Notice of **Public Hearing**

Aviso de Audiencia Pública • 공청회통지
Abiso ng Pagdinig sa Publiko • 公開聽證會通知
Հանրային լսումների մասին ծանուցագիր

311 | Traducción 번역 • 翻译 Pagsasalin Թարգմանություն

LOS ANGELES CITY PLANNING

February 8, 2023 after 4:30 p.m.

East Los Angeles Area Planning Commission

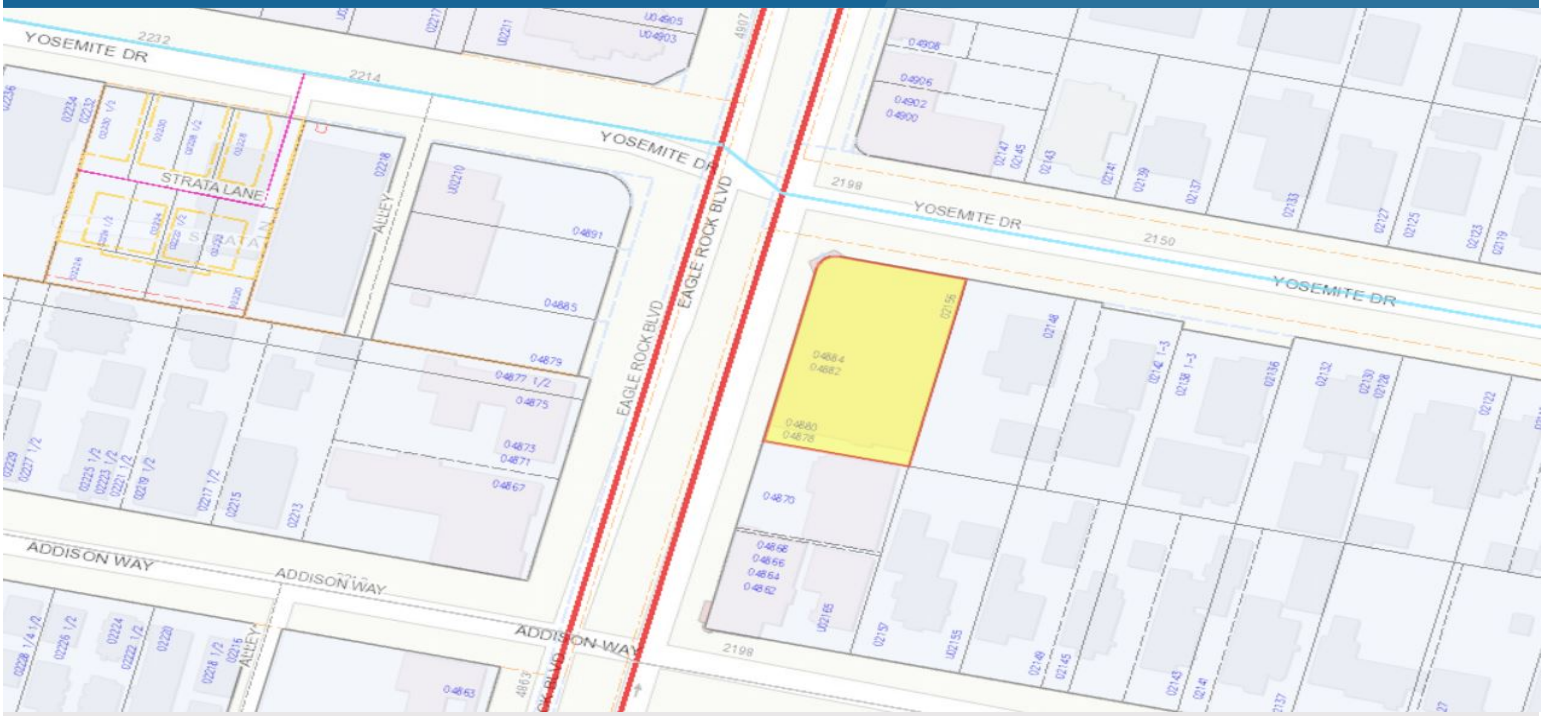
The meeting's agenda will be provided no later than 72 hours before the meeting at **planning4la.org/hearings**. Please note that virtual meeting instructions will be provided on the meeting agenda.

Due to concerns over COVID-19, this public hearing will be conducted entirely telephonically by Zoom (https://zoom.us/) and will allow for remote public comment.

Options to Participate:
By phone: (213) 338-8477 or (669) 900-9128
When prompted, enter the Meeting ID: 819 0826 6374

With a PC, MAC, iPad, iPhone, or Android, click on this URL:
https://planning-lacity-org.zoom.us/j/81908266374
Enter Meeting ID: 819 0826 6374 and Passcode: 051078

You will be auto-muted when entering the meeting. To comment on an agenda item, click the raise hand icon (Webinar) or press *9 (Phone) to "raise your hand" virtually following staff calling the item.



Project Address

Sitio de Proyecto
프로젝트 주소 • 項目地址
Address ng Proyekto
Ծրագրի Հասցե

4878-4884 North Eagle Rock Boulevard; 2156 West Yosemite Drive

Proposed Project

Proyecto Propuesto
프로젝트 제안 • 擬議項目
Iminungkahing Proyekto
Առաջարկվող ծրագիր

[As Described in Letter of Determination dated January 5, 2021] The sale and dispensing of beer and wine for on-site consumption in conjunction with a 10,672 square foot existing motion picture theater and associated retail space with 271 seats, live entertainment and hours of operation from 11:00 a.m. to 1:00 a.m. daily in the [Q]C4-1XL Zone in lieu of the otherwise restricted hours of operation from 7:00 a.m. to 11:00 p.m. as restricted by Commercial Corner Development Standards.

Actions Requested

Acciones solicitadas • 요청 된 작업 • 所要求的事項 • Humiling ng Mga Pagkilos • Հայցվող գործողությունները

NOTICE TO APPELLANT(S), APPLICANT(S), OWNER(S), AND OCCUPANT(S) WITHIN A 500-FOOT RADIUS AND INTERESTED PARTIES FOR PROJECT LOCATED AT 4878 - 4884 NORTH EAGLE ROCK BOULEVARD.

You are hereby notified that in response to a court-issued Order Granting Interlocutory Remand ("Order") issued on October 24, 2022 in *Katherine E. Rubenstein v. City of Los Angeles* (Los Angeles Superior Court Case No. 21STCP00991), the East Los Angeles Area Planning Commission ("Commission") will hold a public hearing telephonically on Wednesday, January 11, 2023 at approximately 4:30 P.M., or soon thereafter, to consider its findings related to the Commission's decision in Case No. ZA-2020-0981-CUB-1A, concerning the project located at 4878 - 4884 North Eagle Rock Boulevard ("Project"), in which the Commission voted to grant in-part and deny in-part an appeal and modify various conditions of approval for the Project.

Pursuant to *Topanga Association for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 514-515 ("*Topanga*"), the trial court's Order remands the matter to the Commission in order to reconsider its findings and to comply with the requirements of *Topanga* and the trial court's Order.

The hearing will be limited to compliance with the trial court's Order concerning the Commission's findings articulated on December 9, 2020, and subsequently memorialized in a Letter of Determination dated January 5, 2021, to comply with *Topanga*'s requirement that quasi-judicial findings bridge the analytical gap between the evidence and the conclusion of the decision maker.

This notice is being provided as a courtesy to the parties in *Katherine E. Rubenstein v. City of Los Angeles, et. al.*, all property owners and occupants located within a 500-foot radius, appellants and interested parties.

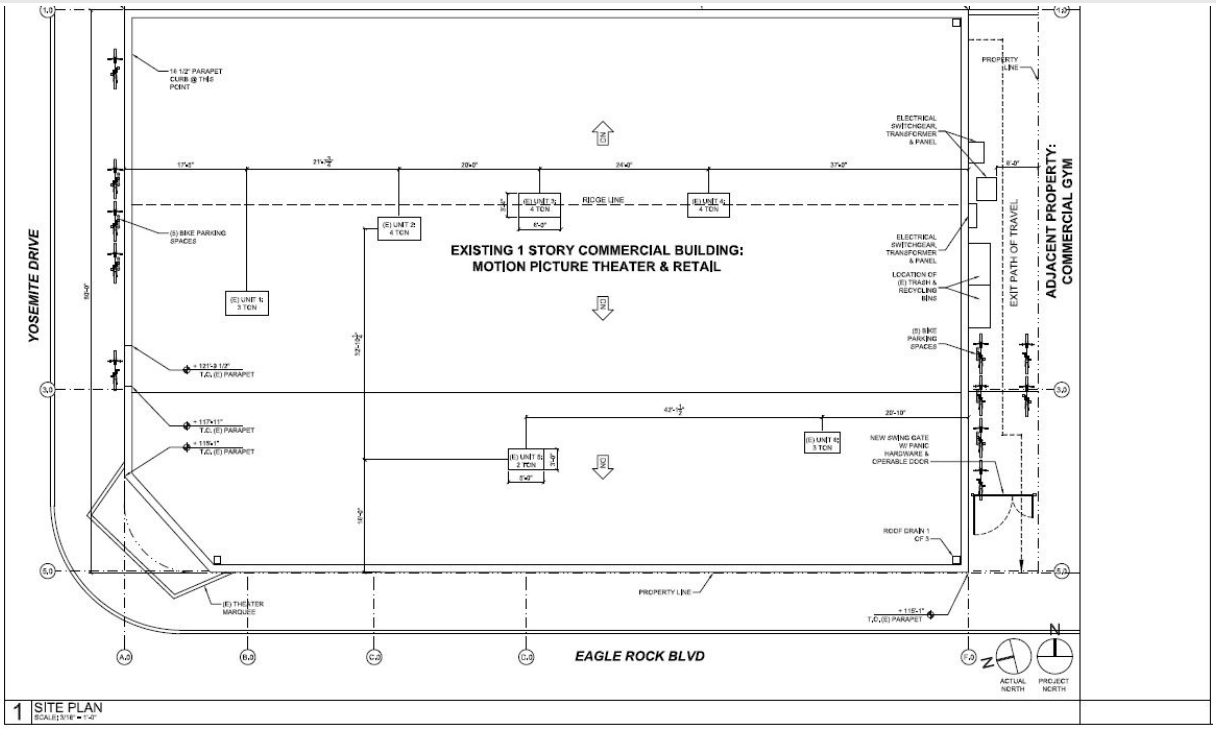
Project Description [as described in Letter of Determination dated January 5, 2021] The sale and dispensing of beer and wine for on-site consumption in conjunction with a 10,672 square foot existing motion picture theater and associated retail space with 271 seats, live entertainment and hours of operation from 11:00 a.m. to 1:00 a.m. daily in the [Q]C4-1XL Zone in lieu of the otherwise restricted hours of operation from 7:00 a.m. to 11:00 p.m. as restricted by Commercial Corner Development Standards.

Trial Court's Order

On April 1, 2021, Petitioner Katherine E. Rubenstein filed a Petition for Administrative Writ of Mandamus, pursuant to Code of Civ. Proc. § 1094.5, which challenged the Commission's decision concerning the Project on multiple grounds.

On August 3, 2022, this matter was heard by the Honorable Mitchell J. Beckloff in Department 86 of the Los Angeles Superior Court, and subsequently taken under submission. On October 24, 2022, the court issued its Order, which states in part:

"[T]he court remands the matter to provide the APC with the opportunity to comply with *Topanga*. The matter is remanded on an interlocutory basis for reconsideration given the court's opinion. The court sets a hearing on the status of the remand (and whether additional briefing and argument may be necessary) for January 25, 2023, at 9:30 a.m. The parties may submit a stipulation and proposed order prior to the hearing date if the City has not completed the remand."



Case Information

Información del caso • 케이스 정보 • 案例資訊 • Impormasyon sa Kaso • Տեղեկություններ գործի վերաբերյալ

Case Number(s):
ZA-2020-981-CUB-1A

Related Case Number(s):
ZA-2020-981-CUB

Zone:
[Q]C4-1XL

Land Use Designation:
Neighborhood Commercial

Council District:
14

Applicant:
Maggie Mackay, Vidiots Foundation

Applicant Representative:
Sara Houghton, three6ixty
Elisa Paster, Rand Paster & Nelson

Environmental Case Number(s):
ENV-2020-982-CE

Overlay(s):
None

Community Plan Area:
Northeast Los Angeles

Assigned Staff Contact Information:
Michelle Carter, City Planner
200 North Spring Street, Room 763
Los Angeles, CA 90012
michelle.carter@lacity.org
(213) 978-1262

Appellant:
Greg Merideth, The Eagle Rock Association (TERA)

Appellant Representative:

Who's Receiving This Courtesy Notice

Quién recibe este aviso • 본통지를받은사람들 • 誰會收到此通知
Sino ang Tumatanggap ng Paunawang Ito • Սույն ծանուցագիրը ստացող կողմը

You are receiving this courtesy notice either because you live on or own property that is within 500 feet of where a project application has been filed with the Department of City Planning, or because you requested to be added to the interested parties list. You are invited to attend this limited hearing that will be held pursuant to an Interlocutory Remand Order issued in *Katherine E. Rubenstein v. City of Los Angeles* (Los Angeles Superior Court Case No. 21STCP00991).

General Information - Visit our website at planning4la.org/hearings for general information about public hearings and the exhaustion of administrative remedies.

File Review - The complete file will be available for public inspection by appointment only. Please email the staff identified on the front page, at least three (3) days in advance, to arrange for an appointment. Files are not available for review the day of or day before the hearing.

Accommodations - As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability. To request a reasonable accommodation, such as translation or interpretation, please contact the Commission Executive Assistant at (213) 978-1360, the Commission Office Main Line at (213) 978-1300 or by email at apceastla@lacity.org a minimum of 3 days (72 hours) prior to the public hearing. Be sure to identify the language you need English to be translated into and indicate if the request is for oral interpretation or written translation services. If translation of a written document is requested, please include the document to be translated as an attachment to your email.