

[Vacant]
Committee Chair

Vivian Escalante
BHNC Board Member

Felipe Agredano
BHNC Board Member

Ernie Hidalgo
Stakeholder

Tiffany k. Lam
Stakeholder

Drew Marie Brauer
Stakeholder

Peter Kallstrom
Stakeholder



Boyle Heights Neighborhood Council UPDATED - **MINUTES**

Planning and Land Use SPECIAL Committee Meeting
at the Benjamin Franklin Library
2200 East First Street, Los Angeles, Ca 90033
Thursday, July 12th, 2018 @ 6:15pm



I. Welcome & Roll Call [1 Minute] 6:19 pm

II. Government Report [5 Minutes] : Roll call– Present: Tyffany, Drew, Peter, Vivian. Absent: Felipe, Ernie Hidalgo.

III. General Public Comment (one minute per speaker) [5 minutes]

Carlos Montes – Lincoln Hospital is vacant and wishes to support a project for the community at this location. Kipp Charter has apply for rezoning, BHNC did not support. This application will go to the Council for approval but is currently pending.

Ted Yenawine – Owner of Purgatory Pizza. Also part of the Echo Park neighborhood council. He would like to have the street on 1st street remove many of the red curbs so that cars can park.

IV. PLUC Business [5 minutes]

(a) **Updates on Any BHNC/PLUC or Community Related Items.**

*PLUC Chair currently vacant. This position must be held by a BHNC Board Member that is not currently an Executive Member, with the exception of the President and Vice President, who act as ex-officio members of the committee.

(b) **Discussion and Action to Recommend a PLUC Chair** for the July BHNC General Board Meeting

(c) **Notice of Vacancies.**

i. BHNC Board: The BHNC Board currently has two [2] vacant positions, both Community Seats. These are open to all Stakeholders. Applicants are requested to send an E-mail to secretary@bhnc.net indicating their desire to join, and/or attend the July BHNC Board to formally announce their request to join.

• **Term limits are from the date of selection through May of 2019.**

(d) **Discussion & Possible Action to Approve the Minutes for May and June's PLUC Committee meeting.**

Motion to approve the May and June Minutes by Tiffany and second is Drew.

Jason – correct the circa item in May. All in favor.

V. Discussion and possible action on Conditional Use Permit Application for Purgatory Pizza [15 Minutes]

(a) Description: Conditional Use Permit to allow the sale & dispensing of beer and wine for on-site consumption at an existing 2,324 SQ FT restaurant with 37 seats, and hours of operation from 9:30 AM - 1:00 AM Sunday-Wednesday & 9:30 AM - 2:00 AM Thursday-Sunday.

(b) Case No. ZA-2018-3099-CUB

(d) Address: 1326 E. 1st Street

(e) Hearing Date: None yet.

(f) Motion/Recommendation [Daisy/Vivian]: to table until next meeting because a hearing has not been scheduled.

(g) Vote: 2 yes- 0 abstain – 3 oppose, 3 absent motion fails.

(h) Motion/Recommendation [Drew/Peter]: to support the Conditional Use Permit Application to allow the sale & dispensing of beer and wine for onsite consumption with the recommendation to continue outreach that includes Spanish language interpretation and consideration of the hours, closing earlier, if the community feels comfortable.

Vote: In favor –(3) Peter, Vivian, and Drew, Oppose –(2) Tiffany and Daisy, (2) absent, (0) abstentions

Notes on presentation: Census track is under concentrated according to Manny Diaz from FE Design.

>Floor plans and menu included in handouts.

>In addition, a petition was gathered and currently has 62 signatures.

Community comment:

1. Jason Gallegos-

a. Did you ask for the support of the schools and parks since this is a “sensitive area”?

>Owner response: “There are not a lot of people in this area.”

b. Concern of parking lot opening up into the Metro.

>Owner: Intention to have the parking lot exit out to the alley but not current plans underway yet.

>Additionally, owner plans to rent out the vacant lot on corner of first and Utah.

2. Carlos Montes – Why are you doing this? For profit?

>Owner’s response: Payroll went up 12% due to new State law.

>Additionally, owner comments that, “It’s unusual to have a pizza place open this long without the sale of alcohol”

* Carlos – I will oppose the license.

3. Helen Mercado: Pizza place directly across the street from Mendez HS.

a. Concern over illegal consumption by high school students.

>Owner’s response: Everyone involved in service has to go through STAR training - all staff.

b. When is the parking going to change?

>Owner’s response: In the next 3-4 months for people to go through parking lot and exit through alleyway.

4. Ana Hernandez – Resident of Pico Aliso y Las Casitas – “I have worked since 1996, when no one wanted to come to BH. Now it is better and businesses like these wish to thrive here. We have been battling gang activity and alcoholism – now that we have empowered our community these businesses come in. These businesses should not be selling alcohol - we have more than enough. Over 200 businesses sell alcohol in Boyle Heights. We want our students to focus and this is a point of attraction with alcohol. This process must begin with the community. We want them to respect our community, the belief that they will have no obstacles to sell alcohol but we don’t want any more sells of alcohol here.

*Owner: We are not really part of Boyle Heights – I have many people who are families that patronize Purgatory who love the idea of selling alcohol. The school itself does not really work with us.

*Daisy: What type of outreach did you do? What is missing is Spanish-speaking outreach; you are missing a huge population in the immediate vicinity.

>Why not purchase an already existing alcohol license? Did you know that you could do that?

>Consultant, Manny Diaz’ response: No, we didn’t look into it.

5. Veronica Polanco – Are your hours

Committee Discussion:

1. Peter K. – this committee recently supported the sale of alcohol for El Mercadito, I support both.
 2. Drew – Think about it from there perspective.
 3. Vivian – I appreciate going to Shakeys and having a beer. A family aspect and feel is not like a bar. Expressed support.
 4. Tiffany – Patron of purgatory pizza. Sees concerns of the community and committee. Does not like the idea of going into a restaurant and watching other folks drinking.
 - >Need to acknowledge the historic exposure in the community to drugs and alcohol.
 - *Owner’s response: Its not about getting ppl drunk.
 - >Are hours proposed accurate?
 - *Consultant response: Hours being proposed are not accurate, always for more hours at beginning of permit request.
- *Owner: We did not know that the PLUC meeting was active?
-1 mile

****Drew left PLUC meeting at 7:30 pm**

VI. Discussion and Possible Action on Birrieria de Don Boni CUP (Beer and Wine)

- (a) **Description:** Birrieria de Don Boni has begun construction on expanding their facility (to two-stories) and is seeking support for a Conditional Use Permit (Zoning Variance) to allow for the sale of Beer and Wine in conjunction with food.
- (b) **Case Number:** ZA-2018-1893-CUB
- (c) **Environmental Case Number:** ENV-2018-1894-CE
- (d) **Address:** 1845 – 1853 E. First St., Los Angeles, Ca 90033
- (e) **Public Hearing Date [tentative]:** August 7th, 2018

****Motion to support with the recommendation to do more outreach and present it to the GBM on 7/25 and open to purchasing an existing license if one comes available. – All in favor- (4) Vivian, Daisy, Peter, Tiffany, Absent (3) Ernie, Peter, Drew.***

Presentation by owners: Saul Machado with wife, Arcelia Gonzalez: Birrieria was founded by family members.father of Arcelia. Birrieria was formerly named, Birria Jalisco. Long history in the community, employment of residents, knows several generations that still come to the business.

Why have we not asked for a license for 40 years, we are not expanding so this is a time to acquire and add an alcohol license. We will keep the same hours – 9-8 pm until Thursday. 9-9 pm on weekends.

Under license, we will not change our hours or plan to expand. We are a food business, first.

We will train everyone who works at the restaurant concerning alcohol service and consumption. Training will be important for maximum drinks to a patron and to ID someone who is only there to get drunk. We have been successful in keeping patrons involved and coming back. Outreach around the area was started by Saul Machado and 24 signatures collected – he intends to do more.

What will the expansion look like? A second building is going up with or without alcohol license. Desire to serve all patrons in a timely manner and new structure will allow for the doubling of tables for restaurant. Second floor will be for office use.

Parking? Parking will be added with new building and the parking service currently used will continue as they coordinate stack parking and safety out to alley.

Additionally, owners are in conversation currently with VICE unit at LAPD for best practices.

Public Comments:

Jason Gallegos - This is a unique census tracks. Recommendation to look at how many licenses are already available. There are currently two off-sale alcohols.

>For 1200 residents, license approved.

>The food goes with the beer.

>Will meet with the CPAB next Wednesday. Can you present their decision to the board? Owner's agree.

Dina- Casa Fina, sells alcohol across the street.

**LAPD has no businesses interfering with the community safety and should not recommend through CBAP. Not in favor of more licenses.

Committee –

Vivian – concern for parking, saturation of alcohol sells

Peter – Intends to support

Motion to table the rest of the agenda until the following month by Daisy and Vivian is 2nd.

VII. Motion to Support CEQA Ordinance Amendment with the Recommendation that the City institute fee waivers, and extend the appeal period from 15 days to 30 days. [*Vivian/Peter*]

(a) **Vote:** 0 – 0 – 4 – 0, *passed*

(b) **Case number CPC-2018-2657-CA**

(c) Chair summarizes and updates the Committee & Community on the CEQA Public Hearing held on June 6th: That as described by the City, appeals fees are not going to be raised and will remain at approximately 125 dollars that the State its self sets a maximum of 500 dollars that the City is only looking to integrate State regulations in to City regulations.

(d) Chair also relays that the public present at that meeting were concerned that:

- this leads to potential increase that disadvantaged communities could not afford.
- That the 15 day period is too short a time to properly file an appeal
- That a fee waiver system be instituted.

VIII. Discussion and Possible Action on making Recommendations/Amendments to the BHCPU [20 minutes]

(a) Description: Community interesting in the Boyle Heights Community Plan Update (BHCPU) have asked the BHNC PLUC to discuss, hear and make recommendations to submit to the BHCPU team.

(b) Website: <http://www.bhplan.org>

IX. Discussion & Review on the PLUC 2017 – 2018 Year [20 minutes]

(a) Description: The PLUC and BHNC Community will discuss and review any topic that was in the purview of the PLUC for the PLUC year [June 1, 2018 – May 2018].

X. Announcements

(a) Metro/ELACC Joint Development Meeting on Wednesdat, July 18th, 2018, at 6 pm-7:30 pm:

- i. In January, the Metro Board of Directors authorized entering into an Exclusive Negotiation Agreement with East L.A. Community Corporation (ELACC) for joint development of the Mariachi Plaza site. (Full Board Report available on Metro's website under File#: 2017-0740, File Type: Contract). Metro is hosting a meeting in July so that ELACC can present their conceptual project design and engage with the Design Review Advisory Committee (DRAC) and community members to obtain feedback.

Location: PUENTE Learning Center, 501 S. Boyle Ave. Los Angeles, CA 90033

XI. Adjournment – motion to adjourn at 7:57 pm by Daisy and Tiffany is 2nd.

BHNC PLUC PUBLIC NOTIFICATIONS

PUBLIC INPUT AT NEIGHBORHOOD COUNCIL PLUC MEETINGS – The public is requested, but not required, to fill out a “Speaker Card” to address this Committee on any agenda item before the Committee takes an action on an item. Comments from the public on agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the agenda that are within the BHNC's jurisdiction will be heard during the General Public Comment period. Please note that under the Brown Act, the Board is prevented from acting on a matter that you bring to its attention during the General Public Comment period; however, the issue raised by a member of the public may become the subject of a future Board meeting. Public comment is limited to 1 minute per speaker, unless adjusted by the presiding officer of the Committee.

THE AMERICANS WITH DISABILITIES ACT - As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices and other auxiliary aids and/or services, may be provided upon request. To ensure availability of services, please make your request at least 3 business days (72 hours) prior to the meeting you wish to attend by contacting the Planning and Land Use Committee Chair, at planning@bhnc.net

PUBLIC ACCESS OF RECORDS – 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 our website: www.bhnc.net or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on this agenda, please contact our Board Secretary, at secretary@bhnc.net or the Planning and Land Use Committee Chair, at planning@bhnc.net

PUBLIC RECORDING OF MEETINGS – In compliance with California Government Code 54953.5(a) – 6 & Article VIII (1) (c) of the BHNC Bylaws, and for open transparency. The proceedings may be photographed, video or audio recorded, and published/distributed by those in attendance. Recordings made by BHNC Board Members, must be retained for a period of no less than 6 months and be made available to the public upon request.

RECONSIDERATION AND GRIEVANCE PROCESS – For information on the BHNC's process for board action, reconsideration, stakeholder grievance policy, or any other procedural matters related to this Council, please consult the BHNC Bylaws available at www.bhnc.net at EmpowerLA.org.

SERVICIOS DE TRADUCCION – Si requiere servicios de traducción, favor de avisar el concilio vecinal 3 dias (72 horas) antes del evento. Favor de comunicarse con nuestra secretaria, Kalin Balcomb, por correo electronico: secretary@bhnc.net.