

OFFICIAL COPY



APPLICATIONS:

APPEAL APPLICATION

This application is to be used for any appeals authorized by the Los Angeles Municipal Code (LAMC) for discretionary actions administered by the Department of City Planning.

1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

- Area Planning Commission, City Planning Commission, City Council, Director of Planning

Regarding Case Number: CPC-2015-889-VZC-SN-VCU-MCUP-SPR-ZAD-ZAA

Project Address: 6150 N. Laurel Canyon Blvd.

Final Date to Appeal: 11/09/2016

- Type of Appeal: Appeal by Applicant/Owner, Appeal by a person, other than the Applicant/Owner, claiming to be aggrieved, Appeal from a determination made by the Department of Building and Safety

2. APPELLANT INFORMATION

Appellant's name (print): Walter D. Hall

Company:

Mailing Address: 12301 Debby Street

City: North Hollywood State: CA Zip: 91606

Telephone: 818 766 3088 E-mail: walter.d.hall@earthlink.net

- Is the appeal being filed on your behalf or on behalf of another party, organization or company?

Self, Other: Laurel Grove Neighborhood Association

- Is the appeal being filed to support the original applicant's position? Yes, No

3. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable):

Company:

Mailing Address:

City: State: Zip:

Telephone: E-mail:

4. JUSTIFICATION/REASON FOR APPEAL

Is the entire decision, or only parts of it being appealed? Entire Part
 Are specific conditions of approval being appealed? Yes No

If Yes, list the condition number(s) here: Item nos. 1, 4, 5, 9, 10, 11

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

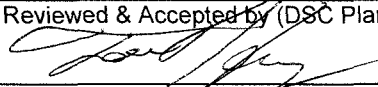
5. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: Walter D. Hall Date: 11/09/2016

6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
 - Appeal Application (form CP-7769)
 - Justification/Reason for Appeal
 - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
 - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of the receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered Original Applicants and must provide noticing per LAMC 12.26 K.7, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. [CA Public Resources Code ' 21151 (c)].

This Section for City Planning Staff Use Only		
Base Fee: <u>106.80</u>	Reviewed & Accepted by (DSC Planner): 	Date: <u>11/10/16</u>
Receipt No: <u>0202366545</u>	Deemed Complete by (Project Planner):	Date:
<input checked="" type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)



CITY PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801,
(213) 978-1300; planning.lacity.org

LETTER OF DETERMINATION

Determination Mailing Date: **OCT 26 2016**

**CASE: CPC-2015-889-VZC-SN-VCU-MCUP-SPR-
ZAD-ZAA**

CEQA: ENV-2015-888-EIR (SCH No. 2015041001)

Location: 6150 N. Laurel Canyon Blvd.

Council District: 2 - Krekorian

Plan Area: North Hollywood - Valley Village

Zone: *Existing:* C4-1L, QC4-1L, P-1L

Proposed: (T)(Q)C2-1-SN

Applicant: MGP XI GPI Laurel Plaza, LLC
Representative: Altoon Partners, LLP

At its meeting of September 22, 2016, the City Planning Commission took the following action:

1. **Found**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in the NoHo West Project Environmental Impact Report (EIR) No. ENV-2015-888-EIR, State Clearinghouse No. 2015041001, certified on September 9, 2016; and pursuant to CEQA Guidelines, Sections 15162 and 15164, **no subsequent EIR or addendum is required** for approval of the Project.
2. **Adopted the Environmental Findings and Statement of Overriding Considerations**; prepared by the Department of City Planning, pursuant to and in accordance with Section 21081 of the Public Resources Code, and previously adopted by the Deputy Advisory Agency, as the Findings of the City Planning Commission.
3. **Adopted the Mitigation Measures and Mitigation Monitoring Program**, pursuant to and in accordance with Section 21081.6 of the California State Public Resources Code (Q Conditions B.1, B.2, and B.3).
4. **Approved a Zone Change and Height District Change** from C4-1L, (Q)C4-1L, and P-1L to **(T)(Q)C2-1**.
5. **Approved a Sign District** (-SN Supplemental Use District) for a comprehensive set of sign regulations for the project.
6. **Approved a Vesting Conditional Use Permit** for floor area ratio averaging in a unified mixed-use development in the C2 Zone.
7. **Approved a Master Conditional Use Permit** to allow for the sale and dispensing of alcohol for on-site and off-site consumption at eighteen establishments within the commercially developed portion of the project site, including restaurant, market, and cinema uses.
8. **Approved a Site Plan Review** for a development project which creates over 50,000 square feet of non-residential floor area and over 50 dwelling units.
9. **Approved a Zoning Administrator's Determination** to allow the project to exceed the Transitional Height requirements of 12.21.1-A,10, and provide maximum building heights of: 77 feet for Building J from 0 to 100 feet of the R1 zone, 72 feet for Building J from 100 to 200 feet of the R1 zone, 34 feet for Residential Building B from 50 to 100 feet of the R1 zone, and 64 feet for Residential Building B from 100 to 200 feet of the R1 zone.
10. **Approved a Zoning Administrator's Determination** to allow Shared Parking of the off-street parking spaces for the commercial uses within the project, providing 2,046 spaces in lieu of the required 2,389 parking spaces.
11. **Approved an Adjustment** from Section 12.14-C to allow a rear yard setback of *11 feet 6 inches* in lieu of the required 18-foot rear yard for one residential building.

12. Adopted the attached modified **Conditions of Approval**.

13. Adopted the attached **Findings**.

14. Advised the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption may be required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination ("NOD") filing.

15. Advised 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.

16. Advised the applicant that the approved Vesting Tentative Tract Map may require modification as a result of this determination.

RECOMMENDATION TO CITY COUNCIL:

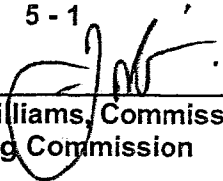
1. **Recommended** that the City Council find that the project was assessed in the NoHo West Project Environmental Impact Report (EIR) No. ENV-2015-888-EIR, State Clearinghouse No. 2015041001, certified on September 9, 2016; and pursuant to CEQA Guidelines, Sections 15162 and 15164, **no subsequent EIR or addendum is required for approval of the Project.**
2. **Recommended** that the City Council adopt the **Environmental Findings and Statement of Overriding Considerations.**
3. **Recommended** that the City Council adopt the **Mitigation Measures and Mitigation Monitoring Program.**
4. **Recommended** that the City Council adopt a **Zone Change and Height District Change** from C4-1L, (Q)C4-1L, and P-IL to **(T)(Q)C2-1.**
5. **Recommended** that the City Council approve a **Sign District** (-SN Supplemental Use District) for a comprehensive set of sign regulations for the project.
6. **Recommended** that the City Council adopt the attached **Findings.**

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote:

Moved: Ambroz
Seconded: Mack
Ayes: Ahn, Choe, Padilla-Campos
Nays: Dake-Wilson
Absent: Katz, Millman, Perlman

Vote: 5 - 1



 James K. Williams, Commission Executive Assistant II
 City Planning Commission

Effective Date/Appeal Status: The Zone Change, Height District Change, and Sign District will be acted upon by the City Council and are not further appealable. Any person aggrieved by the initial decision of the City Planning Commission concerning the Vesting Conditional Use, Master Conditional Use, Site Plan Review, Zoning Administrator's Determination, or Zoning Administrator's Adjustment actions may appeal the decision to the City Council. The appeal must be filed within 15 days after the mailing date of this determination. All appeals shall be

filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

FINAL APPEAL DATE: NOV 10 2016

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.

Attachments: (T) Conditions, (Q) Conditions, Conditions of Approval, Findings, Maps, Sign District Ordinance
Senior City Planner: Luci Ibarra
City Planner: Milena Zasadzien

Re: The City Planning Commission Letter of Determination
Mailing Date: October 26, 2016
Case: CPC-2015-889-VZC-SN-VCU-MCUP-SPR-ZAD-ZAA
CEQA: ENV-2015-888-EIR (SCH No. 2015041001)
Location: 6150 N. Laurel Canyon Blvd.

The subject Letter of Determination misrepresents and or misstates certain findings and actions taken at the Planning Commission meeting regarding the proposed project. The Laurel Grove Neighborhood Association represents many residents in the immediate environs of the proposed project and would be affected by it.

In item 1., it is alleged that the judgment regarding the Environmental Impact Statement was based on the independent judgment of the decision-maker. Throughout the EIR review process, planning commission staff worked closely with the project applicant and their consultants. Project elements, specifically the location of the residential units, were recommended by planning staff and, as such, affect, among other factors, its visual impact, its effect on neighborhood traffic and resulting traffic congestion, its effect on existing solar-electric panels on residences to the north of the project, and, in total, the overall design of the entire project. Such EIR review was neither independent nor objective. The EIR also did not address the traffic effects on the residential streets immediately adjacent to the project. The mitigations that were included in the EIR do not address traffic adjacent to the project instead it only addressed restriping some streets several city blocks away from the project. Leaving the single family residential neighborhood adjacent to the project with no mitigations to address cut-through traffic and parking in the neighborhood. We request that DOT review and address the traffic calming mitigation requests submitted by the neighborhood throughout the EIR process.

In items 4. and 9, zone changes and height district changes were made ignoring City Code Article 2, Section 12.30, Part E, specifying that when a "street ... serves as a boundary between two or more different zones, a line midway in the street ... and extending in the general direction of its long dimension shall be considered the boundary between zones." We request that City Council place a Q condition to limit the height of the apartments along the R1 residential streets of Radford Ave and Erwin Street to no more than 4 stories (45 feet). The proposed 6 stories (69 feet) is not compatible with the adjacent single family residential neighborhood. There is something wrong when the parking structure adjacent to the 170 freeway is lower in height than the apartments along Radford Avenue. It's wrong that 642 units be proposed, as at that size it will be the largest apartment complex in the East Valley and its placement next to the single family homes and an R1 zoned school are out of scope.

Re: The City Planning Commission Letter of Determination
Mailing Date: October 26, 2016
Case: CPC-2015-889-VZC-SN-VCU-MCUP-SPR-ZAD-ZAA
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In item 5., the sign district as described in the material supporting the determination letter includes, among other allowances, the placement of four supergraphic digital signs on the parking structure facing the 170 freeway, whereas the project as proposed at the hearing called for only two and, in any

case, Commissioner Ambroz in his motion specifically called for removal of the two digital signs facing and visible from the freeway. The sign district as proposed is not in compliance with the determination of the hearing. The signage is a distraction to motorists and would face residents living west of the 170 freeway. Motorists already have too many distractions. Placing huge TV screens along the freeway, with ads that change every few seconds will only add to the traffic accidents already occurring on the highly congested 170 freeway. The proposed digital billboards on the property would be the largest and brightest signs in Los Angeles. We ask that the use of any digital signs along the freeway not be approved and that the digital signage within the project be more static.

In item 10., the reduction of off-street parking at the project by 343 spaces as allowed by a Shared Parking study is premature and based on assumptions regarding the nature of the commercial uses at the site. There being no final determination of who the tenants at the project will be, such a reduction is inappropriate.

In item 11., the project is deficient in the amount of green and open space that it accommodates and any reduction of such space, as specified here, from that otherwise specified in the code is inappropriate. We request that the developer's proposed "main street" through the center of the commercial area in the project be closed off and the space be reconfigured to add open green space in the center of the project, this would provide for more meeting and greeting opportunities in the commercial area where people are more likely to congregate. The open space at the Office entry to the east of the existing Macy's is poorly located as such a gathering place. If the Americana in the City of Glendale which is only on 15 acres can manage to squeeze in a 2 acre park in the center of its project, then this NoHo West/Laurel Plaza project which sits on 25 acres should be able to provide additional open space by permanently closing off their proposed "main street" and adding in the much needed open space.