

Title: 5711 W 74 <sup>th</sup> Street - Creative Explorers Conditional Use Permit Request
Item No. 7
Meeting date: 20 March 2018
Agendized by: Patricia Lyon, PLUC Chair
Contact person: Patricia Lyon, PLUC Chair Phone number:
Committee Vote (if appropriate): Yes (3) No (1) Abstain (2) - <i>Split Vote</i>
Does this item have a fiscal impact on the Neighborhood Council? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Additional documents attached? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

*Note: Applicant does not yet have case #; submission pending NC decision.*

**RECOMMENDATION:** After extended process of vetting (the applicant presenting five times to PLUC), the PLUC Committee returned a split vote on this CUP application, and was there was not a strong motion of support.

**BACKGROUND:** Fifth presentation to PLUC. Seeking support to obtain CUP for full-time daycare in R1 home, with owner-operator no longer residing there (part of ordinance terms for specific R1 childcare CUP applicant is requesting.)

**DISCUSSION:**

- Community comment on the application at the meeting: 5 for, 3 against. (Note: all 5 presentations have included significant public speaker testimony.)
- Regarding staff reserved parking agreement required by childcare licensing, applicant has secured lease agreement with nearby Post Office. Agreement terms written in contract and awaiting official signature on the lessor side (a longer process with USPS). Lease terms: year-to-year with 30-day notice.
- Clarified that—legally—in the event current owners (De La Rosa’s) chose to sell their home, the CUP for operating larger childcare (one where applicant vacates the home and dedicates 100% of the property to Creative Explorers operation) stays attached to the property. CD11 representative (Nyugen) suggested this issue could be conditioned to added “to limit grant for review” based on precedent with other applicants to Planning of this kind. Applicant attorney pointed out that CUP attached to land will automatically expire within 1 year window if new owner doesn’t open a daycare service in the home.
- Concern expressed re development pressures on R1 properties “from all sides.”
- Some concern, some dismissal of concern re safety of children re drop-off and pick-up in R1 area soon to be impacted by more traffic from Steelwave apartment project at corner of 74<sup>th</sup> and La Tijera. One specific concern expressed: closure of LAX Post Office creating higher customer use—and therefore traffic—in the first R1 block of 74<sup>th</sup> (application’s operating location).

- Point made that the applicant is placed under stringent requirements as a childcare operation, safeguarding the community from many issues stated as concerns.
- Noted in multiple presentations before PLUC there is significant community support, as demonstrated by letters and public comment.
- Chair's Committee discussion recap: the applicant's request is an unusual land use case: R1 zone with CUP requesting dedication of property fulltime to childcare business where owner-operators would no longer be residing in the home, and that the CUP stays attached to the title of the property. No question that the De La Rosa's run a great operation, and that there's a significant need for the service they provide, as documented by (estimated) 95% of the letters received by the Committee showing support for the CUP.

**FISCAL ANALYSIS:** N/A

**ATTACHMENTS:**

1. Legal Counsel Letter to Committee (7.1)
2. Community Support Map (7.2)
3. Letters / Emails of Support (7.3)
4. Neighborhood Contact Sheet Signatures (7.4)
5. USPS Parking Agreement (7.5)

**MOTION:** To consider the CUP for Creative Explorers to engage in full-time business in non-owner occupied R1 housing.

[end]