

Venice Neighborhood  
Council

**Post Office Box 550**  
Venice, CALIFORNIA  
90294



**Land Use and Planning  
Committee  
Minutes  
February 7, 2007**

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**1. 6:35 pm CALL TO ORDER - ROLL CALL**

Committee members present: Challis Macpherson, Robert Aronson, Lainie Herrera, Jim Murez, Jed Pauker, Maury Ruano, Arnold Springer, Sylviane Dungan, Phil Raider. Ruthie Seroussi and Susan Papadakis arrived later.

**Jed Pauker moved to approve the Agenda as presented.**

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

**APPROVAL OF DECEMBER 4, 6, 2006, JANUARY 4, 24, 2007 AND FEBRUARY 1, 2007 MINUTES**

Challis Macpherson stated that the February 1, 2007 Minutes have not yet been submitted and will not be considered at this time.

**Phil Raider moved to approve the Minutes of the December 4 and December 6, 2006 Minutes and the January 4 and January 24 Minutes as presented; seconded by ....**

**VOTE: 6 in favor. The motion passed.**

22 **1. ANNOUNCEMENTS**

23  
24 Challis Macpherson reported that the Agenda Building Committee is planning to meet.

25  
26 **2. LUPC CHAIR REPORTS**

27  
28 **a. VNC BOARD ACTION ON LUPC RECOMMENDATIONS**

29  
30 Challis Macpherson stated that there was nothing to report, since there were no  
31 recommendations made last month. Ms. Macpherson also reported on the  
32 development project regarding 650 Indiana to be presented to the Board and that  
33 it will be necessary to define “low income” and “affordable.” Arnold Springer  
34 voiced his appreciation. Regarding 718 Oxford, Ms. Macpherson reported that  
35 the developer must present to the Venice Neighborhood Council Board prior to  
36 being heard by the Area Planning Committee. Answering a Committee  
37 membe’rs question, Challis Macpherson reported on communications between  
38 Neighborhood Councils, referring to a Memorandum of Understanding between  
39 the Planning Department and Neighborhood Councils and the Los Angeles  
40 Neighborhood Council Congress.

41  
42 **3. LUPC TASK FORCE REPORTS**

43  
44 A. LUPC Policies and Procedures  
45 Challis Macpherson discussed the LUPC Policies and Procedures to be  
46 deliberated upon, and directed Committee members’ attention to item # 3 as  
47 being significant. Arnold Springer asked for more information. Challis  
48 Macpherson read the item, “Rule that LUPC may consider and advise on a

49 development project, but not recommend it to the VNC Board of Officers for  
50 action unless the project has filed for a Permit and has a Case Number with the  
51 LA City Department of Planning”, and discussed its significance, noting that  
52 Michael King had brought the matter to the Committee’s attention. Phil Raider  
53 stated that any advice offered by LUPC should be affirmed by the VNC Board.  
54 Mr. Raider stated that he understood and shared some of Mr. King’s  
55 apprehension regarding looking at projects that have not been presented to the  
56 City of Los Angeles, Mr. Raider felt that developers should be encouraged to get  
57 input from the community at a very early stage. Challis Macpherson reminded  
58 meeting attendees of a preliminary presentation to LUPC that left the presenter  
59 in tears. Arnold Springer stated his preference that LUPC has more than one  
60 opportunity to review a project, prior to and during the permit process. Ms.  
61 Macpherson re-read item #3. Robert Aronson listed possibilities with regard to  
62 actions LUPC could take, but stated that if there is a perception that the Board  
63 does not agree with LUPC recommendations, then it is not good to have a  
64 potential applicant incorporate feedback obtained from LUPC into a project only  
65 to have the Board disagree with LUPC recommendations. Sylviane Dungan  
66 stated that the item should indicate that it is only applicable if there is a request  
67 being made that is not in accord with the Venice Specific Plan. Phil Raider  
68 suggested a change in the wording to read: “ ...may consider and discuss a  
69 development project.” Mr. Raider stated that the Board not considering LUPC

70 recommendations would cause each Board meeting to become a LUPC  
71 subcommittee meeting, because a development project issue would then have to  
72 be re-debated and re-considered. Maury Ruano agreed with Mr. Raider that a  
73 preoccupation with a decision that is made by the full Board, and stated that he  
74 trusted that the Board will make the right decision, which he opined is to follow  
75 the LUPC recommendations. Mr. Ruano stated that he preferred the language of  
76 the item as written. Mr. Ruano suggested assigning an individual Committee  
77 member to each development project, to assure that the individual developer is  
78 aware of the rules that apply to the development project. Challis Macpherson  
79 stated that 'consider and advise' is more appropriate than 'consider and discuss'  
80 because 'consider' and 'discuss' are close to the same verb. Answering a  
81 question, Ms. Macpherson stated that some development projects are of  
82 significance to the Venice area and are considered by LUPC because of that  
83 significance, not because a variance to the Venice Specific Plan. Ms. Macpherson  
84 stated that LUPC is mandated to respond to every permit that is pulled in the  
85 Venice area. Arnold Springer asked for LUPC members' opinion of the terms 'to  
86 consider and advise, but not recommend' and asked what the difference is  
87 between the terms 'advise' and 'recommend.' Jed Pauker stated that a better  
88 developed project results from the LUPC consideration process because  
89 developers will gain a clearer idea of the community's needs. There was  
90 discussion about presentations that are for by-right development projects and

91 whether LUPC should be more reactive rather than proactive. Robert Aronson  
92 and Ruthie Seroussi agreed with Mr. Raider's suggestion to change the wording.  
93 Mr. Raider suggested that LUPC should be prohibited from taking a position as a  
94 committee on a project unless a formal application has been made to the City of  
95 Los Angeles. Jim Murez stated support for the idea of hearing projects early on,  
96 but stated that use of the phrase 'consider and advise' was inappropriate because  
97 LUPC should not offer advice to a developer unless an action has been taken by  
98 the Venice Board. Mr. Murez noted LUPC is required to report to the Board and  
99 that some land use issues could not be considered by LUPC because permits are  
100 not required for the proposed land use. Mr. Springer summarized Mr. Raider's  
101 suggestion and agreed with it. Ms. Macpherson reminded meeting attendees  
102 that LUPC will soon begin to receive information regarding every permit that is  
103 pulled in the Venice area. Sylviane Dungan stated that a LUPC vote should be  
104 taken, to clarify the LUPC position. Mr. Raider clarified his objection to the word  
105 'advice.' Mr. Murez agreed that LUPC's scope is to report to the Board, not to  
106 give advice.

107 **Jed Pauker moved to postpone the discussion of the issue; seconded by Sylviane**  
108 **Dungan.**

109 Challis Macpherson stated that this item is being discussed as a Task Force  
110 report to allow for public comment. At Ruthie Seroussi's suggestion, a Policies  
111 and Procedures Task Force comprised of Challis Macpherson, Sylviane Dungan

112 and Arnold Springer was formed to revise the language, via the Internet, and  
113 report at the next meeting. Ms. Macpherson asked for a show of hands  
114 regarding the formation of a Policies and Procedures Task Force. There was  
115 unanimous agreement.

116 Robert Aronson summarized the fact-finding proceedings of the Parking Task  
117 Force, which will focus exclusively on Abbott Kinney Boulevard. Mr. Aronson  
118 listed four potential solutions to be investigated: finishing the paving of the  
119 parking lots along Electric Avenue and Irving Taber Court; putting medial strips  
120 on the wider streets to double the parking; creation of an Abbot Kinney valet  
121 parking zone from Main Street to Venice Boulevard, from 5pm to 2am; changing  
122 Electric Avenue to one way to allow parking on both sides of the street. Mr.  
123 Aronson reported a favorable response from the area businesses that have been  
124 contacted so far. Challis Macpherson noted that in lieu parking fees will be  
125 addressed by a separate Task Force. Sylviane Dungan provided rationale and  
126 additional detail on provision of the medial strips.

127 Challis Macpherson asked for brief responses from Committee members  
128 regarding the Task Force. Robert Aronson asked Committee members to assist  
129 with contacting Abbott Kinney businesses. Susan Papadakis did not hear the  
130 entire report but agreed that parking needs to be studied. Arnold Springer listed  
131 his opinion on each item discussed and voiced concern about one way traffic on  
132 Electric Avenue. Jed Pauker stated that enforcement will be a big deal. Sylviane

133 Dungan voiced concern about one way traffic on Electric Avenue. Lainie  
134 Herrera discussed one way traffic on Electric Avenue. Mr. Aronson responded  
135 to Mr. Pauker's concern. Other LUPC members commended the work done.  
136 Phil Raider referred to work done by Bonnie Cheeseman, stated that a  
137 comprehensive parking plan should be formulated, presented an argument for  
138 permit parking, and stated that he is leery of creating public parking in Venice  
139 that is not part of a comprehensive parking plan.

140 B. Review of the Venice Coastal Zone Specific Plan  
141 This Task Force has not yet met.

142 C. Commercial Construction Moratorium on Lincoln Boulevard  
143 This Task Force has not yet met.

144 D. Information Management Maintenance of LUPC section of VNC Web Page  
145 Jim Murez reported that they are trying to get the CNC reports.

146 E. Fences and Hedges  
147 Jed Pauker presented an interim report that echoed what was presented at a  
148 recent LUPC meeting, noted that the report will include variances that were not  
149 discussed earlier. Challis Macpherson stated that the Task Force's interim report  
150 will be published on the VNC web site.

151 F. Billboards Task Force  
152 Personnel has not been assigned to this task force.

153 Jim Murez suggested that the discussion of in lieu parking fees be agendized for the  
154 next meeting.

155  
156 **4. PUBLIC COMMENT**

157

158 None noted

159 **5. CONSENT CALENDAR**

160

161 None noted

162 **6. OLD BUSINESS**

163

164 None noted

165 **7. DELIBERATION OF FOLLOWING PROJECTS/ISSUES:**

166

167 A. 300-305 Venice Way. Case Number ZA-2006-8708, Existing structure is an owner-  
168 occupied attached duplex that straddles a two-lot parcel in RD 1.5 zone. The  
169 proposed development is a 3-lot Parcel Map subdivision with 1 Fee Simple  
170 housing unit on each lot as per the Small Lot Subdivision (Townhome)  
171 Ordinance 176,354 which became effective January 31, 2006. Two units owner  
172 occupied, one unit for sale. The Proposed Project will need a Parcel Map, a  
173 Venice Specific Plan Adjustment, and a Coastal Development Permit. Project  
174 Form, plans and related documents emailed to LUPC members in October, and  
175 December, 2006. Available online at [www.grvnc.org](http://www.grvnc.org). Applicant will bring 12 sets  
176 of documents to LUPC meeting.

177

178 Challis Macpherson noted that Maury Ruano, as developer of the project,

179 recused himself from the discussion and vote. Susan Papadakis voiced concern

180 about a Committee member in the role of developer. Valerie Sacks referred to

181 conflict of interest training provided by DONE and noted that this specific issue

182 was discussed and resolved by the recusal process.

183 Challis Macpherson, in her role as Chair, made a finding that there is no conflict

184 of interest, as long as a LUPC member recuses herself or himself from a project

185 s/he is presenting and does not participate in deliberation or debate.

186 Maury Ruano introduced Valerie Sacks, consultant for entitlement, and the

187 property owners (his mother and father). Mr. Ruano described development

188 plans and noted that a request is being made for an exception because the small



189 lot subdivision project will create two lots (out of three) that are not 1500 square  
190 feet. It was clarified that an adjustment is being requested, not an exception.  
191 Ruthie Seroussi asked a question regarding consolidation of lots; Valerie Sacks  
192 stated that the consolidation by operation of law because the property has been  
193 straddling the lots for decades. Phil Raider asked if the family plans to live on  
194 the property; Maury Ruano stated that two of the three houses will be occupied  
195 by his family and the third will be sold to cover the cost of development. Ms.  
196 Seroussi asked a question regarding consolidations of lots. Robert Aronson  
197 asked why the third unit is not being required to be affordable; Mr. Ruano  
198 clarified that the proposed development will create three buildings on three lots.  
199 Lainie Herrera restated the issue and asked the size of the lots for the small lot  
200 subdivision. Mr. Ruano stated that with the property line the dimensions for the  
201 individual lots are Lot A—1675 square feet, Lot B—1308 square feet; Lot C—1106  
202 square feet, for a total of 4088 square feet. Including the alley in the calculations.  
203 the dimensions become Lot A—1881 square feet, Lot B—1356 square feet; Lot  
204 C—1352 square feet, for a total of 4588 square feet. Answering a question from  
205 Mr. Raider, Mr. Ruano referred to a table provided that discussed how the  
206 project was configured. Answering a question from Sylviane Dungan, Mr.  
207 Ruano clarified the application of the Venice Specific Plan and the Small Lot  
208 Subdivision Ordinance. Jed Pauker asked about an easement for the resident of  
209 Lot B to Venice Way; Mr. Ruano noted that there are two easements—one

210 easement on Lot B in favor of Lot C to allow parking and the other easement is  
211 from Venice Way on the east side of Lot C to allow pedestrian access from Venice  
212 Way. Arnold Springer asked about the roof access height; Mr. Ruano stated that  
213 the roof access is within the Venice Specific Code and noted that the height is  
214 measured from the center of the street. Mr. Springer asked if Mr. Ruano will  
215 impose a deed restriction on the open roof structure; Mr. Ruano agreed. It was  
216 recommended that the open roof structure become a condition of approval,  
217 rather than a deed restriction because a deed restriction is not easily enforceable  
218 by the community.

219 Jorge Espinoza, stakeholder, voiced approval of the development project. Ryan  
220 Wilson asked how many LUPC are renters and how many are property owners.  
221 The percentage of owners to renters is 70/30. Challis Macpherson clarified the  
222 LUPC process.

223 Ruthie Seroussi asked about the height of the fence; Mr. Ruano clarified that  
224 there is no 6 foot fence on the property. Ms. Seroussi asked what section of the  
225 Small Lot Subdivision that allows division of this consolidated lot into three lots.  
226 Valerie Sacks (?) stated that there is no specific ban against division of an  
227 already-consolidated lot. Phil Raider stated his preference that a condition be  
228 included that the property remains owner-occupied for at least five years. Susan  
229 Papadakis noted that, per the workshop provided by Helene Bibas, the minimum  
230 lot size is 1500 square feet. Arnold Springer quoted from the "Small Parcel

231           Subdivision” brochure, noted that the proposed development does not conform  
232           to the neighborhood, objected to the project’s height and stated that the project  
233           should be limited to 35 feet. Jed Pauker voiced concern that no affordable  
234           housing is being provided and agreed that the project does not conform to the  
235           existing neighborhood. Mr. Pauker stated his preference to see actual plans.  
236           Sylviane Dungan voiced objection to the project’s height and massing. Lainie  
237           Herrera stated that the project will not set a precedent or change the  
238           neighborhood’s character. Robert Aronson stated that the Code does not require  
239           a third unit to be built and discussed the implications of the Small Lot  
240           Subdivision Ordinance with respect to the Venice Specific Plan. Mr. Aronson  
241           stated that the third unit should be affordable. Mr. Aronson voiced appreciation  
242           for the outreach effort done by the developer. Ruthie Seroussi echoed Mr.  
243           Aronson’s conclusion regarding affordable housing and Ms. Papdakakis’s  
244           conclusion regarding the lot site. Phil Raider discussed parking provisions and  
245           echoed Mr. Springer’s concern regarding character and scale. Jim Murez agreed  
246           with Susan Papadakis’s conclusion regarding the lot size.  
247           Challis Macpherson asked for a straw poll of the audience: 5 attendees that  
248           raised their hands in favor of the project; no one in the audience objects.  
249           Robert Aronson moved to approve the project as presented, with the provision  
250           that one of the units has to be affordable housing, in perpetuity. There was no  
251           second.

252 Phil Raider asked if the project qualifies under the Small Lot Subdivision  
253 Ordinance and moved to postpone a decision pending clarification from the  
254 Planning Department or the Planning Deputy from Council District 11. Mr.  
255 Raider withdrew his motion.

256  
257 **Arnold Springer moved to deny the project; seconded by Susan Papadakis.**

258 Sylviane Dungan stated her approval of the provision of differing lot sizes.  
259 Lainie Herrera stated that the Venice Specific Plan requires a 1500 square foot lot,  
260 not the Small Lot Subdivision. Ms. Herrera spoke to the issue of density and  
261 noted the benefit of the Small Lot Subdivision Ordinance. Jim Murez stated that  
262 a decision by the City Attorney is required and that there is no reason to move  
263 quickly if there is no compelling reason. Susan Papadakis restated her  
264 objections. Arnold Springer stated that the project should be re-thought. Mr.  
265 Murez spoke to the issue of whether the Venice Specific Plan or the Small Lot  
266 Subdivision takes precedence. Sylviane Dungan reiterated her opinion that a  
267 small lot size is not an issue.

268 **VOTE: 5 in favor; 4 against; 1 abstention. The motion passed.**

269 B. LUPC deliberation on Policies and Procedures.

270  
271 This item is postponed until the Policies and Procedures Task Force can  
272 formulate a report.

273 Ivan Spiegel asked for extra time to voice his concerns. Mr. Spiegel suggested  
274 that expert opinion should be obtained to clarify issues that arise. Mr. Spiegel

275 recommended that mail for LUPC should be collected by the VNC Secretary and  
276 distributed, that LUPC outreach efforts should be coordinated with the VNC  
277 Outreach Committee, that a definition of Task Force be deferred to the VNC  
278 Rules and Elections Committee.

279 Lainie Herrera agreed with Ivan Spiegel.

280 **There was a break in the recording here**

281 Robert Aronson suggested that all non-project business should be heard at the  
282 end of the meeting or at a separate administrative meeting. Mr. Aronson also  
283 suggested that a Planning Deputy be asked to attend LUPC meetings and that a  
284 Board member that has a development project should not be seated on the panel  
285 the day the project is being presented. Phil Raider stated that the Venice  
286 Neighborhood Council is intended to advise the Council Office, and that  
287 communications should go primarily to the Council Office. Jim Murez  
288 responded that communications from the Neighborhood Council are of value to  
289 various City agencies.

290  
291 **C. Pali Hotel, Palisades Development**

292  
293 Challis Macpherson introduced Matt Fisher and referred to the differences  
294 between a former presentation and the present mixed-use one. Mr. Fisher stated  
295 that the provision of parking for the nearby church issue is of primary concern  
296 and described the process by which Palisades Development has sought review of  
297 the situation. Mr. Fisher stated that 32 spaces above the code-required parking

298 have been provided in the current iteration of the project. Mr. Fisher provided  
299 material on the project to the LUPC members and presented the project's details,  
300 including the present structure and surroundings.

301 Rick Gunderson voiced concern about the project regarding the provision of  
302 parking. Rita Moser voiced the church's support for the project. Carmel  
303 Beaumont voiced support for the project.

304 Susan Papadakis commended the developer for its response to the community.

305 Arnold Springer voiced appreciation for the process by which a compromise was  
306 achieved. Answering Jim Murez's question, Matt Fisher discussed the manner in

307 which the provision of parking for the church was provided. Responding to

308 Sylviane Dungan's question, Mr. Fisher stated that there is a legally binding

309 agreement to provide parking for the church. Lainie Herrera asked what

310 administrative or discretionary actions are required; Mr. Fisher responded that a

311 Conditional Use Permit, a Coastal Development Permit, a Project Permit, and a

312 Tentative Tract Map are being requested and then discussed the outreach efforts

313 to neighbors. Robert Aronson asked how retail parking spaces were calculated;

314 Mr. Fisher responded with details. Mr. Aronson asked if there will be a

315 restaurant or bar in the hotel; there was further discussion about the church

316 parking. Mr. Fisher noted that the church does not use all of the requisite

317 parking and clarified that the church's rights apply to parking on Sunday and

318 Wednesday. Maury Ruano stated that the CUP being requested is acceptable

319 and that provision of parking is appropriate. Ruthie Seroussi asked about  
320 sustainable materials; Mr. Fisher stated that no decisions have been made. Phil  
321 Raider asked how parking would be provided to the public; Mr. Fisher stated  
322 that parking will be provided at a cost. Jim Murez asked if there will be valet  
323 parking; Mr. Fisher stated that there will be 24/7 valet parking provided. Mr.  
324 Murez asked about loading/unloading of materials for the retail space; Mr. Fisher  
325 provided more detail on how loading/unloading will be accomplished. Mr.  
326 Murez asked if the developer is amenable to rearranging how parking is  
327 configured, to allow condominium residents to have closed parking. Mr. Fisher  
328 stated that efficient operation is the goal and that the avenue suggested by Mr.  
329 Murez is one that could be explored. Mr. Murez pointed out the benefits of  
330 applying for the Leeds program. Mr. Murez suggested that the Venice Specific  
331 Plan precludes developers from going outside the envelope with respect to  
332 providing landmarks.

333 Challis Macpherson asked for a straw poll of the audience: 6 attendees indicated  
334 approval; there was no opposition.

335 **Maury Ruano moved to approve the project as presented; seconded by Phil Raider.**

336 A comment was made that the project does not include a restaurant or bar. Jim  
337 Murez stated that if the developer chooses to apply to open a restaurant or bar in  
338 the future, the Board would make a decision at that time. Discussion ensued  
339 regarding what could happen following various scenarios.

340 **VOTE: Unanimous in favor.**

341

342 **10. NEW BUSINESS:**

343

344 None noted

345 **11. Public Comment**

346

347 Jim Murez reported that a yogurt store is being proposed on Abbott Kinney, across  
348 the street from Abbott's Habit, and noted that Beach Impact Zone parking is being  
349 affected.

350 Ivan Spiegel announced a Town Hall that will take place on a week from the next

351 Thursday and encouraged attendance.

352 **12. ADJOURNMENT**

353

354 The meeting was adjourned by common consent.

355