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Displaced Studio Owner Expresses Outrage in Painting

Culver City redevelopment agency wants to take artist's property through eminent domain

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Nothing evokes a visceral reaction like the threat of having the land your home or business rests on snatched by the government.

Unlike Los Angeles artist Marc Chiat, not everyone has the outlet to turn his or her frustrations into a work of art.

Chiat, who is fighting efforts by Culver City to take his studio through eminent domain, put oil paint to canvas to express the "helplessness" and "outrage" he feels about the situation.

In one of the paintings in the series, the vague outline of a man's head is buried beneath rubble, which is a common theme in much of his work.

"The Culver City Council was deaf to the pleas of the affected owners," Chiat said. "Our lives, our hard work and our being long-term citizens meant nothing to them. My paintings help me deal with the injustice of the process."

The Culver City Redevelopment Agency doesn't see it quite that way.

"City agencies use eminent domain as a last resort," said John Fisanotti, a redevelopment project manager with the Culver City Redevelopment Agency.

The agency began trying to acquire the properties in the triangle in which Chiat's property is located when it began working on the specific plan for that neighborhood a year ago, Fisanotti said.

"We were trying to be proactive to redirect development in concert with the new Metro stop that will be part of the first phase of the Expo Line that ends in Culver City," Fisanotti said. "The property sits adjacent to the Expo right-of-way. That is a prime development location for Culver City."

The city is working with the community on the specific plan for the neighborhood that includes that site. So far, plans are for a mixture of parking, retail and a hotel, Fisanotti said.

Chiat has owned the studio, located in the triangle bounded by Exposition, Washington and National boulevards in Culver City, for 15 years.

Although he has lived in Italy since June 2006, Chiat said he has an emotional attachment to Culver City, where his children attended school.

Chiat attempted for a year to get the city to meet with him and owners of four neighboring businesses to discuss ways to relocate the impacted owners and businesses.

"I and a couple of other owners would ask city redevelopment personnel to speak to us as one group," Chiat said. "They refused and said since we all had different circumstances they would only speak to us as individuals."

He found the situation both disheartening and amusing, considering the city had invited all of the business owners to meet numerous times over the years about plans different developers were presenting.

Fisanotti said it's not unusual to want to negotiate with property owners separately because their situations might be different.

When Chiat and the city failed to come to an agreement, Chiat retained Robert Silverstein, a land-use attorney.

Silverstein said that the city tried to serve Chiat by placing a summons for the eminent domain complaint on a dumpster outside of the home of his former bookkeeper.

"The city may just as well have thrown the summons in the dumpster," Silverstein said.

Silverstein won Chiat a several-month reprieve before the city can reinstate its eviction proceedings because of the method used to serve Chiat.

"The Culver City Redevelopment Agency, like government agencies across the country, is not using eminent domain for its traditional purpose," Silverstein said. "Government is taking private land for private use. This grinds the little guy down and threatens the private property rights of every one of us."

Silverstein is the attorney who convinced the developers of a \$500 million Hollywood project at Hollywood Boulevard and Vine Street to build the project around the Bernard Luggage building.

The project, being developed by **Legacy Partners, Gatehouse Capital Corp.** and **HEI Hospitality LLC**, is under construction. It will include a 300-room W hotel, 150 condominiums, 61,000 square feet of retail and 375 rental units.

Silverstein's client, Robert Blue, owner of Bernard Luggage, almost lost the store that was founded in 1946 by his now-deceased parents to the transit-oriented development that will take up a city block at the corner of Hollywood Boulevard and Vine Street. Through negotiations with the city and developers, he was able to retain his store and force the development to change its design.

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This oil painting is one in a series created by artist Marc Chiat to express his frustrations in dealing with eminent domain proceedings brought against his Culver City art studio.

