

OFFICIAL
CITY OF LOS ANGELES
Central Los Angeles Area Planning Commission Minutes
Tuesday, June 23, 2009
200 North Spring Street, Room 272
Los Angeles California 90012

MINUTES OF THE LOS ANGELES CENTRAL AREA PLANNING COMMISSION HEREIN ARE REPORTED IN ACTION FORMAT. COMPLETE DETAILS, INCLUDING THE DISCUSSION, RELATING TO EACH ITEM ARE CONTAINED IN THE HEARING RECORDING FOR THIS MEETING. COPIES OF COMPACT DISC RECORDINGS ARE AVAILABLE BY CONTACTING CENTRAL PUBLICATIONS, AT (213) 978-1255 AND ARE ALSO ACCESSIBLE THROUGH THE WORLD WIDE WEB AT <http://www.planning.lacity.org>.

The meeting was called to order by Commission President Young Kim at 4:50 p.m.

Commissioners present: Franklin Acevedo, Young Kim, Chanchanit Martorell, David White

Commissioner absent: Victor Viramontes

1. DEPARTMENTAL REPORT - ITEMS OF INTEREST

None

2. COMMISSION BUSINESS

A. Advance Calendar

None

B. Commission Requests

Commissioner Martorell requested to be excused from the meeting of August 11, 2009.

3. ZA-2008-1459-CU-ZV-1A

CEQA: CEQA: ENV-2008-1460-MND

Plan Area: Hollywood

Council District: 5

Expiration Date: 6/09/09

Appeal Status: ZV further appealable
to City Council if approved

CONTINUED FROM JUNE 9, 2009 MEETING

PUBLIC HEARING REQUIRED

Project Location: 7673 Melrose Avenue

REQUESTED ACTIONS:

An appeal of the Zoning Administrator's decision **1)** pursuant to Los Angeles Municipal Code Section 12.24-W 27, for dismissal of a conditional use permit to allow the continued use and maintenance of a hand car wash with deviations from the Commercial Corner regulations as set forth in Section 12.22-A,23 of the Municipal Code related to bicycle parking, recycling area, and landscaping in the parking area inasmuch as the use is not permitted by the underlying C4 Zone and under the conditional use there is no authority to grant relief from a non-permitted use in the corresponding zone and the request should be processed solely as a variance and, **2)** pursuant to Charter Section 562 and Los Angeles Municipal Code Section 12.27-B, denial of a variance from Section 12.16-A to permit the continued use and maintenance of an existing hand car wash consisting of a 286 square-foot office, three canopies, parking and hours of operation from 8 a.m. to 6 p.m., seven days a week, in the C4 Zone where such use is otherwise not permitted, and denial of Mitigated Negative Declaration No. ENV-2008-1460-MND in accordance with the City Guidelines for implementation of the California Environmental Quality Act (CEQA).

RECOMMENDED ACTIONS:

Deny the appeal; **sustain** the decision of the Zoning Administrator **1)** for dismissal of a conditional use permit to allow the continued use and maintenance of a hand car wash with deviations from the Commercial Corner regulations to bicycle parking, recycling area, and landscaping in the parking area inasmuch as the use is not permitted by the underlying C4 Zone and under the conditional use there is no authority to grant relief from a non-permitted use in the corresponding zone and the request should be processed solely as a variance and **2)** denial of a variance to permit the continued use and maintenance of an existing hand car wash consisting of a 286 square-foot office, three canopies, parking and hours of operation from 8 a.m. to 6 p.m., seven days a week, in the C4 Zone where such use is otherwise not permitted, and **consider** Mitigated Negative Declaration No. ENV-2008-1460-MND in accordance with the City's Guidelines for implementation of the California Environmental Quality Act (CEQA).

APPLICANT: Jae-Hong Choi
Representative: Steve S. Kim, GSD Partners, Inc.

APPELLANT: Same

Staff: Lourdes Green (213) 978-1313

DISCUSSION

Planning staff presented the case.

Note: Commissioner White wasn't present for the meeting of June 9, 2009, therefore he couldn't participate in the discussion of this case.

The Planning Deputy of Council District 5 addressed the Commission.

The applicant and the applicant's representative addressed the Commission.

Armen Ross spoke in support of the appeal and submitted 72 letters of support.

Rob Glushon of the Law Office of Luna & Glushon spoke in opposition to the appeal.

Twenty-One speakers spoke in support of the appeal and eight spoke in opposition to the appeal.

Discussion ensued among the Commissioners and Planning staff.

Commissioner Kim requested the City Attorney to be present at the meeting of July 28, 2009 to answer questions regarding interpretation of the Municipal Code.

Motion: To Continue to July 28, 2009

Moved: Kim
Seconded: Acevedo
Ayes: Martorell
Abstained: White
Absent: Viramontes

Vote: 4-0

4. **ZA-1997-0785-CUZ-PA8-1A**
CEQA: ENV-2008-1812-CE
Plan Area: Wilshire

Council District: 4
Expiration Date: 7/11/09
Appeal Status: Not further appealable

PUBLIC HEARING REQUIRED

Project Location: 5353 West 3rd Street

REQUESTED ACTIONS:

An **appeal** of the Zoning Administrator's decision, pursuant to Los Angeles Municipal Code Section 12.24-M and as required by Condition No. 33 of Case No. ZA 97-0785(CUZ)(PA6), which determined that the applicant has operated the private religious school in substantial compliance with the terms and conditions of the grant, as modified under Case Nos. ZA-97-0785(CUZ)(PA6) and (PA7), and find the environmental clearance Categorical Exemption ENV-2008-1812-CE.

RECOMMENDED ACTIONS:

Deny the appeal; **sustain** the Zoning Administrator's decision which determined that the applicant has operated the private religious school in substantial compliance with the terms and conditions of the grant, as modified under Case Nos. ZA 97-0785(CUZ)(PA6) and (PA7), and **find** the environmental clearance Categorical Exemption ENV-2008-1812-CE.

APPLICANT: Rabbi Yossi Mentz, Yavneh Hebrew Academy

APPELLANT: Edward C. Cazier, Jr.

Staff: Larry Friedman (213) 978-1225

DISCUSSION

Planning staff presented the case.

The appellant addressed the Commission.

The applicant's representative of the Law Office of Latham & Watkins addressed the Commission.

The Planning Deputy of Council District 4 addressed the Commission.

Discussion ensued between the Commission, Planning staff and the appellant.

Motion: To Deny Appeal

Moved: Acevedo
Seconded: Martorell
Ayes: White, Kim
Absent: Viramontes

Vote: 4-0

5. **APCC-2008-2703-SPE-CUB-SPP-SPR**
CEQA: ENV-2008-1421-MND
Plan Area: Hollywood

Council District: 13
Expiration Date: 6/23/09
Appeal Status: Further Appealable to
City Council

PUBLIC HEARING COMPLETED

Project Location: 5520 West Sunset Boulevard

PROPOSED PROJECT:

Construction of a 192,680 net square foot retail shopping center, approximately 80 feet high, which would include a 162,415 square foot Target store, 26,600 square feet of retail and food uses, and 3,665 square feet of associated uses. The project includes a parking structure with parking on the ground and second level providing 458 parking stalls. All existing structures, improvements and landscaping on the property will be removed. The proposed project is located on a 168,869 square foot block classified in the C2-1 zone and also located within Subarea C of the Vermont/Western Transit Oriented District Specific Plan.

REQUESTED ACTIONS:

1. Pursuant to Section 11.5.7 F of the Municipal Code, **Exceptions** from the Vermont-Western Transit Oriented District Specific Plan (Ordinance 173,749) as follows:
 - A. From Section 6.N to request relief from the requirement for projects containing 40,000 square feet or more of retail commercial floor area to submit a program for retail use designed to provide free delivery of purchases made at the site by residents living in the Specific Plan Area.

- B. From Section 9.B (1) to allow a maximum building height of 80 feet above grade in lieu of the maximum permitted building height of 35 feet. Roof structures and other vertical elements to be setback zero feet from the roof perimeter.
 - C. From Section 9.E (3) to permit the project to provide 458 parking spaces in lieu of the maximum permitted 378 spaces.
 - D. From Section 9.I of the Specific Plan and Section V of the Development Standards and Design Guidelines as follows:
 - (a) Pedestrian/Vehicular Circulation: To permit a 27 foot wide curb cut on Western Avenue in lieu of the maximum width of 20 feet for a curb cut located on a main commercial street.
 - (b) Building Design: To allow the entrance canopy and balconies which are to be located within 15 feet of the property line along Sunset Avenue to exceed the maximum permitted height of 30.
 - (c) Building Design: To seek relief from the requirement that the second floors along Sunset Boulevard and Western Avenue be setback a minimum of ten feet from the first floor frontage.
 - (d) Building Design: To permit transparent building elements such as windows and doors to occupy approximately 25% of the ground floor façade along St. Andrews Place in lieu of the minimum 50% building transparency otherwise required.
 - (e) Building Design: To be exempted from the requirement that all roof lines in excess of 40 feet must be broken up through the use of gables, dormers, cut-outs or other means.
 - (f) Hours of Operation: To allow store deliveries between the hours of 5 a.m. and 12 a.m. Monday-Sunday. Typical store operating hours are from 6 a.m. to 12 a.m. (with business hours of 8 a.m. to 10 p.m.), holiday store operating hours for the week before Thanksgiving to December 23 of 5 a.m. to 12 a.m. (with business hours of 8 a.m. to 11 p.m.), and business hours of 7 a.m. to 11 p.m. on the day after Christmas.
2. Pursuant to Section 12.24.W 1 of the Municipal Code, a **Conditional Use** to permit the sale of beer and wine for off-site consumption.
 3. Pursuant to Section 11.5.7.C of the Municipal Code, a **Project Permit Compliance** with the Vermont/Western Transit Oriented District Specific Plan.
 4. Pursuant to Section 16.05 of the Municipal Code, **Site Plan Review** for a project which results in an increase of 50,000 gross square feet or more of nonresidential floor area and a net increase of over 1,000 average daily trips.
 5. Pursuant to Section 21082.19(c)(3) of the California Public Resources Code **Adoption of the proposed Mitigated Negative Declaration (ENV-2008-1421-MND) and associated Findings.**

RECOMMENDED ACTIONS:

1. ***Deny** request as submitted.
2. **Approve** pursuant to Section 11.5.7 F of the Municipal Code, **Exceptions** from the Vermont/Western Transit Oriented District Specific Plan (Ordinance 173,749) as follows:
 - a. From Section 6.N to request relief from the requirement for projects containing 40,000 square feet or more of retail commercial floor area to submit a program for retail use designed to provide free delivery of purchases made at the site by residents living in the Specific Plan Area.
 - b. From Section 9.B (1) to allow a maximum building height of *80 feet above grade in lieu of the maximum permitted building height of 35 feet. Roof structures and other vertical elements to be setback zero feet from the roof perimeter
 - c. From Section 9.E (3) to permit the project to provide 458 parking spaces in lieu of the maximum permitted 378 spaces.
 - d. From Section 9.I of the Specific Plan and Section V of the Development Standards and Design Guidelines as follows:
 - (a) Pedestrian/Vehicular Circulation: To permit a 27 foot wide curb cut on Western Avenue in lieu of the maximum width of 20 feet for a curb cut located on a main commercial street;
 - (b) Building Design: To allow the entrance canopy and balconies which are to be located within 15 feet of the property line along Sunset Avenue to exceed the maximum permitted height of 30.
 - (c) Building Design: To seek relief from the requirement that the second floors along Sunset Boulevard and Western Avenue be setback a minimum of ten feet from the first floor frontage.
 - (d) Building Design: To permit transparent building elements such as windows and doors to occupy approximately 25% of the ground floor façade along St. Andrews Place in lieu of the minimum 50% building transparency otherwise required.
 - (e) Building Design: To be exempted from the requirement that all roof lines in excess of 40 feet must be broken up through the use of gables, dormers, cut-outs or other means.
 - (f) Hours of Operation: To allow store deliveries between the hours of 5 a.m. and 12 a.m. Monday – Sunday. Typical store operating hours are from 6 a.m. to 12 a.m. (with business hours of 8 a.m. to 10 p.m.), holiday store operating hours for the week before Thanksgiving to December 23 of 5 a.m. to 12 a.m. (with business hours of 8 a.m. to 11 p.m.), and business hours of 7 a.m. to 11 p.m. on the day after Christmas.
2. **Approve a Conditional Use** to permit the sale of beer and wine for off-site consumption.
3. **Approve a Project Permit Compliance** with the Vermont/Western Transit Oriented District Specific Plan.
4. **Approve a Site Plan Review** for a project which results in an increase of 50,000 gross square feet or more of nonresidential floor area and a net increase of over 1,000 average daily trips.

5. Pursuant to Section 21082.19(c)(3) of the California Public Resources Code **Adopt** the proposed Mitigated Negative Declaration (ENV-2008-1421-MND) and associated Findings.
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: Jack N. Reif: Target
Representative: Vasanthi Okuma/GreenbergFarrow

Staff: Lynda Smith (213) 978-1170

DISCUSSION

Planning staff presented the case.

The applicant's representative and architect addressed the Commission.

Four speakers addressed the Commission in opposition to the project.

The Planning Deputy of Council District 13 addressed the Commission.

Discussion ensued between the Commission and planning staff.

Motion: To Approve the Specific Plan exceptions, Project Permit Compliance, Site Plan Review, and Conditional Use Beverage

Moved: Kim
Seconded: Acevedo
Ayes: Martorell, White
Absent: Viramontes

Vote: 4-0

6. **APCC-2009-1001-SPE-SPP**

Related Cases: CPC-2005-4358-ZC-ZAA
VTT-63297
APCC-2006-9407-SPE-
CUB-CUX-SPP

CEQA: EIR SCH No. 1985052903

Plan Area: Hollywood

Council District: 13

Expiration Date: 7/29/09

Appeal Status: Further Appealable to
City Council

PUBLIC HEARING REQUIRED

Project Location: 6250 West Hollywood Boulevard

PROPOSED PROJECT:

Installation of eight freestanding pillar pieces composed of LED animated panels of animated imagery for the colonnade along Vine Street.

REQUESTED ACTIONS:

1. Pursuant to Section 11.5.7 F of the Municipal Code, Exceptions from the Hollywood Signage Supplemental Use District (Ordinance 176,172) as follows:
 - a. From Section 5.F to allow more than two square feet of signage per linear foot of street frontage.
 - b. From Section 7.C.1 (a) and (b) to allow Electronic Message Displays on a building or lot which is not occupied by a cinema or performing arts center with at least 300 seats or 220,00 square feet, or by an entertainment-related business that occupies at least 15,000 square feet or more of floor area.
 - c. From Section 7.C.2 to permit the bottom of a sign consisting of an Electronic Message Display to be at ground level in lieu of being located at least 35 feet above grade as is otherwise required.
 - d. From Section 7.J.1 to permit Electronic Message Displays located on Pillar Signs as is otherwise not permitted.
 - e. From Section 7.J.3.b to allow Pillar Signs ranging in height from approximately 18.92 to 22.08 feet in height in lieu of the otherwise permitted maximum height of 20 feet.
 - f. From Section 7.J.3.b to allow Pillar Signs with a column width of 4 feet each and a display width of 3.12 feet in lieu of the otherwise permitted maximum horizontal dimension of 3 feet.
 - g. From Section 7.J.4 to permit Pillar Signs with no landscaping at the base of the supporting structure in lieu of the minimum requirement of landscaping equal to twice the area of the largest face of the sign.
2. Pursuant to Section 11.5.7 C of the Municipal Code, a Specific Plan Project Permit Compliance determination with the Hollywood Signage Supplemental Use District.
3. Find that the previously certified Environmental Impact Report (Hollywood Redevelopment Plan Amendment, Third Addendum-SCH No. 1985052903) adequately describes the Project and its environmental effects and that the approval of this Project will result in no new environmental effects beyond the scope of the previously analyzed in the EIR as certified by the City Council in its adoption on April 26, 2006.

RECOMMENDED ACTIONS:

1. **Approve** the requested Specific Plan Exceptions.
2. **Approve** the requested Specific Plan Project Permit Compliance Review.
3. **Find** that the previously certified Environmental Impact Report (Hollywood Redevelopment Plan Amendment, Third Addendum-SCH No. 1985052903) adequately describes the Project and its environmental effects and that the approval of this Project will result in no new environmental effects beyond the scope of the previously analyzed in the EIR as certified by the City Council in its adoption on June 26, 2006.
4. **Adopt** the attached Findings.
5. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

APPLICANT: Legacy Partner, Hollywood/Vine LLC
Representative: Armbruster & Goldsmith (Matt Dzurec)

STAFF: Jordann Turner (213) 978-1379

DISCUSSION

Planning staff presented the case.

Three representatives of Armbruster & Goldsmith spoke in support of the project.

The Planning Deputy of Council District 13 addressed the Commission and spoke in support of the project.

Motion: To Approve the Specific Plan exceptions and Project Permit Compliance Review

Moved: Kim
Seconded: White
Ayes: Acevedo, Martorell
Absent: Viramontes

Vote: 4-0

7. **APCC-2007-5869-ZC-ZAA**
CEQA: ENV-2007-5870-MND
Plan Area: Westlake

Council District: 1
Expiration Date: 6/23/09
Appeal Status: Further Appealable to
City Council

PUBLIC HEARING COMPLETED

Project Location: 820-824 South Hoover Street

PROPOSED PROJECT:

A zone change from C2-1 to RAS4-1 and a Zoning Administrator's Adjustment for balcony projections to allow construction, use, and maintenance of 32 residential condominium units and 1 commercial condominium, providing a total of 64 residential parking spaces, 8 guest parking spaces, and 9 commercial parking spaces.

REQUESTED ACTIONS:

1. Pursuant to Section 12.32 of the Municipal Code, a **Zone Change** from C2-1 to RAS4-1.
2. Pursuant to Section 12.28 of the Municipal Code, a **Zoning Administrator's Adjustment** to allow balcony projections of 30" (above the first floor level) into the required 5-foot front and side yard setbacks, as required by the RAS4-1 zone.
3. Pursuant Section 21082.19(c)(3) is the California Public Resources Code, **Adoption** of the proposed Mitigated Negative Declaration No. ENV-2007-5870-MND and associated findings.

RECOMMENDED ACTIONS:

1. **Deny** the zone change request as filed.
2. **Approve** and recommend that the City Council adopt the zone change request from C2-1 to (T)(Q)RAS4-1, pursuant to Section 12.32 of the Municipal Code, and subject to the attached conditions of approval.
3. **Deny without prejudice** the Zoning Administrator's Adjustment request for 30-inch balcony projections, located above the first floor, into the required 5-foot front yard.
4. **Approve** the Zoning Administrator's Adjustment request for 30-inch balcony projections, located above the first floor, into the required north facing 5-foot side yard.
5. **Recommend** that the applicant be advised that time limits for effectuation of a zone in the "T" Tentative or "Q" Qualified classified are specified in Section 12.32 G of the L.A.M.C. Condition 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 page.
6. Pursuant Section 21082.19(c)(3) is the California Public Resources Code, **Adopt** the proposed Mitigated Negative Declaration (ENV-2007-5870-MND) and associated findings.
7. **Advise** the applicant that pursuant to California State Public Resources Code Section 21081.6, the City of Los Angeles shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
8. **Adopt** the attached **Findings**.
9. **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: Radiola Management, LLC
Representative: Barry Segal

STAFF: Jenna Monterrosa (213) 978-1326

DISCUSSION

Planning staff presented the case.

The applicant's representative addressed the Commission.

Motion: To Approve Zone Change from C2-1 to (T)(Q)RAS4-1

Moved: Kim
Seconded: Acevedo
Ayes: Martorell, White
Absent: Viramontes

Vote: 4-0

8. **TT-70986-CN-1A**
CEQA: ENV-2009-0407-MND
Plan Area: Wilshire

Council District: 5
Expiration Date: 6/23/09
Appeal Status: Further Appealable to
City Council

PUBLIC HEARING REQUIRED

Project Location: 8612 West Burton Way

PROPOSED PROJECT:

Tentative Tract Map No. 70986-CN is requesting a one-lot subdivision to permit the construction of an 11-unit residential condominium with 25 parking spaces, including 3 guest parking spaces on an approximately 9,350 net square foot lot in the [Q]R4-1-O Zone.

REQUESTED ACTIONS:

An **appeal** from the entire decision of the Deputy Advisory Agency in approving Tentative Tract Map No. 70986-CN.

APPLICANT: Burton Way Properties, LLC/Mike Ahmar
Representative: Lonnie McDermott

APPELLANT: Same

STAFF RECOMMENDATION: DENY THE APPEAL; SUSTAIN THE DEPUTY ADVISORY AGENCY DECISION.

STAFF: Haydee Urita-Lopez (213) 978-1453

DISCUSSION

Henry Chu of the planning staff presented the case in lieu of Haydee Urita-Lopez.

One person addressed the Commission against the appeal.

Motion: To Deny Appeal

Moved: Acevedo
Seconded: White
Ayes: Martorell, Kim
Absent: Viramontes

Vote: 4-0

9. PUBLIC COMMENT PERIOD

No speakers.

There being no further business to come before the Los Angeles Central Area Planning Commission, the meeting adjourned at 10:00 p.m.



Young Kim, President



Carmen Montgomery, Commission Executive Assistant
Central Los Angeles Area Planning Commission

Date Adopted: September 8, 2009