

**CENTRAL AREA PLANNING COMMISSION
TUESDAY, APRIL 13, 2010, After 4:30 P.M.
CITY HALL, 10TH FLOOR
200 NORTH SPRING STREET
LOS ANGELES, CA 90012**

Franklin Acevedo, President
Chanchanit Martorell, Vice President
Justin Kim, Commissioner
Young Kim, Commissioner
Vacant

James K. Williams, Commission Executive Assistant I

(213) 978-1300

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. 3,5,6,7 and 8.

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 on 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 agenda items should submit them to the Commission office, 200 North Spring Street, Room 272, Los Angeles, CA 900152, 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 N. 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 this public hearing, 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
CE – Categorical Exemption
EIR – Environmental Impact Report

MND – Mitigated Negative Declaration
ND – Negative Declaration

1. **DIRECTOR'S REPORT**

A. Items of interest

2. **COMMISSION BUSINESS**

A. Advanced Calendar

B. Commission Requests

3. **ZA-2008-4917-ZAA-1A**

CEQA: ENV-2008-4916-CE

Plan Area: Hollywood

Council District No.: 13

Expiration Date: 4-13-10 Extended

Appeal Status: Not further appealable

PUBLIC HEARING

This item is continued from the meeting of February 23, 2010

LOCATION: 971 N. WILTON PLACE

REQUESTED ACTION:

An **appeal** of the Zoning Administrator's **denial** of an **Adjustment** from Section 12.09. 1-B,2 and from Section 12.09-B,3 of the Los Angeles Municipal Code to permit a reduced northerly side yard of 1-foot, 7-inches and to permit a reduced southerly side yard of 0 feet in lieu of the required 5 feet, and an **Adjustment** from Section 12.09.1-B,3 to permit a reduced rear yard of 0 feet in lieu of the required 15 feet, and an Adjustment from Section 12.21-C1 (g) to permit two required parking spaces within the required front yard, and find the environmental clearance Categorical Exemption ENV-2008-4916-CE.

Applicant: Alan and Anne Dinner
Representative: John Pieplow

Appellant: Same

RECOMMENDATION:

Deny the appeal.

Sustain the Zoning Administrator's **denial** of an **Adjustment** to permit a reduced northerly side yard of 1-foot, 7-inches and to permit a reduced southerly side yard of 0 feet in lieu of the required 5 feet, and an **Adjustment** to permit a reduced rear yard of 0 feet in lieu of the required 15 feet, and an Adjustment to permit two required parking spaces within the required front yard. Find the environmental clearance Categorical Exemption ENV-2008-4916-CE.

Staff: Michael LoGrande (213) 978-1318

4. **APCC-2009-3510-SPE-SPPA-SPP**

CEQA: ENV-2009-884-MND

Plan Area: Westlake

Council District: 1 - Reyes

Expiration Date: 4-13-10 Extended

Appeal Status: Appealable to
City Council

PUBLIC HEARING – Completed on January 22, 2010,

This item is continued from the meeting of March 9, 2010

LOCATION: 1239-1245 WILSHIRE BOULEVARD

PROPOSED PROJECT:

The demolition of all existing residential and industrial uses on the site and the proposed

construction, use and maintenance of a new residential apartment complex, to consist of 125 units (123 Restricted Affordable Units and 2 non-restricted). The project will provide 97 parking spaces Pursuant to LAMC Section 12.22 A.25 (d) (2) and LAMC Section 12.21. The Project is located on an approximately 54,900 square foot, irregularly shaped sloping site fronting Beverly Boulevard and Lucas Avenue classified in the RC4(CW)-U/3.7 and R4(CW)-75/3 Zones The apartment complex is to be constructed in two separate buildings as follows: Building A: 6-Story, 68 total units Zoned RC(CW)-U/3.7 with primary frontage on Beverly Boulevard; Building B: 5-Story, 57 total units (Senior) Zoned R4(CW)-75/3 with primary frontage on Lucas Avenue. The project contains approximately 120,691 square feet of floor area.

REQUESTED ACTION:

1. Pursuant to Section 11.5.7 F of the Municipal Code, Exceptions to the Central City West Specific Plan (Ordinance 166,703, as amended by Ordinances 167,944, 179,420, 176,519, and 173,455) as follows:
 - a. From Sec. 5.B.3 to permit a project with over 100,000 square feet of non-residential floor area with more than 50% of employees commuting by single-occupancy vehicles;
 - b. From Sec. 8.C.2 to permit a project with an open space setback from Wilshire Boulevard varying in depth from zero to four feet in-lieu of the five feet required;
 - c. From Sec. 8.D.1 to permit a project on a lot greater than one acre in size and bordering on a scenic highway, without a plaza as is otherwise required;
 - d. From Sec. 9.A to permit the project with no additional widening of Witmer Street;
 - e. From Sec. 12.C.1 to permit the project with more than 100,000 square feet (but less than 499,999 sq. ft.) of non-residential floor area with no on-site child care facility;
 - f. From Sec. 13.A.3 to permit a project with more than 100,000 square feet of non-residential floor area without a dual plumbing system as is otherwise required; and
 - g. From Sec. 14.C D and E to permit five wall mounted signs, including one containing 300 sq. ft. of area and four to be mounted more than 20 feet above the elevation of the sidewalk.
2. Pursuant to Section 11.5.7 E of the Municipal Code, Adjustments to the Central City West Specific Plan to permit as follows:
 - a. From Sec. 8.B.1 to permit building portions exceeding 45 feet in height to be stepped back 8 feet from the ground floor exterior wall on Wilshire Boulevard in lieu of the 10 feet required; and
 - b. From Sec. 8.C.1 to permit a commercial building to observe an 8-foot open space setback on Witmer Street in lieu of the 10-feet required.
3. Pursuant to Section 11.5.7 C of the Municipal Code, a Project Permit Compliance Review to permit construction of a new medical office building.
4. Adopt the environmental clearance Mitigated Negative Declaration ENV-2009-884-MND.

Applicant: Good Samaritan Hospital
Representative: John Parker, Pacific Crest Consultants

RECOMMENDATION:

1. Deny Exceptions to the Central City West Specific Plan as follows:
 - a. From Sec. 8.C.2 to permit a project with an open space setback from Wilshire Boulevard varying in depth from zero to four feet in-lieu of the five feet required;
 - b. From Sec. 14.C D and E to permit five wall mounted signs, including one containing 300 sq. ft. of area and four to be mounted more than 20 feet above the elevation of the sidewalk.
2. Approve Exceptions to the Central City West Specific Plan as follows:
 - a. From Sec. 8.D.1 to permit a project on a lot greater than one acre in size and bordering on a scenic highway, without a plaza as is otherwise required;
 - b. From Sec. 9.A to permit the project with no additional widening of Witmer Street;
 - c. From Sec. 12.C.1 to permit the project with more than 100,000 square feet (but less than 499,999 sq. ft.) of non-residential floor area with no on-site child care facility;
 - d. From Sec. 13.A.3 to permit a project with more than 100,000 square feet of non-residential floor area without a dual plumbing system as is otherwise required; and
 - e. From Sec. 5.B.3 to permit a project with over 100,000 square feet of non-residential floor area with more than 50% of employees commuting by single-occupancy vehicles.
3. Deny an Adjustment to the Central City West Specific Plan to permit a commercial building to

- observe an 8-foot open space setback on Witmer Street in lieu of the 10-feet required.
4. Deny Without Prejudice an Adjustment to the Central City West Specific Plan to permit building portions exceeding 45 feet in height to be stepped back 8 feet from the ground floor exterior wall on Wilshire Boulevard in lieu of the 10 feet required; and
 5. Approve a Project Permit Compliance for the proposed project.
 6. Adopt Mitigated Negative Declaration No. ENV-2009-884-MND.
 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.

Staff: Lynda Smith (213) 978-1170

5. **VTT-64627-CN-M1-1A**
CEQA: ENV-2006-922-MND
Plan Area: Hollywood

Council District: 13 – Garcetti
Expiration Date: 4-13-10 Extended
Appeal Status: Further appealable to City Council

PUBLIC HEARING

This item is continued from the meeting of March 9, 2010

LOCATION: 5827 - 5829-1/2 W. CARLTON AVENUE

PROPOSED PROJECT:

Modification of Condition No. 9.b. of an approved 12-unit condominium to allow four guest parking spaces in lieu of the six required.

REQUESTED ACTION:

An Appeal from the entire decision of the Advisory Agency in **disapproving** VTT64627-CN-M1. Consideration of Mitigated Negative Declaration ENV-2006-922-MND.

Applicant: Carlton Project Dev LLC
Appellant: Same

RECOMMENDATION:

1. **Deny the Appeal.**
2. Sustain the action of Deputy Advisory Agency in disapproving VTT-64627-CN-M1.
3. Adopt the Findings of the Deputy Advisory Agency.
4. Adopt ENV-2006-922-MND.

Staff: Joey Vasquez (213) 978-1352

6. **ZA-2008-1871-CUE-1A**
CEQA: ENV-2009-1872-CE
Plan: Hollywood

Council District: 5 – Koretz
Expiration Date: 4-21-10
Appeal Status: Not further appealable

PUBLIC HEARING – *Controversial*

LOCATION: 7371 W. MELROSE AVENUE

REQUESTED ACTION:

An appeal of the Zoning Administrator's decision pursuant to Los Angeles Municipal Code Section 12.24-X,2, for the **approval** of a **Conditional Use** exception to permit the sale and dispensing for consideration of beer and wine for on-site consumption in conjunction with an existing 2,170 square-foot restaurant with 49 seats, and finding the environmental clearance Categorical Exemption ENV-2009-1872-CE.

RECOMMENDATION:

Deny the appeal; Sustain the Zoning Administrator's decision for the **approval** of a **Conditional Use** exception to permit the sale and dispensing for consideration of beer and wine for on-site consumption in conjunction with an existing 2,170 square-foot restaurant with 49 seats, and find the environmental clearance Categorical Exemption ENV-2009-1872-CE.

Applicant: Kamil Majer, Fiesta Express/Blue Jam Café, Colabella Properties
Appellant: Melvy Murguia

Staff: Fernando Tovar (213) 978-1330

7. **ZA-2009-0042-ZAA-1A**
CEQA: ENV-2009-0043-CE
Plan: Wilshire

Council District: 4 – LaBonge
Expiration Date: 5-4-10
Appeal Status: Not further
appealable

PUBLIC HEARING

Request for continuance in letter dated March 24, 2010

LOCATION: 347 S. LUCERNE BOULEVARD

REQUESTED ACTION:

An appeal of the Zoning Administrator's decision pursuant to Los Angeles Municipal Code Section 12.28, for the **denial** of a **Zoning Administrator's Adjustment** from Section 12.21-C,5(e) to permit a reduced southerly side yard and a rear yard setback of 2 feet each in lieu of the 5 feet and 15 feet that are otherwise required for the side and rear yards, respectively, on a lot in the RE11-1-HPOZ Zone, and finding the environmental clearance Categorical Exemption ENV-2009-0043-CE.

RECOMMENDATION:

Deny the appeal; Sustain the Zoning Administrator's decision for the **denial** of a **Zoning Administrator's Adjustment** to permit a reduced southerly side yard and a rear yard setback of 2 feet each in lieu of the 5 feet and 15 feet that are otherwise required for the side and rear yards, respectively, on a lot in the RE11-1-HPOZ Zone, and find the environmental clearance Categorical Exemption ENV-2009-0043-CE.

Applicant: Bob Rasmussen and Rebecca Brown
Representative: Scott Smissen
Appellant: Same

Staff: Sue Chang (213) 978-1318

8. **ZA-2008-4274-CUB-1A**
CEQA: ENV-2008-4273-MND
Plan: Wilshire

Council District: 10 – Wesson
Expiration Date: 4-14-10
Appeal Status: Not further
appealable

PUBLIC HEARING

LOCATION: 3201 WILSHIRE BOULEVARD

REQUESTED ACTION:

An appeal of the Zoning Administrator's decision pursuant to Los Angeles Municipal Code Section 12.24-W,1, for the **denial** of a **Conditional Use** to permit the sale and dispensing of beer and wine only for off-site consumption, in conjunction with an existing mini-market and a gasoline station, and for the denial of the environmental clearance Mitigated Negative Declaration ENV-2008-4273-MND.

RECOMMENDATION:

Deny the appeal; Sustain the Zoning Administrator's decision pursuant to Los Angeles Municipal Code Section 12.24-W,1, for the **denial** of a **Conditional Use** to permit the sale and dispensing of beer and wine only for off-site consumption, in conjunction with an existing mini-market and a gasoline station and consider the environmental clearance Mitigated Negative Declaration ENV-2008-4273-MND.

Applicant: Harry Hahn, Wilshire Shell Food and Gas
Representative: Nathan Freeman, FMG

Appellant: Same

Staff: Sue Chang (213) 978-1318

9. 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, April 27, 2010** at
City Hall
200 North Spring Street, 10th Floor
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.