, and other “neighborhood-friendly features.”



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## **B** Baseline Mansionization Ordinance

<http://www.VeniceNC.org/Baseline-Mansionization-Ordinance-Recommendations/>

Recommended by LUPC on 1-5-16 by a vote of 7-0-0 (TD/RR). CIS to be sent if passed:

**MOTION:** The VNC Board supports Councilmember Koretz's Council Motion CF 14-0656 regarding out-of-scale development, and that the final Baseline Mansionization Ordinance (BMO) should exclude loopholes proposed by the City Planning Department (DCP), including but not limited to exemptions for patios, breezeways, and balconies, with either regular roof or a lattice roof, the 10% Zoning Administrator "Adjustment," and the 20% by-right "proportional stories" bonus (however, if such a bonus is retained in any form, similar to all other "discretionary" decisions that increase the size of a project, ZA ZAA process should review applications for this bonus through a properly noticed public hearing process, followed by an appealable determination).

## **C** 126 Thornton Place, North Venice Subarea

RD1.5-1 zone, General Plan Land Use Plan designation: Multiple-Family Residential Low Medium II  
ZA-2015-0859-CDP-MEL and ENV-2015-850-CE

VCZSP Compliance: none

<http://www.VeniceNC.org/126-Thornton-Place/>

City Hearing Thursday January 7, 2016, 11:30 am, West L.A. Municipal Bldg, 2<sup>nd</sup> floor Hearing Room, 1645 Corinth Ave

**Project Description:** proposed construction of a 3,210 sq ft, 3-story/35' high with RAS Single-Family Dwelling on a vacant 2,855 sq ft lot (Thornton Place is not a Walk Street); and Mello Act Determination

**Applicant:** Mashsa Tajbakhsh, for Thornton PL 126, LLC

**LUPC Staff:** Kathleen Rawson

Recommended by LUPC on 1-5-16 by a vote of 7-0-0 (RR/MK):

**MOTION:** The VNC Board recommends approval of the project as presented.



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## **D 415 Venice Way, North Venice Subarea**

RD1.5-1-O zone, General Plan Land Use Plan designation: Multiple-Family Residential Low Medium II  
ZA-2015-2692-CDP-ZAA-SPP-SPPA-MEL and ENV-2015-2693-CE

VCZSP Compliance: SPP

<http://www.VeniceNC.org/415-Venice-Way/>

City Hearing Thursday January 7, 2016, 3:30 pm, West L.A. Municipal Bldg, 2<sup>nd</sup> floor Hearing Room,  
1645 Corinth Ave

Project Description: demo of existing SFD & construction of a new SFD, Zoning Administrator's Adjustment to allow a front yard of 12'-6" and a side yard of 3', in lieu of the 15' front yard and 4' side yard required, a Specific Plan Adjustment to allow a maximum height of 32' for the flat portions of the dwelling in lieu of the maximum height permitted of 30', a VCZSP compliance permit (SPP), and a Mello Determination.

Applicant: Andrea Schoening for Edward Schumacher

LUPC Staff: Gabriel Ruspini & Robin Rudisill, Chair

Recommended by LUPC on 1-5-16 by a vote of 6-0-0 (RR/GR) Maury Ruano recused:

**MOTION:** The VNC Board recommends denial of the project due to lack of reasoning, documentation or any hardship related to the variances to the VCZSP being requested and also due to lack of any information on the Mello Determination.

## **E 1206 Cabrillo Ave, North Venice Subarea**

RD1.5 zone, General Plan Land Use Plan designation: Multiple-Family Residential Low Medium II  
ZA-2015-1127-CDP-ZAA-SPPA-SPP-MEL and ENV-2015-1128-CE

VCZSP Compliance: SPP

<http://www.VeniceNC.org/1206-Cabrillo-Ave/>

City Hearing Thursday January 7, 2016, 9:00 am, West L.A. Municipal Bldg, 2<sup>nd</sup> floor Hearing Room,  
1645 Corinth Ave

Project Description: a CDP and a SPP demo of detached garage & construction of 2nd dwelling unit over a new detached garage on a 2,700 sq ft lot, Zoning Administrator's Adjustment to allow a 2.8' passageway in lieu of the 10' passageway as required by Section 12.21.C,2(b); Specific Plan Adjustment to permit a lot area of 2,925 for 2 units in lieu of the required 3,000 sq ft of lot area required by the VCZSP; and a Mello Determination.

Applicant: Austin Peters, for Baker Family Revocable Trust

LUPC Staff: Mark Kleiman & Robin Rudisill, Chair

Recommended by LUPC on 1-5-16 by a vote of 6-0-1 (RR/MK):

**MOTION:** The VNC Board recommends approval of the project, conditioned on the owner providing an affidavit or covenant that they will not rent the new unit on a short-term basis, as long as short-term rentals are illegal in the zone.



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## **F** 338 Indiana Ave, Oakwood Subarea

RD1.5-1 zone, General Plan Land Use designation: Multiple-Family Residential Low Medium II  
ZA-2015-1389-CDP and ENV-2015-1390-CE and DIR-2012-1705-VSO-MEL

VCZSP Compliance: VSO

City Hearing took place on December 10, 2015

<http://www.VeniceNC.org/338-Indiana-Ave/>

Project Description: construction of a 30' tall duplex sited on a 5,282 sq ft vacant lot, building permit approved for demo in December 2014, application for CDP filed in February 2015

Applicant: Jason Berk, for Aubrey Balkind

LUPC Staff: Gabriel Ruspini

Recommended by LUPC on 1-5-16 by a vote of 7-0-0 (GR/RD):

**MOTION:** The VNC Board recommends approval of the project as presented, contingent on the removal of the storage areas included as part of the proposed roof access structure.

## **G** 628 California Ave, Oakwood Subarea

RD1.5-1 zone, General Plan Land Use designation: Multiple-Family Residential Low Medium II  
DIR-2015-3344-CDP-MEL and ZA-2015-3345-ZAA and ENV-2015-3346-CE; and DIR-2015-2833-VSO

VCZSP Compliance: VSO

City Hearing Monday January 25, 2016, 1:00 pm, West L.A. Municipal Bldg, 2<sup>nd</sup> floor Hearing Room, 1645 Corinth Ave

<http://www.VeniceNC.org/628-California-Ave/>

Project Description: demo of existing 435 sq ft 2-car garage, for construction of a 2nd dwelling unit over a new 3-car garage, for a total of 1,411 sq ft. The new dwelling unit and garage will be housed behind an existing single-family residence, to the rear of the site; a Mello Act Determination; and a Zoning Administrator's Adjustment to allow a 2' wide passageway from the entrance of a dwelling unit to the street in lieu of the minimum 10' required, in conjunction with the construction of a 2nd dwelling unit over a new detached garage.

Applicant: Mendy Tuhtan, Design House, for Mick & Valorie Ebeling

LUPC Staff: Mark Kleiman

Recommended by LUPC on 1-5-16 by a vote of 7-0-0 (RR/MK):

**MOTION:** The VNC Board recommends approval of the project, conditioned on the owner providing an affidavit or covenant that they will not rent the new unit on a short-term basis, as long as short-term rentals are illegal in the zone



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## **H 1044 Palms Blvd, Venice Planning Area (outside of the Coastal Zone)**

R1-1VLD zone

ZA-2015-2752-ZAA and ENV-2015-2753-CE

<http://www.VeniceNC.org/1044-Palms-Blvd/>

City Hearing Thursday January 14, 2016, 9:30 am, West L.A. Municipal Bldg, 2<sup>nd</sup> floor Hearing Room, 1645 Corinth Ave

Project Description: Zoning Administrator's Adjustment to permit a 4'-1" side yard and a rear yard of 5' in lieu of a 5' side yard & 15' rear yard required, both in conjunction with the conversion/addition to a SFD

Applicant: Ann Barry Campion

LUPC Staff: Maury Ruano and Todd Darling

Recommended by LUPC on 1-5-16 by a vote of 7-0-0 (TD/MR):

**MOTION:** The VNC Board recommends approval of the project as presented and notes that the adjustment for the rear yard may not be required assuming they can count ½ the alley.

## **10. Announcements & Public Comment on items not on the Agenda (7:53PM -- 10 minutes)**

*[No more than 1 minute per person – no Board member announcements permitted]*

## **11. Old Business [Discussion and possible action] (8:03PM -- 20 minutes)**

### **A Grassy Knolls allowed to be maintained by community partners (10 minutes)** (Melissa Diner on behalf of the Ocean Walk Front Committee [melissa.diner@venicenc.org](mailto:melissa.diner@venicenc.org))

**MOTION:** The Venice Neighborhood Council recommends permitting green areas to be redesigned and available for community space overseen by adjunct community partners.

RECOMMENDED BY OCEAN FRONT WALK COMMITTEE 7-1-0

### **B Pagoda Beautification Light Shows (5 minutes)** (Melissa Diner on behalf of the Ocean Walk Front Committee

[melissa.diner@venicenc.org](mailto:melissa.diner@venicenc.org))

**MOTION:** The Venice Neighborhood Council supports light shows on all the Ocean Front Walk Pagodas every evening from 8-9pm weekdays and 9-10pm weekends in continuation of the Pagoda Beautification Project. Light will shine toward the beach.

RECOMMENDED BY OCEAN FRONT WALK COMMITTEE 6-0-2



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- C** **Allow events on piers, sand & Ocean Front Walk (5 minutes)** (Melissa Diner on behalf of the Ocean Walk Front Committee [melissa.diner@venicenc.org](mailto:melissa.diner@venicenc.org))

**MOTION:** The Venice Neighborhood Council recommends that the County of Los Angeles, the Dept. of Public Works and the City of Los Angeles allow event permits for all for all applicants, such as weddings and local concerts on Ocean Front Walk, the sand and the Washington and Rose Ave. Pier. They further encourage, transparency in the permit process for all.

RECOMMENDED BY OCEAN FRONT WALK COMMITTEE 7-0-1

- 12. LUPC (8:25PM – 90 minutes)** Robin Rudisill on behalf of LUPC, (Chair-lupc@VeniceNC.org)  
*[Discussion and possible action]*

**A** **“Venice Sign Offs” (VSOs) (20 minutes)**

Recommended by LUPC on 1-5-16 by a vote of 5-2-0 (TD/MK):

**MOTION:**

1. Whereas “Venice Sign Offs” (VSOs), now done solely by the Los Angeles Department of City Planning (DCP), have the effect of shielding proposed housing projects in Venice from the appropriate and legally mandated public scrutiny;
2. Whereas VSOs are done by one planner, who has stated that he does not take into consideration questions of “mass, scale and character” even though “mass, scale and character” is part of the local and state law, including the Coastal Act and the L.A. General Plan Venice Community Plan (certified) Land Use Plan;
3. Whereas VSOs allow projects to go forward without fully analyzing their impact on Affordable Housing per Los Angeles City ordinances, or analysis of their implications regarding the state’s Mello Act;
4. Whereas VSOs have not adequately considered or analyzed historically significant buildings and resources, the VSOs are causing damage to our historic heritage and possibly prejudicing our future Local Coastal Plan and any potential historic district;
5. Whereas VSO’s give exemptions to CEQA (California Environmental Quality Act) without adequate analysis, frequently without complying with the state’s requirement that no exemption be given if a development runs counter to a neighborhood’s mass, scale and character;
6. Whereas VSOs expedite development of projects without public input and therefore endanger the integrity and character of our Special Coastal Community, and our population’s diversity, and these VSOs could therefore prejudice our legally mandated “Local Coastal Plan” before it is even written;
7. Whereas the VSO Administrator also acts as the City’s Mello Act Coordinator, reducing the transparency of Mello Act Determinations for the public and creating doubt about their accuracy;
8. Whereas the City’s process for determining whether replacing low- or moderate-income housing is financially feasible is deeply flawed, and the processing and coordination provided by the DCP and the VSO Administrator avoids a public and transparent process;





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9. Whereas only the Western Center on Law and Poverty and the Legal Aid Foundation of Los Angeles are notified about “replacement affordable units” housing determinations for proposed developments and those notices are not always sent to/received, or opened by those two organizations;
10. Whereas VSOs allow the City’s Affordable Housing law analysis to be considered separately from and prior to other aspects of proposed developments, and effectively “piece-meal” the planning and permit process, which is illegal in California, and does not serve the community interests of Venice;
11. Whereas VSOs authorize Coastal Exemptions, they usurp the authority as well as the spirit of the California Coastal Act and the Coastal Commission and are not in the best interests of Venice; and
12. Whereas cumulatively VSOs violate the rights and equal protection due Venice residents and other landowners.

THEREFORE Be it Resolved that:

The VNC Board shall:

1. Demand that the City of Los Angeles permanently cease issuing “Venice Sign Offs” (VSOs) effective immediately, and that all projects go through a transparent, public process;
2. Request that our City Councilman Mike Bonin immediately request a meeting with the City Attorney’s office, Kevin Jones and the DCP to demand the immediate termination of “Venice Sign Offs”(VSOs) as they illegally act to “piece-meal” the planning process, violate local and state housing law, and damage the character of our protected Special Coastal Community of Venice; and
3. Demand that the DCP shall swiftly notify the Venice LUPC and the general public in Venice when any proposed project may potentially impact affordable housing issues, or “Mass, Scale and Character”.



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## **B** 533 Rose Ave (“Superba Snack Bar”), Oakwood Subarea (10 minutes)

C4-1 zone, General Plan Land Use Plan designation: Community Commercial Area of Special Interest—Oakwood Community Commercial Area (Rose Avenue between 4<sup>th</sup> and 7<sup>th</sup> Avenues, to be used for residential, neighborhood retail and services, personal services, and small scale businesses oriented to the local community)

ZA-2015-3040-CUB

VCZSP Compliance: n/a as only for a CUB

<http://www.venicenc.org/533-rose-ave-superba-snack-bar/>

CITY HEARING NOT YET SCHEDULED

Project Description: upgrade of an existing CUB for a full line of alcohol, with 32 existing seats and 5 parking spaces. No change in hours.

Applicant: Dafne Gokcen, FE Design & Consulting

LUPC Staff: Mehrnoosh Mojallali

Recommended by LUPC on 11-30-15 by a vote of 5-3-1 (MM/RD):

**MOTION:** The VNC Board recommends approval of the project as presented.

## **C** 938 Amoroso Pl, Milwood Subarea (30 minutes)

R2-1 zone, General Plan Land Use Plan designation: Multiple-Family Residential Low Medium I  
ZA-2014-4641-ZAA-SPP and ENV-2014-4642-CE (NOTE: per LUPC Chair and Council Office, a CDP and Mello Act Determination are required as per City's original case assignment, and Walk Street projects may not be processed with a Coastal Exemption as they are an exception to the coastal exemption, as per Coastal Act Section 30610.)

VCZSP Compliance: SPP

<http://www.VeniceNC.org/938-Amoroso-Place/>

City Hearing Thursday February 4, 2016, 9:00 am, West L.A. Municipal Bldg, 2<sup>nd</sup> floor Hearing Room, 1645 Corinth Ave

Project Description: *WALK STREET*—Zoning Administrator's Adjustment to permit a rear yard varying between 1' and 5' in lieu of the 15' required rear yard setback; and a Specific Plan Project Compliance Permit for the project (ALSO NEED A CDP AND A MEL)

Applicant: Ray Kappe, for Nathan Court and Derek Harbaugh

LUPC Staff: Gabriel Ruspini

Recommended by LUPC on 1-5-16 by a vote of 4-1-2 (GR/RD):

**MOTION:** The VNC Board *recommends approval* of the project as presented, contingent on either a request of side yard setbacks of 4' in lieu of 5' as part of the Zoning Administrator's Adjustment or a request for a modification of building ordinance for 4' in lieu of 5'; and also contingent upon providing the renderings before the Board meeting.



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## **D** 4264 Lincoln Blvd (“Starbucks”), East of Lincoln (10 minutes)

[Q] M2-1-CDO zone

ZA-2015-3966-CUB and ENV-2015-3967-CE

VCZSP Compliance: n/a as only for a CUB

<http://www.venicenc.org/4264-lincoln-blvd-starbucks/>

City Hearing took place on December 15, 2015

Project Description: CUB application for proposed evening program, which includes menu addition of beer & wine for on site consumption, at its existing 1,608 sq ft coffee shop/restaurant/store at 4264 Lincoln Blvd, with 20 existing interior seats and existing hours of operation from 5 am to 9:30 pm on Monday – Saturday, and 5:30 am to 9:00 pm on Sunday, with “last call” ½ hour prior to closing and alcohol not sold prior to 12 noon

Applicant: Spencer Regnery, Glassman Planning Associates, Inc., for Coffee House Holdings, Inc.

LUPC Staff: Mehrnoosh Mojalalli

Recommended by LUPC on 12-7-15 by a vote of 6-0-0 (KR/MR):

**MOTION:** The VNC Board recommends approval of the project as presented, with operating hours not to extend past 11 pm and no alcohol in the outdoor patio.

## **E** Amendments to the Venice Land Use Plan, (10 minutes) Robin Rudisill, Chair (Returned to LUPC by AdCom for a more detailed recommendation)

Recommended by LUPC on 11-30-15 by a vote of 6-2-0 (RR/MK):

**MOTION:** The VNC Board recommends approval of the following amendments to the Venice Land Use Plan:

### a. Definition of Remodel, page I-15

The definition of “Remodel” shall be changed to be essentially the same as the definition used by the City of Malibu in their Local Coastal Program, as follows:

“Remodel: the upgrade or improvement of the interior or exterior faces of an existing structure without altering the existing foundation, footprint or building envelope, and removing or replacing no more than 50% of the exterior walls, in accordance with all other applicable Building Code and LAMC zoning requirements.”

and

### b. Policy I. F. 1. Historic and Cultural Resources, page II-28

The second paragraph shall be changed to: “The following buildings, streets, and trees have been identified through the coordinated efforts of surveys performed by the Venice Historical Society, Venice Community, State Coastal Conservancy and City of Los Angeles, including but not limited to Survey LA, as significant architectural, historical and cultural landmarks in the Venice Coastal Zone.”

and



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The following sentence shall be added at the bottom of the listing of significant architectural, historical and cultural landmarks in the Venice Coastal Zone: "All potential historic districts and historic and cultural resources identified in the 2015 SurveyLA, which is incorporated herein by reference."

## **F Conditional Use Beverage (CUB) Permits for Alcohol, from WRAC (10 minutes)**

*Authority of City Zoning Administrators to Impose Conditions of Approval to Mitigate Potential Land Use Impacts Arising from the Sale or Service of Alcoholic Beverages That Are Adverse to Public Health, Safety and Welfare*

For Additional Reading and for Summary of the Differences Between the New WRAC Motion below and the similar Motion Previously Approved by LUPC on October 5, 2015:

<http://www.VeniceNC.org/WRAC-CUB-Permits/>

Recommended by LUPC on 1-5-16 by a vote of 6-0-1 (RR/MR)

### **MOTION:**

1. Whereas, the City of Los Angeles has imposed land use conditions in Conditional Use Beverage (CUB) permits for decades to protect public health, safety and welfare by mitigating potential impacts due to the sale or service of alcohol, as recommended by the LAPD, Council Offices, neighborhood councils, community councils, and local residents; and
2. Whereas, the Department of City Planning suddenly reversed this decades-long practice in 2012, on the advice of the City Attorney's Office, with no public notice, no public process, no public hearings, and no direction from the City Council, which is charged with policy-making authority; and
3. Whereas, Zoning Administrators now unilaterally and without notice use the Plan Approval Process to remove previously-imposed conditions designed to avoid or mitigate actual or potential land use impacts adverse to public health, safety and welfare; and
4. Whereas, municipalities throughout the state of California have and continue to impose land use conditions to mitigate adverse impacts that may otherwise arise from the sale or service of alcohol, including the cities of Santa Monica, West Hollywood, Palmdale, Lancaster, Huntington Park, Montebello, Orange, San Bernardino, Pinole, Ventura, San Buenaventura, Santa Cruz, Hayward, Walnut Creek, Watsonville, and the County of Los Angeles, among others; and
5. Whereas, the City's current practice undermines the ability of the City and local communities to protect against potential land use impacts that are adverse to public health, safety and welfare, including but not limited to potential nuisances, by restricting the imposition of conditions on, among other things, hours of sale of alcohol, happy hours, container sizes, types of alcohol sold, and other similar rules and regulations, despite the efficacy of such conditions in avoiding or mitigating potential adverse impacts arising from the sale or service of alcohol; and
6. Whereas, California courts have repeatedly affirmed that municipalities have broad police powers to impose land use conditions that protect against potentially adverse impacts on public health, safety and welfare arising from the sale or service of alcohol; and
7. Whereas, the California Department of Alcoholic Beverage Control (ABC) has not advised the City



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that the imposition of such land use conditions interferes with ABC's enforcement of State law; and  
8. Whereas, implementation of this new policy not only impairs the ability of the LAPD, Council Offices, and communities to protect public health, safety and welfare, but also interferes with the ability of CUB applicants to garner support for their projects by negotiating for the imposition of mutually agreed-upon conditions, as had been done for decades before the current practice was imposed, which forces communities to oppose projects they could otherwise support with proper conditions:

Now Therefore Be it Resolved that the VNC Board calls upon the City Council to adopt a policy to:

1. Authorize the imposition of land use conditions that protect public health, safety and welfare by mitigating potential adverse impacts from the sale or service of alcohol, consistent with the practice of other jurisdictions statewide as well as the City's decades-long practice prior to 2012;
2. Maintain and enforce previously-imposed CUB conditions on the sale or service of alcohol; and
3. Prohibit the removal of previously-imposed conditions outside the public processes mandated under the City Charter and Zoning Code.

**13. New Business (9:55PM – 5 minutes)**

*[Discussion and possible action]*

**A Conditions for Zipline applied to all OFW Concessions (5 minutes)** (Melissa Diner on behalf of the Ocean Walk Front Committee [melissa.diner@venicenc.org](mailto:melissa.diner@venicenc.org))

**MOTION:** The Venice Neighborhood Council recommends that the same standards and requirements for the Zipline be implemented and committed to by the city, Ice Rink vendors and any concessions on Ocean Front Walk. The Venice Community will waive all said fees until venture proves profitable, based on mandatory minimum annual review regardless of earnings until such date. See Addendum. (These meetings will serve as a local resource for concessions in Venice to connect with the local community, whom will feel genuinely vested in their success and will be able to help support vendors with local resources not known or able to be provided by the city, or other government agencies.)

RECOMMENDED BY OCEAN FRONT WALK COMMITTEE 6-0-0

**14. Board Member Comments on subject matters within the VNC jurisdiction (10:05PM - 5 minutes)**

**15. Adjourn (10:10 approx.)**



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## **List of Venice Neighborhood Council Committees & Chairs – Volunteers Welcome**

Administrative	Mike Newhouse	Communications	Jed Pauker
Arts	Eduardo Manilla	Discussion Forum	Joe Murphy
Budget & Finance	Hugh Harrison	Business	George Francisco
Education	Bud Jacobs	Housing	Abigail Myers, Helen Stotler
Land Use and Planning	Robin Rudisill	Mass/Scale/Character	Sue Kaplan
Neighborhood	Marc Saltzberg	Parking/Transportation	Abigail Myers
Ocean Front Walk	Melissa Diner	Public Safety	George Francisco
Outreach	Sylvia Aroth	Santa Monica Airport	Laura Silagi, Abigail Myers
Rules & Election	Ira Koslow	2015/16 Election	Elizabeth Wright, Ivan Spiegel
Environmental	Abigail Myers, Erin Sullivan-Ward, Barbara Lonsdale		

DISABILITY POLICY: As covered under Title II of the Americans with Disabilities Act, the Venice Neighborhood Council does not discriminate on the basis of disability and, upon request, the Venice Neighborhood Council will provide reasonable accommodations to ensure equal access to its programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least 3 business days prior to the meeting you wish to attend by contacting the Department of Neighborhood Empowerment at 213-485-1360 or email [NCsupport@lacity.org](mailto:NCsupport@lacity.org). In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the committee members in advance of a meeting may be viewed at Beyond Baroque, 681 Venice Blvd; Venice Public Library, 501 S. Venice Blvd; at our website at the following link: [www.venicenc.org](http://www.venicenc.org); or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact [communications@venicenc.org](mailto:communications@venicenc.org).