

**CITY PLANNING COMMISSION
REGULAR MEETING
THURSDAY, SEPTEMBER 23, 2010, after 8:30 A.M.
VAN NUYS CITY HALL COUNCIL CHAMBER, 2ND FLOOR
14410 SYLVAN STREET, VAN NUYS, CALIFORNIA 91401**

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

Michael J. LoGrande, Director
Vincent P. Bertoni, AICP, Deputy Director
Eva Yuan-McDaniel, Deputy Director

James K. Williams, Commission Executive Assistant I

POLICY FOR DESIGNATED PUBLIC HEARING ITEMS No(s) 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.

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:

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-2009-1085-CU-ZV-ZAA](#)
CEQA: ENV-2009-1084-MND
Plan Area: North Hollywood-Valley Village

Council District: 4 – LaBonge
Expiration Date: 10-02-10
Appeal Status: Appealable to City
Council. ZV is appealable if denied

PUBLIC HEARING – Completed on July 19, 2010

Location: 5927, 5949 and 5955 LANKERSHIM BOULEVARD

Proposed Project:

Renovation and second-story addition of approximately 11,000 square-feet to an existing 11,000 square-foot building and the construction of a second 9,500 square-foot two-story building, for the use and maintenance of an elementary school (Kindergarten through eighth grade) for children with learning disabilities, to include a learning center and a community preschool, with a total student enrollment of 320 students, in various shifts, for a total square-footage of approximately 31,500. The maximum height of buildings will be 30 feet, 6 inches. Proposed hours of operation would be from 7:30 A.M. to 6:30 P.M., Monday through Friday for the elementary school/learning center, and preschool hours, in two shifts of 40 students each, from 8:00 a.m. to 12 noon and 12:30 p.m. to 4:30 p.m. Monday through Friday. Teacher preparations, normal school maintenance, parent conferences, and similar customary school activities may occur beyond the hours set forth above. A maximum of 5 parent-teacher conferences, community awareness conferences and graduation ceremonies are anticipated. A total of 69 parking spaces will be provided upon completion of both buildings. The proposed project is located on an irregularly shaped site, approximately 77,115 square-feet and classified in the RD2-1 (Restricted Density Multiple Dwelling) Zone and [T][Q]C2-1VL (Commercial) Zone.

Requested Actions:

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, Adopt the Mitigated Negative Declaration (ENV-2009-1084-MND) for the above referenced project.
2. Pursuant to Section 12.24 U.24 (b) of the Municipal Code, a Conditional Use to permit a private school serving kindergarten (K) to eighth (8) grade located on a property classified in the RD2-1 and [T][Q]C2-1VL Zones.
3. Pursuant to Section 12.24 W.51 of the Municipal Code, a Conditional Use to permit a childcare facility or nursery/preschool in the RD Zone.
4. Pursuant to Section 12.27 of the Municipal Code, a Variance to permit an access from a least restrictive commercial zone to a more restrictive residential zone pursuant to Section 12.21.C.5.(h).
5. Pursuant to Section 12.28 of the Municipal Code, an Adjustment to permit a 3-foot northerly side yard in lieu of the required 5-feet pursuant to Section 12.09.1B.2.(a).
6. Pursuant to Section 12.28 of the Municipal Code, an Adjustment to permit a 3-foot rear yard in lieu of the 15-feet required per Section 12.09.1.B.3 of the Municipal Code.
7. Pursuant to Section 12.28 of the Municipal Code, an Adjustment to permit a 12-foot fence on the side and rear of the portion of the lot zoned RD2-1 in lieu of the 6-foot height permitted pursuant to Section 12.09.1.B.2.(a) of the Municipal Code.

Applicant: United Children's Learning Academy
Representative: Monica Navarro, Southland Construction

Recommended Actions:

1. Approve, a Conditional Use to permit a private elementary school serving Kindergarten through 8th grade located in the RD2-1 and [T][Q]C2-1VL Zones, subject to the attached conditions of approval.
2. Approve, a Conditional Use to permit a private childcare facility and nursery/preschool located in the RD2-1 Zone, subject to the attached conditions of approval.
3. Dismiss, a Variance to permit an access from a least restrictive commercial zone to a more restrictive residential zone, pursuant to LAMC Section 12.21.C.5(h) as the request to allow accessory uses such as parking in the RD2 zone is covered under the entitlement approvals for the Conditional Use Permits.
4. Approve, a Zoning Administrator's Adjustment, subject to the attached conditions of approval, for the following:
 - a. To permit a 3-foot rear yard in lieu of the required 15-feet pursuant to Section 12.09.1.B.3.
 - b. To permit a 12-foot fence on the side and rear of the portion of the lot zoned RD2-1 in lieu of the 6-foot height permitted pursuant to Section 12.09.1.B.2.(a).
5. Dismiss, a Zoning Administrator's Adjustment to permit a 3-foot northerly side yard in lieu of the required 5-feet pursuant to Section 12.09.1B.2.(a) as the request is no longer necessary based on the revised site plan per Exhibit B.
6. Approve Mitigated Negative Declaration No. ENV-2009-1084-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

5. **CPC-2009-3462-ZC-CU-CUB-SPR-SPE-SPPA-SPP**

CEQA: ENV-2009-3463-MND-REC
Plan Area: Sherman Oaks–Studio City-
Toluca Lake-Cahuenga Pass

Council District: 5 – Koretz,
2 – Krekorian
Expiration Date: 10-02-10
Appeal Status: Appealable to City
Council

PUBLIC HEARING – Limited Public Hearing

Location: 14049 VENTURA BOULEVARD

Proposed Project per the July 19, 2010 Public Hearing Notice:

Proposed Project:

Demolition of an existing grocery store, surface parking lot and commercial retail buildings for the construction of approximately 78,270 square feet of new commercial floor area to include an approximately 65,000 square-foot grocery store on a podium above two levels of parking, operating 24 hours a day, 7 days a week, a 6,270 square-foot lobby, approximately 2,500 square-feet of storage and approximately 4,000 square-feet of neighborhood serving retail. The continued operation of a recycling facility in conjunction with a grocery market pursuant to Section 12.21-A, 18(c), to be operated and located within the grocery store. The project will include a total of 316 parking spaces. The property involved is approximately 2.76 acres and classified in the C2-1VL (Commercial) Zone and P-1VL (Automobile Parking) Zone, and located within the boundaries of the Ventura-Cahuenga Boulevard Corridor Specific Plan. An associated haul route is also proposed.

Proposed Project Revised by Applicant Requiring a Limited Public Hearing

Demolition of an existing grocery store, surface parking lot and commercial retail buildings for the construction of approximately ~~78,270~~ 80,270 square feet of new commercial floor area to include an approximately 65,000 square-foot grocery store on a podium above two levels of parking, operating 24 hours a day, 7 days a week, a 6,270 square-foot lobby, approximately 2,500 square-feet of storage and approximately 4,000 square-feet of neighborhood serving retail and a 2,000 square-foot covered loading dock area, which requires a Specific Plan Adjustment, as described below. The continued operation of a recycling facility in conjunction with a grocery market pursuant to Section 12.21-A, 18(c), to be operated and located within the grocery store. The project will include a total of 316 parking spaces. The property involved is approximately 2.76 acres and classified in the C2-1VL (Commercial) Zone and P-1VL (Automobile Parking) Zone, and located within the boundaries of the Ventura-Cahuenga Boulevard Corridor Specific Plan. An associated haul route is also proposed.

Requested Actions:

1. Pursuant to Section 12.32-F of the Municipal Code, a Zone Change from C2-1VL and P-1VL to C2-1VL over the entire site.
2. Pursuant to Section 12.24-W, 27 of the Municipal Code, a Conditional Use to permit a commercial corner development to:
 - a. Operate between the hours of 11:00 p.m. and 7:00 a.m. for 24-hour operation.
 - b. Maintain deliveries between the hours of 7:00 a.m. to 10:00 p.m. Monday through Sunday.
 - c. Permit a projecting sign.
 - d. Provide less than 50 percent transparent windows along the ground floor portions of the project which front adjacent streets.
 - e. Exceed a height of 45 feet to permit a maximum height of 48 feet.
3. Pursuant to Section 12.24-W, 1 of the Municipal Code, a Conditional Use to permit the sale of a full line of alcoholic beverages, including beer and wine, for off-site consumption in conjunction with the operation of a retail grocery store.
4. Pursuant to Section 11.5.7-F of the Municipal Code, Specific Plan Exceptions from the following requirements of the Ventura-Cahuenga Boulevard Corridor Specific Plan (Ordinance No. 174,052):
 - a. Section 7-A, 3(b) to permit a variable side yard along the easterly property line which varies from 34-feet along the majority of the easterly property line at the northern end and approximately 80-feet along the southern end.
 - b. Section 7-E, 1(b) to permit a height of 48 feet in lieu of the maximum allowable height of 30 feet.
 - c. Section 8-B, 1(a)(1) to permit three wall signs in lieu of the two signs permitted, and
 - d. Section 8-B, 1(c)(2) to permit a projecting sign of 160 square-feet in lieu of the maximum allowable projecting sign of 16 square-feet.
5. Pursuant to Section 11.5.7-E of the Municipal Code, a Specific Plan Adjustment from Section 7-B, 2 of the Ventura-Cahuenga Boulevard Corridor Specific Plan (Ordinance No. 174,052), to permit a 62% lot coverage, in lieu of the maximum allowable 60%.
6. Pursuant to Section 11.5.7-C of the Municipal Code, a Project Permit Compliance with the Ventura-Cahuenga Boulevard Corridor Specific Plan.
7. Pursuant to Section 16.05 of the Municipal Code, Site Plan Review for a development projects which creates, or results in an increase of 50,000 gross square feet or more of nonresidential floor area.
8. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, Adopt the Mitigated Negative Declaration (MND) for the above referenced project.

Applicant:

Ralph's Grocery Company, Kendra Doyel
Representative: Alexander Irvine, Craig Lawson and Associates

Recommended Actions:

1. Approve and recommend that the City Council, pursuant to Section 12.32 of the L.A.M.C., adopt a Zone Change from C2-1VL and P-1VL to [T][Q]C2-1VL over the entire, subject to the attached conditions of approval.
2. Approve, pursuant to Section 12.24.W,27 of the Municipal Code, a Conditional Use, subject to the attached conditions of approval, to permit a commercial corner development to:
 - a. Operate between the hours of 11:00 p.m. and 7:00 a.m. for 24-hour operation;
 - b. Maintain deliveries between the hours of 7:00 a.m. to 10:00 p.m. Monday through Sunday;
 - c. Permit a projecting sign;
 - d. Provide less than 50 percent transparent windows along the ground floor portions of the project which front adjacent streets.
 - e. Exceed a height of 45 feet to permit a maximum height of 48 feet.
3. Approve, pursuant to Section 12.24-W,1 of the Municipal Code, a Conditional Use to permit the sale of a full line of alcoholic beverages, including beer and wine, for off-site consumption in conjunction with the operation of a retail grocery store, subject to the attached condition of approval.
4. Approve, pursuant to Section 11.5.7-F of the Municipal Code, Specific Plan Exceptions from the following requirements of the Ventura-Cahuenga Boulevard Corridor Specific Plan (Ordinance No. 174,052), subject to the attached conditions of approval:
 - a. Section 7-A,3(b) to permit a variable side yard along the easterly property line which varies from 34-feet along the majority of the easterly property line at the northern end and approximately 80-feet along the southern end.
 - b. Section 7-E,1(b) to permit a height of 48 feet in lieu of the maximum allowable height of 30 feet.
 - c. Section 8-B,1(a)(1) to permit three wall signs in lieu of the two signs permitted, and
 - d. Section 8-B,1(c)(2) to permit a projecting sign of 160 square-feet in lieu of the maximum allowable projecting sign of 16 square-feet.
5. Approve, pursuant to Section 11.5.7-E of the Municipal Code, a Specific Plan Adjustment from Section 7-B,2 of the Ventura-Cahuenga Boulevard Corridor Specific Plan (Ordinance No. 174,052), to permit a 62% lot coverage, in lieu of the maximum allowable 60%, subject to the attached conditions of approval.
6. Approve, pursuant to Section 11.5.7-C of the Municipal Code, a Project Permit Compliance with the Ventura-Cahuenga Boulevard Corridor Specific Plan, subject to the attached conditions of approval.
7. Approve, pursuant to Section 16.05 of the Municipal Code, Site Plan Review for a development project which creates, or results in an increase of 50,000 gross square feet or more of nonresidential floor area, subject to the attached conditions of approval.
8. Adopt the Mitigated Negative Declaration No. ENV-2009-3463-MND-REC.
9. Adopt the attached Findings.
10. Advise the Applicant that, pursuant to Section 21082.1(c)(3) of the California Public Resources Code, 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-2010-2158-CA](#)
CEQA: ENV-2010-2160-CE
Plan Area: All

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

PUBLIC HEARING

Location: CITYWIDE

Proposed Ordinance:

A proposed ordinance amending Sections 12.03, 12.07, 12.07.01, 12.07.1, 12.08, 16.10 and 16.11 of the Los Angeles Municipal Code to sunset, modify and/or transfer oversight of four green building-related programs in order to streamline case processing in light of the California Green Building Standards Code taking effect on 1/1/2011.

Applicant: City of Los Angeles

Recommended Actions:

1. Adopt the staff report as its report on the subject.
2. Adopt the findings.
3. Adopt the Categorical Exemption ENV-2010-21620-CE as the CEQA clearance on the subject.
4. Approve the proposed ordinance and recommend its adoption by the City Council.

Staff: Deborah Kahen (213) 978-1395

The next regular meeting of the City Planning Commission
will be held at **8:30 a.m. on Thursday, October 14, 2010**
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.