

OFFICIAL
CITY OF LOS ANGELES
Harbor Area Planning Commission Minutes
Tuesday, October 4, 2011
Harbor Commission Board Room
425 South Palos Verdes Street, 2nd Floor
San Pedro, California 90731

MINUTES OF HARBOR AREA PLANNING COMMISSION HEREIN ARE REPORTED IN ACTION FORMAT. COMPLETE DETAILS, INCLUDING THE DISCUSSION, RELATING TO EACH ITEM ARE CONTAINED IN THE HEARING RECORDING 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 <http://www.planning.lacity.org>.

The meeting was called to order by President Phillip Trigas at 4:45 p.m.

Commissioners present: Emma Castillo, Eric Eisenberg, Kandee Lewis, Joeann Valle

Commissioner absent: None

1. ELECTION OF OFFICERS

Commissioner Valle moved that Commissioner Trigas be re-elected as President of the Harbor Area Planning Commission. It was seconded by Commissioner Lewis and was unanimously approved by Commissioners Castillo, Eisenberg, and Lewis.

Commissioner Trigas moved that Commissioner Valle be re-elected as Vice President of the Harbor Area Planning Commission. It was seconded by Commissioner Eisenberg and approved by Commissioners Castillo, Lewis, and Valle.

2. DEPARTMENTAL REPORT - ITEMS OF INTEREST

None

3. COMMISSION BUSINESS

A. Advance Calendar

Commissioner Trigas moved that the October 18, 2011 meeting of the Harbor Area Planning Commission be canceled. It was seconded by Commissioner Castillo and approved by Commissioners Eisenberg, Lewis, and Valle.

B. Commission Requests

None

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

Approval of Minutes of May 17, 2011 Meeting was moved by Commissioner Trigas,
seconded by Commissioner Lewis, and approved by Commissioner Castillo.

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

Staff presented the case.

The President opened the public hearing.

Appellant testified for the appeal.

The Applicant, Mr. Steve Pulcheon, responded to the Appellant's concern. He also testified for the proposal and requested to modify some of the conditions imposed by the Zoning Administrator. List of suggested modified conditions was submitted by the applicant's representative.

President of Central San Pedro Neighborhood Council, Linda Alexander, testified in support of the proposal. She also discussed a letter dated September 20, 2011 to Harbor Area Planning Commission regarding two resolutions passed by the Neighborhood Council related to the project. She also answered questions of the Commission.

One additional speaker also testified in support of the proposal but expressed concern on the hours of operation.

Both the applicant and the appellant rebutted and answered questions of the Commission.

Staff responded to the Applicant's concern on some of her Conditions of Approval.

Some discussions ensued.

The President closed the Public Hearing.

The Commission deliberated.

Motion: Deny the appeal, sustain 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; adopt the modified Conditions of Approval; adopt the Findings.

Moved: Commissioner Eisenberg

Seconded: Commissioner Valley

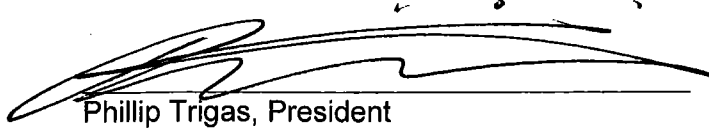
Ayes: Commissioners Castillo, Lewis, and Trigas

Vote: 5-0

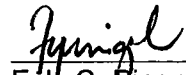
5. PUBLIC COMMENT PERIOD

None

There being no further business to come before the Harbor Area Planning Commission, the meeting adjourned at 6:15 p.m.



Phillip Trigas, President



Fely C. Pingol, Commission Executive Assistant
Harbor Area Planning Commission

Adopted: 2/5/13