

OFFICIAL MINUTES
CITY OF LOS ANGELES
Central Los Angeles Area Planning Commission
Regular Meeting
Tuesday, April 12, 2016
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 Kimberly Chemerinsky at 4:40P.M.
Commissioners present: Daphne Brogdon, Jennifer Chung-Kim, and Christina Oh
Commissioners absent:

1. DEPARTMENTAL REPORT

Senior Planner, Blake Lamb, brought the commission up-to-date with the activities of the Re-Code:LA. She also reported on the Council's approval on March 24, 2016, regarding the Hollywood Palladium and the Council approval on March 16, 2016, regarding a proposed hotel, The Hampton Inn, on Kingsley and 3rd. The Senior Planner informed the commission of the Planning Department's re-organization.

2. COMMISSION BUSINESS

A. Advanced Calendar

There were no changes to the advanced calendar.

B. Commission Requests

Commissioner Oh requested an excusal from the May 10th Commission Meeting.

C. Approval of the Minutes – March 8, 2016

Motion:

To approve the **March 8, 2016**, minutes:

Moved: Chemerinsky

Seconded: Chung-Kim

Ayes: Brogdon, Oh

Absent Lopez

Vote: 4 – 0

Commission President Chemerinsky called Item No. 7 out of order, and proceeded with the case.

7. Motion to rescind the motion for reconsideration made on March 8, 2016 on case number DIR-2015-1350-SPP-SPPA-1A; CEQA ENV-2015-1351-CE, for the property located at 4618 West Maubert Avenue in the Hollywood Community Plan Area.

Discussion:

A planning staff report was not presented for the above case, but a recap of the case was presented by the City Attorney, Ernesto Velasquez, for the March 8, 2016 reconsideration. The City Attorney stated that he received several letters alleging a violation of the Brown Act due to the motion for reconsideration. Based on City Attorney's research and review, it was concluded to recommend making the above motion.

The floor was open to the commissioners to ask detailed questions about the letters received that reflected on the motion for reconsideration being rescinded, and the processing for future reconsiderations.

Following the applicant's representative (5) five minutes to speak, detailed questions were asked by the commission. The appellant was also given the same allotted time to speak. The Commission allowed (2) minutes for each public speaker to speak, and the public comment period was closed. The Commission held discussion, the motion was read into the record.

Motion:

Motion to rescind the motion for reconsideration made on March 8, 2016 on case number DIR-2015-1350-SPP-SPPA-1A; CEQA ENV-2015-1351-CE, for the property located at 4618 West Maubert Avenue in the Hollywood Community Plan Area.

Moved: Brogdon
Seconded: Chung-Kim
Ayes: Oh
Nayes: Chemerinsky
Absent: Lopez

Vote: 3-1

The Commission President returned to the established agenda, and continued as outlined.

3. **ZA-2015-1988-ZV-1A**

CEQA: ENV-2015-1989-CE

Community Plan: Hollywood

Council District: 13 – O'Farrell

Expiration Date: April 12, 2016

Appeal Status: Further Appealable to
City Council, if approved

PUBLIC HEARING-CONTINUED FROM MARCH 8, 2016

LOCATION: 5265-67 West Fountain Avenue

Requested Action:

An appeal of the Zoning Administrator's decision to approve, pursuant to section 12.27 of the Los

Angeles Municipal Code (LAMC), a Zone Variance from Section 12.10 of the LAMC to permit interior alterations to and the continued use of an existing, 7,114 square-foot commercial office building as otherwise prohibited in the R3-1 Zone; and to approve the action of the Lead Agency in adopting the Categorical Exemption **ENV-2015-1989-CE** for this project.

APPLICANT: This is Just a Test Productions

Representative: Brett Engstrom, Engstrom Planning & Licensing

APPELLANT: Doug Haines, The La Mirada Ave, Neighborhood Association

Recommended Action:

1. **Adopt** the Findings of the Zoning Administrator.
2. **Deny** the appeal.
3. **Sustain** the action of the Zoning Administrator's decision to approve, a Zone Variance from Section 12.10 of the Los Angeles Municipal Code to permit interior alterations to and the continued use of an existing, 7,114 square-foot commercial office building as otherwise prohibited in the R3-1 Zone, and;
4. **Adopt** the action of the Lead Agency in adopting the Categorical Exemption **ENV-2015-1989-CE** for this project.

Staff: Oliver Netburn (213) 978-1382

Discussion:

Oliver Netburn, Planning Staff, gave a recap of the zone hearing regarding the zone variance of a commercial office building. After hearing the planning staff report, the commission called for the appellant and applicant to speak for (5) minutes each. Both the appellant, and applicant commented a compromise.

There was only (1) one person to speak during the public comment period for (1) minute. The public comment period was closed and the commission started deliberation toward a motion.

Motion:

1. **Adopt** the Findings of the Zoning Administrator.
2. **Deny** the appeal in part, and grant the appeal in part by adopting the modification to condition no. (7) seven with the language incorporated by the applicant's representative of specific usage of the property, and adopting modification of condition no. 11 as stated by the appellant.
3. **Sustain** the action of the Zoning Administrator's decision to approve, a Zone Variance from Section 12.10 of the Los Angeles Municipal Code to permit interior alterations to and the continued use of an existing, 7,114 square-foot commercial office building as otherwise prohibited in the R3-1 Zone.
4. **Adopt** the action of the Lead Agency in adopting the Categorical Exemption **ENV-2015-1989-CE** for this project.

Moved: Brogdon

Seconded: Chemerinsky

Ayes: Chung-Kim, and Oh

Absent Lopez

Vote: 4-0

The commission took a recess for 15 minutes, and the meeting reconvened at 6:15p.m.

4. **ZA-2014-3658-MCUP-1A**

CEQA: ENV-2014-3659-MND

Community Plan: Westlake

Council District No.: 1 – Cedillo

Expiration Date: April 26, 2016

Appeal Status: Not Further Appealable

PUBLIC HEARING

LOCATION: 1728 -1738 West 7th Street

Requested Action:

An appeal of the Zoning Administrator's decision to approve, pursuant to the Los Angeles Municipal Code (LAMC) section 12.24-W,1, a Master Conditional Use to permit the sale, dispensing, and service of a full line of alcoholic beverages for on-site consumption; pursuant to the LAMC section 12.24-W,18(a), a Conditional Use to permit public dancing; pursuant to LAMC section 12.24-W, 27, a Conditional Use to permit amusement enterprises and hours of operation beyond 11 p.m. in a Mini-Shopping Center, on property in the C2-2 Zone, and to adopt the Lead Agency's decision of the Mitigated Negative Declaration No. **ENV-2014-3659-MND** as the environmental clearance for this action.

APPLICANT: West Seventh Street Property, LLC

Representative: Eddie Navarrette, FE Design & Consulting

Representative: City Land Use, Laurette Healey and Marcia Davalos

APPELLANT #1: Jonathan Bauman, Los Angeles Unified School District, LAUSD
(Appeal in Part)

APPELLANT #2: Manuel Flores & Gustavo Flores

Recommended Action:

1. **Adopt** the Findings the Zoning Administrator.
2. **Deny** the Appeal.
3. **Sustain** the action of the Zoning Administrator to approve;
 - a. a Master Conditional Use to permit the sale, dispensing, and service of a full line of alcoholic beverages for on-site consumption,
 - b. a Conditional Use to permit public dancing,
 - c. a Conditional Use to permit amusement enterprises and hours of operation beyond 11 p.m. in a Mini-Shopping Center, on property in the C2-2 Zone, and;
4. **Adopt** the Mitigated Negative Declaration No. **ENV-2014-3659-MND** as the environmental clearance for this action.

Staff: Jonathan Hershey (213) 978-1337

The Commission President announced the availability of a Spanish to English translator to the audience.

Discussion:

Senior Planner, Jonathan Hershey, gave his report on the public zone hearing regarding the Master Condition Use Permit. He recapped the hearing testimony regarding the case and its findings.

The commission gave (5) five minutes each of the two appellants to speak to present their case. The applicant was given a total of 10 minutes to speak. *Javier Diaz, from Language4you, provided translation for this case.* Several persons spoke against the appeal, and there were many who spoke in support of the appeal project. Captain I Jonathan Tom, from the Rampart Community Police Station, spoke in support of the project, as well as Gerald Gubatan a representative from council district 1.

The commission gave the applicant, and the appellant (2) minutes each to rebut. General Public Comment period was opened and closed, and the deliberation was executed to form a motion.

Motion:

1. **Adopt** the Findings of the Zoning Administrator.
2. **Deny** the appeal, and grant the appeal in part
3. **Sustain** the action of the Zoning Administrator to approve;
 - a. a Master Conditional Use to permit the sale, dispensing, and service of a full line of alcoholic beverages for on-site consumption,
 - b. a Conditional Use to permit public dancing,
 - c. a Conditional Use to permit amusement enterprises and hours of operation beyond 11 p.m. in a Mini-Shopping Center, on property in the C2-2 Zone, and;
 - d. Add to the Master Conditional Use No. 17, to allow a State License Uniform Security Guard from 5:00P.M. to 8:00P.M.
4. **Adopt** the Mitigated Negative Declaration No. **ENV-2014-3659-MND** as the environmental clearance for this action.

Moved: Chemerinsky

Seconded: Oh

Ayes: Brogdon and Chung-Kim

Absent: Lopez

Vote: 4 - 0

The Commission took a short recess at 8:05P.M. Commission President called the meeting back to order at 8:20 P.M. and proceeded to the next agenda item.

5. **ZA-2015-364-CU-1A**
CEQA: ENV-2015-365-MND
Community Plan: Wilshire
Council District No.: 4 – Ryu

Expiration Date: April 25, 2016
Appeal Status: Not Further Appealable

PUBLIC HEARING

LOCATION: 369 North Western Avenue

Requested Action:

An appeal in part, of the Zoning Administrator's decision to approve, pursuant to Los Angeles Municipal Code Section 12.24-W,34, a Conditional Use Permit authorizing the use, maintenance and operation of a penny arcade containing 24 game machines, and pursuant to Municipal Code Section 12.24-W,27, a Conditional Use Permit authorizing hours of operation beyond 11:00 p.m., in lieu of the maximum 7:00 a. m. to 11:00 p.m. daily, as otherwise permitted by Section 12.22-A,23 of the Municipal Code, all in conjunction with an existing 1,400 square-foot bar with a full line of alcoholic beverages for on-site consumption, and adopt the Lead Agency's decision of the Mitigated Negative Declaration No. **ENV-2015-0365-MND** as the environmental clearance for the request.. Specifically, the applicant appeals imposition of Condition Nos. 7 (days and hours of operation), 13 (prohibition against exclusive use for private parties), 18 (posting of on-duty manager name and photograph), 28 (two-year Plan Approval requirement), and 29 (5-year term grant).

APPLICANT: Rafael Augusto Guzman, and Blipsy Barcade (Appeal in Part)
Representative: Wil Nieves

APPELLANT: Same

Recommended Action:

1. **Adopt** the Findings the Zoning Administrator.
2. **Grant** in part the appeal.
3. **Sustain** the Zoning Administrator's decision to approve:
 - a. a Conditional Use Permit authorizing the use, maintenance and operation of a penny arcade containing 24 game machines;
 - b. a Conditional Use Permit authorizing hours of operation beyond 11:00 p.m., in lieu of the maximum 7:00 a. m. to 11:00 p.m. daily;
 - c. all in conjunction with an existing 1,400 square-foot bar with a full line of alcoholic beverages for on-site consumption;
 - d. Grant the imposition of Condition Nos. 7 (days and hours of operation), 13 (prohibition against exclusive use for private parties), 18 (posting of on-duty manager name and photograph), 28 (two-year Plan Approval requirement), and 29 (5-year term grant), and;
4. **Adopt** the Mitigated Negative Declaration No. **ENV-2015-0365-MND**.

Staff: Jonathan Hershey (213) 978-1337

Discussion:

Senior Planner, Jonathan Hershey, recapped the Conditional Use Permit authorizing the maintenance of operation of Arcade game machines. The commission asked pointed questions in regards to the appeal that was presented.

The applicant was given (5) minutes to speak. There was one speaker, a Vice-Officer from the Olympic Community Police Station, spoke in support of the appeal. Rebuttal time was given to the applicant. Following the closing of the public comment period, the commission deliberated to form a motion.

Motion:

1. **Adopt** the Findings the Zoning Administrator.
2. **Deny** in part and **Grant** in part the appeal.
3. **Grant** the imposition of Condition No. 7 (days and hours of operation); Omit –Condition No. 13 (prohibition against exclusive use for private parties); 18 (posting of on-duty manager name and photograph) inside the business clearly visible; delete/strike-out Condition No.28 (two-year Plan Approval requirement), and 29 (5-year term grant), as modified.
4. **Adopt** the Mitigated Negative Declaration No. **ENV-2015-0365-MND**.

Moved: Brogdon
Seconded: Chemerinsky
Ayes: Chung-Kim, Oh
Absent: Lopez

Vote: 4 - 0

Motion To incorporate the Grant Clause:

To approve a Conditional Use Permit authorizing the use, maintenance and operation of a penny arcade containing 24 game machines in conjunction with an existing 1,400 square-foot bar with a full line of alcoholic beverages for on-site consumption, and to approve a Conditional Use Permit authorizing hours of operation beyond 11:00 p.m., in lieu of the maximum 7:00 a. m. to 11:00 p.m. daily.

Moved: Brogdon
Seconded: Chemerinsky
Ayes: Chung-Kim, Oh
Absent: Lopez

Vote: 4 - 0

6. **AA-2015-3553-PMLA-SL**
CEQA: ENV-2015-3554-CE
Community Plan: Hollywood
Council District No.: 5 – Koretz

Expiration Date: April 12, 2016
Appeal Status: Not Further Appealable

PUBLIC HEARING

LOCATION: 6926-6932 West Clinton Street

Requested Action:

An appeal of the Deputy Advisory Agency decision to approve, pursuant to Los Angeles Municipal Code section 17.54, of a Preliminary Parcel Map No. AA-2015-3553-PMLA-SL for a maximum of (4) four lots and the construction, the use and the maintenance of (4) four new small lot homes on a 7,426 net square-foot site, pursuant to the LAMC section 17.52 and in accordance with the Small Lot Subdivision Ordinance No. 176,354, and to approve the action of the Lead Agency in adopting the Categorical Exemption **ENV-2015-3554-CE** for this project.

APPLICANT: Elfie Sheldon

Representative: Nick Kazemi

APPELLANT: Lawrence M. Polon

Recommend Action:

1. **Deny** the appeal.
2. **Sustain** the decision of the Deputy Advisory Agency for the subdivision of a maximum of four (4) small lots for the construction, use, and maintenance of four (4) small lot homes, pursuant to the provisions of Los Angeles Municipal Code Section 17.52.
3. **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) file.
4. **Adopt** the action of the Lead Agency in adopting Categorical Exemption No. **ENV-2015-3554-CE** for this project.

Staff: JoJo Pewsawang

Discussion:

Planning Staff, JoJo Pewsawang, presented his report regarding a Preliminary Parcel Map for small four lots that included a full description of the property.

The appellant was given (5) five minutes to speak. The applicant's representative was given the same allotted time. Public comment was opened with one speaker, and the public comment period was closed. The commission considered all testimonies and evidence, and presented a motion.

Motion:

1. **Deny** the appeal.
2. **Sustain** the decision of the Deputy Advisory Agency for the subdivision of a maximum of four (4) small lots for the construction, use, and maintenance of four (4) small lot homes, pursuant to the provisions of Los Angeles Municipal Code Section 17.52.
3. **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) file.
4. **Adopt** the action of the Lead Agency in adopting Categorical Exemption No. **ENV-2015-3554-CE** for this project.

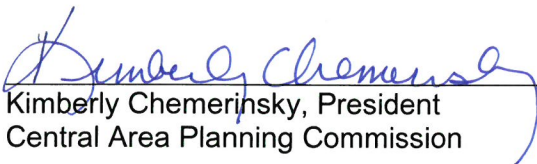
Moved: Chung-Kim
Seconded: Oh
Ayes: Brogdon, and Chemerinsky
Absent: Lopez

Vote: 4 - 0

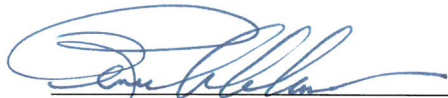
8. **PUBLIC COMMENT PERIOD**

There was one speaker for public comment period.

There being no further business to come before the Central Area Planning Commission, the meeting adjourned at 9:55P.M.



Kimberly Chemerinsky, President
Central Area Planning Commission



Renee Glasco, Commission Executive Assistant I
Central Area Planning Commission

ADOPTED
CITY OF LOS ANGELES

APR 26 2016

CITY PLANNING DEPARTMENT
COMMISSION OFFICE