

**CITY PLANNING COMMISSION
REGULAR MEETING
THURSDAY, MAY 22, 2008, 8:30 A.M.
VAN NUYS CITY HALL
14410 SYLVAN STREET
COUNCIL CHAMBER, 2ND FLOOR
VAN NUYS, CALIFORNIA, 91401**

Jane Ellison Usher, President
William Roschen, Vice President
Diego Cardoso, Commissioner
Regina M. Freer, Commissioner
Robin R. Hughes, Commissioner
Fr. Spencer T. Kezios, Commissioner
Ricardo Lara, Commissioner
Cindy Montañez, Commissioner
Michael K. Woo, Commissioner

S. Gail Goldberg, Director
John M. Dugan, Deputy Director
Eva Yuan-McDaniel, Deputy Director

Gabriele Williams, Commission Executive Assistant II

POLICY FOR DESIGNATED PUBLIC HEARING ITEM NO. 5, 7 and 9.

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. All requests to address the Commission on public hearing items must be submitted prior to the Commission's consideration of the item. **EVERY PERSON WISHING TO ADDRESS THE COMMISSION MUST COMPLETE A SPEAKER'S REQUEST FORM AND SUBMIT IT TO THE COMMISSION STAFF.**

In November 2006, the Commission adopted rules regarding written submissions to ensure that it has reasonable and appropriate opportunity to review your materials. The mailing and email addresses, deadlines, page limits, and required numbers of copies for your advance submissions may be found at www.planning.lacity.org under "Forms and Instructions". Day of hearing submissions (15 copies must be provided) are limited to 2 pages plus accompanying photographs, posters, and PowerPoint presentations of 5 minutes or less. Non-complying materials will NOT be distributed to the Commission.

The Commission may ADJOURN FOR LUNCH at approximately 12:00 Noon. Any cases not acted upon during the morning session will be considered after lunch. TIME SEGMENTS noted * herein are approximate. Some items may be delayed due to length of discussion of previous items.

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.**

AGENDA 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 www.planning.lacity.org. Click the Meetings and Hearings" quick link. CPC agenda are available under any of the seven service areas.

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 agendaed here, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure 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 became final.

GLOSSARY OF ENVIRONMENTAL TERMS:

CEQA - Calif. Environmental Quality Act
EIR - Environmental Impact Report
CE - Categorical Exemption

ND - Negative Declaration
MND - Mitigated Negative Declaration

1. DIRECTOR'S REPORT

- A. Update on City Planning Commission Status Reports and Active Assignments.
 - 1. Ongoing Status Reports
 - 2. City Council/PLUM Actions
- B. Legal actions and rulings update.
- C. Other items of interest.

2. COMMISSION BUSINESS

- A. Advance Calendar.
- B. Commission Requests.

3. PUBLIC COMMENT PERIOD

The Commission shall provide an opportunity in open meetings for the public to address it, 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. (This requirement is in addition to any other hearing required or imposed by law.)

PERSONS WISHING TO SPEAK MUST SUBMIT A SPEAKER'S REQUEST FORM. ALL REQUESTS TO ADDRESS THE COMMISSION ON NON-PUBLIC HEARING ITEMS AND ITEMS OF INTEREST TO THE PUBLIC THAT ARE WITHIN THE JURISDICTION OF THE COMMISSION MUST BE SUBMITTED PRIOR TO THE COMMENCEMENT OF THE PUBLIC COMMENT PERIOD.

Individual testimony within the public comment period shall be limited as follows:

- (a) For non-agendized matters, up to three (3) minutes per person and up to ten (10) minutes per subject.
- (b) For agendized matters, up to two (2) minutes per person and up to ten (10) minutes per subject. PUBLIC COMMENT FOR THESE ITEMS WILL BE DEFERRED UNTIL SUCH TIME AS EACH ITEM IS CALLED FOR CONSIDERATION. The Chair of the Commission may allocate the number of speakers per subject, the time allotted each subject, and the time allotted each speaker.

4. **CPC-2007-5088-ZC-ZV-ZAA-SPR**
CEQA: ENV-2007-5081-MND
Plan: Van Nuys-North Sherman Oaks

Council District: 5
Expiration Date: 07-07-08
Appeal Status: Appealable to City Council

Public hearing completed on April 22, 2008.

Project Location: 12703-12729 West Riverside Drive & 12629 West Riverside Drive

Requested Action:

Zone Change from [Q]R3-1 to (T)(Q)R3-1 and from CR-1VL, C1-1VL & P-1VL to (T)(Q)RAS4-1VL; **Zone Variance** to permit an approximate 60 square-foot architectural ledge sign providing identification for the entire development, located approximately 22 feet above the first pedestrian level of the proposed building on Parcel B; and an approximate 10 square-foot informational monument sign on Parcel B to identify the location of the development's leasing office; a **Zoning Administrator's Adjustment** to permit an 11% increase in height to permit a 46 to 50-foot high building (4 stories) on Parcel A, a 19.5% increase in height to permit 56 to 59.9-foot building height on Parcel B (5) stories), and an approximate 5-foot rear yard, in lieu of the 15-foot rear yard otherwise required for property located in the RAS4 Zone on Parcel B; and **Site Plan Review Findings.**

Proposed Project:

Development of two parcels (Parcels "A" & "B") for the construction, use and maintenance of 271 apartment units with 470 parking spaces in the proposed (T)(Q)R3-1 and (T)(Q)RAS4-1VL Zones.

Applicant: Archstone-Smith
Representative: Brown/Meshul, Inc.

STAFF RECOMMENDS APPROVAL OF A ZONE CHANGE TO (T)(Q)RAS4-1VL AND A ZONE VARIANCE, ZONING ADMINISTRATOR'S ADJUSTMENT AND SITE PLAN REVIEW.

Jack Chiang, (818) 374-5045

5. **DIR-2007-5027-BSA-1A**
CEQA: Not Applicable
Plan: Encino-Tarzana

Council District: 3
Expiration Date: 06-10-08
Appeal Status: Not further appealable.

PUBLIC HEARING

Project Location: 18869 West Pasadero Drive

AN APPEAL of the Zoning Administrator's decision, pursuant to the provisions of Section 12.26-K of the Los Angeles Municipal Code of: **1)** denial of the appeal from the action of the Department of Building and Safety in its determination that the uncovered detached deck in a residential zone, approved by Building Permit No. 07020-20000-00265 may be located within the required rear yard, as depicted in Information Bulletin

No. P/ZC 2002-004; and **2)** the finding that the Department of Building and Safety did not err or abuse its discretion in issuing the Building Permit No. 07020-20000-00265. Note: The Zoning Administrator found: "Pursuant to the requirements of Section 12.26-K,4 the determination herein will have a Citywide Impact as the use of the specific property, circumstances and issues are not unique to the affected site and will generally apply to other sites in the City."

Permit Applicant/Property Owner: Frida Shabtraï
Representative: Howard Gould and Gina Leibovitz

Appellant Applicant: Joel and Jodi Levine
Representative: Jeffer, Mangels, Butler & Marmaro LLP, Benjamin Reznik

STAFF RECOMMENDS DENIAL OF THE APPEAL.
Al Landini, (213) 978-1318

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| 6. | <u>CPC-2004-5204-ZC-BL-CU</u>
CEQA: ENV-2004-5205-MND
Plan: Sun Valley-La Tuna Canyon | Council District: 2
Expiration Date: 05-24-08
Appeal Status: Appealable to City Council |
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Public Hearing completed on March 10, 2008.

Project Location: 9000, 9040, 9046 N. Sunland Boulevard and
10801, 10813, 10823 W. Penrose Avenue

Requested Action:

1. Pursuant to Section 12.32 of the Municipal Code, a **Zone Change** from RA-1VL (Suburban Zone) to C2-1VL (Commercial Zone) on a 30,620 square foot parcel of land which fronts the east side of Sunland Boulevard for a distance of about 210 feet beginning at a point approximately 80 feet southerly of La Tuna Canyon Boulevard.
2. Pursuant to Section 12.32 R of the Municipal Code, a **Building Line Removal** of a 25-foot and a 45 foot building line along the east side of Sunland Boulevard established by Ordinance Numbers 70,239 and 110,662.
3. Pursuant to Sections 12.24.U.6, and 12.24.U.24, of the Municipal Code, a **Conditional Use** to permit the construction, use and maintenance of a College program and Elementary School with related accessory uses and public parking on a site zoned RA-1, RA-1VL, and C2-1VL with development to take place in five phases as described above.
4. Pursuant to Section 12.24. W. 37 of the Municipal Code, a **Conditional Use** for a public parking area in the RA Zone and to permit vehicular ingress and egress from a less restrictive Commercial zone to a more restrictive Residential zone.
5. Pursuant to Section 12.24.W.27 of the Municipal Code, a **Conditional Use** to permit a commercial corner development that operates between the hours of 6:00 a.m. and 11:00 p.m. in lieu of between 7:00 a.m. and 11:00 p.m. and that has no ground floor windows in limited areas.

6. Pursuant to Section 12.24.X.22 a **Transitional Height Determination** to permit buildings located within zero to 49 feet of residentially zoned properties to have a height of 30 feet in lieu of a maximum height of 25 feet as is otherwise permitted.

Proposed Project:

Continued use and maintenance of existing school and recreational uses, and development of a Master Plan for the phased expansion of the development of an approximately 215,000 square foot (4.94 acres) site classified in the RA and C2 zones. The proposed project will include an elementary school, year round college program, after school program, summer day camp, youth organization, community center, recreational uses, retail/office uses and public parking with general business hours from 6:00 a.m. to 11:00 p.m. seven days a week. The total floor area including existing structures to remain and proposed new buildings will be approximately 55,000 sq. ft. Approximately 49,804 sq ft. of new floor area is to be developed in phases as follows:

Phase 1: Construct a new surface parking lot for 50 vehicles in the existing vacant lot located at 10833 W. Penrose Street, with primary access on Sunland Boulevard.

Phase 2: Demolish or remodel existing structure at 9000 N. Sunland Boulevard and construct a two-story, commercial complex with approximately 17,323 square feet of area which includes retail, office, coffee shop and college program uses with general business hours from 6:00 a.m. to 11:00 p.m. The college has a current enrollment of 25 students and proposed a future expansion to 50 students with year round operations from 9:00 a.m. through 10:00 p.m. Monday through Friday and from 10:00 a.m. to Noon on Saturdays.

Phase 3: Remove the Phase 1 surface parking lot and construct a 2-story with basement multi-purpose building, with approximately 17,752 of area, for an Elementary School use (Kindergarten through 8th grade) including after school and summer camp programs and Community Center uses with floor space to include classrooms, offices, kitchens, assembly room, gym and storage. The elementary school currently has an enrollment of 40 students with a future expansion requested for up to 80 students. Hours of operation for the Elementary School will be Monday through Friday from 8:30: a.m. - 2:15 p.m. with special programs including an after school program operating Monday through Friday from 1:30 p.m. – 6:30: p.m. and a summer day camp operating Monday through Friday from 7:30 a.m. - 6:00 p.m. The after school program currently has an enrollment of up to 25 children years old with a future expansion requested for up to 50 children, ages 5-10 years old. The summer day camp currently accommodates 70 children with a future expansion requested for up to 140 children, ages 5-10 years old. The Community Center will accommodate outdoor recreational activities and in-door activities and meetings to be held in the evenings up to 10:30 p.m. seven days a week and will be available to various groups and organizations in the community. The project will provide 53 subterranean parking spaces, and 132 surface parking spaces, for a total of 185 spaces.

Phase 4: Demolish existing accessory buildings at 10803 and 10813 W. Penrose Street, construct two 2-car garages and re-establish both properties as single family residences. Add a new Playground area with basketball court behind the single family residences and remodel the existing baseball field.

Phase 5: Construct a new two-story commercial complex totaling, approximately 14,329 square feet of retail and office space, on a vacant portion of the property located at 9046 and 9040 N. Sunland Boulevard.

Applicant: James and Mary Hooyenga, Sun Valley C.A.R.E. Ministries, David M. Wyma
Representative: Peter Elias, Quality Mapping Service

STAFF RECOMMENDS DISAPPROVAL AS FILED. APPROVAL OF A ZONE CHANGE TO (T)(Q)C2-1VL AND BUILDING LINE REMOVAL, CONDITIONAL USE, AND TRANSITIONAL HEIGHT DETERMINATION.
Kevin Jones, (213) 978-1172

7. **DIR-2007-2144-DB-1A**

CEQA: ENV-2007-5919-ADD
(ENV-2003-4941-MND)
Plan: Van Nuys-North Sherman Oaks

Council District: 2
Expiration Date: 06-06-08
Appeal Status: Not further appealable.

PUBLIC HEARING

Location: 13751 Sherman Way

AN APPEAL of the Director's Determination for 52 apartment units in the (T)(Q)RD1.5-1 and (T)(Q)R3-1 Zones for the proposed **Density Bonus Compliance Review** to permit the construction of 52 apartments units for Low and Very Low Income households. The proposed project's site plan would be comprised of a raised podium and tuck-under garage with one to four stories above the podium (a total of five stories) and a total floor area of approximately 77,649.44 square feet. A total of 59 parking spaces will be provided (inclusive of 7 tandem parking spaces), consistent with Section 12.22-A, 25(d)(2) of the Los Angeles Municipal Code. The project involves a 16 percent density bonus (45 base units plus 7 density bonus units) for a 100 percent affordable housing project.

Applicant: LA Community Design Center, Sara Dimson
Representative: Craig Lawson & Co. LLC, Jim Ries

Appellant: Margaret Borst

STAFF RECOMMENDS DENIAL OF THE APPEAL.
Nicholas Hendricks, (818) 374-5046

***The Commission may ADJOURN FOR LUNCH
at approximately 12:00 Noon.
Any cases not acted upon during the morning session
will be considered after lunch.***

AFTER 1 P.M.

8. [CPC-2006-7806-CU-SPE-SPR](#)
CEQA: ENV-2004-7171-EIR
Plan: Sherman Oaks-Studio City
Toluca Lake-Cahuenga Pass

Council District: 5
Expiration Date: 05-22-08
Appeal Status: Appealable to City Council

Public hearing completed on December 13, 2007.

Project Location: 3900 N. Stansbury Avenue

Requested Action:

1. Pursuant to Sections 12.07.01A.7 and 12.24U.24(b) of the Municipal Code, a new **Conditional Use**, including **Plan Approval**, for an existing private coeducational college preparatory day school serving kindergarten (K) to twelfth (12) grade on a 18.3 acre site located in the RE40-1-H Zone;
2. Pursuant to Section 12.24F of the Municipal Code, a **Modification** of height and area regulations to allow:
 - a. Two buildings to exceed the maximum height of 36 feet permitted in a residential hillside area as established by Section 12.21A 17(c) of the Municipal Code: One building (Middle and Upper School Academic Center-Building 9) up to a height of 55 feet and one building (Academic Building West-Building 8) up to a height of 39 feet;
 - b. Landscaping, hedges and fences/gates/walls (Middle and Upper School Academic Center) up to 10 feet in height within the required yards at the Stansbury Avenue and Camino de la Cumbre entrances in lieu of the three and one-half feet otherwise permitted in the front yard and six feet otherwise permitted in the side yard in a Hillside area pursuant to Section 12.22 C 20 of the Municipal Code;
 - c. Existing accessory structures and parking areas along the Camino de la Cumbre frontage to be maintained, repaired and renovated within the required minimum 5-foot front yard (Camino de la Cumbre becomes the front yard for Parcel 2 if the parcel map is approved);
3. Pursuant to Section 11.5.7 F of the Municipal Code, **Exceptions** from the following Sections of the **Mulholland Scenic Parkway Specific Plan**:
 - a. Section 6A to allow the proposed expansion and operation of school facilities for an existing legal, non-conforming school (institutional) use within the Mulholland Scenic Parkway Specific Plan's Outer Corridor;
 - b. Section 6D to allow one new building to exceed the maximum 40-foot height allowed within the Mulholland Scenic Parkway Specific Plan's Outer Corridor; and
4. Pursuant to Section 16.05 of the Municipal Code, **Site Plan Review** findings for projects which result in an increase of 50,000 gross square feet or more of non-residential area.

Proposed Project:

Demolition of 26,350 square feet in ten existing buildings for the construction of 95,850 square feet in five new buildings and additions resulting in a net increase of 69,500 square feet for a total project of 168,650 square feet to be built in three phases over approximately five years, staged out over a six-and-a-half-year timeframe for the continued operation, maintenance and expansion of an existing independent coeducational day school grades K-12 in the RE40-1-H Zone. (Project Permit Compliance for the Mulholland Scenic Parkway Specific Plan shall be filed at a later date).

New and renovated facilities would include a new Middle and Upper School Main Academic Center building above a 240-space parking facility, a new Library and Technology Center, a new Academic Building West, addition to, and renovation of the existing Academic Building South and several existing buildings, a replacement Guard House, a new Aquatic Center and 66 surface parking spaces. Total parking to be provided is 306 spaces. Upon completion of all phases, the campus would include approximately 85 classrooms. Two modular units for food service and six modular units for the administrative offices would be located near the center of the site for the first two phases of construction and up to 34 modular units for classrooms, offices and support uses would be located on the northeast portion of the athletic field during construction of the Middle and Upper School Main Academic Center.

The school would continue to serve students in grades K-12 with an increase in enrollment of 80 students from 750 students to 830 students. Approximately 117 full-time and 8 part-time faculty, and approximately 51 fulltime and 2 part-time staff would be needed to operate the school upon reaching the full enrollment of 830 students and completion of the new facilities. Proposed campus hours would be from 7:00 a.m. to 8:30 p.m., Monday through Friday, with classes occurring from 7:30 a.m. to 4:00 p.m.

Applicant: The Buckley School, Larry Dougherty, Head of School
Representative: Cindy Starrett, Esq./David Goldberg, Esq./David Thompson, Latham & Watkins LLP

STAFF RECOMMENDS APPROVAL.
Frank Quon, (818) 374-5036

9. **AA-2006-8876-PMLA-1A(3)**
CEQA: ENV-2004-7171-EIR
Plan: Sherman Oaks-Studio City
Toluca Lake-Cahuenga Pass

Council District: 5
Expiration Date: N/A
Appeal Status: Not further appealable.

PUBLIC HEARING

Project Location: 3900 N. Stansbury Avenue

THREE APPEALS filed regarding the April 24, 2008 conditional approval by the Advisory Agency of AA 2006-8876-PMLA. These appeals will be considered together with the companion case, CPC 2006-7806 (CUP)(SPE)(SPR), before the City Planning Commission. **1A(1)** is an appeal of conditions of approval requiring a 35-foot curb radius at the Stansbury Avenue cul-de-sac; curb and gutters along Camino de la Cumbre; 40 to 60-foot vehicle reservoir space in driveways; and misc. clarifications of language in conditions addressing: landscape/tree plans, underground utilities, Mulholland Scenic Parkway Specific Plan, location of equipment storage areas, construction/demolition hours of operation, and placement of solar roofing materials. **1A(2)** is appealing any new, or expansion of existing, retaining walls along Camino de la Cumbre. **1A(3)** is appealing the entire determination of the Advisory Agency, citing among many issues, the accuracy of traffic data in the EIR, sufficiency of proposed transportation infrastructure enhancements, and mitigation of construction impacts.

Proposed Project:

Two parcel division of one approximately 19 acre lot, incident to the Buckley School Campus Enhancement and Expansion Plan. Proposed Parcel A (10.8 acres) to be located fully beyond the boundary of the Mulholland Scenic Parkway Specific Plan, and proposed Parcel B (7.9 acres) to be located partially within the Outer Corridor of the Mulholland Scenic Parkway Specific Plan.

Applicant: Buckley School

Appellant No.1: **1A(1)** Buckley School, Larry W. Dougherty
Representative: David Goldberg

Appellant No.2 **1A(2)** Arnold Newman

Appellant No.3 **1A(3)** Sherman Oaks Homeowners Association
Representative: Richard Close

STAFF RECOMMENDS DENIAL OF THE APPEAL.
Lynn Harper, (213) 978-1467

**The next regular meeting will be held at 8:30 a.m. on Thursday,
JUNE 12, 2008
200 North Spring Street, Room 1010, City Hall,
Los Angeles, California**

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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 contacting the Commission Executive Assistant at (213) 978-1300 or email to CPC@lacity.org