



Agenda - Meeting of MCW Board
Tuesday, November 12, 2013 - 6:30 pm to 8:30 pm
Mid City West Community Council
543 N. Fairfax Ave, Los Angeles, CA 90036
www.midcitywest.org

1. Call to order
2. Roll Call
3. Minutes approval for October 8, 2013 board meeting
4. Public Comment
5. Message from chair
6. Governmental announcements [CD4, CD5, LAPD, DONE, State Assembly]
7. Selection of board members and swearing in. Vacant seats: Renters, Medium-Large Business, Small Business, Government, Education, Religious, Civic, Arts, Minorities, At Large, Media / Entertainment
8. Treasurer's Report
MOTION: The MCW Board approves the monthly expenditure and p-card statements for transactions through October 31, 2013.
9. Elections Committee:
MOTION - Election Procedures Stipulation Worksheet
10. Bylaws committee report
11. Communications and Outreach Committee - Fall Festival report
12. Education committee report
13. Public Safety Committee report
14. Transportation, Parking and Streetscape Committee report
15. Planning and Land Use Committee

a. 8334 W 3rd Street; ZA 99-7053 (CUB) (PA1) (Goal Sports Cafe)

Request to maintain an existing CUB Plan Approval with the following modifications:

1. Revision to Condition 10: which prohibits live entertainment to allow karaoke on Wednesday–Saturday, when there are not televised sporting events and retains the ban on live entertainment. Karaoke would be

performed by seated patrons only, whereby the mike would be handed to them and they would sing along from televised lyrics. No standing would be allowed.

2. Revision to Condition 8: which sets seating at 88 seats, would revise to a total of 99: 91 interior seats and 8 on the sidewalk.
3. Revision to Condition 22: which requires that the restaurant be fully enclosed and no open patio area permitted to allow 8 seats/two tables in the public sidewalk portion of the restaurant storefront. Said outdoor seating would be utilized daytimes only, for weekend brunches. A revocable permit is being requested.
4. Revision to Condition 7: to extend the sunset provision of the CUB for an additional 5 years beyond the present 5 year grant, and which expires on November 4, 2015.

Project Description: Goal Sports Café is an existing 1,558 square foot sports-themed restaurant located on the south side of 3rd Street, between Kings Road and Flores Avenue. Sports Goal Café is a bona fide restaurant, with all booth seating, a small bar and a full food service menu. The sports theme will be maintained as the primary restaurant focus, with each booth having its own television which broadcasts a diversity of sporting events. The same TV's would be accessed for karaoke only on nights when there are no games. Lyrics would flash on the screen and an individual patron seated in the booths could sing along to the lyrics. There would be no standing or crowding or loud music. Music volume levels would be the same as for sporting events. There is no rear door access and the door is required to be closed at all times. Additionally, the project is seeking limited outdoor sidewalk dining with 2 tables and 8 chairs.

All other terms and conditions would remain the same: valet parking with off-site street parking across the street (via participation in the 3rd Street Merchants Association); the same hours, closing time of 1 am; no live music, DJ or other live entertainment; no dancing and no lounge.

Hearing Officer: TBD

Hearing Date: TBD

MOTION:

The Mid-City West Community Council moves to support the application with the following modifications:

5. Revision to Condition 10, to retain the ban on live entertainment, but to allow karaoke on Wednesday–Saturday, when there are not televised sporting events. Karaoke would be performed by seated patrons only, by microphone handed to them while seated, and they would sing from televised lyrics. Seating would be limited to the booths and tables and chairs shown in the currently proposed plan. No standing would be allowed by karaoke participants.
6. Revision to Condition 8, which sets seating at 88 seats, would revise to a total of 99: 91 interior seats and 8 on the sidewalk.
7. Revision to Condition 22, which requires that the restaurant be fully enclosed and no open patio area permitted, to allow 8 seats/two tables in the public sidewalk portion of the restaurant storefront. Said outdoor seating would be utilized only from 9:30 a.m.–4:00 p.m. on Saturdays and Sundays for brunch. A revocable permit for outdoor dining is required. Outdoor dining area must meet sidewalk clearance criteria for disabled access. The front door to the main restaurant will remain closed after 10:00 p.m. Monday–Friday and after 11:00 p.m. Saturdays–Sundays. Any operable windows opening onto the front of the property must remain closed.
8. Revision to Condition 7, to extend the current CUB for 5 years only from the date of approval of these modifications. In the event of a change in operator, plan approval would be required for continuance of the CUB.

BACKGROUND:

The committee voted 6 Yeas, 2 Nays, 0 Abstentions. Motion passed.

The reasons to support the motion include:

- Requested modifications will help a financially struggling neighborhood restaurant in attracting more customers in general and specifically in offering a weekend brunch on a street with several other restaurants that offer weekend brunches in close proximity.
- Applicant supplied evidence of 45 letters of support from residential neighbors and patrons of restaurant. Applicant stated that senior management of Goal went door to door speaking with neighbors and asking for support.
- Goal offers 16 patron parking spaces at the Hebrew Academy nearby.

The reasons to oppose the motion include:

- It was noted by a committee member that although Beverly Wilshire Homes Association was listed as a supporter of Goal's 2010 CUB, the organization had not yet been asked for an opinion about the current condition changes.
- It was noted by a committee member that some nearby neighbors had complained about noise emanating from the restaurant.

b. **MOTION:**

The MCWCC supports preservation of historic properties within the boundary of the MCWCC area. In this respect, we support the Los Angeles Conservancy Modern Committee (ModCom) in their effort to nominate Johnnie's Coffee Shop and Restaurant at 6101 W. Wilshire Boulevard as a City of Los Angeles Historic-Cultural Monument (HCM). We support the findings of the City's Cultural Heritage Commission that the building:

1. "embodies the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a period style or method of construction" as an example of Googie-style architecture;
2. "reflects the broad cultural, economic, and social history of the nation, state, or community" for its association with the post-WWII development of the Miracle Mile area; and
3. is a "notable work of a master builder, designer, or architect whose individual genius influenced his or her age," designed by the famed architectural firm Armet & Davis.

BACKGROUND:

The committee voted 8 Yeas, 0 Nays, 0 Abstentions. Motion passed.

The reasons to support the motion include:

- The 1962 City of Los Angeles Cultural Heritage Ordinance provides official recognition and protection for Los Angeles' most significant and cherished properties designated as HCMs.
- Located at the northwest corner of the Fairfax Avenue and Wilshire Boulevard intersection, Johnnie's is a highly intact, rare, and excellent example of the Googie style, a category of Mid-Century Modern architecture commonly used in the design of roadside buildings like restaurants, motels, and bowling alleys constructed from the late 1940s through mid 1960s, in the MCWCC area. Johnnie's was designed by Armet & Davis, a firm known for its innovative Googie coffee shop designs. Character-defining features of the style exemplified by Johnnie's include its prominent roof, stone veneer, neon signage, glass exterior walls, interior counter and seating configuration, upswept ceiling, and open kitchen.

- HCM designation will protect the property’s character-defining features, requiring City Office of Historic Resources and Cultural Heritage Commission review of proposed exterior and interior alterations to ensure they are consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties, which are nationally accepted criteria for evaluating change to historic properties. It also allows the Cultural Heritage Commission to object to the issuance of a demolition permit for 180 days, with an additional 180-day extension possible upon approval of the City Council, thereby granting up to 360 days stay of demolition in order to evaluate preservation alternatives.
- HCM designation provides the owner of Johnie’s the opportunity to engage in a Mills Act Historical Property Contract with the City. The Mills Act is a local historic preservation incentive that provides a property tax reduction to owners of historic properties who commit to rehabilitating and maintaining their properties in conformance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties.
- MCWCC recognizes that distinctive landmarks like Johnie’s foster civic pride in our neighborhood and contribute to a strong sense of time and place.

The reasons to oppose the motion include:

- While some consider the additional level of review required for proposed alteration or demolition of an HCM to be an important tool for historic preservation, others may feel that restrictions on private property should be minimized and, therefore not support designation of the property.

c. 8301 Beverly Blvd; ZA 2013-2474-CUB-CU (Au Fudge)

- 1) Request for a new conditional use permit for a Type 41 Department of Alcoholic Beverage Control license to serve beer and wine on-site in conjunction with a proposed restaurant located at 8301 Beverly Boulevard. The proposed restaurant is 4,853sf with 119 interior seats and a 230sf patio with 8 seats. Proposed hours of operation are 7am-11pm Sunday-Thursday and 7am-12am Friday-Saturday. Proposed hours for beer and wine sales are Monday-Thursday 11am-close and Friday-Sunday 9:30am-close.
- 2) Request for conditional use to permit hours of operation beyond the 7am-11pm limit in a mini-shopping center.

Project Description: The proposed project aims to create a restaurant space that is kid and adult friendly. The proposed establishment will be a healthy, organic, and high-quality restaurant that provides breakfast, lunch, and dinner, and has a marketplace with quick food options for families on-the-go. The restaurant will provide a separate space for kids with activities including yoga, arts, and games. Interactive classes and activities will allow kids to play in an intellectually stimulating environment while the café provides good food options for children and parents.

Hearing Officer:

Hearing Date: November 20, 2013

MOTION:

The Mid City West Community Council supports the Au Fudge Restaurant CUB application as proposed, with the following conditions:

- Restaurant Dining, Service and Support Area to be limited to 3500 square feet, excluding retail and children's activity areas of approximately 1300 square feet.
- Hours of operation and alcohol service to be limited to 7am to 10pm, Sun-Thurs; 7am to 11pm Fri-Sat.

Facility to provide for parking spaces as proposed by the applicant: 35 spaces daytime; 220 spaces after 6pm to closing.

BACKGROUND:

The committee voted 5 Yeas, 4 Nays, 0 Abstentions. Motion passed.

The reasons to support the motion include:

- Beer and wine only license will enhance attraction of restaurant for adults who wish to spend time with their kids in a family-friendly restaurant with adjacent child's classroom/playroom and retail establishment.
- Operators propose a healthy, organic, and high-quality restaurant for breakfast, lunch, and dinner and a market for take-out food and gourmet coffee or fresh juices/smoothies.
- Applicant has scaled back its request for entitlements from previous applications.
- Conditions written into PLUC committee motion scale back hours of operation and square footage of alcohol-serving restaurant area, and seek to mitigate traffic/parking impact.

The reasons to oppose the motion include:

- Close to 200 signatures from neighbors in opposition to any alcohol-serving restaurant at this address were presented to the PLUC committee.
- A large number (approximately 25-30) of residential neighbors attended the meeting and either spoke against the application or gave their public comment time to others who spoke in opposition to the project.
- Contentious nature of applicant/neighbor relations.
- Proposed restaurant capacity of 127 seats is larger than any restaurant in the neighborhood, which creates a burden on the surrounding residential neighborhood in terms of noise from patrons and valet parkers, traffic congestion, and cars being parked in the neighborhood, worsening an already difficult situation for residents trying to find parking on residential streets.
- Restaurant has only 11 exclusive parking spaces on-site; the rest of the proposed parking is shared with other businesses and is not covenanted. Neighbors argue that although the zero parking space requirement is "grandfathered in," its current proposed use (changing from spa to alcohol-serving restaurant) should result in a more secure parking/valet arrangement and more secured daytime parking.
- Granting a new beer and wine license means that the license would run with the land, regardless of whether the operator changes.

17. Administrative Board Discussion

Comments from the Board on subject matters within the Board's jurisdiction; Comment from Board member's own activities; Brief announcements; Brief response to statements made or questions posed by persons exercising their general public comment rights; Assign Committee Chairs to research issues and report back to the Board at a future time. Future Agenda Items and other Calendar Events. Introduce new issues for consideration by the Board at its next meeting/request that the item be placed on the next meeting's agenda or sent to a MCWCC committee.

18. Motion to Adjourn.

Next Board meeting: December 10, 2013 @ 6:30pm.

The public is requested to fill out a "Speaker Card" to address Mid City West on any item on the agenda. Comments from the public on agenda items will be heard only when that item is being considered. Comments from the public on other matters, not appearing on the agenda but within the Board's subject matter jurisdiction, will be heard during the Public Comment period. Public comment is limited to 3 minutes per speaker, unless waived by the presiding officer of the Board or committee chair.

As covered 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, assisted listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request 3 business days prior to the meeting you wish to attend by contacting the Department of Neighborhood Empowerment at 213 978-1551 or e- mailNCsupport@lacity.org.

SI REQUIERE SERVICIOS DE TRADUCCION, FAVOR DE NOTIFICAR A LA OFICINA 3 días de trabajo (72 horas) ANTES DEL EVENTO. SI NECESITA ASISTENCIA CON ESTA NOTIFICACION, POR FAVOR LLAME A NUESTRA OFICINA AL (213) 485- 1360.

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 by appointment at 543 North Fairfax Avenue, Los Angeles, CA, at our website www.midcitywest.org, or at the scheduled meeting. In addition, if you would like a copy of any record relating to an item on the agenda, please call 323.651.3512 or send an e- mail to admin@midcitywest.org.

The agenda is posted for public review at: the Mid City West Community Council office (543 N. Fairfax Ave., Los Angeles, CA 90036; Park La Brea Activity Center Bulletin Board, 475 South Curson West Avenue, Los Angeles, CA 90036; Freda Mohr Multipurpose Center, 330 North Fairfax Avenue, Los Angeles, CA 90036; Pan Pacific Recreation Center, 141 South Gardner Street, Los Angeles, CA 90036; Fairfax Senior Center, 7929 Melrose Avenue, Los Angeles, CA 90036; Mid City West Community Council website. For information on the Process for Reconsideration, MCWCC Stakeholder Grievance policy or any other procedural matter related to this Council, please consult the MCWCC Bylaws by clicking on www.midcitywest.org or visiting the MCWCC Office at 543 N. Fairfax Avenue, Room 106. Los Angeles, CA 90036.