

OFFICIAL
CITY OF LOS ANGELES
North Valley Area Planning Commission Minutes
Thursday, August 16, 2012
6262 Van Nuys Boulevard, First Floor
Van Nuys, CA 91401

MINUTES OF NORTH VALLEY AREA PLANNING COMMISSION HEREIN ARE REPORTED IN **ACTION FORMAT**. COMPLETE DETAILS, **INCLUDING THE DISCUSSION**, RELATING TO EACH ITEM ARE CONTAINED IN THE HEARING RECORDING FOR THIS MEETING. COPIES OF COMPACT DISC RECORDINGS ARE AVAILABLE BY CONTACTING CENTRAL PUBLICATIONS, AT (213) 978-1255 AND ARE ALSO ACCESSIBLE THROUGH THE WORLD WIDE WEB AT <http://www.planning.lacity.org>.

The meeting was called to order by Commission President Leyner at 4:35 p.m.

Commissioners present: Oshin Harootonian, J. Richard Leyner, Veronica Padilla, Victor Sampson, and Quyen Vo-Ramirez

1. DEPARTMENTAL REPORT

No report.

2. COMMISSION BUSINESS

- A. Advanced Calendar - no changes
- B. Commission requests - none
- C. Approval of minutes from July 19, 2012

Motion: To approve the minutes from July 19, 2012

Moved: Sampson
Seconded: Harootonian
Ayes: Vo-Ramirez and Leyner

Vote: 4 – 0

Commissioner Padilla was unable to attend on July 19, 2012.

3. APCNV-2012-770-ZC-ZV-CU
CEQA: ENV-2012-771-MND

Council District: 7
Expiration Date: 8/22/12
Plan: Mission Hills - Panorama City - North Hills
Appeal Status: Further appealable to City Council

PUBLIC HEARING HELD ON JULY 17, 2012

Location: 11455 North Laurel Canyon Boulevard (11455-11471 Laurel Canyon Boulevard)

Proposed project: The demolition of the existing structures and the construction, use and maintenance of a one-story, 35 feet in height 3,750 square-foot drive-through restaurant (In-N-Out Burger) with a total of 50 parking spaces.

Requested Action:

1. Pursuant to LAMC Section 12.32-F, a **Zone Change** from P-1VL to [Q]C2-1VL for a portion of the site to permit the construction, use and maintenance of one-story, 35 feet in height 3,750 square-foot restaurant including seating for 77 patrons inside and 68 on the patio, 24-hour operation (open hours from 10:30 a.m. to 1:30 a.m., daily), and a total of 50 parking spaces.
2. Pursuant to LAMC Sections 12.24-W,17, a **Conditional Use** to permit for the use of a drive-through, fast-food establishment that is located on a lot with a proposed zone of [Q]C2-1VL, which is across the street from residential zoned properties.
3. Pursuant to LAMC Sections 12.24-W,27, a **Conditional Use** to allow a commercial corner development on a lot with a proposed zone of [Q]C2-1VL with:
 - a. Less than 50 percent transparent windows of the ground floor exterior walls and doors that front adjacent streets,
 - b. A new 42-foot pole sign,
 - c. Truck deliveries between the hours of 8:00 p.m. and 7:00 a.m. Monday through Sunday, and to permit business operating hours of 6:00 a.m. to 1:30 a.m., daily.
4. Pursuant to LAMC Section 12.27, a **Zone Variance** from Section 14.4.6 to permit the placement of a 42-foot high pole sign located within 2,000 feet of a freeway that may be viewed primarily from the main traveled roadway of a freeway or an on-ramp/off-ramp.
5. 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: Kim Kennedy; In-N-Out Burgers
Representative: Vasanthi Okuma; Greenberg Farrow

Recommended Action:

1. **Deny** the request zone and height district change to [Q]C2-1VL and **Approve and Recommend** that the City Council adopt a Zone Change for the entire site from P-1VL and [Q]C2-1VL to (T)(Q)C2-1VL, as conditioned.
2. **Approve a Conditional Use** to permit the use of a drive-through, fast-food establishment that is located on a lot with a proposed zone of (T)(Q)C2-1VL, which is across the street from residential zoned properties.

3. **Denial** a new 42-foot pole sign and truck deliveries between the hours of 8:00 p.m. and 7:00 a.m. daily and **Approve a Conditional Use** to permit a commercial corner development with (a.) Less than 50 percent transparent windows of the ground floor exterior walls and doors that front adjacent streets, (b) a new 30-foot pole sign, and (c.) truck deliveries between the hours of 6:00 a.m. and 9:00 p.m. Monday through Saturday, and to permit business operating hours of 6:00 a.m. to 1:30 a.m., daily in the proposed (T)(Q)C2-1VL zone.
4. **Denial** of the placement of one 42-foot high pole sign located within 2,000 feet of a freeway that may be viewed primarily from the main traveled roadway of a freeway or an on-ramp/off-ramp and **Approve a Zone Variance** of a 30-foot high pole sign along the property frontage closer to Laurel Canyon Boulevard.
5. **Adopt** the Findings and Conditions of Approval.
6. **Adopt** Mitigated Negative Declaration No. ENV-2012-771-MND.
7. **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.
8. **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: Sarah Hounsell (818) 374-9909

DISCUSSION:

City Planning staff presented the Department's position. The applicant's representative spoke to the Commission and there were 2 additional speakers. A lengthy discussion ensued between the Commissioners, applicant, and City Planning staff.

1st motion: To deny the 42 foot pole sign.

Moved: Sampson

No second so the motion failed.

2nd motion: To approve the 42 foot pole sign

Moved: Harootonian
Seconded: Padilla
Ayes: Vo-Ramirez and Leyner
Noes: Sampson

Vote: 4 - 1

3rd motion: To limit the hours of operation of the front patio to 6:00 a.m. to 11:00 p.m., Monday through Saturday.

Moved: Vo-Ramirez
Seconded: Sampson
Ayes: Padilla
Noes: Harootonian and Leyner

Vote: 3 – 2

4th motion: To limit construction hours to 7:00 a.m. through 5:00 p.m.

Moved: Padilla
Seconded: Sampson
Ayes: Harootonian, Vo-Ramirez, and Leyner

Vote: 5 – 0

5th motion: To deny the request zone and height district change to [Q]C2-1VL and approve and recommend that the City Council adopt a Zone Change for the entire site from P-1VL and [Q]C2-1VL to (T)(Q)C2-1VL, as conditioned, approve a Conditional Use to permit the use of a drive-through, fast-food establishment that is located on a lot with a proposed zone of (T)(Q)C2-1VL, which is across the street from residential zoned properties, adopt the Findings and Conditions of Approval, adopt Mitigated Negative Declaration No. ENV-2012-771-MND, 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, and 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.

Moved: Padilla
Seconded: Sampson
Ayes: Harootonian, Vo-Ramirez, and Leyner

Vote: 5 - 0

4. AA-2006-10349-PMLA-1A
CEQA: ENV-2006-10350-CE

Council District: 12
Expiration Date: 8/27/12
Plan: Northridge
Appeal Status: Not further appealable

PUBLIC HEARING

Location: 18045-18057 West Rayen Street

Proposed project: AA-2006-10349-PMLA revised map stamp dated April 11, 2012 to allow the subdivision of one 35,234 square feet parcel into two single family lots. Also,

in accordance with provisions of Section 17.53-J of the Los Angeles Municipal Code (LAMC), area adjustments to permit a reduced lot area of 17,272 square-feet for the proposed Parcel A and 14,912 square-feet for the proposed Parcel B in lieu of the required 17,500 square feet.

Requested Action:

The Deputy Advisory Agency's determination letter was appealed in part to request that the Letter of Decision add the following conditions 1) that the conditions of Parcel Map not be deemed complete and that the Parcel Map not be recorded, until proof is provided that the dwelling at 18045 Rayen Street has been issued a Certificate of Occupancy by the Department of Building and Safety for the dwelling, and 2) that no building permit should be issued on the vacant site at 18057 Rayen Street until said dwelling at 18045 Rayen Street is complete, and issued a Certificate of Occupancy.

APPLICANT: Mehdi Afkhamirad
Representative: Steve Nazemi

APPELLANT: Sherwood Forest Homeowner's Association
Representative: Donnal Poppe

Recommended Action:

1. **Deny** the appeal.
2. **Sustain** the Findings and Conditions of the Deputy Advisory Agency.
3. **Adopt** the environmental clearance Categorical Exemption ENV-2006-10350-CE.

Staff: Nelson Rodriguez (818) 374-9903

DISCUSSION:

City Planning staff presented the Department's position. The appellant spoke, followed by the three speakers in support of the appeal. The City Councilmember's representative spoke to the Commission. A lengthy discussion ensued between the Commissioners and City Planning staff.

Motion: To deny the appeal, sustain the Findings and Conditions of the Deputy Advisory Agency, and adopt the environmental clearance Categorical Exemption ENV-2006-10350-CE.

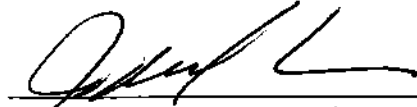
Moved: Sampson
Seconded: Padilla
Ayes: Vo-Ramirez and Leyner
Noes: Harootonian

Vote: 4 - 1

5. PUBLIC COMMENT PERIOD

No speakers

There being no further business to come before the North Valley Area Planning Commission, the meeting adjourned at 6:20 p.m.



J. Richard Leyner, President



Rhonda Ketay, Commission Executive Assistant
North Valley Area Planning Commission



Adopted on