

Greater Wilshire Neighborhood Council



Greater Wilshire Neighborhood Council Land Use Committee Meeting

January 5, 2009

Approved by the Committee
March 2, 2010

MINUTES

Call to Order

A duly noticed meeting of the Land Use Committee of the Greater Wilshire Neighborhood Council ("GWNC") was held on Tuesday, January 5, 2010, at the Wilshire United Methodist Church, 4350 Wilshire Blvd., Committee Chair James Wolf called the meeting to order at 7:19 p.m.

Roll Call & Approval of Minutes

Committee member Elizabeth Fuller called the roll. Committee members in attendance at the roll call were: Elizabeth Fuller, James Wolf, Yigal Arens, Michael Genewick, Rudy Gintel, Cindy Chvatal, Patricia Carroll, and Patricia Lombard. Committee members Charlie Dougherty and John Gresham were absent.

Ms. Fuller stated that a quorum was present.

Ms. Fuller presented the minutes of the last meeting. Committee Member Cindy Chvatal moved that the minutes be approved as written. Committee Member Mike Genewick seconded the motion. It was approved unanimously.

Review of Recent Land Use Notifications

400 S. Western Ave. – Not in our area, but very close. An existing 198-seat restaurant is applying for a CUB to continue serving alcohol. Committee Member Patti Carroll volunteered check on details and report back with any potential concerns.

303 S. La Brea Ave. – Not in our area, but very close. CVS is applying to build a new 24-hour drug store with surface and rooftop parking at the SW corner of 3rd & La Brea. Also applying for a full-line, off-site liquor license. Committee members expressed some concern about the number of full-line liquor outlets at this intersection (this would make 3). Committee Member Elizabeth Fuller volunteered to check with the Mid-City West NC to see if they've taken a position.

Old Business

Medical Marijuana Dispensaries – Committee member Elizabeth Fuller reported that the City Council is now considering the 7th Draft of a control ordinance. The next hearing is on January 13. The current draft would limit the number of outlets citywide to 70, plus as many of the remaining 132 original outlets as could meet the new conditions contained in the ordinance. The big points of contention remaining are whether dispensaries should be 500 or 1,000 feet from sensitive uses, and whether that should include residential property. A map handout shows only two areas in the Wilshire Plan area where they'd be allowed. (Note: There are 35 community plan areas in the city; so the proposed rules would allow at least two locations in each area, for the total of 70. This number is still much higher than the number allowed in other cities. San Francisco, for example, has only 4 dispensaries citywide.)

The committee discussed whether or not the plan is realistic, and whether it will work without allowing outright sales and collection of hefty fees and taxes. Ms. Fuller moved that we recommend the GWNC support the City Attorney's recommendation to pass the 7th draft of the ordinance. Committee Member Cindy Chvatal seconded the motion. It passed 7-1 (Yigal Arens opposed).

Cell Phone Tower Proliferation – Committee Member Elizabeth Fuller distributed updates on cell tower legislation that have been received since we heard reports on the issue at our November meeting. Committee members discussed several facets of the issue, including the use of public rights of way for towers, aesthetic issues, intrusion of commercial use in residential areas, installations going up with no review process, etc. Committee Member Cindy Chvatal suggested we write some sort of policy statement on the issue. Committee Chair Jim Wolf recommended that we create an ad hoc subcommittee of the Land Use Committee to research the issues involved (approval conditions, why installations are being approved without review, why enforcement of current regulations seems to be lacking, what other cities are doing, etc.). Committee Members Patty Carroll and Patty Lombard volunteered to be on the committee to study and track the issues, work with other neighborhood activist groups and the City Council office, and to help formulate ongoing GWNC policies.

Larchmont Bungalow – 107 N. Larchmont – Committee Member Patty Lombard reported that the restaurant's appeals were denied at a recent Dept. of Building & Safety hearing and the city officially revoked its Certificate of Occupancy. The Bungalow owners have said they're now working with the City to resubmit their business plans, but the business remains open despite the revocations. Our City Council representatives say the matter has been referred to the City Attorney's office, but word is the City Attorney won't make it a priority for action unless pressed to do so by Mr. LaBonge, which hasn't happened. After discussion, committee members agreed that this is a "hugely precedential" issue for Larchmont. Ms. Lombard offered to invite City Council and City Attorney representatives to the January 13 board meeting to discuss it further.

Accessory Dwelling Unit Ordinance – Committee member Elizabeth Fuller distributed a recent letter from City Planning Director Gail Goldberg, saying that because

of budget and staff cuts, the City does not have the resources to work on this issue and would not pursue a new ordinance, as it had earlier planned to do. Ms. Fuller also distributed a follow-up letter from City Council Member Paul Koretz, who wrote a response to Ms. Goldberg, saying AB 1866, the applicable state law, is too permissive, and the City needs to enact its own, more restrictive, standards. After discussion of the issue, Committee Member Patricia Lombard moved that we recommend the GWNC board urge the City to adopt a local ordinance for ADUs that reinforces our protections for single-family neighborhoods. Ms. Fuller seconded the motion. It passed unanimously.

Cell Phone Tower at 535 S. Gramercy – Committee Member Patricia Carroll reported that OmniPoint/T-Mobile has appealed an earlier denial for this installation, claiming they've revised their plans to be more suitable with the residential and historic location. An appeal hearing is scheduled for January 12, but OmniPoint has not returned to the GWNC with its new plans, as we requested they do if there were any changes. Mr. Wolf said any changes in plans should require the applicant to begin the application process anew, not "short-circuit" it by bringing the changes to an appeal hearing. Committee Member Cindy Chvatal moved that, because we have not yet seen the revised plans, and will have no chance to do so before the hearing, we support the St. Andrews Square Neighborhood Association in its opposition to the appeal. Committee Member Patricia Lombard seconded the motion. It passed unanimously.

New Business

Driveway at 345 S. Las Palmas – Committee member Cindy Chvatal reported that a Hancock Park resident obtained a permit for driveway work, then replaced a standard-sized driveway opening with a 23-foot wide apron. The home is in an HPOZ area, however, so the permit was erroneously issued without HPOZ design review. The City has sent a letter to the homeowner, notifying him of the faulty permit process and ordering him to restore the driveway to compliance with local regulations.

Bricks & Scones Liquor/Live Entertainment CUP Application – 403 N. Larchmont – Owner Jinah Kim reported that her breakfast/lunch/dessert/coffee business is applying for a beer/wine license and permission for live entertainment. They want to add piano and other low-key acoustical music (no rock bands, no amplified or outdoor music), mostly as accompaniment to the evening dessert service. Music hours would end at 10 p.m., even though the café is open until 11. Ms. Kim said the inspiration for the plan was tea shops and cafes she frequented when studying in England.

After discussing the specifics of the plan, committee members asked Ms. Kim (who does not yet have a City hearing date), to craft a written list of specific conditions and restrictions for the potential permit, meet with the Larchmont Village Neighborhood Association to explore neighbors' reactions and possible concerns, and return to this committee in March with a progress report. She agreed to do so.

Sycamore Square Naming Petition – Committee Member Elizabeth Fuller reported that her neighborhood, Sycamore Square, has completed the City petition and

paperwork to formalize the area's name. The application has been submitted to the City Clerk's office, and is now being presented to various city agencies and departments that are required to approve the naming. The Neighborhood Council is one of these. Committee Member Patricia Lombard moved that we recommend the GWNC support the Sycamore Square naming petition. Committee Member Cindy Chvatal seconded the motion. It passed unanimously.

Committee Member Comments & Reports

Committee Member Elizabeth Fuller said several stakeholders have asked if the GWNC is planning to weigh in on the recent audit of the Planning Department by the City Controller. Because the audit report is very long, she suggested we appoint an ad hoc subcommittee to read and summarize it for further study or comment. Patti Carroll and Patty Lombard both said they were interested, so Ms. Fuller said she would mail the report to them. Committee Chair Jim Wolf said he will also ask Committee Member John Gresham and stakeholder John Welborne if they would like to help.

Public Comments

There were no public comments.

Announcements & Adjournment

The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Elizabeth Fuller
Committee Member