

**CENTRAL AREA PLANNING COMMISSION
REGULAR MEETING
TUESDAY, AUGUST 23, 2011, After 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
Kevin Norton, Commissioner
Daniel Suh, Commissioner

Sheldred Alexander, Commission Executive Assistant

(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 ITEMS: 3, 4, 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**

Items of interest

2. **COMMISSION BUSINESS**

- A. Election of Officers
- B. Advanced Calendar
- C. Commission Requests

3. **ZA-2011-0448-ZAA-SPR-1A**
CEQA: ENV-2011-449-MND

Council District: 4 – LaBonge
Expiration Date: Extended
Plan: Wilshire
Appeal Status: Not further appealable

PUBLIC HEARING

CONTINUED FROM MEETING OF JULY 12, 2011

Location: 5500-5528 West Wilshire Boulevard

Requested Action:

An Appeal of the Zoning Administrator's decision 1) pursuant to Los Angeles Municipal Code Section 12.28, for the approval of an adjustment from Section 12.13.5-B of the Los Angeles Municipal Code to permit a reduced side yard setback of 17 feet 11 inches for the first two stories in-lieu of the required 20 feet on the southerly side yard of the [Q]C1.5-2-CDO Zone, and 2) pursuant to Los Angeles Municipal Code Section 16.05, for the approval of Site Plan Review for the development of 125 residential units and 50 joint/live work units; and an appeal of the Zoning Administrator's decision to adopt the City's action of issuing the environmental clearance Mitigated Negative Declaration ENV-2011-449-MND.

APPLICANT: Tim O'Brien, Desmonds, 5500 Wilshire, LLC
Representative: Matt Dzurec, Armbruster Goldsmith & Delvac, LLP

APPELLANT: Harrison Properties and ENDEMOR Realty USA, Inc.
Representative: Kate Bartolo and Associates

Recommended Action:

- 1. **Deny** the appeal;
- 2. **Sustain** the Zoning Administrator's decision **1)** for the approval of an adjustment to permit a reduced side yard setback of 17 feet 11 inches for the first two stories in-lieu of the required 20 feet on the southerly side yard of the [Q]C1.5-2-CDO Zone, and **2)** for the approval of Site Plan Review for the development of 125 residential units and 50 joint/live work units; and
- 3. **Sustain** the Zoning Administrator's decision to adopt the City's action of issuing the environmental clearance Mitigated Negative Declaration ENV-2011-449-MND.

Staff: Maya Zaitzevsky (213) 978-1416

4. **ZA-2010-0803-ZV-ZAA-1A**
CEQA: ENV-2010-802-CE
Plan: Hollywood

Council District: 5 – Koretz
Expiration Date: Extended
Appeal Status: ZV further appealable if approved

PUBLIC HEARING

CONTINUED FROM MEETING OF JUNE 28, 2011

Location: 812-814 NORTH SYCAMORE AVENUE

Requested Action:

An appeal of the Zoning Administrator's decision **1)** pursuant to Charter Section 562 and Los Angeles Municipal Code Section 12.27-B, for the denial of **a)** a Variance from Section 12.09-A,2 of the Municipal Code to permit three dwelling units in lieu of a maximum two units permitted in the R2 Zone, **b)** a Variance from Section 12.21-A,4(a) to permit one parking space in lieu of the required two spaces for the third unit and three uncovered parking spaces in lieu of covered spaces, **c)** a Variance from Section 12.21-A,5 to permit two compact parking spaces in lieu of two standard spaces for two dwelling units, and **d)** a Variance from Section 12.21-A,5(i)(1) to permit cars to back out onto a Local Street; **2)** pursuant to Los Angeles Municipal Code Section 12.28-A, for the denial of **a)** Zoning Administrator's Adjustment from Section 12.21-C,2(b) to permit a reduced passageway between structures of 3 feet in lieu of 10 feet otherwise required, **b)** a Zoning Administrator's Adjustment from Section 12.21-C,1(g) to permit one uncovered parking space within the required front yard, and **c)** a Zoning Administrator's Adjustment from Section 12.09-C to permit a reduced rear yard of 3 feet in lieu of 15 feet, and to permit a reduced side yard of 1-foot in lieu of 5 feet otherwise required in an R2 Zone; and **3)** an appeal of the Zoning Administrator's decision to not concur with environmental clearance Categorical Exemption ENV-2010-802-CE Class I, Category 22, Article III, Section I, City CEQA guidelines.

APPLICANT: Pauli Smith

APPELLANT: Same

Recommended Action:

1. **Deny** the appeal.
2. **Sustain** the Zoning Administrator's decision **1)** to deny **a)** a Variance to permit three dwelling units in lieu of the maximum of two units permitted in the R2 Zone, **b)** a Variance to permit one parking space in lieu of the required two spaces for the third proposed unit and three uncovered parking spaces in lieu of covered spaces, **c)** a Variance to permit two compact parking spaces in lieu of two standard spaces for two dwelling units; and **d)** a Variance to permit cars to back out onto a Local Street; **2)** to deny **a)** Zoning Administrator's Adjustment to permit a reduced passageway between structures of 3 feet in lieu of 10 feet otherwise required, **b)** a Zoning Administrator's Adjustment to permit one uncovered parking space within the required front yard, and **c)** a Zoning Administrator's Adjustment to permit a reduced rear yard of 3 feet in lieu of 15 feet, and to permit a reduced side yard of 1-foot in lieu of 5 feet otherwise required in an R2 Zone.

3. **Sustain** the Zoning Administrator's decision to not concur with environmental clearance Categorical Exemption ENV-2010-802-CE Class I, Category 22, Article III, Section I, City CEQA guidelines.

Staff: Sue Chang (213) 978-1318

5. **ZA-2009-2026-ZV-ZAA-ZAD-1A**
CEQA: ENV-2009-2027-CE
Plan: Wilshire

Council District: 5 – Koretz
Expiration Date: 8-23-11
Appeal Status: ZV further appealable if approved

PUBLIC HEARING

Location: 1100-1102 SOUTH STEARNS DRIVE

Requested Action:

An appeal of the Zoning Administrator's decision: 1) pursuant to Charter Section 562 and Los Angeles Municipal Code Section 12.27-B, to deny a) a Variance from Section 12.08-A of the Code to allow the legalization and continued use of an approximately 790 square-foot one-story detached dwelling unit resulting in a total of three dwelling units in lieu of the two existing dwelling units that were legally built and allowed to remain on the site in an R1 Zone that otherwise allows one single-family dwelling unit; b) a Variance from Section 12.21-A,4(a) to allow no additional parking space to be provided in lieu of the required one covered space for the third dwelling unit; c) a Variance from Section 12.21-A,5(i)(1) to allow automobiles to back out of the garage where the parking area serves more than two dwelling units and where the driveway access is to a street other than a major or secondary highway, 2) pursuant to Los Angeles Municipal Code Section 12.28-A to deny a Zoning Administrator's Adjustment from Section 12.08-C,3 of the Code to allow a rear yard varying in depth from 3 feet 6 inches to 5 feet 6 inches in lieu of the required 15 feet, and 3) pursuant to Los Angeles Municipal Code Section 12.28-A, to approve a Zoning Administrator's Adjustment from Section 12.21-C,1(g) to permit the continued use and maintenance of the existing walls and a gate ranging in height from 3 feet 4 inches to 5 feet 3 inches with a cumulative height of 7 feet 8 inches in the front yard in lieu of a maximum permitted height of 3 feet 6 inches; and the existing walls ranging from 3 feet 5 inches to 6 feet with a cumulative height of 9 feet 6 inches in the northerly side yard in lieu of the maximum height of 8 feet otherwise permitted in the R1 Zone, all in conjunction with the legalization of a third dwelling unit, which was illegally converted from a recreation room, and existing over-in-height walls in the front and northerly side yards, which were constructed without the required permits, and an appeal of the Zoning Administrator's decision to adopt the action of the City in issuing a Notice of Exemption (Article III, Section 3, City CEQA Guidelines), log reference ENV-2009-2027-CE for a Categorical Exemption, Class 3, Category 2, City CEQA Guidelines, Article VII, Section I, State EIR Guidelines, Section 15100.

APPLICANT: Eric Hammerlund & Terrence Villines
Representative: Todd Elliott, Truman & Elliott, LLP

APPELLANT: Same

Recommended Action:

1. **Deny** the appeal.
2. **Sustain** the Zoning Administrator's decision 1) to deny a Variance; a) to allow the legalization and continued use of an approximately 790 square-foot one-story detached dwelling unit resulting in a total of three dwelling units in lieu of the two existing dwelling units that were legally built and allowed to remain on the site in an R1 Zone that otherwise allows one single-family dwelling unit; b) to allow no additional parking space to be provided in lieu of the required one covered space for the third dwelling unit; and c) to allow automobiles to back out of the garage where the parking area serves more than two dwelling units and where the driveway access is to a street other than a major or secondary highway; 2) to deny a Zoning Administrator's Adjustment to allow a rear yard varying in depth from 3 feet 6 inches to 5 feet 6 inches in lieu of the required 15 feet; and 3) to approve a Zoning Administrator's Adjustment to permit the continued use and maintenance of the existing walls and a gate ranging in height from 3 feet 4 inches to 5 feet 3 inches with a cumulative height of 7 feet 8 inches in the front yard in lieu of a maximum permitted height of 3 feet 6 inches; and to permit the existing walls ranging from 3 feet 5 inches to 6 feet with a cumulative height of 9 feet 6 inches in the northerly side yard in lieu of the maximum height of 8 feet otherwise permitted in the R1 Zone, all in conjunction with the legalization of a third dwelling unit, which was illegally converted from a recreation room, and existing over-in-height walls in the front and northerly side yards, which were constructed without the required permits.
3. **Sustain** the Zoning Administrator's decision to adopt the action of the City in issuing a Notice of Exemption (Article III, Section 3, City CEQA Guidelines), log reference ENV-2009-2027-CE for a Categorical Exemption, Class 3, Category 2, City CEQA Guidelines, Article VII, Section I, State EIR Guidelines, Section 15100.

Staff: Sue Chang (213) 978-3304

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| 6. <u>ZA-2010-1357-CUB-1A</u>
CEQA: ENV-2010-1358-MND
Plan: Wilshire | Council District: 10 – Wesson
Expiration Date: 9-7-11
Appeal Status: Not further appealable |
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PUBLIC HEARING

Location: 3014 WEST 7th STREET

Requested Action:

An appeal of the Zoning Administrator's decision pursuant to Los Angeles Municipal Code Section 12.24-W,1, for the approval of a conditional use to allow the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant with live entertainment, and an appeal of the Zoning Administrator's decision to adopt the action of the Lead Agency in issuing Environmental Clearance, Mitigated Negative Declaration ENV 2010-1358-MND.

APPLICANT: Brian Chong
Representative: Hea Gin Lee

APPELLANT: Same

Recommended Action:

1. **Deny** the appeal;
2. **Sustain** the Zoning Administrator's decision for the approval of a Conditional Use Permit, to allow the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing restaurant with live entertainment.
3. **Sustain** the Zoning Administrator's decision to adopt the action of the Lead Agency in issuing Environmental Clearance, Mitigated Negative Declaration ENV 2010-1358-MND.

Staff: Sue Chang (213) 978-3304

7. **ZA-2010-1349-CUB-1A**

CEQA: ENV-2010-1350-MND

Plan: Wilshire

Council District: 10 – Wesson

Expiration Date: 9-10-11

Appeal Status: Not further appealable

PUBLIC HEARING

Location: 3826 WEST 6th STREET

Requested Action:

An appeal of the Zoning Administrator's decision to approve a conditional use to allow the continued sale and dispensing of beer and wine only for on-site consumption in conjunction with an existing restaurant with live entertainment; and an appeal of the Zoning Administrator's decision to adopt the action of the lead agency in issuing environmental clearance, Mitigated Negative Declaration ENV 2010-1350-MND.

APPLICANT: Brian Chong

APPELLANT: Same

Recommended Action:

1. **Deny** the appeal.
2. **Sustain** the Zoning Administrator's decision to approve the continued sale and dispensing of beer and wine only for on-site consumption in conjunction with an existing restaurant with live entertainment; and
3. **Sustain** the Zoning Administrator's decision to adopt the action of the lead agency in issuing environmental clearance, Mitigated Negative Declaration ENV-2010-1350-MND.

Staff: Sue Chang (213) 978-3304

8. **ZA-2010-2169-F-1A**

CEQA: ENV-2010-2170-CE

Plan: Hollywood

Council District: 5 – Koretz

Expiration Date: 9-18-11

Appeal Status: Not further appealable

PUBLIC HEARING

Location: 1382 NORTH LONDONBERY PLACE

Requested Action:

An appeal of Condition Nos. 10 and 11 of the Zoning Administrator's decision to approve the construction, use and maintenance of a 170 linear foot block wall fence, including sliding gates, to observe a maximum height of 8 feet within the front yard setback area of an existing single-family dwelling in lieu of the 3 feet 6 inches otherwise permitted; and the Zoning Administrator's decision to adopt the Notice of Exemption, log reference ENV 2010-2170-CE, for a Categorical Exemption, Class 3, Category 6, City CEQA Guidelines, Article VII, Section 1, State EIR Guidelines, Section 15100.

APPLICANT: David Feldman ATF, The Londonberry Trust
Representative: Karen Zindler-Shuler/Steve Bardwell, Architects

APPELLANT: Same

Recommended Action:

1. **Deny** the appeal.
2. **Sustain** the Zoning Administrator's decision to impose Condition Nos. 10 and 11 in the decision to approve the construction, use and maintenance of a 170 linear block wall fence, including sliding gates, to observe a maximum height of 8 feet within the front yard setback area of an existing single-family dwelling in lieu of the 3 feet 6 inches otherwise permitted; and
3. **Sustain** the Zoning Administrators decision to adopt the Notice of Exemption, log reference ENV 2010-2170-CE, for a Categorical Exemption, Class 3, Category 6, City CEQA Guidelines, Article VII, Section 1, State EIR Guidelines, Section 15100.

Staff: Patricia Diefenderfer (213) 978-1370

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, September 13, 2011** 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.