

**Venice Neighborhood Council
Unadopted Minutes
Land Use and Planning Committee Meeting
Westminister Elementary School
March 28, 2007**

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

2
3 Challis Macpherson called the meeting to order at 6:43 pm. A quorum was
4 established. Ms. Macpherson called the roll—Committee members present:
5 Challis Macpherson, Lainie Herrera, Susan Papadakis, Maury Ruano, and
6 Sylviane Dungan. Robert Aronson and Phil Raider’s absences were
7 excused. Arnold Springer and Jed Pauker arrived at 7pm.

8 **Susan Papadakis moved to approve the Agenda; seconded by Maury**
9 **Ruano.**

10 **Vote: Unanimous in favor.**

11 **2. APPROVAL OF FEBRUARY 28, 2007 AND MARCH 5, 2007 MINUTES**

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13 The Minutes of the February 28, 2007 meeting were approved by acclamation.
14 The Minutes for the March 5, 2007 Minutes will be reviewed at the next meeting.

15 **3. ANNOUNCEMENTS**

16
17 There were no public comments noted.
18

19 **4. PUBLIC COMMENT**

20
21 Mojdeh Memarzadeh voiced concern about parking at 211 Pacific Avenue.
22

23
24 Marian Katz stated her concern that there are discrepancies in the survey
25 being used to develop the project at 211 Pacific Avenue and that property
26 lines for adjacent properties are not being respected.
27

1 Alfred P. Ackerman, 58 Ozone Avenue, provided a letter outlining his
2 concerns regarding a possibly incorrect survey of property boundary lines.
3 Mr. Ackerman was assured that his comments will become part of the public
4 record.

5 In response to Lainie Herrera's question, Ms. Memarzadeh noted the
6 developer had appeared at a hearing regarding subdivision. Challis
7 Macpherson assured the stakeholders that a LUPC Staff person will be
8 assigned to review the issue.

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10 **5. CONSENT CALENDAR**

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12 No Consent Calendar items were reported.

13
14 **6. OLD BUSINESS**

- 15
16 a. 1429 Abbot Kinney and 505 Millwood, Case #DIR 2006-6829 SPP &
17 CEQA: ENV 2006-6830 CE. Presenters are Will Nieves, Planning
18 Consultant, and Fran Camaj, owner

19
20 Challis Macpherson summarized the developer's previous presentation
21 before LUPC and invited Fran Camaj to present new information to the
22 LUPC. Susan Papadakis noted that there were 4 speaker cards in favor
23 of the development and one card in lieu of speaking also in favor.

24
25 Fran Camaj referred to his efforts to resolve the issues raised at the
26 January 24, 2007 LUPC meeting, noted ABC compliance, parking
27 arrangements, and provided a copy of a petition signed by adjacent
28 stakeholders.

1

2 Sylviane Dungan asked how many parking spaces are required; Mr.
3 Camaj reported using a calculation of 700 square feet of service area, it
4 was determined that 14 parking spaces were required. Mr. Camaj has
5 made lease arrangements with a commercial building across the street for
6 16 parking spaces. Lainie Herrera questioned whether the lease parking
7 arrangements are actually available. Ruthie Seroussi asked about lease
8 provisions for parking; Mr. Camaj provided more detail and stated that his
9 lease provides for exclusivity. Susan Papadakis asked about leases held
10 by the tenants of the office building. Maury Ruano asked if Mr. Camaj has
11 a contingency plan for the end of the parking lease. Arnold Springer
12 clarified the requirements for a business that intensifies the use of a
13 property and stated that a Coastal Development permit is required. Jed
14 Pauker asked what action Mr. Camaj has planned for immediate benefit to
15 the community. Mr. Camaj discussed his participation in the Abbot Kinney
16 Task Force and will continue to work towards

17

18 Kenneth Hepburn, stakeholder, voiced his support for the proposed
19 development and emphasized the need to allow locally-owned businesses
20 to flourish and maintain the character of the Venice neighborhood.

21 Ange Cicin-Sain, stakeholder, stated her support of the proposed
22 development and that she had not noticed a parking problem.

1 Nenard Cicin-Sain, stakeholder, spoke of the character of the Venice
2 neighborhood and that the proposed development will contribute to the
3 community.

4 Sam Marshall, stakeholder, spoke of changes that have occurred along
5 Abbot Kinney and that he is in favor of preservation of the integrity of the
6 neighborhood. Mr. Marshall stated that the proposed development will
7 contribute to the community's infrastructure.

8 Tamara Forelli provided a speaker card in favor of the proposed
9 development in lieu of speaking.

10
11 Challis Macpherson asked the developer what square footage is being
12 claimed; the developer stated 700 square feet. In answer to Jed Pauker's
13 question, Fran Camaj stated that the provision of 17 parking spaces would
14 justify 850 square feet of food service area. Arnold Springer listed,
15 discussed and reiterated his concerns—the calculation of square footage,
16 the amount of parking and the issue of intensification of use. Mr. Springer
17 stated his opposition to the project. Maury Ruano stated his belief that the
18 developer will respond favorably should conditions change. Susan
19 Papadakis reiterated concern regarding parking during daytime hours; Mr.
20 Camaj stated his willingness to change his business hours to eliminate
21 daytime business operation entirely. Ms. Papadakis acknowledged Mr.
22 Camaj's effort to benefit the community with regard to the identification of
23 an additional 12 public parking spaces. Ruthie Seroussi asked about the

1 provision of happy hour; Mr. Camaj asserted that there will be no happy
2 hour. Ms. Seroussi listed conditions—hours of operation to begin at 5pm
3 on weekdays; a condition that requires the permit to terminate if
4 replacement of required parking spaces is not obtained within 30 days
5 once the present lease ends or if the number of spaces is decreased
6 pursuant to the provisions of the lease and replacement of required
7 parking spaces is not obtained within 30 days; return to LUPC within one
8 year for reassessment; a condition with respect to the 12 public parking
9 spots; and the provision of information on lease arrangements regarding
10 parking for other tenants in the building. Lainie Herrera read a portion of
11 an e-mail message from Robert Aronson: “If the LUPC finds that any
12 parking spaces are ‘grandfathered,’ please keep in mind that the total
13 number of ‘grandfathered’ spaces also serves a retail (French furniture)
14 store, too. So the number of ‘grandfathered’ spaces would have to be
15 allocated between the existing retail store and the proposed restaurant;
16 Ms. Herrera interjected here that the retail space will be gone. Again, I
17 don’t think any parking spaces should be credited until I see exactly how
18 the City comes up with this interpretation (of the grandfathering of parking
19 spaces), but I may be wrong.
20

1 The parking task force will report on our findings as to the existing street
2 parking (including the Electric Ave. lots) to serve the proposed restaurant,
3 and it is my opinion that the application be approved.

4
5 If the LUPC recommends approval, I think one of the many conditions
6 should be that the applicant must provide the total required number of
7 parking spaces, with a finding that there is currently sufficient street
8 parking (including the Electric Ave. lots) to satisfy the parking requirement,
9 and a requirement that the applicant return in one year to the LUPC to re-
10 assess the parking situation. We have recommended this re-assessment
11 before, and it raises the question of whether there is any legal authority to
12 rescind the permit if things have not gone as planned. Ms. Herrera then
13 reported on Parking Task Force findings. Ms. Herrera stated that an
14 alternative use of the subject property could be a disadvantage to the
15 community. Ms. Herrera acknowledged Mr. Camaj's efforts to benefit the
16 community with reference to parking. Ms. Herrera pointed out that
17 providing large amounts of parking will encourage people to drive their
18 cars. Sylviane Dungan stated that she was comfortable with the parking
19 arrangements the developer has made. Ms. Dungan spoke about her
20 efforts to augment available parking in the Venice area, and referred to the
21 need to alter the Venice Specific Plan to allow for medians. Challis
22 Macpherson mentioned illegal parking practices by valets on Abbot Kinney

1 that she has seen and documented; Ms. Macpherson asked for comments
2 from Committee members regarding daytime parking needs. Ms.
3 Macpherson stated her intent to appear at the hearing, as did Arnold
4 Springer. Ruthie Seroussi asked what permits have been requested.
5 There was discussion about the stage in the permit process at which the
6 project is actually at this point. Lainie Herrera stated her recollection of
7 the earlier meeting. Susan Papadakis made a rough calculation of the
8 square footage available and stated that there was approximately 932
9 square feet. Ms. Papadakis and Ms. Macpherson suggested limiting the
10 seating capacity based on the available parking. Mr. Springer stated for
11 the record that he objected to the proceedings, that LUPC was given a
12 clear directive to produce a staff report that has not been done in this
13 case. Jed Pauker summarized arguments both for and against approving
14 the project. Maury Ruano reminded the Committee that the developer
15 appeared at the earlier meeting with a request for approval of a conditional
16 use permit that did not require parking and that the parking issue arose
17 during LUPC discussion. Susan Papadakis read the clause from the
18 Venice Specific Plan regarding intensification of use. Sylviane Dungan
19 suggested that the developer should make a contribution to the parking
20 fund. Ruthie Seroussi reiterated that a California Coastal Commission
21 Coastal Development permit may need to be obtained.
22

1 **Jed Pauker moved that the LUPC recommend that the Venice**
2 **Neighborhood Council request that the ZA or APC postpone a decision on**
3 **this project pending further discovery; seconded by Arnold Springer.**

4
5 **VOTE: 4 in favor; 3 against; 1 abstention. The motion carried.**

6
7 In answer to Arnold Springer's question, Challis Macpherson discussed the
8 procedure by which stakeholders make comments to the ZA. There was
9 discussion about what information can be presented to the ZA, what additional
10 information LUPC will need; the developer was asked to

11
12 Ruthie Seroussi asked that the developer provide additional information from the
13 landlord regarding the disposition of parking spaces and that Fran Camaj provide
14 information regarding exemption from the CDP process. Arnold Springer
15 suggested that the developer consult with the EVO restaurant owner regarding
16 conditions imposed. Susan Papadakis stated that the developer's architect
17 should provide accurate area calculations for the food service area; Maury
18 Ruano also requested a visual that will aid calculation.

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20 **7. PUBLIC COMMENT**

21 None noted.

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24 **8. LUPC CHAIR REPORT ON VNC BOARD OF OFFICERS ACTIONS**
25 **RELATIVE TO LUPC RECOMMENDATIONS**

26
27 Challis Macpherson stated that the VNC Board of Officers ratified the LUPC
28 recommendation regarding the surplus Venice properties, that approval of the
29 Community Impact Statements is held up until training of LUPC members can

1 be done, and that ratification of the LUPC recommendation regarding 245
2 Market Street was pulled from the Agenda. Ms. Macpherson noted that
3 training on the use of Community Impact statements is planned for LUPC.
4 Ms. Macpherson reported presenting material at the parcel map subdivision
5 hearing for Frank Murphy's project at 202 Fifth Street.

6
7 **9. LUPC CHAIR REPORT ON STAFFING FOR CURRENT VENICE LAND**
8 **USE AND PLANNING PROJECTS**

9
10 There was discussion and updates on various current LUPC projects noted
11 on a hand-out provided by Challis Macpherson.

12
13 **10. LUPC TASK FORCE INTERIM REPORTS, INCLUDING BUT NOT LIMITED**
14 **TO**

- 15
16 a. Policies and Procedures (to be deliberated and discussed at the next
17 meeting)
18 i. Redo Project Form
19 ii. LUPC Staff Report to VNC Board of Officers Form

- 20
21 b. Abbot Kinney Parking
22 c. Fences and Hedges
23 d. In Lieu Parking

24
25 Sylviane Dungan, Arnold Springer, Jim Murez were listed as members of
26 the In Lieu Parking task force.

- 27
28 e. Agenda Building
29 f. Information Management
30 g. Survey of Green O

31
32 (Taken out of order) Lainie Herrera will draft an ordinance for green
33 projects and asked for assistance from LUPC members on how to
34 proceed.

35
36 **11. ADJOURNMENT**
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- 1 The meeting was adjourned by common consent at 9:25 pm.