

**WEST LOS ANGELES AREA PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, MARCH 4, 2009, 4:30 P.M.
HENRY MEDINA WEST L.A. PARKING ENFORCEMENT FACILITY
11214 W. EXPOSITION BOULEVARD, SECOND FLOOR, ROLL CALL ROOM
LOS ANGELES, CALIFORNIA, 90064**

Glenda E. Martinez, Vice President
Joyce L. Foster, Commissioner
Erica Teasley Linnick, Commissioner
Vacant, Commissioner
Vacant, Commissioner

Carmen Montgomery, Commission Executive Assistant

POLICY FOR DESIGNATED PUBLIC HEARING ITEM No(s). 4, 5

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 272, Los Angeles, 90012, **10 days** 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.

AGENDAS 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/pln/index.htm>. Click the "Meetings and Hearings" quick link. APC agenda are available under any of the seven service areas.

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.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

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. Election of Officers
- B. Advance Calendar
- C. Commission Request

3. **DIR-2008-4174-DRB-SPP-1A**

Related Cases: DIR-2007-5032-DRB-SPP
DIR-2008-5036-BSA & DIR-2008-2623-DRB-SPP
CEQA: ENV-2008-4175-CE
Plan: Brentwood-Pacific Palisades

Council District: 11

Expiration Date: 3-15-09

Appeal Status: Not further appealable

CONTINUED FROM FEBRUARY 18, 2009 MEETING

Public Hearing – Completed on February 18, 2009

Project Location: 11906-11920 San Vicente Boulevard

Requested Actions:

Pursuant to Section 11.5.7 and 16.50 of the Municipal Code, a Design Review and Project Permit Compliance determination with the San Vicente Scenic Corridor Specific Plan.

Proposed Project:

An appeal of the Director of Planning's approval of a **Design Review and Project Permit Compliance** for the construction of a new one-story retail building with a basement, parking lot, and new landscaping; as well as, the exterior renovation of an existing one-story commercial building, new landscaping, and a sign program.

Recommended Actions:

Deny the appeal; **sustain** the Director's Determination (Exhibit B); adopt the attached Findings; and **Find** that Categorical Exemption ENV-2008-4175-CE is the adequate environmental clearance for the project as recommended by City staff.

Applicant: Four Sided Properties; Representative: Carlos Rocha

Appellant: Donald Keller

Staff: Susan Robinson (213) 978-1173

4. **ZA-2008-0231-CUW-1A**
CEQA: ENV-2008-0230-CE
Plan: Westwood

Council District: 5
Expiration Date: 1-19-09 (Extended)
Appeal Status: Further Appealable to City Council

PUBLIC HEARING

Project Location: 10309 Santa Monica Boulevard

An appeal from the Zoning Administrator's decision, pursuant to Los Angeles Municipal Code Section 12.24-W,49, in denying a conditional use application to establish a wireless telecommunications facility on property that is classified in the [Q]C2-1VL-O Zone and denial of the Categorical Exemption No. ENV-2008-0230-CE.

Recommended Actions:

Deny the appeal; **sustain** the decision of the Zoning Administrator for **denial** of the proposed wireless telecommunications facility on property in the [Q]C2-1VL-O Zone and **consider** Categorical Exemption No. ENV-2008-0230-CE the environmental clearance for the project as recommended by City staff.

APPLICANT: General Partnership; Representative: Jermaine Taylor, Metro PCS
APPELLANT: Royal Street Communications CA, LLC; Representative: Kerri Simmons

Staff: Sue Chang (213) 978-3304

5. **DIR 2008-2468-BSA-1A**
CEQA: N/A
Plan: Venice

Council District: 11
Expiration Date: 2-21-09 (Extended)
Appeal Status: Not Further Appealable

PUBLIC HEARING

Project Location: 52 East Windward Avenue

An appeal of the Zoning Administrator's findings:

1. Pursuant to the provisions of Section 12.26-K of the Los Angeles Municipal Code, a determination that the Department of Building and Safety **did not err** in citing the establishment for failure to secure a Certificate of Occupancy for use of the basement.
2. Pursuant to the provisions of Section 12.26-K of the Los Angeles Municipal Code, a determination that the Department of Building and Safety **did not err** in its decision that a Conditional Use Permit for the service of alcohol is required for the basement portion of the establishment.

Recommended Actions:

Deny the appeal; **sustain** the Zoning Administrator's decision that the Department of Building and Safety **did not err** in citing the establishment for failure to secure a Certificate of Occupancy for use of the basement; and that the Department of Building and Safety **did not err** in its determination that a Conditional Use Permit for the service of alcohol is required for the basement portion of the establishment and **consider** the Building and Safety recommended environmental clearance.

Applicant: Louie Ryan, Ronald F. Bennett, Bennett Family, LLC; Representative: Ralph Barat
Saltsman, Law Offices of Solomon, Saltsman & Jamieson
Appellant: same

Staff: Pat Brown (213) 978-1306

6. [APCW-2007-2398-ZC-ZAA](#)
CEQA: ENV-2007-2399-MND
Plan: Westwood

Council District: 5
Expiration Date: 3-07-09
Appeal Status: Further Appealable to City Council

PUBLIC HEARING – Completed on January 26, 2009

Project Location: **2136-2140 S. Westwood Boulevard**

Requested Actions:

1. Pursuant to Section 12.32 of the Municipal Code, a **Zone Change** from C4-1VL- O-POD (Commercial Zone) to RAS4-1VL-O-POD (Residential/Accessory Services Zone).
2. Pursuant to Section 12.28 of the Municipal Code, **Adjustments** from the following Sections of the Municipal Code:
 - a. Section 13.07.E.5.a to permit a residential building with zero setback for that portion exceeding 40-feet height in lieu of the minimum 20-foot setback otherwise required from the front property line for a building in a pedestrian oriented district.
 - b. Section 12.21.G.2 to permit a reduction in open space to 3,820 square feet in lieu of the minimum 4,775 required for this project.
 - c. Section 12.22.C.20.f.3 to permit an over in height wall of 8-feet from the lowest adjacent grade in lieu of the maximum 6-feet permitted.
3. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, adopt the Mitigated Negative Declaration for the above project.

Proposed Project:

Demolition of existing commercial buildings and construction of a new 49,620 square foot mixed-use development, four-stories (44-feet in height plus a 42" parapet wall), consisting of approximately 7,950 square feet of ground floor retail space and 45 residential units. The Project will provide 116 parking spaces in a two level subterranean parking garage. The Project site consists of approximately 18,900 square feet of lot area located on three contiguous lots currently classified in the C4-1VL-POD Zone and located within the Westwood/Pico Neighborhood Overlay District.

Recommended Actions:

1. **Disapprove** the requested **Zone Change** from C4-1VL- POD to RAS4-1VL-POD.
2. **Approve** and **Recommend** that the City Council adopt a Zone Change from C4-1VL-POD to RAS3-1VL-POD.
3. **Approve** a **Director's Determination** in lieu of the requested **Adjustment** to permit a residential building with zero setback for that portion exceeding 40-feet height in lieu of the minimum 20-foot setback otherwise required from the front property line for a building in a pedestrian oriented district.
4. **Approve** the requested **Adjustment** to permit reduced open space of 3,820 square feet in lieu of the minimum 4,775 square feet required for this Project.
5. **Approve** the requested **Adjustment** to permit an over in height wall of 8-feet in lieu of the maximum 6-feet permitted.
6. **Approve** and **Recommend** that the City Council adopt Mitigated Negative Declaration ENV-2007-2399-MND.

Applicant: Westwood 3 LLC / Halco Management Inc.

Staff: David Olivo (213) 978-1197

7. [APCW-2008-295-SPE-CUB-CDP-SPP](#)

CEQA: ENV-2008-294-MND

Plan: Westwood

Council District: 11

Expiration Date: 3-07-09

Appeal Status: Further Appealable to City Council

PUBLIC HEARING – Completed on October 31, 2008

Project Location: 1711-1717 S. Lincoln Boulevard

Requested Actions:

1. Pursuant to Section 11.5.7 F of the Municipal Code, a **Specific Plan Exception** from Section 13 C and D of the Venice Coastal Specific Plan (Ordinance 175,693) to permit zero on-site parking spaces in lieu of the minimum two parking spaces otherwise required. Instead of on-site parking, off-site parking will be provided by a lease agreement at 1600 Lincoln Boulevard.
2. Pursuant to Section 12.24 U 26 of the Municipal Code, a **Conditional Use** for the on site sale and consumption of a full line of alcoholic beverages in conjunction with one restaurant with seating for a total of 45 patrons had having hours of operation from 10:00 a.m. to 10:00 p.m. Sunday through Thursday, and 10:00 a.m. to 12:00 a.m. Friday and Saturday.
3. Pursuant to Section 12.20.2 a **Coastal Development Permit** for a change of use from retail to restaurant totaling 2,432 square feet, with zero parking, seating 45 patrons, serving a full line of alcoholic beverages and with hours of operation from 10:00 a.m. to 10:00 p.m. Sunday through Thursday, and 10:00 a.m. to 12:00 a.m. Friday and Saturday.
4. Pursuant to Section 11.5.7 of the Municipal Code, a **Project Permit Compliance** determination with the Venice Coastal Zone Specific Plan.
5. Pursuant to Section 21082.1(c)(3) of the California State Public Resources Code **Adoption** of a Mitigated Negative Declaration and required Findings for the above referenced project.

Proposed Project:

Change of use from retail to one restaurant totaling 2,432 square-feet with seating for 45 patrons and zero parking spaces. The restaurant proposes to provide a full line of alcoholic beverages with hours of operation from 10:00 a.m. to 10:00 p.m. Sunday through Thursday, and 10:00 a.m. to 12:00 a.m. Friday and Saturday. The proposed project is located on a 3,345.8 square foot site classified in the C2-1 Zone and is also located within the boundaries of the Venice Coastal Zone Specific Plan.

Recommended Actions:

1. **Deny a Specific Plan Exception** from Section 13 C and D of the Venice Coastal Specific Plan (Ordinance 175,693) to permit zero parking spaces in lieu of the minimum two parking spaces otherwise required. Required parking will be provided by a lease agreement at 1600 Lincoln Boulevard.
2. **Approve a Conditional Use Permit** for the on site sale and consumption of a full line of alcoholic beverages.
3. **Approve a Coastal Development Permit** for a change of use from retail to one restaurant.
4. **Approve a Project Permit Compliance** determination with the Venice Coastal Zone Specific Plan.

5. **Adopt Mitigated Negative Declaration No. ENV-2008-294 MND and Environmental Findings** contained in the staff report.
6. **Adopt** the attached **Findings**.
7. **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Applicant: Gerald Milne; Witzend

Staff: Lynda Smith (213) 978-1170

8. 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 three (3) minutes per person and up to ten (10) minutes per subject.
- (b) For agendized matters, up to two (2) 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.

The next regular meeting of the West Los Angeles Area Planning Commission
will be held at **4:30 p.m. on Wednesday, March 18, 2009** at:

HENRY MEDINA WEST L.A. PARKING ENFORCEMENT FACILITY
11214 W. EXPOSITION BOULEVARD, SECOND FLOOR, ROLL CALL ROOM
LOS ANGELES, CALIFORNIA, 90064

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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. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request no later than three working days (72 hours) prior to the meeting by calling the Planning Commission Office at (213) 978-1300 or by e-mail at APCWestLA@lacity.org.