

EXHIBIT A

Motion to send President's letter re: Venice Main Post Office

Ken Bernstein, AICP
Manager, Office of Historic Resources & Principal City Planner, Policy Planning
Department of City Planning, City of Los Angeles

Re: Venice Post Office

Dear Mr. Bernstein,

As you are aware, the Venice Neighborhood Council (VNC) is a member of the Coalition to Save the Venice Post Office in a concerted effort to keep the 1939 building a publicly-owned and working post office. We understand that the City of Los Angeles has agreed to accept a preservation covenant to help assure the long-term preservation of the post office by subsequent owners of the property. Please be advised that Amanda Seward, VNC board member and Chair of the VNC USPO Task Force, will serve as our representative in working with you in completing the Section 106 process, and in negotiating remaining considerations regarding the aforementioned covenant.

One of the key remaining concerns of the Venice community is public access to the historic post office and the 1941 mural by artist Edward Biberman. Another key concern is community input and ability to comment on any design review to assure compliance with the Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings. We look forward to resolving these issues and working with you in ensuring the building's and mural's long term preservation.

From: Jane Usher [mailto:jane.usher@lacity.org]
Sent: Tuesday, August 07, 2012 6:00 PM
To: Marlene Savage
Subject: Volunteered or Voluntary Conditions

EXHIBIT B
**Requesting Public Access Language Be Included in the Historic
Preservation Covenant for the VMPO**

Whereas, the United States Postal Service (USPS) has sold the Venice Main Post Office (VMPO); and

Whereas, the Edward Bieberman "Story of Venice" mural will remain the property of the federal government in perpetuity and will be housed in the VMPO foyer on lease to the new owner of the property; and

Whereas, in the USPS' final determination regarding the relocation of postal retail services in Venice, USPS Vice President David Williams stated: "The Postal Service will include measures to ensure the mural (i.e., the Bieberman mural) will remain available for public viewing in any plan for reuse or disposal of the Post Office property;" and

Whereas, the USPS failed to include a requirement for any public access to the foyer and mural in the historic preservation covenant recorded on the VMPO s deed prior to sale; and

Whereas, the mural, as a publicly owned artwork, must be available to the public to view and appreciate its historic, educational and artistic value; and

Therefore be it resolved, the Venice Neighborhood Council hereby calls upon the new owner to voluntarily accept the following public access provision as an amendment to either the agreement governing the lease of the mural or the historic preservation covenant upon the property's deed:

"The grantee hereby covenants on behalf of itself, its heirs, successors and assigns to allow members of the public to enter the structure for the purpose of viewing the historic foyer and the Edward Bieberman" Story of Venice" mural for the same hours and days that the VMPO was open to the public before the sale of the property, i.e., Monday through Friday, 8:30 AM to 4:30 PM, and Saturday, 8:30 AM to 2 PM, excepting legal holidays and any day the foyer is closed for legally permitted repairs and/or restoration."

EXHIBIT C
Motion for LUPC

Dear Marlene --

I am hoping that you will share this email with your WRAC group...

I am writing because I noticed an item on your LUC Draft Minutes of 7-1-2012 that reads "conflict with City Attys office re 'volunteer conditions'."

As the lead City Attorney on the topic of "volunteered" or "voluntary" conditions, I do not believe that there is any conflict -- I believe that there is misunderstanding, but no conflict. Your members need to understand this important issue, its misinterpretation, and what they need to do to protect themselves.

Earlier this year, I advised Sandy Brown and Wendy-Sue Rosen that neighborhoods would be very well served by abandoning the much-used nomenclature of "volunteered" or "voluntary" conditions. These phrases are truly poor word choices that only harm the community who wants these conditions to be enforceable. Every condition of a project that is supported by legally required findings can be imposed and enforced. It usually takes just a modest amount of creativity to draw a nexus between a condition and the impacts that will be generated by the project -- the nexus allows the legally required finding to be made. When a community accepts a condition as "volunteered" or "voluntary" and then allows the City and the applicant to fail to prepare the legally required written findings, the developer often waltzes back to the City at a later date and says that he/she/it doesn't have to honor the "volunteered" or "voluntary" conditions because they are not enforceable under the law -- because there were no supporting findings.

Please urge your neighborhoods to stop using this undermining nomenclature. Please allow them to freely negotiate for conditions with applicants. But when the list of agreed upon conditions is arrived at, please require your neighborhoods to insist that legally required findings be included in the project approval, along with the conditions which should be a requirement of the project just like any other lawful condition. Stop distinguishing these "agreed upon" conditions in an unhelpful way from their enforceable fellow conditions. Stop calling them out as merely "volunteered" or "voluntary." Ensure that we make the supporting findings, so that the City can enforce these and all other conditions of approval.

Clear? Mud? Anything you can do to clarify this important issue for your neighborhoods would be welcome.

Jane Ellison Usher
Special Assistant City Attorney
800 City Hall East
200 N. Main Street
Los Angeles, CA 90012

EXHIBIT D
1621 Crescent Place

Case Numbers: DIR-2012-734-SPP-MEL
ENV-2012-735-CE
Address of Project: 1621 Crescent Place, Venice, CA 90291
Property Owners: Zak and Caroline Mascolo
Owner's Representative: Robert Thibodeau

<u>ADDRESS:</u>	1621 Crescent Place
<u>CASE NUMBERS:</u>	DIR-2012-734-SPP-MEL ENV-2012-735-CE
<u>LUPC CASE MANAGER:</u>	Sarah Dennison
<p>WHEREAS</p> <p>1. WE ARE CONCERNED BY THE ADJACENT NEIGHBORS' STATEMENTS THAT THEY WERE NOT NOTIFIED (BY MAIL) OF THE DIR AND THEREFORE DID NOT HAVE A CHANCE TO APPEAL THE PROJECT TO THE CITY. WE FEEL NEIGHBORS SHOULD ALWAYS HAVE THE RIGHT TO APPEAL A CASE. MOTION JAKE, SECONDED BY JIM; PASSED 8-0</p> <p>2. THE PROJECT DOES MEET CODE AND VCZSP AND IS NOT ASKING FOR ANY VARIANCES OR EXCEPTIONS. WHILE IT RAISES CONCERNS OF CHARACTER, MASS AND SCALE OF THE WALK STREET AND IS LARGER AND DIFFERENT FROM SURROUNDING HOMES, WE SUPPORT THE PROJECT AS PRESENTED. WITH THAT SAID, WE SUGGEST THE ROOFTOP STRUCTURE SLOPE DOWNWARD TOWARDS THE EAST FACING NEIGHBOR. MOTION MADE BY JAKE, SECONDED BY JIM; PASSED 6-2</p>	
<u>MADE BY:</u>	
<u>SECONDED:</u>	
<u>VOTE:</u>	
<u>DATE APPROVED BY LUPC:</u>	

PROJECT SUMMARY TO VNC:

The owners have applied for a project permit for construction of a new 2-story, single family dwelling (SFD) with a basement and roof deck, and a detached 3-car garage with a 2nd story studio and roof deck and a new pool on an inland Walk Street in the Millwood-Oakwood Sub-Area. The drawings submitted to LUPC with the application package revealed two possible violations of Los Angeles Zoning code and Venice Coastal Zone Specific Plan (VCZSP) requirements. The ZIMAS website indicates that 1 of 5 building permits (the one for the swimming pool and spa) has cleared LADBS to date. The owner's representative reports that the permit has yet to be pulled, but will probably be issued by the 2nd week of August, 2012.

Case was re-heard by LUPC at request of VNC August 1, 2012 in order to consider issues of mass and scale. Original report has been revised per that meeting. Revisions are shown in italics below.

LUPC STAFF REPORT

ORIGINAL CASE SYNOPSIS:

1) Front Yard Setback: Although the drawings in the applicant's package to the City dated 2/29/12 showed an error in labeling the front yard setback as measured from the centerline of the public-right-of way (PROW) instead of the back of the PROW, that error has now been corrected and the front yard setback set at 15' from the PROW is code compliant.

2) Front Entrance Facing Street: In addition, the same drawings dated 2/29/12 showed no front entrance located along the Walk Street-facing façade, a violation of the VCZSP Section 12.A.1(Walk Streets) requiring that " building facades shall be varied and articulated to provide visual interest to pedestrians" and that "ground floor entrances....shall face the street." At that time the drawings showed a pool in the side yard, no pool fence and a door from the living area to the outside, labeled "entry" facing the pool. The intent of this VSCZP section is to address issues of mass, scale and character along the Walk Streets by making sure that the entrances to buildings are visible from the pedestrian path and thereby provide articulation, interest and human scale to the Walk Street.

Revised drawings dated 6/11/12 now show the entrance to the house via a full height gate that faces the Walk Street through the pool fence that is an extension of the front facing façade to the side property line. This gate in the pool fence, provided it is built with materials which stand in some visual contrast relative to the fence itself and clearly identify the gate as the main building entrance, should provide the intended scale and interest. The 8'-0" fence surrounding the pool and containing the entrance gate to the property and residence beyond is legal as it is line with the front façade of the building and behind the required 15 ft. front yard setback.

Requests: *Applicant made no requests for exception, modification or variance to the Venice Coastal Zone Specific Plan or the LA City Zoning Code.*

Size of Parcel: 4550 SF

Size of Project:

SFD Building

Non-habitable space

1083 SF Basement (all underground, not visible from public way

Habitable space (2811 SF enclosed space)

1083 SF First floor

1728 SF Second floor

495 SF Exterior roof deck

Garage/Rec Room building

Non-habitable space

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760 First Floor 3-car garage
Habitable space (517 SF enclosed space)
517 SF Second Floor
224 SF Roof Deck
Number of Stories: *2 stories plus basement*
Assessed Land Value: N/A
Last Owner Change: 12/30/11
Project Description: Construction of new 2-story SFD with basement and a 495 SF roof deck, a new 3-car garage with 517 SF 2nd story studio and 224 SF roof deck above.
Zone: R2-1
VCZSP Sub Area: Oakwood/Milwood
Owner/Applicant: Zak and Caroline Mascolo
Owner's Representative: Robert Thibodeau
DU Architects
529 California Avenue
Venice, CA 90291
Contact Information: Office: (310) 452-8161
Email: robert@duarchitects.com
Dates heard by LUPC: *June 20, 2012, August 1, 2012*
Date heard by VNC: *July 17, 2012*
Coastal Commission: *Letter of Waiver of Coastal Development Permit*
Requirement, dated June 25, 2012
Applicant's Neighborhood Mtg: *Not required on By-Right projects*

SUMMARY OF AUGUST 1, 2012 LUPC MEETING

On July 17, 2012 after hearing public comment the VNC voted to send this project back to LUPC for further review of mass, scale and character issues regarding the adjacent neighborhood and walk street.

SYNOPSIS OF PUBLIC COMMENT:

- *Nine two story houses on this block of Crescent; all others are one story*
- *Project is out of scale with surrounding Crescent Place homes; little façade articulation*
- *Project will prevent sunlight from penetrating into neighbors' properties on east and west, and will shade yard of neighbor opposite across walk street to north*
- *Water table is 3'-0' high in some surrounding areas; will this project cause flooding?*
- *VNC asked LUPC to hear this case again, but did not tell them how to vote*
- *Finding of de minimus is not compatible with issues of mass, character and scale as defined in the VZCSP*
- *Only one of four adjacent neighbors received notification of this project from the City of LA (City mailing affidavits for this project are included in documents available to public*

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on WWW.cityhood.org website. See link below as well. For public access, simply type in the letters p-a-s-s-w-o-r-d)

- Average lot coverage on this block is 37%; this project coverage is much higher
- Mass and scale are subjective concepts and hard to evaluate, but LUPC must try harder to find a way to maintain the character of neighborhoods
- No community outreach meeting was held for neighbors
- Project is a “box” and does not fit in with craftsman type houses, some of which may be marked as historic landmarks of some kind (plaques)
- Front yard fence will conform to 42” maximum height requirement
- Look at this architect’s other work; he has many projects in Venice that fit in well with their surroundings
- Neighbors opinions need to be solicited before a project is designed

ARGUMENTS FOR THIS PROJECT:

Applicant has met all codes without asking for exceptions, modifications or variances and has designed a project that is 3’- 3” under the required height limit and that has a first floor setback more than 15’-0” from the western property line. Four different façade materials (painted plaster, wood, glass and metal railing) can be seen from the walk street and the entrance into the property is denoted with a large wood gate that opens under the first floor arcade leading to the front door. In terms of permit approvals, the California Coastal Commission issued a letter of waiver of Coastal Development Permit requirement for the project on June 25th of this year after the case was first heard by LUPC. Demolition permits have been issued by LADBS and plan check corrections have been approved.

No immediately adjacent neighbors came before LUPC on June 20th to oppose the project. However, three Venice stakeholders did speak at that meeting about this case and another that will be heard by LUPC at a later date, noting their general perception that large homes were being built without compliance with VSZCP regulations regarding mass and scale.

ARGUMENTS AGAINST THIS PROJECT:

Community opinion expressed at the July 17th VNC meeting and at the August 1st LUPC meeting on this case is strongly opposed to this project, and in fact, the project is much larger than many homes on the 1600 block of Crescent and has less articulation along its walk street facade. Sections of the LUP, VCP and the VCZSP do require consideration of mass, scale, articulation and character, particularly when building on the walk streets. However, these terms and the language in the documents that contains them are subjective and opinions of what constitutes inappropriate mass scale and character in a particular case will vary. Without more specific guidelines and significant clarification defining subjective character, mass and scale requirements LUPC members must rely on quantitative and metric regulations when they make decisions about cases.

LUPC Report compiled by:

Sarah Dennison, FAIA, LEED BD+C

Estimated number of hours of staff time:

21

See drawings and documents at: <http://cityhood.org/>

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**EXHIBIT E
TREASURE'S REPORT**

**Venice Neighborhood Council - Expenditures to Budget
July 1, 2012 - July 21, 2012**

	DONE Category	Current Yr Budget by Acct	% of Bdgt	Amt spent Current Month	Amt Spent Current Fiscal Year	Amt Available to Spend	% Budget Remain
Annual Allocation		\$37,000.00					
Rollover		\$5,300.00					
Total		\$42,300.00					
Budget							
100 Operations							
Office Supplies	OFF	\$250.00		\$11.16	\$11.16	\$238.84	96%
Copies	OFF	\$400.00		\$0.00	\$0.00	\$400.00	100%
Office Equipment	OFF	\$450.00		\$0.00	\$0.00	\$450.00	100%
Staffing/Apple One	TAC	\$0.00		\$0.00	\$0.00	\$0.00	0%
Election [Unencumbered]	ELE	\$1,130.00		\$0.00	\$0.00	\$1,130.00	100%
Storage	FAC	\$600.00		\$0.00	\$0.00	\$600.00	100%
Board Retreat	EDU	\$700.00		\$0.00	\$0.00	\$700.00	100%
General Operations	MIS	\$900.00		\$0.00	\$0.00	\$900.00	100%
sub Total Operations		\$4,430.00	10.5%	\$11.16	\$11.16	\$4,418.84	100%
200 Outreach							
Copies / Printing	POS	\$500.00		\$0.00	\$0.00	\$500.00	100%
Facilities For Public	FAC	\$2,700.00		\$0.00	\$0.00	\$2,700.00	100%
Refreshments	EVE	\$750.00		\$44.14	\$44.14	\$705.86	94%
Web Site & E-mail	WEB	\$1,000.00		\$86.95	\$86.95	\$913.05	91%
Advertising & Promotions	ADV	\$500.00		\$0.00	\$0.00	\$500.00	100%
Newsletter Production	NEW	\$515.00		\$0.00	\$0.00	\$515.00	100%
Newsletter Printing	NEW	\$1,900.00		\$0.00	\$0.00	\$1,900.00	100%
Newsletter Delivery	NEW	\$1,500.00		\$0.00	\$0.00	\$1,500.00	100%
General Outreach	EVE	\$1,405.00		\$0.00	\$0.00	\$1,405.00	100%
sub Total Outreach		\$10,770.00	25.5%	\$131.09	\$131.09	\$10,638.91	99%
300 Community Improvement							
Venice Community BBQ	CIP	\$2,000.00		\$0.00	\$0.00	\$2,000.00	100%
Toy Drive	CIP	\$2,000.00		\$0.00	\$0.00	\$2,000.00	100%
Neighborhood Community Projects	CIP	\$13,200.00		\$0.00	\$0.00	\$13,200.00	100%
General Community Projects	CIP	\$4,600.00		\$0.00	\$0.00	\$4,600.00	100%
sub Total Comm Improvement		\$21,800.00	51.5%	\$0.00	\$0.00	\$21,800.00	100%
Elections [Encumbered]	ELE	\$5,300.00	12.5%				
Total		\$42,300.00		\$142.25	\$142.25	\$42,157.75	100%

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Community Improvement Projects

	Current Yr Budget by Acct	% of Bdgt	Amt spent Current Month	Amt Spent in Current Fiscal Year	Amt Available to Spend	% Budget Remain
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Neighborhood Comm Projects

Boys & Girls Club-Sewing Project	\$1,000.00	8%			\$1,000.00	100%
826LA-Wave Newspaper	\$1,000.00	8%			\$1,000.00	100%
Safe Place for Youth-Volunteer Fair	\$2,000.00	15%			\$2,000.00	100%
Westside Global Awareness Magnet- Beautification	\$1,000.00	8%			\$1,000.00	100%
Marina Peninsula Neighborhood Assn-Doggie Bag	\$2,000.00	15%			\$2,000.00	100%
Venice Vintage Motorcycle Club-Rally	\$1,000.00	8%			\$1,000.00	100%
Walgrove Elementary-Murals	\$1,000.00	8%			\$1,000.00	100%
Brady Walker-Surf & Skate Festival	\$2,000.00	15%			\$2,000.00	100%
Venice MoZaic-Youth Poetry & Spoken Word	\$1,075.00	8%			\$1,075.00	100%
VCHC-Centennial Park Improvement	\$1,125.00	9%			\$1,125.00	100%

Total **\$13,200.00** **\$0.00** **\$0.00** **\$13,200.00** **100%**

General Comm Improvement

Total Available	\$4,600.00				\$4,600.00	

Total Allocated **\$0.00**

Total To be Allocated **\$4,600.00**

Total Spent **\$0.00** **\$0.00** **\$4,600.00** **100%**

VNC AD COM EXHIBITS



U.S. BANCORP SERVICE CENTER
P. O. Box 6343
Fargo, ND 58125-6343



CITY OF LA - DONE

ACCOUNT NUMBER XXXX-XXXX-XXXX-1949
STATEMENT DATE 07-23-12
TOTAL ACTIVITY \$ 142.25

000015422 1 AT 0.374 106481702933943 P
HUGH HARRISON
VENICE NC
2808 GRAYSON AVE
VENICE CA 90291-4648

"MEMO STATEMENT ONLY"
DO NOT REMIT PAYMENT

NEW ACCOUNT ACTIVITY					
POST DATE	TRAN DATE	TRANSACTION DESCRIPTION	REFERENCE NUMBER	MCC	AMOUNT
07-06	07-05	EIG*IPOWER 866-5392854 MA PUR ID: 34871826 TAX: 0.00	24906412187185615789225	5968	20.00
07-13	07-12	EIG*IPOWER 866-5392854 MA PUR ID: 35029821 TAX: 0.00	24906412194678922464772	5968	20.00
07-16	07-15	SMARTNFINAL33210303329 VENICE CA PUR ID: 282197657519217 TAX: 0.00	24164072197929110015934	5411	44.14
07-16	07-12	CONSTANT CONTACT 1 IWAGNER@CONST MA PUR ID: 13983681 TAX: 0.00	24733092195206967402305	5968	30.00
07-18	07-16	OFFICE DEPOT #951 CULVER CITY CA PUR ID: 095120120716 TAX: 0.90	24445742199100244010921	5943	11.16
07-23	07-20	EIG*IPOWER 866-5392854 MA PUR ID: 35212169 TAX: 0.00	24906412202654508556018	5968	16.95

WEB-Host
WEB-Host
EVE-Refreshments
WEB- E-mail
OFF - Board Agendas
WEB-DOMAIN

Default Accounting Code:			
CUSTOMER SERVICE CALL 800-344-5696	ACCOUNT NUMBER XXXX-XXXX-XXXX-1949		ACCOUNT SUMMARY
	STATEMENT DATE 07-23-12	DISPUTED AMOUNT \$.00	PREVIOUS BALANCE \$.00
SEND BILLING INQUIRIES TO: C/O U.S. BANCORP SERVICE CENTER, INC U.S. BANK NATIONAL ASSOCIATION ND P.O. BOX 6335 FARGO, ND 58125-6335	AMOUNT DUE \$ 0.00 DO NOT REMIT		PURCHASES & OTHER CHARGES \$142.25
			CASH ADVANCES \$.00
			CASH ADVANCE FEE \$.00
			CREDITS \$.00
		TOTAL ACTIVITY \$142.25	