MINUTES OF THE SOUTH LOS ANGELES AREA PLANNING COMMISSION HEREIN ARE REPORTED IN SUMMARY FORM. COMPLETE DETAILS RELATING TO EACH ITEM ARE CONTAINED IN THE HEARING TAPES FOR THIS MEETING. COPIES OF TAPES ARE AVAILABLE BY CONTACTING CENTRAL PUBLICATIONS, at (213) 978-1255

Meeting was called to order by the Commission President, Joy Atkinson, at 4:40 p.m.

Commissioners Present: R. D. Lottie, Jr.; D'Ann Morris, James Silcott
Commissioner Absent: Arturo Ybarra

1. **DEPARTMENTAL REPORT - ITEMS OF INTEREST**

   Staff informed the Commission that there is a Workshop on the Pico-Union Historic Preservation Overlay Zone (HPOZ) being held tonight.

2. **COMMISSION BUSINESS**

   A. **Advance Calendar**

      Meeting for December 3, 2002 is canceled.

      The President reminded all Commissioners to inform the staff if they cannot attend future meetings.

   B. **Commission Requests**

      Commission brought up the parking situation during meetings. Staff responded that according to Department of Transportation, they won’t enforce parking regulations during Commission meetings. If they get a ticket inadvertently, Commission should call Department of Transportation.

      One Commission member requested to have reserved parking spaces as was done in the past. Staff will check on this possibility.
The Commission also requested for more orientation specifically on different types of cases.

The staff responded that what has been done in the past, if there was an item the Commission was not familiar with, the staff or the Zoning Administrator would give an introduction with orientation of the particular case.

C. Minutes of September 17, 2002

The minutes were approved by consent.

3. CPC 1998-0371(CUB)(PA)-A1
   Council District: 9
   Location: 4525 South Central Ave.
   CEQA: ENV 2001-4104-CE
   Expired Date: 11/25/02
   Status of Appeal: Not further appealable

PUBLIC HEARING

AN APPEAL of conditions, elements or parts of an Associate Zoning Administrator’s approval pursuant to the provisions of Ordinance No. 171,681 (South Central Specific Plan for the Sale of Alcoholic Beverages) and Condition No. E-1 of the Original Case No. CPC 98-0371 (CUB), for an Approval of Plans to permit the continued sale and dispensing of beer and wine only for off-site consumption for an existing 7,452 square-foot supermarket in the C2 Zone.

APPLICANT: Tulsi R. Savani

APPELLANT: Tulsin R. Savani

STAFF RECOMMENDS DENIAL OF APPEAL.
R. Nicolas Brown (213) 978-1314

Discussion:

Staff gave a brief history of the case. He specified that the project was approved to permit the continued sale and dispensing of beer and wine only for off-site consumption with twenty conditions. One of the conditions prohibits the sale of beer and wine in single cans or bottles under one liter. He reported that the applicant representative, upon receiving the determination letter, called and requested for a letter of correction that will eliminate said condition since the company has been selling single cans of beer and bottles of wine since 1997 and wish to continue.
Staff explained that the applicant didn’t comply with the request and that is the reason for the appeal.

Zoning Administrator also gave background of the area of the subject site. He further explained that when the project was first approved in 1997, despite opposition by the Council Office, the sale of alcohol was approved with nine conditions. One of the conditions specified that the project will come back for review in 18 months which is a requirement of the South Central CUB.

He reported that when it came back in 1999, the City Planning Department again approved the request now over opposition of the Council Office with ten conditions.

A public hearing was held in April 2002, for the review of CUB. There was no opposition and the plan approval was approved with 20 conditions. The added conditions were in response to the questions asked to the applicant. They are volunteered/mitigated conditions. Condition No. 9's intent is to decrease the occurrence of public consumption of alcohol and also to reduce potential for crime and nuisance activities in the area and surrounding communities. Further, this condition is used as an important tool to mitigate the type of impact in this type of facility. Staff’s concern is if this tool is taken away, it might be used as a foundation for other requests in the future. He recommended, however, that after hearing the testimony from the applicant, the Commission grant the appeal, if there is no opposition. He also asked the Commission to add another condition upon granting the appeal, to review this case after two years to ensure that eliminating Condition No. 9 does not create problems.

The applicant’s representative submitted crime statistics of the area. He testified that there was a 19% reduction of crime since 1997. He said that the area of the facility is ranked 29 in crime offense out of 36, as reported by the Police Department to the Alcohol Beverage Control (ABC). He further testified that at the initial hearing, the Police Department had no objection and the Council District Office took no position on this case. He reported that there is a petition signed by 280 people who live in the area supporting the single cans of beer sale. One employee of the company and about six nearby residents testified in favor of the appeal.

The applicant spoke and explained that it is very costly for him to undergo this public hearing again. He stated that they don’t have any complaints from the Police Department nor from the Council District Office. It was also reported that they are complying with all the regulations imposed by ABC. He, therefore, requested the Commission to remove Condition No. 9 and allow him more time (more than two years) for the review of the of the plan approval.

Zoning Administrator explained that the reason why he recommended a review of
the plan approval within two years is due to the elimination of Condition No. 9, and to make sure that the applicant is in full compliance.

Public hearing closed.

Deliberations:

After short deliberations and questions, the Commission determined that the Zoning Administrator erred and abused his discretion in approving sale and dispensing of beer and wine only for off-site consumption and imposing Condition No. 9.

A motion was made to grant the appeal, eliminate Condition No. 9 and impose a new condition to require a Plan Approval in two years; adopt the CEQA report and findings.

**MOTION:** Lottie moved; Morris seconded

**VOTE:** 4-0

4. **PUBLIC COMMENT PERIOD**

There is no public comment.

The next regular meeting of the South Los Angeles Area Planning Commission will be held at 4:30 p.m. on Tuesday, December 17, 2002 at the Constituent Service Center.

There being no further business to discuss before the South Los Angeles Planning Commission, the meeting adjourned at 5:34 p.m.

**ATTEST:**

______________________________________
Joy Atkinson, President

______________________________________
Fely C. Pingol, Commission Executive Assistant
South Los Angeles Area Planning Commission