



# Venice Neighborhood Council

LAND USE AND PLANNING COMMITTEE

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

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## LAND USE AND PLANNING COMMITTEE REGULAR MEETING AGENDA

You are invited to a Zoom webinar.

When: Sep 10, 2024 07:00 PM Pacific Time (US and Canada)

Topic: VNC LUPC

Please click the link below to join the webinar:

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**Webinar ID: 873 5194 5478**

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IN CONFORMITY WITH THE OCTOBER 8, 2023, ENACTMENT OF CALIFORNIA SENATE BILL 411 (PORTANTINO) AND BY RESOLUTION OF THE VENICE NEIGHBORHOOD COUNCIL, THIS VENICE NEIGHBORHOOD COUNCIL LAND USE AND PLANNING COMMITTEE MEETING WILL BE CONDUCTED ENTIRELY WITH A CALL-IN OPTION OR INTERNET-BASED SERVICE OPTION.

Every person wishing to address the Board must dial telephone number listed above, and enter the above Meeting Id number and then press # to join the meeting. When prompted by the presiding officer, to provide public input at the Neighborhood Council meeting the public will be requested to dial \*9 or use the Raise Hand option, to address the Board on any agenda item before the Board takes an 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 Board's jurisdiction will be heard during the General Public Comment period. Please note that under the Brown Act, the Board 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 Board meeting. Public comment is limited to 30 seconds per speaker, unless adjusted by the presiding officer of the Board.

In the event of a disruption that prevents the eligible legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the eligible legislative body's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the eligible legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the eligible legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(C) The eligible legislative body shall not require public comments to be submitted in advance of the meeting and shall provide an opportunity for the public to address the legislative body and offer comments in real time.

Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the eligible legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(E) (i) An eligible legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (D), to provide public comment until that timed public comment period has elapsed.

(ii) An eligible legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (D), or otherwise be recognized for the purpose of providing public comment.

(iii) An eligible legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (D), until the timed general public comment period has elapsed.

## 1. CALL TO ORDER

Meeting called to order at 7:07 p.m.

## 2. ROLL CALL

<input type="checkbox"/> Corinne Baginski	<input checked="" type="checkbox"/> Todd Lorber	<input type="checkbox"/> Mark Mack
<input checked="" type="checkbox"/> Andreas Ramani	<input type="checkbox"/> Robin Rudisill	<input checked="" type="checkbox"/> Gabriel Smith
<input checked="" type="checkbox"/> Richard Stanger	<input checked="" type="checkbox"/> Michael Jensen (Chair)	<input type="checkbox"/> Steven Williams

## 3. APPROVAL OF MINUTES

### A. Minutes from August 1, 2024 Meeting

Draft Minutes:

<https://www.venicenc.org/assets/documents/5/meeting66ae808305bd8.pdf>

Motion: Approve minutes from August 1, 2024 LUPC Regular Meeting

Maker / 2nd: Andreas / Richard

Vote: Yea: 5 / Nay: 0 / Abstain: 0 / Recuse: 0 / Ineligible: 0 / Absent: 4

## 4. DECLARATION OF CONFLICTS OF INTEREST OR EX PARTE COMMUNICATIONS

LUPC members to declare any conflicts of interest or *ex-parte* communications relating to items on this meeting's agenda. For more information, please see Fair Political Practices Commission Overview

of Conflicts of Interest, available at <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/TAD/Campaign%20Documents/Conflicts%20Guide%202022.pdf>.

Member	Conflict	Ex Parte	Details
Corinne Baginsky	<input type="checkbox"/>	<input type="checkbox"/>	
Todd Lorber	<input type="checkbox"/>	<input type="checkbox"/>	
Mark Mack	<input type="checkbox"/>	<input type="checkbox"/>	
Andreas Ramani	<input type="checkbox"/>	<input type="checkbox"/>	
Robin Rudisill	<input type="checkbox"/>	<input type="checkbox"/>	
Gabriel Smith	<input type="checkbox"/>	<input type="checkbox"/>	
Richard Stanger	<input type="checkbox"/>	<input type="checkbox"/>	
Steven Williams	<input type="checkbox"/>	<input type="checkbox"/>	
Michael Jensen	<input type="checkbox"/>	<input type="checkbox"/>	

## 5. GENERAL PUBLIC COMMENT (LIMITED TO ITEMS NOT ON AGENDA)

Public comment is limited to one (1) minute per speaker with a total comment time not to exceed ten (10) minutes, unless adjusted by the Chair. No comment on items appearing on the Agenda are permitted. No committee member announcements are permitted.

## 6. STAFF ASSIGNMENTS

### A. Staff Update on Assigned Cases

Address	Case No.	Description	Staff
726 Rose Ave.	CPC-2022-8746-DB-CDP-SPP-MEL-VHCA-PHP	Demo of the existing structure for the construction of a 4-story (46'-8" feet), 10-unit, mixed-use development located in the Venice Coastal Zone Specific Plan zoned C2-1	CB/SW
10 E Washington Blvd	APCW-2022-792-SPE-CDP-CUB-ZV-SPP	Addition of a 623 SF uncovered outdoor dining area to existing restaurant located in the Venice coastal zone zoned C4-1	TL/AR  *planning hold
2520 S. Lincoln	ZA-2023-7556-CUB	CUB to allow on-site sale of a full line of alcoholic beverages with a proposed 2,600 sf restaurant with 91 interior seats and 762 sf of patio area with 54 seats. Hours of operation 8am to 2am daily	GS
709 Brooks	DIR-2024-249-CDP-HCA	Demolition of 2 SFDs and construction of one 2-story SFD in the front and one 2-story SFD in the rear with 5 parking spaces, with previously small lot subdivision per Case #AA-2019-6453-PMLA-SL	AR
78 Market St.	ZA-2018-3595-CU-CUB-ZV-M1	Change operating hours from 8am - 1am to 9am - 2am.	RR  *planning hold
825 S Hampton	CPC-2024-2450-DB-CDP-SPPC-CUB-VHCA-MEL	Demo (e) com. blds. a new 4-story DB, mixed-use, 36,716SF building with 36 units (4VLI), 3,416SF retail/cafe, with 3 levels subterranean parking with 60 parking spaces in the Venice Specific Plan.	AR

38 Market	ZA-2024-2949-CDP-ZV-CUB-SPPC	CDP for a change of use of a non-conforming single tory manufacturing facility to restaurant with ground floor dining patio and roof deck dining area	MM
404 E. Linnie Canal	DIR-2023-7204-CDP-MEL-HCA	Demolition of existing single Family dwelling with attached garage. New construction of a 3,551 sq ft three-story plus roof deck single-family dwelling with attached 454 sq ft garage.	MM
811 Ocean Front Walk	DIR-2024-3128-SPPC-MEL-HCA	MIXED USED PROJECT WITH GROUND FLOOR RETAIL AND 1 DWELLING UNIT	TL
226 E Westminster	ZA-2024-4051-CU2-CDP-SPPC	Conditional Use and Coastal Development Permit, Project Permit Compliance, for expansion of pre-school	RS
100 E. Venice Way	ZA-2024-4416-CU2-CDP	Project proposes removal of the existing auto shop building and use of the site for valet serviced public parking.	CB

**B. Case Assignments**

Address	Case No.	Description	Staff
657 E. Sunset Ave.	CPC-2024-5346-DB-CU3-CDP-SPPC-MEL-PHP	demolition of two (2) duplexes and the construction, use, and maintenance of a 4-story, 25 unit Density Bonus apartment project, including 6 units affordable to Very Low Income units	RR
40 E Windward	APCW-2024-4822-CDP-CUB-SPPC-SPPE	Demolition of an existing 1 story commercial building and construction of a new two story restaurant and bar with roof deck, outdoor dining with full line of alcohol service.	TL

**7. CASES**

**A. 404 Linnie Canal**

Case Number:	DIR-2023-7204-CDP-MEL-HCA
Project Description:	Demolition of existing single Family dwelling with attached garage. New construction of a 3,551 sq ft three-story plus roof deck single-family dwelling with attached 454 sq ft garage.
Staff:	Andreas
Planning Case:	<a href="https://planning.lacity.gov/pdiscaseinfo/search/casenumbe/DIR-2023-7204-CDP-MEL-HCA">https://planning.lacity.gov/pdiscaseinfo/search/casenumbe/DIR-2023-7204-CDP-MEL-HCA</a>
Motion:	LUPC recommends approval of the project as presented.  Andreas / Gabe  Yea: 5/ Nay: 0 / Abstain: 0 / Recuse: 0 / Ineligible: 0 / Absent: 4
Public Comment:	One public comment/question about removal of existing trees.

**8. DISCUSSION ITEMS AND POSSIBLE MOTIONS**

**A. Opposition to Venice Auxiliary Pumping Plant**

Background

LADWP has proposed the Venice Auxiliary Pumping Plant (VAPP) at 128 Hurricane St and an associated parking lot for employees and limited public use at 133 Hurricane St, MDR. The residents acknowledge the VAPP is considered critical infrastructure. During the final city approval process, the City

Planning Commission instructed LAPW to meet with the community regarding these important issues. However, LAPW never meaningfully addressed any concerns regarding the impact of this project.

Specifically, the proposed facility does not conform to the Venice LUP as the use conflicts with: (1) Policy 1.A.5 that seeks to preserve and protect stable multi-family neighborhoods, (2) Policy I.C.1 that states that the scale and design of such facilities must be compatible with adjacent and neighboring uses, (3) Policy 1.C.6 that states that hazardous industrial uses shall not be located adjacent to residential areas and, (4) Policy 1.D.1 that states that the only permitted development adjacent to the canal and lagoon shall be habitat restoration, single family homes and parks.

The plan also does not meet established Public Benefit standards including no 10' landscaped, irrigated buffer along all property lines and is based on performance standards applicable to projects on a major or secondary highway, not a residential street.

Environmentally, the Ballona Lagoon and Grand Canal are recognized as an Environmentally Sensitive Habitat Area (ESHA) which legally cannot be disturbed. Section 30240 of the Coastal Act requires that ESHA be protected and that development adjacent to ESHA be designed to prevent impacts that significantly degrade the ESHA. Previous court cases have found that dredging and use of any heavy equipment in the lagoon is not allowed, but which is part of the city's plan for this project.

In addition, the project EIR and addendum were both instigated and certified internally by Public Works without any public outreach for the addendum or arms-length analysis by a recognized independent party, resulting in a final mitigation plan insufficient to address the anticipated damage to the Grand Canal and Ballona Lagoon. This includes loss of species and habitat, groundwater impact and potentially significant methane gas release. Based on a request by Public Works for a "regional solution," the community put forth a plan to address at least some of these issues, Phase Two of the Grand Canal Restoration Plan. Phase One had previously been completed by the city. Phase Two was approved but not executed. However, Public Works never expressed any interest to engage in a productive dialogue towards a meaningful outcome.

The EIR also identified "significant and unavoidable" issues that will materially impact resident quality-of-life for the multi-year duration of construction including but not limited to (1) ground-borne vibration levels which could result in residential building damage, (2) noise levels that exceed construction noise criteria provided by the LA CEQA Thresholds Guidelines and (3) inadequate emergency access during construction activities.

The parking lot element of the VAPP plan proposes a dual use employee/limited public lot at 128 Hurricane St to include benches and public art. There is very little community support for this facility. It will create safety issues as a magnet for homeless individuals given the easy access into the lot as well as unnecessary traffic congestion on Hurricane St, especially during heavy beach use periods. The community has proposed an alternative solution addressing employee and public parking needs without development of this site at a savings of at least \$2.5M to the city. Further, these funds can be used to address many of the issues raised in this motion. It is also important to note the parking lot was not included in the original presentations to the community and VNC.

Additionally, there have not been any modifications to community requests for (1) five day/week construction vs proposed six days/week, (2) a project design that was never adequately presented to the community and does not fit within its residentially-zoned neighborhood, (3) an ongoing plan to protect residential properties from dirt, dust and other construction impacts and (4) an appropriate, sustainable maintenance plan for both the new and existing facility.

Motion:

The Venice Neighborhood Council opposes CPC-2024-2010-GPA-ZC-CU2-SPPC--allowing the City of Los Angeles to obtain a General Plan Amendment (GPA) and Zone Change (ZC) from RW2-1 to

Public Facilities at 133 Hurricane St., a Project Review (SPPC), and a Conditional Use for the construction, use, and maintenance of a public parking area in a residential zone (CU2) for the empty lots located at 128 Hurricane St/3913 Esplanade--unless LA Public Works (LAPW) materially and in good faith addresses the community’s serious issues with this project, including but not limited to:

1. Conformance to the certified Venice LUP (Policies I.A.5, I.C.1, I.C.6, and I.D.1);
2. Adherence to court-mandated ESHA protections in the surrounding lagoon area;
3. Mitigation of EIR issues related to loss of species and habitat, groundwater impact, and potentially significant methane gas release;
4. Mitigation of “significant and unavoidable” issues including ground-borne vibration, which could result in residential building damage, and construction noise that exceeds LA CEQA Thresholds guidelines;
5. Improvement of inadequate emergency access during construction activities;
6. Change to five day/week construction instead of proposed six days/week;
7. Elimination of the proposed parking lot at 128 Hurricane St. for which parking requirements can be fulfilled via restricted street parking around the current Venice Pumping Plant (VPP), a savings of at least \$2.5 million to the city;
8. Modification of project design so that it is compatible with its residentially zoned neighborhood;
9. Protection of residential properties from dirt, dust and other construction impacts;
10. Upgrade of deficient maintenance plan for both the new and existing facility.

A letter will be sent to Council Member Traci Park, City Council President Paul Krekorian, DONE General Manager Carmen Chang, City Attorney Hydee Feldstein Soto, all Public Works board members, City Engineer (Head of Bureau of Engineering) and Coastal Commission Staff.

Motion:	LUPC recommends approval of the project as presented.  Maker / 2nd: Todd / Andreas  Vote: Yea: 5 / Nay: 0 / Abstain: 0 / Recuse: 0 / Ineligible: 0 / Absent 0
Public Comment:	Two public comments in support of motion.

**9. MEETING ADJOURNED**

Meeting adjourned at 8:23 p.m.

### **ADA Access**

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, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least three (3) business days (72 hours) prior to the meeting by contacting the Department of Neighborhood Empowerment by calling (213) 978-1551 or email: [NCsupport@lacity.org](mailto:NCsupport@lacity.org).

### **Public Posting of Agendas**

Neighborhood Council agendas are posted for public review as follows:

- Beyond Baroque, 681 Venice Blvd., Venice, CA 90291
- [www.VeniceNC.com](http://www.VeniceNC.com)
- You can also receive our agendas via email by subscribing to L.A. City's Early Notification System (ENS) at <https://lacity.gov/government/subscribe-agendas/neighborhood-councils>.

### **Notice to Paid Representatives**

If you are compensated to monitor, attend, or speak at this meeting, City law may require you to register as a lobbyist and report your activity. See Los Angeles Municipal Code Section 48.01, *et seq.* More information is available at [www.ethics.lacity.org/lobbying](http://www.ethics.lacity.org/lobbying). For assistance, please contact the Ethics Commission at (213) 978-1960 or [ethics.commission@lacity.org](mailto:ethics.commission@lacity.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 related to an item on the agenda, please contact, [Secretary@VeniceNC.org](mailto:Secretary@VeniceNC.org). Reconsideration and Grievance Process - For information on the NC's process for board action reconsideration, stakeholder grievance policy, or any other procedural matters related to this Council, please consult the NC Bylaws. The Bylaws are available at our Board meetings and our website [www.VeniceNC.org](http://www.VeniceNC.org).

### **Reconsideration and Grievance Process**

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