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CITY PLANNING
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LOS ANGELES, CA 90012-4801

AND
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CITY PLANNING COMMISSION

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CITY OF LOS ANGELES
CALIFORNIA

ERIC GARCETTI
MAYOR

WESTWOOD VILLAGE SPECIFIC PLAN
PROJECT PERMIT COMPLIANCE REVIEW

April 16, 2014

Owner/Applicant

Ronald A. Simms
H5 Capital Westwood, LLC
9320 Wilshire Boulevard
Beverly Hills, CA 90212

Representative

Sheri Bonstelle
Jeffer Mangles Butler & Mitchell,
LLP
1900 Avenue of the Stars, 7th Floor
Los Angeles, CA 90067

Case No. DIR-2014-251-SPP

CEQA: ENV-2013-250-CE

Related Case: APCW-2010-1087-SPE-ZV-
ZAA-DRB-SPP

Location: 1122-1140 S. Gayley Avenue

Council District: CD 5 - Paul Koretz

Neighborhood Council: Westwood

Community Plan Area: Westwood

Land Use Designation: Community Commercial

Zone: C4-2D-O

Legal Description: Lots 5 and 6, Tract 25678

Last Day to File an Appeal: May 1, 2014

DETERMINATION

Pursuant to Los Angeles Municipal Code Section 11.5.7 and the Westwood Village Specific Plan, I have reviewed the proposed project, and as a designee of the Director of Planning, I hereby:

Approve with Conditions a Project Permit Compliance to establish two restaurant establishment uses at two tenant spaces within a new, mixed-use building at 1122-1130 S. Gayley Avenue.

The project is categorically exempt from environmental review pursuant to Article 3, Section 1, Class 21, Category 2 of the City of Los Angeles CEQA Guidelines.

This approval is subject to the following terms and conditions:

9. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
10. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
11. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

no. APCW-2010-1087-SPE-ZV-ZAA-DRB-SPP regarding the ground floor frontage along Gayley Avenue.

- b. The proposed project substantially complies with Section 9, Parking, of the Specific Plan. Per the Specific Plan and case no. APCW-2010-1087-SPE-ZV-ZAA-DRB-SPP, the subject building will provide subterranean parking, of which 26 parking spaces will serve the 6,500 square feet of commercial uses (one parking space per 1,000 square feet). In addition, per condition 6 of case no. APCW-2010-1087-SPE-ZV-ZAA-DRB-SPP, at least one bicycle rack will be installed. Condition of Approval No. 3 ensures that the project will provide the requisite number of automobile parking spaces and bicycle parking spaces for each restaurant tenant space in conformance with case no. APCW-2010-1087-SPE-ZV-ZAA-DRB-SPP and with the applicable provisions of the Los Angeles Municipal Code (LAMC), as determined by the Los Angeles Department of Building and Safety (LADBS).
- c. The proposed project substantially complies with Section 10, Development Standards, of the Specific Plan. Per the Specific Plan, an exterior wall that extends more than 40 feet horizontally must provide architectural features so as not to create a large blank wall plane. Per case no. APCW-2010-1087-SPE-ZV-ZAA-DRB-SPP and as depicted in Exhibit A, the Gayley Avenue façade includes vertical elements that break up the massing, as well as glazing and the entrance to the residential portion of the building, which add visual interest.

Per the Specific Plan, the primary entrance to a ground floor business along the building frontage is to be located at ground level and at the frontage. As depicted in Exhibit A, each restaurant tenant space will be at ground level, with each primary entrance at ground level and oriented toward the sidewalk along Gayley Avenue. One entrance will be within the curved corner element base, opening to the corner of Gayley Avenue and Lindbrook Drive, while the other directly fronts the sidewalk at Gayley Avenue.

Environmental Finding

2. **The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review, which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

Mitigation measures are not necessary for the subject project, and there are no potentially significant negative environmental effects associated with the project. The Director of Planning has determined that the project is Categorical Exempt from environmental review, because the proposed project involves solely the establishment of a use within a new building which is an allowable use per the Specific Plan and the LAMC, with a clearance pursuant to Article III, Section 1, Class 21, and Category 2 of the City CEQA Guidelines.

Planning Department public offices are located at:

Downtown Office
Figueroa Plaza
201 North Figueroa Street, 4th Floor
Los Angeles, CA 90012
(213) 482-7077

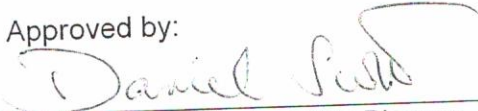
Valley Office
6262 Van Nuys Boulevard, Suite 251
Van Nuys, CA 91401
(818) 374-5050

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Building in the Valley. In order to assure that you receive service with a minimum amount of waiting, applicants are encouraged to schedule an appointment with the Development Services Center either by calling (213) 482-7077 or through the Department of City Planning website at <http://cityplanning.lacity.org>. The applicant is further advised to notify any consultant representing you of this requirement as well.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Michael J. LoGrande
Director of Planning

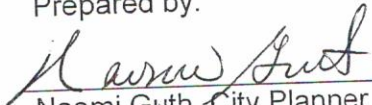
Approved by:


Daniel Scott, Principal City Planner

Reviewed by:


Shana Bonstin, Senior City Planner

Prepared by:


Naomi Guth, City Planner
naomi.guth@lacity.org

Restaurant Establishments

Gayley Avenue

Updated 4/14/2014
(Field Survey 4/11/2014)

	Street No.	Restaurant Name	DCP Use Determination Effective Date	Case No. Building Permit No.	Certificate of Occupancy Date
1	1000	O'Hara's	12/2002	CPC-1993-446-DRB 95WL25597	7/2003
2	1049	Thai House	12/2002	2002 DI W/40597/84	6/1984
3	1051	Bollywood Bites (formerly Bombay Bite)	1/2003	DIR-2002-6087-DRB-SPP- COA 02016-30003-21823 W/51727/84	8/1984
4	1076	Donna Sophia	12/2002	2002 DI W5452/2937/75	2/1976
5	1085 2 nd Fl.	Vacant	Not Found	DCP Case Not Found 1970LA18472	12/71
6	1110	Vacant	3/2011	DIR-2010-3149-SPP 93HO22017	6/1993
7	1115	Vacant	Not Found	DCP Case Not Found 1984WL50675	8/1984
8	1145	Vacant	8/2006	DIR-2006-3281-DRB-SPP (for retail) 06016-30000-01909	11/82
9					
10					
11					
12					
13					

13 Maximum Allowed

No Permit and Former Restaurant and Fast Food Establishment Uses

Gayley Avenue

Updated 4/14/2014
(Field Survey 4/11/2014)

Street No.	Current Use	Current Tenant Name	DCP Case No. Building Permit No.	DCP Use Determination Effective Date	Certificate of Occupancy Date
964	Bakery (former use: retail)	Eat Sweets Pastry (former name: unknown)	DCP Case not found 08016-20000-08328	Not Found	9/1980
1035	Fast Food (former use: retail)	Nirvana Tea & Herbs (former name: Presence)	DIR-2004-4559-DRB-SPP Building Permit not found	12/2004	Not Found