

## Greater Wilshire Neighborhood Council



## Greater Wilshire Neighborhood Council Land Use Committee Meeting

May 4, 2010

Approved by the Committee  
6/1/10

### MINUTES

#### Call to Order

A duly noticed meeting of the Land Use Committee of the Greater Wilshire Neighborhood Council (“GWNC”) was held on Tuesday, May 4, 2010, at the Wilshire United Methodist Church, 4350 Wilshire Blvd., Land Use Committee Chair Person James Wolf called the meeting to order at 7:08 p.m.

#### Roll Call & Approval of Minutes

Committee member Elizabeth Fuller called the roll. Committee members in attendance at the roll call were: John Gresham, James Wolf, Mike Genewick, Elizabeth Fuller, Cindy Chvatal, Charlie Dougherty and Yigal Arens. Committee members Ruy Gintel, Patti Carroll, Patty Lombard, and Bryan Currie were absent. Committee member Karen Gilman joined the meeting later.

Ms. Fuller stated that a quorum was not present at roll call. The meeting proceeded with non-vote items only.

Approval of the minutes was tabled until later in the meeting.

#### Old Business

Bricks & Scones Beer & Wine CUP – 403 N. Larchmont – Committee member Elizabeth Fuller reported, on behalf of owner Jinah Kim, that a hearing date has not been set yet, and that Ms. Kim will return to us in the future.

Yeshivath Torath Emeth Preschool CUP – 7002 W. Clinton – Ms. Fuller reported, on behalf of school neighbor Lloyd Solly, that neighbors are working on an appeal to the CPC approval of the project. Mr. Solly also reported that various neighbors have filed complaints about violations at several of the school’s other buildings.

Van Ness Preschool CUP – Ms. Fuller reported, on behalf of applicant Thomas

Meyer, that the short sale offer for the property is still in progress, and that he will report back when it closes.

Larchmont Bungalow Code Violations – 107 N. Larchmont – Ms. Fuller reported that a new hearing date in the criminal case the City has filed against the Bungalow owners has been set for May 18.

CVS – 3<sup>rd</sup> & La Brea – Ms. Fuller distributed a report from committee member Rudy Gintel, who attended the most recent meeting of the Mid-City West Community Council's Land Use Committee, where this proposal was recommended to the full board for approval, on the condition that the developers add a corner entrance to the building plans. MCWCC Land Use Committee member Charles Lindenblatt stated that Mr. Gintel's report was correct, and that the matter will be on the agenda for a vote by the full board of the MCWCC on May 11.

*[Committee Member Karen Gilman joined the meeting at 7:19 p.m. The Secretary declared a quorum was now present.]*

1<sup>st</sup>/Wilton Cell Phone Pole – Committee member Mike Genewick reported that the neighbor whose home is nearest to the proposed installation location has filed an appeal with the Bureau of Engineering.

4001 W. 6<sup>th</sup> St. (at Manhattan) CUB application – Committee member Patti Carroll, who had offered to drive by this site to provide more information, was absent, so the matter was tabled until a future meeting.

Committee member Yigal Arens reported seeing a new electronic billboard on Melrose Ave. He asked if there's a moratorium in place on such installations. Committee member John Gresham advised him to report the billboard to the City Attorney's office.

#### Review of Recent Early Notifications

Committee member Elizabeth Fuller distributed a list of recent project notifications received through the GWNC mail box and the City's Early Planning Reports. Committee members discussed and advised:

- 432 S. Highland – Committee member Cindy Chvatal reported that the application was approved tonight by the Hancock Park HPOZ board. No further action necessary by the GWNC.
- 6801 Melrose – An application has been filed to allow wine tasting at an existing wine store. Ms. Fuller said she will contact the applicant to schedule a presentation at a future Land Use Committee meeting.
- 812 N. Sycamore – An application has been filed to legalize a third dwelling unit at this address. Ms. Fuller will check to see if this committee has

previously reviewed this proposal and, if now, will invite the applicant to make a presentation at a future LUC meeting.

- 450 S. Western – An application has been made for the construction of a new grocery store and shopping plaza at this location just outside the GWNC boundaries. Ms. Fuller will contact the applicant about making a presentation at a future GWNC meeting.
- 932 S. Rimpau – An application has been made to legalize an unpermitted 2-story accessory structure on the property. Ms. Fuller will contact the applicant to schedule a presentation at a future LUC meeting.
- 936 S. Wilton – Application appears to refer to the creation of a preservation plan for the Wilshire Park HPOZ. This may be a policy issue not relevant to the GWNC, but committee member John Gresham will contact the applicant to find out more.
- 216 N. Irving – An application has been made to legalize a third dwelling unit on the property. Mr. Wolf asked if the Windsor Square HPOZ board has taken a position on this matter. Committee member Mike Genewick said they won't if the unit isn't visible from the street. Ms. Fuller will contact the applicant to schedule a presentation at a future LUC meeting.
- 118 N. June – Committee member Cindy Chvatal reported that the Hancock Park HPOZ board is working on this issue, involving window replacements on a single family dwelling.
- 321 N. June – Ms. Chvatal reported that the Hancock Park HPOZ board is also working on this issue, involving a chimney brace on a single family dwelling.
- 136 S. Plymouth – Mr. Genewick reported that the Windsor Square HPOZ board will be dealing with this issue.

#### Approval of the Minutes

The Secretary presented the minutes of the April meeting. Committee Member Charlie Dougherty moved the minutes be approved as written. Ms. Chvatal seconded the motion. It was approved unanimously.

#### New Business

Reorganization of the City Planning Department – Ms Fuller distributed an announcement about Planning Department reorganization, which had been sent out by a law firm. Committee chair James Wolf said the City is using the concept of “cradle to grave” planning more and more, with the same person assigned to follow a project from

application to completion. Ms. Fuller said it's interesting to note that Ken Bernstein, from the Office of Historic Resources, will now be heading the city-wide planning division in addition to his other duties.

Stakeholder Lucille Saunders said she was very concerned that many people first heard about the reorganization from the law firm announcement, instead of from the city itself. Mr. Genewick said that reorganization of a city department is an internal matter, and not of interest to a neighborhood council or neighborhood associations. Ms. Saunders said she's still concerned about transparency, and that the public ought to be involved in anything the city government does. Mr. Wolf agreed with Mr. Genewick, saying it does sound like a pretty routine reorganization. He also said the law firm announcement, even though it may have predated some city publicity on the matter, was probably just a case of a firm notifying its clients about a change in city policy.

St. Andrews Boarding House – Discussion of this matter was tabled because committee member Patti Carroll, who brought it up, was absent.

AT&T Cabinet at 1<sup>st</sup> & Gramercy – Discussion of this matter was also tabled because of Ms. Carroll's absence.

#### Committee Member Comments & Reports

Cell Tower Committee – There was no committee report, but T-Mobile representative Cia Parker said she – and Christian Charbonnet, who works on sites in public rights of way in residential areas -- would be happy to answer questions about cell phone antenna installations, coverage, and other matters.

Stakeholder Federico Mariscal asked why each company needs to erect its own installations and why they can't share antennas and other equipment. Ms. Parker said each set of towers has to be a certain height to see other towers in a network, and there has to be a 10-foot separation between antennas. Also, each company has to make sure its infrastructure can work with its phones – many types of phone, used by the many different companies, have different technology requirements. For example, one company might be using 3G equipment, others using 2G, and the two systems need different tower placements and heights.

Mr. Wolf said one company might also place a tower in a location that wouldn't work with another company's equipment. Then the other company comes in later and needs its own setup. He said we'd like to help create policies so that if things fall within certain parameters, we don't have to get involved in each individual case. He said our Cell Phone Subcommittee is looking at where the industry is going, how the City is handling it, and how we can help shape policy on this issue.

Mr. Genewick noted that most GWNC members represent historic neighborhoods, and one big hot button for us is putting new equipment on existing poles or replacing old poles with huge new poles without a public review process.

Mr. Wolf said many of these same issues came up when cable TV companies first came in and connected their equipment to existing utility poles.

Ms. Fuller said another hot button is putting cell phone equipment on residential buildings or on residential streets when there are commercial or busy streets nearby. She said neighbors are trying to understand this and to get good answers from the cell phone companies.

Mr. Genewick said we're also looking for better design options, that would be more appropriate to the historic character of our neighborhoods.

Ms. Parker passed out some T-Mobile literature, which included pictures of antennas camouflaged as trees. She said technology is improving, and the cell companies are starting to realize that if they don't make good installations now, they will encounter even more resistance from neighbors in the future.

Mr. Dougherty said we're already seeing evidence of that. He pointed out that after a proposed installation on an historic building at 535 S. Gramercy was denied, T-Mobile came back with a new proposal at 1<sup>st</sup> and Wilton, which has prompted just as many protests. He said it's a case of commerce fighting quality of life.

Mr. Gresham noted that the approval process for cell phone antenna installations also tends to avoid the public, which doesn't sit well with neighbors. Ms. Parker said that she can't deny the companies operate to make a profit, but they do also provide some measure of public safety (for example 911 services, including backup batteries so fire and other emergency responders can use the networks even during emergencies). They also have to balance negative reactions with the growing public demand for cell networks. She said many people of her generation don't have home phones any more, only cell phones.

Still, she said, when she's helping to plan a site, she wants to work with people to find good solutions, and she would want good designs in her own community. She asks, "Is this something I and my child could live with?"

Mr. Genewick said the installations should be as inconspicuous as possible, and then will have fewer objections.

Mr. Dougherty said he believes Ms. Parker wants to do the right thing, but also that she will at some point be overruled by the company she works for. He said our concern is with the aesthetics of the neighborhood. And in this part of town, a better strategy would be to explore the more commercial corridors before proposing installations in residential areas. We have to be very careful in planning so we don't create "junk" we can't get rid of.

Mr. Gresham said that for a while it looked like the cell phone industry was working toward more and smaller antenna locations, but now the trend seems to be toward fewer, but bigger and taller, locations. He said Metro PCS used to have small

setups that looked very efficient, on light poles. But Mr. Wolf said those were not cell phone antennas, but transponders that allowed buses to hold signal lights.

Mr. Gresham noted that AT&T now has small antennas available for individual homes. Ms. Parker said those antennas work for home phone service, but won't help people using their phones on the street. She said technology is changing, but with 3G and 4G networks, the antennas are getting bigger – as much as a foot longer (though not fatter). She said she does realize that people hate the are ugly poles, and they do want to modify them – the industry is getting smarter. She said we are their customers and if they don't pay attention to the people who buy their services, they will go out of business.

Ms. Parker said she can't promise that every installation will be what we want, but she does want to work closely with Neighborhood Councils, and try to help provide good solutions.

Committee member Yigal Arens said many questions concern the technicalities of cell phone transmissions and we don't have expertise in that area...so we have to rely on industry people for that information. But we can't achieve good policy on this issue unless we do have our own unbiased technical advisors.

Ms. Parker said she can provide independent resources on health and technical questions.

Stakeholder Federico Mariscal asked if people can get cancer from cell phone antennas. Ms. Parker presented a brochure containing information on signal strength of various devices including cell phone antennas. She encouraged us to check with the American Cancer Society and other outside groups for their answers to that question.

Committee member Karen Gilman said we also haven't discussed antenna and pole safety in storms and earthquakes (e.g. the potential hazard of falling towers), which is another question people will raise. Ms. Parker said cell phone towers are like any other structure and can possibly fall; but the riskiest scenarios involved fires or cars hitting towers and causing them to fall. Even then, however, they tend to bend but not fall over.

Ms. Gilman said there was an incident in which a tower fell and killed someone. Ms. Parker said she has heard of a tower that was damaged in a brush fire area, but never of one falling completely down.

Ms. Gilman asked about building and safety codes for cell towers, and Ms. Parker said she could research that information.

Mr. Genewick said he's more concerned about electrical transformers than cell phone installations. Mr. Charbonnet said that many times, laws don't catch up quickly to technological developments. Today, he said, they run into an old Above Ground Ordinance, which makes it difficult to erect sleek poles or put everything underground, because the DWP insists on certain spacing for the equipment. He said the Cultural Affairs Commission does review some applications, but it's difficult to balance DWP

requirements and aesthetics.

Mr. Wolf said we've been dealing with that kind of process for decades: the Bureau of Engineering says one thing, but then another agency says something else, and then someone comes up with an idea that might work...but no one wants to spend the extra money. He said he encourages Ms. Parker and Mr. Charbonnet to continue to come to groups like ours, and to understand our sensitivities, so they will get a sense of what people want and don't want. He said this issue requires cell phone companies to be proactive. Historically, they have said they only care about city ordinances, but that only makes people angrier. To encourage a good planning process, we need to look for solutions and real design ingenuity to fit specific situations. And many times we neighbors can help to find solutions. Most of the people here represent residential communities, and we need to balance everyone's desire for technology with good design solutions. Also, he said, we've had the experience where company people come here for a while, but then leave...and we're still here.

Ms. Parker said she does understand what we're saying, and that she is passing that message along. She does appreciate that we look at each individual case. Mr. Wolf noted that our sensitivity does go beyond aesthetics, and that we are also concerned with seismic safety and structural integrity. Ms. Parker said she would be happy to do some research on safety issues. Mr. Gresham said there will probably be even more safety concerns as we move to bigger metal poles.

Ms. Parker concluded by saying that we are balancing a lot of concerns in this issue.

City Planning Department Audit Review Committee – There was no report on this issue.

#### Public Comments

There were no public comments.

#### Announcements & Adjournment

Ms. Fuller distributed a flier about our upcoming board elections and asked people to distribute them in their neighborhoods. She said there is a downloadable version of the flier on our website at <http://www.greaterwilshire.org>

The meeting was adjourned at 8:47 p.m.

Respectfully submitted,

Elizabeth Fuller  
Committee Member