

Venice Neighborhood Council

LAND USE AND PLANNING COMMITTEE
PO Box 550, Venice, CA 90294 www.VeniceNC.org
Email: Chair-LUPC@VeniceNC.org



Meeting of the Land Use and Planning Committee



DATE: Thursday November 7, 2019
TIME: 7:00 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 | | Matthew Royce | |
| Barry Cassilly | | Shep Stern | |
| Tim Bonefeld | | Daffodil Tyminski | |
| Michael Jensen | | Jerome Williams | |
| | | Carlos Zubieta | |

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
see draft minutes for October 17, 2019 at: <http://venicenc.org/land-use-committee.php>
4. Approval of Agenda
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
(see project files for more detailed info at <http://venicenc.org/land-use-committee.php>)

A.

Case: DIR-2019-5257-CDP-MEL
Address: 628 Santa Clara Ave
Applicant:
LUPC Staff: Michael Jossen
Representative: Gavin McKiernan contact: gavin@cfa-la.com
City planner: Ira Brown contact: Ira.Brown@lacity.org
City Hearing:
Case Description:

- DEMOLITION OF EXISTING RESIDENTIAL STRUCTURES AND CONSTRUCTION OF NEW 2-STORY SINGLE-FAMILY RESIDENCE
- PURSUANT TO LAMC SECTION 12.20.2.1, A COASTAL DEVELOPMENT PERMIT AND MELLO DETERMINATION TO ALLOW THE DEMOLITION OF 2 EXISTING RESIDENTIAL STRUCTURES AND THE CONSTRUCTION OF ONE NEW 2-STORY SINGLE FAMILY RESIDENCE (SLAB ON GRADE WITH SHALLOW FOOTINGS, NEW POOL, NEW ATTACHED GARAGE AND COMPLETE LANDSCAPING).

Public Comment & Possible Action: Motion

9. Other

A. MOTION REGARDING DOCUMENTATION FOR TOC PROJECT ELIGIBILITY

WHEREAS: the Venice community has experienced a significant increase in development projects and proposals along Lincoln Boulevard, Venice Boulevard, and other areas of Venice in recent years, especially following adoption of the City of Los Angeles Transit Oriented Communities Affordable Housing Incentive Program Guidelines ("TOC Guidelines");

WHEREAS: TOC projects can have substantial impacts on their neighbors, and TOC Affordable Housing Incentive Areas (TOC Area) can have considerable impacts on transit corridors and their neighborhoods;

WHEREAS: it is therefore important to have a rigorous and transparent process for administering the application of the TOC ordinance;

WHEREAS: the TOC Guidelines, in Section III.2, state that a project applicant "shall be responsible for providing documentation showing that the location qualifies as a Major Transit Stop," which the TOC Guidelines define, in Section II.6, as "a site containing a rail station or the intersection of two or more bus routes with a service interval of 15 minutes or less during the morning and afternoon peak commute periods";

WHEREAS: the TOC Guidelines categorize "TOC Affordable Housing Incentive Areas" based on various "TOC Affordable Housing Incentive Area Tiers" that are based on distance from intersections of Regular and Rapid Bus Lines, as well as Metro Rail Stations and Metrolink Rail Stations;

WHEREAS: the TOC Guidelines, in Section III.2, state that "[e]stablishment of the appropriate

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Tier shall take place at the time an application is accepted and the Tier is verified by the City;”

WHEREAS: bus schedules are very fluid, sometimes changing several times in a year, and bus routes also change according to demand and other factors;

WHEREAS: the calculations for the basic qualification of an intersection as “major” or “high quality” in order to establish a TOC Area, as well as the calculations for TOC Area Tiers, are all based on data that is only available in the bus schedules in service at the time of the application;

WHEREAS: these calculations are fairly complicated and easily mistaken, and communities should have the right to corroborate them; and

WHEREAS: bus schedules are not systematically archived once they are obsolete nor made easily available to the public by all bus lines;

Motion: THEREFORE: the Venice Neighborhood Council requests that the City, in order to provide transparency to members of the public and affected communities, as well as to further insure the integrity of the TOC program implementation, adopt measures to require that the relevant bus schedules, supporting calculations, and other related documentation about the Tier Verification Process be placed in publicly accessible project files prior to the award of any density or other bonuses to an applicant, and that it be maintained in the project file thereafter, along with any submissions from the public, and that all information contesting the analysis or supporting data be considered in all relevant decisions regarding the designation of a TOC Area or the determination of the correct Tier for any project within the TOC Area.

B. MOTION REGARDING VENICE COMMUNITY PLAN FOOTNOTE 6

WHEREAS, the Venice community has experienced a significant increase in development projects and proposals along Lincoln Boulevard, Venice Boulevard, and other areas of Venice in recent years, especially following adoption of the City of Los Angeles Transit Oriented Communities Affordable Housing Incentive Program Guidelines;

WHEREAS, the City of Los Angeles (“City”), including its Planning Department, has previously taken the position that Footnote 6 of the Venice Community Plan (“Footnote 6”), applies to mixed-use projects, including the one proposed for 1808-1816 Lincoln Boulevard [Case #: DIR-2019-1133-TOC-CDO];

WHEREAS, Footnote 6 reads:

6. Residential developments on commercial properties are limited to densities no greater than those permitted by the zoning of adjacent residential areas, but not lower than than (sic.) the density permitted in the low-medium housing category, except as regulated by existing specific plans.

WHEREAS, persons in the City government have since made statements that Footnote 6 does not apply to mixed-use projects;

WHEREAS, other persons in the City government have concurrently stated that no final decision has been made on this new Footnote 6 interpretation;

WHEREAS, the interpretation of Footnote 6 will have major repercussions on the scale and character of developments along Lincoln Blvd commercial corridor; and

WHEREAS, the City is in the process of updating the Venice Community Plan and soliciting input from the community;

Motion: THEREFORE, the Venice Neighborhood Council (“VNC”) supports the City’s previous interpretation that Footnote 6 applies to mixed-use projects, and supports keeping this interpretation in place until the Venice Community Plan Update is complete and the updated plan goes into effect; and

THEREFORE, the Venice Neighborhood Council (“VNC”) requests:

- 1) clarification of the City’s interpretation of Footnote 6;
- 2) an explanation from the City regarding any changes in the applicability of Footnote 6 to mixed-used projects; and
- 3) documentation of the analysis used in the decision-making process in determining the interpretation of Footnote 6 and its applicability to mixed-use projects.

C. Agenda Motion Request: Whereas, California Government Code Section 65590 and 65590.1,

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commonly known as the 1982 Mello Act is a statewide law which seeks to preserve housing for persons and families with low and moderate incomes in California's Coastal Zone. Whereas, affordability is measured by both the rental history for the previous three years, and the income level of any current residents, unless the unit has been unoccupied for more than 365 consecutive days prior to the filing for demolition/conversion with the owner proving long-term vacancy. Whereas a growing common trend to avoid the Mello Act is to leave properties vacant for 365 days before filing or selling, leaving the three year rental history obsolete and allowing removal of protected affordable units by owners adding to the housing crisis. Now therefore be it resolved that the Venice Neighborhood Council shall send a Community Impact Statement in recommendation and support of the City of Los Angeles seeking to amend the 1982 Mello Act within the Venice coastal zone and to require that properties must remain vacant for 1095 consecutive days to match the 3 year rental history in order to prevent intentional removal of affordable units within the Venice coastal zone. Upon approval send to: Sheila Kuehl thirddistrict@bos.lacounty.org Mayor Eric Garcetti mayor.garcetti@lacity.org LA city councilmembers: councilmember.cedillo@lacity.org councilmember.krekorian@lacity.org councilmember.blumenfield@lacity.org david.ryu@lacity.org paul.koretz@lacity.org councilmember.martinez@lacity.org councilmember.harris-dawson@lacity.org councilmember.price@lacity.org councilmember.wesson@lacity.org councilmember.englander@lacity.org councilmember.ofarrell@lacity.org councilmember.huizar@lacity.org councilmember.buscaino@lacity.org councilmember.Rodriguez@lacity.org councilmember.bonin@lacity.org mike.onin@lacity.org morgan.bostic@lacity.org

D. Request Title: CIS in support of rent control tracking system

Committee: Land Use & Planning Committee

Agenda Motion Request: Whereas, loss of affordable housing, group evictions and the conversion to Tenancy in Common is a growing trend throughout metropolitan areas of California, where under certain circumstances tenants in rent controlled units are evicted through the Ellis Act or traditional standards for the intention of the change of use to the ownership model of (TICs) Tenancy in Commons which are similar to condos, with the exception of joint ownership of properties instead of units, with right to occupy within the homeowner agreements. Whereas, older rent controlled multi family dwellings on the same parcel are normally chosen by developers for the low cost, and ease of evictions through the Ellis Act. TICs can be considered affordable options for first time home buyers, but after Ellis Act evictions and conversion to a TIC or similar, a large number of properties are rapidly coming back on the market at higher rental rates or through short term rental platforms instead of TIC single family homes, even though they are still regulated by the city's rent control and surrounding ordinances if they return to the rental market. Whereas, a housing crisis has been declared in the City of Los Angeles and the growing real estate trends can have detrimental effects if not regulated with foresight. Now therefore be it resolved, that the Venice Neighborhood Council shall submit a Community Impact Statement in support of the Los Angeles city council proposed motion to create a rent controlled inventory and tracking system to help monitor and protect the remaining rent controlled housing stock against tenancy in commons future trends and avoidances in changes of use. Upon approval send to: Sheila Kuehl thirddistrict@bos.lacounty.org Mayor Eric Garcetti mayor.garcetti@lacity.org LA city councilmembers: councilmember.cedillo@lacity.org councilmember.krekorian@lacity.org councilmember.blumenfield@lacity.org david.ryu@lacity.org paul.koretz@lacity.org councilmember.martinez@lacity.org councilmember.harris-dawson@lacity.org councilmember.price@lacity.org councilmember.wesson@lacity.org councilmember.englander@lacity.org councilmember.ofarrell@lacity.org councilmember.huizar@lacity.org councilmember.buscaino@lacity.org councilmember.Rodriguez@lacity.org councilmember.bonin@lacity.org mike.onin@lacity.org morgan.bostic@lacity.org

10. Adjourn

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

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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, 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. In addition, if you would like a copy of any record related to an item on the agenda, please contact 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.

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.

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