

OFFICIAL
CITY OF LOS ANGELES
East Los Angeles Area Planning Commission Minutes
Wednesday, February 25, 2009
Ramona Hall Community Center
4580 North Figueroa Street
Los Angeles, California 90065

MINUTES OF THE EAST LOS ANGELES AREA PLANNING COMMISSION HEREIN ARE REPORTED IN **ACTION FORMAT**. COMPLETE DETAILS, INCLUDING THE DISCUSSION, RELATING TO EACH ITEM ARE CONTAINED IN THE HEARING TAPES FOR THIS MEETING. COPIES OF TAPES ARE AVAILABLE BY CONTACTING CENTRAL PUBLICATIONS, AT (213) 978-1255.

The meeting was called to order by Commission Vice-President Sharon Lowe at 4:48 p.m.

Commissioners present: Javier Angulo, Lilia Esther C. Garcia, & David Marquez

Commissioner absent: Luis Lopez

1. DEPARTMENTAL REPORT - ITEMS OF INTEREST

Reorganization plan
Boyle Heights Community Plan workshops

2. COMMISSION BUSINESS

A. Advance Calendar

Commissioners will be available for next meeting, 3/11/09

B. Commission Requests

None

Item No. 4 was moved out of order and taken as Item No. 3

3. **APCE-2008-4992-1613-ZC**
CEQA: ENV-2008-1614-MND
Plan: Northeast Los Angeles

Council District: 14
Expiration Date: 2/25/09
Appeal Status: Appealable to City Council

Location: 3128 E. Whittier Blvd.

Public Hearing: Completed on January 12, 2009

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

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).

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 and;
- 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 and;
- 3) Pursuant to Section 21082.1, adoption of a Mitigated Negative Declaration ENV-2008-1614-MND) will be considered and;
- 4) **Adopt** the attached Findings and;
- 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 and;
- 6) **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that the mitigation conditions identified as "(MM)" on the condition pages, 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: Byeong Seong Lee
Representative: King R. Woods

Christine Mahfouz, (213) 978-1195

DISCUSSION

Staff advised Applicant was requesting a continuance due to revised plans.

Motion: Approve request for continuance to 4/8/09

Moved: Commissioner Marquez
Seconded: Commissioner Garcia
Ayes: Commissioners Angulo, Lowe

Vote: 4-0

Item No. 5, Public Comment was taken out of order and moved to Item No. 4

4. PUBLIC COMMENT PERIOD

Applicant for Case No. APCE 2007-4992-SPE-ZAD-SPP requested for Commission reconsideration of its decision made on January 28, 2009. Applicant claimed public benefit and other information available that was not presented at last Commission meeting. Applicant was advised only two members were present that heard the matter; Commissioner Marquez recusal due to proximity of residence to applicant. No motion was made.

5. ZA 2006-10109-CU-CUB-CUX-ZV-1A

CEQA: ENV 2006-10110-MND

Plan: Boyle Heights

Council District: 14

Expiration Date: 12-10-08 (Extended)

Appeal Status: ZV further appealable
to City Council

Location: 3425 E. 1st Street

Public Hearing: Completed on October 22, 2008

Requested Action

An **appeal** of the Zoning Administrator's decision in part 1) pursuant to Los Angeles Municipal Code Section 12.24-W,37, for the **approval** of a **Conditional Use** to permit the use and maintenance of public parking lots on 12 record lots in residential zones for an existing market and a restaurant; and 2) pursuant to Los Angeles Municipal Code Section 12.24-W,1, the **approval** of a Conditional Use to permit the sale and distribution of a full line of alcoholic beverages for on-site consumption with live entertainment at an existing restaurant and a proposed sports bar; and 3) pursuant to Los Angeles Municipal Code Section 12.24-W,18, the **approval** of a Conditional Use to permit dancing at an existing restaurant with a proposed sports bar; 4) pursuant to Charter Section 562 and Los Angeles Municipal Code Section 12.27-B, the **approval** of a **Variance** from Section 12.12.1-A of the Los Angeles Municipal Code to permit the construction of a grand entrance attached to the existing building containing office and retail space in a P-1 Zone, and approved Mitigated Negative Declaration MND-ENV-2006-10110-MND the environmental clearance recommended for the proposed project by City staff.

Applicant: Pedro Rosado; Representative: Brian Silveira

Appellant: 1) Pedro Rosado, Representative: Brian Silveira
2) Boyle Heights Neighborhood Stakeholders Association

Recommendation Action

Deny the appeal; **sustain** the decision the Zoning Administrator for the **approval** of a Conditional Use permit to allow the use and maintenance of public parking lots on 12 record lots in residential zones for an existing market and a restaurant, and the approval to allow the sale and distribution of a full line of alcoholic beverages for on-site consumption with live entertainment at an existing restaurant and a proposed sports bar, and the approval to allow dancing at an existing restaurant with a proposed sports bar; and the **approval** of a Variance to permit the construction of a grand entrance attached to the existing building containing office and retail space in a P-1 Zone and adopt Mitigated Negative Declaration ENV-2006-10110-MND as the environmental clearance for the project as recommended by City staff.

Sue Chang, (213) 978-3304

DISCUSSION

Staff presented case.

Applicant & Representative responded to and answered questions from Commissioners.

Commission allowed one speaker for public testimony and read into the record all completed speaker cards.

Council District 14 representative, Tara Devine spoke.

Lengthy discussion ensued.

Two motions:

Motion: To grant variance request

Moved: Commissioner Marquez

Seconded: Commissioner Garcia

Ayes: Commissioners Angulo, Lowe

Vote: 4-0

Motion: To grant appeal in part with modified conditions

Moved: Commissioner Angulo

Seconded: Commissioner Marquez

Ayes: Commissioners Garcia, Lowe

Vote: 4-0

There being no further business to come before the East Los Angeles Area Planning Commission, the meeting adjourned at 8:32 p.m.



Sharon Lowe, Vice President

Linda Gillespie, Commission Executive Assistant
East Los Angeles Area Planning Commission

Adopted on 4/22/2009