

Contact Information

Neighborhood Council: Greater Wilshire Neighborhood Council

Name: Elizabeth Fuller

Phone Number: [323-731-1145](tel:323-731-1145)

Email: zilf@leapinliz.com

Date of NC Board Action: 08/13/2014

Type of NC Board Action: Against

Impact Information

Date: 01/25/2015

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 14-1667

Agenda Date: 01/27/2015

Item Number:

Brief Summary: The Bungalow first came to the GWNC after it opened in 2009, to claim that it was not a restaurant but a retail furniture store. In August, 2014, the GWNC board reviewed the newest application for the business, which is still operating illegally, without permits and in violation of the local [Q] conditions. The GWNC voted on August 13 to continue its support of the [Q] conditions, and to oppose this new request for single-parcel exceptions.

Additional Information: Please see the attached letter, which was sent to our City Council District 4 office, and other city officials, after the GWNC Board vote in August, for a fuller explanation of our position.



Greater Wilshire Neighborhood Council General Meeting
August 13, 2014
MINUTES
Approved by the Board, 9/10/14

1. Call to Order & Pledge of Allegiance (Owen Smith)

A duly noticed Meeting of the Greater Wilshire Neighborhood Council (“GWNC”) Board of Directors was held on Wednesday, August 13, 2014, at the Ebell of Los Angeles, 743 S. Lucerne Blvd., Los Angeles. President Owen Smith called the meeting to order at 7:04 p. m. The Pledge of Allegiance was led by Frances McFall.

2. Roll Call (Jeffrey Carpenter)

Secretary Jeffrey Carpenter called the roll. Twelve of the 21 Board Members were present at the Roll Call, which is not a quorum: Jeffrey Carpenter, Patricia Carroll, John Gresham, Joseph Hoffman, Patricia Lombard, Fred Mariscal, Frances McFall, Clinton Oie, Owen Smith, Julie Stromberg, Greg Wittmann and James Wolf. Ann Eggleston, William Funderburk and Karen Gilman (Alternate for Jane Usher) arrived later. Board Members absent and not represented by an Alternate: Michael Genewick, Jack Humphreville, Jason Peers, Dorian Shapiro, Daniel Whitley and John Winther. The GWNC quorum (the minimum number of Committee Members needing to be present to take binding votes on Agendized Items) is 13 (see <http://empowerla.org/wp-content/uploads/2012/07/Greater-Wilshire-NC-Bylaws.pdf>), so at this time the Board could only take public comments and could not have any discussions, make any Motions or take any votes. All 21 Board Seats were filled. No Board Seats were vacant (some Alternate Seats were vacant). Also attending: 21 Stakeholders and guests.

3. Approval of the Minutes (Jeffrey Carpenter)

[This Agenda Item was addressed after Item #5.]

MOTION (by Mr. Carpenter, seconded by Ms. Lombard): The Greater Wilshire Neighborhood Council approves the Minutes of its July 9, 2014 General Meeting as written.

MOTION PASSED unanimously by a hand vote with all 14 in favor.

4. President’s Report (Owen Smith)

A. Board Vacancies

Mr. Smith noted the vacancies. Alternates are needed for: Area 2 (Citrus Square), Area 3 (Country Club Heights), Area 9 (Oakwood/Maplewood/St. Andrews Square), Area 12 (Western-Wilton), Education, Religion and Non-Profit.

B. Seating of Board Members and Alternates Elected or Volunteered But Not Previously Installed – if any.

i. Gail Asch – Alternate for Area 4 (Fremont Place)

Ms. Lombard introduced Ms. Asch.

MOTION (by Mr. Gresham, seconded by Ms. McFall): The Greater Wilshire Neighborhood Council nominates Gail Asch as the Area 4 (Fremont Place) Representative [Alternate] Board Member.

MOTION PASSED unanimously by a hand vote of the 13 eligible voters present with all 13 in favor (“Yes” or “Aye”) (Carpenter, Carroll, Eggleston, Funderburk, Gresham, Hoffman, Lombard, Mariscal, McFall, Oie, Smith, Stromberg and Wolf).

Ms. Asch read aloud the Neighborhood Council Oath of Office. Mr. Smith invited Ms. Asch to be Seated with the Board. He indicated that there were no more nominations at this time.

C. Ethics & Funding Training

[The following is from the Agenda.] All Board Members and Alternates **must complete Ethics Training** in order to vote on funding motions before the Board. The course is available online at <http://ethics.lacity.org/education/ethics2007/?audience=done>

In addition to Ethics training, all Board Members and Alternates are also **REQUIRED** to take a new Funding Training course (about the new system of NC checking accounts that will be launched soon). The course is at

<http://www.slideshare.net/EmpowerLA/nc-checking-account-training-62413>.

The last page of the presentation contains a link --

<http://www.empowerla.org/Boardregistration> – to a completion form you can submit to register your attendance. **Board members and Alternates MUST complete both**

trainings to be eligible to vote on funding-related matters. [Tables are in the Agenda that show which Board Members and which Alternates have completed which trainings.]

Mr. Smith noted the above.

5. Local Government Updates

A. CD4 Update (Ben Seinfeld)

Ben Seinfeld, Field Deputy for L.A. City District Four Councilman Tom LaBonge (213-485-3337; cell 213-804-2388; Ben.Seinfeld@LACity.org; <http://CD4.LACity.org>), reported that the Wilshire/LaBrea intersection will be closed for construction between 8:00 p.m. – 6:00 a.m. each night except only for right-turns. The Mayor’s Great Streets LA Initiative selected Western between Melrose and Third; volunteers are needed for the advisory group being formed.

Board Member William Funderburk arrived at this time, making a quorum of 13 Board Members (or their Alternate(s)) present. Now the Board could take binding votes on Agendized Items.

B. CD5 Update (John Darnell)

John Darnell, Field Deputy for L.A. City District Five Councilman Paul Koretz (310-289-0353; John.Darnell@LACity.org; www.lacity.org/council/cd5), reported that the Melrose BID “hired a consultant to do a traffic study” on Wilshire between Highland and Fairfax to recommend parking improvements. Also, the Councilman is working to “fix” the 2007 Baseline Mansionization Ordinance.

Board Member Ann Eggleston arrived at this time, making 14 Board Members (or their Alternate(s)) present (the GWNC quorum is 13).

6. Community Concerns and Public Comments

A. Presentation of GWNC Citizen Recognition Award: Margy Hudson (Fred Mariscal)

Mr. Mariscal described Stakeholder Margy Hudson’s background and extensive community activism, including about Robert Burns Park. She reminded that the GWNC allocated funding for the Park and thanked the GWNC for the Award.

B. Election Reform Proposals and Possible Motions of Support for Council File #s 13-1364 and 12-1269-S2 (Leila Pederson – Common Cause)

Ms. Pederson said that Common Cause (CC) is “working with the [City] Ethics Commission” to improve elected officials’ accountability to constituents. CC recommends to “consolidate elections with the County” to “boost turnout 30 to 40%” and have early voting at “a couple of central locations.” The Los Angeles primary election turnout was 13%; the statewide average is 18 percent.

C. Other public comments

Wally Knox, City Council District Four candidate, wants to help increase voter turnout.

7. Fiscal Year Budget Package, Treasurer’s Report & Other Budget Items (Patti Carroll & Elizabeth Fuller)

A. Approval of Fiscal Year 2014-2015 Budget

GWNC Administrative Consultant Elizabeth Fuller reported that DONE (the L.A. Dept. of Neighborhood Empowerment) is “switching us over to checking accounts . . . the Budget plan is due as soon as possible.” She explained the below documents and reminded the Board that the Budget can be revised at any time. A “media projector” could save paper copying costs. There was no election allocation because there will be no election this Fiscal Year.

Copies were distributed of the completed GWNC Fiscal Year 2014-2015 Budget, Outreach Survey, Self-Assessment and Strategic Plan.

Alternate Board Member Karen Gilman arrived at this time, making 15 Board Members (or their Alternate(s)) present (the GWNC quorum is 13).

FUNDING MOTION (by Ms. Lombard, seconded by Mr. Hoffman): The Greater Wilshire Neighborhood Council approves its Fiscal Year 2014-2015 Budget, Outreach Survey, Self-Assessment and Strategic Plan.

FUNDING MOTION PASSED unanimously by a roll call vote of the 13 eligible voters present with all 14 in favor (“Yes” or “Aye”) (Carpenter, Eggleston, Funderburk, Gilman, Gresham, Hoffman, Lombard, Mariscal, McFall, Oie, Smith, Stromberg and Wolf).

B. Neighborhood Council Outreach Survey

See above Item #7. A.

C. Neighborhood Council Self-Assessment for Fiscal Year 2013-14

See above Item #7. A.

D. Neighborhood Council Strategic Plan for Fiscal Year 2014-2015

See above Item #7. A.

E. Monthly Budget Reports/Expenditures Approvals for the month of July

Copies were distributed of “Monthly Expenditure Report for June 2014.”

FUNDING MOTION (by Ms. Lombard, seconded by Ms. Eggleston): The Greater Wilshire Neighborhood Council approves its July 2014 expenditures to the Koreatown Youth and Community Center and for the Minutes writer.

FUNDING MOTION PASSED unanimously by a roll call vote of the 13 eligible voters present with all 13 in favor (“Yes” or “Aye”) (Carpenter, Eggleston, Funderburk, Gilman, Gresham, Hoffman, Lombard, Mariscal, McFall, Oie, Smith, Stromberg and Wolf).

FUNDING MOTION (by Mr. Gresham, seconded by Ms. Lombard): The Greater Wilshire Neighborhood Council approves its July 2014 Monthly Expenditure Report.

FUNDING MOTION PASSED unanimously by a roll call vote of the 13 eligible voters present with all 13 in favor (“Yes” or “Aye”) (Carpenter, Eggleston, Funderburk, Gilman, Gresham, Hoffman, Lombard, Mariscal, McFall, Oie, Smith, Stromberg and Wolf).

F. Approval to begin contract process with Ebell, Wilshire United Methodist Church, KYCC (for Wilton Islands Maintenance), and Elizabeth Fuller (Administrative Consultant)

FUNDING MOTION (by Mr. Gresham, seconded by Ms. Lombard): The Greater Wilshire Neighborhood Council will begin and accelerate the contract approval process with the Ebell of Los Angeles, Wilshire United Methodist Church, KYCC (for Wilton Islands Maintenance), and Elizabeth Fuller (Administrative Consultant).

FUNDING MOTION PASSED unanimously by a roll call vote of the 13 eligible voters present with all 13 in favor (“Yes” or “Aye”) (Carpenter, Eggleston, Funderburk, Gilman, Gresham, Hoffman, Lombard, Mariscal, McFall, Oie, Smith, Stromberg and Wolf).

G. Other Finance Issues/Expenditures

Ms. Carroll described the checking account system.

8. DWP Oversight (Jack Humphreville)

Mr. Humphreville was not present and there was no report.

9. City Budget Issues (Humphreville)

Mr. Humphreville was not present and there was no report.

10. Old Business

There was no old business at this time.

11. New Business

There was no new business at this time.

12. Transportation Committee (Michelle Owen, Julie Stromberg)

A. Motion to challenge Metro's request for extended hours for subway construction (Funderburk)

Mr. Funderburk reported that "despite this massive presentation" by Metro "they did not bother to tell us about the Variance they were applying for." He read aloud the Variance approval "that was done . . . behind our backs." He would like and Ms. Stromberg and Ms. Owen agreed to help to "write a strongly-worded letter" to Metro.

B. Follow-up on questions raised at Metro presentation at last meeting

Ms. Stromberg reported that the Committee is "currently reviewing [Metro's] responses."

C. Update on Purple Line noise impact issues

Ms. Owen reported that many impacted areas border the GWNC. She encouraged individuals to "write a letter of support to oppose [Metro's] extended hours" request.

D. Next scheduled TC meeting, topics

The Committee will meet in late August or early September.

E. Other issues

There were no other issues at this time.

13. Outreach Committee (Fred Mariscal)

A. Planning upcoming events (details TBD, volunteers welcome):

i. Western Ave. Visioning Walk (Wittmann)

Mr. Mariscal noted that Mr. Wittmann will organize this.

ii. GWNC Fall Forum: ReCode LA (Humphreville/Lombard)

Mr. Mariscal noted this.

iii. Citrus Square Walk (J. Gilman/Carpenter)

Mr. Mariscal noted this.

iv. GWNC Winter Forum: Small Lot Subdivisions
Mr. Mariscal noted this.

B. Still seeking “Top 10 Issues” lists from our neighborhood associations (have La Brea-Hancock, Sycamore Square, St. Andrews Square, Wilshire Park, Citrus Square...need others; Joe Hoffman collating submissions).

Mr. Mariscal noted this; volunteers are needed. Mr. Wittmann explained that historical buildings and features can be viewed on the “Visioning Walk.” Ms. Carroll was concerned about a possible City Council District Four plan to encouraged mixed-use developments on Western.

14. Board Member Reports and Comments

Mr. Gresham reported that Metro is “doing an excellent job” of Bus Rapid Transit line construction outreach. Ms. Carroll announced the August 25th Taste of Larchmont. Ms. Eggleston announced a Sycamore Square Neighborhood Association block party. Stakeholder John Welborne, Vice President for Planning and Land Use for the Windsor Square Association, noted his “enthusiastic support” for the three recommended Land Use motions, below.

15. Land Use Committee (James Wolf)

[Each Item’s Issue/first paragraph is directly from the Agenda.]

A. Zone Change, Variance and CUB Application for the Larchmont Bungalow (107 N. Larchmont Blvd.)

Issue: The business was originally approved as a take-out service, but has been operating, in violation of the local “Q” conditions, as a sit-down restaurant. The city revoked its Certificate of Occupancy, so the owners are now seeking to legalize operations by applying for a zone change (to allow a sit-down restaurant in the location), a variance (for an exception to mandated parking requirements) and a CUB to serve a full line of alcoholic beverages.

At the LUC meeting in July, Bungalow owner Albert Mizrahi apologized for the past violations and said he is now seeking to right past wrongs. Committee discussion centered on the Bungalow’s long history of violations, as well the city’s pending lawsuit against it, and the Bungalow’s counter-suit against the city, which is also still pending. Further discussion addressed the parking situation (and whether or not a new parking study should be done to reflect the neighborhood’s current uses and patterns), the lack of specificity in the drawings for the revised site plan, and the fact that no restaurant on Larchmont has ever been granted a full liquor license. **LUC recommended Motions:**

1. That the GWNC oppose the application for a CUB to allow sales of a full line of alcoholic beverages at the Larchmont Bungalow.
2. That the GWNC oppose the application for a parking variance at the Larchmont Bungalow.
3. That the GWNC oppose the application for a zone change to allow a full restaurant at the Larchmont Bungalow location.

[This paragraph is directly from the Agenda.] [Please note: on July 24, two days after the LUC meeting, the GWNC was notified by the Bungalow representatives that the city hearing on this application, originally scheduled for August 12, was being cancelled, and that they will be working with the Planning Department to revise and re-submit their application.]

Copies were distributed of the Bungalow’s “12-9-13 . . . Zone Change, Zone Variance, Conditional Use” Application. Mr. Wolf described the project and noted that the Committee received input opposing the applications (supporting the Motion). Stakeholder John Welborne supports the Motion.

MOTION (by the Committee): The Greater Wilshire Neighborhood Council opposes the application for a CUB to allow sales of a full line of alcoholic beverages at the Larchmont Bungalow.

MOTION PASSED by a hand vote with 14 in favor and one abstention (Wittmann).

MOTION (by the Committee): The Greater Wilshire Neighborhood Council opposes the application for a parking variance at the Larchmont Bungalow.

MOTION PASSED by a hand vote with 14 in favor and one abstention (Wittmann).

MOTION (by the Committee): The Greater Wilshire Neighborhood Council opposes the application for a zone change to allow a full restaurant at the Larchmont Bungalow location.

MOTION PASSED by a hand vote with 14 in favor and one abstention (Wittmann).

- B. City Council Motion on Small-Lot Subdivisions, Introduced by Tom La Bonge.
Issue: The current city ordinance regarding Small Lot Subdivisions has proven problematic by remaining mute on issues of neighborhood compatibility. City Council Member Tom La Bonge has introduced a motion (Council File #13-1478) calling for the addition of new guidelines to address small lot subdivision design issues, to ensure that new projects are more compatible with surrounding neighborhoods. The motion is strongly supported by several GWNC and adjacent neighborhood associations. **LUC recommended Motion:** That the GWNC support the La Bonge motion regarding the addition of new design guidelines for Small Lot Subdivisions, and that we send letters noting our support to all members of the City Council and the Area Planning Commission.

[This paragraph is directly from the Agenda.] [Please note: On July 30, the City Council passed the new design guideline ordinance with a 14-0 vote. The language will become effective 41-51 days from the date of the vote, depending on when the Mayor signs off. Once funding is identified, the Department of City Planning will proceed with evaluating the small lot provisions and preparing any changes needed to ensure future small lot developments are compatible with the neighborhood.]

Copies were distributed of the City Council Motion and a “La Brea Hancock Homeowners’ Association – Pro RFA Signatures/McMansion Map.” Mr. Wolf described the issue.

MOTION (by the Committee): The Greater Wilshire Neighborhood Council supports the La Bonge motion regarding the addition of new design guidelines for Small Lot Subdivisions, and that we send letters noting our support to all members of the City Council and the Area Planning Commission.

MOTION PASSED unanimously by a hand vote with all 15 in favor.

C. Support for a Residential Floor Area (RFA) Overlay Zone in the La Brea-Hancock Neighborhood.

Issue: Because of a number of loopholes, the city’s current Baseline Mansionization Ordinance has proven ineffective at stopping the tear-downs of small single family homes in older neighborhoods, and their replacement with huge new homes that are greatly out of character with the surrounding areas. The La Brea-Hancock neighborhood (between Wilshire and Third Street, and La Brea and Citrus), has suffered an increasing number of these projects in the last couple of years, and has worked with City Council District 4 to craft a new ordinance that would set formulas for maximum floor area ratios for new homes in the area, and prohibit attached garages (which are often used for “bonus” living space instead of parking). The RFA is supported by a majority of residents in the area (as confirmed by petitions) and has the full support of the Council office. **LUC recommended Motion:** That the GWNC thank the La Brea-Hancock neighbors for their efforts on this issue and wholeheartedly support the motion for the RFA.

MOTION (by the Committee): The Greater Wilshire Neighborhood Council will thank the La Brea-Hancock neighbors for their efforts on this issue and wholeheartedly support the motion for the RFA.

AMENDED MOTION (by Mr. Funderburk, seconded by Mr. Gresham): The Greater Wilshire Neighborhood Council will thank the La Brea-Hancock neighbors for their efforts on this issue and wholeheartedly support the motion for the RFA by preparing and sending a letter to Councilmembers La Bonge and Koretz, as well as the City of Los Angeles City Council Planning and Land Use Management Committee members and staff, requesting that the City Council act expeditiously in passing an RFA or Interim Control Ordinance to halt immediately mansionization taking place in the La Brea-Hancock neighborhood. This would include placing the La Brea Hancock RFA item on the next PLUM Committee meeting agenda. The requested action is in addition to the efforts, which GWNC applauds, by Councilmember Koretz to overhaul and modify the entire Baseline Mansionization Ordinance.

DISCUSSION: Bob Eisele, Vice-President of the La Brea-Hancock Homeowners Association, reported that the LBHHA supports the Motion. Stakeholder Barbara Savage

described increasing new “boxy homes” replacing historic buildings, and developer speculation practices.

MOTION PASSED unanimously by a hand vote with all 15 in favor.

Potential agenda items for future LUC meetings:

- 30-unit development at 4180 W. Wilshire (at Crenshaw)
- Conversion of existing recreation space to a living unit with garage, office and attic at 118 S. Gramercy
- Density bonus at 801-813 N. Hudson
- Larchmont Bungalow variance/CUP application
- Development of a 5-unit single Lot Subdivision project at 856 S. Wilton
- Development of parking lot into 22 townhouse units over subterranean parking at 612 N. Norton
- Change of use to non-profit museum at the former Scottish Rite Temple, 4357 Wilshire Blvd.
- Development of a 162-unit, 7-storey apartment complex at 700 S. Manhattan Pl.
- Density bonus for a 46-unit apartment project at 729-43 N. Hudson
- Development of 5 condominiums at 4806 W. Elmwood
- Small Lot Subdivision project at 665 S. Rimpau

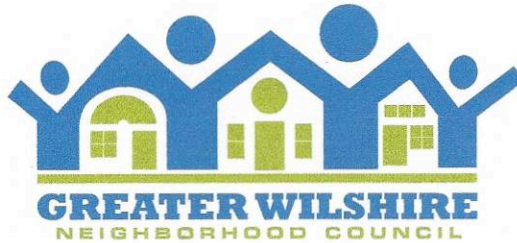
Mr. Wolf noted the above. He added that the Ebell told the Park Mile Design Review Board that the Ebell wants a full line CUB Permit because their previous CUB “lapsed.” Mr. Hoffman reported that there will be an August 26th Hearing about the Morumbila project.

16. Announcements and Adjournment

Mr. Smith noted the next General Board Meeting date: **Wednesday, September 10, 7:00 p.m.**

Mr. Smith declared and the Board agreed to **ADJOURN** the Meeting at 8:38 p.m.

Respectfully submitted,
David Levin, Minutes Writer
Edited by GWNC.



August 22, 2014

Mr. Michael LoGrande
Director
Department of City Planning
City of Los Angeles
200 North Spring Street, 5th floor
Los Angeles, CA 90012

RE: Permitting for the "Larchmont Bungalow" Restaurant
CPC 2013-924-ZC-ZV-CUB
ENV 2013-925-EAF

Dear Mr. LoGrande:

I am writing on behalf of the Greater Wilshire Neighborhood Council to express its OPPOSITION to the application filed by Albert Mizrahi, owner of the Larchmont Bungalow for three entitlements (Case #CPC 2013-924-ZC-ZV-CUB) and ENV 2013-925-EAF). The GWNC has been following this matter since Mr. Mizrahi opened his illegal restaurant in 2009.

Shortly after the restaurant opened, when the community questioned whether the business, permitted as a take-out, was actually operating as a full-scale restaurant, representatives of Mr. Mizrahi appeared before the neighborhood council to explain that his business was not a restaurant but a retail furniture store and was thus not in violation of the "Q" conditions on Larchmont Blvd. At that time, the GWNC expressed its support for the city's efforts to enforce the zoning on Larchmont Blvd. Over the ensuing five years, the GWNC has consistently expressed its support for the city's enforcement and opposition to Mr. Mizrahi's attempts -- while continuing to operate without the required permissions -- to obtain a variance to legalize his illegal restaurant.

In his most recent appearance before the Land Use Committee of the GWNC, on July 22, Mr. Mizrahi apologized for his past statements and expressed a desire to work with the community. However, when committee members asked what efforts Mr. Mizrahi has made to conform to the zoning, he answered that he done nothing. His lawyer explained that Mr. Mizrahi always intended to operate a restaurant, has been doing so for the past 5 years and plans to continue. He even indicated that he intends to



continue to pursue his current legal actions against the city, unless he receives the entitlements he is now applying for. Mr. Mizrahi has already pleaded guilty to a fire code violation and is currently on probation. He has also been charged in a criminal proceeding for operating without a certificate of occupancy and has sought and received continuances since the case was filed in 2010.

After discussion of this most recent application, the Greater Wilshire Neighborhood Council board voted to OPPOSE all three of his entitlement requests: a zone change to allow a full restaurant, a variance to allow less parking than required, and a new permit to allow the sale of a full line of alcoholic beverages. The vote was unanimous, save one committee member who voted to abstain on the three requests.

Mr. Mizrahi is cynically using the variance process to protract the legal process, thus allowing him to continue to operate his business. On behalf of my colleagues, I urge you to deny this application and compel Mr. Mizrahi to conform to the existing zoning, which was carefully crafted to protect our community.

Thank you for your consideration in this important matter to our neighborhood.

Yours truly,



Owen Smith, President
Greater Wilshire Neighborhood Council

Cc: City Attorney Mike Feuer
Councilmember Tom La Bonge, Fourth Council District
Renee Weiser, Senior Deputy
Ben Seinfeld, Field Deputy
John Winther, President, Larchmont Boulevard Association
Larry Guzin, President, Windsor Square Association
Caroline Moser, GWNC Board Member
Jack Humphreville, GWNC Board Member