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**ENCINO NEIGHBORHOOD COUNCIL
PLANNING AND LAND USE (PLU) COMMITTEE MEETING
[DRAFT] Minutes
Date: Tuesday, February 13, 2018 @ 7:00 PM
Location: Women's Club
4924 Paso Robles Ave. Encino, CA 91316**

1. Call to Order 7:05 P.M., Roll Call, Determination of a Quorum,

a. Committee Members on the ENC Board:

Eliot Cohen* (Chair), Henry Eshelman*, Carol Levin*, Dr. Gerald Silver*, Lee Blumenfeld*

b. Stakeholder Committee Members:

Al Mass, Jo-Dee Becker (Alt-Secretary)

c. Alternate Committee Member(s):

Steven Turner**

*Indicates ENC Board Member, **indicates ENC Alternate Board Member, no more than a total of 5 Board Members and/or Alternates may vote on the same item during the course of a Committee Meeting.

2. The minutes from the January 9, 2018 PLU Meeting were reviewed.

Motion (Gerry Silver) Motion to approve the minutes as written.

Second (Carol Levine)

Motion passes with consent. (8-0-0) { 7-0-0-1 }^

^: Because Steven Turner joined the ENC Board as the PLU Alternate on 1/24/2018 and the 5 Board members serving on the PLU Committee were all in attendance and voting, his votes have been re-counted as "ineligible" to protect the validity of the outcome of the votes. Votes as originally recorded shall be noted in Parenthesis with a strikethrough (~~Y-N-A~~) – to reflect the votes as recorded, which the official adjusted count will be presented in brackets as {Yes-No-Abstain-Ineligible}. Item 3-A which Mr. Turner was the lone vote opposing, which kept from becoming a consent item, shall be kept as a non-consent item, because it was treated as a non-Consent Item at the following ENC General Board Meetings wherein the items were discussed and voted on.

3. Action Items: In the interest of the participants the order of the agenda was rearranged and presented as follows:

B. The Gate (Restaurant) 16925 Ventura Blvd. is seeking a Café Entertainment License.

Aviv Kleinman representing Councilperson Koretz' Office introduced the issues with the following comments: A change of ownership occurred on October 2017. The operators have applied to the Police Commission for a Live Entertainment Permit which requires a public hearing. The hearing will occur on February 21st at the LAPD offices at 1 P.M. at 100 W. 1st Street DTLA in the Police Commission Board Room. Council office does not have jurisdiction over this permit. Council Office recently met with the LAPD and The Applicant and discussed possible conditions for this permit which are summarized as follows:

- Music or live entertainment will not be audible beyond 150 feet of the property line.
- Music or live entertainment will not be more than 5 decibels over the ambient baseline noise level within 150 feet of the property line.
- The operators will post and maintain a telephone number which will receive and resolve complaints. It will be manned by a live person during business hours and voicemail after hours. Voicemail calls will be returned within 24 hours. A log will be maintained by the operators of all calls, concerns and resolutions.
- There will be no smoking, including pipes, per LAMC 6404-5.5c
- The Police Commission will require valet service to mitigate parking concerns.

Public Comment:

A petition was presented to Council Office by Elissa Morrow Christian representing neighbors' objections to this permit.

The hours of operation were question. They will be open until 11:00 P.M. weekdays and until 2:00 A.M. Weekends.

Concern was voiced about noise, low frequency vibrations, and parking.

The Gate has told Council Office that there will be sound proofing added to the structure.

Committee Comment:

Members of the committee discussed sound measuring concerns. A number of ideas were discussed including conditioning that noise monitoring equipment be required by the operators and where that would be located.

It was confirmed that there will be no adult entertainment.

It was confirmed that the alcohol permit and the entertainment permit are separately approved and one does not condition the other.

Motion (Eliot Cohen): The ENC PLU strongly suggests that the Police Commission rejects The Gate application for Live Entertainment Permit. Due to the proximity of residences and the nature of this community, many neighbors have given considerable testimony against this permit. If this permit is granted by the Police Commission over the objections of the ENC NC PLU, we recommend that it include the conditions discussed by Councilperson Koretz' Office. Furthermore, the PLU demands that a decibel meter be permanently placed at the property line and inside the restaurant to monitor the level of noise. Additionally, the ENC NC should provide noise monitoring equipment to the West Valley Police units which will be monitoring this activity. Lastly, the ENC NC PLU requests that signage be required in the parking areas reminding people to respect the residential neighborhood and limiting noise.

Second (Carol Levine)

C. Project Description: Renewal Case No. ZA 2010-3205 (CUB).

Stephen Jamieson, Attorney for Walgreens, and Bill Castelvechi, Sore Manager, spoke regarding this issue. They seek to renew a Beer and Wine Retail Conditional Use Permit, Type 20. There have been no disciplinary actions or complaints regarding the current permit.

Public Comment: None

Committee Comment:

It was confirmed that they do not sell "singles" or single servings of alcohol. Retail sales of alcohol total 2.5% of their sales. The renewal period is currently for 5 years.

Motion (Eliot Cohen): The ENC NC PLU Committee supports the renewal of Walgreens Alcohol Permit, Type 20, as presented.

Second (Lee Blumenfeld):

Motion passes with consent. (8-0-0) { 7-0-0-1}^

A. Regarding Senate Bill 827. The Encino Neighbor Council urges the Los Angeles City Council, Mayor Garcetti, Senator Henry Stern and the County of Los Angeles to strongly oppose and lobby against this bill.

Text of the Bill:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB827

The committee discussed that this bill removes local control over planning and zoning of housing around transit stops. The State is reviewing this Bill due to a Statewide housing shortage. The current vacancy rate in Los Angeles is 2.5% and in Downtown Los Angeles

it is 12%. Housing is being built but it is not low or middle income residential housing, thus forcing more people further from jobs. Our State Senator, Stern is against this Bill.

Motion (Eliot Cohen): Regarding Senate Bill 827. The Encino Neighbor Council urges the Los Angeles City Council, and Councilperson Koretz' office to oppose SB827 due to the fact that it negates years of local planning and zoning that protects our community.

Amendment (Jo-Dee Becker): Regarding Senate Bill 827. The Encino Neighbor Council urges the Los Angeles City Council, and Councilperson Koretz' office to oppose SB827 due to the fact that it negates years of local planning and zoning that protects our community. Although the committee is in favor of additional low and middle income housing to alleviate the current housing shortage, it should conform to local codes and ordinances. A community impact statement should be filed as soon as possible. CF-18-002-S13

Amendment Second: (Carol Levine)

Amendment passes ~~(5-2-1)~~ {5-1-1-1}. (Against: ~~Steven Turner~~, Al Mass) (Abstain: Eliot Cohen)

Amended Motion passes ~~(7-1-0)~~ {7-0-0-1}. (~~Against: Steven Turner~~)

4. General Public Comments – None

5. General Committee Member Comments – Lee Blumenfeld. The City is offering free trees thru application at Cityplants.org This is sponsored by the DWP.

6. Meeting Adjournment – 8:49PM

Minutes Respectfully Submitted by Jo-Dee Becker and Edited by Jason Ackerman