

OFFICIAL MINUTES
CITY OF LOS ANGELES
Central Los Angeles Area Planning Commission
Regular Meeting
Tuesday, December 8, 2015
200 North Spring Street, City Hall
Los Angeles, California 90012

MINUTES OF THE CENTRAL 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 Commission President Chemerinsky at 4:47p.m.
Commissioners present: Jennifer Chung Kim, and Christina Oh
Commissioners absent: Daphne Brogdon and Bricia Lopez

1. DEPARTMENTAL REPORT

There was no departmental report.

2. COMMISSION BUSINESS

A. Advanced Calendar

No changes to the advance calendar.

B. Commission Requests

There were no commission requests.

C. Minutes of meeting

Approval of the minutes – November 24, 2015

Motion:

To approve the minutes for November 24, 2015.

Moved: Oh

Seconded: Chemerinsky

Ayes: Chung Kim

Absent: Brogdon and Lopez

Vote: 3 – 0

3. **ZA-2014-3272-CUB-1A**
CEQA: ENV-2014-3273-CE
Community Plan: Central City North

Council District No.: 9 - Price
Expiration Date: 12/08/2015 Ext.
Appeal Status: Not further appealable

PUBLIC HEARING

LOCATION: 618 – 620 East 1st Street

Requested Action:

An **appeal** of the Zoning Administrator's decision to **approve**, pursuant to Los Angeles Municipal Code Section 12.24-W,1, a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages in conjunction with a proposed restaurant in the CM-1-RIO Zone and, to adopt the action of the Lead Agency in issuing Categorical Exemption ENV 2014-3273-CE as the environmental clearance for the Project.

APPLICANT: Tomas Rivera
Representative: Kate Bartolo, Kate Bartolo & Associates

APPELLANT: Zenshuji Soto Mission
Representative: Andrew Wolff

Recommended Action:

1. **Adopt** the Findings of the Zoning Administrator.
2. **Deny** the appeal.
3. **Sustain** the Zoning Administrator's to **approve**, pursuant to Los Angeles Municipal Code Section 12.24-W,1, a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages in conjunction with a proposed restaurant in the CM-1-RIO Zone.
4. **Adopt** the action of the Lead Agency in issuing Categorical Exemption ENV-2014-3273-CE as the environmental clearance for the Project.

Staff: Rocky Wiles (213) 978-1914

Discussion:

The Hearing Officer, Rocky Wiles, gave a detail account of the hearing that was conducted on June 10, 2015, and reported on the investigative analysis. There were new conditions read into the record by the Hearing Officer. The applicant/appellant agreed with the proposed conditions and the revision to condition no. 28. The applicant's representative testified to the approval with the appellant proposed revision. Accordingly, the appellant will no longer pursue the appeal.

Motion:

1. **Adopt** the revised Findings of the Zoning Administrator.
2. **Grant** the appeal in part.
3. **Sustain** the Zoning Administrator's decision, pursuant to Los Angeles Municipal Code Section 12.24-W,1, a Conditional Use Permit to allow the sale and dispensing of a full line of alcoholic beverages in conjunction with a proposed restaurant in the CM-1-RIO Zone, subject to modified conditions to no. 28.
4. **Adopt** the action of the Lead Agency in issuing Categorical Exemption ENV-2014-3273-CE as the environmental clearance for the Project.

Moved: Chemerinsky
Seconded: Kim
Ayes: Oh
Absent: Brogdon and Lopez

Vote 3 – 0

The following agenda items, no. 5, and no. 6, are related cases that were called out of order by the Commission President Chemerinsky. Both cases were heard simultaneously.

6. **DIR-2014-3941-SPR-1A** **Council District No.:** 14 - Huizar
CEQA: ENV-2013-3198-MND-REC1 **Expiration Date:** 12/08/2015
Related Case: **Appeal Status:** Not further appealable
ZA-2013-3197-CU-ZV-ZAA-SPR-PA1
Community Plan: Central City

PUBLIC HEARING

LOCATION: 401-433 West 5th St.; 432-440 South Olive St.; 429-441 South Hill St.

Proposed Project:

The project involves the construction, use and maintenance of a new seven-story and 24-story mixed-use project consisting of 660 residential apartment units and 13,872 square feet of commercial space.

Requested Action:

Pursuant to Los Angeles Municipal Code Section 16.05-H, an **appeal** of the entire decision of the Director's approval of Site Plan Review for the construction, use and maintenance of a new seven-story and 24-story mixed-use project consisting of 660 residential apartment units and 13,872 square feet of commercial space.

APPLICANT: Susan Kreusch, 5 Olive Hill, LLC.
Representative: Armbruster Goldsmith & Delvac, LLP, Matt Dzurec

APPELLANT: CREED LA

Recommended Action:

1. **Deny** the appeal and **sustain** the decision of the Director for the construction, use and maintenance of a new seven-story and 24-story mixed-use project consisting of 660 residential apartment units and 13,872 square feet of commercial space, pursuant to the provisions of Los Angeles Municipal Code Sections 16.05.
2. **Adopt** the Addendum to Mitigated Negative Declaration No. ENV-2013-3198-MND (Case Reference No. ENV-2013-3198-MND-REC1) pursuant to CEQA Guidelines, Section 15074.
3. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

4. **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Staff: Oliver Netburn (213) 978-1382

Discussion:

Planning Staff, Oliver Netburn, spoke on the relationship of both cases and gave an in depth description on the history behind each case. The Planning Staff stated the applicant and appellant came to some resolutions on the appeal.

The appellant's representative and applicant spoke and they both indicated that through their meetings an agreement was reached regarding the minor revision to the proposed project. Clarifying questions were asked regarding the modifications to the project. There were many constituents who voiced their support in favor of the building project.

The planning staff agreed with the minor modifications except for 13b of the conditions. The Planning Staff stated that 13b is in the jurisdiction of Public Works, Bureau of Engineering. The commission closed the public comments period. The commission held discussion to prepare for a motion.

Motion:

1. **Grant** the appeal in part.
2. **Sustain** in part the decision of the Director for the construction, and for the use and maintenance of a new seven-story and 24-story mixed-use project consisting of 660 residential apartment units and 13,872 square feet of commercial space, pursuant to the provisions of Los Angeles Municipal Code Sections 16.05, with added changes that was presented by the applicant related to the modification of changes to the Conditions & Findings.
3. **Find**, based on its independent judgment, after consideration of the entire administrative record, that the project was environmentally assessed in Addendum No. 1 and Addendum No. 2, along with the Supplemental Environmental Analysis for Final EIR SCH No. 2007041044.

Moved: Chemerinsky

Seconded: Oh

Ayes: Kim

Absent: Brogdon and Lopez

Vote **3 - 0**

5. **ZA-2013-3197-CU-ZV-ZAA-SPR-PA1-1A**

CEQA: ENV-2013-3198-MND-REC1

Related Case: DIR-2014-3941-SPR

Council District No.: 14 - Huizar

Expiration Date: 12/08/2015

Appeal Status: Zone Variance is further appealable if approved.

Community Plan: Central City

PUBLIC HEARING

LOCATION: 401-433 West 5th St.; 432-440 South Olive St.; 429-441 South Hill St.

Requested Action:

An **appeal** of the Zoning Administrator's decision, pursuant to Los Angeles Municipal Code Section 12.27-U, to **approve** plans to permit a modification of ZA 2013-3197-CU-ZV-ZAA-SPR to allow a parking ratio of 0.9 standard spaces for every unit in lieu of a ratio of 0.89 standard spaces for every unit (594 standard parking stalls for 660 residential units in lieu of the previously permitted 545 standard parking stalls for 615 residential units), and to allow a tree ratio of 0.2 for every unit in lieu of a ratio of 0.14 for every unit (130 trees for 660 residential units in lieu of the previously permitted 88 trees for 615 residential units); and to adopt the action of the lead agency in adopting ENV-2013-3198-MND-REC1 as the environmental clearance for this action.

APPLICANT: Susan Kreusch, 5 Olive Hill LLC.
Representative: Matt Dzurec, Armbruster, Goldsmith & Delvac, LLP

APPELLANT: CREED LA
Representative: Ellen Wehr, Adams Broadwell Joseph & Cardozo

Recommended Action:

1. **Adopt** the Findings of the Zoning Administrator.
2. **Deny** the appeal.
3. **Sustain** the Zoning Administrator's decision to:
 - a. Approve plans to permit a modification of ZA 2013-3197-CU-ZV-ZAA-SPR to allow a parking ratio of 0.9 standard spaces for every unit in lieu of a ratio of 0.89 standard spaces for every unit (594 standard parking stalls for 660 residential units in lieu of the previously permitted 545 standard parking stalls for 615 residential units),
 - b. Allow a tree ratio of 0.2 for every unit in lieu of a ratio of 0.14 for every unit (130 trees for 660 residential units in lieu of the previously permitted 88 trees for 615 residential units);and
4. **Adopt** the action of the Lead Agency in adopting ENV-2013-3198-MND-REC1 as the environmental clearance for this action.

Staff: Oliver Netburn (213) 978-1382

Discussion:

The Commission heard the related cases, item no. 5 and 6, concurrently. This case was discussed with Item no. 6, DIR-2014-3941.

Motion:

1. **Grant** the appeal in part.
2. **Sustain** in part the Zoning Administrator's actions for ZA-2013-3197-CU-ZV-ZAA-SPR to:
 - a. Approve plans to permit a modification of to allow a parking ratio of 0.9 standard spaces for every unit in lieu of a ratio of 0.89 standard spaces for every unit (594 standard parking stalls for 660 residential units in lieu of the previously permitted 545 standard parking stalls for 615 residential units),
 - b. Allow a tree ratio of 0.2 for every unit in lieu of a ratio of 0.14 for every unit (130 trees for 660 residential units in lieu of the previously permitted 88 trees for 615 residential units); and
3. **Find**, based on its independent judgment, after consideration of the entire administrative record, that the Project was environmentally assessed in Mitigated Negative Declaration No. **ENV-2015-868-MND**, Addendum No. 1 and Addendum No. 2, along with the Supplemental Environmental Analysis.

Moved: Chemerinsky
Seconded: Oh
Ayes: Kim
Absent: Brogdon and Lopez

Vote 3 - 0

The Commission President Chemerinsky called for a 5 minute recess at 5:40p.m.

The Commission meeting reconvene at 5:45p.m., and the Commission President Chemerinsky announced the arrival of Commission Lopez.

4. **ZA-2014-955-CUB-1A**

CEQA: ENV-2014-0956-CE

Community Plan: Hollywood

Council District No.: 5 - Koretz

Expiration Date: 12/23/15

Appeal Status: Not further appealable

PUBLIC HEARING

LOCATION: 7111 West Melrose Avenue

Requested Action:

An **appeal** of Condition No. 7 of the Zoning Administrator's decision to **approve**, pursuant to Los Angeles Municipal Code Section 12.24-W,1, a Conditional Use to allow the sale and dispensing of beer and wine for on-site consumption in an existing restaurant in the C4-1XL Zone; and to adopt the Lead Agency's action in issuing Categorical Exemption ENV-2014-0956-CE as the environmental clearance for this action.

APPLICANT: Tatsu Ramen, LLC

Representative: Danny Aleshire, Liner LLP

APPELLANT: Same

Representative: Jerry Neuman / Noel Fleming, Liner LLP

Recommended Action:

1. **Adopt** the Findings of the Zoning Administrator.
2. **Deny** the appeal of Condition No 7.
3. **Sustain** the Zoning Administrator's decision to **approve**, pursuant to Los Angeles Municipal Code Section 12.24-W,1, a Conditional Use to allow the sale and dispensing of beer and wine for on-site consumption in an existing restaurant in the C4-1XL Zone; and
4. **Adopt** the Lead Agency's action in issuing Categorical Exemption ENV-2014-0956-CE as the environmental clearance for this action.

Staff: Maya Zaitzevsky (213) 978-1416

Discussion:

The Zoning Administrator, Maya Zaitzevsky, presented the case. It was stated that the applicant is appealing in part the approval of condition no. 7 and that the applicant made inadequate attempts in connecting with the council office and the Neighborhood Council. The Zoning

Administrator also commented on the enormous support as well as the list of complaints testified during the investigative hearing.

The commissioner called for the applicant and those who are in support of the appeal. Several members of the public were heard as well as those who were against the appeal. A Council Representative gave remarks.

The commission closed public comment, and began deliberating over the testimony heard to form a motion.

Motion:

1. **Adopt** the Findings of the Zoning Administrator
2. **Grant** in part the appeal.
3. **Sustain** the Zoning Administrator's decision to **approve**, pursuant to Los Angeles Municipal Code Section 12.24-W,1, a Conditional Use to allow the sale and dispensing of beer and wine for on-site consumption in an existing restaurant in the C4-1XL Zone; and adjust the modification to the language of number 9 in conditional use; and
4. **Adopt** the Lead Agency's action in issuing Categorical Exemption ENV-2014-0956-CE as the environmental clearance for this action.

Moved: Kim

Seconded: Chemerinsky

Ayes: Oh


Nays: Lopez


Vote 3 - 1

7. PUBLIC COMMENT PERIOD

There were no Speakers for public comments.

There being no further business to come before the Central Area Planning Commission, the meeting adjourned at 7:21p.m.


Kimberly Chemerinsky, President
Central Area Planning Commission


Renee Glasco, Commission Executive Assistant I
South Los Angeles Area Planning Commission

Adopted on: JAN 12, 2016