



Greater Wilshire Neighborhood Council Land Use Committee

March 26, 2013

APPROVED BY THE COMMITTEE 04/23/13

1. Call to Order

A duly noticed meeting of the Land Use Committee (“LUC”) of the Greater Wilshire Neighborhood Council (“GWNC”) was held on Tuesday, March 26, 2013, at Wilshire United Methodist Church, Assembly Room, 4350 Wilshire Blvd. Chairman James Wolf called the meeting to order at 6:43 p.m.

2. Roll Call and Approval of the Minutes

It was announced that Brianna Valdez and Daniel Whitley resigned. Secretary Greg Wittmann called the roll. Land Use Committee Members in attendance at the roll call were: Patricia Carroll, Ann Eggleston, Bill Funderburk, Mike Genewick, John Gresham, Dick Herman, John Kaliski, Gerda McDonough, Caroline Moser, Greg Wittmann and James Wolf. Karen Gilman arrived later. Committee Members absent: Mitchell Karp, Patty Lombard, Fred Mariscal, Jeff McManus. Also attending: 16 Stakeholders and guests.

Eleven of the 16 Committee Members were present at the roll call. The GWNC Land Use Committee quorum (the minimum number of Committee Members needing to be present to take binding votes on Agendized Items) is nine, so the Committee could take such votes.

MOTION (by Mr. Kaliski, seconded by Mr. Funderburk): The Greater Wilshire Neighborhood Council Land Use Committee approves the Minutes of its January 22, 2013 Meeting as written.

MOTION PASSED by a voice vote.

Committee Member Karen Gilman arrived at this time

The following corrections to the February 26, 2013 Land Use Committee Minutes were requested:

Page two, Item #4. a.: “off LaBrea between First and Second.” should read “on LaBrea between First and Second.”

Page two, Item #4. c.: “Mr. Gresham and Board Member Charles Dougherty” should read “Mr. Kaliski and Board Member Charles Dougherty”.

Page three, Item #6. a.: “They believe it will increase emergency response times.” should read “They believe it will decrease emergency response times.”

MOTION (by Ms. McDonough, seconded by Ms. Eggleston): The Greater Wilshire Neighborhood Council Land Use Committee approves the Minutes of its February 26, 2013 Meeting as corrected.

MOTION PASSED by a voice vote.

3. Review of Recent Notifications for Possibility of Further Study/Action (GWNC Mail and Early Notification Report).

Mr. Wittmann distributed and reviewed the “03/26/13 Early Planning Report Summaries for GWNC Area.” Recent land use applications received by the City were reviewed.

Stakeholder Elizabeth Fuller noted that the 801 S. La Brea Ave. Application is for beer and wine.

4. New Business

a. Chipotle CUB application for full liquor permit (5201 Beverly Blvd.)

Vince Cox, Vice-President, Larchmont Village Neighborhood Association, believed that this is “not an appropriate place to put in full line liquor . . . as far as beer and wine is concerned we’re fine.” Stakeholder Joe Husman was concerned that approval of this Application would set an unwanted precedent and cause extra traffic and increased drinking and driving, negatively impacting Larchmont Village’s cleanliness, peace and quiet, image and family-orientation.

MOTION (by Ms. Gilman, seconded by Mr. Gresham): The Greater Wilshire Neighborhood Council Land Use Committee recommends that the GWNC Board oppose the CUB application for a full-line liquor license for Chipotle Restaurant, 5201 Beverly Blvd.

DISCUSSION: The Applicant is asking for 11:00 a.m. – 10:00 p.m. hours of operation and a “full line” of alcoholic beverages.

MOTION PASSED by a hand vote.

b. La Brea Bakery CUB application for full liquor permit (460 S. La Brea)

Mr. Kaliski recused himself from this Item because the owner is a former client. Copies of the Application were distributed. Rachel, representative, and Mark Olcott of La Brea Bakery presented. “A portion of the restaurant [is] up and running” now. They are “requesting hours of operation 7:00 a.m. to 12:00 midnight.” Rachel indicated that the liquor they sell is “typically used as a gift basket” though “bottles of beer” could be sold. Mr. Olcott said they “have 1,800 square feet of floor space . . . at lunchtime the menu will switch.” There would be 165 sit-down seats and “nine to 12” staff who would also use the parking. They plan to offer cooking classes “to engage with our neighborhood.” He described their intention to serve alcohol with food, saying “we don’t want to have a bar.” Their “breads are sold all over the world . . . most of the key guys on the bread side of the business are still there” since 1989. Rachel noted that “beer and wine has been at this site since 1996 with Rita Flora.” They’ve “spoken with Building and Safety.” It would have “18 spaces on-site [“shared with other tenants”] as well as abutting the alley there are additional spaces” for a total of 23 spaces. They’d effectively be using two spaces along the alley for a patio. They “have a private lease with Ace Gallery” for the parking but don’t know if the Gallery is the parking site owner. Mr. Wolf explained the Committee’s

preference for retailers to have a parking “covenant” to help insure parking availability and that “we want to make sure the adjacent property owners are notified.” He explained that the Variance would go with the property and other possible future owners “would get to enjoy” it who “don’t share the vision” of Mr. Olcott.

Mr. Funderburk was concerned with who is responsible for the wall along Sycamore because homeless people have been camping along it. Mr. Olcott said “whatever we’re responsible for, we’d step up and do . . . we depend on our neighbors to be proud of us.” Stakeholder Fred Pickle expressed that he enjoys the Bakery but there are a number of other nearby restaurants serving alcohol and described that there is a community interest in not having “a club” too close to the residential area, saying “we want something as strong as a covenant; a lease is not enough.” He was also concerned about traffic and pedestrian safety and said “you need to do some more community engagement.” Ms. Fuller suggested and Mr. Olcott agreed to create a written “list of conditions.” Rachel said “we’d be happy to get together” with the Committee and/or Stakeholders “to create a volunteered set of conditions” and “we’d be happy to come back to your next Meeting.”

c. CUB application for full liquor permit for new restaurant (706 N. Citrus).

Copies of the Application were distributed. Nicola Hladej and Brady Beaubien presented. Mr. Hladej described the project and intended services; they’re requesting hours of operation of Monday-Thursday 10:00 a.m.-1:00 a.m.; Friday until 2:00 a.m.; and Saturday and Sunday 9:00 a.m. – 2:00 a.m. They’ll have “the code-required parking.” They “have a Hearing date of May 22nd” and “would be happy to also come back next month.” Mr. Beaubien indicated that the owner, who designed the building himself and owns a post-production company, “bought this property about two years ago” and “will be working there.” Mr. Hladej described his vision of a “high-end . . . five-star-rated Michelin restaurant” seating “60 to 65.” He is “going to do [his] best” to ensure the restaurant wouldn’t create problems. The site had a restaurant, then a commercial use. He intends to apply for ADA-compliant outside seating. Mr. Beaubien described their plan to ensure no loading or unloading on Citrus. Mr. Wolf described the concern that residents often end up having to pay to park on their own streets. Mr. Hladej said they will have “on-site service only.” Mr. Kaliski was concerned about the request to operate until 2:00 a.m. Monday mornings. Mr. Beaubien indicated “there’ll be at most two to three tables in the southwest corner [by the neighbors]; the rest will be massed by Melrose.”

d. Update on billboard working group and discussion of proposed Motion on digital billboards.

Mr. Wittman is working to schedule speakers. Mr. Kaliski described that the City had agreed with two billboard companies to install digital billboards; a court struck down the agreement. The two companies are seeking to keep some or all of the billboards already installed.

MOTION (by Mr. Kaliski, seconded by Mr. Gresham): The Greater Wilshire Neighborhood Council Land Use Committee recommends that the GWNC Board adopt the following Resolution: “Whereas, in 2006 the City of Los Angeles entered into an illegal agreement with Clear Channel Digital and CBS Outdoor, which allowed the companies to convert approximately 800 static billboards to digital billboards. This “agreement” was entered into without public hearing, public comment, or any input from neighborhood councils, community groups or resident organizations. The result was that these

companies erected 103 illegal digital billboards that have been opposed by our organization and other communities groups from the beginning, and Whereas, the agreements were challenged in court – Summit Media, LLC v. City of Los Angeles – wherein Superior Court Judge Green ruled the agreements illegal, followed by the California Court of Appeal upholding Judge Green’s ruling. The Court of Appeal further ruled that the permits for the digital signs issued under the settlement agreements are invalid and must be revoked, and Whereas, the California Supreme Court has declined to hear the case, allowing the decision of the Appeals Court to stand;

Therefore, be it Resolved, the Greater Wilshire Neighborhood Council urges the City of Los Angeles to fully implement the appeals court ruling in the Summit Media LLC v. City of Los Angeles and to remove the 103 illegal digital billboards blanketing our city. Further, we oppose any and all attempts to grandfather these illegal billboards, or any other action that would retroactively seek to legalize them. It is essential that the City avoid taking any actions that would compromise the integrity of the City’s sign ordinance. We are particularly concerned about driver distraction caused by digital signs and the negative impacts they have on traffic/pedestrian safety and traffic delay and congestion. We also urge the City to determine the legal status of older, un-permitted static billboards as soon as possible, and to immediately proceed with the removal of all illegal billboards so that a baseline level of permitted signs can be established. Finally, we urge passage of the currently proposed sign ordinance that will limit the locations in which sign districts can be established while also allowing new digital signage only within those sign districts and subject to an open and transparent outreach and review process with community stakeholders and in accordance with local land use regulation. We further request that any so-called ‘grandfathered’ sign districts be required to comply with any regulations established for sign districts under the new sign ordinance.

MOTION PASSED unanimously by a hand vote.

5. Old Business

a. Update on Flywheel retail store and testing room.

David Selden, a representative, said they want customers “to experience a Flywheel class.” Mr. Kaliski was concerned that the use is “pushing the envelope of what a fitness facility is” and creating a gray area of use. David said “we’re a retail store with a testing room . . . about a thousand square feet . . . we have free testing and charged testing.” Walk-in tests are not allowed; you “must schedule” and they are conducted “within a class.” He said “other than a NIMBY with a specific agenda, we’ve had nothing but warm reactions.” He said they “attract an upscale element” and will have a parking lot attendant. Ms. Moser expressed the community’s concern “that rules be adhered to.” David said that Building and Safety confirmed what the City Council, a City planner and City Council District Four confirmed, that the use is approved.

b. Final vote on proposed Land Use Committee Protocols.

Ms. Fuller distributed copies of draft “[GWNC] Land Use Committee Protocols, February 26, 2013” and reviewed them. It was agreed to revise on page one in Step Four Versions A and B; and to revise on page three “more than three unexcused absences” to “more than three consecutive absences.”

MOTION (by Mr. Gresham, seconded by Ms. Moser): The Greater Wilshire Neighborhood Council Land Use Committee adopts the attached Land Use Committee Protocols.

MOTION PASSED by a hand vote.

Ms. Fuller will post it on the website.

c. Information on 4401 Wilshire Blvd. Application. (Wittmann)

Mr. Wolf indicated that this is a cell tower application.

d. Update on proposed Peru Village boundaries.

Mr. Wittmann indicated that the Applicant filed a new Application with new boundaries. Mr. Gresham believed that the changes are not significant enough to change the Committee's opposition. Mr. Genewick observed that the proposed Village is not within the GWNC area. Mr. Wittmann will check as to when there will be a Hearing, noting that "the clock started again" with the new Application.

6. Committee Member Comments and Reports

Mr. Wittmann invited everyone to walk "a mile or a mile and a half . . . to see what's going on in the neighborhood" with him regarding multi-family residences. Ms. Gilman described the need for the City to enforce building codes. Ms. Carroll announced a March 28th Millennium Project Zoning Hearing and described the opposition of various local neighborhood organizations. She encouraged individual communications of opposition. Mr. Genewick announced the April 16th Fire Station 29 100th Anniversary Pancake Breakfast and ceremony.

a. Transportation Committee

There was no report at this time.

7. Public Comments

Joane Pickett was concerned about the "gray area" of the Flywheel store use. Mr. Wolf described the need to "look at the entirety" of the "Q" conditions.

8. Announcements and Adjournment

a. Next meeting: Tuesday, April 23, 6:30 p.m.

b. Possible future agenda items:

- Update on BRE (Wilshire-La Brea) sign program application
- Discussion of California ABC enforcement and licensing procedures
- CUB application for restaurant at 3700 W. Olympic Blvd.
- Information on Tract Map process
- Application for parcel map to divide a lot into two lots at 800 N. Sycamore

Mr. Wolf declared and the Committee agreed to **ADJOURN** the Meeting at 9:30 p.m.

Respectfully submitted,
David Levin
Minutes Writer