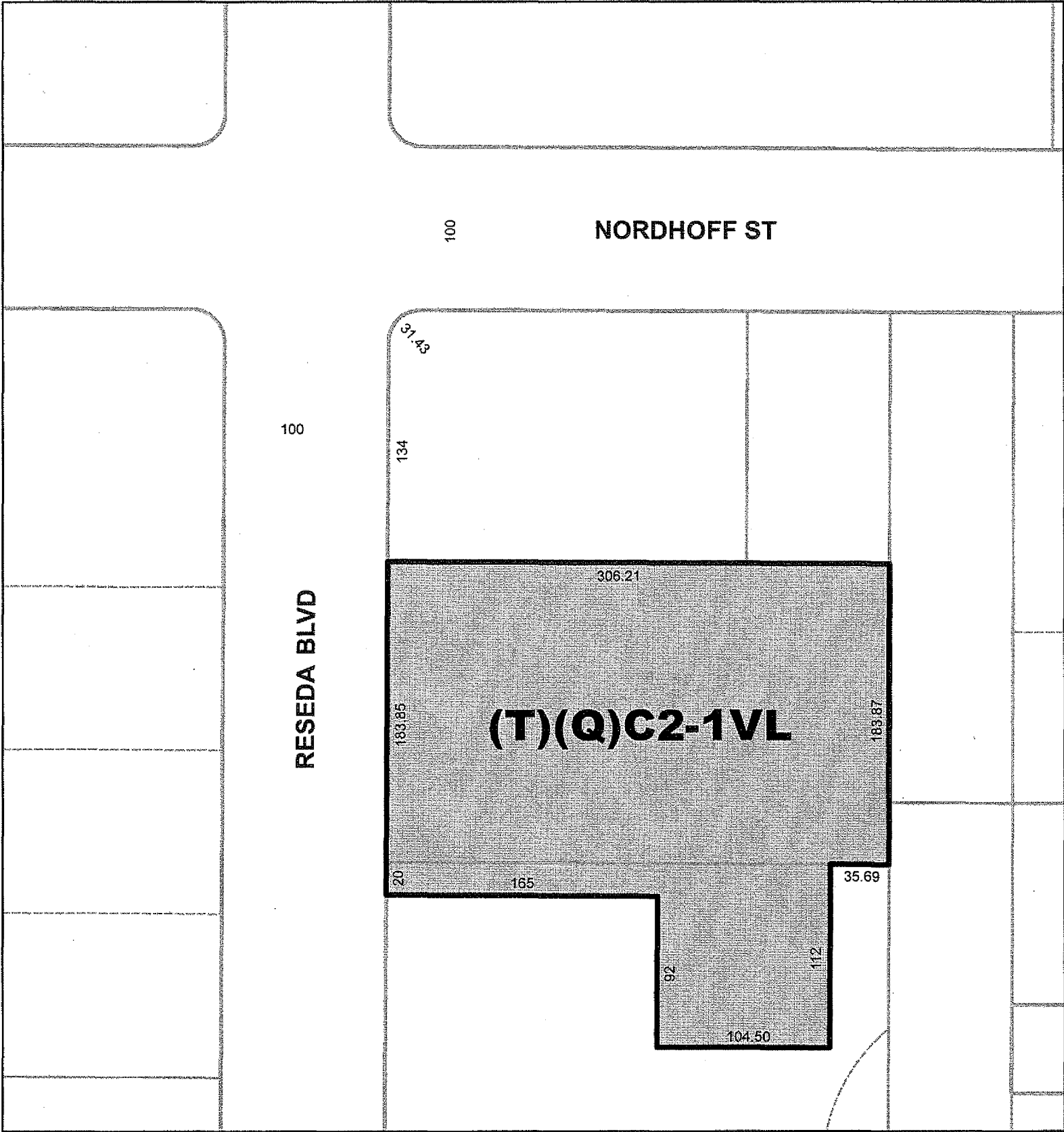


ORDINANCE NO. 182740

An ordinance amending Section .12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:

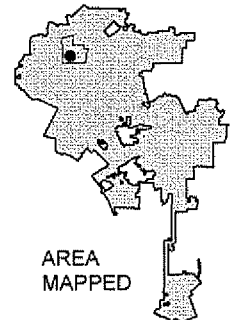


1 inch = 0.02 miles

C.M. 195B125	APCNV 2012-3551 ZC CU
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LHI/ab

042313



CONDITIONS OF APPROVAL Conditional Use

Pursuant to Section 12.24.F of the Municipal Code (Conditional Use Approval), the following limitations are hereby imposed upon the subject development project:

A. Development Conditions:

1. **Grant.** A Conditional Use is granted to allow one drive-through fast-food establishment in the C Zone located on a lot adjacent to a residential zone and use.
2. **Site Development.** The subject property shall be developed in substantial conformance with the submitted **Site Plan, Landscape Plan, Parking Plan, Floor Plans, and Elevations** dated **February 7, 2013**, attached to the case file and labeled **Exhibits E-2** (eight pages). Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
3. **Drive-thru Stacking Lane.** The queuing lane for drive thru traffic shall be clearly striped to the satisfaction of the Department of Transportation, Department of Building and Safety, and the Department of City Planning.
4. **Pedestrian Walkways:** Safe pedestrian pathways are required to connect all three buildings on-site and to the Reseda Boulevard public right-of-way, as indicated on the Site Plan, dated February 7, 2013, Exhibit E-2. Each walkway shall be a minimum of five-feet in width and visibly demarcated (e.g. striping, stamped concrete, pavers). In addition, a "Caution Pedestrian Crossings" sign, a minimum of 42 inches in height, shall be installed along the drive-through lane of "Proposed Shops A" near the crossing with the pedestrian walkway.
5. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. In addition, the site plan and landscape plan shall be revised to include the following:
 - a. Screening between the western portion of the Proposed Shops "A" drive-through lane and the front setback landscaped buffer. Screening shall be a minimum of 3'-6" in height and comprised of a landscaped decorative block wall, thick hedge, berm, or "green screen" panel.
 - b. Screening between the four front parking spaces along Reseda Boulevard and the front setback landscape buffer. Screening shall be a minimum of 3'-6" in height and comprised of a landscaped decorative block wall, thick hedge, berm, or "green screen" panel.
 - c. An additional landscaped area, to include a minimum of one 24"-box tree, along the triangular area between the two access lanes and adjacent to the single-family.
 - d. The landscaped area adjacent to the north side of "Retail Shops B", shall be planted with a variable four-foot to eight-foot tall hedge for the purpose of noise attenuation.
 - e. A minimum 8-foot high decorative block wall shall be installed along the property line adjacent to any single-family zone.

6. **Landscaping (Surface Parking).** A minimum of one 24-inch box tree (minimum trunk diameter of 2 inches and a height of 8 feet at the time of planting) shall be planted for every 4 surface parking spaces. The trees shall be dispersed within the parking area so as to shade the surface parking area and shall be protected by a minimum 6-inch high curb, and landscape. Automatic irrigation plan shall be approved by the City Planning Department.
7. **Hours of Operation:** The hours of operation of drive-through facilities shall be limited as follows:
 - a. Sunday through Thursday: 5 AM to 12 AM;
 - b. Friday and Saturday: 5 AM to 1 AM.
8. **Hours of Delivery/Pick-up.** This activity is restricted to the following hours: Monday through Saturday, 6:00 AM to 6:00 PM; and no trash pickup on Sunday or legal holidays.
9. **Trash Receptacles.** Trash receptacles shall be located at least 50-foot distance from the property line of adjacent residential properties and shall be stored within a trash enclosure, a minimum of six-feet in height. Trash enclosures throughout the subject property shall be finished with colors and materials consistent with the proposed building, approved by the Department of City Planning.
10. **Noise (Machinery).** Trash compactors, cardboard bailing machinery and the like shall be installed within the interior of the structure, and must be shielded from the adjacent residential zones to the east to the satisfaction of the Department of City Planning.
11. **Noise (Drive-thru Speakers).** The operational sounds electronic equipment or machinery associated with the subject project shall not be audible beyond the portion of the property line of the subject property which abuts a residential zone. To assure this noise suppression, the project shall be designed in consultation with an acoustical engineer.
12. **Lighting.** All lighting shall be shielded and directed onto the site and no floodlighting shall be located so as to shine directly onto any adjacent residential property. This condition shall not preclude the installation of low-level security lighting.
13. **Additional conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserves to the decision-maker to impose additional corrective Conditions, if in the decision-maker's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupant of adjacent property.

ZONE CHANGE FINDINGS

A. General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located within the Northridge Community Plan, updated and adopted by the City Council on Feb. 24, 1998. The existing Plan designates the subject property as Community Commercial which corresponds to the CR, C2, C4, and RAS3 zones. The proposed zone change to C2 (Commercial) zone is consistent with the land use designation on the plan map and thus is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan. The project is also in conformance with Footnote 4 of the Community Plan Map, which allows a maximum height of three stories or 45 feet.
2. **General Plan Text.** The Northridge Community Plan text includes the following relevant land use goals, objectives, policies and programs:

GOAL 2: A STRONG AND COMPETITIVE COMMERCIAL SECTOR WHICH BEST SERVES THE NEEDS OF THE COMMUNITY THROUGH MAXIMUM EFFICIENCY AND ACCESSIBILITY WHILE PRESERVING THE UNIQUE CHARACTER OF THE COMMUNITY.

Objective 2-1: To maintain the viability and vitality of the existing Northridge Central Community Business District as a community focal point.

Policy 2-1.1 Encourage retail and service commercial uses, including professional services and restaurants on both sides of Reseda Boulevard. Fast food restaurants and mini-malls should be discouraged.

Program: The Community Plan provides for commercial land use to support community needs.

Policy 2-1.2 Conserve and strengthen viable commercial development throughout the community.

Program: The Northridge central commercial area focusing on Reseda Boulevard serves as the focal point for shopping, civic and social activities in the community. This area contains professional offices, shopping and variety stores, restaurants and entertainment facilities..... Improvements resulting from a successful BID may include landscaping, signage, street sweeping, additional parking, security patrols, new building facades, sidewalk cafes and pedestrian activity, and undergrounding of utilities.

Policy 2-1.4 Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and developed in accordance with design standards.

Program: The Plan includes an Urban Design chapter which establishes Design Standards for commercial development which addresses this policy.

Objective 2-3: To enhance the appearance of commercial districts.

Policy 2-3.1 Improve the landscaping of commercial properties.

Program: Implementation of the Design Policies established in the Urban Design Chapter.

Policy 2-3.5 Improve safety and aesthetics of parking areas in commercial areas.

Program: Design standards for parking areas are established in the Design Guidelines implement this policy.

The proposed project will meet the above objectives and policies by providing retail and dining opportunities at an appropriate density and location to meet the plan area's commercial needs and by preserving the assigned community plan land use designation. Although fast-food establishments are generally discouraged by the Plan, the proposed project is comprised of a café and casual dining restaurant with drive-through take-out options, and each establishment will provide a significant amount of floor area dedicated to both indoor and outdoor seating. The proposed project would conserve and strengthen viable commercial development in the area by redeveloping a set of commercial buildings and improving the site with new landscaping, street trees, wider sidewalks, pedestrian pathways, and new patio dining areas. The submitted elevations exhibit a uniform architectural theme and design at a pedestrian scale, compatible with adjacent commercial developments, and in-line with the Citywide and Community Plan Design Guidelines. The site is located within a commercial corridor along Reseda Boulevard which includes a mix of retail, financial service, office, restaurant, and grocery uses, and also adjacent to a single-family neighborhood. The proposed C2 zone and two new one-story buildings and an additional façade remodel would be compatible with the existing commercial neighborhood land use and character. Additionally, the layout of the project, and conditions requiring additional screening of utilities, trash storage areas, and landscaping ensure development sensitive to the abutting single-family properties.

Therefore, as conditioned, the recommended development meets the objectives of the Community Plan, is permitted in the C2 Zone and is consistent with the general plan land use designation.

B. Entitlement Findings

1. **Zone Change, L.A.M.C. Sec. 12.32-F:** The recommended zone change is in conformance with the public necessity, convenience, general welfare or good zoning practice in that:

The C2 zone is consistent with the existing Community Commercial General Plan Land Use designation in that this land use category allows for corresponding zones of CR, C2, C4, and RAS3. The project is convenient in location to several major streets, such as Reseda Boulevard and Nordhoff Street, and as an infill project will have adequate access to existing City services and infrastructure. There is a necessity for more flexible commercial zoning to allow for a greater variety and configuration of retail, restaurant, and office uses, and the project will create more opportunity for commercial development in the vicinity. Properties in the immediate neighborhood primarily consist of other commercial uses on C2 and P1 lots to the north, west, and south, and parking areas and single-family homes on R1 lots to the east. This lot is comprised of two zones, with a C2 zoning covering the footprint for the existing commercial buildings on-site, surrounded by a P1 parking zone, thereby limiting development on the lot to one particular configuration of buildings on the site. A zone change from C2-1VL and P-1VL to (T)(Q)C2-1VL and the construction of two single-story commercial and drive-through restaurant buildings would be compatible with the use and size of existing adjacent developments. The

proposed project would also provide amenities such as open-air patios for outdoor dining and seating, as well as new pedestrian pathways connecting the three buildings within the shopping center. Therefore, the zone change is provided as part of public necessity and convenience and in the general welfare of the neighborhood. Furthermore, such zone change will be in good zoning practice by providing a harmonious density and land use activity for the vicinity.

The action, as recommended, has been made contingent upon compliance with the "(Q)" and "(T)" conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure developments and improvements more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

2. Conditional Use Approval, L.A.M.C. Sec. 12.24:

- a. *The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.*

The applicant proposes to demolish two existing commercial buildings on-site built in the 1970s, and to replace each one with a smaller one-story, commercial building, each to include a drive-through restaurant. However, only one drive-through restaurant has been approved. Additionally, the applicant proposes to remove the second-story of a third building on-site and to remodel the building's front façade. Overall, the project will reduce the total commercial square-footage of the site by 21,600 sq-ft, and reduce all building heights on-site, allowing for more privacy to the adjacent residential properties to the east. The project's site plan and elevations incorporate design features such as direct paths of travel for pedestrians between Reseda Boulevard and between the three buildings on-site, visible restaurant seating and patios, main pedestrian entrances at the front of the project, articulation of the façades, variation in the rooflines, compatible architectural style and massing, pedestrian scale, and appropriate landscaping. Additionally, the project will be required to install bicycle parking, dedicate land along Reseda Boulevard for a future right-turn lane, as well as widen the adjacent sidewalk and install new street trees within the public right-of-way. The project proposes an upgrade of the existing site and public right-of way, and will therefore enhance the built environment in the surrounding neighborhood. Such a project will also provide beneficial and convenient food services to the community.

- b. *The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.*

Overall, the project plans for two new commercial buildings and a façade remodel will reduce the total commercial square-footage of the site by 21,600 sq-ft, reduce all building heights on-site from two-story to one-story, and will locate new structures and parking in similar locations as the previous site layout. Properties in the immediate neighborhood primarily consist of other commercial uses on C2 and P1 lots to the north, west, and south, and parking areas and single-family homes on R1 lots to the east separated by an existing 6-foot high block wall. The construction of two single-story commercial and drive-through restaurant buildings would be compatible with the use and size of existing adjacent developments, and a reduction in building heights will benefit the adjacent residential properties by increasing

privacy. The new layout and use of the site will also provide new outdoor patio areas for the café and restaurant, better pedestrian connectivity, as well as upgrades to the site to provide for wider sidewalks, parking restriping, site drainage, lighting, and disabled access. The operation of one approved drive-through restaurant may increase vehicular traffic to the site, but a traffic study for two drive-through restaurants approved by the LADOT on January 24, 2013 found that no significant traffic or circulation impacts are expected as a result of the project. Therefore, a reduced drive-through restaurant project will be compatible with the surrounding neighborhood, and will not adversely affect public health, welfare, or safety.

- c. *The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.*

The Northridge Community Plan designates the subject property for Community Commercial use with corresponding zones of CR, C2, C4, and RAS3, and Height District 1VL. Although the Plan encourages new retail and restaurant uses, fast-food restaurants are generally discouraged by the Northridge Community Plan. The proposed project is comprised of a café and casual dining restaurant, with drive-through take-out options. However, only one drive-through restaurant has been approved. Each establishment will also dedicate a significant amount of floor area to both indoor and outdoor patio seating, and the project will also provide additional amenities and improvements to the site which are supported by other policies in the Plan, such as encouraging viable commercial development, widening sidewalks, including pedestrian pathways, and designing the site and landscaping in-line with the City's urban design guidelines. Therefore, overall the proposed project is consistent with the purpose and intent of the General Plan.

**Additional Conditional Use Permit Findings L.A.M.C. Sec. 12.24 W.17
(Drive-through fast-food establishments)**

- d. *Residential uses in the vicinity of a proposed drive-through fast-food establishment will be adequately protected from any significant noise resulting from outdoor speakers, autos, or other sources of noise associated with the lot.*

The subject property is primarily surrounded on all sides by commercial uses and parking areas, with the exception of a 35-foot long portion of its 185-foot long eastern property line. For this 35-foot section, the lot is adjacent to the rear yard of a R1-zoned lot. However, since this R1 lot is one of the largest single-family properties in the area, the single-family dwelling on the lot is located further south and situated approximately 185-feet from the proposed drive-through area. The next closest residential lot lies directly east of the R1-property, with the same zoning, and the single-family house on the lot is approximately 90-feet from the proposed drive-through lane. The site plans indicate that the proposed project is separated from the single-family uses by an existing six-foot high block wall, which is to be increased to a height of eight feet, as well as a landscaped buffer. The nearest outdoor speaker system for drive-through will be located a minimum of 150 linear feet from the nearest residential dwelling, and the project has been conditioned to ensure that any speaker noise not be audible from these adjacent residential properties.

- e. *All stationary light generated on the lot is screened to avoid any significant adverse impact on nearby residential uses.*

All on-site lighting for the building and surface parking lot will be shielded away from neighboring residential areas and the project does not include any illuminated signs facing the neighboring residential uses. The required eight-foot high block wall along the subject property's eastern boundary as well as the proposed landscaped buffer will provide additional screening for any stationary light generated on the lot.

- f. *Trash storage, trash pickup hours, driveways, parking locations, screening walls, trees and landscaping area provided for and located so as to minimize disturbance to the occupants of nearby residential uses, and to enhance the privacy of those uses.*

The combination of the existing block wall and the proposed landscape buffer along the project's site eastern boundary will minimize any disturbance to the occupants of nearby residential uses through adequate screening. In addition, the proposed trash enclosures will be located at the northern portion of the site, approximately 160 linear feet from the nearest residential use. The trash pick-up hours are limited to 7 a.m. to 6 p.m. Monday through Saturday.


C. CEQA Findings

Environmental. The Environmental Review Section of the Planning Department issued the proposed project Mitigated Negative Declaration ENV-2012-3550-MND on April 3, 2013. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached modified Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the North Valley Environmental Review Section of the Planning Department in Room 430, 6262 Van Nuys Blvd., Van Nuys.


Sec. _____. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was introduced at the meeting of the Council of the City of Los Angeles SEP 24 2013, and was passed at its meeting of OCT 1 2013.

HOLLY L. WOLCOTT, Interim City Clerk

By 
Deputy

Approved 10/8/13


Mayor

Pursuant to Section 558 of the City Charter, the North Valley Area Planning Commission on May 16, 2013, recommended this ordinance be adopted by the City Council.


Rhonda Ketay, Commission Executive Assistant
North Valley Area Planning Commission

File No. 13-0879

DECLARATION OF POSTING ORDINANCE

I, MARIA VIZCARRA, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 182740 – Zone change for property located at 9000-9034 North Reseda Boulevard – APCNV 2012-3551-ZC CU- a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **October 1, 2013**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **October 10, 2013** I posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on **October 10, 2013** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **10th** day of **October, 2013** at Los Angeles, California.



Maria Vizcarra, Deputy City Clerk

Ordinance Effective Date: **November 19, 2013**
Rev. (2/21/06)

Council File No. **13-0879**