

Your **PLANNING AND LAND USE MANAGEMENT** Committee

reports as follows:

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCES relative to a General Plan amendment, zone change, and building line removal for properties at 13439 (13437-13443) West Burbank Boulevard.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 12-1905 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2012-1224-MND].
2. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC) as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, the Director of Planning and the LACPC APPROVING the proposed General Plan amendment to the Van Nuys - North Sherman Oaks Community Plan from Low Residential to Medium Residential land use designation for the construction of a two-story, 35-foot high, 22-unit apartment building over one level of on-grade parking on a 20,250 square-foot parcel, located at 13439 (13437-13443) West Burbank Boulevard.

Applicant: Altimus Properties, LLC  
Representative: Jerome Buckmelter

Case No. CPC-2012-1225-GPA-ZC-BL

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the LACPC, effecting a zone change from [Q]R3-1 (multiple dwelling zone) and R1-1 (one-family dwelling zone) to (T)(Q)R3-1 for property located at 13439 (13437-13443) West Burbank Boulevard, subject to Conditions of Approval.
5. PRESENT and ADOPT the accompanying ORDINANCE, approved by the LACPC, effecting the removal of a building line on the north side of Burbank Boulevard between Sunnyslope Avenue and Greenbush Avenue established by Ordinance No. 98921, for property located at 13439 (13437-13443) West Burbank Boulevard.
6. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
7. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.

8. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
9. 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.
10. 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 filing.

Fiscal Impact Statement: The LACPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

**TIME LIMIT FILE - FEBRUARY 21, 2013**

**(LAST DAY FOR COUNCIL ACTION - FEBRUARY 20, 2013)**

Summary:

At the hearing held on January 15, 2013, the Planning and Land Use Management Committee considered a Mitigated Negative Declaration and related California Environmental Quality Act findings, reports from the Mayor, Director of Planning, and the Los Angeles City Planning Commission, Resolution, and Ordinances relative to a proposed General Plan amendment to the Van Nuys - North Sherman Oaks Community Plan from Low Residential to Medium Residential land use designation, a zone change from [Q]R3-1 (multiple dwelling zone) and R1-1 (one-family dwelling zone) to (T)(Q)R3-1, and a removal of the 25-foot building line on Burbank Boulevard, subject to Conditions of Approval, for the construction of a two-story, 35 foot high, 22-unit apartment building over one level of on-grade parking on a 20,250 square foot parcel located at 13439 (13437 - 13443) West Burbank Boulevard. After an opportunity for public comment, the Committee recommended that Council approve the report and recommendations of the Mayor, Director of Planning, and LACPC. This matter is now submitted to Council for its consideration.

As indicated in Recommendation No. 8 and pursuant to Section 12.32-J of the Los Angeles Municipal Code (LAMC), the applicant is hereby advised that:

. . . whenever property remains in a "Q" Qualified classification for six years . . . after the effective date of the ordinance creating same without substantial physical development thereof for one or more of the uses first permitted herein having taken place within such time or if the Director of Planning determines that such development is not thereafter continuously and expeditiously carried on to completion, or if no physical development is necessary, without having been need for one or more of the purpose first permitted thereby, such Qualified classification and the authority contained therein shall become null and void, the rezoning proceedings shall be terminated and the property thereafter may only be utilized for those purposes permitted prior to the commencement of such rezoning proceedings."

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
REYES	YES
HUIZAR	YES
ENGLANDER	YES

SG: ea  
CD 2  
1/17/13  
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**Not Official Until Council Acts -**