Venice Neighborhood Council

Post Office Box 55

Venice, CALIFORNIA 90294

310-606-2015.

Land Use and Planning Committee

Staff Report to Board of Officers

April 15, 2008

Case Number:	AA 2007-5250 PMLS SL and AA 2007-5253 SL
LUPC Staff:	Maury Ruano
Address of Project:	728 Indiana Avenue and 732 Indiana Avenue
Size of Parcel:	5,280 sq. Ft. each
Size of Dwelling or Project:	6,500 sq. Ft each
Venice Subarea:	Oakwood
Current Zoning:	RD1.5-1
Proposed Zoning:	No change
Permit Application Date:	11/07/07
Applicant:	Victor Martinez
Address:	732 Indiana Avenue – Venice, CA 90291
Representative:	David Reddy, AIA
Contact Information:	310-930-4922
Date(s) heard by Advisory Agency Division of Land:	N/A
Date(s) heard by LUPC:	March 5 and April 2, 2008
WLA Area Planning Commission Dates:	N/A
Community Planning Bureau Dates:	N/A

LUPC Motion to Recommend that the VNC Board of Officers

Approve the project as per Section 5 Definitions, sub paragraph T, entitled Replacement Affordable Unit, page 5, of the VCZSP, to wit, "Any affordable housing unit to be provided as replacement for an existing unit on a Venice Coastal Development Project site. Affordable housing units are dwelling units or guest rooms for which rental or mortgage payments do not exceed the limits stated in Section 65915 of the California Government Code. Dwelling units or guest rooms designated for lower income households, as defined in Section 50079.5 of the California Health and Safety Code, shall have rents not exceeding 30 percent of 60 percent of the area median income as set forth on a rent schedule prepared by the City's Housing Department or any successor agency. In order for a Venice Coastal Development Project to qualify as a project containing affordable housing units, the owner shall record a document with the Los Angeles County Recorder guaranteeing that these affordability criteria will be observed for at least 30 years from the issuance of the Certificate of Occupancy."; and approve a 10 foot passage way between 728 and 732 Indiana Avenue which divides into a 5 foot setback from the common property line.

Vote:
Moved by Dennis Hathaway, seconded by Arnold Springer and passed 5-0-0.

REPORT

Project Description:
The applicant is presenting two adjacent Small Lot Subdivision developments simultaneously. 728 Indiana Avenue consists of 3 – 2 story + mezzanine townhomes with 7 parking spaces. One of the three units at 728 is planned as an affordable unit. 732 consists of 2 – 2 story + mezzanine townhomes and 6 parking spaces. The applicant has lived at 732 Indiana practically all his life and plans to continue living there with his family.

Applicant's Requested Action by LUPC/Venice Neighborhood Council:
To approve a zero lot line between units within each subdivision and a zero side setback between the two subject subdivisions at the south end of the lots abutting the alley.

Section of Venice Coastal Zone Specific Plan and/or the Los Angeles Municipal Code governing this particular site: The Venice Coastal Zone Specific Plan is silent regarding the side setbacks and the passageways betweenbuildings within a subdivision in the Oakwoodsub-area. Therefore, the regulations of the LA Municipal Code apply. LAMC Subdivision 27 (e) of Subsection C of Section 12.22 states that "no front, side, or rear yard shall be required between lots within an approved Small Lot Subdivision. However, a five-foot setback shall be provided where a lot abuts a lot that is not created pursuant to this subdivision"

Summary of Arguments Against this Project/Issue:
No passageway between buildings abutting alley.

Although the Small Lot Ordinance (SLO) provides applicants/developers with relief from the usual 10 foot separations between buildings if within an approved SLO subdivision, it does not provide that same relief for buildings to adjacent properties. In this case, the applicant has two separate subdivisions. Therefore, the 10 foot separation applies between the two subdivisions. However, the back units abutting the alley have a zero side setback for all practical purposes.

Unlike 728 Indiana Avenue, 732 Indiana is not providing as many market rate and affordable units as possible in order to alleviate the housing shortage in the city. Although the SLO does not allowed increased density, it changes the rules for subdividing land, making easier for developers to construct attractive modestly scaled fee simple new homes; including townhomes, row houses, and bungalows that will be moderately priced compared to single-family homes on large lots by default.

Summary of Arguments For this Project/Issue:

Applicant will make one affordable unit available. Unlike another 3-lot SLO subdivision development approved without an affordable unit the same night by LUPC, 728 Indiana A venue is a 3-lot subdivision with the third unit offered as an affordable unit for 30 years. 732 Indiana Avenue is only a 2-lot subdivision. Therefore, the th ird affordable unit is not required.

The deve lopment is not maximizing the envelope of the building potentia l. Although the applicant could have propo sed all units 3 levels high, he l imited the units abutting the street to 2 levels only.

Summary of Public Comment:

Bruce (a frequent meeting attendee) pointed out that this applicant had been treated unfairly since the members of the Committee had not been consistent in the way their voted that night. He noted that the other project heard that night was approved without requiring that the third unit within the subdivision be an affordable unit with a recorded 30 year guarantee

Summary of Findings by LUPC:

Although the Small Lot Ordinance does not supersede the VCZSP, it applies in this case since the VCZSP is silent in regards to setbacks and passageways. However, the SLO is very clear that the setback to adjacent properties must be at least three feet in Venice. Therefore, the passageway between the back units abutting the alley should be six feet.

DRAFT OF COMMUNITY IMPACT STATEMENT TO BE ATTACHED TO THIS CASE NUMBER and/or FILE

Author of Report: Maury Ruano
Date: Wednesday April 9, 2008