

OFFICIAL
CITY OF LOS ANGELES
East Los Angeles Area Planning Commission Minutes
Wednesday, June 8, 2011
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 RECORDINGS FOR THIS MEETING. COPIES OF COMPACT DISCS RECORDINGS ARE AVAILABLE BY CONTACTING CENTRAL PUBLICATIONS, AT (213) 978-1255 AND ARE ALSO ACCESSIBLE THROUGH THE WORLD WIDE WEB AT www.planning.lacity.org.

The meeting was called to order by Commissioner Angulo at 4:55 p.m.

Commissioners' present: Javier C. Angulo, David Marquez, and Kei Nagao

Commissioners' absent: Luis Lopez

1. DEPARTMENTAL REPORT - ITEMS OF INTEREST

No report

2. COMMISSION BUSINESS

- A. Advance Calendar – no changes
- B. Commission Requests - none
- C. Approval of Minutes from February 9, 2011 tabled until the next regular meeting.

3. ZA 2010-2727-CUB-1A

CEQA: ENV-2008-1992-MND-REC1

Council District: 1

Expiration Date: 6/18/11

Plan: Northeast Los Angeles

Appeal Status: Not further appealable

PUBLIC HEARING

Location: 3201 North Broadway

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 Permit to allow the sale and dispensing of beer and wine for off-site consumption in conjunction with an existing 2,088 square-foot 7-Eleven market in the [Q]C4-1VL-CDO Zone, and finding the environmental

clearance Mitigated Negative Declaration ENV-2008-1992-MND-REC1 to reflect the independent judgment of the lead agency and that potential environmental impacts are mitigated to a less than significant level.

APPLICANT: Balwant Kaur Grewal
Representative: Ericka Ramirez, Urban Associates, Inc.

APPELLANT: Hugo L. Pacheco

Recommended Action:

1. **Deny** the appeal
2. **Sustain** the Zoning Administrator's decision for the approval of a Conditional Use Permit to allow the sale and dispensing of beer and wine for off-site consumption in conjunction with an existing 2,088 square-foot 7-Eleven market in the [Q]C4-1VL-CDO Zone.
3. **Consider** the environmental clearance Mitigated Negative Declaration ENV-2008-1992-MND-REC1 to reflect the independent judgment of the lead agency and that potential environmental impacts are mitigated to a less than significant level.

Staff: Maya E. Zaitzevsky (213) 978-1416

DISCUSSION

Planning staff presented their report. The appellant spoke, the applicant's representative spoke. The applicant spoke to the Commission. There were several speakers in support of the appellant and several speakers in support of the applicant. An LAPD Commanding Officer and the City Councilmember's representative spoke to the Commission in support of the applicant. The Commissioners discussed the case at length.

Motion: To deny the appeal, sustain the Zoning Administrator's decision for the approval of a Conditional Use Permit to allow the sale and dispensing of beer and wine for off-site consumption in conjunction with an existing 2,088 square-foot 7-Eleven market in the [Q]C4-1VL-CDO Zone, subject to Modified Conditions of Approval, and consider the environmental clearance Mitigated Negative Declaration ENV-2008-1992-MND-REC1 to reflect the independent judgment of the lead agency and that potential environmental impacts are mitigated to a less than significant level.

Moved: Nagao
Seconded: Marquez
Ayes: Nagao, Marquez, Angulo
Absent: Lopez

Vote: 3 - 0

4. **ZA-2010-3036-CUB-CU-1A**

CEQA: ENV-2010-3037-MND

Council District: 1

Expiration Date: 6/21/11

Plan: Northeast Los Angeles

Appeal Status: Not further appealable

PUBLIC HEARING

Location: 3724 East Mission Road

Requested Action:

An appeal of the Zoning Administrator's decision **1)** pursuant to Los Angeles Municipal Code Section 12.24-W,1 for the dismissal of a Conditional Use for the sale and dispensing of beer and wine for off-site consumption in conjunction with a new 24-hour convenience market inasmuch as the applicant withdrew the request in writing after the hearing, and **2)** pursuant to Los Angeles Municipal Code Section 12.24-W,27, for the approval of a Conditional Use Permit to allow the hours of operation of 24 hours, daily, in lieu of the Commercial Corner limitation of hours of operation from 7:00 a.m. to 11:00 p.m. otherwise permitted in the M1-1 Zone, and finding the environmental clearance Mitigated Negative Declaration ENV-2010-3037-MND to reflect the independent judgment of the lead agency and that the potential environmental impacts are mitigated to a less than significant level.

APPLICANT: Jennifer Lietchi, 7-Eleven
Representative: Erika Ramirez, Urban Associates, Inc

APPELLANT: El Arca- East Los Angeles Remarkable Citizen's Assoc., Inc.
Representative: John M. Menchaca, MPA – President

Recommended Action:

1. **Deny** the appeal
2. **Sustain** the Zoning Administrator's decision **1)** for the dismissal of a Conditional Use for the sale and dispensing of beer and wine for off-site consumption in conjunction with a new 24-hour convenience market inasmuch as the applicant withdrew the request in writing after the hearing, and **2)** for the approval of a Conditional Use Permit to allow the hours of operation of 24 hours, daily, in lieu of the Commercial Corner limitation of hours of operation from 7:00 a.m. to 11:00 p.m. otherwise permitted in the M1-1 Zone.
3. **Consider** the environmental clearance Mitigated Negative Declaration ENV-2010-3037-MND to reflect the independent judgment of the lead agency and that potential environmental impacts are mitigated to a less than significant level.

Staff: Maya E. Zaitzevsky (213) 978-1416

DISCUSSION

Planning staff presented their report. The appellant spoke, the applicant's representative spoke. There were several speakers in support of the appellant and several speakers in support of the applicant. An LAPD Lead Officer and the City Councilmember's representative spoke to the Commission in support of the applicant. The Commissioners discussed the case at length.

1st Motion: To deny the appeal in part, sustain the Zoning Administrator's decision **1)** for the dismissal of a Conditional Use for the sale and dispensing of beer and wine for off-site consumption in conjunction with a new 24-hour convenience market inasmuch as the applicant withdrew the request in writing after the hearing, and **2)** for the approval of a Conditional Use Permit to allow the hours of operation of 24 hours, daily, in lieu of the Commercial Corner limitation of hours of operation from 7:00 a.m. to 11:00 p.m. otherwise permitted in the M1-1 Zone, subject to Modified Conditions of Approval, and consider the environmental clearance Mitigated Negative Declaration ENV-2010-3037-MND to reflect the independent judgment of the lead agency and that potential environmental impacts are mitigated to a less than significant level.

The motion was not seconded.

2nd Motion: To grant the appeal, overturn the Zoning Administrator's decision and deny the Conditional Use Permit to allow the hours of operation of 24 hours, daily, in lieu of the Commercial Corner limitation of hours of operation from 7:00 a.m. to 11:00 p.m. otherwise permitted in the M1-1 Zone, and not consider ENV-2010-3037-MND to reflect the independent judgment of the lead agency in that potential environmental impacts are mitigated to a less than significant level.

The motion was not seconded.

3rd Motion: To continue the case to July 13, 2011, pending agreement by the applicant's representative to extend the expiration date.

When asked, the representative stated that his client would not agree to extend the date, so the case could not be continued.

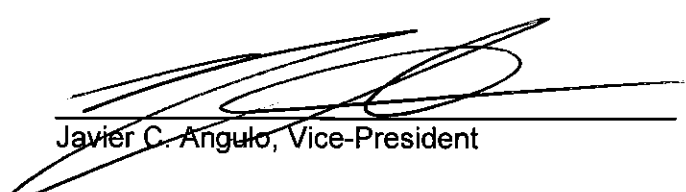
The motion was not seconded.

The Commission failed to act on the appeal.

5. PUBLIC COMMENT

None

There being no further business to come before the East Los Angeles Area Planning Commission, the meeting adjourned at 9:35 p.m.



Javier C. Angulo, Vice-President



Rhonda Ketay, Commission Executive Assistant
East Los Angeles Area Planning Commission

Adopted on October 26, 2011