

**CITY PLANNING COMMISSION
REGULAR MEETING**

**THURSDAY, MAY 24, 2012, 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
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

James K. Williams, Commission Executive Assistant II

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:

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-2012-47-CU-SPR](#)
CEQA: ENV-2012-48 -MND
Plan Area: Arleta-Pacoima

Council District: 7 – Alarcon
Expiration Date: 5-25-12
Appeal Status: Appealable to City
Council

PUBLIC HEARING – Completed on April 3, 2012

Location: 11351 N. DRONFIELD AVENUE

Proposed Project:

Demolition of the existing improvements, including two single-family dwellings, animal stables and storage sheds, on a 1.93-acre lot, and the construction, use and maintenance of a new charter elementary school for grades K-2, to include a two-story with partial basement structure of approximately 55,000 square feet and 42 classrooms, a nurse's station, teachers' lounge, full-service kitchen, a multi-purpose assembly/auditorium area, administrative offices, approximately 17,878 square feet of outdoor playground and landscaped open space, on-site parking for 50 automobiles, and an approximately 200-foot curb cut along Dronfield Avenue for a student drop-off/pick-up area. The school will have 900 students and be operated by 60 teachers and administrative staff. The school will have regular hours of operation from 7:00 a.m. to 4:30 p.m., Monday through Friday. An after-school child care program will be provided for parents who work for up to approximately 50% of the student body between 4:30 p.m. and 6:00 p.m. There are anticipated to be monthly parent-teacher meetings. Special events would not exceed 5 events per month and no more than one event per day, to include parent-student conferences, committee meetings and fundraisers. Any special events in the evening would end by 6:00 p.m.

Requested Actions:

1. Pursuant to Section 12.24-U,24 of the Los Angeles Municipal Code, a Conditional Use to permit a public charter elementary school in the A2-1 Zone.
2. Pursuant to Section 12.24-F reduced setbacks to permit a front yard setback of 15 feet on Dronfield and Sproule Avenues, and 10-foot side yard setbacks, in lieu of the 25-foot front and side yard setbacks required in the A2 Zone. The applicant is also requesting a waiver of the required street dedications and standards to permit an 8-foot curb cut on the Dronfield Avenue frontage to create a student drop-off/pick-up area, and waiver of the required street dedication and improvement for the extension of Carl Street between Dronfield and Sproule Avenues.
3. Site Plan Review for a project creating more than 50,000 square feet of nonresidential floor area.
4. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, adopt the Mitigated Negative Declaration, (**ENV-2012-48-MND**) for the subject use.

Applicant: Fenton Avenue Charter School, Pacific Charter School Development Inc.
Representative: Michael S. Woodward

Recommended Actions:

1. Approve a Conditional Use to permit a public charter elementary school in the A2-1 Zone.
2. Approve reduced setbacks to permit a front yard setback of 15 feet on Dronfield and Sproule Avenues, and 10-foot side yard setbacks, in lieu of the 25-foot front and side yard setbacks required in the A2 Zone, pursuant to Section 12.24-F.
3. Approve Site Plan Review for a project creating more than 50,000 square feet of nonresidential floor area pursuant to Section 16.05-E.
4. Adopt the attached Findings.
5. Adopt the Mitigated Negative Declaration No. **ENV-2012-48-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: Jeffrey Poole (213) 473-9987

5. **SPECIAL ITEM**
CEQA: ENV-2012-1273-CE
Plan Areas: All

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

PUBLIC HEARING

Location: CITY WIDE

Proposed Project:

Proposed ordinance repealing and replacing Article 5.1 of Chapter IV of the Los Angeles Municipal Code in response to recent Appellate Court decisions concerning medical marijuana; Findings and recommendation pursuant to City Charter § 556 and §558(b)(2).

The draft ordinance modifies the earlier version previously recommended by a unanimous vote of the City Planning Commission in response to appellate rulings that have been issued since January 26, 2012, the date of the CPC recommendation. Like the earlier version, the draft ordinance would ban medical marijuana businesses, with an amended definition which includes any location where marijuana is cultivated, processed, distributed, delivered or given away. The draft ordinance excludes the following from the definition of medical marijuana business: (1) any dwelling unit where a maximum of three or fewer qualified patients or primary caregivers process or associate to collectively or cooperatively cultivate marijuana on-site; (2) any location during that time reasonably required for a primary caregiver to distribute, deliver or give away marijuana; (3) hospices and licensed clinics, facilities and home health agencies where qualified patients receive medical care or supportive services and designate the owner, operator, or employee designated by the owner or operator, of the clinic, facility, hospice, or home health agency as a primary caregiver; and (4) any vehicle during that time reasonably required for its use by a qualified person to transport, distribute, deliver, or give away marijuana, to the extent consistent with the CUA and MMPA.

Requested Actions:

1. Adopt the Report prepared by the Office of the City Attorney entitled "Report Re: Proposed Ordinance Repealing and Replacing Article 5.1 of Chapter IV of The Los Angeles Municipal Code In Response To Recent Appellate Court Decisions Concerning Medical Marijuana" (City Attorney Report), as the report of the City Planning Commission on the subject.
2. Recommend that the City Council determine that the ordinance is exempt under the California Environmental Quality Act, for the reasons set forth in the CEQA Narrative and draft Notice of Exemption (Categorical Exemption No. **ENV-2012-1273-CE**), attached as Exhibits 2 and 3, respectively, to the City Attorney Report.
3. Recommend that the City Council direct that the Department of City Planning file the final Notice of Exemption with the County Clerk immediately after the ordinance is approved and passed in final

- by the City Council.
4. Adopt the Findings and Recommendation Pursuant To City Charter § 556 and §558(b)(2) attached as Exhibit 4, to the City Attorney Report.
 5. Recommend adoption of the draft ordinance attached as Exhibits 1 to the City Attorney Report.

Applicant: City of Los Angeles

Recommended Actions:

1. Adopt the Report prepared by the Office of the City Attorney entitled "Report Re: Proposed Ordinance Repealing and Replacing Article 5.1 of Chapter IV of The Los Angeles Municipal Code In Response To Recent Appellate Court Decisions Concerning Medical Marijuana" (City Attorney Report), as the report of the City Planning Commission on the subject.
2. Recommend that the City Council determine that the ordinance is exempt under the California Environmental Quality Act, for the reasons set forth in the CEQA Narrative and draft Notice of Exemption (Categorical Exemption No. **ENV-2012-1273-CE**), attached as Exhibits 2 and 3, respectively, to the City Attorney Report.
3. Recommend that the City Council direct that the Department of City Planning file the final Notice of Exemption with the County Clerk immediately after the ordinance is approved and passed in final by the City Council.
4. Adopt the Findings and Recommendation Pursuant To City Charter § 556 and §558(b)(2) attached as Exhibit 4, to the City Attorney Report.
5. Recommend adoption of the draft ordinance attached as Exhibits 1 to the City Attorney Report.

Staff: Jane Usher, Special Assistant City Attorney (213) 978-8100
Terry Kaufmann-Macias, Deputy City Attorney (213) 978-8233
Steve Blau, Deputy City Attorney (213) 978-8244

The next regular meeting of the City Planning Commission
will be held at **8:30 a.m. on Thursday, June 14, 2012**
City Hall
200 N. Spring Street
Public Works Board Room 350
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.