



Venice Neighborhood Council  
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**LAND USE AND PLANNING COMMITTEE**  
**STAFF REPORT**  
**LUPC: March 10, 2010**  
**April 14, 2010**  
**Board: May 18, 2010**



**Case Number:** TT-71124-CC, ENV-2009-3545 CE (50-CC)  
**Project Address:** 2724 Abbot Kinney

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**SYNOPSIS:** Applicant requests a Tentative Tract Map to subdivide an existing 50-unit residential rental building to a 50-unit condominium complex, with no new construction, increased density or expanded parking requirements.

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**LUPC MOTION:** Move to recommend that the VNC Board recommends approval of the project as proposed, with the following conditions:

1. Postpone final map approval until at least 3 years after the tentative tract map approval.
2. In consideration of the original entitlements, LUPC does not support additional street dedications or widening at this time.
3. The applicant will voluntarily make an annual contribution to Coeur d'Alene Elementary School to be only used by Coeur d'Alene Elementary School for landscape improvements and annual maintenance on the common property line.

Motion by Jed Pauker, seconded by Jim Murez; approved by unanimous vote.

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<b>Size of Parcel:</b>	23,622 sf
<b>Size of Project:</b>	39,400
<b>Assessed Land Value:</b>	\$1,514,624; improvement: \$3,350,288
<b>Last Owner Change:</b>	7/15/87
<b>Project Description:</b>	To convert existing 50-unit, 3-story apartment building with 94 parking spaces to residential condominium complex; no change is proposed to the existing units, nor to the parking garage, consisting of 30 street-level spaces and 64 underground spaces.
<b>Venice Subarea:</b>	Southeast Venice
<b>Zone:</b>	R3-1

Venice Neighborhood Council Land Use and Planning Committee  
Staff Report  
2724 Abbot Kinney, TT-71124-CC, ENV-2009-3545 CE (50-CC)  
May 18, 2010

**Date of Planning Report:** n/a  
**Date of End of Appeal Period:** n/a  
**City Planning Report**  
**Prepared by:** n/a  
**LUPC Staff Report Done By:** Jed Pauker

**Applicant:** Leon S. Kaplan  
**Address:** 923 S. Longwood Ave., L.A., CA

**Representative:** Brian Silveira, The Katherman Companies  
**Contact Information:** 310-618-1999, brian.silveira@katherco.com  
**Date(s) heard by LUPC:** March 10, 2010; April 14, 2010  
**Zoning Administration Date:** n/a  
**Applicant's Neighborhood Mtg:** Applicant had provided sixty days' notice to neighbors regarding \_\_\_\_\_, with no attendees. Applicant subsequently met with representatives from the neighborhood, CD11, and the VNC to discuss the project.

**WLA Area Planning**  
**Commission Dates:** n/a

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**LUPC FINDINGS:** In 1987, this project, on the northwest corner of Garfield and Abbot Kinney, abutting the playground of Coeur d'Alene Elementary School, received approval to replace six existing dwelling structures, housing sixteen rental units, with a fifty-unit rental apartment building. A covenant was recorded to require a number of replacement affordable units, which the applicant provided at 607-6<sup>th</sup> Ave. in Venice's Oakwood sub-area.

At the time, an associated entitlement was approved to reduce front- and rear-yard setbacks from the required fifteen feet to twelve feet.

In 1990, the project approval was clarified to enable construction of *either* apartments for rent *or* individual condominium units for sale. At that time, the applicant expressed his intent to apply for a Tentative Tract Map to record the project's condominium subdivision. This is the application under current consideration.

The original 1990s project received Council office and neighborhood support, as well as some opposition. Concerns included traffic accidents, proximity to the school, increased traffic and both the safety and precedent factors of allowing the reduced front and rear setbacks. Twenty years into the life of this project, these concerns may be moot today.

Upon Final Map Approval, the applicant intends to offer existing tenants first Right-of-Refusal to purchase, as well as 180-day Notice and relocation costs in the event of Refusal to purchase.

The applicant has expressed interest in the area's ecology, and has volunteered to provide an annual contribution to the school's booster club, for the purpose of landscape improvements and ongoing maintenance along the common property line.

Currently, Abbot Kinney is classified as a secondary highway in pertinent community plans, with a 70-foot roadway width and 90-foot right-of-way. The applicant had prepared a motion to down-grade Abbot Kinney to a collector street, based on its narrow width and nearby land uses (This downgrade would be reflected as amendments in the Venice Community Plan and the Transportation Element of the General Plan, as well as the Transportation Element Highways and Freeways Map). Further to communication with LADOT, the applicant has amended the proposed motion to downgrade Abbot Kinney to a "modified secondary highway," with a 50-foot roadway width and 70-foot Right-of-Way. The motion maintains that such rededication will "allow opportunities to add center islands, bike lanes and more pedestrian crossings. This will provide greater cohesion with the surrounding land uses and a greater sense of community for the residents and businesses." LUPC's discussion produced insufficient consensus to provide defined support for this proposal.

In 1999, the project's R4-1 zone area was down-graded to R3-1, which zoning designation remains today. As such, the project's fifty-unit scale would overwhelm the area's current land use intent. Notwithstanding whatever literal approval is mandated by current law, and notwithstanding the value and good will the current applicant clearly brings to the community, such a project's approval highlights the value of asking to what extent grandfather-clause entitlements should govern present-day land use proposals.

**ARGUMENTS FOR THIS PROJECT:**

- Has no physical impact on the surrounding area.
- Does not remove affordable units from the housing stock.
- Attracts residents interested in ownership stake in their dwellings.
- As conditioned, provides an ongoing connection between development and community.

**ARGUMENTS AGAINST THIS PROJECT:**

- Risks displacing renters who lack the means to own property.

**SYNOPSIS OF PUBLIC COMMENT:**

Presidents Row Neighborhood Association approves of this project, based on its lack of physical impact. The CD 11 Office has expressed concern about the potential to lose affordable/market rate units, also maintaining that a "Minimum Time Certain" stipulation may not be applicable to postponement of final tract map approval. While most of the few tenants who attended the LUPC hearing provided no public comment, one did express a preference for a short time period after which a relocation disbursement would be available.