

Grass Roots Venice Neighborhood Council
Unadopted Minutes
Land Use and Planning Committee Meeting
February 1, 2006

1. CALL TO ORDER

The meeting was called to order at 6:40 pm by Challis Macpherson.

2. ROLL CALL

The roll was called by Challis Macpherson. Committee members present: Michael King, Brett Miller, Phil Raider, Challis Macpherson, Sylviane Dungan, Ann Giagni, Pam Anderson, Susan Papadakis, Ivan Spiegel (Parliamentarian). The agenda was approved as presented, by consensus.

3. APPROVAL OF JANUARY 4, 2006 MINUTES

Susan Papadakis moved to approve the minutes of the January 4, 2006 meeting; seconded by Pam Anderson.

4. CONSENT CALENDAR

The Ambrose Group; letter of conceptual approval of project.

Sylviane Dungan stated that her position on this project has changed after receiving input from neighboring stakeholders; Ms. Dungan voiced objection to the 45' maximum height and 2 restaurants.

Challis Macpherson read a letter into the record, directed to Ms. Deidre Wallace, developer, which lists the following conditions:

1. Allow a maximum 45' feet maximum to cover no more than 48% of the site;
2. Retain a 1-story building for 52% of the street frontage;
3. Require a public art component utilizing a Venice artist, whose installation will be submitted to the Land Use Planning Committee and approved by the Grass Roots Venice NC's Board of Officers;
4. Require a mitigation monitor to oversee the project, these conditions and the LEED approval process;
5. Require the corner radius of Brooks Avenue and Abbot Kinney Boulevard to be reduced radius to slow traffic;
6. Require a traffic and parking study.
7. Require that some electric power be from a solar energy cell source;
8. Require the design team to bring the final design development to the LUPC for review prior to any final City Planning approvals.

Ann Giagni noted that, after the December meeting, she had submitted a request for motion to reconsider this project because she felt the implications of approving the 45' height limit had not been sufficiently discussed. That the motion was not forthcoming, however, for technical reasons.

Challis Macpherson suggested moving the letter from the consent calendar to new business.

Ann Giagni, Sylviane Dungan and Phil Raider concurred; the letter was withdrawn.

3206 N. Washington Boulevard—LUPC approval of project.
This item was continued until February 15, 2006.

1101-1109 Venice Boulevard.
This item was continued until February 15, 2006.

5. ANNOUNCEMENTS

Challis Macpherson announced a Planning Forum to be held February 25, 2006, at the Venice High School, from 11:30 am to 1 pm, immediately following a disaster preparedness forum that will begin at 8 am and last until 10:30 am.

Challis Macpherson announced that Pam Anderson will take over for Stan Muhammad.

6. PUBLIC COMMENT RELATED TO LAND USE AND PLANNING ISSUES ONLY

None noted.

7. LUPC ADMINISTRATION AND PROTOCOL

Challis Macpherson reported that material distributed to Committee members included an updated copy of the LUPC Policies and Procedures formulated two years before. Ms. Macpherson stated that the LUPC agenda includes information regarding the Consent Calendar and how much time will be spent on each agenda item.

Ann Giagni provided the Board with copies of motions appropriate to this agenda item, indicating that relying exclusively on a project-oriented form

Page 3 of 3

will not always provide the information needed, in particular when a policy issue is being considered. Discussion followed about how to obtain appropriate information from a developer. Ms. Giagni suggested providing an agenda item form that allows concerned parties to identify the agenda item, topic and what is being requested of the Committee. Challis Macpherson suggested providing 10 minutes to an agenda item presenter.

Phil Raider opined that a timed agenda is most successful. Sylviane Dungan suggested deciding on a case-by-case basis. Challis Macpherson asked if the Committee preferred to reinstate the former method of using an Agenda subcommittee. Mr. Raider reported on his service as part of three person agenda subcommittee. Ann Giagni suggested a three-person effort to prioritize agenda items. Ms. Macpherson outlined how issues are brought to the LUPC Committee's attention. Ms. Macpherson asked if the Committee would accept the draft Policies and Procedures, with the addition of an agenda form; Phil Raider suggested further work on the draft should be done. Ms. Giagni also advised approval of 2 to 4 LUPC Committee members meeting with developers in advance, and stressed that a report should be provided to the Committee. Susan Papadakis suggested adding that information to the Committee agenda. Challis Macpherson suggested adding an ex parte communications agenda item, and noted her intent to ask, for each item covered, if there were ex parte communications between Committee members and any project presenter. Phil Raider noted that scheduling for presentations can be problematic. Brett Miller and Michael King agreed that scheduling should be more formalized. Ms. Giagni stated that her concern is to make sure the Committee should be advised when an informal meeting to discuss agenda items occurs. Ms. Macpherson noted that the following will be added: (best to have two people, but it is imperative that it be reported back to the Committee). Ingrid Mueller, referring to the project information forms, suggested LUPC members should keep forms on hand to be presented to prospective developers. Ms. Macpherson reminded Ms. Mueller that these forms are available on web page. Mr. King, discussing the first sentence that refers to an electronic copy of plans, noted that the Committee needs to see plans, elevations and sections of a proposed project. Mr. Raider referred to the City of Los Angeles Plan Submittal list. Mr. Raider asked how the input received today will be integrated into the draft Policies and Procedures document. Ms. Macpherson discussed how the fine-tuning process will be conducted.

Sabrina Renskas arrived.

Ann Giagni asked how the motion to reconsider can be made. Ivan Spiegel, speaking as parliamentarian, noted that a policy can be set to overrule Roberts Rules with regard to reconsideration of a motion, and that the prevailing side has to bring a motion up to reconsider an issue. Ms. Giagni asked if it is appropriate to request reconsideration of a motion for the purpose of discussing a policy implication of that motion. Mr. Spiegel suggested bringing up the policy issue, rather than the motion. Michael King noted that reconsideration means notifying all concerned parties, specifically referring to an issue concerning the Ambrose Group. Phil Raider stated that the Agenda Committee should notify concerned parties that reconsideration is taking place, suggested formulating a standard policy regarding reconsideration, noted that reconsideration should be effected according to Roberts Rules, and asked Ms. Giagni for suggestions regarding how meetings with developers should occur. Challis Macpherson and Ms. Giani reiterated what the draft Policies and Procedures will state. Ms. Giagni asked about Brown Act implications; Mr. Raider advised consulting Deanna Stevenson on this issue, to obtain clarification from the City Attorney's office. Ms. Giagni asked how information supplementary to a motion can be made available to the public, as was done with the issue of the moratorium, and suggested formulating a policy. Mr. Raider again suggested consulting Ms. Steventon and referred to policies followed by the Coastal Commission. Mr. Raider stated his preference not to have a motion submitted to Committee members prior to a meeting. Susan Papadakis suggested that anyone formulating a motion should identify himself or herself. Ivan Spiegel noted a presentation by Deanna Stevenson regarding the Brown Act on February 21, 2006, prior to next meeting, and outlined the process by which the Committee should consider an issue. Mr. Spiegel stated that, once a presentation has been made, a motion should be made to begin a discussion of the issue. Mr. Raider suggested making a motion to discuss an issue, once a presentation and public comment have been made. Ms. Macpherson suggested including a "Debate" item in the draft Policies and Procedures. Ms. Giagni stated her preference for LUPC members to be prepared in advance by receiving information prior to an issue being considered. Michael King stated that a procedure has to be put in place for the public to apprise Committee members. Sylviane Dungan asked if discussion of any issue should take place over the internet. Ms. Macpherson stated that Ms. Stevenson should be consulted on this issue, and noted that the Policies and Procedures draft will incorporate the suggestions made by Ms. Giagni. Phil Raider stated that a member of the public can use either the project form or the agenda item form to bring an issue to the Committee's attention, and that the agenda form should be linked to the LUPC page on the GRVNC web site.

Page 5 of 5

Dede Audet noted the Grass Roots Venice By-laws provides for reconsideration of a recommendation handed down by the LUPC rejected by the Grass Roots Venice Board; the party requesting the second hearing is responsible for setting up a special meeting.

Challis Macpherson noted arrangements made for meetings for the next two months (third Wednesdays); the April meeting will take place on the first Wednesday of the month. Ms. Macpherson suggested setting meetings for the first and third Wednesdays, due to the number of issues to be discussed. Proposed agenda items for February 15th meeting includes 1101-1109 Venice and the new RADS Plans. Sabrina Radskas asked if the entire meeting could be devoted to the RADS development. Michael King was assigned to write a letter firmly asking RADS to make a full and complete presentation. Phil Raider suggested using the letter as a standard to be used in the future.

Challis Macpherson announced a five-minute break.

8. MORATORIUM

Phil Raider gave a brief perspective on a motion he presented at an earlier meeting, and read the motion for the record: Whereas it has been seven years since the Venice Specific Plan was adopted, and whereas the ... recommends to the Council Office...that the City of Los Angeles immediately impose a six-month moratorium...Lincoln Blvd. ...adopted this 2nd day of February by the Venice Neighborhood Council.

Challis Macpherson recommended replacing Venice Neighborhood Council with Grass Roots Venice Neighborhood Council. Michael King seconded the motion.

Sabrina Radskas suggested changing the language regarding traffic mitigation, noting that the "level of significance" defined by the City of Los Angeles is not agreeable to GRVNC stakeholder standards, and that specific details should be provided. Ms. Radskas agreed to propose language as a friendly amendment to the motion at hand. Michael King noted that the motion does refer to unacceptability. Phil Raider suggested tabling this motion, to allow Ms. Radskas time to craft an amendment.

Speaker card tally:

7 speaking in favor; 2 general comments

8 in lieu of speaking against; 1 in favor; 2 general comments

1 against; 9 in favor; 6 general comments

Frank Murphy—against the moratorium; Mr. Murphy noted that stopping development in the Venice area will affect improvements to the neighborhood's infrastructure and mass transit and that the market will control growth on its own.

David Ewing—in favor of the moratorium; Mr. Ewing agreed in part with Mr. Murphy's opinion, but referred to sending a strong signal to the City that stakeholders are not happy with the number of developments currently being considered in the area. Mr. Ewing referred to the Lincoln Corridor Task Force returning and noted that an end is in sight for the area's transit problem in particular.

Rose Murphy—in favor; Ms. Murphy suggested a longer period of time than six months.

Jim Smith—in favor; Mr. Smith opined that a moratorium would affect housing area values favorably. Mr. Smith thanked the Committee for taking on the issue, and read, in part, a petition being circulated in the Venice area that supports a moratorium.

Lorie Leboy—in favor; Ms. Leboy referred to Mr. Murphy's argument and noted that there was sufficient development in the area already.

Steve Freedman—in favor; Mr. Freedman voiced his support, and stated that quality of life in the Venice area have been adversely affected by large developments; Mr. Friedman noted that the moratorium is an opportunity to develop standards to protect this beach community, which will soon be gone otherwise.

Tom Francis—in favor; Mr. Francis voiced his displeasure with traffic in the area and noted that adequate planning and infrastructure improvements should take place prior to growth. Mr. Francis stated that the 11th Council district has more development planned than the other 14 Council districts in the City of Los Angeles combined.

Laura Selagi—in favor; Ms. Selagi thanked Phil Raider, and voiced her support for the proposed moratorium. Ms. Selagi stated that developers should be made responsible for improvements in infrastructure.

Inge Mueller—in favor; Ms. Mueller thanked the Committee, voiced her support and discussed traffic issues in the area, noting that the large development projects adequately consider their aggregate impact on the area.

Lawrence Szabo—in favor; Mr. Szabo stated that he is in favor of development but agreed with the moratorium, noting that more time is needed to review the cumulative impact of neighborhood traffic and safety.

General Comments

DeDe Audet discussed infrastructure, specifically calling for the City to look at the area's brown-outs and black-outs, standing water, and drainage problems.

Jason Teague, a small developer, stated that the moratorium is not the best solution. Mr. Teague opined that VSP is the problem and need immediate work. The area smaller developers will be hurt if a year's delay takes place; Mr. Teague suggests looking at projects on a case by case basis. He will sell to RAD, if a delay is imposed.

Don Gagni noted problems with 90 freeway renovations; VSP has been good for the community as a whole, and is well done. Development on the eastern half of Lincoln Boulevard is a problem; traffic is an issue during the summer because the streets were not built for the amount of traffic that they bear.

Douglas Morris spoke in favor of the moratorium, and agreed that the amount of car trips set by the City of Los Angeles is hideous; six months is reasonable time to get started making changes.

David Reddy opined that moratorium is an extreme measure; Mr. Reddy stated inadequate infrastructure and traffic problems are problems faced by the entire City of Los Angeles, and called for constructing long-term, constructive solutions, rather than taking an action that can have a negative impact on small shop owners, builders contractors, carpenters and electricians in the area.

Michael Cohen opined Lincoln Blvd. should not be "lumped" with other area streets, and that large development projects should not be considered alongside small projects.

Phil Raider provided copies of e-mails he received stating a position on the issue; noted that comments by stakeholders have import, and reported predictions for increase in LA's population 50% by 2040, reminded all that decision made at this meeting will not halt development in the area tomorrow. Sylviane Dugnan referred to population increase in the area, agreed with the need for a moratorium on large project construction, but expressed a need for low-income housing. Ms. Dugnan suggested small construction, small commercial and low-income housing development would be welcomed.

Sabrina Radskas offered friendly amendment: 5th paragraph: **Whereas it is unacceptable for the City of Los Angeles to allow by-right or permit by discretion new commercial development and high density residential development in commercial zone, where those developments will produce greater than 25 car trips per day.** Last paragraph, 5th line: **...control ordinance for the areas delineated above which would require truly effective traffic and infrastructure**

mitigations for any additional traffic generated by new construction in commercial zones, new development in these zones shall only be allowed to the extent that the new development will produce no more than 25 vehicle trips per day. Ms. Radskas added an additional codicil: **Whereas the City's significance threshold for traffic impact is much too high and therefore does not protect our community's quality of life.**

Phil Raider asked for time to consider the vehicle trip number; Challis Macpherson suggested tabling the issue. Sabrina Radskas offered to withdraw the friendly amendment. Michael King agreed that the number set by the City of Los Angeles was too high.

Ann Gagni seconded the amendment.

Phil Raider agreed to the amendment.

Challis Macpherson asked for comments submitted by stakeholders in lieu of speaking, listed below.

Joe Murphy submitted a comment (attachment 8.1)

Gregory T. Parkos' comment: To suggest a moratorium before conducting a study is regressive and paints your group as a negative force. Ask for the study but do not undermine it by voting for a moratorium before the City even begins study a study.

Dante Cacace—in favor of the moratorium.

Penny Much—against the moratorium: I grew up in Venice and was always scared to go west of Walgrove until 10 years ago when "good" development started to happen. I am all for development.

CJ Cole—against the moratorium: against any moratorium

Benjamin Schick—against the moratorium (attachment 8.2)

Nadine Parkos—against the moratorium: A moratorium on commercial building opens the door for a moratorium on all building in Venice, which is not good for the future of Venice, economically and otherwise.

January Parkos Arnall—against the moratorium: It seems only rational to consider building propositions on a case-by-case basis rather than impose a blanket moratorium.

Maxine Leral—against the moratorium: A moratorium is not the answer. Moratoriums do not work. Work within the system.

Diane L. Duffy—against the moratorium.

Heater Nesis—against the moratorium: Believe existing limitations and controls are enough; other solutions to future gridlock.

VOTE: 6 for; 3 against the amendment. The amendment passed.

VOTE: 5 for; 3 against; 1 abstention. The motion, as amended, passed.

9. 201 BERNARD AVENUE

Agenda item 9: speaker cards tally

2 general comment; 12 in favor; 9 against

James Shaw presented detailed plans and discussed his efforts to date regarding the SFR home he plans to construct at 201 Bernard. Mr. Shaw noted that the Coastal Commission had required him to reduce the square footage, which was accomplished by removing a mezzanine area.

In answer to questions from Michael King, Mr. Shaw noted that no permits have yet been obtained. Mr. King confirmed from Mr. Shaw that VSP approval and Building & Safety sign-off has been obtained for the development.

Inge Mueller, NORO representative, and Maureen Whalen, based their opposition to the proposed development on recommendations made by the Coastal Commission. Ms. Mueller opined that the proposed project was not in keeping with the area homes. Ms. Whalen reiterated that the project is not compatible with existing homes in the area and discussed development standards with regard to the VSP and Coastal Commission. Ms. Whalen asked LUPC to enforce the law and honor the wishes of the neighbors.

Due to time constraints, three proponents and three opponents to the proposed project were permitted to speak.

David Wolstencroft against the construction: The construction does not belong in the neighborhood.

Gabriela Garay against the construction; whthe construction is not in keeping with the neighborhood.

Douglas Morris against the construction: NORO neighbors are not anti-VSP; they want it enforced, especially the part which the Zoning Administration, LA City Planning Commission and California Coastal Commission have all recognized by officially supporting NORO's efforts. They have recognized provisions for compatibility with the existing neighborhood in terms of mass, scale and character for new

Page 10 of 10

construction or remodeling projects. The City has also recognized our defined neighborhood.

David Buchanan in favor of the construction: Mr. Buchanan thanked the Committee for upholding the Venice Specific plan and upholding the eight existing residential neighborhoods listed in that plan, of which NORO is not one. The area is Oakwood, and there are plenty of structures in Oakwood of this size. Either follow the plan or throw it out.

Jeff Gordon in favor of the construction: Mr. Gordon voiced his support of the project and stated he “agreed with homes that are bigger in structure so that we can bring in families in the neighborhood.”

Andy Watts in favor of the construction: Mr. Watts noted that James Shaw has not applied for any variances in the construction of this project, and opined that he should be allowed to build whatever he wants, as long as he has no need of a variance.

By a show of hands, stakeholders were asked to provide an opinion: 30 in favor; 22 against.

Cheryl Walker against the construction: Ms. Walker lives next door to a similar proposed project (three times the size of her house or any other in the neighborhood), which is against the VSP.

Lawrence Szabo against the construction: The project should be modified in accordance with the Coastal Commission’s recommendations.

Bert Hall against the construction: There should be regulation with regard to height and setback. Mr. Hall does not want the neighborhood to become another Cabrillo.

Ian McIlvaine--general comment: Although the NORO neighbors do not like the project, it is completely in accordance with the VSP. The procedures with regard to zoning are clear; long-term neighbors should be have been aware when the VSP was being adopted.

Mico Olmos in favor of construction: Setting such a precedent is not good.

Jim Smith against construction: It makes more sense for somebody coming into a new neighborhood to try to get along with their neighbors. Venice is a community. It is not just a bunch of houses that are next to each other. Mr. Smith urged the builder “to reconsider

Page 11 of 11

that, because he is going to have to live there with everybody else in the neighborhood.”

Jack Susser in favor of construction: As a long-time resident, Mr. Susser believes the project should be approved. It is not in violation of any code.

David Reddy in favor of construction: This project is requesting no variances, no exceptions, it is entirely within the envelope. ...I am here to defend Mr. Shaw's right to build his house, within the rules.”

Barbara Gibson in favor of construction: “Since the 70s, the zoning has been down-zoned. You used to be able to build a lot more, so zoning is one of the things that control how you build. The other thing is, it's a travesty. This is Venice, where we are suppose to have free expression, but this man is not allowed to build the house he wants to build?”

Michael Cohen in favor: “One of the things that makes Venice beautiful is its diversity. If you want everything to look the same, Orange County is a great place to live.”

Chris Williams in favor: “VSP was well underway when I moved here in 1989, with the input of Building & Safety, planners and the community. It is the overriding planning document; let it stand, let it work, let it work on this house. I have a hunch that this thing is really more, when we talk about scale and character, it is a euphemism for NIMBY, pure blatant NIMBYism, and architectural critics. Let this project go. Let the man build his house.”

Nadine Shaw in favor: “I think that Venice is some place where artists can express themselves, and this house was a piece of art that me, my family and all our friends put together, and I think that everybody should have a chance to express themselves, and that's all that we're trying to do.”

Frank Murphy in favor: “Obviously I am for this project. I think it should go ahead as planned. (Mr. Shaw) has worked very hard to try to appease a neighborhood that (is) questionable whether or not it actually represents the whole neighborhood, because they represent projects such as my own falsely, so there's a lot of problems about how our projects are being presented and there's a lot of acrimony that is coming out about this stuff.... If there's anything you guys can do about it, it's to get these hearings so that we can have our projects

Page 12 of 12

properly vetted so that people can see what we are doing and what we proposed to do and not have all this misinformation flying around....”

Sylviane Dugnan remarked that as long as immediate neighbors are not disturbed and don't ask for a variance, a resident should be allowed to build. Phil Raider asked Mr. Shaw what changes were required by the Coastal Commission. Mr. Raider noted e-mail comments both in favor and against the proposed project. Michael King opined that the Coastal Commission was wrong to make the recommendation made, because the South Coast Regional guidelines were the deciding factors. Ann Giagni noted that Mr. Shaw was not asking for any kind of exception whatsoever. Pam Anderson asked what meeting attendees lived in District 2. Mr. Raider discussed various Venice Specific plan recognized by the City of Los Angeles, Coastal Commission and South Coast Region. Susan Papadakis noted her concern that support of the project could override any Coastal Commission findings, but remarked that the proposed project may reflect more of the spirit of Venice than a lot of what has been seen.

Michael King moved to approve the subject as submitted and support the Venice Specific Plan; seconded by Brett Miller.

VOTE: 6 in favor; 2 opposed; 1 abstention.

The motion passed.

10. Public Comment on non-agendized items.

None noted.

11. New Business

This item is tabled, due to time constraints.

12. Adjournment

Michael King moved to adjourn; Challis Macpherson declared consensus.