

Información en Español acerca de esta junta puede ser obtenida llamando al (213) 978-1300

**CITY PLANNING COMMISSION
REGULAR MEETING
THURSDAY, AUGUST 28, 2003, 8:30 A.M.
MARVIN BRAUDE SAN FERNANDO VALLEY CONSTITUENT SERVICE CENTER
6262 VAN NUYS BOULEVARD, FIRST FLOOR MEETING ROOM
VAN NUYS, CALIFORNIA, 91401**

Joe Klein, President
Mabel Chang, Vice President
Richard Brown, Commissioner
Dorene Dominguez, Commissioner
Javier Lopez, Commissioner
Gerard McCallum II, Commissioner
Mitchell B. Menzer, Commissioner
Bradley H. Mindlin, Commissioner
Thomas E. Schiff, Commissioner
Gabriele Williams, Commission Executive Assistant, (213) 978-1247; FAX (213) 978-1029

Con Howe, Director
Frank Eberhard, Deputy Director
Gordon Hamilton, Deputy Director
Bob Sutton, Deputy Director

POLICY FOR DESIGNATED PUBLIC HEARING ITEM NOS: 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 EXECUTIVE ASSISTANT STAFF.**

To ensure that the Commission has ample opportunity to review written materials, all concerned parties who wish to submit written materials on agendized items should submit them to the Commission Office, 200 North Spring Street, Room 532, Los Angeles, 90012, prior to the meeting at which the item is to be heard in order to meet the mailing deadline.

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.**

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 World Wide Web at **<http://www.lacity.org/dept/PLN/meetings/cpcagnda.htm>**.

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 agendized here, or in written correspondence on these matters delivered to this agency at or prior to the public hearing.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision became final.

GLOSSARY OF ENVIRONMENTAL TERMS:

CEQA - Calif. Environmental Quality Act
EIR - Environmental Impact Report

ND - Negative Declaration
MND - Mitigated Negative Declaration
CE - Categorical Exemption

1. DIRECTOR'S REPORT

- A. Council actions and schedule.
- B. Other items of interest.

2. COMMISSION BUSINESS

- A. Advance Calendar.
- B. Commission Requests.
- C. Minutes of 8-14-03.

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 three (3) minutes per person and up to ten (10) minutes per subject.
- (b) For agendized matters, up to two (2) 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 NO. 2003-1155-CU-ZAD**
CEQA: ENV-2003-1156-MND
Plan: Southeast Los Angeles
Expiration Date: 9-13-03

Council District: 9
Location: 100-142 East 49th Street
Appeal Status: Appealable to Council

Public Hearing completed on July 18, 2003.

Pursuant to Section 12.24 of the LAMC, **CONDITIONAL USE**, for the following:

- a.** Section 12.24 U 24 - to permit the proposed construction use and maintenance of a private high school on a dual zoned site (C2 and RD2), with two lots located within the RD2-1 zone;
- b.** Section 12.24 F - modification of the area regulations to permit a proposed classroom building to straddle the C2 and RD2 zone boundary line with a 0-foot side yard in lieu of the required minimum 5 feet per Sections 12.09.1 B 12 and 12.14 C 2;
- c.** Section 12.24 F - modification of the area regulations to permit a side yard of 3 feet for the existing dwelling in lieu of the minimum required 10 feet per Section 12.21 C 3(b) (Yards for Institutions);
- d.** Section 12.24 W 27 - a **Commercial Corner Development** approval for uses which do not comply with the following:

- (1) Section 12.22 A 23 (a)(6)(i) - to allow the landscape materials not be contained within a minimum six-inch high continuous concrete curb, which is otherwise required;
- (2) Section 12.22 A 23 (a)(6)(iii) - to allow relief from the minimum 5-foot wide landscape setback required on all street frontages of the perimeter of parking areas or areas which abut a residential zone or use;
- (3) Section 12.22 A 23 (a)(6)(v) - to allow 50 percent 24-inch box trees and 50 percent 15 gallon trees to be planted for every 30 feet of street frontage in lieu of one 24-inch box tree for every 20 feet of street frontage;
- (4) Section 12.22 A 23 (a)(8) - to allow the exterior walls (including doors) which face streets to consist of glazing of less than 50 percent in lieu of the minimum 50 percent required; and,

Pursuant to Section 12.24 X of the LAMC, **ZONING ADMINISTRATOR'S DETERMINATION**, for the following:

- a.** Section 12.24 X 20 - to permit shared parking between the high school and the adjacent church parking lot on the west side of Main Street during daytime hours and for special events; and
- b.** Section 12.24 X 7 - to permit an 8-foot high chain-link or wrought-iron fence/masonry wall to be constructed within the front yard of the RD2 zone in lieu of the maximum permitted height of 42 inches, for the proposed establishment of a new private high school, grades 9 through 12, in conjunction with an existing church, to be developed in two phases.

STAFF RECOMMENDS APPROVAL OF THE CONDITIONAL USE TO PERMIT A HIGH SCHOOL IN THE [Q]C2-1 AND RD2-1 ZONES, SUBJECT TO CONDITIONS;

DISAPPROVE WITHOUT PREJUDICE THE CONDITIONAL USE PERMIT FOR COMMERCIAL CORNER AND APPROVAL OF THE ZONING ADMINISTRATOR'S DETERMINATION.

Jim Tokunaga, (213) 978-1174.

Applicant: Eden Community Development Corporation, Dr. Joel A. Ward

5. **DIR-2003-463-BSA-A1-A2**

CEQA: N/A

Plan: Northridge

Expiration Date: 8-17-03 (Extended)

Council District: 12

Location: 17183 Sunburst Street

Appeal Status: Not further appealable

PUBLIC HEARING

TWO APPEALS, from elements or part of the Director's determination pursuant to the provisions of Section 12.26-K of the LAMC, finding that the Board of Building and Safety Commissioners **did not err** in its decision not to issue an Order to Comply for: 1) a wall in the required front yard; 2) unapproved home occupancy; 3) unapproved storage of construction equipment in the RA Zone; and 4) unapproved use of an addition to a single-family dwelling for an office in the RA Zone, in connection with the subject property at the above referenced location. However, the Board of Building and Safety **did err** in its determination that there was no home occupation use at the site and by not citing unapproved storage of two commercial vehicles.

STAFF RECOMMENDS DISAPPROVAL OF BOTH APPEALS.

David Kabashima, (213) 978 1387.

Applicant: John Darnall

Appellants: John Darnall (A1)

Dennis and Marsha Dickenson (A2)

6. **DIR-2003-724-BSA-A1**

CEQA: ENV-2001-4625-MND

Plan: Sylmar

Expiration Date: 8-28-03

Council District: 7

Location: 15774 W. Olden Street

Appeal Status: Not further appealable

PUBLIC HEARING

APPEAL, of the Director's determination that the Department of Building and Safety **did not err** in issuing a building permit on March 11, 1996 for the construction of a decorative wall as required by Ordinance No. 164,445 IN THE [T][Q]MR1-1VL-K zone.

STAFF RECOMMENDS DENY THE APPEAL.

Larry Friedman, (213) 978-1225.

Applicant: Lyle Waggoner, Star Wagons

Appellant: Edward and Karen Duvall

7. **CPC-2003-3138-PUB-ZV-ZAA**

CEQA: BE-037-02-ND

Plan: Encino-Tarzana

Expiration Date: 8-30-03

Council District: 5

Location: 4960 N. Balboa Boulevard

Appeal Status: Variance is further appealable, if granted.

Public Hearing completed on July 18, 2003.

ALTERNATIVE COMPLIANCE MEASURES, for a **Public Benefit Project** to permit a fire station with the following alternatives from the performance standards of Section 14.00 A 3: **a)** to permit a building of 38 feet, 8 inches in height in lieu of the building not exceeding the height of any structure on adjoining properties; **b)** to permit a variable 5-foot wide landscape buffer at various locations on the periphery of the property in lieu of the minimum 10-foot required; and **c)** to permit 21 parking spaces in lieu of the minimum of 30 parking spaces required by Section 12.21 A of the Municipal Code; and

Pursuant to Section 12.27 of the LAMC, **VARIANCE**, from the following:

a. Section 12.21 A 4(d) to permit 21 parking spaces in lieu of the minimum of 30 parking spaces required;

b. Section 12.21 A 6(a) to permit two parking stalls within the required front yard;

c. Section 12.21 A 5 (i) (1) and (2) to permit the location of two parking stalls which necessitate vehicles to back onto a public street and to make maneuvers onto a portion of the required front yard, which otherwise is prohibited;

d. Section 12.21 A 5 (j) to allow a deviation in parking area circulation that permits a public street as a means of accessing the two front yard parking stalls separate from the remaining parking area, which is otherwise prohibited;

e. Section 12.08 C to permit trash/recycle storage enclosures and electrical utility transformer within the required 20-foot front yard setback; and

Pursuant to Section 12.28 of the Municipal Code, **ZONING ADMINISTRATOR'S ADJUSTMENT**, from Section 12.21.1 B 5 to permit a building height of 38 feet, 8 inches in height in lieu of the maximum 35 feet required for municipal buildings; and

Pursuant to Section 12.24 X 7 of the LAMC, a **ZONING ADMINISTRATOR'S DETERMINATION**, to permit an 8-foot high fence and rolling gates in lieu of the maximum 6 feet required, for the proposed relocation of Fire Station No. 83 and abandonment of previous facility. Proposed demolition of 6 single family dwellings and the proposed construction, use, and maintenance of a new 14,899 sq. ft. fire and paramedic station with a 983 sq. ft. porch, 38 feet, 8 inches in height (2 stories) with 21 parking spaces.

STAFF RECOMMENDS DISAPPROVAL AS FILED; APPROVAL OF THE VARIANCE, SUBJECT TO CONDITIONS, AND APPROVAL OF THE ZONING ADMINISTRATOR'S ADJUSTMENT, ZONING ADMINISTRATOR'S DETERMINATION AND THE

ALTERNATIVE COMPLIANCE MEASURE FOR A PUBLIC BENEFIT PROJECT.
Robert Duenas (818) 374-5036.

Applicant: City of Los Angeles, Bureau of Engineering, Robert Falcon

The next regular meeting of the City Planning Commission
will be held at **9:30 a.m.** on Thursday, September 11, 2003,
at 200 North Spring Street, Room 1010, City Hall,
Los Angeles, California

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. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request no later than three working days (72 hours) prior to the meeting by calling the Commission Executive Assistant at (213) 978-1247.