

Venice Neighborhood  
Council

Post Office Box 550

Venice, CALIFORNIA 90294



**Land Use and Planning  
Committee  
MINUTES  
August 22, 2007**



**DRAFT**

1 **1. CALL TO ORDER – ROLL CALL APPROVAL OF THIS AGENDA AS**  
2 **PRESENTED OR AMENDED**

3  
4 Challis Macpherson called the meeting to order at 6:35 pm. LUPC Members  
5 present: Maury Ruano, Jed Pauker, Lainie Herrera, Challis Macpherson,  
6 Susan Papadakis, and Stewart Oscars. Jim Murez arrived at 6:54 pm.  
7 Robert Aronson arrived at 7:18 pm.

8  
9 Maury Ruano noted that the agenda posted on the VNC web site erroneously  
10 included 211 Pacific. That item was stricken.

11  
12 **The agenda was approved by consensus.**

13  
14 **2. APPROVAL OF PREVIOUS MEETING MINUTES**

15  
16 Stuart Oscars moved to approve Minutes of previous LUPC meetings. There  
17 was no second. This item was tabled.

18  
19 **3. ANNOUNCEMENTS**

20  
21 None noted.

22  
23 **4. PUBLIC COMMENT**  
24

**DRAFT**

1 **5. NEW BUSINESS:**

2  
3 **DELIBERATION OF FOLLOWING PROJECTS:**

4  
5 **A. 714 Hampton Drive**

6  
7 Applicant: Rick Clemenson, rickclemenson5@hotmail.com,  
8 www.rickclemenson.com. Richard Clemenson Architects, 3200 Airport  
9 Avenue, Suite #10, Santa Monica, CA 90405, 310.391.8873 Web site is  
10 www.rickclemenson.com, click on new projects and then Hampton Drive  
11 residences. Completed LUPC project form and plans emailed to LUPC  
12 members and posted on VNC/LUPC web page.

13  
14 Challis Macpherson declared ex parte communication with Rick  
15 Clemenson; Ms. Macpherson reported a visit to Mr. Clemenson's office to  
16 look over project documents.

17  
18 Rick Clemenson discussed the particulars of his project, agreed that the  
19 only deviation from the Venice Specific Plan (VENICE COASTAL ZONE  
20 SPECIFIC PLAN) is the side yard setback. Responding to Maury Ruano's  
21 request for the rationale for the 3 foot side yard setback, Mr. Clemenson  
22 stated that the 3 foot setback is normal for this typical Venice lot, that the  
23 building is only 25 feet wide, and noted that provision of parking spaces  
24 would be adversely affected by a less wide building.

25 Jim Murez arrived.

26 In answer to Stewart Oscars's questions, Mr. Clemenson noted that the  
27 current building and its adjacent neighbors all have 3 foot side yard  
28 setbacks. Following Jed Pauker's question, there was discussion about  
29 the project's total square footage. Mr. Ruano referred to VENICE

**DRAFT**

1 COASTAL ZONE SPECIFIC PLAN Ordinance 172897, and noted that the  
2 ordinance allows for a 3 foot side yard setback. Jim Murez suggested  
3 imposing a condition that limits the project to one rooftop structure. There  
4 was further discussion, resulting from Mr. Ruano's contention of fairness  
5 to a future owner.

6  
7 **Maury Ruano moved to approve the project as presented; seconded by**  
8 **Lainie Herrera.**

9  
10 Susan Papadakis spoke in favor of Jim Murez's suggestion of a limit to  
11 one rooftop structure. Lainie Herrera discussed the ramifications of  
12 setting a precedent. Mr. Murez spoke of an earlier VNC decision to limit  
13 rooftop structures. Mr. Ruano asked if the VNC decision referred to single  
14 family property development and distinguished the subject development  
15 as a small lot subdivision. There was discussion about the Small Lot  
16 Subdivision ordinance's ramifications with regard to the VENICE  
17 COASTAL ZONE SPECIFIC PLAN. Rick Clemenson noted that the  
18 request at hand did not concern rooftop structures.

19  
20 **VOTE: 4 in favor; 3 opposed; 1 abstention. The motion passed.**

21  
22 **B. 1410 Abbot Kinney Blvd.**

23  
24 Case #ZA 2007-3490 CEX, applicant requesting change of use from new car  
25 sales to new and used car sales within a single jurisdiction coastal zone. Rep  
26 is Constantine Tziantzis, 310.266.4547.  
27

**DRAFT**

1 Applicant already made a curb cut on AKB in front of this address in direct  
2 opposition of VCASP which specifies that access must be from an alley when  
3 there is an alley and there is one to the rear of this address. Building Permit  
4 Application #07020-10000-00728, Naomi Lomsky of the DOT public counter  
5 downtown (i.e., not in WLA office) reviewed the condition for "New driveway  
6 and back unto the street for loading or unloading of display vehicles" and  
7 cleared it with the explicit comment "Approved for loading and unloading  
8 vehicles using temporary ramp over sidewalk. No changes to parking or  
9 driveways." Our local LADOT office takes the position that they would NOT  
10 approve a new driveway (curb cut) at this location. LUPC Project Form and  
11 project documents emailed to LUPC members and posted on VNC web site.  
12  
13 Lainie Herrera noted two issues raised: the existing curb cut and the  
14 application currently being vetted for a change of use. Constantine  
15 Tziantzis stated that the change of use application has been approved and  
16 that the only thing lacking is the Certificate of Occupancy. Mr. Tziantzis  
17 stated that the Plan Checker expressed concern about the temporary  
18 ramps previously approved, noted why and how the curb cut was effected.  
19 Mr. Tziantzis stated that the curb that was removed was painted red.  
20 Challis Macpherson asked why the rear access is not being used. Mr.  
21 Tziantis stated that there is no access from the rear to the main showroom  
22 and that moving cars out or into the showroom is dangerous. Robert  
23 Aronson asked if the public can legally park where there is a curb cut and  
24 was told that the public cannot. Mr. Aronson asked if anyone knew why  
25 the curb that was removed was painted red; there was no answer. Mr.  
26 Aronson stated that he wanted to know how parking was calculated for the  
27 building. Mr. Aronson asked about the tenants of the building and was  
28 told that the upper story is occupied by one tenant and that there are three

**DRAFT**

1 retail tenants on the ground level—a gymnasium, Pinkberry and the  
2 subject car rental/sales. Mr. Aronson was told that Susan Frank owned  
3 the building. Susan Papadakis asked why the business owner was not  
4 present; Mr. Tziantzis stated that he had advised the owner not to attend,  
5 given his assumption that today’s discussion was exploratory. Jim Murez  
6 stated his unwillingness to allow the curb cut, discussed problems that  
7 could occur including allowing an additional (perhaps legal) parking space,  
8 hazards to handicapped citizens and problems with street sweeping, and  
9 stated that the building owner should be made to replace the curb.

10  
11 Mark Antonio Grant, representing Councilman Rosendahl’s office, read an  
12 e-mail communication from DOT stating that the curb cut had been  
13 approved in error, that City personnel will replace the curb cut and that the  
14 owner will be refunded the permit fees. Mr. Tziantzis asked about  
15 reimbursement of construction costs; Mr. Grant discussed a previous case  
16 regarding an illegal driveway. Robert Aronson spoke in favor of allowing  
17 the already accomplished curb cut to remain. Susan Papadakis stated  
18 that an additional curb cut will take away from the “walkability” of the  
19 sidewalk. Maury Ruano spoke in favor of allowing the curb cut, stating  
20 that he had visited the site on his bike. Jed Pauker spoke in opposition of  
21 allowing the curb cut to remain. Mr. Grant discussed the process that had  
22 occurred once the report had been made regarding the curb cut, and  
23 noted that the decision to remove the curb cut had already been made.

**DRAFT**

1

2 **Susan Papadakis moved to table this issue; seconded by Jed Pauker.**

3

4 Robert Aronson asked if the business owner will need to obtain an  
5 additional permit to use a temporary ramp. Jim Murez stated that the  
6 presentation ...

7

8 **VOTE: 6 in favor; 2 abstentions. The motion passed.**

9

10 **6. PUBLIC COMMENT**

11

12 None noted.

13

14 **7. OLD BUSINESS:**

15

16

17 **1638 Abbot Kinney Blvd.** Case # ENV 2007-1600 CE, ZA 2007-1599 CDP  
18 MEL, contact Robert Thibodeau, 310.452.8161. LUPC motion was: At a regular  
19 Venice Neighborhood Council's Land Use and Planning Committee (LUPC) June  
20 27, 2007, it was moved, seconded and passed by 8-2-0 that: LUPC recommends  
21 that the Venice Neighborhood Council approve this project, under the following  
22 condition: 1. We find that the project is an intensification of use, specifically an  
23 increase in intensity as defined in Section 5e of the Venice Coastal Development  
24 Specific Plan, 2. We reject the policy of the Department of Building & Safety and  
25 the City's interpretation that grants grandfathered parking; 3. This approval is  
26 conditioned on the applicant paying an en lieu fee for each parking space not  
27 provided to a maximum of \$45,000 per space or the fee calculated at the time the  
28 Certificate of Occupancy is issued, whichever is lower. The ZA, Daniel Green,  
29 heard this project June 28, 2007 and sent Mr. Thibodeau back to redo his  
30 drawings to include the necessary parking for the office space as per Planning  
31 staff report. VNC Board of Officers recommended approving LUPC  
32 recommendation. Mr. Green's staff report dated August 14, 2007 mentions  
33 parking only on page 5, "On-site parking for a total of two vehicles will be  
34 available within an 875 square-foot area located on the ground level with access  
35 via the rear alley. Off-site parking on nearby streets is limited, restricted by time,  
36 metered along Abbot Kinney Boulevard, and in extremely high demand. An  
37 absence of parking for the existing commercial use is authorized as a  
38 nonconforming use." NOTE: No mention of VNC condition of approval that

**DRAFT**

1 applicant pay \$45,000/off-site space available on the street and not on-site. 3 We  
2 have until August 28, 2007 to appeal this staff report. What say LUPC?

3  
4 Challis Macpherson stated that the Zoning Administrator's decision ignored  
5 the decision rendered by VNC and that the appeal period ends on August 28,  
6 2007. Jed Pauker noted that the VNC decision states "to a maximum of  
7 \$45,000" and that no minimum was set. Robert Aronson expressed a  
8 disinclination to file an appeal, however, Mr. Aronson stated that the  
9 appropriate LUPC motion is to recommend to the VNC Board that an appeal  
10 be filed. Mr. Aronson stated that there should first be an effort to reach an  
11 agreement between the Council office, the Planning Department and VNC.  
12 The discussion that followed concerned how the decision can be appealed;  
13 there is insufficient time for the VNC Board to act. Mr. Aronson raised the  
14 question of what the vision for Abbot Kinney Boulevard is. Ms. Macpherson  
15 summarized the discussion; Mr. Aronson stated that the language used is  
16 specific. In answer to questions raised by Jim Murez, Ms. Macpherson  
17 quoted the Zoning Administrator if a change of use occurs to a restaurant, the  
18 project will be revisited because the change represents an intensification of  
19 use.

20  
21 Challis Macpherson asked for an informal vote regarding whether to pursue  
22 the appeal; there was consensus that no further action will be taken by LUPC.

23  
24 **8. ADMINISTRATIVE:**  
25

**DRAFT**

- 1 1. LUPC Chair report on VNC Board of Officers actions relative to LUPC  
2 recommendations.

3  
4 Challis Macpherson reported that the VNC Administrative Committee has  
5 asked LUPC to review the ZA Staff report, take public testimony,  
6 deliberate and make a recommendation to the VNC Board regarding the  
7 Ray Hotel. Susan Papadakis stated that public testimony should be  
8 limited to the Staff Report. The issue will be reviewed by LUPC at the  
9 September 5, 2007 LUPC meeting. Jim Murez expressed concern about  
10 outreach on this issue and made suggestions about how to contact  
11 interested stakeholders that the project is being re-reviewed; Mr. Murez  
12 also suggested advising the developer.

13  
14 Steve Freedman commented that efforts to reach interested parties will be  
15 made and that, in his opinion, the LUPC decision on the issue does not  
16 adhere to the Venice Coastal Specific Plan. Mr. Freedman spoke of  
17 consequences of LUPC decisions that granted exceptions to the Venice  
18 Coastal Specific Plan and that LUPC members should be aware of  
19 precedents being set. Mr. Freedman advised that there should be  
20 consistency in output from LUPC. Jed Pauker noted that the system is not  
21 expected to be perfect, with regard to notification. Jim Murez commented on  
22 what could occur at the meeting where the Ray Hotel is to be discussed.  
23 Further discussion occurred regarding how to schedule the issues before the  
24 LUPC.



**DRAFT**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

2. LUPC Task Force reports

Fences and Hedges Jed Pauker reported plans to have a final Fences and Hedges Task Force report for review at the September 5, 2007 LUPC meeting.

Lauri Silagi summarized the Lincoln Place Task Force report, and was asked to provide a list of individuals involved in the Lincoln Place project. David Ewing discussed the package of materials regarding Lincoln Place presented to LUPC members, including a Lincoln Place Site Plan May 2003, Generalized Summary of Zoning Regulations, City of Los Angeles, VNC Lincoln Place Task Force Report 8/22/07, VNC Lincoln Place Task Force Outline of Topics to be presented over several reports, ZIMAS Parcel Profile Report for 1008-1014 S. Doreen Pl., and a tract map and copy of Ordinance 166513. Responding to Maury Ruano's question, Challis Macpherson restated the Lincoln Place Task Force's mission statement. There was further discussion about how the information gathered will be published to stakeholders. Jim Murez suggested that establishing a structure for the documentation is appropriate. Ms. Macpherson asked that the Task Force report back on the Q(sp?) conditions for parking. At Laura Silagi's suggestion, Steve Freedman provided a brief history of Lincoln Place and read a physical description of the property, which included 35 lots, 52 buildings (5 of which have been

**DRAFT**

1 illegally demolished) and over 340 mature trees, reiterated zoning (RD1.5)  
2 and height limitation (1XL). It was agreed that the state historic  
3 designation will have influence on the development of this property. Ms.  
4 Macpherson asked that research on the Lincoln Place project be as  
5 accurate as possible, because it will be posted on the LUPC web site.  
6 Jim Murez suggested that each of the parcels should be described as  
7 individual entities, because each parcel could be developed that way.  
8 There was discussion about the effect of the tract map violation, a survey  
9 of trees, CEQA, the various lawsuits and a list of tenants interested in  
10 returning to live at the property.

11  
12 Challis Macpherson stated that Jed Pauker and Jim Murez should be  
13 contacted to coordinate what materials will be posted on the LUPC  
14 website.

15  
16 Challis Macpherson expressed appreciation for the work done and to be  
17 done by the Task Force.

18  
19 Jim Murez made suggestions about the information to be posted on the  
20 LUPC website.

21  
22 2. Staff reports on current projects.

23  
24 Tabled.

25  
26 **9. ADJOURNMENT**

27

**DRAFT**

1 The meeting was adjourned by common consent at 9:43 pm.  
2  
3