

Informacion en Español acerca de esta junta puede ser obtenida llamando al (213) 978-1300

**NORTH VALLEY AREA PLANNING COMMISSION
THURSDAY, JUNE 07, 2007, 4:30 P.M.
MARVIN BRAUDE CONSTITUENT SERVICE CENTER
6262 VAN NUYS BOULEVARD, FIRST FLOOR
VAN NUYS, CA 91401**

****CORRECTED AGENDA****

Victor Sampson, President
Dr. John Lett, Sr., Vice President
Richard L. Corona, Commissioner
Melrita Evans-Fortson, Commissioner
J. Richard Leyner, Commissioner

Fely C. Pingol, Commission Executive Assistant
(213) 978-1300; FAX (213) 978-1029

EVERY PERSON WISHING TO ADDRESS THE COMMISSION MUST COMPLETE A SPEAKER'S REQUEST FORM AT THE MEETING AND SUBMIT IT TO THE COMMISSION EXECUTIVE ASSISTANT.

POLICY FOR DESIGNATED PUBLIC HEARING ITEM NO 3:

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. All requests to address the Commission on public hearing items must be submitted prior to the Commission's consideration of the item.

TIME SEGMENTS noted * herein are approximate. Some items may be delayed due to length of discussion of previous items.

To ensure that the Commission has ample opportunity to review written materials, members of the public who wish to submit written materials on agenda items should submit them to the Commission Office, 200 North Spring Street, Room 532, Los Angeles, CA 90012, at least 10 days prior to the meeting at which the item is to be heard in order to meet the mailing deadline.

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 Policies and Procedures and provided that the Commission retains jurisdiction over the case.

AGENDAS are posted for public review in the Main Street lobby of City Hall East, 200 No. Main Street, Los Angeles, California, and are accessible through the Internet World Wide Web at **<http://www.lacity.org/pln/index.htm>**.

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 agenda item 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.

GLOSSARY OF ENVIRONMENTAL TERMS:

CEQA - Calif. Environmental Quality Act
EIR - Environmental Impact Report

ND - Negative Declaration
MND - Mitigated Negative Declaration
CE - Categorical Exemption

1. **DEPARTMENTAL REPORT - ITEMS OF INTEREST**

2. **COMMISSION BUSINESS**

A. Advance Calendar

B. Commission Requests

C. Minutes of April 05, 2007 Meeting

3. **DIR-2006-9072-BSA-1A**

CEQA: Exempt **

Plan: Sunland-Tujunga-Lake View
Terrace-Shadow Hills-East La
Tuna Canyon

Council District: 2

Location: 8040 West Foothill Blvd.

Expiration Date: 06/10/07

Appeal Status: Not further
appealable to City Council

PUBLIC HEARING

AN APPEAL, from the Zoning Administrator's decision, pursuant to the provisions of Section 12.26-K of the Los Angeles Municipal Code, that: **1)** the Department of Building and Safety did err and abuse its discretion in its determination (Report No. DBS-06001-DCP) that the construction work permitted by Building Permit No. 06016-10000-03354, for the conversion of an existing K-Mart into a Home Depot, is not a "Project" or a "Significant Project", as defined in the Foothill Boulevard Corridor Specific Plan, and therefore not subject to its regulation; **2)** the action of the Department of Building and Safety is herein reversed; **3)** the construction activity is herein determined to be a "Project" that shall be subject to Project Permit Compliance Review with the provisions of the Foothill Boulevard Corridor Specific Plan, pursuant to Section 11.5.7-C of the Los Angeles Municipal Code; and **4)** the construction activity cannot conclusively be determined to be a "Significant Project" until the Department of Building and Safety provides further justification for calculation of replacement value and total renovation costs..

PROTESTANT/APPLICANT**: Abby Diamond, Sunland-Tujunga Alliance, Inc.

APPELLANT: Ann Jerhoff, Esq., Home Depot U.S.A., Inc.
Representative: Patricia Keane Tegart, Esq.,
Latham & Watkins, LLP

STAFF RECOMMENDS DENIAL OF APPEAL.
Michael LoGrande, (213) 978-1318

4. **PUBLIC COMMENT PERIOD**

The Area Planning Commission shall provide an opportunity in open meetings for the public to address it, on items of interest to the public that are within the subject matter jurisdiction of the Area Planning Commission. (This requirement is in addition to any other hearing required or imposed by law.) Persons making requests are encouraged to do so in writing and should submit 10 copies to the Area Planning Commission for its consideration.

Persons wishing to speak must submit a speaker's request form prior to the commencement of the public comment period.

Individual testimony within the public comment period shall be limited to five (5) minutes per person and up to ten (10) minutes per subject.

The next regular meeting of the North Valley Area Planning Commission will be held at **4:30 p.m. on Thursday, June 21, 2007** at the **Marvin Braude Constituent Service Center** **6262 Van Nuys Blvd., Van Nuys, CA 91401**

An Equal Employment Opportunity/Affirmative Action employer

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate. The meeting facility and its parking are wheelchair accessible. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request no later than three working days (72 hours) prior to the meeting by calling the Commission Executive Assistant at (213) 978-1300.