

# Venice Neighborhood Council

Post Office Box 550

Venice, CALIFORNIA 90294



## Land Use and Planning Committee MINUTES May 23, 2007



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1 **1. CALL TO ORDER – ROLL CALL**

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Challis Macpherson called the meeting to order at 6:40 pm. Committee

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members present: Challis Macpherson, Lainie Herrera, Jim Murez, Susan

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Papadakis, Maury Ruano, Ruthie Seroussi, Arnold Springer. Robert Aronson

6

and Jed Pauker arrived late.

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Approval of this agenda as presented or amended. There were no changes

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noted; the agenda was approved by common consent.

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**1. APPROVAL OF APRIL 25, 2007 AND APRIL ~~5~~4, 2007 MEETING MINUTES** |

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**2. ANNOUNCEMENTS**

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**3. PUBLIC COMMENT**

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David Ewing reported that a new AIMCO project is planned for Lincoln Place and

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discussed a lunch meeting that took place with the project manager, Charles

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23 McPhee. Mr. Ewing discussed outreach efforts AIMCO is making and noted  
24 mention of a new EIR. Mr. Ewing reported that Sandra Jones stated that a  
25 hearing will take place in July 2007, and listed concern about resolution of  
26 problems and decisions that have already occurred, including the appropriate  
27 tract map and lawsuits resulting from tenant evictions. Mr. Ewing discussed an  
28 attempt to change Lincoln Place's historical status and noted that the  
29 decisionmaker at AIMCO is not the project manager, Mr. McPhee.

30  
31 Laura Selagi stated that a Community Advisory Board proposed by AIMCO must  
32 be completely independent of AIMCO, and that independence is key to  
33 maintaining a community voice to a developer. Ms. Selagi listed items of  
34 interest: AIMCO cannot sell the property, cannot easily tear down the Lincoln  
35 Place buildings that have historic status, future development is limited to two- or  
36 three-story buildings, preserving open green space and maintaining the character  
37 of the buildings. The current RD-2 zoning limits the property's density, and  
38 building height is limited to 30 feet. A Task Force should facilitate community  
39 debate regarding issues such as traffic, affordable housing, sustainable  
40 construction, historic issues, neighbor concerns, jobs, and so on. Ms. Selagi  
41 promised to stay involved and provide information on the development.

42 Steve Freedman provided his perspective on the meeting mentioned by David  
43 Ewing and Laura Selagi, and discussed Lincoln Place's unique position in the  
44 community. Mr. Freedman discussed new development in the Venice area that

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45 ~~have~~has resulted in policy and zone changes. Mr. Freedman urged Venice  
46 residents to remain organized and work together.

47 Challis Macpherson stated her intent to institute a new Task Force regarding  
48 Lincoln Place. Arnold Springer suggested that an outreach effort regarding  
49 Lincoln Place should emphasize the need to make a concerted effort by all  
50 Venice organizations. Mr. Ewing discussed the contacts AIMCO has made so far  
51 regarding formation of a Task Force. In answer to Jim Murez's question, Mr.  
52 Ewing noted that AIMCO is planning Town Hall meetings on traffic, design, the  
53 environment, and affordable housing, and controlling the forum means controlling  
54 the agenda. Jim Murez stated that Lincoln is outside the Venice Specific Plan.

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56 **4. CONSENT CALENDAR**

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58 No Consent Calendar items were noted.

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60 **5. OLD BUSINESS**

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62 No Old Business noted.

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64 **6. NEW BUSINESS: DELIBERATION OF FOLLOWING PROJECTS/ISSUES**

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66 A. Case # ZA 2007-0753 CDP ZAA ZAD MEL 649, 651 AND 653 Oxford  
67 Avenue.

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69 This applicant, Juan Garcia, 310.866.6464, is looking for a Coastal  
70 Development Permit to permit demolition of two existing 1-story SFD, and  
71 construction of 3 new 2,500 square foot 2-story SFD with roof deck on  
72 three lots; and Zoning Administrator's Adjustment/Determination to permit  
73 a reduced rear yard of 5' in lieu of 15' on each of the 3 lots, and  
74 construction of hedge/fence 5' in height.

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76 This proposed construction is in the Silver Triangle community in the  
77 Oakwood-Millwood-SouthEast Venice subarea on the east side of Oxford  
78 Avenue North of Washington Blvd. Single family dwellings on the west

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79 side of Oxford are constructed on the old Southern Pacific railroad right of  
80 way and were allowed reduced side, front and rear yards. The  
81 communities of Silver Triangle and Oxford Triangle signed off on these  
82 adjustments in order to get housing on the railroad right of way and  
83 forestall proposed construction of an extension of I90 on this land.  
84  
85 Challis Macpherson introduced Juan Garcia, co-owner of the proposed  
86 development with Leon Martin. Ms. Macpherson directed the meeting  
87 attendees' attention to the project description, and information provided to  
88 Committee members to assist in deliberation.

89 Juan Garcia described the project, noting a request to reduce the rear  
90 yard setback and an increase in the height of the fence at the front to  
91 provide increased privacy and security. Mr. Garcia stated that a  
92 precedent exists for each request to be granted. Mr. Garcia discussed the  
93 project's unique features, including architectural interest and "green"  
94 elements.

95 Steve Freedman questioned the last sentence in the agenda description,  
96 and objected to the phrase noting that the "communities of Silver Triangle  
97 and Oxford Triangle signed off on these adjustments" as being misleading.  
98 Mr. Freedman stated that the sentence should be stricken. Jim Murez  
99 stated that documents provided by LUPC should be based on factual  
100 information.

101 In answer to Maury Ruano's question, Juan Garcia clarified that there will  
102 be three APNs when the development is finished. Jed Pauker asked what  
103 noise mitigation efforts will be made, what neighbor outreach was made,

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104 ~~and asked about a copy of the final staff report stated that the Planning~~  
105 ~~Department Staff Report available at hearing time was a draft, and asked~~  
106 ~~Mr. Garcia whether he was aware of local crime statistics or the LAPD~~  
107 ~~position on the fence height issue. Mr. Garcia replied in the negative.~~ Mr.  
108 Garcia discussed the project's design. Robert Aronson asked why no  
109 discretionary permit is being requested; Mr. Garcia referred to by-right  
110 permissions. Mr. Aronson questioned the need for a reduced setback "to  
111 avoid massing and provide interesting articulations." Mr. Garcia stated  
112 that the request for a reduced setback is because of the irregular size of  
113 the lots. Mr. Aronson asked if Mr. Garcia was aware of the building under  
114 construction next door. Mr. Garcia was not. Mr. Aronson asked if  
115 adjoining or adjacent neighbors have signed off on the request for a  
116 reduced rear yard setback. Mr. Garcia stated that he did not have the  
117 signatures, but that the neighbors were made aware of the proposed  
118 development, were given the opportunity to appear at the LUPC meeting  
119 and were happy with the development. Mr. Martin stated that he had  
120 spoken with three of the neighbors and had explained to them the required  
121 15 foot setback. Mr. Martin could not provide names or remember  
122 addresses for the neighbors. Challis Macpherson reported on a site visit  
123 to the property, and that a ZA hearing is scheduled for this property on  
124 May 24, 2007. Ms. Macpherson reiterated that the code height limit for  
125 fences is 3.5 feet and asked for any further comment. Mr. Garcia noted

**DRAFT**

126 that the fence is not enclosed, combines landscaping and is more  
127 sculptural than a usual fence. Jim Murez asked about the alley at the rear  
128 of the property. Mr. Garcia stated that the alley is 20 feet wide and  
129 discussed the allowance for a turnaround. Mr. Murez asked if the  
130 developer would agree to specify a ratio of open to filled-in space if the  
131 fence were approved. Susan Papadakis stated that she did not have an  
132 overall objection to the request to allow a 5 foot fence; Ms. Papadakis  
133 asked if the developer would consider making the landscape pockets  
134 wider. Ruthie Seroussi asked for a drawing that shows the rooftop  
135 structure. Arnold Springer stated that his concerns are the fence height  
136 and the stairwell. Mr. Springer termed the request for rooftop structures is  
137 a travesty and stated his preference for a change to the rooftop structure;  
138 Mr. Springer asked that the developer redesign the rooftop structure. Mr.  
139 Martin stated that he could not redesign the rooftop as requested because  
140 of code issues but stated his willingness to minimize the impact of the  
141 rooftop structures.

142 Jim Murez moved to impose a condition that no more than 25% of the roof  
143 hand railing can be solid and to apply the same percentage of open space  
144 shown on the fence of the northernmost lot (649) to the other two lots and  
145 recommend approval of the proposed project. There was no second.

146 Robert Aronson stated that the railing of the roof was not germane.

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147 **Robert Aronson moved to recommend denial of the request for the**  
148 **increased height of the front yard fence on the basis that security and**  
149 **privacy are not sufficient grounds for departing from the code and to**  
150 **recommend approval of the reduction in rear yard setback from 15 to 5**  
151 **feet; seconded by Lainie Herrera.**

152 Challis Macpherson noted that houses across the street do not have  
153 fences at all.

154 Steve Freedman expressed surprise that no one addressed the issue of  
155 maximization of a lot. Mr. Freedman encouraged the LUPC to consider  
156 how friendly support of maximization of a lot is to the community.

157 Maury Ruano suggested allowing the 5 foot setback at the garage level  
158 and setting back the second story 15 feet. Jed Pauker stated that the LA  
159 Municipal Code allows for open-view articulation of over-height limit  
160 fences under certain circumstances, but the Fence Height Ordinance  
161 cannot apply the LA Municipal Code does not apply in Venice. He further  
162 stated that the overheight subject fence offered a viewline which was  
163 inverse to the specification of this ordinance, which itself directs any  
164 overheight section(s) to be principally open for public view and safety.  
165 Because the proposed fence height is illegal today, and a promised fence  
166 height enforcement policy has not yet been presented to the City, Mr.  
167 Pauker stated that it would be a mistake to approve any part of the over-  
168 height front fence. Mr. Pauker suggested that setting the fence back

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169 behind foliage, rather than obscuring most of the foliage from public view,  
170 might merit consideration.

171 **Maury Ruano re-stated his suggestion to allow the requested setback and**  
172 **stepping back the second story as an amendment to the motion; Jed**  
173 **Pauker seconded.**

174 Ruthie Seroussi stated she did not understand why the rooftop structure  
175 is being allowed and asked where the Venice Specific Plan provides for  
176 rooftop structures. Arnold Springer suggested revisiting the issue of  
177 rooftop structures with the community. Jim Murez noted the extremely  
178 small lot size and stated that forcing a lower density is not good. Mr.  
179 Murez noted a Fire Department requirement for a 30 foot wide alley to  
180 allow for fire truck turnaround.

181 **VOTE: 1 in favor; 6 opposed; 2 abstentions.**

182 **VOTE: 7 in favor; 1 opposed; 1 abstention. The motion passed.**

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## 184 **7. PUBLIC COMMENT**

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186 None noted.

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## 188 **8. LUPC CHAIR REPORT ON VNC BOARD OF OFFICERS ACTIONS** 189 **RELATIVE TO LUPC RECOMMENDATIONS**

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### 191 **A. Community Impact Statements**

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193 Challis Macpherson noted that the Board has approved and authorized  
194 the LUPC to use Community Impact Statements (CIS). Ms. Macpherson  
195 clarified how the CIS can be used by any standing committee.

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### 197 **B. 709 Fifth Street**



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199           The LUPC recommendation was rejected and three motions were crafted  
200           in replacement.

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202           C. 2 Rose, Deliza Deli

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204           The Board passed the LUPC decision as recommended.

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206           D. 255 Main, Long's Drugs

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208           The Board passed the LUPC decision as recommended.

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210           E. 542-546 Broadway, Dogtown Dirt LLC

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212           The Board passed the LUPC decision as recommended.

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214           F. Request for board to appoint board member to LUPC

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216           Challis Macpherson reported that nominations were open for the LUPC  
217           vacancy;

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219           G. 5 Rose Avenue – aka King George Hotel aka Ocean View Apartments

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221           Challis Macpherson provided an update on this project.

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223           H. Rose Avenue Clean-up

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225           Challis Macpherson reported that \$8000 has been allocated for the purpose  
226           of cleaning up Rose Avenue. Jim Murez stated that Longs Drugs has  
227           committed \$1000 for beach clean-up efforts.

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229           **9. LUPC TASK FORCE REPORTS**

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231           Challis Macpherson proposed another task force, for the Lincoln Place project  
232           and noted that three stakeholders have expressed interest in serving on the Task  
233           Force, Steve Freedman, Laura Selagi and David Ewing. David Ewing will  
234           produce a mission statement. Ms. Macpherson called for volunteers from LUPC  
235           to serve on the Lincoln Place project task force. Jim Murez volunteered to serve  
236           as well.

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A. Abbot Kinney Parking

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Robert Aronson noted a brief report provided to LUPC members regarding

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a determination made by the Department of Building and Safety. There

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was discussion about the concept of intensification of use. Mr. Aronson

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noted how phantom parking, or a parking credit, is determined. Jim Murez

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suggested allocating funds to pay a professional researcher. Mr. Aronson

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stated that the cooperation of the owners of the 1410 North Kinney is

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needed, and outlined a way to obtain that cooperation. Mr. Murez warned

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of problems that may occur with reference to a nighttime valet parking

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service. Mr. Aronson stated that a report from the Parking Task Force will

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be available for LUPC review by next month. Mr. Murez discussed the

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concept and results of grandfathered parking requirements.

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B. Fences and Hedges

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Challis Macpherson noted a recommendation to craft a statement

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regarding this issue. Ruthie Seroussi stated that the Fences and Hedges

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Task Force Report will be ready for distribution for the next LUPC

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meeting.

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C. Agenda Building

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Challis Macpherson sent an e-mail message to LUPC members regarding

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agenda building.

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262 Jim Murez noted his suggestion to request that the VNC Board request  
263 Councilman Bill Rosendahl consider a resolution that will require the  
264 Planning Department to provide digital documentation. After further  
265 discussion, it was decided that this issue will be agendized for referral to  
266 the Board for consideration.

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268 D. Policies and Procedures

269 This item is postponed.  
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272 E. Venice Coastal Zone Specific Plan, Venice Community Plan, Venice Land  
273 Use Plan

274 At Challis Macpherson's request, Ivan Spiegel provided detail on the  
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276 upcoming Town Hall, which will focus on planning. Mr. Spiegel noted that  
277 the Venice Community Plan is set for revision in 2010, and the Venice  
278 Neighborhood Council has been asked to spearhead efforts. Mr. Spiegel  
279 advised that this issue will be discussed at the Outreach and Events  
280 Committee meeting on May 24, 2007. Ms. Macpherson stated that the  
281 Venice Specific Plan and the Venice Land Use plan will have to be  
282 balanced with the Venice Community Plan.

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284 **10. STAFF ASSIGNMENTS**

285 Challis Macpherson asked about individual staff assignments; LUPC  
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287 members will provide more information at the next meeting.  
288 Jed Pauker provided updates on several properties at which there were  
289 fences and hedges issues. Mr. Pauker stated that he would need assistance.

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290        Arnold Springer provided an update on 1427 Abbott Kinney. Regarding the  
291        phantom parking issue, Jim Murez reported on a church for sale on the corner  
292        of Hampton and Rose. Regarding 207 North Venice, Challis Macpherson  
293        reported on legislation proposed by Councilman Bill Rosendahl.  
294        Challis Macpherson reported that the next meeting of the Lincoln Boulevard  
295        Design Overlay will take place on June 13, 2007 and asked LUPC members  
296        to consider attending that meeting.

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**11. ADJOURNMENT**