



Mar Vista Community Council



Joint Meeting of the Transportation and Infrastructure (T&I) and
Planning Land Use and Management (PLUM) Committees
WINDWARD SCHOOL, Conference Room, Room 1030
11350 Palms Blvd, Los Angeles, CA 90066
(SW corner of Palms and Sawtelle Blvds.)
T&I Co-Chairs: Ken Alpern and Michelle Krupkin
PLUM Co-Chairs: Steve Wallace and Mitchell Rische
PLUM Vice Chair: Michael Millman
Thursday, January 28, 2016, 7:00 – 9:00pm

AGENDA

1. **Call to Order.**
2. **Introductions and Public Comment** for items not on the agenda (5 min).
3. **Approval of Minutes.**
4. **Report on MVCC Board Actions** (5 min).
 - A. **3277 S. Barrington Ave.** Case No. AA-2015-3982-PMLA. Project Description: Small Lot Subdivision.
5. **Early Notification System ['ENS'] Update** (1 min).
6. **New Business** (30 min).
 - A. **Policy Motions: Discussion with Option for Possible Motion to Support or Deny**
 1. **Martin Expo Town Center Project, 12101 W. Olympic Blvd.,** Case Nos. TT-72298-MU; ENV-2012-3063-EIR; CPC-2013-2567-GPA-VZC-HD- CU-MCUB-CUX-ZV-ZAD-SPR; CPC-2015-4455-DA.

WHEREAS, traffic in West Los Angeles surrounding the Martin Expo Town Center Project (also known as "the Project") is in gridlock at every major nearby intersection, especially during "rush hours"; and

WHEREAS, it is unknown but anticipated that traffic will become even more impacted once Phase 2 of the Metro Expo Line begins operation, especially as a result of a number of "at grade" crossings, including the nearby crossing on Barrington Ave.; and

WHEREAS, it is unknown but anticipated that, in order to avoid "at grade" crossings, commuters will divert their traffic patterns to "above grade" crossing streets, including Bundy Dr. where the Martin Town Center Project is located; and

WHEREAS, it is unknown but anticipated that, once Phase 2 of the Metro Expo Line begins operation, streets surrounding the Project, including side and residential streets, will be impacted as riders commute by car and bike to and from the adjacent Expo/Bundy station; and

WHEREAS, the recent Planning Commission process has rapidly moved the Project forward without sufficient community and neighborhood council outreach (including the Mar Vista Community Council); and

WHEREAS, which has forced this current project to be promoted for City Council review without the Westside being aware of the complete nature and environmental impacts of this project, placing both the City and the Project potentially at odds with CEQA and other environmental law:

NOW, THEREFORE, the Mar Vista Community Council strongly recommends that the City Planning Department put any approvals relating to the Martin Expo Town Center Project on hold, pending a new traffic study after Phase 2 of the Metro Expo Line starts operation, as this will allow the City to better determine the Project's full impact on traffic.

2. WRAC Motion: Conditional Use Beverage (CUB) Permits for Alcohol Authority of City Zoning Administrators to Impose Conditions of Approval to Mitigate Potential Land Use Impacts Arising from the Sale or Service of Alcoholic Beverages That Are Adverse to Public Health, Safety and Welfare.

WHEREAS, the City of Los Angeles has imposed land use conditions in Conditional Use Beverage (CUB) permits for decades to protect public health, safety and welfare by mitigating potential impacts due to the sale or service of alcohol, as recommended by the LAPD, Council Offices, neighborhood councils, community councils, and local residents; and

WHEREAS, the Department of City Planning suddenly reversed this decades-long practice in 2012, on the advice of the City Attorney's Office, with no public notice, no public process, no public hearings, and no direction from the City Council, which is charged with policy-making authority; and

WHEREAS, Zoning Administrators now unilaterally and without notice use the Plan Approval Process to remove previously-imposed conditions designed to avoid or mitigate actual or potential land use impacts adverse to public health, safety and welfare; and

WHEREAS, municipalities throughout the State of California have and continue to impose land use conditions to mitigate adverse impacts that may otherwise arise from the sale or service of alcohol, including the Cities of Santa

Monica, West Hollywood, Palmdale, Lancaster, Huntington Park, Montebello, Orange, San Bernardino, Pinole, Ventura, San Buenaventura, Santa Cruz, Hayward, Walnut Creek, Watsonville, and the County of Los Angeles, among others; and

WHEREAS, the City's current practice undermines the ability of the City and local communities to protect against potential land use impacts that are adverse to public health, safety and welfare, including but not limited to potential nuisances, by restricting the imposition of conditions on, among other things, hours of sale of alcohol, happy hours, container sizes, types of alcohol sold, and other similar rules and regulations, despite the efficacy of such conditions in avoiding or mitigating potential adverse impacts arising from the sale or service of alcohol; and

WHEREAS, California courts have repeatedly affirmed that municipalities have broad police powers to impose land use conditions that protect against potentially adverse impacts on public health, safety and welfare arising from the sale or service of alcohol; and

WHEREAS, the California Department of Alcoholic Beverage Control (ABC) has not advised the City that the imposition of such land use conditions interferes with ABC's enforcement of State law; and

WHEREAS, implementation of this new policy not only impairs the ability of the LAPD, Council Offices, and communities to protect public health, safety and welfare, but also interferes with the ability of CUB applicants to garner support for their projects by negotiating for the imposition of mutually agreed-upon conditions, as had been done for decades before the current practice was imposed, which forces communities to oppose projects they could otherwise support with proper conditions:

NOW, THEREFORE, be it Resolved that the Mar Vista Community Council calls upon the City Council to adopt a policy to: (1) Authorize the imposition of land use conditions that protect public health, safety and welfare by mitigating potential adverse impacts from the sale or service of alcohol, consistent with the practice of other jurisdictions statewide as well as the City's decades-long practice prior to 2012; (2) Maintain and enforce previously-imposed CUB conditions on the sale or service of alcohol; and (3) Prohibit the removal of previously-imposed conditions outside the public processes mandated under the City Charter and Zoning Code.

B. Discussion Items: *Discussion only*

1. Penny Lane: Kevin Reid for the Developer. **Project Description:** 97-unit apartment building on the corner of Washington & Inglewood Blvds. Project consists of a 5 story structure in Culver City and 6 story structure in Los Angeles, in the Del Ray NC district. Culver City has already approved that

portion of the project in the Culver City.

The Developer has made some amendments to the Los Angeles side of the project, and would like to present these changes. Some concerns of Del Rey NC are:

- **Parking** - all of the units on the LA side only have one parking stall per unit, but if the Culver City parking can be used for the units, specifically the extra commercial parking, this is not as big of an issue, but would like to see more parking;
- **Height** - LA side extends to over 85 feet in height. They do not have a height limit for the property, but the proposed height is way out of scale with the rest of the neighborhood, we would like to see a reduction in the height.
- **Design** - the LA side looks like the hated stepchild of the Culver City side. There is very little articulation, relief, contrast, etc. Very unappealing.
- **Ingress/Egress** - all of the residential parking exits onto Louise Avenue, which is not equipped to handle this volume of traffic. We need an alternative as this is a huge issue.
- **Traffic** - the intersections around this area are a disaster. There is no way to signalize Louise and Inglewood so we are very, very concerned about the traffic flow to and from the project. We have discussed turn pockets, restricted turning and other possible mitigations, but still no clear idea from the City, DOT or the Developer what the best solution should be

8. Old Business/Open Issues (5 min).

A. CITYWIDE ORDINANCES.

i. Small Lot Subdivision Draft Ordinance

9. Public Comment (5 min).

10. Future Agenda Items (1 min).

11. Adjournment.

**In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting, may be viewed at <http://www.marvista.org> or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact secretary@marvista.org.*

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