

City of
Santa Monica®

MINUTES

REGULAR MEETING OF THE LANDMARKS COMMISSION

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"Populus felix in urbe felici"

Monday, July 9, 2012
7:00 PM

City Council Chambers, Room 213
1685 Main Street, Santa Monica

CALL TO ORDER OF THE REGULAR MEETING OF THE LANDMARKS COMMISSION: Chair Berley called the meeting to order at 7:04 pm.

1. ROLL CALL: Present: Margaret Bach (Arrived at 7:17 pm)
John Berley, Chair
Nina Fresco
Roger Genser
Barbara Kaplan
Ruthann Lehrer
Ruth Shari, Chair Pro Tempore

Also Present: Barry Rosenbaum, Senior Land Use Attorney
Scott Albright, AICP, Commission Secretary
Susan Umeda, Staff Assistant III

2. SELECTION OF CHAIRPERSON AND CHAIR PRO TEMPORE FOR FISCAL YEAR 2012-2013

Chair Berley announced that Item 2 will be heard after Commissioner Bach arrives at this meeting.

Commissioner Bach made a motion to elect Chair Pro Tempore Shari as Chair of the Landmarks Commission. Commissioner Lehrer seconded the motion. The motion was unanimously approved by voice vote, with all members present.

Commissioner Lehrer made a motion to elect Commissioner Bach as Chair Pro Tempore of the Landmarks Commission. Chair Shari seconded the motion. The motion was unanimously approved by voice vote, with all members present.

Chair Pro Tempore Bach thanked Commissioner Berley for his service to the Commission.

3. PRESENTATION FROM DEPARTMENT OF RECORDS AND ELECTION SERVICES (CITY CLERK) STAFF, AND POSSIBLE DISCUSSION ON THE CHOOSE CIVILITY CAMPAIGN.

Vernice Hankins (Staff Assistant III at Records and Election Services Administration) presented a report regarding the *Choose Civility* campaign, which was adopted by the City Council. Ms. Hankins introduced various suggestions to carry out the City Council's directive.

4. REPORT FROM STAFF:

Mr. Albright presented the Report from Staff. Mr. Albright reviewed administrative items for the meeting. Mr. Albright apprised the Commission of future landmark designation hearings for the following properties: [1] 101 Wilshire Boulevard; [2] 642 Kensington Road; [3] Santa Monica Pier bridge; and [4] Chez Jay restaurant. Mr. Albright reported that an appeal was filed for the denial of the landmark designation for 1554 Fifth Street. Mr. Albright reviewed items on City Council and Planning Commission agendas. Mr. Albright reported that Resolution 9451 was amended by the City Council, which will enable the Commission to have more members serve a third term than currently allowed. Mr. Albright reported that the next Landmarks Commission meeting will be held on August 13, 2012.

Members of the Commission asked staff questions regarding the status of the Z-Boys project, the appeal of 1554 Fifth Street, the California Incline project, the Certificate of Economic Hardship for 2501 Second Street, the status of the wall on the 2600 block of Second Street and Ocean Park Boulevard.

5. COMMISSIONER ANNOUNCEMENTS:

Commissioner Fresco announced that Santa Monica will be 137 years old on July 10, 2012.

Commissioner Genser reported that the roses in front of City Hall have been removed and were distributed to the public.

Chair Pro Tempore Bach announced that Santa Monica Main Library will be hosting a lecture called "Westward Ho! Visualizing the Frontier in Santa Monica" on July 17, 2012.

6. **APPROVAL OF MINUTES:**

6-A. May 21, 2012

The Commission made corrections to the May 21, 2012 minutes. Commissioner Berley made a motion to approve the minutes with corrections. Commissioner Lehrer seconded the motion. The motion was unanimously approved by voice vote, with all members present.

6-B. June 11, 2012

The Commission made corrections to the June 11, 2012 minutes. Chair Pro Tempore Bach made a motion to approve the minutes with corrections. Commissioner Genser seconded the motion. The motion was unanimously approved by voice vote, with all members present.

7. **APPROVAL OF STATEMENTS OF OFFICIAL ACTION:**

7-A. Designation Application 11LM-002, designating the Santa Monica Pier sign, located at the intersection of Colorado and Ocean Avenues, as a City Landmark.

The Commission made corrections to the Statement of Official Action for Landmark Designation Application 11LM-002, designating the Santa Monica Pier sign as a City Landmark. The Commission asked staff for this item to be continued to the August 13, 2012 meeting.

7-B. Certificate of Appropriateness 11CA-023, 2009 La Mesa Drive, approving the design for a proposed addition to an existing single-family dwelling.

The Commission made corrections to the Statement of Official Action for Certificate of Appropriateness 11CA-023, 2009 La Mesa Drive. Commissioner Lehrer made a motion to approve the Statement of Official Action for Certificate of Appropriateness 11CA-023, 2009 La Mesa Drive, with corrections. Chair Pro Tempore Bach seconded the motion. The motion was unanimously approved by voice vote, with all members present.

7-C. Designation Application 12LM-003, 1550 5th Street, 1554-1558 5th Street, 417 Colorado Avenue, denying the designation of the commercial building as a City Landmark.

The following members of the public addressed the Commission: Ken Kutcher. Mr. Kutcher reviewed the changes that he recommended for the Statement of Official Action for Landmark Designation Application 12LM-003, 1550 5th Street, 1554-1558 5th Street, 417 Colorado Avenue.

The Commission made corrections to the Statement of Official Action for Landmark Designation Application 12LM-003, 1550 5th Street, 1554-1558 5th Street, 417 Colorado Avenue. Chair Pro Tempore Bach made a motion to approve the Statement of Official Action for Landmark Designation Application 12LM-003, 1550 5th Street, 1554-1558 5th Street, 417 Colorado Avenue, with corrections. Commissioner Kaplan seconded the motion. The motion was unanimously approved by voice vote, with all members present.

Commissioner Berley made a motion to hear Item 12-A before Item 8. Commissioner Lehrer seconded the motion. The motion was unanimously approved by voice vote, with all members present.

8. PUBLIC INPUT: (On items not on agenda and within the jurisdiction of the Commission)

The following members of the public addressed the Commission: Carol Lemlein (Santa Monica Conservancy) and Mike Salazar. Ms. Lemlein discussed the Downtown Specific Plan and preserving the Post Office on Fifth Street. Mr. Salazar discussed his concern about the Post Office on Fifth Street and allowing all stakeholders to tour a project site.

Chair Pro Tempore Bach asked Mr. Salazar a question regarding the projects which should have been open to the stakeholders in the community.

9. CONSENT CALENDAR: None

10. OLD BUSINESS: None

11. NEW BUSINESS/PUBLIC HEARINGS:

11-A. Review of Demolition Permits and Consideration Whether to File an Application for Designation of a Structure as a City Landmark or Structure of Merit.

The Commission made *ex parte* communication disclosures.

1. 327 Marguerita Avenue (12PC0588)
R1 – Single Family Residential
Single Family Residence
Structure Identified in Historic Resources Inventory
(Continued from June 11, 2012)

The applicant withdrew the Demolition Plan Check/Permit Application for 327 Marguerita Avenue. This item was withdrawn prior to the hearing.

2. 1613 Lincoln Boulevard (12PC0671)
C4 – Highway Commercial
One-Story Stucco and Block Structure and Parking Lot
Structure Identified in Historic Resources Inventory
(Continued from June 11, 2012)

The Commission determined that there was enough evidence to warrant filing an application for landmark designation.

Commissioner Lehrer made a motion to file a Landmark Designation Application for 1613 Lincoln Boulevard. Commissioner Fresco seconded the motion.

Discussion ensued. Commissioner Genser stated that the building has cultural significance in regard to the history of transportation in the City.

A roll call was held for the motion and was approved by the following vote:

AYES: Berley, Fresco, Genser, Kaplan, Lehrer, Bach, Chair Shari

NAYS: None

ABSENT: None

ABSTAIN: None

3. 1010 Broadway (12PC0672)
BCD – Broadway Commercial
Single Family Residence
Structure Identified in Historic Resources Inventory

Commissioners determined that the structure is part of a cluster of Spanish bungalows; the group of bungalows is what is significant. However, other Commissioners did not support filing an application.

Commissioner Kaplan made a motion for the Commission to file an application for Structure of Merit for 1010 Broadway. Commissioner Lehrer seconded the motion.

Discussion ensued. Commissioner Lehrer asked staff if a project is slated for this site.

A roll call was held for the motion and was denied by the following vote:

AYES: Fresco, Kaplan, Lehrer

NAYS: Berley, Genser, Bach, Chair Shari

ABSTAIN: None

ABSENT: None

No action taken.

4. 1443 Lincoln Boulevard (12PC0716)
C4 – Highway Commercial
Commercial Structure
Structure Not Identified in Historic Resources Inventory

No action taken.

5. 2316 Third Street (12PC0789)
OP2 – Ocean Park Low Multiple Residential
Single Family Residence
Structure Not Identified in Historic Resources Inventory

The following members of the public addressed the Commission: Stephen Abronson. Mr. Abronson stated that the house was approved for demolition in 2004. Chair Shari stated that this is one of the oldest structures in the Ocean Park district.

No action taken.

- 11-B. Landmark Designation application 12LM-005, to determine whether the 'Chain Reaction' sculpture, located on the east side of Main Street in the Civic Center, should be designated as a City Landmark.

The Commission made *ex parte* communication disclosures.

Mr. Albright presented the staff report. Staff recommended that the Commission deny Landmark Designation Application 12LM-005 for the "Chain Reaction" sculpture based upon the draft findings in the staff report.

Members of the Commission asked City Staff the following questions: [1] the availability of funding for repairs; [2] the possibility of designating a landmark parcel; [3] the results from testing; [4] the safety of the structure in its current condition; [5] the reason for de-accessioning the sculpture; [6] the possibility of a designation interfering with the rehabilitation process; [7] the safety concerns caused by the disintegration of the sculpture materials; and [8] the possibility of relocating the sculpture.

The following members of the public addressed the Commission: Jessica Cusick (Cultural Affairs Manager at Community and Cultural Services Cultural Affairs), Dave Conrad, Kay Conrad, Chuck Levin, Cris Gutierrez, Randy Ziglar, Marissa Rubin, Jerry Rubin, Beth Burns, and Marie Pedersen.

Ms. Cusick answered questions from the Commission. The members of the public supported landmark designation of the Chain Reaction sculpture. Ms. Rubin also read a letter from Sue Hodson (Curator of Literary Manuscripts, The Huntington Library).

Commissioner Genser stated that he was a member of the Arts Commission during the time that the sculpture was approved and that the Arts Commission endorsed erecting the sculpture at its current location. He added that Santa Monica was not the first choice to locate this sculpture.

Members of the Commission stated that the City of Santa Monica is privileged to have this artwork installed in the City. They also determined that the sculpture is a significant work of art by an internationally-renowned artist who worked in many mediums. Members of the Commission acknowledged that the consultant's report determined that the sculpture met five out of six criteria for landmark designation.

The Commission deliberated the criteria that should be included in a landmark designation and initially concluded that Criteria 5 should not be included in a designation. Members of the Commission asked staff whether a parcel could be designated. Commissioner Genser stated that the location is important since it would lose context if it were located anywhere else. Chair Shari expressed concern about the fragility of the sculpture and the lack of public access due to its condition.

Commissioner Lehrer made a motion to designate the Chain Reaction sculpture as a City Landmark based upon Criteria 1, 2, 3, and 6. Commissioner Genser seconded the motion.

Discussion ensued. Commissioner Lehrer amended her motion to include Criterion 5 in the designation. Commissioner Genser seconded the motion.

The Commission discussed the in detail the criteria and findings that should be included on the Statement of Official Action.

A roll call was held for the amended motion and was approved by the following vote:

AYES: Berley, Fresco, Genser, Kaplan, Lehrer, Bach, Chair Shari

NAYS: None

ABSTAIN: None

ABSENT: None

12. **DISCUSSION ITEMS:**

- 12-A. Discussion and possible recommendation to Public Landscape Division staff, pursuant to the Urban Forest Master Plan, on the selection of Tristania laurina (commonly referred to as Water Gum or Kanooka) as the proposed public street tree replacement species for installation in front of the residence located at 2642 2nd Street within the Third Street Neighborhood Historic District.

Commissioner Genser recused himself because he lives within five-hundred feet of 2642 Second Street.

Walt Warriner, Community Forrester in Community and Cultural Services, Public Landscape Urban Forest & Community Open Space, presented a staff report regarding tree replacement in front of a residence located at 2642 Second Street. Staff recommended the Water Gum tree be planted for this project.

Members of the Commission asked staff about the status of the bottle brush trees, the original plantings in the area, and whether staff discussed the selection with the neighborhood association.

Commissioner Lehrer made a motion to recommend that the Water Gum tree be installed in front of 2642 Second Street. Commissioner Berley seconded the motion.

A roll call was held for the motion and was approved by the following vote:

AYES: Berley, Fresco, Kaplan, Lehrer, Bach, Chair Shari

NAYS: None

ABSTAIN: Genser

ABSENT: None

- 12-B. Report from subcommittee and discussion on topics related to the ongoing update to the City's Zoning Ordinance including, but not limited to neighborhood conservation districts, substantial remodels, transfer of development rights, and parking.

The following members of the public addressed the Commission: Carol Lemlein (Santa Monica Conservancy) and Mike Salazar. Ms. Lemlein discussed the Santa Monica Conservancy's concerns about neighborhood conservation districts. Mr. Salazar expressed concern about substantial remodel projects.

Commissioner Kaplan noted that there is an overlap between the Zoning Ordinance and the Landmarks Ordinance. Additionally, the Commission expressed concern about buildings on the Historic Resources Inventory losing

integrity because the current definition of substantial remodel does not adequately protect potentially historic buildings.

Commissioner Fresco submitted to the Commission "Landmarks Commission Recommendations for a new Santa Monica Zoning Ordinance," which was originally submitted on May 2006 and revised in July 2012. Commissioner Berley expressed concerns about requiring properties that are not landmarked to comply with the California Environmental Quality Act (CEQA) since it would be burdensome to the owner. Additionally, Commissioner Berley stated that there needs to be clarity in regard to appropriate treatments to properties on the Historic Resources Inventory.

Members of the Commission recommended that the amount of time needed to conduct the historic district hearing process should be flexible since it is more difficult to form a large historic district than a smaller one.

The Commission also decided that Commissioners Fresco and Kaplan should meet with the Planning Director to discuss possible changes to the Zoning and Landmarks Ordinance.

12-C. Discussion on issues related to the City's existing Landmarks Ordinance (SMMC Chapter 9.36), including, but not limited to, prior Commission recommended changes to the Ordinance.

The following members of the public addressed the Commission: Mike Salazar. Mr. Salazar noted that the process for creating a historic district is difficult due to the permitting process and he made recommendations to simplify the process.

The Commission stated that this discussion was incorporated into the discussion for Item 12-B.

Members of the Commission asked Mr. Salazar to clarify the problems with the process to create a historic district. Mr. Salazar and the Commission discussed the problems with the interpretation of Section 9.36.136 (c) and (d) of the municipal code, which deal with the procedure of creating a historic district.

Commissioner Berley made a motion to continue the meeting past 11:00 pm. Commissioner Fresco seconded the motion. The motion was unanimously approved by voice vote, with all members present.

12-D. Discussion and possible appointment of a Landmarks Commissioner to address the City Council at its July 24, 2012 meeting on the appeal of the Landmarks Commission's denial of Landmark designation status for the commercial building at 1550 5th Street, 1554-1558 5th Street and 417 Colorado Avenue.

Commissioner Berley nominated Commission Kaplan to represent the Commission during the City Council meeting on July 24, 2012. Commissioner Lehrer seconded the motion. The motion was unanimously approved by voice vote, with all members present.

- 12-E. Discussion and possible appointment of four (4) Landmarks Commissioners, one of which must be a registered architect, to jointly serve with three (3) members of the Architectural Review Board on a 710 Wilshire Boulevard project Joint Design Review Body, which will be meeting in the future to discuss the design review for the project.

The following members of the public addressed the Commission: Ken Kutcher. Mr. Kutcher encouraged the Commission to make appointments to serve on the Joint Design Review Body for 710 Wilshire Boulevard.

The Commission appointed Commissioners Berley, Fresco, Kaplan and Chair Pro Tempore Bach to serve on the Joint Design Review Body.

- 12-F. Report from staff on recent administratively-approved Certificate of Appropriateness applications and activities affecting properties listed on the Historic Resources Inventory.

Mr. Albright reported that staff did not issue Certificates of Appropriateness during the past month. Mr. Albright added that permits for Town Square were issued.

Chair Pro Tempore Bach asked staff to investigate why the work stopped on the substantial remodel project on Georgina Avenue.

Chair Shari asked staff to investigate the code compliance case that she submitted to staff.

- 12-G. Report from Landmarks Commission Liaison to the Architectural Review Board (ARB) on recent ARB consideration and action taken on proposed projects involving additions to or modifications of potential historic resources.

Commissioner Berley reported that the W.I. Simonson Mercedes Benz dealership presented a proposal to enclose one of the bays along Seventeenth Street and add an art deco column feature. He stated that the staff report did not recommend approval of the project as presented and the ARB asked the applicant to work with staff to modify the design.

- 12-H. Report from Landmarks Commission representative to the Santa Monica Pier Corporation (SMPC) on recent SMPC activities and action taken on proposed projects involving the Landmark Santa Monica Pier.

Commissioner Genser reported that the consultant is still trying to identify some of the projects they may want to consider with respect to the Pier. Additionally, Commissioner Genser stated that the SMPC are formulating strategies for public outreach. Commissioner Genser reported that SMPC is opposed to landmarking the Pier bridge and there was discussion regarding a joint meeting.

12-l. Planning Commission Case List (Information Only).

Members of the Commission asked staff questions regarding 415 Palisades Beach Road, two buildings in the downtown district that were mentioned by Ms. Lemlein during public comment, and 1047 Ninth Street.

13. **WRITTEN COMMUNICATIONS: None**

14. **FUTURE AGENDA ITEMS:** (Requests from Commissioners to add items to upcoming agendas)

Members of the Commission asked staff to agendize the following items: [1] update on 1314 Wilshire Boulevard; [2] discussion of the Post Office on Fifth Street; [3] discussion regarding more equitable open house procedures for the public; [4] discussion regarding the downtown district; [5] discussion regarding the Senior Recreation building in Palisades Park.

Chair Pro Tempore Bach asked staff to review the priority landmark list and Mr. Albright identified the properties on that list.

15. **NEXT MEETING DATE AND COMMISSION AGENDA:** Meeting of the Landmarks Commission: 7:00 PM Monday, August 13, 2012; Council Chambers, City Hall, 1685 Main Street.

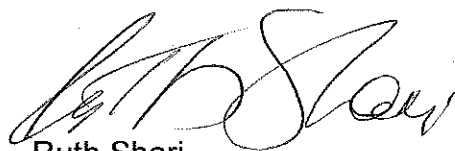
16. **ADJOURNMENT:** Commissioner Berley made a motion to adjourn the meeting at 11:30 pm on July 9, 2012. Commissioner Kaplan seconded the motion. The motion was unanimously approved by voice vote, with all members present.

ATTEST:



Scott Albright
Commission Secretary

APPROVED:



Ruth Shari
Chair