

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

**CENTRAL AREA PLANNING COMMISSION
TUESDAY, OCTOBER 27, 2009, 4:30 P.M.
CITY HALL, 10TH FLOOR
200 NORTH SPRING STREET
LOS ANGELES, CA 90012**

Franklin Acevedo, President
Chanchanit Martorell, Vice President
Young Kim, Commissioner
Victor Viramontes, Commissioner
David P. White, Commissioner

Carmen Montgomery, Commission Executive Assistant
(213) 978-1300; FAX (213) 978-1029

EVERY PERSON WISHING TO ADDRESS THE COMMISSION MUST COMPLETE A SPEAKER'S REQUEST FORM AT THE MEETING AND SUBMIT IT TO THE COMMISSION EXECUTIVE ASSISTANT.

POLICY FOR DESIGNATED PUBLIC HEARING ITEM NOS. 3, 4 and 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. All requests to address the Commission on public hearing items must be submitted prior to the Commission's consideration of the item.

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

To ensure that the Commission has ample opportunity to review written materials, members of the public who wish to submit written materials on agendized items should submit them to the Commission Office, 200 North Spring Street, Room 272, Los Angeles, CA 90012, at least 10 days prior to the meeting at which the item is to be heard in order to meet the mailing deadline.

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>.

In the case of a Commission meeting cancellation, all items shall be continued to the next regular meeting date or beyond, as long as the continuance is within the legal time limits of the case or cases.

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 agendized 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 - California 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 of September 8, 2009

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

CEQA: CEQA: ENV-2008-1460-MND

Plan Area: Hollywood

Council District: 5

Expiration Date: 10/27/09

Appeal Status: ZV further appealable
to City Council if approved

CONTINUED FROM OCTOBER 13, 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

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| 4. <u>ZA-2008-2444-ZAD-1A</u>
CEQA: ENV-2008-2445-MND
Plan Area: Hollywood | Council District: 4
Expiration Date: 12/06/09
Appeal Status: Not further appealable |
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PUBLIC HEARING REQUIRED

Project Location: **6454 West Weidlake Drive**

REQUESTED ACTIONS:

An Appeal of the Zoning Administrator's decision **1)** pursuant to Los Angeles Municipal Code Section 12.21-A,17(e)(2), for the dismissal of a request to not improve a substandard hillside street adjacent to the subject property and **2)** pursuant to Los Angeles Municipal Code Section 12.24-X,11, for the denial of a Zoning Administrator's Determination to permit a height of 45 feet in lieu of the maximum permitted height of 36 feet, and **3)** pursuant to Los Angeles Municipal Code Section 12.24-X,11, for the denial of a Zoning Administrator's Determination to permit side yards of 7 feet in lieu of the required 8 feet, and **4)** pursuant to Los Angeles Municipal Code Section 12.24-X,21, for the approval of a Zoning Administrator's Determination to permit the construction of a single-family dwelling on a hillside street that does not have vehicular access at a minimum 20-foot wide continuous paved roadway from the driveway apron to the boundary of the Hillside Area, and adopted environmental clearance Mitigated Negative Declaration ENV-2008-2445-MND.

RECOMMENDED ACTIONS:

Deny the appeal; **sustain** the Zoning Administrator's decision **1)** for the dismissal of a request to not improve a substandard hillside street adjacent to the subject property, and **2)** for the denial of a request to permit a height of 45 feet in lieu of the maximum permitted height of 36 feet, and **3)** for the denial of a request to permit side yards of 7 feet in lieu of the required 8 feet, and **4)** for the approval of a request to permit the construction of a single-family dwelling on a hillside street that does not have vehicular access at a minimum 20-foot wide continuous paved roadway from the driveway apron to the boundary of the Hillside Area; and adopt environmental clearance Mitigated Negative Declaration ENV-2008-2445-MND.

APPLICANT: Berbarian Aykus & Baktarian Nazelly
Representative: Sonia Akmakji

APPELLANT: same

STAFF: Pat Brown (213) 978-1306

5. **ZA-2008-3765-CUX-1A**
CEQA: ENV-2008-3766-MND
Plan Area: Wilshire

Council District: 1
Expiration Date: 11/29/09
Appeal Status: Not further appealable

PUBLIC HEARING REQUIRED

Project Location: 2813 West Pico Boulevard

REQUESTED ACTIONS:

An Appeal from the Zoning Administrator's decision pursuant to Los Angeles Municipal Code Section 12.24-W,18, for the denial of a conditional use permit to allow public dancing and a 510 square-foot dance floor in conjunction with an existing 3,315 square-foot restaurant with 135 seats and hours of operation from 9 a.m. to 11 p.m. Monday through Wednesday and 9 a.m. to 1:30 a.m. Thursday through Sunday with live entertainment consisting of up to six performers and dancing to be conducted Thursday through Sunday between 9 p.m. and 1:30 a.m. The sale of beer and wine for on-site consumption in the restaurant has been affirmed by ZAI 80-017 B which established the location as having the status of an approved conditional use for on-site alcohol sales and conditioned total occupancy to a maximum of 75 persons with no dance floor permitted and subsequently **modified** by Council action pursuant to ZA 85-1201(CUX)(CUB) through which City council denied public dancing and permitted the continuation of alcohol sales for 128 patrons with hours of operation on weekdays between 11 a.m. to 10 p.m. and 11 a.m. to 12 midnight on Friday and Saturday, and denial of environmental clearance Mitigated Negative Declaration ENV-2008-3766-MND. **(ZA Note: The increase to 135 seats and the increase in hours beyond the City Council action requires a separate discretionary action associated with a conditional use for on-site alcohol sales which was not requested as part of this application).**

RECOMMENDED ACTIONS:

Deny the appeal; **Sustain** the Zoning Administrator's decision for the denial of a conditional use permit to allow dancing on a 510 square-foot dance floor in conjunction with an existing restaurant with permitted alcohol sales, and consider environmental clearance Mitigated Negative Declaration ENV-2008-3766-MND.

APPLICANT: Leonardo Magana, Steve Young Kim and Jin Deok Kim
Representative: Wil Nieves

APPELLANT: same

STAFF: Lourdes Green (213) 978-1313

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 **Central, Area Planning Commission**
will be held at **4:30 p.m. on Tuesday, November 10, 2009**
at the 200 North Spring Street, 10th Floor, City Hall
Los Angeles, California 90012

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 e-mail at APCCentral@lacity.org