



# Venice Neighborhood Council

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

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



## Administrative Committee Meeting Minutes

Extra Space Storage, Presidents Row Room

658 South Venice Blvd, Venice, 90291

Monday, October 11, 2010 at 7:00 PM

**Note:** (i) The Administrative Committee does not address or consider the merits of proposed agenda items. Its function is to determine whether a proposed agenda item will be placed on the next Board meeting agenda, postponed, referred to a specific committee for review and recommendation, treated as an announcement, or considered and resolved as a non-Board administrative matter. (ii) The Administrative Committee has the discretion to reorder consideration of matters on the agenda to accommodate stakeholders or for other reasons. (iii) Unless otherwise noted in the minutes, the vote on an action item was unanimous except that the chair abstained.

### 1. Call to Order and Roll Call

**Present:** Carolyn Rios, Chair; Joe Murphy; Ira Koslow; Cindy Chambers; Hugh Harrison; Kristopher Valentine.

**Absent:** Linda Lucks; Daffodil Tyminski.

**Also Attending:** Marc Saltzberg; Ivan Spiegel; Jed Pauker; Gail Rogers; Eric Newman.

### 2. Approval of the Administrative Committee Agenda & Draft Board Agenda

**ACTION TAKEN**      Approved as rearranged below

### 3. Approval of outstanding Administrative Committee minutes submitted by the Secretary

September 13, 2010 Administrative Committee Meeting Minutes  
<http://venicenc.org/files/100913VNCAAdComMinutesRev.pdf>

**ACTION TAKEN**      Approved

### 4. Announcements & Public Comment on items not on the Agenda

### 5. Old Administrative Committee Business

The 9/13/10 AdCom meeting minutes disposed of Item (I) of §6A New Administrative Committee Business – Administrative Issues, as follows:

**Postponed to October 11, 2010 AdCom Meeting**

The maker of the 9/13/10 motion noted its absence from this section of the 10/11/10 AdCom agenda.

**ACTION TAKEN**      None

### 6. New Administrative Committee Business

**A**      **Amend the current Venice Boardwalk dog ordinance**  
Melya Kaplan (310-581-1585; [melya@earthlink.net](mailto:melya@earthlink.net))

#### CURRENT LAW

The exception to Subdivision 2. contained in this Paragraph as it pertains to dogs shall not apply upon any boardwalk, sidewalk or public way immediately adjacent to any beach lands or beach properties adjoining the waterfront of the Pacific Ocean between the southerly boundary of the City of Santa Monica and Washington Street in the City of Los Angeles, between the hours of 11:00 a.m. and 8:00 p.m. on weekends and holidays from Memorial Day through October 31, and no dogs shall be permitted within the area during those times and days.



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## REVISED LAW

The exception to Subdivision 2. contained in this Paragraph as it pertains to dogs shall not apply upon any boardwalk, sidewalk or public way immediately adjacent to any beach lands or beach properties adjoining the waterfront of the Pacific Ocean between the southerly boundary of the City of Santa Monica and Washington Street in the City of Los Angeles, between the hours of 5 a.m. on Saturday and 5am on Monday and, if a holiday falls on a Monday, then the restriction shall be between 5a.m. on Saturday and 5 a.m. on Tuesday, and no dogs shall be permitted within the area during those times and days. These restrictions shall apply all year round.

**ACTION TAKEN** Referred to Ocean Front Walk Committee

## **B** DWP Tree removal on corners Abbot Kinney and Venice

James Murez (310-399-1490; [murez@venice.net](mailto:murez@venice.net))

Los Angeles DWP is planning to cut down all the Palm trees on the four corners of Abbot Kinney and Venice Blvd.

Write a letter and follow-up with telephone calls to all City officials who can have a say in stopping this action. The contact number the gentlemen from the DWP is the supervisor at Guzman's Gardens is 310-6181483 or 310-901-1986.

These trees were planted with City issued permits in 1994 and DWP at the time was involved with the selection and placement. They stated at that time the overhead wires were scheduled to be placed underground. They have NOT installed the wires underground yet and are planning to cut off the tree tops. The trees are still a long way from their wires but they must be stopped before they kill these trees.

**ACTION TAKEN** Remanded to maker for compliance with VNC Standing Rule 7

## **C** Motion to Dedicate the October VNC meeting in memory of Jim Richards

Stewart Oscars ([stewart.oscars@gmail.com](mailto:stewart.oscars@gmail.com))

At the October 21, 2008, Board meeting of the Venice Neighborhood Council, the Board voted unanimously to designate October 18 as Jim Richards Day in Venice.

Why Jim Richards Day? Jim Richards was a long time resident of the Oakwood Neighborhood in Venice. He was a neighborhood activist who captained his Neighborhood Watch and was extremely active in attempting to clean his neighborhood of crime, drug dealing, and gang activity.

On October 18, 2000, he was shot to death in his driveway in the 700 block of Vernon Ave. All information led to the assumption his assassination was in retaliation for his neighborhood work.

Both suspects named in the murder were killed in gang related activity. For attempting to improve his neighborhood Jim Richards was murdered. We cherish his actions and memory by dedicating tonight's Venice Neighborhood Council meeting to his ideals.

As Councilmember Ruth Galanter said at the time, "Jim was a brave and dedicated man. The City and the community owe a debt of gratitude to him. Those who believe they can intimidate this community have sorely underestimated the good people of Oakwood and Venice."

**ACTION TAKEN** JM/IK: Motion to place on agenda approved 4-0-2



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**D Permitting Live Music for First Fridays**

Daniel Day (323-547-1370; [pulseandlight@gmail.com](mailto:pulseandlight@gmail.com))

There has been a recent crackdown on ALL live performances along the street. Even private events on private property at low volume levels that end early. We wish to restore the wonderful community event that made First Friday a celebration of what makes Venice a special place.

**ACTION TAKEN** Referred to Neighborhood Committee

**E Consideration of October 19, 2010 Proposed Board Agenda**

7. Announcements & Public Comment on items not on the Agenda

8. Adjourn



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## **Board of Officers Meeting DRAFT Agenda**

Westminster Elementary School (Auditorium)

1010 Abbot Kinney Blvd, Venice, 90291

Tuesday, September 21, 2010 at 7:00 PM

**BOARD MEETINGS:** The Venice Neighborhood Council holds its regular meetings on the third Tuesday of the month and may also call any additional required special meetings in accordance with its Bylaws and the Brown Act. All are welcome to attend.

**TRANSLATION Services:** Si requiere servicios de traducción, favor de notificar a la oficina 3 días de trabajo (72 horas) antes del evento. Si necesita asistencia con esta notificación, por favor llame a nuestra oficina 213.473.5391.

**POSTING:** The agenda and non-exempt writings that are distributed to a majority or all of the board members in advance of regular and special meetings may be viewed at Groundworks Coffee (671 Rose Ave Venice, CA 90291), Abbots Habit (1401 Abbot Kinney Blvd. Venice, CA 90291), the Venice Library (501 South Venice Boulevard, Venice, CA 90291), Oakwood Recreation Center (767 California St. Venice, CA 90291), the VNC website (<http://www.venicenc.org>), or at the scheduled meeting. For a copy of any record related to an item on the agenda, please contact the VNC secretary at [secretary@venicenc.org](mailto:secretary@venicenc.org).

**PUBLIC COMMENT:** The public is requested to fill out a "**Speaker Card**" to address the Board on any Old or New Business item on the agenda and the Treasurer's Report. Comments from the public on these agenda items will be heard only when that item is being considered. Comments from the public on other agenda matters or on matters not appearing on the agenda but within the Board's subject matter jurisdiction will be heard during the Public Comment period. Public comment is limited to two (2) minutes per speaker, unless modified by the presiding officer of the Board.

**DISABILITY POLICY:** The Venice Neighborhood Council complies with Title II of the Americans with Disabilities Act and does not discriminate on the basis of any disability. Upon request, the Venice Neighborhood Council will provide reasonable accommodations to ensure equal access to its programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request.

### **1. Call to Order & Roll Call**

#### Meeting Called to Order in Memory of Jim Richards

Jim Richards was a long time resident of the Oakwood Neighborhood in Venice. He was a neighborhood activist who captained his Neighborhood Watch and was extremely active in attempting to clean his neighborhood of crime, drug dealing, and gang activity. On October 18, 2000, he was shot to death in his driveway in the 700 block of Vernon Ave. All information led to the assumption his assassination was in retaliation for his neighborhood work. Both suspects named in the murder were killed in gang related activity. For attempting to improve his neighborhood Jim Richards was murdered. We cherish his actions and memory by dedicating tonight's Venice Neighborhood Council meeting to his ideals.

As Councilmember Ruth Galanter said at the time, "Jim was a brave and dedicated man. The City and the community owe a debt of gratitude to him. Those who believe they can intimidate this community have sorely underestimated the good people of Oakwood and Venice."

#### Roll Call

### **2. Approval of the Agenda**

### **3. Approval of outstanding minutes (1 minute)**

September 21, 2010 Board Meeting Minutes

<http://venicenc.org/files/100921VNCBoardMinutes-JDM.pdf>

### **4. Announcements & Public Comment on items not on the Agenda**

***[10 min, no more than 2 minutes per person – no board member announcements permitted]***



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## 5. Consent Calendar

- A**     **2<sup>nd</sup> Letter on Santa Monica Airport**     **See Exhibit F**  
 Laura Silagi (310 396-5702; [lsilagi@gmail.com](mailto:lsilagi@gmail.com))

**MOTION:** Endorse letter in response to the Regional Director of the FAA regarding VNC requested flight ban of student and pilot training operations over Venice

**ACTION TAKEN**     Placed on Board Consent Calendar

- B**     **Motion to Oppose Imposition of \$7.00 fee to park at City Hall**     **See Exhibit H**  
 Linda Lucks (310-505-4220, [President@venicenc.org](mailto:President@venicenc.org))

**MOTION:** I move to oppose the Rosendahl/Cardenas motion to institute a \$7.00 per car fee for citizens wishing to visit City Hall to express their opinions.

**ACTION TAKEN**     Placed on Board Consent Calendar

## 6. Treasurers Report (October 19, 2010) – 10 minutes     **See Exhibit A**

Hugh Harrison (310-487-2533; [chezhaha@aol.com](mailto:chezhaha@aol.com)) on behalf of the Budget Committee:  
*[Discussion and approval of financial statements]*

Attached is the report on expenditures. Because of the requirement to include the print-out from the purchase card, I have decided to report the expenditures within the period covered by each bill. For purchases by the credit card, I will now report on a cash basis. This will allow the purchase card billing and my monthly report to coincide in dates. Demand Warrants will continue to be reported as accrued.

For this month, there are two items that were previously reported on an accrual basis. These were both Community Improvement Projects. They are listed separately at the end of the monthly report.

**ACTION TAKEN**     Placed on Board Agenda

## 7. LUPC Old Business

*[Discussion and possible action regarding the following matters]*

- A**     **1205 Abbot Kinney Blvd (Local 1205)**  
 Eric Newman (310-384-9473; [newmanbuildingdesigns@gmail.com](mailto:newmanbuildingdesigns@gmail.com))

We request a new hearing for Local 1205 located at 1205 Abbot Kinney Blvd. The applicant has changed the project based on feedback from the neighbors. The significant changes that have been made include revised hours of operation, self imposed additional conditions to the permit, and the closing of sidewalk dining on busy days/nights. Jake of LUPC has a list of the other changes that have been made if it helps us getting a second chance to meet with the VNC.

Please place us on the agenda for October's meeting.

**ACTION TAKEN**     Failed for lack of a motion by an Administrative Committee member

## 8. LUPC New Business

*[Discussion and possible action regarding the following matters]*

- A**     **600-04 Venice Blvd (Le Zinc)**  
 Jake Kaufman, LUPC Chair on behalf of LUPC (310-463-0299; [Chair\\_LUPC@VeniceNC.org](mailto:Chair_LUPC@VeniceNC.org))

Case Number(s):     ZA-2010-206-CDP-CUB-CU-SPP and ENV-2010-205-EAF



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Address: 604 E VENICE BLVD 90291

Project Name: Le Zinc

## OVERVIEW:

CHANGE OF USE FROM AN OFFICE TO CAFE WITH 16 PARKING SPACES AND 65 SEATS (18 OUTDOOR/47 INDOOR) SELLING BEER AND WINE ON-SITE OPEN FROM 6AM TO 2AM DAILY.

Motion to approve the project as presented, with the following conditions:

1. No variance to VCZSP, including parking requirements,
2. Meeting both Venice BMP and CUB,
3. Noting bike rack provided,
4. Hours of 6am to 2am, 7-days per week,
5. Plan approval in 1-year.

Jim Murez made the motion; second Sarah Dennison

Vote: 7-1; APPROVED

**ACTION TAKEN** Remanded to LUPC for compliance with VNC Standing Rule 7

## **B** 52-54 E. Windward Ave (TownHouse)

**See Exhibit B**

Jake Kaufman, LUPC Chair on behalf of LUPC (310-463-0299; [Chair.LUPC@VeniceNC.org](mailto:Chair.LUPC@VeniceNC.org))

DIR 2008-2468 BSA and DIR 2008-2468 BSA-1A  
52 E WINDWARD AVE 90291

OVERVIEW: APPEAL OF LADBS DETERMINATION TO THE DIRECTOR OF PLANNING TO OPERATE A BAR IN A BASEMENT.

Motion to amend the project as presented, with the following conditions:

1. Regarding Townhouse Cocktails, 52 Windward, DIR 2008-2468 BSA (Building & Safety Appeal). Challis Macpherson moves that the VNC Board of Officers accept LUPC Staff report for this project, and that the board recommends that there is sufficient evidence of a legal non-conforming use since 1930s with respect to the basement (at 52 Windward) and for that reason a (new and specific to the basement) Certificate of Occupancy and Conditional Use Permit (Beverage) is not required.
2. 30 additional, non-required, offsite parking spaces on exclusive lease at 28-30 and 46 Market; should the lease expire, owner to notify LUPC and VNC within 30-days,
3. No variance to VCZSP
4. Meeting both Venice BMP and CUB (note allowing exception for pool table),
5. Noting bike rack provided,
6. Hours of 11am to 2am, 7-days per week.

John Reed made the motion; second by Jory Trembly Vote: 8-0; Approved

**ACTION TAKEN** Approved as amended



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## **C 22-28 E. Windward Ave (Cafe Windward)**

**Jake Kaufman, LUPC Chair on behalf of LUPC (310-463-0299; [Chair LUPC@VeniceNC.org](mailto:Chair.LUPC@VeniceNC.org))**

Case Number(s): ZA 93-1128-CUB and ENV-2010-512-CE

Address: 22-28 E WINDWARD AVE 90291

Project Name: Café Windward

### OVERVIEW:

Motion to Approve the conditional use permit, noting:

New hours of operation:

Monday-Wednesday, 11:30am-11:30pm

Thursday-Saturday, 9:30am-2:00am

Sunday, 9:30a-12:00am

Seating capacity change from 70 to 84 seats,

Given 7 parking including 1 ADA,

Meeting both Venice BMP and CUB,

Bike rack,

7 on-site parking spaces, including 1 ADA,

No Variance to VCZSP,

Plan Approval 1-year from date of opening.

Motion passed 6-0

### **ACTION TAKEN**

**Remanded to LUPC for compliance with VNC Standing Rule 7**

## **D 724 E. San Miguel - 725 E. Broadway (small lot subdivision)**

**See Exhibit C**

**Jake Kaufman, LUPC Chair on behalf of LUPC (310-463-0299; [Chair LUPC@VeniceNC.org](mailto:Chair.LUPC@VeniceNC.org))**

Case Number(s): AA-2010-1588-PMLA-SL; ZA-2010-1602-CDP-ZAA-F

Address: 725 E BROADWAY (+ 724 E San Miguel) 90291

Project Name: *Small Lot Subdivision*

OVERVIEW: SMALL LOT SUBDIVISION TO DIVIDE A PARCEL INTO TWO INDIVIDUAL LOTS IN CONJUNCTION WITH THE PROPOSED CONSTRUCTION OF TWO SINGLE-FAMILY DWELLINGS

Motion to approve the project as modified with the following conditions:

1. Required parking shall not be permitted in the 15-foot front yard setback fronting Broadway Ave. The applicant shall submit a revised Parcel Map reflecting this condition to the Advisory Agency and Office of the Zoning Administrator,

2. Maintain fence as existing today on Broadway (no more than 15% shall exceed 6ft with a maximum of 8ft), no additional increase in height.

John Reed made the motion; second by Sarah Dennison Vote: 5-1-0

### **ACTION TAKEN**

**Approved as amended**

## **E 1429 Abbot Kinney non compliance with VCZSP approved plans**

**Arminda Diaz (310-995-1941, [arminda@d3architecture.com](mailto:arminda@d3architecture.com))**

Restaurant located at 1429 Abbot Kinney Blvd is in non compliance with 'service floor area' approved by City Planning in 2006. Per restaurant current service floor area, additional 15 parking spaces must be provided. Restaurant also is in violation of 3 conditions imposed by CUB (age card verification, amplified music in patio, exceeding total number of patrons).

### **ACTION TAKEN**

**Removed (Rules & Elections Committee to draft enforcement advisory letter/process)**



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## 10. Scheduled Announcements

*[no more than 1 minute per report unless otherwise stated]*

### A VNC Announcements (3 min)

- **President:** Linda Lucks (310-505-4220; [president@venicenc.org](mailto:president@venicenc.org))  
Appointment of the following:
  - Nick Hippisley-Cox, **VNC Rep to the LAPD Community Police Advisory Bd.**
  - John Reed, **rep**, Marlene Savage, **alternate to WRAC/LUPC**
  - Amanda Seward, **VNC legal liaison to the City Attorney**  
*[Subject to Board consideration of Standing Rule to be prepared by REC]*
  - Mariana Aguilar, **VNC Holiday Toy Drive**
  - Ivan Spiegel, **VNC Rep. to LA Alliance of Neighborhood Councils**
- **Vice President:** Carolyn Rios (310-821-7922; [VP@venicenc.org](mailto:VP@venicenc.org))  
*[Summary of Written Committee Reports when provided in advance]*
- **Community Improvement Projects:** Ivan Spiegel (310-821-9556; [ivan13147@verizon.net](mailto:ivan13147@verizon.net))
- **Neighborhood Council Town Hall** (November 4<sup>th</sup>, 2010)  
**Is Venice Prepared to be the Number One Visitor Destination in Southern California?**
- **Mayor's Budget Day Report:** Hugh Harrison & Cindy Chambers

### B Governmental Reports (15 min)

- **State Assemblyperson Ted Lieu;** Jennifer Zivkovic, Field Representative  
(310-615-3515; [Jennifer.zivkovic@asm.ca.gov](mailto:Jennifer.zivkovic@asm.ca.gov))
- **Mayor Antonio Villaraigosa;** Jennifer Badger, West Area Representatives  
(310-479-3823; [jennifer.badger@lacity.org](mailto:jennifer.badger@lacity.org))
- **City Councilperson Bill Rosendahl;** Arturo Piña, Field Deputy  
(310-568-8772; [arturo.pina@lacity.org](mailto:arturo.pina@lacity.org))
- **LAPD:** Officer Peggy Thusing, Senior Lead Officer  
(310-622-3968; [25120@lapd.lacity.org](mailto:25120@lapd.lacity.org))
- **Western Regional Alliance of Councils:** Mike Newhouse  
(310-795-3768; [mnewhouse@newhouseseroussi.com](mailto:mnewhouse@newhouseseroussi.com))
- **PlancheckLA:** VNC Rep Challis Macpherson  
(310-822-1729; [Challis.Macpherson@Verizon.net](mailto:Challis.Macpherson@Verizon.net))
- **LA Dept of Water & Power/Memoranda of Understanding:** VNC Rep DeDe Audet  
(310-251-1054; [daudet@ca.rr.com](mailto:daudet@ca.rr.com))

## 11. Announcements & Public Comment on items not on the Agenda

*[10 min, no more than 2 minutes per person – no board member announcements permitted]*





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## 12. Old Business

*[Discussion and possible action regarding the following matters]*

### A **Abbot Kinney Parking Report, Recommendations, Community Impact Statement, and Letter** **Jed Pauker, Robin Rudisill (310.827.0144; [gojednet-parkingAbK@yahoo.com](mailto:gojednet-parkingAbK@yahoo.com)) **See Exhibits D & D2****

Abbot Kinney's parking issues are unique to its surroundings. This report is intended to acknowledge and promote Abbot Kinney's eclectic and independent character with practical recommendations to address Abbot Kinney's valet parking and food truck issues.

**Whereas** Venice Coastal Zone parking suffers from ongoing and increasing congestion; &  
**Whereas** multiple ongoing and new causes of Abbot Kinney parking and parking-related congestion have been explored and identified, &  
**Whereas** unregulated valet parking negatively affects both the Abbot Kinney business area and Los Angeles at large; &  
**Whereas** the incursion of food trucks on Abbot Kinney brings welcome & unwelcome impacts; &  
**Whereas** existing regulations fail to curtail unwelcome impacts regarding both issues;

**We therefore move** that the Venice Neighborhood Council Board of Officers accept the foregoing report and approve the following Recommendations, Community Impact Statement and letter to CD11 Councilmember Rosendahl, for immediate transmittal to Council District 11 Office and the City Council and LA County Supervisor Yaroslavsky:

**MOTION:** We move that the Venice Neighborhood Council Board of Officers accept the foregoing report and approve the following recommendations, Community Impact Statement, and Letter to Council District 11 Councilmember Rosendahl, for immediate transmittal to Council District 11 Office and the City Council and LA County Supervisor Yaroslavsky.

### **Venice Neighborhood Council recommends:**

- 1) Implementing an Abbot Kinney consolidated valet parking program.
- 2) Continuing communications among representatives of Abbot Kinney business owners, patrons, affected residents and the Venice Neighborhood Council, to produce mutually-beneficial initiatives,
- 3) Implementing a Parking study to address current and future needs for Abbot Kinney and its surrounding area.
- 4) Implementing an Abbot Kinney Business Improvement District to develop community-serving business activity management policies.
- 5) Supporting Los Angeles County Health Department proposed ordinance for food truck letter grading.
- 6) Where a private location is used to host one or more food trucks, regulating the location's patron capacity to protect public safety.
- 7) Where a private location is used to host one or more food trucks in or near a residential area, requiring signage near the property perimeter, in obvious, plain sight, advising patrons to consider residential neighbors and citing pertinent noise ordinances.
- 8) Where a public location is used to host a food truck, requiring a permit process, with fee allocations to include the Venice Coastal Zone Parking Impact Fund.
- 9) Include Venice Neighborhood Council's recommendations with the City Council's work to address food truck and valet parking impacts.



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## COMMUNITY IMPACT STATEMENT – CF 10-2274, 09-2357-S2 and 09-0206

Venice Coastal Zone parking is at an ever-increasing premium for residents, businesses and visitors alike. Different block-by-block Abbot Kinney parking regulations combine with unregulated valet activities and mixed impacts from food trucks to create ongoing confusion and tensions within the community.

Current parking enforcement and regulations require review and revision to achieve the intended goal of easing automotive congestion. Current food vendor regulations require equal attention, to promote positive competition and more beneficial amenities.

Resultant initiatives must comprehensively address these issues for affected parties to regain the full enjoyment of our uniquely diverse community that was intended by its founder.

**ACTION TAKEN**      Placed on Board Agenda

### **B Request to approve CIS regarding mechanical parking lift issue**

Jed Pauker (310-827-0144; [jed@jed.net](mailto:jed@jed.net))

**Motion:** Mechanical parking lifts can benefit the community, but only when they are deployed per approved community planning guidelines. Approving such devices without public input and Planning Department review negatively impacts the community, the planning process, Coastal development and the principles of representative government. A moratorium should be placed on approval of mechanical parking lifts until an ordinance can be drafted to specify proper review and operational standards for such devices in the community.

**ACTION TAKEN**      Placed on Board Agenda

### **C Agenda Posting Places**

Marc Saltzberg on behalf of the Outreach Committee (310-892-9660; [outreach@venicenc.org](mailto:outreach@venicenc.org))

The Outreach Committee was asked to explore and recommend posting sites in order to comply with the new BONC / DONE directive that each NC have at least 5 official posting places in addition to their website. The committee recommends the following 9 sites and suggests that the VNC Board select the final five sites.

The criteria used to select posting places were:

- Site must be within the VNC boundaries (eg. can't post on county land on south side of Washington);
- We have to have physical access to the site so that we can post;
- As many sites as possible (at least 1) should be available for viewing 24/7 (none currently are);
- The sites should be geographically diverse across the VNC's territory;
- there should be a reasonable level of foot traffic;
- the posting place must have a bulletin board large enough to hold meeting notices from at least 3 committees simultaneously;
- posting at the site must not present an undue burden on person doing the posting.

The committee recommends the following posting sites to the Board for final selection:

1. Penmar Park
2. Café Collage (note: no bulletin board – windows available)
3. Whole Foods
4. Beyond Baroque – 681 Venice Blvd
5. The Venice Ale House – (Daffodil reports they will put up bulletin board) 425 Ocean Front Walk



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- 6. \*\*Groundworks Coffee – on Rose (note: no bulletin board – door available)
  - 7. \*\*Abbot’s Habit
  - 8. \*\*Oakwood Park
  - 9. \*\*Venice Library
- \*\*existing posting site**

**MOTION:** The Committee recommends that the final list of public posting sites be noted on our website and in our literature. The sites are:

*[list Board selections by name]*

The committee recommends that Committee Chairs forward all agendas to the VNC Board and the VNC Neighborhood Committees for posting in front of their residences or on bulletin boards in their area.

**ACTION TAKEN** Placed on Board Agenda

## 13. New Business

*[Discussion and possible action regarding the following matters]*

- A** **100% Clean Energy goal for Venice by 2018** **See Exhibit E**  
 Kristopher Valentine on behalf of the Environmental Committee (310-570-2199;  
[kristopher.valentine@venicenc.org](mailto:kristopher.valentine@venicenc.org))

**MOTION:** Whereas coal-burning power plants deliver 44% of Los Angeles DWP electricity and yet coal-burning is widely recognized as a major contributor to climate change; whereas significant federal and state funding are available in California to make clean energy solutions such as photovoltaic solar panels affordable for residents and businesses; Venice hereby adopts a goal to develop a roadmap and achieve net 100% clean electricity utilization within the Venice community as a whole by 2018, and to be recognized as a green power community by the EPA. Furthermore the VNC endorses the Sierra Club’s LA Beyond Coal Campaign and encourages the LA City Council to support a plan to use 40% clean energy and eliminate coal from the electricity supply of Los Angeles by 2020.

**ACTION TAKEN** Postponed to November 8, 2010 Administrative Committee Meeting

- B** **Improving lighting and safety along the Venice Boardwalk** **See Exhibit G**  
 Daniel Samakow (310-989-6200; [dansinvenice@aol.com](mailto:dansinvenice@aol.com))

**MOTION:** That the VNC support a letter to the Mayor and Councilperson Rosendahl to support the improvement of existing lighting and addition of more lighting on the Venice Boardwalk and the increase of Police Patrols into the evening along the Boardwalk and Windward area.

**CIS:** The Boardwalk area has seen numerous improvements over the past few years that has increased visitors beyond the Summer day activity traditionally associated with the area. To protect these visitors police protection needs to be extended beyond this traditional period into the evening and all year long. Further, dim lighting along the boardwalk has encouraged criminal activity in the area. Improved lighting will help reduce this problem.

**ACTION TAKEN** Referred to Ocean Front Walk Committee



# Venice Neighborhood Council

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## C Video Recording of VNC Meetings

Marc Saltzberg on behalf of Outreach (310-892-9660; [outreach@venicenc.org](mailto:outreach@venicenc.org))

### MOTION

**Whereas** the Venice Neighborhood Council desires to conduct its meetings with a maximum of public transparency, and

**Whereas** the Venice Neighborhood Council does not have the budgetary resources to prepare transcripts of its meetings and,

**Whereas** one of the assets of the Venice Neighborhood Council is a digital audio recorder,

**Therefore be it resolved** that effective immediately, digital audio recordings of all meetings of the VNC Board be made and that the VNC Communications Officer make such recordings available to the public on a trial basis (to determine the interest of the public) and,

**Be it further resolved** that the VNC Communications Officer investigate and determine the feasibility of making video recordings of VNC Board Meetings that could be made available to the public and to provide a report to the Board in two months about his findings.

**ACTION TAKEN** Removed

## D Terms of X-Mas Run

Linda Lucks (310-505-4220; [President@venicenc.org](mailto:President@venicenc.org))

**Exhibit I**

**MOTION:** To ask the Neighborhood Committee of the VNC to work with the council office to define rules/terms of the annual Xmas Run on 12/11/10 appropriate to the Venice community as requested by the Council Office. (Application to be forwarded in a separate email)

**CIS:** Venice is home to many wonderful events each year bringing millions of visitors to our neighborhoods. Some would say that we are burdened with more than our fair share. Therefore, it is imperative that we receive proper notification and ample time to submit support, suggestions and possible revisions and/or rejection of any specific event.

**ACTION TAKEN** Referred to Neighborhood Committee

## E All California Propositions (Discussion Only)

Marc Saltzberg (310-892-9660; [outreach@venicenc.org](mailto:outreach@venicenc.org))

"Discussion Only" segment to present and take comment on the propositions that are on the ballot. NO VOTE TO ENDORSE ANY PROP will be taken.

Presentation will be reading title and summary from voter guide (perhaps abbreviated to save time). Discussion rules: 3 speakers pro/ 3 speakers con - each speaker to get 1 minute. Total time including reading of summaries to be restricted to 45 minutes.

**ACTION TAKEN** Withdrawn by maker

## F New Standing Rule

Linda Lucks (310-505-4220; [President@venicenc.org](mailto:President@venicenc.org))

**MOTION:** The creation of the following as a Standing Rule. "All VNC board or committee members shall be required to divulge any ex parte communications relating to any items appearing on that meeting's agenda This shall apply to all Board and committee meetings and shall appear as an agenda item near the beginning of every agenda, following the approval of the previous meeting's minutes."



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**Community Impact Statement:** Transparency in all actions by the VNC is important because our stakeholders deserve full disclosure and it is the correct way to proceed. Many NC's already do this at the start of each meeting and it takes little time. Reporting contact does not mean recusal unless a financial or personal relationship is involved with the applicant. Since our board has already reached 100% compliance by taking the Ethics Training online, this should never be an issue. I intend to start this process at AD Com and Board meetings immediately (as a President's prerogative) I have asked Rules and elections to create it as a Standing Rule so that it also applies to committees.

**ACTION TAKEN**      Motion dies for lack of a second

14. **Announcements & Public Comment on items not on the Agenda**  
*[10 min, no more than 2 minutes per person – no board member announcements permitted]*
15. **Board Member Comments on subject matters within the VNC jurisdiction.**  
*[10 min, no more than 1 minute per person]*
16. **Adjourn** (approx 10:00PM)



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## Exhibit A – Treasurers Report

2010 - 2011 Expenditures to Budget  
September 1 - September 21, 2010

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

### 100 Operations Budget

Office Supplies	OFF	\$750.00				\$750.00	100.0%
Copies	OFF	\$500.00		\$15.52	\$39.21	\$460.79	92.2%
Office Equipment	OFF	\$750.00				\$750.00	100.0%
Staffing/Apple One	TAC	\$500.00				\$500.00	100.0%
Telephone Expense	MIS	\$250.00				\$250.00	100.0%
Storage	FAC	\$2,000.00			\$324.00	\$1,676.00	83.8%
Board Retreat	EDU	\$500.00			\$241.53	\$258.47	51.7%
General Operations	MIS	\$1,000.00				\$1,000.00	100.0%
<b>sub Total Operations</b>		<b>\$6,250.00</b>	<b>8.9%</b>	<b>\$15.52</b>	<b>\$604.74</b>	<b>\$5,645.26</b>	<b>90.3%</b>

### 200 Outreach

Copies / Printing	POS	\$500.00				\$500.00	100.0%
Facilities For Public	FAC	\$3,000.00				\$3,000.00	100.0%
Refreshments	EVE	\$400.00				\$400.00	100.0%
Web Site & e-mail	WEB	\$1,500.00		\$30.00	\$60.00	\$1,440.00	96.0%
Advertising & Promotions	ADV	\$0.00				\$0.00	
Newsletter Production	NEW	\$1,200.00				\$1,200.00	100.0%
Newsletter Printing	NEW	\$5,700.00				\$5,700.00	100.0%
Newsletter Delivery	NEW	\$4,200.00				\$4,200.00	100.0%
Elections	ELE	\$500.00				\$500.00	100.0%
General Outreach	EVE	\$750.00		\$350.00	\$521.79	\$228.21	30.4%
<b>sub Total Outreach</b>		<b>\$17,750.00</b>	<b>25.4%</b>	<b>\$380.00</b>	<b>\$581.79</b>	<b>\$17,168.21</b>	<b>96.7%</b>

### 300 Community Improvement

Venice Community BBQ	CIP	\$5,000.00			\$3,521.42	\$1,478.58	29.6%
Neighborhood Commun Proj 2010-11	CIP	\$20,000.00			\$3,504.00	\$16,496.00	82.5%
General Community Projects 2010-11	CIP	\$5,000.00			\$72.44	\$4,927.56	98.6%
Neighborhood Commun Proj 2011-12	CIP	\$16,000.00				\$16,000.00	100.0%
<b>sub Total Community Improvement</b>		<b>\$46,000.00</b>	<b>65.7%</b>	<b>\$0.00</b>	<b>\$7,097.86</b>	<b>\$38,902.14</b>	<b>84.6%</b>
<b>Total</b>		<b>\$70,000.00</b>		<b>\$395.52</b>	<b>\$8,284.39</b>	<b>\$61,715.61</b>	<b>88.2%</b>

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	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 Community Projects 2009-2010</b>						
Friends of Coeur d'Alene Reading Courtyard	\$2,000.00	10%			\$2,000.00	100%
Master in the Chapel-Concerts	\$2,000.00	10%			\$2,000.00	100%
Westminster School-Printers	\$2,000.00	10%			\$2,000.00	100%
Boys and Girls Club-Sewing Project	\$2,000.00	10%			\$2,000.00	100%
Ballona Institute-Lagoon Restoration	\$1,026.00	5%			\$1,026.00	100%
Westside Leadership Magnet-Garden	\$1,996.00	10%			\$1,996.00	100%
Mark Twain-Garden	\$2,000.00	10%			\$2,000.00	100%
Venice Music Festival	\$2,000.00	10%		\$2,000.00	\$0.00	0%
Carnevale	\$2,000.00	10%			\$2,000.00	100%
826 LA-"The Venice Wave"	\$1,470.00	7%			\$1,470.00	100%
Vintage Motorcycle Rally	\$1,508.00	8%		\$1,504.00	\$4.00	0%
<b>Total</b>	<b>\$20,000.00</b>		\$0.00	\$3,504.00	\$16,496.00	82%
<b>General Community Improvement 2009-2010</b>						
<b>Total Available</b>	\$5,000.00				\$5,000.00	100%
Santa Monica Airport	\$850.00			\$72.44	\$777.56	
<b>Total Allocated</b>	<b>\$850.00</b>					
<b>Total To be Allocated</b>	<b>\$4,150.00</b>					
<b>Total Spent</b>			\$0.00	\$72.44	\$4,927.56	99%
<b>Expenditures Previous Reported Charged</b>						
Westminster Benches	\$1,922.38	2/10				
Venice Music Festival	\$2,000.00	8/10				

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CITY OF LA - DONE



U.S. BANK CORP. SERVICE CENTER  
P. O. Box 6248  
Fargo, N.D. 58105-0248

ACCOUNT NUMBER XXXXXXXX-XXXX-1849  
STATEMENT DATE 08-21-10  
TOTAL ACTIVITY \$ 4,327.00

000001778 : MB 0.282 118487530045065 P

MEMO STATEMENT ONLY  
DO NOT REMIT PAYMENT

HUGH HARRISON  
VENICE NC  
2905 GRAYSON AVE  
VENICE CA 90291-4648

Westminster CIP  
Westminster CIP  
Westminster CIP  
Music Festival CIP  
Westminster CIP  
WEB  
Copies JFR  
Abba Kinney Festival CIP  
Copies JFR  
Abba Kinney Festival CIP

POST DATE	TRAN DATE	TRANSACTION DESCRIPTION	REFERENCE NUMBER	MO	AMOUNT
08-21	08-26	OSNICKY STORES 800-3306134 MA PUR ID: 2284785 TAX: 0.00	2435176026544530703975	5825	325.70
08-27	08-28	TIDWATER WORKSHOP LHTI 874-355-4000 NJ PUR ID: TAX: 0.00	34494210205820300857746	5819	60.00
08-01	08-01	HAYNEED J INC 411 PLYMOUTH ME PUR ID: WJ050455573 TAX: 0.00	24422757240015770057560	5838	1,046.82
08-20	08-20	GOODLIT INVESTCONCEPT GOODRICH MICH PUR ID: 880PH0288001 TAX: 0.00	024826193024803000047977	5838	2,600.00
08-15	08-10	HAYNEED J INC 411 PLYMOUTH ME PUR ID: WJ050455573 TAX: 0.00	2446215025001500303472	5829	432.78
08-14	08-13	CONSTANT CON ACT 1 WAGNER CORP MA PUR ID: 2284785 TAX: 0.00	2478306026520987506340	5852	20.00
08-13	08-13	STAPLES 0012878 VENICE CA PUR ID: 0028585 TAX: 0.00	24164070257705176744285	5848	10.47
08-11	08-15	ABBA KINNEY DIST ASSOC 319-338-8772 CA PUR ID: 5537002 TAX: 0.00	244206002652075807003915	5839	375.00
08-20	08-18	FEDEX OFF OF MGTG WASH DC DC CA PUR ID: 00 TAX: 0.00	2444503025472093088458	5829	5.00
08-21	08-20	ABBA KINNEY DIST ASSOC 319-338-8772 CA PUR ID: 5537001 TAX: 0.00	244509002652075807003915	5838	75.00

Default Accounting Code:		
CUSTOMER SERVICE CALL  800-344-5695	ACCOUNT NUMBER	ACCOUNT SUMMARY
	XXXX XXXX-XXXX-1849	TRAVELING BALANCE \$ 0.00
SEND BILLING INQUIRIES TO:  U.S. BANK CORP. SERVICE CENTER 130 U.S. BANK NATIONAL ASSOCIATION 40 P.O. BOX 6248 FARGO ND 58105-0248	STATEMENT DATE	DISPUTED AMOUNT
	08-21-10	\$ 0.00
AMOUNT DUE \$ 0.00 DO NOT REMIT	PURCHASES & OTHER CHARGES	\$ 4,327.00
	CASH ADVANCES	\$ 0.00
	CASH ADVANCE PAY	\$ 0.00
	CREDIT	\$ 0.00
		TOTAL ACTIVITY
		\$ 4,327.00





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## Exhibit B – 52-54 E. Windward Ave (TownHouse)

### Land Use and Planning Committee Report to VNC Board of Officers February 17, 2009 Regarding Townhouse Cocktails

**Case Number:** DIR 2008-2468 BSA and DIR 2008-2468 BSA-1A (BSA=Building & Safety Appeal).

**Address of Project:** 52 Windward, Venice

**SYNOPSIS OF PROJECT:** It is the applicant’s contention that both first floor and basement were and are part

and parcel of whatever business operated on this site since 1915. There is an absence of supporting documents because any permits for a business this old are often expunged and rarely found. Applicant contends that any issues concerning a Certificate of Occupancy for the location will be determined secondarily. The fact of continuous use demonstrating that there is not a need to obtain a conditional use permit is primary. Also, when Venice of America was annexed by City of Los Angeles in the 1930s, many documents were simply not transferred. The test then becomes honest common sense. It is Building & Safety’s contention that there is no Certificate of Occupancy or Conditional Use Permit (Beverage) for the basement. Townhouse Cocktails was cited and then appealed to Planning. Associate Zoning Administrator, Patricia Brown, found that Building & Safety did NOT err in their determination.

LUPC found that there was sufficient evidence of a legal non-conforming use since 1930s with respect to the basement and for that reason a Certificate of Occupancy and a Conditional Use Permit is not required.

Please reference a February 4, 1977 Zoning Administration document on page 4 of this staff report regarding deemed-to-be-approved CUB status.

**Size of Parcel:**

**Venice Subarea: Zone: PermitApplicationDate:**

2,038.7 sq ft NOTE: 54 East Windward included in parcel size on ZIMAS document.

North Venice C2-1-CA June17,2008–AppealofLADeptofBuilding&Safety determination

-1-DateofPlanningReport: End of Appeal Period: Planning Report by:

**Applicant:**

**Representative: Contact Information: Date(s) heard by LUPC: WLA Area Planning**

**Commission Date:**

**Project Description:**

November21,2008 December 8, 2008 Patricia Brown, Associate ZA

Louie Ryan (A), 52 East Windward Avenue Ronald F Bennet (O), 58 East Windward Avenue

Ralph B Saltsman of Solomon, Saltsman & Jamieson 310.822.9848 January 28, 2009

March 4, 2009

## STAFF REPORT

TownHouse Bar, Certificate of compliance issue regarding a CUP for the basement which has been in



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general use since 1915. B&S Appeal. Determination letter and documents posted.

Assistant ZA Pat Brown did, on November 21, 2008, found that the Dept of B&S did not err in citing the establishment (Townhouse) for failure to secure a Certificate of Occupancy for use of the basement, and that a Conditional Use Permit for the service of alcohol is required for the basement portion of the establishment. November 16, 2007, Dept of B&S issued an order to comply No. A-1624850, Case 210580, requiring discontinuance of the unapproved use of the basement as a bar.

Violations: 1. Unapproved occupancy/use of basement as a bar Code Sections in Violation: 91.104.2.5, 91.103.1, 91.106.1.1, 91.108.1, 91.109.1, 12.26E and 12.21A.1(a) of LAMC. 2. Plumbing work done without required permits and approvals....violation of LAMC. 3. Case No. 210580, Order A-1624850, effective date 11-16-2007, compliance date 12-11-2007.

### **Summary of Arguments against this Project/Issue:**

No apparent Certificate of Occupancy or Conditional Use Permit (Beverage). Marina Pacific Hotel proprietors complain of the noise from the bar.

-2-

### **Summary of Arguments For this Project/Issue:**

Both first floor and basement were and are part and parcel of whatever business operated on this site since 1915. There is an absence of supporting documents because any permits for a business this old are often expunged and rarely found. Applicant contends that any issues concerning a Certificate of Occupancy for the location will be determined secondarily. The fact of continuous use demonstrating that there is not a need to obtain a conditional use permit is primary. Also, when Venice of America was annexed by City of Los Angeles in the 1930s, any documents were simply not transferred. The test then becomes honest common sense.

### **Summary of Public Comment:**

Public concerned themselves either with the quality of the bar and its presence in Venice or the noise of having a bar next door.

Only the lawyers argued whether or not the business required a new Certificate of Occupancy or a Conditional Use Permit (Beverage) for the basement.

### **Summary of Findings by LUPC:**

That there is sufficient evidence of a legal non-conforming use since 1930s with respect to the basement (at 52 Windward) and for that reason a (new and specific to the basement) Certificate of Occupancy and Conditional Use Permit (Beverage) is not required.

Louie Ryan and his wife are long-time Venice residents. They stated in their testimony at the LUPC January 28th hearing that they have a track record for successfully operating entertainment venues, including the Temple Bar in Santa Monica. They stated that they have not had any problems with neighbors in the past, and that the City of Santa Monica awarded them a Certificate for their contribution to the community when the Temple Bar closed last fall,

The Townhouse, located at 52 Windward, is a Venice landmark that has been continuously operated as a tavern since 1915, including as a speakeasy during prohibition. The premises include a basement with a stage, booths along the perimeter, and historic murals painted on the walls.

The Ryans recently purchased the Townhouse and renovated the basement area. They sought a change



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in ownership from the ABC, which was withheld pending confirmation from the City that the basement either has a Conditional Use Permit for serving alcohol, or that serving alcohol was a pre-existing nonconforming use, meaning that alcohol was served in the basement prior to (year), the year that the City began requiring Conditional Use Permits for serving alcohol. At some point, a City inspector cited the Townhouse for illegal use of the basement. The City took the position that there is no Certificate of Occupancy or Conditional Use Permit (Beverage) for the basement.

The voluminous file on this project includes a memorandum from City of LA Zoning Administration dated February 4, 1977 directed to Public Counters from Thomas W.

-3-

Golden, Chief ZA, regarding Conditional Use – Sale of Alcoholic Beverages for Consumption on the Premises states:

“Effective March 1, 1977, any establishment proposing to engage in the sale for consumption on the premises of alcoholic beverages, including wine and beer, will be subject to a recent amendment to the Municipal requiring the filing of a Conditional Use application with the Office of Zoning Administration.

“As provided for in Section 12.24-F of the Municipal Code, any property being lawfully used for this purpose on March 1, 1977, will be considered a deemed-to-be-approved Conditional Use and such a business can be continued, but is subject to review and approval of plans by a Zoning Administrator for any additions or alterations to the building which would constitute expansion of the use on the site.

“Deemed-to-be-approved Conditional Use status will also apply to those establishments which were only temporarily closed and not lawfully engaged in such a business on March 1, 1977, when all of the following criteria are met:

1. The lawful sale for consumption on the premises of alcoholic beverages was conducted at that site between the period of March 1, 1976 and March 1, 1977; and,
2. The premises has not been utilized for any other use since the temporary termination of the sale of alcoholic beverage use; and,
3. The establishment has continued to be equipped and furnished for the conduct of the business of sale of alcoholic beverages for on-site consumption.”

During public testimony at the hearing, overwhelming evidence was presented, including by members of the Venice Historical Society and the Venice Chamber of Commerce, that the basement has long been used as part of the tavern, including for performances and public fundraisers. Advertising flyers were presented corroborating these historic uses, during the time that no City permit was required for serving alcohol.

It is the applicant's contention that both first floor and basement were and are part and parcel of the business serving alcohol on this site since 1915. There would be no official City of Los Angeles records supporting this use because no City permits of any kind were required for selling alcoholic beverages until 1977. Records of the ABC are apparently expunged each time a new permit is issued, so ABC records are of limited assistance.

The gentleman who built the Marina Pacific Hotel testified that, since the day he opened his hotel in the 1970s, he has had noise problems with the Townhouse. Counsel for the owner/builder of the Marina Pacific Hotel presented evidence that the basement is not part of the licensed premises of the Townhouse. The Ryans testified that, at a meeting with the owner/builder of the Marina Pacific Hotel



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to discuss the Hotel's noise concerns, the owner/builder said that they would do everything in their power to shut down the Townhouse. The owner/builder of the Marina Pacific Hotel did not dispute this.

-4-

The Townhouse Cocktails appealed the citation for illegal use of the basement to the Planning Department, and Associate Zoning Administrator Patricia Brown found that Building & Safety did NOT err in their determination. The matter is to be heard by the WLA APC, and the VNC's recommendation is sought for that hearing.

The LUPC found that there was sufficient evidence of a legal non-conforming use since at least the 1930s with respect to the use of the basement for serving alcohol, and for that reason a Certificate of Occupancy and a Conditional Use Permit is not required because the use of the basement is a pre-existing non-conforming use.

There is a separate but related issue of the conditions to be imposed by the ABC in transferring the license to the new owners, and the Ryans have agreed to hold their ABC application until the negotiations with the LUPC and the VNC's recommendation has been completed concerning those conditions.

It is possible that the parties will not be able to agree upon conditions, and the imposition of conditions would then be within the purview of the ABC and not the City.

**Author of Report:**

Challis Macpherson **Date:** February 11, 2009

**Approximate Hours Spent on this Project by LUPC Staff: 10**



# Venice Neighborhood Council

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## Exhibit C - 724 E. San Miguel Ave. and 725 E. Broadway - Small Lot Subdivision Application

Case Nos. AA-2010-1588-PMLA-SL and No. ZA-2010-1602-CDP-ZAA-F.  
724 E. San Miguel Ave. and 725 E. Broadway - Small Lot Subdivision Application  
Scott Alter and Jeffrey Jaeger

### PROJECT SUMMARY TO VNC –

Approval of the request will allow Messrs. Alter and Jaeger to divide their single lot into two lots; one for each existing single-family home. It’s important to note that there will be no new construction or physical alterations to the existing homes or property as part of this request.

### Staff Report Follows:

## LUPC STAFF REPORT

**SYNOPSIS:** This is an application for a Small Lot subdivision to divide the property into two separate lots, one lot for each exiting house so that the houses may be sold separately. There are associated variances which permit two existing residence constructed over 85 years ago to remain unchanged not withstanding the small lot sub-divisions requirements. There is a over height fence variance and variance due to the location of the proposed parking in the front yard.

NOTE: The applicant has filed for a MELLO Act Review – based upon preliminary information there are no affordable units located on site. There is no community opposition to this project, 2 neighbors in support of the project attended the neighborhood meeting of September 9, 2010, there was no opposition presented by neighbors at the September 1, 2010 City Planning Public Hearing.

### 1Size of Parcel:

#### Size of Project: Assessed Land Value: Last Owner Change: Project Description:

4620 sq. ft. Through lot with street frontage on Broadway Ave and San Miguel Street – (San Miguel is a substandard 25 foot wide street that functions as an alley. .

Existing 2 - one family dwellings – no construction proposed unknown 2009

Small Lot Subdivision to create two separate lots for two existing single family homes which will remain – (no construction proposed) 4 variances necessitated by the small lot subdivision and existing non conforming conditions.

2

### 4 Variances requests:

**Variance 1 & 2)Variances to legalizes the existing construction of the houses which are not in conformance with the small lot sub-division ordinance requirements:** The first two variances listed above pertain to yard and setback requirements, the houses comply with the yard and setback requirements when they were constructed over 85 years but do not comply with the current small lot subdivision ordinance yard and setback requirements. These variances permit the existing houses to remain in the same locations as they are now.



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**Variance 3) Variance to legalize and existing over height fence:** There is an existing fence and gate with a maximum height of 8' on both Broadway front property line and San Miguel Front Property Line - On Broadway and San Miguel both adjacent neighbors have over height fences. Broadway fronts Oakwood Public Park and the property owner requests this fence variance for safety and security issues.

**Variance 4) Variance for parking in the Front Yard Setback:** Required parking is proposed in the front yard of both Broadway and San Miguel - No hardship exists on Broadway (Building and Safety staff has made this observation during the Sept. 1, 2010 public hearing) The applicant has agreed to setback the 2 parking spaces so that the parking spaces are not located within the required front yard on Broadway Ave. On San Miguel there is a hardship and justification for this front yard variance because San Miguel functions as an alley. **Proposed LUPC CONDITION:** Required parking shall not be permitted in the 15 foot front yard setback fronting Broadway Ave., the applicant shall submit a revised Parcel Map reflecting this condition to the Advisory Agency and Office of the Zoning Administrator.

**Venice Subarea:**

**Zone:**

**Date of Planning Report:**

**Date of End of Appeal Period:**

**City Planning Report Prepared by:**

**LUPC Staff Report Done By: Owner/Applicant:**

**Representative:**

Oakwood RD1.5 TBA TBA

TBA John Reed Scott Alter and Jeffrey Jaeger

Christopher Murray Rosenheim & Associates, Inc. 21550 Oxnard Street, Suite 780 Woodland Hills, California 91367

3

**Contact Information:** Office: (818) 716-2782 Fax: (818) 593-6184

**Date(s) heard by LUPC:** September 22, 2010 **Advisory Agency Hearing Date:** September 1, 2010 - Public comment period ends October 28, 2010 VNC letter due prior to this date

**Applicant's Neighborhood Mtg** September 9, 2010 - Applicants representative, property owner, John Reed and two neighbors in attendance.

**ARGUMENTS FOR THIS PROJECT: Mello Act:** The applicant has filed for a LAHD Mello Act Clearance- (Determination pending to confirm that there are no affordable units on site).

**Small Lot Subdivision:** This subdivision will permit ownership of the two houses separately. The Applicants are seeking a Small Lot Subdivision (i.e., Preliminary Parcel Map) to subdivide the property located at 724 E. San Miguel Avenue and 725 E. Broadway Street ("Subject Property") so that each of the two existing single-family homes will be located on individual lots. The two single-family homes are to remain with no exterior modifications proposed.

Over height fence variance should be approved for the following reasons:

The Applicants are seeking a Zoning Administrator Determination to allow an existing six foot in height fence



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and eight foot in height gate within the required front, side, and rear yard setback areas of both Parcels “A” and “B”.

## Broadway Street

The Subject Property’s southerly frontage adjoins Broadway Street, classified by the Venice Community Plan as a Local Street, opposite a heavily used public park. The existing fence and gate provides an attractive screen while providing a buffer that screens the residential use of the Subject Property from Broadway Street and the public park while providing a security barrier for the Broadway Street occupants of the Subject Property. Overall, the existing fence and gate on Broadway Street helps control access to the Subject Property while adding to the safety and sense of well being of the occupants.

The design and material of the existing fence and gate fits in with the aesthetics of the adjacent surrounding homes, as well as the local neighborhood along Broadway Street. In fact, the adjacent homes and many of the surrounding homes have over in height fences and gates in their front yards. As a result, the existing fence and gate conforms to the public necessity, convenience, general welfare, and good zoning practice.

Granting the request will allow the current use of the Subject Property to continue to remain compatible and consistent with the adjacent and surrounding residential uses.

## San Miguel Avenue

The Subject Property’s northerly frontage adjoins San Miguel Avenue, a narrow (25-foot width) Local Street of a type somewhat unique to the Venice community, with some characteristics in common with an alley or walkstreet (e.g. narrow width; no curb, gutter, or sidewalk; used for access to parking for residential through-lots that front on Broadway Street or Brooks Avenue).

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While San Miguel Avenue is considered a street, thus creating “front yards” along San Miguel Avenue, the surrounding residential developments existing on both the north and south side of San Miguel Avenue appear more like rear yards (i.e., San Miguel Avenue is treated like an alley).

The existing fence and gate provides an attractive screen while providing a buffer that screens the residential use of the Subject Property from San Miguel Avenue while providing a security barrier for the San Miguel Avenue occupants of the Subject Property. Overall, the existing fence and gate on San Miguel Avenue helps control access to the Subject Property while adding to the safety and sense of well being of the occupants.

The design and material of the existing fence and gate fits in with the aesthetics of the adjacent and surrounding homes, as well as the local neighborhood along San Miguel Avenue. In fact, nearly all of the surrounding homes have over in height fences and gates fronting San Miguel Avenue. As a result, the existing fence and gate conforms to the public necessity, convenience, general welfare, and good zoning practice.

Granting the request will allow the current use of the Subject Property to continue to remain compatible and consistent with the adjacent and surrounding residential uses.

Required Parking in San Miguel front yard should approved for the following reasons:

The Applicants are seeking a Zoning Administrator Determination to allow automobile parking within the San Miguel front yard of the Subject Property. The existing single family home on the Subject Property fronting San Miguel Avenue maintains two uncovered tandem parking spaces. Presently, one of these two parking spaces extends into the front yard setback. Granting the request will allow the continued use and maintenance of the existing condition (i.e., parking within the front yard adjacent to San Miguel Avenue) that has demonstrated over many years to be compatible and consistent with the surrounding uses.

San Miguel Avenue is a narrow (25-foot width) Local Street, somewhat unique to the Venice community that has characteristics in common with an alley or walkstreet (e.g. narrow width; no curb, gutter, or sidewalk; used for access to parking for residential through-lots that front on Broadway Street or Brooks Avenue). While San Miguel



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Avenue is considered a street, thus creating “front yards” adjacent to it, the surrounding residential developments existing on both the north and south side of San Miguel Avenue appear more like rear yards (i.e., San Miguel Avenue looks and feels like an alley).

Many of the residents in the surrounding area park their vehicles on San Miguel Avenue, further narrowing the street. Granting the request will allow the occupants of 724 E. San Miguel Avenue to continue to park on the Subject Property, which reduces the impact to traffic flow along San Miguel Avenue.

In sum, approval of the requested Zoning Administrator Adjustment would enable the Subject Property to be maintained as is, with no adverse impact on properties in the surrounding neighborhood.

**ARGUMENTS AGAINST THIS PROJECT:** None presented - The applicant has applied for a Mello Act determination and not a categorical exemption therefore there is no issue regarding a Mello Act clearance for this project.

LUPC Report compiled by: John Reed Estimated number of hours of staff time: 18





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## Exhibit D – Abbot Kinney Parking Report

In pursuing our assignment to investigate, report and recommend on the issues of food trucks and valet parking, we focused on the following questions:

- Do our recommendations enhance the mission of the VNC?
- To what extent, and for how many stakeholders, can our work improve the quality of life?
- What City resources are likely to be readily available, and for what resources may we have to petition?
- What VNC resources, both technical and human, does our work require?
- How much public meeting time is our presentation likely to require?
- How soon must the Board act in order to move forward most effectively?

Our Neighborhood Council is, first and foremost, the messenger of our community's voice to the City. Recommendations on these issues are designed to speak as broadly and directly as possible for the benefit of all Venice stakeholders, whether homeowner, renter, entrepreneur or visitor. We must speak to the City mindful of its current financial destitution, as well as its mandate, in any case, to represent our community's will. Understanding that this is a time of transition to a new VNC Board, we planned our work to use the least possible personnel resources while making the best use of available technical tools. We expect to require no more than twenty minutes of Board meeting time to present our findings and recommendations, and for Board consideration. Because these issues are as rapidly-moving as are their proponents and regulators, promising benefits that far outweigh current detriments, we recommend that the Board act with all due haste.

To date, our work has included: Research on recent local food truck and valet parking history; outreach to CD11 and CD4 staff, LAPD, the Fire Marshall, LADOT, local food truck vendors and their representative, local residents and entrepreneurs for direction, information and general issue discussion; research on the food truck industry's nationwide emergence; analysis of valet parking issues and existing models; and, finally, First Friday field work on Abbot Kinney Boulevard.

### RESOURCES

Online research materials are posted here: <http://venicenc.org/parking-abbotkinney>.

### Survey

The community continues to provide survey input. Designed as a door-to-door poll of the area immediately encircling the most-impacted Abbot Kinney area, our VNC survey also received input via email from as far away as the Milwood walk streets, and at least one response to date arriving via US mail. The strict quantification of replies to "Yes/No/Don't-Care" questions regarding food trucks and valet parking belies the remarkably holistic range of thoughtful comments, questions and suggestions provided by stakeholders from both the residential and business communities.

This said, the nominal numbers follow:

#### Food Truck Operations

31% Positive – I welcome them.

54% Negative – I want them gone.

15% Neutral – They don't affect me.



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## Valet Parking

5% Positive – I welcome them.

52% Negative – I want them gone.

43% Neutral – They don't affect me.

## Survey considerations and highlights:

While at least one respondent reported an altercation with a valet parking worker, some others reported no awareness that valets parked cars on their streets. Still others reported frustration with valets parking on their streets, while one expressed no concern about parking congestion, offering her family's acceptance of scarce parking as a de facto condition of moving into the area. More than one resident expressed a sense of unfairness about grandfather parking rights for restaurants at their expense.

Whereas the VNC survey pertained to both food truck and valet parking issues, the Abbot Kinney business survey, generously compiled and provided in the aggregate by Carol Tantau, pertained strictly to Abbot Kinney food truck operations and, for the most part, their First Fridays experiences. As such, valet parking opinions were not available from Abbot Kinney businesses. While the vast majority of Abbot Kinney business operators were critical of the presence and some practices of food truck operators, many comments showed both tolerance and business benefits from food truck operations on Abbot Kinney.

Note: Survey answers were provided per the promise of anonymity for respondents. Some stakeholders chose to receive further information about these issues, and some signed up to receive regular VNC mailings.

While the surveys show respondents' opinions, they do not address resolving our fundamental challenge: automotive congestion.

## Studies

In addition to the variety of nationally-based online resources developed since May, we received a report from a local group that had commissioned a 2009 parking study for Lincoln Boulevard. Two graduate students from UCLA's Department of Urban Planning, under Professor Donald Shoup, studied parking along Lincoln Boulevard between Machado Drive and Venice Boulevard. The study's recommendations were "intended to foster a less auto-dependent and more pedestrian-, bike-, and transit-friendly Lincoln Boulevard." The study included summaries of results in other cities that have realized benefits from parking congestion-relieving initiatives, some of which would merit consideration for Abbot Kinney.

On August 11, 2010, the City Council Transportation Committee, led by Councilmember Rosendahl, held a public hearing, at which a multitude of City, County, restaurant and mobile food truck operators and representatives convened, to share analysis, reports and wide-ranging testimony on the history, growth and subsequent management challenges for the City's mobile catering truck industry. A wealth of valuable data, including examples of traditional business groups working with mobile food truck vendors, was made available to the public at this meeting.

## Outreach

Our outreach and research efforts dovetailed with stakeholder survey input to inform our recommendations. Senior Lead Officers Thusing and Skinner were always willing to answer our questions about codes and



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practical enforcement challenges, also arranging for a police helicopter to estimate the crowd size on September 3 (approximately two thousand). LAFD Inspector Nealy provided deep perspective based on his safety and crowd assessment work.

Council District 11 Office staff Arturo Pina, Laura McClennan and John Gregory each provided direction and contact information for various entities. DOT's Mo Blorfroshan provided helpful direction regarding signage. Finally, our own Past-President Emeritus DeDe Audet and Liz Wright provided direction, as well as offers to help with orange safety vests for our work!

More than one survey respondent mentioned self-regulation. Discussions with representatives of Abbot Kinney vendors and food truck operators have produced ideas and initiatives, at least one of which is active now and more of which are in the planning stages. These initiatives include, but are not limited to, exploring new parking options, increasing frequency and scope of trash collection, direct outreach to Abbot Kinney businesses, relocating food trucks to low-impact areas, designating specific areas for multiple trucks and partnering between food truck and business operators to provide incentives to residents.

Public Comments at multiple VNC Board meetings, as well as continuing reports and media coverage, including an Oct. 5, 2010, Town Hall forum broadcast on local radio, further informed our considerations.

Given that some new regulation is likely inevitable, our efforts must focus on continuing positive dialogue and transparently-vetted goals.



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## Exhibit D2 – Councilman Rosendahl re: Valet parking and food truck issues

October 20, 2010

Councilman Bill Rosendahl  
City Hall  
Los Angeles, CA 90012

Dear Bill,

The Venice Neighborhood Council passed a resolution at its meeting on October 19, 2010, approving a report and recommendations regarding valet parking and food truck impact issues in and around Abbot Kinney Boulevard.

As you know, Los Angeles lacks a centralized valet parking program, leading to valet practices that include cordoning off zones which may not belong to their clients and negatively affecting already-congested residential parking areas in Venice's Coastal Zone. In contrast, many adjacent and nearby cities enjoy regulated valet parking services, with predictable and enforceable operating rules and permit requirements.

We understand that the City Attorney has been directed to prepare an ordinance to establish a citywide valet parking permit program.

As we all know, the dynamic and exciting explosion of the mobile food vendor industry also brings unexpected and unwelcome impacts, which risk overshadowing this industry's innovative and community-building effects on our social and economic landscape.

We applaud your Transportation Committee's public dialogue on the issue. We believe Venice's broad and intense experience with each issue, both as to current impacts and emerging initiatives, is critically relevant to your committee's dialogue.

We therefore request your cooperation in bringing the Venice Neighborhood Council's attached recommendations to the Transportation Committee's discussion. We are prepared to provide the resources necessary to engage fellow participants for the purpose of providing the comprehensively-crafted solutions these issues deserve.

Thank you in advance for your expeditious response to your community and, as always, your good works.

Respectfully submitted,

Linda Lucks  
President  
Venice Neighborhood Council

cc: Councilman Bill Rosendahl  
LA County Supervisor Yaroslavsky

Attachment: VNC Abbot Kinney Parking Report and Recommendations



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## Exhibit E – 100% Clean Energy goal for Venice by 2018

October 19, 2010

Honorable Eric Garcetti and Los Angeles City Council Members  
Los Angeles City Hall  
200 North Spring Street, Room 475  
Los Angeles, CA 90012

Dear Council President Garcetti and Members of the Los Angeles City Council,

The Venice Neighborhood Council supports eliminating coal from the electricity supply of Los Angeles by 2020 as well as providing 40% of our power from clean, renewable energy. We ask that you embrace these goals, as our city's leaders, by ensuring the Los Angeles Department of Water and Power adopt and execute these critical goals.

Coal is one of the dirtiest forms of energy and a major contributor to global climate change. In 2008, over 36% of U.S. carbon dioxide emissions came from the combustion of this dirty fuel. The city of Los Angeles owns significant shares in two of the dirtiest coal plants in the nation: the Navajo Generating Station and the Intermountain Power Project. Our dependence on coal is responsible for significant pollution and human health impacts at every phase of its life cycle. In 2008, Navajo Generating Station and Intermountain Power Project released a combined total of 32, 468, 461 tons of CO<sub>2</sub> into the atmosphere. Additionally, each year the plant uses nearly 8 billion gallons of water from Lake Powell for cooling – a shocking number in water-starved Los Angeles.

Los Angeles has a responsibility to leave a legacy of leadership to our children and grandchildren. We must rebuild Los Angeles in a way that will protect us from the true cost of coal: polluted rivers and fish, increased asthma rates, strokes, cancer, and other health related issues, waste of billions of gallons of fresh water to cool coal plants, and the destruction of eco-systems through strip-mining, coal-slurries, and mountain-top removal.

Furthermore, legal and regulatory uncertainty surrounding the coal industry is creating an increasingly uncertain future for the coal. This uncertainty is leading to increasing costs and price volatility for the LADWP. A well-planned transition from away from coal fired power will protect DWP bill payers. All the while, smart energy efficiency programs can help keep LADWP bills down, while creating jobs and providing upstream and downstream economic benefits.

We can address these ethical and moral concerns by doing our part and we want to help the timely and at-scale transition of Los Angeles to increased energy efficiency, demand response, and clean, renewable energy. In accomplishing this transition, Los Angeles will simultaneously create thousands of new family-wage jobs, while renewing our city's infrastructure and rebuilding our city for the 21<sup>st</sup> century.



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The need for action to address global climate change, pollution, water resource protection and sustainability has never been more urgent. There is no better opportunity for Los Angeles to demonstrate its leadership in the area of sustainability than to take action now:

- Mandate the Los Angeles Department of Water and Power devise and execute a plan to end the city's use of coal – fired power
- Displace Los Angeles' coal fired power through aggressive energy efficiency programs and a 40% renewable portfolio standard.

Los Angeles should be a leader in meeting the challenges of today. There is quickly growing support for Los Angeles to seize the opportunity to build a clean and renewable energy future that will stabilize our electricity rates over the long haul because once the system is paid for, the sun and winds are free. By making progress now, the city of Los Angeles will make investments in our long-term economic future.

The Venice Neighborhood Council looks forward to working with the city to achieve these goals together. We appreciate your attention to this important matter and look forward to your response.

Sincerely,

Linda Lucks  
President, Venice Neighborhood Council

Cc: Councilman Bill Rosendahl.



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## Exhibit F – 2<sup>nd</sup> Letter on Santa Monica Airport

Western-Pacific Region Regional Administrator  
William C. Withycombe  
FAA Western Pacific Region  
P.O. Box 92007  
Los Angeles, CA 90009

Dear Mr. Withycombe,

Your letter of the in response to the Venice Neighborhood Council's concern regarding ban on "touch and go" and "taxi back" and other student flight and pilot training activities over Venice from SMO raised questions. You state, "The FAA views student flight and pilot training activities as well as "touch and go" and "taxi back" operations at SMO are an integral elements of maintaining the efficiency and safety of NAS. " This statement does not explain why the flights are over Venice as opposed to Santa Monica. Is there a regulation that states these operations are safer over Venice than Santa Monica? Is there an agreement with the city of Santa Monica that the airspace over Venice is more appropriate for air traffic than Santa Monica? We know that there is a "Fly Neighborly" program designed by SMO to send air traffic over Venice. Is this also the stand of the FAA or is this recommendation by SMO to mitigate noise and other nuisances over Santa Monica residents?

What is the role of the FAA in the decisions of pilots, both students and others as to where they fly? What part is recommended and who recommends these paths? Are the flight paths for VIF props and IFR props and jets different and why? We do know that there is a separation problem between SMO and LAX, and that there are restrictions regarding the LAX airspace, but apart from that what are "rules" and what are "recommendations" and who makes which. We would be happy to meet with you if explaining these matters who be better in person. Otherwise we await your written response.

Best,

Linda Lucks  
President, Venice Neighborhood Council

Cc: Congresswoman Jane Harman  
Los Angeles Councilman Bill Rosendahl  
Senator Barbara Boxer Senator Dianne Feinstein  
Environmental Deputy Diane Moss



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## **Exhibit G – Improving lighting and safety along the Venice Boardwalk**

Dear Mayor Villaragosa,

Thank you for your recent meeting in Venice with some of the many concerned stakeholders from our community. At that meeting the subject came up about improving the lighting along the Venice Beach Boardwalk and extending the Summer level of police protection into later months and increasing ongoing police presence on the Venice Beach Boardwalk and historic Windward avenue, especially at night.

Venice Beach is the number one free visitor destination during the summer in Southern California. The Venice community is actively working hard to improve the Venice Boardwalk and historic Windward Avenue to make it a more year long destination and to retake its place as an important arts and entertainment destination for Los Angeles into the evening hours. Community improvements like the Venice sign and restored murals; Boardwalk improvements like the new skate board park, muscle beach and sports area; new upscale hotels, restaurants and bars; and special ongoing monthly events such as the new Venice Art Crawl are making this a reality. Of course this means increased City and parking revenues, from using this existing famous attraction more effectively. The only thing that holds this back and endangers our current citizens and visitors is a lack of safety due to criminal activity and darkness along the Venice Beach Boardwalk. The simple solution is to increase lighting and to add police patrols on the boardwalk into the evening until 2:00 am. At the aforementioned meeting it was noted that there is a new Obama program to replace old street lighting with brighter, greener LED lighting .Could this be part of the answer?. Doing these things will pay back a multiple return of investment to the City and make Venice a better and safer community.

The community of Venice feels that this is of such a pressing issue that this letter is supported jointly by the Venice Chamber of Commerce, the Venice Neighborhood Council, the Venice Boardwalk association and numerous other Venice groups, businesses and residents. We urge to take special immediate action on this issue that will so benefit the City of Los Angeles and Venice.

Respectfully,

The Venice Neighborhood Council





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## **EXHIBIT H – Motion to Oppose Imposition of \$7fee to park at City Hall**

Dear Councilman Rosendahl:

It goes against the principles of participatory democracy to ask that everyday citizens wishing to express their concerns/opinions on any subject before the City Council to pay to park at City Hall.

People from all parts of the vast Los Angeles metropolis take time off from work, from their families and drive, bus, or bike to City Hall at their own expense and should not be expected to pay for the right to park.

The Venice Neighborhood Council urges you to remove this motion.  
Thank you.

Linda Lucks  
President



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## EXHIBIT I – Terms of Xmas Run

Councilman Bill Rosendahl

The Venice Neighborhood Council supports the concept of runs/marathon's in the City and in Venice, especially when they raise funds for worthy organizations. And we appreciate your asking us for input and involvement in setting the terms and insuring proper notification to our stakeholders.

As you are aware, in the past residents have been greatly inconvenience by restricted ingress and egress to their homes and greatly inconvenienced.

In that regard, the VNC supports the following recommendations:

TBD

Sincerely,

Linda Lucks  
President