

OFFICIAL
CITY OF LOS ANGELES
East Los Angeles Area Planning Commission Minutes
Wednesday, July 13, 2016
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 ENTIRE DISCUSSION, RELATING TO EACH ITEM ARE CONTAINED IN THE AUDIO RECORDING FOR THIS MEETING. COPIES OF AUDIO RECORDINGS ARE AVAILABLE BY CONTACTING CENTRAL PUBLICATIONS, AT (213) 978-1255 AND ARE ALSO ACCESSIBLE ONLINE AT planning.lacity.org.

The meeting was called to order at 4:43 p.m. by Commission President Christopher Arellano.

President Arellano called the roll:

Commissioner Arellano: Present
Commissioner Choi: Present
Commissioner Diel: Present
Commissioner Stein: Present

Commissioner Alarcon: Absent.

Also present were: Blake Lamb, Senior City Planner, and Oscar Medellin, Deputy City Attorney.

1. DEPARTMENTAL REPORT

Items of interest

Senior City Planner, Blake Lamb, stated that in light of today's heavy Agenda, she had nothing to report.

2. COMMISSION BUSINESS

A. Advance Calendar

There were no changes to the Advance Calendar.

B. Commission Requests

There were no commission requests.

C. Approval of the Minutes – June 8, 2016, and June 22, 2016

Commissioner Choi made a motion to approve the minutes of June 8 and June 22. Commissioner Diel pointed out that he and Commissioner Stein were absent for one of those meetings, but at different dates. Commissioner Choi restated her motion, Commissioner Arellano seconded, and each of the minutes were approved

3. **NEIGHBORHOOD COUNCIL PARTICIPATION**

Presentation by neighborhood council representatives on any neighborhood council resolution, or community impact statement filed with the city clerk, which relates to any agenda item listed or being considered on this agenda

There were no representation from the Neighborhood Council to speak.

Item #6 was taken out of order.

6. **ZA-2005-1584-CUB-PA1-1A**

CEQA: ENV-2014-3581-CE

Community Plan: Northeast Los Angeles

Council District: 14 - Huizar

Expiration Date: August 9, 2016

Appeal Status: Not Further Appealable

PUBLIC HEARING

LOCATION: 5006 York Boulevard

Requested Action:

An appeal in part, of the Zoning Administrator's decision to approve plans for the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing bar in the [Q]C4-1XL Zone, and find the project to be Categorically Exempt from the environmental review pursuant to Article III, Section I, and Class 5, Category 23 of the City of Los Angeles CEQA Guidelines.

APPLICANT: Johnny's Bar, LLC

Representative: Rendie Lu Crosby, The American Liquor Exchange

APPELLANT: Anthony Falati

Representative: Kiyoshi Graves, Urban Planning Studios

Recommended Action:

1. **Adopt** the Findings of the Zoning Administrator.
2. **Adopt** the Zoning Administrator's decision to approve plans for the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing bar in the [Q]C4-1XL Zone.
3. **Find** that the project is Categorically Exempt ENV-2014-3581-CE from the environmental review pursuant to Article III, Section I, and Class 5, Category 23 of the City of Los Angeles CEQA Guidelines.

Senior City Planner: Jonathan Hershey (213) 978-1337

Discussion:

Senior City Planner Jonathan Hershey presented the Staff Report, highlighting that the Applicant is the operator and the Appellant is the property owner, also pointing out 2 modified conditions. Mr. Hershey recommended the appeal be granted in part, with the previously mentioned modifications. Applicant presented first, stating he had no comments but was willing to answer questions. Appellant presented second, stated his concerns with ambiguity of terms, prompting modified conditions. There were no public speakers. The commission closed the public comment period and began to deliberate.

MOTION:

1. **Grant** the appeal in part, with modified Condition Nos. 31.a and 31.c
2. **Sustain** the decision of the Zoning Administrator in approving the plans for the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with an existing bar in the [Q] C4-1XL Zone;
3. **Adopt** the Conditions of Approval;
4. **Adopt** the Zoning Administrator's Findings;
5. **Find** the project to be Categorical Exempt from the environmental review pursuant to Article III, Section 1, and Class 5, Category 23 of the City of Los Angeles CEQA Guidelines.

Moved: Commissioner Diel
Seconded: Commissioner Stein
Ayes: Commissioners Arellano and Choi
Absent: Commissioner Alarcon

Vote: 4 - 0

4. **ZA-2013-2285-ZAD-ZAA-1A**

CEQA: ENV-2010-482-MND-REC1

Community Plan: Eagle Rock

Council District: 14 – Huizar

Expiration Date: July 18, 2016

Appeal Status: Not Further Appealable
if Denied

PUBLIC HEARING

LOCATION: 5370 Mount Royal Drive

Requested Action:

An appeal of the Zoning Administrator's decision to DENY, pursuant to Los Angeles Municipal Code (LAMC) Section 12.28, a Zoning Administrator's Adjustment to permit 15-foot front yard setbacks in lieu of the 20 feet required; and to permit walls in the side yards of up to 14 feet in lieu of the 6 feet required; and to allow fences in front yards of up to 14 feet in lieu of 3 ½ feet required.; and pursuant to LAMC Section 12.24-X.26 a Zoning Administrator's Determination to allow 12 to 14 retaining walls, and have them stand 2 to 18 feet 6 inches high, in lieu of the maximum of two 10-foot high retaining walls required, and to allow grading of more than 1,000 cubic yards, and export of more than 750 cubic yards (grading: 29,782 c.y.; export-21,265 c.y.), and a Haul Route in the R1-1 Zone.

Mitigated Negative Declaration No. ENV-2010-482-MND-REC1 was issued as the environmental clearance for the request.

APPLICANT: Sean Nguyen, EZ Permits, LLC, c/o Mount Royal LLC

APPELLANT: Same

Recommended Action:

1. **Adopt** the Findings of the Zoning Administrator.
2. **Deny** the appeal.
3. **Sustain** the decision of the Zoning Administrator to deny;
 - a. An adjustment to permit 15-foot front yards setbacks, in lieu of the 20 feet required.
 - b. An adjustment to permit walls in the side yards of up to 14 feet in lieu of the 6 feet required and to allow fences in front yards of up to 14 feet in lieu of the 3 ½ feet required.
 - c. A 12 to 14 retaining walls, and have them stand 2 to 18 feet 6 inches high, in lieu of the maximum two 10-foot high retaining walls required.

- d. A grading of more than 1,000 cubic yards, and export of more than 750 cubic yards (grading: 29,782 c.y.; export-21,265 c.y.), and a Haul Route in the R1-1 Zone.
4. **Adopt** the Mitigated Negative Declaration No. ENV-2010-482-MND that was issued as the environmental clearance for this project, and the accompanying Mitigation Monitoring Program.

City Planner: Kevin Golden (213) 978-1396

Discussion:

City Planner Kevin Golden presented the Staff Report. The applicant and appellant are the same party. Sean Nguyen presented the argument of the measures that have been taken to create a usable rear yard for a family to utilize this home. Commissioners presented questions to Mr. Nguyen. Mr. Golden provided further background for the project, as presented. A member of the public spoke on behalf of the Eagle Rock Neighborhood Council and distributed a handout explaining the ERNC stance against project. Kevin Ocubillo spoke on behalf of CD 14 stating the Councilmember's stance against the project, as presented. There were 3 public speakers against the appeal, none in support. The commission allowed time for rebuttal to the applicant to address public & staff comments. The commission had follow-up questions for the applicant and staff.

The commission closed the public comment period and began to deliberate.

MOTION:

1. **Adopt** the Findings of the Zoning Administrator.
2. **Deny** the appeal.
3. **Sustain** the decision of the Zoning Administrator to deny;
 - e. An adjustment to permit 15-foot front yards setbacks, in lieu of the 20 feet required.
 - f. An adjustment to permit walls in the side yards of up to 14 feet in lieu of the 6 feet required and to allow fences in front yards of up to 14 feet in lieu of the 3 ½ feet required.
 - g. A 12 to 14 retaining walls, and have them stand 2 to 18 feet 6 inches high, in lieu of the maximum two 10-foot high retaining walls required.
 - h. A grading of more than 1,000 cubic yards, and export of more than 750 cubic yards (grading: 29,782 c.y.; export-21,265 c.y.), and a Haul Route in the R1-1 Zone.
4. **Do Not Adopt** the Mitigated Negative Declaration No. ENV-2010-482-MND that was issued as the environmental clearance for this project, and the accompanying Mitigation Monitoring Program.

Moved: Commissioner Choi
Seconded: Commissioner Stein
Ayes: Commissioners Diel and Arellano
Absent: Commissioner Alarcon

Vote: 4 – 0

Commission took a break at 5:49 PM, reconvened at 5:58 PM.

5. **[AA-2014-4159-PMLA-1A](#)**

CEQA: ENV-2014-4160-MND

Community Plan: Silver Lake – Echo Park
Elysian Valley

Council District: 13 – O'Farrell

Expiration Date: July 13, 2016

Appeal Status: Not Further Appealable

PUBLIC HEARING

LOCATION: 1626 and 1628 North Micheltorena Street

Proposed Project:

Preliminary Parcel Map for a maximum of 4 small lots.

Requested Action:

An appeal in part, the Deputy Advisory Agency's decision to approve a Preliminary Parcel Map No. AA-2014-4159-PMLA and to adopt the Mitigated Negative Declaration No. ENV-2014-4160-MND.

APPLICANT: Kamran Kazemi

APPELLANT: Michael Buch

Recommended Action:

1. **Adopt** the Findings of the Deputy Advisory Agency.
2. **Deny** the appeal.
3. **Sustain** the action of the Deputy Advisory Agency in approving AA-2014-4159-PMLA.
4. **Adopt** the Mitigated Negative Declaration ENV-2014-4160-MND, and the accompanying Mitigation Monitoring Program.

City Planner: Kevin Golden (213) 978-1396

Discussion:

City Planner Kevin Golden presented the Staff Report and made correction to Staff Report distributed to commission: CEQA case is Mitigated Negative Declaration not Categorical Exemption. Appellant was not present. Applicant's representative presented the project, stated that MND is sufficient therefore an EIR is not necessary. Mr. Golden agreed during his presentation that the MND was sufficient. There was 1 public speaker, for the project, but declined to speak.

The commission closed the public comment period, and began to deliberate. Commission asked staff about the protected trees on the site, staff stated there were none. Commission asked the applicant about parking provided on site, applicant answered.

MOTION:

1. **Adopt** the Findings of the Deputy Advisory Agency.
2. **Deny** the appeal.
3. **Sustain** the action of the Deputy Advisory Agency in approving AA-2014-4159-PMLA.
4. **Adopt** the Mitigated Negative Declaration ENV-2014-4160-MND, and the accompanying Mitigation Monitoring Program.

Moved: Commissioner Choi
Seconded: Commissioner Diel
Ayes: Commissioners Stein and Arellano
Absent: Alarcon

Vote: 4 – 0

Items # 7 & 8 were heard together.

7. [VTT-73020-SL-1A](#)

CEQA: ENV-2014-3333-MND

Community Plan: Silver Lake – Echo Park -
Elysian Valley

Council District: 13 – O'Farrell

Expiration Date: July 14, 2016

Appeal Status: Appealable to
City Council

Related Case: DIR-2014-3761-CDO-1A

PUBLIC HEARING

LOCATION: 610-614 North Belmont Avenue

Proposed Project:

Vesting Tentative Tract Map for a small lot subdivision purposes to create five (5) residential lots for the construction of five (5) residential dwellings.

Requested Action:

An appeal of the Deputy Advisory Agency's decision to approve VTT-73020-SL and to adopt the Mitigated Negative Declaration ENV-2014-3333-MND.

APPLICANT: LOF Partners, LLC, Noah Ornstein

APPELLANTS: Darcy Harris, Daniel Ferranti, Belmont Avenue Neighborhood Association

Recommended Action:

1. **Adopt** the Findings of the Deputy Advisory Agency.
2. **Grant** the appeal in part.
3. **Sustain** the action of the Deputy Advisory Agency in approving VTT-73020-SL.
4. **Adopt** the revised Mitigated Negative Declaration ENV-2014-3333-MND.

City Planner: Jose Carlos Romero-Navarro (213) 978-1348

8. [DIR-2014-3761-CDO-1A](#)

CEQA: ENV-2014-3333-MND

Community Plan: Silver Lake – Echo Park
Elysian Valley

Council District: 13 – O'Farrell

Expiration Date: July 13, 2016

Appeal Status: Not Further Appealable

Related Case: VTT-73020-SL

PUBLIC HEARING

LOCATION: 610-614 North Belmont Avenue

Proposed Project:

Community Design Overlay (CDO) Plan Approval for a five (5)-unit Small Lot Subdivision on two (2) adjacent parcels in Echo Park.

Requested Actions:

An appeal of the Director of Planning's approval of a Community Design Overlay (CDO) Plan Approval of a five (5)-unit Small Lot Subdivision on two (2) adjacent parcels in Echo Park, adopt the Mitigated Negative Declaration ENV-2014-3333-MND, and adopt the Mitigated Monitoring Program.

APPLICANT: LOF Partners, LLC, Noah Ornstein

APPELLANTS: Darcy Harris, Daniel Ferranti, Belmont Avenue Neighborhood Association

Recommended Actions:

1. **Deny** the appeal in part.
2. **Approve** the modified conditions of approval and environmental findings.
3. **Sustain** the remainder of the Determination of the Director of Planning's decision in approving a Community Design Overlay (CDO) Plan Approval of a five (5)-unit Small Lot Subdivision on two (2) adjacent parcels.
4. **Adopt** the Mitigated Negative Declaration ENV-2014-3333-MND.
5. **Adopt** the Mitigated Monitoring Program.

City Planner: Gregory Shoop (213) 978-1243

Discussion:

Planning Assistant Amanda Briones made a power point presentation on #7, also a correction on the distributed Staff Report, addressing a typographical error. Commission asked about governing guidelines for each case. Staff recommended the appeal be granted in part with modified conditions. City Planner Greg Shoop then made a staff presentation on #8, recommended appeal be granted in part with modified conditions. Appellant is the same for both items, applicant is the same on both cases. Appellant spoke first, stated position that lots should not be merged together, and addressed other concerns. Applicant stated that 5 home project would be built on 2 lots and is by-right. There were 9 speakers for the appeal, 4 against the appeal, and 1 general comment. A member of the Grading Division of the LADBS also spoke about his efforts on this project. The commission took a break at 7:45 PM, reconvened at 7:54 PM. Rebuttal time was allowed to both sides to address comments that were presented at the meeting. City Planner Jose Carlos Romero-Navarro spoke about the data gathering process by ZIMAS. Commission asked about the DOT and BOE requirements of the project, the applicant addressed those. Mr. Romero-Navarro read into the record a letter regarding the proposed lot merger. Mr. Shoop spoke about the visual impact on the neighborhood. Commission had further questions for the appellant and applicant.

The commission closed the public comment period, and began to deliberate. Commission asked about assurances project would be built as approved, Mr. Shoop answered about financial and code safeguards built into project entitlement process. Mr. Romero-Navarro spoke to cumulative impact. Commission took a break at 9:10 PM. Commission asked to continue the case to September 14. Applicant agreed, provided the discussion would be limited to issues raised by the Commission at this hearing.

MOTION:

Continue to September 14, 2016.

Moved: Stein
Seconded: Diel
Ayes: Arellano, Choi
Absent: Alarcon

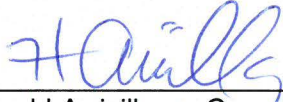
Vote: 4 – 0

7. **PUBLIC COMMENT PERIOD**

There were no public speakers. There being no further business to come before the East Los Angeles Area Planning Commission, the meeting adjourned at 7:50 P.M.



Christopher Arellano, President



Harold Arrivillaga, Commission Executive Assistant
East Los Angeles Area Planning Commission

ADOPTED
CITY OF LOS ANGELES

SEP 14 2016

**CITY PLANNING DEPARTMENT
COMMISSION OFFICE**