

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

**EAST LOS ANGELES AREA PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, April 8, 2009, 4:30 P.M.
RAMONA HALL COMMUNITY CENTER
4580 NORTH FIGUEROA STREET
LOS ANGELES, CALIFORNIA 90065**

Luis Lopez, President
Sharon Lowe, Vice President
Javier C. Angulo, Commissioner
Lilia Esther C. Garcia, Commissioner
David Marquez, Commissioner

Linda Gillespie, Commission Executive Assistant, (213) 978-1300; FAX (213) 978-1029

POLICY FOR DESIGNATED PUBLIC HEARING ITEM(S) Nos. 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.

On January 24, 2007, the Commission adopted the City Planning Commission's rules as its rules regarding written submissions to ensure that it has reasonable and appropriate opportunity to review your materials, which must be submitted 10 days prior to the meeting at which the item is to be heard. The mailing and email addresses, deadlines, page limits, and required numbers of copies for your advance submissions may be found at www.planning.lacity.org under "Forms and Instructions". Day of hearing submissions (12 copies must be provided) are limited to 2 pages plus accompanying photographs, posters, and PowerPoint presentations of 5 minutes or less. Non-complying materials will NOT be distributed to the Commission.

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 www.plann.lacity.org. Click the "Meetings and Hearings" quick link. Agenda is available under the East Los Angeles service area.

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 agendaed 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. **DEPARTMENTAL REPORT – ITEMS OF INTEREST**

2. **COMMISSION BUSINESS**

- A. Advance Calendar
- B. Commission Requests
- C. Minutes; February 25, 2009 & March 11, 2009

3. **APCE 2008-1613-ZC**
CEQA: ENV 2008-1614-MND
Plan: Boyle Heights

Council District: 14
Expiration Date: 4/8/09
Appeal Status: Further appealable

Public Hearing – Completed on January 12, 2009

Location: 3128 E. Whittier Blvd

Proposed Project

Construction, use and maintenance of an approximately 13,620 square foot retail development. The proposed project consists of approximately 4,770 square feet of retail building area, 1,250 square feet of restaurant area, and 7,500 square feet of area for a Batting Cage providing 42 parking spaces and is located on a 36,024 square foot irregular shaped lot which abuts the 60 (Pomona Freeway).

Requested Action

- 1. Pursuant to Section 12.32 of the Municipal Code, a **Zone Change from** [Q] P-1 (Automobile Parking Zone) **to** C2-1 (Commercial Zone, 1.5:1 Floor Area Ratio FAR) (see attached maps).
- 2. Pursuant to California State Public Resources Code Section 21081.6, approval of the Mitigated Negative Declaration ENV-2008-1614-MND in accordance with the City's Guidelines for implementation of the California Environmental Act (CEQA).

Recommended Actions

- 1. **Disapprove** the requested **Zone Change from** [Q] P-1-O (Automobile Parking Zone) to C2-1VL-O (Commercial Zone, 1.5:1 Floor Area Ratio FAR) as filed.
- 2. **Approve** the requested **Zone Change from** [Q] P-1-O (Automobile Parking Zone) **to** (T)(Q)C2-1VL (Commercial Zone, 1.5:1 Floor Area Ratio FAR) as filed.
- 3. **Approve and Recommend** that the City Council adopt Mitigated Negative Declaration No. 2008-1614-MND, in accordance with the City's Guidelines for implementation of the California Environmental Act (CEQA).
- 4. **Adopt** the attached Findings.
- 5. **Recommend** that the applicant be advised that time limits for effectuation of a zone in the "T" Tentative classification or "Q" Qualified Classification are specified in Section 12.32.G of the L.A.M.C. Conditions must be satisfied prior to the issuance of building permits and, that the "T" Tentative classification be removed in the manner indicated on the attached pages

Applicant: Byeong Seong Lee
Representative: King R. Woods

Christine Mahfouz, (213) 978-1195

4. **ZA 2007-5006-ZV-ZAD-1A**
CEQA: ENV 2007-5007-MND
Plan: Silver Lake-Echo Park

Council District: 13
Expiration Date: 5/3/09
Appeal Status: Zone Variance appealable to City Council if approved

Public Hearing – Completed on August 18, 2008

Location: 1463 N. Angelus Avenue

Requested Action

1) An Appeal of the Zoning Administrator's decision pursuant to Charter Section 562 and Los Angeles Municipal Code Section 12.27-B, for the approval of a Variance from Section 12.21-A,4(a) of the Los Angeles Municipal Code to permit zero off-street parking spaces in lieu of the two parking spaces in a private garage required for a proposed single-family dwelling, and **2)** pursuant to Section 12.24-X,21 of the Los Angeles Municipal Code, for the approval of a Zoning Administrator's Determination to permit a single-family dwelling on a lot fronting on a Substandard Hillside Limited Street that is improved with a roadway width of less than 20 feet as otherwise required by Section 12.21-A,17(e)(2) of the Municipal Code; and the approval of a Zoning Administrator's Determination to permit a single-family dwelling on a lot that does not have a vehicular access route from a street improved with a minimum 20-foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area as otherwise required by Section 12.21-A,17(e)(3) of the Municipal Code, and approval of the Mitigated Negative Declaration ENV 2007-5007-MND in accordance with the City's Guidelines for implementation of the California Environmental Act (CEQA).

Recommended Action

Deny the appeal; **sustain** the Zoning Administrator's decision, **1)** for the approval of a Variance to permit zero off-street parking spaces in lieu of the two parking spaces in a private garage required for a proposed single-family dwelling, and **2)** for the approval of a Zoning Administrator's Determination to permit a single-family dwelling on a lot fronting on a Substandard Hillside Limited Street that is improved with a roadway width of less than 20 feet; and the approval of a Zoning Administrator's Determination to permit a single-family dwelling on a lot that does not have a vehicular access route from a street improved with a minimum 20-foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area; and **adopt** the Mitigated Negative Declaration ENV-2007-5007-MND in accordance with the City's Guidelines for implementation of the California Environmental Quality Act (CEQA).

Applicant: Ben Zakarya
Representative: Hank Krastman

Appellant: Robin & Andrea Scher
Representative: Stephanie Rose Scher, Esq.

Sue Chang, (213) 978-3304

5. **ZA 2007-5009-ZV-ZAD-1A**
CEQA: ENV 2007-5007-MND
Plan: Silver Lake-Echo Park

Council District: 13
Expiration Date: 5/3/09
Appeal Status: Zone Variance appealable to City Council if approved

Public Hearing – Completed on August 18, 2008

Location: 1467 N. Angelus Avenue

Requested Action

1) An Appeal of the Zoning Administrator's decision pursuant to Charter Section 562 and Los Angeles Municipal Code Section 12.27-B, for the approval of a Variance from Section 12.21-A,4(a) of the Los Angeles Municipal Code to permit zero off-street parking spaces in lieu of the two parking spaces in a private garage required for a proposed single-family dwelling, and **2)** pursuant to Section 12.24-X,21 of the Los Angeles Municipal Code, for the approval of a Zoning Administrator's Determination to permit a single-family dwelling on a lot fronting on a Substandard Hillside Limited Street that is improved with a roadway width of less than 20 feet as otherwise required by Section 12.21-A,17(e)(2) of the Municipal Code; and the approval of a Zoning Administrator's Determination to permit a single-family dwelling on a lot that does not have a vehicular access route from a street improved with a minimum 20-foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area as otherwise required by Section 12.21-A,17(e)(3) of the Municipal Code, and approval of the Mitigated Negative Declaration ENV 2007-5007-MND in accordance with the City's Guidelines for implementation of the California Environmental Act (CEQA).

Recommended Action

Deny the appeal; **sustain** the Zoning Administrator's decision, **1)** for the approval of a Variance to permit zero off-street parking spaces in lieu of the two parking spaces in a private garage required for a proposed single-family dwelling, and **2)** for the approval of a Zoning Administrator's Determination to permit a single-family dwelling on a lot fronting on a Substandard Hillside Limited Street that is improved with a roadway width of less than 20 feet; and the approval of a Zoning Administrator's Determination to permit a single-family dwelling on a lot that does not have a vehicular access route from a street improved with a minimum 20-foot wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area; and **adopt** the Mitigated Negative Declaration ENV-2007-5007-MND in accordance with the City's Guidelines for implementation of the California Environmental Quality Act (CEQA).

Applicant: Ben Zakarya
Representative: Hank Krastman

Appellant: Robin & Andrea Scher
Representative: Stephanie Rose Scher, Esq.

Sue Chang, (213) 978-3304

6. **PUBLIC COMMENT PERIOD**

The Area Planning Commission shall provide an opportunity in open meetings for the public to address it, on items of interest to the public that are within the subject matter jurisdiction of the Area Planning Commission. (This requirement is in addition to any other hearing required or imposed by law.) Persons making requests are encouraged to do so in writing and should submit 10 copies to the area planning commission for its consideration.

Persons wishing to speak must submit a speaker's request form prior to the commencement of the public comment period. Individual testimony within the public comment period shall be limited to five (5) minutes per person and up to ten (10) minutes per subject.

The next regular meeting of the East Los Angeles Area Planning Commission
will be held at **4:30 p.m. on Wednesday, April 22, 2009** at

Ramona Hall Community Center
4580 North Figueroa Street,
Los Angeles, California 90065

An Equal Employment Opportunity/Affirmative Action employer

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 Commission Executive Assistant at (213) 978-1300 or by email at APCELA@lacity.org.