

Mar Vista Community Council

Board of Directors Meeting

April 14, 2009 at 7:00 PM

*Windward School-Pavilion Room (#720)
11350 Palms Blvd., Mar Vista, CA 90066*

www.marvista.org

AGENDA

Call to Order and Welcome – Rob Kadota, Chair (2 min.)

Pledge of Allegiance - Bill Scheduling

Approval of Minutes (public comment permitted (2 min)

Public Comment & Announcements - (limit: 2 minutes per speaker)

Elected Officials and City Department Reports (max 2 min. each)

DONE – Department of Neighborhood Empowerment, Deanna Stevenson, West Area Project Coordinator

Mar Vista Recreation Center – Director, Laura Island

CD 5 – Councilman Weiss

CD 11 - Councilman Rosendahl – represented by Len.Nguyen@lacity.org , Field Deputy

US 36 – Congresswoman Jane Harman, represented by Jessica.Duboff@mail.house.gov , Field Representative (North District)

CA Senate 28 – CA Senator Jenny Oropeza's Office represented by Primitivo.Castro@sen.ca.gov , Field Deputy.

CA Assembly 47 – Assemblymember Karen Bass represented by Jenny.Wood@asm.ca.gov, Deputy District Director.

CA Assembly 53 – CA Assemblymember Ted Lieu, represented by Jennifer.Zivkovic@asm.ca.gov , Field Deputy

2nd District LA County Board Super.– Mark Ridley Thomas, represented by Karly.Katona@bos.lacounty.gov, Dist. Deputy

Mayor of LA – Antonio Villaraigosa represented by Stephen.Cheung@lacity.org and Jennifer.Badger@lacity.org , Westside Area Representatives

Officers and Liaison Reports

Chair, Rob Kadota (2 min.)

First Vice Chair, Albert Olson (2 min.)

Second Vice Chair, Sharon Commins (2 min.)

Secretary, Laura Bodensteiner (2 min)

Treasurer, Christopher McKinnon (2 min.)

Director for Animal Welfare – Lola McKnight (2 min.)

DWP MOU – Babik Nahid

Bi Monthly CD 11/LADOT Traffic Meeting Sub Committee - Linda Guagliano, (2 min.)

LANCC Delegate Report – Babak Nahid (2 min)

Mayor's Budget Planning – Rob, Sharon, Chris (2 min)

Committee reports - Action items included with public comment permitted

1) **Executive & Finance Committee**

2) **Community Concept Plan Committee** – Sharon Commins, Chair (5 min)

a) Policy Motion Related To Medical marijuana Dispensaries or Collectives Signage Re Council File 08-0923

i) A new Article 5.1 is added to chapter IV of the Los Angeles Municipal Code to read: Whereas, the City of Los Angeles is considering the following Regulation relating to Medical Marijuana Collectives or Dispensaries;

ii) Section 45.19.6.3 Proposed Regulations (2) Exterior Signs should be limited to the site address only.

Mar Vista Community Council requests Building and Safety check each Medical Marijuana Dispensary or Collective currently in operation and all new Dispensary or Collective to confirm there exterior signage is limited to site address only, as well as confirming that they meet all regulations (Sec. 45.19.6.3. Regulations numbered (1) through (18).

b) Policy Motion Related to Medical Marijuana Dispensaries or Collectives failure to comply:

i) Whereas, the City of Los Angeles is considering the following Regulation relating to Medical Marijuana Collectives or Dispensaries;

ii) Sect. 45.19.6.7. Existing "Medical Marijuana Dispensaries". Any Marijuana Cultivation Operation or Dispensary, including any "Medical Marijuana Dispensary", as the term is defined in Interim Control Ordinance No 179,027, that does not comply with the requirements of this Article must cease operation until it complies fully with the requirements of this article.

Mar Vista Community Council recommends that a Medical Marijuana Dispensary or Collective that is not in compliance with the ordinance be given a maximum of 2 warnings for violations before a license is revoked indefinitely.

c) Policy Motion Related to Medical Marijuana Dispensaries or Collectives proximity to schools and other locations:

- i) Whereas, the City of Los Angeles is considering the following Regulation relating to Medical Marijuana Collectives or Dispensaries; 1. (15) No Medical Marijuana collective shall be located within 1,000 -foot radius of schools, playgrounds, Parks, libraries, Places of religious worship, Licensed child care facilities, licensed youth facilities, including youth hostels, youth camps and youth clubs or another medical marijuana collective.

Mar Vista Community Council recommends that no Medical Marijuana Dispensary or Collective be located less than 1,000 -foot radius of schools, playgrounds, parks, libraries, places of religious worship, licensed child care facilities, licensed youth facilities, including youth hostels, youth camps and within 2 miles of any another Medical Marijuana Collective of Dispensary and existing facilities would not be grandfathered into the Ordinance.

3) Community Outreach Committee – Albert Olson and Stephen Boskin, Co-Chairs (10 min)

a) Funding Motion: To approve an allocation of no more than \$500 to support the North Oval Block Party summer 2009 event contingent on the following conditions:

- i) All publicity for the event must include a reference to MVCC sponsorship
ii) The organization or group putting on the block party must provide a forum for public introduction of the MVCC to the attendees at the party. In addition, the MVCC shall be allowed to host a booth or table where promotional materials can be distributed.
iii) The group or organization putting on the block party shall answer the provided questions as stated in the MVCC resolution regarding block parties. Funds must be allocated and spent before the end of Calendar year 2009 or it expires.

This is a neighborhood outreach effort that will include renters as well as homeowners and is a follow up to last years event. A table/booth for MVCC identifies the MVCC involvement where we can answer questions and hand out literature

b) Funding Motion: To approve an allocation of no more than \$500 to support the Keeshen Drive Block Party summer 2009 event contingent on the following conditions:

- i) All publicity for the event must include a reference to MVCC sponsorship
ii) The organization or group putting on the block party must provide a forum for public introduction of the MVCC to the attendees at the party. In addition, the MVCC shall be allowed to host a booth or table where promotional materials can be distributed.
iii) The group or organization putting on the block party shall answer the provided questions as stated in the MVCC resolution regarding block parties. Funds must be allocated and spent before the end of Calendar year 2009 or it expires.

This is a neighborhood outreach effort that will include renters as well as homeowners and is a follow up to last years event. A table/booth for MVCC identifies the MVCC involvement where we can answer questions and hand out literature

c) Funding Motion: – The MVCC allocates the final allocation of \$300 for the South Mar Vista Neighborhood Association out of the \$6,000 August 12, 2008 MVCC funding motion for neighborhood association newsletters to the South Mar Vista Neighborhood Association to pay for an ad that will be placed in their Spring 2009 newsletter. This funding motion must meet all City of LA funding guidelines and be funded and paid in the fiscal year which it is passed or it expires on June 30, 2009.

d) Policy Motion: The Mar Vista Community Council is supportive of the idea of installing bollards at certain intersections to protect the users of the Mar Vista Farmers Market. Furthermore the MVCC is committed to providing funds to assist such a project when all of the details of city approvals, MVCC and DONE purchase requirements, and installation details are solved. The MVCC requests that representatives from the Mar Vista Farmers Market Board of Directors, in conjunction with the MVCC Outreach (or possibly T & I) Committee, work to resolve all necessary details and bring the resultant proposals back to the MVCC Board for final approval.

4) Education, Arts and Culture – Babak Nahid and Kate Anderson, Co-Chairs (2 min)

5) Election & Bylaws Committee – Bob Fitzpatrick, Chair (2 min)

- a) 1st Reading of proposed 04-06-09 Draft Modification of MVCC Bylaws – posted on web and printed copies available at board meeting. 2nd reading and board action scheduled for May 12, 2009 MVCC Board of Directors meeting.

6) Green Committee – Laura Bodensteiner, Chair (2 min)

- a) Mar Vista Green Garden Tour, April 26, 2009 2-6pm <http://marvistagreengardenshowcase.blogspot.com/>
b) Zero Waste Technologies community or committee presentation - TBD

7) Neighborhood Traffic Management Committee – Bill Pope (2 min)

8) Old Fire Station #62 Ad Hoc Committee – Sharon Commins and Rachel Swanger, Co-Chairs (5 min)

- a) See Attachment A - Policy Motion from Old Fire Station 62 Ad Hoc Committee re: A Real Property Trust Fund

9) Planning and Land Use Management Committee report – Ken Alpern and Steve Wallace, Co-Chairs (20 min.)

- a) See Attachment B – Executive Summary, MVCC Response to Playa Vista Phase 2 RS-DEIR

- b) See Attachment C – Policy Motion in response to Playa Vista Phase 2 RS-DEIR:
- c) See Attachment D - Land Use Related Transportation Impacts: "New Conditions which Require a New Traffic Study"
- 10) Recreation Open Space Enhancement Committee** – Tom Ponton, Chair (2 min)
- 11) Safety and Security Committee** report – Bill Koontz, Chair (5 min)
 - a) Funding Motion: MVCC agrees to pay 5,000 dollars to Pacific Graffiti Solutions for the removal of graffiti and weeds in and around the Mar Vista area with documentation of such removal to be provided by Pacific Graffiti Solutions. This funding motion must meet all city of L.A. funding guidelines and be funded and paid in the fiscal year in which it passed or it expires.
- 12) Santa Monica Airport Committee** – Bill Scheduling, Chair (2 min)
 - a) Under Old Business item – motion to purchase sound metering equipment.
- 13) SMC Bundy Campus Ad Hoc Committee** – Bob Fitzpatrick (1min)
- 14) Transportation & Infrastructure Committee report** - Albert Olson, Chair (5 min.)
 - a) Policy Motion re: U.S.P.S. Mailboxes: The Mar Vista Community Council has received numerous complaints about the recent removal of most of the U.S.P.S. neighborhood mailboxes in the Mar Vista area. Many of these mailboxes are used by residents who have no easy way of travelling to a branch Post Office, and are concerned, for reasons such as identity theft etc., about leaving important mail outside in their individual mailboxes.
The MVCC therefore requests that our Congressional representative, Congresswoman Jane Harmon, work with Federal Post Office representatives to re-install at least some of the recently removed boxes.
The following locations have been mentioned by multiple stakeholders as being important to their neighborhood:
 1. Stanwood Dr and Mountain View Ave
 2. Palms Blvd and Federal Ave.*Additional locations that have also been singly identified: South Park Ave and Marcasel Ave; Venice Blvd and McLaughlin Ave; Sawtelle Blvd and Palms Blvd; Sepulveda Blvd and Palms Blvd.; Mississippi Av and Sawtelle Blvd*
 - b) Policy Motion re: Pedestrian Safety: The Mar Vista Community Council requests that for the safety of residents and especially school children crossing Inglewood Bl at Rose Ave, the LADOT take the following actions:
 - a. INSTALL a 25 MPH sign on the east side of Inglewood Bl facing northbound traffic after the STOP sign at the intersection of Indianapolis and locate it between 3280 and 3284 Inglewood Bl, to alert drivers proceeding down the hill that the 25 MPH speed limit on Inglewood remains in effect until after it crosses Rose Ave and passes the School Crossing sign;
 - b. REMOVE the new 30 MPH sign on the northeast corner of the Inglewood Bl and Rose Ave intersection and either retain the original 30 MPH sign on northbound Inglewood Bl between Rose Ave and Thermo St, clearing away the tree branches now obscuring it, or remove it and install a new 30 MPH sign at approximately the same location; and
 - c. INSTALL STOP signs on the north and the south sides of Rose Ave at Inglewood Bl so that drivers must come to a full stop before crossing this intersection where School Crossing signs are posted.

15) Web Development Update – Babak Nahid (2 min)

Zone Director Reports

Old Business - Action items (Public comment permitted)

Funding Motion: Purchase Sound Metering Equipment Motion to allocate and spend up to \$1500.00 to purchase a data logging sound meter to permit MVCC to better monitor noise from Santa Monica Airport. Further, the device will be used as part of a community outreach program to better inform the MVCC stakeholders about the timing and noise levels being generated by SMO. Bill Scheduling (5 min)

New Business - Action items (Public comment permitted)

Grievances – Secretary

Any grievances received since the last meeting of the MVCC Board of Directors will be presented to the board for their consideration for possible referral to the MVCC Grievance Committee for further review and consideration.

Copies of a grievance filed by Rick Selan re: MVCC’s Support of Ven Mar mtgs. Will be available for review at the meeting. (Laura 2 min)

Future agenda items

Public Comment and Announcements (limit: 2 minutes per speaker)

Adjournment (9:30 PM)

The audience is requested to fill out a "Speaker Card" to address the Board on any item of the Agenda prior to the Board taking action on an item. Comments from the public on Agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the Agenda that are within the Board's subject matter jurisdiction will be heard during the public comment period. Public comment is limited to two minutes per speaker, unless waived by the presiding officer of the Board. Mar Vista Community Council meetings will follow Robert's Rules of Order Newly Revised. For more information, please visit the MVCC web site at www.marvista.org.

*Translators, sign language interpreters, assistive listening devices for the hard of hearing and/or other auxiliary aids/services are available upon request. To ensure the availability of services, please make your request at least three (3) working days before the scheduled date. If you have any questions regarding this notice, please call (213) 485-1360.

Attachment A: Policy Motion from Old Fire Station 62 Ad Hoc Committee re: A Real Property Trust Fund - Whereas the Mar Vista Community Council area has no surplus property fund to support community benefit projects, And, whereas the only significant surplus property in the Mar Vista Community Council Area is Old Fire Station 62, 3631 Centinela Bl, Los Angeles 90066. And, whereas the possibility exists that Old Fire Station 62 may be sold at auction in the future: the Mar Vista Community Council requests the net proceeds from any future sale of Old Fire Station 62 be placed in a specific Mar Vista Community Council Area Trust Fund, which shall be established by action of the City Council pursuant to the City of Los Angeles Administrative Code, Division 5, Finance, Chapter 5, Trust Funds, and shall be devoted exclusively to capital or non-capital projects or purchases generally within the " Mar Vista Community Council Area " for purposes which will be of benefit to citizens of the City of Los Angeles

Mar Vista Community Council Area SURPLUS REAL PROPERTY FUND

Creation and Use of Fund.

All net proceeds collected from the sales of real properties located in the **Mar Vista Community Council Area** of the City of Los Angeles and such grant funds as approved by the City Council, shall be placed in a trust fund to be known as the "**Mar Vista Community Council Area Surplus Real Property Fund**", which fund is hereby created and which fund shall be used for the purposes as set forth hereafter.

1. The "**Mar Vista Community Council Area**" is hereby defined and described as being that portion of the City of Los Angeles within the following geographic borders: South of the Santa Monica Freeway between Centinela Ave. and the San Diego Freeway, West of the San Diego Freeway between the Santa Monica Freeway and National Blvd., South side of National Blvd. between the San Diego Freeway and Overland Ave., West side of Overland Ave. between National Blvd. and Charnock Rd., North side of Charnock Rd. between Overland Ave. and the San Diego Freeway, North of the Culver City border between the San Diego Freeway and Zanja St./Walgrove Ave., East side of Walgrove Ave. between Zanja St. and Santa Monica City border, South of the Santa Monica City border between Walgrove Ave. and Centinela Ave. East side of Centinela Ave. between Airport Ave. and the Santa Monica Freeway.
2. "**Surplus Real Property**" is defined as those parcels of real property owned by the City of Los Angeles and neither dedicated to public use, such as recreation and park use or public street use, nor permanently devoted to some public use.
3. "**Net proceeds**" shall mean the gross sale price received for a parcel of real property minus escrow charges, title policy charges, appraisal charges, advertising costs, and any and all other costs and expenses attributable to conducting the sale and/or leading up to the sale of the property.
4. Upon adoption of a resolution by the City Council, the net proceeds from the sale of any of the properties mentioned above shall be devoted exclusively to capital or non-capital projects or purchases generally within the "**Mar Vista Community Council Area**" for purposes which will be of benefit to citizens of the City of Los Angeles
5. The Fund shall be administered by the Department of Public Works, Bureau of Financial Management and Personnel Services, in accordance with the prior approval by the City Council.

Attachment B: Executive Summary, MVCC Response to Playa Vista Phase 2 RS-DEIR

The motion addresses the three areas the California Appeals Court found deficient in the Play Vista FEIR of 2004: LAND USE; CULTURAL [ARCHAEOLOGICAL] RESOURCES; and WASTEWATER:

LAND USE:

- Water Consumption: Commercial and multiple residential uses consume more water than industrial uses. How can the City approve a development that increases density in such a massive way when at the same time it is telling its current residents that there is not enough water and has mandated severe city wide conservation measures?
- Power Consumption: How much more power will the new development consume above what would be needed for manufacturing uses? What solar power solutions are being implemented? Which Green Building standards to be applied?
- Preservation Of Industrial Land: The loss of 111 acres of permanent job producing industrial land adjacent LAX and major freeways should be addressed. Grocery stores are permitted in the M zone in the City; massive upzoning via zone changes is not required to obtain a grocery store to serve existing residents of Playa Vista.

- Community Plan Inconsistencies: Cumulative impacts upon surrounding communities have not been adequately stated. The Playa Vista Area D Specific Plan Regional Mixed Use Commercial Zone C. C2 (PV) classification forbids some 83 uses. This constitutes an undue burden on surrounding communities which do not have the luxury of excluding uses Playa Vista refuses. There would appear to be no plans to incorporate middle schools, high schools, or places of worship within the development boundaries -surely major cornerstones of any 'live, work, play' master planned community.
- Tract Map Modifications And Land Use Inconsistencies: Modifications to project tract map subdivisions approaching the level which would require zone changes have occurred routinely. SB 1818 by-right density scenarios that could result in an additional 35% density or approximately 910 units outside of the equivalency scenarios of 2810 units are not addressed. The RS-DEIR thus dramatically understates significant adverse environmental impacts, including traffic and water consumption, and overstates the number of permanent jobs potentially created by the proposed project.
- Land Use Related Transportation Impacts: "New Conditions Which Require A New Traffic Study": The Phase 2 Traffic Study was done in 2003 and is now 6 years out of date. Hundreds of additional condos and thousands of additional square feet of commercial and retail development have been approved since the original Phase 2 Traffic Study (see Appendix F.), adding hundreds to thousands of additional trips to Westside arterials and leaving less room for Playa Vista Phase 2 traffic (assuming there ever was room). **See appendices A through F**
- Stormwater Runoff: the Playa Vista Phase 2 RS-DEIR must address the issue of stormwater runoff into Ballona Creek and other bodies of water, and include plans if not already included, to mitigate the effects of runoff from Phase II to the citizens of Los Angeles and others.

CULTURAL [ARCHAEOLOGICAL] RESOURCES

- The First EIR did not analyze more environmentally superior alternatives and the second EIR has the same faults. CEQA mandates that these superior alternatives be considered. Such alternatives include "No Build" and other options for avoiding archaeologically sensitive areas completely.

WASTEWATER

- After extensive cost to the City of LA and LA taxpayers, the LA Hyperion Plant was built and more recently, after much more additional costs to taxpayers, its capacity was greatly increased. The Plant is now providing mitigation of the Environmental Impacts of the Playa Vista project in regards to the millions of gallons of wastewater created by the project. It has been determined that its capacity will be sufficient for the next 10 years, but what then?

Attachment C: Policy Motion in response to Playa Vista Phase 2 RS-DEIR:

Whereas the State of California Court of Appeal found the Village at Playa Vista, aka Playa Vista Phase 2, Environmental Impact Report Case No. ENV-2002-6129-EIR [State Clearinghouse Number: 2002111065] deficient in accurate assessments of impacts in the areas of Land Use; Wastewater; and Cultural Resources; Whereas alternatives in the areas of Land Use; Wastewater; and Cultural Resources which would adhere to the remaining development of 108,050 square feet of office and light industrial space allowed by the Playa Vista Area D Specific Plan were not presented in sufficient detail to allow decision makers to evaluate the full range of impacts of the upzoning accurately; Whereas the adverse environmental impacts of the proposed project should be mitigated to the greatest possible degree; The Mar Vista Community Council presents comments and recommendations to the LA City Planning Department in response to the RS-DEIR pertaining to the Village at Playa Vista.

Whereas the State of California Court of Appeal found the Village at Playa Vista, aka Playa Vista Phase 2, Environmental Impact Report Case No. ENV-2002-6129-EIR [State Clearinghouse Number: 2002111065] deficient in accurate assessments of impacts in the areas of Land Use; Wastewater; and Cultural Resources;

Whereas alternatives in the areas of Land Use; Wastewater; and Cultural Resources which would adhere to the remaining development of 108,050 square feet of office and light industrial space allowed by the Playa Vista Area D Specific Plan were not presented in sufficient detail to allow decision makers to evaluate the full range of impacts of the upzoning accurately;

Whereas the adverse environmental impacts of the proposed project should be mitigated to the greatest possible degree;

The Mar Vista Community Council presents the following comments and recommendations to the LA City Planning Department in response to the RS-DEIR pertaining to the Village at Playa Vista.

1. LAND USE IMPACTS

The Up Zoning from Manufacturing (M1) to a combination of High Density Residential and Commercial zones was never fully explained in the first EIR, but entitlements were granted anyway.

The previous Playa Vista Phase 2 entitlements should now be re-evaluated in the light of substantially changed land use facts and circumstances, including the well publicized diminished water delivery available to the City of Los Angeles due to drought and court rulings.

WATER: Fresh water is now in short supply in Los Angeles.

LA residents have been given a mandate to reduce water consumption due to ongoing drought conditions.

In its 2003 water supply assessment report for the proposed project, the Los Angeles Department of Water and Power put forth its independent forecast of water use by land use for the year 2020. The chart titled Table II, on page 6 of Technical Appendix I, shows industrial activity would consume 4% of projected water demand across the City in the year 2020 as opposed to 35% for multifamily use and 16% for commercial use—considerable differences in consumption.

The current Playa Vista M1 zoning typically uses far less water than the proposed high density residential and commercial.

How can the City approve a development that increases density in such a massive way when at the same time it is telling its current residents that there is not enough water and has mandated severe city wide conservation measures?

POWER CONSUMPTION: How much more power will the new development consume above what would be needed for manufacturing uses?

What solar power solutions are being implemented?

The City of LA has recently passed new Green Building standards which should also be applied to this project in order to mitigate some of the various adverse environmental impacts.

PRESERVATION OF INDUSTRIAL LAND: In 1995, the Playa Vista Area D Specific Plan was amended under Council File numbers 93-1621-S1 and 95-1547 to change the P (V) zone classification to the M (PV) zone along the abandoned Southern Pacific Railroad spur line which had formerly served the Hughes Aircraft manufacturing facilities.

Council File Report 95-1547 clearly states:

“All surrounding properties in the vicinity are designated for Light Industrial uses & the majority are zoned M (PV). NOW, THEREFORE MOVE that Ccl initiate a Plan amend on the subj area now designated P (PV) in Playa Vista Specific Plan Area D. FURTHER MOVE that this land be proposed for light Industrial uses. FURTHER MOVE that proposal to rezone the subj area be compatible with the surrounding use, height, intensity, yard requirements consistent with those in the immediate surrounding area without increasing development entitlements established in the Specific Plan. FURTHER MOVE that, pursuant to Section 11.5.8.D of LAMC, Ccl find that, because this action is necessary to achieve compatible land uses & other planning objectives.”

CEQA requires that alternative uses and feasible mitigation measures using existing zone classifications must be explored and described in detail *even if the project’s proponents decline to accept them.*

Rather than amend well thought out Community Plans, the project should be revised to accommodate the land use goals and objectives of the existing applicable Community Plans: the Palms Mar Vista Del Rey Community Plan, the Playa Vista Area D Specific Plan prior to Ordinance #176235, and the General Plan with special attention to the preservation of industrial land per the City’s Industrial Land Use Policy report entitled “Los Angeles’ Industrial Land: Sustaining a Dynamic Economy”, December 2007, prepared by the Department of City Planning and the Community Redevelopment Agency of the City of Los Angeles.

From Page 11 of the ILUP report:

“Evolving Industrial Districts

The term “industrial” no longer only refers to large factories producing steel, cars or other mass produced goods. Today the term describes a broader array of job-producing uses and activities—in addition to traditional industrial uses—such as furniture and clothing design, biomedical research/manufacturing, and entertainment-related post-production activities that do not necessarily generate impacts such as noise, traffic and pollution.

While the industrial/employment sector is evolving, Los Angeles County remains the largest manufacturing region in the United States. Although globalization has generally triggered an exodus of jobs from many American city centers, the strategic importance of Los Angeles and its industrial lands has been strengthened”.

And from page 14 of the same report:

“Additionally, industrial lands in Los Angeles play an important role as incubator space for small start up and creative businesses. This entrepreneurial pattern fits perfectly into Los Angeles’ tradition of supporting a broad base of independently owned and operated businesses; most businesses in Los Angeles are small, independently owned and operated.11 These firms represent entrepreneurial and innovative businesses that can only become established under conditions available in industrial zones—relatively low rents, small spaces/lots and/or business incubator space. Many of these businesses are cleaner than those of the past and they provide good career-ladder jobs for local neighborhoods that have seen a decline in other local manufacturing jobs.”

In the City of Los Angeles Zoning Code, grocery stores are permitted in the RAS3; RAS4; C1; C1.5; C2; C4; CM; M1; M2; and M3 Zones.

Playa Vista Phase 2 is presently zoned M.

Therefore, the desire to add a grocery store and ancillary shopping/ commercial spaces due to a planning “omission” in Playa Vista Phase 1 is not sufficient reason for a massive up zoning in Phase 2 which will have a significant negative impact upon Los Angeles shrinking industrial land base by removing 111 acres from the M classification without compensating for said loss on an acre for acre basis.

This proposed permanent loss of 111 valuable acres of industrial land in the Western Los Angeles area proximate to the region’s major airport and key freeway interchanges should be analyzed in depth with regard to:

1. The impact of that economic loss on the City’s urgent need to establish and maintain a stable, permanent industrial employment base in the Western Los Angeles area
2. The encouragement of sprawl contrary to SB 375’s stated goal and objective of reducing vehicle miles travelled by pushing employment generating, industrial land uses to outlying areas of Los Angeles, and the resulting significant impacts upon job creation, traffic and infrastructure as more intense housing development follows the important industrial jobs base to the far edges of the city...or to other municipalities.

COMMUNITY PLAN INCONSISTENCIES: Cumulative impacts upon surrounding communities have not been adequately stated.

The Westchester Bluffs create a natural buffer between Westchester and the Playa Vista/Del Rey/Mar Vista communities.

This buffer separates these communities in a variety of practical and environmental areas including transportation, view, air quality, housing, jobs, and shopping.

In fact the impacts of this project will be felt in a much higher degree north of Jefferson Boulevard than Westchester. Changing the Westchester Community Plan to suit the needs of Playa Vista without significant mitigation for impacts upon adjacent northerly communities is not adequate.

Every detail of master planned communities is typically determined prior to construction.

The Playa Vista Area D Specific Plan Regional Mixed Use Commercial Zone C. C2 (PV) classification, as defined in Zone Regulations Section 4 C. paragraph 1, forbids some 83 uses.

This places an undue burden on surrounding communities, and constitutes a significant negative impact upon these communities which do not have the luxury of excluding those less desirable uses which Playa Vista refuses.

Additionally, the C2 (PV) classification requested in the entitlement application permits all uses allowed in the R5 zone, including hotels, motels, and hospitals [except animal hospitals].

Yet, there would appear to be no plans to incorporate middle schools, high schools, or places of worship within the development boundaries -surely major cornerstones of any ‘live, work, play’ master planned community.

TRACT MAP MODIFICATIONS AND LAND USE INCONSISTENCIES: City Controller Laura Chick’s March 16, 2009 audit report, Performance Audit of the City of Los Angeles’ Process for Planning Conditions for Development, cites failure of the existing system to effectively track implementation of entitlement conditions:

“Now as Controller, I have circled back to answer the question: “Who ensures that the requirements attached to these developments are followed,?” The answer is: “No one.” We are actually often relying on voluntary compliance by the developers.

My report found that, in general, there is no single Department in charge of development projects from beginning to end. The Planning Department is indeed the lead agency in imposing conditions. However other Departments, such as Building and Safety, can add or change conditions without including the Planning Department... It is clear some significant changes must be made here. If projects are approved with conditions attached, is it not in the City's best interest to ensure those conditions are met? Certainly that is what the public expects."

From the summary of audit results:

The City of Los Angeles has not established an adequate process for reviewing, approving, and overseeing development projects that ensures that the final project conforms to the intent of the decision maker. No single City department manages development projects from the project review through project construction and completion. The Department of City Planning does not manage other City departments' review of proposed projects, and does not actively monitor compliance with the projects' conditions of approval once the building permits have been issued. In the absence of a single point of management, development projects can materially change during the project plan review and project construction and completion, resulting in the final project being different from the project as it was approved by the decision maker."

Modifications to project tract map subdivisions have occurred routinely, without an opportunity for discussions and input from nearby community stakeholders.

Additional future modifications to Vesting Tract Maps, such as changes to the Land Use Designation of Lot 113 of VTT 49104 (Open Space) to other Land Use Designations, or similar land use and zone changes to VTT 60110, should not occur without disclosure and public review.

In addition these changes should require a zone change and general plan amendment with appropriate findings and additional environmental clearances by the Advisory Agency.

The RS-DEIR moreover fails to address impacts and adequate mitigation measures as a result of land use inconsistencies resulting from the proposed allocation of 66,950 square feet of proposed office and light industrial uses to be developed within the Community Commercial Land Use Designation in Area D.

Light industrial uses are generally incompatible with mixed-use residential and community serving uses and incompatible with the project's already approved narrower substandard streets.

Furthermore, the entire RS-DEIR fails to adequately address any by-right density scenarios that could result in an additional 35% density, or approximately 910 units outside of the equivalency scenarios of 2810 units by exercising the use of the newly adopted City's Density Bonus Ordinance.

The maximum development of the Project's equivalency scenario shown in Table II.A-4 excludes any calculations that show the potential for an added 35% density of the project area.

The RS-DEIR falls far short of analyzing this potential major increase in density, thereby dramatically understating significant adverse environmental impacts, including traffic and water consumption, as well as overstating the number of permanent jobs potentially created by the proposed project.

Additional Land Use and transportation analysis and appropriate mitigation measures should be included as part of the evaluation of the project as it relates to density and disclosure of potential impacts due to incompatible light industrial uses with residential uses.

LAND USE RELATED TRANSPORTATION IMPACTS: "NEW CONDITIONS WHICH REQUIRE A NEW TRAFFIC STUDY": The Mar Vista Community Council has the following concerns with Playa Vista Phase 2 traffic mitigations:

1. The City only requires mitigation of traffic impacts estimated to occur during the Peak Traffic Hour and the traffic impact mitigations secured by the City in 2004 from Playa Vista Phase 2 were based on a Traffic Study which assumed that only 1/4 to 1/3 of the project's total circulation demand from its residential units (condos) will occur during the Peak Traffic Hour (see Appendix A.), and only a portion of that portion was mitigated.

2. The combination of the unmitigated portion of the 1/4 to 1/3 Peak Hour traffic and the 2/3's to 3/4's un-addressed non-Peak-Hour traffic will severely impact commuters, residents and businesses by:

- increasing both the severity and hours of arterial congestion,
- increasing commuter traffic cutting through residential neighborhoods,
- forcing commuters to spread their commuting over even more than 3 to 4 hours each AM and PM, and

- forcing business to further expand their Staggered Start times, and incur further productivity losses.

3. The Phase 2 Traffic Study violated traffic engineering principles, and the natural laws of physics, by assuming that Phase 2 traffic can be accommodated at LOS "F" intersections, where traffic demand was already predicted to be from 1% to 40% greater (V/C Ratio 1.40) than the intersection's physical capacity (see Appendix B.)

4. The assumption that only 1/3 to 1/4 of AM and PM commute trips will occur during the Peak Traffic Hours is a violation of the California Environmental Quality Act (CEQA), which requires impacts to be assessed under the worst conditions, which, with regard to traffic generation, would be that all condos will generate 2 trips during the Peak Traffic Hour (see Appendix A.)

5. The mitigations offered for even the "Significantly Impacted intersections were insufficient to maintain both satisfactory and adequate Levels of Service at all intersections to be used by Phase 2 traffic, and therefore violated the Palms-Mar Vista-Del Rey, and the Venice Community Plans (see Appendix C.)

6. To even further reduce the mitigations required, the Traffic Study used selected residential Collector streets in neighborhoods other than Playa Vista to absorb Playa Vista Phase 1 and other Related Project traffic competing with Phase 2 for arterial space (see Appendix D.) to make arterials appear to have more remaining capacity for Phase 2 traffic. This likely reduced the apparent number of intersections significantly impacted by even the underestimated Phase 2 traffic and the mitigations required. Such use of residential Collector streets violated the General Plan which states that Collector streets are intended to serve only neighborhood-local traffic.

7. In an attempt to nullify the above violations, the Westchester Community Plan was gutted of all rational traffic-planning policies, thereby leaving existing Los Angeles residents unprotected from Playa Vista's traffic, and causing the Westchester Community Plan to violate the Community Plan consistency rule (see Appendix E.)

8. The Phase 2 Traffic Study was done in 2003 and is now 6 years out of date.

9. Hundreds of additional condos and thousands of additional square feet of commercial and retail development have been approved since the original Phase 2 Traffic Study (see Appendix F.), adding hundreds to thousands of additional trips to Westside arterials and leaving less room for Playa Vista Phase 2 traffic (assuming there ever was room).

Therefore the Mar Vista Community Council believes that the Playa Vista Phase 2 Traffic Study should be re-done,

- Assuming two commuters per condo, because two L.A-average incomes will be required to purchase a Phase 2 condo, therefore the likelihood of two commuter trips from each condo during each commute period,
- Allocating all 5,200 commute trips generated by Phase 2's proposed 2600 residential units to the AM and to the PM Peak Traffic Hours as CEQA requires impacts to be assessed under the worst conditions and the developer was no power to force Phase 2 condo buyers to spread their commuting over more than the Peak Hour, and
- Assigning all trips only to major and secondary highways intended to absorb such traffic, not to residential streets in neighborhoods other than Playa Vista.

Then mitigate the newly discovered impacts in accordance with the Satisfactory Level of Service policies specified in the Community Plans of the communities impacted by Phase 2 traffic. We anticipate that this will result in a 200% to 300% increase in mitigations over those secured by the original irrational and now out-of-date Traffic Study.

STORMWATER RUNOFF: "Additionally, on March 2, 2007, Council members Ed Reyes (CD 1) and Bill Rosendahl (CD 11) introduced Council Motion 07-0663 to develop a water quality master plan with strategic directions for planning, budgeting and funding to reduce pollution from urban runoff in the City of Los Angeles.

The Water Quality Compliance Master Plan for Urban Runoff (WQCMPUR) was developed by the Bureau of Sanitation, Watershed Protection Division to address the requirements of the Council Motion" [from the final draft of the Water Quality Compliance Master Plan for Urban Runoff (WQCMPUR) developed by the Bureau of Sanitation, Watershed Protection Division].

Therefore, the Playa Vista Phase 2 RS-DEIR must address the issue of stormwater runoff into Ballona Creek and other bodies of water, and include plans if not already included, to mitigate the effects of runoff from Phase II to the citizens of Los Angeles and others.

2. CULTURAL [ARCHAEOLOGICAL] IMPACTS

The First EIR did not analyze more environmentally superior alternatives and the second EIR has the same faults. CEQA mandates that these superior alternatives be considered.

Such alternatives include "No Build" and other options for avoiding archaeologically sensitive areas completely.

3. WASTEWATER IMPACTS

After extensive cost to the City of LA and LA taxpayers, the LA Hyperion Plant was built and more recently, after much more additional costs to taxpayers, its capacity was greatly increased.

The Plant is now providing mitigation of the Environmental Impacts of the Playa Vista project in regards to the millions of gallons of wastewater created by the project.

It has been determined that its capacity will be sufficient for the next 10 years, but what then?

The Mar Vista Community Council recommends all these aforementioned significant impacts be analyzed in the RS-DEIR.

The Mar Mista Community Council also recommends the significant land use impacts of Playa Vista Phase 1 upon neighboring communities be assessed prior to any additional Playa Vista Phase 2 discretionary approvals by the City.

As the primary Charter function of the Mar Vista Community Council is to represent Mar Vista Community Stakeholders, the Mar Vista Community Council recommends that any negotiations that take place with Playa Capital and Council District 11, should include at a minimum a Mar Vista Community Council representative Chair or Co Chair from the Traffic and Infrastructure, and the Planning and Land Use Management Committees [PLUM].

Attachment D: Land Use Related Transportation Impacts: "New Conditions which Require a New Traffic Study"

The Mar Vista Community Council has the following concerns with Playa Vista Phase 2 traffic study and mitigations.

1. The Phase 2 Traffic Study was done in 2003 and is now 6 years out of date.
2. Hundreds of additional condos and thousands of additional square feet of commercial and retail development have been approved since the original Phase 2 Traffic Study, adding hundreds to thousands of additional trips to Westside arterials and leaving less room for Playa Vista Phase 2 traffic (assuming there ever was room).
3. The City only required assessment of traffic impacts estimated to occur during the Peak Traffic Hour and the traffic impact mitigations secured by the City in 2004 from Playa Vista Phase 2 were based on a Traffic Study which assumed that only 1/4 to 1/3 of the project's total possible circulation demand from its residential units (condos) will occur during the Peak Traffic Hour, and only a portion of that portion was mitigated.
4. The combination of the unmitigated portion of the 1/4 to 1/3 Peak Hour traffic and the 2/3's to 3/4's un-addressed non-Peak-Hour traffic will severely impact commuters, residents and businesses by:
 - increasing both the severity and hours of arterial congestion,
 - increasing commuter traffic cutting through residential neighborhoods,
 - forcing commuters to spread their commuting over even more than 3 to 4 hours each AM and PM, and
 - forcing business to further expand their Staggered Start times, and incur further productivity losses.
5. The Phase 2 Traffic Study violated traffic engineering principles, and the natural laws of physics, by assuming that Phase 2 traffic can be accommodated at 84 LOS "F" intersections, where traffic demand was already predicted to be from 1% to 40% greater (V/C Ratio 1.40) than the intersection's physical capacity during one or both periods.
6. The assumption that only 1/3 to 1/4 of AM and PM commute trips will occur during the Peak Traffic Hours appears to be a violation of the California Environmental Quality Act (CEQA), which requires impacts to be assessed under the worst conditions, which, with regard to traffic generation, would be that all condos will generate 2 trips during the Peak Traffic Hour.
7. The mitigations offered for even the Significantly Impacted intersections were insufficient to maintain both satisfactory and adequate Levels of Service at all intersections to be used by Phase 2 traffic, thereby violating official, published Policies in the Palms-Mar Vista-Del Rey, and the Venice Community Plans, and thereby violating State Code 65300..
8. Mitigation requirements were further reduced by the Traffic Study using residential Collector streets in neighborhoods other than Playa Vista to absorb Playa Vista Phase 1 and other Related Project traffic competing with Phase 2 for arterial space to make arterials

appear to have more remaining capacity for Phase 2 traffic, thereby reducing the apparent number of intersections significantly impacted by Phase 2 traffic and the mitigations required. Such use of residential Collector streets violated the General Plan which states that Collector streets are intended to serve only neighborhood-local traffic.

9. In an attempt to nullify the above violations, the Westchester Community Plan was gutted of all rational traffic-planning policies, thereby leaving existing Los Angeles residents unprotected from Playa Vista's traffic, and causing the Westchester Community Plan to violate the Community Plan consistency rule.

Therefore the Mar Vista Community Council believes that the Playa Vista Phase 2 Traffic Study should be re-done,

- Assuming two commuters per condo, because two L.A-average incomes will be required to purchase a Phase 2 condo, therefore the likelihood of two commuter trips from each condo during each commute period,
- Allocating all 5,200 commute trips generated by Phase 2's proposed 2600 residential units to the AM and to the PM Peak Traffic Hours as CEQA requires impacts to be assessed under the worst conditions and the developer has no power to force Phase 2 condo buyers to spread their commuting over more than the Peak Hour, and
- Assigning all trips only to major and secondary highways intended to absorb such traffic, not to residential streets in neighborhoods other than Playa Vista.

Then mitigate the newly discovered impacts in accordance with the Satisfactory Level of Service policies specified in the Community Plans of the communities impacted by Phase 2 traffic. We anticipate that this will result in a 200% to 300% increase in mitigations over those secured by the original irrational and now out-of-date Traffic Study.

Background Information

Development Projects Approved Since Playa Vista Phase 2's Traffic Study in 2003

The following is a partial list of traffic-generating development projects believed to have been approved since Playa Vista Phase 2's 2003 Traffic Study. The additional traffic from these project leaves less capacity for Playa Vista Phase 2 Traffic. The Phase 2 Traffic Study needs to be redone to account for these significantly changed conditions.

[City Planning should verify, correct and/or expand this partial list of Phase 2's Related Projects.]

- Many Lofts in Marina Del Rey (No trip data available.)
- Marina Pointe = 31 stories, 800 new condos.
- Lincoln/Washington Office Building = 7 stories.
- Centinela/Bundy SMC Campus = 5000 more trips on Centinela (or residential streets).
- Centinela/Venice Condos = 80+ additional Peak Hour cut-thrus on Inglewood, Grand View.
- Centinela/Washington Condos = 300+ additional Peak Hour cut-thrus on Inglewood, Grand View.
- Centinela/Grand V.–LT Care Facility = 100+ additional P.H. cut-thrus on Inglewood, Grand View.
- New Projected Peak Hour Cut-Thru Traffic on Inglewood = 1500 per hour for 6 hours.
- 11904 Culver @ Inglewood – add 70 – 190? new Condos.
- 11427 W Culver – 5 Condos.
- S Barrington: 417 – 33 Condos, 1835– 8 Condos
- Bundy & Olympic 377 Condos
- 3115 Sepulveda – 173 Condos
- 12095 Washington Boulevard
- 12099 Washington Boulevard
- 12101 Washington Boulevard
- 12803 Washington Boulevard

“Over the last decade, LA City Planning has approved new development projects at twice the historic rate.”

– LA City Controller Audit of LA Planning Department.

Estimated Trips verses Probably Real Trip Generation

Trips Estimated in City-Certified Phase 2's Traffic Study

To estimate the traffic impact from development projects, the City used Trip Generation Rates from the Institute of Transportation Engineers (ITE). These Rates are an averaging of trips observed from prior completed projects:

- in cities with better mass transit options than are available to L.A. commuters,
- where two incomes, therefore the likelihood of 2 commuters, are not required to purchase a condo, and
- averaged as far back as the 1970's when two career families was not the norm.

Today such observations represent congestion-constrained flow out of or into recently completed projects. They do **NOT** represent the project's total circulation **DEMAND**, most of which is forced to remain inside or outside of the project during peak traffic hours due to the arterial congestion caused by the City not requiring developers to mitigate all of their projects' traffic impacts. None of the ITE studied projects were of California-based, much less Los Angeles-based development projects.

The AM and PM Trip Rates used for Playa Vista Phase 2 are shown in the table below, along with the number of trips estimated to occur during the AM and PM Peak Traffic Hours, and the Total Daily Trips. The Total Daily Trip estimates for the 2600 Dwelling Units appears to account for the 2 commute trips likely for Westside-priced condos during the AM and PM commute period (4 trips total), plus one additional round-trip, for an average to approximately 6 Total Daily Trips.

Trip Source	Size	AM Trip Rate	AM Peak Hour Trips	PM Trip Rate	PM Peak Hour Trips	Daily Trip Rate	Total Daily Trips
Office	175,000 sf		326		305		2,271
Dwelling Units	2,600 du	0.44	1,444	0.54	1,404	5.86	15,236
Retail	150,000 sf		143		575		6,193
Community Serving	40,000 sf		13		18		520
Total			1,926		2,302		24,220

Probable Real Trip Generation

The probably real AM and PM Trip DEMAND Rates for Playa Vista Phase 2 are shown below. Since the California Environmental Quality Act (CEQA) requires impacts to be assessed under the worst conditions, it must be assumed that the total circulation demand from Phase 2's 2600 condos must be assessed during the AM and PM Peak Traffic Hours.

Trip Source	Size	AM Trip Demand Rate	AM Peak Hour Trips	PM Trip Demand Rate	PM Peak Hour Trips	Daily Trip Rate	Total Daily Trips
Office	175,000 sf		326		305		2,271
Dwelling Units	2,600 du	2.00	5,200	2.00	5,200	5.86	15,236
Retail	150,000 sf		143		575		6,193
Community Serving	40,000 sf		13		18		520
Total			5,682		6,098		24,220

As you can see, the Peak Hour Trip Rates and counts used in the original Playa Vista Phase 2 Traffic Study (based on ITE Trip Rates) account for only approximately one-quarter (1/4) of the actual demand to be generated by Phase 2's Dwelling Units which constitute 92% of the additional demand this project would place on the City's transportation infrastructure. Not addressing and not requiring the developer to provide the mitigations necessary to accommodate the entire demand during the Peak Hour will severely impact commuters, residents and businesses by:

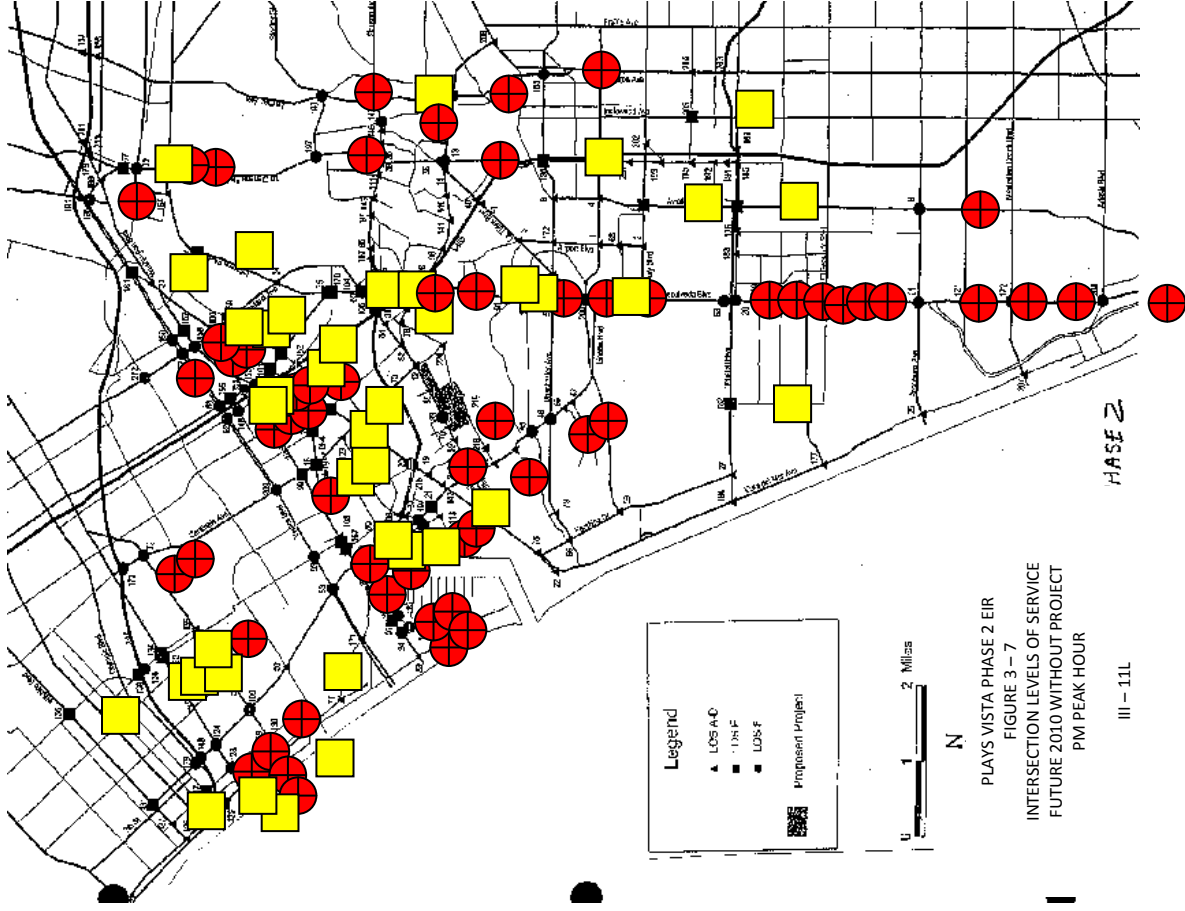
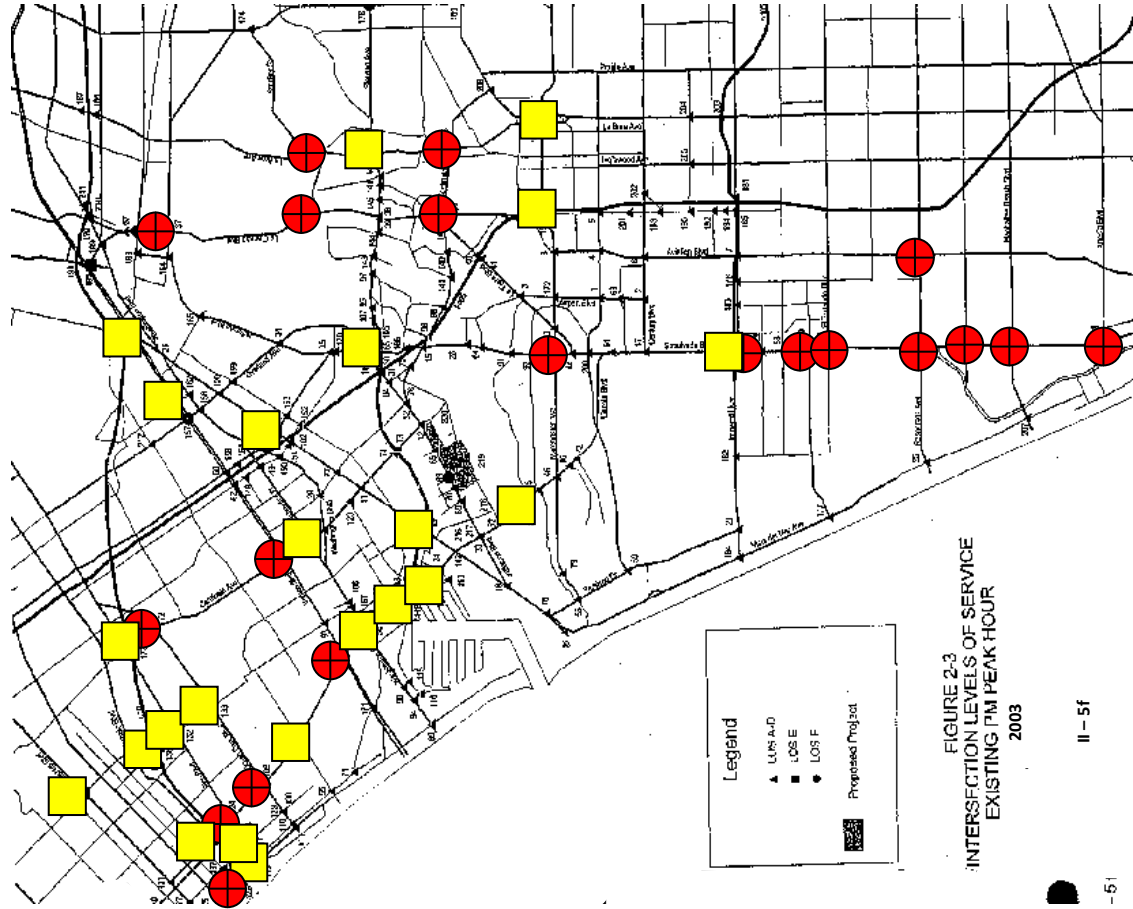
- increasing both the severity and hours of arterial congestion,
- increasing commuter traffic cutting through residential neighborhoods,
- forcing commuters to spread their commuting over even more than 3 to 4 hours each AM and PM, and
- forcing business to further expand their Staggered Start times, and incur further productivity losses.

If the above probable trip counts were used, the traffic impact mitigations required from Playa Vista would be approximately three times those secured by the 2004 Development Agreement just to achieve the same but still unsatisfactory and inadequate intersection Level of Service ratings to be expected from the currently planned mitigations. But at least it will prevent congestion and cut-thru traffic from increasing, compute periods from lengthening, and business productivity from dropping further.

Playa Vista Phase 2 Allowed to Add Traffic to Intersections that Cannot Accommodate More Traffic.

2003-Projected LOS Baseline Conditions for Phase 2 traffic.

2003 Westside Intersection LOS Map



- LOS "F" Intersection – Fails to accommodate existing traffic .
- Can NOT accommodate additional traffic.
- ▲ LOS "E" Intersection – Traffic delayed for multiple signal cycles.
- ▲ LOS "D" Intersection – Stopped traffic may not clear on one signal cycle.

Intersection Level of Service Policy Violations of the Brentwood, Del Rey, Mar Vista, Palms, Venice, West Los Angeles, and Westwood Community Plans.

Community Plans, which make up the Land Use section of the Los Angeles General Plan, contain the City’s fundamental Land Use Transportation Policies, pursuant to State Code 65300.

All 35 Community Plans, with the exception of the Westchester Community Plan which was modified to benefit Playa Capital, contain the following two basic Transportation Policies related to maintaining a satisfactory Level of Service (LOS) for existing residents and ensuring an adequate infrastructure before approving new development:

(the policy numbers may differ by Plan)

Policy 15-1.1 [a] “Maintain a satisfactory LOS for streets and highways not to exceed LOS “D” for secondary highways and collector streets; nor LOS “E” for major highways or major business districts.”

% Unsatisfactory Intersections (Below LOS “D”)	<u>2003</u>	<u>After PV Phase 1</u>	<u>After PV Phase 2</u>
- Mar Vista	27%	60%	53%*
- Westside	20%	40%	42%*

Policy 16-1.1 [b] “If existing levels of service are LOS “E” or LOS “F” on a portion of a highway or collector street, then the level of service for future growth should be maintained at LOS “E.”

Playa Vista improved only 4 of 84 LOS ‘F’ intersections to LOS ‘E’ .

Policy 16-2.1 “No increase in density shall be effected by zone change or subdivision unless it is determined that the transportation infrastructure serving the property can accommodate the traffic generated.”

LOS ‘F’ rated intersections cannot accommodate more traffic.”

% Intersections Unable to Accommodate Playa Vista Traffic (LOS “F” Intersections)	<u>2003</u>	<u>After PV Phase 1</u>	<u>After PV Phase 2</u>
- Mar Vista	10%	33%	30%*
- Westside	10%	38%	36%*

Results:

105%* increase in “Unsatisfactory” arterial intersections increasing congestion, commute times and neighborhood cut-thru traffic.

173%* increase in “Failed”, 5-minute-delay, LOS ‘F’ intersections.

100%* to 200% increase in Cut-thru traffic in residential neighborhoods.

* All of the above are based on assessing the impact of only 1/4 (25%) of actually total circulation demand likely to be generated by Phase 2’s 2600 residential dwelling units. The actual adverse impact to the City’s transportation infrastructure’s Level of Service will be much greater than shown above.

Source: Intersection V/C & LOS data presented to MVCC Traffic Committee by Playa Vista and Kaku Associates on September 22, 2003, and the Playa Vista Phase 2 EIR.

Appendix E. General Plan and Community Plan Street Usage Policy Violations

LA’s General Plan (LA’s “official” policy document pursuant to State Code 65300) states that,

“Collector streets are intended to assist local traffic to major and secondary highways.”

- General Plan, Transportation Element, Chapter VI – Street Designations and Standards, Section B. Selection/Performance Criteria For Street Designations, paragraph 1. Item d. “Collector Streets”

The Palms, Mar Vista, Del Rey and Venice Community Plans say that the City is to:

“Discourage Non-Resident Traffic on Residential Streets.”

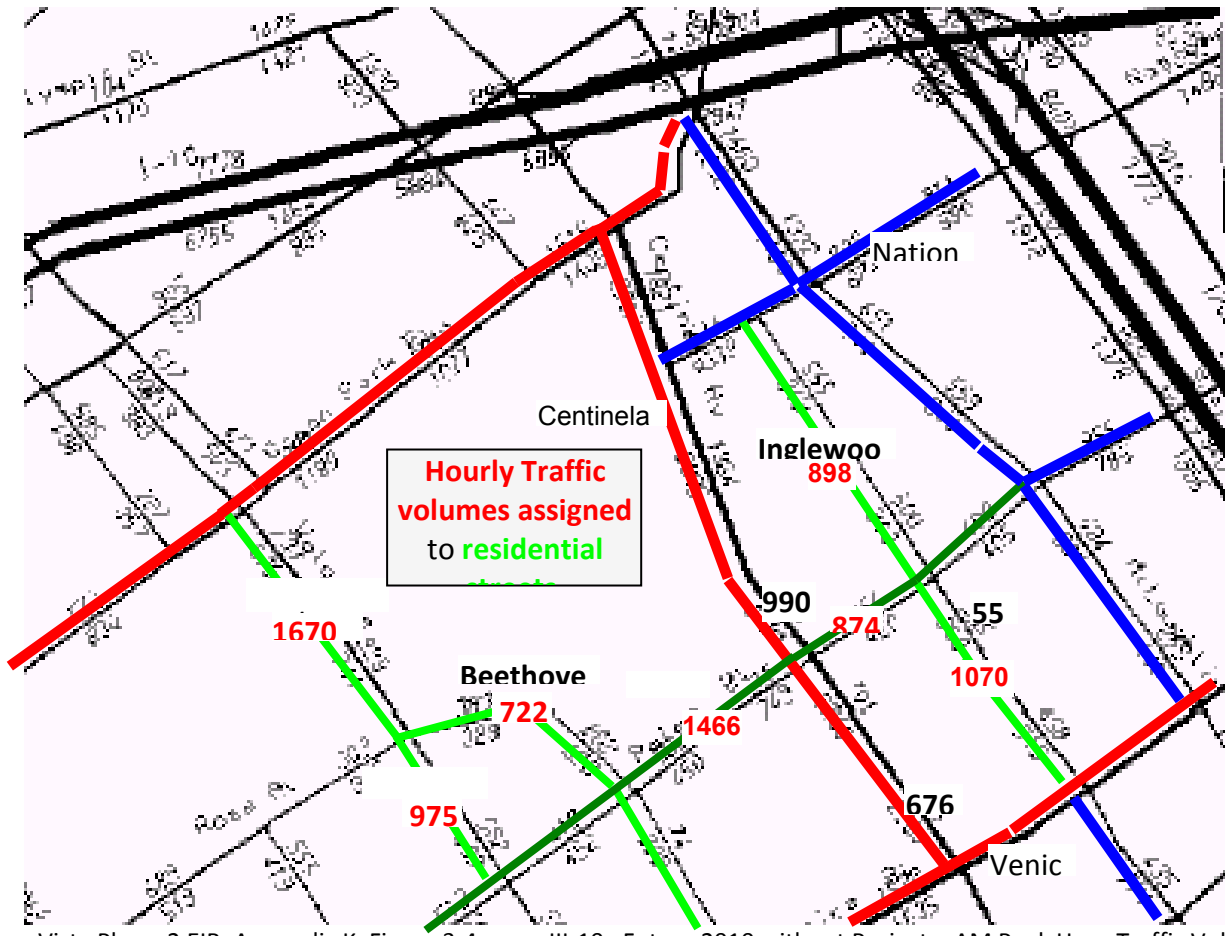
- Neighborhood Protection Plan, Goal 14

However Playa Vista Phase 2’s EIR says,

“The City’s [arterial framework] model was revised to add network enhancements (to add all Collector streets”

“As one corridor becomes congested, the model assigns traffic to parallel routes”

“The City’s transportation policy planning criteria seeks to focus traffic on arterials and collector streets and away from residential streets.”



Playa Vista Phase 2 EIR, Appendix K, Figure 3-4, page III-10g Future 2010 without Project – AM Peak Hour Traffic Volumes

Therefore Playa Vista Phase 2’s Traffic Plan violated the above General and Community Plan policies.

- 1. Collector streets are residential streets, and are for local neighborhood traffic only!**
- 2. Residential streets, either Collector or Local, are not to serve as commuter arterials.**

Westchester Community Plan Gutted of Rational Traffic Planning Policies to Enable Phase 2 Approval.

Many Westchester residents believe Playa Capital was allowed to modify the Westchester Community Plan in secret before Playa Vista Phase 2 – The Village project came up for review by the Los Angeles Planning Commission and the City Council. According to original Westchester Community Council members, who were ousted when Playa Capital bribed in hundreds of temporary construction workers to vote in a slate of Playa Vista candidates, the Westchester residents who were originally chartered to update the Westchester Community Plan were unaware that the City and Playa Capital were secretly modifying their Community Plan until that Phase 2 was approved. This modified version was not available for review on the City’s website during the Playa Vista Phase 2 EIR review and comment period in 2004

The following modifications were made to the Westchester Community Plan.

Transportation Section, page III-32

The former Westchester Community Plan contained the following policy:

“Maintain a satisfactory LOS for streets and highways not to exceed LOS “D” for secondary highways and collector streets; and not to exceed LOS “E” for Major Highways or major business districts.”

See the 2003 and 2010 Intersection LOS Maps in the Phase 2 EIR or above for a graphical picture of how many intersections will be driven over the acceptable level of LOS "D" and "E" by 2010. The combined Playa Vista Phase 1 and 2 projects will cause 51% of this degradation. Councilwoman's Miscikowski's husband Doug Ring's Marine Development projects will cause 28% of the degradation.

The modified Westchester Community Plan now reads:

11-1.1 Seek to maintain a satisfactory Level of Service (LOS) **to extent possible** for Major Highways, Secondary Highways and Collector Streets. (Pg III-34)

Although traffic from Playa Vista Phase 1 and Phase 2 projects impact intersections in the Palms, Mar Vista, Del Rey and Venice communities, and these projects can not survive without use of streets and intersections in the these communities, Playa Capital stated in the Final EIR that they were not bound by policies in the Palms, Mar Vista, Del Rey and Venice Community Plans. The EIR shows that Playa Vista projects contribute a majority of the projected traffic increases that will result in 18 intersections, currently providing Levels of Service of “D” or better, to deteriorate to LOS “E”, (a 40% increase in LOS “E” intersections and a violation of the original Plan’s policy), the deterioration of 76 intersections to LOS “F” (a 176% increase and also a violation of the original policy), and only 4 of 84 projected LOS “F” intersections will be “maintained at” (brought back to) LOS “E” by Phase 2 planned mitigations.

All Westside Community Plans (except the modified Westchester Plan) contain the following policy:

No increase in density shall be effected by zone change or subdivision unless it is determined that the transportation infrastructure serving the property can accommodate the traffic generated.

In 2003, 10% of Westside were rated LOS “F” by LADOT, meaning the intersections fails to accommodate the current traffic demand being placed them.

The 2010 Baseline traffic model for Phase 2, which predicts the conditions after Playa Vista Phase 1 and the conditions into which Phase 2 traffic would be added, predicts that 38% of intersections required by Phase 2 traffic will be LOS “F”.

While the above predicted Westside infrastructure deterioration is said to be the combined impact of 96 “Related Projects”, Playa Vista Phase 1 and 2 constitute 51% of residential unit increases cited in the EIR and therefore must be considered as contributing the majority of traffic increases. The Ring/Miscikowski Marina Development Projects contributed 27% of the residential unit increases and therefore a likely percentage of the traffic increases.

Playa Vista Phase 2 could not be approved into these conditions under the original Westchester Community Plan policies. Therefore, the Westchester Community Plan was altered as shown below:

11-2.1 No increase in density shall be effected by zone change, plan amendment, subdivision or any other discretionary action, unless it is determined that the transportation infrastructure serving the property can accommodate the traffic generated the Decision-makers make the following findings [see below] or a statement of overriding considerations:

The transportation infrastructure serving the project site and surrounding area, specifically the Freeways, Highways, and Streets presently serving the affected area within the Westchester-Playa del Rey Community Plan, have adequate capacity to accommodate the existing traffic flow volumes, and any additional traffic volume which would be generated from projects enabled by such discretionary actions.

The weakening of the Westchester Community Plan allowed the project to be approved solely on a statement that "Overriding Considerations justify approval", in spite of the fact that the Phase 2 traffic model clearly predicted that **the transportation infrastructure serving the property can not accommodate the traffic it will generate.**

Neighborhood Traffic Protection Plan Section, page III-40.

Even after removing the requirements for Playa Vista to maintain Satisfactory Levels of Service at LA intersections, their traffic would not physically fit solely on the major and secondary highways, the streets designated and designed for such traffic. Therefore Playa Capital spread their traffic over all Westside residential Collector streets in their mathematical traffic model so it would appear as if Playa Vista traffic would be accommodated.

Such use of residential Collector streets was a violation of the Los Angeles General Plan and all Westside Community Plans (except the modified Westchester Community Plan. All other plans state that the City is to,

"DISCOURAGE NON-RESIDENT TRAFFIC FLOW ON RESIDENTIAL STREETS..."

There are two types of Residential streets; Collector streets or Local streets.

The modified Westchester Community Plan now states that the City need only to:

DISCOURAGE NON-RESIDENT TRAFFIC FLOW ON **LOCAL** RESIDENTIAL STREETS.

This allowed Playa Capital to offload Phase 1 traffic, in their traffic model, from the arterials onto residential Collector streets to make it appear as if there would still be room on the arterials for Phase 2 traffic.

This was a violation of the General Plan Transportation Element policy which states that,

"Collector streets are intended to assist local traffic flow to major and secondary highways",

rather than being used as a major or secondary highway.

The modification made this policy illogical. "Local" streets do not connect to commuter arterials (Major or Secondary Highway) at signal-controlled intersections. Therefore they do not require protection from non-resident traffic because non-resident commuter traffic cannot use Local streets to cut through a residential neighborhood.

According to Denny Snyderman (?), one of the Westchester residents working on the Community Plan update, Cindy Miscikowski allowed Playa Capital to change this plan in secret and then approved the changes without consulting the residents originally chartered to do the update.