



Greater Wilshire Neighborhood Council Land Use Committee
May 28, 2013
Approved by the Committee 06/25/13

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, May 28, 2013, at Wilshire United Methodist Church, Assembly Room, 4350 Wilshire Blvd. Chairman James Wolf called the meeting to order at 6:45 p.m.

2. Roll Call and Approval of the Minutes

Secretary Greg Wittmann called the roll. Land Use Committee Members in attendance at the roll call were: Ann Eggleston, Mike Genewick, Karen Gilman, John Gresham, Dick Herman, Patty Lombard, Gerda McDonough, Jeff McManus, Greg Wittmann and James Wolf. Patty Carroll and John Kaliski arrived later. Committee Members absent: Mitchell Karp, Fred Mariscal, Caroline Moser.

Ten of the 16 Committee Members were present at the roll call, which is a quorum.

Approval of the April 23 minutes was tabled until the June meeting.

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

Mr. Wittmann distributed and reviewed the “05/28/13 April-May Early Planning Report Summaries for GWNC Area” and reviewed recent land use applications received by the City. 4001 Wilshire Blvd. was flagged for further inquiry (check to see if it’s just a routine liquor license renewal). Other items of interest included 806 N. Las Palmas (which is on the agenda for this meeting), and 5100 Wilshire Blvd. and 800 N. Sycamore Ave., both of which have already been invited/agendized for June.

4. Old Business

a. CUB application for a full line of on- and off-site liquor sales at La Brea Bakery – 460 S. La Brea (Rachel Finfer)

In addition to the CUP for liquor sales (sales other than beer and wine will be limited to dessert liquors in the restaurant and off-site sales will be limited to bottles of wine for gift and picnic baskets), the applicants are also requesting a zone variance for leased parking in lieu of a covenant. They have had two meetings with the La Brea-Hancock Homeowners’ Association since their last visit to this committee, and they are willing to volunteer the condition that a change in occupancy would require new approvals.

Mr. Kaliski asked about parking calculations and arrangements, particularly the apparent grandfathering of a 0-space requirement for the portion of the space formerly used as retail. The applicants explained the calculations, and noted that the owner of the restaurant building also owns the parking lot they're leasing.

Mr. Gresham and Mr. Wolf expressed strong concerns about the safety of the patio seating, which is right next to the alley off 6th St. The applicants said they are installing bollards and will use signage to improve safety. Mr. Herman asked if the neighborhood association addressed this question, but Mark Olcott – owner of the business – said it has not come up outside this committee. He said the LHHA supported the application, with some concerns about the transferability of the liquor privileges should a new business take over the space.

Mr. Wolf asked why floor plans in the application materials did not match plans distributed tonight to the Committee. Ms. Finfer noted that the newer plans actually reflect fewer seats than the application drawings, which are designed to show the most intense use possible.

MOTION (by Mr. Genewick, seconded by Mr. McManus): The Greater Wilshire Neighborhood Council Land Use Committee recommends that the GWNC Board support the CUB and variance application.

MOTION PASSED unanimously by a voice vote.

b. **Flywheel variance application at 147 N. Larchmont Blvd.** (Nikola Hlady)

Mr. Hlady said the business is applying for a zone variance to operate as a retail/gym hybrid (it was initially approved as a retail space with a fitness equipment testing room). He said it is different from many “gym” uses, because it is exclusively session/class-based (like a yoga or Pilates studio) and does not allow random individual access during all business hours. Ms. Lombard asked if the business was currently operating as a gym without a variance, which Mr. Wolf agreed is a violation of the law. Mr. Hlady said it is open, but the majority of the space is not used as a gym (though he acknowledged that much of the floor area is devoted to lockers, changing areas and showers, with retail displays throughout). Property owner Bruce Meyer said they are operating on a limited schedule of about six classes per day, instead of the eight they would hold after the variance is granted.

Mr. Kaliski said he doesn't have a problem with the gym use, but would like to see a parking study done, and that if parking demand warrants it, the applicants should investigate options for additional spaces.

Jack Blumenthal, a co-owner of the building and a 45-year resident of the area, said Flywheel is a good use of the long-vacant property, and would complement Larchmont Boulevard.

Ms. Lombard reiterated her concerns with continued operation of the business lacking proper permits, and noted that similar behavior by other businesses on the street (e.g. the Larchmont Bungalow) has undermined local zoning and enforcement. Mr. Gresham also

noted that David Selden, who previously appeared before the Committee on behalf of Flywheel, very clearly stated there would be no gym use, when the intent for such use was clear.

Because no hearing date has been set yet, Committee members recommended that the applicants return to a future meeting after taking the following actions: 1. conduct more outreach and discussion with the Windsor Square community, 2. conduct a parking study and investigate possible mitigation measures to address any issues that may be identified, and 3. Request letters from the City Council District office and the Department of Building and Safety explaining why the original permit was issued, and/or how it came to be issued in error.

5. New Business

a. Information on the Tract Map/Small Lot Subdivision process and updates on Small Lot project (previously approved) at 5112 Melrose (Geoff Smith)

Mr. Kaliski explained that the Small Lot Subdivision Ordinance is intended to increase housing supply and diversity. In R2 and less-restrictive zones, after approval of a Parcel or Tract Map, housing may be built on the lots with zero setbacks within the subdivision and five foot setbacks (side and rear) from other subdivisions. When such developments are successful, they increase rates of home ownership, fill a niche between single family homes and larger townhome developments, and are lower in scale and density than R3 townhome and apartment/condo buildings. The disadvantages can be that the developments do not always have enough open space, and units facing the street may not always address the street in a pleasing manner (so design is very important).

Project representatives for 5112 Melrose (approved several months ago by the city) presented an update on their development, which will now feature 47 units instead of the originally-approved 49. The two extra lots will be used for community green space, and additional open space will be included for each unit in the form of rooftop decks. Mr. Kaliski said he “appreciates” the architecture, but there are some missed opportunities with street frontage and front doors.

b. Small lot subdivision at 806 N. Las Palmas (Derek Leavitt)

The developers are requesting a parcel map, four early start adjustments (to begin construction after the parcel map is approved but before it is filed), and a height increase from 30 to 36 feet to accommodate roof decks with parapets and rails for a 4-unit Small Lot Subdivision project on an R1.5 lot. Mr. Leavitt said the property is in a transitional space between a school and apartment buildings. Debra Rosenbaum, owner of an adjacent single family home, expressed concern that her home would be closed in by the project and dwarfed by its height. She also said the building is “too dense” for the neighborhood, incompatible in design and that the setbacks are inadequate. She also complained that notice of this meeting did not reach her or other neighbors until Friday evening (at the start of Memorial Day weekend). Mr. Kaliski disagreed with the density claim, noting a much larger 1920s apartment building on the corner of the block.

Mr. Hlady said the project is asking for a 20% height increase, so the units can have 9-foot ceilings and a 42-inch guardrail around the roof deck. Since the applicants’ hearing date is

not until late July, Mr. Wolf asked the applicants to revisit their plans and return to a future meeting after some further work and research. He also suggested that some items requested could be designed in without a variance if – for example – the architects would lower ceiling heights to make allowance for the guardrails on the roof. Mr. Kaliski urged the applicant to place trees on the front lawn and to include more landscape details in their plans. Stakeholder Elizabeth Fuller encouraged the applicant to do more outreach to neighbors, and urged Ms. Rosenbaum to invite more neighbors to the next Committee meeting to voice their opinions.

c. **Small Lot Subdivision at 800 N. Sycamore** – Postponed until June.

d. **Department of Acoholic Beverage Control Q&A** (Will Salao)

Mr. Wittmann distributed several ABC handouts, illustrating licensing and complaint procedures for ABC liquor licenses. In response to committee member questions, Mr. Salao noted that ABC does not include conditions (for ownership transfers, operating hours, etc.) in their licenses. Stakeholder John Welborne clarified that those kinds of conditions are typically found only in city-issued CUB permits. Ms. McDonough noted the difficulty and frustration of CUB conditions, however, when even the city declares them unenforceable. Mr. Salao also said there is typically no review of licenses up for renewal (it's simply a fee process), but that complaints can be lodged via the process outlined in the handout (and video evidence is particularly helpful). He noted too, however, that ABC only pursues criminal complaints and that the disciplinary process is very lengthy, and can be even further prolonged by appeals before there are any suspensions or revocations.

e. **Nue Café CUB application for beer and wine at 5156 Melrose** (Rachel Finfer)

The business is a noted hair salon, now also serving coffee and baked goods, which would like to add beer and wine service, as well as private events and limited live entertainment (e.g. small music groups, no larger than quartets). It occupies space in the Hollywood Historic Hotel. Ms. Carroll asked how the Hotel feels about the requests, and the applicant said they would love the entertainment and late-night hours, because their patrons often check in late and have nowhere local to go for food and entertainment. He also said the business would bring a positive late-night atmosphere to the area, which is mostly dark and menacing now. In response to questions about parking, Ms. Finfer said no parking is required, but 64 spaces are provided. Mr. Wolf said he would like them to do more community outreach, and volunteer certain conditions. The applicants, however, noted that their hearing date is coming up in June.

MOTION (by Mr. Kaliski, seconded by Ms. Egglestion): The GWNC Land Use Committee recommends that the GWNC Board support the application.

Ms. Gilman proposed a friendly amendment to revise the closing hour to midnight instead of 2 a.m. There was no second to the amendment.

The original MOTION PASSED with a vote of 10 in favor and 2 (Lombard, McDonough) opposed.

f. **Variance and CUB application for Larchmont Bungalow** – 107 N. Larchmont (Ann D’Amato)

Applicants are requesting a variance to allow a sit-down restaurant instead of the originally-permitted take-out service, along with a parking reduction (there are 7 tandem spaces on site, with parking required for 25 cars) and permission to serve a full line of alcoholic beverages. The representatives said they have collected nearly 2,000 signatures in favor of the application, mostly from customers, but they have not yet analyzed signees’ addresses to see whether or not they are also neighborhood residents. The applicants also noted that the owner’s application states he will close one of his other restaurants on the block, if necessary, to make room in the zoning limits for the Bungalow to become a full-fledged restaurant. When Mr. Kaliski asked which restaurant would be closed, however, the representatives said they didn’t know. Mr. Kaliski also requested a parking study to identify possible mitigation measures. Ms. Fuller asked about the status of fire code violations/citations at the restaurant. The representatives said the owner pled guilty to the citation and fixed the problems. Ms. Fuller and Mr. Welborne noted that the business has a long history of misrepresenting its operations and not being truthful with city agencies, including the GWNC, which makes it difficult to contemplate extending its privileges in the community. No hearing date is scheduled yet, so committee members urged the representatives (who were very recently hired) to examine the public records on the history of this issue and return to an upcoming meeting.

g. **Mural Ordinance** – Postponed.

h. **Appoint subcommittee to study/follow proposed new Housing Element of the city’s General Plan** – Postponed.

i. **Discussion of LA Times “Koreatown” neighborhood map (now being used by Realtors to advertise/label listings), which shows western borders at Crenshaw and Wilton** – Postponed.

j. **Density bonus application for 23-unit project at 807 N. Hudson** - Postponed

6. Committee Member Comments and Reports

- a. Transportation Committee
Report postponed.

7. Public Comments

There were no public comments.

8. Announcements and Adjournment

- a. Next meeting: Tuesday, June 25, 6:30 p.m.

- b. Possible future agenda items:

- Application for parcel map to divide a lot into two lots at 800 N. Sycamore
- Marlborough School recreational space adjustments
- 807 N. Hudson density bonus application

- 5100 Wilshire mixed-use development
- Flywheel gym-use variance at 147 N. Larchmont
- 806 N. Las Palmas 4-unit small-lot subdivision
- Mural ordinance
- L.A. Times “Koreatown” map boundaries
- Housing Element of the city’s General Plan

The Meeting was **ADJOURNED** at 9:57 p.m.

Respectfully submitted,
Greg Wittmann
Committee Secretary