



Rita Moreno <rita.moreno@lacity.org>

Fwd: Proposed Venice BID & Residential Properties Zoned Commercial

Tara Devine <tara@devine-strategies.com>

Tue, Aug 9, 2016 at 4:12 PM

To: William Kuel <[REDACTED]>

Cc: Rita Moreno <rita.moreno@lacity.org>, Shannon Hoppes <shannon.hoppes@lacity.org>, Debbie DyerHarris <debbie.dyerharris@lacity.org>, Miranda Paster <miranda.paster@lacity.org>, Holly Wolcott <holly.wolcott@lacity.org>

Dear Bill:

It has been some time since we last spoke, but I wanted to respond to your most recent questions. Please keep in mind, as we discussed during the petition stage, it is zoning and not use that guides assessment district formation. In many communities across California, zoning and use are not consistent. Conditional uses, legal non-conforming uses, variances, etc. are also all part of the landscape that causes differences between zoning and use.

1) No, neither the Engineer nor I can remove your parcel from the proposed BID.

2) Here are some excerpts from the Engineer's Report that address the special benefits conferred on your multi-tenant residential use property (zoned commercial):

- "Special benefit" as defined by the California State Constitution means a distinct benefit over and above general benefits conferred on real property located in the District or to the public at large.

- The property uses within the boundaries of the BID that will receive special benefits from BID funded programs and services are currently a mix of commercial, industrial, government and residential. No parcels within the District are zoned solely residential. Services, programs and improvements provided and funded by the BID are primarily designed to provide special benefits as described below to identified assessed parcels and the array of land uses within the boundaries of the District.

- For residential parcels and residential portions of mixed use parcels within the BID (all located on commercial or industrial zoned parcels), it is the opinion of this Assessment Engineer that each of these parcels and uses specially benefit similarly to commercial/industrial parcels, from the clean and safe and district identity and special project programs designed to improve the cleanliness, security, marketability and livability of these parcels and residential units on them. Since the majority of residential units within the Venice Beach BID are used as business enterprises, live/work units, rental units, or vacation rental units whether single family units, apartments or residential condominiums, it is the opinion of this Assessment Engineer that each residential unit shall be treated as an existing or potential for-profit business enterprise, live/work unit, rental unit, or vacation rental unit. As such, the proportionate special benefits conferred on all residential parcels and units shall be considered similar to those conferred on commercial/industrial parcels within the Venice Beach BID. For these parcels, BID programs, services and improvements are designed to increase residential rental occupancies, rental income and return on investments. These programs, services and improvements are designed to improve commerce, security and aesthetic appeal for tenants, visitors and landlords of these parcels within the Venice Beach BID by reducing crime, litter and debris and increasing the safety and attractiveness of residential rental units within the BID and the nearby array of tourist related goods, services and activities, all considered necessary in a competitive properly managed tourist-based business district.

Please let me know if you'd like to discuss this further.

Warmest regards,

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