

# Venice Neighborhood Council

LAND USE AND PLANNING COMMITTEE  
PO Box 550, Venice, CA 90294 [www.VeniceNC.org](http://www.VeniceNC.org)  
Email: Chair-[LUPC@VeniceNC.org](mailto:LUPC@VeniceNC.org)



## Meeting of the Land Use and Planning Committee



DATE: Thursday September 5<sup>th</sup> 7 pm – 9:45 pm

### Oakwood Recreation Center

**767 California Ave, Venice**

**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 213.978.1551.

**PUBLIC ACCESS OF RECORDS:** See last page.

**PUBL**

Name	Present	Name	Present
Alix Gucovsky, Chair	y	Matthew Royce	y
Barry Cassilly	y	Shep Stern	y
Tim Bonefeld	y	Daffodil Tyminski	y
Michael Jensen	y (8b)	Jerome Williams	n
		Carlos Zubieta	n

**IC COMMENT:** See last page.

**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.**

### AGENDA ITEMS

1. Call to Order
2. Roll Call
3. Approval of Minutes **Matt to approve / Alix second, Tim abstain due to last weeks absence. Vote: 5-1-0**  
see draft minutes for August 8, 2019 at: <http://venicenc.org/land-use-committee.php>
4. Approval of Agenda **Shep to approve / Matt second, Alix motion to remove 9a / Daffodil 2<sup>nd</sup> Vote: approved by all 6-0-0**
5. LUPC members to declare any conflicts of interest or ex parte communications relating to items on this

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meeting's agenda

6. Chair's Report
7. General Public Comment on non-agendized items related to Land Use and Planning - 15 minutes
8. CASES FOR REVIEW **Barry recused himself**  
(see project files for more detailed info at <http://venicenc.org/land-use-committee.php> )

A.

Case: ZA-2019- 2484-CUB; ENV-2019-2485-CE  
**City Hearing date: August 26**  
Address: 73 Market Street  
Applicant: 73 Market Lessee, LLC  
LUPC Staff: Matthew Royce  
Representative: Marcia Davalos, City Land Use, Inc. [marcia@citylanduse.com](mailto:marcia@citylanduse.com)  
Case Description:

- Tenant improvement to an existing 11,162 sq ft two story office space
- Conditional Use Alcoholic Beverage permit (CUB) to allow the sale and dispensing of a full line of alcoholic beverages for on site consumption in conjunction with a members only Office during the hours of 10am -11pm. No sales of alcoholic beverages will be offered to the public. This is a members only office, in the CM-1 zone.

Public Comment & Possible Action: Motion  
**Matt motion to approve / Alix second, Vote: all approved 5-0-0**

B. **Michael and Barry rejoin meeting from prior recusal**

Case: DIR-2019-2122 CDP-MEL; ENV-2019-2123-CE  
City Hearing: TBD  
Address: 704 Milwood Avenue  
Applicant: FIRAS AND MARGOT BUSHNAQ  
LUPC Staff: Shep Stern/Jerome Williams  
Representative: Lucia Bartholomew, Electric and Bowery [lucia@electricbowery.com](mailto:lucia@electricbowery.com)  
Case Description:

- Pursuant to LAMC Section 12.20.2 a coastal development permit (CDP) for the demolition of an existing duplex and the of a new 2 story 4319 sq ft single family dwelling with an attached garage and basement, in R2 zone.
- Pursuant to government code section 65590 and 65990.1 (the mello act) and the City of Los Angeles Interim Mello Act Compliance Administration Procedures, a Mello Act Compliance Determination (MEL)
- Pursuant to Venice Coastal Zone specific plan a VSO or SPP prior to public hearing

Public Comment & Possible Action: Motion  
**Tim motion to for continuance / Daffodil second, Vote: 6-0-0**  
**Requesting more information on the basement including soils report**

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## 9. Other

### A. Requirements for MTA Bridge Housing ~~Removed from the Agenda~~

The VNC requests Councilman Bonin and Mayor Garcetti, require the service provider(s) of the Venice Bridge Housing Project located at the MTA yard implement the following Land Use conditions based on the fact that the project was approved administratively without any conditions of approval due to the fact that a categorical exemption and Coastal De Minimis Waiver were issued. The conditions outlined below will promote a safer environment for the residents and visitors of Venice, occupants of the facility and service provider staff.

The City is building a large Bridge Housing project on the 3-acre MTA property at 100 Sunset Avenue in Venice, which is within the Coastal Zone and surrounded on all four sides by residences.

The City plans to build structures to house 154 people along with various types of support, professional and security staff to serve them.

The Bridge Housing is supposed to be transitional housing, with homeless people staying only three to four months until they get permanent housing, permanent supportive housing, shared housing, reunified with families, etc.

The facility is intended to operate until June 2022 at which time it is to be removed and construction is to begin on a mix of market rate and affordable housing, parking and possibly retail.

The following will be constructed on the site as part of the temporary Bridge project:

1. A three-story semi-permanent “tent” building which will house 100 adults in a dormitory setting.
2. Six manufactured modular buildings that will house another 54 teenagers and young adults, separated by sex.
3. Separate buildings for restrooms, showers and laundry facilities.
4. Several additional buildings to house the offices of social service staff, housing locaters, security personnel, and those who will provide intake services, psychological counseling, job training, resume preparation, and skills training.
5. A large outdoor dining area.
6. An outdoor kennel for residents’ pets.
7. A facility for creation of public art.
8. A outdoor dining facility, and food preparation facilities, for 154 residents plus staff.
9. A storage building for the possessions of the 154 residents.

It is anticipated that this project will have adverse effects on the quality of life of residents in the surrounding neighborhood, including but not limited to increases in crime, traffic and noise (from the dining area, HVAC systems, and from visits by its clients to and from the facility 24/7) and loss of public street parking.

Mayor Garcetti, on October 17, 2018, at the Venice Town Hall stated: “If the neighborhood decides that it does not want a “wet” shelter (i.e., where those with substance abuse issues are allowed as clients), we can make that a rule (of the shelter)”.

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The residents living near the MTA lot would like the following requirements agreed to before the Bridge Home opens.

1. That the City and the operator People Helping the Homeless agree in writing to close the facility by June 2022
2. The facility be limited to sober clients. Residents can not drink or do drugs on or around the MTA and are not permitted into the facility if they have been drinking or doing drugs.
3. LAPD patrol around the MTA 24/7. (LAPD has already said they would. The exact perimeter is still To Be Determined)
4. Client stays be limited to 4 months.
5. That the MTA's entry area accommodate a line inside the MTA lot for 154. So if 154 people come to the shelter at the same time and have to wait in line, the line is inside the MTA, not on Main Street or Sunset Street.
6. Strict enforcement of vagrancy and loitering laws within 500 feet of the MTA lot.
7. That either built in planter boxes, be installed on all sidewalks within 500 feet of the perimeter of the MTA lot to beautify the area or artwork or some other beneficial beautification projects are installed on sidewalks to prevent homeless from camping near the MTA lot. (maybe charging stations for scooters so they are left all around the neighborhood)
8. That no tents be allowed on public property, including sidewalks from Ocean Front Walk, to 7<sup>th</sup> street and from Marine Street to Venice Blvd 24 hours a day. (The Boise Settlement did not say that homeless people could have obstruct the sidewalk with tents)
9. That a ten-foot (10') sound wall be constructed along all four sides of the facility.
10. That the dining area, kennel and HVAC equipment be enclosed to shield residents from noise. The kennel and dining area must be next to Pacific Avenue since Pacific will act as a buffer for noise.
11. That the operator of the facility be required to meet monthly with a committee of residents who live within 500 feet of the MTA to hear and respond to resident concerns
12. That the operator will provide a telephone number that is staffed 24 hours a day to receive and respond to emergencies and resident concerns.
13. The telephone number from item 10 above be posted on large signs on all 4 sides of the facility.
14. A tracker to be kept with all calls made to this telephone number reporting the type of incident, how it was resolved, time, date, etc. The public has access to this tracker.
15. Full transparency and monthly updates on all costs (construction and operating costs): the name of each company, detail costs and profit margin. Along with full disclosure of any and all relationships between these contractors/vendors/suppliers and government.
16. Transparency and ongoing update of number of people served and current new location (supportive housing, back with family, rehab, jail, moved on to another bridge housing, and unknown).

Public Comment and possible motion: **Removed**

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## B. Motion to Oppose AB 1197

CEQA the California Environmental Quality Act was passed in 1970 to institute a statewide policy of environmental protection, and require state and local agencies within California to follow a protocol of analysis and public disclosure of environmental impacts of proposed projects and adopt all feasible measures to mitigate those impacts. CEQA makes environmental protection a mandatory part of every state and local agency's decision making process.

Whereas on April 29, 2019 Mayor Eric Garcetti unveiled a Green New Deal for Los Angeles to establish aggressive goals for the city's sustainable future to protect our environment, strengthen our economy and build a more equitable future.

Whereas a Berkley Law an Rose Foundation Study entitled "Getting it Right, examining the local land use and entitlement process in California to inform Policy and Process" determined that since 2002 there have been on 195 CEQA lawsuits, a minimal number in the court system, confirming that CEQA is actually working as intended to protect the environment and encourage civic participation. The report further examines that journalists cite a report produced by anti-ceqa law firm Holland and Knight 100 plus times, yet only mention the Berkley report 7 times.

Whereas Venice which sits at sea level is one of the most vulnerable regions to sea level rise in all of California.

Therefore the VNC is against AB 1197 and does not support the August 27, 2019 Resolution made by the City of Los Angeles Rules, Elections, and Intergovernmental Relations Committee, Council File No. 19-0002-s159 based on the following Community Impact Statement.

"The Venice Coastal Zone currently has a disproportionate number of supportive housing and emergency shelter projects already approved with several more proposed in comparison to other City of Los Angeles Communities. The projects that have been approved include unit densities that exceed the underlying zone density by over 75% which effectively has resulted in spot zoning for supportive housing and emergency shelter projects. AB 1197 will eliminate community input resulting in projects being approved with no conditions of approval that would mitigate the impact of said projects in the Venice community. All projects that require CEQA review in the Venice Coastal Zone should be upheld to more stringent standards as Venice is a coastal community with a unique ecosystem and environmental challenges. It would be dangerous and unwise to promote legislation that will weaken CEQA in the coastal zone where we are subject to sea level rising. CEQA must be upheld to ensure environmental and social equity in the Coastal Zone.

Copies of this to be sent to Governor Gavin Newsom, Mayor Eric Garcetti, Councilman Mike Bonin, Senator Ben Allen, Assemblywoman Autumn Burke, Coastal Commissioner Chuck Posner

LUPC is recommending to the board that this community impact statement be submitted. Daffodil to approve with updated wording / Alix second, Vote: All approved 7-0-0

REVISED CIS

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Motion of the Venice Neighborhood Council Land Use and Planning Committee  
in Support of a Community Impact Statement Urging Denial (or AMENDMENT) of  
California AB 1197 and Los Angeles City Council Proposed Resolution at  
**Council File No: 19-0002-S159**

The Land Use and Planning Committee of the Venice Neighborhood Council moves unanimously for the Venice Neighborhood Council to adopt the following Community Impact Statement:

The Venice Neighborhood Council is opposed to State Assembly Bill 1197 (AB 1197) and the proposed resolution of the Los Angeles City Council (currently being analyzed by the Rules, Elections, and Intergovernmental Relations Committee), at Council File No. 19-0002-S159, to exempt certain public projects in Los Angeles from compliance with the California Environmental Quality Act of 1970 (CEQA).

Venice is a highly developed and heavily touristed coastal community already facing significant environmental challenges. Sitting at sea level, Venice is also one of the coastal communities most vulnerable to sea level rise in all of California. Moreover, the Venice Coastal Zone also already has a disproportionate number of approved permanent supportive housing and homeless housing/emergency shelter projects using Measure HHH and other similar funding, with several more proposed, in comparison to other City of Los Angeles communities, including unit densities in one significant recent project that exceed the underlying zone density by over 75%, which effectively has resulted in spot zoning for permanent supportive housing and homeless emergency shelter projects.

CEQA requires public entities to identify the significant environmental impacts of discretionary public projects, which may cause a direct or foreseeable indirect physical change in the environment and to avoid or mitigate those impacts, if feasible. If AB 1197 passes, public entities seeking to build permanent supportive housing projects or other projects with Measure HHH or other similar funding, *in Los Angeles only* (and no other community in California), would not have to comply with CEQA. That is, they would not have to undergo any CEQA environmental review for any such project, and would thus not have to mitigate the environmental impact of any project. Given the unique issues facing Venice, it is reasonably foreseeable that unchecked additional large-scale developments in the Coastal Zone, undertaken with no environmental mitigation requirements, would have a significant adverse impact on our community's already over stressed coastal resources. CEQA must be maintained in order to ensure environmental and social equity in the Coastal Zone.

Accordingly, the Venice Neighborhood Council asks that the State Senate and Assembly reject AB 1197 and that the City Council reject the proposed resolution at Council File No. 19-

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0002-S159 or, at a minimum, AMEND the proposed legislation to exempt AB 1197 from applying in the Los Angeles Coastal Zones.

Copies of this Community Impact Statement are to be sent to Governor Gavin Newsom, Mayor Eric Garcetti, Councilman Mike Bonin, Senator Ben Allen, Assemblywoman Autumn Burke, and Coastal Commission Executive Director Jack Ainsworth.

**PUBLIC INPUT AT NEIGHBORHOOD COUNCIL MEETINGS:** The public is requested to fill out a “Speaker Card” to address the Land Use & Planning Committee on any agenda item before the Land Use & Planning Committee takes action on an item. Comments from the public on agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the agenda that are within the Land Use & Planning Committee jurisdiction will be heard during the General Public Comment period. Please note that under the Brown Act, the Land Use & Planning Committee is prevented from acting on a matter that you bring to its attention during the General Public Comment period; however, the issue raised by a member of the public may become the subject of a future Land Use & Planning Committee meeting. Public comment is limited to **1** minute per speaker, unless adjusted by the presiding officer.

**POSTING:** *In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board members in advance of a meeting may be viewed at Beyond Baroque, 681 Venice Blvd; Venice Public Library, 501 S. Venice Blvd; and at our website by clicking on the following link: [www.venicenc.org](http://www.venicenc.org), or at the scheduled meeting. You can also receive our agendas via email by subscribing to L.A. City’s Early Notification System at [www.lacity.org/your-government/government-information/subscribe-meetings-agendas-and-documents/neighborhood](http://www.lacity.org/your-government/government-information/subscribe-meetings-agendas-and-documents/neighborhood). In addition, if you would like a copy of any record related to an item on the agenda, please contact [chair-lupc@venicenc.org](mailto:chair-lupc@venicenc.org)*

**RECONSIDERATION AND GRIEVANCE PROCESS:** For information on the VNC’s process for board action reconsideration, stakeholder grievance policy, or any other procedural matters related to this Council, please consult the VNC Bylaws. The Bylaws are available at our Board meetings and our website [www.venicenc.org](http://www.venicenc.org).

**DISABILITY POLICY:** THE AMERICAN WITH DISABILITIES ACT - As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices and 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 (72 hours) prior to the meeting you wish to attend by contacting George Francisco, VP, at [\(310\) 421-8627](tel:3104218627) or email [vp@venicenc.org](mailto:vp@venicenc.org).

**PUBLIC ACCESS OF RECORDS:** In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the Board in advance of a meeting may be viewed at our website: [www.venicenc.org](http://www.venicenc.org) or at the scheduled meeting. In addition, if you would like a copy of any record

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related to an item on the agenda, please contact George Francisco, VP, at [\(310\) 421-8627](tel:3104218627) or email [vp@venicenc.org](mailto:vp@venicenc.org).