

**CENTRAL AREA PLANNING COMMISSION
REGULAR MEETING
TUESDAY, FEBRUARY 26, 2013, After 4:30 P.M.
*** PUBLIC WORKS BOARD ROOM ***
CITY HALL, 3rd FLOOR ROOM 350
200 NORTH SPRING STREET
LOS ANGELES, CA 90012**

Franklin Acevedo, President
Chanchanit Martorell, Vice President
Marsha L. Brown, Commissioner
Young Kim, Commissioner
Daniel Suh, Commissioner

James K. Williams, Commission Executive II

(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(S): 3 and 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 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.planning.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

C. Minutes of Meeting – January 22, 2013

3. **ZA-2012-1086-CUB-1A**

CEQA: ENV-2012-1087-CE

Plan: Wilshire

Council District: 5 – Koretz

Expiration Date: 2-26-13

Appeal Status: Not further
appealable

PUBLIC HEARING

LOCATION: 8636 W. 3RD STREET

REQUESTED ACTION:

An **appeal** of the Zoning Administrator's decision to **deny**, pursuant to the provisions of Section 12.24-W,1 of the Los Angeles Municipal Code, a Conditional Use to allow an upgrade from beer and wine to a full line of alcoholic beverage license for on-site consumption with hours of operation from 11:30 a.m. to 2 a.m. daily, accommodating 68 patrons indoors and 24 patrons outdoors, in conjunction with an existing restaurant and gastro pub. Consideration of Categorical Exemption **ENV-2012-1087-CE** as the environmental clearance for this action.

Applicant: Valarie Svoboda

John Stewart, John Stewart Design Associates

Appellant: Same

RECOMMENDED ACTION:

1. **Deny the appeal.**

2. **Sustain** the action of the Zoning Administrator's decision to **deny**, pursuant to the provisions of Section 12.24-W,1 of the Los Angeles Municipal Code, a Conditional Use to allow an upgrade from beer and wine to a full line of alcoholic beverage license for on-site consumption with hours of operation from 11:30 a.m. to 2 a.m. daily, accommodating 68 patrons indoors and 24 patrons outdoors, in conjunction with an existing restaurant and gastro pub.

3. **Adopt** the findings of the Zoning Administrator.

4. **Adopt** Categorical Exemption **ENV-2012-1087-CE** as the environmental clearance for this action.

Staff: Sue Chang (213) 978-1318

4. **DIR-2012-1353-BSA-1A**
CEQA: N/A
Plan: Central City North

Council District: 1 – Reyes
Expiration Date: 3-20-13
Appeal Status: Not further
appealable

PUBLIC HEARING

LOCATION: 701 W. CESAR E. CHAVEZ AVENUE,
601 N. GRAND AVENUE

REQUESTED ACTION:

An **appeal** of the Director of Planning's decision to **deny**, pursuant to the provisions of Section 12.26-K of the Los Angeles Municipal Code, an appeal alleging that the Department of Building and Safety erred or abused its discretion in issuing Building Permit Nos. 11016-10000-23202 and 11016-10000-23204, and not stopping the work for the proposed tenant improvements of the grocery store and pharmacy at the existing retail spaces located at 701 West Cesar E. Chavez Avenue, Suite Nos. 101 and 102.

Applicant: Matt G. Smith, Wal-Mart Stores, Inc.
Rep.: Ellen Berkowitz, Gresham, Savage, Nolan & Tilden, PC
Appellant: Jan Tokumaru, Asian Pacific American Labor Alliance
Rep.: Gideon Kracov, Esq.

RECOMMENDED ACTION:

1. **Deny the appeal.**
2. **Sustain** the action of the Director of Planning's decision to **deny**, pursuant to the provisions of Section 12.26-K of the Los Angeles Municipal Code, an appeal alleging that the Department of Building and Safety erred or abused its discretion in issuing Building Permit Nos. 11016-10000-23202 and 11016-10000-23204, and not stopping the work for the proposed tenant improvements of the grocery store and pharmacy at the existing retail spaces located at 701 West Cesar E. Chavez Avenue, Suite Nos. 101 and 102.
3. **Adopt** the findings of the Director of Planning.

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 **Central, Area Planning Commission** will be held at **4:30 p.m.** on **Tuesday, March 12, 2013** 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.