

**EAST LOS ANGELES AREA PLANNING COMMISSION
REGULAR MEETING AGENDA
WEDNESDAY, FEBRUARY 8, 2023 AFTER 4:30 P.M.
(via TELECONFERENCE)**

**Meeting presentations will be made available (<https://tinyurl.com/EastLAAPC2-08-23>) by February 6, 2023.
Compliant Day of Submissions will be added to the following drive as they are received.**

Jacob Stevens, President
Denise Campos, Vice President
Seamus Garrity, Commissioner
Lyric Kelkar, Commissioner
Sarah Rascon, Commissioner

Vincent P. Bertoni, AICP, Director
Shana M. M. Bonstin, Deputy Director
Arthi L. Varma, AICP, Deputy Director
Lisa M. Webber, AICP, Deputy Director

Eva Bencomo, Commission Executive Assistant
apceastla@lacity.org
(213) 978-1360

POLICY FOR DESIGNATED PUBLIC HEARING ITEMS:

In accordance with Government Code Section 54953, subsections (e)(1) and (e)(3), and in light of the State of Emergency proclaimed by the Governor on March 4, 2020 relating to COVID-19 and ongoing concerns that meeting in person would present imminent risks to the health or safety of attendees and/or that the State of Emergency continues to directly impact the ability of members to meet safely in person, the East Los Angeles Area Planning Commission's February 8, 2023 meeting will be conducted via telephone and/or videoconferencing.

EAST LOS ANGELES AREA PLANNING COMMISSION MEETINGS CAN BE LISTENED TO BY DIALING (213) 621-2489 OR (818) 904-9450. YOU CAN ALSO VIEW THE MEETING ONLINE VIA ZOOM AT: <https://planning-lacity.org.zoom.us/j/81908266374> AND USE MEETING ID: 819 0826 6374 AND PASSCODE 051078.

Members of the public who wish to participate in the meeting and offer public comment to the East Los Angeles Area Planning Commission can either access the link located above or call (213) 338-8477 or (669) 900-9128 and use **Meeting ID No. 819 0826 6374** and then press #. Press # again when prompted for participant ID. Please use **Meeting Passcode 051078**. For virtual meeting participation information, please click [here](#).

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. In all instances, however, equal time is allowed for presentation of pros and cons of matters to be acted upon.

Written submissions are governed by Rule 4.3 of the East Los Angeles Area Planning Commission Rules and Operating Procedures which are posted online at <https://planning.lacity.org>, by selecting "About," "Commissioners," "Area Planning Commissions," "East Los Angeles Area Planning Commission," and "Operating Procedures." However, please see revised submission guidelines below which have been modified in order to accommodate the conduct of the meeting telephonically.

Initial Submissions, not limited as to volume, must be received by the Commission Executive Assistant no later than by 4:00 p.m. on the Monday prior to the week of the Commission meeting. Materials must be emailed to apceastla@lacity.org. **Secondary Submissions** in response to a Staff Recommendation Report or additional comments must be received electronically no later than 48-hours before the Commission meeting. Submissions shall not exceed ten (10) pages, including exhibits, and must be submitted electronically to apceastla@lacity.org. Photographs do not count toward the page limitation. **Day of Hearing Submissions** within 24 hours of the meeting, up to and including the day of the meeting are limited to 2 pages plus accompanying photographs and must be submitted electronically to apceastla@lacity.org. Submissions that do not comply with these rules will be stamped "**File Copy. Non-Complying Submission.**" Non-complying submissions will be placed into the official case file, but they will not be delivered to or considered by the Commission and will not be included in the official administrative record for the item at issue.

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 Rules and Operating Procedures and provided that the Commission retains jurisdiction over the case. If a Commission meeting is canceled or adjourned due to lack of quorum, all remaining agenda items shall be continued to the next regular meeting or beyond as long as the continuance is within the legal time limits of the case or cases.

Requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act can be made by contacting the Commission Executive Assistant at (213) 978-1360 or by email

at apceastla@lacity.org no later than three working days (72 hours) prior to the meeting. For Telecommunication Relay Services for the hearing impaired, please see the information located on the last page of this agenda.

If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized here, 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.

Agendas and Adopted Minutes are available online at <http://planning.lacity.org>, by selecting "About," "Commissions, Boards & Hearings," filter by "East Los Angeles Area Planning Commission." For additional information regarding the format of this telephonic public meeting, please visit our website at <http://planning.lacity.org>.

If you would like to receive a determination letter for any item on today's agenda, please email your request to apceastla@lacity.org. Please include your contact information (email or mailing address) and the case number associated with the item.

Información en español acerca de esta junta puede ser obtenida llamando al (213) 978-1300. Servicios de traducción al español están disponibles, de ser solicitados con un mínimo de 72 horas de anticipación, en todas las juntas de la comisión.

1. **DETERMINATION TO CONTINUE HOLDING MEETINGS VIA TELECONFERENCE**

Motion Required. Pursuant to Government Code Sections 54953(e)(1)(B)-(C), (e)(3)(A), and (e)(3)(B)(i), a determination that the COVID-19 State of Emergency continues to directly impact the ability of members to meet safely in person and possible Commission Action.

2. **DIRECTOR'S REPORT AND COMMISSION BUSINESS**

- Items of Interest
- Advance Calendar
- Commission Requests
- Approval of Meeting Minutes - October 12, 2022, November 9, 2022, and November 23, 2022

3. **NEIGHBORHOOD COUNCIL POSITION STATEMENTS ON AGENDA ITEMS**

Presentations 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. The Neighborhood Council representative shall provide the Board or Commission with a copy of the Neighborhood Council's resolution or community impact statement by email to apceastla@lacity.org. At the Chair's discretion, presentations of Neighborhood Councils on any matter listed on the agenda for this Commission meeting may be taken at the time the agenda is taken for consideration.

4. **GENERAL PUBLIC COMMENT**

The Commission shall provide an opportunity in open meetings for the public to address it **on non-agenda items**, for a cumulative total of up to thirty (30) minutes, on items of interest to the public that are within the subject matter jurisdiction of the Commission.

Members of the public who wish to participate in the meeting and offer public comment to the East Los Angeles Area Planning Commission, can either access the link located at the top of this agenda or call **(213) 338-8477** or **(669) 900-9128** and use **Meeting ID No. 819 0826 6374** and then press #. Press # again when prompted for participant ID. Please use **Meeting Passcode 051078**.

5. RECONSIDERATIONS

- a. **MOTIONS TO RECONSIDER** – The Commission may make a motion to reconsider a Commission Action on any agenda items from its previous meeting, consistently with the Commission Rule 9.3, provided the Commission retains jurisdiction over the matter.
- b. **MERITS OF ANY ITEM THE COMMISSION HAS VOTED TO RECONSIDER** – If a majority of the Commission has approved a motion to reconsider a Commission Action, the Commission may address the merits of the original Commission Action.

6. ZA-2020-981-CUB-1A

ENV-2020-982-CE

Plan Area: Northeast Los Angeles

Council District: 14 – de León

Last Day to Act: N/A

Continued from: 01-11-2023

PROJECT SITE: 4878 – 4884 North Eagle Rock Boulevard; 2156 West Yosemite Drive

On December 9, 2020, the Commission voted to grant in-part and deny in-part an appeal and modify various conditions of approval for the Project located at 4878 - 4884 North Eagle Rock Blvd. Pursuant to an interlocutory court order issued on October 24, 2022, in the case of *Katherine E. Rubenstein v. City of Los Angeles* (21STCP00991), the Commission will reconsider its previously issued findings related to the Project. The Commission may adopt revised findings in order to comply with the court's interlocutory order.

PROPOSED PROJECT:

This Commission's Letter of Determination, dated January 5, 2021, describes the Project as: The sale and dispensing of beer and wine for on-site consumption in conjunction with a 10,672 square foot existing motion picture theater and associated retail space with 271 seats, live entertainment and hours of operation from 11:00 a.m. to 1:00 a.m. daily in the [Q]C4-1XL Zone in lieu of the otherwise restricted hours of operation from 7:00 a.m. to 11:00 p.m. as restricted by Commercial Corner Development Standards.

REMAND HEARING:

1. Reconsider the findings related to the East Los Angeles Area Planning Commission's decision in Case No. ZA-2020-981-CUB-1A, and possible adoption of revised findings.

Applicant: Maggie Mackay, Vidiots Foundation
Representatives: Sara Houghton, three6ixty; Elisa Paster, Rand Paster & Nelson

Appellant: Greg Merideth, The Eagle Rock Association (TERA)

Staff: Michelle Carter, City Planner
michelle.carter@lacity.org
(213) 978-1262

7. AA-2021-9841-PMLA-HCA-1A

CEQA: ENV-2021-9843-CE

Related Case: ZA-2021-9842-ZV-ZAA-1A

Plan Area: Northeast Los Angeles

Council District: 14 – de León

**Last Day to Act: 03-06-23

Continued from: 01-11-23

PUBLIC HEARING REQUIRED

PROJECT SITE: 5308 – 5310 Mount Helena Avenue; 1389 Frackelton Place

PROPOSED PROJECT:

Subdivision of an existing single lot with two single-family residences into two lots with one single-family residence each. The Project is requesting to waive the otherwise required dedications and improvements along both Mount Helena Avenue and Frackelton Place. The Project also proposes a new accessory dwelling unit on one of the two proposed lots, subject to a separate review process; no other new construction, demolition, or changes in physical conditions are proposed.

APPEAL:

An appeal of the August 25, 2022, Advisory Agency’s Determination which:

1. Determined, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines Section 15301, Class 1, and there is no substantial evidence demonstrating that an exception to the categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. Approved, pursuant to Section 17.53 of the Los Angeles Municipal Code, a Preliminary Parcel Map for the subdivision of one lot into two lots (Parcels A and B) in the R1-1 Zone; and
3. Adopted the Conditions of Approval and Findings.

Applicant: Jeffrey Yue & Julia Tsao
Representative: Paul Garry, Psomas

Appellant: Bracha Jade

Staff: More Song, City Planner
more.song@lacity.org
(213) 978-1319

8. [ZA-2021-9842-ZV-ZAA-1A](#)
CEQA: ENV-2021-9843-CE
Related Case: AA-2021-9841-PMLA-HCA-1A
Plan Area: Northeast Los Angeles

Council District: 14 – de León
**Last Day to Act: 03-06-23
Continued from: 01-11-23

PUBLIC HEARING REQUIRED

PROJECT SITE: 5308 – 5310 Mount Helena Avenue; 1389 Frackelton Place

PROPOSED PROJECT:

Subdivision of an existing single lot with two single-family residences into two lots with one single-family residence each. The Project is requesting to waive the otherwise required dedications and improvements along both Mount Helena Avenue and Frackelton Place. The Project also proposes a new accessory dwelling unit on one of the two proposed lots, subject to a separate review process; no other new construction, demolition, or changes in physical conditions are proposed.

APPEAL:

An appeal of the August 25, 2022, Zoning Administrator’s Determination which:

1. Determined, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines Section 15301, Class 1, and there is no substantial evidence demonstrating that an exception to the categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies; and
2. Approved, pursuant to Section 12.28 of the Los Angeles Municipal Code (LAMC), a Zoning Administrator's Adjustment to permit the following setbacks on two proposed lots (Parcels A and B) in the R1-1 Zone in lieu of the setbacks otherwise required by LAMC Section 12.21 C:
 - a. A southerly side yard setback of three-foot three inch for Parcel A; and
 - b. An easterly side yard setback of four-foot ten inch for Parcel B;
3. Dismissed, pursuant to LAMC Section 12.28, a westerly front yard setback of 12-foot nine inch for Parcel A and a southerly front yard setback of 18-foot four inches for Parcel B;

4. Approved, pursuant to LAMC Section 12.27, a Zone Variance to permit zero on-site vehicle parking spaces for an existing residential unit on a proposed lot in the R1-1 Zone (Parcel B) in lieu of the number of vehicle parking spaces otherwise required by LAMC Section 12.21 A.4; and
5. Adopted the Conditions of Approval and Findings.

Applicant: Jeffrey Yue & Julia Tsao
Representative: Paul Garry, Psomas

Appellant: Bracha Jade

Staff: More Song, City Planner
more.song@lacity.org
(213) 978-1319

Christina Toy Lee, Associate Zoning Administrator

The next regular meeting of the East Los Angeles Area Planning Commission will be held on **Wednesday, February 22, 2023 at 4:30 p.m.**

****Pursuant to Mayor Garcetti's Emergency Order issued on March 21, 2020, which was subsequently extended on April 17, 2020, the time to act on this item has been tolled for the duration of the local emergency period. Please note that other State law provisions may also apply.**

Notice to Paid Representatives:

If you are compensated to monitor, attend, or speak at this meeting, City law may require you to register as a lobbyist and report your activity. See Los Angeles Municipal Code Section 48.01 et seq. More information is available at ethics.lacity.org/lobbying. For assistance, please contact the Ethics Commission at (213) 978-1960 or ethics.commission@lacity.org.

Reasonable Accommodations Consistent with Federal and State Law

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodations to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services must be requested **72 hours prior to the meeting** by calling the Commission Executive Assistant at (213) 978-1360 or by email at apceastla@lacity.org.

Telecommunication Relay Services

Telephone communication is one of the most important forms of communication in society today. Due to advancements in technology, telephone devices have evolved with new services and capabilities. Individuals who are deaf and hard of hearing, and individuals with a speech disability are following these trends and are rapidly migrating to more advanced telecommunications methods, both for peer-to-peer and third-party telecommunications relay service (TRS) communications.

Telecommunications Relay Service is a telephone service that allows persons with hearing or speech disabilities to place and receive telephone calls. TRS is available in all 50 states, the District of Columbia, Puerto Rico and the U.S. territories for local and/or long distance calls. TRS providers - generally telephone companies - are compensated for the costs of providing TRS from either a state or a federal fund. There is no cost to the TRS user.

What forms of TRS are available? There are several forms of TRS, depending on the particular needs of the user and the equipment available: TRS includes: Text to Voice TIY-Based TRS; Speech-to-Speech Relay Service; Shared Non-English Language Relay Service; Captioned Telephone Relay Service; Internet Protocol Relay Service; and Video Relay Service. Please visit this site for detailed descriptions, <https://www.fcc.gov/consumers/guides/telecommunications-relay-service-trs>.

Don't hang up! Some people hang up on TRS calls because they think the Communications Assistant (CA) is a telemarketer. If you hear, "Hello. This is the relay service ..." when you pick up the phone, please don't hang up! You are about to talk, through a TRS provider, to a person who is deaf, hard-of-hearing, or has a speech disability.

For more information about FCC programs to promote access to telecommunications services for people with disabilities, visit the FCC's Disability Rights Office website.