



Venice Neighborhood Council

PO Box 550, Venice, CA 90294 / www.VeniceNC.org
Email: info@VeniceNC.org Phone: 310-421-8627



Board of Officer Meeting Agenda Westminster Elementary School (Auditorium) 1010 Abbot Kinney Blvd, Venice, 90291 **Tuesday, February 19, 2013 at 7:00 PM**

BOARD MEETINGS: The Venice Neighborhood Council holds its regular meetings on the third Tuesday of the month and may also call any additional required special meetings in accordance with its Bylaws and the Brown Act. All are welcome to attend.

TRANSLATION Services: Si requiere servicios de traducción, favor de notificar a la oficina 3 días de trabajo (72 horas) antes del evento. Si necesita asistencia con esta notificación, por favor llame a nuestra oficina 213.473.5391.

POSTING: The agenda and *non-exempt writings that are distributed to a majority or all of the board members in advance of regular and special meetings may be viewed* at Groundworks Coffee (671 Rose Ave.), Penmar Park (1341 Lake St), Beyond Baroque (681 Venice Blvd), the Venice Library (501 S. Venice Blvd), Oakwood Recreation Center (767 California St.), The Venice Ale House (425 Ocean Front Walk), and the VNC website (<http://www.venicenc.org>), or at the scheduled meeting. For a copy of any record related to an item on the agenda, please contact the VNC secretary at secretary@venicenc.org.

PUBLIC COMMENT: The public is requested to fill out a "**Speaker Card**" to address the Board on any Old or New Business item on the agenda and the Treasurer's Report. Comments from the public on these agenda items will be heard only when that item is being considered. Comments from the public on other agenda matters or on matters not appearing on the agenda but within the Board's subject matter jurisdiction will be heard during the Public Comment period. Public comment is limited to two (2) minutes per speaker, unless modified by the presiding officer of the Board. No new speaker cards will be accepted once Public Comment has begun.

DISABILITY POLICY: The Venice Neighborhood Council complies with Title II of the Americans with Disabilities Act and does not discriminate on the basis of any disability. Upon request, the Venice Neighborhood Council will provide reasonable accommodations to ensure equal access to its programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request.

****ALL ITEMS ON THE AGENDA VOTED UNANIMOUSLY UNLESS NOTED****

1. **Call to Order and Roll Call (7:00PM – 5 minutes)**

Meeting called to order in memory of Jeff Cook, husband of VNC member Sylvia Aroth and father of Mika Cook; Irv Bush, longtime Venice resident, widower of Diane Bush, active on board of Boys and Girls Club of Venice; Eugene Peter Glick (born in Venice in 1922), Father of Neighborhood Committee member Adam Glick

PRESENT: LL, MS, KV, HS, TE, IK, OK, AM, EM, ESW, MSo, MSI, SA, SK, MK, BJ, SG, TW
ABSENT: HH, MK, JK, CR,

2. **Approval of the Agenda (7:05PM – 5 minutes)**

ACTION: Agenda approved unanimously (IK/MS)

3. **Approval of Outstanding Board minutes (7:10PM – 5 minutes)**

<http://www.venicenc.org/wp-content/uploads/2012/12/130122BoardMinutes.pdf>

ACTION: Minutes approved unanimously (IK/EWS)

4. **Announcements & Public Comment on items not on the Agenda (7:15PM --10 minutes)**

[5 speakers, no more than 1 minute per person – no Board member announcements permitted]

Public Comment: Len Judaken, Michael Beth, Christopher Rosen, Barbara Lonsdale, Gogi, Michael Lindley, Lydia Ponce, Miriam Zlotom



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5. Consent Calendar (7:25PM -- 5 minutes)

[No discussion or Public Comment. Items may be removed and they will go to the end of the agenda]

A Postponement of City Council Motion On the Establishment of a New Economic Development Department (Ivan Spiegel on behalf of LANCC, parliamentarian@venicenc.org)

MOTION: The VNC demands that action on Council File 08-3050: COMMUNICATION FROM CHAIR AND MEMBER, AD HOC COMMITTEE ON ECONOMIC DEVELOPMENT IMPLEMENTATION relative to the establishment of a new Economic Development Department and association with a non-profit economic development organization be postponed for sixty days so that the Venice Neighborhood Council that represents stakeholders' interests in City matters can weigh in on the matter.

B Action Regarding Santa Monica Airport (Martin Rubin on behalf of VNC Santa Monica Airport Committee)

MOTION: WHEREAS Los Angeles City Council District 11 (CD 11) borders Santa Monica Airport (SMO) to the south and to the east, including an almost sixteen acre portion of the east end of SMO that is within the City of Los Angeles CD 11; and

WHEREAS the CD 11 neighborhoods of Venice, Mar Vista, and other West Los Angeles neighborhoods, as well as the Council District 5 (CD5) neighborhoods of Rancho Park, Cheviot Hills, and other West Los Angeles neighborhoods within CD5 are all uniquely impacted by nuisances, and serious safety/public health concerns created by SMO operations; and

WHEREAS changes to the operations at SMO by the City of Santa Monica and the Federal Aviation Administration (FAA), since 1984, include: 1) No curfew on landings that approach almost without exception only over Los Angeles CD5 and CD11 neighborhoods; 2) Santa Monica's "Fly Neighborly Program" that advises visual flights to fly over Venice in Los Angeles thus avoiding Santa Monica; 3) A 1990 change to the Instrument Flight westerly departure route that moved takeoffs from over Santa Monica to over Venice resulting in the need to coordinate with LAX flight patterns, prolonged idle/hold times at SMO greatly increasing air pollution to the downwind Los Angeles area; all these having the effect of greatly increasing the extreme negative effects on the above mentioned Los Angeles neighborhoods,

THEREFORE BE IT RESOLVED that the Venice Neighborhood Council (VNC) requests that the City Council of the City of Los Angeles take all necessary steps, including opening a council file directing the City Attorney to research all potential actions that may be taken to protect the public health of Los Angeles residents against extreme environmental, safety, and all other disproportionate impacts from SMO operations.

C Creation of Ad Hoc Public Health And Safety Committee

MOTION: The VNC Board creates the Ad Hoc Public Health And Safety Committee with the following Mission Statement as approved by the Administrative Committee:



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Mission Statement: The Ad Hoc Public Health And Safety Committee shall promote the health, safety and well being of the Venice community. It shall empower the Venice community with the necessary knowledge, emergency preparedness and individual confidence in dealing with health and safety issues

ACTION: Pulled from consent calendar

Placed after item 6C

Motion approved (EM/ESW 17-0-0)

D Creation of Ad Hoc Visitor Impact Committee

MOTION: The VNC Board creates the Ad Hoc Visitor Impact Committee with the following mission statement as approved by the Administrative Committee:

Mission Statement: The Ad Hoc Visitor Impact Committee shall deal with the overall impact of visitors on the entire Venice community. Additionally, it shall research, advise, and report on potential sources of revenue that are generated from visitors as well as suggesting ways in which these funds might be retained and then directed back to the community. The committee will also cooperatively develop protocols that can be used to better manage the community wide effects produced by the number of visitors coming to Venice.

ACTION: Consent calendar approved (IK/KV 15-0-2)

6. Scheduled Announcements (7:30PM – 30 minutes)

[No discussion or Public Comment]

A **Public Safety - LAPD Report (10 minutes):** Senior Lead Officers Peggy Thusing (25120@lapd.lacity.org), Kristan Delatori 32914@lapd.lacity.org, Gregg Jacobus, 35162@lapd.lacity.org. Lt. Paola Kreeft, Beach Detail(lapdpaola.kreefft@gmail.com) *This report includes a monthly Venice crime report and updates on law enforcement issues in Venice.*

B **PATH (People Assisting the Homeless) (5 minutes)** Update on Councilman Rosendahl's Roadmap to Homes Program, Joel Roberts, Joel.Roberts@epath.org, Tomasz Babiszkiwicz (tomaszb@epath.org); *This report includes statistics on the number of people placed in permanent and temporary housing (from Venice) as well as the numbers of people in process.*

C **VNC Monthly Committee Report: Committee (5 minutes)**

[A monthly report on one of the VNC's standing or Ad Hoc committees.]

This month's report will be from the Communications Committee.



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D **Governmental Reports (10 Minutes)**

- **U.S. Congress Representative Henry Waxman**, Deputy Lisa Pinto., Lisa.Pinto@mail.house.gov
- **State Senator Ted Lieu**, Representative, Veronica Zendejas (Veronica.Zendejas@sen.ca.gov) 310-318-6994
- **State Assemblyperson Steve Bradford**, Representative,
- **LA County Supervisor Zev Yaroslavsky**, Flora Gill Krisiloff 213-974-3333
- **Mayor Antonio Villaraigosa**; Paola Valdivia, West Area Representative (Paola.Valdivia@lacity.org) 310-479-3823
- **City Councilmember Bill Rosendahl**: Cecilia Castillo, Field Deputy (310-568-8772); (Cecilia.castillo@lacity.org); Arturo Pina, District Director (Arturo.Pina@lacity.org) including an update on LA City's plans for a 90 day storage solution for abandoned property

8. **Old Business (8:00 - 0 minutes)**

9. **Announcements & Public Comment on items not on the Agenda (8:00 - 5 minutes)** *[5 speakers, no more than 1 minute per person – no Board member announcements permitted]* **Public Comment: John Ulloth, Rob Dew**

10. **LUPC (8:05 - 80 minutes)**; Sarah Dennison on behalf of LUPC chair-lupc@venicenc.org

A **220 E. Rose Avenue; "Rose Cafe". Case No.: ZA-2011-1278-CUB [EXHIBIT A]**

A Conditional Use, pursuant to the provisions of Section 12.24-W,1 of the Los Angeles Municipal Code, to permit an upgrade from the sale and dispensing of beer and wine only to a full line of alcoholic beverages for on-site consumption, in conjunction with the continued operation of an approximately 5,757 square-foot restaurant, including the conversion of an existing 750 square-foot gift shop into dining area, with 99 seats interior and two outdoor patio areas totaling 1,910 square feet having 118 seats, also offering live entertainment, with hours of operation from 8 am to 12 midnight Sunday through Thursday, and from 8 am to 1 am on Friday and Saturday.

MOTION: The VNC supports the project as presented with the 16 proposed conditions, modifying condition #1 to require fully dimensioned drawings, #4 changing outdoor patio hours except beyond 10p weekdays, 11p weekends; #6 strike no amplified music, live music is permitted within fully enclosed indoors and outdoor music ending at 9p weekdays, and 10p weekends; #12 CUB, BMP conditions including provision of a fully enclosed trash structure, washable with floor drain and grease trap emptying into sewer, and that mops, buckets and floor mats must be washed in the kitchen, not outside; all applicable CUB conditions; plan approval required in 18 months ; modifying #15 to seven years; new condition #17 loading and unloading deliver and trash pick-up doesn't occur before 7a; curb cuts along Main Street filled in (represent a hazard being so close to intersection of Rose); sidewalk needs to be widened along Main to match width of adjacent property to the South. Unanimous LUPC approval, 7-0-0



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ACTION: Motion approved (KV/SG 12-1-3)

Public Comment: Jim Murez

B 2715 S. Ocean Front Walk. New SFD. Case No.: ZA-2012-2764-ZAA [EXHIBIT B]

The application is for new construction of a single family residence on an open lot that is 28' by 90' (2,520 square feet). The applicant is requesting relief from VCZSP Section [INSERT], allowing for 10'-0" max height retaining walls on the side yards, in lieu of the stipulated max of 6'-0", in addition to a height stair landing with a 10'-0" max height in lieu of 6'-0". All other aspects of the project are in compliance with the VCZSP, including provided parking, height limit, etc.

MOTION: The VNC approves the project as presented, with the condition that applicant provides letter of consent from the owner of 2709 Ocean Front Walk, Venice, CA 90291.

Approved 5-0-2

ACTION: Motion approved (SK/SG 11-0-4)

C 1321 6th Avenue, Over-height Fence, ZA 2011-995-(ZAA) [EXHIBIT C]

Applicant is requesting a Zoning Administrator (ZA)'s Adjustment to allow an 8'-0" high fence in the front yard of a single-family house in the Oakwood/Millwood sub-area of Venice in lieu of the 42" (3'-6") fence required by the LA Municipal Code (section 12.28). Applicant received a permit for this fence when she applied in 2011. The fence was built, but was cited for non-compliance recently when someone complained to the City of LA. This case went to the ZA for hearing and a LUPC member in attendance asked to have it held open until the Venice Neighborhood Council could hear it. The ZA did allow it to remain open for 2 weeks, but that time period will expire before the VNC will hear the case on February 19th.

MOTION: Given the applicant resides directly across from a three-story multi-family structure that occupies over 80% of the block with sight lines into the property, the VNC Board recommends approval of project as presented, provided the portion of the existing fence above 42" is altered and maintained to provide 50% transparency by removing every other horizontal slat.

Unanimous approval, 7-0-0

ACTION: Motion approved (KV/MSloan 8-4-3)

Public Comment: Heather Priest, Sue Kaplan, Jim Murez, Challis Macpherson

D 609 E Rose; "Unnamed Restaurant"; formerly Ace Trophy Company ZA-2012-2552-CDP-SPP-ZV-MEL & ENV-2

The applicant restaurant is seeking a Full Line (Type 47) alcohol license. This will require a Conditional Use Permit to be issued by the City of Los Angeles. The applicant requested to open at 7:00 AM for light breakfast food, offer a brunch and then reopen around 5:30 for dinner service. The proposed closing hours would be the same as similar businesses on the street,



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something along the lines of 11PM on weekdays and 1:00 AM on Friday and Saturday. The patio will close earlier to prevent noise issues.

MOTION: The VNC approves the project as presented with the following conditions:

- 1) Hours of Operation
 - a. Indoors: Mon-Thu 7am-11pm, Fri-Sat 7am-12am, Sun 9am-10pm
 - b. Outdoor: Patio (front) Opening same as indoor, Closing one hour prior to indoor.
- 2) No rear yard uses other than guest parking.
- 3) No live music shall be permitted.
- 4) Loading preferred location is front of property on Rose, but if not, loading in back.

CUB Conditions:

 1. To encourage a walk-friendly environment, the applicant will install bicycle racks.
 2. Free off-street parking shall be provided to employees who drive to work while they are on shift either on-site or at a designated off-site location.
 3. The applicant shall create an incentive program for employees who walk, bike or take transit to work. The applicant shall present proof of this program prior to final sign-off.
 4. The applicant shall install a pollution control unit that is designed to remove all smoke and odors, using the best available technology. The pollution control unit shall be mounted on spring isolator pads to decrease noise and vibration. The applicant shall enclose the pollution control unit with a solid wall that incorporates sound mitigation materials to decrease the noise heard by the adjacent residents who live on the north of the property boundary.
 5. Building has 9 on-site parking spaces (1 ADA and 2 were noted in a recorded covenant agreement to another property/business).
 6. No branded alcohol advertisements shall be visible from the outside of the premises.
 7. There shall be no coin-operated games, video machines, pool tables or similar game activities maintained upon the premises at any time.
 8. Any future operator or owner for this site must file a new Plan Approval Application to allow the City of Los Angeles to review the "mode and character" of the usage.
 9. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
 10. The applicant shall train staff to provide Designated Driver resources, when appropriate, for restaurant patrons, such as taxicabs, referral services (e.g., www.designateddriver.com).
 11. In addition to the business name or entity, the name of the individual Applicant(s) shall appear on the alcohol license and any related permits.



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12. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Applicant shall be removed or painted over within 24 hours of being applied, and the paint shall match the original color.
13. The Applicant shall be responsible for maintaining free of litter, the area and adjacent to the premises over which they have control.
14. Noise generated on-site shall not exceed the decibel levels stated in the Citywide Noise Ordinance.
15. The use and development of the property shall be in substantial conformance with the floor plan submitted.
16. No tobacco sales allowed on the premises.
17. The Applicant shall adhere to Best Management Practices as they pertain to the location. Including but not limited to mop bucket and floor mat clean up shall be performed within the indoor area marked on the drawings as "Wet Area".
18. Exterior lighting on the building shall be maintained and provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible. Said lighting shall be directed in such a manner so as not to illuminate any nearby residence.
19. The Applicant shall regularly police the area under their control in an effort to prevent loitering.
20. The entitlement will run with the applicant, not the property.
21. Trash receptacles used will be designed to contain odors per Best Management Practices. The area used to house the trash receptacle shall include four walls, a roof and self-closing door. The floor shall be washable and sloped to floor drain that is connected to sewer with permitted grease trap. All interior surfaces shall be washable and comply to all applicable City, County and State Codes.
22. Cleanup and all trash removal will be performed in such a manner as to prevent debris from entering the storm drain system, and will not interfere in any way with surrounding uses.
23. No exterior work-related activity will occur either before opening or over one hour after closing.
24. Off-site advertising signage will be prohibited.
25. Trash pickup shall occur during non-peak traffic hours as determined by LADOT. Under no conditions shall hours prior to 8am and 4pm on weekdays be permitted. Saturday hours shall not be prior to 9am nor after 3pm. No Sunday collection permitted
26. Loading and unloading hours shall occur during non-peak traffic hours as determined by LADOT. In addition no deliveries shall occur prior to 9am or after 3pm on Saturday. Sunday deliveries are not permitted.
27. The storage/changing room will be clearly marked as such on plans submitted to the City, and will not be used as service area.
28. The applicant will appear before LUPC twelve months after opening.



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- 29. Upon change or termination of any lease regarding satisfaction of the Conditions of Approval, the applicant will notify the Department of Planning and the Venice Neighborhood Council, and will comply within thirty days.
- 30. Upon change of ownership, the new owner must appear before the City within 30 days of the close of escrow, with a plan approval application to renew the conditions and demonstrate that the required parking can be provided.
- 31. The applicant must obtain approval for all outside signage, or must remove nonconforming signage.
- 32. All bottles will be recycled upon removal from the premises.
- 33. A laminated copy of these Conditions shall be posted in a conspicuous place near the main entrance of the project. The information contained herein shall include the owner(s) and operator(s) name, telephone number and email address. This information must be available to the general public on request.

MADE BY JIM MUREZ, SARAH DENNISON
CARRIED 6-1 NOTE: JOHN REED RECUSED

ACTION: Motion approved (EM/IK 9-1-4, MSolo recused herself)
Public Comment: Jim Murez, Christopher Alameda, Elisa Pasler, Juliana Chiado,

11. New Business (9:25 -- 15 minutes)
[Discussion and possible action]

A Enforcement Of Mello Act Compliance by City of Los Angeles (15 minutes) (Robert Aronson, r_aronson@ureach.com) **[EXHIBIT D]**

MOTION: WHEREAS, by Determination Letter dated December 4, 2012, the West Los Angeles Area Planning Commission (WLAAPC) granted the developer's appeal in ZA-2002-2721-CDP-YV-ZAD-SPP-MEL-M1-1A, and modified the Mello Act requirement to allow the developer of the Dogtown Lofts project at 602 - 670 S. Main Street to satisfy the Mello Act requirement outside of the Venice Coastal Zone and outside of the Venice Community Plan Area.

WHEREAS, the Venice Neighborhood Council (VNC) believes that the WLAAPC's December 4, 2012, decision violates the Mello Act, and the City's Mello Act Interim Administrative Procedures dated May 17, 2000, and the Settlement Agreement for the 1993 lawsuit, dated December 5, 2000.

THEREFORE BE IT RESOLVED: The Venice Neighborhood Council hereby requests that:

- 1. Council District 11 shall comply with State of CA Law in regards to implementation of the Mello Act for the Dogtown project and all future projects.
- 2. That for projects built in the Venice Coastal Zone, the requirement to provide affordable units under the Mello Act shall be satisfied by construction of inclusionary affordable units on site, in the project being built. If this is found to be infeasible, the requirement shall be satisfied by construction of the affordable units in the geographic target areas listed below, in the following order of preference:
 - a. in the Venice Coastal Zone or the Venice Community Plan area;



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- b. within 3 miles of the project site;
- c. within 3 miles of the Venice Coastal Zone.

3. Feasibility shall be determined at the time of City approval of the application for the project, and is not subject to modification thereafter. No temporary or permanent Certificate Of Occupancy shall be issued for the project, until the final Certificate Of Occupancy has been issued for the required Mello Act affordable units.

ACTION: Motion approved unanimous (IK/AM 13-0-1)

Amendment to the motion to rearrange how it reads, not the content approved.

(MS/ 13-0-1)

Public Comment: Challis Macpherson, Elizabeth Wright, DeDe Audet, Jim Murez, Len Judaken

11. Treasurers Report (9:40PM -- 10 minutes); Hugh Harrison

(Treasurer@Venicenc.org)

[Discussion and possible action]

[EXHIBIT E]

A MOTION: The VNC Board approves the attached the report on expenditures for the period January 22, 2012, through February 21, 2013, and the itemized purchase card invoice.

ACTION: Motion approved (MS/SK 13-0-1)

B ANNOUNCEMENT: All Board members and stakeholders are strongly encouraged to participate in the Mayor's budget survey. You can go to <http://budgetchallenge.org> and complete the survey on line.

C ANNOUNCEMENT: All Board members and especially committee chairs are encouraged to provide input into their budget needs for the remainder of this fiscal year and for the up-coming budget year.

12. VNC Announcements (9:50PM -- 5 Minutes)

- **President:** Linda Lucks (president@venicenc.org)

Mandatory Retreat - TBA in March. : Take the Mayor's Budget Survey

I will be out of town from 2.20-3.2- Marc Saltzberg in charge in my absence

Live Ethics Training by City Attorney on Thurs, 2/21 6:30 CBS Studios - 4024 Radford Avenue, MPR III Studio City

- **Vice President** Marc Saltzberg (Vicepresident@Venicenc.org)
- **LA Alliance of NC's Representative:** Ivan Spiegel, (parliamentarian@venicenc.org)
- **Westside Regional Alliance of Neighborhood Councils-** Mike Newhouse, President, Marc Saltzberg, VNC Representatives. Chair@westsidecouncils.org, VicePresident@Venicenc.org,
- **Venice Chamber Of Commerce:** Erin-Sullivan Ward erin.ward@venicenc.org

13. Announcements & Public Comment on items not on the Agenda

[20 minutes, no more than 1 minute per person – no Board member announcements permitted]



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Public Comment: Cary Brezeman

14. **Board Member Comments on subject matters within the VNC jurisdiction (9:55 PM -- 5 minutes, no more than 1 minute per person)**

15. **Adjourn (approx. 10:00 PM)**
ACTION: Motion made to adjourn meeting @ 10:05PM. IK/KV