

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

1 **1. CALL TO ORDER**

2 The meeting was called to order at 6:41 pm by Challis Macpherson. The roll
3 was called by Challis Macpherson. Committee members present: Michael
4 King, Sylviane Dungan, Brett Miller, Phil Raider, Challis Macpherson, Ann
5 Giagni, Pam Anderson. Members absent: Pam Anderson, Sabrina Venskus.
6 Present : Ivan Spiegel (Parliamentarian). The agenda was approved as
7 presented, by consensus.

8 **2. APPROVAL OF FEBRUARY 15, 2006 MINUTES (taken out of order)**

9 **Michael King moved to table approval of Minutes; seconded by Phil Raider.**

10 **VOTE 7/0/0**

11 **3. CONSENT CALENDAR**

12 a. Challis Macpherson read a motion regarding a proposed project at 212
13 Third Street. Phil Raider moved to strike words "on a hillside." The
14 motion, as amended, is as follows:

15 **Be it known that the GRVNC's Land Use and Planning Committee, at**
16 **its regular January 4, 2006 meeting, considered Eric Mathias'**
17 **proposed construction of his home on 212 Third Street (on a**
18 **hillside), Venice California, and, finding that the Venice Coastal Zone**
19 **Specific Plan does not address hillside structures, passed the**
20 **following motion 8-1-0.**

1 **“That the Land Use and Planning Committee table their**
2 **consideration of this project until hillside construction has been**
3 **addressed in the Venice Coastal Zone Specific Plan.”**

4 b. Challis Macpherson read into the record language regarding 201 Bernard.

5 **Be it known that the Grass Roots Venice Neighborhood Council’s**
6 **Land Use and Planning Committee, at its regular February 1, 1002**
7 **meeting, considered James Shaw’s proposal for the construction of**
8 **his home at 201 Bernard Street and, finding it to be compliant with all**
9 **applicable Venice Coastal Zone Specific Plan development standards**
10 **without requesting any exceptions or variances, passed the**
11 **following motion by a 6-2-1 vote:**

12 **“That the Land Use and Planning Committee approve the project**
13 **(201 Bernard Street, Venice, California) as presented and supports**
14 **the Venice Specific Plan.”**

15 **By this statement the GRVNC’s Land Use and Planning Committee**
16 **supports the application of the Venice Coastal Zone Specific Plan**
17 **development standards as stated in that document and, in**
18 **development-standard-compliant cases, without the imposition of**
19 **more restrictive conditions based on scale or character or**
20 **surrounding area arguments.**

1 Ann Giagni and Phil Raider noted their preference for simpler language.
2 Ivan Spiegel stated that the letter to be sent should be written by the
3 Committee Chair and approved by the Board. Discussion that followed
4 resulted in consensus that items removed from the Consent Calendar be
5 moved to the New Business item, and tabled until the next meeting if
6 necessary.

7 **Phil Raider moved to disapprove the Consent Calendar as presented;**
8 **seconded by Ann Giagni.**

9 **VOTE: 5/0/2**

10 **Pam Anderson arrives.**

11 **4. ANNOUNCEMENTS**

12 Ann Giagni suggested including a note in the Agenda regarding timing of
13 agenda items.

14 **5. PUBLIC COMMENT**

15 None noted.

16 Ingrid Mueller, District 1 representative, takes back her LUPC seat from
17 Sabrina Venskus (who is absent) and is seated.

18 **6. PRESENTATION**

19 Noel Weiss, District 7 stakeholder, spoke regarding Lincoln Place. Mr. Weiss
20 provided copies of his proposal to amend Government Code Section 27281.5.

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1 Mr. Weiss desires the State law to incorporate a court decision (California Court
2 of Appeals, 16Calif 4:1002) regarding 1119 Delaware, which requires mandatory
3 recording of land use conditions. Challis Macpherson asked what action Mr.
4 Weiss requires of the Committee. Mr. Weiss asked that the Land Use and
5 Planning Committee endorse the proposed amendment to Government Code
6 Section 27281.5 to include a subsection (d) to read as follows:

7 (d) A Municipal Government entity may, by ordinance approving or
8 granting a discretionary land use right, also provide for the right to record
9 the conditions of approval on behalf of the developer, at the discretion of
10 the Municipal Government entity, at any time after the expiration of six
11 months following the date of its approval of the conditions and the granting
12 of a vested development right.

13 Phil Raider asked Mr. Weiss about his background. Mr. Raider also asked what
14 time frame Mr. Weiss considered reasonable for recording conditions. Sylviane
15 Dugnan stated her preference for immediate recording of conditions; Mr. Weiss
16 agreed and reiterated that the Committee's endorsement of the concept was the
17 reason for his presentation before the Committee. Ann Gagni restated the facts
18 of the Lincoln Place situation and the final goal Mr. Weiss is working to achieve.
19 Mr. Weiss agreed and recommended reading The Tipping Point, a book written
20 by Malcolm Gladwell. Michael King asked if the court case referred to a project
21 that was actually built, and suggested changing the word "may" with regard to the

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1 language of the proposal. In answer to another question posed by Mr. King, Mr.
2 Weiss made the distinction that his proposal was to protect stakeholders from
3 unscrupulous developers.

4 Suzanne Thompson asked that the Committee review and research the issue at
5 hand, and expressed disappointment that there was no LUPC Committee
6 representative at the Lincoln Place hearing. Ingrid Mueller referred to
7 Councilman Rosendahl's announcement earlier today regarding an agreement
8 between the developer and concerned stakeholders to participate in mediation.

9 Michael King discussed the issue from his perspective as a developer, and
10 expressed his satisfaction with the status quo. Pam Anderson expressed a
11 desire for further research and investigation. Phil Raider noted that the proposal
12 was well intentioned and suggested setting time limits, but noted that the court
13 case set a precedent that any "smart" attorney should be able to use with regard
14 to AIMCO. Ann Giagni opined that both sides of the issue have validity and
15 urged that the Committee address the valid concerns of the competing interests.

16 Challis Macpherson suggested forming a Task Force to study the issue.

17 Sylvianne Dugnan discussed setting time limits for conditional agreements.

18 **Ann Giagni moved to form a Task Force to address the issue raised by Mr.**
19 **Weiss; seconded by Pam Anderson.**

1 Phil Raider suggested that LUPC recommend to the Board to create an Ad Hoc
2 committee to research the issue; however, Mr. Raider expressed reluctance to
3 take on the responsibility. Michael King agreed with Mr. Raider.

4 **Ann Giagni withdrew her motion; Pam Anderson concurred.**

5 **Phil Raider moved that LUPC recommend that the Board form an Ad Hoc**
6 **Committee to study the issue of preventing developers from “gaming” the**
7 **system as it is presently constructed; seconded by Michael King. Ann**
8 **Giagni suggested adding a deadline. Mr. Raider disagreed;**

9 **VOTE: 5/0/3; the motion passed.**

10 LUPC will present a statement of purpose regarding the formation of an Ad Hoc
11 Committee for the purpose cited to the Executive Board at its next meeting.

12 Phil Raider discussed the procedures that govern how an Ad Hoc Committee is
13 formed. Ann Giagni recommended that Noel Weiss be asked to chair the Ad Hoc
14 Committee. Ingrid Mueller stated her intend to request that Sabrina Venskaskas
15 take part in the Ad Hoc Committee.

16 **7. OLD BUSINESS—1101 - 1109 VENICE BOULEVARD**

17 Challis Macpherson introduced Carl Reimer and Maureen Cotter, who represent
18 opposing views on a project to be located at 1101-1109 Venice Boulevard.

19 Karl M. Reimer, DCA Civil Engineering Group, representing the developer,
20 summarized details regarding the project, and noted that a formal presentation

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1 will be made possibly at the April 1, 2006 LUPC meeting. Phil Raider asked what
2 outreach efforts will be made to stakeholders, stating that outreach limits should
3 extend to 500 feet. Mr. Reimer asked that GRVNC let him know what efforts
4 they would like to be made.

5 Ms. Cotter summarized her position as a tenant, noting that the eviction notices
6 tenants have received are premature in her opinion. John McDonnell and Glenn
7 Taranto both stated their concern that the eviction notices are very premature,
8 and noted that finding comparable lodging will not be easy.

9 Ann Giagni expressed concern that the proposed 60 units will be replaced at
10 some point by a smaller number of luxury units. Mr. Reimer assured Ms. Giagni
11 that this will not happen. Pam Anderson asked about the low-income units
12 planned for; Mr. Reimer noted that 10% (6) of the units will be designed for low-
13 income tenants. Challis Macpherson asked about the specific location of the
14 proposed development (the north east corner of Venice and Superior). Phil
15 Raider summarized the development's process to date and noted the permit to
16 demolish was just applied for; Mr. Raider opined that the need to remove tenants
17 will be a year from today. Michael King agreed that that this process will take
18 some time. Both Committee members stated that the eviction notices were
19 premature. Ingrid Mueller suggested offering the existing tenants affordable
20 housing in the new development. Challis Macpherson thanked Mr. Reimer for
21 the update on the project.

1 **8. NEW BUSINESS**

2 Ann Giagni asked what items can be considered by the Committee under this
3 category; can New Business be any issue that arises? Ivan Spiegel referred to
4 the Brown Act, noting that an issue can be introduced but that no action can be
5 taken.

6 **9. PUBLIC COMMENT**

7 In the absence of any other public comment, it was decided to discuss agenda
8 items for the March 15, 2006 meeting. Ingrid Mueller asked who put the Lincoln
9 Center item on the agenda. Challis Macpherson stated that she placed the item
10 on the agenda. Ann Giagni opined that the hedges and fences issue is an
11 appropriate topic for the agenda. The issue will be noted by the Agenda
12 Committee. Michael King reminded Committee members that elections are
13 upcoming in September 2006 and that issues important to individual committee
14 members should be set up for discussion. Ann Giagni suggested a Master Plan
15 dialogue to the Agenda Committee. Phil Raider noted that outreach efforts
16 should be discussed, with regard to setting policies and procedures that advise
17 developers what notification efforts are required prior to a hearing from the LUPC
18 Committee. Pam Anderson complained about dogs being allowed to use the
19 Oakwood Recreation Center, and suggested an ordinance banning dogs. Brett
20 Miller suggested imposing a significant fine to dog owners. Ingrid Mueller
21 suggested locating someone to set up a LUPC website. Michael King suggested

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- 1 an historic preservation incentive plan for Venice, and noted his plans to provide
- 2 a presentation in the next couple of months. Ivan Spiegel commended the LUPC
- 3 Committee members on their efforts, and noted that, with regard to the Brown
- 4 Act, that non-item specific public comments should be followed up on by the
- 5 Committee. Sylvianne Dungan noted her opposition to a statue in the Circle and
- 6 asked that this issue be added to the next month's agenda.
- 7 Adjournment by general consensus at 8:38 pm.