



Venice Neighborhood Council

LAND USE AND PLANNING COMMITTEE

PO Box 550, Venice, CA 90294 | www.VeniceNC.org

Email: Chair-LUPC@VeniceNC.org



Land Use & Planning Committee (LUPC) STAFF REPORT

August 10, 2026

City Case No: **ZA-2026-747-CUB**

CEQA Case No: **ENV-2026-748-CE**

Address of Project: **533 E. Rose Avenue (Oakwood-Milwood-Southeast Venice Subarea)**

Applicant/Property Owner: **Shireen Imani**

Applicant's Representative: **Nieves and Associates**

Standard of Review: **Coastal Act, with certified Land Use Plan (LUP) as guidance (for CDPs); Venice Community Plan; Accessory Dwelling Unit Ordinance, LAMC for CUB**

Coastal Zone: **Single X or Dual___ Permit Jurisdiction or East Venice ___**

City Hearing: **Hearing not yet scheduled**

Email for City Planner: **eveline.bravo-ayala@lacity.org**

LUPC Staff assigned: **Gabriel Ruspini**

I. Detailed Project Description:

CUB for continued sale/dispensing of Full Alcohol (Type 47) for on-site consumption, as an accessory use, in conjunction with an existing 1,264 sf restaurant with 32 seats; an uncovered 100 sf front patio with 13 seats; an uncovered 629 sf rear patio area with 30 seats and an uncovered street parklet of 10 seats for a grand total of 85 seats with hours of operation from 9:00 am until 12:00 am Midnight Daily.

II. Motion:

The Venice Neighborhood Council recommends that the City defer approval of the CUB request for 533 Rose Ave until an application is filed for the Coastal Development Permit required to make the existing temporary Al Fresco Dining permanent, so that the CUB and Coastal Development Permit are considered concurrently.

Moved by Mark Mack, Seconded by Robin Rudisill

Vote: 6-0-0 (SW, JK, JA absent).

III. Pros & Cons of Project:

Positive aspects of project:

None

Negative aspects of project:

Multiple Al-fresco dining areas have been built in the right-of-way and in the rear parking lot with temporary al-fresco permits but a CDP to make them permanent has not been submitted. The deadline to apply has passed.

IV. Neighborhood Outreach/Summary of Community Input:

Applicant/Representative presented 10 letters of support from the surrounding neighborhood.

Summary of Community Input

Concerns expressed by Neighbors:

None received.

Suggestions from Neighbors:

None received.

V. Findings re. Entitlements:

A. Coastal Development Permit (CDP) – Coastal Act & certified Land Use Plan (LUP) are standard of review

1. Parking/Coastal Access – Assembly Bill 2097 must also be considered in the standard of review

Coastal Act Section 30252 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*

The project conforms with the Coastal Act and LUP policies for parking and Coastal Access because N/A.

2. Scenic and Visual Qualities

Coastal Act Section 30251 Scenic and visual qualities states: *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean*

and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

The project conforms with the Coastal Act and LUP policies for Scenic and Visual Qualities because Project is not directly adjacent to the ocean and/or any scenic coastal areas.

3. Environmental Justice Policy (if applicable: yes /no X)

The Coastal Commission's Environmental Justice Policy states: *The Commission recognizes that the elimination of affordable residential neighborhoods has pushed low-income Californians and communities of color further from the coast, limiting access for communities already facing disparities with respect to coastal access and may contribute to an increase in individuals experiencing homelessness.*

Coastal Act Section 30604(f) states: *The Commission shall encourage housing opportunities for persons of low and moderate income,*

Coastal Act Section 30604(g) states: *The legislature finds and declares that it is important for the Commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the coastal zone.*

Coastal Act Section 30116 states: *Sensitive coastal resource areas" means those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity. "Sensitive coastal resource areas" include... areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons.* (Emphasis added)

The project conforms with the Coastal Act's Environmental Justice Policies because N/A.

4. Cumulative Effect

Coastal Act section 30250 (a) states: *New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources...*

The project is very likely to create an adverse cumulative effect or an adverse precedent for other similar projects because proposed project is a CUB being requested for a property which is already in violation of the Al Fresco Dining ordinance.

5. Protection of Special Coastal Communities

Coastal Act section 30253(e) states: *New development shall do all of the following...(e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.*

LUP Policy Preservation of Venice as a Special Coastal Community states: Policy I. E. 1. General. Venice's unique social and architectural diversity should be protected as a Special Coastal Community pursuant to Chapter 3 of the California Coastal Act of 1976.

Policy I. E. 2. Scale. New development within the Venice Coastal Zone shall respect the scale and character of community development. Buildings which are of a scale compatible with the community (with respect to bulk, height, buffer and setback) shall be encouraged. All new development and renovations should respect the scale, massing, and landscape of existing residential neighborhoods. Lot consolidations shall be restricted to protect the scale of existing neighborhoods. Roof access structures shall be limited to the minimum size necessary to reduce visual impacts while providing access for fire safety. In visually sensitive areas, roof access structures shall be set back from public recreation areas, public walkways, and all water areas so that the roof access structure does not result in a visible increase in bulk or height of the roof line as seen from a public recreation area, public walkway, or water area. No roof access structure shall exceed the height limit by more than ten (10') feet. Roof deck enclosures (e.g. railings and parapet walls) shall not exceed the height limit by more than 42 inches and shall be constructed of railings or transparent materials. Notwithstanding other policies of this LUP, chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function may exceed the specified height limit in a residential zone by five feet.

Policy I. E. 3. Architecture. Varied styles of architecture are encouraged with building facades which incorporate varied planes and textures while maintaining the neighborhood scale and massing.

The proposed project would protect the Special Coastal Community status of Venice because N/A.

B. Density Bonus Act (DB)(if applicable: yes ___/no ☒)

1. The "Major Transit Stop" qualifying the project is at XXX
2. With X Very Low Income (VLI) units, the project qualifies for X incentives (unlimited waivers of development standards is allowed).
3. The following Density Bonus incentives are requested:
None
4. The following Waivers of Development Standards are requested:
None.

The project does ___ does *not* ___ comply with the Density Bonus Act because N/A.

**5. Harmonizing of State Density Bonus Act and State Coastal Act
(if applicable: yes ___/no ___)**

State law – Government Code Section 65915(m) – states that all density bonus incentives, waivers, etc. to which the applicant is entitled under Government Code Section 65915 (the Density Bonus law) shall be permitted in a manner that is consistent with both the Density Bonus law and the Coastal Act. The State Legislature's intent is that the two statutes be "harmonized" so as to achieve the goal

of increasing the supply of affordable housing in the Coastal Zone while also protecting Coastal Resources and Coastal Access.

According to the Coastal Commission's February 6, 2019 Report (W7f), the two state laws are to "be harmonized to provide for affordable housing in the Coastal Zone in a manner that is consistent with Coastal Act resource protection policies and ensures that the Act's scenic and visual resources policy is not used erroneously as a basis for blocking density bonus projects in the Coastal Zone." This means that the question is whether a project is seeking the minimum incentives and waivers necessary to provide for the affordable units. The problem in determining the answer is that State Density Bonus law mandates that evidence of the need is not required. Therefore, applicants can ask for more incentives and waivers than they need to cover the cost of providing the affordable housing but there is no way to prove this.

The project does ___ does *not* ___ harmonize the State Density Bonus Act and State Coastal Act because N/A.

6. LUP Policy I.A.13. Density Bonus Applications (if applicable: yes___/no___)

Policy I. A. 13. Density Bonus Applications: Required replacement dwelling units shall be counted as reserved units in any related State-mandated density bonus application for the same project. In order to encourage the provision of affordable housing units in the areas designated as "Multiple Family Residential" and in mixed-use developments, the City may grant incentives such as reduced parking, additional height or increased density consistent with Government Code Section 65915 provided that the affordable housing complies with sections a – f of Policy I.A.13.

The project conforms ___ does *not* conform ___ with LUP policy I.A.13. because N/A.

C. Conditional Use (CU) cite LAMC CU Section ___ 12.24-W, 1_____
(if applicable: yes X /no)

D. Mello Act (MEL)(if applicable: yes X /no X)
New unit not being added.

E. Housing Crisis Act (HCA)(if applicable: yes ___/no X)

F. Priority Housing Program (PHP)(if applicable: yes ___/no X)

G. Add any other applicable entitlements here, such as SPPE (Specific Plan Project Exception), ZAA (Zoning Administrator Adjustment), etc.
CUB is being requested.

VI. Existing structure:



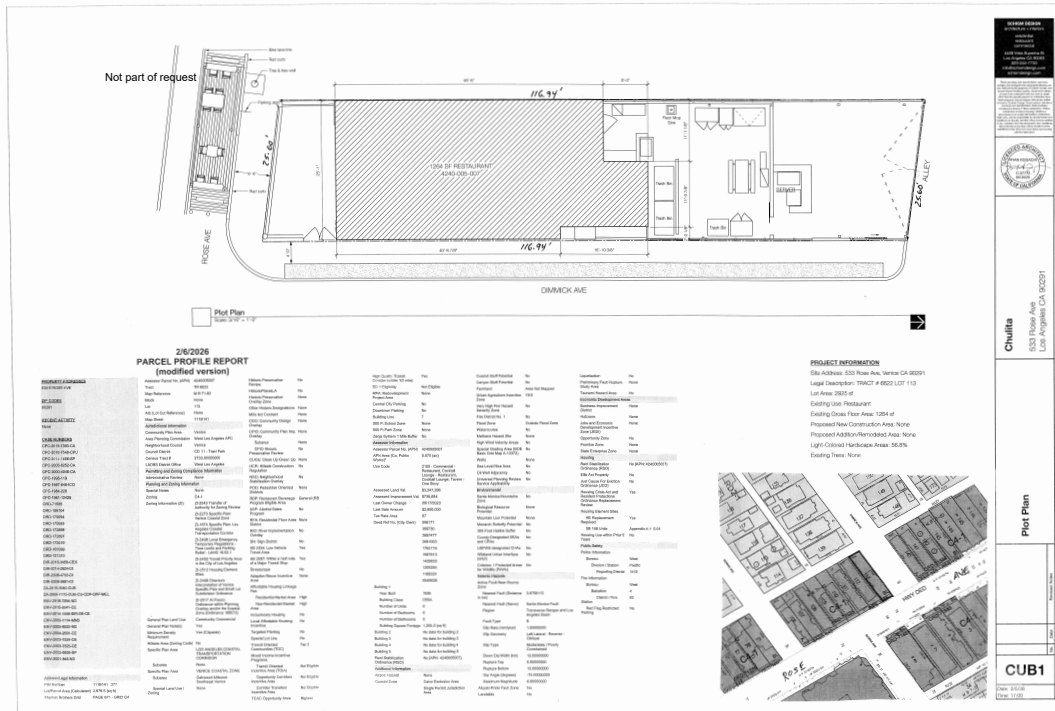


VII. Existing Site Plan:
None provided.

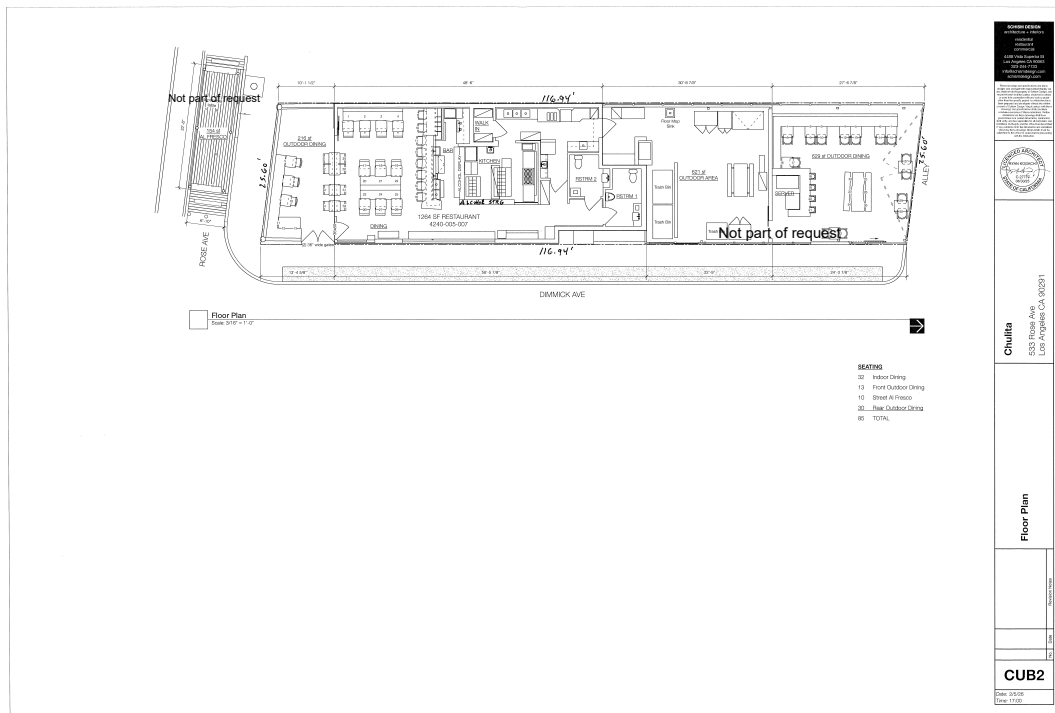
VIII. Rendering of proposed project:
None provided.

IX. Site Plan:
None provided.

X. Plot Plan:



XI. Floor Plan:



XII. Elevations:

None provided.

XIII Sections:

None provided

NOTE: No applicant/representative provided Streetscape, Character Study or Neighborhood Photos and Index Map.