

Appeals

Application Number :12APP001

Status :PENDING

Applied Date :02/23/2012

JOB TITLE :

WORK DESCRIPTION :Appeal of denial of application [ref: 12LM-001] to declare subject property [2930 Colorado Ave.] (without trailers) a City Landmark, failure of Landmarks Commission to consider declaring subject property an Historic District (with trailers) and Certificate of Appropriateness for future replacement trailers.

SITE INFORMATION:

Address :2930 COLORADO AVE SM

Parcel Number :4268002006

Property Owner :VILLAGE TRAILER PARK LLC AND

Number of Units : 0



City of
Santa Monica
Planning and Community Development Department
City Planning Division
(310) 458-8341

APPEAL FORM

(Please Type or Print all Information)

Application Number

12 LM-001

Filed: After 12/12/11

By: Landmarks Commission

APPELLANT NAME: Brenda Barnes, Peter Naughton, Berhane Habte

APPELLANT ADDRESS: 406 Broadway, #332F, Santa Monica, CA 90404

CONTACT PERSON: _____ Phone: (310) 795-3762
(all correspondence will be mailed to this address)

Address: _____

PROJECT CASE NUMBER(S): 12 LM-001

PROJECT ADDRESS: 2930 Colorado Ave., Santa Monica 90404

APPLICANT: Landmarks Commission

ORIGINAL HEARING DATE: 12/12/11

ACTION BEING APPEALED: Denial of application to declare subject property (without trailers) a City Landmark failure of landmarks Commission to consider declaring subject property an Historic District (with trailers and certificate of appropriateness for future replacement trailers)

Please state the specific reason(s) for the appeal (use separate sheet if necessary):

Is the appeal related to the discretionary action and findings issued for the proposed project? ☐ Yes ☒ No If yes, explain:

Is the appeal related to the conditions of approval? ☐ Yes ☒ No If yes, which conditions and why:

Is the appeal related to design issues? ☐ Yes ☒ No If yes, explain:

Is the appeal related to compatibility issues such as building height, massing, pedestrian orientation, etc.? ☐ Yes ☒ No If yes, explain:

Ch. 9, esp. smmc §§ 9.36.180(a)(1) and (a)(4) and (a)(3), plus possibly (a)(5) after who architect(s) & builder(s) were to determine, and sm charter § 1803(t) and Rent Control Regs. As to Historic District: smmc §§ 9.36.030 Definitions pursuant to it, and

Is the appeal related to non-compliance with the Santa Monica Municipal Code? ☒ Yes

No If yes, which Code section(s) does the project not comply with and why:

See above; continuing here: of Improvement Contributing Building or Structure, and Exterior Features; 9.36.100 (b)(1)(3) and (4), 9.36.130 (c)(1) Mobilehome Residency Law § 798.55(a).

Is the appeal related to environmental impacts associated with the project? ☒ Yes ☒ No If yes, explain:

Indirectly as to the proposed development which the Landmarks Commission improperly addressed (since plans for development are not the purview of the Landmarks Commission)

Is the appeal related to other issues? ☒ Yes ☐ No If yes, explain: Please see attached.

The main point is that the City's consultant said the property (without trailers) qualified under the City's code as a Landmark under sections 9.36.180(a)(1) and (a)(4). We have since found evidence it also qualifies under (a)(3) as well.

No evidence contradicting that was presented, so it was error as a matter of law to not declare the property a Landmark without the trailers

APPELLANT SIGNATURE:

Brenda James Pike Nashon

NOTE: A hearing date on the appeal will not be scheduled until sufficient information regarding the basis for the appeal has been received to enable City Planning Division staff to prepare the required analysis for the staff report. The City's

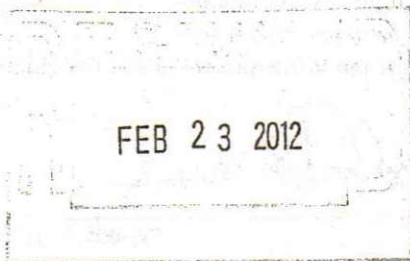
consultant also concluded based on evidence that the property qualifies as an Historic District (with the trailers) a question the Commission erred by not considering.

MEMORANDUM OF POINTS AND AUTHORITIES ON ENTITLEMENT TO FEE WAIVERS ON APPEAL FROM
DENIAL OF LANDMARK STATUS FOR PROPERTY WHERE WE LIVE

- I. We are entitled to fee waivers because if the Landmark Commission decision is not reversed, we will either become homeless or have to pay \$1400 per month for apartments smaller than the trailers we own, which are at issue, for which we now have monthly rents of \$338-500. Our attached financial forms show we cannot pay \$1400 per month for rent. Therefore, if the Commission decision stands, we will be deprived of significant property rights.
- II. We were not allowed to give evidence to the Landmark Commission, but instead were allowed only to give "Public Comment," and limited to two minutes. To receive a real evidentiary hearing where the body giving the hearing has to make findings and indicate the standards on which the decision was made, so we can have an adequate court hearing on a petition for writ of mandate, we need a hearing by the City Council.
- III. In those circumstances, it denies us our right to due process of law to have our right to a hearing dependent on whether or not we can afford filing fees.
- IV. It is also a violation of equal protection for us to have to pay filing fees when any member of the Commission or the City Council could appeal the Commission decision to the City Council without paying filing fees. That is what the City Municipal Code provides in spite of the fact none of those people would be deprived of any property rights if the Commission decision stands.

Copies of Conservatorship of Waltz v. Zumwalt (4th Dist., 1985) 167 Cal.App.3rd 835 and relevant portion of Baltayan v. Estate of Maro Getemyan (2nd Dist., 2001) 90 Cal.App.4th 1427 attached in support hereof.

Dated: February 23, 2012



Respectfully submitted,

Brenda Barnes, Peter Naughton, Berhane Habte

Brenda Barnes, Peter Naughton, and Berhane Habte
Appellants, Appeal 12 LM-001

If you are getting public benefits, are a low-income person, or do not have enough income to pay for household's basic needs and your court fees, you may use this form to ask the court to waive all or part of your court fees. The court may order you to answer questions about your finances. If the court waives the fees, you may still have to pay later if:

- You cannot give the court proof of your eligibility,
- Your financial situation improves during this case, or
- You settle your civil case for \$10,000 or more. The trial court that waives your fees will have a lien on any such settlement in the amount of the waived fees and costs. The court may also charge you any collection costs.

Clerk stamps date here when form is filed.

Fill in court name and street address:

Fill in case number and name:

Case Number:

12 LM-001

Case Name:

2930 Colorado Ave, Village
Trailer Park

① **Your Information** (person asking the court to waive the fees):

Name: Brenda Barnes

Street or mailing address: [REDACTED]

City: Santa Monica State: [REDACTED] Zip: [REDACTED]

Phone number: [REDACTED]

② **Your Job**, if you have one (job title):

Name of employer: [REDACTED]

Employer's address: [REDACTED]

③ **Your lawyer**, if you have one (name, firm or affiliation, address, phone number, and State Bar number):

a. The lawyer has agreed to advance all or a portion of your fees or costs (check one): Yes ☐ No ☐

b. (If yes, your lawyer must sign here) Lawyer's signature: [REDACTED]

If your lawyer is not providing legal-aid type services based on your low income, you may have to go to a hearing to explain why you are asking the court to waive the fees.

④ **What court's fees or costs are you asking to be waived?** All fees

- ☐ Superior Court (See Information Sheet on Waiver of Superior Court Fees and Costs (form FW-001-INFO).)
☐ Supreme Court, Court of Appeal, or Appellate Division of Superior Court (See Information Sheet on Waiver of Appellate Court Fees and Costs (form APP-015/FW-015-INFO).)

⑤ **Why are you asking the court to waive your court fees?**

a. ☒ I receive (check all that apply): ☒ Medi-Cal ☒ Food Stamps ☒ SI ☐ County Relief/General Assistance ☐ HSS (In-Home Supportive Services) ☐ Tribal TANF (Tribal Temporary Assistance for Needy Families) ☒ CAPI (Cash Assistance Program for Aged, Blind and Disabled)

b. ☒ My gross monthly household income (before deductions for taxes) is less than the amount listed below. (If you check 5b you must fill out 7, 8 and 9 on page 2 of this form.)

Family Size	Family Income	Family Size	Family Income	Family Size	Family Income	If more than 6 people at home, add \$412.50 for each extra person.
1	\$1,163.55	3	\$1,988.55	5	\$2,813.55	
2	\$1,576.05	4	\$2,401.05	6	\$3,226.05	

c. ☐ I do not have enough income to pay for my household's basic needs and the court fees. I ask the court to (check one): ☐ waive all court fees ☐ waive some of the court fees ☐ let me make payments over time (Explain): [REDACTED] (If you check 5c, you must fill out page 2.)

⑥ ☐ Check here if you asked the court to waive your court fees for this case in the last six months.

(If your previous request is reasonably available, please attach it to this form and check here: ☐)

I declare under penalty of perjury under the laws of the State of California that the information I have provided on this form and all attachments is true [REDACTED]

Date: 2/23/12

Print your name here

Brenda Barnes

Sign here

[REDACTED]

FW-001 Request to Waive Court Fees**CONFIDENTIAL**

If you are getting public benefits, are a low-income person, or do not have enough income to pay for household's basic needs and your court fees, you may use this form to ask the court to waive all or part of your court fees. The court may order you to answer questions about your finances. If the court waives the fees, you may still have to pay later if:

- You cannot give the court proof of your eligibility,
- Your financial situation improves during this case, or
- You settle your civil case for **\$10,000** or more. The trial court that waives your fees will have a lien on any such settlement in the amount of the waived fees and costs. The court may also charge you any collection costs.

Clerk stamps date here when form is filed.

Fill in court name and street address:

1 Your Information (person asking the court to waive the fees):Name: Beshane Habte

Street or mailing address: [REDACTED]

City: Santa AnaState: CA

Phone number: [REDACTED]

Case Number:

12 LM-001

Case Name:

2930 Colorado Ave, Village Trailer Park**2 Your Job**, if you have one (job):

Employer's address: [REDACTED]

3 Your lawyer, if you have one (name, firm or affiliation, address, phone number, and State Bar number):a. The lawyer has agreed to advance all or a portion of your fees or costs (check one): Yes ☐ No ☐

b. (If yes, your lawyer must sign here) Lawyer's signature: _____

If your lawyer is not providing legal-aid type services based on your low income, you may have to go to a hearing to explain why you are asking the court to waive the fees.

4 What court's fees or costs are you asking to be waived? All Fees

- ☐ Superior Court (See Information Sheet on Waiver of Superior Court Fees and Costs (form FW-001-INFO).)
- ☐ Supreme Court, Court of Appeal, or Appellate Division of Superior Court (See Information Sheet on Waiver of Appellate Court Fees and Costs (form APP-015/FW-015-INFO).)

5 Why are you asking the court to waive your court fees?

a. ☐ I receive (check all that apply): ☐ Medi-Cal ☐ Food Stamps ☐ SSI ☐ SSP ☐ County Relief/General Assistance ☐ IHSS (In-Home Supportive Services) ☐ CalWORKS or Tribal TANF (Tribal Temporary Assistance for Needy Families) ☐ CAPI (Cash Assistance Program for Aged, Blind and Disabled)

b. ☒ My gross monthly household income (before deductions for taxes) is less than the amount listed below. (If you check 5b you must fill out 7, 8 and 9 on page 2 of this form.)

Family Size	Family Income	Family Size	Family Income	Family Size	Family Income	If more than 6 people at home, add \$412.50 for each extra person.
2	[REDACTED]	3	[REDACTED]	4	[REDACTED]	

c. ☐ I do not have enough income to pay for my household's basic needs and the court fees. I ask the court to (check one): ☐ waive all court fees ☐ waive some of the court fees ☐ let me make payments over time (Explain): _____ (If you check 5c, you must fill out page 2.)

6 ☐ Check here if you asked the court to waive your court fees for this case in the last six months.(If your previous request is reasonably available, please attach it to this form and check here: ☐)

I declare under penalty of perjury under the laws of the State of California that the information I have provided on this form and all attachments is true and correct.

Date: 2/23/12

Print your name here

Beshane Habte

Sign here

If you are getting public benefits, are a low-income person, or do not have enough income to pay for household's basic needs and your court fees, you may use this form to ask the court to waive all or part of your court fees. The court may order you to answer questions about your finances. If the court waives the fees, you may still have to pay later if:

- You cannot give the court proof of your eligibility,
- Your financial situation improves during this case, or
- You settle your civil case for \$10,000 or more. The trial court that waives your fees will have a lien on any such settlement in the amount of the waived fees and costs. The court may also charge you any collection costs.

Clerk stamps date here when form is filed.

Fill in court name and street address:

Fill in case number and name:

Case Number:

12 LM-001

Case Name:

2930 Colorado Ave, Village
Trailer Park

1 Your Information (person asking the court to waive the fees):

Name: Peter Naughton

Street or mailing address: [REDACTED]

City: [REDACTED] State CA Zip: [REDACTED]

Phone number: [REDACTED]

2 Your Job, if you have one (job title):

Name of employer:

Employer's address:

3 Your lawyer, if you have one (name, firm or affiliation, address, phone number, and State Bar number):

a. The lawyer has agreed to advance all or a portion of your fees or costs (check one): Yes ☐ No ☐

b. (If yes, your lawyer must sign here) Lawyer's signature:

If your lawyer is not providing legal-aid type services based on your low income, you may have to go to a hearing to explain why you are asking the court to waive the fees.

4 What court's fees or costs are you asking to be waived? All Fees

- ☐ Superior Court (See Information Sheet on Waiver of Superior Court Fees and Costs (form FW-001-INFO).)
- ☐ Supreme Court, Court of Appeal, or Appellate Division of Superior Court (See Information Sheet on Waiver of Appellate Court Fees and Costs (form APP-015/FW-015-INFO).)

5 Why are you asking the court to waive your court fees?

a. ☒ I receive (check all that apply): ☒ Medi-Cal ☒ Food Stamps ☒ SSI ☒ SSP ☐ County Relief/General Assistance ☒ IHSS (In-Home Supportive Services) ☒ CalWORKS or Tribal TANF (Tribal Temporary Assistance for Needy Families) ☒ CAPI (Cash Assistance Program for Aged, Blind and Disabled)

b. ☒ My gross monthly household income (before deductions for taxes) is less than the amount listed below. (If you check 5b you must fill out 7, 8 and 9 on page 2 of this form.)

Family Size	Family Income	Family Size	Family Income	Family Size	Family Income	If more than 6 people at home, add \$412.50 for each extra person.
1	\$1,163.55	3	\$1,988.55	5	\$2,813.55	
2	\$1,576.05	4	\$2,401.05	6	\$3,226.05	

c. ☐ I do not have enough income to pay for my household's basic needs and the court fees. I ask the court to (check one): ☐ waive all court fees ☐ waive some of the court fees ☐ let me make payments over time (Explain): (If you check 5c, you must fill out page 2.)

6 ☐ Check here if you asked the court to waive your court fees for this case in the last six months.

(If your previous request is reasonably available, please attach it to this form and check here: ☐)

I declare under penalty of perjury under the laws of the State of California that the information I have provided on this form and all attachments is true and correct.

Date: 2/23/12

Print your name here

Sign here

Grounds for Appeal as provided in Code of Civil Procedure, § 1094.5: Failure to Proceed as Required by Law, Abuse of Discretion, Making a Decision Not Based on Substantial Evidence.

Detailed Discussion:

As to the negative decision by the Landmarks Commission on 2/13/12.

Santa Monica Municipal Code ("SMMC") § 9.36.180(a)(1) provides for an appeal of denial of an application for designation of a Landmark, which is what happened on 2/13/12. The vote was 5-2 against designating a Landmark, as was the vote against a motion to designate a Landmark on only the criterion 1 of the Landmarks Commission's criteria. **That criterion is, according to SMMC § 9.36.100(a)(1) "landmark designation of a structure, improvement, natural feature or an object" [may be approved by the Landmarks Commission if it finds that it meets one or more of the following criteria] . . .(1) It exemplifies, symbolizes, or manifests elements of the cultural, social, economic, political or architectural history of the City.** [Emphasis added.]

A consultant was hired by the City to give the report, called a "City Landmark Assessment Report" on its title page, on whether VTP met the requirements of the law to designate landmark status. **This report concluded that it did, on both the criterion listed above and the fourth criterion of the law, which is: "It embodies distinguishing architectural characteristics valuable to a study of a period, style, method of construction, or the use of indigenous materials or craftsmanship, or is a unique or rare example of an architectural design, detail or historical type valuable to such a study."** [Emphasis added.]

That consultant's name is ICF International, which is one of the Top 100 government contractors in the United States and is a public corporation traded on the NASDAQ exchange and employing 4,000 people in the US. See, http://en.wikipedia.org/wiki/ICF_International. The principal author of the Report for the City was Peter Moruzzi, who is an established expert in the mid-Century period, an acknowledged expert on mid-century Modern architecture and design." http://www.lqgraphics.com/software/gallery_desertholiday.php, 2008; <http://www.havanabeforecastro.com/>; and 10 pages of citations to separate available pieces of authority under a Google search for his name. This report was based on voluminous personal knowledge of the site as well as the principal author's specific expertise on the period and being presented in the name of such a prominent governmental contractor.

Opposing the request for landmark designation were a combination of two forces.

First was a 41-page report manufactured from documents obtainable in public records and based on one visit to VTP on November 14, 2011, with 96 pages of attachments, submitted February 6, 2012 for a meeting held February 13, 2012. **This submission date was seven (7) days before the meeting, after the 10-day notice of the meeting had already gone out. In spite of that untimeliness, we were not given the continuance we requested to respond to it after each of the Landmarks Commission members referred to the point made in that report, as a reason for voting against landmarking the site, that trailers can be moved by their owners and therefore cannot be landmarked.** To deny the continuance request under these circumstances was abuse of discretion, which caused the negative, incorrect decision of the Landmarks Commission.

This report states on its title page that it was done for "The Luzzatto Company", which is a real estate investment firm and brokerage headquartered in Santa Monica, which has nothing whatever to do with Village Trailer Park except it has apparently sold shares on behalf of the owner of the land for a proposed development of the site (www.luzzattocompany.com). It was failure to proceed as required by law to even consider a report paid

for and presented to the Commission by a non-party to the request and a party not shown by evidence to have any even equitable interest in the subject property—much less legal title as claimed falsely by Mr. Luzzatto to the Commission.

This report calls itself, also on the title page, a “Historic Resource Assessment.” This was done by a tiny seven-person firm in existence as an architecture firm since 1994, of academics out in the San Fernando Valley named Chattel Architecture, Planning & Preservation, Inc., which states on its website that it specializes in “preconstruction management.” www.chattel.us. This firm first has a conflict of interest in preparing such a report in this case, in that it represents as an architect, construction consultant, and contractor, parties in Santa Monica who want to preserve buildings and build new ones, but it was hired for this job to say why the buildings should not be preserved, by a firm that is not even an owner and has no equitable interest in the property as it stands, but instead is a developer if the buildings on the property are not preserved.

This firm is the same firm that made the same negative report regarding the same historical period—likewise saying the property that was later found to be a STATE historical landmark did not qualify to be even a City one—in a report referred to in Lincoln Place Tenants Association v. City of Los Angeles (2nd Dist., 2005)130 Cal.App.4th 1491, 1498 (hereinafter called “Lincoln Place”):

The owners of Lincoln Place opposed the application for monument status and submitted a report by Robert Chattel, AIA, expressing the view the property did not meet the city’s criteria for designation as an historic monument. Chattel’s report noted a portion of another garden style apartment complex, Park La Brea, had already been designated a city historic monument.

It was failure to proceed as required by law for the Commission to take the same incorrect conclusion from this Report that had been in error in Lincoln Place for the following reasons (and others that with more time appellants reserve the right to point out):

- (1) Once again, the same firm not shown to be an expert on the period concluded that there was another property allegedly more deserving of landmark status.
- (2) Once again, the same firm not shown to be an expert on the period or to have personal knowledge regarding any property other than the subject one, if that, used inapplicable properties as comparables—located in distant places and not even declared to be historical landmarks—to declare the subject not as historical as those others—which is not the standard in Santa Monica;
- (3) Once again, using guidelines of the National Park Service and other agencies other than the City’s own definitions and criteria, the only ones that apply, the Report supplied inapplicable “red herring” arguments the Commission improperly used; and
- (4) The Commission failed to proceed as required by law in giving such a weightless report, both in authorship and methodology, any weight whatsoever. That the Commission then adopted the conclusion of this Report based on that faulty analysis—that the subject property did not have historical significance without the trailers, which are personal property belonging to the tenants of the land (called homeowners in the Mobilehome Residency Law, Civil Code §§ 798 et seq.) constitutes failure to proceed as required by law, abuse of discretion, and/or making a decision not based on substantial evidence.

Moreover, Chattel’s late preparation of the report, use of six out of seven inapplicable comparables, and being involved in a presentation to the Commission using 10 or 15 obvious shills (see below), marks it as

unprofessional at best. Chattel was representing only the developer, The Luzzatto Company, and by making this report and presentation embarrassed itself as having no credibility left, after the poor showing in Lincoln Place.

The Commission also failed to proceed as required by law in adopting arguments of this Report supported by 10 or 15 obvious shills who appeared and read from half-page typed sheets they brought up with them, from laptops, or from what they claimed to be e-mails written by someone else. Many of them used the same words, although some besides using the same words, did vary from the script to try to make presentations sound personal. In addition to being obviously scripted, the arguments these shills made were so blatantly class-based and racist, it was shocking. They said things like why would we want out-of-town visitors who might be given a landmarks map, to visit a trailer park? (Because it shows a unique part of the history of the City?!) And this gem: "When I heard Village Trailer Park was up to be considered as a landmark, I just had to come and oppose such an unheard-of thing being done in our beautiful city with its high-class landmarks known worldwide." (With this attitude, not to worry—such snooty visitors would not stray from the Promenade to Pico Neighborhood.)

One of the pieces of correspondence included in the Commission's packet (which left out at least two pro-landmarking communications appellants know of, while including 4 out of 5 negative ones), even has an underline still, where the shill using it as his or her own work was supposed to fill in what Santa Monica street s/he lived on, but instead just sent in the e-mail form with the underline still in it. (Attachment D to 12LM-001 Landmarks Commission Hearing Packet, February 13, 2012, Public Correspondence, last page, e-mail Scott Albright from Russ Belinsky.) Note also that the person sending that e-mail, Russ Belinsky, actually is an investment banker with the firm of Dunn & Phelps in Los Angeles and unless his street is filled in, appears to have no connection whatsoever with Santa Monica. In any event, unless that line is filled in and the details of what he knows about VTP and why he knows it are given, his opinion is just the same kind of class-based and racially-motivated opinion used by all the other shills in their oral presentations to the Commission, impermissible for a governmental agency to use. http://www.duffandphelps.com/Expertise/our_team/pages/bio.aspx?list=People&ID=8. The press release for Dunn & Phelps's 2006 acquisition of Chanin Capital Partners, a firm the company profile of Belinsky says he co-founded, was issued in New York and states Chanin was founded in 1984 and had offices in New York, Los Angeles, Detroit and London. <http://www.prnewswire.co.uk/cgi/news/release?id=183062> Nonetheless, Belinsky's e-mail says he has been a long-time resident of Santa Monica—and says he lives on ____ Street.

Finally, the other force working against VTP being declared a landmark was the same legal bias following us around from place to place for over five years now. This is the manufactured argument by the City Attorney's office (which is apparently what led to the City's entering into an MOU to try to enter into a Development Agreement with Luzzatto in 2006), that goes like this: 1) The owner of VTP has the legal right to go out of the mobilehome park business; 2) Therefore, all the tenants who have their trailers on the land have no right to stay; 3) Therefore, the trailers will disappear sometime soon and there is nothing whoever is speaking at the time can do to prevent that; so 4) Whatever is being asked for by those tenants must regrettably be denied. This is basically the logical fallacy that led to the LUCE's not excluding residential areas as possible areas to be rezoned commercial and high-density residential in the Mixed Use Creative District, in 2010; then to the City Council's not instructing its staff to explore all alternatives to protect the health and safety of the residents of VTP, in 2011; and now to the Landmarks Commission's not designating the VTP site a City landmark, in 2012.

That the City's attorney present at the Commission meeting would not correct the Commission's mistaken reasoning shows he is part of the conspiracy whereby the City has already pre-determined to approve the Development Agreement with Luzzatto and friends, prior to consideration of the EIR for the subject proposal and without so deciding in a public meeting as required by state law. This fits with the three actions listed above and the Housing Department's writing to VTP residents that we were "being displaced," so would get housing priority.

It is virtual madness to think 109 families who own their own homes are going to disappear because developers want to make money on land where the local rent control law, as a matter of public policy, gives the homeowners unwaivable rights to stay. This is because the use stated as what the Park land was going to be used for—to keep the land vacant for investment—in the 2006 eviction notice served by these proposed developers was unlawful, and the City's MOU with the developers constitutes an attempt to get around the Rent Control Law, over which the City has no jurisdiction other than through the Rent Control Board, which did not sign off on the MOU. The law firm on behalf of the proposed developer when they gave that eviction notice in 2006 was required by the state law allowing the owner to stop doing business as a mobilehome park owner, to state it had all the permits it needed under local law to complete the stated proposed converted use of the mobilehome park site, or at what meeting within 15 days it would get those permits. Actually, it could not then or now qualify for the removal permit from The Rent Control Board required to make the tenants of the land move, since a removal permit for housing covered by rent control requires an equal number of units be proposed to be built on the site and covered by rent control. The Rent Control Law is part of the City Charter, superior to the power of the City Council, which through the Mayor is the only entity that signed off on the MOU. The Rent Control Law in the City Charter does not allow removal of rental units and their demolition so that land can be vacant and kept for investment.

The important point at this time is that at each level where we have presented our cases to governmental entities, the logical fallacy outlined above was not even relevant to whatever we were asking them for. Again it was so with the Landmarks Commission.

Each member of the Commission, even the two of seven (Commissioners Bach and Genser) voting in favor of landmarking, stated as part of his or her reasoning that the Deputy City Attorney present had told them repeatedly that they could not landmark uses of land, and it seemed to them that the use of this land as a trailer park was necessary, or at least desirable, to preserve its significance and integrity as a landmark. **This was so even though their consultant had answered the very question of whether the site would still qualify as a landmark under the legal criteria they had to follow, if no trailers were there. He said yes it would, because like any vacant historical landmark, the permanent structures, which include the trees and other landscaping, would still evoke the feeling of the Park.**

The Commission also failed to proceed as required by law in failing to consider the question and advise the City Council it could declare VTP with the historic trailers currently on the site, an historic district. The Commission did so by ignoring the only evidence it had before it that it could require the owners of individual trailers to maintain the historic character of the trailers on the site, as well as require new trailers put on the site to be historic. Declaring VTP an “historic district” would give the Commission jurisdiction to require the exteriors of historic trailers on the site to maintain that historic character, the same way the Commission has jurisdiction to require any changes to a house within an historic district to maintain the historic quality of the district. In fact, the City Planning Staff had jurisdiction to prevent any changes to historic trailers simply by completing an application for designation of VTP as an historic district.

SMMC § 9.36.130

Historic District designation procedure. .

(c) Upon determination by City staff that an application for designation of an Historic District is complete, any alteration, restoration, construction, removal, relocation or demolition, in whole or in part, of or to a building or structure within a proposed Historic District is prohibited, and no permit issued by any City Department, board or commission including a conditional use permit, a tentative tract map or parcel map permit, a final tract map or parcel map permit, a development review permit, any Zoning

Administrator permit, architectural review permit, rent control permit, or building permit authorizing any such alteration, restoration, construction, removal, relocation or demolition shall be granted while a public hearing or any appeal related thereto is pending. [Emphasis added.]

Then if the City Council approved the designation of an historic district by the Commission, alterations of historic trailers to change their historic character would be prohibited permanently by approving the Commission's declaration of an historic district or by approving an application on its own, and thereby keep historic trailers from being moved, demolished, or altered on the exterior so as to change their historic character::

(l) The City Council shall by ordinance have the power, after a public hearing, whether at the time it renders a decision to designate a Historic District or at any time thereafter, to specify the nature of any alteration, restoration, construction, removal, relocation or demolition of or to a building or structure within a Historic District which may be performed without the prior issuance of a certificate of appropriateness pursuant to this Chapter. The City Council shall by ordinance also have the power after a public hearing to amend, modify or rescind any specification made pursuant to the provisions of this subsection. [Emphasis added.]

Even the landlord's report—which claims in a paragraph that proves on its face that trailers are “buildings”—admits “trailers” at VTP at least fall between the definition of “buildings” and that of “structures.” On p. 18 it quotes from the National Park Service's guidance document as to the difference between a building and a structure and then comes to a conclusion from that parsing that is wrong on its face, as follows:

National Park Service guidance, *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation*, provides direction on how to evaluate potential historical resources, classifying resources as buildings, sites, districts, structures or objects. Based on the definitions provided for these classifications, trailers themselves fall somewhere between buildings and structures. Buildings are defined as being “made principally to shelter any form of human activity.” Structures, on the other hand, are defined as “those functional constructions made usually for purposes other than creating human shelter.”⁷³ Examples of structures include but are not limited to automobiles, airplanes, bandstands, and trolley cars. For example, Angels Flight Railway as well as Atchitson [*sic.*], Topeka, and Santa Fe Railway Steam Locomotive No. 3751 were both listed as structures in the National Register in 2000; the RMS Queen Mary, a retired ocean liner permanently docked at Long Beach Harbor, was also listed as a structure in the National Register in 1993. Trailers share qualities of both buildings and structures, providing human shelter but being functionally similar to vehicles. [Emphasis added.]

That this conclusion is false on its face is indicated by the indisputable fact that every trailer at VTP was “made principally to shelter any form of human activity.” In fact, they were all made to shelter human beings as a residence, either temporary or permanent, either moving or stationary. Therefore, under the National Park Service's definition, every trailer is a “building.” In any event, the difference between a structure and a building is a difference without any legal distinction in Santa Monica Landmark law, since the codes all allow designation of a building or structure, making no distinction.

SMMC § 9.36.030 Definitions, for purposes of the Landmarks and Historic Districts section of the Municipal Code, has two relevant definitions, the first (actually second in the definitions themselves, but first here for purposes of this discussion), for both a landmark and an historic district, the second for an historic district: alone.

Improvement: Any building, structure, place, site, work of art, landscape feature, plantlife, life-form, scenic condition or other object constituting a physical betterment of real property, or any part of such betterment.

Contributing Building or Structure: A building or structure which has been identified by the Landmarks Commission as one which contributes to the designation of an area as a Historic District. [Emphasis added.]

To make it abundantly clear that Santa Monica law—unlike perhaps the National Park Service's guidelines, which are not applicable here--makes no distinction between real and personal property for purposes of what designation of a Landmark can cover, Santa Monica's definitions also include this:

Exterior Features: The architectural style, design, general arrangement, components and natural features or all of the outer surfaces of an improvement, including, but not limited to, the kind, color and texture of the building material, the type and style of all windows, doors, lights, signs, walls, fences and other fixtures appurtenant to such improvement, and the natural form and appearance of, but not by way of limitation, any grade, rock, body of water, stream, tree, plant, shrub, road, path, walkway, plaza, fountain, sculpture or other form of natural or artificial landscaping. [Emphasis added.]

SMMC § 9.36.100 gives the following criteria regarding the Commission's jurisdiction to designate an Historic District:

.....
(b) For the purposes of this Chapter, a geographic area . . . of thematically related properties may be designated a Historic District if the City Council finds that such area meets one of the following criteria:

(1) Any of the criteria identified in Section 9.36.100(a)(1) through (6).

.....
(3) It reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning.

(4) It has a unique location, a singular physical characteristic, . . . of a neighborhood, community. . . (Prior code § 9607; added by Ord. No. 1028CCS, adopted 3/24/76; amended by Ord. No. 1590CCS § 1, adopted 7/23/91)

Regarding the specific question of whether the VTP with the trailers met any of the criteria to designate either a Landmark or an Historic District, it clearly did according to the only evidence presented, and therefore the Commission failed to proceed as required by law in basing a decision on incorrect legal advice rather than on evidence. A decision based on legal advice is entitled to no weight and will be visited de novo (from the beginning, anew, as if the decision had not been made), by a court, which will determine for itself whether the legal advice was correct.

The City's consultant was the only one giving any evidence other than the members of the Park and neighbors who spoke to them in favor of landmarking the site—in what is called public comment rather than evidence—who indicated he had actually been to the Park and investigated every part of it. They themselves had spent at most a few hours wandering around it, and four of the seven had not been there at all.

That evidence was given on pp. 12-13 of the ICF Nov. 2011 report, where the City's own consultant—again, the only impartial witness who actually had personal knowledge of the site--states VTP could be designated an “historic district,” as well as a “landmark.”

Whether the Village Trailer Park qualifies as a historic district rests on the question of what

constitutes a potential district contributor in this context. While most of the individual trailers are privately owned and would thereby be potentially eligible as contributors to a 'Village Trailer Park Landmark District,' the property itself consists of only two parcels upon which the private trailers are parked. Typically, district contributors are identified by their Assessor's Parcel Number (APN) of which, as noted, there are only two. However, Santa Monica Landmark Districts have been recognized as areas containing groups of resources that have good integrity and are historically significant as a cohesive group. While each resource in a Landmark District may not be individually worthy of Landmark status, collectively they are recognized for their historical significance, visual qualities, and ambiance of the past.

The majority of trailers in Village Trailer Park possess good integrity and have been shown to have historic significance as a cohesive group. Collectively, along with the trailer park's permanent buildings, overall plan, and mature landscaping, they demonstrate an undeniable ambiance of the past. Therefore, based upon such reasoning, the Village Trailer Park with its numerous individually-owned trailers would constitute a potential Landmark District. [Emphasis added.]

The landlord's report gave seven supposed comparables, all but one of which it admitted had NOT been declared landmarks (p. 21). It distinguishes the one that had been made a landmark in Los Angeles from VTP on the ground that the former had been involved in early tourist use whereas VTP had not (id.), a claim the City's consultant also explicitly refutes on evidence that between 1958-59 and 1960-61 70% of trailer sites at VTP had changed occupants. Feb. 2012 ICF Landmark Assessment Report, p. 8. Clearly a trailer park built in 1950 will not demonstrate the same history as one built in the 1920s, another difference without any legal distinction. Landmarks in Santa Monica need be only 40 years old, not 90. However, VTP demonstrates a distinct historical period in the evolution of transitory and then permanent housing:

The first available city directory in which Village Trailer Park is listed is the 1952-53 edition. Frank J. and Florence H. Rosar appear as the park's managers; there are no listings for occupants of the individual trailers within the park. The same is true for the 1954 city directory where only property managers Angus and Martha Robinson are identified at the subject property address. The 1958-59 edition, in contrast, has 52 entries for Village Trailer Park each with individual telephone numbers. This change in how the subject property is identified in city directories implies that what had once been a transient population was becoming relatively permanent. Yet, a review of Village Trailer Park entries in the 1960-61 city directory reveals that only 18 of 61 households (30%) had appeared in the previous edition, meaning that 70% of the property's occupants in 1960-61 did not reside there previously. At least in the early 1960s, the rate of residential turnover at the trailer park was high. In contrast, an informal walk through Village Trailer Park on November 7, 2011 revealed an abundance of what appeared to be pre-1980 trailers many of which were surrounded (if not encased) by mature landscaping, suggesting that a substantial number have been continuously occupied for many years if not decades. ICF City Landmark Assessment, November 2011, p. 6, emphasis added.

It also is to be noted that Village Trailer Park is covered by rent control, which means that by April 10, 1978, the base date for rent control, all 109 spaces registered with Rent Control at the property then were occupied permanently. Therefore, there was no evidence to support any conclusion other than that the VTP site had, like the Monterey Trailer Park designated a Landmark by the City of Los Angeles, been involved in the history of a city, in this case of progression of an ever-more automobile-based society, from traveling around with mobile

living spaces, to being permanently based in the City of Santa Monica in those same previously-mobile homes.

Moreover, the Mobilehome Residency Law preamble to eviction sections gives state law support for the historical nature of trailers and mobile homes as now permanent structures, as follows:

Civil Code § 798.55.

(a) The Legislature finds and declares that, because of the high cost of moving mobilehomes, the potential for damage resulting therefrom, the requirements relating to the installation of mobilehomes, and the cost of landscaping or lot preparation, it is necessary that the owners of mobilehomes occupied within mobilehome parks be provided with the unique protection from actual or constructive eviction afforded by the provisions of this chapter.

Thus, the historic event related to trailers was well- shown by all the available evidence to have been that VTP was a solely transient park for travelers from its building in 1951 to before or at least by 1958-59, and that until sometime after 1960-61 even though the residents had permanent spaces as indicated by their being listed in the City telephone directory individually as residents, nonetheless they remained highly transient until sometime before 1978 (which the City's consultant's February 2012 report states happened by about 1970, p. 10). The City's consultant's report concludes this makes VTP part of the history of residential trailers, the only such part remaining in Santa Monica today. In spite of the consequent lack of any evidence to support the decision, the Landmarks Commission decided it was the use of the Park that was being asked to be landmarked, and since the Deputy City Attorney who advises them had told them use could not be maintained if the owner did not want to do so because of the four points outlined above, they had to vote against landmarking the site.

SMMC § 9.36.180 provides the following regarding appeal of this denial of the application:

An appeal to the City Council of an action of the Landmarks Commission shall be processed in accordance with the following procedure:

(a) Each of the following actions by the Commission may be appealed to the City Council:

(1) Any decision relating to an application for the designation of a Landmark.

.....

(b) Any person may appeal a determination or decision of the Commission by filing a notice of appeal with the City Planning Division on a form furnished by the Planning Division. Such notice of appeal shall be filed within ten consecutive days commencing from the date that such determination or decision is made by the Commission . . . The notice of appeal shall be accompanied by a fee required by law. Notwithstanding any of the foregoing, any member of the Commission or City Council may request a review by the Commission or City Council of any determination or decision of the Commission without the accompaniment of such fee in the amount required by law.

(c) The City Council shall schedule a public hearing to be held within forty-five days after the notice of appeal is properly filed with the City Planning Division. The owner of the improvement may agree to extend the time period for the City Council to hold and conclude the public hearing on the application.

(d) Not more than twenty days and not less than ten days prior to the date scheduled for a public hearing, notice of the date, time, place and purpose thereof shall be given by the Director of Planning by at least one publication in a daily newspaper of general circulation, and shall be mailed to:

(1) The appellant;

(2) The owner and residential or commercial tenants of the Landmark in the case of

any action regarding a Landmark;

.....

(4) The owners of all real property and residential and commercial tenants within three hundred feet of the exterior boundaries of the lot or lots on which a Landmark is located in the case of any action regarding a Landmark;

.....

The names and addresses of such owners as are shown on the records of the Los Angeles County Assessor shall be used for providing this notification. The address of the residential and commercial tenants shall be determined by visual site inspection or other reasonably accurate means. The failure to send notice by mail to any such real property where the address of such owner is not a matter of public record shall not invalidate any proceedings in connection with the proposed designation. The Commission or the City Council may also give such other notice as it may deem desirable and practicable.

(e) At the conclusion of the public hearing, or any continuation thereof, the City Council shall render its decision on the notice of appeal and shall approve, in whole or in part, or disapprove the prior determination or decision of the Commission. Any continued public hearing must be completed within thirty days from the date set for the initial public hearing. The City Council decision shall be in full force and effect from and after the date such decision is made. If the City Council fails to take action on the notice of appeal within the thirty day time period, the notice of appeal shall be deemed disapproved. The owner of the improvement may agree to extend the time period for the City Council to hold and conclude the public hearing on the application.

(f) Within thirty days after the decision has been made, the City Council shall approve a statement of official action which shall include:

(1) A statement of the applicable criteria and standards against which the application for designation was assessed.

(2) A statement of the facts found that establish compliance or non-compliance with each applicable criteria and standards.

(3) The reasons for a determination to approve or deny the application.

(4) The decision to deny or to approve with or without conditions and subject to compliance with applicable standards.

(g) The appellant and the owner of the Landmark in the case of a decision regarding a Landmark, . . . shall be provided a copy of the statement of official action, using for this purpose the names and addresses of such owners as are shown in the records of the Los Angeles County Assessor. (Prior code § 9612; added by Ord. No. 1028CCS, adopted 3/24/76; amended by Ord. No. 1429CCS, adopted 12/8/87; Ord. No. 1590CCS § 1, adopted 7/23/91; Ord. No. 2166CCS § 2, adopted 8/9/05) Emphasis added.

There does not appear to be any form for the appeal, none being given in the Planning Department's forms for Landmark Designation, nor does there appear to be any fee. We'll check this tomorrow when the Planning Department is open.

In addition to the above, according to the Minutes adopted at the January 9, 2012 meeting, for the

December 12, 2011 meeting where the Commission voted to create an Application to Designate VTP's site a Landmark (apparently not distinguishing at that time, as some of the above discussion indicates the Commission should have, between an application for a Landmark and an application to designate an Historic District), "Commissioner Fresco stated that Maurice Conn, who wrote westerns in the 1950s, lived at the Village Trailer Park." Other than the City's consultant's February 2012 report listing Conn as living at VTP in 1958-59, p. 22, no one ever mentions this again. However, our research on the Internet indicates Conn was a very prominent producer, director, and writer of films, not in the 1950s but rather in the 1930s and 1940s. Ten (10) of his films are still available to rent from amazon.com, <http://www.amazon.com/s?ie=UTF8&rh=n%3A2625373011%2Ck%3AMaurice%20Conn&page=1>. (How many of you involved in the film business would wish ten of your films would still be available to rent over 60 years from now?!) Compared to the bus driver the City's consultant discusses, this is a historical personage connected to VTP. Therefore, for an additional reason other than the two he concluded justified designating a landmark, VTP also qualifies.

Luzzatto told the Commission that he was "one and the same," when we objected that he did not have an equitable interest in the property, and the Commission asked him if he was "the owner, the developer, or what." We have a copy of the deed transferring 50% interest in Village Trailer Park from Village Trailer Park, Inc. to Village Trailer Park, LLC, (the developer entity), which states signed by James Muramatsu, President, and Muriel Shapiro, Secretary of Village Trailer Park, Inc, that the parties involved in the transfer were all the same parties that had owned the property before the transfer. This was to avoid reassessment of the property for property tax collection under Prop 13. This fraud helped mislead the Commission and helped cause it to make a decision not allowed by law.

More detail on evidence is provided below:

Based on the conclusion of the consultant, ICF International, the property at 2930 Colorado Avenue meets two of the City of Santa Monica's Landmark Criteria (1 and 4).

Therefore, the FOSP Board strongly urges the Landmarks Commission to designate the Village Trailer Park as a City Landmark.

ICF International — City Landmark Assessment Report — February 2012

CONCLUSION

"The context in which Village Trailer Park is being assessed is 'Trailer Parks in the cultural, social, economic and architectural development of Santa Monica, 1951 – 1970.' As has been shown, trailer parks in Santa Monica were a prominent component in the development of the City's tourist economy from the early postwar years until approximately 1970, when trailer parks had evolved from transient vacation stopovers to permanent residential communities. With its 105 spaces, Village Trailer Park – erected in 1951 – today represents about 10% of the roughly 950 trailer spaces that existed in Santa Monica in 1952.

"As a social phenomenon, the progression from transient to permanent residential community led to Village Trailer Park becoming the City's best remaining example of a neighborhood of closely spaced towable vehicles/dwellings set amongst lush landscaping with residents sharing recreational amenities.

"As a cultural landscape, Village Trailer Park is based on a planned design (roads, aligned spaces, communal and administrative buildings, utility hookups) enhanced over time by the introduction of flora, vernacular landscape elements, and decorative additions to trailers and outdoor living spaces by its residents over a 60 year period.

"Architecturally, the subject property exhibits all of the key character defining features typical of a traditional trailer park in its plan, permanent buildings, amenities and landscaping.

“Further, Village Trailer Park exhibits a high level of physical integrity, especially when compared with Mountain View Mobile Home Park with the latter’s intrusion of incompatible mobile and newly constructed dwellings.

“In summary, based on current research and the above assessment, the property located at 2930 Colorado Avenue appears to meet two of the City of Santa Monica’s Landmark Criteria (1 and 4).

Additional information:

Landmarks Commission agenda for February 13, 2012:

<http://www01.smgov.net/planning/landmark/agendas/2012/lca02132012.htm>

Agenda item 9-C. Landmark Designation 12LM-001, 2930 Colorado Avenue, to determine whether VTP should be designated as a City Landmark.

Staff Report: [http://www01.smgov.net/planning/landmark/agendas/2012/12LM-001%20\(2930%20Colorado%20Avenue%20-%20VTP\)%20Staff%20Report%20\(February%202012\).pdf](http://www01.smgov.net/planning/landmark/agendas/2012/12LM-001%20(2930%20Colorado%20Avenue%20-%20VTP)%20Staff%20Report%20(February%202012).pdf)

Consultant’s Report: http://www01.smgov.net/planning/landmark/agendas/2012/Village%20Trailer%20Park%20LM%20Assessment_Final.pdf

Village Trailer Park, 2930 Colorado Avenue, Santa Monica, California

City Landmark Assessment Report, Evaluation Report, Building Permit History, Photographs, Tax Assessor Map, Sanborn Maps

Prepared for: City of Santa Monica Planning Division

Prepared by: ICF International, Los Angeles, California — February 2012 — Excerpts:

“In summary, based on current research and the above assessment, the property located at 2930 Colorado Avenue appears to meet two of the City of Santa Monica’s Landmark Criteria (1 and 4). The property was evaluated according to statutory criteria as follows:

Landmark Criteria:

9.36.100(a)(1) It exemplifies, symbolizes, or manifests elements of the cultural, social, economic, political or architectural history of the City.

The subject property is an excellent example of a traditional trailer park exhibiting all of the key character defining architectural features typical of the type (plan, permanent buildings, amenities, and landscaping). In addition, as a cultural landscape, Village Trailer Park manifests the cultural history of Santa Monica through its planned design and the evolution of its landscape by the introduction of flora, vernacular landscape elements, and decorative additions to trailers and outdoor living spaces by its residents over a 60 year period.

With over 950 trailer spaces in the City in 1952, Santa Monica was evidently a popular vacation destination for motorists towing recreational vehicles, and a noteworthy component of the City’s tourist economy after World War II. Village Trailer Park, with its 105 trailer spaces, exemplifies this aspect of the City’s economic development in the 1950s.

Further, Village Trailer Park manifests the social evolution of trailer parks in Santa Monica from transient stopovers to permanent residential communities with a look and ambiance unique to the property type. Therefore, Village Trailer Park’s period of significance is from 1951, the property’s date of construction, to 1970, when trailer parks were no longer vacation destinations but permanent residential communities.

In sum, the property exhibits a substantial degree of physical and historical integrity in its location, design, setting, workmanship, materials, feeling and association that manifests the architectural, cultural, economic and social

history of the City of Santa Monica in the postwar era. Therefore, the subject property appears to satisfy this criterion.

9.36.100(a)(3) It is identified with historic personages or with important events in local, state or national history.

Current research did not reveal that the subject property is associated with any historic personages or with important events in local, state, or national history. Therefore, the subject property does not appear eligible for local landmark designation under this criterion.

9.36.100(a)(4) It embodies distinguishing architectural characteristics valuable to a study of a period, style, method of construction, or the use of indigenous materials or craftsmanship, or is a unique or rare example of an architectural design, detail or historical type valuable to such a study.

The subject property appears to meet this criterion.

As one of only two remaining trailer parks in Santa Monica – and the only one that exhibits a very high level of integrity – Village Trailer Park fully embodies the distinguishing architectural characteristics of the type. Specifically, the property features private paved roads; numerous trailer spaces with concrete pads; a recreational club house; manager's residence; management office; laundry room/community bathroom facility; and landscaping. It also includes a swimming pool, which was promoted as a unique amenity when the trailer park opened in 1950.

Therefore, it can be concluded that Village Trailer Park is valuable to a study of the architectural history of the middle decades of the 20th century in Santa Monica.

9.36.100(a)(6) It has a unique location, a singular physical characteristic, or is an established and familiar visual feature of a neighborhood, community or the City.

Although Village Trailer Park has existed at this location since 1950 (and later with some street frontage along a quiet portion of Stanford Street) much of the property is hidden behind tall bushes along Colorado Avenue with only the park's perpendicular center road fully visible from the street. As a result, while partially visible by pedestrians it is not especially visible by automobiles because the driver must purposely look south as he/she passes the property to notice its presence. Because the subject property does not maintain a strong physical presence at its mid-block location, it does not appear eligible for local landmark designation under this criterion.

A comment for the consideration of a Certificate of Appropriateness for Village Trailer Park:

It is suggested that any replacement vehicle (trailer) proposed for the designated property be consistent with the historic definition of a trailer – maximum width and length with wheels and a tow hitch. This would preclude the placement of contemporary mobile or permanent homes on the property similar to what has occurred at the city-owned Mountain View Mobile Home Park.

Landmarks Commission — December 12, 2011 agenda:

<http://www01.smgov.net/planning/landmark/agendas/2011/lca12122011.htm>

Agenda item 12-A. Discussion and possible consideration as to whether to file an application to designate the Village Trailer Park located at 2930 Colorado Avenue as a City Landmark.

Consultant's Report: <http://www01.smgov.net/planning/landmark/agendas/2011/Village%20Trailer%20Park%20LM%20Assessment.pdf>

Consultant's Report excerpts:

Village Trailer Park, 2930 Colorado Avenue, Santa Monica, California

CONCLUSION

In summary, based on current research and the above assessment, the property located at 2930 Colorado Avenue appears to meet two of the City of Santa Monica's Landmark Criteria (1 and 4). The property was evaluated according to statutory criteria as follows:

Landmark Criteria:

9.36.100(a)(1) — It exemplifies, symbolizes, or manifests elements of the cultural, social, economic, political or architectural history of the City.

The subject property is an excellent example of a traditional trailer park exhibiting all of the key character defining architectural features typical of the type (permanent buildings, amenities, plan, and landscaping). It also represents a tangible example of when Santa Monica was a vacation destination for motorists towing recreational vehicles that became an additional component of the City's economic development after World War II.

Further, Village Trailer Park manifests the social evolution of trailer parks in Santa Monica from transient stopovers to permanent residential communities with a look and ambiance unique to the property type.

In sum, the property exhibits a substantial degree of physical and historical integrity in its location, design, setting, workmanship, materials, feeling and association that manifests the architectural, economic and social history of the City of Santa Monica in the postwar era.

Therefore, the subject property appears to satisfy this criterion.

9.36.100(a)(4) — It embodies distinguishing architectural characteristics valuable to a study of a period, style, method of construction, or the use of indigenous materials or craftsmanship, or is a unique or rare example of an architectural design, detail or historical type valuable to such a study.

The subject property appears to meet this criterion. As one of only two remaining trailer parks in Santa Monica – and the only one that exhibits a very high level of integrity Village Trailer Park fully embodies the distinguishing architectural characteristics of the type.

Specifically, the property features private paved roads; numerous trailer spaces with concrete pads and hookups for electricity, gas, water, and sewage; a recreational club house; manager's residence; management office; laundry room/community bathroom facility; swimming pool; and landscaping.

The property also contains a substantial number of trailers manufactured from the 1950s through the 1970s.

Therefore, it can be concluded that Village Trailer Park is valuable to a study of the architectural history of the middle decades of the 20th century in Santa Monica."

Additional excerpts:

"Consistent with the design of most trailer parks, the subject property features numerous narrow trailer spaces. Based on the site map posted near the park entrance, there are 105 available spaces arranged in six rows with each space outfitted with a concrete pad and connections for electricity, water, gas, and sewage. Pole lamps illuminate the spaces along an asphalt strip of sidewalk fronting the driveway. Woven throughout the site are dozens of enormous mature trees of many varieties and dense landscaping that provide abundant shade and a park-like setting to the property....

"Given that the Village Trailer Park has existed at this location for 61 years there is an understandably wide variety of makes, models, and sizes of trailers scattered throughout the complex. In addition, it appears that many of the

trailers were manufactured as early as the 1950s and 1960s with a few as recent as the 21st century. Visual inspection suggests that a substantial number of the trailers have occupied their spaces for many years – perhaps decades. Quite a number are thoroughly embraced by mature plants and have substantial additions attached to them, particularly on the side with the trailer entrance. These additions greatly expand a trailer’s available living space. Although technically roadworthy (each is on wheels and has a tow hitch on the front) it appears that, due to deterioration, age and disrepair, many would no longer fare well on the highway....

“A review of the occupations listed for residents of Village Trailer Park in 1958-59 reveals a wide variety of affiliations (see Table 1). Occupations include construction superintendent, postal carrier, postal clerk, Bullock’s clerk, PBX operator, accountant, electrician, several salesmen, machinist, YMCA engineer, office manager, mason, student, beautician, construction foreman, mechanic, writer, a number of retirees, widows, and, somewhat surprisingly given his high position, an assistant vice president of the General Telephone Company (Henry L. Williamson). There were also four employees of Douglas Aircraft: three technicians and a blue printer. Similar results were found in the 1960-61 city directory suggesting that the residents of Village Trailer Park were employed in a broad spectrum of blue and white collar occupations....

“In 2002, the City of Los Angeles declared the Monterey Trailer Park (6411 North Monterey Road) a Historic Cultural Monument.¹⁵ as “a prime example of an early 20th Century recreation and housing resource in the booming Post WWI Los Angeles area....

“Photographic evidence and city directory research confirm that trailer parks were prevalent in Santa Monica, particularly after World War II in the eastern portions of the City. Trailer parks in Santa Monica initially served as convenient locations for travelers to rest as recreational stopovers or longer term seasonal vacation destinations. As such, they represent an important component of Santa Monica’s economic development as a vacation destination in the middle decades of the 20th century. In addition, they also served as accommodations for workers at local manufacturing plants such as Douglas Aircraft Company due to a widespread regional housing shortage during World War II. Over time, trailer parks transitioned from recreational stopovers into semi-permanent and permanent housing for blue and white collar workers in the City.

“Due to their generally standard design in terms of plan, circulation, small narrow lot size, amenities (club house, swimming pool, manager’s residence, laundry building) and landscaping, trailer parks as mature residential communities took on a specific look and ambiance unique to the property type. This is especially true of Village Trailer Park, which, on account of its high level of integrity (in comparison with Mountain View Mobile Home Park), is unlike any neighborhood in Santa Monica.”



CITY OF SANTA MONICA – CITY PLANNING DIVISION
DESIGNATION APPLICATION

☒ Landmark

☐ Structure of Merit

This part to be completed by City staff

L.C. Case No.: 12LM-001

Received By: (Signature)

Date Submitted: 12/12/11

Amount Paid: \$

Check No.:

Applications must be submitted at the City Planning public counter, Room 111 at City Hall. City Hall is located at 1685 Main Street, Santa Monica, CA 90401. If you have any questions completing this application you may call City Planning at (310) 458-8341.

PROJECT ADDRESS: 2930 Colorado Avenue (Village Trailer PK)

Land Use Element District: Mixed Use District Zoning District: RMH

Assessor Parcel: 468 - 002 - 009 Lot Size: 147,664 ☒

APPLICANT

Name: City of Santa Monica Landmarks Commission

Address: 1685 Main Street, SM, CA Zip: 90401

Phone: 310-458-8341 Fax: 310-458-3380

Email: scott.albright@smgov.net

CONTACT PERSON (if different) (Note: All correspondence will be sent to the applicant)

Name: Scott Albright, Senior Planner

Address: same Zip:

Phone: Fax:

Email:

Relation to Applicant:

PROPERTY OWNER

Name: Village Trailer Park LLC c/o Luzzatto Co.

Address: 2444 Wilshire Blvd., Suite 320 Zip:

Phone: Fax:

Subject improvement is generally known as:

Village Trailer PK

Existing use(s) of site: Trailer Park

Rent control status:

Status: ☐ Occupied ☐ Unoccupied

Is the owner aware of this application? ☒ Yes ☐ No

Recognized in the Santa Monica Historic Resources Inventory: ☐ Yes ☒ No

Condition: ☐ Excellent ☒ Good ☐ Fair ☐ Deteriorated ☐ Ruins ☐ Unexposed

Threats: ☐ None ☒ Private Development ☐ Vandalism

☐ Public Works Project ☐ Zoning ☐ Other:

NOTES TO APPLICANT

Please complete all applicable sections of this application and submit all required materials. Incomplete applications will not be accepted for filing.

Landmarks Commission meets on the second Monday of each month.

The applicant, representative, or legal owner familiar with the project must be present at the Landmarks Commission meeting.

A decision on designation is rendered at the hearing. All decisions by the Landmarks Commission are subject to a 10-day appeal period. An official appeal form and fee schedule is available at the City Planning Division Public Counter. Appealed projects will be scheduled for a hearing before the City Council.

GENERAL INFORMATION

Please attach additional sheets if necessary.

Description of site or structure, note any major alterations and dates of alterations:

trailers (private) on-site
appurtenant structures,
infrastructure improvements

Statement of architectural significance:

See attached

Statement of historic importance:

See attached

Person(s) of historic importance:

See attached

☐ Local

☐ State

☐ National

Statement of other significance:

Documents and publications that relate directly to proposed improvement (bibliography):

FOR STRUCTURES ONLY:

Date of construction: ☐ Factual ☐ Estimated

Source:

Architect/Designer/Engineer:

Contractor/ Other builder:

Architectural Style:

Historic Use of Structure(s):

Present Use of Structure(s):

Is/Are structure(s) on original site: ☐ Yes ☐ No ☐ Unknown

Is/Are structure(s) threatened with destruction: ☐ Yes ☐ No ☐ Unknown

If yes, state reason:

NOTES TO APPLICANT

For more information on designation procedures, refer to SMMC Section 9.36.090 and 9.36.120 and amendment per Ordinance #2064(CCS)

SKETCH MAP:

In the space below, draw a sketch showing the location of the site or structure being proposed. Label streets and roads and show distance from nearest major intersection. Please also show a north arrow on the map.

APPLICATION REQUIREMENTS

- ☐ Completed application and Payment of fee
- ☐ Eight (8) sets of labeled and mounted Color Photographs of all building elevations on 8½" x 11" paper (Color photocopies are acceptable)
- ☐ 300-ft radius map and Certified list of property owners and tenants. See pages 4-5.
- ☐ Any information you feel would be of assistance in reviewing the application, such as original plans, old photos, or other historical information.

For structures only: if applicant is requesting approval of modifications, please submit all materials requested for a Certificate of Appropriateness.

I hereby certify that the information contained in this application is correct to the best of my knowledge and that this application is made with the knowledge and consent of the property owner.

Landmarks Commission

Applicant's Name (PRINT)

Applicant's Signature

Date

12/13/11

Driver's License Number: _____ State: _____ Exp. Date: _____