



# Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / [www.VeniceNC.org](http://www.VeniceNC.org)  
Email: [info@VeniceNC.org](mailto:info@VeniceNC.org)



## EXHIBIT A: WRAC MOTION AGAINST SALE OR LEASE OF PUBLIC PARKING

**Case Number: WRAC MOTION – OPPOSING SALE OR LEASE OF PUBLIC PARKING GARAGES AND PARKING METERS TO PRIVATE**

**INVESTORS (P-3)**

**Address of Project: N/A**

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### LUPC MOTION:

Motion to support the WRAC Motion, as presented.

- a. Made by Jory, Seconded Robert.
- b. APPROVED: 9-0-0, January 19, 2011.

### MOTION AS REQUESTED BY WRAC:

#### RESOLVED:

The Venice Neighborhood Council (VNC) OPPOSES the Mayor's and City Council's "P-3" proposal ("Public-Private Partnership") to lease to private investors for 50 years nine public parking garages located in Westwood, Hollywood, Downtown L.A., Sherman Oaks, Studio City, Van Nuys, and on Robertson Boulevard; OPPOSES the sale or lease of any other city parking garages and/or parking meters; and SUPPORTS the continuation of all existing parking programs of low-cost, short-term parking rates currently provided at any of the City's public garages.

Note 1: The nine Public Parking Garages in the P-3 group (listed below) include a total of 8,398 public parking spaces. The Broxton Garage currently provides the first two hours free parking from 8 a.m. to 6 p.m. and a \$3 flat rate after 6 p.m. The other eight city garages in the P-3 group also offer very attractive short-term parking rates (i.e., ArcLight Cinema: \$2 for the first four hours with validation; Hollywood & Highland: \$3 for the first four hours) in order to provide shoppers, movie goers, patrons, and tourists with parking that is competitive with parking available in other cities including Beverly Hills, Santa Monica, Culver City, West Hollywood, Pasadena, as well as in Century City and the Westside Pavilion.

Hollywood would suffer severely as 5,109 of the 8,398 spaces in the entire P-3 proposal are located in the revitalized Hollywood area. Westwood Village would lose 100% of its inventory of short-term free parking which is located in a parking garage that was constructed in 1997 using revenue collected entirely from Westwood Village's own 5117 parking meter fund, and which parking is necessary to allow Westwood Village merchants to compete with surrounding cities and shopping centers (Beverly Hills, Santa Monica, Culver City, Century City, Westside Pavilion) that offer as many as 4,000 free spaces compared to just 366 spaces in Westwood Village. Further, the City would be barred for 50 years from establishing any other public parking facilities within a one-



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eighth mile of any of the nine garages. Many of the affected shopping districts would suffer irreparable harm resulting from the loss of these irreplaceable municipal assets being placed under private investor control for 50 years.

#### Hollywood:

Hollywood & Highland Garage – CD 13 – 3,006 spaces

ArcLight/Cinerama Dome Garage – CD 13 – 1,717 spaces

Cherokee Avenue Garage – CD 13 – 386 spaces

#### Westwood Village:

Broxton Avenue Garage – CD 5 – 366 spaces

#### Downtown L.A.:

Pershing Square Garage – CD 9 – 1,590 spaces

#### Sherman Oaks:

Dickens Street Garage – CD 5 – 198 spaces

#### Studio City:

Ventura Boulevard Garage – CD 2 – 397 spaces

#### Van Nuys:

Friar Street Garage – CD 6 – 237 spaces

#### Robertson District:

Robertson Boulevard Garage – CD 5 – 334 spaces

Note 2: this motion opposing the P-3 proposal, or a substantially similar motion, already has been approved by the following organizations, representing a diverse coalition of Neighborhood Councils, Community Councils, Environmental Organizations, Regional Alliances, Homeowner Associations, Business Improvement Districts, Chambers of Commerce, Arts Organizations, Property Owners, Businesses, and Others:

- Brentwood Community Council
- Brentwood Residents Coalition
- Central Hollywood Neighborhood Council
- Coastal San Pedro Neighborhood Council
- Comstock Hills Homeowners Association
- Council District 11 Transportation Advisory Committee
- Diddy Riese
- Geffen Playhouse
- Harbor Area of Neighborhood Councils – Regional Alliance of 7 NCs

#### Representing:

- Central San Pedro Neighborhood Council
- Coastal San Pedro Neighborhood Council
- Harbor City Neighborhood Council
- Harbor Gateway North Neighborhood Council
- Harbor Gateway South Neighborhood Council
- Northwest San Pedro Neighborhood Council
- Watts Neighborhood Council
- Hollywood Chamber of Commerce
- Hollywood Entertainment District Business Improvement District



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- Hollywood Property Owners Alliance
  - Hollywood Wax Museum
  - Holmby-Westwood Property Owners Association
  - Mann Theatres
  - The McDevitt Company
  - Metropolitan Theatres
  - Napa Valley Grille
  - Neighborhood Council Budget Advocates
  - NINETHIRTY and The Backyard at the W Los Angeles – Westwood
  - North Westwood Village Residents Association
  - Oakley's Barber Shop
  - Outpost Homeowners Association
  - Pacific Palisades Community Council
  - Palms Neighborhood Council
  
  - Regency Theatres (Fox Westwood Village and Bruin Theatres)
  - Residents of Beverly Glen
  - Robertson Community Association
  - Sarah Leonard Fine Jewelers
  - Save Westwood Village
  - Shanes Jewelry
  - Sherman Oaks Neighborhood Council
  - Sierra Club, Los Angeles Chapter
  - Starline Tours, Hollywood
  - Studio City Neighborhood Council
  - Sunset & Vine Business Improvement District
  - Topa Management Company
  - W Hollywood
  - W Los Angeles – Westwood
  - West L.A. Neighborhood Council
  - Westside Neighborhood Council
  - Westwood Community Council
  - Westwood Hills Property Owners Association
  - Westwood Homeowners Association
  - Westwood Neighborhood Council
  - Westwood South of Santa Monica Boulevard Homeowners Association
  - Westwood Village Business Association
  - Westwood Village Farmers' Market
  - Westwood Village Improvement Association
- (Partial listing, in formation)

**Note 3:** If P-3 is passed by the City Council, it will provide only enough funds to save a limited number of public employee jobs for just nine months. To raise the additional funds needed to cover the city's budget deficit for this year and beyond, the Mayor's next



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plan reportedly is to sell or lease the City's parking meters, possibly additional public parking garages, the Convention Center, the L.A. Zoo, one or more airports, as well as other irreplaceable municipal assets. These nine garages are just the first step in the process. Your neighborhood, your parking meters, or your garage could be next.

Note 4: Each Neighborhood Council, Community Council, Business Improvement District, Chamber of Commerce, Homeowner Association or other organization that adopts this motion is requested to: (1.) Contact your local Councilmember to inform them of your organization's vote, and ask them to vote against P-3 at City Council; and (2.) For all Certified Neighborhood Councils, to also file a "Community Impact Statement" with the City Clerk's Office (through DONE) opposing P-3 in the official City Council File. Any Neighborhood Council that needs assistance in this process (it involves filing the statement online, using a password), is invited to contact Stephen Resnick, Secretary of the Westwood Neighborhood Council, who can assist you in this process at: [stephenresnick@westwoodnc.net](mailto:stephenresnick@westwoodnc.net)

## **LUPC SYNOPSIS:**

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**WRAC has asked VNC to consider a motion that would limit the sale and lease of public parking facilities and parking meters in Los Angeles.**

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## **ARGUMENTS FOR THIS MOTION:**

This motion may help to set a precedent that Venice does not support public parking and parking meters being sold to private investors because it could put currently affordable and available public parking at risk, and set a precedent for the city to sell other long-term municipal assets to achieve a short-term budgetary fix. (This could include parking meters on Abbot Kinney Boulevard and Venice Beach surface parking lots.)

## **ARGUMENTS AGAINST THIS MOTION:**

The City is in financial trouble and needs to sell assets in this challenging economic time to generate revenue.

There are no proposed sales currently noted in Venice.

## **SYNOPSIS OF PUBLIC COMMENT:**

No public comment.



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## EXHIBIT B – 818 E Nowita Place LUPC Staff Report

**Case Number:** ZA 2010-2062 ZAA SPP

**Address of Project:** 818 E Nowita Place, Venice

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**SYNOPSIS:**

**Addition of an office to a 5BR 3BA house on a walk street. Applicant is seeking an exemption from the VCZSP to allow a 10' rear yard setback rather than the required 15'.**

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**Size of Parcel:** 6290 s.f.  
**Size of Project:** 172 s.f. addition to existing 2912 s.f.  
**Date of End of Appeal Period:** TBD  
**City Planning Report Prepared by:** Not completed  
**LUPC Staff Report Done By:** Karen Wolfe

**Applicant:** Jenny & Frederick Bond  
**Address:** 818 Nowita Pl, Venice, CA 90291

**Representative:** Carlos Zubieta/Architect Bill Bernstein  
**Contact Information:** 310-827-8190 carlos@bz-a.com

**Date(s) heard by LUPC:** January 19, 2011  
**Zoning Administration Date:** TBD  
**Applicant's Neighborhood Mtg:** None

**WLA Area Planning Commission Dates:** TBD

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**ARGUMENTS FOR THIS PROJECT:** Owner is seeking to expand their home for visiting relatives and an office. The front and west side of the house are generously set back providing room between properties, light and air. There are nearby residences that have rear yard set back variances which set a precedent for this. There has been no objection from the immediate neighborhood.

**ARGUMENTS AGAINST THIS PROJECT:** The Walk Streets neighborhood is a unique and delicate area and special attention should be given to any request for variances there. There is ample room to build the addition over the side yard with no variance. A variance sets a precedent for further variances from the VCZSP on walk streets.

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LUPC Report compiled by: Karen Wolfe  
Estimated number of hours of staff time: 3 hours



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## EXHIBIT C - 523 Rose Ave LUPC Staff Report

Case Numbers: ZA-2010-3158-CUB  
Address of Project: 523 Rose Ave, Venice, 90291  
Property Owners: Oscar Hermosillo  
Owner's Representative: Self

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### LUPC MOTION:

Motion to recommend the CUB (Type 41, on-site beer and wine for Restaurant) project as presented, noting:

- Conforms to all VNC's CUB Conditions;
- Conforms to all VNC's BMP Conditions;
- Conforms to all VCZSP and CCC Parking Requirements (already done under Change of Use Permit);
- Noting Bike Rack on property;
- Hours of Operation
  - 8am-12am Monday-Thursday (beer and wine starts at 11:30a)
  - 8am-12am Friday and Saturday (beer and wine start at 9am, for brunch)
- Type 41 (beer and wine on-site sales only, no hard alcohol, no off-site sales);
- Seating capacity of 14.
- 1-year Plan Review.

Made by Jake; Seconded by Sarah  
Approved (5-0-0)  
Date of Motion: February 2, 2011

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## LUPC STAFF REPORT

### SYNOPSIS:

Oscar Hermosillo, who also owns Venice Beach Wines at 539 Rose Ave, has applied for a CUB for his small new restaurant/deli for on-site beer and wine only. The property has already been approved for change of use to restaurant; the applicant chose to file the CUB afterwards the ZA hearing, primarily to keep costs down. It is a small neighborhood place (14 seat capacity, closes at Midnight, and is not asking for a variance).

<b>Size of Parcel:</b>	3206 sq ft
<b>Size of Project:</b>	1230 sq. ft.
<b>Project Description:</b>	Type 41 CUB (beer and wine only) for permitted family restaurant
<b>Height Adjustment request:</b>	None
<b>Venice Sub-Area:</b>	Venice Coastal Zone – North Venice
<b>Zone:</b>	C4-1
<b>Date of Planning Report:</b>	TBA
<b>Date of End of Appeal Period:</b>	TBA
<b>City Planning Report Prepared by:</b>	TBA
<b>LUPC Staff Report Done By:</b>	Jake Kaufman
<b>Owner/Applicant:</b>	Oscar Hermosillo
<b>Contact Information:</b>	323-810-0545
<b>Date(s) heard by LUPC:</b>	February 2, 2011

### ARGUMENTS FOR THIS PROJECT:

Small neighborhood spot.  
Owner has excellent record with his first project (Venice Beach Wines, no violations)  
Overwhelming community support.  
Closes at midnight.  
4 parking spaces.

### ARGUMENTS AGAINST THIS PROJECT:

CUB

### SYNOPSIS OF PUBLIC COMMENT:

To be entered.

See Appendix A. (CUB Application, Applicant Answers).

LUPC Report compiled by:	Jake Kaufman
Estimated number of hours of staff time:	10

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## APPENDIX A.

### ANSWERS TO ABC APPLICATION

#### QUESTIONS A THRU F

The proposed project is located within the Venice Specific Plan and more precisely within the Rose/Lincoln Corridor. This specific area is referred to as such in the Rose Lincoln Beautification Plan developed for public planning forums as an addendum to the Venice Specific Plan. This area has been targeted by its stakeholders as an area entitled to special consideration with regards to development. Stakeholder's intent is to develop this corridor and Rose Ave.

specifically into a pedestrian friendly area with businesses within reach of its residents and in the general spirit of Venice development; locally owned and non formula retail in practice.

I, Oscar Hermsillo, have owned and lived at 719 Sunset Ave., within two blocks of the proposed project, for over 10 years. I will be operating the restaurant/retail business. Property owners and partners in the project, Mr. George Klein and Kirk Baxter both live within a mile of the property as well. We are all committed to the betterment of the community in general and more importantly to the safety of our neighbors.

523 Rose Ave. is zoned C4-1 and is pending a Certificate of Occupancy of restaurant/retail mix with an auxiliary office. The project is under construction as this request for approval of a CUB is submitted. Rose Ave. is undergoing a very much needed and anticipated regeneration. Rose Ave. is a thoroughfare to the ocean and Venice Beach's famous Boardwalk. For much of the last 2 decades, Rose Ave. has been burdened with both a transient business and transient resident population. Since the closure of The Pioneer Bakery 5 years ago, which encompassed 8 lots across the street from 523 Rose Ave., doing business on Rose Ave. has been difficult at best. I opened a wine shop at 529 Rose Ave. on January 6, 2007. I purchased a liquor store called La Mexicana from a family that owned it for forty years. They were admittedly dependent on sales to the chronically alcoholic population that frequented Rose Ave. at the time. They were disillusioned with what their business had become. I bought the convenience store and reopened as the first Wine Shop and Artisanal Deli in Venice Beach. I called it Venice Beach Wines. The extreme shift from malt liquor and sales of single beers to small production wines and cheeses instantly changed the demographic of the patrons and the general activity associated with it and the surrounding area. The shop was only opened from 5 through 10 in the evening as I had a day job as a Social Worker with LAUSD and Regional Centers, and could not afford employees at the time. It was enough for the neighborhood to be excited, appreciative and inspired by the change. They talked about the prospects of more businesses like Venice Beach Wines opening on Rose Ave. and making the street safer. Local police and ABC records are evidence that the change in operations at 529 Rose Ave. made its surroundings safer and more resident friendly. Alcohol related incidents were documented and plentiful for years previous to Venice Beach Wines. I am proud to say that up until today there has not been one incident related to 529 Rose Ave. Venice Beach Wines. The Proposed project is at 523 Rose Ave.

Business was going well, considering its small space of 354 sq ft. and despite all the advice to find a "more business friendly space on a better street in Venice, maybe Abbott Kinney". It was only until the approval of the market chain Whole Foods on the corner of Lincoln and Rose, where a Big Lots retail store was, that a change in business plan became eminent for survival. Whole Foods has an aggressive wine program and was licensed with an on-site and off-site beer

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and wine license and restaurant seating through numerous parking variances, loading zone variances and obviously huge local support, including myself. With pouring privileges and restaurant service and seating, it was going to be difficult for Venice Beach Wines to compete. After 18 months of process, Venice Beach Wines reopened on October 16, 2008 as a small Wine Bar/restaurant. The letters attached are evidence to its support in the community. The proposed project is approached in the same spirit of locally owned quality establishments. I am in the process of reinvesting, with the support of my partners, into the community that has helped make Venice Lincoln/Rose Corridor beautification plan a close reality. We are reinvesting into the quality of life for ourselves and our neighbors, who have relentlessly supported us in the beautification of Rose Ave.

The proposed project at 523 Rose Ave. will be a small restaurant retail space that will provide a family atmosphere with appropriately priced quality comfort food. Most of the patrons at Venice Beach Wines are local residents, whose since its inception, have become more permanent residents and with new residents moving in to raise families, have developed the immediate area into a more family oriented neighborhood. We will be hosting Local Farmers product from the Venice Farmers Market on the retail shelves along with a descriptor of their practices and product, and rotate that product into our cooked dishes. The dishes will be available for consumption on site or for quick pick up off a refrigerated shelf. The request for a CUB will not change this model, but simply add to the services we are providing patrons. With the time it took to get the project approved, simply in process, the holding costs became more than anticipated. Beer and wine will compliment our program. The granting of this CUB will better the chances of success of the program. As an example, adults coming in for dinner can enjoy a great glass of wine while son or daughter enjoy their food with a freshly blended honey dew melon water. I hope to give you a sense of the type of restaurant/retail I intend to operate. People know that the project is attached to Venice Beach Wines and they have grown to respect the quality of our presentation, which includes wine.

Considering the financial hardship, the process in licensing a restaurant in the coastal zone can create, we chose not to apply for a beer and wine license at the time of the ZA hearing for the building permit. Up to that point our seating area was restricted because of parking issues. The cost of pursuing the Beer and wine license was not cost effective. Since then we have been able to negotiate 4 parking spaces with the development across the street. The former Pioneer Bakery. The 4 spaces have been approved as "extra" public parking for the project underway but will be leased to us for the exclusive use of our patrons. This would allow us to increase seating by 200 sq ft. It makes more sense to have a beer and wine privilege. We will be applying for an expansion if we are granted our CUB.

The project across from 523 Rose Ave. is a mix use project and has been approved for Retail and Living units. There is extra parking for Venice Residents and a restaurant is targeted for one of the commercial spaces. Our proposed project is proper in relation to their use and the existing uses on Rose Ave. It is in perfect harmony with the specific elements and objectives of the general local plan as previously described. Attached are letters of support from abutting neighbors and more from neighbors within 1000 ft. of 523 Rose Ave. Please also refer to ZA hearing determination for more support in regards to the appropriateness of our proposal. To further illustrate our commitment to improving our neighborhood, we have coupled with POWER, a local non profit organization providing housing and advocacy to residents of Venice



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and Santa Monica in an effort to better the living standards for all its habitants. We have made an agreement to hire at least 70% of our work force from the 90291 zip code, Venice. These hirees will fall within low to very low income standards set by HUD. Some will be employable from the time of hiring and some we will provide training to as needed. Being a social worker for 15 years, I felt this would be an effective way to make a significant change in business practices in my local community. It will hopefully set a standard and precedence to future and present business owners. The business will create 15 to 20 jobs and tax revenue that can be reinvested into the beautification of Venice at large.

## QUESTION G

We are proposing hours of operation to be:

8:00 am thru 12 midnight everyday.

Alcohol sales 11:30 am until 12 midnight Monday thru Friday

9:00 a.m. thru 12 midnight Saturday and Sunday for brunch

## QUESTION H

14 seats

## QUESTION I

4 on site parking spaces.

## QUESTION J

no entertainment

## QUESTION K

beer and wine only

## QUESTION L

na

## QUESTION M

no cocktail lounge

## QUESTION N

no.

## QUESTION O

no video games

## QUESTION P

no advertisement of alcoholic beverages outside or inside

## QUESTION Q

Alcohol will only be served with food orders. A kitchen is approved and is being built now

## QUESTION R

The consideration is for an on site 41 license only. Yes, there will be wine by the glass and beer in small containers for consumption with food only

## QUESTION S

All alcohol sold will be under the 16% threshold as required by law under ABC license type 41

## QUESTION T

no

## QUESTION U

No happy hour will be offered

## QUESTION V



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No security guards will be necessary as they have not become a necessity of Venice Beach Wines as discussed above.

QUESTION W

no

QUESTION X

no

QUESTION Y

please refer to attached menu

QUESTION Z

9 employees at a time maximum

QUESTION AA

The operation will be done in a respectful manner in which employees will be trained in ABC best practice regulatory guidelines. Careful consideration will be made on a situation to situation basis if needed. I as operator have become intimately aware of the needs of the immediate community and its dynamic demographic. Posting of customary Rules and regulations regarding ID and warnings of possible health effects of alcohol consumption will be clear and approachable at all times. A security and camera system will be installed as well.

QUESTION BB

No, there will not be a minimum age requirement. We will be a family restaurant. We will take careful care of assuring that all patrons consuming alcohol be 21 years of age and that the behavior of patrons consuming alcohol is acceptable in a family atmosphere. If a patron is not meeting our standard of conduct and refuses to change or leave, we will refer to local law enforcement for help. Again, this has not occurred at Venice Beach Wines in 2 years of operation as a wine bar and 2 years as a wine shop. It is 2 properties away. Same operator, same clientele.

QUESTION CC

There are no churches, schools or parks within 1000 ft. of the proposed business.

QUESTION DD

NA

QUESTION EE

NA

VENICE CUB CONSIDITIONS:

- 1) No branded alcohol advertisements shall be visible from the outside of the premises.
- 2) There shall be no coin-operated games, video machines, pool tables or similar game activities maintained upon the premises at any time.
- 3) Any future operator or owner for this site must file a new Plan Approval Application to allow the City of Los Angeles to review the mode and character of the usage.
- 4) The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrators opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
- 5) The applicant shall train staff to provide Designated Driver resources, when

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appropriate, for restaurant patrons, such as taxicabs, referral services (e.g., [www.designateddriver.com](http://www.designateddriver.com)).

- 6) In addition to the business name or entity, the name of the individual Applicant(s) shall appear on the alcohol license and any related permits.
- 7) Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Applicant shall be removed or painted over within 24 hours of being applied, and the paint shall match the original color.
- 8) The Applicant shall be responsible for maintaining free of litter, the area and adjacent to the premises over which they have control.
- 9) Noise generated on-site shall not exceed the decibel levels stated in the Citywide Noise Ordinance.
- 10) The use and development of the property shall be in substantial conformance with the floor plan submitted.
- 11) No tobacco sales allowed on the premises.
- 12) The Applicant shall adhere to Best Management Practices as they pertain to the location.
- 13) To encourage a walk-friendly environment, the applicant will install bicycle racks.
- 14) Exterior lighting on the building shall be maintained and provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible. Said lighting shall be directed in such a manner so as not to illuminate any nearby residence.
- 15) The Applicant shall regularly police the area under their control in an effort to prevent loitering.
- 16) The entitlement will run with the applicant, not the property.
- 17) Trash receptacles used will be designed to contain odors per Best Management Practices.
- 18) Cleanup and all trash removal will be performed in such a manner as to prevent debris from entering the storm drain system, and will not interfere in any way with surrounding uses.
- 19) No exterior work-related activity will occur either before opening or over one hour after closing.
- 20) Offsite advertising signage will be prohibited.
- 21) Trash pickup will occur between the hours of 8am and 6pm on weekdays as necessary.
- 22) Loading and unloading hours will be arranged to avoid conflict with surrounding uses, and will in no case occur after 4pm.
- 23) The storage/changing room will be clearly marked as such on plans submitted to the City, and will not be used as service area.
- 24) The applicant will appear before LUPC twelve months after opening.
- 25) Upon change or termination of any lease regarding satisfaction of the Conditions of Approval, the applicant will notify the Department of Planning and the Venice Neighborhood Council, and will comply within thirty days.
- 26) Upon change of ownership, the new owner must appear before the City within 30 days of the close of escrow, with a plan approval application to renew the



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- conditions and demonstrate that the required parking can be provided.
- 27) The applicant must obtain approval for all outside signage, or must remove nonconforming signage.
  - 28) All bottles will be recycled upon removal from the premises.
  - 29) A laminated copy of these Conditions shall be posted in a conspicuous place.
  - 30) Applicant shall provide four (4) parking spaces.
  - 31) Applicant shall provide a parking attendant.
  - 32) Applicant shall comply with LAMC 64.70.
  - 33) Hours of operation are 11:30 am to 11:00 pm on weekdays, 11:30 am to 12:00 (midnight) Friday and Saturday.
  - 34) Patio will not be used at this time.
  - 35) Loading area shall be kept clear.



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## Exhibit D - 726 CALIFORNIA AVE LUPC Staff Report

### PART 1

**Case Number:** ZA-2010-3294-CDP-MEL  
AA-2010-3291-PMLA-SL  
ENV-2010-3292-EAF  
**Address of Project:** 726 CALIFORNIA AVE, 90291

**SYNOPSIS:** Applicant has applied for a small lot subdivision of this 5,404 sq ft lot into three lots. There does not appear to be any variances to the VCZSP requested.  
Applicant has provided a Mello Determination stating an absence of Affordable Units.

### BACKGROUND

Omar Rawi purchased this empty lot in August 2010 with the intent of subdividing and developing the property. He feels that building three units (instead of two) on the lot would allow lower priced units in the area, though all units would be market priced. Omar states that he intends to live in one of the three new units, though which one is not important.

**Venice Subarea:** OAKWOOD/MILWOOD  
**Zone:** RD1.5  
**Size of Parcel:** 5,404 sq. ft.  
**Size of Project:** Proposed:  
Three (3) single family dwellings on three lots  
Height: 30'  
**Built Area:** Proposed: Total built area of 5,130 sq ft  
Existing: Zero (0); lot is empty  
**Project Description:** **ZA-2010-3294-CDP-MEL:** 3-LOT SMALL LOT SUBDIVISION CREATING 3 SEPARATE LOTS WITH A 3-STORY; 30' HIGH SFD PROVIDING 2 PARKING SPACES EACH IN THE RD1.5-1 ZONE AND THE SINGLE COASTAL JURISDICTION ZONE.  
**AA-2010-3291-PMLA-SL:** SMALL LOT SUBDIVISION OF THREE RESIDENTIAL LOTS



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## ENV-2010-3292-EAF: SMALL LOT SUBDIVISION OF THREE RESIDENTIAL LOTS

Parking/Vehicular Access: VCZSP Section 13.D requires three spaces for each dwelling on lots wider than 40' or 35' if adjacent to an alley. However, Director's Interpretation of February 12, 2010 states that:

*Each new lot resulting from a small lot subdivision that contains one unit will fall under the "single family dwelling category in the Specific Plan. For the purposes of parking calculations, small lot subdivisions shall be considered less than 40' ....*

The implication being that only two parking spaces per unit will be required. Additionally, Applicant has had communications with Angela Trinh who confirmed that two spaces per unit with no guest parking was the requirement. (Note that Angela stated that any requirement for covered parking would be per DBS.)

The proposed project has a total of three units and provides six parking spaces, of which:

- two are compact and not covered;
- two are full size and not covered;
- one is compact and covered; and
- one is full size and covered.

### FAR and Coverage:

Zoning rules allow building square footage 3:1 on lot size, including small lots that have been subdivided. As such, this project could theoretically have over 16,000 square feet of floor space. The project as shown actually includes approximately 5,130 square feet or a FAR of 0.95:1.0.

Similarly, the applicant states that the lot coverage could be as much as 80%. In this project as shown, lot coverage will be approximately 50%.

### Height:

The peak height of the property is 30 feet, which is allowable according to the VCZSP owing to the slope of the roof. The building is taller than other buildings on the block, which are generally 12 – 15 feet high, with several 25 foot tall buildings.

### RD1.5 vs. R2 and the Neighborhood:

It is worth noting that small lot subdivision is permitted on this lot in part because it is zoned RD1.5. The South of side of California Avenue is part RD1.5. It is also part of the Milwood subarea of the VCZSP. In this, it is unusual...the rest of the residential areas of Milwood are zoned R2. The implication of this is that lots on Milwood Avenue (and farther South) would not be eligible for small lot subdivision, though there could be similar subdivisions on California Avenue and the Oakwood sub-area.

Technically, small lot subdivision can occur in R2, but only in certain circumstances...and such circumstances would probably only occur (if at all) on lots immediately adjacent to commercial properties on Lincoln Blvd.

Mello Act: The applicant has received an LAHD exemption letter for this project.

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# Venice Neighborhood Council

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Email: [info@VeniceNC.org](mailto:info@VeniceNC.org)



## LUPC Staff Report Done By:

Jay Goldberg

## Applicant:

726 EAST CALIFORNIA, LLC C/O OMAR RAWI

## Address:

420 N. SYCAMORE AVE, #5, L.A., CA 90036

## Representative: CityHood

DEREK LEAVITT

## Contact Information:

(310)526-7826

[dleavitt@modative.com](mailto:dleavitt@modative.com)

## Representative: Application

THOMAS D. IACOBELLIS AND ASSOCIATES  
INC

## Contact Information:

11145 TAMPAVE #15B, NORTHRIDGE, CA 91326

[TOM@TISURVEYING.COM](mailto:TOM@TISURVEYING.COM)

818 366 9222

(310)903-2596

## Date(s) heard by LUPC:

01/19/2011

## Applicant's Neighborhood Mtg:

01/13/2011

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## LUPC MOTION: TBD

## ARGUMENTS FOR THIS PROJECT:

- Adds density to the area in walking distance to commercial areas and accessible to public transportation.
- Applicant suggests the project adds units at prices lower than what is currently available for similar size and quality.
- No noted variances requested

## ARGUMENTS AGAINST THIS PROJECT:

- Adds density to the area
- Parking is tight; with two units relying on narrow, tandem parking. Possible result of occupants using street parking regularly rather than relying on alley-access, tandem parking.
- Project will have several fairly large walls up to 30' high, which is notably higher than most of the properties on the block (but not on the surrounding blocks). Of course, many of the recent developments in the area have been similarly built

## SYNOPSIS OF PUBLIC COMMENT:

Five or six neighbors attended the public meeting on Thursday, January 13, 2011, including Arnold Springer and Carolyn Rios.





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- The general consensus was that the project was attractive but the increase in density was not well received.
  - Two neighbors from Milwood Ave were stunned/upset to learn the small lot subdivision would allow 3 units on the property.
  - Arnold specifically requested that we (LUPC) assess the potential for additional small lot subdivisions in the Millwood sub-area.
- There was concern about parking access from the alley, but a close review of the plans appeared to placate the concerns.
- Mass and scale of the project was a concern, especially if a different project cut off light in someone's home. (Carolyn)
- Some concern about height of project along California Ave, with suggestion of reducing the height of the front unit to lessen the visual impact.
- Neighbors appreciated that there would be some setback (and landscaping) between the sidewalk and the front fence of the project.

LUPC Report compiled by: Jay Goldberg

Estimated number of hours of staff time: 12 hours

## PART 2

**Case Number:**                   ZA-2010-3294-CDP-MEL  
   AA-2010-3291-PMLA-SL  
   ENV-2010-3292-EAF

**Address of Project:**       726 CALIFORNIA AVE, 90291

**SYNOPSIS:** Applicant appeared before LUPC on January 19<sup>th</sup> regarding a small lot subdivision. There was some objection to the plan based on whether the plan would meet Coastal Commission/State rules. Below is new information based upon additional research since the January 19th.

**Venice Subarea:**               OAKWOOD/MILWOOD

**Zone:**                           RD1.5

**Size of Parcel:**               5,404 sq. ft.

**Size of Project:**             Proposed:  
   Three (3) single family dwellings on three lots  
   Height: 25' - 30' ...sloped roof.



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**Built Area:**

Proposed: Total built area of 5,130 sq ft

Existing: Zero (0); lot is empty

**Project Description:**

**ZA-2010-3294-CDP-MEL:** 3-LOT SMALL LOT SUBDIVISION CREATING 3 SEPARATE LOTS WITH A 3-STORY; 30' HIGH SFD PROVIDING 2 PARKING SPACES EACH IN THE RD1.5-1 ZONE AND THE SINGLE COASTAL JURISDICTION ZONE.

**AA-2010-3291-PMLA-SL:** SMALL LOT SUBDIVISION OF THREE RESIDENTIAL LOTS

**ENV-2010-3292-EAF:** SMALL LOT SUBDIVISION OF THREE RESIDENTIAL LOTS

In the previous discussion at LUPC, there was concern that there might be Coastal Commission objections based on **parking requirements** and having **three units on this parcel**. I have since had communication with both Chuck Posner at CC and the Applicant. Below is what I learned.

Parking: Chuck wrote: "Parking for single-family residences in Milwood is two, unless the lot is wider than 40 feet (then 3)."

He wrote this to both Jim and me in the context of this project (subdivision). He did not indicate any requirement for guest parking.

Based on this, it appears this project conforms the parking requirements in the context of a small lot subdivision.

*(I would support LUPC/VNC taking up parking requirements as an issue with the city, but this Case is not the context in which to do that.)*

Density:

Density is a complex issue. When asked about the specifics of this project, Chuck wrote:

I told the agent that small lot subdivisions can be approved in the Venice coastal zone by local coastal development permits, and many already have been approved and built. But three units on 5400 sq. ft. lot does raise issues in regards to the density limit of the site and the requirements for obtaining a density bonus. The density and parking standards are set forth in the certified Venice Land Use Plan. The site is designated as Low Medium II. The permitted density is as follows:



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- Policy I. A. 7. Multi-family Residential - Low Medium II Density. Accommodate the development of multi-family dwelling units in the areas designated as "Multiple Family Residential" and "Low Medium II Density" on the Venice Coastal Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.
- d. Oakwood, Milwood, Southeast and North Venice

Given that "raise issues" is not definitive, I asked Chuck for clarification on whether he thought this project would be acceptable and he wrote:

I'd like to hear the City's interpretation of their LUP policies.

My interpretation of his comments was that he was suggesting that the City should make the determination here.

In turning to the City's approach to the density, the rules are confusing.

- The VCZSP states that this lot should accommodate two units or a third if the third is a Replacement Affordable Unit.
- The Director's Interpretation states in regards to Density:  
*"Density shall not exceed the density permitted by zoning of the original lot, which is "lot area per dwelling unit" restriction for each zone as determined by the Venice Coastal Specific Plan, or when not explicit in the Specific Plan, the Los Angeles Municipal Code."*

The VCZSP does not use a lot area per dwelling unit standard for calculating density as the DI calls for, but rather the language above. The general city zoning is that the Minimum Area per Dwelling Unit for RD1.5 is 1500 square feet.

- The Applicant provided copies of emails between himself and Angela Trinh of the Community Planning Bureau. In the email, he asks to clarify if the lot could be subdivided into three lots with a unit on each lot. Angela confirmed this would be acceptable.
- There is precedence for the subdivision into three lots and units at 726 California.
  - In January 2009, Michael Young, Associate Zoning Administrator, signed off on the Coastal Development Permit for the subdivision of 511 E. San Juan Avenue into 3 lots for 3 units. AA-2005-6689-PMLA-SL This property had the RD1.5-1 zoning and a slightly smaller lot.
  - In February 2009, Michael Young signed off on a Coastal Development Permit for a small lot subdivision at 338 Rennie, turning one lot into 3 with 3 units total. That was also RD1.5-1 and a larger lot (about 6000 sq feet). AA-2007-4956-PMLA-SL

I do not know if whether other similar projects were or have since been rejected.



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## **Conclusion:**

There is a gray zone here about whether this density is allowed. It is possible to read permission or lack of permission into the various documents and written opinions on the matter. The City has issued permits allowing these subdivisions and a planning person (Angela) has indicated that this is allowable. CC/Chuck suggested it was a City issue.

To be clear, this is a matter of a legal interpretation. As much as LUPC is knowledgeable about these matters, it is not clear that the interpretation is ours to make.

If the density is allowed/allowable, then there does not appear to be any variances on which LUPC needs to opine. If the density is not allowed by code, then the Applicant would need to apply for a variance before we could take up that matter.

## **LUPC Staff Report Done By:**

Jay Goldberg

## **Applicant:**

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726 EAST CALIFORNIA, LLC C/O OMAR

## **Address:**

420 N. SYCAMORE AVE, #5, L.A., CA 90036

## **Representative:**

DEREK LEAVITT

## **Contact Information:**

(310)526-7826

dleavitt@modative.com

## **Date(s) heard by LUPC:**

01/19/2011 and 02/02/2011

## **Applicant's Neighborhood Mtg: 01/13/2011**

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## **LUPC MOTION: TBD**

LUPC Report compiled by: Jay Goldberg

Estimated number of hours of staff time: Incremental 4 hours



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## Exhibit F – Treasurers Report

2010 - 2011 Expenditures to Budget December 22, 2010 - January 21, 2011							
	DONE Category	Current Yr Budget by Acct	% of Bdgt	Amt spent Current Month	Amt Spent Current Fiscal Year	Amt Available to Spend	% Budget Remain
Annual Allocation		\$45,000.00					
Rollover		\$5,000.00					
<b>Sub Unallocated Budget</b>		<b>\$50,000.00</b>					
Neighborhood Comm. Projects 10-11		20,000.00					
<b>Total</b>		<b>70,000.00</b>					

### Budget

#### 100 Operations

Office Supplies	OFF	\$550.00		\$125.59	\$146.43	\$403.57	73%
Copies	OFF	\$400.00		\$20.14	\$123.42	\$276.58	69%
Office Equipment	OFF	\$750.00		\$0.00	\$105.33	\$644.67	86%
Staffing/Apple One	TAC	\$500.00		\$0.00	\$0.00	\$500.00	100%
Telephone Expense	MIS	\$0.00		\$0.00	\$0.00	\$0.00	100%
Storage	FAC	\$2,000.00		\$162.00	\$972.00	\$1,028.00	51%
Board Retreat	EDU	\$300.00		\$0.00	\$270.27	\$29.73	10%
General Operations	MIS	\$1,000.00		\$2.41	\$199.25	\$800.75	80%
<b>sub Total Operations</b>		<b>\$5,500.00</b>	<b>8%</b>	<b>\$310.14</b>	<b>\$1,816.70</b>	<b>\$3,683.30</b>	<b>67%</b>

#### 200 Outreach

Copies / Printing	POS	\$500.00		\$117.11	\$117.11	\$382.89	77%
Facilities For Public	FAC	\$3,000.00		\$0.00	\$0.00	\$3,000.00	100%
Refreshments	EVE	\$400.00		\$0.00	\$157.45	\$242.55	61%
Web Site & e-mail	WEB	\$5,100.00		\$30.00	\$310.35	\$4,789.65	94%
Advertising & Promotions	ADV	\$650.00		\$0.00	\$0.00	\$650.00	0%
Newsletter Production	NEW	\$800.00		\$515.00	\$515.00	\$285.00	36%
Newsletter Printing	NEW	\$3,800.00		\$0.00	\$1,904.00	\$1,896.00	50%
Newsletter Delivery	NEW	\$2,800.00		\$0.00	\$1,360.00	\$1,440.00	51%
Elections	ELE	\$450.00		\$0.00	\$0.00	\$450.00	100%
General Outreach	EVE	\$750.00		\$0.00	\$521.79	\$228.21	30%
<b>sub Total Outreach</b>		<b>\$18,250.00</b>	<b>26%</b>	<b>\$662.11</b>	<b>\$4,885.70</b>	<b>\$13,364.30</b>	<b>73%</b>

#### 300 Community Improvement

Venice Community BBQ	CIP	\$3,600.00		\$0.00	\$3,545.36	\$54.64	2%
Neighborhood Commun Proj 2010-11	CIP	\$20,000.00		\$0.00	\$5,589.00	\$14,411.00	72%
General Community Projects 2010-11	CIP	\$5,909.35		\$0.00	\$1,872.44	\$4,036.91	68%
Neighborhood Commun Proj 2011-12	CIP	\$16,000.00		\$0.00	\$0.00	\$16,000.00	100%
<b>sub Total Comm Improvement</b>		<b>\$45,509.35</b>	<b>66%</b>	<b>\$0.00</b>	<b>\$11,006.80</b>	<b>\$34,502.55</b>	<b>76%</b>
<b>Total</b>		<b>\$69,259.35</b>		<b>\$972.25</b>	<b>\$17,709.20</b>	<b>\$51,550.15</b>	<b>\$0.74</b>

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## Community Improvement Projects

	Current Yr Budget by Acct	% of Bdgt	Amt spent Current Month	Amt Spent in Current Fiscal Year	Amt Available to Spend	% Budget Remain
<b>Neighborhood Comm Projects</b>						
<b>2009-2010</b>						
Coeur d'Alene Reading Courtyard	\$2,000.00		\$0.00	\$2,085.00	-\$85.00	-4%
Master in the Chapel-Concerts	\$2,000.00		\$0.00	\$0.00	\$2,000.00	100%
Westminster School-Printers	\$2,000.00		\$0.00	\$0.00	\$2,000.00	100%
Boys and Girls Club-Sewing Project	\$2,000.00		\$0.00	\$0.00	\$2,000.00	100%
Ballona Institute-Lagoon Restoration	\$1,026.00		\$0.00	\$0.00	\$1,026.00	100%
Westside Leadership Magnet-Garden	\$1,996.00		\$0.00	\$0.00	\$1,996.00	100%
Mark Twain-Garden	\$2,000.00		\$0.00	\$0.00	\$2,000.00	100%
Venice Music Festival	\$2,000.00		\$0.00	\$2,000.00	\$0.00	0%
Carnevale	\$2,000.00		\$0.00	\$0.00	\$2,000.00	100%
826 LA-"The Venice Wave"	\$1,470.00		\$0.00	\$0.00	\$1,470.00	100%
Vintage Motorcycle Rally	\$1,508.00		\$0.00	\$1,504.00	\$4.00	0%
<b>Total</b>	<b>\$20,000.00</b>		<b>\$0.00</b>	<b>\$5,589.00</b>	<b>\$14,411.00</b>	<b>72%</b>

<b>General Comm Improvement</b>						
<b>2009-2010</b>						
<b>Total Available</b>	\$5,000.00				\$5,000.00	
Santa Monica Airport	\$850.00		\$0.00	\$72.44	\$777.56	91%
Metal at the Beach	\$1,000.00		\$0.00	\$500.00	\$500.00	50%

<b>Total Allocated</b>	<b>\$1,850.00</b>					
<b>Total To be Allocated</b>	<b>\$3,150.00</b>					
<b>Total Spent</b>			<b>\$0.00</b>	<b>\$572.44</b>	<b>\$4,427.56</b>	<b>89%</b>
<b>Expenditures Previous Reported Charged</b>						
Westminster Benches	\$1,922.38	2/10				

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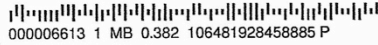


P. O. Box 6343  
 Fargo, ND 58125-6343

**ACCOUNT NUMBER** XXXX-XXXX-XXXX-1949

**STATEMENT DATE** 01-21-11

**TOTAL ACTIVITY** \$ 972.25



000006613 1 MB 0.382 106481928458885 P  
**HUGH HARRISON**  
 VENICE NC  
 2808 GRAYSON AVE  
 VENICE CA 90291-4648

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**DO NOT REMIT PAYMENT**

*FAC - Storage Rental*  
*OFF - Copies*  
*OFF - Postage*  
*OFF Copies*  
*NEW - Newsletter*  
*OFF OFFICE SUPPLIES*  
*WEB - WEB fee*  
*POS - CIP Copies*

NEW ACCOUNT ACTIVITY					
POST DATE	TRAN DATE	TRANSACTION DESCRIPTION	REFERENCE NUMBER	MCC	AMOUNT
12-23	12-21	8011 EXTRA SPACE STOR 310-301-7970 CA PUR ID: 35501005 TAX: 0.00	24323000356253355010054	4225	162.00
12-24	12-21	OFFICE DEPOT #951 CULVER CITY CA PUR ID: 095120101221 TAX: 1.70	24445740357578818537092	5943	19.13
12-27	12-24	USPS 05811095522002455 MARINA DEL RE CA PUR ID: 198 TAX: 0.00	24164070358418224591989	9402	2.41
12-27	12-24	OFFICE DEPOT #951 CULVER CITY CA PUR ID: 095120101224 TAX: 0.08	24445740359583049035500	5943	1.01
12-31	12-30	PAYPAL *DYNAMICGRAP 402-935-7733 CA PUR ID: 4713734471 TAX: 0.00	24492150364849137345193	8999	515.00
01-10	01-07	OFFICE DEPOT #951 CULVER CITY CA PUR ID: 095120110107 TAX: 11.16	24445741009100221747588	5943	125.59
01-14	01-13	CONSTANT CONTACT 1 IWAGNER@CONST MA PUR ID: 4615107 TAX: 0.00	24733091013206967206781	5968	30.00
01-20	01-17	OFFICE DEPOT #951 CULVER CITY CA PUR ID: 095120110117 TAX: 10.40	24445741019100182932169	5943	117.11

Default Accounting Code:		
CUSTOMER SERVICE CALL  <b>800-344-5696</b>	ACCOUNT NUMBER XXXX-XXXX-XXXX-1949	
	STATEMENT DATE 01-21-11	DISPUTED AMOUNT \$ .00
SEND BILLING INQUIRIES TO:  C/O U.S. BANCORP SERVICE CENTER, INC U.S. BANK NATIONAL ASSOCIATION ND P.O. BOX 6335 FARGO, ND 58125-6335	AMOUNT DUE \$ 0.00 <b>DO NOT REMIT</b>	
	PREVIOUS BALANCE \$ 0.00	
	PURCHASES & OTHER CHARGES \$972.25	
	TOTAL ACTIVITY \$972.25	