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Submissions by the public in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3, are distributed to the Commission and uploaded online. Please note that “compliance” means that the submission complies with deadline, delivery method (hard copy and/or electronic) AND the number of copies. Please review the Commission ROPs to ensure that you meet the submission requirements. The ROPs can be accessed at <http://planning.lacity.org>, by selecting “Commissions & Hearings” and selecting the specific Commission.

All compliant submissions may be accessed as follows:

- **“Initial Submissions”**: Compliant submissions received no later than by end of day Monday of the week prior to the meeting, which are not integrated by reference or exhibit in the Staff Report, will be appended at the end of the Staff Report. The Staff Report is linked to the case number on the specific meeting agenda.
- **“Secondary Submissions”**: Submissions received after the Initial Submission deadline up to 48-hours prior to the Commission meeting are contained in this file and bookmarked by the case number.
- **“Day of Hearing Submissions”**: Submissions after the Secondary Submission deadline up to and including the day of the Commission meeting will be uploaded to this file within two business days after the Commission meeting.

Material which does not comply with the submission rules is not distributed to the Commission.

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**If you are using Explorer, you need will need to enable the Acrobat  toolbar to see the bookmarks on the left side of the screen.

If you are using Chrome, the bookmarks are on the upper right-side of the screen. If you do not want to use the bookmarks, simply scroll through the file.

If you have any questions, please contact the Commission Office at (213) 978-1300.

DAY OF HEARING SUBMISSIONS



Department of City Planning

City Hall, 200 N. Spring Street, Room 525, Los Angeles, CA 90012

August 27, 2025

TO: East Los Angeles Area Planning Commission

FROM: Ari Briski, Commission Office Manager

TECHNICAL MODIFICATION FOR ITEM 1: DELEGATING AUTHORITY MOTION

The Delegating Authority Motion document initially transmitted to the Commission on 8/19/2025 included the incorrect title of the Commission, using “East Area Planning Commission” in place of “East Los Angeles Area Planning Commission.” Please find a corrected copy of the formatted version for adoption attached.

RESOLUTION
ELAAPC RES No. 25-001

WHEREAS, current Municipal Code procedures for extending time limits to act on legislative and quasi-judicial land use applications and appeals require a mutual agreement be approved by the applicant and the decision-maker; and

WHEREAS, the Director of Planning ("Director") or his/her designee routinely receives requests from applicants to extend expiration dates to act on those types of applications and appeals beyond their Code-mandated time limit in order to resolve processing matters that may be either typical or unique to a given case; and

WHEREAS, given the authority, the Director or his/her designee could greatly expedite the granting of routine requests for time extensions and thereby avoid the necessity for having those cases scheduled for the East Los Angeles Area Planning Commission meeting agendas to accomplish the same purpose; and

WHEREAS, delegating to the Director or his/her designee the authority to intercede and grant routine requests for extending time limits to act on legislative and quasi-judicial land use applications will streamline case processing procedures; and

WHEREAS, such delegation of authority to the Director or his/her designee will help prevent causing an unnecessary burden on the public or interested parties, who might otherwise attend the East Los Angeles Area Planning Commission meeting without prior knowledge that consideration of their item of interest will not be decided and only be continued to a later date; and

WHEREAS, it is necessary to delegate to the Director or his/her designee the authority to grant those time extension requests for the East Los Angeles Area Planning Commission which the Director or his/her designee finds are routine in nature and will not prejudice the future decision on the merits of the land use application or appeal by the East Los Angeles Area Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the Director of Planning or his/her designee is hereby authorized to grant for the East Los Angeles Area Planning Commission extensions of time limits to act on legislative and quasi-judicial land use applications and appeals which the Director finds are routine in nature and will not prejudice the future decision on the merits of the land use applications or appeal by the Commission. "Routine" in nature shall not include any extension of time related to a motion to reconsider.

Eunice Song, Vice President
East Los Angeles Area Planning Commission

Bryan Sanchez, Commission Executive Assistant I
East Los Angeles Area Planning Commission

PREAMBLE

These rules and operating procedures are adopted pursuant to the authority set forth in Charter Section 506 to assist the Commission in conducting City business consistent with law.

Meetings of the Commission are conducted according to these Rules and Operating Procedures and as modified by the Commission from time to time. To the extent possible, parliamentary formality and detail are avoided for the benefit of all concerned. However, Robert's Rules of Order Revised may be referred to and used for guidance, interpretation, or to supplement these Rules.

- 7.3 **Reconsideration** - The Commission may make a motion to reconsider a Commission Action on items listed on the agenda at the same meeting as the original Commission Action, or at the next regular meeting. If there is no Commission Action (three votes), these Reconsideration provisions do not apply.

A motion to reconsider shall be made by a Member who voted in support of the Commission Action.

If a Member wishes to make a motion to reconsider a Commission Action at the next regular meeting, the Commission may hear the motion to reconsider provided that the Commission has not lost jurisdiction to act.

If a majority of the Commission approves a motion to reconsider at the same meeting as the original Commission Action, the merits of the agenda item may be the next order of business. However, if the Commission approves a motion to reconsider at the next regular meeting, there shall be a separate agenda item for the purpose of addressing the merits of the original Commission Action at the following meeting, provided the time to act has not expired.

A motion to reconsider may only be made once during the day on which the original Commission Action was taken or once during the next regular meeting.

A motion to reconsider must be heard and decided within the existing time to act. However, if a majority of the Commission timely approves a motion to reconsider, the Commission may come to a mutual agreement with the applicant to extend the Commission's time to act pursuant to applicable provisions in the Los Angeles Municipal Code, in order to separately agendaize the item for the purpose of addressing the merits of the original Commission Action.

- 7.4 **Continuances** - The Commission may continue an item for a stated purpose to another day or may continue an item at the request of staff, or the Council office affected, if that date is within legal time limits and the Commission has not lost jurisdiction to act. Routine continuances may be delegated to the Director of Planning, or their designee. Continuances to a date certain will not require a new public notice to be issued for the case, provided that the continuance is made at the previously noticed meeting.

- 7.5 **Failure to Act** - A Failure to Act is when a majority of the Commission (3 votes) fails to approve or reject an agenda item. In that event, the Commission may deliberate further and take a new vote at the same meeting. If the Commission has not, either by a provision in the Los Angeles Municipal Code or by the passage of time, lost the power to act on that item, the agenda item shall be continued to the next regular meeting unless a majority of the Commission votes to continue that item beyond the next regular meeting.

From: Ari Briski ari.briski@lacity.org
Subject: Re: 5027 E. Almaden Drive Case #ZA-2023-1169-ZAA- appeal
Date: February 6, 2025 at 4:10 PM
To: Lauren Chang lchang@sheppardmullin.com
Cc: Kevin.Ocubillo@lacity.org, lisa.webber@lacity.org, Planning APC East LA apceastla@lacity.org, april.hood@lacity.org, Alma Sandoval alma.sandoval@lacity.org, Marcos.Godoy@lacity.org, cecilia.lamas@lacity.org, Arminda Diaz arminda@d3architecture.com, Ana Lynn Rocio analynn.rocio@lacity.org

Hi Arminda and Lauren,

Apologies for the delay. Extension of Time to Act requests are **routinely granted prior** to the Commission taking action. Nothing in the Code or the Commission's Rules and Operating Procedures authorizes or enables our staff or planners to extend the time to act after the Commission has already taken an action, as the deadline to act is met when the Commission votes by a majority of 3 or more members on an item. **Moving forward, we anticipate releasing a Letter of Determination in the next one to two weeks.**

-Ari



Ari Briski (she/her)
 Commission Office Manager
 Los Angeles City Planning

200 N. Spring St., Room 272
 Los Angeles, CA 90012
 T: (213) 978-2289 | Planning4LA.org



On Tue, Feb 4, 2025 at 3:11 PM Lauren Chang <lchang@sheppardmullin.com> wrote:

Hi Ari,

Following up on this. Let me know if you have an update.

My understanding is that the Councilmember is supportive of the applicant's request as well.

Best,

Lauren

Lauren K. Chang

+1 213-617-5588 | direct

+1 858-900-4959 | mobile

lchang@sheppardmullin.com | [Bio](#)

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We have moved! Please note our new address in my signature block.

From: Arminda Diaz <arminda@d3architecture.com>

Sent: Tuesday, February 4, 2025 8:53 AM

To: ari.briski <ari.briski@lacity.org>

Cc: Kevin.Ocubillo@lacity.org; lisa.webber@lacity.org; Planning APC East LA <apceastla@lacity.org>; april.hood@lacity.org; Alma Sandoval <alma.sandoval@lacity.org>; Marcos.Godoy@lacity.org; cecilia.lamas@lacity.org; Ana Lynn Rocio <analynn.rocio@lacity.org>; Lauren Chang <lchang@sheppardmullin.com>

Subject: Re: 5027 E. Almaden Drive Case #ZA-2023-1169-ZAA- appeal

Hello,

We are still waiting on a response with regard to the what section of the code restricts the mutual extension of time between an applicant and decisionmaker, in this case the East LA APC. You agreed to a time extension on behalf of the APC previously with this project. Nothing has changed since then that would effect your authority to mutually consent to an extension of time on behalf of the Commission now.

To be clear, the East LA APC adopted its Rules and Operating Procedures in 2000 as part of the Charter reform. It was amended most recently in 2018. It is the APC that created the rule, for themselves, to be able to reconsider actions from their previous hearing. **That is their rule and it is exclusively their right to implement their rule. Staff is interfering with a duly appointed commission and its ability to implement its own rules.**

We continue to wait on the code section that restricts the mutual extension of time between an applicant and decisionmaker. Assuming there is none, we should look to the **East LA APC's Rules and Operating Procedures**. There it states in the **Preamble**:

Meetings of the Commission are conducted according to these Rules and Operating Procedures and as modified by the Commission from time to time. **To the extent possible, parliamentary formality and detail are avoided for the benefit of all concerned.**

Please, Commission Staff, what are you relying so as to insert yourself into the decision-making authority of the East LA APC? Who benefits from your action?

Thank you,

Arminda

On Jan 31, 2025, at 11:21 AM, Lauren Chang <lchang@sheppardmullin.com> wrote:

Hi Ari,

Can you please provide the code section in which you believe supports your position?

My understanding is that LAMC Section 12.24 I(4) allows the applicant with the concurrence of the appellate body to extend the time to act "within any additional period" as mutually agreed upon. This section of the code does not limit requests for an extension of time after the public hearing has occurred. I do not see any provisions LAMC or elsewhere indicating that APC does not have authority to extend time when there is a reasonable request from the applicant.

Further, the APC Rule 9.3 specifically states that the time to act may be extended by mutual agreement by the APC and applicant in the context of a motion for reconsideration. Your position effectively eliminates the applicants' ability to request a motion for reconsideration by canceling the APC hearing and not allowing an extension of the time to act. That is unlawful and inconsistent the processes and procedures developed by the City.

Best,

Lauren

Lauren K. Chang

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lchang@sheppardmullin.com | [Bio](#)

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We have moved! Please note our new address in my signature block.

From: Arminda Diaz <arminda@d3architecture.com>

Sent: Friday, January 31, 2025 9:58 AM

To: Ari Briski <ari.briski@lacity.org>; Lauren Chang <lchang@sheppardmullin.com>

Cc: Fernando Tovar <farto62@gmail.com>; Kevin Ocubillo <Kevin.Ocubillo@lacity.org>; Planning APC East LA <apceasta@lacity.org>; april.hood@lacity.org; Alma Sandoval <alma.sandoval@lacity.org>; Marcos Godoy <marcos.godoy@lacity.org>; cecilia.lamas@lacity.org; Ana Lynn Rocio <analynn.rocio@lacity.org>

Subject: Re: 5027 E. Almaden Drive Case #ZA-2023-1169-ZAA- appeal

Again, I am not sure why Planning staff is fighting with the applicant about a routine extension of time. We requested one before and it was agreed upon. Whatever authority the planning staff had then is the same authority planning staff has now. The status of the commission is not a concern of the Planning Department and it's not an item checked on the form. Planning staff is digging for things now. But it seems the Department wants to come up with new rules for our application.

Our attorney Lauren Chang is ccd here.

Thank you,

Arminda

On Jan 31, 2025, at 8:20 AM, Ari Briski <ari.briski@lacity.org> wrote:

Hi Arminda and Fernando,

Neither Commission staff nor Planning staff is authorized to extend time for the Commission to act after the Commission has taken an action.

-Ari

[image001.png](#) Ari Briski (she/her)

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On Thu, Jan 30, 2025 at 2:31 PM Arminda Diaz <arminda@d3architecture.com> wrote:

Hello Commission Staff,

I'm not sure what interest planning staff has in not agreeing to a time extension. We are the applicant and agreeing to the time extension. There is no harm to the city in agreeing to the extension.

Again, we are not asking for a reconsideration. We are asking for is an extension of time. The extension of time simply gives the APC the opportunity to decide on the matter.

And maybe more importantly, it gives our newly-elected councilwoman an opportunity to review our appeal and represent her constituents. (Kevin Ocubillo is cc'ed here.) By not consenting to a routine extension of time, you are denying our councilwoman the chance to represent her constituents, my family.

Thank you for your attention to this matter.

Arminda

310-995-1941

On Jan 30, 2025, at 11:51 AM, Fernando Tovar <fernto62@gmail.com> wrote:

Hi Ari, I'm stepping in a little late and trying to catch up with this conversation. You are correct that the APC acted within the requisite time to act. As I understand it, the applicant (Arminda) granted an extension of time for the APC to act until February 12. My understanding is that the APC can make a motion to reconsider an item at their next meeting provided the time to act has not expired. Since the APC won't meet on February 12th, can Arminda request a reconsideration at the following meeting (whenever it's scheduled after February 12) if she consents to a further extension of time for the Commission to act on the appeal or on the reconsideration?

Best regards,

Fernando

On Thu, Jan 30, 2025 at 10:55 AM Ari Briski <ari.briski@lacity.org> wrote:

Hi Arminda,

A meeting will not be held if there are no cases scheduled for that date. There are currently no cases scheduled for 2/12/25, so the meeting will most likely be canceled. The Commission acted on your case on 1/22/25, within the requisite time to act.

-Ari

<image011.png> Ari Briski (she/her)

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On Wed, Jan 29, 2025 at 2:53 PM Arminda Diaz <arminda@d3architecture.com> wrote:

Ari we are not asking for a reconsideration, we are asking for a routine time extension to allow the APC an opportunity to decide whether to reconsider or not. That is their purview, not the city's staff. If the city will not grant the time extension, then we would ask that the APC come to its next meeting on 2/12 so they can consider reconsidering the matter. Thank you. A

On Jan 29, 2025, at 2:28 PM, Ari Briski <ari.briski@lacity.org> wrote:

Hi Arminda,

Thank you for your email. There are currently no cases on the advance calendar for any upcoming meeting dates. As cases come up, they will be added to future meeting agendas. We did look into the Rules and Operating Procedures. They do outline a provision for Commissioners to reconsider an item, but there is no provision that affords an applicant or appellant an opportunity to file for a reconsideration.

-Ari

<image021.png> Ari Briski (she/her)

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On Tue, Jan 28, 2025 at 8:49 AM Arminda Diaz <arminda@d3architecture.com> wrote:

Thank you.

Please note that pursuant to the APC Rules, they have a right to reconsider their actions, and we want to give them the time to reconsider, if they choose to take it up. It would be stepping in the way of the applicant's ability to use the established rules to seek a reconsideration.

Please look into the matter as quickly as you can.

In the meantime, do you know if the APC will be holding its next hearing. If so, we don't need the time extension. But if they will fail to have a hearing, we will need the time extension.

I have included Fernando Tovar in this email as he will be assisting us.

Thank you!

Sent from my iPhone

On Jan 28, 2025, at 8:14 AM, Ari Briski <ari.briski@lacity.org> wrote:

Hi Arminda,

Confirming receipt of your request. This is the first applicant request for reconsideration we have received during my time in the Commission Office, give us a few days to talk with the City Attorney.

Thank you,

-Ari

<image028.png> Ari Briski (she/her)

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On Mon, Jan 27, 2025 at 12:36 PM Arminda Diaz <arminda@d3architecture.com> wrote:

Hello Commission Staff,

Thank you for your assistance during this process.

We are intending to go back to the APC for a reconsideration, consistent with Commission Rules, so we were wondering if the APC is planning on holding a hearing on 2/12, and if not, we would like to consent to additional time in order to allow the APC to reconsider their action. Attached is a consent to a time extension until 3/12.

Please confirm receipt and that our extension has been agreed upon, or if the APC is intending to hold a hearing on 2/12.

Thank you!

Arminda
310-995-1941

On Jan 22, 2025, at 2:02 PM, Arminda Diaz <arminda@d3architecture.com> wrote:

Hi attached are letters in support for the project.

Thanks,
Arminda

On Jan 22, 2025, at 1:22 PM, Planning APC East LA
<apceastla@lacity.org> wrote:

Thank you for your submission, Mrs. Diaz. It will be made available for the Commissioners' review.

On Wed, Jan 22, 2025 at 1:19 PM Arminda Diaz
arminda@d3architecture.com wrote: