

Información en Español acerca de esta junta puede ser obtenida llamando al (213) 978-1300

**CITY PLANNING COMMISSION
REGULAR MEETING
THURSDAY, DECEMBER 9, 2004, 8:30 A.M.
ROOM 1010 - CITY HALL
200 NORTH SPRING STREET
LOS ANGELES, CALIFORNIA**

Mabel Chang, President
David Burg, Vice President
Joy Atkinson, Commissioner
Ernesto Cardenas, Commissioner
Mary George, Commissioner
Michael M. Mahdesian, Commissioner
Bradley H. Mindlin, Commissioner
Thomas E. Schiff, Commissioner
VACANT, Commissioner

Con Howe, Director
Frank Eberhard, Deputy Director
Gordon Hamilton, Deputy Director
Bob Sutton, Deputy Director

Gabriele Williams, Commission Executive Assistant, (213) 978-1247; FAX (213) 978-1029

POLICY FOR DESIGNATED PUBLIC HEARING ITEMS: Nos. 4 and 10.

Pursuant to the Commission's general operating procedures, the Commission at times must necessarily limit the speaking times of those presenting testimony on either side of an issue that is designated as a public hearing item. In all instances, however, equal time is allowed for presentation of pros and cons of matters to be acted upon. All requests to address the Commission on public hearing items must be submitted prior to the Commission's consideration of the item. **EVERY PERSON WISHING TO ADDRESS THE COMMISSION MUST COMPLETE A SPEAKER'S REQUEST FORM AND SUBMIT IT TO THE COMMISSION EXECUTIVE ASSISTANT STAFF.**

To ensure that the Commission has ample opportunity to review written materials, all concerned parties who wish to submit written materials on agenda items should submit them to the Commission Office, 200 North Spring Street, Room 532, Los Angeles, 90012, prior to the meeting at which the item is to be heard in order to meet the mailing deadline. Note: Materials received after the mailing deadline will be placed in the official case file.

TIME SEGMENTS noted * herein are approximate. Some items may be delayed due to length of discussion of previous items.

The Commission may RECONSIDER and alter its action taken on items listed herein at any time during this meeting or during the next regular meeting in accordance with the Commission Policies and Procedures and provided that the Commission retains jurisdiction over the case.

AGENDA are posted for public review in the Main Street lobby of City Hall East, 200 No. Main Street, Los Angeles, California, and are accessible through the Internet World Wide Web at <http://www.lacity.org/dept/PLN/meetings/cpcagenda.htm>.

If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agenda item here, or in written correspondence on these matters delivered to this agency at or prior to the public hearing.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision became final.

GLOSSARY OF ENVIRONMENTAL TERMS:

CEQA - Calif. Environmental Quality Act
EIR - Environmental Impact Report

ND - Negative Declaration
MND - Mitigated Negative Declaration
CE - Categorical Exemption

1. DIRECTOR'S REPORT

- A. Council actions and schedule.
- B. Other items of interest.

2. COMMISSION BUSINESS

- A. Advance Calendar
- B. Commission Requests

3. PUBLIC COMMENT PERIOD

The Commission shall provide an opportunity in open meetings for the public to address it, for a cumulative total of up to thirty (30) minutes, on items of interest to the public that are within the subject matter jurisdiction of the Commission. (This requirement is in addition to any other hearing required or imposed by law.)

PERSONS WISHING TO SPEAK MUST SUBMIT A SPEAKER'S REQUEST FORM. ALL REQUESTS TO ADDRESS THE COMMISSION ON NON-PUBLIC HEARING ITEMS AND ITEMS OF INTEREST TO THE PUBLIC THAT ARE WITHIN THE JURISDICTION OF THE COMMISSION MUST BE SUBMITTED PRIOR TO THE COMMENCEMENT OF THE PUBLIC COMMENT PERIOD.

Individual testimony within the public comment period shall be limited as follows:

- (a) For non-agendized matters, up to five (5) minutes per person and up to ten (10) minutes per subject.
- (b) For agendized matters, up to three (3) minutes per person and up to ten (10) minutes per subject. PUBLIC COMMENT FOR THESE ITEMS WILL BE DEFERRED UNTIL SUCH TIME AS EACH ITEM IS CALLED FOR CONSIDERATION. The Chair of the Commission may allocate the number of speakers per subject, the time allotted each subject, and the time allotted each speaker.

4. **CPC NO.2004-6979-CA** **Council District:** ALL
CEQA: ENV-2004-6980-CE **Location:** Citywide
Plan: ALL **Appeal Status:** N/A
Expiration Date: N/A

PUBLIC HEARING

PROPOSED ORDINANCE, amending Los Angeles Municipal Code Section 12.17.1, to permit the establishment of schools or educational institutions in the Commercial Manufacturing Zone by Conditional Use.

Applicant: City of Los Angeles

STAFF RECOMMENDS APPROVAL OF THE PROPOSED ORDINANCE.
Charlie J. Rausch, Jr., (213) 978-1167.

5. **CPC NO. 2004-5130-PUB-ZV-ZAA-ZAD** **Council District:** 10
CEQA: Negative Declaration W.O. **Location:** 3690 Motor Avenue
E170068B **Appeal Status:** Appealable to City Council
Plan: Palms-Mar Vista-Del Rey **Expiration Date:** 12-09-04

Public Hearing completed on October 22, 2004.

AN ALTERNATIVE COMPLIANCE APPROVAL FOR A PUBLIC BENEFIT PROJECT, to permit a fire station with the following alternatives from the performance standards of Section 14.00 A 3 of the Los Angeles Municipal Code:

- a) To permit an approximate 32 foot, 6 inch high building in lieu of the height being no higher than the adjoining building (11 foot, 6 inch);
- b) To permit the southerly side yard to observe a variable width from 2 feet 9 inches to 5 feet from the proposed building in lieu of the minimum 5-feet required by Section 12.21 C3(c) of the Municipal Code, and to permit the proposed building and a 6-foot high block wall to extend into a 10-foot building line along Regent Street required by Ordinance No. 69,041;
- c) To permit a variable 0-foot to 10-foot wide landscape buffer at the periphery of the property in lieu of the minimum 10-foot required;
- d) To permit less than one tree per four parking spaces in the surface parking area in lieu of a minimum of 1 tree for every 4 parking spaces as required by the Landscape Guidelines adopted by the City Planning Commission required by Section 12.21 A 6(h) of the Municipal Code;
- e) To permit 25 parking spaces in lieu of the minimum 31 required by Section 12.21 A 4(d); and
- f) To permit less than the majority of the frontage on the site to be of a major or secondary highway; and

VARIANCE, from Section 12.27, of the Los Angeles Municipal Code, from the following:

- a. Section 12.21 A 4(d) to permit 25 parking spaces in lieu of the minimum 31 parking spaces required;
- b. Section 12.21 A 6(h) and Section 12.40 through 12.43 and Guideline-K 1(a) of the Landscape Guidelines to permit less than one tree per four parking spaces in lieu of the minimum one tree for each four surface parking spaces required;
- c. Section 12.21 A 6(d)(4) to permit surface parking spaces within 15-feet of the lot line along Regent Street without providing a required minimum 3-foot high enclosing wall; and

ZONING ADMINISTRATOR'S ADJUSTMENT, pursuant to Section 12.28 of the Municipal Code, from the following:

- a. Section 12.21 C3(c) and Ordinance No. 69,041 to allow the southerly side yard to observe a variable width from 2 feet 9 inches to 5 feet from the proposed building in lieu of the minimum 5-feet required, and to permit the proposed building and a 6-foot high block wall to extend into a 10-foot building line along Regent Street;
- b. Section 12.21 C1(g) and Ordinance No. 69,347 to allow 8 parking spaces in the R3-1 zoned front yard setback along Vinton Avenue to observe a 5-foot, 1-inch setback in lieu of the minimum 15-feet required and extended into a 25-foot building line along Vinton Avenue; and

ZONING ADMINISTRATOR'S DETERMINATION, pursuant to Section 12.24 X 7 of the Municipal Code, to permit a 6-foot concrete masonry block wall in the front yard of the Vinton Avenue frontage, in the R3-1 zone, in lieu of the maximum 42 inches in height permitted; for the proposed demolition of existing structures, vacation of existing alley and the proposed construction, use and maintenance of a new 15,600 square foot Fire Station No. 43. The proposed building will be two-stories, approximately 32 feet, 6 inches in height, with 25 parking spaces, on a 40,696 square foot site.

Applicant: Bureau of Engineering, City of Los Angeles, Roberto De Leon

STAFF RECOMMENDS APPROVAL SUBJECT TO CONDITIONS.
Lynda J. Smith, (213) 978-1170.

6. **CPC-2003-9352-CU-ZV**
CEQA: ENV-2003-9353-CE
Plan: Wilshire

Council District: 4
Location: 647 N. Cahuenga Blvd.
Appeal Status: Appealable to City Council
Expiration Date: 12/9/04

Public Hearing completed on October 1, 2004.

CONDITIONAL USE, pursuant to Section 12.24 U 4 of the Los Angeles Municipal Code, to permit the use and maintenance of a child care facility (or nursery school) in the R1-1 zone; and

MODIFICATION, pursuant to Section 12.24 F of the Municipal Code, of the area regulations from the following:

- b. Section 12.08 C 2 & 3 to permit a 2-foot side yard in lieu of the minimum 5-foot side

- yard required;
- c. Section 12.08 C 3 to permit a 12-foot rear yard in lieu of the minimum 15-foot rear yard required; and

VARIANCE, pursuant to Section 12.27 of the Municipal Code, from the following:

- a. Section 12.21 A 4(f) to permit 3 parking spaces in lieu of the minimum 5 parking spaces required;
- b. Section 12.21 A 6 (a) to permit parking in the front yard which is otherwise not permitted by the Municipal Code; and
- c. Section 12.21 A 5(i)(1) & (2) to permit the location of two parking stalls which necessitate vehicles to back onto a public street and to make maneuvers onto a portion of a required front yard, which otherwise is prohibited, for the proposed expansion of an existing child care facility permitted by right on an adjacent commercially zoned lot (653 N. Cahuenga Boulevard) onto a residentially zoned property (647 N. Cahuenga Boulevard), including the conversion of an existing one-story single family dwelling and garage into 5 classrooms. The expansion would allow for an additional proposed enrollment of up to 42 children (preschool to kindergarten age) for a total enrollment of 85 students. The proposed school will be operated by one administrator and 7 teaching staff, with hours of operation from 7:30 a.m. to 5:00 p.m., Monday through Friday.

Applicant: Ruth Segal, Wagon Wheel School

STAFF RECOMMENDS DISAPPROVAL AS FILED AND APPROVAL OF CONDITIONAL USE, MODIFICATION AND ZONE VARIANCES SUBJECT TO CONDITIONS, AND DISAPPROVAL OF THE ZONE VARIANCE TO PERMIT LOCATION OF TWO PARKING STALLS.

Lynda J. Smith, (213) 978-1170.

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| 7. <u>CPC-2004-2957-VZH-HD-ZV-ZAA-SPR</u>
CEQA: ENV-2004-2958-MND
Plan: Hollywood | Council District: 5
Location: 1455 North Hayworth Avenue
Appeal Status: Zone Change is appealable by applicant if disapproved.
Expiration Date: 12-9-04. |
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Public Hearing completed on October 8, 2004.

VESTING ZONE CHANGE, pursuant to Section 12.32 Q of the Los Angeles Municipal Code, from C4-1-D (Commercial Zone) and [T][Q]C2-1 (Commercial Zone) to RAS4-1 (Residential/Accessory Services Zone); and

HEIGHT DISTRICT CHANGE, pursuant to Section 12.32 of the Municipal Code, from Height District 1-D (Unlimited Height, with Development Limitations) to Height District 1 (Unlimited Height); and

VARIANCE, pursuant to Section 12.27 of the Municipal Code, from the following:

- a. Section 12.11.5 A to allow a "Master Alcohol Permit" for the service of alcohol for on-site consumption in the proposed RAS4-1 Zone for up to three future

restaurants, the total floor area of all three such future restaurants not to exceed 12,891 square feet;

- b. Sections 12.11.5 B 4 and 12.21 A 7 to permit: three projecting signs (for identification purposes) for the apartments at 240 square feet each; one wall or canopy identification sign at 40 square feet; retail signage including one wall or canopy sign for each retail tenant at 35 square feet, and one projecting or under canopy sign at 5 square feet. These requested signs might include internally illuminated signs and the type, size and placement of the requested signs are in lieu of more restrictive Municipal Code requirements for building and tenant identification signs in the proposed RAS4 zone; and

ZONING ADMINISTRATOR'S ADJUSTMENT, pursuant to Section 12.28 of the Municipal Code, for the following:

- a. Section 12.11.5 C 2 to permit a 0 foot side yard on Sunset Boulevard for residential portions of the project in lieu of the minimum 5-foot side yard required;
- b. Section 12.37 G to permit designation of the property line along Sunset Boulevard as the lot line instead of the boundary of the public easement purchased by the City; and

SITE PLAN REVIEW findings, pursuant to Section 16.05 of the Municipal Code, for projects which result in an increase of 50 or more dwelling units, for the proposed construction, use and maintenance of a mixed-use project consisting of 183 new multi-family apartment units and up to 12,891 square-feet of restaurant uses or 13,282 square feet of restaurant/retail uses in a building of approximately 75 feet in height, including five residential floors above ground floor restaurant/retail uses, which will be located along Sunset Boulevard. Up to three future restaurants will sell and dispense a full line of alcoholic beverages for on-site consumption. Except for two small restaurant patios along Sunset Boulevard, all uses will be fully enclosed within the development. Parking will be provided within an enclosed parking garage at grade and in four subterranean levels. Parking associated with the restaurant/retail uses will be provided at grade level and at one level below grade; parking for the apartments and the Directors Guild of America will be provided in the three lower subterranean parking levels. A total of 582 on-site parking spaces will be provided. The site is 74,066 square feet in area.

Applicant: Dennis Cavallari, Legacy Partners

STAFF RECOMMENDS APPROVAL OF (T)(Q)RAS4-1, APPROVAL OF HEIGHT DISTRICT 1 AND APPROVAL OF THE ZONE VARIANCE AND ZONING ADMINISTRATOR'S ADJUSTMENT SUBJECT TO CONDITIONS AND APPROVAL OF THE SITE PLAN REVIEW FINDINGS.

Jim Tokunaga, (213) 978-1174.

8. **CPC-2004-1142-VZC-SPR** **Council District: 5**
CEQA: ENV-2004-1143-MND **Location:** 801-827 N. Fairfax Ave.
Plan: Hollywood **Appeal Status:** Zone Change is appealable
by applicant if disapproved.
Expiration Date: 12-9-04.

Public Hearing completed on October 18, 2004.

VESTING ZONE CHANGE, pursuant to Section 12.32 Q of the Los Angeles Municipal Code, from C2-1VL to RAS4-1VL; and

SITE PLAN REVIEW FINDINGS, pursuant to Section 16.05 of the Municipal Code, for projects which result in an increase of 50 or more dwelling units, for the proposed demolition of 9 multiple family units, retail stores and an auto repair facility and construction of a mixed-use project consisting of 93 new multi-family apartment units and up to 15,826 sq. ft. of retail floor area, including an 11,078 sq. ft. restaurant, in a building of approximately 50 feet in height, 4 stories including three residential floors above one level of ground floor retail uses, with parking to be provided within an enclosed parking garage at grade and in two subterranean levels. A total of 242 on-site parking spaces will be provided.

Applicant: James Frost

STAFF RECOMMENDS APPROVAL OF (T)(Q) RAS4-1VL AND APPROVAL OF THE SITE PLAN REVIEW FINDINGS.
Patricia Diefenderfer, (213) 978-1478

After 10:00 a.m.

9. **CPC-2003-9340-SPE-CDP-CU-ZV-ZAA-
SPR-SPP-MEL** **Council District: 11**
CEQA: ENV-2003-7998-MND **Location:** 512 Rose Avenue
Plan: Venice **Appeal Status:** Appealable to Council
Expiration Date: 12-9-04

Public Hearing completed on October 6, 2004.

SPECIFIC PLAN EXCEPTION, pursuant to Section 11.5.7, of the Los Angeles Municipal Code, from the following provisions of the Venice Specific Plan (Ordinance No. 175,693):

- a. Section 9 A 1, to permit development over eight contiguous lots in lieu of the maximum two contiguous lots otherwise permitted;
- b. Section 10 G 2, to permit density averaging over the RD1.5-1 and C4-1 zones without exceeding the overall density permitted in both zones for the entire site;
- c. Section 10 G 2, to permit for density calculation purposes (and notwithstanding Los Angeles Municipal Code Section 12.37 G to the contrary) the utilization of a

- previously recorded 3-foot future street dedication equal 786 sq. ft. of a lot area along Rose Avenue and a second future street dedication equal to 1,713 sq. ft. of lot area along both Rose and Rennie Avenues;
- d. Section 11 B 3 to permit an averaging of the 1.5:1 and 3:1 floor area ratios permitted in the C4-1 and RD1.5-1 zones, respectively, without increasing the total permitted floor area for the entire site;
 - e. Section 10 G 3, to permit a 40-foot building height with a varied roof line in lieu of the maximum 30 feet permitted; and

VARIANCE, pursuant to Section 12.27 of the Municipal Code, from Section 12.21 C5(h) to permit the parking for residential and commercial uses to be located in the C4-1 zone and access to that parking from the RD1.5 zone, which is otherwise not permitted from a more restrictive to a less restrictive zone; and

ZONING ADMINISTRATOR'S ADJUSTMENT, pursuant to Section 12.28 of the Municipal Code, from the following:

- a. Section 12.09.1 B 1-3, to permit 6-foot front yard along 5th Avenue and Rennie Avenue, a 0-foot side yard along the RD1.5-1 zone boundary and 0-foot rear yards from the common rear lot line of the two RD1.5-1 zoned lots in lieu of the minimum 15-foot front and rear yards and 6-foot side yard otherwise required;
- b. Section 12.16 C 2, to permit 0-foot side and rear yards on the C4-1 zoned portion of the site in lieu of the minimum 15-foot rear yard and 6-foot side yards otherwise required; and

CONDITIONAL USE, pursuant to Section 12.24 W 27 of the Municipal Code, to allow a deviation from the Commercial Corner Development regulations of Section 12.22 A 23(a)(1)(i), to permit operating hours for the proposed bakery/restaurant to open at 5:00 a.m. in lieu of no earlier than 7:00 a.m. ; and

COASTAL DEVELOPMENT PERMIT, pursuant to Section 12.20.2 of the Municipal Code; and

PROJECT PERMIT COMPLIANCE, pursuant to Section 11.5.7.C of the Municipal Code, with the Venice Specific Plan; and

MELLO ACT COMPLIANCE review, pursuant to Sections 65590 and 65590.1 of the California Government Code, for projects in the Coastal Zone; and

SITE PLAN REVIEW FINDINGS, pursuant to Section 16.05 of the Municipal Code, for a project which exceeds 50 residential units; for the proposed demolition of an existing bakery facility and the proposed construction, use and maintenance of a 102,562 sq. ft. mixed use development having a floor area ratio (FAR) of 1.7:1 and composed of 75 residential condominium units (7 very low income affordable units and 68 market rate units), including 5 Live/Work units and 5,179 sq. ft. of ground floor bakery/restaurant space, 3-stories, 40-feet in height, with 2 subterranean garage levels having a total of 247 parking spaces, on a 61,980 square foot lot.

Applicant: John Garacochea, Pioneer French Baking Co., Inc.
STAFF RECOMMENDS APPROVAL SUBJECT TO CONDITIONS.
Jon Foreman, (213) 978-1171.

10. **VESTING TENTATIVE TRACT NO.** **Council District: 11**
60491-1A **Location:** 11663, 11669, 11675, 11677 W.
CEQA: ENV-2003-6397-MND Wilshire Boulevard and 1168 S. Barrington
Plan: Brentwood-Pacific Palisades Avenue
Appeal Status: Appealable to Council
Expiration Date: 12-12-04

PUBLIC HEARING

APPEAL, from the decision by the Advisory Agency approving Vesting Tentative Tract Map No. 609491, for a 1-lot subdivision to construct a 49-unit residential condominium project and a 49-unit commercial condominium project in a single structure with two covered off-street parking spaces per residential dwelling unit, plus ½ guest parking spaces per dwelling and code required parking for the commercial condominiums on a 0.463 net acre site.

Applicant: California Landmark Barrington, LLC
Appellants: Robert L. Gushon, Representative for Majestic Properties and Barrington Imperial.

STAFF RECOMMENDS DENY THE APPEAL.
Emily Gabel, (213) 978-1327

NOTE: The City Planning Commission's action on this appeal takes place on the day of the meeting unless the Commission orally indicates otherwise. Any appeal to the City Council must be filed within 10 days after the orally stated action of the Commission.

NOTE: Due to the Christmas holidays, the next regular meeting of the City Planning Commission will be held at 8:30 a.m. on Thursday, December 16, 2004, at the *Marvin Braude San Fernando Valley Constituent Service Center, 6262 Van Nuys Boulevard, First Floor Meeting Room , Van Nuys, CA*

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As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate. The meeting facility and its parking are wheelchair accessible. Translation services, sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services must be requested **72 hours prior to the meeting** by calling the Commission Executive Assistant at (213) 978-1247.