

Venice Neighborhood Council

Post Office Box 550

Venice, CALIFORNIA 90294



Land Use and Planning Committee MINUTES October 22, 2008



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

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3 Challis Macpherson called the meeting to order at 7:20 pm. LUPC members

4 present: Challis Macpherson, Robert Aronson, Jed Pauker, John Reed,

5 Maury Ruano, and Arnold Springer. Ruthie Seroussi arrived later.

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7 **2. APPROVAL OF THE AGENDA AS PRESENTED.**

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9 None noted.

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11 **3. APPROVAL OF OUTSTANDING MINUTES**

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13 Postponed.

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15 **4. ANNOUNCEMENTS**

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17 Dennis Hathaway reported on discussions that took place at the recent Los

18 Angeles City Council regarding billboard inspection and inventory by the City

19 of Los Angeles and that a concerned group of citizens will provide a report on

20 billboards to Councilman Rosendahl. Mr. Hathaway asked for volunteers to

21 assist with the group's effort to inventory billboards in Council District 11 on

22 Saturday, October 25, 2008, which will start from the West Los Angeles City
23 Hall.

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5. PUBLIC COMMENT

27 Don Ranson voiced his concern about the public process by which a
28 development project on Victoria Avenue and Lincoln Boulevard was reviewed.
29 Mr. Ranson referred to a document, regarding use of residential-zoned lots
30 for parking, that is crucial to the review process had not been provided to
31 concerned stakeholders until late in the process; Mr. Ranson questioned how
32 stakeholders are alerted to projects in their areas.

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6. CONSENT CALENDAR

36 1653 Abbott Kinney Boulevard –Arnold Springer asked for clarification;
37 Robert Aronson requested that a review of parking requirements be done on
38 this project.

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43 43 Navy Street—Robert Aronson will do a Mello Act review on this
41 condominium conversion project.

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43 734 Nowita Place—Jed Pauker will investigate this project.

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**John Reed moved that a letter citing “no opinion without prejudice” be
46 provided for each of the remaining Consent Calendar items; seconded by**

47 ???

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49 **The motion was approved by common consent.**

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51 **7. NEW BUSINESS**

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A. 1711 Lincoln Boulevard

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Jed Pauker summarized the developer's plans for this restaurant project,

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noting that an exception is being requested for two (2) parking spaces.

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Jeb Milne, the prospective restaurateur, described his plans and provided

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graphic depictions, gave a brief summary of the location's history as a

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restaurant and the proposed menu to be provided by chef Robert Gomez.

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Mr. Milne referred to the City of Los Angeles' recently approved

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Community Design Overlay for Lincoln Boulevard, which is intended to

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make Lincoln Boulevard more pedestrian friendly and stated that his

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project will contribute to that aim. With regard to parking, Mr. Milne noted

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that his financial situation does not lend itself to being able to pay en lieu

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parking fees.

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Laura Silagi reported that the restaurant sign is illegal, stated her

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appreciation of the work done to this point at the location, advised of the

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need to provide appropriate parking, and referred to nearby restaurant

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locations that have not yet opened. Ms. Silagi stated that she and David

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Ewing proposed the creation of a Business Improvement District (BID) for

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Lincoln Boulevard to address the parking situation; Ms. Silagi referred to

73 smart parking similar to that currently in use in Santa Monica and valet
74 parking as is used in Culver City. Ms. Silagi called for the creation of a
75 parking district.

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77 Sue Kaplan, representing the Venice Walk Street Neighborhood
78 Association, commended Jeb Milne for his efforts, applauded the
79 neighborhood restaurant concept proposed, but voiced her concern about
80 the provision of parking for the proposed project.

81

82 Chris Teuber stated appreciation of the work done on the proposed
83 restaurant and listed his concerns about parking in the area. Mr. Teuber
84 stated that work done at the location had not been properly permitted.

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86 Bruce Birch spoke in favor of the proposed restaurant.

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88 **Jed Pauker moved to postpone discussion of this project, pending**
89 **meetings with the Venice Community Coalition; seconded by Ruthie**
90 **Seroussi.**

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92 Ruthie Seroussi suggested that the motion to postpone include mention
93 of consideration of best practice management practices issues, ABC
94 conditions, and parking. Arnold Springer suggested that trash pickup and
95 deliveries should be included; Mr. Springer and Ms. Seroussi also

96 suggested inclusion of noise and light pollution. Challis Macpherson
97 noted that trash, parking, seating capacity, signage, lights, landscaping
98 and live entertainment were included on the agenda. Jed Pauker agreed
99 to the amendments. Robert Aronson suggested using ABC conditions
100 agreed upon for a similar restaurant operation. Jeb Milne reported that he
101 owned the adjacent properties.

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103 **VOTE: Robert Aronson—yes, Challis Macpherson—yes, Jed Pauker—yes,**
104 **John Reed—yes, Maury Ruano abstained, Ruthie Seroussi—yes, Arnold**
105 **Springer—yes.**

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107 B. Proposed Policy Statement on Conditions

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109 Taken out of order. The discussion about the Policy Statement was
110 instigated by the JPI project in the Oxford Triangle. Challis Macpherson
111 stated that JPI has blatantly disregarded conditions to which it had agreed
112 as well as the Oxford Triangle Specific Plan. The Certificate of
113 Occupancy has already been issued, and the project will not be reviewed
114 for another year. Contingencies, alternative actions and other projects
115 that violated conditions were discussed, as well as the specific conditions
116 that were violated and how enforcement of those conditions can take
117 place. Ms. Macpherson suggested that an enforcement provision should
118 be part of any conditions set by LUPC in the future. Maury Ruano stated
119 that enforcement is the purview of the appropriate City agencies. Jed
120 Pauker referred to laws that are not being enforced by government
121 agencies. Arnold Springer suggested that the issue of a specific project's

122 non-compliance be considered separately from an objective discussion of
123 enforcement by City agencies. Ms. Macpherson reported having received
124 instruction from the VNC Board to bring a motion of censure back to the
125 Board regarding the JPI project.

126 **Robert Aronson moved to recommend that the VNC Board require that the**
127 **City revoke the Certificate of Occupancy of a project in violation of the**
128 **applicable Specific Plan letter of determination or a condition upon**
129 **approval imposed by the letter of determination; seconded by Challis**
130 **Macpherson.**

131 Maury Ruano suggested that this issue be presented first to other
132 Neighborhood Councils. Robert Aronson reiterated Ruthie Seroussi's
133 comment that this is a request to amend the Los Angeles Municipal Code.
134 John Reed suggested that this issue be deliberated further. There was
135 further discussion about how the issue can be handled, and agreement
136 that the item will be agendaized for the November 12, 2008 LUPC meeting.

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142 **8. OLD BUSINESS**

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144 A. 248 Westminster Avenue

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146 Challis Macpherson reported on previous outreach efforts as well as
147 earlier LUPC discussions, noting that the second community outreach
148 attempt was not attended by any community member, and summarized
149 the request being made by Luma Pictures regarding parking. John
150 Parker, representing Luma Pictures, reported that the project as presented
151 will require 40 parking spaces and that the applicant has leased 50
152 parking spaces from First Baptist Church on Westminster, 17 parking
153 spaces from Second Baptist Church on Abbott Kinney Boulevard; there
154 are 10 on-site parking spaces. Mr. Parker reported that about 25% of
155 Luma Pictures' employees use alternate means of transportation (walking
156 to work, bicycling, motorcycling and public transportation). Mr. Parker
157 stated Luma Pictures' willingness to agree to a condition requiring, should
158 the lease with First Baptist Church be terminated, that additional parking
159 be secured prior to the termination of the lease. Mr. Parker referred to a
160 requirement, imposed on Luma Pictures employees and cited in Luma
161 Pictures' employee manual, that employees use off-site parking provided
162 and not park on the streets. Mr. Parker reported that Luma Pictures
163 provides shuttle service for its employees from the First Baptist parking lot
164 mentioned, and that employees are required to have stickers identifying
165 their vehicles. Mr. Parker referred to voluntary actions Luma Pictures is
166 willing to take to document their compliance and stated willingness to
167 record these conditions as a covenant that runs with the property. Mr.

168 Parker referred to First Baptist Church's responsibility for improvements to
169 the lot. Challis Macpherson reported on her conversation with the pastor
170 of First Baptist Church, and noted that a stakeholder had circulated
171 misinformation regarding the current usage of the parking lot. Arnold
172 Springer disclosed a rumor that a parking lot in question had been leased
173 out for other projects. Two Luma Pictures representatives spoke about
174 the actions taken to eliminate neighbors' concern about parking, and
175 stating willingness to submit to quarterly audits. Mr. Shahadi (sp?) noted
176 benefits to the community that Luma Pictures is already providing and
177 asked for support from LUPC and VNC.

178 A stakeholder (Toby...) stated that he had not been notified about the
179 LUPC meeting. The stakeholder reported that he had personally followed
180 three people who parked on the street and walked to the studio.

181 Nancy Williams made a suggestion regarding how violations by Luma
182 Pictures employees should be handled and commended Luma Pictures on
183 their efforts. Victoria ... asked about outreach efforts made by Luma
184 Pictures.

185 Robert Aronson voiced concern about the terms of the lease for parking
186 spaces at Second Baptist Church and about the five-day period for
187 termination of the leases. Mr. Aronson speculated that the stakeholder's
188 complaint was sparked by guest parking. Mr. Aronson stated that a
189 statement that improvements (landscaping, etc.) to the parking lots were

190 the responsibility of the landowner was insufficient. Mr. Aronson also
191 stated his concern about the intensification of use. Maury Ruano noted
192 that the neighbors were satisfied with the change in parking patterns and
193 applauded Luma Pictures' efforts to reduce their parking footprint in the
194 neighborhood. Jed Pauker referred to the need to review Luma Pictures'
195 policy every six months. Challis Macpherson referred to discussions that
196 have taken place with Phil Raider, chair of the Parking Committee,
197 regarding alternatives available and appropriate, and noted Luma
198 Pictures' immediate and effective actions taken upon learning of the
199 parking problems. Arnold Springer referred to stakeholders' report of
200 lessened parking problems during weekdays and stated that LUPC did not
201 have the right to do more. Mr. Springer also commended Luma Pictures'
202 actions and suggested additional outreach that could be done to ensure
203 that neighbors know what Luma Pictures has done. Responding to John
204 Reed's question, John Parker reiterated that a parking exception to the
205 Venice Coastal Zone Specific Plan for 30 spaces is being requested. Mr.
206 Reed stated his preference that the parking condition apply to the
207 applicant, not to the land. Mr. Parker stated willingness to re-apply to the
208 City for a Plan Approval process within six months of approval and again
209 at some period thereafter until the City is satisfied that Luma Pictures is
210 performing in compliance. Mr. Parker stated Luma Pictures' willingness to
211 send out notices to neighbors advising of contact information. Mr. Parker

212 stated the possibility that the City would agree to impose conditions on the
213 applicant, but that it is customary for a condition to be imposed on the
214 land. Mr. Reed stated his preference to allow the possibility that the
215 building is converted back to its original use, and made mention of the
216 unfortunate confusion regarding Luma Pictures' purchase of the building.
217 Mr. Parker stated that Luma Pictures will cease operation if parking is lost.
218 Mr. Reed stated that Luma Pictures should be required to notify the City if
219 their parking is lost. Ruthie Seroussi echoed Mr. Reed's suggestions; Ms.
220 Seroussi suggested that the leases extend the time period for leased
221 space into the evening hours and that the applicant ask the churches what
222 other parking contracts are in effect. There was discussion about how the
223 church parking lots are used. Robert Aronson suggested that a
224 requirement regarding landscaping of the First Baptist Church be
225 imposed; Challis Macpherson reported that the pastor of First Baptist
226 Church stated unequivocally his preference that the church parking lot not
227 be "messed with." Mr. Aronson then echoed Mr. Reed's suggestion and
228 stated that the VNC and the City be notified each time the parking lot
229 lease is renewed or extended. Discussion followed about how exceptions
230 to Luma Pictures' daily parking policy are handled.

231 **Maury Ruano moved to approve the project as amended, with the**
232 **conditions that the leases for parking be recorded and that copies be**

233 **provided to the LUPC when either church lease is renewed, cancelled or**
234 **negotiated.**

235 There was discussion about additional conditions that could be imposed.

236 **Maury Ruano moved to approve the project as amended, with the condition**
237 **that copies be provided to the LUPC and the City of Los Angeles when**
238 **either church lease is renewed, cancelled or renegotiated; seconded by**
239 **Ruthie Seroussi.**

240 Ruthie Seroussi suggested additional conditions: that the applicant be
241 required to send notifications to the neighbors advising of contact
242 information and a brief explanation of what has transpired, that Luma
243 Pictures undergo a six-month review with the City, further review within
244 one year and then two years; the exception will terminate if the owner of
245 the building cannot provide thirty off-site parking spaces, and the building
246 must revert to its original use. Challis Macpherson advised that a
247 precedent is being set with this motion. John Parker suggested a
248 condition that, upon a change of ownership, the new owner appear before
249 the City with a plan approval application to renew the conditions and
250 demonstrate that the required parking can be provided. John Reed
251 suggested that this action be taken within 30 days of the close of escrow.
252 Ms. Seroussi suggested a condition that requires the property owner to
253 cease operations within 5 calendar days if parking is no longer available.
254 There was further discussion about the appropriateness of the proposed

255 action. Ms. Macpherson polled the stakeholders in attendance. There was
256 additional discussion about the appropriateness of the proposed LUPC
257 action. Maury Ruano and Ruthie Seroussi agreed to the following
258 amended motion:

259 **Maury Ruano moved to approve the project as amended, with the condition**
260 **that LUPC and the City of Los Angeles must be notified when either church**
261 **lease is renewed, cancelled or renegotiated; that the applicant be required**
262 **to send notifications to the neighbors advising of contact information and a**
263 **brief explanation of what has transpired; that Luma Pictures undergo a six-**
264 **month review with the City, further review within one year and then two**
265 **years; the exception will terminate if the owner of the building cannot**
266 **provide thirty off-site parking spaces, and the building must revert to its**
267 **original use; upon a change of ownership, the new owner appear before the**
268 **City, within 30 days of the close of escrow, with a plan approval application**
269 **to renew the conditions and demonstrate that the required parking can be**
270 **provided; the property owner agrees to cease operations within 5 calendar**
271 **days if parking is no longer available; seconded by Ruthie Seroussi.**

272 **Vote: Robert Aronson—yes, Jed Pauker abstained, John Reed—yes,**
273 **Maury Ruano—yes, Arnold Springer abstained, Challis Macpherson—yes.**

274 **9. ADJOURNMENT**

275 **The meeting adjourned by common consent.**

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