

**Venice Neighborhood Council
Approved Minutes
Land Use and Planning Committee Meeting
Westminister Elementary School
January 3, 2007**

1 **1. CALL TO ORDER AND ROLL CALL**

2
3 Challis Macpherson called the meeting to order at 6:40 pm. A quorum was
4 established. Ms. Macpherson called the roll—Committee members present:
5 Maury Ruano, Jim Murez, Lainie Herrera, Jed Pauker, Susan Papadakis,
6 Challis Macpherson, Ruthie Seroussi, and Arnold Springer.

7
8 **2. APPROVAL OF MINUTES**

9
10 **Susan Papadakis moved to approve the agenda.**

11
12 Minutes for the meetings held on December 4, 2006 and December 6, 2006
13 will be reviewed at January 23, 2007 meeting

14
15 **3. ANNOUNCEMENTS**

16
17 **4. LUPC CHAIR REPORTS**

18
19 (Taken out of order) Challis Macpherson listed current Venice area hearings,
20 including 812 Main Street and 650 East Indiana.

21
22 a. VNC Board action on LUPC recommendations

23
24 Challis Macpherson provided copies of a report (Attachment 1) that noted
25 VNC Board actions on proposed development project at 600-604 Venice
26 Boulevard, which was passed by the Board, 636 East Venice Boulevard,
27 which was passed by the Board, and 1009 South Abbott Kinney
28 Boulevard, which was approved with amended conditions. Ms.
29 Macpherson noted a PLUM hearing for the Amuse Café on January 16,

30 2007; the matter will be considered by the Los Angeles City Council. Ms.
31 Macpherson noted that the LUPC recommendation approved on
32 December 7, 2005 for this project was ignored. Regarding the Pali Hotel,
33 812 Main Street, Ms. Macpherson reported that the developer will be
34 heard by LUPC on February 4, 2007 and by the VNC Board on February
35 24, 2007. A request by The Other Room for increased seating was
36 denied.

37
38

39 b. Mello Act densities and height bonuses. Venice Town Council vs. City of
40 Los Angeles regarding the Mello Act filed in 1993, and the current
41 settlement debate.

42
43

44 Challis Macpherson gave background information on this matter and
45 noted current action being taken, reporting that a resulting feasibility study
46 is being negotiated. Ms. Macpherson provided contact information.

47
48

49 c. Neighborhood Councils/Planning Department Pilot Program.

50
51

52 Challis Macpherson reported on progress achieved regarding a
53 Memorandum of Understanding between the City of Los Angeles Planning
54 Department and the Los Angeles Neighborhood Councils. Ms.

55
56

57 Macpherson stated that a pilot program outlined in her report is being
rolled out soon.

58
59

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61

5. LUPC TASK FORCE REPORTS

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59

a. Agenda Building

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61

Maury Ruano stated that there no update available at this time.

62

63

b. Policies and Procedures

64

65

Challis Macpherson noted the following items proposed for LUPC review

66

by February 2, 2007:

67

68

1. LUPC Letter of Introduction, crafted by Jed Pauker 12/6/06 at the request of LUPC, for inclusion with permit application. Copies distributed.

69

70

71

2. Rule that LUPC may consider and advise on a development project, but not recommend it to the VNC Board of Officers for action unless the project has filed for a Permit and has a Case Number with the LA City Department of Planning.

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75

3. LUPC Staff Report Form, crafted by Susan Papadakis, draft form distributed.

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77

4. Specific language to direct staff, for a particular project, to follow-up on LUPC recommendations to the VNC Board and that board's completion of their proposed action.

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5. Language encouraging "Green" or LEEDS Silver or Gold certification.

81

82

6. Language regarding perpetuity mandated on affordable units.

83

7. Community Impact Statements

84

8. LUPC Report to VNC Form

85

c. Parking

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87

(Taken out of order) Robert Aronson reported on Parking Task Force

88

efforts to date, beginning with Abbot Kinney. Mr. Aronson stated that a

89

written report will be presented at the next LUPC meeting.

90

91

d. Review of Venice Coastal Zone Specific Plan

92

93

Tabled

94

95

e. Commercial Construction Moratorium

96 Tabled

97

98 f. Web Page

99

100 Jim Murez suggested Information Management was a better title for this
101 proposed task force.

102 g. Fences and Hedges

103

104 Challis Macpherson stated that this item will be discussed in more detail
105 on January 24, 2007.

106

107 h. Billboards

108

109 Challis Macpherson reported that this item

110

111 **6. PUBLIC COMMENT**

112

113 Patricia Greenfield, Venice stakeholder, discussed a proposed measure to
114 prevent demolition prior to a replacement project being approved. Ms.
115 Greenfield suggested that LUPC request support from Councilman Bill
116 Rosendahl for approval by the Los Angeles City Council of the demolition
117 prohibition.

118

119 Jacoma Maultsby reported a Board of Public Works hearing on January 17,
120 2007 and asked for a Venice Neighborhood Council letter of support
121 regarding a developer's variance request to station two (2) dumpsters on
122 Speedway. Susan Papadakis drew Mr. Maultsby's attention to a recent
123 Venice Neighborhood Council-approved motion regarding private property on
124 public streets.

125

126 **7. CONSENT CALENDAR**

127

128 There were no Consent Calendar items.

129

130 **8. OLD BUSINESS**

131

132 Case Number APCW 2002-7626 CDP SPP SPR MEL

133

134 (Taken out of order) Elizabeth Wright, stakeholder, stated her belief that

135 conditions imposed on this project regarding access and parking are not

136 being kept by the developer. Ms. Wright stated that the Los Angeles City

137 Planning's interpretation of the conditions is at odds with what was agreed-

138 upon in the VNC approval process. Ms. Wright requested that a meeting to

139 resolve the issue be set with the Los Angeles City Planning Department,

140 Building and Safety, the Council office, the developer and stakeholders from

141 the involved community. Answering Robert Aronson's question, Ms. Wright

142 stated that the ruling that "They may use the public street in front of their

143 property for construction access and would include parking and staging of

144 equipment and construction personnel vehicle parking" was made by Jon

145 Foreman. There was discussion about the appropriate VNC forum for acting

146 on the issue.

147 DeDe Audet provided a hand-out to LUPC members, noted that the subject of

148 guidelines for writing conditions be discussed with the Planning Department

149 has been brought up at every Planning MOU meeting. Ms. Audet suggested

150 that a resolution by LUPC be formed to ask the Planning Dept when and

151 where a task force will assemble to address the problems of writing and

152 enforcing conditions attached to building permits. Jim Murez stated that
153 enforcement of conditions imposed is the purview of Building and Safety, and
154 asked what research had been done. Challis Macpherson called for
155 volunteers to form a task force to research the issue. Susan Papadakis
156 suggested an ad hoc committee to research the issue.

157
158 **Arnold Springer moved to urge representatives of the inspection arm of**
159 **Building and Safety and the Planning Department to discuss the**
160 **enforcement of Condition #23; seconded by Susan Papadakis.**

161
162 Robert Aronson suggested that DeDe Audet and Elizabeth Write draft a letter.

163 Lainie Herrera suggested that the Planning Department is the appropriate
164 point to begin research about how the current situation occurred. Jaccoma
165 Maultsby suggested including Public Works and Street Services in the
166 discussion.

167
168 **VOTE: Unanimous in favor. The motion passed.**

169
170 **9. DELIBERATION OF FOLLOWING PROJECTS/ISSUES**

171
172 a. 650 Indiana Street, Case #APCDW-2006-6684 SPE SPP CDP MEL.
173
174 Ron Cargill introduced himself and Jeff Talbert, representing Venecia
175 Development, and discussed the development project, which is to build 3-
176 condominium units on an existing single family lot. Mr. Cargill noted that
177 the project is compliant with the Venice Specific plan, except for the
178 requirement to provide an affordable unit as one of the three units. The
179 request to be absolved from the need to require an affordable unit was

180 predicated on the fact that no housing stock would be removed from the
181 community. Mr. Cargill noted changes made to the project following input
182 received from the community at an earlier LUPC meeting. Mr. Cargill
183 discussed the project in detail, noting plans for landscaping and green
184 elements. Mr. Cargill stated that what is being requested for the project is
185 a parcel map approval for the condominiums, an exception to the Venice
186 Specific Plan with regard to the affordable unit and the project permit
187 determination. Challis Macpherson noted ex parte communication with
188 Mr. Cargill.

189
190 Nicholas Mele, a stakeholder, stated that insufficient outreach efforts have
191 been made regarding the subject project, noted that parking provision is
192 insufficient and stated that the project is not compliant with the Venice
193 Specific Plan.

194
195 Todd Darling's statement was read (attachment 2)
196
197 Discussion ranged from the project's height and setbacks, a history of
198 development in Venice, the developer's attempt to provide compliance
199 regarding parking, height and setback but noted the need for an affordable
200 unit. Challis Macpherson reported that the Venice Specific Plan was
201 quoted in the Agenda in order to add clarity for stakeholders, and stated
202 that no exception should be granted. Jed Pauker asked how three units
203 (where two are called for) would benefit the community and stated that the

204 request was unreasonable. Mr. Cargill rebutted that no affordable housing
205 was being taken away from the community. Jim Murez thanked the
206 developer for taking input from the community to redesign the project and
207 proposed an alternative. Maury Ruano agreed that the developer should
208 not have to provide affordable housing and summarized the
209 circumstances if the project were a small lot subdivision. Jim Murez asked
210 if the developer had surveyed the surrounding area, to determine if multi-
211 unit buildings exist. Mr. Springer stated that existing multi-unit properties
212 are not relevant. Ruthie Seroussi asked about outreach and notice to the
213 community. Mr. Cargill described outreach efforts made prior to the
214 October 2006 LUPC meeting and remarked that insufficient advance
215 notice of the current LUPC meeting was provided for outreach.

216
217 Collette Bailey, stakeholder, 748 Indiana, stated that the lot size
218 incorporates the alley, emphasized the provisions of the Venice Specific
219 Plan, and spoke against a third market rate unit. Ron Cargill reported that
220 calculation of the lot size was made per provisions of Los Angeles City
221 Building Code. Jeffrey Talbert stated that financial concerns were at
222 issue. Mr. Cargill noted that the issue of gentrification would arise should
223 two units be built. In rebuttal to Jed Pauker's question, Jeffrey Talbert
224 referred to parking provision for two units as opposed to three and
225 resultant traffic impact.

226

227 **Jim Murez moved to approve the project as presented, stating that one of**
228 **the three units be recognized as an affordable unit as specified by the**
229 **Venice Specific Plan; seconded by Robert Aronson.**

230
231 In answer to Challis Macpherson's question, Jim Murez stated that the
232 level of affordability should be defined by the Venice Specific Plan. Lainie
233 Herrera asked for clarification of the issue being discussed. Ruthie
234 Seroussi stated that approval of the project should be predicated on the
235 third unit being covenanted as affordable unit in perpetuity. Arnold
236 Springer commented about cooperation with developers to the detriment
237 of the community's will. Jim Murez stated that Venice Specific Plan
238 provides for a 30 year covenant regarding affordability.

239
240 **VOTE: Robert Aronson—yes, Lainie Herrera—no, Jim Murez—yes; Susan**
241 **Papadakis—yes; Jed Pauker—no, Mauri Ruano abstained; Ruthie**
242 **Seroussi—no, Arnold Springer—no; Challis Macpherson—no. The motion**
243 **did not pass.**

244
245 **Lainie Herrera moved to deny the requested Venice Specific Plan**
246 **exception; seconded by Ruthie Seroussi.**

247
248 Jim Murez pointed out that the developer's effort to comply with requests
249 made regarding landscaping and setbacks could be negated.

250
251 **Motion withdrawn by Lainie Herrera and Ruthie Seroussi.**

252
253 **Susan Papadakis moved to approve the project as presented, with one of**
254 **the three units recognized as an affordable unit as specified by the Venice**
255 **Specific Plan, with the condition that the developer brings a statement that**
256 **he will create an affordable unit to the Venice Neighborhood Council; Jim**
257 **Murez seconded.**

258

259 Robert Aronson suggested that the motion be reworded to say “the project
260 as presented with three market rate units is denied and that LUPC gives
261 its endorsement to a project with two market rate units and one affordable
262 unit as shown on the plans prepared by ... architects and presented to
263 LUPC, in conformance with the guidelines of the Venice Specific Plan.
264 Susan Papadakis and Jim Murez agreed to the amendment. Arnold
265 Spring seconded.

266
267 **VOTE: Challis Macpherson—yes, Robert Aronson—yes, Lainie Herrera**
268 **abstained, Jim Murez—yes, Susan Papadakis—yes, Maury Ruano**
269 **abstained, Ruthie Seroussi—yes, Arnold Springer—yes. The motion**
270 **passed.**

271
272 Arnold Springer asked what mechanisms exist to enforce developers’
273 agreed-upon conditions. Challis Macpherson noted specific agreements
274 regarding the subject project and referred to favorable conditions within
275 the Los Angeles City Planning Department.

276
277 b. 1136 Abbot Kinney, Case #AAZ2006-4407

278
279 Rob Stone summarized the issue at hand, to convert and use existing
280 retail space to a 1111 square foot restaurant, a conditional use permit to
281 allow the sale of beer and wine for on-site consumption, and a zone
282 variance to provide 20 off-site (leased) parking spaces to be services by a
283 valet company, noted a presentation made to LUPC December 6, 2006,
284 provided a copy of a parking lease agreement from Second Community
285 Baptist Church, and presented three options regarding provision of

286 parking. Mr. Stone stated that a parking attendant would be provided, and
287 provided copies of a route plan for valet services. There was discussion
288 about current use of the lot in question, fairness to the applicant,
289 discouraging new business development, use of nearby parking lots, and
290 individual Committee members' preference for the three options listed.

291 Carmel Beaumont voiced support for the project but not the request for the
292 zone variance regarding parking. Ms. Beaumont expressed
293 dissatisfaction with current valet parking practices in the area.

294

295 Marian Crostic presented copies of letters written by stakeholders that
296 oppose the project because of the parking issue; Ms. Crostic referred to
297 possible safety issues that may arise because of traffic generated by the
298 new business.

299

300 Fred Crostic provided a speaker card in lieu of speaking in opposition to
301 the project.

302

303 Rob Stone stated that his business interests are being ignored, and noted
304 his attempts to benefit the community.

305

306 Robert Aronson suggested investigating the use of the school parking lot,
307 noting that the valet service does not use the entire school parking lot.

308

309 Jim Murez stated that taking away parking currently used by the public will
310 create a more intense use that should be addressed prior to any action on

311 the part of LUPC. Arnold Springer referred to recent presentations made
312 on behalf of restaurants EVO and AXE and stated that approval of such
313 projects should be tied efforts to fully utilize parking at Westminster
314 School. Mr. Springer stated that the onus of action should be on the
315 Abbot Kinney Business Association and the Chamber of Commerce. Mr.
316 Springer suggested that the Parking Task Force should identify what
317 parking is really available and what commitments exist for use of parking
318 space. Mr. Springer went on to identify steps that should be taken. Lainie
319 Herrera described the issues being faced by businesses in the area and
320 voiced support for this development project. Ruthie Seroussi asked to see
321 the parking lease contract.

322

323 **Maury Ruano moved to approve the project with Parking Option C as**
324 **presented; seconded by Robert Aronson.**

325

326 Susan Papadakis suggested an addition be made, that the LUPC support the
327 Coastal Development permit for EVO Restaurant that utilizes remote parking with
328 an attendant, however, shall not have valet parking. Maury Ruano agreed to the
329 addition; seconded by Robert Aronson.

330

331 There was discussion about use of a validation system, and how the
332 Parking Task Force can oversee the parking situation in this area.

333

334 Ruthie Seroussi noted a valid contract exists between the Church and

335

EVO but remarked that the contract is renewable each year for five years

336 and could be terminated with 30 days notice. After further discussion,
337 Challis Macpherson suggested that conditions be imposed similar to that
338 set for AXE restaurant (see attachment 1).

339
340 Maury Ruano withdrew his motion; Robert Aronson withdrew his second.

341
342 **Ruthie Seroussi moved to approve the project on the condition that EVO**
343 **Restaurant provide for a parking attendant at the church lot with validated**
344 **parking, and that to the extent that EVO has to have a contract for parking**
345 **services and if the contract that they currently have with the church expires**
346 **for one reason or another, that they have 30 days to obtain a new contract**
347 **with another parking service or entity for the same 20 spaces reserved**
348 **exclusively for EVO, with the provision of a parking attendant and**
349 **conditional that employees of EVO cannot park on streets or in a public**
350 **space; that this same parking program be submitted to LA City Department**
351 **of Building and Safety; that applicant must return to VNC Board at a**
352 **meeting after August 1, 2007 for a review of their parking compliance and if**
353 **the VNC Board is unsatisfied with the parking program submitted to LA**
354 **City Department of Building and Safety asking for revocation of EVO's**
355 **CUB; that VNC request that LA City Department of Building and Safety hold**
356 **an administrative review of this CUB after the VNC Board review of parking**
357 **compliance; seconded by Arnold Springer.**

358
359 Susan Papadakis stated that the comparison between AXE and EVO is
360 unfair to EVO. Arnold Springer stated his preference for EVO providing
361 valet parking. Agreeing with Lainie Herrera's comment, Challis
362 Macpherson suggested that review should be made in August 2008.

363 Arnold Springer suggested that parking arrangements in Westminster
364 School should be the first priority. Ruthie Serioussi agreed to amend the
365 date to January 1, 2008.

366
367 Jed Pauker suggested tying the date of compliance review to the date of
368 the restaurant's opening. Ruthie Seroussi agreed to amend the motion to

369 read that review will take place 6 months after the restaurant opens.
370 Challis Macpherson restated the issue at hand regarding parking
371 availability. There was discussion to clarify the issue at hand; Rob Stone
372 commented that he has no problem complying with reasonable and fair
373 conditions. Ms. Macpherson suggested postponing further discussion
374 until the situation can be reviewed; Mr. Stone indicated that he would
375 prefer to have a decision rendered at the present meeting.

376
377 There was dialogue between Robert Aronson and Rob Stone regarding
378 the proposed review process; Mr. Aronson stated that the VNC is an
379 advisory body. Mr. Stone stated that the Venice Specific Plan does not
380 require EVO to provide 20 parking spaces. Ruthie Seroussi agreed to
381 amend the motion to require compliance with the Venice Specific plan with
382 regard to number of parking spaces provided. Ms. Seroussi proposed
383 another amendment: that the CUB being granted to EVO Restaurant will
384 not pass to future tenants of 1136 Abbot Kinney if EVO no longer occupies
385 the premises. Arnold Springer agreed to the amendments.

386
387 **VOTE: Challis Macpherson—yes, Robert Aronson—yes, Lainie Herrera**
388 **yes, Jim Murez—no, Susan Papadakis—yes, Jed Pauker abstained, Maury**
389 **Ruano yes, Ruthie Seroussi—yes, Arnold Springer—no. The motion**
390 **passed.**

391
392 c. 300-305 Venice Way
393
394 Maury Ruano recused himself from deliberations. Valerie Sachs
395 presented for the developer, Maury Ruano, provided copies of the project

396 description and details regarding the proposed development, and noted
397 Mr. Ruano's request to develop under new Small Lot subdivision
398 ordinance. Ms. Sachs noted a parcel map is being requested for a
399 subdivision and an adjustment to provide for 3 asymmetrical lots. Ms.
400 Sachs stated that one of the units will be offered for sale. A hand-out
401 provided lists the project's features and benefits. Ms. Sachs stated that
402 the project is currently in a very preliminary stage and opened the floor for
403 questions and comments.

404
405 Greg Fitchit, stakeholder, spoke in favor of the project, noted that it is well
406 designed and incorporates staple features, provided a rationale for the
407 adjustment being requested and noted Maury Ruano's contributions to the
408 community.

409
410 Bruce Birch, stakeholder, asked if a 3 foot side yard setback is allowed
411 and questioned the project's 35 foot height limit.

412
413 Arnold Springer questioned the choice to build 3 units.
414
415 Valerie Sachs stated that the project's 30 to 35 foot height is well within
416 the Venice Specific Plan's limits. With respect to the side yard setback,
417 Maury Ruano stated that the 3 foot side yard setback complies with the
418 Venice Specific Plan. Jim Murez rebutted, noting that the Venice Specific
419 Plan requires a 5 foot side yard setback.

420

421 Robert Aronson asked for the rationale behind combining two lots to build
422 three units, instead of four. Valerie Sachs stated that the decision was
423 driven by the very small lot size. Ms. Sachs answered a stakeholder's
424 question regarding the project's height, noting that the height limit is within
425 the provision of the Venice Specific Plan. Mr. Aronson asked if provision
426 of guest parking is required by the City. Discussion of the beach impact
427 zone parking provision ensued. Ms. Sachs reiterated that this
428 presentation is very preliminary and that some issues may be open for
429 interpretation regarding this new small lot subdivision ordinance. There
430 was discussion about the provision of parking spaces, which will be six (6)
431 total spaces for the three units. There was discussion about the
432 differences between small lot subdivision and multi-unit development
433 projects, the appropriate side yard setback requirement and what the
434 developer is required to do with regard to the interpretation of the new
435 Small Lot Subdivision ordinance as it relates to the Venice Specific Plan
436 and the Venice Coastal Plan. Robert Aronson listed questions that he
437 asked the developer to return for another presentation with answers from
438 the City Planning Department regarding the side yard setback
439 requirement, the provision of an affordable housing unit, beach impact
440 zone parking and guest parking. Arnold Springer voiced concern about
441 setting a precedent regarding small lot subdivision, and raised an issue

442 regarding roof access points. Maury Ruano stated that the roof access
443 points are small and well-designed.

444
445 **Lainie Herrera moved to postpone review of the project until February 7,**
446 **2006; seconded by Jed Pauker.**

447
448 **VOTE: Unanimous in favor. The motion passed.**

449
450 **10. New Business**

451
452 None noted

453
454 **11. Public Comment**

455
456 None noted

457
458 **12. Adjournment**

459
460 **The meeting was adjourned by common consent at 10:37 PM.**

461
462