

# Venice Neighborhood Council

Post Office Box 550

Venice, CALIFORNIA 90294



## Land Use and Planning Committee MINUTES July 29, 2008 DRAFT



1 **1. CALL TO ORDER – ROLL CALL**

2

3 Challis Macpherson called the special meeting to order at 7:40pm. LUPC

4 members present: Robert Aronson, Dennis Hathaway, Challis Macpherson,

5 Jim Murez, and Arnold Springer. John Reed arrived later.

6 **2. APPROVAL OF THIS AGENDA AS PRESENTED OR AMENDED**

7 Discussion of the project at 612 San Juan, Agenda Item 5B, was postponed

8 by consensus.

9 **3. ANNOUNCEMENTS – SPECIFIC EVENTS IMPORTANT TO VENICE**  
10 **STAKEHOLDERS**

11

12 None noted.

13

14 **4. PUBLIC COMMENT**

15

16 None noted.

17

18 **5. NEW BUSINESS**

19

20 A. 612 San Juan

21

22 Postponed.

23

1 B. Marina Pacific Hotel, 1697 South Pacific Avenue, APCW-2008-317-SPE-  
2 ZV-CUB-CDP-SPP, ENV 2008-318 EAF. Permit application dated January  
3 29, 2008. This was heard by LUPC May 28, 2008 at which time it was  
4 unanimously voted to hear this project again June 25, 2008. Permit  
5 application dated January 29, 2008. Applicant is requesting a Specific  
6 Plan exception, a Zone Variance, a Coastal Development Permit and a  
7 Conditional Use Permit to allow a full line of alcoholic beverages to be  
8 served on a 1,700 square foot roof-top deck cafe with a capacity of 98  
9 persons, with no additional parking to be provided in lieu of the 17  
10 additional parking spaces required; and to expand the service of alcoholic  
11 beverages from beer and wine to a full line of alcoholic beverages in an  
12 existing meeting room and an existing ground floor indoor cafe and two  
13 ground floor outdoor patios; and to allow a full line of alcoholic beverages  
14 to be served via room service, all in the C2 zone.

15  
16 Claire ... stated that a couple of "good discussions" had taken place to  
17 clarify the issues of concern to stakeholders and to the developer. Ms. ...  
18 contended that the calculation of parking previously discussed was  
19 accurate and stated that the use of valet parking would provide for 15  
20 additional spaces per level. Ms. ... referred to compromises made as a  
21 result of input received from LUPC and from the community, regarding  
22 additional review conditions, noise mitigation efforts and altered hours of  
23 operation in a letter to LUPC (copies of which were provided). Robert  
24 Aronson stated that a procedure to respond to neighbors' complaints  
25 regarding noise should be put in place, and discussed parking mitigation  
26 that could be approved by the Coastal Commission. Mr. Aronson referred  
27 to a parking study regarding the development posted on the LUPC  
28 website.

29  
30 Stewart Oscars stated his concern about the proposed hours of operation  
31 and suggested that a condition be imposed that triggers review of the  
32 business if three or more complaints from neighbors are received within  
33 the first six months of operation, and that additional strictures be imposed  
34 if three or more complaints are received within the subsequent six months.

35  
36 Scott Adams also voiced concern about noise, as well as ambient light  
37 provision of parking, noise and cleanup.

38  
39 Frances Baggetta stated her conviction that there will be a negative,  
40 cumulative noise impact because of the proposed hours of operation of  
41 the rooftop bar. Ms. Baggetta was not convinced that the quick response  
42 promised will actually occur and that the proposed development will be an  
43 asset to the community; she urged more stringent conditions be imposed.  
44

1 Max Luttrell also voiced concern about noise, stated that the proposed  
2 hours of operation are much too late, and referred to the need for an  
3 enforcement mechanism.  
4

5 Mark Sokol discussed the hotel's responsible operation throughout its  
6 tenure, noted the intent to remain a responsible neighbor, and stated that  
7 the proposed operation should be given the opportunity to prove itself. Mr.  
8 Sokol stated that the hotel's guests would be discommoded should noise  
9 levels become too loud.  
10

11 Ben Sokol, who built the hotel more than 35 years before, reported that  
12 the hotel has had a beer and wine license for more than 30 years, that  
13 there was a sun deck on the rooftop prior to the proposed operation. Mr.  
14 Sokol emphasized the hotel's responsible operation as well.  
15

16 Arnold Springer asked for more detail regarding the proposed one-year  
17 review of the hotel's operation. Claire ... discussed plans for annual  
18 reviews, as opposed to Robert Aronson's proposed 45-day review after  
19 receipt of a written complaint. Mr. Aronson explained the rationale for  
20 requiring a 45-day response time for review of complaints. Mr. Springer  
21 stated that he was looking for the developer to show willingness to  
22 respond to legitimate concerns. In response to Dennis Hathaway's  
23 request for input regarding proposed hours of operation, a stakeholder  
24 referred to closing at one to three hours after sunset on Friday and  
25 Saturday. Jim Murez asked why a restriction of hours is being proposed if  
26 the developer is willing to respond effectively to neighbors' complaint. Mr.  
27 Aronson clarified; Mr. Murez reported that it is difficult to take away an  
28 existing license; Mr. Murez also referred to the hotel's responsible  
29 operation and noted that a simpler solution should be sought. There was  
30 discussion about alternatives available and what should be done. Dennis  
31 Hathaway stated that he is not in favor of a review process.  
32

33 Stewart Oscars asked if a dry run can be done. Scott Adams asked about  
34 provision to be made in case the hotel is sold. Frances Baggetta  
35 reiterated her concern about noise.  
36

37 Arnold Springer proposed a community review process, by postings on a  
38 message board. Discussion that followed touched upon additional  
39 restrictions, enforcement, jurisdiction, and timing of the project's hearing.  
40 For Jim Murez's benefit, Claire ... reiterated the explanation of the parking  
41 provision. There was further discussion of parking provisions, the number  
42 of required spaces for a hotel as opposed to a restaurant; Ms. ...  
43 reiterated that their current operation has more parking spaces than is  
44 needed. Ms. ... stated that the lower level of the parking structure has

1 always been rented out as beach parking and stated that the developer is  
2 requesting a variance with regard to parking and should not be required to  
3 pay en lieu parking fees. There was discussion about the imposition of  
4 en lieu parking fees. Robert Aronson repeated that a public bike check is  
5 an incredible resource for beach parking. There was further discussion  
6 about alternatives: shuttle service, bike parking at a remote lot and viable  
7 alternatives.

8  
9 **Arnold Springer moved to adopt the following: After considerable**  
10 **discussion over several public meetings, the LUPC and the applicants have**  
11 **been unable to agree on the following: hours of operation, noise mitigation**  
12 **and enforcement of complaints from the public about noise, parking, the**  
13 **number of spaces required and en lieu fees required if applied. Since these**  
14 **important issues remain unresolved, the LUPC recommends denial of this**  
15 **project; seconded by John Reed.**

16  
17 Dennis Hathaway stated that he supported the motion. Robert Aronson  
18 stated that the motion is meaningless. Challis Macpherson opined that  
19 the Board will grudgingly accept the recommendation, and that the Zoning  
20 Administrator has come to expect more substantial decisions. Ms.  
21 Macpherson stated that the motion should be to make no recommendation  
22 without prejudice. Arnold Springer referred to the three different  
23 presentations made to LUPC and stated that he did not want to make a  
24 decision under the gun. Ms. Macpherson reported that the ZA hearing will  
25 take place on August 4, 2008 and that the case could be held open.  
26 There was further discussion about what could be done.

27  
28 **VOTE: 1 in favor; 1 against; 2 abstentions.**

29  
30 Jim Murez moved to recommend that the Board of the Venice Neighborhood  
31 Council (SUPPORT?) the applicant's request for a Specific Plan exception, a  
32 Zone Variance, a Coastal Development Permit and a Conditional Use Permit  
33 to allow a full line of alcoholic beverages, subject to the conditions agreed  
34 upon in a letter dated July 9, 2008: hours of operation from 7am to 10pm, 7  
35 days a week, review by LUPC on a quarterly basis with a letter of recommend  
36 to the VNC Board, an annual review by West LA annual review, and the  
37 Coastal Commission must approve. There was no second.

38  
39 **Robert Aronson moved to recommend that the Board of the Venice**  
40 **Neighborhood Council (SUPPORT?) the applicant's request for a Specific**  
41 **Plan exception, a Zone Variance, a Coastal Development Permit and a**

1 **Conditional Use Permit to allow a full line of alcoholic beverages, subject to**  
2 **the conditions of approval submitted by Robert Aronson, with the**  
3 **exception that the condition regarding parking deletes the part about bike**  
4 **check and substitutes as required by the California Coastal Commission;**  
5 **seconded by Challis Macpherson.**

6 There was discussion about inclusion of the earlier motion's language regarding  
7 review. Robert Aronson amended his motion to read

8  
9 **Robert Aronson moved to recommend that the Board of the Venice**  
10 **Neighborhood Council (SUPPORT?) the applicant's request for a Specific**  
11 **Plan exception, a Zone Variance, a Coastal Development Permit and a**  
12 **Conditional Use Permit to allow a full line of alcoholic beverages, subject to**  
13 **the conditions of approval submitted by Robert Aronson, with the**  
14 **exception that the condition regarding parking deletes the part about bike**  
15 **check and substitutes as required by the California Coastal Commission,**  
16 **subject to review by LUPC on a quarterly basis with a letter of recommend**  
17 **to the VNC Board, an annual review by West LA annual review; seconded**  
18 **by Challis Macpherson.**

19 **VOTE: 1 in favor; 1 opposed; 3 abstentions.**

20  
21 **Dennis Hathaway moved to recommend that the Board of the Venice**  
22 **Neighborhood Council deny the applicant's request for a Specific Plan**  
23 **exception, a Zone Variance, a Coastal Development Permit and a**  
24 **Conditional Use Permit to allow a full line of alcoholic beverages; seconded**  
25 **by Robert Aronson.**

1 **VOTE: 3 in favor; 2 opposed; 1 abstention. The motion passed.**

2 **6. ADJOURNMENT**

3

4 **The meeting adjourned by common consent at 10pm**