

# GB 121621-03

## SORO NC Committee Memberships as of 12/16/21

Land Use	Olga Lexell, Barry Levine, Ken Blaker, Steve Chocron, Richard Bloom, Gloria Dioum, Armeen Neshat, Chad Monk, Laurie Levine (Emilia Barrosse- need to rejoin as Board Members)
Business Advocacy and Economic Development Committee	Ken Blaker, Richard Bloom, Jon Liberman, Ethan Frankel, Barry Levine, Michael Lynn, David Notowitz, Joel Weinberger
Outreach Committee	Terrence Gomes, Barry Levine, Michael Lynn, Sophia French, David Notowitz
Parks and Recreation Committee	Barry Levine, Jon Liberman, Laurie Levine
Public Safety Committee	Michael Lynn, Terrence Gomes, Richard Bloom, Robby Naoufal, Chad Monk, Jonathan Tessler, Sophia French, Ken Blaker, Jon Liberman, Laurie Levine, Baila Romm
Quality of Life Committee	Barry Levine, Shevy Dorfman Lieder, Dina Leeds, Armeen Neshat, Sophia French, Shirley Traum, Ethan Frankel
Transportation Committee	Barry Levine, Olga Lexell, Jonathan Tessler, Armeen Neshat, Sophia French, Joel Weinberger, Laurie Levine
Bylaws Committee	Ken Blaker, Michael Lynn, Terrence Gomes, Jon Liberman, Barry Levine
Board Development	Baila Room,
Finance Committee	Barry Levine, Michael Lynn, Gloria Dioum, Robby Naoufal , Jon Liberman
Elections Committee	Terrence Gomes, Gloria Dioum
Homelessness Committee	Sophia French, Terrence Gomes, Barry Levine, Michael Lynn, Richard Bloom, Gloria Dioum, Dina Leeds, Ken Blaker, Jon Liberman, Laurie Levine, David Notowitz
Education Committee	Shirley Traum, Barry Levine, Jon Liberman



# Motion to Support WRAC Motion on Enforcement of Crimes In or Near Homeless Encampments

**Agenda Item:** GB121621-04  
**Date:** December 16, 2021  
**Proposed By:** WRAC  
**Include motion in Consent Agenda?** YES

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## Background

The Westside Regional Alliance of Councils (WRAC) has a Motion that has been approved by 8 other Neighborhood Councils. <https://westsidecouncils.com/motion/enforcement-of-crimes-in-or-near-homeless-encampments/>

The following facts and existing conditions compel immediate action by the City to enforce all existing laws prohibiting the sale, distribution, or use of illegal drugs, human trafficking, and other serious crimes taking place in or near homeless encampments on the Westside:

Homeless encampments are pervasive in all neighborhoods on the Westside of Los Angeles including: Bel-Air–Beverly Crest, Brentwood, Del Rey, Mar Vista, Pacific Palisades, Palms, South Robertson, Venice, Westchester-Playa, West L.A.-Sawtelle, Westside, and Westwood.

Neighbors, residents, business owners, and other community stakeholders frequently observe the sale, distribution, and/or use of illegal drugs in or near homeless encampments on the Westside. Neighbors, residents, business owners, and other community stakeholders have reported to LAPD and others that they have witnessed other serious crimes, including, but not limited to, human trafficking, taking place in or near homeless encampments on the Westside.

## Proposed Motion

For the South Robertson Neighborhoods Council to officially support the WRAC Motion to call on the Los Angeles City Council and Mayor Eric Garcetti to direct the Los Angeles Police Department and other relevant law enforcement agencies to enforce all existing, enforceable laws prohibiting the sale and distribution of illegal drugs, human trafficking, and other serious crimes taking place in or near homeless encampments on the Westside of Los Angeles.

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## Considerations

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Committee review:  
*(highly recommended)*

Votes For:

Against:

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Amount previously allocated in Committee's working budget:  
*(applies to funding motions only)*

\$ n/a

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Arguments for:

Arguments against:

Encampments act as a magnet for these types of crimes.

Could be interpreted as targeting the Homeless.



# Motion to Support WRAC Motion to Enforce Laws Prohibiting Blockage of Public Right Of Way

**Agenda Item:** GB121621-05  
**Date:** December 16, 2021  
**Proposed By:** WRAC  
**Include motion in Consent Agenda?** YES

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## Background

The Westside Regional Alliance of Councils (WRAC) has a Motion that has been approved by 8 other Neighborhood Councils. <https://westsidecouncils.com/motion/enforce-laws-prohibiting-blockage-of-public-right-of-way/>

The following facts and existing conditions compel immediate action by the City to enforce all existing, enforceable laws prohibiting the blockage of the public right of way, including, but not limited to blockages in or near homeless encampments on the Westside of Los Angeles, including all applicable provisions of the Americans With Disabilities Act (ADA):

Homeless encampments are pervasive in all neighborhoods on the Westside of Los Angeles including: Bel-Air–Beverly Crest, Brentwood, Del Rey, Mar Vista, Pacific Palisades, Palms, South Robertson, Venice, Westchester-Playa, West L.A.-Sawtelle, Westside, and Westwood.

Neighbors, residents, business owners, and other community stakeholders have reported numerous instances in or near homeless encampments, where large tents, abandoned bulky items, discarded furniture, trash, and other large objects, frequently block the public right of way, thereby preventing pedestrian and wheelchair passage on sidewalks, in direct violation of the Americans With Disabilities Act (ADA), thereby preventing members of the public for using, traversing, and safely walking along public sidewalks, often creating hazardous and dangerous conditions. These illegal conditions have resulted in numerous traffic accidents, liability for the City of Los Angeles, and which have caused serious injury and even death to innocent bystanders as well as those individuals living in or near homeless encampments.

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## Proposed Motion

For the South Robertson Neighborhoods Council to officially support the WRAC Motion to call on the Los Angeles City Council and Mayor Eric Garcetti to direct the Los Angeles Police Department and the Department of Public Works' Bureau of Engineering Street Services Division, as well as the Los Angeles County Sheriff's Department, and the Department of Veterans Affairs to direct the Veterans Affairs Police Department and other relevant law enforcement agencies to enforce all existing, enforceable laws prohibiting the blockage of the public right of way on the Westside of Los Angeles, including all applicable provisions of the Americans With Disabilities Act (ADA).

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## Considerations

Committee review:  
*(highly recommended)*

Votes For:

Against:

Amount previously allocated in Committee's working budget:  
*(applies to funding motions only)*

\$ n/a

Arguments for:

Arguments against:

Disabled individuals are unable to pass many sidewalks due to various tents, abandoned bulky items, discarded furniture, trash, and other large objects

Could be interpreted as targeting the Homeless, especially removing belongings.



# Motion to support WRAC motion to support LA City Council File 21-0929 and also request that the definition of radius be clarified to specify a radius of 500 feet from the nearest exterior boundary lines of the schools listed in an attachment

**Agenda Item:** GB121621-06  
**Date:** December 16, 2021  
**Proposed By:** WRAC  
**Include motion in Consent Agenda?** YES

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## Background

The Westside Regional Alliance of Councils (WRAC) has a Motion that has been approved by 6 other Neighborhood Councils.

<https://westsidecouncils.com/motion/support-for-cf-21-0929-buscaino-koretz/>

On September 3, 2021, the so-called “anti-camping” ordinance, recently passed in City Council by an overwhelming majority, went into effect. See: [https://clkrep.lacity.org/onlinedocs/2020/20-1376-S1\\_ord\\_187127\\_09-03-21.pdf](https://clkrep.lacity.org/onlinedocs/2020/20-1376-S1_ord_187127_09-03-21.pdf).

The ordinance provides for certain limited areas (for example, near driveways and fire hydrants) where individuals are banned from using the sidewalk or other public-rights-of-way (PROW) to “sit, lie, sleep, store, use, maintain or place personal property,” i.e., to set up homeless encampments. It also provides that in specified additional areas, this activity (camping in the PROW) may be banned within a certain radius from the site, but only if the Councilmember first brings a resolution in City Council to designate the site under LAMC Sec. 41.18; the Council passes the resolution; and signs banning the activity are then posted at the site, with enforcement (mainly issuance of citations) to occur 14 days after signage is posted (LAMC Sec. 41.18(c)(1)-(4) and 41.18 (d)). The sites requiring such a “pre-enforcement” resolution are:

- 1) “Sensitive uses” – schools, day care centers, public parks and public libraries (radius prohibition up to 500 ft.; 41.18(c)(1));2

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- 2) Overpasses, underpasses, freeway ramps, tunnels, bridges, pedestrian bridges, subways, washes, spreading grounds and active railways, when public health, safety or welfare is served by the prohibition (radius prohibition up to 500 ft.; 41.18(c)(2));
- 3) Designated facilities opened after January 1, 2018 that provide shelter, safe sleeping or safe parking to homeless persons or that serve as homeless services navigation centers (radius prohibition up to 1,000 ft.; 41.18(c)(3));
- 4) Locations in public rights-of-way for which there is documentation of a “particular and ongoing threat to public health or safety” (prohibition not to exceed one year; no radius prohibition specified; 41.18(c)(4)).

On August 17, 2021, Councilmember Joe Buscaino brought a resolution in Council (CF 21-0929; second by Paul Koretz) seeking designation of all public (LAUSD) schools in Los Angeles as sensitive sites where homeless encampments could be banned within a 500 ft. radius (Sec. 41.18(c)(1)). The schools are listed in an attachment to the resolution. See: [https://clkrep.lacity.org/onlinedocs/2021/21-0929\\_misc\\_08-17-21.pdf](https://clkrep.lacity.org/onlinedocs/2021/21-0929_misc_08-17-21.pdf).

1 Certain additional motions regarding a citywide homeless outreach framework were passed by the City County on September 14, 2021 (CF 20-1376 and 21-0329). The anti-camping ordinance does not require pre-enforcement outreach in the specific designated areas; the CLA’s report issued in connection with these motions explained that such outreach (i.e, pre-enforcement offers of shelter/housing) was not required in these cases. The WRAC motion sponsors and the WRAC Homelessness Committee believe that current disturbing conditions – the existence of widespread homeless encampments in the PROW throughout the City, which engendered enactment of the anti-camping ordinance - - clearly require action under the terms of the existing ordinance in order to designate sites for enforcement without delay. At the same, the WRAC Homelessness Committee feels strongly that offers of shelter/housing should be made to and refused by the homeless prior to enforcement of the ordinance, and the recommended motion so provides.

2 Schools, day care centers, public parks and libraries are defined terms in LAMC Sec. 105.01 (a provision of the City cannabis ordinance which the anti-camping ordinance



specifically references). The definitions of these sensitive uses include private and public schools as well as open space areas. The resolution proposed in CF 21-0929 addresses only public (LAUSD) schools.

The motion sponsors regard this resolution as a reasonable, common-sense approach. The City's public schools are known and easily identified; it would be a waste of time and public resources for Councilmembers to bring scores of resolutions in Council in order to designate individual public schools as sensitive, as would otherwise be required under the anti-camping ordinance.

The existence of widespread homeless encampments, particularly those in the PROW throughout the City, has been THE presenting issue in Los Angeles for at least the past year.

We are advised that encampments have grown in the PROW adjacent to school property at many LAUSD schools throughout the district and the City, presenting dangerous conditions unacceptable for students and school staff. Here is one example in South LA: <https://abc7.com/south-los-angeles-homeless-elementary-school-gerald-a-lawson-academy/10565069/>. Recent reports and commentary about a dangerous encampment outside of Westminster School in Venice can be found in: <https://www.westsidecurrent.com/brentwood/>. See also the Venice NC position regarding Westminster School: <http://pacpalicc.org/wp-content/uploads/2021/08/westminster-school-safety.pdf>.

Protecting our children and supporting our schools are priorities for the vast majority of WRAC constituents with families. Passage of motion #1 – support for the resolution in CF 21-0929 – would be consistent with these priorities.

We also request in motion #1 that the “radius” prohibition be specified as 500 ft. from the exterior boundary of each of the sites. This would help ensure that the distance is not measured from interior locations within each site and communities would be afforded maximum protection. Motion #2: This motion calls for Councilmembers representing WRAC Member-Councils to consult with their respective Member-Councils and bring resolutions in Council designating additional sites that are identified to the Councilmembers by Member-Councils, for enforcement under the anti-camping ordinance (LAMC Sec. 41.18(c)(1)-(4) and 41.18(d)).



The motion is intended to emphasize the importance of this issue to Councilmembers and their constituents and to stress that action should be taken to designate these sites without delay. Further, as noted in FN 1, the motion calls for offers of shelter/housing to be made and refused prior to enforcement under the ordinance. It is unknown whether Councilmembers Bonin and Raman, who voted against enacting the anti-camping ordinance, will seek to designate any sites in their respective districts for this purpose.

Adopting this motion as a WRAC position may have a positive impact on these or any Councilmembers who may otherwise be reluctant to bring such resolutions.

### Proposed Motion

Regarding the WRAC motion to support Council File 21-0929 (Buscaino/Koretz): The SORO NC supports the proposed resolution for the City Council to prohibit sitting, lying, sleeping, or storing, using, maintaining, or placing personal property, in or upon any street, sidewalk, or other public rights-of-way within a radius of 500 feet from all schools listed in Attachment A to the Council File; and further, upon adoption of the resolution, for the City Council to direct the Department of Transportation to post signs giving notice of the restrictions in the radius specified.

SORO NC also requests that the definition of “radius” be clarified to specify a radius of 500 feet from the exterior boundary lines of the schools listed in Attachment A to the Council File.

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### Considerations

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Committee review:  
*(highly recommended)*

Votes For:

Against:

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Amount previously allocated in Committee's working  
budget:

\$ n/a

*(applies to funding motions only)*

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# Motion to support WRAC motion to request for Councilmembers to Cooperate with Member Councils re Designation of Sites Under LAMC Sec. 41.18

**Agenda Item:** GB121621-07  
**Date:** December 16, 2021  
**Proposed By:** WRAC  
**Include motion in Consent Agenda?** YES

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## Background

The Westside Regional Alliance of Councils (WRAC) has a Motion that has been approved by 5 other Neighborhood Councils. <https://westsidecouncils.com/motion/request-for-councilmembers-to-cooperate-with-member-councils-re-designation-of-sites-under-lamc-sec-41-18/>

On September 3, 2021, the so-called “anti-camping” ordinance, recently passed in City Council by an overwhelming majority, went into effect. See: [https://clkrep.lacity.org/onlinedocs/2020/20-1376-S1\\_ord\\_187127\\_09-03-21.pdf](https://clkrep.lacity.org/onlinedocs/2020/20-1376-S1_ord_187127_09-03-21.pdf).

The ordinance provides for certain limited areas (for example, near driveways and fire hydrants) where individuals are banned from using the sidewalk or other public-rights-of-way (PROW) to “sit, lie, sleep, store, use, maintain or place personal property,” i.e., to set up homeless encampments. It also provides that in specified additional areas, this activity (camping in the PROW) may be banned within a certain radius from the site, but only if the Councilmember first brings a resolution in City Council to designate the site under LAMC Sec. 41.18; the Council passes the resolution; and signs banning the activity are then posted at the site, with enforcement (mainly issuance of citations) to occur 14 days after signage is posted (LAMC Sec. 41.18(c)(1)-(4) and 41.18 (d)). The sites requiring such a “pre-enforcement” resolution are:

- 1) “Sensitive uses” – schools, day care centers, public parks and public libraries (radius prohibition up to 500 ft.; 41.18(c)(1));2
- 2) Overpasses, underpasses, freeway ramps, tunnels, bridges, pedestrian bridges, subways, washes, spreading grounds and active railways, when public health, safety or

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welfare is served by the prohibition (radius prohibition up to 500 ft.; 41.18(c)(2));

3) Designated facilities opened after January 1, 2018 that provide shelter, safe sleeping or safe parking to homeless persons or that serve as homeless services navigation centers (radius prohibition up to 1,000 ft.; 41.18(c)(3));

4) Locations in public rights-of-way for which there is documentation of a “particular and ongoing threat to public health or safety” (prohibition not to exceed one year; no radius prohibition specified; 41.18(c)(4)).

On August 17, 2021, Councilmember Joe Buscaino brought a resolution in Council (CF 21-0929; second by Paul Koretz) seeking designation of all public (LAUSD) schools in Los Angeles as sensitive sites where homeless encampments could be banned within a 500 ft. radius (Sec. 41.18(c)(1)). The schools are listed in an attachment to the resolution. See:

[https://clkrep.lacity.org/onlinedocs/2021/21-0929\\_misc\\_08-17-21.pdf](https://clkrep.lacity.org/onlinedocs/2021/21-0929_misc_08-17-21.pdf).

1 Certain additional motions regarding a citywide homeless outreach framework were passed by the City County on September 14, 2021 (CF 20-1376 and 21-0329). The anti-camping ordinance does not require pre-enforcement outreach in the specific designated areas; the CLA’s report issued in connection with these motions explained that such outreach (i.e, pre-enforcement offers of shelter/housing) was not required in these cases. The WRAC motion sponsors and the WRAC Homelessness Committee believe that current disturbing conditions – the existence of widespread homeless encampments in the PROW throughout the City, which engendered enactment of the anti-camping ordinance - - clearly require action under the terms of the existing ordinance in order to designate sites for enforcement without delay. At the same, the WRAC Homelessness Committee feels strongly that offers of shelter/housing should be made to and refused by the homeless prior to enforcement of the ordinance, and the recommended motion so provides.

2 Schools, day care centers, public parks and libraries are defined terms in LAMC Sec. 105.01 (a provision of the City cannabis ordinance which the anti-camping ordinance specifically references). The definitions of these sensitive uses include private and public schools as well as open



space areas. The resolution proposed in CF 21-0929 addresses only public (LAUSD) schools.

The motion sponsors regard this resolution as a reasonable, common-sense approach. The City's public schools are known and easily identified; it would be a waste of time and public resources for Councilmembers to bring scores of resolutions in Council in order to designate individual public schools as sensitive, as would otherwise be required under the anti-camping ordinance.

The existence of widespread homeless encampments, particularly those in the PROW throughout the City, has been THE presenting issue in Los Angeles for at least the past year.

We are advised that encampments have grown in the PROW adjacent to school property at many LAUSD schools throughout the district and the City, presenting dangerous conditions unacceptable for students and school staff. Here is one example in South LA: <https://abc7.com/south-los-angeles-homeless-elementary-school-gerald-a-lawson-academy/10565069/>. Recent reports and commentary about a dangerous encampment outside of Westminster School in Venice can be found in: <https://www.westsidecurrent.com/brentwood/>. See also the Venice NC position regarding Westminster School: <http://pacpalicc.org/wp-content/uploads/2021/08/westminster-school-safety.pdf>.

Protecting our children and supporting our schools are priorities for the vast majority of WRAC constituents with families. Passage of motion #1 – support for the resolution in CF 21-0929 – would be consistent with these priorities.

We also request in motion #1 that the “radius” prohibition be specified as 500 ft. from the exterior boundary of each of the sites. This would help ensure that the distance is not measured from interior locations within each site and communities would be afforded maximum protection.

Motion #2: This motion calls for Councilmembers representing WRAC Member-Councils to consult with their respective Member-Councils and bring resolutions in Council designating additional sites that are identified to the Councilmembers by Member-Councils, for enforcement under the anti-camping ordinance (LAMC Sec. 41.18(c)(1)-(4) and 41.18(d)). The motion is intended to



emphasize the importance of this issue to Councilmembers and their constituents and to stress that action should be taken to designate these sites without delay. Further, as noted in FN 1, the motion calls for offers of shelter/housing to be made and refused prior to enforcement under the ordinance. It is unknown whether Councilmembers Bonin and Raman, who voted against enacting the anti-camping ordinance, will seek to designate any sites in their respective districts for this purpose.

Adopting this motion as a WRAC position may have a positive impact on these or any Councilmembers who may otherwise be reluctant to bring such resolutions.

### **Proposed Motion**

Regarding the WRAC motion to urge Councilmembers Bonin, Koretz, Raman and Ridley-Thomas (Councilmembers representing WRAC Member-Councils) to consult as soon as possible with their respective WRAC Member-Councils for input as to the designation of sites within their districts for enforcement pursuant to LAMC Sec. 41.18(c)(1)-(4) and 41.18(d), including: 1) schools, day care centers, public parks and public libraries, as defined in LAMC Sec. 105.01 (“sensitive uses”) (41.18(c)(1)); 2) overpasses, underpasses, freeway ramps, tunnels, bridges, pedestrian bridges, subways, washes, spreading grounds and active railways, when public health, safety or welfare is served by the prohibition (41.18(c)(2)); 3) designated facilities opened after January 1, 2018 that provide shelter, safe sleeping or safe parking to homeless persons or that serve as homeless services navigation centers (41.18(c)(3)); 4) any locations in public rights-of-way for which there is documentation of a “particular and ongoing threat to public health or safety” (41.18(c)(4)). No enforcement action shall be taken unless the individuals have been offered shelter and have refused the offer.

SORO NC further requests that 1) Councilmembers bring resolutions in Council pursuant to LAMC Sec. 41.18(c)(1)-(4) and 41.18(d) as soon as any sites meeting the requirements of such sub-sections are identified to them by their respective WRAC Member-Councils; and 2) the distance of the radius prohibition set forth in such resolutions shall be as requested by the relevant WRAC Member-Councils, consistent with the distance set forth in such sub-sections.



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## Considerations

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Committee review:  
*(highly recommended)*

Votes For:

Against:

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Amount previously allocated in Committee's working budget:  
*(applies to funding motions only)*

\$ n/a

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# Motion to support WRAC motion to request a written City Attorney Opinion re Consideration of Developer's Financial Interest

**Agenda Item:** GB121621-08  
**Date:** December 16, 2021  
**Proposed By:** WRAC  
**Include motion in Consent Agenda?** YES

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## Background

The Westside Regional Alliance of Councils (WRAC) has a Motion that has been approved by 5 other Neighborhood Councils. <https://westsidecouncils.com/motion/request-for-city-attorney-opinion-re-consideration-of-developers-financial-interest/>

In connection with applications for Adjustments, Los Angeles Municipal Code Sec. 12.28.C.4(a) (Finding #1) requires a Finding that the project design must be "impractical or infeasible" unless the Adjustment is granted.

At an April 7, 2021 hearing before the West LA Area Planning Commission, the Commissioners asked the Planning Dept. to clarify what "impractical or infeasible" project design means.

The City Attorney at the hearing stated that the Findings are "silent" on this issue, and he concluded that considering financial impact on the developer is not prohibited – and thus allowed even though the Code does not explicitly state this. Does this also mean that other financial impacts like campaign contributions can be considered (even if they are reported to the Ethics Commission)?

One Commissioner also stated that extra time and money to redesign plans and re-submit to plancheck is considered "project design." Most development professionals and planners disagree on this. Development and architecture professionals consider "design" to be engineered plans and graphics drafted and printed on paper. "Project design" is different from "project plancheck processing," which is what the Commissioner stated.

Conversely, the City would have specifically included "plancheck process processing" in the list of required Findings in LAMC Sec. 12.28.C.4, if they meant for the financial impact of additional re-

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design and plancheck processing to be considered, but they chose to exclude it. Considering this exclusion to be the legal standard of "silent" is doubtful and questionable.

It appears that in the context of variance applications, under California law financial impact is only considered if the applicant can clearly show that he/she was deprived of all economic benefit as a result of a unique hardship to the property in question, not because of a self-created hardship (e.g., a claim that the project doesn't "pencil out" for the developer unless the exception is granted).

In light of apparent confusion at the April 7th WLA APC hearing as to whether consideration of financial impact is allowed, the City Attorney should be directed to provide an opinion on whether or not the financial interest of the developer can legally be considered, including what is meant by financial impact, under what circumstances can financial impact be considered, and for what types of entitlement applications.

### Proposed Motion

The SORO NC supports the Westside Regional Alliance of Councils motion that requests that the City Council direct City Attorney Mike Feuer to provide a legal opinion as to whether or not the City Planning Department and commissions have the legal right under State and City laws and ordinances to consider the financial interest of the developer when considering entitlements.

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### Considerations

Committee review: <i>(highly recommended)</i>	Votes For:	Against:
Amount previously allocated in Committee's working budget: <i>(applies to funding motions only)</i>		\$ n/a



# Motion to support WRAC motion to oppose Misuse of Specific Plan Process

**Agenda Item:** GB121621-09  
**Date:** December 16, 2021  
**Proposed By:** WRAC  
**Include motion in Consent Agenda?** YES

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## Background

The Westside Regional Alliance of Councils (WRAC) has a Motion that has been approved by 5 other Neighborhood Councils. <https://westsidecouncils.com/motion/oppose-misuse-of-specific-plan-process/>

A Specific Plan is defined by the Los Angeles Department of City Planning as a planning document that implements the goals and policies of the General Plan and Community Plans,[1] and, shall provide by ordinance regulatory controls or incentives for the systematic execution of the General Plan and shall provide for public needs, convenience, and general welfare. [2] “A Specific Plan is a popular form of a land use overlay. An overlay is an additional layer of planning control, establishing stricter standards that go beyond what the underlying zoning would normally regulate;”[3] (Emphasis added.)

Utilizing a Specific Plan for the purpose of upzoning open space and/or low density residential to commercial would be in conflict with the policies, procedures and goals set forth in the city’s General Plan, Community Plans and Specific Plans. This type of inappropriate use of Specific Plans has the potential to establish negative precedent for the Westside. Such city actions are particularly egregious when the result would be to reduce much needed open space, compromise sensitive natural resources, or degrade the quality of the area’s single-family residential communities.

The Specific Plan process is not and should not be used as a means to usurp the planning process or for “spot zoning,” a practice that seeks to bypass traditional land use practices that results in:

- (1) bypassing protective codes
- (2) creating unique zoning designations in conflict with the area’s Community Plans,
- (3) resulting in dangerous precedents,

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(4) failing to provide for public needs, convenience, and general welfare as required by the code.

[1] Los Angeles Department of City Planning, What is a Specific Plan?, available at: <https://planning.lacity.org/blog/what-specific-plan> [2] Specific Plan Areas: [https://geohub.lacity.org/datasets/61ffdfc055e84fdb9b0860469134\\_0](https://geohub.lacity.org/datasets/61ffdfc055e84fdb9b0860469134_0) [3] Los Angeles Department of City Planning, What is a Specific Plan?, available at: <https://planning.lacity.org/blog/what-specific-plan>

### Proposed Motion

The SORO NC supports the Westside Regional Alliance of Councils motion that opposes the City’s use of Specific Plans that would result in upzoning open space and/or low-density residential neighborhoods. The use of specific plans in this manner creates significant negative impacts for all residential communities, the environment and natural resources. We urge our City Councilmembers to reject land use applications for individual development projects that represent a misuse of the Specific plan process. We ask that the City Council inform Planning not to process these types of requests

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### Considerations

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Committee review: <i>(highly recommended)</i>	Votes For:	Against:
Amount previously allocated in Committee's working budget: <i>(applies to funding motions only)</i>		\$ n/a

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# Motion to support WRAC motion to support Assembly Constitutional Amendment 7

**Agenda Item:** GB121621-10  
**Date:** December 16, 2021  
**Proposed By:** WRAC  
**Include motion in Consent Agenda?** YES

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## Background

The Westside Regional Alliance of Councils (WRAC) has a Motion that has been approved by 6 other Neighborhood Councils. <https://westsidecouncils.com/motion/support-for-aca-7-muratsuchi-glazer/>

WRAC's adopted position, already expressed in five motions passed by a majority or more of member councils, is strongly in support of local control over land use and zoning decisions (Oppose SB 827, SB 50, SB 9 and SB 10; Support SB 15). See: <https://westsidecouncils.com/adopted-positions/>

The Los Angeles City Council has also expressed support for local land use regulations and procedures (resolutions passed opposing SB 827 and SB 50 unless amended):  
<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=18-0002-S13>  
<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=19-0002-S38>

Assemblymember Al Muratsuchi (D-Torrance) and Senator Steve Glazer (D-Contra Costa) introduced Assembly Constitutional Amendment (ACA) 7 in the State Assembly in March 2021, proposing an amendment to the State Constitution that would restore local government control over land use decisions. If passed in the legislature, ACA 7 would put this proposed Constitutional amendment on the next ballot for a decision by the voters.

Bill text:  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220ACA7](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220ACA7)

**Michael Lynn**  
President

**Ken Blaker**  
Vice-President

**Terrence Gomes**  
Treasurer

**Vacant**  
Secretary

**Jon Liberman**  
Corresponding Secretary

**South Robertson  
Neighborhoods Council**

PO Box 35836  
Los Angeles, CA 90035

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[soronc.org](http://soronc.org)





## Proposed Motion

The SORO NC supports the Westside Regional Alliance of Councils (WRAC) motion that supports Assembly Constitutional Amendment 7 (Muratsuchi/Glazer), which would place on the ballot for voter decision a Constitutional amendment to restore local governmental control over land use, zoning and planning decisions. WRAC has expressed support for local land use control in five of its adopted positions (Oppose SB 827, SB 50, SB 9 and SB 10; Support SB 15).

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## Considerations

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Committee review:  
*(highly recommended)*

Votes For:

Against:

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Amount previously allocated in Committee's working  
budget:  
*(applies to funding motions only)*

\$ n/a



# Motion to submit letter to CD 5 and CD 10 regarding a lack of trash cans in key SORO corridors

**Agenda Item:** GB111821-11  
**Date:** December 16, 2021  
**Proposed By:** Land Use  
Committee  
**Include motion in  
Consent  
Agenda?** Yes

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## Background

The South Robertson neighborhood contains several high traffic boulevards including Pico, Robertson, Venice, LaCienega, National, Beverly, and others. However, many of these densely populated and frequented areas do not have a sufficient amount of trash cans to accommodate litter that accumulates in surrounding areas.

## Proposed Motion

Submit the attached letter to CD 5 and CD 10.

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## Considerations

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**Committee review:** Votes For: 6 Against: 0

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### Arguments for:

People are less likely to litter if there are trash cans conveniently located.

### Arguments against:

The city may not reliably pick up trash cans.



Esteemed councilmembers,

Over the last several years, there was an effort to obtain trash cans for the South Robertson neighborhood. However, these trash cans are almost exclusively dispersed along Pico Blvd. According to [a map of Los Angeles trash cans](#), Pico Blvd hosts nearly 4-6 public trash cans per block.

But other major thoroughfares have almost no trash cans on any blocks, save for major intersections.

We are writing to request additional trash cans be placed in areas such as Robertson & Cattaraugus around Hamilton High School, Robertson Blvd in general, LaCienega Blvd, Beverwil Blvd, Olympic Blvd, and the intersection of National and Venice.

We urge our city council districts to provide us with trash cans that the city will regularly empty. Additionally, we request solar compact trash cans in the densest areas of South Robertson such as the South Robertson business corridor and the intersection of Robertson & LaCienega.



**SORO NC SPECIAL GENERAL BOARD MEETING Draft Minutes  
11/16/2021**

**LOCATION: Virtual at [www.zoom.us](http://www.zoom.us) Meeting ID No. 899 3002 6366**

1. Call to order: 7:19 pm by President Lynn

Roll Call by Secretary Romm:

RICHARD BLOOM/ left 7:55 pm  
LAURIE LEVINE  
MICHAEL LYNN  
CHAD MONK  
GLORIA DIOUM  
ROBBY NAOUFAL/ joined 7:36 pm  
JOEL WEINBERGER  
DAVID NOTOWITZ  
BARRY LEVINE  
TERRANCE GOMES/ left 8:10 pm  
SHIRLEY TRAUM  
BAILA ROMM  
KEN BLAKER  
JON LIBERMAN

2. Pledge of Allegiance

3. a. Motion for SORO NC to submit a CIS for council file:20-0668-S7 (LA City Council Redistricting Recommended Map) to oppose the current proposed map and propose a map be drawn that includes all of the SORO NC boundaries to be included solely in CS-5.

PUBLIC COMMENT: ANDREW, DENI, KATHRYN

Moved by: Laurie Levine 2<sup>nd</sup>: Baila Romm

YES: 9 NO: 5

Motion Passes

3. b. Motion for SORO NC to demand the resignation from City Council of suspended councilmember Mark Ridley-Thomas.

PUBLIC COMMENT: KATHRYN, PATRICIA, DENI

Moved by: Barry Levine 2<sup>nd</sup> : Ken Blaker

4. MEETING ADJOURNED 8:10 PM by President Lynn due to loss of quorum.



**south robertson  
neighborhoods council**  
City of Los Angeles Certified Neighborhood Council



**Michael Lynn**  
President

**Ken Blaker**  
Vice-President

**Terrence Gomes**  
Treasurer

**Baila Romm**  
Secretary

**Jon Liberman**  
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PO Box 35836, Los Angeles, CA 90035  
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## General Board Meeting Draft Minutes

Thursday, November 18, 2021, 7:00pm

Location: zoom.us Meeting ID: 899 3002 6366

- Call to Order & Roll Call** Meeting was called to order at 7:15 pm by President Lynn

Boardmember	Roll Call	Funding Vote Eligible	Category
Joel Weinberger	Present	YES	At-large 1 2025
Sophia French	Absent	YES	At-Large 2 2023
Emilia Barrosse	Absent	YES	At-Large 3 2025
David Notowitz	Present	YES	At-Large 4 2023
Jason Yap	Absent	NO E	At-Large 5 2025
Shevy Dorfman-Lieder	Present/8:30PM	YES	Business Rep 1 2023
Barry Levine	Present	YES	Business Rep 2 2025
Terrence Gomes	Absent /7:33PM	YES	Business Rep 3 2023
Shirley Traum	Absent/8:50PM	YES	Business Rep 4 2025
Jonathan Tessler	Absent	YES	Business Rep 5 2023
Baila Romm	Present	YES	Organization Rep 1 2023
Ken Blaker	Present	YES	Organization Rep 2 2025
Armeen Neshat	Present	YES	Organization Rep 3 2025
Olga Lexell	Present	YES	Resident 1 Rep 2025
Richard Bloom	Present	YES	Resident 2 Rep 2025
Steve Chocron	Absent	YES	Resident 3 Rep 2023
VACANT	VACANT	VACANT	Resident 4 Rep 2023
Laurie Levine	Present	YES	Resident 5 Rep 2025
Michael Lynn	Present	YES	Resident 6 Rep 2023
Chad Monk	Present	YES	Resident 7 Rep 2025
Gloria Dioum	Absent/8:06PM	YES	Resident 8 Rep 2023



- Reverts to an At-Large Representative seat if no one is Selected before November 23, 2021 up for selection at the December General Board Meeting

## 7. Board Officer and Liaisons- Selections

### a. Selection of Board Liaisons

1. Budget Advocates – 2<sup>nd</sup> Representative (GB111821-01) **Notowitz self-declaration**

**ITEM 7a1. Motion Moved: Notowitz Second: Liberman**

**Public Comment: NONE**

**Motion Passed**

**Yes- 14**

Weinberger, Notowitz, B. Levine, Gomes, Romm, Lexell, Bloom, L. Levine, Lynn, Monk, Liberman, Frankel, Neshat, Dorfman, Blaker

**No – 0**

**Abstain – 0**

**Absent – 10**

Barrosse, Yap, Chocron, Leeds, Tessler, French, Traum, Naoufal, Dioum

2. Department of Animal Services (GB111821-02) **Liberman self-declaration**

**ITEM 7 a2. Motion to Moved: Liberman Second: Notowitz**

**Public Comment: NONE**

**Motion Passed**

**Yes -14**

Weinberger, Notowitz, B. Levine, Gomes, Romm, Lexell, Bloom, L. Levine, Lynn, Monk, Liberman, Blaker, Neshat

**No- 0**

**Abstain – 0**

**Absent – 10**

Barrosse, Yap, Chocron, Leeds, Tessler, French, Dorfman, Traum, Naoufal, Dioum, Frankel

3. LADWP Representative (GB111821-03) Item postponed to next General Board meeting

## 8. Committees

- a. Opportunity to Join and/or Change Membership to Board Committees (GB111821-04)

B. Levine – Joined By-Laws

Lexell – Off Homeless and Elections Ad Hoc

Romm – Off Homeless

Blaker – Joined By Laws and Standing Rules

Liberman – Join Education and Park & Rec  
Lexell – Joined Land Use  
Dioum – Off Board Development Ad Hoc  
Notowitz – Joined Business Development

- b. Committee Reports
1. Outreach- Chair Notowitz is seeking Board Member and Stakeholder participation
  2. Bylaws- Chair Blaker requests that committee chairs email updates on any necessary website committee page descriptions
  3. Parks and Recreation – Chair Liberman announced organizational meetings next week
  4. Land Use- Chair Lexell requested to confirm active membership in order to send list to EmpowerLA Rosters

**Gloria Dioum entered the meeting at 8:09PM**

## 9. Unfinished Business

- a. Motion to support WRAC Motion on Enforcement of Crimes In or Near Homeless Encampments; <https://westsidecouncils.com/motion/enforcement-of-crimes-in-or-near-homeless-encampments/> (GB111821-05)  
**Liberman Moved Motion and Notowitz Second**  
**Public Comment: NONE**  
**Lexell moved to refer Motion to the Homelessness Committee; second- Liberman**  
**Motion Passed**  
**Yes -15**  
**Weinberger, Notowitz, B. Levine, Gomes, Romm, Lexell, Bloom, L. Levine, Lynn, Monk, Liberman, Neshat, Dioum, Dorfman, Blaker**  
**No- 0**  
**Abstain – 0**  
**Absent – 9**  
**Barrosse, Yap, Chocron, Leeds, Tessler, French, Traum, Naoufal Frankel,**
- b. Motion to support WRAC Motion to Enforce Laws Prohibiting Blockage of Public Right Of Way; <https://westsidecouncils.com/motion/enforce-laws-prohibiting-blockage-of-public-right-of-way/> (GB111821-06)  
**L. Levine Moved Motion and Notowitz Second**  
**Public Comment: NONE**  
**Liberman moved to refer Motion to the Homelessness Committee; second- Lexell**  
**Motion Passed**  
**Yes -15**

Weinberger, Notowitz, B. Levine, Gomes, Romm, Lexell, Bloom, L. Levine, Lynn, Monk, Liberman, Neshat, Dioum, Dorfman, Blaker

No- 0

Abstain – 0

Absent – 9

Barrosse, Yap, Chocron, Leeds, Tessler, French, Traum, Frankel, Naoufal

**Dorfman left the meeting at 8:30PM.**

- c. Motion for the SORO NC to hire a service to take and edit minutes of its General Board meetings at a rate of \$29.26 per hour, up to \$250 per month. (GB111821-07)

**Gomes Recused**

**Liberman Moved Motion and Romm Second**

**Public Comment: NONE**

**Neshat moved to amend Motion “on the sole condition that Bridgegap Temporary Staffing, any of its subsidiary companies, nor any company owned directly or indirectly by any sitting SORO Neighborhoods Council member be awarded the contract”; Second- Lexell**

**Amendment Passed**

**Yes -13**

**Weinberger, Notowitz, B. Levine, Romm, Lexell, Bloom, L. Levine, Lynn, Monk, Liberman, Neshat, Dioum, Blaker**

**No- 0**

**Abstain – 0**

**Recusal- 1**

**Gomes**

**Absent – 10**

**Barrosse, Yap, Chocron, Leeds, Tessler, French, Dorfman, Traum, Naoufal, Frankel**

**Motion as Amended Passed**

**Yes -12**

**Weinberger, Notowitz, B. Levine, Romm, Lexell, Bloom, L. Levine, Lynn, Monk, Liberman, Dioum, Blaker**

**No- 0**

**Abstain –1**

**Neshat**

**Recusal- 1**

**Gomes**

**Absent – 10**

Barrosse, Yap, Chocron, Leeds, Tessler, French, Dorfman, Traum, Naoufal, Frankel

**Shirley Traum entered the meeting at 8:50PM**

- d. Motion for the SORO NC to purchase website design services from WebCorner for \$2500 and monthly hosting and maintenance services for up to \$250 per month. (GB111821-08)

**L. Levine Moved Motion and Lynn Second**

**Public Comment: Goat Puppet Kenosha**

**Blaker moved to amend Motion to change the final period to a comma, and append the following: “conditional on: 1 – Confirmation that initial training of designated board members is included in the initial setup, 2 – confirmation that SORO NC will maintain ownership of website content, and 3 – confirmation that SORO NC will be given full administrative access to the website and the website’s host server.”; Second- Liberman**

**Amendment Passed**

**Yes -8**

**Weinberger, Notowitz, B. Levine, Bloom, Liberman, Dioum, Blaker, Traum,**

**No- 2**

**Lynn, Gomes**

**Abstain – 5**

**Lexell, L. Levine, Monk, Romm, Neshat**

**Absent – 9**

**Barrosse, Yap, Chocron, Leeds, Tessler, French, Dorfman, Naoufal, Frankel**

**Motion as amended Passed**

**Yes -12**

**Weinberger, Notowitz, B. Levine, Romm, Bloom, Lynn, Monk, Liberman, Dioum, Blaker, Traum**

**No- 0**

**Abstain –3**

**Lexell, L. Levine, Neshat**

**Absent – 9**

**Barrosse, Yap, Chocron, Leeds, Tessler, French, Dorfman, Naoufal, Franke**

## **10. Consent Agenda**

**Motion Moved: B. Levine                      Second: Lexell**

**Public Comment: Goat Puppet Kenosha**

**Motion Passed**

**Item 10 a-g**

**Yes – 15**

Weinberger, Notowitz, B. Levine, Gomes, Romm, Lexell, Bloom, L. Levine, Lynn, Monk, Liberman, Neshat, Dioum, Traum, Blaker

No- 0

Abstain – 0

Absent – 9

Barrosse, Yap, Chocron, Leeds, Tessler, French, Dorfman, Frankel, Naoufal

- a. Motion to approve Draft meeting minutes of October 21, 2021 (GB111821-09)
- b. Motion to approve [October 2021 MERS Report](#) (GB111821-10)
- c. Motion to support Council File [21-0002-S165](#) in support of repealing CA State Constitution [Article 34](#) (GB111821-11)
- d. Motion to submit a letter to CD5 regarding a lack of cut curbs in SORO NC [Zones 1 and 7](#) (GB111821-12)
- e. Motion to submit a letter to the Los Angeles Department of Transportation, and copy Council District 5 and Council District 10 encouraging the department to pursue Affordable Housing and Sustainable Communities Program Funding from the Cap and Trade program for eligible infrastructure projects in South Robertson (GB111821-14)
- f. Motion to submit a Community Impact Statement supporting the passage of Council File [21-1223](#) determining streets recommended for speed limit reductions, with recommendations for evaluation including Bagley Avenue, Robertson Boulevard, Venice Boulevard, Pico Boulevard, Cashio Street, Airdrome Street, and 18th Street to determine if they are appropriate for speed limit reduction (GB111821-15)
- g. Motion to submit a Community Impact Statement supporting Council File [21-1224](#) requesting a report on the Metro-LADOT bus lane enforcement pilot regarding illegal parking in bus lanes during peak hours, potentially impacting bus service along Wilshire Boulevard (GB111821-16)

## 11. New Business

- a. Motion to support WRAC motion to support LA City Council File [21-0929](#) and also request that the definition of radius be clarified to specify a radius of 500 feet from the nearest exterior boundary lines of the schools listed in an attachment; <https://westsidecouncils.com/motion/support-for-cf-21-0929-buscaino-koretz/> (GB111821-17)

**Motion to send to Homelessness Committee- Moved: Lexell Second: B. Levine**

**Public Comment: Goat Puppet Kenosha**

**Motion Passed**

**Yes – 14**

**Weinberger, Notowitz, B. Levine, Romm, Lexell, Bloom, L. Levine, Lynn, Monk, Liberman, Neshat, Dioum, Traum, Blaker**

**No- 1**

**Gomes**

**Abstain – 0**

**Absent – 9**

**Barrosse, Yap, Chocron, Leeds, Tessler, French, Dorfman, Frankel, Naoufal**

- b. Motion to support WRAC motion to request for Councilmembers to Cooperate with Member Councils re Designation of Sites Under [LAMC Sec. 41.18](https://westsidecouncils.com/motion/request-for-councilmembers-to-cooperate-with-member-councils-re-designation-of-sites-under-lamc-sec-41-18/); <https://westsidecouncils.com/motion/request-for-councilmembers-to-cooperate-with-member-councils-re-designation-of-sites-under-lamc-sec-41-18/> (GB111821-18)

**Motion to send to Homelessness Committee- Moved: Lexell Second:**

**Dioum**

**Public Comment: Goat Puppet Kenosha**

**Motion Passed**

**Yes – 15**

**Weinberger, Notowitz, B. Levine, Romm, Lexell, Bloom, L. Levine, Lynn, Monk, Liberman, Neshat, Dioum, Traum, Blaker, Gomes**

**No- 0**

**Abstain – 0**

**Absent – 9**

**Barrosse, Yap, Chocron, Leeds, Tessler, French, Dorfman, Frankel, Naoufal**

- c. Motion to support WRAC motion to request a written City Attorney Opinion re Consideration of Developer's Financial Interest; <https://westsidecouncils.com/motion/request-for-city-attorney-opinion-re-consideration-of-developers-financial-interest/> (GB111821-19)

**Motion Moved: Liberman Second: Lynn**

**Motion to send to Land Use Committee- Moved: Lexell Second: B. Levine**

**Public Comment: Goat Puppet Kenosha**

**Motion Passed**

**Yes – 8**

**Weinberger, B. Levine, Lexell, Bloom, L. Levine, Monk, Neshat, Dioum**

**No- 5**

**Lynn, Gomes, Traum, Blaker, Liberman**

**Abstain – 2**

**Romm, Notowitz**

**Absent – 9**

**Barrosse, Yap, Chocron, Leeds, Tessler, French, Dorfman, Frankel, Naoufal**

- d. Motion to support WRAC motion to oppose Misuse of Specific Plan Process; <https://westsidecouncils.com/motion/oppose-misuse-of-specific-plan-process/> (GB111821-20)

**Motion Moved: Liberman Second: Lynn**

**Motion to send to Land Use Committee- Moved: Lexell Second: Neshat  
Public Comment: Goat Puppet Kenosha**

**Motion Passed**

**Yes – 8**

**Weinberger, B. Levine, Lexell, Bloom, L. Levine, Monk, Neshat, Dioum**

**No- 6**

**Lynn, Gomes, Traum, Blaker, Liberman, Romm**

**Abstain – 1**

**Notowitz**

**Absent – 9**

**Barrosse, Yap, Chocron, Leeds, Tessler, French, Dorfman, Frankel,**

**Naoufal**

- e. **Motion to support WRAC motion to support [Assembly Constitutional Amendment 7](https://westsidecouncils.com/motion/support-for-aca-7-muratsuchi-glazer/); <https://westsidecouncils.com/motion/support-for-aca-7-muratsuchi-glazer/> (GB111821-21)**

**Motion Moved: Liberman Second: Lynn**

**Public Comment: Goat Puppet Kenosha**

**Motion to send to Land Use Committee- Moved: Lexell Second: Neshat**

**Motion Failed**

**Yes – 6**

**Weinberger, B. Levine, Lexell, Monk, Neshat, Dioum**

**No- 7**

**Lynn, Traum, Blaker, Liberman, Romm, Bloom, L. Levine,**

**Abstain – 1**

**Notowitz**

**Absent – 9**

**Barrosse, Yap, Chocron, Leeds, Tessler, French, Dorfman, Frankel,**

**Naoufal, Gomes**

**9:59pm Chair Lynn moved to extend meeting to 10:10PM without objection**

**10:10 Chair postponed Item to next General Board meeting as Unfinished Business**

- f. **Motion to submit letter to CD5 and CD10 regarding a lack of trash cans in key SORO corridors (GB111821-13) – Postponed to next General Board meeting as Unfinished Business**

12. **Adjournment 10:10 pm**

# Monthly Expenditure Report



Reporting Month: November 2021      Budget Fiscal Year: 2021-2022

NC Name: South Robertson  
Neighborhood Council

Monthly Cash Reconciliation					
Beginning Balance	Total Spent	Remaining Balance	Outstanding	Commitments	Net Available
\$40633.03	\$0.00	\$40633.03	\$0.00	\$0.00	\$40633.03

Monthly Cash Flow Analysis					
Budget Category	Adopted Budget	Total Spent this Month	Unspent Budget Balance	Outstanding	Net Available
Office	\$24700.00	\$0.00	\$23713.00	\$0.00	\$23713.00
Outreach		\$0.00		\$0.00	
Elections		\$0.00		\$0.00	
Community Improvement Project	\$4300.00	\$0.00	\$4300.00	\$0.00	\$4300.00
Neighborhood Purpose Grants	\$12620.03	\$0.00	\$12620.03	\$0.00	\$12620.03
Funding Requests Under Review: \$0.00		Encumbrances: \$0.00		Previous Expenditures: \$987.00	

Expenditures						
#	Vendor	Date	Description	Budget Category	Sub-category	Total
<b>Subtotal:</b>						<b>\$0.00</b>

Outstanding Expenditures						
#	Vendor	Date	Description	Budget Category	Sub-category	Total
<b>Subtotal: Outstanding</b>						<b>\$0.00</b>



# Motion to send a letter to Senior Rabbi Adam Kligfeld of Temple Beth Am requesting restricted hours of amplified sound, hours that doors remain open where amplified sound is inside, 48 hour written notification to neighbors prior to any event, and abide by LACMC rules on amplified sound/hours/decibels

**Agenda Item:** GB121621-17  
**Date:** December 16, 2021  
**Proposed By:** Quality of Life Committee

**Include motion in Consent Agenda? Yes**

**Michael Lynn**  
President

**Ken Blaker**  
Vice-President

**Terrence Gomes**  
Treasurer

**Baila Romm**  
Secretary

**Jon Liberman**  
Corresponding Secretary

## Background

Residents of buildings within the 1200 block of Corning Street have voiced concerns to the SORO Board about illegally parked vehicles in the alleyway abutting their residences. Vehicles are regularly parking in the alley, which is so narrow that it blocks residents' ingress and egress into their parking spaces. Residents regularly have to cancel or postpone appointments as a result, or book last minute rideshare trips that are costly.

It is already against Los Angeles parking regulations to park or stop a car in any way that blocks another driveway or parking space, and the narrowness of the alley regularly results in this. Los Angeles regulations also currently prohibit individuals from parking in alleyways for anything other than pickup or dropoff, however cars are regularly parked in this alleyway in a way that inconveniences residents. Better and more regular enforcement of existing restrictions along with better signage communicating these restrictions could go a long way in alleviating the situation, and prevent residents from canceling appointments or having to rely on the LADOT parking enforcement dispatch. The alleyway does not currently have regular enforcement by LADOT parking enforcement officers, forcing residents to call the LADOT dispatch hotline to request enforcement each time a vehicle is blocking their driveway.

Residents have tried working with the Department, however the Department has rejected their requests for additional signage despite the availability of public utility poles that could accommodate them. The alleyway entirely consists of public right of way, meaning that they cannot utilize any private towing services, and all signage and enforcement must be provided by the Department.

**South Robertson  
Neighborhoods Council**

PO Box 35836  
Los Angeles, CA 90035

P: (310) 295-9920  
E: info@soronc.org

[soronc.org](http://soronc.org)



## Proposed Motion

- I. The SORO NC shall send a letter to Senior Rabbi Adam Kligfeld of Temple Beth Am requesting restricted hours of amplified sound, hours that doors remain open where amplified sound is inside, 48 hour written notification to neighbors prior to any event, and to abide by LACMC rules on amplified sound/hours/decibels.

---

## Considerations

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### Arguments for: 2

Residents have tried working with the Temple directly and CD5, but still are experiencing excessive noise

### Arguments against: 0

The Temple has been making attempts at mitigating the noises



December 16, 2021

Rabbi Adam Kligfeld  
Temple Beth Am  
1039 S. La Cienega Blvd.  
**Los Angeles** CA 90035

Dear Rabbi Kligfeld,

At a recent Quality of Life Committee meeting, the South Robertson Neighborhoods Council (SORO NC) heard concerns from many nearby neighbors of Temple Beth Am.

These concerns included excessive noise at events that caused several neighbors to complain to Temple administration, as well as the office of Paul Koretz (CD5). Unfortunately, this did not resolve the issue to the neighbors' satisfaction and brought the issue to the SORO NC.

The SORO NC has now voted to write a letter on behalf of these neighbors, directly to you.

We are requesting for the events that are held at Temple Beth Am to:

1. Restrict hours of amplified sound
2. Discuss with neighbors the hours that doors remain open where amplified sound is inside
3. Written notification to neighbors at least 48 hours before any event
4. Abide by the LA City Municipal Code rules on amplified sound, hours and decibel level

The SORO NC also requests that you respond to this letter, as well.

Thank you for your understanding and look forward to your help in resolving this issue, as well as making the South Robertson community an enjoyable place to live.

Sincerely,

Michael Lynn  
President  
South Robertson Neighborhoods Council  
PO Box 35836  
Los Angeles, CA 90035

**Phone: 310-295-9920**



# Motion to submit CIS in opposition to Council File 19-0603, regarding a ban on certain types of timber construction and expansion of fire hazard areas pertaining to land use regulations

**Agenda Item:** GB 121621-18  
**Date:** December 16, 2021  
**Proposed By:** Land Use  
**Include motion in Consent Agenda?** Committee  
Yes

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## Background

CMs Blumenfield and Rodriguez introduced a measure that seeks to expand the Fire District 1 designation, which is unique to Los Angeles and was created more than 100 years ago. The designation severely restricts construction and building material use in specific zones. The proposed ordinance uses density as a proxy for wildfire risk, and the motion herein proposes that any neighborhood with a density above 5000 people per square mile be considered a Fire District 1 zone. Construction in Fire District 1 areas is banned from using timber, and so must rely on concrete for construction. A report by the Department of Building and Safety estimates this would increase building costs by 10.6% to 47.1% in dense neighborhoods of Los Angeles.

## Proposed Motion

Submit a community impact statement to city council in opposition to council file 19-0603.

**Statement:** The South Robertson Neighborhoods Council recommends that the City Council oppose this motion. The measure will increase construction and housing costs significantly, with a heavy impact on affordable housing, and no measurable protection from fire risk as density does not correlate to fire hazard. Furthermore, using concrete to build housing in Los Angeles is a CO2 intensive process that would have a negative impact on our environmental quality.



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## Considerations

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**Committee review:** Votes For: 8 Against: 0

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**Arguments for:**

Density and fire risk have no correlation.

**Arguments against:**

Concrete is less likely to burn in a fire than timber.

## Motion to submit letter in support of ZA-2021-811-CUB; off-sale alcohol permit at Elat Kosher Market (8730 W Pico Blvd)

**Agenda Item:** GB 121621-24  
**Date:** December 16, 2021  
**Proposed By:** Land Use  
**Include motion in Consent Agenda?** Committee  
No

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## Background

The owners of Elat Kosher Market at 8730 W Pico Blvd wish to obtain an off-sale alcohol permit in order to be able to sell beer and wine from 8am to 9pm daily (except during Shabbat).

The Land Use Committee recommended no action at the December 7th meeting as the developers did not notice the neighborhood about the request with enough time. However, the notice did include the neighborhood council's contact information and to date, there has been no opposition to the business obtaining an off-sale alcohol permit. The Land Use Committee felt that due to the non-controversial request, the General Board would have sufficient time to decide.

## Proposed Motion

Submit the attached letter to the Department of City Planning recommending approval of the off-sale alcohol permit.



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## Considerations

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**Committee review:**

Votes For: 0

Against: 0

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**Arguments for:**

This is a very minor request that people are not likely to oppose.

**Arguments against:**

The team should have properly noticed the neighborhood.

Department of City Planning  
200 N Spring Street, Los Angeles, CA 90012

16 December 2021

Re: ZA-2021-811-CUB

To whom it may concern:

I am writing on behalf of the South Robertson Neighborhoods Council (“SORO NC”) to comment on the proposed off-sale alcohol permit requested by Elat Kosher Market (8730 W Pico Blvd).

At a duly-noticed meeting of the General Board on December 16, 2021, SORO NC voted xx yes / xx no / xx abstain to recommend that the applicant’s request be approved / rejected.

Please do not hesitate to contact me if you have any questions about this letter.

Sincerely,

xx



# Motion to Submit a Letter to the Los Angeles Department of Transportation and Council District 5 requesting additional enforcement, better communication, and greater coordination regarding parking restrictions within the alleyway immediately north of Pico Boulevard, Between Corning Street and La Cienega Boulevard, within the 1200 block of Corning Street.

**Agenda Item:** GB 121621-19  
**Date:** December 16, 2021  
**Proposed By:** Transportation Committee  
**Include motion in Consent Agenda? Yes**

**Michael Lynn**  
President

**Ken Blaker**  
Vice-President

**Terrence Gomes**  
Treasurer

**Vacant**  
Secretary

**Jon Liberman**  
Corresponding Secretary

## Background

Residents of buildings within the 1200 block of Corning Street have voiced concerns to the SORO Board about illegally parked vehicles in the alleyway abutting their residences. Vehicles are regularly parking in the alley, which is so narrow that it blocks residents' ingress and egress into their parking spaces. Residents regularly have to cancel or postpone appointments as a result, or book last minute rideshare trips that are costly.

It is already against Los Angeles parking regulations to park or stop a car in any way that blocks another driveway or parking space, and the narrowness of the alley regularly results in this. Los Angeles regulations also currently prohibit individuals from parking in alleyways for anything other than pickup or dropoff, however cars are regularly parked in this alleyway in a way that inconveniences residents. Better and more regular enforcement of existing restrictions along with better signage communicating these restrictions could go a long way in alleviating the situation, and prevent residents from canceling appointments or having to rely on the LADOT parking enforcement dispatch. The alleyway does not currently have regular enforcement by LADOT parking enforcement officers, forcing residents to call the LADOT dispatch hotline to request enforcement each time a vehicle is blocking their driveway.

Residents have tried working with the Department, however the Department has rejected their requests for additional signage despite the availability of public utility poles that could accommodate them. The alleyway entirely consists of

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public right of way, meaning that they cannot utilize any private towing services, and all signage and enforcement must be provided by the Department.

## Proposed Motion

- I. The SORO NC shall The South Robertson Neighborhoods Council (SORO NC) shall submit a letter to the Los Angeles Department of Transportation and Councilmember Paul Koretz requesting that the department provide additional enforcement of existing parking restrictions, provide better communication and increased signage, and coordinate with residents regarding the alleyway immediately north of Pico Boulevard, between Corning Street and La Cienega Boulevard, behind the 1200 block of Corning Street.

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## Considerations

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### Arguments for:

Residents have voiced numerous complaints about parked cars in the alley blocking them into their parking spaces

Residents have tried working with the Department directly, but the Department has not implemented any changes in policy

This letter would not request any new restrictions, and only requires better enforcement and communication of existing regulations

The existing situation is untenable for residents abutting the alley, and is regularly disruptive to their day to day lives

### Arguments against:

More restrictions could be required to fully alleviate the situation



# Motion for the SORO NC to support CF 21-1115 prohibiting bicycle chop shops in the public right-of-way and to submit a CIS in support of the motion

**Agenda Item:** GB121621-20  
**Date:** November 18, 2021  
**Proposed By:** WRAC  
**Include motion in Consent Agenda?** YES

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## Background

The Westside Regional Alliance of Councils (WRAC) has a Motion that has been approved by 5 other Neighborhood Councils. <https://westsidecouncils.com/motion/support-for-council-file-21-1115-buscaino/>

This motion calls for the drafting of an ordinance to ban bicycle “chop shops” from public property and the public-right-of-way in Los Angeles.

For background see: [Buscaino Motion](#)

## Proposed Motion

The SORO NC supports the WRAC motion in support of CF 21-1115 prohibiting bicycle chop shops in the public right-of-way and shall submit a CIS in support of the motion

**Michael Lynn**  
President

**Ken Blaker**  
Vice-President

**Terrence Gomes**  
Treasurer

**Baila Romm**  
Secretary

**Jon Liberman**  
Corresponding Secretary

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[soronc.org](http://soronc.org)

## Considerations

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<b>Committee review:</b> <i>(highly recommended)</i>	Votes For: 5	Against: 1
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<b>Amount previously allocated in Committee's working budget:</b> <i>(applies to funding motions only)</i>	\$ n/a
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# Motion for the SORO NC to fund up to \$300 per month for advertising on Instagram, NextDoor, Twitter and Facebook; with a maximum of \$1500

**Agenda Item:** GB 121621-21  
**Date:** December 16, 2021  
**Proposed By:** Outreach Committee  
**Include motion in Consent Agenda?** NO

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## Background

**Michael Lynn**  
President

**Ken Blaker**  
Vice-President

**Terrence Gomes**  
Treasurer

**Baila Romm**  
Secretary

**Jon Liberman**  
Corresponding Secretary

The Outreach Committee's goal is to bring together the South Robertson community both electronically and physically -- through its website, community electronic newsletters, printed banners & signs, in person events & programs, and social media.

With today's general reliance on social media, especially with reduced in-person events in the midst of the Covid pandemic, it is crucial for the SORO NC to focus some of its financial resources to expand the reach of its social media accounts to untapped Stakeholders.

The Outreach committee would coordinate paid advertising and "boosting" of social media posts to promote committee & general board meetings, as well as virtual and (potentially) in-person events.

This is only a part of what is intended to be a larger initiative for marketing to our community stakeholders.

### LINKS to social media

Facebook: <https://www.facebook.com/SORONC>

Instagram: [https://www.instagram.com/soro\\_nc/](https://www.instagram.com/soro_nc/)

Twitter: <https://www.twitter.com/SORONC>

(NextDoor.com are individual posts)

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## Proposed Motion

For the South Robertson Neighborhoods Council (SORO NC) to fund up to \$300 per month for advertising on the social media websites Instagram, NextDoor, Twitter and Facebook, with a maximum of \$1500.

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## Considerations

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Committee review:	Votes For: 3	Against: 0
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Amount previously allocated in Committee's working budget:	\$ 2500
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### Arguments for:

This is a very efficient method for educating and encouraging involvement in SORONC by stakeholders.

### Arguments against:

Money could be used elsewhere



# Motion for the SORO NC to create an annual awards program honoring individuals who have made contributions to the South Robertson community

**Agenda Item:** GB 121621-22  
**Date:** December 16, 2021  
**Proposed By:** Outreach Committee  
**Include motion in Consent Agenda?** NO

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## Background

To establish effective outreach to the South Robertson community, it is important to engage Stakeholders with some interactive programs and activities.

By establishing an annual award that would acknowledge an individual who contributed to our community, it would hopefully inspire others to also contribute. The award nomination and selection process would also be used as an opportunity to reach new stakeholders. A possible prize could be a name plate on the corner of Robertson and Pico for a year.

The Outreach Committee would be responsible for organizing the award program details and submit an additional motion to the general board for approval.

## Proposed Motion

Motion for the SORO NC to create an annual awards program honoring individuals who have made contributions to the SORO community, with further program details to be completed by the Outreach Committee and approved by the General Board.

**Michael Lynn**  
President

**Ken Blaker**  
Vice-President

**Terrence Gomes**  
Treasurer

**Baila Romm**  
Secretary

**Jon Liberman**  
Corresponding Secretary

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## Considerations

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Committee review:      Votes For: 3      Against: 0

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Arguments for:

Awards tend to be inspirational.

Arguments against:

Could make some people feel left out.



# Motion for the SORO NC Outreach Committee to organize a Town Hall Forum featuring candidates for City Council CD-5 and possibly CD-10

**Agenda Item:** GB 121621-23  
**Date:** December 16, 2021  
**Proposed By:** Outreach Committee  
**Include motion in Consent Agenda?** NO

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## Background

One of the directives of the Outreach Committee is to hold an annual Town Hall for our community.

Los Angeles City Council elections will take place June 2022. The SORO NC would hold either a virtual or in-person (if possible) forum for the Candidates running for Councilmember in CD-5 (and possibly CD-10 if appropriate.) This forum would be moderated by an outside neutral party and would educate Stakeholders and encourage involvement in the election process.

It is possible to coordinate this effort with one or more other Neighborhood Councils or a non-partisan organization.

### General Information for candidates:

[https://clerk.lacity.org/sites/g/files/wph1491/files/2021-09/Candidate\\_Filing\\_Guide.pdf](https://clerk.lacity.org/sites/g/files/wph1491/files/2021-09/Candidate_Filing_Guide.pdf)

### Calendar and deadlines for filing to be candidate:

[https://clerk.lacity.org/sites/g/files/wph1491/files/2021-11/WEB\\_General%20Information%20for%20Candidates%20Pamphlet\\_2022.pdf](https://clerk.lacity.org/sites/g/files/wph1491/files/2021-11/WEB_General%20Information%20for%20Candidates%20Pamphlet_2022.pdf)

**Michael Lynn**  
President

**Ken Blaker**  
Vice-President

**Terrence Gomes**  
Treasurer

**Baila Romm**  
Secretary

**Jon Liberman**  
Corresponding Secretary

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## Proposed Motion

For the South Robertson Neighborhoods Council to approve the Outreach Committee to schedule and organize a Candidate Town Hall Forum for LA City Council CD-5 and possibly CD-10 candidates.

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## Considerations

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Committee review:      Votes For: 3      Against: 0

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Amount previously allocated in Committee's working budget:      \$ ?????  
*(applies to funding motions only)*

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### Arguments for:

This is a very efficient method for educating and encouraging Stakeholder involvement in their City Council representation

### Arguments against:

There may be a better topic for a Town hall that would engage more Stakeholders

1216 OFFICE OF ZONING  
ADMINISTRATION  
200 N. SPRING STREET, ROOM 763  
LOS ANGELES, CA 90012-4801  
(213) 978-1318  
**ESTINEH MAILIAN**  
CHIEF ZONING ADMINISTRATOR  
**ASSOCIATE ZONING ADMINISTRATORS**  
JACK CHIANG  
HENRY CHU  
JONATHAN A. HERSHEY, AICP  
THEODORE L. IRVING, AICP  
CHARLES J. RAUSCH JR.  
CHRISTINA TOY LEE

**CITY OF LOS ANGELES**  
CALIFORNIA



ERIC GARCETTI  
MAYOR

LOS ANGELES DEPARTMENT  
OF CITY PLANNING  
EXECUTIVE OFFICES  
VINCENT P. BERTONI, AICP  
DIRECTOR  
Vacant  
EXECUTIVE OFFICER  
SHANA M.M. BONSTIN  
DEPUTY DIRECTOR  
ARTHI L. VARMA, AICP  
DEPUTY DIRECTOR  
LISA M. WEBBER, AICP  
DEPUTY DIRECTOR  
planning.lacity.org

December 13, 2021

Farhad Kamani (A)  
ELAT Supermarket INC.  
8724-8730 West Pico Boulevard  
Los Angeles, CA 90035

ELAT Capital, LLC (O)  
1300 Olympic Boulevard  
Los Angeles, CA 90015

Patrick E. Panzarello (R)  
Patrick E. Panzarello Consulting Services  
PO BOX 1058  
Sun Valley, CA 91353

CASE NO. ZA-2021-811-CUB  
CONDITIONAL USE  
8724-8730 West Pico Boulevard  
Wilshire Planning Area  
Zone : C4-1-O  
D. M. : 132B169  
C. D. : 5 -Kortez  
CEQA : ENV-2021-813-CE  
Legal Description: FR of Lot Nos. 108  
And 109, TR 6721 Tract

Pursuant to California Environmental Quality Act (CEQA), I hereby DETERMINE:

based on the whole administrative record, that the project is exempt from CEQA pursuant to CEQA Guidelines Section 15301, Class 1 (Existing Facilities), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste site, or historical resources applies; and,

Pursuant to Los Angeles Municipal Code (LAMC) Section 12.24 W.1, I hereby APPROVE:

a Conditional Use Permit to permit the liquor license upgrade and the sale and dispensing of a full line of alcoholic beverages for off-site consumption and ancillary on-site tasting of beer and wine in conjunction with the operation of an existing 7,110 square-foot market in the C4-1-O Zone,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. **Within 60 days from the determination date**, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center or the Condition Compliance Unit for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center or Condition Compliance Unit for inclusion in the case file.
7. Approved herein is the sale and dispensing of a full line of alcoholic beverages for off-site consumption and ancillary on-site tasting of beer and wine in conjunction with the operation of an existing 7,110 square-foot market in the C4-1-O Zone.
8. Hours of operation shall be limited to 8 a.m. to 9 p.m., daily. No after-hour use is permitted, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.
9. Parking shall be compliant to the LAMC requirements. No parking variance requested or approved.

10. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site without being disruptive to persons on adjacent properties.
11. A camera surveillance system shall be maintained at all times to monitor the common areas of the business, high-risk areas, sidewalk areas, and entrances or exits. Recordings shall be maintained for a minimum period of 30 days and are intended for use by the Los Angeles Police Department (LAPD).
12. The exterior windows and glass doors of the store shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the store by Police and/or private security.
13. The applicant shall fully comply with all California State Department of Alcoholic Beverage Control (ABC) regulations governing the sale of alcoholic beverages for the business.
14. **STAR/LEAD Training.** Within the first six months of already selling alcohol, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or Department of Alcoholic Beverage Control "Licensee Education on Alcohol and Drugs" (LEAD) training program. Upon completion of such training, the applicant shall request the LAPD to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter referencing Case No. ZA-2021-3588-CUB from the Police Department to the Department of City Planning as evidence of compliance. In the event there is a change in the licensee, within six months of such change, this training program shall be required for all new staff. The STAR training shall be conducted for all new hires within two months of their employment.
15. Prior to the utilization of this grant, an electronic age verification device shall be purchased and retained on the premises to determine the age of any individual attempting to purchase alcoholic beverages or tobacco products, and shall be installed on at each point-of-sales location. This device shall be maintained in operational condition and all employees shall be instructed in its use.
16. These conditions of approval as well as a copy of any Business permit, insurance information, security and any emergency contact phone numbers shall be maintained in the office at all times and produced immediately upon request of the Police Department, the Zoning Administrator, the Department of Building and Safety or other enforcement agency.
17. A copy of the conditions of this letter of determination shall be retained on the premises at all times and produced upon request by the Police Department, the Department of Building and Safety, the Department of City Planning, or the State Department of ABC.

18. At least one on-duty manager with authority over the activities within the facility shall be on the premises at all times that the facility is open for business. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, LAMC requirements and the conditions imposed by the State Department of ABC and the conditional use herein. Every effort shall be undertaken in managing the facility to discourage illegal and criminal activity on the subject premises and any exterior area over which the building owner exercises control, including parking lot commonly used by patrons, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism and truancy occur.
19. The manager and all employees of the facility shall be knowledgeable of the conditions herein. Additionally, a copy shall be provided to all employees who shall sign an acknowledgment form stating that they have read and understood all the ABC conditions as well as all the conditions of this grant. Said form shall be maintained at the location by the owner and/or manager who shall present it to Police personnel, ABC investigators or any other City agency upon request.
20. No employee or agent shall be permitted to solicit or accept any alcoholic, non-alcoholic beverage, accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the licensee provide, permit, or make available, either gratuitously or for compensation, male or female patrons who act as escorts, companions, or guests of and for the customer.
21. Staff will monitor the immediate vicinity in order to ensure that no public consumption of alcoholic beverages occurs. Staff will also be responsible to constantly monitor and ensure patrons do not take open alcoholic beverages for on-site and off-site consumption beyond the entrance doors onto the sidewalk.
22. The applicant, owner and on-site manager(s) shall comply with all applicable laws and conditions and shall properly manage the facility to discourage illegal and criminal activity on the subject premises and any accessory parking areas over which they exercise control.
23. The applicant shall be responsible for monitoring both patron and employee conduct on the premises and within the parking areas under his/her control to assure behavior that does not adversely affect or detract from the quality of life for adjoining residents, property owners, and businesses.
24. Operator and its personnel shall, at all times maintain a policy of not selling/serving obviously intoxicated patrons and taking preventative measure to help avert intoxication-related problems.

25. There shall be no empty cups, glasses, or similar receptacles commonly used for the drinking of beverages, sold, furnished, or given away at the petition's premises in quantities of less than twenty-four in their original multi-container and manufacturer's package. No ice in quantities of less than five pounds shall be sold. This requirement shall also apply to the food bar/deli sections of the supermarket.
26. Signs shall be prominently posted in English and the predominant language of the facility's clientele, if different and a notice shall be placed therein stating California State Law prohibits the sale of alcoholic beverages to persons under the age of twenty-one years or to intoxicated persons and no such sales will be made.
27. The establishment shall make an effort to control any unnecessary noise made by store staff or any employees contracted by the store, or any noise associated with the operation of the establishment.
28. The Project shall comply with the City of Los Angeles Noise Ordinance Nos. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
29. Loitering is prohibited on or around these premises or the area under the control of the applicant. "No Loitering or Public Drinking" signs shall be posted outside of the subject facility. The applicant shall be responsible for ensuring persons are dissuaded from loitering on or immediately around the subject premises.
30. Waster vendors servicing the building, and deliveries to the business, shall occur between the hours of 8:00 a.m. and 7:00 p.m. to minimize noise impacts to the surrounding neighbors. Trash and recycling bins shall be locked. Trash deposit in dumpsters will be carried out quietly and be respectful to neighbors.
31. The owner/business operator shall at all times maintain the abutting public access ways free of obstruction as well as maintaining the premises and adjoining sidewalk free of debris or litter.
32. Prior to the utilization of this grant, a telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the entry, customer service desk, and cashier's counter or near the hostess station visible to the public.
33. Complaints shall be responded to within 24-hours. The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint, and (3) the manner in which the complaint was resolved. This log shall be made available to LAPD, law enforcement, and ABC personnel upon request and presented as part of the application if and when a new application to continue the operation is submitted to the Department of City Planning.

34. **MViP – Monitoring Verification and Inspection Program.** Prior to the effectuation of this grant, fees required per LAMC section 19.01 E.3 for Monitoring of Conditional Use Permits and Inspection and Field Compliance Review of Operations shall be paid to the City.
- a. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.
  - b. The owner and operator shall be notified of the deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the Zoning Administrator.
35. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (Upon his/her initiative, or upon written request by LAPD or Department of ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to LAMC Section 19-01-I (Miscellaneous Plan Approval), the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office and the Los Angeles Police Department's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.
36. Should there be a change in the ownership and/or the operator of the business, the property owner, business owner, or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to the Department of City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this required letter to the Department of

City Planning within 30-days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing the floor plan, seating arrangement or number of seats of the new operation.

37. The Zoning Administrator reserves the right to require that the new owner or operator file a Plan Approval application, if it is determined that the new operation is not in substantial conformance with the approved floor plan, or the operation has changed in mode or character from the original approval, or if documented evidence be submitted showing a continued violation(s) of any condition(s) of this grant resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties. The application, in association with the appropriate fees, and a 500-foot notification radius, shall be submitted to the Department of City Planning within 30 days of the date of legal acquisition by the new owner or operator. The purpose of the plan approval will be to review the operation of the premise and establish conditions applicable to the use as conducted by the new owner or operator, consistent with the intent of the Conditions of this grant. Upon this review, the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

**38. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement (b).
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

### **OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES**

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

**TRANSFERABILITY**

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

**VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR**

Section 12.29 of the Los Angeles Municipal Code provides:

“A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code.”

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

**APPEAL PERIOD - EFFECTIVE DATE**

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after **December 28, 2021**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>**. Public offices are located at:

**Downtown**  
 Figueroa Plaza  
 201 North Figueroa Street,  
 4th Floor  
 Los Angeles, CA 90012  
(213) 482-7077

**San Fernando Valley**  
 Marvin Braude  
 Constituent Service Center  
 6262 Van Nuys Boulevard,  
 Room 251  
 Van Nuys, CA 91401  
(818) 374-5050

**West Los Angeles**  
 Development Services Center  
 1828 Sawtelle Boulevard,  
 2nd Floor  
 Los Angeles, CA 90025  
(310) 231-25159

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

### NOTICE

The applicant is further advised that subsequent contact regarding this determination must be with the Development Services Center. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

### FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on December 7, 2021, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for authorizing a Conditional Use under the provision of LAMC Section 12.24 W.1 has been established by the following facts:

### BACKGROUND

The subject site is a level, rectangular-shaped property comprised of two lots totaling approximately 7,812 square feet in area and zoned C4-1-O. The subject site is improved with a two-story commercial building with a total floor area of 7,110-square feet. The Department of Building and Safety (LADBS) issued a certificate of occupancy for a market in 1986. Pedestrian access to the site is from the entries located at the Pico Boulevard and the alley. The property has 70 feet of frontage on Pico Boulevard and 111 feet of frontage on Wooster Street. The subject property is within the Alquist-Priolo Earthquake Fault Zone, Local Emergency Temporary Regulations – Time limits and Parking Relief LAMC 16.02.1, and the City of Los Angeles Transit Priority Area.

The applicant is requesting a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for off-site consumption and ancillary on-site tasting of wine in an existing market with 20 shared parking spaces. The parking lot is located across the alley to the rear of the lot with an entrance on Wooster Street. No parking reduction is required per the Building Permit 02020-20000-02104. No alterations are proposed to the exterior or interior of the building. Hours of operation are proposed to be 8 a.m. to 9 p.m., daily. Hours of on-site tasting of wine are proposed on Tuesdays and Wednesday from 11 a.m. to 12 p.m.

Adjoining property to the north, across Pico Boulevard, is zoned C4-1-O and is developed with one-story urgent care facility and associated parking. Adjoining property to the south is

zoned [Q]R3-1-O and is developed with a two-story duplex. Abutting property to the east is zoned C4-1-O and is developed with a two-story commercial building occupied by a Drug Store. Adjoining property to the west, across Wooster Street, is zoned C4-1-O and is developed with a one-story commercial building.

Pico Boulevard is a designated Avenue I with a designated roadway width of 70 feet and a right-of-way width of 100 feet and improved with curb, gutter, and sidewalk.

Wooster Street is a local street with a designated roadway width of 36 feet and a right-of-way width of 60 feet and improved with curb, gutter, and sidewalk.

The alley is improved with asphalt pavement and concrete gutter with a 20-foot dedication.

Previous zoning related actions on the site include:

Ordinance No. 183,497 – Effective March 17, 2005, the interim ordinance, adopted as an urgency measure pursuant to California Government Code Section 65858, prohibiting the issuance of building permits for the construction of single-family dwellings on RA, RE, RS, and R1 zoned lots in designated neighborhoods where the proposed construction does not meet certain neighborhood specific criteria.

ZA-2004-2949-ZV-PA1 - On June 23, 2010, the Zoning Administrator determined that there has been substantial compliance with the conditions of Case No. ZA 2004-2949-ZV, which was approved by the Zoning Administrator on August 25, 2004 by granting a variance from LAMC Section 12.10 of the Code to permit the continued use and maintenance of a 498 square-foot trash enclosure with a height of 10 feet, in conjunction with an existing grocery market on an adjoining lot, within the front and side yard setback areas of the [Q]R3 Zone at 1416 South Wooster Street.

ZA-2004-2949-ZV - On August 25, 2004, the Zoning Administrator approved a variance from LAMC Section 12.10 of the Code to permit the continued use and maintenance of a 498 square-foot trash enclosure with a height of 10 feet, in conjunction with an existing grocery market on an adjoining lot, within the front and side yard setback areas of the [Q]R3 Zone at 1416 South Wooster Street.

ZA-1992-389-CUB - On July 29, 1992, the Zoning Administrator approved a Conditional Use Permit, pursuant to the provisions of Section 12.24 C.1.1 (q) of the Municipal Code, to permit in the C4 Zone the sale and dispensing of beer and wine for off-site consumption in conjunction with an existing kosher market, having hours of operation from 8:30 a.m. to 9:30 p.m., Monday through Thursday, 8:30 a.m. to 6:30 p.m. on Friday, and 9:30 a.m. to 8 p.m. on Sunday, on a site described as Lot Nos. 108, 109 and 116 of Tract No. 6721 located at 8724 through 8730 West Pico Boulevard.

Relevant cases in the surrounding area:

ZA-2012-1844-CUB-CU - On November 6, 2012, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing 5,173 square-foot restaurant in the C4-1-O Zone at 8731 West Pico Boulevard.

ZA-2007-2117-CUB - On September 27, 2007, the Zoning Administrator approved a request for a conditional use permit for the sale and dispensing of a full line of alcoholic beverages for off-site consumption in conjunction with an existing market at 8864-66 West Pico Boulevard.

ZA-2001-4351-CUB - On March 13, 2002, the Zoning Administrator approved a Conditional Use Permit, to permit the sale and dispensing of Kosher beer and wine only for off-site consumption as an accessory use, in conjunction with an existing 1,880 square-foot Kosher market at 8664-8666 West Pico Boulevard.

**PUBLIC HEARING**

A Notice of Public Hearing was sent to abutting property owners of the subject site for which an application as detailed below was filed with the Department of City Planning. The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding the project. All interested persons were invited to attend the public hearing where they could listen, ask questions or present testimony regarding the project. Interested parties were also invited to submit written comments regarding the request prior to the public hearing. The hearing was held on Tuesday, December 7, 2021, at approximately 10:00 a.m. Due to concerns over COVID- 19, the hearing was conducted entirely telephonically.

The applicant representative commented as follows:

- The project is an existing market owned and operated since 1992.
- The market currently sells beer and wine with an existing CUB.
- The applicant was able to purchase a full line liquor license and transferred to the subject site, thus the CUB application to upgrade the license.
- There is no on-site consumption of alcoholic beverages.
- The applicant has operated the business for 28 years without any violation.
- The market is a Kosher market, and the neighborhood is mainly a Jewish Community observing sabbath, thus the market actually closes earlier on Friday and Saturday evenings than the advertised 9 p.m.
- The applicant proposes an instructional wine tasting on Tuesday and Wednesday, from 11 a.m. to 12 p.m. within the 35 square-foot wine tasting area.
- The applicant reached out to the local Neighborhood Council; however, the Neighborhood Council's hearing protocol is so complicated and prevented the applicant to have a timely hearing prior to the Zoning Administrator's hearing.
- The market operation will remain the same.
- The Market is popular with the local neighborhood residents.

No other interested party attend the hearing.

The Zoning Administrator granted the Conditional Use for the sales of a full line of alcoholic beverages as requested based on the merit of the project as the subject supermarket has no prior complaints from the community, and that the project received no objections from the LAPD, or from the members of the public.

**CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES**

In approving the instant grant, the Zoning Administrator has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the Applicant, in that the Office of Zoning Administration has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The Zoning Administrator has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the Office of Zoning Administration acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the Zoning Administrator.

- No alcohol shall be allowed to be consumed on any adjacent property under the control of the applicant.
- There shall be no exterior advertising of any kind or type, including advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
- No signs are permitted on the outside of the building or directed from the inside to the outside which display or advertise the availability of alcoholic beverages.
- All off-site sales of alcoholic beverages shall be conducted at a checkout station directly attended by a manager/checkout clerk assigned to that station.
- No sale of alcohol shall be permitted at any self-service, automated check-out station (checkout conducted primarily by the customer, with assistance by a store monitor) if such are available on the site. All sales of alcohol shall be conducted at a full-service checkout station directly attended by a cashier/checkout clerk specifically assigned solely to that station.

- No person under 21 years of age shall sell or deliver alcoholic beverages.
- Wine coolers, malt beverages or pre-mixed distilled spirit cocktail beverages shall not be sold in single containers of 16 oz. or less and must be sold in manufacturer pre-packaged multi-unit quantities.
- There shall be no sales of keg beer.
- Wine shall not be sold in bottles or containers less than 750 ml.
- The subject alcoholic beverage license shall not be exchanged for a public premise type license.
- The on-site tasting of beer and wine shall be limited to Tuesdays and Wednesdays to 11 a.m. to 12 p.m., and be confined within the general 35 square-foot wine tasting area as shown in the stamped "Exhibit A" floor plan.
- The amount of the alcoholic beverages inventory display shall in substantial conformance to the stamped "Exhibit A" floor plan.

### **BASIS FOR CONDITIONAL USE PERMITS**

A particular type of development is subject to the conditional use plan approval process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Zoning Administrator are located within Section 12.24 W.1 of the Los Angeles Municipal Code. In order for the sale and dispensing of full line of alcohol beverages for on-site consumption to be authorized, certain designated findings have to be made. In these cases, there are additional findings in lieu of the standard findings for most other conditional use categories.

### **FINDINGS**

1. **The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The applicant is requesting a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages for off-site consumption and ancillary on-site tasting of wine at an existing 7,110-square foot market with 20 shared parking spaces. The parking lot is located across the alley to the rear of the lot with an entrance on Wooster Street. No alterations are proposed to the exterior or interior of the building. Hours of operation are proposed to be 8 a.m. to 9 p.m., daily. Hours of on-site tasting of wine are proposed on Tuesdays and Wednesday from 11 a.m. to 12 p.m. The sale and dispensing of a full line of alcoholic beverages for off-site consumption and ancillary on-site tasting of wine will increase the economic vitality of the area.

The conditions related to the sale and service of alcoholic beverages are listed above for the consideration of the ABC. The Zoning Administrator has imposed operational conditions such as electronic age verification machines; the maintenance of the operation commercial building, security cameras, and STAR training to mitigate the proposed sale and dispensing of a full line of alcoholic beverages impacts and to protect public welfare. As conditioned, the operation of a commercial use serving a full line of alcoholic beverages will improve the built environment on Pico Boulevard and will provide a beneficial service to the Wilshire community and the city.

2. **The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The subject property is a level, rectangular-shaped property comprised of two lots totaling approximately 7,812 square feet and zoned C4-1-O. The site is improved with a two-story commercial building with a total floor area of 7,110-square foot on the ground floor for the market. Pedestrian access to the site is from the entries located at the Pico Boulevard and alley. The property has 70 feet of frontage on Pico Boulevard and 111 feet of frontage on Wooster Street. The subject property is within the Alquist-Priolo Earthquake Fault Zone, Local Emergency Temporary Regulations – Time limits and Parking Relief LAMC 16.02.1, and the Transit Priority Area in the City of Los Angeles. Adjoining property to the north, across Pico Boulevard, is zoned C4-1-O and is developed with a one-story urgent care facility and associated parking. Adjoining property to the south is zoned [Q]R3-1-O and is developed with a two-story duplex. Abutting property to the east is zoned C4-1-O and is developed with a two-story commercial building occupied by a Drug Store. Adjoining property to the west, across Wooster Street, is zoned C4-1-O and is developed with a one-story commercial building.

The applicant has operated the existing market for the last 28 years without any LAPD citation or community complaints. The applicant is requesting a Conditional Use to upgrade the existing beer and wine license for the sale and dispensing of a full line of alcoholic beverages for off-site consumption and ancillary on-site tasting of wine at a 7,110 square-foot commercial grocery market with 20 shared parking spaces. No alterations are proposed to the exterior of the building. Hours of operation are proposed to be 8 a.m. to 9 p.m., daily. There are no proposed changes to the subject property's location, size, height or significant features of subject property's existing structure other than the request herein. Hours of on-site instructional tasting of wine are proposed on Tuesdays and Wednesday from 11 a.m. to 12 p.m. located in a 35 square-foot area. Aside from the wine tasting, there is no on-site consumption, dining, or seating within the market. The proposed project should not result in nuisance activities such as loitering or drinking in public. As conditioned, the project site is expected to operate in a manner that is compatible with and does not adversely affect or degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

**3. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.**

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are in the form of LAMC requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements. The Framework Element establishes the broad overall policy and direction for the General Plan. The property is not subject to any specific plans or overlays that would otherwise impact the requested action.

The Land Use Element of the City's General Plan divides the City into 35 Community Plan areas. The Wilshire Community Plan designates the property for Neighborhood Office Commercial land uses with corresponding zones of C1, C1.5, C2, C4, CR, RAS3, RAS4, and P. The project site is within the C4-1-O Zone, and the requested uses are permitted within the zone. The Wilshire Community Plan is silent regarding the sale and dispensing of a full line of alcoholic beverages at the commercial building. The proposed sale and dispensing of a full line of alcoholic beverages at an existing market located in a commercial zone is consistent with the following Community Plan commercial objectives and policies:

**GOAL 2 ENCOURAGEES STRONG AND COMPETITIVE COMMERCIAL SECTORS WHICH PROMOTE ECONOMIC VITALITY AND SERVE THE NEEDS OF THE WILSHIRE COMMUNITY THROUGH WELL-DESIGNED, SAFE AND ACCESSIBLE AREAS, WHILE PRESERVING HISTORIC AND CULTURAL CHARACTER.**

Objective 2-1 Preserve and strengthen viable commercial development and provide additional opportunities for new commercial development and within existing commercial areas.

Policy 2-1.1 New commercial uses should be located in existing establish commercial areas or shopping centers.

Policy 2-1.3 Enhance the viability of existing neighborhood stores and businesses which support the needs of local residents and are compatible with the neighborhood.

Objective 2-2 Promote distinctive commercial districts and pedestrian-oriented areas.

Policy 2-2.3: Encourage the incorporation of retail, restaurant, and other neighborhood serving uses in the first floor street frontage of structures, including mixed used projects located in Neighborhood Districts.

Approval of the request is consistent with Objective 7.3 of the Framework Element which states “maintain and enhance the existing businesses in the City” as well as Policy 7.3.2 which states “retain existing neighborhood commercial activities within walking distance of residential areas.” Given the scope and limitations established by the conditions herein, the surrounding land uses will not be significantly impacted by the proposed operation of the market. The proposed project supports the Community Plan's Land Use objectives by offering a market supporting community experiences is a quality of life-enhancing option within their neighborhood rather than driving to distant locations. Authorizing the use furthers the intent of the Plan by helping to maintain a dynamic commercial area providing economic development opportunities and supporting a quality neighborhood venue in the Plan Area. Therefore, the project substantially conforms to the purpose, intent and provisions of the General Plan and Wilshire Community Plan.

4. **The proposed use will not adversely affect the welfare of the pertinent community.**

The predominant immediately surrounding land use pattern within the Wilshire Community Plan Area is mainly strip commercial uses. The Community Plan lists issues expressed from the community such as the desire for quality and vitality of commercial area as well as planned land use and zoning that permits the appropriate type of development and mix of uses desirable for and characteristic of the Plan area's neighborhoods. Efforts to maintaining and expanding existing commercial amenities are intrinsic to the conservation, development, and success of a vibrant neighborhood. As conditioned, the sale and dispensing of a full line of alcoholic beverages for off-site consumption and ancillary on-site tasting of wine will not adversely affect the welfare of the pertinent community. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring deterrents against loitering and responsible management. Employees will undergo training on the sale and dispensing of a full line of alcoholic beverages including training provided by the Los Angeles Police Department STAR Program. Other conditions related to excessive noise, litter and noise prevention will safeguard the surrounding residential and sensitive uses.

The subject market has operated for over 28 years, and it is anticipated that the business owner will continue a good operation and will not adversely affect the immediate neighborhood. No evidence was submitted for the record prior-to, at , or after the December 7, 2021, public hearing, and no interested party attended the hearing to speak against the project which demonstrating that the proposed sale and dispensing of a full line of alcoholic beverages for off-site consumption and ancillary on-site tasting of wine at the subject grocery market will adversely affect the welfare of the Wilshire community. Therefore, with the imposition of such conditions, the sale of beer and wine for off-site consumption and ancillary on-site tasting of wine at this location will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

5. **The granting of the application will not result in an undue concentration of premises for the continued sale of a full line of alcoholic beverages and on-site consumption of beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the California State Department of Alcoholic Beverage Control licensing criteria, there are five (5) on-site and three (3) off-site licenses authorized to Census Tract No. 2170.02. There is currently an off-site ABC license on the project site for Beer and Wine.

According to statistics provided by the Los Angeles Police Department Central Division, which has jurisdiction over the subject property within Crime Reporting District No. 859, a total of 146 Part 1 Crimes and 22 Part 2 arrests were reported in 2020, compared to the citywide average of 141 crimes and the high crime average of 169 crimes for 2020. Crimes reported by LAPD include (2) Narcotics, (0) Liquor Law, (1) Public Drunkenness, (0) Disturbing the Peace, (0) Disorderly Conduct, (0) Gambling, and (4) DUI related arrests. These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license benefits the public welfare and convenience. However, no evidence was submitted for the record, by the LAPD or by adjacent residents, indicating or suggesting any link between the subject site and neighborhood crime.

The subject project is an ABC license upgrade from the existing beer and wine license to a full line license. There is no new addition to the count of the alcohol license in the community as the result of the project except the applicant is able to provide added selection of alcoholic beverages. As conditioned, allowing the sale of a full line of alcoholic beverages for off-site consumption and ancillary on-site tasting of wine at the subject location will benefit the public welfare and convenience because it would add an amenity and convenience to nearby residences.

6. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The project site is zoned for commercial uses and will continue to be utilized as such. The following sensitive uses are located within 1,000 feet of the subject site:

- Congregation Ohel Moshe
- Hayye Tora
- The Library Shul
- Amshe Emes
- Kabbalah Center International
- Single- and multi-family dwellings

The project is located in a commercial building in a commercial zone. The nearby sensitive uses did not object to the sale and dispensing of a full line of alcoholic beverages and ancillary on-site tasting of wine incidental to food service at the existing commercial building. As conditioned, the sale and dispense a full line of alcoholic beverages for off-site consumption and ancillary on-site tasting of wine in an existing 7,110-square foot market will not detrimentally affect nearby residentially zoned properties.

#### **ADDITIONAL MANDATORY FINDINGS**

7. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located outside the flood zone.

Inquiries regarding this matter shall be directed to Adrineh Melkonian, Project Planner at [adrineh.melkonian@lacity.org](mailto:adrineh.melkonian@lacity.org) or (213) 978-1301.



JACK CHIANG  
Associate Zoning Administrator

JC:DK:GG:AM:ds

cc: Councilmember Paul Koretz  
Fifth Council District  
Adjoining Property Owners