

REPORT OF THE PZHP TO THE BOARD OF GGPNC FOR MEETING TO BE HELD ON SEPTEMBER 16, 2008, REGARDING PROPOSAL TO EXPAND AUTRY NATIONAL CENTER IN GRIFFITH PARK.

The president of the GGPNC last year assigned this project both to the Planning, Zoning and Historic Preservation Committee and to the Parks, Open Space and River Committee as the project comes within the special expertise of both committees.

The two committees have had at least one joint committee meeting but because of the time pressures on members of both committees most committee meetings have not been joint meetings. Nevertheless, the chair of each has attended one or more meetings of the other committee to advise on the general thinking of his or her committee.

Nevertheless, because of the natural interests of the members of each committee there is a difference of emphasis.

**The PROS' August 13 minutes and the resolution proposed by the PZHP differ significantly in only two respects: Whether any expansion should be allowed at all in Griffith Park and if so whether the tower should be removed.** Two members of the PZHP committee supported such a rejection in toto of the proposal by the Autry. Two other members argued that the Autry should have all the permissions requested. The resolutions, while various segments received different votes, reflect the overwhelming majority of the PZHP Committee.

Although it seems clear the focus of the board should be on the question of whether the Autry should be allowed to have any expansion in the park, we give you below a somewhat modified version of the outline from which the PZHP worked to come up with the composite resolution which is proposed by the PZHP committee to the board.

As a matter of timing, you need to keep in mind, as discussed at the last meeting, that the City Planning Commission will most likely take up the request by the Autry for permissions to construct contrary to the general requirements of the code at its meeting on October 16.

A public hearing was held in August by a hearing officer of the Planning Department for the purpose of preparing a report to assist the Planning Commission its decision making. Because the board had not taken a position and the committees had not finished their work, given that the approximately 1,000 page final EIR had just be released, the hearing officer has agreed to consider our comments if received by September 23. We have not been advised of the dates by which our comments on the EIR and lease should be to the appropriate agency (likely to the Board of Referred Powers of the City Council).

I. Background.

The Autry built a 161,000 square foot building in the mid 1980's presumably in accordance with regulations, including the zoning code, then in effect. The Autry now proposes to expand in two phases by a total of 129,000 square feet, adding 79,000 square feet to the current structure and building a new 50,000 square feet one storey research library over a parking structure in what is now the south lawn. Because the expansion is so large, it is necessary either to comply with current code provisions or to obtain special permission in the form of variances and/or conditional use permits. In addition, because the Autry is only a tenant of the land it occupies it must get permission from the owner, the City of Los Angeles, acting through the Department of Recreation and Parks (DRAP). Also, because of the size of the project an environmental impact report has been prepared and must be considered by the appropriate body before granting the permissions needed.

The three documents before us are:

(1) the master land use application by which the Autry seeks to do what is not otherwise allowed on the property, This matter will be considered by the City Planning Commission ("CPC") probably on October 16, 2008. A hearing was held by an employee of the Planning Department to take comments from the public for summary to the CPC and that person has agreed to consider our comments in her report if received by September 22.

(2) the Final EIR has been released and will be considered by the Board of Referred Powers of the City Council in connection with the lease amendment and by the CPC in connection with the variances and permits requested.

(3) the amendment to the lease. This has not been provided to us. The Autry has advised us that they will not request anything more than a minor change in the land described; they will not ask for an extension of the term. However, the lease must be amended to allow the project to go forward, and the amendment is an appropriate document by which certain matters may be addressed.

## II. Open Space Zone.

The Autry sets within Griffith Park. Therefore it is zoned Open Space with a height limit of two stories and 30 feet to the highest part of the roof. (OS-IXL.)

Open Space is one of the most restrictive zones in the City.

The code provides:

"It is the purpose of the "OS" Open Space Zone to . . . protect and preserve natural resources and natural features of the environment, to provide outdoor recreation opportunities and advance the public health and welfare; to enhance environmental quality, to encourage the management of public lands in a manner which protects environmental characteristics; and to encourage the maintenance of open space uses

in all publicly owned park and recreation land, and open space public land which is essentially unimproved”

Certain uses are authorized in Open Space, for example bicycle trails, nature trails, athletic fields. A museum is not allowed by right in an Open Space zoned area.

Therefore, a variance or conditional use permit is required to allow a major change to the existing museum, which was built before the Open Space Zone was adopted in 1990.

### III. Code Requirements for Variances and Conditional Use Permits.

There are five showings, all of which must be made as a precondition for the issuance of a variance:

1. The strict application of the code provisions would result in “practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.”
2. There are “special circumstances applicable to the subject property . . . that do not apply generally to other property in the same zone and vicinity.”
3. A variance is necessary to preserve a substantial property right possessed by other property in the same zone and vicinity which because of special circumstances and practical difficulties or unnecessary hardships is denied to this property.
4. A variance will not be materially detrimental to the public welfare or injurious to the property in the same zone and vicinity.
5. The variance will not adversely affect any element of the General Plan.

The Autry has treated its application as one for a conditional use permit rather than a variance. The requirements are somewhat different for a conditional use permit.

### IV. Underlying Question.

It does not seem that the Autry can literally meet all of the foregoing conditions. Because the standard is so high, variances are often issued for policy reasons. Therefore, it seems the underlying and fundamental question is: should the Autry be allowed to expand, and if so by how much?

The purported principal reason for the expansion is to incorporate a major portion of the collection of the Southwest Museum into the Griffith Park facility.

The Southwest Museum was unable to show its entire collection or even a major portion of its collection. (Most museums have the greater part of their collections in reserve, either because the quality is not to the museum’s standards, or the items are more

for research than exhibition purposes, or the curators are simply awaiting an appropriate “show” in which “to fit” the items.) (The Autry proposes to adopt a newly fashionable “open storage” method of storage, which allows the public to view most of the collections in relatively compact space.)

The Southwest Museum has about 9,800 square feet of exhibition space, and the study done under Ms. Levine, proposed expanding that to 12,500 square feet to make a viable museum at Arroyo Seco.

Therefore, the question is: Given the City’s established policy in the General Plan of preserving Open Space for the uses set forth in the code (not including museums without a special variance) should there be any expansion of the Griffith Park facility or if so, should the expansion be to the extent requested?

As required by the California Environmental Quality Act, one should consider the alternatives to any such large project, particularly one impinging on open space.

The alternatives that come readily to mind are:

1. Expand the Southwest Museum;
2. Leave the library at the Southwest Museum, obviating the need for Phase 2;
3. Make room at the current Griffith Park building by
  - a. remodeling
  - b. putting some of the current collection in off-site storage
  - c. de-accessioning or lending some of the current collection.

**[THE PZHP VOTED TO ALLOW THE PHASE 1 EXPANSION SUBJECT TO THE LIMITATIONS SET FORTH IN THE RESOLUTION AND VOTED TO OPPOSE PHASE 2.]**

V. Assuming there is an expansion in Griffith Park what about the requested variances and permits?

A. Height.

The code limits height for open space structures to two stories and 30 feet. These limits are strict because of the purpose of open space is defeated by taller buildings.

The current structure far exceeds that permitted by code: about 60 feet for the bulk of the building and a tower of about 112 feet.

Should the Autry be allowed to keep this same height, nearly four times in the case of the tower and about two times in the case of the bulk of the building?

Should the elimination of the tower be the price for allowing the rest of the building to be about twice as high as that normally allowed?

**[THE PZHP VOTED TO ALLOW THE CURRENT HEIGHT AS TO THE BUILDING AND THE TOWER BUT TO RESTRICT ALL ADDITIONS TO THE MAXIMUM PRESCRIBED THE CODE FOR THE OPEN SPACE ZONE.]**

B. Parking.

The code requires 1 parking space for each 5 seats in the auditorium plus 1 parking space for every 500 square feet of space within the buildings. Thus, the current building requires more than 322 spaces. After phase 1, an added 79,000 square feet, that number would increase by about 158 spaces to 480 and after both phases the required spaces would increase by a total of 258 to require a total of more than 580 spaces. (The auditorium alone accounts for 46 spaces.)

The Autry estimates that after phase 2 it will have 159 employees and 35 volunteers present at the site at any one time. Assuming each drives alone the staff would require 194 spaces.

The Autry is attempting to reduce the number of parking spaces required by the code by re characterizing the storage areas (which are to be open to the public) to be the same as elevator shafts and stairways, which are excepted from the square footage used to compute parking spaces required by the code.

Our committee at its last meeting determined on a preliminary basis to oppose phase 2, in part because of the underground parking structure and in part to make certain some of the Southwest Museum remains in Arroyo Seco. We also agreed to request a condition that no parking fee ever be charged by the Autry in Griffith Park, which seemed to have the ready agreement of Autry's representatives present.

The Autry seeks to limit its obligation to provide parking to 311 spaces after it adds 79,000 square feet and 380 spaces after it adds an additional 50,000 square feet. Thus, the Autry requests a reduction of about 200 spaces or 34% from that required by the code. If each of the staff and volunteers is allocated one space there would remain 186 spaces for all visitors to a 252,000 square foot museum.

The Autry proposes to expand paved areas other than for parking by adding a bus-only driveway, a bus turn-around area and a truck turnaround area.

Given our opposition to the parking structure and a natural desire to reduce the amount of paving (presumably all will be done in a more environmentally sensitive and aesthetically pleasing manner than at present), we might wish to consider seriously allowing a reduction in the required parking.

We might condition such reduction however by requiring the Autry to encourage attendance by those not using cars. For example, the cost of not having to construct and maintain parking (very expensive in the case of parking structures) could be contributed

to a tram from the Red Line and the Vermont and Los Feliz busses to the Autry and the Zoo. Also, it could be required that the Autry give free admission or other incentives to those coming by public transport or by bicycle.

Employees might be required to carpool or take public transport. The Autry might be required to provide off-site (out of the park) parking for its staff with a shuttle service to the Autry.

**[THE PZHP VOTED TO ALLOW THE REDUCTION IN PARKING REQUIRED BY THE CODE SUBJECT TO THE CONDITIONS SET FORTH IN THE RESOLUTION.]**

C. Signage.

The new Signage provisions of the Code limit certain signs as to number and size. This code is for general application in commercial areas. Although the Autry seeks greater signage than allowed to a commercial operation the question is should even that be allowed in an Open Space?

Related to signage is the Autry's proposal to have the building lighted from the inside to be seen from the outside and to have exterior lighting on signs and otherwise. Is this consistent with its placement in the park? Is it necessary? What is the effect on wildlife?

**[THE PZHP VOTED TO NOT ALLOW ANY INCREASE IN SIGNAGE FROM THAT AT PRESENT.]**

D. Conditional Use Permit for the Sale of Liquor.

A conditional use permit was issued to the Autry in the 1980's allowing the sale of a full line of alcohol with essentially no conditions. This was done without public notice and without a hearing. This is a procedure which would not be acceptable today. Therefore, we should feel free to look afresh at the application.

Is it appropriate to have sell liquor (a) in a museum and (b) in Griffith Park? Many museums do have such conditional use permits for fine dining e.g., the Getty. Several locations within Griffith Park have such licenses, but all of the city permissions were issued without the current safeguards of public notice and hearings.

The Observatory applied for a zone variance to allow the sale of liquor (not for general sales, which the concessionaire agreed was inappropriate), for special occasions only. We opposed this except pursuant to very strict limitations. The Autry was asked to review those proposed limitations and advise of their views. We have not heard back.

Should the liquor conditional use permit be denied and leave the Autry on a par with the Observatory, having liquor served at special fund raising occasions for its members no more often than 24 times a year under a catering permit?

How does one square allowing liquor to be sold at the Autry but picnickers being prohibited from bringing a bottle of beer or wine into the park?

**[THE PZHP VOTED TO ALLOW ONLY BEER AND WINE AND TO RESTRICT ITS AVAILABILITY; AS A MATTER OF LAW IT IS LIKELY THAT THE AUTRY COULD HAVE A FULL LINE OF LIQUOR 24 TIMES A YEAR THROUGH A LICENSED CATERER.]**

VI. Architecture.

Normally, in a commercial setting or even a residential setting we do not consider the aesthetics of a proposed building appropriate to comment upon (there have been notable exceptions). However, the Autry is located in a park, and a park which may very soon be designated an historic cultural monument. Should we require that the architecture of any remodel be more in line with the Spanish colonial revival of many of the other structures nearby in the park, particularly as the proposed size is by far the largest in the park?

**[THE PZHP DECIDED NOT TO COMMENT ON THE ARCHITECTURE.]**

VII. Southwest Museum.

Should any expansion of the Autry at Griffith Park be conditioned on the preservation of the Arroyo Seco site as a fully functioning museum?

**[THE PZHP CONDITIONED ITS LIMITED APPROVAL ON PRESERVATION OF THE ARROYO PARK STRUCTURE AS A FULLY IMPROVED MUSUEM.]**

VIII. Lease terms.

There are a number of issues more properly addressed in a lease than in conditions to a variance or conditional use permit that have been raised:

- a. Rent. Is \$1 a year a proper rental?
- b. Limitations on operations. At our last meeting we agreed that the Autry should be limited to operating as a museum and should be prohibited from any rentals or commercial activity not incidental to and directly related to its mission as a museum. That is, it may have a book store and a café for the incidental convenience of its patrons but not have a restaurant designed as a destination. Nor should the Autry use the City's land to have events not strictly related to its museum

activities, such as Indian markets. The rental to NetFlix and a beer tasting was deemed inappropriate. That can be put in the lease.

- c. Guaranty that any improvements will be built if approved.
- d. Periodic review of costs of the Autry to the park and method of compensation to the parks department for such costs.
- e. Guaranty regarding continuity of the Southwest Museum as a museum.
- f. Parking: The lease could provide for methods for reducing the demand for parking at the Autry if any reduced parking were allowed in the permission to enlarge if such reduction proves to be troublesome for the park generally.

**[THE PZHP ACCEPTED THE TOKEN RENTAL AND SUPPORTED ALL OF THE CONDITIONS B THROUGH F.]**