

# Venice Neighborhood Council

Post Office Box 550

Venice, CALIFORNIA 90294



## Land Use and Planning Committee MINUTES July 25, 2007



1 **1. CALL TO ORDER – ROLL CALL**

2

3 Challis Macpherson called the meeting to order at 6:42 pm. LUPC members

4 present: Ruthie Seroussi, Lainie Herrera, Robert Aronson, Challis Macpherson,

5 Jim Murez, and Sylviane Dungan.

6

7 Approval of this Agenda as presented. The agenda was approved unanimously.

8

9 **2. APPROVAL OF PREVIOUS MEETINGS MINUTES.**

10

11 The Minutes for May and June will be reviewed at a later date.

12

13 **3. ANNOUNCEMENTS**

14

15 **4. PUBLIC COMMENT**

16

17 Jim Murez reported that a driveway has been installed at 1040 Abbot Kinney,  
18 thereby losing a parking space, and stated that it is possible that proper  
19 permitting had not been done for this property. Challis Macpherson stated that a  
20 new business, a new/used car lot, is being proposed for 1040 Abbot Kinney.

21

22 Maury Ruano arrived.

23

24 **5. NEW BUSINESS: DELIBERATION OF FOLLOWING PROJECTS/ISSUES**

25

26 Item 5A. 417 Washington, Owner Michael Bouchoucha, representative  
27 Topaz Martinez Case #DIR 2007-2224 SPP requesting VCZSP project

28 permit compliance for a change of use from office to restaurant. According to  
29 the applicant, this space was a restaurant, and then was turned into an office,  
30 and now owner wants to return the space to a restaurant. Parking is the  
31 issue. There are 131 on-site parking spaces in this building which has  
32 several floors of mixed use. As of 7-19-07, there is no Planning Staff Report.

33  
34 Michael Bouchoucha provided details on plans for restriping the parking  
35 lot, noted that there is no problem regarding parking, noted plans for  
36 providing breakfast, lunch and dinner, reported that no liquor license is  
37 being requested and stated that a valet parking service has been  
38 contracted. In answer to Jim Murez's question, Mr. Bouchoucha stated  
39 that he was told that his plans to resolve the parking issue have been  
40 approved by Socorro Smith and David Lara, but does not have  
41 documentation of approval. There was discussion about the amount of  
42 seating area and parking spaces available. Robert Aronson asked who  
43 owns the building—Moss Associates is the owner. Sylviane Dungan  
44 asked about the amount of residential space in the building.

45  
46 Jed Pauker arrived at 7:06 pm.

47  
48 After further discussion, Jim Murez remarked that a decision could not be  
49 made without further information.

50  
51 **Jim Murez moved to postpone a decision of this project until August 22,**  
52 **2007 pending Challis Macpherson contacting Christine Mahfouz, Venice**  
53 **Planner, to get additional documentation on this project from the City and**  
54 **to get a copy of the contract from the valet company (M&S) that's going to**  
55 **be doing the parking; seconded by Sylviane Dungan.**

56  
57 Michael Bouchoucha stated that a copy of the landlord's contract will be  
58 provided, to prove that his proposed business has the right to use the  
59 designated parking spaces. Responding to Robert Aronson, Mr.  
60 Bouchoucha gave the rationale for using a valet company. Jim Murez  
61 stated that Coastal Development permit may be needed, because the  
62 change of use may be an intensification of use. Ruthie Seroussi stated  
63 that building plan and parking plan documents needed. Lainie Herrera  
64 asked what approvals are needed from City agencies. Mr. Bouchoucha  
65 stated that Specific Plan approval is the only approval needed. Robert  
66 Aronson asked for mix of the size of residential units using parking on 1 &  
67 2<sup>nd</sup> stories. There was further discussion about whether the building that  
68 houses Kifuni Restaurant is separate. Mr. Aronson asked for proof that  
69 there are in fact two buildings, a diagram of proposed usage of space, and  
70 the same information for the adjacent restaurant. Mr. Bouchoucha stated  
71 that he cannot provide information for a restaurant he does not own. Mr.

72 Aronson suggested information for proposed sidewalk tables be provided.  
73 Sylviane Dungan asked what agency asked for reduced service area; Mr.  
74 Bouchoucha stated it was voluntary. Maury Ruano reiterated the request  
75 for information regarding Pasta Factory parking and a letter from  
76 restaurant next door. Ruthie Seroussi asked for responses to questions  
77 raised by Arnold Springer; Mr. Bouchoucha stated his intent to provide  
78 requested information and that Topaz Martinez will be available at the next  
79 meeting to provide that information. Jim Murez also reiterated the  
80 importance of knowing all of the uses, and each usage's square footage,  
81 for nearby businesses. Sylviane Dungan asked about grandfathered  
82 parking; Mr. Bouchoucha stated that 3 grandfathered spaces were  
83 allowed. Mr. Bouchoucha also mentioned that 25 parking spaces are  
84 available across the street.  
85

86 **VOTE: Unanimous in favor; the motion passed.**

87  
88 qq.580 Venice and 17021704 Abbott Kinney Boulevard  
89

90 Challis Macpherson recapped an earlier presentation made regarding this  
91 project; Hadar Aizenman noted erroneous calculation for 12 spaces that  
92 was corrected to 14 spaces by Arnold Springer. Ms. Aizenman stated that  
93 she returned to re-present and stated her willingness to pay en lieu fees  
94 will be paid for any deficiency to the Venice Parking Fund.  
95

96 Yolanda Gonzalez stated that the parking available is inadequate.  
97

98 Responding to Maury Ruano, Hadar Aizenman provided site plans.  
99 Challis Macpherson stated that copies of site plan, plot plan, aerial view  
100 and photographs were provided on the web site. Ms. Aizenman pointed  
101 out that the payment of in-lieu parking fees is provided for in the Venice  
102 Specific Plan (page 24).  
103

104 Robert Aronson asked about provision of affordable housing and stated  
105 that Mello Act issues may have not been addressed. Mr. Aronson asked  
106 for records of rent paid by former tenants. Sylviane Dungan asked for  
107 explanation of calculation of available parking; Ms. Aizenman stated that  
108 she will be given an approval for the parking space calculation. Lainie  
109 Herrera stated that she did not agree with forgiveness of 5 spaces in an  
110 instance where a project changes the use of property. Jed Pauker noted  
111 that the developer should consider providing a benefit to the community in  
112 exchange for reducing the amount of available housing space. Ruthie  
113 Seroussi asked for copies of purchase and sale agreements, noted  
114 concern for loss of affordable housing in Venice, and concurred with  
115 parking issues raised. Jim Murez asked if developer is willing to maintain

116 and water landscaping at an adjacent property, if the community's plans to  
117 install plants at that property. Ruthie Seroussi asked if developer is willing  
118 to contribute to Venice Affordable Housing fund in exchange for reducing  
119 the amount of housing in the area.

120

121 **Robert Aronson moved that discussion of this issue be postponed until**  
122 **LUPC meeting at the end of August 2007; seconded by Jim Murez.**

123

124 Robert Aronson apologized to the developer for requiring a third  
125 presentation and voiced concern about the completeness of LUPC Staff  
126 Reports to avoid return visits by developers. Jim Murez noted that the  
127 information was requested by Arnold Springer at the meeting Mr. Aronson  
128 missed, and that the developer may have returned prematurely. Ruthie  
129 Seroussi stated that the Agenda Committee should be more diligent in  
130 determining whether a project is ready for presentation.

131

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

133

134 Lainie Herrera commented that she thought the issues are being heard at  
135 the right time, neither of the projects just heard will need more than a  
136 rubber stamp and that the most that VNC can do is to have a letter put in  
137 the file. Michael Bouchoucha stated that he had not been aware of a need  
138 to appear before LUPC prior to being contacted by Arnold Springer. There  
139 was discussion about procedures to be followed with regard to projects  
140 within the VNC boundaries; Jim Murez discussed the request that  
141 Neighborhood Councils report on all CNC list items. Challis Macpherson  
142 promised to report on this issue at the next meeting

143

144 rr. 543 Grand Boulevard. Permit application date: 5/4/2007, Case #APCW  
145 2007-2489 SPP and ENV 2007-2490 EAF. Applicant requesting  
146 continued use and maintenance of existing 3 SFD in RD 1.5 zone with  
147 zero parking. Applicant John Parker, Pacific Crest Consultants, project  
148 documents on the VNC/LUPC web site: 1) The questionnaire, 2)  
149 Drawings, 3) Findings, 4) LUPC staff report

150

151 Maury Ruano reported interaction with John Parker regarding this project,  
152 noted that the findings provided by Mr. Parker to the Zoning Administrator  
153 were posted on the website, stated that he had sent a staff report to LUPC  
154 members earlier that day and introduced Mr. Parker. Mr. Parker  
155 introduced himself and the project's owner, Sean Corman, noted a request  
156 for two exceptions to the Venice Specific Plan, to allow three dwellings  
157 rather than the two permitted, and for zero technical parking, noting that  
158 the two parking spaces on the property are not compliant. Mr. Parker  
159 listed the historical records—a change of zoning from R4 to RD1.5 in

160 1986, acknowledgement by various City agencies that there were 4  
161 dwellings on the property in the form of code enforcement and rent  
162 stabilization and noted that lower duplex and garage units fall between the  
163 criteria for low income and moderate income for affordable housing. Mr.  
164 Parker stated that Mr. Corman removed the illegal upstairs unit after  
165 purchasing the property and that no rent has been collected on that illegal  
166 unit for five years. Mr. Parker stated that he had located six nearby  
167 properties in the RD1.5 zone whose density exceeds what is permitted,  
168 and stated that 32% of nearby properties do not provide parking. Mr.  
169 Parker questioned three items from the LUPC Staff Report—30% family  
170 income standard used, the incentives used for determining a reduction of  
171 parking is the same as that required by the Venice Specific Plan, and  
172 questioned whether the last paragraph of Mr. Ruano's report is applicable  
173 to the subject property because of its size (less than 10 units).

174  
175 Jim Murez asked why the project is being heard. Maury Ruano stated that  
176 a density bonus and provision of only two parking spaces are being  
177 requested, as a result of the receipt of an Order to Comply from the  
178 Housing Department.

179  
180 Sean Corman stated that the subject property is his primary residence and  
181 that his only intent is to continue to provide affordable housing that has  
182 been in place since 1959.

183  
184 Yan Krymsky spoke in support of the current tenancy and configuration of  
185 the property.

186  
187 Yolanda Gonzalez stated that the Housing Department should be asked to  
188 explain how decisions are made.

189  
190 Maury Ruano stated that he is supporting the recording of a covenant to  
191 maintain the third unit as low income for 30 years. Sylviane Dungan  
192 related her experience with an attempt to develop her property, and  
193 suggested that the owner be required to pay into the Venice Parking fund.  
194 Robert Aronson asked about the converted garage, suggested converting  
195 the patio space behind the building into tandem spaces and stated that the  
196 fence on the property is too high. Lainie Herrera supported the concept of  
197 the provision of affordable housing. Jed Pauker stated that LUPC should  
198 not weigh in on an issue which the City does not approve. Ruthie  
199 Seroussi stated conditions under which she would entertain a motion,  
200 requiring the garage unit to remain an affordable unit for 30 years and  
201 payment of en lieu fees for 5 parking spaces, and perhaps converting the  
202 patio space to two parking spaces. Jim Murez' question regarding the  
203 original duplex being allowed two parking spaces sparked discussion

204 about parking allowances and whether an intensification of use is  
205 applicable in this instance.

206

207 **Maury Ruano moved to recommend that the applicant record a 30 year**  
208 **affordability (60% of the median income) covenant for the converted garage**  
209 **and to provide one parking space in place of the rear patio per Robert**  
210 **Aronson's suggestion; seconded by Sylviane Dungan. ...**

211

212 After further discussion, Maury Ruano withdrew his motion.

213

214 **Maury Ruano moved to recommend that the Board approve the project**  
215 **provided the applicant records a 30 year affordability (60% of the county**  
216 **median income) covenant for the converted garage and to pay a fee for one**  
217 **space into the Venice En-Lieu Parking Fund; seconded by Ruthie Seroussi.**

218

219 **VOTE: 1 in favor; 4 opposed; 3 abstentions.**

220

221 **Robert Aronson moved to approve three existing units, the garage is to be**  
222 **at the rate of very low, there is no en lieu fee, the hedges and fences in the**  
223 **front must be brought down to legal limit and 2 substandard parking**  
224 **spaces; seconded by Lainie Herrera.**

225

226 **VOTE: 7 in favor; 1 again. The motion passed.**

227

## 228 **6. PUBLIC COMMENT**

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230 Yan Krymsky restated his perspective in support of Sean Corman's request for  
231 exceptions to the Venice Specific Plan.

232

## 233 **7. ADMINISTRATIVE:**

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235 LUPC Chair report on VNC Board of Officers actions relative to LUPC  
236 recommendations

237

238 LUPC Task Force reports:

239

240 Agenda Building

241

242 Challis Macpherson stated that she, Maury Ruano and Susan  
243 Papadakis were called to task

244

245 Policies and Procedures

246

247                   Challis Macpherson asked Committee members to review the draft  
248                   Policies and Procedures posted on the web site.

249  
250                   Parking Interim Report

251  
252                   Robert Aronson stated that work on this report is on-going.

253  
254                   Information Management

255  
256                   No report provided.

257  
258                   Fences and Hedges Interim Report

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260                   Jed Pauker provided an update. Ruthie Seroussi stated that the only  
261                   change to the Interim Report was to remove personal e-mail contact  
262                   information.

263  
264                   **Jed Paul moved to adopt the Fences and Hedges Interim Report as a Final**  
265                   **Report and recommendation to the board; seconded by Ruthie Seroussi.**

266  
267                   In answer to Robert Aronson's question, Jed Pauker stated that the  
268                   report is an attempt to clarify the issue and that response to legal  
269                   action is a separate issue. Ruthie Seroussi distinguished between the  
270                   Fences and Hedges Report and that the second iteration of the Task  
271                   Force was to come up with a recommendation, per the Board's  
272                   directive, to the City of Los Angeles and other agencies as to how they  
273                   go about enforcing the current state of the law.

274  
275                   **VOTE: 7 in favor; 1 opposed; no abstentions.**

276  
277                   Establish a Task Force to gather facts about Apartment to Condominium  
278                   conversions in Venice and elsewhere

279  
280                   Staff Assignments

281  
282                   Challis Macpherson assigned Committee members to provide reports  
283                   for various development projects in the area.

284  
285                   Reports by LUPC members on assigned projects

286  
287                   Challis Macpherson asked for an e-mail from Jim Murez regarding  
288                   the proposed calculation of en-lieu parking fees to be recommended  
289                   to the Board.

290

291                   Challis Macpherson reported contact with a prospective developer  
292                   who wants to construct a 45-foot high building in an area that has a  
293                   30 foot height limit. Maury Ruano will research this topic.  
294

295                   **8. ADJOURNMENT**

296  
297                   Jim Murez moved to adjourn at 9:48 pm.  
298