

**CITY PLANNING COMMISSION
REGULAR MEETING
THURSDAY, JULY 8, 2010, after 8:30 A.M.
CITY HALL 10TH FLOOR
200 N. SPRING STREET, LOS ANGELES, CALIFORNIA 90012**

William Roschen, FAIA, President
Regina M. Freer, Vice President
Sean O. Burton, Commissioner
Diego Cardoso, Commissioner
Fr. Spencer T. Kezios, Commissioner
Yolanda Orozco, Commissioner
Barbara Romero, Commissioner
Michael K. Woo, Commissioner
Vacant, Commissioner

S. Gail Goldberg, AICP, Director
Vincent P. Berton, AICP, Deputy Director
Eva Yuan-McDaniel, Deputy Director

James K. Williams, Commission Executive Assistant I

POLICY FOR DESIGNATED PUBLIC HEARING ITEMS No(s) 5.

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.

In the case of a Commission meeting cancellation, all items shall be continued to the next regular meeting date or beyond, as long as the continuance is within the legal time limits of the case or cases.

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:
Advisory Conditions for Charter Schools – Jim Tokunaga

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-2009-2236-CU](#)
CEQA: ENV-2009-2235-MND
Plan Area: West Adams-Baldwin Hills-
Leimert

Council District: 8 – Parks
Expiration Date: 07-15-10 Ext.
Appeal Status: Appealable
to City Council

PUBLIC HEARING – Completed on October 7, 2009

Location: 2919-2941 W. 70TH STREET

Proposed Project:

A continued use and expansion of an existing charter school to establish a campus for a public charter high school (560 students) and a new public charter middle school (400 students), with up to 144 parking spaces. A second public charter high school (560 students) is not a part of this request and will be considered separately at a later phase.

Requested Actions:

1. Pursuant to LAMC Section 12.24-U,24, a **Conditional Use** to permit the continued use of an existing public charter high school (560 students) consisting of 32,880 square feet and construction of a new public charter middle school (400 students) consisting of 24,145 square feet, serving grades 6 through 12 on a 4.3-acre site. The overall floor area for the two schools will total 57,025 square feet. The campus is proposed with a total of 47 classrooms, first aid area, library, teachers' lounges, food service areas, 2,718 square feet of multi-purpose assembly area, administrative offices, approximately 45,482 square feet of landscaped open space, and up to 144 parking spaces with drop-off / pick up area. The high school would operate from 7:45 AM to 3:45 PM by 31 teachers and staff and the middle school from 7:30 AM to 3:45 PM by 21 teachers and staff. Special events, such as parent-student conferences, committee meetings and fundraisers, would not exceed more than 4 events per month and no more than 2 events per day.
2. Pursuant to Section 21082.1 (C)(3) of the California Public Resources Code, the **adoption** of Mitigated Negative Declaration (ENV-2009-2235-MND) and required findings for the above-referenced project.

Applicant: Pacific Charter School Development
Representative: Michael Woodward

Recommended Actions:

1. Approve a Conditional Use to permit the continued use of an existing public charter high school (560 students) consisting of 32,880 square feet and construction of a new public charter middle school (400 students) consisting of 24,145 square feet, serving grades 6 through 12 on a 4.3-acre site. The overall floor area for the two schools will total 57,025 square feet. The campus is proposed with a total of 47 classrooms, first aid area, library, teachers' lounges, food service areas, 2,718 square feet of multi-purpose assembly area, administrative offices, approximately 45,482 square feet of landscaped open space, and up to 144 parking spaces with drop-off / pick up area. The high school would operate from 7:45 AM to 3:45 PM by 31 teachers and staff and the middle school from 7:30 AM to 3:45 PM by 21 teachers and staff. Special events, such as parent-student conferences, committee meetings and fundraisers, would not exceed more than 4 events per month and no more than 2 events per day.
2. Adopt Mitigated Negative Declaration No. ENV-2009-2235-MND.
3. 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.

4. Advise the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Staff: Jae Kim (213) 978-1383

5. [DIR-2007-5179-SPR-DB-1A](#)
CEQA: ENV-2007-5180-MND
Plan Area: Wilshire

Council District: 5 – Koretz
Expiration Date: 7-23-10
Appeal Status: Not Further
appealable

PUBLIC HEARING

Location: 375-393 N. LA CIENEGA BOULEVARD & 407-417 WESTMOUNT DRIVE

Proposed Project:

Site Plan Review to allow demolition of approximately 17,400 square feet of existing commercial buildings and associated surface parking; the removal of 20 non-protected trees and a Density Bonus Compliance Review to allow the construction of an approximately 110,465 square foot apartment building with 125 units including 11 Very Low Income Affordable Units. The project will provide 166 parking spaces in surface and two subterranean parking areas, and 31 trees on an approximately 44,537 square foot lot in the C2-1VL-O and [Q]P-1-VL-O Zones. The project will be 5 stories tall, with a maximum height of 56 feet with the following two incentives or concessions; 1.) a 35% increase in height, for a maximum height of 56 feet in lieu of the permitted height of 45 feet and 2.) a floor area ratio of 2.99:1 in lieu of the permitted 1.5:1; for a project that reserves at least 11% of total units for Very Low Income households, as defined by Ordinance 179681.

Requested Actions:

An Appeal of the Director of Planning's Conditional Approval of a Density Compliance Bonus Review and a Site Plan Review pursuant to Section 12.22 A.25 and Section 16.05 of the Los Angeles Municipal Code (LAMC). Consider Mitigated Negative Declaration No. ENV-2007-5180-MND.

Applicant: NMSLUXE235, LLC
Appellants: 1) Padi Moschetta & Brittany Perrineau
2) Dr. Merle S. Glick, DDS

Recommended Actions:

1. Deny the appeals.
2. Modify in part the Determination of the Director of Planning in approving a Site Plan Review and Density Bonus Compliance Review to add a condition to require that the project comply with the Q Conditions of Ordinance 172,741.
3. Sustain the remainder of the Determination of the Director of Planning in approving a Site Plan Review and Density Bonus Compliance Review to allow the construction of 125 residential dwelling units, with 11% as restricted affordable units.
4. Adopt the attached Findings.
5. Adopt Mitigated Negative Declaration No. ENV-2007-5180-MND.

Staff: Teresa Batson (213) 978-1209

6. [CPC-2009-143-GPA-SP-ZC-HD-CU-CUB-ZV-ZAA-SPR-GB](#)
CEQA: ENV-2009-95-MND
SCH No. 2008021010
Plan Area: West Los Angeles
- Council District: 5 – Koretz
Expiration Date: 8-10-10
Appeal Status: Appealable to City Council,
ZC appealable by applicant if disapproved in whole or in part

PUBLIC HEARING – Completed on May 5, 2010 and July 8, 2010

Location: 10951-10955 W. WILSHIRE BOULEVARD &
1151-1157 S. GAYLEY AVENUE

Proposed Project:

Demolition of an existing one-story commercial building on the south portion of the property and construction of an approximately 314,325 gross square foot building, 29-stories (roughly 427 feet high), providing about 200 parking spaces in a four-level subterranean garage. The amount of square footage that is used in the calculation for Floor Area Ratio (FAR) is approximately 261,883 square feet (sq. ft.). The applicant is requesting review of two development options; the building envelope and exterior treatment would be the same for either option. Option 1 would result in the development of a 250 room hotel and related amenities. Option 2 would result in the development of 144 residential condominium units. Both options would include approximately 6,510 square feet of ground floor retail uses. A proposed restaurant on the 4th floor would be for hotel use only under Option 1 and open to the public under Option 2. The proposed project is located on an approximately 23,951 sq. ft. irregular shaped site consisting of 3 parcels.

Requested Actions:

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, Certification of Environmental Impact Report (EIR) ENV-2009-143-EIR, SCH No. 2008081010, for the above referenced project and Adoption of the proposed mitigation monitoring program and the required findings for the adoption of the EIR.
2. Pursuant to Section 11.5.6 of the Municipal Code, **General Plan Amendments** to the Westwood Community Plan as follows:
 - a. To change the Land Use designation on the northerly portion of the subject site (Gayley Parcels) from Community Commercial to Regional Center Commercial; and
 - b. To amend Footnote number 3 to permit Height District 4 in lieu of Height District 2 for the proposed project site and to permit a Floor Area Ratio (FAR) of 10.93:1 in lieu of 6:1 as otherwise permitted. [Note: the FAR is a multiplier applied to the buildable area of the lot to determine the total permitted floor area of all buildings on a lot.]
3. Pursuant to Section 11.5.7 G.7 of the Municipal Code an Amendment to the Westwood Village Specific Plan (Ordinance No. 176,177) to amend the boundaries of the Specific Plan to exclude the northern parcels which currently are a part of the Specific Plan.
4. Pursuant to Section 12.32 of the Municipal Code, a Vesting Zone and Height District Change from C4-2D-O on the northern parcels of the proposed project site and from [Q] C4-2-O on the southern parcel of the proposed project site to C4-4D-O to create consistent zoning across the entire site. The proposed change in the Height District and "D" Development Limitation would permit a FAR of 10.93:1. The change in the [Q] Qualified Condition on the southern parcel would delete conditions not related to the proposed project.
5. Pursuant to Section 12.24 W.24 of the Municipal Code, a Vesting Conditional Use to permit the establishment of a hotel on a site classified in the C4 (commercial) Zone that is located within 500 feet of properties classified in an R (residential) Zone.

6. Pursuant to Section 12.24 W 1 of the Municipal Code a Conditional Use to permit the sale and consumption of a full line of alcoholic beverages in a restaurant, in mini-bars within hotel guest rooms, for room service to hotel or condominium rooms and at the pool deck.
7. Pursuant to Section 12.27 A. of the Municipal Code, a Variance to permit up to 226 of the required residential parking spaces to be provided off-site at a property more than 750 feet from the project site that is controlled by the applicant and served by a 24-hour valet company [For Option 2 Only].
8. Pursuant to Section 12.28.A of the Municipal Code, an Adjustment to permit a zero foot setback in lieu of the otherwise required minimum 16 foot setback for the west side yard at the floor level of the first story used for residential purposes.
9. Pursuant to Section 12.28.A of the Municipal Code, an Adjustment from Section 12.16.C3 and 12.11.C to permit up to 144 dwelling units in lieu of the otherwise maximum of 125 dwelling units, a 15 percent density increase.
10. Pursuant to Section 16.05.C.1.b of the Municipal Code, Site Plan Review for a development project that creates or results in an increase of 50 or more dwelling units or guest rooms, or combination thereof.

Applicant: Wilshire Gayley, LLC, Kambiz Hekmat
 Representatives: Latham & Watkins, Benjamin Hanelin & Lucinda Starrett;
 Montgomery-Clark Assoc., Loren Montgomery; Planning Associates Inc.,
 Tom Sternock

Recommended Actions:

1. Approve and recommend that the City Council certify Environmental Impact Report ENV-2009-143-EIR, SCH No. 2008081010.
2. Approve and Recommend that the City Council adopt the requested General Plan Amendment to the Westwood Community Plan from Community Commercial to Regional Commercial.
3. Approve and Recommend that the City Council adopt the requested General Plan Amendment to the Westwood Community Plan Footnote 3 to permit Height District 4 for the proposed subject site and to permit a Floor Area Ratio of 10.93:1.
4. Approve and Recommend that the City Council Adopt the requested Amendments to the Westwood Village Specific Plan (Ordinance Number 176,177) to exclude the northern parcels of the subject property.
5. Disapprove the requested Vesting Zone and Height District Change from [Q] C4-2-O and [Q] C4-2D-O to C4-4D-O as filed.
6. Approve and Recommend that the City Council Adopt a Vesting Zone and Height District Change from [Q] C4-2-O and [Q] C4-2D-O to [T][Q]C4-4D-O subject to the attached Conditions of Approval.
7. Approve the requested Vesting Conditional Use to permit the establishment of a hotel on a site classified in the C4 (commercial) Zone that is located within 500 feet of properties classified in an R (residential) Zone.
8. Approve the requested Conditional Use to permit the sale and consumption of a full line of alcoholic beverages in a restaurant, in mini-bars within hotel guest rooms, for room service to hotel or condominium rooms and at the pool deck.
9. Approve the requested Variance to permit up to 226 of the required residential parking spaces to be provided off-site at a property controlled by the applicant and served by a 24-hour valet company [For Option 2 Only].
10. Approve the requested Adjustment to permit a zero foot setback in lieu of the otherwise required minimum 16 foot setback for the west side yard at the floor level of the first story used for residential purposes.
11. Disapprove the requested Adjustment to permit up to 144 dwelling units in lieu of the otherwise maximum of 125 dwelling units, a 15 percent density increase.
12. Approve the requested Site Plan Review findings.

13. Adopt the attached Findings, including the Environmental Determination.
14. Recommend that the applicant be advised that time limits for effectuation of a zone in the "T" Tentative classification or "Q" Qualified Classification are specified in Section 12.32.G of the L.A.M.C. Conditions must be satisfied prior to the issuance of building permits and, that the "T" Tentative classification be removed in the manner indicated on the attached pages.
15. Advise the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that the mitigation conditions, identified as "(MM)" on the condition pages, 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: Kevin Jones (213) 978-1172

The next regular meeting of the City Planning Commission
will be held at **8:30 a.m. on Thursday, July 22, 2010**
Van Nuys City Hall Council Chamber, 2nd Floor
14410 Sylvan Street
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. 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.