



CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
<http://cityplanning.lacity.org/>

Determination Mailing Date: AUG 19 2014

CASE: CPC-2013-3554-ZC-HD-CU-ZV-ZAA
CEQA: ENV-2013-3555-MND

Location: 5746 – 5750 Sepulveda Blvd.
5747 – 5751 Halbreth Ave.

Council District: 4 – LaBonge
Plan Area: Van Nuys- North Sherman Oaks
Zone: R3-1

Applicant: El Cortez Motel, Inc.
Rep.: Peg Malone-Brown, Rosenheim & Assoc.

At its meeting of May 22, 2014, the City Planning Commission took the following action:

1. **Denied** a Zone Variance to allow bicycle parking in the front yard setback area.
2. **Denied** an Adjustment for a bike rack within the required front yard.
3. **Denied** an Adjustment for a paved surface area for bikes in the front yard in lieu of the required landscaping.
4. **Approved the Zone and Height District Change** from the R3-1 Zone to **(T)(Q)RAS4-1VL** for the westerly portion of the project site.
5. **Approved a Conditional Use** to allow a hotel use within the proposed (T)(Q)RAS4-1VL Zone.
6. **Approved a Zone Variance** to allow a 2-level parking structure as an accessory use in the easterly (R3-1 Zone) portion of the site.
7. **Approved an Adjustment** for a 56 feet building height to allow for architectural elements.
8. **Approved an Adjustment** for an average front yard setback of 4.5 feet in lieu of the required 5 feet.
9. **Approved an Adjustment** for a 5-foot projection into the required front yard in lieu of the maximum 4-foot projection.
10. **Approved an Adjustment** for an awning projection of approximately 4 feet on each side of the entry way in lieu of the maximum 12 inches permitted.
11. **Approved an Adjustment** for a canopy structure over the driveway entrance to project approximately 2.5 feet into the required front yard.
12. **Adopted** the attached modified **Conditions of Approval**.
13. **Adopted** the attached amended **Findings**.
14. **Adopted** the Mitigated Negative Declaration No. **ENV-2013-3555-MND**.
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 pursuant to State Fish and Game Code Section 711.4, 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.

RECOMMENDATIONS TO CITY COUNCIL:

1. **Recommend** the City Council adopt the **Zone and Height District Change** from the R3-1 Zone to **(T)(Q)RAS4-1VL** for the westerly portion of the project site.
2. **Recommend** the City Council **adopt** the attached **Findings**.
3. **Recommend** the City Council **adopt** Mitigated Negative Declaration No. **ENV-2013-3555-MND**.

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: Perlman
Seconded: Ambroz
Ayes: Ahn, Cabildo, Choe, Katz, Dake-Wilson
Absent: Mack, Segura

Vote: 7 - 0



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

Effective Date/Appeals: The City Planning Commission's determination is appealable. Any aggrieved party may file an appeal within 20-days after the mailing date of this determination letter. Any appeal not filed within the 20-day period shall not be considered by the City Council. 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: SEP 08 2014

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.

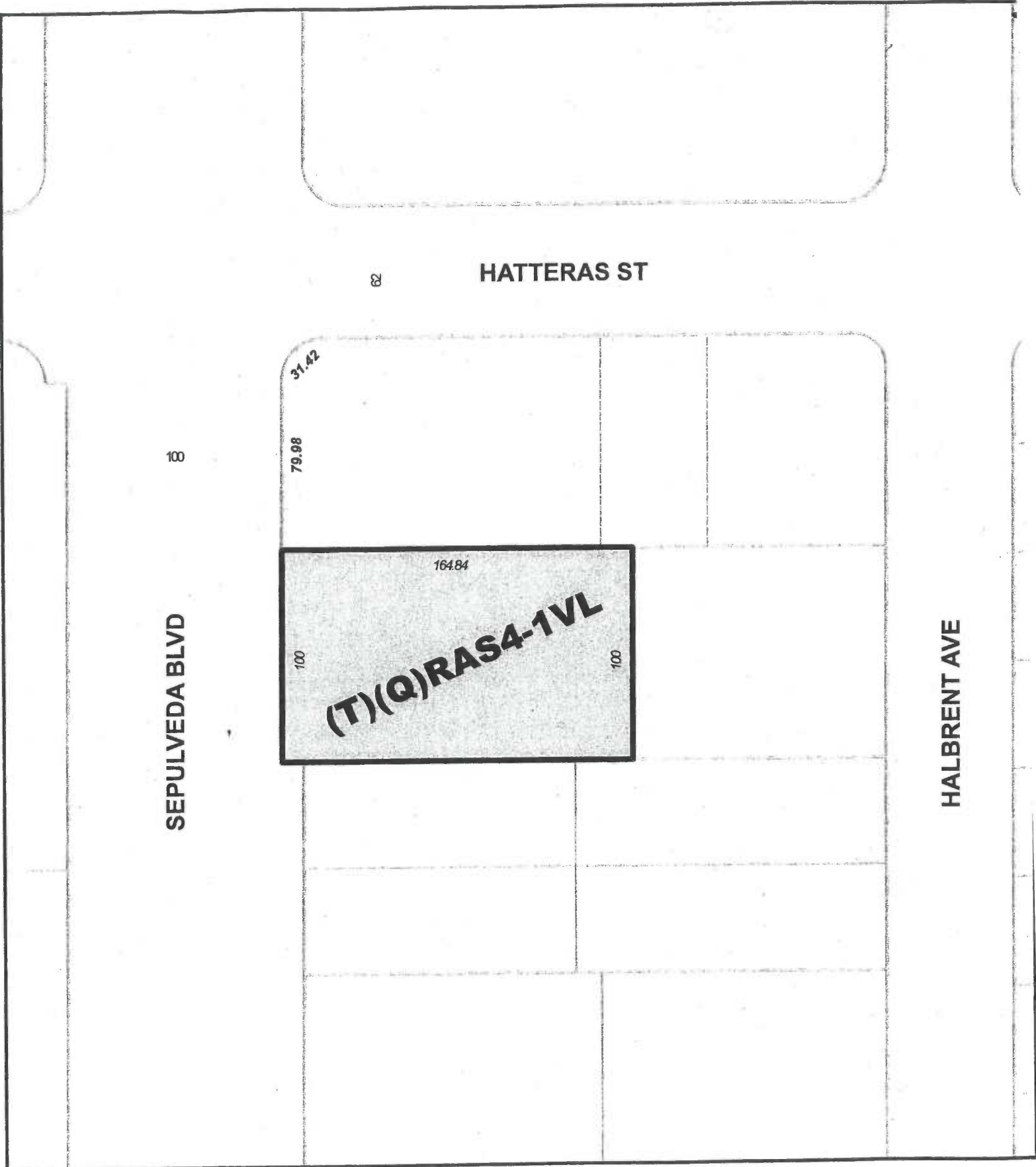
Attachments: [T] Conditions, [Q] Conditions, Ordinance, Map, modified Conditions of Approval, Findings
City Planner: Theodore Irving


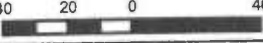
ORDINANCE NO. _____

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

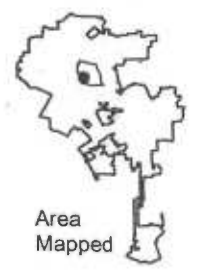
THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section __. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone classifications of property shown upon a portion of the Zoning Map incorporated therein and made a part of Article 2, Chapter 1 of the LAMC, so that such portion of the Zoning Map shall conform to the zoning on the map attached hereto and incorporated herein by this reference.




 40 20 0 40 Feet


CM: 174 B 145	CPC 2013-3554 ZC HD CU ZV ZAA
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LH/ *[Signature]*

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Section __. 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 Council of the City of Los Angeles, by a majority vote of all its members, at the meeting of _____.


Holly L. Wolcott, City Clerk

By _____ Deputy

Approved _____

Mayor

Pursuant to Section 558 of the City Charter,
the City Planning Commission on May 22, 2014,
recommended this ordinance be adopted by the City Council.



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

File No. _____

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32 G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

Dedication(s) and Improvement(s). Prior to the issuance of any building permits, public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary), the following:

Responsibilities/Guarantees.

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
2. Bureau of Engineering. Prior to issuance of sign offs for final site plan approval and/or project permits by the Planning Department, the applicant/developer shall provide written verification to the Planning Department from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to project design required by a public agency shall be documented in writing and submitted for review by the Planning Department.
 - a. Sepulveda Boulevard (Major Highway Class II) - That a 6-foot wide strip of land along the property frontage be dedicated to allow for the construction of a 12-foot wide sidewalk.
 - b. Sepulveda Boulevard – Construct an additional 6.5 foot concrete sidewalk along the property frontage to complete a 12-foot wide sidewalk. Close any unused driveways with standard curb height, gutter and sidewalk and upgrade all driveways to comply with ADA requirements.
 - c. Install tree wells with root barriers and plan street trees satisfactory to the City Engineer and Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information (213) 847-3077

Note: Street lighting may be required satisfactory to the Bureau of Street Lighting (213) 847-1551.

Department of Transportation may have additional requirements for dedication and improvements.

Refer to the Department of Water and Power regarding the relocation of fire hydrant located on the south side of the property.

- d. No major drainage problems are involved.
 - e. Sewer lines in Sepulveda Boulevard and Halbrent Avenue. All Sewage Facilities Charges and Bonded Sewer Fees are to be paid.
 - f. Halbrent Avenue (Local Street) – The public right-of-way shall be planted in substantial conformance with the preliminary landscape plans (Exhibit B) submitted by the applicant.
 - g. Construction of necessary sewer facilities to the satisfaction of the Bureau of Engineering. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
 - h. An investigation by the Bureau of Engineering Valley District Office Construction may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Central District Office of the Bureau of Engineering (818) 374-5090.
 - i. Submit a parking area and driveway plan to the Valley District Office of the Bureau of Engineering and Department of Transportation for review and approval.
3. Department of Transportation
- a. A 20-foot reservoir space shall be provided between any security gate(s) and the property line.
 - b. A parking area and driveway plan shall be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Suite 400, Station 3.
 - c. **Parking and Driveway Plan.** A preliminary parking area and driveway plan shall be prepared and submitted to the Bureau of Engineering and City Wide Planning Coordination Section of the Department of Transportation in consultation with Council District Office No. 3 for approval prior to the submittal of building plans for plan check by the Department of Building and Safety.
4. Bureau of Street Lighting
- a. Installation of street lights to the satisfaction of the Bureau of Street lighting. If new street(s) are required, the property within the boundary of the development shall form or annexed into a Street Lighting Maintenance Assessment District prior to the final recordation or issuance of certificate of Occupancy.
 - b. Making any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights of way in the same manner as is required of other facilities, pursuant to

Municipal Code Section 17.05N, to the satisfaction of the Department of Telecommunications.

- c. Notice: Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 176,077 adopted by the City Council, must be paid in full at the Development Services Division office.
- d. Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.
- e. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.

(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

A. Entitlement Conditions

1. **Use.** The use of the westerly 16,500 square-foot portion of the subject site shall be limited to those permitted in the RAS4 Zone.
2. **Site Plan.** The development of the property shall be in substantial conformance with this approval and the plans submitted by the applicant and attached to the case file as Exhibit B 3.
3. **Floor Area.** The total floor area of the new building on the subject property shall not exceed 3:1 FAR.
4. **Height.** The height of the proposed hotel building shall not exceed 50 feet, except for architectural elements which shall not to exceed 56 feet in height.
5. **Parking.** The project shall provide parking in compliance with the L.A.M.C. Section 12.21-A 4.
6. **Light and Glare.** The exterior of the proposed buildings shall be constructed of materials which reduce glare and reflectivity, such as high-performance tinted or deep-color glazed glass, pre-cast concrete or fabricated wall surfaces. All exterior windows should be tinted or contain a light reflective film to reduce illumination levels outside of the buildings.
7. **Graffiti.** Every building, structure or portion thereof shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material pursuant to Municipal Code Section 91.8104. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street, or alley, pursuant to Municipal Code Section 91.8104.15.
8. **Signage.** On-site signs shall be limited to the maximum allowable under the L.A.M.C. Section 12.12.2-A 6.

DETERMINATION LETTER
CPC-2013-3554-ZC-HD-CU-ZV-
ZAA
MAILING DATE: 08/19/14

Brad Rosenheim
Rosenheim & Associates
21550 Oxnard Street, Suite 780
Woodland Hills, CA 91367

LAPD
Officer Cindy Schreiner
100 W. 1st Street
Los Angeles, CA 90012

Officer Ron Fisher
6240 Sylmar Avenue
Van Nuys, CA 91401

Jonathan Brand
Council District 4
City Hall, Room 480
Mail Stop #206

Theodore Irving
City Planner
City Hall, Room 763
Mail Stop #395

GIS/Fae Tsukamoto
City Hall, Room 825
Mail Stop #395

FINDINGS

General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located within the area covered by the Van Nuys-North Sherman Oaks Community Plan, as amended and adopted by the City Council on September 9, 1998. The existing Community Plan has classified the subject property under two land use designations. The easterly portion of the subject property has been designated Medium Residential with a corresponding of zone R3, while the westerly portion of the property has been designated Neighborhood Commercial with the corresponding zones of C1, C1.5, C2, C4, RAS3 and RAS4. Although the 28,519.6 square foot site has a dual land use designation, the entire property is zoned R3-1. The recommended zone change, from R3-1 to the (T)(Q)RAS4-1VL Zone, is applicable to the westerly portion of the project site and is consistent with the current Neighborhood Commercial land use designation and is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan. The zone for the easterly portion of the project site, situated in the Medium Residential land use category, remains unchanged.

2. **General Plan Text.** The Van Nuys-North Sherman Oaks Community Plan text includes the following relevant land use Goals, Objectives and Policies:

GOAL 1 A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY

Objective 1-1 to provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

Policies:

1-1.3 Protect existing stable single-family and low density residential neighborhoods from encroachment by higher density residential and other incompatible uses.

1-1.6 The City should promote neighborhood preservation, particular in existing single-family neighborhoods, as well as in areas with existing multiple family residences.

Objective 1-3 To preserve and enhance the varied and distinct residential character and integrity of existing single and multi-family neighborhoods.

1-3.2 Consider factors such as neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, impacts on traffic levels when changes in residential densities.

GOAL 2 A STRONG AND COMPETITIVE COMMERCIAL SECTOR WHICH BEST SERVES THE NEEDS OF THE COMMUNITY THROUGH MAXIMUM EFFICIENCY AND ACCESSIBILITY WHILE RESERVING THE HISTORIC COMMERCIAL AND CULTURAL CHARACTER OF THE COMMUNITY