



Wilshire Park Association
5482 Wilshire Blvd. #218
Los Angeles, CA 90036

March 15, 2018

Greater Wilshire Neighborhood Council
Land Use Committee
419 N. Larchmont Blvd. #331
Los Angeles, CA 90004

RE: Conditional Use Permits for 946 & 947 S. Norton Avenue (Olympic Spa)

Dear Members of the Board:

As a general principle, the Wilshire Park Association (hereinafter "WPA") opposes any unreasonable expansion of commercial uses into the residential zone. Consequently, the WPA cannot lend its support to the applicant's proposal. However, given the existing state of the lots in question, it is our opinion that opposition would be ultimately quixotic and potentially detrimental to the operation of the applicant's business. Accordingly, on the matter of the conditional use permits for 946 & 947 S. Norton Avenue, the WPA will defer to the decision of the Zoning Administrator, provided that certain conditions are satisfied.

STATEMENTS OF FACT

The applicant, Patricia Yoon, owns and operates the business known as the "Olympic Spa," located at 3915 Olympic Boulevard in the C2 Zone. The spa operates two parking lots fronting Norton Avenue. The primary lot is behind the spa and is located at 946 S. Norton Ave. The secondary lot is across the street at 947 S. Norton Ave.

The applicant presently owns several residential homes contiguous to the spa at 973, 977 & 983 5th Avenue and 942 S. Norton Avenue. Accordingly, including the two lots at issue, the applicant owns at least six (6) properties in the R1 Zone.

In 2001, the applicant purchased the property at 977 5th Avenue and subsequently demolished the garage and back wall in order to provide vehicular egress onto 5th Avenue from the rear parking lot. After numerous complaints, the spa was cited for various zoning violations including illegal demolition and commercial uses in the R1 Zone. The applicant subsequently filed for a variance to allow vehicles to use the residential driveway as egress onto 5th Avenue (ZA-2001-2154-ZV). At the hearing, the applicant disclosed that the spa had also acquired the adjacent home at 983 5th Avenue, and that it would seek to eventually demolish both homes to build a parking lot. The Zoning Administrator found that the applicant failed to meet any of the required elements and denied the variance. On appeal, the Zoning Administrator's decision was upheld by the Central Area Planning Commission (ZA-2001-2154-ZV-A1).

In 2003, the applicant filed for a conditional use permit to demolish the two single family homes at 977 & 983 5th Avenue to build a fifty-six (56) car parking lot (ZA-2003-5821-CU). Citing among

other things, the applicant's attempt to piecemeal a larger project as a concern, the Zoning Administrator concluded that the applicant failed to meet any of the findings and denied the permit. Prior to the appeal, the applicant purchased the adjacent property at 983 5th Avenue. On appeal, the Central Area Planning Commission reversed the decision despite the City Attorney's admonition that a reversal required a finding of reversible error on all of the findings by the Zoning Administrator (ZA-2003-5821-CU-A1). Due to widespread opposition to the project, Council Member Martin Ludlow opted to take jurisdiction over the matter, and the case was brought before the Planning and Land Use Management Committee (hereinafter "PLUM"). The Zoning Administrator's decision was subsequently upheld by PLUM, and approved by the City Council.

In 2007, the applicant filed for a conditional use permit and variance to build a 61-ft. building in the C2 Zone with rear parking in the R1 Zone (ZA-2007-4433-CU-ZV-ZAD). Moreover, the applicant sought relief from the transitional height restrictions to build up to 61 ft. in height as opposed to the required 25-33 ft. in relation to the adjacent R1 properties. The application was ultimately withdrawn in 2008.

THE WILSHIRE PARK ASSOCIATION WILL NOT OPPOSE THE CONDITIONAL USE PERMITS PROVIDED CERTAIN CONDITIONS ARE SATISFIED.

As stated at the Greater Wilshire Neighborhood Council Land Use Committee meeting on February 27, 2018, the WPA will not oppose the conditional use permits for 946 & 947 S. Norton Avenue despite our continuing concerns over the possibility of future expansion by the spa. As such, the WPA will defer to the findings of the Zoning Administrator provided that the following conditions are met.

1. The WPA's decision must not be construed as an implicit approval of future commercial uses in the residential zone.

The WPA opposes any unreasonable commercial uses in the residential zone and will unequivocally oppose any and all future land use requests for commercial uses involving any of the applicant's other residential properties.

2. The conditional use permit must have a finite term.

The conditional use permits for both parking lots must have a finite term, deemed reasonable by the Zoning Administrator, such that the applicant will be able to renew the permits upon review by the City in light of any new or changed circumstances at the time.

3. The conditional use permits must be limited to 946 & 947 Norton Avenue.

As a matter of due diligence, the conditional use permits must be expressly limited to the two existing parking lots on 946 & 947 Norton Avenue. When the applicant filed for land use variances for the residential lots on 5th Avenue in 2001 and 2003, the rear parking lot on 946 Norton was "bootstrapped" into the plans. At the time, Los Angeles Department of Building and Safety (hereinafter "LADBS") records did not show that the single family home on 946 Norton as being demolished and converted into parking. LADBS records show that the first order to comply was issued in 2004 and then again in 2008 without any resolution. If approved, the permit would have sanctioned the illegally converted parking lot on 946 Norton by virtue of simple negligence. Consequently, any permits must not touch or concern any of the applicant's other residential holdings on Norton Avenue and 5th Avenue.

4. The applicant must improve and maintain the parking lots such that they do not interfere with the adjacent residential properties.

As the City's parking requirements for health spas are stringent, the WPA acknowledges the spa's need for sufficient parking, and thus, will defer any design and landscaping decisions to the applicant. However, as the applicant owns residential homes immediately adjacent to the spa, there is an inherent

conflict of interest when it comes to maintaining these lots. Accordingly, any improvements to the parking lots must maintain and protect the integrity of the adjacent residential properties such that they do not interfere with the residents' quiet enjoyment of their homes.

Sincerely,

Gary Ichihara
Zoning & Land Use Chair, Wilshire Park Association

Marqui Hood
Co-President, Wilshire Park Association

Judy Gregory
Co-President, Wilshire Park Association