

MAR VISTA COMMUNITY COUNCIL
BOARD OF DIRECTORS MEETING
APRIL 14, 2009
DRAFT MINUTES

7:02 P.M.

CALL TO ORDER

The following members of the board were present or arrived shortly thereafter: Kate Anderson, Ken Alpern, Laura Bodensteiner, Stephen Boskin, Sharon Commins, Bob Fitzpatrick, Rob Kadota, Bill Koontz, Christopher McKinnon, Marilyn Marble, Babak Nahid, Albert Olson.

APPROVAL OF MINUTES

The minutes from the March 10, 2009 meeting were approved as presented.

PUBLIC COMMENT (1)

Josh Elliot-McGuffie pastor at St. Andrew's Church announced their May 30th Spring Fling.

ELECTED OFFICIALS AND CITY DEPARTMENT REPORTS

None.

OFFICERS AND LIAISON REPORTS

Chair: Rob Kadota nominated Albert Olson to be LADOT MOU liaison with Bill Pope as alternate. Nomination was approved by the board.

First Vice-Chair: None.

Second Vice-Chair: None.

Secretary: Laura Bodensteiner reported that the newsletter will be distributed this weekend.

Treasurer: Christopher McKinnon reported that the current balance is \$89,464. Minus allocations of \$30,254 as of April 1. He reported on DONE mandates to do an inventory and a new budget for June 1.

Director for Animal Welfare: None.

DWP MOU: Babak Nahid reported that Measure B failed at the last election. The MOU committee is continuing to meet and we need to participate to get results.

Bi Monthly CD 11/LADOT Traffic Meeting Liaison: Linda Guagliano announced that the committee meets on the 2nd Wednesday of every 2nd Month.

LANCC Delegate Report: No report.

Mayor's Budget Planning: No report.

COMMITTEE REPORTS

Executive & Finance: No report.

Community Concept Plan Committee:

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.

Steve Wallace commented that the marijuana motion is not about getting rid of these establishments, but rather regulating them appropriately.

Cindy Hench from Westchester NC commented that it should be addressed as a group.

Ken Alpern commented that these need to be medically run and respectful of the neighborhood.

Babak Nahid asked about the legitimate need by palliative patients and how these motions relate to city ordinances.

Motion passed unanimously.

Community Outreach Committee:

FUNDING MOTION for North Oval Block Party: 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 for Keeshan Dr Block Party: To approve an allocation of no more than \$500 to support the Keeshan 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 for Ad in South Mar Vista Newsletter: – 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.

Motion passed. 1 abstention.

POLICY MOTION: Bollards at the MV Farmers Market: 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.

Motion passed. 2 abstentions.

James Brennan reported on Wi-Fi antennae that have been purchased by MVCC and installed. He reported on the locations chosen and daily usage. He announced the May 3 launch event at Mar Vista Farmers' Market.

Education, Arts & Culture:

Kate Anderson announced the meetings are on the 1st Thursday of every month at the Mar Vista Library. Green Dot and Parent Revolution are trying to "take over" Mark Twain Middle School and sent a representative to the last meeting. An education stakeholder meeting was discussed. No date set yet.

Election & Bylaws Committee:

1st Reading of proposed 04-06-09 Draft Modification of MVCC Bylaws.

2nd reading and board action scheduled for May 12, 2009 MVCC Board of Directors meeting.

Albert Olson made a friendly amendment to change the time period for filling vacancies to 40 days vs. 20 days. He also requested that the last sentence from the last paragraph of the "Treasurer" section be deleted, and the word "financial" be added to Article X. Both friendly amendments were accepted.

Green Committee:

Vice chair Sherri Akers announced the Mar Vista Green Garden Tour, on April 26, 2009 2-6pm
marvistagreengardenshowcase.blogspot.com/

Zero Waste Technologies would like to make a community and/or green committee presentation.

Neighborhood Traffic Management Committee:

Bil Pope reported on the estimated cost of repairs and upgrades for equipment.

Old Fire Station #62 Ad Hoc Committee:

POLICY MOTION: from Old Fire Station 62 Ad Hoc Committee re: A Real Property Trust Fund SEE

ATTACHEMNT A

Rachel Swanger commented that this is a valuable asset to the community and is in favor of the motion.

Chris McKinnon asked if this request would have to pass City Council.

Motion passed unanimously.

Planning and Land Use Management Committee:

Ken Alpern reported that there is a zoning change requested for the apartments on Barrington.

POLICY MOTION: See Attachment B – Policy Motion in response to Playa Vista Phase 2 RS-DEIR:

Marc Huffman commented on the balance of viewpoints reflected in the motion.

Cindi Hensch for Westchester Playa NC commented that the three items have been addressed by Playa Vista. The NC voted to support the EIR. Supports approval of the revised EIR.

Roy Persinko, Mar Vista resident, commented on the traffic in Mar Vista that is impacted by Playa Vista.

Stephan Zeitoun, Playa Vista resident, commented on his frustration that the Council disregards the benefits of the Playa Vista. He asked for support of the village.

Mariana Lem, Mar Vista resident, lives on Inglewood, a cut-through street.

Tom Ponton, Mar Vista resident, commented on the impacts on Mar Vista.

Leticia Kahnilas, Playa Vista resident, commented that the three issues in the EIR have been addressed.

Maritza Prezkop, Mar Vista resident, commented in support of the motion.

Bonnie Stout, Mar Vista resident, commented that she is trying to protect Mar Vista, not against Playa Vista.

Nancy Swain, Mar Vista resident, is not in favor of the motion.

Bill Pope commented that traffic is an issue because additional housing and retail space has been approved that have not been realized in terms of traffic. He commented that the city is not properly assessing the traffic and this is violating .

Babak Nahid asked how this motion responds to genuine concerns of the needs of the Playa Vista community.

Marilyn Marble commented on the scope of the development. She commented on the Native American remains.

Albert Olson commented that services like a grocery store are excellent. He commented on the water usage of the city and is concerned about the increased density.

Ken Alpern commented that the problem is the City, not the community of Playa Vista. He favored the many businesses/stores being built to serve the needs of the current residents, but not the addition of thousands of new residents and their traffic/infrastructure needs that can't and won't be met. It's inconsistent and unrealistic to both demand water and energy rationing while accommodating lots of new residences that obviously can't be sustained by our current infrastructure. Also, there's good traffic accommodations for the immediate region, but not to the regions of Mar Vista and Venice between Playa Vista and Santa Monica.

Motion passed unanimously.

Recreation Open Space Enhancement Committee:

Tom Ponton reported on two on-going projects. Big Sunday event on May 2-3.

Safety and Security Committee:

FUNDING MOTION: for Graffiti Removal Services: MVCC agrees to pay \$5,000 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.

Yvette Neal commented on the services of PGS.

Cyndi Hench commented in support of the motion.

Officer Wickes commented in support of the motion.

Linda Lucks President of Venice NC and BONC commented in support of the motion.

Tom Ponton commented on the need to get graffiti removal in Mar Vista Park. PGS is not allowed to work at the park. He is organizing a volunteer task force.

Dorothy Garvin asked why the NC has to pay for a city service.

Jay Handel West LA NC commented on the need to have these services in the parks.

Mariana Lem commented on her experience with requesting graffiti removal.

Ken Alpern commented in support of the motion.

Albert Olson offered a friendly amendment to remove "weeds," which was declined.

Marilyn Marble commented in favor of weed removal in the alleys.

Christopher McKinnon requested monthly reports.

Babak Nahid requested a tracking system.

Motion passed unanimously.

Santa Monica Airport Committee: Under Old Business item – motion to purchase sound metering equipment. Tabled.

SMC Bundy Campus Ad Hoc Committee: No report.

Transportation & Infrastructure Committee:

POLICY MOTION: return of USPS Mailboxes: The Mar Vista Community Council has received numerous complaints about the recent removal of most of the USPS 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 Harman, 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; Butler and Clarkson; Warren and Walgrove

Michael Millman commented on the study done to designate which mail boxes were removed.

Rick Selan commented on the removal of the box at Walgrove and SM Airport.

Laura Bodensteiner requested that Butler and Clarkson be added.

Bill Koontz commented that NRNA is working on a list of boxes in Zone 2.

Kate Anderson commented that older residents have a difficult time sending mail in Hilldale.

Motion passed unanimously.

POLICY MOTION: 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.

Mariana Lem commented in support of the motion.

Kate Anderson commented in support of the motion.

Motion passed unanimously.

Web Development Update:

Babak Nahid thanked the committee for their work and hopes to have a prototype to show at the next meeting.

ZONE REPORTS

Zone 1: Babak Nahid reported that there will be a pedestrian safety motion presented at the next board meeting to protect Palms school children.

Zone 2: Bil Koontz announced the Spring Fling at St. Andrews.

Zone 3: Kate Anderson reported on the annual meeting. There have been many break-ins on the Hill. Spring movie night is being planned. She thanked Tom Ponton for his work to help the Mar Vista Park. Report on Westdale Homeowners "Aging in Place" neighborhood project.

Zone 4: Stephen Boskin announced the June 13 annual pot luck for MVNA. Windward School won the state championship.

Zone 5: Chris McKinnon reported on burglaries in the zone.

Zone 6: Marilyn Marble reported on the Beethoven project. She also reported on mail fraud.

OLD BUSINESS

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.

Tabled.

NEW BUSINESS

None.

GRIEVANCES

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.

A grievance was filed by Rick Selan re: MVCC advertising of Ven Mar mtgs. In the MVCC newsletter.

Rick Selan commented on his grievance.

No motion was made.

FUTURE AGENDA

Linda Lucks requested consideration of the financial disclosure form required of NC board members to file a council file.

Maritza Prezkop suggested adding areas in Zone 5 to the pedestrian safety motion.

Public Comment

None.

The meeting was adjourned at 9:28 PM.

Minutes submitted by Laura Bodensteiner on April 20, 2009.

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: 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.