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June 17, 2022

VIA ELECTRONIC MAIL

Hon. Nury Martinez, President
Los Angeles City Council
c/o City Clerk
200 North Spring Street
Los Angeles, CA 90012
(holly.wolcott@lacity.org)

**Re: Agenda Item 15 – City Council Meeting June 17, 2022 – Council File 21-0829-S1:
(1) Corrected Resolution and Findings for a General Plan Amendment to the Venice
Community Plan and the Certified Venice Local Coastal Program Land Use Plan (LUP)
and
(2) Report for the City Attorney and draft Ordinance Amending the Venice Coastal Zone
Specific Plan to create a new Subarea A and establish new land use and development
regulations by amending Section 10 of the Specific Plan, amending the Existing Zoning
Map from OS-1XL and RD1.5 to (T)(Q)C2-1L-O, and amending the Existing Zoning Map
to remove the proposed Alberta Avenue right-of-way between North Venice Boulevard and
South Venice Boulevard, and replacing it with (T)(Q)C2-1LO;**

Project addresses: 2102-2120 S. Pacific Avenue, 116-128 E. Venice Blvd, 204-208 E. Venice
Blvd, 214 E. Venice Blvd, 302 Venice Blvd, 301-319 E. Venice Blvd, 2106 S. Canal St, 200 E.
Venice Blvd, 2106 S. Canal St, 210-212 E. Venice Blvd, 125 E. Venice Blvd. (VTT-82288;
ENV-2018-6667-SE; CPC-2018-7344-GPAJ-VZCJ-HD-SP-SPP-CDP-MEL-SPR-PHP-1A;
Related Council File Nos. 21-0829 and 22-0496)

Dear Council President Martinez, Honorable City Councilmembers, and City Clerk:

INTRODUCTION.

This firm represents the Coalition for Safe Coastal Development (“Coalition”) and its
supporting organizations and individuals. **The Coalition strongly urges the City Council to**

continue today's Item No. 15 concerning the Reece Davidson (Venice Median Project) and send the Project back to the City Planning Department and City Attorney to correct serious flaws documented in the record before the City.

Particularly, because the City Council has modified the Project Agenda description at the PLUM Committee meeting from claiming there would be consideration of a City Attorney "Draft Ordinance" to a claim of Planner Ira Brown AFTER public comment at the PLUM Committee meeting that City Council was actually considering a "Final Ordinance", such a significant change in the Item's proposed approval process means the City is required under Government Code section 54954.3(a), to open the Friday June 17, 2022 City Council meeting to permit additional public comment on the changed Project entitlement process.

NONE OF THE REQUIRED FINDINGS CAN BE MADE WHEN THE PROJECT PLANS HAVE NOT BEEN REVIEWED AND CONDITIONED IN CONFORMITY WITH BASIC PUBLIC SAFETY STANDARDS.

Part 1 of the meeting agenda concerns revisions to the Resolution and Maps related to the General Plan Amendment, Land Use Plan, and Ordinances implementing those general plans originally adopted by the City Council on December 1, 2021 to implement a massive spot zone in the middle of Venice. In the Channel Law Group detailed comment letter dated June 14, 2022, the Coalition produced an expert review report of the 2017 Geo West, Inc. Soils Report, the August 12, 2018 City Soils Report Approval Letter, and a GeoSoils, Inc. 2020 coastal engineering study.

The June 13, 2022 Geodynamics Inc. report prepared for the Coalition, incorporating up-to-date public health and safety standards for seismic liquefaction, sea level rise maps and studies, FEMA flood maps, and emergent groundwater analysis, revealed the shocking fact that the City has failed to require the developer to have a proper geotechnical and coastal engineering review to determine if all required design limitations and mitigations have been incorporated into the project conditions as applied to the May 12, 2021 approved project plans or currently evolving and unfinished LADOT parking garage plans.

The City Council has the power right now to insert the required protections but PLUM Committee rubberstamped the Project without inclusion of these critical public health and safety mitigation measures based upon current standards. This is a failure to proceed in accordance with law because an out-of-date Project health and safety review cannot be found to be substantial evidence in support of the required findings that the Project has been mitigated to the greatest extent feasible to protect human life and property, or is in the public interest, convenience, general welfare, or good planning practice.

This basic premise is proposed to be violated by the City staff's recommendations: Reapprove the Project while this City is on notice that the only geotechnical report supporting today's approvals stated on October 11, 2017 that no one should rely on the report after the elapse of three years (October 11, 2020). Thus, the City and developer's own expert no longer stands behind the timeliness of the information and recommended mitigation measures of its report. City Council is poised to approve the Project anyway, without knowing if it is even physically or financially feasible. Project processing by the City requires, at a bare minimum, substantial evidence that current the Project's design has been subjected to a basic safety review.

Based upon all the reasons and substantial evidence of fatal geotechnical and coastal engineering errors in the Project's current documentation set forth in our June 14, 2022 letter to the PLUM Committee, the City Council cannot make any of the findings required to approve the Project.

THE CITY'S MODIFICATION OF THE AGENDA DESCRIPTION BETWEEN THE PLUM COMMITTEE MEETING AND THE CITY COUNCIL MEETING REQUIRES PUBLIC COMMENT TO BE OPENED AT THE JUNE 17, 2022 CITY COUNCIL MEETING UNDER GOVT. CODE SECTION 54954.3(a)

Part 2 of the Project agenda item concerns the processing of an ordinance to amend the Venice Coastal Zone Specific Plan (VCZSP) in multiple ways. The hearing notice mailed to the public and meeting agenda item setting forth the proposed City actions at the PLUM Committee meeting read as follows:

“Statutory Exemption from the California Environmental Quality Act (CEQA) pursuant to Public Resource Code Section 21080.27(b)(1), and related CEQA findings; reports from the Los Angeles City Planning Commission (LACPC) and Communication from the Mayor relative to a 1) **Corrected Resolution and Findings for a General Plan Amendment to the Venice Community Plan and the certified Venice Local Coastal Program Land Use Plan (LUP)** to correct the Resolution map exhibits, pursuant to Los Angeles Municipal Code Section 11.5.6, removing Exhibits 11b Height and 15 Buffer/Setback and including the correct set of exhibits to the Venice LUP [Exhibits 2a Venice Coastal Zone, 2b Venice Coastal Zone, 5b Subarea North Venice and Venice Canals, 10b LUP (Map) North Venice and Venice Canals, 14b Height Subarea North Venice and Venice Canals, and 17a Coastal Access Map]; to redesignate Open Space and Low Medium II Residential land to Neighborhood Commercial use, as part of the approval of a Permanent Supportive Housing Project that will construct 140 residential units; the amendment was previously reviewed and approved by the LACPC on May 27, 2021, and included new policies in the Venice LUP to create a new Subarea A, policies for the development of Supportive Housing Projects, and updates the map exhibits in the LUP to include Subarea A; and, 2) **report from the City Attorney and draft Ordinance amending the Venice Coastal Zone Specific Plan to create a new Subarea A** and establish new land use and development regulations by amending Section 10 of the Specific Plan, amending the Existing Zoning Map from OS-1XL and RD1.5 to (T)(Q)C2-1L-O, and amending the Existing Zoning Map to remove the proposed Alberta Avenue right-of-way between North Venice Boulevard and South Venice Boulevard, and replacing it with (T)(Q)C2-1LO; for a proposed mixed-use, 100 percent affordable housing development project in the Specific Plan Area; for the property located at 2102-2120 South Pacific Avenue, 116-302 East North Venice Boulevard, 2106-2116 South Canal Street, and 319 East South Venice Boulevard.” (Emphasis added.)

At the PLUM Committee meeting, the Committee Chair started the meeting by forcing everyone to provide public comment at the outset of the meeting instead of in connection with each item of business considered by the Committee. No staff report or presentation of the Project was made

by the City Planning Department until after the close of the public comments. City Planner Ira Brown then informed the PLUM Committee the ordinance before them was a “Final Ordinance.” This statement was contrary to the February 1, 2022 City Attorney report, the public hearing notice issued for the PLUM Committee meeting, and the wording of the agenda for the PLUM Committee meeting set forth above. All of those documents informed the public that the ordinance was at a draft stage -- not final for adoption. The announcement of a “Final Ordinance” status of the previously designated “Draft Ordinance” was a significant change as it purports to cut off the opportunity for greater review and participation in the Ordinance adoption process of the City.

The Agenda Item description set forth on the Friday, June 17, 2022 City Council meeting agenda is as follows:

“CONSIDERATION OF AND ACTIONS RELATED TO A STATUTORY EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) and RELATED CEQA FINDINGS, COMMUNICATIONS FROM THE LOS ANGELES CITY PLANNING COMMISSION, MAYOR, and CITY ATTORNEY; CORRECTED RESOLUTION AND FINDINGS, and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment to the Venice Community Plan and the certified Venice Local Coastal Program Land Use Plan (LUP) to correct the Resolution map exhibits, pursuant to Los Angeles Municipal Code Section 11.5.6, removing Exhibits 11b Height and 15 Buffer/Setback and including the correct set of exhibits to the Venice LUP [Exhibits 2a Venice Coastal Zone, 2b Venice Coastal Zone, 5b Subarea North Venice and Venice Canals, 10b LUP (Map) North Venice and Venice Canals, 14b Height Subarea North Venice and Venice Canals, and 17a Coastal Access Map]; to redesignate Open Space and Low Medium II Residential land to Neighborhood Commercial use, as part of the approval of a Permanent Supportive Housing Project that will construct 140 residential units; the amendment was previously reviewed and approved by the LACPC on May 27, 2021, and included new policies in the Venice LUP to create a new Subarea A, policies for the development of Supportive Housing Projects, and updates the map exhibits in the LUP to include Subarea A; **and, to amend the Venice Coastal Zone Specific Plan to create a new Subarea A** and establish new land use and development regulations by amending Section 10 of the Specific Plan, amending the Existing Zoning Map from OS-1XL and RD1.5 to (T)(Q)C2-1L-O, and amending the Existing Zoning Map to remove the proposed Alberta Avenue right-of-way between North Venice Boulevard and South Venice Boulevard, and replacing it with (T)(Q)C2-1LO; for a proposed mixed-use, 100 percent affordable housing development project in the Specific Plan Area; for the property located at 2102-2120 South Pacific Avenue, 116-302 East North Venice Boulevard, 2106-2116 South Canal Street, and 319 East South Venice Boulevard.” (Emphasis added.)

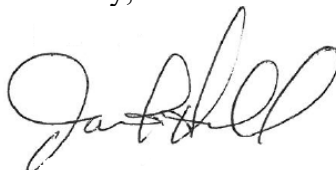
Mr. Brown’s revelation that the City’s Ordinance was abruptly no longer a “Draft Ordinance” subject to further review, was never disclosed to the public until after PLUM Committee public comment. Consistent with an attempt to deprive the public of a possible impact on the City’s decisionmaking process, the draft status of the Ordinance was removed from the City Council meeting agenda for today’s meeting. The unilateral and unannounced change of the status of the Ordinance from “Draft” to “Final”

constitutes a significant change under Govt. Code section 54954.3(a) and disqualifies the ability of the City Council to prevent public comment on Item 15 at the Friday City Councilmeeting.

Coalition representatives will be in Council Chamber to provide public comment about recent project developments.

I may be contacted at 310-982-1760 or at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall", with a stylized, cursive script.

Jamie T. Hall