



Venice Neighborhood Council

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



MINUTES

AGENDA

Land Use and Planning Committee

DATE: Thursday August 5, 2021

TIME: 7:00 pm – 10:00 pm

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85489182540>

Or One tap mobile :

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Webinar ID: 854 8918 2540

International numbers available: <https://us02web.zoom.us/j/85489182540>

Alternatively, you may submit public comment via email in advance to chair-lupc@venicenc.org and LUPC@venicenc.org

AGENDA ITEMS

1. Call to Order
2. Roll Call

Name	Present	Name	Present
Alix Gucovsky, Chair	x	Matthew Royce	absent
Barry Cassily	absent	Chris Zonnas	x
Tim Bonefeld	x	Shep Stern	x
Daffodil Tyminski	New position	Michael Jensen	x

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		Carlos Zubieta	resigned
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3. Approval of Minutes--see draft minutes for July 8, 2021, at: <http://venicenc.org/land-use-committee.php>
Michael motion to approve the minutes/Shep seconds 5-0-0
4. Approval of Agenda
Tim motion to approve the agenda without item a/Alix seconds 5-0-0
5. LUPC members to declare any conflicts of interest or ex-parte communications relating to items on this meeting's agenda
6. Chair's Report
At future lupc meetings cnc reports will be addressed at the beginning of the meeting
7. General Public Comment on non-agendized items related to Land Use and Planning - 15 minutes

8. CASES FOR REVIEW

- A. Case: DIR-2019-6301-CDP-SPP-SPPA-MEL and ZA-2019-6302-ZAA
City Hearing: **June 21, 2021, CDP determination pending**
Address: 350 6th Ave
LUPC Staff: Shep Stern
Applicant: Kole & Jill Strebel
Representative: Walter Reyes
walterjr5@yahoo.com
City Staff Bindu.Kannan@lacity.org
Case Description: Demolition of a 1922 1-story, 644 sf SFD and guest house & new 3-story, 3,060 sf SFD with basement, roof deck & 3 parking spaces (2 in garage), on a 2,993 sf lot. Venice Coastal Zone Specific Plan Adjustment (SPPA) for increase in height to 33' (10% increase over 30' limit), and Zoning Administrator Adjustment (ZAA) for a 5' rear yard (67% decrease from 15' required) and 5' side yard setback (23% decrease from 6'6" required).
Public Comment & possible action/motion
Project continued
- B. Case: AA-2020-5349-PMLA-SL and DIR-2020-5351-CDP-SPP
City Hearing: **May 27, 2021, CDP determination pending, case on hold**
Address: 22 Paloma Ave
LUPC Staff: Chris Zonnas
Applicant: Doron Benshalom (Place Holder DP, LLC)
Representative: Sheri Gould (Harvey Goodman Civil Engineering)
sheri@harveygoodman.com
City Staff Bindu.Kannan@lacity.org
Case Description: Preliminary Parcel Map for a Bungalow Court or Existing Structure Small Lot conversion of a 3,525 sf lot to 2 lots. Following the subdivision, the existing structures—a duplex (2,186 sf, built in 1922) and a triplex (2,268 sf, built in

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1911) --will be on separate lots. There are no changes to height, floor area, yards, parking, or density. The structures are Contributors to the North Venice Walk Streets Historic District. Lack of MEL for this conversion is an issue.

Public Comment & possible action/motion

Chris motion to approve the subdivision as presented Michael seconds 3-2-0 Tim, Chris, Michael yes, Alix and Shep No

- C. Case: ZA-2020-5765-CDP-ZAA
City Hearing: not yet scheduled/
Address: 655 Crestmoore Place

LUPC Staff: Shep Stern
Applicant: Matthew Murphy
Representative: Santiago Ortiz
Santi@ortizmexia.com
City Staff: Sienna.Kuo@lacity.org

Case Description: 2nd story addition of approximately 805 sf to an existing 1,640 sf duplex, on a 4,200 sf lot. Parking (2 cars covered, 1 car uncovered) to be relocated from front unit to rear unit. Reason for ZAA unknown. Reason for lack of MEL for this duplex unknown.

Public Comment & possible action/motion

Shep Motion to approve as presented/Michael seconds 5-0-0

- D. Case: DIR-2020-7248 -CDP-MEL
City Hearing: CDP issued, all hearings/appeals exhausted
Address: 417-419 Grand Blvd
LUPC Staff: Shep Stern
Applicant: Simon Watts & Grace Lee
Representative: Rafael Martinez, Brian Noteware AIA
City Staff: Brenden.Lau@lacity.org, Student Professional Worker
Case Description: Remodel & addition of new 989 sf 2nd story to an existing 1-story, 1,626 sf SFD resulting in a 1,961 sf SFD with 2 parking spaces; & a new 654 sf attached ADU, on a 2,701 sf lot.

Public Comment & possible action/motion

Shep motion to approve as presented/Alix seconds 4—0-1 Tim abstains

- E. Case: DIR-2020-6239-CDP-SPP-MEL
City Hearing: CDP issued, all hearings/appeals exhausted
Address: 212 Sherman Canal
Applicant: Andrea Michaelson
Representative: Cody Wetzel
LUPC Staff: Chris Zonnas
City Staff: Bindu.Kannan@lacity.org
Case Description: Demo of existing 2-story SFD & new 3-story, 4,382 sf SFD with roof deck & 3 on-site parking spaces, on a 3,518 sf lot.

Public Comment & possible action/motion

Michael motion to approve as presented/Tim seconds- 2—2-0 Chris recuses Shep and Alix no

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The motion to approve the project as presented does not pass LUPC and is sent to the board for consideration

- F. Case: DIR-2020-2752-CDP
City Hearing: CDP issued, all hearings/appeals exhausted
Address: 2704 Strongs Drive
Applicant: Michael Salazar
Representative: Cody Wetzel, Wetzel Homes
LUPC Staff: Chris Zonnas
City Staff: Brenden.Lau@lacity.org, Student Professional Worker
Case Description: Remodel & addition of 1,513 sf to existing 2-story SFD, including expansion of the 1st & 2nd floors & the addition of a 3rd floor & roof deck, with 2 parking spaces, on a 2,520 sf lot.
Public Comment & possible action/motion

Tim motion to approve as presented/Michael seconds 2-2-0

Shep and Alix no

The motion to approve as presented does not pass LUPC and is sent to the board for consideration.

- G. PROJECT ROOM KEY RAMADA INN
Motion authored and submitted by Traci Parks

WHEREAS the City of Los Angeles (“City”) plans to convert the Ramada Inn at 3130 Washington Blvd, Venice, CA 90291, a lower-cost visitor serving accommodation, into interim housing for the homeless (“Project”);

WHEREAS the Project will be managed by People Assisting the Homeless (“PATH”);

WHEREAS the City did not provide the Venice Neighborhood Council with notice or a reasonable opportunity to provide input regarding the Project, nor were public hearings held before the Venice Neighborhood Council, as required by Sections 907 and 908 of the City Charter;

WHEREAS similar projects in Venice, including A Bridge Home Sunset Pacific and the Cadillac Hotel Roomkey program, have directly or indirectly led to a massive increase in homeless encampments, increased property and violent crime, and increased calls for service by LAPD and LAFD;

WHEREAS the Project is located right in the middle of a residential neighborhood, surrounded by hundreds of homes, preschools, elementary schools, and small businesses;

WHEREAS the Project is within a Sensitive Use Area due to the proximity of less than 500 feet from Little Garden Preschool;

WHEREAS the City Council recently passed Motion 55A, which permits the City to restrict sitting, sleeping, lying, storing personal property, or otherwise obstructing the public right-of-way in an area designated by Council resolution that is within up to 1,000 feet of a facility opened after January 1, 2018, providing shelter, safe sleeping, safe parking, or navigation centers for persons experiencing homelessness;

WHEREAS since mid-December 2020, community members have tirelessly negotiated in good faith with the City regarding this Project, working to avoid appeals and litigation with the desire to speed opening and safe operation of this specific location;

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WHEREAS the Bureau of Engineering has issued a Coastal Development Permit which includes the following vague and limited conditions: Install and thereafter maintain a rear barrier along Harrison Ave. to provide better control over access to the project site via Washington Blvd; PATH staff on-site; Overnight security guards located on-site; Security cameras; Community hotline; and HMIS will assist residents to find permanent housing and homeless services¹;

WHEREAS the City has rejected all additional reasonable safety accommodations requested by the local community and has failed to provide reasonable assurances that the Project will be operated in a manner that protects the safety of the surrounding neighborhood;

THEREBY the Venice Neighborhood Council requests that the Los Angeles City Council, Mayor Eric Garcetti, and City Attorney Mike Feuer enter into this Community Benefit Agreement (“CBA”) with the stakeholders located within 1,000 feet of the Project, including neighborhoods of President’s Row and the Oxford Triangle in Venice and Marina Del Rey. This CBA contains reasonable operating conditions and a remedy for failure to maintain the Project in a safe manner, as described in the CBA.

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COMMUNITY BENEFIT AGREEMENT

A. *General Public Safety Accommodations*

- Intensive Client Screening: Residents should be screened including but not limited to violent criminal activity (broadly defined as any criminal activity that has as one of its elements the use, attempted use, or threatened use of physical force substantial enough to cause, or be reasonably likely to cause, serious

¹ See <https://eng2.lacity.org/techdocs/emg/Ramada/Coastal%20Development%20Permit%202021-01.pdf>

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bodily injury or property damage), current abuse or pattern of abuse of alcohol or drugs, and those subject to lifetime sex offender registration;

- Prohibition against camping within 1,000 feet of the Project;
- Require PATH to extend its security obligations into the surrounding neighborhood, specifically Harrison Avenue;
- Pedestrian gates to Harrison Avenue be designated Emergency Only;
- Install and thereafter maintain an 8-foot permanent rear barrier along Harrison to provide better control over access to the Project via Washington;
- Meetings with PATH and the City will be held with neighbors within 1,000 feet every six months;
- Any future conversion to Permanent Supportive Housing be subjected to a new CDP approval process;
- Increased LAPD presence and patrols to the President's Row and Oxford Triangle neighborhoods to ensure public safety;
- City to install additional street lighting on the south side of Harrison Avenue, directly across from 1110 to 1140 Harrison Avenue;
- No shelter-related parking on Harrison Avenue or the surrounding neighborhoods;
- The City and PATH will not maintain the development in a manner that directly or indirectly:
 - Jeopardizes or adversely affects the public health, peace, or safety of persons residing or working on the premises or in the surrounding area; or
 - Constitutes a public nuisance; or

 - Results in repeated nuisance activities, including, but not limited to, disturbances of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, loitering, excessive littering, illegal parking, excessive loud noises (especially in the late night or early morning hours), traffic violations, curfew violations, lewd conduct, police calls for service, or police detentions and arrests; or
 - Adversely impacts nearby uses; or
 - Violates any other city, state, or federal regulation, ordinance, or statute.

B. Two Step Abatement & Arbitration Procedure

1. Voluntary Abatement

Any resident or business within 1000 feet of the exterior boundaries of the project may submit a written complaint to PATH and the City concerning violations of agreed-upon public safety accommodations. The complaint will specify the nature of the violation or problem. The parties will meet within 30 days of the written complaint to meet and confer in good faith about a voluntary abatement plan to bring operation of the facility within the requirements set forth above. PATH and the City shall then have 30 days to implement the voluntary abatement plan to remedy the violation or problem.

If PATH and the City fail to adequately implement the voluntary abatement plan within the established timeline, complainant has the right to request that the matter be referred to binding arbitration.

2. Binding Arbitration

The parties agree that any complaint filed by any resident or business within 500 feet of the exterior boundaries of the project that cannot be mutually resolved after meeting and conferring in good faith and giving PATH and the

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City the opportunity to voluntarily abate the violation or problem within 30 days shall be submitted to binding arbitration.

The arbitration shall be administered by JAMS (Judicial Arbitration & Mediation Services) pursuant to its Comprehensive Arbitration Rules and Procedures and in accordance with the Expedited Procedures in those Rules. The selection of an arbitrator through JAMS shall be pursuant to JAMS Rule 15. The venue of the arbitration shall be in Los Angeles, California.

The arbitrator will have the ability to require the modification, discontinuance, or revocation of the CDP, and the ability to impose conditions of operation as he or she deems appropriate, including those necessary to protect the best interests of the surrounding properties or neighborhood; to eliminate, lessen, or prevent any detrimental effect on the surrounding property or neighborhood; or to assure compliance with other applicable provisions of law. The arbitrator's decision shall be supported by written findings and shall state that failure to comply with any or all conditions imposed may result in the issuance of an order to discontinue or revoke the CDP.

All arbitration costs and fees are to be paid by the City and/or PATH.

Continued

H. WRAC MOTIONS

1. Case: Council File 12-0460-S4 (Processes and Procedures Amendment)
City Hearing: The City Council considered the ordinance on 6/22/21. In addition to instructing the City Attorney to put the ordinance in final form, the PLUM Committee Report was amended to "instruct the Department of City Planning to produce a line-by-line chart of the proposed changes to our processes and procedures to be transmitted for consideration and made available to the public before the final ordinance is considered." The ordinance will go back to the Council for a final vote.

Passage Deadline: September 2021

Motion Proposed: Stacy Shure/WRAC LUPC on June 21, 2021

Motion Passed by:

Brentwood Community Council (Modified)

Mar Vista Community Council (Modified)

Westside Neighborhood Council

Refers to:

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=12-0460-S4>

Motion:

The Venice Neighborhood Council requests that the Los Angeles City Council postpone consideration of Council File 12-0460-S4 (The Process and Procedures Amendment to the City Charter) for a minimum of 6 months in order to enable further community presentations and feedback. The document in this file, including technical amendments and attachments, are over 900 pages. To date there have been approximately 3 meetings of 1.5 hours each for the Department of Planning to summarize this extensive document and receive limited feedback. Further technical amendments were made prior to the PLUM committee's June 1 consideration which incorporated more than just technical changes that need review and feedback. The

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language supporting the Neighborhood Councils' charter given authority to hold public hearings and provide public comment and feedback concerning matters of land use must be restored to the Process and Procedures Amendment section to ensure that it complies with the Los Angeles City Charter and the specific authority it grants to Neighborhood Councils. The community engagement has been insufficient to conduct a full review of the substantial changes involving land use authority and procedures. Further, we encourage that the Los Angeles City Council obtain Cumis Counsel (independent counsel) to review the document in its entirety to ensure that no transfer of City Council authority occurs as a result of this document and that final decisions regarding land use matters remain with the City Council pursuant to the City Charter. There are numerous instances where authority appears to be vested in the Director of Planning, an unelected official, which may be in violation of the City Charter.

Public Comment & possible action/motion

**Alix motion to approve as presented/Shep seconds
3-2-0 Tim and Michael no**

2. Case: Oppose Misuse of Specific Plan Process
Motion Proposed: Barbara Broide/WRAC LUPC on June 21, 2021
Passage Deadline: September 2021

Motion:

The Venice Neighborhood Council opposes the City's use of Specific Plans that would result in upzoning open space and/or low-density residential neighborhoods. The use of specific plans in

this manner creates significant negative impacts for all residential communities, the environment, and natural resources. We urge our City Councilmembers to reject land use applications for individual development projects that represent a misuse of the Specific Plan process. We ask that the City Council inform Planning not to process these types of requests.

Public Comment & possible action/motion

**Alix motion to approve as presented/Shep seconds 3-2-0 Michael and Tim No for the record
Michael believes that there can be a better motion**

3. Case: Request for Clarification Regarding Cloud/Ghost Kitchens
Motion proposed: Barbara Broide WRAC/LUPC on May 17, 2021
Passage deadline: August 2021
Passed by:

Bel Air Beverly Crest Neighborhood Council
Brentwood Community Council
Pacific Palisades Community Council
Westside Neighborhood Council
Westwood Neighborhood Council

Motion:

WHEREAS businesses referred to as "Cloud Kitchens" or "Ghost Kitchens" represent a fairly new form of commerce and land use concept, and,

WHEREAS this new business model has the potential to create significant impact on neighboring businesses and residential communities, and

WHEREAS the absence of clear classifications for cloud/ghost kitchens can result in some being treated as commercial and/or retail uses, while others may be grouped as light manufacturing, and

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WHEREAS none of these classifications accurately capture the true nature of these operations and,

WHEREAS cloud/ghost kitchens are being established in many areas across the City of Los Angeles

Therefore, be it moved that the Venice Neighborhood Council requests that the city, represented by our council district, PLUM, and the City Council, in coordination with the Departments of Planning and Building and Safety:

--define what constitutes a cloud/ghost kitchen, including possible different categories of such operations based upon numbers of kitchens and/or square footage involved,

--identify criteria for the evaluation of their applications for buildout and permitting, including a process to evaluate potential impacts on their surroundings (noise, odor, traffic, and requirements pertaining to factors)

--assess needed infrastructure (adequacy of electric service to area, parking and/or loading zones)

WRAC believes that providing this needed clarification will remove uncertainties and contribute to the establishment of successful enterprises by creating the structure needed to guide the city's review and decision-making process.

Public Comment & possible action/motion

Alix motion to approve as presented/Shep seconds 3-2-0 Michael Tim no Motion passes

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.

PUBLIC ACCESS OF RECORDS: *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. 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*

PUBLIC INPUT AT NEIGHBORHOOD COUNCIL MEETINGS: The public is requested to fill out a "Speaker Card" to address the VNC Land Use & Planning Committee on any agenda item before it 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 Neighborhood Council jurisdiction will be heard during the General Public Comment period. Please note that under the Brown Act, the Neighborhood Council 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 Neighborhood Council 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*

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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 secretary@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 AMERICANS 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 Melissa Diner, Secretary, at (310) 421-8627 or email secretary@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 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 Melissa Diner, Secretary, at (310) 421-8627 or email secretary@venicenc.org.

COMMUNITY IMPACT STATEMENTS (CIS): Any Board action with a City Council File # may result in the issuance of a CIS. ALL AGENDA TIMES ARE APPROXIMATE AND SUBJECT TO CHANGE ON THE NIGHT OF THE MEETING.