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**Council File Number**

[02-2320](#)

**Title**

10804 - 10820 WILSHIRE BOULEVARD / 1201 - 1215 MALCOLM AVENUE

**Subject**

Transmittal from West Los Angeles Area Planning Commission relative to appeal of West Los Angeles Area Planning Commission approval of Conditional Use to permit building over six stories or 75 feet in height subject to Conditions of Approval for property at 10804 - 10820 Wilshire Boulevard, 1201 - 1215 Malcolm Avenue, Westwood Plan Area - City Plan Case No. APCW 2001-1704(CU) - ENV 97-0177-MND(REC) - Applicant: Americana Glendale, Inc., Richard Weintraub, President / Christensen, Miller, et al. Mark Armbruster (Representative) - Appellants: A1 - Westwood Homeowners Association, Richard Agay (Representative) A2 - Americana Glendale, Inc., Richard Weintraub / Christensen Miller, et. al., Mark S. Armbruster, (Representative) A3 - Longford Condominium Association, Betty Vincent (Representative) A4 - Marlina Maries A5 - Holmby - Westwood Property Owners Association, Sandy Brown (Representative) A6 - Wallace A. Bauchiero A7 - The Westwood Presbyterian Church, George Fenimore and Jann Williams (Representatives) A8 - Ishak Bibawi OLD COUNCIL FILE 97-2149 TIME LIMIT: DECEMBER 26, 2002; LAST DAY FOR COUNCIL ACTION: DECEMBER 20, 2002

**Last Change Date**

01/08/2003

**Council District**

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**Initiated by**

Area Planning Commission (APC) / West Los Angeles

**Archive History**

10-22-02 - For ref  
10-22-02 - Ref to Planning and Land Use Management Committee  
10-22-02 - File to Planning and Land Use Management Committee Clerk  
10-31-02 - Council file receipt notification to Council District 5 per Planning and Land Use Management Committee Clerk letter  
11-15-02 - Set for Planning and Land Use Management Committee on December 10 and in Council December 18, 2002  
11-19-02 - Revised Council date to December 13, 2002  
11-20-02 - Corrected Determination of the West Los Angeles Area Planning Commission - to Planning and Land Use Management Committee  
12-13-02 - Motion ADOPTED to APPROVE Planning and Land Use Management Committee report recommendations \*AS AMENDED, subject to the approval of the Mayor to:  
1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency, City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 02-2320 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 97-0177 MND(REC)].  
2. ADOPT the FINDINGS of the Planning and Land Use Management Committee as the FINDINGS of the Council.  
3. RESOLVE TO DENY/GRANT the appeal filed by Americana Glendale, Inc., Richard Weintraub/Christensen, Miller, et al, Mark Armbruster (representative); AND DENY the following seven appeals filed by Westwood Homeowners Association, Richard Agay (representative); Longford

Condominium Association, Betty Vincent (representative); Marlina Maries; Holmby-Westwood Property Owners Association, Sandy Brown (representative); Wallace A. Bauchiero; Westwood Presbyterian Church, George Fenimore and Jann Williams (representatives); and Ishak Bibawi from parts of, and from the entire determination of the West Los Angeles Area Planning Commission (APC) relative to a conditional use for 105-unit residential condominium 290-feet in height development, with an additional 15 feet in height approved for rooftop equipment, and 273 parking spaces at 10804-10820 Wilshire Boulevard and 1201-1215 Malcolm Avenue, subject to Conditions of Approval, as modified.

4. DESIGNATE, in conjunction with the approval of the conditional use, the property line which adjoins Wilshire Boulevard as the front lot line for this development in order to establish the yard requirements for the site.

Applicant: Americana Glendale, Inc., Richard Weintraub, President (Mark Armbruster, representative) - APCW 2001-1704 CU - Mitigated Negative Declaration ADOPTED - Findings ADOPTED.

12-13-02 - \*Amending Motion - Weiss Mover 2002 / Reyes - ADOPTED - On Tuesday, December 10, 2002, the Planning and Land Use Management (PLUM) Committee adopted several conditions relative to Mitigated Negative Declaration, and a Conditional Use Appeal for the proposed construction of a 105-unit, 290-feet in height residential condominium development with an additional 15 feet in height for rooftop equipment and 273 spaces at 10804 - 10820 Wilshire Boulevard and 1201 - 1215 Malcolm Avenue.

The revised conditions that were adopted by PLUM Committee need further modifications.

THEREFORE MOVE that the Planning and Land Use Management (PLUM) Committee report relative to a conditional use permit for a building over six stories or 75 feet in height, subject to Conditions of Approval, Item 1 on today's Council Agenda, BE ADOPTED and FURTHER MODIFIED, subject to the review and approval of the City Attorney, as delineated below:

\* CONDITION NO. 1 SITE PLAN - The use and development of the subject property, including but not limited to the building footprint, orientation to Wilshire Boulevard, reference points, architecture, plans, and setbacks, shall be in substantial conformance with the site plan and elevations shown as attachments Exhibit A-1 and Exhibit A-2 and dated December 13, 2002. Deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions and the intent of the subject permit authorization.

\* CONDITION NO. 3 HEIGHT - The height of all buildings and structures on the subject property shall not exceed 290-feet. Within this height, roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, skylights, towers, steeples, flagpoles, chimneys, smokestacks, wireless masts, water tanks, silos, solar energy devices, or similar structures, shall be included.

\* CONDITION NO. 4 PARKING (RESIDENTIAL) - Residential parking shall be provided pursuant to Wilshire-Westsood Scenic Corridor Specific Plan Section 5 and any amendments thereto, as detailed below:

A minimum of 273 parking spaces shall be provided. These spaces are calculated at two and one-half spaces per dwelling unit, including guest parking, and 10 spaces for employee parking. There shall be no charge to employees for these 10 spaces. If the applicant builds less than the number of dwelling units approved under Tentative Tract 52344, the applicant shall provide two and one-half parking spaces per dwelling unit, including guest parking, and 10 spaces for employee parking. There shall be no charge to employees for these 10 spaces.

[THE REMAINDER OF CONDITION NO. 4 IS UNCHANGED]

\* CONDITION NO. 6 LOADING - Loading shall occur in the passing lane on the property on the north side of the building as indicated on the site plan, attachment Exhibit A-1 and dated December 13, 2002. Loading shall not occur on the west side of the building. Loading and unloading activities shall not interfere with traffic on any public street. Public sidewalks, alleys and/or other public ways shall not be used for the parking or loading or unloading of vehicles. The location of loading areas shall be clearly identified on the site plan to the satisfaction of the Department of Transportation and the Department of City Planning.

\* CONDITION NO. 10 OPEN SPACE - Open Space shall be provided pursuant to Municipal Code Section 12.21 G and any amendment thereto.

The approximate 3,000 square-foot area located on the northeast corner of the property fronting Wilshire Boulevard and Malcolm Avenue, shown on the site plan, attachment Exhibit A-1 and dated December 13, 2002, shall be maintained as publicly accessible open space by the homeowners association. The open space shall be accessible to the public during the day light hours.

[THE REMAINDER OF CONDITION NO. 10 IS UNCHANGED]

12-17-02 - File to the Mayor

12-20-02 - Mayor's message concurred in action of December 13, 2002

12-24-02 - File to Calendar Clerk

1-7-03 - File to Planning and Land Use Management Committee Clerk OK

1-8-03 - File in files