

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

**HARBOR AREA PLANNING COMMISSION
REGULAR MEETING
TUESDAY, OCTOBER 4, 2011, 4:30 P.M.
HARBOR COMMISSION BOARD ROOM
425 SOUTH PALOS VERDES STREET, 2ND FLOOR
SAN PEDRO, CALIFORNIA 90731**

Phillip Trigas, President
Joeann Valle, Vice President
Emma Castillo, Commissioner
Eric Eisenberg, Commissioner
Kandee Lewis, Commissioner

Fely C. Pingol, 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 NO. 4.

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 - Calif. Environmental Quality Act
EIR - Environmental Impact Report

ND - Negative Declaration
MND - Mitigated Negative Declaration
CE - Categorical Exemption

1. **ELECTION OF OFFICERS**

2. **DEPARTMENTAL REPORT - ITEMS OF INTEREST**

3. **COMMISSION BUSINESS**

A. Advance Calendar

B. Commission Requests

C. Approval of Minutes of May 17, 2011 Harbor Area Planning Commission
Regular Meeting

4. **ZA-2011-0547-CU-ZV-1A**

CEQA: ENV-2011-0548-MND
Plan: San Pedro

Council District: 15

Location: 1025-1037 South Gaffey Street

Appeal Status: Not further appealable to
City Council; Zone Variance appealable if
granted

PUBLIC HEARING

Requested Actions:

AN APPEAL of the Zoning Administrator's decision, pursuant to Los Angeles Municipal Code Section 12.24-W,17, to approve a Conditional Use Permit to allow a drive-thru fast food restaurant adjacent to residential uses in the [Q]C2-1XL Zone; pursuant to Los Angeles Municipal Code Section 12.24-W,27, to approve a request to allow the hours of operation to be 9:00 a.m. to 2:00 a.m. in lieu of the permitted Commercial Corner limitations of 7:00 a.m. to 11:00 p.m., and to allow a reduced transparency of 14% along the front elevation and 7% along the side elevation in lieu of the minimum 50% transparency required; and pursuant to Los Angeles City Charter Section 562 and Los Angeles Municipal Code Section 12.27, to approve a Variance from Los Angeles Municipal Code Section 12.21-A,4(c)(3) to permit 11 on-site parking spaces in lieu of the 15 required; and the Zoning Administrator's decision to adopt the action of the lead agency in issuing the environmental clearance Mitigated Negative Declaration ENV-2011-0548-MND.

APPLICANT: Steve Pulcheon
Representative: Gabriella Marks

APPELLANT: Josephine Ciaramitaro

Recommended Actions:

1. **Deny** the appeal.
2. **Sustain the Zoning Administrator's decision** pursuant to Los Angeles Municipal Code Section 12.24-W,17, to approve a Conditional Use Permit to allow a drive-thru fast food restaurant adjacent to residential uses in the [Q]C2-1XL Zone; pursuant to Los Angeles Municipal Code Section 12.24-W,27, to approve a request to allow the hours of operation to be 9:00 a.m. to 2:00 a.m. in lieu of the permitted Commercial Corner limitations of 7:00

a.m. to 11:00 p.m., and to allow a reduced transparency of 14% along the front elevation and 7% along the side elevation in lieu of the minimum 50% transparency required; and pursuant to Los Angeles City Charter Section 562 and Los Angeles Municipal Code Section 12.27, to approve a Variance from Los Angeles Municipal Code Section 12.21-A,4(c)(3) to permit 11 on-site parking spaces in lieu of the 15 required. **sustain** the Zoning Administrator's decision to adopt the action of the lead agency in issuing the environmental clearance Mitigated Negative Declaration ENV-2011-0548-MND.

Staff: Maya Zaitzevsky (213) 978-1416

5. 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 Harbor Area Planning Commission
will be held at **4:30 p.m. on Tuesday, October 18, 2011**
at the **Harbor Commission Board Room, 2nd Floor**
425 South Palos Verdes Street. San Pedro, CA 90731

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 APCHarbor@lacity.org