

CALIFORNIA COASTAL COMMISSION

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Staff Report: 3/2/2005
Hearing Date: March 16, 2005
Commission Action:

**CP****STAFF REPORT: REGULAR CALENDAR****APPLICATION NUMBER:** 5-04-373**RECORD PACKET COPY****APPLICANT:** Chris Landon**AGENT:** Susan McCabe, McCabe & Company**PROJECT LOCATION:** 728 Marco Place, Venice, City of Los Angeles, Los Angeles County

PROJECT DESCRIPTION: Demolition of a one-story, 762 square foot single-family residence, and construction of a 28-foot high, two-story, 2,715 square foot single-family residence with an attached two-car garage on a 3,600 square foot lot.

Lot Area	3,600 square feet
Building Coverage	1,593 square feet
Pavement Coverage	505 square feet
Landscape Coverage	1,502 square feet
Parking Spaces	3
Zoning	R2-1
Plan Designation	Multi-Family Residential - Low Medium I
Ht above final grade	28 feet (plus 35-foot high roof access)

LOCAL APPROVAL: City of Los Angeles Specific Plan Project Permit, Case No. DIR-2004-3161 (SPP)(MEL)(Appeal), 10/15/2004.

SUMMARY OF STAFF RECOMMENDATION

The proposed project is the subject of a dispute that has divided the neighborhood where the proposed project is located. The applicant proposes to build a new two-story, 28-foot high single-family residence in Milwood, one of Venice's established inland residential neighborhoods. The 3,600 square foot site fronts Marco Place, one of the three historic Venice walk streets that are located one-mile inland of Venice Beach (Exhibit #1, p.2). Staff is recommending **APPROVAL** with conditions. **See the bottom of Page Two for the motion.** The applicant agrees with the staff recommendation.

Several persons are objecting to the proposed project on the grounds that the proposed house would be a detriment to the character of the neighborhood. Some opponents of the proposed project object to the modern architectural style of the proposed house, while others assert that its mass and scale does not complement the existing structures along the walk street as required by the City of Los Angeles Venice Specific Plan and the certified Venice LUP (i.e., the highest point of the roof is too close to the walk street and the second floor should be set back farther), and that it is not visually compatible with the character of the surrounding neighborhood (Coastal Act Section 30251). The opponents are petitioning the Commission to use its discretion to determine that the proposed project does not conform to the qualitative policy language set forth by the certified Venice LUP and the Coastal Act in regards to community character.

The dispute concerns how to review development on walks streets; should the Commission use a standards-based approach using quantitative building standards (i.e. 28-foot height limit and specific setback requirements), or use a case-by-case approach where qualitative and subjective analysis (i.e.

architectural style review) is used to decide whether each project conforms with the established character of the community? The Milwood area of Venice, where the proposed project is located, is a neighborhood where many of the lots with old homes built in the early twentieth century are being recycled and developed with new single-family residences. Generally, the newer homes being built are taller and more massive than the older structures in the neighborhood.

If the Commission determines that the character of the Milwood neighborhood is defined largely by architectural style, and the proposed project is determined to be inconsistent with such character, then the Commission should deny the permit application. Staff is recommending that the Commission avoid making a subjective judgment about the architectural style because of the wide variety of architectural styles found in Venice (e.g. craftsman, modern, plain stucco, etc.) and the wide variation in personal opinions about style. It is not practical or feasible for the Commission and its staff to review every residential project in Venice in order to impose a subjective standard for style. Of course, the neighborhood may petition the local government to establish an architectural review board for Venice. The fact is, however, that there exists no single architectural style in Venice that dominates, as diversity rules.

Finally, the proposed project has a similar mass and scale of many other homes in the Milwood neighborhood and complies with all of the applicable quantitative building requirements. The proposed project, which is located one mile inland of the beach, complies with the 28-foot height limit for development along historic walk streets, the density limit, setback requirements and all other specific quantitative standards set forth by the Venice Specific Plan, the certified Venice Land Use Plan (LUP) and the City's zoning code. The proposed house is set back 27.5 feet from the public walkway, and is in line with the existing homes on the block (Exhibit #4). The proposed project has received approval from the City of Los Angeles West Los Angeles Area Planning Commission and is consistent with the R2-1 zoning designation and the surrounding residential land uses. Adequate on-site parking is provided (3 spaces). The proposed project incorporates best management practices (BMPs) to improve water quality in the watershed, including the minimization of impervious surfaces on the project site and the provision of an on-site retention basin/infiltration pit. Staff recommends that the Commission determine that the proposed project will have no negative effects on visual resources or coastal access, is consistent with community character, the Chapter 3 policies of the Coastal Act and previous Commission approvals, and will not prejudice the City's ability to prepare an LCP.

SUBSTANTIVE FILE DOCUMENTS:

1. City of Los Angeles certified Land Use Plan (LUP) for Venice, 6/14/01.
2. City of Los Angeles Venice Coastal Zone Specific Plan (Ordinance No. 175,693).
3. Coastal Development Permit 5-92-181-W (Sant - 831 Marco Place).
4. Coastal Development Permit 5-92-245 (Davos - 746 Marco Place).
5. Coastal Development Permit 5-00-005 (Podleski - 839 Superba Ave.).
6. Coastal Development Permit 5-01-360 (Podleski - 2338 McKinley Ave.).
7. Coastal Development Permit Application 5-05-069 (Duarte - 716 Marco Place).

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application with special conditions:

MOTION: *"I move that the Commission approve with special conditions Coastal Development Permit 5-04-373 per the staff recommendation as set forth below."*

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

I. Resolution: Approval with Conditions

The Commission hereby **APPROVES** a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. Compliance with the Venice Walk Street Setback, Design and Parking Standards

Coastal Development Permit 5-04-373 approves the demolition of a one-story single-family residence, and construction of a two-story, 28-foot high single-family residence. All development must occur in strict compliance with the proposal as set forth in the application, subject to any special conditions. As proposed by the applicant, the approved development shall be constructed in conformance with the following Venice Walk Street Setback, Design and Parking Requirements:

- (a) Building Setback. In order to maintain an open and visible access corridor and to enhance visual quality, all balconies and other portions of the structure (except for ground level decks and porches that do not exceed 18 inches in height above the elevation of the walk street sidewalk) shall be set back at least fifteen feet (15') from the Marco Place right-of-way, **as shown on Exhibit #3 of the 3/2/05 staff report.**

- (b) Building Design. In order to enhance visual quality and community character, the side of the building facing the Marco Place walk street shall be designed and constructed with a varied and articulated façade that provides visual interest to pedestrians (e.g. with porches, bays and/or balconies), with frequent windows and the primary ground floor entrance for the residence facing the walk street. **as shown on Exhibit #6 of the 3/2/05 staff report.**
- (c) Building Height. The maximum height of the single-family residence shall not exceed 28 feet above the centerline of the fronting right-of-way (Marco Place), except for one roof access structure (stairway enclosure), with a footprint not exceeding one hundred square feet, which shall not exceed 35 feet in height, **as shown on Exhibit #5 of the 3/2/05 staff report.** Chimneys, exhaust ducts, ventilation shafts and other similar devices essential for building function are limited to 33 feet above the centerline of the fronting right-of-way.
- (d) Landscaping. In order to enhance visual quality and to preserve the water quality, the building setback area required by part (a) above shall be maintained as a permeable yard area (except for a minimal paved walkway to the building entrance) landscaped with non-invasive and low water use plants, **as shown on Exhibit #3 of the 2/24/05 staff report.**
- (e) Marco Place Right-of-Way. In order to enhance visual quality, prevent vehicular access, and to provide a transitional zone between the Marco Place public sidewalk and the private dwelling, the area situated between the Marco Place sidewalk and the permittee's property line (i.e., within the Marco Place right-of-way) shall be maintained as a permeable yard area (except for a minimal paved walkway to the building entrance) landscaped with non-invasive and low water use plants and enclosed within a 42-inch high decorative fence (e.g. split rail, picket or rustic). The permittee and the proposed development shall not interfere with public pedestrian access to and along the public sidewalk that runs down the center of the Marco Place right-of-way.
- (f) On-site Parking. A minimum of three (3) parking spaces shall be provided and maintained on the site: two spaces in the garage and one space next to the garage, **as shown on Exhibit #3 of the 3/2/05 staff report.**

Any proposed change or deviation from the approved plans, including change in the number of residential units, change to parking supply or change in use, shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Construction Responsibilities and Debris Removal

By acceptance of this permit, the applicant agrees that the permitted development shall be conducted in a manner that protects water quality pursuant to the implementation of the following BMPs.

- (a) No construction materials, equipment, debris, or waste will be placed or stored where it may be subject to wind or rain erosion and dispersion.
- (b) Any and all demolition/construction material shall be removed from the site within ten days of completion of demolition/construction and disposed of at an appropriate location. If the

disposal site is located within the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place.

- (c) Erosion control/sedimentation Best Management Practices (BMPs) shall be used to control sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into the sea.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description

The applicant proposes to demolish the existing one-story, 762 square foot single-family residence on the site, and construct a two-story, 2,715 square foot single-family residence with an attached two-car garage (See Exhibits). The 3,600 square foot lot is situated one mile inland of the beach in the Milwood area of Venice (Exhibit #1). The height of the proposed two-story residence is 28 feet above the elevation of Marco Place, one of the historic Venice walk streets (Exhibit #5). On-site parking for the proposed residence would be provided within an attached two-car garage, with vehicular access provided from the rear alley (Exhibit #3). An additional parking space is proposed on the driveway apron located in the 15-foot rear yard setback, entirely on the applicants' property (i.e., not in the alley).

The proposed two-story structure's setback from the edge of the five-foot wide public sidewalk in the center of the walk street is 27.5 feet, consistent with the setbacks provided along this block of Marco Place (Exhibit #4). The setback from the public sidewalk is composed of a fifteen-foot deep front yard setback on the applicant's lot, and 12.5 feet of the thirty-foot wide landscaped Marco Place right-of-way (Exhibit #3). The applicant has agreed to maintain the setback area as a landscaped and permeable yard area as called for by the certified Venice LUP. The proposed project would also provide an on-site retention basin/infiltration pit in the front yard (Exhibit #3). The proposed side yard setbacks on the forty-foot wide lot are five feet (5') wide, providing a safe distance from the single-story homes on each neighboring lots.

B. Project Background

The proposed single-family residence has been reviewed and approved by the City of Los Angeles West Los Angeles Area Planning Commission. The first City approval, granted on July 8, 2004, was a Director of Planning determination for approval of the Project Permit pursuant to the requirements of the City's Specific Plan for Venice (Case No. DIR-2004-3161). The Director of Planning determined that the proposed single-family residence is compatible in character and scale with the surrounding neighborhood and in compliance with all requirements of the Venice Specific Plan. Andrea D'Amico appealed the Director's July 8, 2004 determination to the West Los Angeles Area Planning Commission. The opponents of the project assert that its mass and scale does not complement the existing structures along the walk street and that it is not compatible with the character of the surrounding neighborhood because the highest point of the roof is too close to the walk street (See Appendix B).

On September 1, 2004, the West Los Angeles Area Planning Commission held a public hearing for the appeal of the Project Permit and voted 2-1 to reject the appeal. A new hearing was required, however, because two votes was deemed to be insufficient to reject the appeal. On October 6, 2004, the Planning Commission held a new public hearing for the appeal and voted 3-2 to reject the appeal and sustain the Director's approval of the Project Permit for the applicant's proposed single-family residence.

The applicant is now requesting Commission approval of the coastal development permit that is necessary to undertake the proposed development. The Commission has recognized in both prior permit and appeal decisions that the Milwood area of Venice, where the proposed project is located, is a unique coastal community. In 1980, the Commission adopted the Regional Interpretive Guidelines for Los Angeles County which included specific building standards for the various Venice neighborhoods, including the Milwood neighborhood. These building standards, which apply primarily to density, building height and parking, reflect conditions imposed in a series of permits heard prior to 1980. The Commission has consistently applied these density, height and parking standards to development in the Venice coastal zone in order to protect public access to the beach and to preserve the special character of the community and its historic walk streets.

On June 14, 2001, the Commission certified the City of Los Angeles Land Use Plan (LUP) for Venice. The certified Venice LUP maintains the City's and Coastal Commission's previous density limits and parking standards for the Milwood area of Venice. The certified LUP increased height limits for buildings with varied or stepped-back rooflines from 25 to thirty feet, except on walk streets, where the height limit was raised from 25 feet to 28 feet. The policies and building standards contained in the certified Venice LUP reflect the Commission's prior actions in the area, the Commission's 1980 Interpretive Guidelines, and the existing character of each Venice neighborhood.

Certified Venice LUP Policies

The Commission adopted the following policy as part of the certified Venice LUP in order to regulate residential development on lots in the Milwood area of Venice that have been designated with the *Multi-Family Residential - Low Medium I* land use designation. The following policy language applies to the project site.

Venice Land Use Plan Policy I.A.6 states:

- **Policy I. A. 6. Multi-Family Residential - Low Medium I Density.** Accommodate the development of duplexes and multi-family dwelling units in the areas designated as "Multiple Family Residential" and "Low Medium I" on the Venice Coastal Land Use Plan (Exhibits 9 through 12). Such development shall comply with the density and development standards set forth in this LUP.

Southeast Venice and Milwood

Use: Two units per lot, duplexes and multi-family structures

Density: One unit per 2,500 square feet of lot area. Lots smaller than 5,000 square feet are limited to a maximum density of two units per lot.

Replacement Units/Bonus Density: Lots greater than 5,000 square feet can add extra density at the rate of one unit for each 2,000 square feet in excess of 5,000 square feet in lot area if the unit is a replacement affordable unit reserved for low and very low income persons. (See LUP Policies I.A.9 through I.A.16).

Yards: Yards shall be required in order to accommodate the need for fire safety, open space, permeable land area for on-site percolation of stormwater, and on-site recreation consistent with the existing scale and character of the neighborhood.

Height: Not to exceed 25 feet for buildings with flat roofs, or 30 feet for buildings with stepped back or varied rooflines. (See LUP Policy I.A.1 and LUP Height Exhibits 13-16). [28' along walk streets].

LUP Walk Street Design Standards

The certified Venice LUP also contains specific building design standards that have been designed and adopted in order to preserve the unique character of the Venice walk streets.

Policies II.C.7, II.C.10 and II.C.11 of the certified Venice LUP state:

- **Policy II. C. 7. Walk Streets.** *Designated walk streets shall be preserved and maintained at their present widths for public pedestrian access to the shoreline and other areas of interest and to preserve views along and from the public right-of-way. Vehicular access on walk streets shall be restricted to emergency vehicles. The minimum width of the pedestrian path shall be 10-12 feet in the North Venice and Peninsula areas and 4½ feet in the Milwood area. The remaining public right-of-way shall be limited to grade level uses including landscaping, patios, gardens and decks.*
- **Policy II. C. 10. Walk Streets -- Residential Development Standards.** *New residential development along walk streets shall enhance both public access and neighborhood character. Building materials, colors, massing and scale of new structures shall complement those of existing structures in the neighborhood. Building facades shall be varied and articulated to provide visual interest to pedestrians. Primary ground floor residential building entrances and frequent windows shall face the walk streets. Front porches, bays, and balconies shall be encouraged. In case of duplexes and low density multiple-family buildings, entries shall be located in the exterior building facade for each residential unit, shall face walk streets, and be well-defined and separate.*
- **Policy II. C. 11. Encroachments into Walk Street Right-of-Way.** *Encroachments into City right-of-way shall be limited to grade level uses including gardens, patios, landscaping, ground level decks and fences. The gardens/patios in the right-of-way, between the fences and the buildings, shall be permitted to provide a transitional zone between the public path ways and private dwellings. To create a defensible space, the planting along the walk streets shall not impede the view of walkways by the residents and the view of the gardens by the pedestrian. Creative use and arrangement of permeable paving materials shall be encouraged. Any*

fence, wall or hedge erected in the public right-of-way shall not exceed 42 inches in height as measured from the existing grade of the public right-of-way. The use of decorative fence patterns such as split rail, picket and rustic is encouraged. New fences shall be located in line with existing fences on the same side of the street.

The standard of review for the proposed development is the Chapter 3 policies of the Coastal Act. The certified Venice LUP provides specific guidance for the Commission's interpretation of the relevant Chapter 3 policies.

C. Community Character

As stated above, the standard of review for the proposed development is the Chapter 3 policies of the Coastal Act, rather than the policies of the certified LUP. The Coastal Act requires that the scenic and visual qualities of coastal areas shall be considered and protected, development be visually compatible with the character of surrounding areas, and that special neighborhoods be protected.

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30253(5) of the Coastal Act states, in part:

New development shall: (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

Several persons have written and voiced their opposition to the proposed project (See Appendix B). The opponents of the proposed project assert that the architecture, mass and scale of the proposed single-family residence do not complement the existing structures along the walk street as required by the Venice Specific Plan and the certified Venice LUP (i.e., the highest point of the roof is too close to the walk street), and that it is not compatible with the character of the surrounding neighborhood (Coastal Act Section 30251).

The operative LUP language, set forth by certified LUP Policy II.C.10, is:

"New residential development along walk streets shall enhance both public access and neighborhood character. Building materials, colors, massing and scale of new structures shall complement those of existing structures in the neighborhood. Building facades shall be varied and articulated to provide visual interest to pedestrians.

Building height and bulk can adversely affect the scenic and visual qualities of the Venice coastal area and the unique character of its historic walk streets. Architectural design and the provision, or lack thereof, of adequate open space and landscaping can also strongly influence community character and visual resources. The certified Venice LUP contains specific building limits and design standards that have been designed and adopted in order to preserve the unique character of the Venice walk streets and neighborhoods and to carry out the requirements of Sections 30251 and 30253 of the Coastal Act. [See *Pages Six and Seven of this report for certified LUP Policies I.A.6, II.C.7, II.C.10 and II.C.11.*]

Character of the Milwood Area of Venice

The project site abuts Marco Place, a thirty-foot wide City right-of-way designated as a walk street by the certified Venice LUP (Exhibit #3). A five-foot wide public sidewalk runs down the center of the walk street, providing pedestrian-only (i.e. no vehicles) access through three blocks of the Milwood neighborhood (Exhibit #1, p.2). Since Marco Place is located a mile inland of the beach, it does not provide direct pedestrian access to the shoreline. The Marco Place walk street is, nonetheless, a valuable public resource that is afforded special protection by the certified Venice LUP.

The walk streets in North Venice, Marina Peninsula and Milwood neighborhoods of Venice are among the most pleasant pedestrian amenities in Los Angeles and many of them provide excellent vertical access to the beach. The Venice walk streets are generally typical of a number of southern California beach communities that were originally developed with weekend beach cottages early in the twentieth century when streetcars served these communities. Walk streets generally have narrow, pedestrian friendly walkways down the middle of the right-of-way, with landscaped "front yards" that encroach up over the right-of-way up to the edge of the open public walkway in the middle of the right-of-way. The Marco Place walk street includes the typical landscaped "front yards" that encroach into the thirty-foot wide street right of way (Exhibit #4).

The Milwood area of Venice is comprised primarily of small one and two-story single-family residences and duplexes that were constructed on small lots many years ago. The houses range from ten to thirty feet in height, although the typical two-story home is about 25 feet high. Many of the older structures have been enlarged by additions over the years. The majority of the existing homes on Marco Place, where the proposed project is located, are small (less than 1,500 sq.ft.) one-story homes. There are, however, many two-story residences on the three-block long sections (700-900 Blocks) of the Marco Place, Amoroso Place and Nowita Place walk streets. Amoroso Place and Nowita Place are the other two walk streets in the Milwood area of Venice (Exhibit #1, p.2).

The opponents point out that twelve of the 26 homes on the 700 block of Marco Place are two-story structures, and almost all of the two-story homes have a second story that is set back from farther from the walk street than the ground level. The applicant has surveyed the neighborhood and provided photographs of eight two-story homes on Marco Place, seven two-story homes on Amoroso Place, and fourteen two-story homes along Nowita Place (700-900 Blocks). The two-story homes on the Marco Place walk street include a two-story, 25-foot high, 2,725 square foot single-family residence permitted by the Commission in 1992 at 831 Marco Place [See Appendix A: Coastal Development Permit Waiver 5-92-181 (Michael Sant)].

Therefore, a two-story home cannot be found out of character in the Milwood neighborhood simply because it is not a one-story home.

The Milwood area is a neighborhood in transition. Since 1991, the Commission has issued permits for 25 single family-residences and duplexes in the Milwood area (See Appendix A). Remodels and additions to the existing homes, however, are much more common than complete demolitions and construction of new single-family residences. It should be noted that existing single family-residences in Milwood could be enlarged to the maximum extent allowed by City zoning without any Commission review (City approval is required). Coastal Act Section 30610 and Section 13250, Title 14 of the California Code of Regulations exempt from *coastal development permit* requirements most improvements to existing single-family residences, including multi-level additions to homes located more than three hundred feet inland of the mean high tide line and beach. Because of this permit exemption provision of the law, an uncounted number of single-family residences in Venice have been substantially enlarged without coastal development permits. The City of Los Angeles Planning Dept. issues the coastal development permit exemptions for the portion of Venice located more than three hundred feet inland of the mean high tide line and beach. All of the Milwood area is located more than three hundred feet inland of the mean high tide line and beach (Exhibit #1).

Of course, it would be difficult to see any difference between the Milwood area homes that have been enlarged without a coastal development permit and the new homes built pursuant to a coastal development permit because the City imposes the same Venice Specific Plan building standards on remodels as it does on new homes. The quantitative and qualitative building standards for the Venice walk streets set forth in the City's Venice Specific Plan are identical to the policies set forth by the certified Venice LUP. The City intentionally adopted the LUP policies as a City ordinance (i.e. Venice Specific Plan) in its attempt to implement the LUP. Consequently, while the Commission does not review every residential project in Venice through the coastal development permit process, the City Planning Department does through its own specific plan process. In this case, the West Los Angeles Area Planning Commission held two public hearings for the appeals of the applicant's Project Permit and rejected the opponents' appeals both times (September 1, 2004 and October 6, 2004).

New single-family residences and multi-unit residences, however, must obtain a coastal development permit from either the City or the Commission. Appendix A lists the permit applications approved by the Commission since 1991 for new residential units in the Milwood area (See Appendix A). Almost all of the Commission-approved residences have been two-story homes, and all but two were approved with no controversy through the de minimus permit waiver provisions of Section 30624.7 of the Coastal Act. This indicates that there were very few neighborhood objections to the Commission's approval of the two-story structures. Again, a two-story home cannot be found out of character in the Milwood neighborhood simply because it is not a one-story home.

It is interesting that the City Planning Department on February 2, 2005 approved a new two-story, 28-foot high single-family residence for the property located three lots south of the proposed project at 716 Marco Place (City Case No. DIR2004-9986). To date, no one has objected to that project, which is designed with the craftsman style of architecture and with the second floor slightly set back from the ground level. The Commission will be acting on the coastal development permit application for that project in the near future (Coastal Development Permit Application 5-05-069). The applicant's agent for that project told staff

that this project was about the tenth home he has built in the Venice area, but the first one that required the submittal of the coastal development permit application. The other projects were major remodels and additions of existing homes, and were apparently exempted from coastal development permit requirements by the City Planning Department pursuant to Coastal Act Section 30610 and Section 13250, Title 14 of the California Code of Regulations.

Compliance with the Coastal Act and Venice LUP

The primary issue with the proposed project is whether the proposed project is compatible with the character of the surrounding (Milwood) neighborhood as required by Section 30251 of the Coastal Act. The opponents also argue that the architecture, mass and scale of the proposed structure would not complement those of existing structures in the neighborhood and would adversely affect public access and neighborhood character, in violation of Policy II.C.10 of the certified Venice LUP (See Page Seven).

The Commission has recognized in both prior permit and appeal decisions that the Milwood area of Venice, where the proposed project is located, is a unique coastal community. In 1980, the Commission adopted the Regional Interpretive Guidelines for Los Angeles County which included specific building standards for the various Venice neighborhoods, including the Milwood neighborhood. These building standards, which apply primarily to density, building height and parking, reflect conditions imposed in a series of permits heard prior to 1980. The Commission has consistently applied these density, height and parking standards to development in the Venice coastal zone in order to protect public access to the beach and to preserve the special character of the community and its historic walk streets. On June 14, 2001, the Commission certified the City of Los Angeles Land Use Plan (LUP) for Venice. The policies and building standards contained in the certified Venice LUP reflect the Commission's prior actions in the area, the Commission's 1980 Interpretive Guidelines, and the existing character of each Venice neighborhood.

The following chart show the Commission's building standards for the Milwood area that are listed in the Coastal Commission's Regional Interpretive Guidelines for Los Angeles County, adopted on October 14, 1980. The chart also shows the City's building standards that are codified in the Venice Specific Plan (not certified) and set forth as policies of the certified Venice LUP (2001).

Building Standards for a 3,600 Square Foot Lot in Milwood Area of Venice

	<u>1980 Guidelines</u>	<u>Venice Specific Plan</u>	<u>Certified Venice LUP</u>
SFD Height Limit	25 feet	25 feet w/ flat roof or 30 feet w/ varied roof 28 feet on walk streets	25 feet w/ flat roof or 30 feet w/ varied roof 28 feet on walk streets
Duplex Height Limit	30 feet	same as SFD	same as SFD
Density	2 units/lot	2 units/lot	2 units/lot
On-site Parking	2 spaces/unit	3 spaces/unit	3 spaces/unit
Yards	N/A	See Municipal Code	See Municipal Code

Floor Area Ratio

No F.A.R.

No F.A.R.

No F.A.R.

The proposed project conforms completely with the above-stated building standards. On October 6, 2004, the City Planning Commission found the proposed project in compliance with the standards of the Venice Specific Plan. The Commission finds that the proposed project complies with the density limit, City set back requirements, and the 28-foot height limit for development on a walk street as set forth by the certified Venice LUP. It has not been disputed that the proposed project complies with all of the applicable quantitative building requirements.

Several persons are objecting to the proposed project on the grounds that the proposed house would be a detriment to the character of the neighborhood. The opponents also argue that the architecture, mass and scale of the proposed structure would not complement those of existing structures in the neighborhood and would adversely affect public access and neighborhood character, in violation of Policy II.C.10 of the certified Venice LUP (See Page Seven). They assert that the proposed structure is not visually compatible with the character of the surrounding neighborhood (Coastal Act Section 30251). The opponents are petitioning the Commission to use its discretion to determine that the proposed project does not conform to the qualitative policy language set forth by the certified Venice LUP and the Coastal Act in regards to community character. A specific criticism is that the second floor and the highest point of the 28-foot high roof are too close to the walk street, and that the proposed project (and future proposals along the walk street) should be required to provide a greater second floor setback.

The dispute concerns how to review development on walks streets; should the Commission use a standards-based approach using quantitative building standards (i.e. 28-foot height limit and specific setback requirements), or use a case-by-case approach where qualitative and subjective analysis (i.e. architectural style review) is used to decide whether each project conforms with the established character of the community? If the Commission determines that the character of the Milwood neighborhood is defined largely by architectural style, and the proposed project is determined to be inconsistent with such character, then the Commission should deny the permit application. Staff, however, is recommending that the Commission avoid making a subjective judgment about the architectural style because of the wide variety of architectural styles found in Venice (e.g. craftsman, modern, plain stucco, etc.) and the wide variation in personal opinions about style. It is not practical or feasible for the Commission and its staff to review every residential project in Venice in order to impose a subjective standard for style. There exists no single architectural style that dominates Venice, California, and, in fact there is a wide diversity.

The Milwood area of Venice, where the proposed project is located, is a neighborhood where many of the lots with old homes built in the early twentieth century are being recycled and developed with new single-family residences. Generally, the newer homes being built are taller and more massive than the older structures in the neighborhood. The applicant's proposed two-story house is similar in mass, scale and architectural design to several homes in the neighborhood. Therefore, the Commission finds that the proposed project conforms with the requirements of Section 30251 of the Coastal Act because it is compatible with the character of the surrounding (Milwood) neighborhood and it will not adversely affect neighborhood character.

The character of a neighborhood in the coastal zone is typically defined by the predominate types of land uses, in this case single-family residences and duplexes, the size of the buildings, and the size of yards. The variety of architectural styles or lack thereof may also define the character of the neighborhood. Other defining neighborhood characteristics like demographics and crime rates are not relevant to the issue at hand: size and scale of the proposed structure. For example, a supermarket or a multi-unit apartment building that covers more than one lot would not be compatible with the character of the Milwood area of Venice where the proposed project is located. The proposed single-family residence, on the other hand, is the same type of land use that currently exists on the project site and the surrounding properties. But it is not the land use being challenged by the opponents of the project; it is its style, mass and scale.

Although the proposed two-story structure has an architectural style that is different from most of the existing homes on the street (it's modern in an old neighborhood with craftsman-style), its design and mass would not have a detrimental effect on community character. It's a new house on a street with where most of the houses are fifty or more years old. The proposed project's ground floor setbacks and yards are as large as the yards and ground floor setbacks of the other homes on the street. The proposed two-story, 28-foot high structure is not out of scale with the rest of the neighborhood and it will not adversely affect neighborhood character because the surrounding neighborhood, including this street, already accommodates several two-story structures of similar size (twenty to thirty feet in height). The style of the proposed two-story would not be a detriment to the neighborhood any more than the existing two-story homes on the street.

The opponents state that the massing of the proposed structure (i.e. second floor setback) would adversely affect public access and neighborhood character, in violation of Policy II.C.10 of the certified Venice LUP, because it would loom over pedestrians using the public walk street. This is simply not the case as both floors of the proposed house are set back at least 27.5 feet from the sidewalk in the middle of the walk street. The proposed front yard is the same size as the rest of the front yards on the block, as the proposed 27.5-foot setback puts the building in line with the other homes on the same side of the street (Exhibit #4). In fact, most of the building is set back even further than 27.5 as the opponents are demanding. Only the second floor balcony and the entryway (where the front door is located) extend up to the City-required front yard set back. The rest of the first and second floor are set back 29.5 feet from the sidewalk, and the portion of the second floor behind the balcony is set back 33.5 feet from the side walk (Exhibit #5). The proposed design of the front façade is exactly the kind of articulation called for by certified LUP Policy II.C.10, which states:

"Building materials, colors, massing and scale of new structures shall complement those of existing structures in the neighborhood. Building facades shall be varied and articulated to provide visual interest to pedestrians. Primary ground floor residential building entrances and frequent windows shall face the walk streets. Front porches, bays, and balconies shall be encouraged."

The proposed project provides a varied and articulated building façade facing the walk street with the first and second floors recessed behind the second floor balcony and the portion of the building where the front door entrance is located (Exhibit #7). It has frequent windows, a porch and a balcony, all of which is set back a substantial distance (at least 27.5 feet) from the

walk street. The applicant proposes to landscape the front yard setback area in an attractive manner that will provide additional interest to the passing pedestrians. Rather than detracting from uniqueness of the walk street, the proposed front yard landscaping and articulated house design will complement the existing homes on the street (Exhibit #7). Therefore, the proposed project complies with the walk street policies (I.A.6, II.C.7, II.C.10 and II.C.11) set forth by the certified Venice LUP.

Staff is recommending approval of the proposed single-family residence because it conforms with Section 30251 of the Coastal Act and the policies of the certified Venice LUP. The proposed project also complies with the 28-foot height limit, the density limit, all setback requirements, on-site parking requirements, and all other specific requirements set forth by the Venice Specific Plan, the certified Venice LUP, and the Chapter 3 policies of the Coastal Act.

In order to ensure that the proposed project is constructed as proposed, the permit is conditioned to impose the walk street design standards set forth by the certified Venice LUP to which the proposed project plans already conform (See Special Condition One). As conditioned, the proposed project is consistent with community character, will have no negative effects on visual resources or coastal access, and is consistent with Chapter 3 policies of the Coastal Act and previous Commission approvals.

D. Parking

The Commission has consistently found that a direct relationship exists between residential density, the provision of adequate parking, and the availability of public access to the coast. Section 30252 requires that new development should maintain and enhance public access to the coast by providing adequate parking facilities.

Section 30252 of the Coastal Act states, in part:

The location and amount of new development should maintain and enhance public access to the coast by... (4) providing adequate parking facilities....

Many of the older developments in Venice do not provide adequate on-site parking. As a result, there is a parking shortage in the area and public access has been negatively impacted. The walk streets and alleys provide no public parking, and residents of the area and their guests often occupy the small amount of parking area that may be available for the general public on the surrounding streets. To mitigate this problem, the Commission has consistently conditioned new single-family residences in the Milwood area of Venice to provide a minimum of three on-site parking spaces.

The proposed project includes an attached two-car garage and a 26'x 15' driveway apron that provides a third on-site parking space entirely on the applicant's property (Exhibit #3). The 26'x 15' driveway apron is large enough to accommodate virtually any sized car, and is substantially larger than the 9'x26' size of the guest parking space typically required by the Commission for homes in the Venice Canals neighborhood. Vehicular access to the on-site parking supply is provided from the rear alley. Therefore, the proposed project provides an adequate on-site parking supply and conforms to the parking standards for the Milwood area of Venice. The Commission finds that, only as conditioned to ensure the continued provision

of adequate on-site parking, is the proposed project consistent with the public access policies of the Coastal Act.

E. Yard Areas and Water Quality

The Commission does not usually regulate the size of yard areas in Venice except in the following cases: 1) to provide pervious yard areas to absorb and filter rainwater and site drainage before leaves the site and enters storm drains, 2), to limit the size and scale of structures near public accessways or sensitive coastal resources, and 3) to provide an area for parking, usually in a rear yard area next to an alley. The Commission typically does not regulate side yard setback requirements. In Venice, the Commission usually relies on the zoning regulations of local governments to regulate front, back and side yard setback requirements.

In this case, the applicant is proposing five-foot wide side yards, a fifteen-foot deep front yard area, in addition to the yard area provided by the fronting City right-of-way (Exhibit #3). The City-issued approval indicates that the proposed setbacks are consistent with City requirements. The applicant has agreed to maintain the front yard setback area as a landscaped and permeable yard area as called for by the certified Venice LUP.

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include a permeable front yard area and an on-site retention basin/infiltration pit in the front yard (Exhibit #3). Special Condition Two requires the appropriate management of equipment and construction materials to minimize the project's adverse impact on coastal waters. Therefore, the Commission finds that the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

F. Local Coastal Program

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act:

- (a) Prior to certification of the Local Coastal Program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200). A denial of a Coastal Development Permit on grounds it would prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

The City of Los Angeles does not have a certified Local Coastal Program for the Venice area. The City of Los Angeles Land Use Plan (LUP) for Venice was effectively certified on June 14, 2001. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare an LCP that is in conformity with the provisions of Chapter 3 of the Coastal Act.

G. California Environmental Quality Act (CEQA)

Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project, as conditioned, has been found consistent with the Chapter 3 policies of the Coastal Act. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

Attachments: Exhibit Nos.1-7

Appendix A: Commission Approvals in Milwood Area of Venice, 1991-2005

Appendix B: Applicant's & Opponents' Correspondence

APPENDIX A

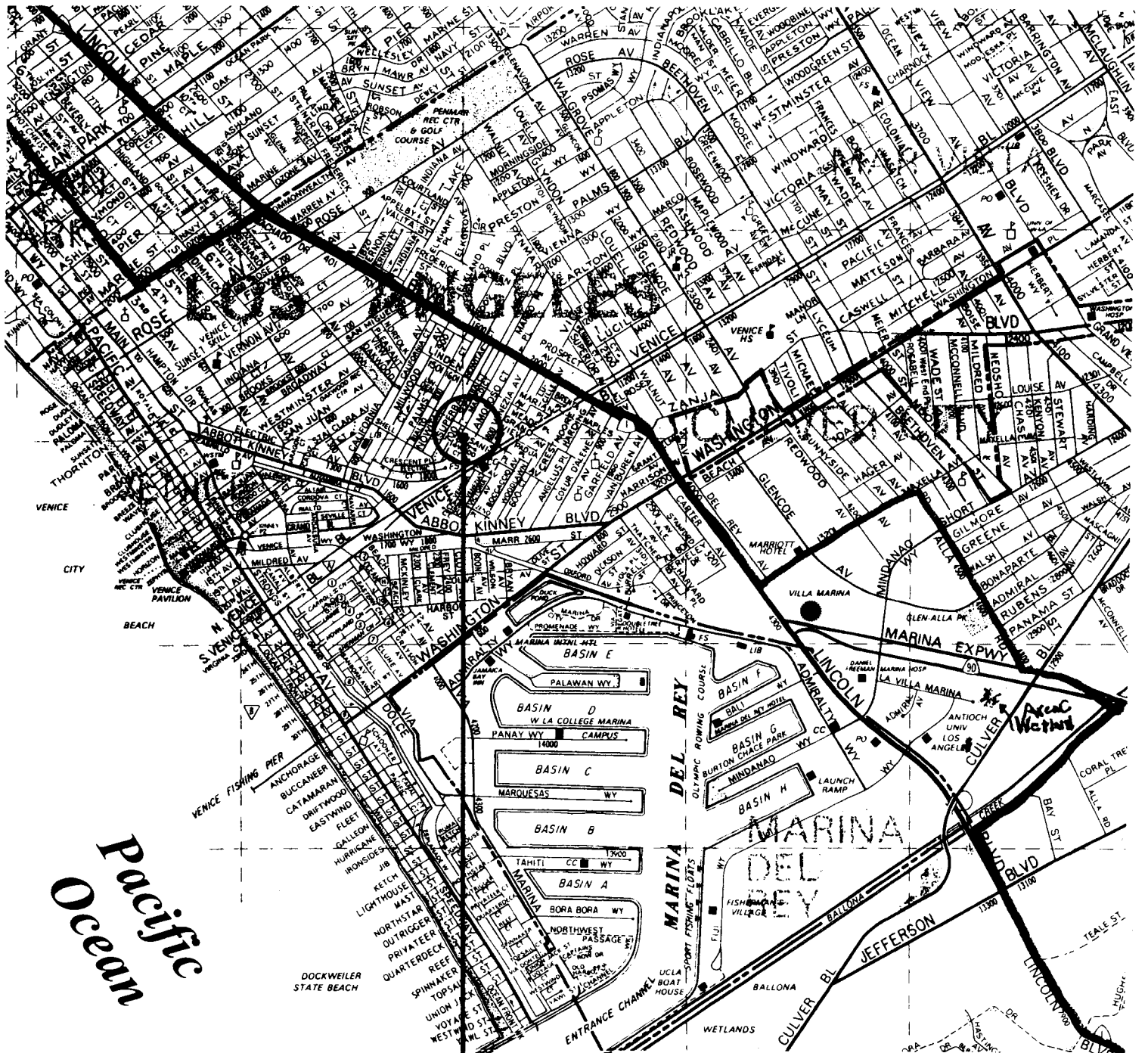
Commission Approvals - Milwood Area of Venice* (1991 – 2005)

<u>Application No.</u>	<u>Resulting Density</u>	<u>Building Height</u>
5-05-030-W (617 Milwood Ave.)	Duplex-to-SFD	20 feet (existing)
5-04-443-W (2127 Linden Ave.)	Duplex	30 feet
5-04-374-W (636 Milwood Ave.)	Duplex	25 feet
5-04-367-W (1628 Electric Ave.)	Condo. Conv.	25 feet (existing)
5-04-337-W (624 California Ave.)	Duplex	29 feet
5-04-177-W (630 Milwood Ave.)	3,096 sq. ft. SFD	25 feet
5-04-020-W (1634 Electric Ave.)	Duplex	28 feet
5-03-467-W (820-824 Nowita Pl.)	SFD add'n/Lot tie	25 feet (existing)
5-03-365-W (725 Amorosa Pl.)	2,772 sq. ft. SFD	28 feet
5-03-131-W (1628 Electric Ave.)	Duplex	25 feet
5-03-095-W (932 Amorosa Pl.)	Duplex	25 feet
5-03-014-W (820 Nowita Pl.)	Demo - Vacant	0 feet
5-02-419-W (813 Amoroso Pl.)	2,307 sq. ft. SFD	28 feet
5-02-262-W (915 Palms Blvd.)	Duplex	30 feet
5-01-412-W (714 Nowita Pl.)	2,195 sq. ft. SFD	28 feet
June 14, 2001: Commission certifies Venice LUP		
5-00-005 <u>RC</u> (839 Superba Ave.)	2,568 sq. ft. SFD	25 feet
5-99-412-W (910 Palms Blvd.)	Duplex	25 feet
5-99-321-W (835 Superba Ave.)	1,876 sq. ft. SFD	23 feet

5-98-094-W (818 California Ave.)	Duplex	30 feet
5-95-284-W (1630 Crescent Pl.)	Accessory building	25 feet
5-94-104-W (816 California Ave.)	Duplex	17 feet
5-93-212-W (637 Milwood Ave.)	Duplex	25 feet
5-93-083-W (917 Nowita Pl.)	3,140 sq. ft. SFD	28 feet
5-92-245 <u>Admin.</u> (746 Marco Pl.)	1,236 sq. ft. SFD	one-story
5-92-279-W (1641 Crescent Pl.)	Duplex	23 feet
5-92-228-W (702 California Ave.)	Duplex	one-story
5-92-181-W (831 Marco Pl.)	2,725 sq. ft. SFD	25 feet
5-91-389-W (720 Nowita Pl.)	3,600 sq. ft. SFD	25 feet

* See Exhibit #1, Page 2 for the LUP map that defines the boundaries of the Milwood area of Venice.

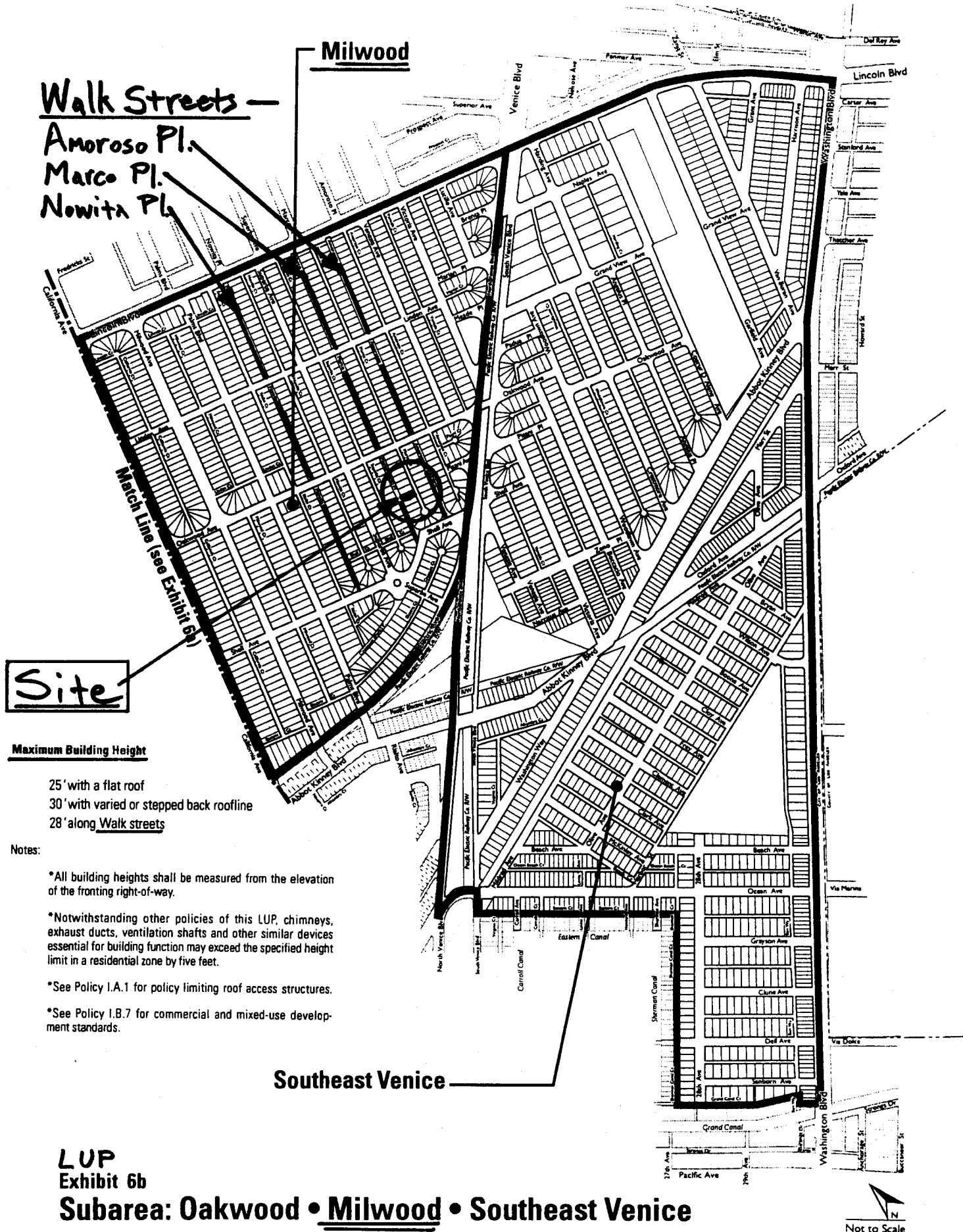
VENICE, CA

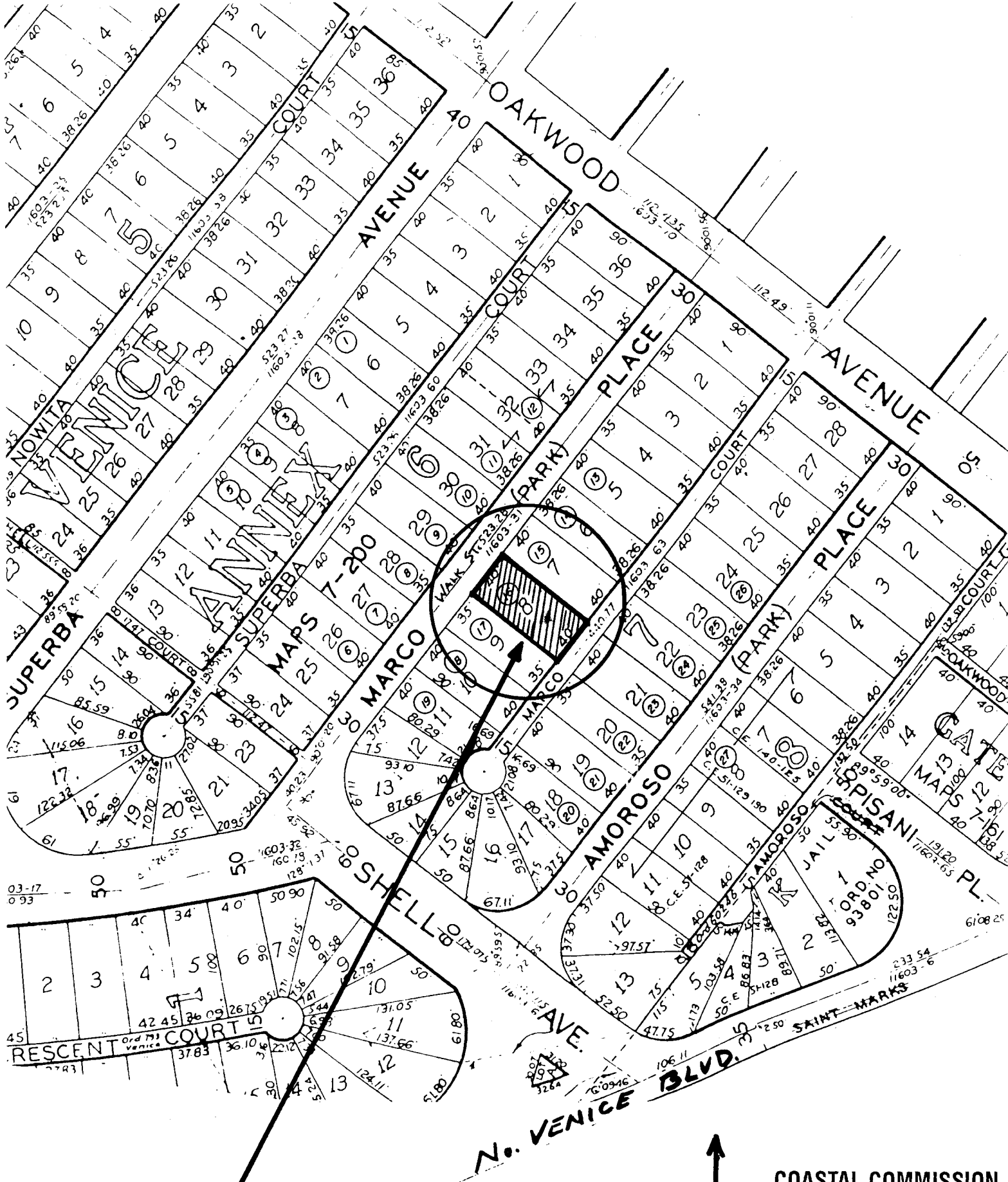


Site: 728 Marco Place

COASTAL COMMISSION
5-04-373

EXHIBIT # 1
PAGE 1 OF 2





Site: 728 Marco Place



COASTAL COMMISSION
5-04-373

EXHIBIT # 2

PAGE 1 OF 1

MARCO PLACE (No Cars)

Public

Sidewalk

rt. of way

P_L

P_R

INFILTRATION/RETENTION BASH
(SEE DRAINAGE BELOW)

(E) CONC.
SIDEWALK

(M) CONC.
SIDEWALK

Front yard

Balcony

TWO STORY SINGLE
FAMILY RESIDENCE
TYPE R2-1

ROOF DECK
399 SQ. FT.

(M) 3'x8' NO. GATE

HARD

2'x2' SKYLIGHTS

SIDE SETBACK
PENTHOUSE + STAIR

(M) 5'-8" HT.
CONC. WALL
(NEED SEPERATE PERMIT)

(M) 3'x8' NO. GATE

7'-0"X15'-0"
COMPACT
GUEST PKG.

(M) CONC.
DRIVEWAY

25'-0"X7'-8"
PKG. BACKUP

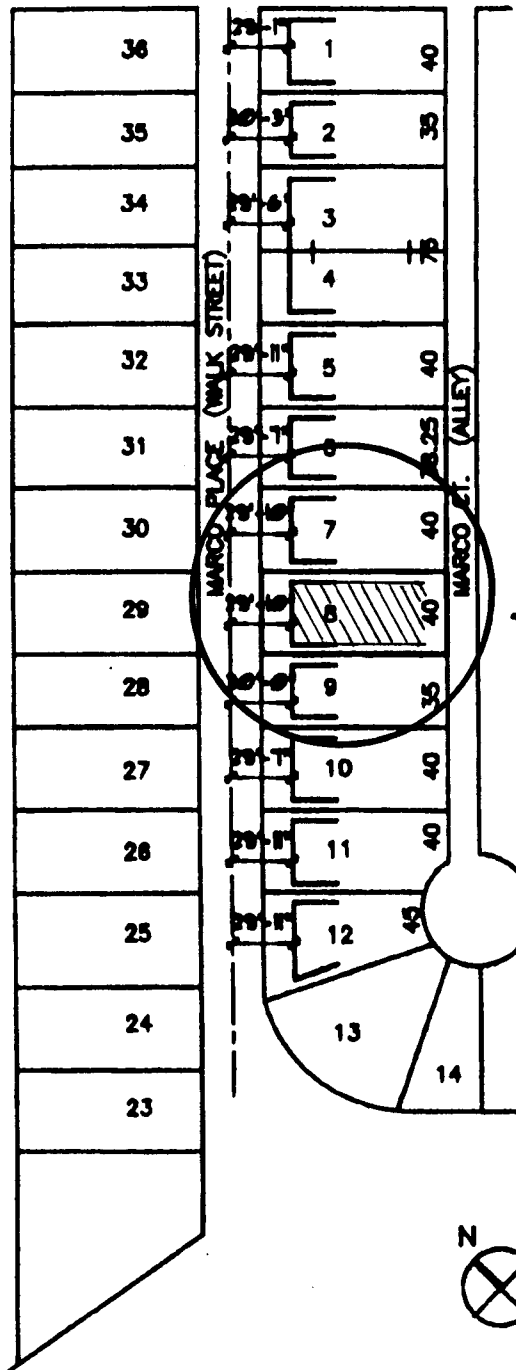
(E) ALLEY MARCO COURT

North

COASTAL COMMISSION
5-04-373

EXHIBIT # 3
PAGE 1 OF 1

OAKWOOD AVE.



DOUBLE LOT

PROJECT

PREVAILING FRONTYARD SETBACK

LOT #:	SETBACK FROM C.L. WALK STREET *	TOTAL FRONTAGE (WIDTH)
1	29'-1"	40'-0"
2	30'-3"	35'-0"
3	29'-6"	40'-0"
4		35'-0"
5	29'-11"	40'-0"
6	29'-7"	38.25'
7	29'-10"	40'-0"
8	29'-10" *	40'-0"
9	30'-0"	35'-0"
10	29'-7"	40'-0"
11	29'-11"	40'-0"
12	29'-11"	45'-0"
TOTAL	327.41' (11 LOTS)	525.36' (12 LOTS)

← 728 Marco Pl.

* 15' Front yard setback plus right-of-way.
See Exhibit #3.

SUMMARY

PREVAILING FRONT YARD SETBACK
 $327.41' / 11 = 29.76'$ AVG. < 30.0'
 \therefore OK

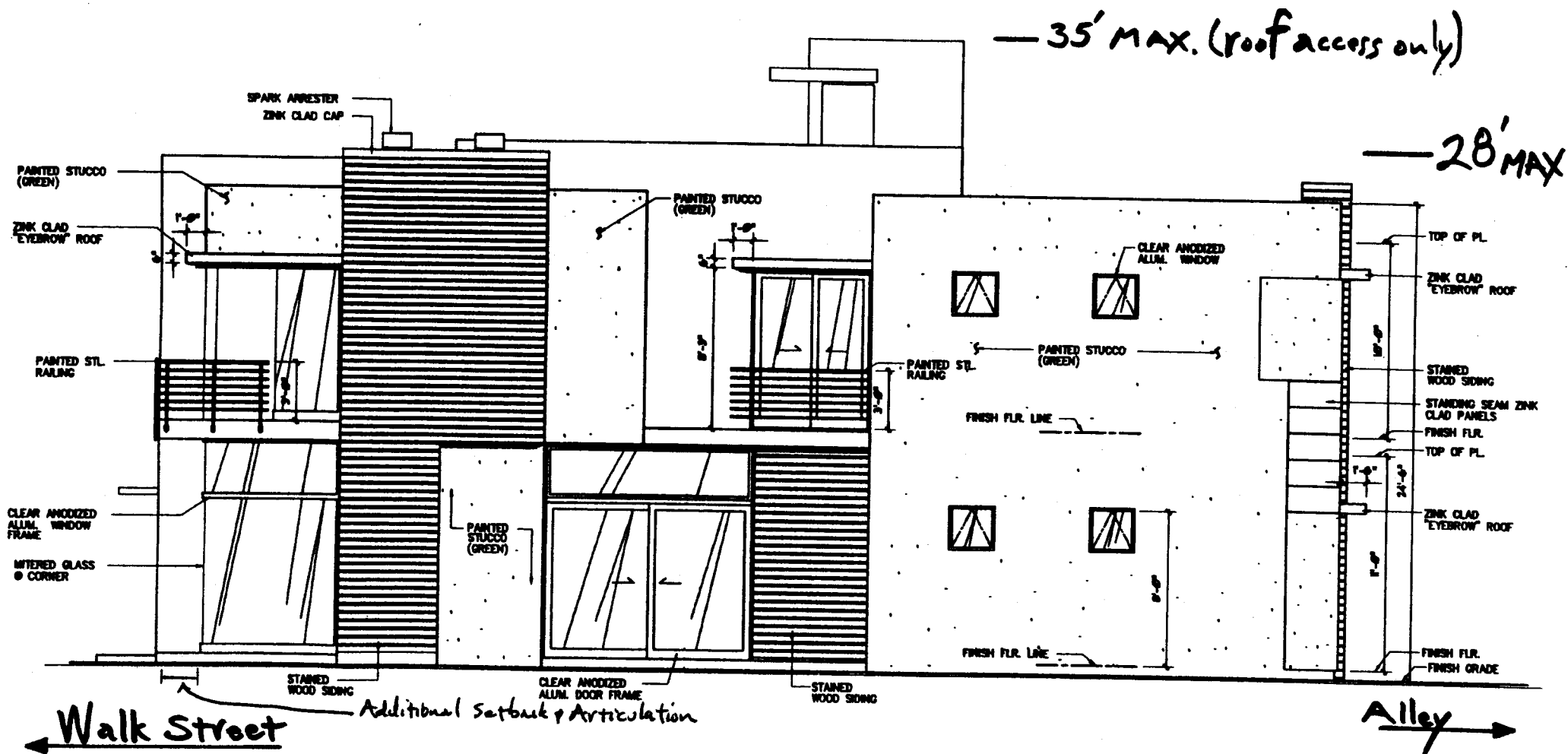
FRONTAGE
 $40\% (.4) \times 535.36' = 214.14'$ MIN. REQ'D
 $468.25' > 214.14'$ \therefore OK

COASTAL COMMISSION

5-04-373

EXHIBIT # 4

PAGE 1 OF 1



West Elevation

COASTAL COMMISSION
5-04-373

EXHIBIT # 5

PAGE 1 OF 1



North Elevation-Facing Walk Street.

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5-04-373

EXHIBIT # 6
PAGE 1 OF 1



COMMISSION

15-04-373

EXHIBIT # 7

PAGE 1 OF 1

APPENDIX A

Commission Approvals - Milwood Area of Venice* (1991 – 2005)

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* See Exhibit #1, Page 2 for the LUP map that defines the boundaries of the Milwood area of Venice.

APPENDIX B

APPLICANT'S & OPPONENTS' CORRESPONDENCE

**5-04-373
728 Marco Place
VENICE**



APPLICANT'S CORRESPONDENCE



CINDY MISCIKOWSKI

City of Los Angeles
Councilwoman, Eleventh District
President Pro Tempore

Committees
Chair, Public Safety

Vice-Chair, Budget & Finance

Member, Commerce, Energy &
Natural Resources

January 10, 2005

California Coastal Commission
South Coast District Office
200 Oceangate, 10th Floor
Long Beach, CA 90282-4416

**Re: Thursday, January 13th, 2005 Meeting, Agenda Item 5a
Application No. 5-04-373 (Landon, Los Angeles)
728 East Marco Place**

Honorable Commissioners:

I am writing to share my support of the determination of the West Los Angeles Area Planning Commission in its approval of the proposed house at 728 Marco Place in Venice. The initial Planning Department approval was upheld on appeal to the Area Planning Commission.

Mr. Landon's proposal shows that he has made every effort to work within the guidelines of the Venice Specific Plan. He has not requested any variances, relief, or other discretionary actions. There is no historic designation on this property, or surrounding properties. The height and setbacks are within the zoning envelope for the site.

I appreciate the efforts of many residents of the community to improve the design and appearance of new construction. Although controversial, this project is fully compliant and compatible with the zoning regulations in place today.

Very truly yours,

Westchester Office
7166 W. Manchester Boulevard
Westchester, CA 90045
(310) 568-8772
(310) 410-3946 Fax

City Hall
200 N. Spring Street, Room 415
Los Angeles, CA 90012
(213) 485-3811
(213) 473-6926 Fax

West Los Angeles Office
1645 Corinth Avenue, Room 201
Los Angeles, CA 90025
(310) 575-8461
(310) 575-8305 Fax

LAW OFFICES
KEVIN C. KELLOW
A PROFESSIONAL CORPORATION
WILSHIRE PALISADES BUILDING
1299 OCEAN AVENUE, SUITE 900
SANTA MONICA, CALIFORNIA 90401-1000
TELEPHONE (310) 451-3700
FACSIMILE (310) 451-3366

E-MAIL:
kevin@kcklawcorp.com

RECEIVED
South Coast Region

JAN 6 - 2005

CALIFORNIA
COASTAL COMMISSION
REFER TO FILE NUMBER:
01370.01

January 4, 2005

Ms. Sara Wan
22350 Carbon Mesa Road
Malibu, CA 90265

Dr. William A. Burke, Vice-Chair
11110 West Ohio Avenue, Suite 100
Los Angeles 90025

Mr. Steven Kram
151 El Camino Drive
Beverly Hills, CA 90212

Mr. Pedro Nava
P.O. Box 90459
Santa Barbara, CA 93190

Mr. Patrick Kruer
The Monarch Group
7727 Herschel Avenue
La Jolla, California 92037

Ms. Toni Iseman
Councilmember, Laguna Beach
2338 Glenneyre
Laguna Beach, CA 92651

Mr. Scott H. Peters
Councilmember, City of San Diego
202 C Street, MS 10-A
San Diego, CA 92101

RE: Applicant: Chris Landon/Application No.: 5-04-373
Construction of Single Family Residence
Property Address: 728 East Marco Place, Venice, CA 90291
CEQA No.: ENV-2004-3162(CE)

Dear Coastal Commissioners:

As you are aware from our prior filings with the Coastal Commission, this firm represents the above-referenced applicant, Chris Landon (the "Applicant"), with respect to his proposed construction of a single family residence to be located at 728 Marco Place, Venice, California (the "Property"). Construction of said single family residence (the "Project") is opposed by a few disgruntled neighbors who wish to impose upon the Project their collective personal preference and taste in architecture and exterior design. Opponents have "promised" Applicant they will fight the Project at every available opportunity, and now that opportunity arises before this Commission.

January 4, 2005
Page 2

We have had an opportunity to review all of the briefs and correspondence filed by opponents to regarding construction of the "Project", and the Commission Staff Report prepared for the upcoming "consent calendar" hearing to be held on January 13, 2005. The Staff Report is in favor of approving the Project, and we believe it would be a disservice and waste of your time for us to merely reiterate in this letter what is set forth therein. However, there is one concept which we believe needs to be addressed herein, and that concept is one of protection. Who rightly deserves the protection afforded by the Coastal Act and this Commission?

Following our review of the correspondence filed by opponents to the Project and the legal briefs filed by attorneys for such opponents, it became abundantly clear to us that it is Applicant who requires the protection of the Coastal Commission, and not the few disgruntled neighbors who believe their personal tastes and preferences in architectural style and exterior design should prevail over the preferences and desires of Applicant.

As discussed in the brief we previously filed on Applicant's behalf, Applicant has requested no variances whatsoever to the statutory building code requirements imposed upon the Property and construction of the Project. In addition, and possibly more important, is the fact that Applicant's proposed construction of the Project will be in compliance with all applicable Coastal Act statutory provisions, standards and requirements previously established by the Coastal Commission, prior decisions of the Commission interpreting those standards and requirements, and the policies set forth in Chapter 3 of the Coastal Act.

Though Applicant's opponents may desire that the purpose of the Coastal Commission is to serve as the "architectural police" of single family residences to be constructed within the coastal zone, we will venture to guess that none of you believe you were appointed for such purpose.

In this instance, Applicant has caused the Project to be in compliance with both the Venice Specific Plan and the certified Venice Land Use Plan ("LUP"). The certified Venice LUP contains the Commission's policies and building standards for the Milwood area of Venice, which is where the Project is located. The Project does not necessitate any variances from those standards and requirements set forth in the LUP; therefore, the Project is in complete compliance with all requirements and standards established by the Commission.

Such policies, requirements and building standards (as established by the Commission) address the issues of height, massing, scale, density, set backs, and the like. Without these established and published standards regarding height, massing, scale, etc., interpretation thereof would be just what opponents of the Project are advocating. That is, a subjective standard which is open for subjective interpretation for each and every project by whomever has a personal preference different from the owner. If the Applicant, or any other applicant for that matter, cannot rely upon the Commission's standards and requirements as previously established and published, but is also required to withstand repeated personal attacks by disgruntled individuals based upon

January 3, 2005

Page 3

totally subjective standards of personal taste and preferences, then there would be no reason for the Commission to establish and publish such standards, policies and requirements.

Consequently, it is Applicant, not his opponents, who needs and requests the protection of the Commission with respect to this matter. There is absolutely nothing more that Applicant can do to be in compliance with the requirements, standards and policies previously determined, established and published either by the Commission directly or pursuant to its authority. We ask the Commissioners to put themselves into the place of Applicant. Should not Applicant be entitled to rely upon the previously determined and published requirements of the Commission in designing his home? We believe all Commissioners will agree that after ensuring compliance with all published requirements established by the Commission, all applicants, not just this Applicant, should be entitled to be free from attack based upon the whim and caprice of individuals who believe their personal taste and preference in architectural style and exterior design is subjectively superior to that of such applicant.

We thank you in advance for the time you have been required to spend on this matter, and for your affirmation that the Coastal Commission was established to protect individuals such as Applicant who, with respect to the Project, is in compliance with all objective principles, requirements and standards previously established by the Commission.

Yours truly,

KEVIN C. KELLOW,
A Professional Corporation

Kevin C. Kellow

KCK/hss

cc: Mr. Edward Laurence Albert
P.O. Box 6303
Malibu, CA 90265

Ms. Maria Elena Durazo
675 S. Park View Street
Los Angeles, CA 90057

Application # 5-04-373

Property Address: 728 E. Marco Pl., Venice CA 90291

By Applicant: Chris Landon

**Findings From Visual Survey Of
Architectural Styles, Characteristics and
Materials Used On
Venice "Walk Street" Houses
And A Partial List Of
Walk Street Home Square Footages**

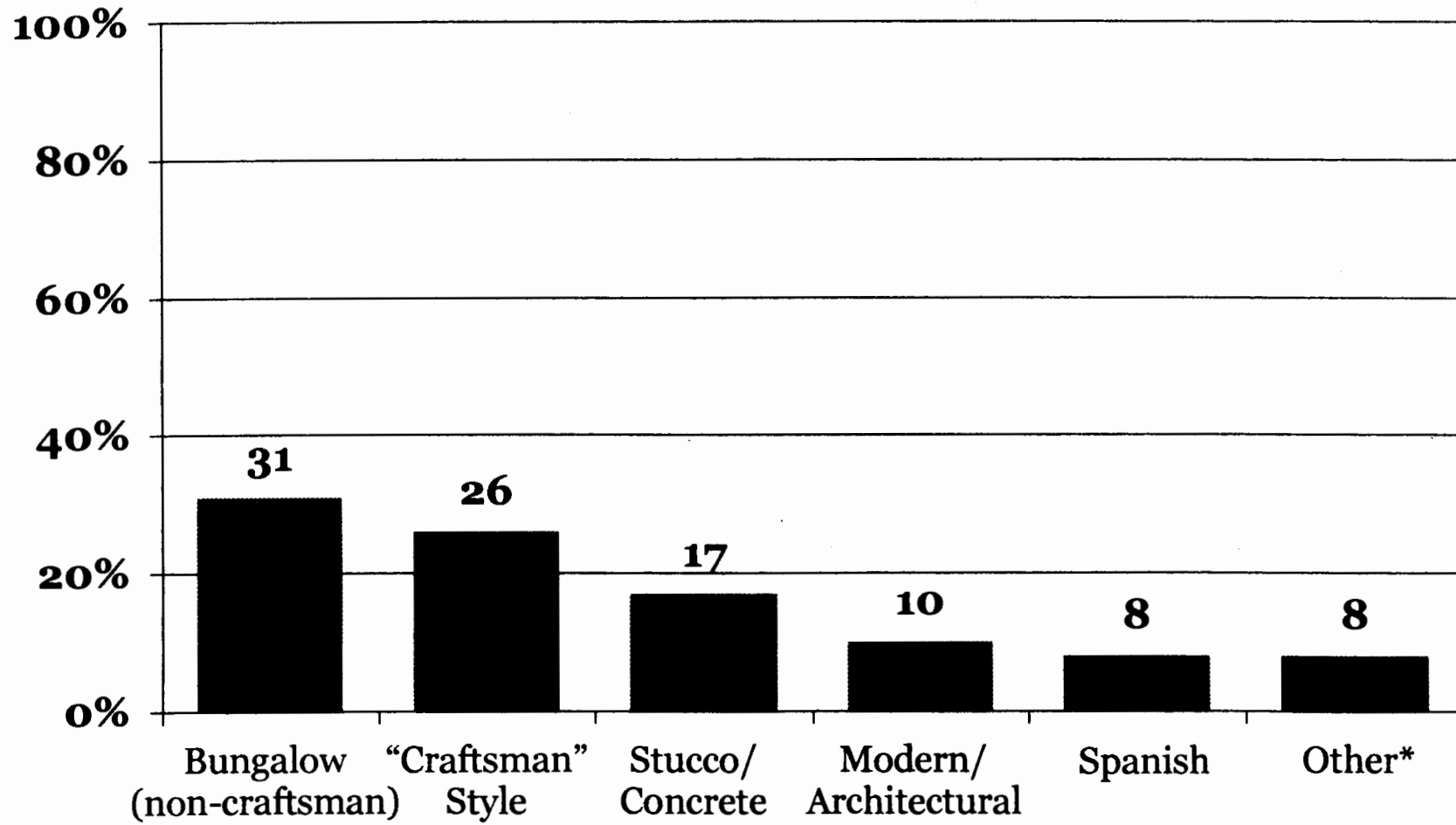
August 2004

Streets surveyed include all four pedestrian walk streets:
Marco Pl., Amoroso Pl., Nowita Pl., and Crescent Pl.

Diverse Walkstreet House Styles – Not One Single Style Dominates

(Based on four walkstreets, total of ten blocks)

N=268 houses



*"Other" is usually a two-story, remodeled/developed home with no single, definable architectural style.

Numerous Examples Exist Of Walkstreet Houses Using Select Modern Characteristics*

(Based on visual inspection from the street)

Characteristic	House Count
Flat Roof	43
Metal Windows	39
Front Hardscape	20
Metal Siding Or Railing	14
Roof Deck	11

Note: This visual survey is based only on pedestrian “walkstreet” homes, and based only on what could be viewed from the walkstreet. It does not include any of the paved, traffic streets that are part of the “Walkstreet Neighborhood,” such as Superba, Electric Ave., Shell Ave., Oakwood Ave., Linden, Venezia, Millwood, or Palms Blvd.

* These characteristics are planned to be part of the architectural design for 728 Marco Place.

Partial List Of Developed Houses on Walkstreets* (With Known Square Footage)

(Source: Southland Title Corp., 7530 Glenaoks Blvd., Burbank, CA 91504)

CRESCENT PLACE (1600 block)

<u>Property Address</u>	<u>Sq. Ft.</u>
1614 CRESCENT PLACE	3,011
1615 CRESCENT PLACE	2,074
1617 CRESCENT PLACE	2,020
1623 CRESCENT PLACE	1,904
1636 CRESCENT PLACE	2,492
1641 CRESCENT PLACE	3,094

* Developed houses measuring 1800 square feet or less are not included here.
Houses recently remodeled or developed are not included.

Partial List Of Developed Houses on Walkstreets* (continued)

(Source: Southland Title Corp., 7530 Glenaoks Blvd., Burbank, CA 91504)

MARCO PLACE (700, 800 & 900 blocks)

<u>Property Address</u>	<u>Sq. Ft.</u>		
717 MARCO PLACE	1,910	863 MARCO PLACE	1,974
725 MARCO PLACE	1,827	902 MARCO PLACE	2,372
747 MARCO PLACE	2,138	905 MARCO PLACE	2,374
755 MARCO PLACE	2,129	923 MARCO PLACE	2,084
817 MARCO PLACE	1,996	924 MARCO PLACE	3,564
828 MARCO PLACE	2,277	931 MARCO PLACE	2,858
831 MARCO PLACE	1,963	941 MARCO PLACE	2,094
842 MARCO PLACE	2,396		

* Developed houses measuring 1800 square feet or less are not included here.
Houses recently remodeled or developed are not included.

Partial List Of Developed Houses on Walkstreets* (continued)

(Source: Southland Title Corp., 7530 Glenaoks Blvd., Burbank, CA 91504)

NOWITA PLACE (700, 800 & 900 blocks)

<u>Property Address</u>	<u>Sq. Ft.</u>		
709 NOWITA PLACE	1,893	813 NOWITA PLACE	1,838
718 NOWITA PLACE	2,722	824 NOWITA PLACE	2,549
719 NOWITA PLACE	2,038	829 NOWITA PLACE	2,332
720 NOWITA PLACE	2,987	854 NOWITA PLACE	2,390
721 NOWITA PLACE	2,100	858 NOWITA PLACE	2,376
724 NOWITA PLACE	1,975	860 NOWITA PLACE	1,878
726 NOWITA PLACE	2,392	905 NOWITA PLACE	2,269
762 NOWITA PLACE	2,973	906 NOWITA PLACE	1,803
801 NOWITA PLACE	1,959	915 NOWITA PLACE	1,905
810 NOWITA PLACE	1,943	917 NOWITA PLACE	3,145

* Developed houses measuring 1800 square feet or less are not included here.
Houses recently remodeled or developed are not included.

Partial List Of Developed Houses on Walkstreets* (continued)

(Source: Southland Title Corp., 7530 Glenaoks Blvd., Burbank, CA 91504)

AMOROSO PLACE (700, 800 & 900 blocks)

<u>Property Address</u>	<u>Sq. Ft.</u>
703 AMOROSO PLACE	1,995
730 AMOROSO PLACE	1,914
736 AMOROSO PLACE	2,334
744 AMOROSO PLACE	2,860
807 AMOROSO PLACE	1,984
815 AMOROSO PLACE	1,812
827 AMOROSO PLACE	2,525
901 AMOROSO PLACE	2,172

* Developed houses measuring 1800 square feet or less are not included here.
Houses recently remodeled or developed are not included.

Application # 5-04-373

Property address: 728 E. Marco Place, Venice, CA 90291

Applicant: Chris Landon

Personal Letters Supporting Our Case

(Previously presented at September 1, 2004 and October 6,
2004 hearing for the West Los Angeles Area Planning
Commission)

Attached:

Twenty Six (26) personal letters from Venice residents including many "Walk Street" and immediate "Walk Street Neighborhood" (abutting or connecting) residents.

Also included is **Jon Tanimoto's** letter (owner/occupant of 724 Marco Pl., the residence next door to our property at 728 Marco Pl.) and **Tom Krauss** (owner/occupant of 725 Marco Pl. our neighbor across the walkstreet)

These letters present strong support for the Landon project from the this Venice neighborhood. They describe the individuality, eclecticness, and diversity of both the architecture and the people in this community. They describe **the character of this community**. These letters also raise the question of how it is possible in this neighborhood, of all places, that the Landon project is being opposed.

February 24, 2004

Chris Landon and Jodi Gusek
739 Nowita Place
Venice, California 90291

Dear Chris and Jodi,

As the seller of 728 Marco Place, Venice, California, this is to certify that the west side of the lot is currently being encroached upon by the neighbor's porch and step. The fences also are joined in common both in the front and back. The lot line is designated in the front sidewalk by a city marker. My neighbor, Jon Tanimoto, is aware of this and will be willing to work with you to remove this encroachment when you are starting to build or in the near future.

Sincerely,

David Widom

A handwritten signature in dark ink, appearing to read "David Widom", written in a cursive style.

JON TANIMOTO

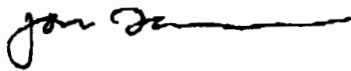
Jon Tanimoto
724 Marco Place
Venice, CA 90291

City of Los Angeles
Planning Department

Re: Case No.:DIR2004-316(SPP)(MEL)

I am the owner and occupant of 724 Marco Place. It has come to my attention that a group appeal has been filed against the entire proposal for construction at 728 Marco Place. I was never consulted about the appeal and was surprised and disappointed to see that comments and concerns were made on my behalf without my knowledge. Page 2 of the appeal cites encroachment, access and fire hazard issues regarding the property line between 724 and 728 Marco Place. Prior to this appeal, I had discussed making modifications to my entry way so that it would reside on my property and would thus accommodate Chris Landon, owner of 728 Marco Place, and his construction plans. I don't believe the stated concerns of the appeal are valid and I do not support this appeal.

Sincerely,



Jon Tanimoto

TOM KRAUSS

To: The West Los Angeles Area Planning Commission

200 N. Spring St. Room 532
Los Angeles, Ca. 90012

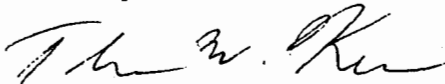
Matthew Rodman, President Robyn Ritter Simon
Vice President Joyce Foster
Commissioner Sean Burton
Commissioner Elvin W. Moon,
Commissioner Sheldred Alexander Commission Executive Assistant

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, October 6, 2004
Property address: 728 E. Marco Place, Venice, CA 90291
Applicant: Chris Landon

I am a homeowner residing at 725 Marco Place, across the walk street from where Mr. Landon wants to build his house. Although I personally would never build that style of house, I have no problem with Mr. Landon building his house if the Venice Specific Plan approved it. There are a number of contemporary homes on the walk streets and I don't understand why Mr. Landon is being persecuted.

You should have persecuted the gentleman that built that steel monstrosity on Shell Avenue.

Sincerely,



Thomas W. Krauss
725 Marco Place
Venice, CA 90291

1 October 2004

To: The West Los Angeles Area Planning Commission
200 N. Spring St. Room 532
Los Angeles, Ca. 90012

Matthew Rodman, President
Robyn Ritter Simon, Vice President
Joyce Foster, Commissioner
Sean Burton, Commissioner
Elvin W. Moon, Commissioner
Sheldred Alexander, Commission Executive Assistant

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, October 6, 2004
Property address: 728 E. Marco Place, Venice, CA 90291
Applicant: Chris Landon

Dear Commissioners:

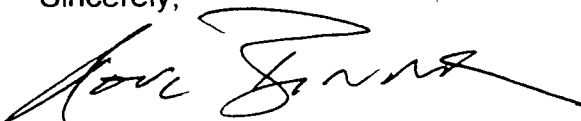
I have lived in the Venice Walk Street Neighborhood for the past 15 years. I enjoy its ambiance, character and neighbors. I do not support the actions some of my neighbors have taken against Chris Landon's project.

Venice has always embraced different styles of architecture and I do not think a group of neighbors have the right to dictate style to a homeowner. My understanding is the project meets the Venice Specific Plan requirements in terms of height, mass and scale without asking for any variance or offset. The Venice Specific Plan is the guideline for the community and should be the final word for the project not the neighbors who have decided to interpret the rules to suit their own tastes.

The great thing about our neighborhood is diversity and if people follow the VSP guidelines they should be allowed to build in a style that suits their own individual needs.

I ask you to **support** the project at 728 Marco Place.

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Binder", with a stylized flourish extending from the end.

Doug Binder
714 Nowita Place
Venice, CA. 90291

ELAINE AFABLE
806 NOWITA PLACE
VENICE, CA 90291

October 2, 2004

Matthew Rodman, President
Robyn Ritter Simon, Vice President
Joyce Foster, Commissioner
Sean Burton, Commissioner
Elvin W. Moon, Commissioner
Sheldred Alexander, Commission Executive Assistant

The West Los Angeles Area Planning Commission

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1

Hearing Date: Wednesday, October 6, 2004

Property address: 728 E. Marco Place, Venice, CA 90291

Applicant: Chris Landon

Dear Honorable Commissioners,

I own a house on a Nowita Place -- a walk street close to where Mr. Landon and his wife are planning to build their new home. I have lived here since the late-1980's and regularly walk my dog on these streets.

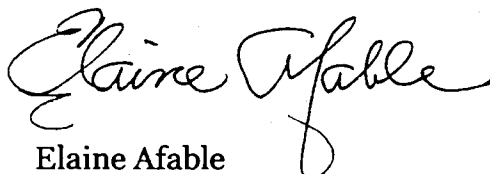
I was quite dismayed to find out that the Landons are having problems proceeding with their plans. It is my understanding their plans have been approved by the Venice Specific Plan (VSP), and fully comply with those guidelines. I have seen a rendering of their proposed house, and it looks like it fits nicely in the neighborhood, which is made up of homes in many different styles, shapes, and colors (not all of which I personally like, but it is not my business to dictate what others do with their property if it is legal.)

It took many years to create and implement the VSP. Since the Landon plans comply with the VSP guidelines, they should be able to move forward without delay. The spirit of Venice is to encourage innovative design.

The opposition to this plan seems unfair and frivolous. I strongly urge you to vote against the appeal and allow these good people to proceed.

Thank you for your consideration.

Sincerely,


Elaine Afable

JEFFREY R. MILES

October 1, 2004

West Los Angeles Area Planning Commission
200 N. Spring St., Room 532
Los Angeles, CA 90012

Matthew Rodman, President
Robyn Ritter Simon, Vice President
Joyce Foster, Commissioner
Sean Burton, Commissioner
Elvin W. Moon, Commissioner
Sheldred Alexander, Commission Executive Assistant

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, October 6, 2004
Property address: 728 E. Marco Place, Venice, CA 90291
Applicant: Chris Landon

To the Commissioners,

As a local homeowner on the next walk street, I want to formally express my support for the applicant, Chris Landon. In this neighborhood, we have a Venice Specific Plan (VSP), and we have it for good reason. It is the guidebook to development in Venice. Mr. Landon's proposed home is in full compliance with the VSP, has met all necessary requirements, was approved by the city with no need for any variance, and he should be allowed to complete his family's home without delay.

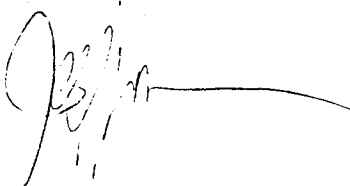
All too often, well intentioned neighbors go beyond their rights to dictate to another on style and taste. This matter seems to meet that criteria. The neighbors who are objecting seem clearly opposed to the inclusion of a "modern" architecture home on the block. They may also be a part of an ever-growing, vocal minority of Venice residents who merely want nothing to be built at all. Anywhere. That's just plain wrong.

Venice has always been a neighborhood with eclectic tastes, interests, and art combined together. Those who walk the streets where I live see many different styles of architecture. Walking by my home is to see a Craftsman, but down the block is a beautiful modern structure. That's the way it should be in Venice.

In conclusion, I feel Mr. Landon should be allowed to build his home, whether the modern architecture appeals to some neighbors or not. He has met all the requirements of the VSP. No variances have been requested. What more can you ask?

What style of architecture will be "out of favor" in the next few years? Need I fear if Craftsman style homes make someone's hit list?

Sincerely,



Matt Freeman

August 20, 2004

Matthew Rodman, President
Robyn Ritter Simon, Vice President
Joyce Foster, Commissioner
Elvin W. Moon, Commissioner
Sheldred Alexander, Commission Executive Assistant
West Los Angeles Area Planning Commission
200 N. Spring Street, Room 532
Los Angeles, CA 90012

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, September 1, 2004
Property Address: 728 E. Marco Place, Venice, CA 90291
Applicant: Chris Landon

Dear Sirs and Madams:

I am writing to you regarding the above-referenced case.

I am a Los Angeles native who has always been drawn to the city of Venice. Two years ago, we were fortunate enough to make the dream of living here a reality. What appealed to us about the community (among other things) was the diversity of the population and the freedom of that population to express itself through art, architecture, activism and attitude.

I was dumbfounded when I heard that the plans for Chris Landon and Jodi Gusek's new house on Marco Place had been appealed. We were sorry to hear that Chris and Jodi were no longer going to be our neighbors, but so excited that they had found a beautiful lot onto which they planned to build their dream home. From what I know of their plans, there were no variances requested, only the fantastic blueprint for a home that represents their combined tastes and styles.

On our block (700 block of Nowita - also a walk street in Venice) the houses are unique, eclectic and wonderful; Jeffrey and Holly recently added a second story (to accommodate their growing family) on to their beautiful craftsman home; Ben and Kara have just begun construction on a two-story modern house, with bold use of glass and steel; Sue has a beautiful original craftsman onto which she added a two story garage/workshop that resembles a forward-thinking "craftsman" style. Sprinkled here and there are forty or so others houses including single and two story craftsman homes, homes of modern architecture, and even 1950's track housing bungalows with no particular style whatsoever. To me, that is Venice.

I hope you'll allow Chris and Jodi the freedom to continue with their plans and provide them with the support of your committee.

Sincerely,



Matt Freeman

734 Nowita Place - Venice, California 90291
(310) 822-8866

To: The West Los Angeles Area Planning Commission
200 N. Spring St. Room 532
Los Angeles, Ca. 90012

Matthew Rodman, President
Robyn Ritter Simon, Vice President
Joyce Foster, Commissioner
Sean Burton, Commissioner
Elvin W. Moon, Commissioner
Sheldred Alexander, Commission Executive Assistant

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, October 6, 2004
Address: 728 E. Marco Place, Venice, CA 90291
Applicant: Chris Landon

September 28, 2004

Dear Members of the Planning Commission:

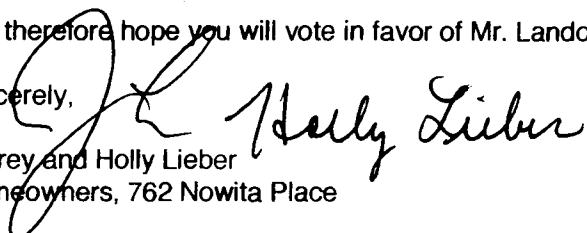
My Wife and I are writing in support of the above mentioned project on the grounds that we feel strongly that development in Venice should be governed by the city building code (in regards to set-backs, height requirement, etc.) and not the capricious esthetic values of individual neighbors.

We ourselves just finished a project (a 2800 square foot craftsman on the 700 block of Nowita Place) in anticipation of our second child and we shudder to think of the chaos and emotional turmoil our family would have been plunged into had the project been subject to the same level of delay as it appears Mr. Landon and Ms. Gusek are being burdened with.

While we respect every home owners right to be part of the development of their neighborhood, we do not think it good policy to enforce a tacit and seemingly arbitrary "esthetics law" to a property in a community as eclectic as ours.

We therefore hope you will vote in favor of Mr. Landon's proposal.

Sincerely,


Jeffrey and Holly Lieber
Homeowners, 762 Nowita Place

Allan Leavitt - 806 Nowita Place, Venice, California, 90291

West L.A. Area Planning Commission: Matthew Rodman, President, Robyn Ritter Simon, Vice President, Joyce Foster, Commissioner, Elvin W. Moon, Commissioner, Sean Burton, Commissioner, and Sheldred Alexander, Commission Executive Assistant

Re: Hearing Case #DIR-20043161-SPP-MEL-A1

Hearing Date: Wednesday, October 6, 2004

Property address: 728 E. Marco Place, Venice, CA 90291

Applicant: Chris Landon

October 2, 2004

Dear West L.A. Area Planning Commission Members,

I'm writing to support the Applicant Chris Landon. I've lived on a Venice walk street since 1987. I own my home, which I remodelled several years ago, and I've seen a lot of changes in this neighborhood. The neighborhood has greatly improved over the years. It's been cleaned up and is more desirable due, in large part, to people remodelling old homes and/or building new ones. Many of the older houses that still exist here were originally built and used as vacation homes, so they are very small and not particularly well-built. They no longer fit the needs of today's residents, many of whom work from home or have families.

I appreciate people like Chris and Jodi Landon for taking good care of their home and garden (on Nowita Pl.), and keeping their fence and plants low along the walk street, as required by law. They purchased their Marco Place property - a small, dilapidated cottage - and plan to build a ~2700 sq. ft. home there. I understand they have carefully designed the proposed house, and fencing, well within the law. (It is the illegal fence heights in this neighborhood that should be dealt with, not conforming homes like the Landons wish to build.)

Chris and Jodi showed me a colored rendering of the proposed home. Even though I personally prefer Craftsman style, I do appreciate modern architecture. I found their design to be very warm. The shape of the house is articulated, with depth and dimension, and looks well thought-out. I particularly like their use of traditional materials and colors, because it compliments other houses in the neighborhood (both the new and the old). I also appreciate that their design is very open to the walk street, with many windows and patio doors opening to the front yard and an upstairs balcony.

It is ludicrous that their design would have any opposition at all. Perhaps the people appealing the VSP's approval of the Landon's design, are trying to make some kind of political statement against recent development. There's a lot of development going on in the neighborhood. Perhaps they are making an example out of the Landons - scapegoating them for other homes built recently by others that they don't like. Like it or not, there will be many more homes built on these walk streets. Why should the Landons be punished for trying to build theirs within the law? If their appellants don't like the law, they should seek to change the law rather than hurt one of their neighbors.

Please vote against this foolish appeal.

Sincerely,

A handwritten signature in black ink, appearing to read "Allan Leavitt", with a long horizontal line extending from the end of the signature.

August 21, 2004

To: **The West Los Angeles Planning Commission**
200 N. Spring St. Room 532, Los Angeles, CA 90012

Attn:
Matthew Rodman, President
Robyn Ritter Simon, Vice President
Joyce Foster, Commissioner
Elvin W. Moon, Commissioner
Sheldred Alexander, Commission Executive Assistant

Regarding:
Hearing Case #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, September 1, 2004
Property address: 728 E. Marco Place, Venice, CA 90291
Applicant: Chris Landon

As an Architect living on a walk street in Venice I would like to lend my support to this project on the basis that it is the diversity of the entire community that attracted me to this neighborhood 14 years ago. I appreciate the range of architectural styles in my neighborhood. It is one of the things that make Venice an interesting and vital place. There is nothing homogeneous about this community.

My husband, who is also an Architect, and I designed our house eight years ago. We created a house that while modern clearly has a connection to the scale of the context and the materials of the older bungalows that pepper this area. We appreciate the bungalows but do not think that legislating a return to the 1920's is in anyone's best interest.

The idea of imposing an architectural style on any project being built in this community is abhorrent to me. We had a choice. We could have moved to the Ocean Park neighborhood of Santa Monica, where only three architectural styles are sanctioned. We chose the diversity of Venice.

We felt free to express ourselves stylistically, as is the legacy of Abbott Kinney's Venice. I urge you to allow others to do the same.

Sincerely;

Julie Smith-Clementi, Architect
Principal
Rios Clementi Hale Studios
6824 Melrose Ave.
Los Angeles, CA 90038

Residing at:
725 Nowita Place
Venice, CA 90291

David Cofrances

Architect

71173 N Thunderbird Terrace
Rancho Mirage, Ca 92270

August 22, 2004

To: The West Los Angeles Planning Commission
200 N. Spring Street, Room 532
Los Angeles, Ca 90012

Attn: Matthew Rodman, President
Robyn Fittler Simon, Vice President
Joyce Foster, Commissioner
Ervin W. Moon, Commissioner
Sheldred Alexander, Commission Executive Assistant

Re: Hearing Case: #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, September 1, 2004
Property Address: 728 Marco Place, Venice, Ca 90291

Dear Members of the Planning Commission:

I am writing this letter not only as the Architect of the above-referenced project, but as a former resident of Venice for 17 years. I have lived in houses on Milwood Avenue and Marco Place and have designed and remodeled homes on streets in many areas of Venice including Marco Place, Amoroso Place, Milwood Ave, Rialto, Sunset Ave, Market Street, and Walnut Avenue.

To begin, it seems that it is almost impossible to put a finger on "what is Venice". Venice is not a homogeneous environment. Its residents cross almost all barriers. People of all races, socio-economic backgrounds, sexual orientations, professions (to mention a few characteristics) all call Venice home. Its character is so diverse and wonderful that people come from around the world to view it. We are all given the opportunity to look within and talk about our own characteristics when juxtaposed to the assortment of people, places and characteristics which engulf the community of Venice.

Page Two

Hearing Case: #DIR-2004-3161-SPP-MEL-A1

August 23, 2004

When I first moved to Venice over 20 years ago, I was attracted to the area because of its diversity in culture, environment, and architecture. Venice has a creative edge which dictates its particular form of urban development, with many different groups coming together and calling Venice home. Venice retains this diversity in all of its Neighborhoods whether residential or commercial or on a "walk" or "vehicular" street. Venice is known around the world for its "creative spirit" and its ability to embrace many different types of people, no matter how they choose to live. This diversity and freedom of expression creates the context of what is a "Neighborhood" in Venice and establishes the "character" of Venice.

In consideration of the effusive character and nature of Venice, architecture has followed suit. The neighborhoods of Venice contain a variety of architectural styles which support their cultural diversity. There is an untold plethora of home styles in Venice. Their are existing California Bungalows, Craftsman Bungalows, and Spanish-style homes. There are contemporary 70's, 80's, and 90's structures mixed with recent construction and renovations. Older California bungalows have been renovated or had additions built - sometimes in keeping within original styles and sometimes combining divergent vernaculars. Post-war stucco framed homes share the same streets with the modern and contemporary. All told, Venice is a study of how many different styles of architecture can co-habitate and exist within a neighborhood.

All of this being said, the home that I have designed for Chris Landon and his wife Jodi Gusek, which is the subject of this hearing, reflects their individual spirit while satisfying the requirements of the Venice Specific Plan. They wanted a strong interaction with the walk street including front facing entry, expanses of glass and access to the front yard patio. My plan also calls for a second floor balcony to break up the massing and additional visual access to the walk street gardens. Additionally, Chris and Jodi felt it was important to have a courtyard that the house wrapped around, to help them retain a strong relationship with the outdoors.

Most importantly, Chris and Jodi wanted a contemporary home. In the tradition of the many modern architects who have either built homes for their clients or have chosen themselves to live in Venice, the Landon/Guseks want to build a home which embraces the artistic and architecturally varied nature of Venice within a modern vernacular. Unfortunately, the reason we are here today is because the Landon/Guseks chose to express their own character and the way they wish to live their lives by building and living in an architecturally modern home.

Had the Landon/Guseks wanted to build a "Craftsman Bungalow" style home, it appears that much of the current dispute would not have gotten off the ground. But the Landon/Guseks' choice to express their nature and character within in the context of a "modern" home has come under scrutiny.

Page Three

Hearing Case: #DIR-2004-3161-SPP-MEL-A1
August 23, 2004

With the exception of the current dispute, questions regarding a home's appropriateness for the Venice Neighborhoods have generally centered on a home's environmental impact. Whenever I design a home to be built in Venice I am cognizant of the many concerns which may arise. Is the home the right size for the lot? Does it conform with Coastal Commission Guidelines? Is the Venice Specific Plan satisfied? In the context of the walk street there is always a consideration of the closeness of neighbors. Accordingly, is there undue impact? But, there has never been a discussion of the physical or design characteristics which the home will possess or an attempt to limit the style of home one could build.

As space in Los Angeles becomes less available a response of building larger and larger homes on smaller and smaller lots has developed. This is something which the Venice Specific Plan protects against. In addition, there must also be consideration of the walk or vehicular street, the environment, a relationship of buildings to gardens, and other specifications.

Additionally, in its guidelines, the Venice Specific Plan specifies that a home must be consistent with the "character of the neighborhood". It does not specify the "type" or "character" of the home, but that the home must coincide with the "character of the neighborhood". As set forth above, the "character" of the neighborhoods and communities which comprise Venice is diverse and resistant to categorization. Therefore, we suggest that this wonderful community be left unaltered and allowed to flourish as always. Under the "character of the neighborhood" test, I feel that all of the requirements of the Venice Specific Plan have been met in the design of the Landon/Guseks' future home.

I, along with the Venice Specific Planning Department and the Landon/Guseks, believe that the home I have designed for the Landon/Guseks supports the character of the neighborhood and satisfies the requirements of the Venice Specific Plan. It is sensitive to environmental issues and it embraces the very nature and character of the communities which make up the neighborhood. We, as a diverse society, should embrace the continued growth and expansion of the community and try to embrace a wide range of lifestyles and aesthetics and avoid fettering the community with any single set of ideas. I request that the plans for Landon/Guseks' home, as submitted, be approved without further delay.

Very truly yours,



David Cofrances

From: Roberta Durra <rdurra@earthlink.net>
Date: Tue Sep 28, 2004 9:45:59 AM America/Los_Angeles
To: <chrislandon@comcast.net>
Subject: 728 E. Marco Place

To: The West Los Angeles Area Planning Commission
200 N. Spring St. Room 532
Los Angeles, Ca. 90012

Matthew Rodman, President
Robyn Ritter Simon, Vice President
Joyce Foster, Commissioner
Sean Burton, Commissioner
Elvin W. Moon, Commissioner
Sheldred Alexander, Commission Executive Assistant

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, October 6, 2004
Property address: 728 E. Marco Place, Venice, CA 90291
Applicant: Chris Landon

We are residents of the Venice walkstreets, living on the 800 block of Marco Place. We built our 2 story, 2200 square ft. home 3 years ago, following all the guidelines of the building department and Venice Specific Plan, as have the Landon's. We did not experience any problems building our house. It is our understanding that when you take the time and expense to submit detailed plans, meeting all of the legal guidelines, you are entitled to build your house.

As Venice residents we have gotten to know many of our walkstreet neighbors while walking our dog. It was on one of these walks that we met Chris and Jodi. Many walkstreet owners do not comply with the 42in front fence regulation and have their properties closed off with fencing or shrubbery. Chris and Jodi have maintained an open space in their front yard, totally accessible to the walk. They are two of the few people who actually take advantage of the charm of the street, using their front yard to sit out and enjoy the view. They care about their property and maintain it immaculately. They are the kind of people you would want living next door. We chose Venice as our home for it's artistic and eclectic feel. Our 800 block of Marco Place has 5 architects who have built their primary residences on the block. Each house is unique and expresses an individual style. While the construction has redefined the walkstreets, it has still kept them very interesting. The property values continue to rise in the neighborhood, in a great part due to the new construction.

It is our understanding that the Venice Specific Plan Department exists specifically to deal with new construction in the Venice area. It is made up of professions who have worked hard implementing guidelines that take into consideration a person's need and right to expand their dwelling, while serving to keep and develop a pleasing ambiance on the walkstreet. These rules include specific height, side yard and parking restrictions. It is not in anybody's best interest to have a person comply with guidelines, only to be told they need to defend their work to please others subjective desires. Overruling the judgment of the Venice Specific Plan will completely undermine the department. Why follow their rules if they are

meaningless?

It would be wonderful if the existing bungalows were spacious enough to house families comfortably. Unfortunately most of them are very small. When trying to expand an existing bungalow and using one level it is difficult to obtain much additional living space. With the small lot sizes, it is only when you build up that you can achieve space that includes modest size bedrooms, bathrooms, kitchen, dining, and living areas. The existing bungalows are known to be poorly constructed and when you open one up, (as we have), you see that structurally there is little to salvage. The reality is that these bungalows are not historically well built craftsman bungalows, such as those in Pasadena. Most are houses that do not have proper foundations or to-code construction.

The Venice walkstreet area is not a gated community with building association fees and a neighborhood board deciding the shape and color of our houses. There have been agencies developed and protocols set to maintain the structural integrity in Venice. The Landon's are being held back by people who have grievances outside of the legal guidelines. Will we next have people wanting to control the landscaping of our houses, and what about our interior design choices that can be seen through our walkstreet windows? It's not right that the Landon's have to hold up construction and incur additional fees when they have followed all of rules, have been given a go-ahead by the appropriate agencies and have designed a tasteful, structurally sound house.

Roberta Durra and Michael Tarne

A handwritten signature in black ink, appearing to read "Michael Tarne". The signature is fluid and cursive, with a large, sweeping "M" and a stylized "T".A handwritten signature in black ink, appearing to read "Roberta Durra". The signature is cursive and elegant, with a prominent "R" and "D".

DAVID C. PARISI
813 AMOROSO PLACE
VENICE, CALIFORNIA 90291

PHONE: (818) 990-1299
FAX: (818) 501-7832
CELL: (310) 721-5823
EMAIL: DCPARISI@MSN.COM

August 23, 2004

VIA MESSENGER

The West Los Angeles Planning Commission
200 N. Spring Street, Room 532
Los Angeles, California 90012

Re: Hearing Case No. DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, September 1, 2004
Property Address: 728 E. Marco Place, Venice, CA 90291
Applicant: Chris Landon

Dear Commission Members:

I am writing to support the application of my neighbor Chris Landon to build a home at 728 E. Marco Place in Venice.

I have lived in Venice since 1995. I first rented a home in the 600 block of Milwood Avenue (about 6 blocks from 728 Marco) and then purchased my home at 813 Amoroso Place in November 2000. I consider Venice my home and I expect to live here the rest of my life.

I fell in love with Venice because it is architecturally so eclectic. Where else can you see, within about 6 square blocks, a house that looks like a large barn (on California), a house with a beautiful Italian courtyard (the corner of California and Shell), a house with living quarters, bedrooms and kitchen in three separate bungalows (700 block of Milwood), a 1960's stucco house with what appears to be a converted trailer as part of the house (corner of Milwood and Shell) or a craftsman style house painted various shades of purple (next door to my house on Amoroso).

On my block alone, there is a craftsman style house, many mid-size stucco covered houses, a Spanish style house (mine), a Cape-Cod style house (on the other side of my house), an apartment building in the middle of the block, and a very modern structure.

The West Los Angeles Planning Commission
August 23, 2004
Page 2

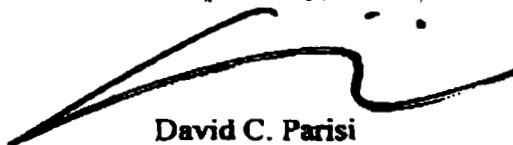
No two houses on my block or near my house, including in the 700 block of Marco Place, are anything alike. This is why Venice was named "*America's Third Funkiest City*" by the authors of *Los Angeles Home Book* (1st Ed. 2000), The Ashley Group.

In light of all of this, I was dismayed to learn from a friend that Chris Landon was having difficulty building a beautiful modern structure in the 700 block of Marco Place. Mr. Landon's architect, David Cofrances, is very good – I have personally seen homes he designed in Venice and Santa Monica. Mr. Cofrances' designs blend the interior and exterior of homes so that the yard areas become an extension of the living quarters. While not an architect myself, many times I spoke with Mr. Cofrances about the use of roof decks to expand the available space to place plants. This is exactly what is being done with Chris Landon's future home. Mr. Cofrances is very in touch with the Venice-spirit, having lived in the city for close to 20 years. Mr. Cofrances' design of the Chris Landon' house is certainly eclectic, creative and showcases the eclectic spirit of Venice architects.

It is disappointing to hear that some local residents who are somewhat staid in their thinking are appealing the approval of the Landon plans. I urge the Commission to fully approve the plans for Mr. Landon's house. I too, am not happy with every home on my block. I would prefer that the craftsman house next door to me not be painted shades of purple; I would prefer that the stucco covered houses across the street from me be painted and better landscaped; I think the Cape-Cod style house next to my Spanish style house looks odd. But, this is what makes Venice the Venice that I have come to love. Venice is eclectic – I will not try to make all the houses in my neighborhood conform to my personal style and I trust that this board will not allow a few of my and Mr. Landon's neighbors force Mr. Landon to conform to their style. It is only with a variance of styles in our neighborhood that Venice is a "funky city."

Accordingly, please approve Mr. Landon's plans for his home at 738 Marco Place.

Respectfully,

A handwritten signature in black ink, appearing to read "David C. Parisi", with a stylized flourish at the end.

David C. Parisi

cc: Chris Landon

real estate
by suzy frank & associates

September 18, 2004

The West Los Angeles Planning Commission
200 N. Spring St. Room 532
Los Angeles, Cal. 90012

Hearing Case #DIR-2204-3161-SPP-MEL-A1
Hearing Date: Wednesday, September 1, 2004
Property Address: 728 E. Marco Place, Venice, Ca. 90291
Applicant: Chris Landon

Matthew Rodman, President
Robyn Ritter Simon, Vice President
Joyce Foster, Commissioner
Elvin W. Moon, Commissioner
Sheldred Alexander, Commission Executive Assistant

Dear Planning Commission:

This letter regarding the above case is to show my support not only for Mr. Landon, but also to express my opinion on this ridiculous complaint.

I have been living on Crescent Place for 20 years, which is one of the walk streets. My husband is a Contractor and we have remodeled many homes in the area, including adding square footage. We also built the house at 818 Nowita Place which was over 2500 square feet. All these homes were built with permits and signed off by the appropriate commissions and agencies.

I also am one of the top realtors in the area, having focused on the walk streets and the surrounding area. Most of the houses are from the 1920's and need to be redone in some fashion. Most are very small beach cottages and the modern family buying into this neighborhood wants to expand and remodel to their own taste and needs. Venice has been known for its artistic creativity, expression and independent spirit. Most of the people moving into this area work at home, such as, writers, actors, artists and architects. Some love the older Craftsman style and some love the more modern style. There is no home owner enforced restrictions as to what style can be built, and there is not one architectural style defining this area at the present time. There are many modern homes that have been built in the past and there are quite a few new ones being built at the present time.

These new buyers and those who are remodeling and rebuilding in the neighborhood have raised the property values to unspeakable prices. Bringing the value of the entire area to a high standard, thus creating lots of equity for those of us who have lived here for many years.

If a restriction is place on what architectural style can be built, this will definitely effect the property values and the upgrading of this neighborhood. This is not a planned community, nor should it be. This area should remain the artistic, creative, eclectic and People should be able to have the freedom to build their own style home. And if the Venice Specific Plan and the City of Los Angeles approve the building, then an owner should have the freedom to build his dream home. After all, isn't that what America is all about.

Hopefully, justice will be served here and a precedent will not be set by a few. Their opinion is not the majority by a long shot.

Thank you.

Sincerely,


Suzy Frank

Marta Evry
758 Palms Blvd.
Venice, CA 90291
Sept. 27, 2004

To: The West Los Angeles Area Planning Commission
200 N. Spring St. Room 532
Los Angeles, Ca. 90012

Matthew Rodman, President - Robyn Ritter Simon, Vice President
Joyce Foster, Commissioner - Sean Burton, Commissioner - Elvin W. Moon,
Commissioner
Sheldred Alexander, Commission Executive Assistant

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, October 6, 2004
Property address: 728 E. Marco Place, Venice, CA 90291
Applicant: Chris Landon

September 27, 2004

To Whom It May Concern:

We are writing a letter in support of the Applicant Chris Landon. Mr. Landon has been our neighbor for two years. In that time, we have found him and his wife Jodi to be good neighbors and honorable people. To speak plainly, they are people of their word.

We just recently learned that their project on Marco Place has quite literally come under siege by a handful of neighbors who take issue with the architectural style Mr. Landon and wife wish to employ for their new home. But instead of discussing their concerns with the Landons, they have waged a war of attrition on these poor people, hoping the Landon's will run out of patience and resources and will simply go away. It is inconceivable to us why the City would reward this bad behavior by allowing the case to be re-heard after it had already been approved by this commission.

The Landons are not rich developers with an endless supply of capitol at their disposal. They are just newlyweds who have sunk their life savings into a home they hope to spend many years in. They have done everything within their power to follow the rules. They have not, to my knowledge, asked for a single variance or exemption from the Venice Specific Plan.

For all these reasons, we respectfully ask you to please follow the law and approve this project as submitted. Again.

Sincerely,

Marta Evry



August 20, 2004

The West Los Angeles Planning Commission
200 North Spring Street #532
Los Angeles, Ca. 90012

Hearing Case #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, Sept. 1, 2004
Property Address: 728 e. Marco Place, Venice, Ca. 90291

Mr. Matthew Rodman, President
Ms. Robyn Ritter Simon, Vice President
Joyce Foster, Commissioner
Elvin W. Moon, Commissioner
Sheldred Alexander, Commission Executive Assistant

Dear Planning Commission:

I have been living on the walk streets in Venice for over 18 years and own property. I am a General Contractor and have done remodels on many of the homes in the area as well as new construction.

I have done the homes in Craftsman Style, Contemporary Style, Victorian Style, and also just did "fact lifts" on the existing bungalows. Most of these homes on the walk streets were built in the 1920's with no insulation, knob and tube electrical, and all the other original building materials that were used in those days. Most of them desperately need to be rebuilt and redone as they have become fire hazards.

That being said, the issue at hand is that there is a committee that is trying to dictate what style can be built when it is already established that there are many contemporary homes in the area already. Venice is a free thinking, artistic community and people build to their Own taste. Their homes are built with integrity, to code that fall under the Rules and Regulations of the LA City as well as the Venice Specific Plan. They meet the Standards the city has set for height restrictions, set backs etc. etc. This is not a planned community or development.

There are other properties that are going to be rebuilt or new construction as this area is being improved and upgraded both economically as well as bringing in new architecture. Frank Gehry is building his own home here in Venice. The culture is changing and we as homeowners will only benefit with these changes.

Sincerely,



David A. Gerbasi, General Contractor

August 18, 2004

To: The West Los Angeles Planning Commission

Matthew Rodman, President, Robyn Ritter Simon, Vice President, Joyce Foster, Commissioner, Elvin W. Moon, Commissioner, Sheldred Alexander, Commission Executive Assistant

From: Stefan Smith

Regarding: Hearing Case: #DIR-2004-3161-SPP-MEL-A1

Hearing Date: Wednesday, September 1, 2004

Property address: 728 E. Marco Place, Venice, CA 90291

Applicant: Chris Landon

I live and own a home on the walk streets (700 block of Nowita) for about 7 years now.

I choose to live in Venice because of its uniqueness and diversity. Having the **freedom to express your own personal style** in the community combined with the **amazing architecture and creative use of living space** is one of the **many highlights of Venice**.

This is a **special area where diversity** is not only expressed, but also **celebrated**. It attracts some of the most well renowned architects, artists, writers, sculptures and educators who add so much to our community.

On any given **walk street there are all styles of homes**. Contemporary to craftsman... cross pollinations of modern and traditional... even styles that you cannot put a label on. Again, this is what makes Venice so wonderful and special.

The heart of Venice is its individuality. The people here are not all the same. Their homes should be an expression of who they are as long as it carefully and thoughtfully designed within legal limits according to VSP, and received VSP's 100%, stamped approval.

Chris Landon, who is approved by the VSP, should **not be dictated 'what style'** he should build his home. This is a community of diversity, not a contractor 'planned' sub division where every house is identical.

Thanks!

SS

A handwritten signature in black ink, appearing to be 'Stefan Smith', with a long horizontal line extending to the right.

August 23, 2004

To: The West Los Angeles Planning Commission
200 N. Spring St. Room 532, Los Angeles, CA 90012

Attn: Matthew Rodman, President
Robyn Ritter Simon, Vice President
Joyce Foster, Commissioner
Elvin W. Moon, Commissioner
Sheldred Alexander, Commission Executive Assistant

Regarding:
Hearing Case #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, September 1, 2004
Property address: 728 E. Marco Place, Venice, CA 90291
Applicant: Chris Landon

As an Architect practicing in Venice and as a resident of the Marco walk street, I would like to lend my support to this project.

This project completely conforms to the Venice Specific Plan without a single request for a variance. The project has been fully approved by the VSP because it was thoughtfully designed within the approved guidelines and rules set forth by the planners entrusted with the future of Venice. The Venice Specific Plan allows for and in many ways encourages the architectural diversity that makes Venice so unique. The modern language of the single-family residence in question conforms to the Venice Specific Plan, and to the existing and future spirit of the walk streets of Venice.

As an Architect and as a Venice resident, it is my understanding that the Venice Specific Plan acts to protect the community from the harmful acts of individuals. Projects that clearly and thoughtfully conform to the VSP should receive equal protection from individuals who cause harm to the community by using the appellant process without basis. This project clearly conforms as already demonstrated by the full approval already received.

It is my hope that the West Los Angeles Planning Commission will deny this appeal and others that challenge projects that completely conform to the approved Venice Specific Plan. Thank you so much for your time and thank you for the work that you are doing to represent the Venice community.

Sincerely;

Michael Sant, AIA
Principal
Sant Architects, Inc.
1613 Abbot Kinney Blvd.
Venice, CA 90038

Residing at:
831 Marco Place
Venice, CA 90291

**JULIE LENTIN
ALAN SCHNEIDER**

12523 Matteson Ave
Mar Vista, CA 90066
310 313-0120 Tel
310 313-0072 Fax

August 20, 2004

West Los Angeles Area Planning Commission
Hearing Case #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, September 1, 2004
Property address: 728 E. Marco Place, Venice, CA 90291
Applicant: Chris Landon

Dear West Los Angeles Area Planning Commission:

We are local homeowners who have known Chris Landon for more than a decade and Jodi Gusek for several years. We have lived in our current Mar Vista house, which is approximately 1 ½ miles from Marco Place, for two years. Before that we lived in Venice for approximately 15 years. We consider ourselves deeply entrenched members of the local community who care tremendously about the nearby neighborhoods.

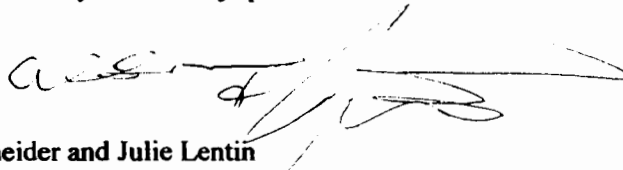
Much of what attracted us to the Venice area is the diverse mix of people who live here. We know of no other area in California that so perfectly melds individuals from different races, beliefs, interests, careers, and perspectives. We cherish the artistic spirit and sense of individualism that Venice represents.

We personally have witnessed the "renaissance" in the nearby neighborhoods. In fact, many friends and neighbors have beautifully rebuilt homes that demonstrate Venice's creativity and individualism, while respecting the interests and needs of the neighborhood. Chris and Jodi have shared their vision and plans for their home with us. We believe that their home will exhibit Venice's artistic values, and would be a welcome addition to the neighborhood.

Chris and Jodi are the embodiment of the local community. Please allow them to express their vision for their home on Marco Place.

Thank you in advance for your assistance in this matter. Please feel free to contact us at the above number if you have any questions.

Sincerely



Alan Schneider and Julie Lentin

September 15, 2004

The West Los Angeles Planning Commission
200 N. Spring St. Room 532
Los Angeles, Cal. 90012

Hearing Case #DIR-2204-3161 SPP MEL A1
Hearing Date: Wednesday, September 1, 2004
Property Address: 728 e. Marco Place, Venice, Ca. 90291
Applicant: Chris Landon

Matthew Rodman, President and all other commissioners,

In response to the above complaint and hear for 728 Marco Place. I have been living in Venice nearby the above property for 7 years. I sell real estate in the area. What is so Unique about this area is the diversity of the homes. The older craftsman style side by side with the modern home.

My clients love this area for the artistic and creative approach to their home. This is not a development of standard track homes or a planned community. This is Venice, a free thinking community.

For some committee to try to dictate what style of homes are to be built in an area as versatile as Venice is absurd. This will completely bring the values of the properties down, and keep the community from moving forward.

I hope and pray that you will not let this happen to our community.

Respectfully submitted by,


Jonelle Burke

MICHAEL CATUARA
1605 Oakwood Ave.
Venice, Ca. 90291
310.822.3489

August 21, 2004

To: The West Los Angeles Planning Commission
200 N. Spring St. Room 532
Los Angeles, Ca. 90012

Matthew Rodman, President
Robyn Ritter Simon, Vice President
Joyce Foster, Commissioner
Elvin W. Moon, Commissioner
Sheldred Alexander, Commission Executive Assistant

RE: Hearing Case #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, September 1, 2004
Property address: 728 E. Marco Place, Venice, CA 90291
Applicant: Chris Landon

I am writing to offer my clear support for the pending project at 728 E. Marco place. I am a five year resident and homeowner in the Venice walk street community. I decided to purchase my home in this neighborhood precisely for the unique qualities the Venice walk street area has to offer.

The area of Venice bordered by Venice Boulevard, Lincoln boulevard, California street and electric avenue is like no other place in Los Angeles. I walk my dog daily in this neighborhood and five years later I am still awed by the diversity of not only the people I meet but by the houses we have here. We have multi-family complexes, we have houses built almost 80 years ago, we have simple stucco "box" dwellings, we have modern buildings, we have "craftsman" style houses, we have spanish style houses, and we have houses that combine more than one of the elements mentioned above. I am not an architect but I do know what I like. And simply put, I love the variety in my neighborhood.

In specific regards to the case in question, I do not understand how a precedent to limit the housing styles in Venice can be established when clearly one does not presently exist. I chose to live in a community that is not homogeneous and I ask this commission to please keep it that way by not stopping the 728 E. Marco project.

Sincerely

Michael J Catuara

CAROL ANN WALD

August 21, 2004

The West Los Angeles Planning Commission

200 N. Spring St. Room 532

Los Angeles, Ca. 90012

TO: Matthew Rodman, President; Robyn Ritter Simon, Vice President; Joyce Foster; Commissioner. Elvin W. Moon, Commissioner; Sheldred Alexander, Commission Executive Assistant

RE: Hearing Case #DIR-2004-3161-SPP-MEL-A1

Hearing Date: Wednesday, September 1, 2004

Property Address: 728 E. Marco Place, Venice CA 90291

Applicant: Chris Landon

I have known Chris Landon for several years, and his wife, my close friend Jodi Gusek, for over a decade. Having spent much time at their home on Nowita Place over the years, and consequently having walked the surrounding streets of Venice many times, I disagree in the strongest possible terms with the petitioners' attempt to impose a single style of home architecture on Marco Place.

Venice has long been a haven for creative individuals: writers, actors, and innovative architects and artists. For this reason, the character of Venice's architecture has evolved into a stimulating, eclectic mix of tradition and modernity. Lovingly restored craftsman-style bungalows mingle with mission-revival adobes, glass-and-steel modernist experiments, and every permutation in between. This mix creates the unique character of Venice's streetscape. Approving the petitioners' appeal of the Landon home's design would set a disturbing precedent that would be the first step in shutting down this unique creative ferment.

I have read the Venice Specific Plan, and the appeal of the petitioners, and have compared these with both the plans for the Landon house, and the realities of home styles in the walk streets. The following points refute the petitioners' claims:

- 1) The Venice Specific Plan stipulates that the design of new homes *complement* those of surrounding homes, not match them. The Landon home's use of colors, materials such as wood and stucco, stone, metal and landscaping has been planned to coordinate with the mix of materials and styles that already exist on Marco Place and the walk streets. The Venice Specific Plan has recognized this by approving the Landon house plans without a single change.
- 2) The appeal mentions specific objections to certain design elements as incongruent with the home styles of Marco Place: flat roofs, metal windows, metal railings, hardscapes, and roof decks. Numerous existing homes on the walk streets incorporate these elements. No other walk street has been restricted to a certain rigid style. Why, then, should the Landon house be prohibited from including similar elements?

Chris Landon and Jodi Gusek are not real estate speculators. They have lovingly designed their dream house—a house that is well within all of the specifications of the Venice Specific Plan—in a neighborhood which they love and respect and plan to make their home for many years to come. I've sat in their front yard on Nowita Place many evenings and watched them chat with neighbors, among whom they are liked and respected. I know they will be just as good neighbors on Marco. Their new home will blend harmoniously with the eclectic aesthetics of Venice in general, and with the styles of Marco Place in particular, adding to the delightful visual variety that makes Venice so special. Please deny the appeal and allow Chris and Jodi to move ahead with their plans.

Sincerely,

Carol Ann Wald

To: The West Los Angeles Area Planning Commission

Matthew Rodman, President, Robyn Ritter Simon, Vice President
Joyce Foster, Commissioner, Sean Burton, Commissioner
Elvin W. Moon, Commissioner, Sheldred Alexander, Commission Executive Assistant

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, October 6, 2004
Property address: 728 E. Marco Place, Venice, CA 90291
Applicant: Chris Landon

October 2, 2004

Dir Sir or Madam,

I am writing to express my deep support for Chris and Jodi Landon, the landowners of this property to build the house they have designed. It is my understanding that it fully complies with all local building codes and was approved by staff.

As a Venice property owner and former walkstreet resident, I do not understand how a project that is designed and approved under the Venice specific building codes can be appealed because of concerns about its appropriateness. By definition of the building code, it is appropriate. If there are concerns, they need be addressed by legislators revisiting the building codes, you are not appointed to be activist for a building code different from the one on the books.

Secondly, anyone who lives in Venice knows the area is defined by compelling, dynamic architecture, and our neighborhood has been revitalized by visionaries willing to take rundown properties and turn them into dynamic contributions to our very unique area. This home is completely consistent with other homes approved by staff in the immediate vicinity.

Beyond that, there is a level of absurdity in the constantly changing nature of the appeal.

Venice bungalows of the past served as weekend beach houses and they didn't sell in the million dollar range. The original homes are old, deteriorated, and no one in Venice buys an 800-square foot home for a \$1 million to live in it as-is. Prospective buyers look at the condition of the home, at the character of the area and at the building codes to determine whether or not to make the investment. They cannot and should not have to anticipate arbitrary building requirements that don't exist in code.

Please support this project.

Thank you.

Dan Seaver
2243 Glencoe Avenue,
Venice, CA 90291

To: The West Los Angeles Area Planning Commission
200 N. Spring St. Room 532
Los Angeles, Ca. 90012

Matthew Rodman, President
Robyn Ritter Simon, Vice President
Joyce Foster, Commissioner
Sean Burton, Commissioner
Elvin W. Moon, Commissioner
Sheldred Alexander, Commission Executive Assistant

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, October 6, 2004
Property address: 728 E. Marco Place, Venice, CA 90291
Applicant: Chris Landon

September 28, 2004

My name is Warren Bowman, and I am writing in support of Chris Landon. I have been a Venice resident for 10 years, and have seen many changes during that time. One of the most troubling is the changing character of the neighborhood. In Venice, as elsewhere in Los Angeles, private property is being redeveloped at a rapid rate, and property owners are being allowed to build massive structures almost at will, with zoning variances being handed out for the asking. As an owner of an original 1922 Venice Bungalow, I am appalled at the way the Venice Specific Plan, as well as the general zoning laws, are consistently being ignored.

My sense of general disgust became a sense of outrage when I heard about Chris Landon's case. Here is a property owner who is asking for NO variances, who respects the Venice Specific Plan, and who is trying to develop his property in a way that is sensitive to the neighborhood. And yet this case is being re-heard? After giving away the store to the St. Joseph's Center and many other non-conforming plans, all of a sudden there is a problem with Chris Landon's totally conforming project? Something stinks here, and it isn't El Segundo.

I live on Palms Blvd, just a few blocks from the property in question, and I want to see Chris Landon's plan approved. Development is a fact of life in Venice, and people who try to do the right thing and develop property within the law should be rewarded, not punished.

Respectfully,

Warren Bowman
758 Palms Blvd.
Venice, CA 90291
310-306-4622



September 27, 2004

TO: West Los Angeles Area Planning Commission
200 N. Spring Street, Room 532
Los Angeles, California 90012

Matthew Rodman, President
Robyn Ritter Simon, Vice President
Joyce Foster, Commissioner
Sean Burton, Commissioner
Elvin W. Moon, Commissioner
Sheldred Alexander, Commission Executive Assistant

RE: Hearing Case #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, October 6, 2004
Property Address: 728 E. Marco Place
Venice, California 90291
Applicant: Chris Landon

Dear Planning Commission Members:

Those who seek to deny Chris Landon permission to build his home based solely on personal aesthetics are wasting your time and the taxpayer's money. The motives of those opposed to the construction of his new home are frivolous and selfish, for what his neighbors truly desire is a slavish imitation of the "traditional" homes they live in, even though many have been altered and updated throughout the years. Modern architecture reflects the scientific and ethical movement of our time, just as the Craftsman home did a century ago. Departure from tradition has always provoked outrage and controversy, but cooler heads have fortunately prevailed in the past and should continue to do so now, if we want our communities to grow and thrive.

Sincerely,

Marc Paykuss
1026 Marco Place
Venice, California 90291

The West Los Angeles Area Planning Commission
200 N. Spring St. Room 532
Los Angeles, Ca. 90012

Matthew Rodman, President
Robyn Ritter Simon, Vice President
Joyce Foster, Commissioner
Sean Burton, Commissioner
Elvin W. Moon, Commissioner
Sheldred Alexander, Commission Executive Assistant

Re: Hearing Case #DIR-2004-3161-SPP-MEL-A1
Hearing Date: Wednesday, October 6, 2004
Property address: 728 E. Marco Place, Venice, CA 90291
Applicant: Chris Landon

Tuesday, September 28, 2004

To the West Los Angeles Area Planning Commission,

I have lived in Venice Beach for over eleven years; the later three in what is known as the Walk-Street/ Garden area. This neighborhood is very special; home to both successful and starving artists and writers, business men and women, teachers, homeless, etc... It is this melting of cultures that makes Venice so unique, and it is why I and so many others have called it home.

This diversity is apparent with a stroll down a typical Venice walk street: older craftsman homes co-exist with modern architecture, and gardens filled with sculpture and lanterns adorn outdoor spaces; each unique to its owners taste.

In the case of 728 E. Marco Place, I urge you to consider the damaging consequences of granting an appeal.

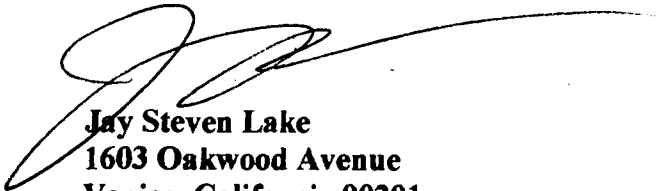
The home destined for the parcel is in complete compliance with the Venice Specific Plan, and the applicant, Chris Landon, has not requested a single variance or exemption. With regards to the massing complaint, a look around the immediate neighborhood shows that the home is by no means even close to being the largest home in this community.

Chris Landon and his wife Jodi Gusek are long time walk street residents themselves. They have taken great care to incorporate the characteristics of the Venice lifestyle into the design of their home. Once again, this design is well within the guidelines of the Venice Specific Plan. To grant an appeal to a handful of homeowners who prefer a more traditional style of architecture is completely unwarranted.

I again ask you to take a good look around the neighborhood, not just the 700 block on Marco Place, but on adjacent blocks. One block out of ten walk street blocks, numerous avenues and courts, should not set the precedence for the entire Walk-Street/ Garden neighborhood.

I strongly urge you to deny the appeal and allow Chris and Jodi to move forward with their plans.

Thank you for your consideration



**Jay Steven Lake
1603 Oakwood Avenue
Venice, California 90291**

**OPPONENTS'
CORRESPONDENCE**



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February 8, 2005

Peter Douglas, Executive Director
Ralph Faust, Jr., Chief Counsel
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

**Re: Andrea D'Amico v. City of Los Angeles, et al.
LASC Case No. BS 094346**

Application for Permit No. 5-04-373 (Landon)

Dear Peter and Ralph:

This firm represents, along with attorney Alan Seltzer, Amy Neiman, Andrea D'Amico and other residents on the 700 block of Marco Place, in Venice. I am enclosing a Notice to Potentially Responsible Agencies and Agencies with Jurisdiction over an Affected Resource Pursuant to the California Environmental Quality Act. The notice is required by CEQA. Because the matter is also pending before the Commission, I thought it might be useful to briefly describe what is at issue.

The lawsuit concerns the proposed demolition of an existing one-story single-family house on a quaint "walkstreet" in Venice and the construction of a two-story residence. Ordinarily, this might be viewed as routine. However, the two-story house proposed has a mass and scale that is completely incompatible with the rest of the block and the neighborhood.

On this particular walk street – Marco Place, there are 26 residences. 14 are single-story. 12 are two-story, but nearly all of the two story residences have a second story that is setback from the first story, and the façade of each is varied and articulated. By contrast, this proposed project is massive and unyielding at a maximum height of 28 feet, and it would loom over the walkstreet and the other residences on the block.

The cumulative effect of two-story residences, like this one, would be to create a "canyon" effect along the walkstreets, imposing, elitist and unfriendly to the public pedestrian users of the walkstreets, blocking light and sky, and creating a radical change in the character of this special neighborhood. As you undoubtedly

Peter Douglas
Ralph Faust, Jr.
February 8, 2005
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know, other coastal communities are dealing with variations of the very same problem, whether it be efforts to regulate out-of-scale residential proposals in, for example, the City of Santa Barbara or "mansionizing" in the City of Santa Monica.

As noted, the owners of the property at issue have applied to the Commission for a permit. In January 2005, the Commission pulled the item from the Consent Calendar, without the need for testimony and despite the staff recommendation for approval. We opposed the application because the issues raised are critical in terms of preserving the walkstreets as an important and LUP-acknowledged coastal resource. Specifically, we believe that the Commission needs to develop a flexible formula for a second-story setback (e.g., an average 10' or 15' setback) and apply it in this application and in the as yet certified Venice Specific Plan (only the LUP is certified). In the absence of a setback, height or other structural modification, this project violates the qualitative requirements of the certified LUP and the Specific Plan, would set an adverse precedent that is likely to change the character of the block forever, and would prejudice the City's ability to prepare an LCP (the implementation portion) to protect this special and highly unique neighborhood, in violation of Section 30235(5) of the Act.

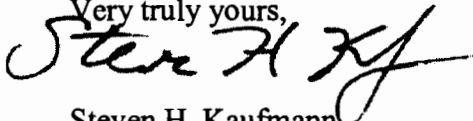
As a policy matter, the community has reached the point with the 10 walkstreets in this area where it is time that the Commission actively protect the resource and provide guidance to the City in that respect. In this case, two of the five Planning Commissioners actually visited this walkstreet, and strongly agreed with us that the proposal is grossly out of scale with the surrounding neighborhood (i.e., it violates the qualitative mass, scale and compatibility standards in the certified LUP and Specific Plan, even though technically it falls within the height and setback limits). The Planning Commission nonetheless approved the project, with three commissioners who never saw the site voting in favor of it. However, more recently, the Planning Commission seemingly reversed course and denied two "big box" residences proposed in this area. Enclosed is an e-mail from an opponent in the community explaining the decision made. This was a big step for the Planning Commission, and, to ensure that completion of the LCP effort is not prejudiced and is guided by the Commission, we submit that this approach needs to be confirmed by the Commission in the context of the Marco walkstreet permit matter.

Peter Douglas
Ralph Faust, Jr.
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In the January Staff Report, your Staff raised one issue that we thought would be helpful to address now. Staff noted, correctly, that an addition to a single-family residence in this area does not require a permit. Thus, Staff reasoned that a remodel could include a second story with a straight vertical façade, and there is nothing the Commission could do about. However, as a practical matter, this is not a real concern. To truth it, Alan Seltzer and I walked all 10 walkstreets, and we did not find a single remodel that has proceeded in this manner. Either the owners have sensitively developed setback designs that complement the neighborhood (unlike the applicant here), or they have elected not to do a vertical remodel because the structural requirements are too costly and it makes more sense to demolish the entire older structure and start over. In other words, while we understand the theory, the evidence completely undermines it here. We would be more than willing to walk these walkstreets with your Staff to demonstrate that this is the case.

In any event, Alan and I felt that transmittal of the lawsuit also provided a appropriate opportunity to briefly address the application. We are hopeful that Staff will formulate a recommendation that while permitting an ample house, nonetheless protects the walkstreets. We have some good ideas, and are happy to work with Staff to accomplish that.

Should you have any questions about the lawsuit, please do not hesitate to contact Alan (805-568-2970) or me (213-253-0258).

Very truly yours,

Steven H. Kaufmann

cc: (w/encl.): Peter Douglas, Executive Director, CCC
Alan Seltzer, Esq.



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steven r. orr
b. tilden kim
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kayser o. sume
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t. peter pierce
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January 6, 2005

Meg Caldwell, Chair
Commissioners
California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302

Re: Application No. 5-04-373 (Landon)
728 Marco Place, Venice, City of Los Angeles

Hearing Date: Thursday, January 13, 2005

Item: 5a

Dear Chair Caldwell and Commissioners:

This firm represents Andrea D'Amico, Lisa Zimble, Evan Dunskey and Amy Neiman ("Residents") who oppose the above project, as proposed. They reside adjacent to or in the immediate neighborhood of the proposed structure on the 700 block of Marco Place, in Venice.

Staff has placed this matter on the Consent Calendar. This letter respectfully requests that the item be removed from the Consent Calendar so that it can be more carefully addressed and considered by the Commission in a full public hearing.

The applicant proposes to demolish an existing one-story single-family house and to replace it with a new, massive two-story single-family residence on what your Staff points out is an historic Venice "Walk Street." The Walk Streets represent a unique coastal resource where houses and quaint gardens flank a 10' wide public walkway that permits pedestrians to experience this special community. The Marco Place walk street is particularly unique because nearly directly across from the proposed structure is a tiny City park - "rubber tree park" a little island in the center of the Walk.

The Staff Report fails to provide any meaningful details concerning the proposed residence and the Marco Place walk street. There are 26 residences on the 700 block of Marco Place. 12 are two-story. Significantly, nearly all of the two-story

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Coastal Commissioners
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residences are setback¹ from the Walk Street, and the facade of each of these structures is varied and articulated. By contrast, the proposed project – designed with a facade that is massive and unyielding at maximum height (28') looming over the Walk Street – shares nothing in common with the mass and scale of the other residences on the block.

Interestingly, to generate neighborhood support the applicants initially showed some Marco Place residents several “inspiration” photos, including one designed by the same architect with an approximately 10 foot second story setback. That would have been consistent and compatible with the walk street standards of the Venice certified Land Use Plan and the Venice Coastal Zone Specific Plan, and would have been supported by the residents. For whatever reason, both the City and the applicants refused to show the revised (and now proposed) plans to the Marco Place residents.

Your Staff Report is uncharacteristically truncated on the facts and analysis, and consequently the findings recommended are both unrevealing and, equally important, legally inadequate. As proposed, the project violates the LUP and the Specific Plan, would set an adverse precedent that is likely to change the character of the block forever, and would prejudice the City's ability to prepare a Local Coastal Program (“LCP”) to protect this special and highly unique neighborhood, in violation of the “unique neighborhood” protection policy set forth in Section 30253(5) of the Coastal Act (Pub. Resources Code § 30000 et seq.)

Accordingly, we respectfully request that the Commission move this item from the Consent Calendar to permit a full public hearing. The approval of a residential development on a Walk Street should not be a ministerial and mechanical exercise, and a full public hearing would enable this Commission, Staff and the parties to engage in a more critical and thoughtful analysis in making findings regarding the conformity or lack of conformity with the Walk Street standards.

¹ We are separately providing to you photographs taken of the residences on Marco Place that the second stories are (1) built over garages, (2) constructed above the first story at the rear of residence, (3) in two cases, built on diminutive structures, or (4) simply setback from the facade and articulated to reduce mass and scale and create visual interest. The facade of the structure proposed by the applicant does not bear faint resemblance to the mass and scale of the other residences on the Walk Street.

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The Proposed Project is Not Compatible in Scale and Character with Existing Neighborhood and Would be Materially Detrimental to Adjoining Lots or the Immediate Neighborhood.

To implement the certified Venice Land Use Plan, the City of Los Angeles has adopted the Venice Coastal Zone Specific Plan. The Commission has not yet acted on that Specific Plan, and it is ignored in the Staff Report. Section 8.C.1 of the Venice Specific Plan requires that the following finding:

“That the Venice Coastal Development Project is compatible in scale and character with the existing neighborhood, and that the Venice Coastal Development Project would not be materially detrimental to adjoining lots or the immediate neighborhood.” (Emphasis added.)

The Staff Report does pick up on the terminology in this provision, but the findings proposed are conclusionary, unsupported by substantial evidence, and therefore are legally inadequate. Your Staff’s findings propose the following bald conclusions: “Although the proposed two-story structure has an architectural style that is different from many of the existing homes on the street, its design and mass would not have a detrimental effect on community character.” And, “The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area” (Staff Report, p. 8.)

Unfortunately, there is nothing in the Staff Report that explains the nature of the immediate neighborhood and its characteristics to enable the Commission to conclude, one way or the other, whether this project would be compatible in scale and character with the existing neighborhood. We would explain at a full public hearing that it is clearly is not.

As noted above, there are 26 residences on the block, 12 are second-story, and all 12 have been setback (except for two 1920’s diminutive structures), and all are varied and articulated on the facade. If 90% of the residences on the block were comparable to the proposed structure, that Staff finding would have merit. However, when none are comparable -- as here, the finding required by the Specific Plan simply cannot be made.

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The Proposed Project Does Not Complement the Mass and Scale of the Existing Structures on the Walk Street.

The Staff Report points out that Policy 11. C. 10 sets forth Residential Development Standards for Walk Streets. As your Staff correctly states, these design standards have been adopted “to preserve the unique character of the Venice walk streets.” (Staff Report, p. 7.) Policy 11. C. 10 requires, in pertinent part:

“Building materials, colors, massing and scale of new structures shall complement those of existing structures in the neighborhood. Building facades shall be varied and articulated to provide visual interest to pedestrians.” (Emphasis added.)

As noted above, the Staff Report offers only the conclusionary findings with regard to project’s conformity with this policy: “[I]ts design and mass would not have a detrimental effect on community character” and “will be compatible with the character and scale of the surrounding development.”

In acting on this application, the question is, how does this project comply with the residential development standards for projects fronting on walk streets? We respectfully submit that this Commission cannot know the answer to this question since the Staff Report has not explained factually in any manner how those standards have been complied with. Perhaps most importantly, the residential standards have not and cannot be complied with. The mass and scale of the proposed structure do not complement those of the other existing structures fronting on the Walk Street. Simply put, a structure that is completely out of sync with the mass and scale of every other house on the Walk Street cannot be found to “complement” the mass and scale of the other existing structures fronting the Walk Street. Further, a building facade that is, for all intents and purposes, a “box” with an unrelieved vertical element compared to the other highly varied and articulated structures on the rest of the block cannot be said to be “varied and articulated to provide visual interest to pedestrians.”

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The bald finding in the Staff Report not only fails as a matter of law,² but it fails in every respect to explain how and why the conclusion is offered that the Walk Street residential standards noted above have been complied with.

The Project Would Prejudice the Ability of the City to Prepare a Local Coastal Program in Conformity with the Policies of the Coastal Act.

Section 30604 of the Coastal Act requires:

“Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with Chapter 3 [of the Coastal Act] (commencing with Section 30200) and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 (commencing with Section 30200).”

Section 30604 mandates that “no coastal development permit be issued which would prejudice the local government’s ability to prepare an LCP in conformity with the [Coastal] Act.” (*Sierra Club v. Superior Court* (1985) 168 Cal.App.3d 1138, 1142.) The Staff Report again makes a conclusionary statement that approval of this project will not lead to LCP prejudice. We disagree. It bears emphasis that the Walk Street standards in the certified Land Use Plan and the as yet reviewed Specific Plan are rooted in Section 30253(5) of the Coastal Act, which sets forth a coastal policy that requires that new development “protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination point for recreational uses.”

² Findings that do no more than recite ordinance or statutory language are insufficient as a matter of law. (*City of Carmel v. Board of Supervisors* (1977) 71 Cal.App.3d 84, 91.) Findings must “bridge the analytic gap between the raw evidence and the ultimate decision or order.” (*Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 517.)

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Moreover, we respectfully submit that the “no prejudice to the LCP” finding cannot be made here. To mechanically approve a residential structure that is entirely incompatible with the mass and scale of a Walk Street creates the proverbial “slippery slope.” Once the door is opened, it may not be possible to close it. As a consequence, the goal of the Coastal policy above and its counterpart in the Venice Specific Plan would be forever undermined – the very prejudice to the LCP planning process that the Coastal Act mandates be avoided. The responsibility for ensuring that the LCP planning process is not prejudiced falls on the shoulders of the Commission. Yet, again, the finding is unrevealing on that issue.

Special Condition 2(b) – “Building Design” – is Confusing and Requires Further Review.

Special Condition 2 purports to require specific Walk Street Setback and Design Requirements. What is the purpose of this condition? The Staff Report appears to recommend approval of the project as submitted. Yet, Special Condition 2(b) states:

“Building Design. In order to enhance visual quality and community and community character, the side of the building facing the Marco Place walk street shall be designed and constructed with varied and articulated façade that provides visual interest to pedestrians. Frequent windows and the primary ground floor entrance for the residence shall face the walk street. Porches, bays and balconies, consistent with the setback and height requirements of part (a) above, are encouraged.”

Is Staff recommending a 10’ second story setback? Unfortunately, this language is unclear as to whether it is requiring anything at all, reciting the requirements of the Land Use Plan, or simply “encouraging” certain design elements. This, we respectfully submit, requires further examination by Staff and the Commission.

Further, the proposed structure has a small setback for a balcony but the balcony then hangs out over the setback into the front yard near the “Rubber Tree Park,” and thus cancels out the purpose of a setback.

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The Commission Lacks Relevant Information Needed to Evaluate the Project.

Finally, the Staff Report fails to address at least two matters that would determine whether the relevant findings regarding consistency with the Coastal Act, certified Land Use Plan, and Venice Specific Plan can actually be made.

First, oddly, to construct the house will require the removal of a portion of the side porch and roof of the adjacent house (not owned by the applicants) on the west side of the property at 724 Marco Place. This bears on whether there is an adequate sideyard setback on the west side of the applicant's property. We understand that the owner of 724 Marco Place has indicated that he has no objection to modification to his residence. However, the required sideyard setback cannot be "negotiated" away between property owners. In Venice, this is a fire issue because the houses are frequently only six feet apart, and maintaining a consistent sideyard setback between residences in Venice is an important precedential issue in terms of ensuring fire safety.

Second, the applicant proposes a tandem parking space that is not to Code. Unfortunately, as designed, the tandem space would require parking on an angle, rather than providing all of the space required for a true tandem parking space. The applicant's residence backs up to a narrow alley. The creation of an inadequate tandem space creates the potential for the applicant, his guests or invitees to park part way into the alley, thereby blocking the alley.

We believe the Commission cannot determine the adequacy of the sideyard setbacks without first knowing the precise location of the property boundary, what must be removed from an adjacent residence, and whether and where the setbacks are located. Likewise, we believe that approval of the unusual tandem parking space proposed by the applicant would create an adverse precedent (an incentive) for that configuration of parking throughout Venice. Since the project proposes new construction, it should be re-designed to provide adequate parking.

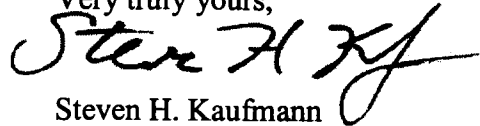
CONCLUSION

The issue on this application is compatibility of the project, as proposed, with the mass and scale of the existing residences in the surrounding neighborhood on Marco Place. The project needs to be modified to create the "fit" with the

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Coastal Commissioners
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neighborhood. We respectfully request that the matter be pulled from the Consent Calendar so that it can be considered in a full public hearing. If appropriate, the Commission should further give direction to Staff to require a more definitive special condition requiring a further setback of the second story and a varied and articulated facade that complements Marco Place, as required by the certified LUP and Specific Plan.

Very truly yours,

A handwritten signature in black ink, appearing to read "Steven H. Kaufmann", with a stylized flourish at the end.

Steven H. Kaufmann

cc: Chuck Posner – California Coastal Commission, Long Beach
Ralph Faust, Jr., Esq. – California Coastal Commission, SF
Jamee J. Patterson, SDAG - SD
Alan Seltzer, Esq., Amy Neiman – 737 Marco Place, Venice
Andrea D'Amico – 732 Marco Place, Venice
Lisa Zimble and Evan Dunskey – 740 Marco Place, Venice

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RECEIVED

San Francisco, CA

COASTAL COMMISSION

Agenda # *Th 5a*
Application # 5-04-373
Kathleen Donovan
Matt Malloy
736 Marco Pl. Venice, CA
OPPOSE proposed new bldg

Request full hearing from CCC

Dear Commissioners:

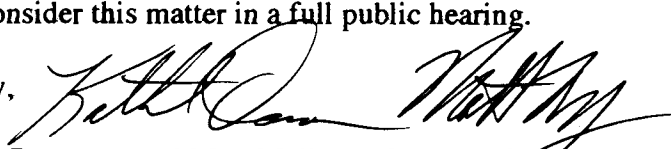
We reside two doors down from the proposed building at 728 Marco Place. We feel the building would change our block in detrimental way. Please consider a full hearing so that all of the commissioners have the time to review the case.

We moved to this block for its charm and character eleven years ago. We have seen many changes around the walkstreets. However, our block, the 700 block is lucky to have long time home owners who have respected and rejoiced in the quaint community feeling, the beautiful gardens, the open spaces and the sunshine. The beautiful rubber tree which is the center of our block, brings children from all over the area to enjoy the tire swing which hangs from it. The residents here, not the city, maintain that tree. We pay out of our own pockets because we know that protecting the life of that tree is part of protecting the life of this block. When we so strongly oppose this building project please know that we are in no way opposing the individuals who seek to build it. We are a close group of people but we have welcomed each new member of the block over the years and will continue to do so. We so vehemently oppose this building because the mass and scale of it is so completely out of line with the rest of the block. It would be an eyesore, a blight. It will detract from the open space feeling, block out a great deal of sunshine and the shape of it, with it's flat roof and 35 foot center, will simply dwarf everything around it.

We have worked hard over the years to maintain a feeling of openness on the 700 block. While many people have added a second story to their homes they have NOT taken advantage of every square foot of possible building space. They have observed Coastal Act Section 30251 and kept their homes in the character of the surrounding neighborhood. There are porches and stoops on every home on this block. The one home that does not have a porch has a lovely patio between the house and the walk street.

Please consider this matter in a full public hearing.

Sincerely,


Kathleen Donovan and Matt Malloy Owners of 736 Marco Place

*Evan Dunsky/Lisa Zimble
740 Marco Place
Venice, CA 90291
Ph. (310) 822-7218 Fx. (310) 823-6258*

January 6, 2005

Meg Caldwell, Chair
Commissioners
California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302

Re: Application No. 5-04-373 (Landon)
728 Marco Place, Venice, City of Los Angeles

Hearing Date: January 13, 2005

Lisa Zimble &
Evan Dunsky
****oppose project being
built & ask for full hearing
Th5a
App# 5-04-373**

RECEIVED
South Coast Region

JAN 7 2005

CALIFORNIA
COASTAL COMMISSION

Dear Chair Caldwell and Commissioners,

We respectfully ask that the Coastal Commission give our case a full hearing. It takes time to look at the 'big picture'; to understand the integrity of our neighborhood and of our block, an historic Venice walk street. This is what we are asking of you.

The 700 block of Marco Place is one of the few blocks of walk street left in Venice that has not been overdeveloped in a way that disregards the Venice Specific Plan. The 700 block of Marco Place is consistently named as the most beautiful Venice walk street block by pedestrians walking the neighborhood. Why? Because the gardens, the quaintness, the eclectic nature of the homes create and encourage a pedestrian walkway. The play of light and the flow of air and the mass and scale of the homes all work together. It's really quite beautiful.

We oppose the building of a home whose mass and scale is incongruous and incompatible with the rest of our block. We do not care that this house is modern. What we care about is that the front massive and unyielding wall of this home is 28 feet high and that the only visual articulation is a balcony that extends towards the walk street. We understand that because real estate prices are so high in our neighborhood, people buy and then want to build bigger homes. So

far everyone on our block, including ourselves, who have added on, have done so in a way as to not crowd the walk street. We appreciate where we live and we live here for a reason. We understand that when adding on to a home on our block we need to design both an interior home and an exterior home that is compatible with the walk street. We did not build interior courtyards (which seem like a lovely idea if you are building on a lot with a bit of space, but not when you are building on a substandard 40' lot on a walk street). An internal courtyard not facing the walk street makes the mass and scale of the proposed home even more extreme.

This is a complicated issue. It's difficult. It's emotional. There is a lot at stake for both sides. These are all issues that need to be carefully addressed. I respectfully request that the Commission consider this matter in a full public hearing.

Thank you.

Sincerely,

The handwritten signature consists of the name "Lisa Zimble" in a cursive script, followed by a horizontal line, the letter "D", and a stylized flourish.

Lisa Zimble and Evan Dunskey
740 Marco Place

Residents of 700 block of
Marco Place
****oppose project being
built & ask for full hearing
Th5a
App# 5-04-373**

January 6, 2005

Meg Caldwell, Chair
Commissioners
California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302

RECEIVED
South Coast Region

JAN 7 2005

CALIFORNIA
COASTAL COMMISSION

**Re: Application No. 5-04-373 (Landon)
728 Marco Place, Venice, City of Los Angeles**

Hearing Date: January 13, 2005

Dear Chair Caldwell and Commissioners,

Enclosed is a petition letter signed by 34 people, 24 of whom live on the 700 block of Marco. An additional 4 residents, whose houses face the property at 728 Marco Place across the alley on Amoroso also signed, as well as 6 others, who live in close proximity on adjoining streets.

These signatures were gathered in a single afternoon on the day before the materials were due to go before the City Planning board. We circulated this petition to illustrate that concern over the proposed house at 728 Marco Place is very widespread, and not just the province of the few of us you see before you tonight.

We feel very strongly about our block and our community and the quality of our lives. We hope that the Coastal Commission will work with all of the concerned parties to find an acceptable common ground.

Thank you.

Sincerely,

The Concerned Residents of the 700 Block of Marco Place

RE: Case # DIR2004-3161-SPP-MEL-A1 -- 728 Marco Place, Venice CA 90291

TO: The West Los Angeles Planning Commission

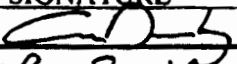
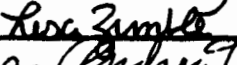
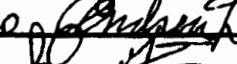

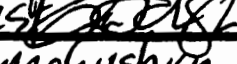
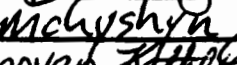
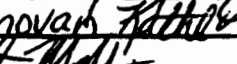




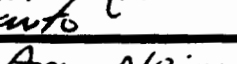
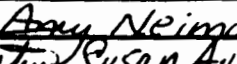
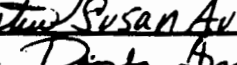
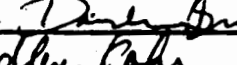
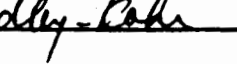
We, the undersigned residents of the 700 Block of East Marco Place and adjacent streets, wish to voice our concern over the proposed house to be built at 728 East Marco Place.

We welcome diversity, and we have no wish to impose a different architectural style on the proposed design than the one which now exists. However, we have examined the plans, and we believe that the massing and scale of the proposed house is incongruous and incompatible with the other houses on the block. We understand that there are provisions in the Venice Specific Plan which provide protection against homes which are incompatible in mass and scale. (Section 12 Part 1A)

We also understand the economics that affect our neighborhood. Many homes on our block have been expanded and improved, but they have done so not only with respect for the above stated section of the ordinance, but also with respect for the existing aesthetic, as called for in Section 3 Part F of the Venice Specific Plan.

We believe that the proposed house at 728 Marco Place is in violation of these provisions. Our block is one of the last walk street blocks in our neighborhood which has not been overdeveloped with overly large homes which crowd their neighbors and the walk street itself. We hope to preserve the special quality of life on our block which these provisions are set forth to protect. We appreciate the attention of the planning board, and it is our hope that the board will help to redress this situation.

Respectfully,

NAME	SIGNATURE	ADDRESS	DATE
EVAN DUSKY		740 MARCO PLACE	9/25/04
LISA ZIMBLE		740 MARCO PLACE	9-25-04
Andrea Damico		732 MARCO PLACE	9-25-04
John McCune		732 MARCO PLACE	9-25-04
KIRCHEN WISE		721 MARCO PLACE	9/26/04
MARK LYNCHYSHYN		721 Marco Place	9/26/04
Kathleen Donovan		736 Marco Place	9/26/04
MATT MALLON		736 MARCO PLACE	9/26/04
NANCY CUNNINGHAM		753 MARCO PLACE	9/26/04
ANITA RIZOLIN		800 MARCO PLACE	9/26/04
Melissa Greenman		746 MARCO PLACE	9/26/04
Robert Adams		743 Marco Place	9/26/04
Amy Neiman		737 Marco Place	9/26/04
Susan Austin		745 Marco Place	9/26/04
Darlene Bringle		745 Marco Place	9/26/04
Manan Bradley-Cohn		800 MARCO PL	9/26/04

RE: Case # DIR2004-3161-SPP-MIL-A1 -- 728 Marco Place, Venice CA 90291

TO: The West Los Angeles Planning Commission

We, the undersigned residents of the 700 Block of East Marco Place and adjacent streets, wish to voice our concern over the proposed house to be built at 728 East Marco Place.

We welcome diversity, and we have no wish to impose a different architectural style on the proposed design than the one which now exists. However, we have examined the plans, and we believe that the massing and scale of the proposed house is incongruous and incompatible with the other houses on the block. We understand that there are provisions in the Venice Specific Plan which provide protection against homes which are incompatible in mass and scale. (Section 12 Part 1A)

We also understand the economics that affect our neighborhood. Many homes on our block have been expanded and improved, but they have done so not only with respect for the above stated section of the ordinance, but also with respect for the existing aesthetic, as called for in Section 3 Part F of the Venice Specific Plan.

We believe that the proposed house at 728 Marco Place is in violation of these provisions. Our block is one of the last walk street blocks in our neighborhood which has not been overdeveloped with overly large homes which crowd their neighbors and the walk street itself. We hope to preserve the special quality of life on our block which these provisions are set forth to protect. We appreciate the attention of the planning board, and it is our hope that the board will help to redress this situation.

Respectfully,

NAME	SIGNATURE	ADDRESS	DATE
MARK SAILOR	[Signature]	721 AMOROSO PLACE	9/26/04
Tom Wright	[Signature]	709 AMOROSO PL	9/26/04
Clare Long	[Signature]	747 MARCO PL	9/26/04
[Signature]	[Signature]	747 MARCO PL	9/26/04
DAVID GLASSER	[Signature]	754 MARCO PL	9/26/04
ALI KATLEY	[Signature]	754 MARCO PL	9/26/04
CARST ALLEN	[Signature]	817 MARCO PL	9/26/04
Antonia Allen	[Signature]	817 MARCO PL	09/26/04
Renae Cowley	[Signature]	720 MARCO PL	9/26/04
Elinor Graham	[Signature]	720 MARCO PL	9/26/04
Darlene Edwards	[Signature]	713 AMOROSO PL	9/26/04
Hyun Headrick	[Signature]	741 AMOROSO PL	9/26/04
Greg Fitesimmons	[Signature]	2009 oakward AVE	9/26/04
* Julia Uchimura	[Signature]	745 MARCO PL	9.26.04
* MARY STEWART	[Signature]	745 MARCO PL	9.26.04

* out of town, but asked that their names be signed to petition

RE: Case # DIR2004-3161-SPP-MEL-A1 -- 728 Marco Place, Venice CA 90291

TO: The West Los Angeles Planning Commission

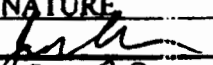
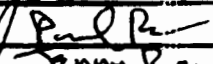
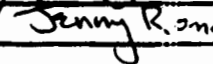
We, the undersigned residents of the 700 Block of East Marco Place and adjacent streets, wish to voice our concern over the proposed house to be built at 728 East Marco Place.

We welcome diversity, and we have no wish to impose a different architectural style on the proposed design than the one which now exists. However, we have examined the plans, and we believe that the massing and scale of the proposed house is incongruous and incompatible with the other houses on the block. We understand that there are provisions in the Venice Specific Plan which provide protection against homes which are incompatible in mass and scale. (Section 12 Part 1A)

We also understand the economics that affect our neighborhood. Many homes on our block have been expanded and improved, but they have done so not only with respect for the above stated section of the ordinance, but also with respect for the existing aesthetic, as called for in Section 3 Part F of the Venice Specific Plan.

We believe that the proposed house at 728 Marco Place is in violation of these provisions. Our block is one of the last walk street blocks in our neighborhood which has not been overdeveloped with overly large homes which crowd their neighbors and the walk street itself. We hope to preserve the special quality of life on our block which these provisions are set forth to protect. We appreciate the attention of the planning board, and it is our hope that the board will help to redress this situation.

Respectfully,

NAME	SIGNATURE	ADDRESS	DATE
Jon Goldman		1912 S. 4th St. #4 90291	9-26-04
PAUL ROMAN		733 MARCO PLACE 90291	9-26-04
Jenny Roman		733 MARCO PLACE 90291	9-26-04

Chuck Posner
Staff, California Coastal Commission
200 Oceangate, Suite 1000
Long Beach, CA 90802

Re: Request for Notice of CDP application for demolition and rebuild at 728 East Marco Place,
Venice, CA 90291; City of Los Angeles Project Permit Compliance Case No. DIR2004-3161
(SPP)(MEL).

Thursday, September 09, 2004

Dear Mr. Posner:

We are residents of the 700 block of Marco Place in Venice, California. We oppose the above-referenced permit application because it cannot be approved in compliance with the findings required by Sections 8.C and 12.A.1 of the Venice Coastal Zone Specific Plan to approve this walk street development.

This house does not belong on our walk street. It is not compatible with the mass and scale of any of the other homes on our block. It towers over its two next door neighbors and presents an unarticulated wall to pedestrians on the walk street.

In order to ensure that we have an opportunity to present our appeal to you and the Coastal Commission, would you kindly email or fax notice of the filing of any application for coastal clearance for development at 728 Marco Place, (AKA 728 East Marco Place) in Venice, CA, to us, (the undersigned), at the numbers below.

Please contact us at the numbers or by the email listed below if we can provide you with further information. We are extremely concerned about this proposed house.

Thank you in advance for your time and consideration.



Lisa Zimble
740 Marco Place
Venice, CA 90291
310-822-7218



Kathleen Donovan
736 Marco Place
Venice CA 90291
310-578-6625

Fax Number: 310-823-6258
Email: LZimble@aol.com

RECEIVED
South Coast Region

SEP 9 2004

Chuck Posner
Staff, California Coastal Commission
200 Oceangate, Suite 1000
Long Beach, CA 90802

CALIFORNIA
COASTAL COMMISSION

Re: Request for Notice of CDP application for demolition and rebuild at 728 East Marco Place, Venice, CA, 902091; City of Los Angeles Project Permit Compliance Case No. DIR2004-3161 (SPP)(MEL).

Tuesday, September 07, 2004

Dear Mr. Posner:

We are residents of the 700 block of Marco Place in Venice, California. We oppose the above-referenced permit application because it cannot be approved in compliance with the findings required by Sections 8.C and 12.A.1 of the Venice Coastal Zone Specific Plan to approve this walk street development.

The above referenced project permit compliance determination by the City of Los Angeles Planning Department contains the following condition B.1: "Coastal clearance, including a Coastal Development Permit if required, shall be obtained from the Coastal Commission and the use and development of the property shall be in conformance with the conditions required by the California Coastal Commission." On September 1, 2004, the West Los Angeles Area Planning Commission failed to obtain a majority of three votes to take an action on our appeal and, notwithstanding the Commission President's eloquent support of our appeal, by default (2-1 vote), the Planning Department's threshold determination was left intact. We intend to appeal any application for coastal clearance or a CDP because, among other things, the mass and scale of the proposed structure does not compliment the existing structures on our walk street, as required by the Venice Coastal Zone Specific Plan.

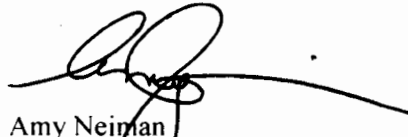
In order to ensure that we have an opportunity to present our appeal to you and the Coastal Commission, would you kindly provide notice of the filing of any application for coastal clearance for development at 728 Marco Place, (AKA 728 East Marco Place) in Venice, CA, by calling Amy Neiman and Evan Dunskey, (undersigned) at the numbers below, and by providing us notice of the opportunity to appeal by sending notice of the application to us at the addresses listed below. We have enclosed two self-addressed, stamped envelopes for your convenience.

Please contact us at the numbers or by the email listed below if we can provide you with further information.

Thank you in advance for your time and consideration.



Evan Dunskey
740 Marco Place
Venice, CA 90291
310-822-7218
edunskey@aol.com



Amy Neiman
737 Marco Place
Venice CA 90291
310-823-2622
aneiman@comcast.net

1
D
157
SEP 14 2004
24
24

Chuck Posner
Staff, California Coastal Commission
200 Oceangate, Suite 1000
Long Beach, CA 90802

Re: Request for Notice of CDP application for demolition and rebuild at
728 East Marco Place, Venice, CA, 902091; City of Los Angeles Project
Permit Compliance Case No. DIR2004-3161 (SPP)(MEL).

Dear Mr. Posner:

I reside at 733 East Marco Place, also known as 733 Marco Place, and
along with many of my neighbors, I oppose the above referenced permit
because it fails to comply with the findings required by Sections 8.C and
12.A.1 of the Venice Coastal Zone Specific Plan to approve this walk street
development.

The above referenced project permit compliance determination by
the City of Los Angeles Planning Department contains the following
condition B.1: "Coastal clearance, including a Coastal Development
Permit if required, shall be obtained from the Coastal Commission and the
use and development of the property shall be in conformance with the
conditions required by the California Coastal Commission." On
September 1, 2004, the West Los Angeles Area Planning Commission
failed to obtain a majority of three votes to take an action on our appeal
and, notwithstanding the Commission President's eloquent support of our
appeal, by default (2-1 vote), the Planning Department's threshold
determination was left intact. I and my neighbors intend to appeal any
application for coastal clearance or a CDP because, among other things,
the mass and scale of the proposed monolithic structure does not
compliment the existing structures on our walk street, as required by the
Venice Coastal Zone Specific Plan.

In order to ensure that we have an opportunity to present our
appeal to you and the Coastal Commission, please provide notice of the
filing of any application for coastal clearance for development at 728 East
Marco Place or 728 Marco Place, in Venice, CA, by either calling me at
310-560-1745 or providing me notice of the opportunity to appeal by
sending notice of the application to Paul Roman

733 Marco Place

Venice, 90291.

Thank you in advance for your courtesy.

Yours Truly,
Paul Roman



Andrea D'Amico
732 Marco Place
Venice, California 90291

September 27, 2004

Matthew Rodman, President
Robyn Ritter Simon, Vice President
Sean Burton, Commissioner
Joyce Foster, Commissioner
Elvin W. Moon, Commissioner
West Los Angeles Area Planning Commission
200 North Spring Street, Room 532
Los Angeles, CA 90012-4801

Re: Case No. DIR-2004-3161-SPP-MEL-1A

Dear President Rodman and Honorable Commissioners:

I'd like to propose a solution to this situation. I am the next door neighbor to the proposed development.

First of all we need to dispel the idea that we oppose modern architecture. I personally like modern architecture and have many modern elements in my home. My house is a mid-century structure, a perfect example of the diversity that is Venice. It fits in well with our walk street because it is compatible in mass, scale, color and materials to the existing structures.

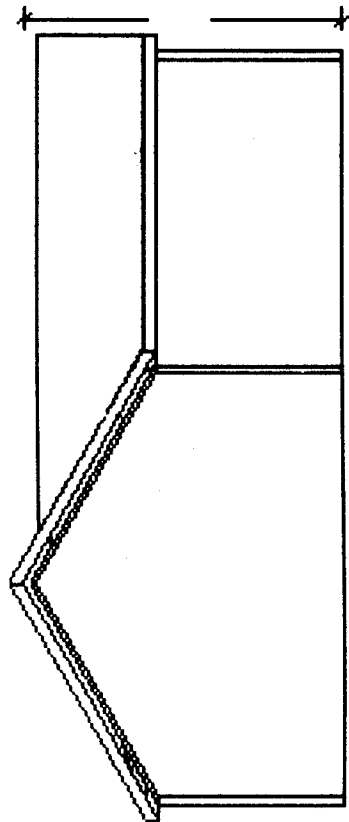
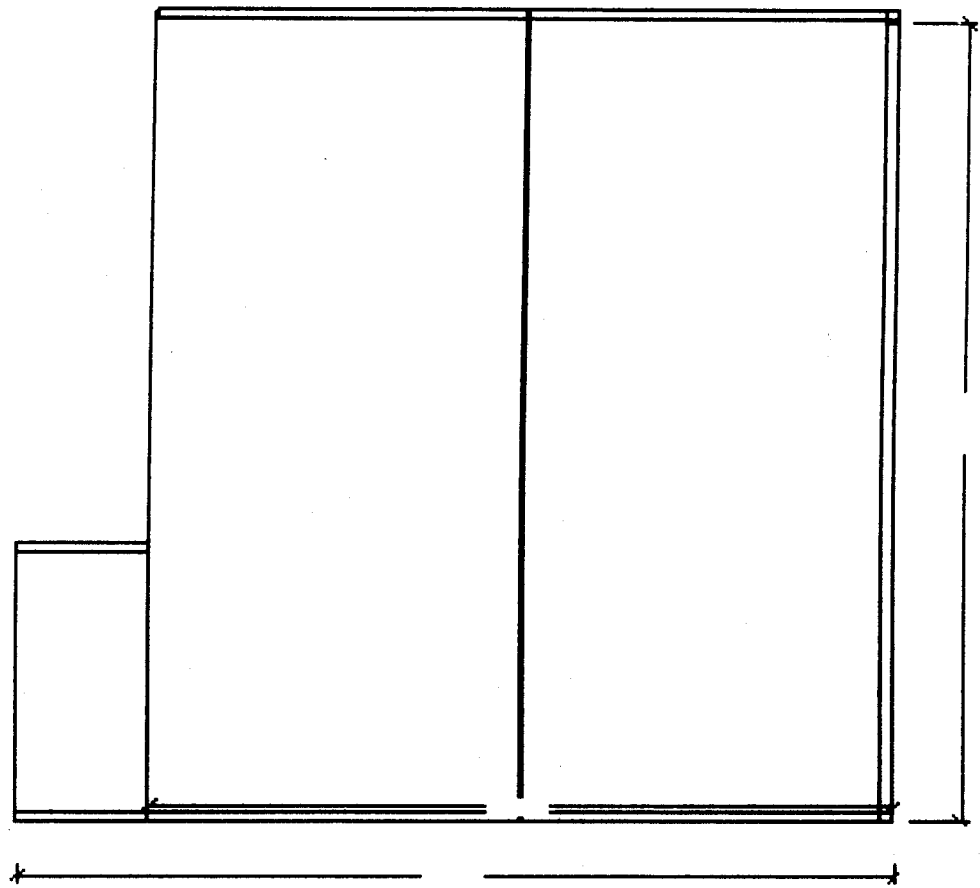
The proposed 728 Marco house might be appropriate on a larger lot on another street in Venice. However, in the intimate setting of the walk street, its 60 x 30 foot straight vertical side wall will block the ocean breeze and the western sunlight of the surrounding area. Its 30 foot straight vertical front façade will block the Southeast morning light and air and loom over the walk street in an imposing way.

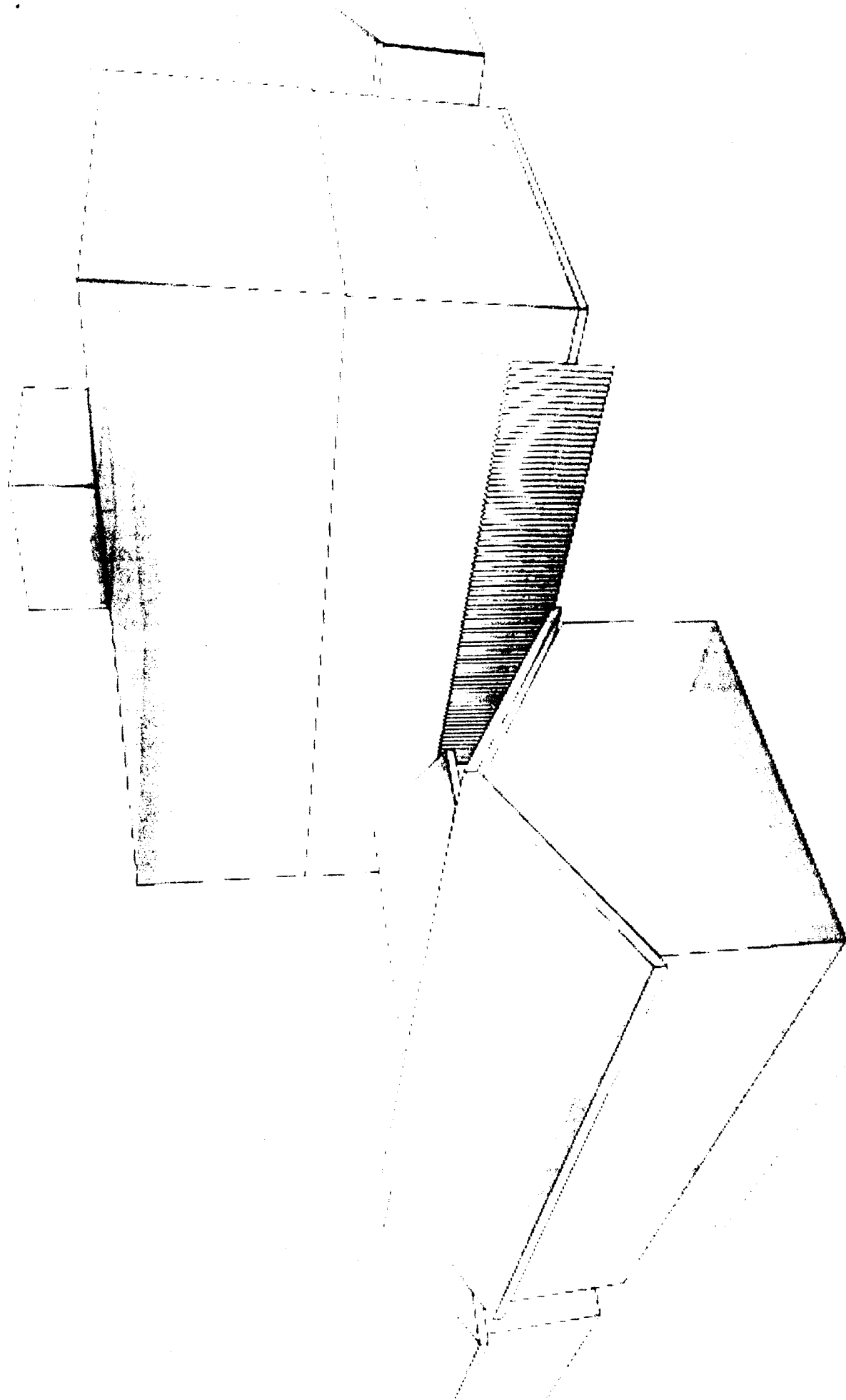
Several weeks ago Jodi showed a neighbor one of her "inspiration photos" of a house built by the same architect, (see attachment #3.) A house similar to this would better complement the existing structures because it has a partial 2nd story setback and many articulated details that present as less massive and unyielding. I believe this dispute could be remedied if Chris and Jodi would modify their plans to feature some key elements from their inspiration photo.

President Rodman and Honorable Commission members, please give us the chance to mend this situation by allowing us to come to the table with our new neighbors and work this out. If given the chance I am confident we can come to a workable compromise that will please Chris, Jodi, their architect and their new neighbors. Please grant our appeal in order for us to accomplish this importance compromise so we can all get on with our lives. I see this as the only happy ending to this situation.

Respectfully


Andrea D'Amico





Alan Seltzer and Amy Neiman
737 Marco Place
Venice, California 90291

September 26, 2004

Matthew Rodman, President
Robyn Ritter Simon, Vice President
Sean Burton, Commissioner
Joyce Foster, Commissioner
Elvin W. Moon, Commissioner
West Los Angeles Area Planning Commission
200 North Spring Street, Room 532
Los Angeles, CA 90012-4801

COMMISSION

Re: Case No. DIR-2004-3161-SPP-MEL-1A

Dear President Rodman And Honorable Commissioners:

On September 1, 2004, the West Los Angeles Area Planning Commission ("WLAAPC") failed to take action on our appeal of the Planning Director's Determination and Findings of approval of the above referenced project. We are in receipt of notice that our appeal has been placed on your Commission's October 6 agenda. We request that your Commission grant our appeal and require that the project be redesigned so that the mass and scale of the proposed structure is consistent with and complements the existing structures on our walk street, the 700 block of Marco Place.

For the reasons set forth below, we believe that the Planning Director's Determination and Findings on appeal are inadequate as a matter of law. They incorrectly define the existing neighborhood and walk street structures to which the proposed project must be compared; are devoid of evidence to support findings that the project's mass and scale complies with walk street standards; and ignore evidence that the project would be materially detrimental to adjoining properties and the immediate area.

As a preliminary matter, please be assured that contrary to testimony and discussion at the September 1, 2004 appeal hearing, appellants do not seek to impose any architectural style or historic landmark development regulation on the proposed development of 728 Marco Place. These are false issues as recognized by President Rodman. Our concerns are with the compatibility of the mass and scale of the applicants' plans with existing structures on our walk street, which the Venice Coastal Zone Specific Plan requires for approval.

It would be error for your Commission to presume, as does the Planning Director's findings, that if a proposed structure does not require a variance, its mass and scale is *de facto* consistent with and complementary to the immediate neighborhood. The simple determination that a proposed building is within height and setback restrictions is

ministerial and does not require any exercise of discretion. In contrast, the findings required by the Venice Coastal Zone Specific Plan require the exercise of discretion in determining whether a proposed structure is compatible in scale and character and complements existing walk street structures. The Planning Director's findings err by omitting any explanation of how the applicants' proposed structure, which maximizes development to the limits of height and setback regulations, complements the mass and scale of existing homes on our walk street. As explained below, we respectfully submit that when the appropriate development standards are applied to the proposed project, findings 1, 2 and 4 cannot be made.

Required Findings and Development Standards

To approve this project, the Venice Coastal Zone Specific Plan requires the following relevant findings at Section 8.C:

1. That the Venice Coastal Development Project is compatible in scale and character with the existing neighborhood, and that [it] would not be materially detrimental to adjoining lots or the immediate neighborhood;
2. That the Venice Coastal Development Project is in conformity with the certified Venice Local Coastal Program.

It is axiomatic that to conform to the Venice Coastal Zone Specific Plan, the development project must conform to the following relevant development standards of the Specific Plan:

Section 9.A.2.c., which provides, "For residential Venice Coastal Development Projects, front porches, bays and balconies shall be provided to maximize architectural variety."

Section 12.A.1., which applies to residential development on a walk street and provides in its pertinent part that "... **massing and scale** of new Venice Coastal Development Projects **shall complement those of existing structures on lots fronting on or adjacent to a Walk Street. Building facades shall be varied and articulated** to provide visual interest to pedestrians." (Emphasis added.)

These development standards must be applied to further the purposes of the Specific Plan, which include at Section 3.F:

"To regulate all development, **including** use, height, density, setback, buffer zone **and other factors** in order that it be **compatible in character** with the existing community and to provide for the consideration of aesthetics and scenic preservation and enhancement, and to protect environmentally sensitive areas". (Emphasis added.)

The plain language of the Specific Plan makes clear that "other factors" that must be considered in regulating development to ensure community compatibility and aesthetic preservation are the development standards set forth above, which require articulation and make the applicant's monolithic proposal inconsistent with these standards and the required findings for approval.

The Proposed Project Is Inconsistent With Required Development Standards and Findings

The architectural plans for the proposed house at 728 Marco Place call for a central cut-out courtyard, so that the house will have a "C" configuration. This pushes the enclosed living space to the edges of the setbacks and forces the exterior presentation of the house to be massive and unyielding, with unbroken 2-story flat exterior planes on three sides, and two massive sentry-like pillars of living space flanking a narrow opening to the courtyard on the fourth side, which will be invisible from the walk street by the property line fence and the adjacent house. Therefore, the exterior perspective of the house will present as a solid box that fills the setbacks without articulation or relief.¹

The applicants' plans undermine and make disingenuous their irrelevant argument that they could have forced more square footage into their proposal. This may have not been made clear at the September 1, 2004 hearing, in part because the applicants failed to provide color elevations, which were requested by Commission members.

The photographs submitted by applicants on August 24, 2004, as examples of allegedly comparable "Walkstreet Neighborhood" residences cannot support findings of approval in this case since they are all located on streets other than the relevant walk street – the 700 block of Marco Place. In their presentation to the Commission on September 1, the applicants did not identify a single existing house with a comparable design anywhere on our walk street. Indeed, of the 26 houses on the 700 block of Marco Place, only 12 have a second story feature, and none have a second story massed at the front setback in the manner proposed by applicants.

In the cases where larger houses have been built on our block, the owners did so by providing articulation in the portion of the development "fronting on... the walk street" as required by Specific Plan sections 9.A.2.c. and 12.A.1. Our neighbors have held themselves to a rigorous standard of compliance with the purpose of the Venice Specific Plan so that their development is "...compatible in character with the existing community and [to] provide[s] for the consideration of aesthetics and scenic preservation...." (Section 3.F)

¹ As President Rodman commented at the September 1, 2004 hearing, the second story front balcony does not provide articulation as this narrow feature actually protrudes approximately 3 feet into the front yard setback.

While we do not seek to impose architectural style, the compatibility of the character of the proposed development with existing structures is a Specific Plan "purpose" and "development standard" that must be considered. Here, the combination of dissimilar character and mass and scale proposed by the applicants is especially significant, because the perception of emphatic and inappropriate mass in this case will be exacerbated by the fact the character of the proposed residence is not compatible with any of the existing structures on our block.

Attachment No. 1 to this letter contains pictures of every house on our walk street, which show beyond doubt how irreconcilably incompatible and materially detrimental the proposed structure is with our existing walk street. Attachment No. 2 are panoramic photographs of the east, west and middle sections of our walk street, highlighting the compatibility of mass and scale of existing development. These panoramas show that notwithstanding a variety of architectural styles, existing development on our walk street present a compatible and complementary character that provides for aesthetic and scenic preservation consistent with the purpose and development standards of the Specific Plan.

It is remarkable that the applicants seek to force their incompatible monolithic and unyielding residence onto 728 Marco Place when they represented to our neighbors that the house pictured in Attachment No. 3, *which was designed by their own architect*, was one of the inspirations for the very different project they have pursued. Obviously, Attachment No. 3 is much more compatible with applicable walk street development standards because of its articulation and second story setback. The applicants' failure to pursue an articulated design that they knew and represented in advance would be more compatible with existing structures on our walk street is additional evidence upon which your Commission should grant our appeal and reject the applicants' stubborn insistence on constructing their incompatible development project.

Finally, the proposed structure is immediately adjacent to the park in the middle of our walk street block. The rubber tree and swing is a meeting place for neighbors and visitors to our street, who play and gather there. The mass and scale of applicants' proposed structure will intrude on this space and be materially detrimental to the experience of that community space. (See Attachment 4.)

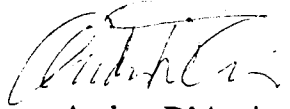
In conclusion, the proposed structure is in violation of both the letter and spirit of the Venice Coastal Zone Specific Plan, which provides for articulation of the exterior facades fronting on a walk street, complimentary massing and scale with adjoining buildings, and consideration of existing aesthetics. Submitted separately is a petition of the residents of the 700 block of Marco Place and our neighbors supporting our appeal.

Unfortunately, the applicants declined to meet with us or show us their plans in advance of the September 1 hearing, and they declined the suggestion from Commissioners that they meet with us to discuss resolution of this appeal. We remain willing to meet with them to do so. If you approve our appeal, we would welcome the opportunity to discuss with the applicants adjustments we believe are simple and self-evident, to bring the house

President Matthew Rodman
September 26, 2004
Page 5

into compliance and harmony with the 700 block of Marco Place, while limiting reduction of the square footage of its interior living space.

Sincerely,



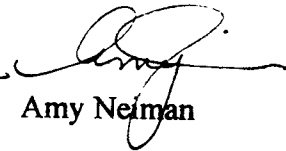
Andrea D'Amico



Evan Dunsky



Lisa Zimble



Amy Neiman

cc: Steven Kaufmann, Esq., Richards, Watson & Gershon
Co-Counsel for Appellants
Chuck Posner, California Coastal Commission
Cindy Misciekowski, City Council Member

*Lisa Zimble
740 Marco Place
Venice, CA 90291
Ph. (310) 822-7218 F. (310) 823-6258*

September 26, 2004

Matthew Rodman, President
Robyn Ritter Simon, Vice President
Sean Burton, Commissioner
Joyce Foster, Commissioner
Elvin W. Moon, Commissioner
West Los Angeles Area Planning Commission
200 North Spring Street, Room 532
Los Angeles, CA 90012-4801

Re: Case No. DIR-2004-3161-SPP-MEL-1A

Dear President Rodman And Honorable Commissioners:

My neighbors and I come before you for a second time to ask you to take a closer look at the proposed house at 728 Marco Place and to grant our appeal.

Unfortunately there is the mistaken idea floating about that we are opposing Jodi and Chris' proposed home because it is modern, that we are purists who feel like only craftsman architecture should exist on our block, that we think that our block is "special". This is untrue. We are not trying to legislate style and we welcome diversity of all kinds on our block. However, we do think our block is special. The 700 block of Marco Place is one of the few blocks of walk street left that has not been overdeveloped in a way that disregards the Venice Specific Plan.

We oppose the building of a home whose mass and scale is incongruous and incompatible with the rest of our block. We do not care that this house is modern. What we care about is that the front massive and unyielding wall of this home is 28 feet high and that the only visual articulation is a balcony that extends even further out towards the walk street by about three feet. This house is huge and while there are other homes with similar square footage on our block, there are no homes whose mass and scale are so incompatible and so incongruous with the surrounding homes. And there are no homes with this amount of square footage that have an internal courtyard, not facing the walk street, but internal, which makes the mass and scale of this proposed home even more extreme.

At the last meeting on September 1st, Chris and Jodi presented a photo display of many other homes on the walk streets that were extremely diverse in their architecture and similarly large in their appearance. To me the photos of those

homes proved our case. The look and feel of those blocks, blocks that were beautiful just five years ago, are what we are trying to avoid. Just because other homes have been built on other blocks that have disregarded the Venice Specific Plan and no one has stopped them, does not mean that these homes should be used as an example. These other walk streets feel like claustrophobic corridors when walking down them. The flow of air and the flow of light that makes our walk street so beautiful has been destroyed on these other walk streets. Watching the unfortunate result of massive over-building on the other walk streets is what has made us feel more strongly and more resolute about protecting our own.

We understand that because the real estate prices are so high in our neighborhood, people buy and then want to build bigger homes. So far everyone on our block, including myself, who has added on has done so in a way as to not crowd the walk street. We did not build interior courtyards. That seems like a lovely idea if you are actually building on a lot with a bit of space, but not when you are building on a 40' lot on a walk street.

Please grant our appeal. We have no problem with Jodi and Chris building a modern home on our block, but we would like them to revise their plans with a little respect for the neighbors and the neighborhood they are moving into.

Thank you.

Sincerely,


Lisa Zimble

Nancy Cunningham

Lawyer
1801 Lincoln Boulevard
Number 107
Venice, California 90291
(310) 822-4609

September 2, 2004

Councilwoman Cindy Miscikowski
200 North Spring
Los Angeles, California

CASE NO. DIR2004-3161(SPP)(MEL)
PROJECT PLAN COMPLIANCE
CEQA: 4NV2004-3162(CE)

Dear Councilwoman Miscikowski:

On September 1, 2004, the City Planning Department applied an illegal standard of compatibility at a hearing challenging approval of the plans to develop property at 728 Marco Place. This interpretation mislead two commissioners about the standards to use in making their decision. At issue was the development's compatibility with its immediate neighborhood. During the hearing the central issue became the planning department's failure to comply with the Venice Coastal Zone Specific Plan's Section 8, subsection C as per my attached submission at the hearing. Your representative, Kevin Keller, was present at the meeting and can background you on the evidence and the findings but said that he was not a lawyer and could not contradict the Planning Department on a legal issue.

The Department's position was that uniform standards apply to every walk street in the coastal zone and if a building falls within those gross requirements, there is no other standard to be applied. This clearly contradicts Los Angeles Ordinance No. 175693 which codifies the Venice Coastal Specific Plan. Section 8 subsection C requires findings by the Department of Planning regarding the compatibility of the proposed project with the **immediate** neighborhood. President Matthew Rodman (the only person to walk the 700 block of Marco) applied the Section 8 subsection C standard and voted to deny the application. Vice-President Robyn Ritter Simon and Commissioner Sean Burton relied upon the standard used in the Staff Report. The reliance upon and

application of an illegal standard by the latter two members in judging the application makes their findings void.

How can a city department be permitted to totally ignore the laws of their own city? How can the representative of a council person at a hearing not correct the Department of City Planning when they apply a standard contrary to the law? Development has been permitted to run amuck in Venice. I am very upset that my representative on the City Counsel sanctions illegal findings by a city department and forces her constituents to go to court to have the law as it is written enforced. I hope that this failure by the Planning Department to apply the correct legal standard has not been part of an across the board, intentional, discriminate effort by your office to suppress opposition to various development projects in the Venice Coastal Zone.

Please don't tell reply that I should go through my neighborhood council because they were not at the hearing, but your representative was.

Very truly yours,

Nancy Cunningham

cc: Venice Neighborhood Counsel
Andrea D'Amico
Amy L Neiman

John McCunn
732 Marco Place
Venice, California 90291

September 26, 2004

Matthew Rodman, President
Robyn Ritter Simon, Vice President
Sean Burton, Commissioner
Joyce Foster, Commissioner
Elvin W. Moon, Commissioner
West Los Angeles Area Planning Commission
200 North Spring Street, Room 532
Los Angeles, CA 90012-4801

Re: Case No. DIR-2004-3161-SPP-MEL-1A

Dear President Rodman and Honorable Commissioners:

We believe the proposed development at 728 Marco Place **will** need a variance and that the plans submitted to the committee could be considered erroneous due to boundary line errors falsely represented therein.

As any reasonable person could determine by viewing the properties and as noted in Mr. Landon's own surveyor's notes; 732 Marco is the dominant tenement of an easement at the Southwest corner of the property affecting the property at 728 Marco that will render the applicant's parking plans invalid and require that the applicants request a variance. Indeed, a title claim seeking to invalidate this easement was initiated by Mr. Landon and his lawyers prior to the September 1st committee meeting due to its relevance to the issue of required variances affecting the scale of this development.

Without the termination of this easement, the plans and more specifically the required parking portion are in error and would need to be re-drafted. Furthermore the survey performed on 728 Marco, and subsequently used for the building plans, is also under investigation by the appellant's Title Company due to a discrepancy with the original plat map found in master book 7, page 200, of the county records. Your Commission should note that even as is, the plans require every inch of the erroneously surveyed lot for the outdoor guest parking space which itself requires the car to be parked at an angle in order to fit.

How can the commission go forward in approving the Director's Findings when a condition exists that could render the applicant's plans inaccurate? I am requesting that the Commission grant our appeal and not approve plans without a variance until this situation and any necessary variances that might be required can be resolved.

Respectfully,


John McCunn

I am Mary Stewart. I have recently married Julio Uchimura who owns 745 Marco Place, and has lived there for ten years. We intend this to be our home for the rest of our lives. I have lived in Venice for thirty years and have long been familiar with the walk streets. I am concerned that the plans for the house have been made unavailable to the neighbors, by the city and the applicants. I feel it is only fair that the current residents on this block, should have the opportunity to learn the construction details, of a massive structure that will affect our lives for many years.

Others neighborhoods in the coastal area have been radically degraded by oversized houses that occupy almost the entire lot. The seven hundred block on Marco Place is filled with modest homes that harmonize, have pleasant front yards with mature trees. I am concerned that as house sizes expand, more of our neighborhoods are covered with concrete which significantly increases runoff, pollution, and overloading the storm drains. The faster the runoff, the less able the soil is able to absorb rain, and recharge the groundwater.

I also have wondered if such a large mass of concrete will absorb sunlight, radiate heat, and block ocean breezes to the small houses to the east of the proposed construction.

Los Angeles City has ruled that front fences be no higher than four feet, to promote neighborliness and a feeling of community. Having a thirty foot wall facing the walk street will interrupt the pleasant flow of yards and plants. It will be like having a fortress on the block. Our neighbors on either side have removed the fences between our homes to increase our enjoyment of our yards, sharing our space with our neighbors, pets and children.

Until we know more about the proposed building I would like to appeal to deny building permission. Thank you for allowing me to state my views.

Mary Stewart

745 Marco Place

Venice, California

September 1, 2004

My name is Kathleen Donovan. I have lived at 736 Marco Place for eleven years. I rented my home for five years and then bought it in 1998. I bought my home because of the surrounding neighborhood. The 700 block of Marco Place is primarily one story craftsman style homes like mine.

The Project Permit Compliance Findings seem to say that this proposed new structure at 728 Marco Place will conform to the walk street standards. This is simply not true. If the decision makers in this case could visit the 700 Marco Place block, this case would be open and shut and this enormous home would not be built on our block.

The proposed structure at 728 Marco Place does not conform to the existing nature of our neighborhood. None of our homes have flat roofs, with huge roof decks. None of our homes are made of stained wood siding, clear anodized door and window frames or silver colored steel railings. None of our homes feature enclosed courtyards.

The size of the structure alone is shocking. It is three times larger than 80% of the homes on our block. There have been a number of homes on our block that have built a second story, most notably 740 Marco and 721 Marco. Both homes were similar in size to mine. Both owners needed to expand their home to accommodate their expanding family. Both owners chose to maintain the look of the 700 block and also were extremely conscious of making sure that the façade of their home was varied and articulated and open to the walk street and also that their homes did not overwhelm the walk street.

If compatibility is an issue, I don't understand how any board could say that this proposed building is compatible with the rest of the homes on the 700 block of Marco Place. If this monolithic building were to go up on our block, I can guarantee that even the neighborhood preschoolers would pick it out in their "One of these things is not like the others" game.

In closing, I would like to add that my strong feelings against this home being erected should not be construed as a personal attack against the homeowners. I welcome new neighbors to the block and hope that they would understand the concerns of the residents. The 700 block of Marco Place is truly the last intact historical turn of the century block. We are simply trying to maintain a beautiful open block with porches and yards and windows facing the walk street, not walls and homes that open up into an enclosed courtyard away from the walk street.

Thank you for allowing me to add my concerns to the public record. As everyone on this board can see the residents of the 700 block are very concerned and wish to continue to exercise any rights we have regarding the decisions of this board. Please keep us informed of meetings, hearings or other gatherings that we may attend in connection with our neighborhood.

Thank you,
Kathleen Donovan

A handwritten signature in black ink, appearing to read "Kathleen Donovan", with a long horizontal flourish extending to the right.

Case No.: DIR 2004-3161-SPP-MEL-A1

A Case for Respect and Understanding

There is an old saying among California Indians, that everything in this world has a soul.

Every rock, plant, animal, speck of dust, the sky, the water have feelings, and that to live in a world like this takes respect and understanding.

We, the residents in the 700 block of Marco Place, have lived by these unwritten rules for some time; however, concern has been added to our lives in the past few months.

Concern for we have learned that there are plans to insert a wedge, which would disturb the architecturally harmonious quality of this neighborhood.

Respect for the residents of the 700 block has been absent, for the procedure has been conducted behind doors making pertinent information unavailable to the neighbors.

A lack of understanding has been shown by denying information to the residents.

I would urge the Planning Commission members to evaluate the situation and to grant us a postponement of the appeal process, until such time when the neighbors in the 700 Marco Pl block are allowed access the plans and information regarding the project.

The extra time will help to remove the concern factor and have all of us--the applicant included--ready to go ahead in a mutual environment of respect and understanding.

Julio Uchimura
745 Marco Pl
Venice, Ca 90291

my name is paul roman

i own the property at 733 marco place
across from 728 marco.

I have lived and owned property in the neighborhood for 20 some
years.

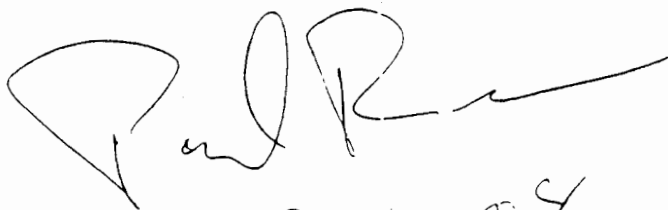
both sides had asked me to speak and i had not planned to until
i saw the elevations on paper and the impact on the block.

i too am building modern art lofts 7 blocks away from marco
place in a neighborhood of apt. buildings and lofts. Also I am
going to add on to my house on marco since i have a 2 year old
son and will need more room. on marco i will be building in the
bungalow style.

My wife and i had the opportunity to buy houses on Nowita
where Chris and Jody have their other 2 houses. we chose
marco because of the smaller bungalows and low fences that felt
more like a neighborhood. nowita is already built out with mega
homes that do not compliment the st.

These streets were built at the turn of the century with
bungalows that were 600 to 1000 sq. ft.. We understand that
people today need more room including ourselves. the building
out of my house will be appropriate in size and style to our
neighbors houses in respect for the neighbors.

Remember that we are just the caretakers of these historical walk
streets for the next generation. There are plenty of other streets
nearby that are 1/4 acre lots that will support larger homes if
people need them without encroaching on the neighborhood.


9-1-04

