

**CITY PLANNING COMMISSION
REGULAR MEETING**

**THURSDAY, OCTOBER 13, 2011, after 8:30 A.M.
PUBLIC WORKS BOARD ROOM - CITY HALL ROOM 350
200 N. SPRING STREET, LOS ANGELES, CALIFORNIA 90012**

William Roschen, FAIA, President
Regina M. Freer, Vice President
Sean O. Burton, Commissioner
Diego Cardoso, Commissioner
George Hovaguimian, Commissioner
Justin Kim, Commissioner
Robert Lessin, Commissioner
Barbara Romero, Commissioner
Michael K. Woo, Commissioner

Michael J. LoGrande, Director
Alan Bell, AICP, Deputy Director
Eva Yuan-McDaniel, Deputy Director

**CORRECTED AGENDA: ADDED "A. 2"
UNDER DIRECTOR'S REPORT**

James K. Williams, Commission Executive Assistant II

POLICY FOR DESIGNATED PUBLIC HEARING ITEMS No(s) 5 and 7.

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 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: Tree and Shade Requirements for Parking Lots
 - 2. Verbal Report on Comprehensive Zoning Code Reform
 - 3. City Council/PLUM Calendar and Actions
 - 4. 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 Request

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-2009-3592-CU-ZV](#)
CEQA: ENV-2009-3593-MND
Plan Area: West Adams-Baldwin Hills-Leimert

Council District: 8 – Parks
Expiration Date: 10-13-11 Ext.
Appeal Status: Appealable to City Council

PUBLIC HEARING – Completed on January 29, 2010,
Continued from the November 4, 2010 and February 24, 2011 City Planning Commission Meetings

Location: 2811 W. 54th STREET

Proposed Project:

Change of use for the continued use, maintenance and conversion of an existing 2-story Sunday School and gymnasium into an approximately 5,580 square-foot private elementary charter school (grades Kindergarten through 8) with a maximum enrollment of 100 students, operating Monday through Friday from 7:00 am to 5 pm providing one disable access parking space. The project is located on an approximately 14,153 square foot site classified in the RD1.5-1 zone.

Requested Actions:

1. Pursuant to Section 21082.1(1)(3) of the California Public Resources Code, Adopt the Mitigated Negative Declaration (ENV-2009-3593-MND) for the above referenced project.
2. Pursuant to Section 12.24 U.24(b) of the Los Angeles Municipal Code, a Conditional Use to establish an elementary school on a site classified in the RD1.5-1 Zone.
3. Pursuant to Section 12.27 of the Los Angeles Municipal Code, a Variance from Section 12.21 A 4 to permit one disable access parking space to be located on site in lieu of providing one automobile parking space on the same lot with each classroom contained in any elementary school which is otherwise required.

Applicant: Ashanti United Church
Representative: Clearance Heard

Recommended Actions:

1. Deny without prejudice the requested Conditional Use for a charter school use to serve grades K through 8th in the RD1.5-1 Zone.
2. Deny without prejudice the requested Variance to permit one disable access parking space to be located on site in lieu of seven (7) spaces required.
3. Adopt Mitigated Negative Declaration No. 2009-3593-MND.
4. Adopt the attached Findings.
5. 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.
6. Advise the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Staff: Jose Carlos Romero-Navarro (818) 374-5037

5. [DIR-2009-2065-DB-1A](#)
CEQA: ENV-2007-365-MND
Plan Area: Hollywood

Council District: 13 - Garcetti
Expiration Date: 10-13-11 Extended
Appeal Status: Not further appealable

PUBLIC HEARING – *Continued from the June 9, 2011 and July 14, 2011 City Planning Commission Meetings*

REQUEST FOR FURTHER CONTINUANCE

Location: 5241-5247 SANTA MONICA BOULEVARD and
5238-5246 VIRGINIA AVENUE

Proposed Project:

A Density Bonus Compliance Review for a mixed use project comprised of two buildings. The building fronting Santa Monica Boulevard contains approximately 32,272 square feet of commercial space on two floors and 39 residential units on three floors. The building fronting Virginia Avenue is a two-story building comprised of 10 residential units plus recreational facilities for a project total of 49 units. Two Density Bonus incentives are requested for the project which reserves at least 20% of total units for Low Income households, as defined by Ordinance 179681:

- a. Floor Area Ratio: A floor area ratio increase to 3:1 on the commercially zoned properties fronting Santa Monica Boulevard in lieu of the permitted floor area ratio 0.5:1.
- b. Averaging: Averaging of parking, open space, and permitting vehicular access.

Requested Actions:

1. Two appeals of the Director of Planning's Denial of a Density Bonus Compliance Review as filed and Conditional Approval of a Density Bonus Compliance Review pursuant to Section 12.22 A.25 of the Los Angeles Municipal Code (LAMC).
2. Consider the Mitigated Negative Declaration No. ENV-2007-0365-MND.

Applicant: Karnik Shadbazian
Representative: Robert Lamishaw, JPL Zoning Services, Inc.

Appellants: 1) Seta Panosian
Representative: Robert Silverstein, Silverstein Law Firm
2) Gary Taglyan, Petros Taglyan

Recommended Actions:

1. Deny the appeals.
2. Modify in part the Determination of the Director of Planning in approving a Density Bonus Compliance Review to add conditions relating to noise attenuation.
3. Sustain the remainder of the Determination of the Director of Planning in approving a Density Bonus Compliance Review to allow the construction of 49 residential dwelling units, with 20% as restricted affordable units, and 14,947 square feet of commercial floor area.
4. Adopt the attached revised Findings.
5. Adopt Mitigated Negative Declaration No. ENV-2007-0365-MND.
6. Advise the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Staff: Blake Lamb (213) 978-1167

6. [CPC-2011-1109-CU](#)
CEQA: ENV-2011-1110-MND
Plan Area: Westlake

Council District: 1 – Reyes
Expiration Date: 10-13-11
Appeal Status: Appealable to City Council

PUBLIC HEARING – Completed on August 17, 2011

Location: 1301-1321 S. CONSTANCE STREET
1700-1706 W. PICO BOULEVARD

Proposed Project:

Conversion, use, and maintenance of an existing one-story, 25,000 square-foot commercial and warehouse building for the establishment of a charter elementary school serving grades K through 5, with a maximum enrollment of 450 students with approximately 75 students in each grade, and the use of an existing surface parking lot. The existing building on the CM zoned portion of the site would be converted into 18 classrooms, a multi-purpose/lunch area, a teacher's lounge, and administrative offices. The existing surface parking lot located on the RD1.5 zoned portion will be converted into a 4,234 square-foot landscaped outdoor play area and will provide 15 parking spaces. No additional floor area is proposed. The proposed charter elementary school will be operated by 18 classroom teachers, 4 resource/enrichment teachers, and 5 administrative staff, and will use Constance Street for student drop/off and pick-up. The student entrance will be located on Constance Street. The school's regular hours of operation will be from 7:30 a.m. to 3:30 p.m., Monday through Friday. An after school child care program will be provided for up to 50% of the student body from 3:30 p.m. to 6:00 p.m. There will be approximately 10 parent-teacher meetings (one each month). Special events such as parent-student conferences, committee meetings, and fundraisers would not exceed 2 events per month, and no more than one event on a single day. Any special event would end by 6:00 p.m. The school will also have limited activities (such as tutoring, enrichment classes, and other learning activities) that will occur approximately twice a month on Saturdays in operation from 8:00 a.m. to 12:00 noon.

Requested Actions:

1. Pursuant to LAMC Section 12.24-U,24, a Conditional Use to permit a public charter elementary school in the CM-1 and RD1.5-1-HPOZ Zones;
2. Pursuant to LAMC Section 12.24.F a Conditional Use to permit a zero-foot westerly side yard along Constance Street in lieu of the required five feet, a zero-foot side yard of the existing building along the easterly side yard in the CM-1 Zoned portion of the lot in lieu of the 5-feet required and to allow the play yard in the side yard, and to a reduced rear yard to allow the trash enclosure and parking in the required 15-foot rear yard setback; and
3. Pursuant to LAMC Section 12.24.S a Conditional Use to permit 15 spaces in lieu of the required 18 spaces.
4. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, the adoption of a Mitigated Negative Declaration No. ENV-2011-1110-MND and required findings for the above-referenced project.

Applicant: Scott Thomas, Pacific Charter School Development Inc.
Representative: Michael S. Woodward

Recommended Actions:

1. Approve a Conditional Use to permit the conversion, use, and maintenance of an existing one-story, 25,000 square-foot commercial and warehouse building for the establishment of a charter elementary school serving grades K through 5, with a maximum enrollment of 450 students with approximately 75 students in each grade.

2. Approve a Conditional Use to permit a zero-foot westerly side yard along Constance Street in lieu of the required five feet, a zero-foot side yard of the existing building along the easterly side yard in the CM-1 Zoned portion of the lot in lieu of the 5-feet required and to allow the play yard in the side yard, and to a reduced rear yard to allow the trash enclosure and parking in the required 15-foot rear yard setback.
3. Approve a Conditional Use permit 15 spaces in lieu of the required 18 spaces.
4. Adopt the attached Findings.
5. Adopt Mitigated Negative Declaration No. ENV-2011-1110-MND.
6. 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.
7. 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: Christina Toy Lee (213) 473-9723

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| 7. | <u>CPC-2011-1853-CA</u>
CEQA: ENV-2011-1854-CE
Plan Area: All | Council Districts: All
Expiration Date: N/A
Appeal Status: N/A |
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PUBLIC HEARING

Location: CITYWIDE

Proposed Project:

The proposed ordinance modifies Sections 12.21, 12.21.1, and 12.24 of the Los Angeles Municipal Code (LAMC) to provide: (1) the following exceptions for structures that solely support solar energy systems: reductions in parking stall length and width; limited waivers for non-conforming parking lots; modified height exceptions; (2) a new conditional use for otherwise unallowed structures that solely support solar energy systems; and (3) other technical corrections.

Requested Actions:

1. Adopt the staff report as its report on the subject.
2. Adopt the findings.
3. Consideration of Categorical Exemption No. ENV-2011-1853-CA.
4. Approval of the proposed ordinance and recommendation of its adoption by the City Council.

Applicant: City of Los Angeles

Recommended Actions:

1. Adopt the staff report as its report on the subject.
2. Adopt the findings.
3. Adopt Categorical Exemption No. ENV-2011-1854-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) 978-1202

The next regular meeting of the City Planning Commission
will be held at **8:30 a.m. on Thursday, October 27, 2011**
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.