



**CITY OF
LOS ANGELES**



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VICE-PRESIDENT**

**JESSE WOODS
TREASURER**

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SECRETARY**

**GERALD R. SILVER
SERGEANT AT ARMS**

PROPOSED MINUTES
Planning & Land Use Committee
Wednesday - June 2, 2010 – 7:00 PM
Encino Community Center
4935 Balboa Blvd.

LIST OF VOTING PLU COMMITTEE MEMBERS and ALTERNATES: (TOTAL 14)-
ENC Board Members (5): Nareg Kitsinian, Louis Krokover, Peter Noce, Diane Rosen,
Gerald Silver.

Alternate ENC Board Members (2): Laurie Kelson, Jesse Woods

Stakeholder Members (4): John Arnstein, Michael Kaufman, Norma Landau, Paul Kelson

Alternate Stakeholder Members (3): Bill Cartwright, Al Mass, Sue Tuberman

CHAIR REQUESTED THAT ALL CELL PHONES BE TURNED OFF.

Guest sign-in sheet and speaker cards distributed.

Copies of *ENC/PLU Committee Rules and Procedures* available and passed out upon request.

1. CALL TO ORDER, ROLL CALL, and DETERMINATION OF A QUORMUN

A. ENC Board Members Present (4): Louis Krokover, Peter Noce, Diane Rosen,
Gerald Silver.

Alternate ENC Board Members Present (1): Laurie Kelson

Stakeholder Members Present (3): John Arnstein, Norma Landau, Paul Kelson

Alternate Stakeholder Members Present (2):

TOTAL BOARD MEMBERS PRESENT (4): Gerald Silver, Diane Rosen,
Laurie Kelson, Louis Krokover, Peter Noce

TOTAL STAKEHOLDERS PRESENT (4): Paul Kelson, Al Mass, Norma
Landau, John Arnstein, Al Mass

TOTAL COMMITTEE MEMBERS PRESENT (10)

TOTAL VOTING MEMBERS PRESENT (9)

NONVOTING MEMBER; Al Mass

CALL TO ORDER: Meeting called to order at: 7:05 PM

2. Approval of May 5, 2010 Minutes

3. Approval of next meeting date – Wed. July 7, 2010

4. ACTION ITEMS:

A. 4820 Hayvenhurst – ENV-2010-1209-EAF

Ira Halderman, CVS Pharmacy move to Barnes & Noble site

Asking for following exemptions:

1. CUB for full alcohol sale

2 Projecting Blade Sign over every entrance (not wall sign)
(No projecting sign shall project more than 48 inches).

3 Addition of pedestrian entrance on Ventura Blvd, corner of

Hayvenhurst & Ventura (It is illegal to close 2nd entrance i.e. entry from Starbucks).

- Existing entrance on parking lot will remain.
- Existing Starbucks will remain
- Proposing not to use all Barnes & Noble space.
- Will leave space at North West end of building for another tenant.
- Current use space: 22,000 sq.ft.
- CVS proposed use space: 18,000 sq.ft.
- This will be larger than the Louise CVS store.
- Projected available unused rentable space on N/W side: apx. 40' x 100' =3,800 sq. ft. CVS will sub-let this space – at present, unsure of whom new tenant would be.
 - Other tenant entrance will be on Hayvenhurst
 - Signage above their store
 - Parking: Parking in parking lot, entrance on Hayvenhurst.
 - CVS is ok with this sublet space possibly being vacant for awhile.
- CUB for full off site alcohol sale.
- STORE OPEN 24 HOURS
- Ralphs and Gelson's are not 24 hr. stores
- Alcohol Sales Hours: (were asking for sales to be from 6:00 AM to 2:00AM) will conform with those at the Ralph's Market, 7:00AM to 11:00 PM
- This proposed Type 21 ABC License will exceed the "sales tract" by 3 (currently the tract is over by 2).
 - Floor space for alcohol sales: 3% of entire store
 - The new restaurant taking Roaste's place will need another ABC "On Site" license.
- No automated sales checkout. All alcohol sales will go through a salesperson.
- Cigarette sales are behind the cash register.
- PRELIMINARY TRAFFIC DATA; Based on 22,000 sq ft
 - IDET DATA; Bookstore – 4,300 trips per day
 - Drugstore: 1,981 trips per day (71 vehicles per hour)
 - Delivery hours: CVS will abide to Commercial Corner Code for delivery – 7:00AM to 8:PM
 - Committee suggested CVS abide by Ralph's delivery hours

CD-5 Rep. Shawn Bayliss:

Project is at infancy – neighborhood concerns are late night delivery hours.

Committee concerns:

- ABC License goes with the land. If we approve an additional "over tract license" and CVS leaves there will be an additional over tract license – can't get rid off.
- CVS estimated cost of improvement of this site is two million dollars

MOTION #1

"Move to table the issue of 4820 HAYVENHURST CVS PHARMACY (BARNES & NOBEL site) ZA2010-1208 / CUB-CU / ENV-2010-129-EAF / CPC-26155-A Until the next PLU Committee meeting July 7, 2010."

VOTE; For 9 – Tabled to: July 7, 2010 PLU AGENDA

**B. 17965 Ventura Blvd. CASE NO: ZA 2010-1258 CUB – (BEVMO)
(Presentation postponed to next month)**

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VENTURA-CAHUENGA BOULEVARD SPECIFIC PLAN MOTIONS

MOTION A: “No additional residential units, such as condos, or apartments be permitted on Ventura Blvd. in Encino

(Pulled from consent calendar)

VOTE; For (4) Opposed (8) Abstain (2)

MOTION FAILED

MOTION B: “New signage rules must be put in place to prevent sign "modernizations", including digital billboards in Encino.”

[Pulled from Consent Calendar]

Vote: For (9) Opposed (0)

MOTION PASSED

[

MOTION C: “Maximum allowable build-out of 614,445 sq. ft. in Phase 1 of the Ventura Blvd. Specific Plan should be reduced by 20%, until traffic problems (Levels of Service (LOS)) are mitigated in Encino.

(Pulled from consent calendar)

Call for roll call vote defeated.

VOTE: For (6) Opposed (6) aAbstain (3)

MOTION FAILED

MOTION D: “Project Impact Assessment (PIA) fees should be adjusted upwards to generate needed funds for street improvements in Encino.”

[pulled from Consent Calendar]

Vote: For (7) Opposed (6) Abstain (2)

MOTION PASSED

MOTION E: “ Planned street and intersection improvements must be implemented before any new construction permitted on Ventura Blvd. in Encino.”

(Pulled from consent calendar)

Vote: For (9) Opposed (1) - Abstain (1)

Call for question failed.

Amend by Mr. Simon “required street and intersection improvement on Ventura Blvd, Encino for a project must be implemented before project construction be commenced.

(Pulled from consent calendar)

VOTE: For (9) Opposed (4) Abstain (2)

MOTION PASSED

MOTION F: “Building height on Ventura Blvd. in Encino between the 405 freeway and Balboa Blvd. should be reduced to 30 feet to comply with the existing height limit from Balboa Blvd. to Lindley.” (Pulled from consent calendar)

VOTE; For (4) Opposed (7) Abstain (3)

MOTION FAILED

MOTION G: “Exceptions and deviations from the Specific Plan in Encino should not be permitted.

[Pulled from Consent Calendar]

VOTE: For (9) Opposed (0) Abstain (?)

MOTION PASSED

Motion #2 By Kelson 2nd Krokover

“The above Ventura/ Cahuenga Blvd. motions that were pulled from the ENC May 27, 2010 Consent Calendar will be tabled by the PLU Committee until August, when a new committee and ENC Board shall be seated.”

VOTE; For 9 – Unanimous

5. INFORMATION ITEMS;

A. 16817 Ventura Blvd. Atlantis/Mermaid Update By:

CD-5 Councilman Koretz’ Planning Deputy, Shawn Bayliss

- Mermaid hearing downtown in about 1 month close to July 7
- Worst case:
they improve with conditions-
10 PM no later than 12 PM.
10 on weekdays and 12 on weekends.
- Best case:
Denial.
- Judge would then make a case if city's decision stands.
- Then go to court in 1 year and stay on temp license.
- (1st Amendment is freedom of speech.)
- Next hearing will be open to public.

B. Villagio Toscano

- Councilman Koretz has not taken a position on it.
- An RES 4 would be an exception.
- COMMITTEE QUESTION:
 - Would Mr. Koretz take a position to stay with the specific plan?

C. Recommendations for improvements on Ventura Blvd.

- * Jerry proposes that any funds available consider the recommendation to improve White Oak and Ventura by adding a double left turn going North.
- * Widen the intersection.
- * PIA funds:
- * No PIA funds have been spent in Encino.
- * In 1991, \$220 mil in funds collected over 20 years from PIA funds and business assessment dist. Later cut to \$76 million. In reality it is \$6-7 million is available for improvements on the whole Ventura Boulevard.
- * Chamber or council would have to raise money first then invoice the city.
- * Who will carry the funds to do an improvement until the city reimburses them?
- * There are more projects than money.
- This would help prioritize a project on the list.
- Jerry wants to bring to the panel that there is a need to spend money.
- What should Jerry report?

D. Fresh & Easy Market at Louise & Ventura

- * Going in without alcohol. Have signed lease.
- * Pulled application for CUP.
- * CD-5 Councilman Paul Koretz denied alcohol sales.
- * 1- Non monitored alcohol sales/automated checkouts
2-Union issue

E. 4827 Sepulveda Blvd. Villagio Toscano Project

- * ENC can support or be opposed to Sherman Oaks council decision.
- * 3rd largest commercial property owner on Ventura Blvd.
- * Original 880 apartments reduced to 500.
- * Caltrans would like to dedicate off ramp from 405 to 101 at that location (Kelson to report)
- * This project will have more impact on Encino than any other project.
- * Rezone from R1 to ... enormous change in height.
- * La Maida and Peach would have to be turned over to the developer.
- * Sherman Oaks PLU meeting- traffic ingress and egress will be a big issue.
- * Encino intersections will be impacted.

F. 17641 Ventura Blvd. McDonald's at White Oak -- remodeling plans

Downsizing and taking out playground.
Presenting in July.

G. Ventura/ Cahuenga Blvd. Corridor Specific Plan PRB: Report by: Michael Kaufman & Jerry Silver (Hold to next meeting)

H. Ventura Blvd. Ad Hoc Sign Committee: Report by Jerry Silver

- * Judge Jaffe held up city decision.
- * Bans stretcher-sign that goes beyond rectangle and has an extension.
- * Billboard for Toy Story and Marmaduke and been reported and not

enforced.

- Also falls under street maintenance for code enforcement. Only a letter has been sent to owners.
- Request to be cited. Request to assist the city of LA for code enforcement for signs. Call 311 and give address.

I. Encino Community Plan: Report: Diane Rosen

Should have been EDAC. Working on Review committee, Michael Kaufman will lead discussion next month

J. DOT/MOU Report: Diane Rosen

Meeting next Sat.

K. DWP/MOU & DWP Committee Report by: D. Rosen

See 11 recommendations

L. PlanCheckNC Report: Report by: D. Rosen

Will report in July

M. Ralph's Market 14049 Ventura Blvd.

In Sherman Oaks- 78,000 sq ft with 2 levels and underground parking 316 parking spaces. The community is against it. Encino should support them

N. DONE Budget

Still undecided if DONE will remain a "STAND ALONE" department.

6. OLD BUSINESS

(From Proposed ENC Minutes: PLU Motions Voted On at General ENC Meeting, May 26, 2010)

(B). Planning & Land Use Committee

1. Wireless Telecommunications Facilities – Cell Phone Towers

"MOTION: That the City immediately impose a moratorium on all wireless telecommunications facility installations in the City and/or applications for approval of such installations in the City."

Vote: 9-0 [Pulled from Consent Calendar]

Substitute motions by Mr. Silver, 2nd by Ms. Kelson.

(1) With the City Attorney's guidance and consistent with his recommendations, the City enact a comprehensive new ordinance with clear and consistent standards and procedures regulating all wireless telecommunications facilities in the City, authorizing regulation of aesthetics and providing protection to communities and residential neighborhoods to the full extent of the law.

(2) We support a moratorium on the construction of all new cell phone towers in the public right-of-way until the City can develop standards and guidelines.

Motion to divide did not carry 6 – 6.

Substitute motion passes 13 pro, 2 opposed, 1 abstained.

1. Wireless Telecommunications Facilities – Cell Phone Towers

MOTION: That the City immediately impose a moratorium on all wireless telecommunications facility installations in the City and/or applications for approval of such installations in the City."

Vote: 9-0 [Pulled from Consent Calendar]

PLU MOTION, 6-7-2010:

TO TABLE – VOTE: Unanimous

7. NEW BUSINESS

- * New Board seated at July general meeting. Also executive board.
- * BEVMO doing presentation next month. Newcastle and Ventura where 99c store is.
- * Upscale with wine tasting. It is a different census tract.
- * Need to keep track. State sets standards of limits. Do we exceed limits? Do we set limits on alcohol or ignore them?
- * Is the PLU taking up what are the benefits of exceeding the limit? For an exception what is the benefit for the community?
- * After new board takes over can the PLU work on this.
- * When the gentleman wanted to request a liquor license for a Kosher market, the committee was for it. What was the reasoning and what guidelines should exist for exceptions?
- * Approach could be NOT to approve any exceptions that go over the census tract. Will this increase competition or increase consumption.

8. **PUBLIC COMMENTS: Comments from the public on non-agenda items within the Board's jurisdiction:**
None
9. **BOARD MEMBER COMMENTS: Comments from the Board on subject matters within the Board's jurisdiction:**
None.
10. **MEETING ADJOURNED AT: 8:46**

Respectfully Submitted,

**Diane Rosen
PLU Chair**