

BHNC Planning & Land Use Committee Minutes

Circa: 2017, August 10th

Start: 6:20pm

End: 8:04pm



Attendance

Present: Jason Gallegos (Chair), Ernesto Hidalgo, Dan Morales, Patricia Moreno

Absent: Tyffany Lam, Drew Brauer

Community: < 30, [including Carlos Montes (Board Member), + one Kid]

Item 01: **Welcome and call to order.** [6.20pm]

Item 02: **General Public Comment**

- **Carlos Montes:** Re: Excide, LA Department of Health is conducting free blood screenings for lead exposure.

Item 03: **Discussion and Possible Action to Approve the Minutes for July 13th, 2017**

- **Motion (Jason/Ernie):** to Approve.
- **GPC:** *None.*
- **Vote:** 0 – Abstain, 0 – No, **4 – Yes**

Item 04: **Update regarding any previous PLUC Items, BHNC Board or BHNC Committee Actions**

- **Chair provided a brief overview on the following:** BHNC Board approved ARUS CIS (1-0-11); DCP preview presentation of the BH Community Plan Update was moved from this month to the September meeting.

Item 05: **Discussion and Possible Action to Support a Letter Calling for Transparency in the General Plan Update**

- **Presenter(s): Absent/Tardy**
- **Motion (Ernie/Dan):** to Table the item until the presenter is able to show.
- **Vote:** 0 – Abstain, 0 – No, **4 – Yes**
- **Note:** Presenter was able to attend the meeting, however there was no longer any time to available to present at this meeting. Presenter will be given time during the September 14th PLUC Meeting.

Item 06: **Discussion and Possible Action on Conditional Use Permit for On-Site Sales of Alcohol (243-251 S. Mission Road)**

- **Presenter(s): [Rick Rodriguez] present**
- **Presenter requested that item be tabled until the September 14th PLUC Meeting to enable the presenters time to prepare for a full presentation.**
- **Note:** Hearing date with the Zoning Admin was changed from Sept. 26th, until October 5th.
- **Presenter agreed to hold a brief presentation before the Committee, with Q & A, with the understanding that the item will be tabled until the September PLUC Meeting for a full presentation.**
- **GPC (2 Oppose):** Dina Cruz (Resident), Carlos Montes (BM)
- **PLUC Comment(s)/Question(s):**
 - **Ernie: (no position):** Is there any committment to local hire?
 - **Response:** [The Clients] are committed to local hire in terms of construction, workers at the restaurant, and working with local operators.
 - **Jason:** Is this a new liscense? And not purchasing an existing one?
 - **Response:** We are applying for a **new** Type 47 liscense.
 - **Dan:** Is the owner of the warehouse a long term holder?
 - **Response:** yes.
 - **Ernie:** The more details you would be able to provide would be very helpful at the next presentation.
- **Motion (Jason/Patricia):** to Table the item until the Sept. 14th PLUC Meeting.
- **Vote:** 0 – Abstain, 0 – No, **4 – Yes**

Item 07: **Discussion and Possible Action on Zoning Variance to Allow for Off-Site Sales of Alcohol (Boyle/Whittier)**

- **Presenters:** Fernando Diaz (ANE Consulting; Representing the property owner), Chris Gabriel (7 - Eleven) present
- **7 – Eleven presented a list of approx. 300 signatures in favor of the 7 – Eleven project**
- **7 – Eleven claims to be purchasing 2 liscense with the intent of retiring 1.**
- **7 – Eleven states that fresh/healthy food options will be provided.**
- **Presenter (for the property owner) states that there will be: No single can sales; No Marijuana sales; No Smoke Shops; Security guard for the property;**

- **GPC (7 in favor, 3 against proposed development):**
 - **Pro:** convenience (location + 24 hour status), restoring a business location, retention of scenic view of Downtown Los Angeles, current burnt structure is an eyesore, public Laundromat restoration.
 - **Con:** unhealthy food choices, loitering/panhandling, liquor proliferation, near Hollenbeck Park & upcoming Sixth Street Bridge park.
- **PLUC Comment:**
 - **Dan: Re:Fresh/healthy foods – is this the new prototype? Where can community members go to see an example?**
 - **Response (7 – Eleven):** This is in its beginning stages. You can go to Fletcher & San Fernando in Glassell Park. They expanded 3 feet, their Sandwich/Cold Section. Double the salads, fruits, and added to the produce menu.
 - **Dan: With respect to the loitering; What is 7 – Eleven proposing to do to assure the community? I know that you have the security, are there any other measures?**
 - **Response (ANE Consulting):** At least 1 security guard is being hired for the property, and more will be added if needed. I do not know if 7 – Eleven will add one for their store. We will have cameras that the LAPD will be able to view.
 - **Response (7 – Eleven):** "I can't give you a "stock" response." Are looking at options such as social services, and being proactive, and not selling to people who are loitering.
 - **Dan: Are you at liberty to say who the owner is?**
 - **Response (ANE Consulting):** It is a company called Fred Leeds.
 - **Ernie: "I agree that this would be a fantastic edition." || Alcohol Reduction: License purchases should be comparable and with the [one mile of the location], that there should be something in writing that is legally enforceable, that includes not having Marijuana shop, 9 feet minimum of fresh food space, and "X" amount of feet of beer sales.**
 - **Response (ANE Consulting):** We could probably put that in to the CUP.
 - **Response (7 – Eleven):** According to the City Attorney, some conditions may not be enforceable. MVIP program was created to handle some issues.
 - **Patricia: What is on average the difference in profit for 7 – Eleven to have licensing to sell alcohol**
 - **Response (7 – Eleven):** Estimates 25%; it is a market driver; Dry stores are struggling.
 - **Patricia: Can you give examples of what percentage [7 – Eleven] they actually invest in the community?**
 - **Response (ANE Consulting):** I cannot give you a percentage. @ Crenshaw & 36 – They donated to Crenshaw High School. They worked with the [local] Council Office to improve street scapes, specifically around their location.
 - **Patricia: is the Laundromat contingent on the 7 – Eleven being there? Have you spoke to [the Laundromat owners] about the loitering and being close to Hollenbeck Park?**
 - **Response (ANE Consulting):** 7 – Eleven is separate from the other tenants. We secured a Laundry operator, that will be a signed lease [once the variance is approved].
 - **Jason: Is the CUP automatically approved once the variance is approved?**
 - **Response (ANE Consulting):** Explained that it is "by right" depending on the ZA ruling, but still require ABC approval for the CUB; and that the findings of the ZA will be considered in the ABC decision.
 - **Jason: asks if they will be returning in regards to the CUB.**
 - **Response (ANE Consulting):** No. The State will send out a notice.
 - **Jason: Have you gone to CPAB yet?**
 - **Response:** We go next week.
 - **Jason: is your intent to start sales at 6am?**
 - **Response (ANE Consulting):** Explains that [the application times] are to foster flexibility.
 - **Jason (comment): in the past it has been recommended that [sales] start at 11am and end at 10am.**
 - **Response:** Being open later is better [for us].
 - **Patricia (comment): My concern with [7 – Eleven] being open to [sales 'till] 2am, [is] if you have last call at 1:30am and people are driving back, they will make it to 7 – Eleven before. So that means more drunk drivers in our community.**
- **Motion (Ernie/Jason):** "The PLUC recommends SUPPORT of the shopping center but OPPOSES the alcohol variance SUBJECT to addressing the following concerns: A reduced limit on the time of alcohol sales, expand the fresh food section from six square feet to nine square feet, reduce the number of square feet apportioned for the alcohol items, hiring of at least one security guard for the protection of the community, the address of the two locations of alcohol licenses obtained for surrender must come from within Boyle Heights, no sales of marijuana within the shopping center property. And conclude a covenant, or other legally enforceable document (e.g. community benefits agreement) that stipulates that these items, with participation of the property owner, shall run with the land in exchange for the granting of this variance."

- **Vote:** 0 – Abstain, 0 – No, **4 – Yes**
- **Motion (Jason/Dan):** Table remaining items and Adjourn.
 - **GPC:** *None.*
 - **PLUC Comment:** *None.*
 - **Vote:** 0 – Abstain, 0 – No, **4 – Yes**

Item 09: **Announcements**

Item 10: **Adjournment** [08:04pm]