

**CITY PLANNING COMMISSION
REGULAR MEETING
THURSDAY, FEBRUARY 26, 2009, 8:30 A.M.
VAN NUYS CITY HALL, COUNCIL CHAMBER, 2ND FLOOR
14410 SYLVAN STREET, VAN NUYS, CALIFORNIA 91401**

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

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

James Williams, Commission Executive Assistant I

POLICY FOR DESIGNATED PUBLIC HEARING ITEMS No(s) 4, 5 and 6.

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.**

The Commission has 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.

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 agenzized 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.**

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 at www.planning.lacity.org. Click the Meetings and Hearings" link. **Commission meetings may be heard on Council Phone by dialing (213) 621-2489 or (818) 904-9450.**

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 Calendar and Actions
 - 3. List of Pending Legislation (Ordinance Update)
- 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 five (5) minutes per person and up to ten (10) minutes per subject.
- (b) For agendized matters, up to three (3) 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-2009-0008-CA](#)
CEQA: ENV-2009-0009-ND
Plan: All

Council District: All
Expiration Date: N/A
Appeal Status: N/A

PUBLIC HEARING – CONTINUED FROM FEBRUARY 19, 2009

Location:
Citywide

Requested Action:

1. Amend Article 4.4 and related provisions of Chapter I of the Los Angeles Municipal Code. Adoption of Negative Declaration No. ENV-2009-0009-ND.

Proposed Ordinance:

On January 22, 2009, the City Planning Commission heard the proposed revisions to the citywide sign ordinance. Public comments provided insights that necessitated further analysis of several aspects of the proposed ordinance, in particular the central issue of whether to distinguish between on-site and off-site signs. Staff is therefore presenting two alternate proposals, one that removes the distinction between on-site and off-site signs (Appendix A) and one that retains it (Appendix B). Other revisions, many of which address specific public comments, are included in both alternate proposals.

Applicant: City of Los Angeles

Recommended Action:

1. Adopt the initial staff report (dated January 22, 2009) and supplemental staff report (attached) as its reports on the subject;
2. Adopt the findings in Attachment 5;
3. Direct the Planning Department to provide additional explanation and supplemental information to the City Council prior to its consideration or approval of the CEQA clearance for the sign ordinance.
4. Approve the proposed ordinance in Appendix A and recommend its adoption by the City Council;
5. Disapprove the proposed ordinance in Appendix B and do not recommend adoption by the City Council; and
6. Adopt the Planning Department's report on mural art dated November 7, 2008 (Attachment 3) as its report on the subject; and recommend its adoption by the City Council.

Staff: Alan Bell, (213) 978-1322

5. [CPC-2007-237-ZC-GPA-CU-SPR](#)
CEQA: ENV-2006-10437-MND
Plan: Chatsworth-Porter Ranch

Council District: 12
Expiration Date: 6-05-09
Appeal Status: CU, SPR appealable to City Council. Zone Change appealable by applicant if disapproved in whole or in part.

PUBLIC HEARING – Limited Public Hearing

Location:

8401 N. Fallbrook Avenue

Requested Action:

1. Pursuant to Los Angeles Municipal Code (LAMC) Section 11.5.6, a General Plan Amendment to the Chatsworth-Porter Ranch Community Plan from Minimum Density Residential to Limited Manufacturing land use.
2. Pursuant to LAMC Section 12.32, a Zone Change from A1-1 (Agricultural Zone) to [T][Q]M1-1 (Limited Industrial Zone).
3. Pursuant to Section 12.24 W. 27, a Conditional Use to permit a Commercial Corner Development which does not comply with the following requirements as enumerated in LAMC Section 12.22.A.23(a)(3) and LAMC 12.22.A.23(b)(3):
 - a. Exterior Windows consisting of at least 50 percent transparent windows.
 - b. Hours of Operation limited to between 7:00 a.m. and 11:00 p.m.
4. Pursuant to LAMC Section 16.05, a Site Plan Review Approval for a project that will result in an increase of 50,000 square-feet or more of non-residential floor area.
5. Adopt the project's Mitigated Negative Declaration No. ENV-2006-10437-MND as an adequate environmental clearance.

Please note: The northern portion of the existing campus, approximately 30 acres, is not part of this action and is not considered part of the "subject property."

Proposed Project:

A project consisting of a change of use and new construction of approximately ~~440,750~~ 466,000 square-feet. The project will involve a change in use of an existing 106,000 square-foot school (formerly *DeVry University*) to an office building, a new office building consisting of approximately ~~240,000~~ 250,000 square-feet with a maximum height of ~~85~~ 400 feet, a new office building approximately ~~90,000~~ 110,000 square-feet with a maximum height of 45 feet, ~~approximately 35,000 square-foot of new retail use with a maximum height of 29 feet, 7 inches,~~ and a new parking structure to accommodate approximately 969 parking spaces with a total 5,705 parking stalls over the entire site. Total building area upon completion will be approximately ~~1,252,348~~ 1,277,598 square-feet on an approximately 51 acre site*** (includes ~~440,750~~ 466,000 square-feet of proposed project, 340,194 square-feet of existing buildings with no change proposed, and 471,404 square-feet of existing buildings in the M1-1 area, not a part of this request).

Applicant: Multi-Employer Property Trust (MEPT), West Hills, LLC
Representative: Kevin K. McDonnell, Esq.

Recommended Action:

1. Disapprove the request, as filed.
2. Approve and recommend to the City Council, pursuant to LAMC Section 11.5.6, a General Plan Amendment to the Chatsworth-Porter Ranch Community Plan from Minimum Density Residential to Limited Manufacturing land use on the applicant's site at 8401 North Fallbrook Avenue, subject to the attached conditions of approval.

3. Approve and recommend to the City Council, pursuant to Section 12.32 of the LAMC, a Zone Change from A1-1 (Agricultural Zone) to [T][Q]M1-1(Limited Industrial Zone) on the applicant's site at 8401 North Fallbrook Avenue, subject to the attached conditions of approval.
4. Approve, pursuant to LAMC Section 12.24 W. 27, a Conditional Use to permit a Commercial Corner Development which does not comply with the requirements as enumerated in LAMC Section Nos. 12.22.A.23(a)(3) and 12.22.A.23(b)(3), on the applicant's site at 8401 North Fallbrook Avenue, subject to the attached conditions of approval.
5. Approve, pursuant to LAMC Section 16.05, a Site Plan Review Approval for a project that will result in an increase of 50,000 square-feet or more of non-residential floor area, on the applicant's site at 8401 North Fallbrook Avenue, subject to the attached conditions of approval.
6. Adopt Mitigated Negative Declaration No. ENV-2006-10437-MND as an adequate environmental clearance for the project as recommended by City staff.
7. Adopt the attached Findings.
8. Advise the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

Staff: Thomas Glick, (818) 374-5062

6. [CPC-2007-3474-GPA-ZC-BL-ZAA](#)

CEQA: ENV-2007-3103-MND

Plan: Arleta-Pacoima

Council District: 7

Expiration Date: 4-18-09

Appeal Status: BL, ZAA, appealable to City Council. Zone Change appealable by Applicant if denied in whole or in part.

PUBLIC HEARING – Completed on October 6, 2008

Location:

12369-12381 Osborne Street

Requested Action:

1. Pursuant to Section 11.5.6 of the Municipal Code, a General Plan Amendment (Periodic Plan Review for Window No. 169, Geographic Area 1) to the Arleta-Pacoima Community Plan from Low Medium I Residential to Low Medium II Residential land use;
2. Pursuant to Section 12.32 F of the Municipal Code, a Zone Change from RA-1 (Suburban Zone) to (T)(Q)RD1.5-1 (Restricted Density Multiple Dwelling Zone);
3. Pursuant to Section 12.32 R of the Municipal Code, a Building Line Removal of a 15-foot building line on the west side of Osborne Street, established by Ordinance 161,783;

4. Pursuant to Section 12.28 of the Municipal Code, Zoning Administrator Adjustments from the following:
 - a. Section 12.09 1 B 1, to permit a reduced front yard of 7 feet in lieu of the required 15 feet;
 - b. Section 12.21.C.2(a), to permit a minimum 15-foot building separation, in lieu of the required 20 feet in the RD Zone; and
 - c. Section 12.21.C.1(g), to permit a maximum 10-foot high retaining wall in a portion of the front yard and in the side yard setback areas (prior to recordation of a Small Lot Subdivision tract map), and within the front, side and rear yard setbacks (after recordation of a Small Lot Subdivision tract map), in lieu of providing required yard areas that are open and unobstructed from the ground to the sky.
5. Pursuant to the California Environmental Quality Act (CEQA), adoption of Mitigated Negative Declaration No. ENV-2007-3103-MND as the environmental clearance for the project.

Proposed Project:

Construction of 15 single-family townhome units in four separate buildings, each two stories over one level of parking garage, ranging in height from 37'6" to 42'6", with 30 covered parking spaces (2 spaces per unit), on an approximately 30,115 square-foot, vacant lot. (Note: Vesting Tentative Tract Map 69513 for a Small Lot Subdivision will require a separate public hearing before the Advisory Agency at a later date.)

Applicant: The Angeles Group, LLC
Representative: Greg Jackson

Recommended Action:

1. Disapprove and recommend that the City Council not adopt a General Plan Amendment (Periodic Plan Review, Window No. 169, Geographic Area 1) to the Arleta-Pacoima Community Plan from Low Medium I to Low Medium II Residential, as requested by the applicant;
2. Disapprove and recommend that the City Council not approve a Zone Change from RA-1 to (T)(Q)RD1.5-1, as requested by the applicant;
3. Approve and recommend that the City Council adopt a Zone Change from RA-1 to (T)(Q)RD3-1 for the subject property, subject to the attached conditions of approval;
4. Approve and recommend that the City Council adopt a Building Line Removal of a 15-foot building line on the west side of Osborne Street, established by Ordinance No. 161,783, along the project site frontage;
5. Disapprove Zoning Administrator Adjustments from the following, as requested by the applicant:
 - a. Section 12.09.1.B.1, to permit a reduced front yard of 7 feet in lieu of the required 15 feet;
 - b. Section 12.21.C.2(a), to permit a minimum 15-foot building separation, in lieu of the required 20 feet in the RD Zone; and
 - c. Section 12.21.C.1(g), to permit a maximum 10-foot high retaining wall in a portion of the front yard and in the side yard setback areas (prior to recordation of a Small Lot Subdivision tract map), and within the front, side and rear yard setbacks (after recordation of a Small Lot Subdivision tract map), in lieu of providing required yard areas that are open and unobstructed from the ground to the sky;

6. Adopt Mitigated Negative Declaration No. 2007-3103-MND;
7. Adopt the attached Findings, including the environmental findings; and
8. Advise the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

Staff: Daniel O'Donnell, (818) 374-5066

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| 7. <u>DIR-2007-4394-DB-1A</u>
CEQA: ENV-2007-4393-CE
Plan: Palms-Mar Vista-Del Rey | Council District: 11
Expiration Date: 4-02-09
Appeal Status: Not further appealable. |
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PUBLIC HEARING

Location:
12449 W. Louise Avenue

Requested Action:
1. An APPEAL from the entire Determination of the Director of Planning in approving a Density Bonus Compliance Review.

Proposed Project:
A Density Bonus Compliance Review (LAMC 12.22 A.25) to allow the construction of 25 residential dwelling units in a 3-story plus loft building at a height of 50 feet. Eleven percent of these units shall be reserved as restricted affordable units for Very Low Income households; therefore, the applicant qualifies for a Density Bonus of up to 35%, and up to 2 incentives. The applicant requests 7 additional units, for a total of 25 units, and 1 incentive: a 5-foot increase in height over the maximum 45 feet in Height District 1. Additionally, the Applicant requests reduced parking under the density bonus program, which permits 26 parking spaces in an at-grade garage. Categorical Exemption ENV-2007-4394-CE will be considered with the appeal.

Applicant: Robert Green, Louise Apartments, LLC
Appellant: Steve Noyes

Recommended Action:
1. Vacate the City Planning Commission Determination of February 13, 2008, in the proceedings bearing administrative numbers DIR-2007-4394-DB-1A and ENV-2007-4393-CE;
2. Deny the appeal;
3. Sustain the Director of Planning Determination, dated October 2, 2007, approving a Density Bonus Compliance Review to allow the construction of 25 residential dwelling units, with 11% restricted affordable units, 26 at-grade parking spaces, and a permitted height concession of

50 feet with no requirement for stepbacks or setbacks beyond the 6 foot side yard and 15 foot front yard required by Los Angeles Municipal Code.

4. Adopt the attached Findings; and
5. Adopt Categorical Exemption ENV-2007-4394-CE, given that the project meets Class 3 Category 17 of the City CEQA Guidelines and Section 15332 Class 32 of the State CEQA Guidelines.

Staff: Shana Bonstin, (213) 978-1207

8. CITY PLANNING COMMISSION DISCUSSION OF PLANNING POLICY AND GOALS

***The Commission may ADJOURN FOR LUNCH
at approximately 1:00 pm.
Any cases not acted upon during the morning session
will be considered after lunch.***

The next regular meeting of the City Planning Commission
will be held at **8:30 a.m. on Thursday, March 12, 2009,**
City Hall
200 N. Spring Street 10th Floor
Los Angeles, CA 90012

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. Translation services, sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services must be requested **72 hours prior to the meeting** by calling the Planning Commission Secretariat at (213) 978-1300 or by email at CPC@lacity.org.