

REGULAR MEETING OF THE
PLANNING COMMISSION
CULVER CITY, CALIFORNIA

September 10, 2014
7:00 p.m.

Call to Order & Roll Call

Chair Frost called the meeting of the Planning Commission to order at 7:01 p.m.

Present: Linda Smith Frost, Chair
Kevin Lachoff, Vice Chair
Dana Amy Sayles, Commissioner
David VonCannon, Commissioner
Scott Wyant, Commissioner

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Pledge of Allegiance

The Pledge of Allegiance was led by Heather Baker.

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Comments for Items NOT on the Agenda

Chair Frost invited public input.

There were no cards received and no speakers came forward.

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Public Hearings

Item PH-1

Zoning Code Amendment, ZCA P-2014135: Zoning Code Amendments related to Supportive Housing that are required by California State housing law and Measure 2L of the City's 2013-2021 Housing Element

Jose Mendivil, Associate Planner, provided a summary of the material of record.

the ability of the City to scale back the hours if problems arise; Administrative Use Permits; food service; adding a formal look back period; legal non-conforming designation; voluntary measures taken by the business; and clarification that if the Commission approves the application, conditions can be applied.

Elizabeth Alas, El Baron Restaurant, requested approval to extend the hours that alcohol can be served; provided background on the business; and indicated that they were willing to extend the hours that food is served.

Hugo Valdez, Alliance Group Protection Services, discussed security; valet parking; the decrease in incidents; an incident where a trash container was set on fire next to El Baron; vehicles parked in the alley during daytime hours; and illegal vendors.

Discussion ensued between the speakers and Commissioners regarding clarification that Alliance works with the other location owned by Ms. Palacios in Los Angeles; hours that parking is available in the auto repair shop lot; the number of parking spots available to customers; overflow parking; renting spaces from other sites; the cost of valet parking; security oversight of valet parking; employee parking; trash procedures; smoking areas; current hours that alcohol is served; enforcement; off sale alcohol; and clarification that the restaurant sells a full line of alcohol.

Chair Smith Frost invited public comment.

The following members of the audience addressed the Commission:

Rosa Silva expressed support for the neighborhood family restaurant and for extending their hours.

Mike Hoffman indicated that he is a patron of the restaurant and expressed support for extending their hours.

Clemente Arinales expressed support extending the hours for El Baron Restaurant.

Jose Avilas expressed support for extending the hours of operation for El Baron Restaurant and he suggested that Commissioners visit to see for themselves.

Gabriella DeLeon translated for Ganzalo Fierro who expressed support for extending the hours of El Baron Restaurant.

Responding to inquiry, Mr. Ferrero indicated that he had never experienced noise issues with the business.

Gabriella DeLeon indicated that the restaurant was one of the few places in the area that is family friendly; she felt that the owners were proactive and had improved the area; noted the need to make money; discussed the lack of noise issues; and neighboring businesses.

MOVED BY COMMISSIONER WYANT, SECONDED BY COMMISSIONER VONCANNON AND UNANIMOUSLY CARRIED, THAT THE PLANNING COMMISSION CLOSE THE PUBLIC HEARING.

Discussion ensued between staff and Commissioners regarding letters from the neighbors; a request that a restriction for off sale alcohol be implemented; other businesses in the City that close earlier during the week and stay open later on the weekends; the nightclub on Fridays and Saturdays; instituting a 12-month review period; support for the on-site security and formalizing an agreement; requiring an approved valet parking plan; support for extending weekend hours; support for last call to be 30 minutes before closing with coffee provided; appreciation that food service hours would be extended to last call; appreciation for the large and loyal following; conditions upon which the license was granted; the restricted license granted by ABC; noise concerns expressed by the neighbors; acknowledgement that the owners have improved the situation; proximity to residential uses; the percentage of food to drink sales; noise leakage from entertainment; business districts close to residential districts; balancing the concerns of businesses and residents; parking issues; concern with letting things slide backward; decreases to the number of incidents; removing the pay phone; the planters; alley parking; and a suggestion for hours of operation to be 10:00 p.m. on weeknights, 1:00 a.m. on Fridays and Saturdays.

Discussion ensued between Commissioners and Ms. Alas regarding mitigation work done on noise issues; MAAG Air-conditioning and Refrigeration; letters from neighbors; inherited complaints; sound proofing the dance area; capacity of the club; and receipt of deliveries.

Further discussion ensued between Commissioners and staff regarding appreciation for improvements made; Police and Fire

records; the family element to the business; noise in the neighborhood; addressing non-conforming conditions; addressing alley concerns through enforcement; the existing ABC license; the first installation of Conditions of Approval; standard conditions of approval; and a suggestion to continue the matter so that staff can return with a draft resolution of approval with the list of concerns.

Commissioners agreed that the draft resolution should include:

- Allowable hours of 11:00 p.m. on weeknights and ceasing alcohol sales at 1:00 a.m. on weekends
- Extending food service hours to include all hours that alcohol is served
- Formalizing the plan for security
- Addressing parking issues and a formalized valet parking plan
- Removal of the pay phone
- Instituting a review period
- Permanent landscaping
- Prohibition of off sale alcohol

Additional discussion ensued regarding alley parking and enforcement; balancing the number of valet parking spaces with the use of the restaurant; ensuring that the restaurant is parked to code; different hours acceptable to different Commissioners; non-conforming rights; parking ratios for bars and restaurants; current hours; standard business practices; other businesses in the area; and Commission agreement for the hours to be 11:00 p.m. Monday through Thursday with 1:30 a.m. pick up on Fridays and Saturdays.

Hugo Valdez, Alliance Group Protection Services, discussed last call at 1:00 a.m.; enforcement; and pick up at 1:30 a.m.

Commissioner Sayles discussed distinctions between food service and actions of other cities, and she expressed concern with imposing an unfair burden on the business with too many changes and requirements.

Elizabeth Alas noted that offering limited food service would pose less of a burden on them; discussed last call at 1:00 a.m., last pick up at 1:30 a.m.; and she requested that on weekdays the restaurant be allowed to stay open until 1:00 a.m.

MOVED BY COMMISSIONER WYANT, SECONDED BY COMMISSIONER SAYLES AND UNANIMOUSLY CARRIED THAT THE PLANNING COMMISSION: CONTINUE THE ITEM TO OCTOBER 8, 2014 IN ORDER FOR STAFF TO BRING BACK A

REVISED RESOLUTION OF APPROVAL AND DRAFT CONDITIONS OF
APPROVAL.

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Consent Calendar

Item C-1

Meeting Minutes

MOVED BY COMMISSIONER WYANT AND SECONDED BY COMMISSIONER
VONCANNON THAT THE PLANNING COMMISSION APPROVE THE MINUTES OF
AUGUST 13, 2014. THE MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: SMITH FROST, VONCANNON, WYANT
NOES: NONE
ABSTAIN: LACHOFF, SAYLES

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Items from Staff

Thomas Gorham, Planning Manager, provided an update on upcoming
meetings.

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Items from Planning Commissioners

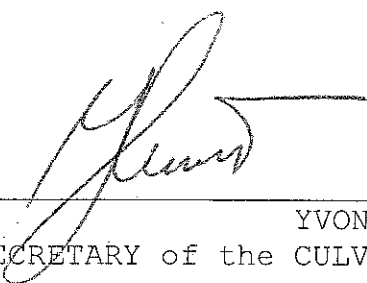
None.

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Adjournment

There being no further business, at 8:39 p.m., the Culver City
Planning Commission adjourned to the next regular meeting on
Wednesday, October 8, 2014, at 7:00 p.m. in the Mike Balkman
Council Chambers.

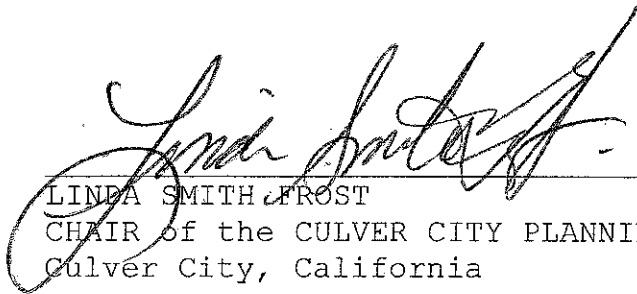
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YVONNE D. HUNT
SECRETARY of the CULVER CITY PLANNING COMMISSION

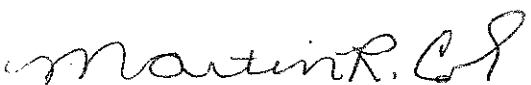
APPROVED

10/8/14



LINDA SMITH-FROST
CHAIR of the CULVER CITY PLANNING COMMISSION
Culver City, California

I declare under penalty of perjury under the laws of the State of California that, on the date below written, these minutes were filed in the Office of the City Clerk, Culver City, California and constitute the Official Minutes of said meeting.



Martin R. Cole
CITY CLERK

14 OCT 2014
Date