



Venice Neighborhood Council



Questions:

Answer all these questions, please limit your answers to 200 words or less each . Print on a separate sheet of paper and email to Secretary@VeniceNC.org.

1) Please explain why you wish to serve on the LUPC.

As a current member of the LUPC since 2008, I believe the LUPC has made a difference in the planning entitlement process by informing the VNC of case specific issues relating to project compliance with the VCZSP. As an architect who is very familiar with the VCZSP, I believe technical input during these hearings has provided valuable analysis and understanding of which projects are in compliance. In several instances the LUPC has educated applicants, "stakeholders", by providing constructive feedback so that their projects can comply with the specific plan. In November of 2007 my family and I made a decision to move to Venice for numerous reasons including, a) the urban environment and our interest in being able to live in a walkable community. Local restaurants, the beach, Main street, and Whole foods market are all within walking distance of our home and office (which is in the same building). b) Venice is one of the few areas in Los Angeles that has an identifiable community with a tremendous appreciation for art and architecture, both historic and modern. Recognizing this appreciation is paramount when reviewing proposed development projects c) As a local architect since 1985, my office is now on Rose Ave I am very interested in contributing to the neighborhood planning process. I believe this process will help determine how Venice both maintains its character and changes over the next several decades. d) One of my professional areas of expertise is processing and understanding the entitlement phase in the City of Los Angeles. I am very knowledgeable of the Zoning Code.

a. Have you served before on the LUPC or other planning and land use related committee? If so, what committee and when?

2008-present Venice LUPC- I have participated in numerous planning meetings in various municipalities over the last 27 years. During these meetings I have participated as a community member, applicant's representative, and architect.

b. Please state your professional qualifications or related experience relevant to this position.

I am a licensed architect in the State of California (since 1983) and a USC graduate. I am the principal of a small architectural firm located on Rose Ave. in Venice. My firm has won numerous awards and is currently working on several Leed certified projects. Over the years I have worked on a variety of building types including, multifamily housing projects, mixed use projects, commercial projects, senior citizen projects, duplexes, and single family dwellings. I have worked with non profit clients, individuals, and design oriented clients. By designing these different building types I have a clear understanding of how



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specific plans, the zoning code, and the building code impact each building type and their relationship to site constraints. I believe that my technical expertise as a member would be an asset for the Planning and Land Use Committee.

2) Please list your previous and/or current neighborhood or community involvement.

My wife and I were very pleased to have our home/architectural studio on the Venice 2010 Art and Architecture tour sponsored by the Venice Family Clinic this year. I am very involved with homeowner and development issues in my neighborhood and along Rose Avenue.

3) Please list the three most pressing planning and land use issues you feel are facing the Venice Community.

1) Parking and Transportation: impacts on current infrastructure including traffic, overnight parking and lack of public parking 2) Promote Walkability and Leed buildings: Encourage sustainable design and projects that promote pedestrian activity which in turn will make neighborhoods safer and commercial streets more successful. 3) Support balanced development between redevelopment and new development which respects both the historic character of Venice and the inevitable change which occurs over time in all communities.

4) Under what kinds of situations do you feel it to be appropriate to grant exceptions or variances to the Venice Coastal Zone Specific Plan or other LA City Planning codes? (Findings regarding these entitlements below)

Designing a project that complies with the Venice Specific Plan and Zoning code does not automatically mean you have a good project, a good design or that the project will fit into the neighborhood. I believe each project should be considered based on the merits of the project and the constraints of the site. If the "variance or exception" create an overall better project and the applicants justification is compelling then I believe the variance or exception should be considered on a case by case basis. There may be instances when variances and exceptions result in a more neighborhood compatible project and there will be situations where variances or exceptions do not and should therefore be denied. I believe each variance or exception should be carefully evaluated and considered on a case by case basis.

a. **What is your opinion of the Venice Coastal Zone Specific Plan?** The VCZSP it is one of the better specific plans adopted by the City. The guidelines create design constraints and building envelope limits without forcing an architectural style or box of parts allowing stakeholders and design professional the ability to comply with the Specific Plan in a distinctly architectural creative way.

b. **Have you read the Venice Coastal Zone Specific Plan?** Yes several times



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Have you read the Venice Land Use Plan which was certified by the California Coastal Commission? Yes several times

5) How do you view your role in private interactions with developers who have projects proposed before the Land Use and Planning Committee?

The applicant's development team should be the advocates for the project. Clear direction should be given by the LUPC to applicant's representatives and stakeholders and issues should be raised early on so that miscommunication is minimized and all parties feel like they are being treated fairly.

Every community, including Venice, has problems with following up on conditions imposed on a project. How do you think the Venice Neighborhood Council should follow up on our conditioning process to see that conditions are met? Jim Murez – LUPC board has developed a tracking system for planning cases in Venice – This tool will be instrumental in follow up regarding project conditions. The VNC should determine a policy regarding what criteria will be used to determine whether or not a specific project is in compliance with conditions of approval issued by the LA City Planning Dept.

- a. **Define "change," and what, if any, community planning considerations, should govern "change." Include the correlation between built environment change and governance change.** Time does not stand still and nor should it as it applies to any city and Venice is no exception. Are all changes good, absolutely not but allowing Venice to grow with respect for the past and acknowledging the future is not bad either.
- b. **What is your view and VNC/LUPC action recommendation regarding the ability of a proposed commercial or residential development to receive physically nonexistent entitlements (i.e., parking) which will negatively impact surrounding developments?** This question includes an opinion regarding "nonexistent entitlements" - The City of Los Angeles has made provisions in the VCZSP and LA Municipal Code so that existing building can continue to be legally used – included in these provisions are non conforming rights which are granted to all existing building (including single family dwellings) which were legally constructed but no longer comply with the current code – If the City did not recognize these rights then everyone would have to update there buildings to comply with the current code every time the code changed. Existing buildings therefore have non conforming rights or entitlements – What the LUPC has done and should continue to do is to work with stakeholders to minimize impacts cause by these non conforming rights.

6) What is your Vision for Venice? _____

The reason to live in Venice is for the "quality of life" it represents. Few areas are as diverse as this community and this diversity is what makes Venice the unique community that it is. Public safety is essential and good planning practices encourage well designed buildings, in turn these constructed buildings reinforce public safety. One only has to drive



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around neighborhoods or go to a bookstore and one will quickly realize Venice has its own Architecture Style. My vision would be to encourage designers, architects, artists, homeowners and developers to continue to recognize that Venice is a very special place and is deserving of quality innovative architecture.

Access VCZSP at <http://cityplanning.lacity.org/complan/specplan/pdf/VenCoastal.pdf>.

VARIANCES AND SPECIFIC PLAN EXCEPTIONS

Sec. 562, Los Angeles City Charter

The Area Planning Commission may permit an exception from a specific plan if it makes all the following findings:

- (a) That the strict application of the regulations of the specific plan to the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the specific plan;
 - (b) That there are exceptional circumstances or conditions applicable to the subject property involved or to the intended use or development of the subject property that do not apply generally to other property in the specific plan area;
 - (c) That an exception from the specific plan is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property within the specific plan area in the same zone and vicinity but which, because of special circumstances and practical difficulties or unnecessary hardships is denied to the property in question;
 - (d) That the granting of an exception will not be detrimental to the public welfare or injurious to the property or improvements adjacent to or in the vicinity of the subject property; and
 - (e) That the granting of an exception will be consistent with the principles, intent and goals of the specific plan and any applicable element of the general plan.
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Los Angeles Municipal Code, (LAMC) Chapter I, General Provisions & Zoning. Article 2, Sec. 12.27, Variances

D. Findings for Approval. The decision of the Zoning Administrator shall be supported by written findings of fact based upon evidence taken, written or oral statements and documents presented, which may include photographs, maps and plans, together with the results of any staff investigations.

Consistent with Charter Section 562, no variance may be granted unless the Zoning Administrator finds all of the following:



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1. That the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations;
2. That there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity;
3. That the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question
4. That the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located; and
5. That the granting of the exception is consistent with the principles, intent and goals of the Specific Plan.

Court Decisions

In *Orinda Assn. v. Board of Supervisors of Contra Costa County*, the California Appeals Court ruled that a building height variance could not be granted, regardless of the alleged benefits of the project, absent a finding detailing the special circumstances that justified its issuance. In its decision, the court majority said, "Thus, data focusing on the qualities of the property and Project for which the variance is sought, the desirability of the proposed development, the attractiveness of its design, the benefits to the community, or the economic difficulties of developing the property in conformance with the zoning regulations, lack legal significance and are simply irrelevant to the controlling issue of whether strict application of zoning rules would prevent the would-be developer from utilizing his or her property to the same extent as other property owners in the same zoning district." (The Contra Costa County conditions for granting variances were virtually identical to those in the L.A. City Charter)