



**MINUTES
SPECIAL MEETING – 5:30 P.M.
HEARING OFFICER
Wednesday, October 6, 2021
Virtual Meeting**

Hearing Officer Present: Paul Novak
Acting Zoning Administrator: David Sinclair
Staff Present: Emma Carrico, Jason Van Patten

1. READING OF PROCEDURES

2. PUBLIC HEARINGS

MINOR CASES

A. MV #11942: 285 MARGUERITA LANE– COUNCIL DISTRICT #7

Minor Variance to allow a 524 square foot single-story addition to the rear of an existing single-story single-family residence with a 7'-8" setback where a 25-foot minimum rear setback is required.

Staff Recommendation:

- 1) Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 (Class 1, Existing Facilities); and
- 2) Approve the Minor Variance with conditions.

Case Manager: Emma Carrico

APPROVED

APPEAL DATE: October 18th, 2021

EFFECTIVE DATE: October 19th, 2021

HEARING OFFICER ACTION: The Hearing Officer decided to adopt the Environmental Determination, which is an exemption, and approve the project subject to findings in Attachment A and adopted conditions found in Attachment B.
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B. MV #11943: 265 MARGUERITA LANE– COUNCIL DISTRICT #7

Minor Variance to allow a 63 square foot single-story addition to the rear of an existing single-story single-family residence with an 11'-5" setback where a 25-foot minimum rear setback is required.

Staff Recommendation:

- 1) Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 (Class 1, Existing Facilities); and
- 2) Approve the Minor Variance with conditions.

Case Manager: Emma Carrico

APPROVED

APPEAL DATE: October 18th, 2021

EFFECTIVE DATE: October 19th, 2021

<p>HEARING OFFICER ACTION: The Hearing Officer decided to adopt the Environmental Determination, which is an exemption, and approve the project subject to findings in Attachment A and adopted conditions found in Attachment B.</p>

REGULAR CASES

C. VTTM #74985: 737 E. WALNUT ST. – COUNCIL DISTRICT #3

Vesting Tentative Tract Map: To allow the creation of 43 air parcels (one commercial and 42 residential) for condominium purposes. The associated mixed-use project was granted Affordable Housing Concession Permit #11866 on July 16, 2018, and obtained Concept Design Review approval on September 11, 2018. This application is limited to the creation of air parcels to allow the individual sale of the commercial space and dwelling units. This application does not address the design or construction of the 42-unit project and does not include any proposed changes to the previous Affordable Housing Concession Permit or Design Review approvals.

Staff Recommendation:

Remove the case from the agenda. A new public hearing notice will be sent, scheduling the matter for October 20, 2021

Case Manager: Ivan Galeazzi

<p>HEARING OFFICER ACTION: The Hearing Officer decided to remove the case from the agenda without discussion.</p>
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D. MOD CUP #1813: 175 E. HOLLY STREET - COUNCIL DISTRICT #3

- 1) Modification to Conditional Use Permit #1813: Conditional Use Permit #1813 was approved February 22, 1988 to allow for live entertainment in conjunction with a restaurant use. The current application requests changes to two conditions of approval for the current restaurant use (Eden Bar and Grill): Condition #2 to allow for amplified live entertainment outdoors and to increase the hours allowed for outdoor entertainment and Condition #3 to allow for amplified live entertainment indoors.

- 2) Expressive Use Permit: To allow the addition of 290 square-feet of live performance and dance floor area. These improvements reclassifies the business as a Nightclub land use, and an Expressive Use Permit is required to establish a Nightclub land use. The property is located within the CD-2 (Central District, Civic Center – Midtown subdistrict) and an Expressive Use Permit is required for the establishment of a Nightclub within the CD-2 zoning district.

Staff Recommendation:

- 1) Continue to a date uncertain
Case Manager: Jennifer Driver

HEARING OFFICER ACTION: The Hearing Officer decided to remove the case from the agenda without discussion.

E. CUP #6807: 774-790 N. LAKE AVENUE – COUNCIL DISTRICT #5

- 1) Conditional Use Permit: To allow an existing drive-through business (formerly Carl's Jr.) to be demolished and rebuilt (Chick-fil-A). The property is located in the CL-SP-1d (Commercial Limited, North Lake Specific Plan, Village Building Type subdistrict), which allows a drive-through business to be demolished and rebuilt with the approval of a Conditional Use Permit as long as the square footage of the new building is not more than the building proposed to be demolished; and
- 2) Conditional Use Permit: To allow extended hours of operation. The applicant proposes to operate between 5:30 a.m. and midnight. Hours of operation are otherwise limited to 7:00 a.m. to 10:00 p.m. because the site is located within 150 feet of a residential zoning district.

Staff Recommendation:

- 1) Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15302, (Class 2, Replacement or Reconstruction); and
- 2) Approve the Conditional Use Permits with conditions.
Case Manager: Jason Van Patten

APPROVED

APPEAL DATE: October 18th, 2021

EFFECTIVE DATE: October 19th, 2021

HEARING OFFICER ACTION: The Hearing Officer decided to adopt the Environmental Determination, which is an exemption, and **approve** the project subject to findings in Attachment A and adopted conditions found in Attachment B.

ADJOURNMENT: approximately 6:30 p.m.



David Sinclair, Senior Planner



Hayman Tam, Recording Secretary