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DIRECTOR OF PLANNING DETERMINATION
ZONE BOUNDARY ADJUSTMENT and
FOOTHILL BOULEVARD CORRIDOR SPECIFIC PLAN
PROJECT PERMIT COMPLIANCE REVIEW

Mailing Date: October 27, 2014

Last Day to Appeal: November 11, 2014

GKGF, LLC (Owner)
100 W. Broadway, Suite 950
Glendale, CA 91210

Burns & Buchard, Inc. (Applicant)
/ Jonathan Lonner
1880 Century Park East, Suite 300
Los Angeles, CA 90067

CASE NO. DIR 2014-3180-ZBA-SPP

Location: 10455 Sunland Blvd.

CEQA Clearance: ENV-2014-3181-CE

Council District: 7

Plan Area: Sunland - Tujunga - Lake View Terrace -
Shadow Hills - East La Tuna Canyon

Area Planning Commission: North Valley

Neighborhood Council: Sunland - Tujunga

Plan Land Use: Neighborhood Office Commercial

Zone: C2-1L, P-1L

Legal Description: Lot A & B & PT 42, Tract PM 5753

Pursuant to Section 12.30.K, Zone Boundary Adjustment, and 11.5.7.C, Project Permit Compliance Review, of the Los Angeles Municipal Code and Section 10 of the Foothill Boulevard Corridor Specific Plan (Ordinance 170,694), as the designee of the Director of Planning, I hereby:

Approve with Conditions a Zone Boundary Adjustment to exchange the location of approximately 1,350 square feet (18'x75') of area in the C2-1L zone with area in the P-1L zone, as depicted in Exhibits A and B, dated October 27, 2014; and

Approve with Conditions a Project Permit Compliance Review for a façade remodel and loading dock addition to a 159,154 square-foot two-story commercial center.

The project is Categorical Exempt from environmental review pursuant Article III, Section 1 of the City CEQA Guidelines under Class 5, Category 9 of the City of Los Angeles CEQA Guidelines.

CONDITIONS OF APPROVAL

A. Administrative Conditions

1. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
2. **Notations on Plans.** Plans submitted to the Department of Building and Safety for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
3. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
4. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
5. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
6. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
7. **Expiration.** In the event that this grant is not utilized within **three years** of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
8. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

B. Project Permit Compliance Conditions

1. **Plans.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the Applicant, labeled **Exhibit C - Building Plans, Exhibit D - Landscape Plans, dated October 27, 2014** and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Plan Implementation Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the project conditions, or the project permit authorization.
2. **Land Use Prohibitions and Limitations.** Commercial uses on the site are permitted. Any change of use on the site shall not be required to file a separate Project Permit Compliance review, so long as the use complies with all Municipal Code standards, is not listed as a prohibited use in the Specific Plan, and is not an automobile repair business.
3. **Height.** The project is limited to a maximum height of 45-feet.
4. **Building Colors and Materials.** The building architecture shall incorporate the use of natural and earth-tone colors, and shall use smooth stucco as the primary exterior building material, accented with brick veneer and metal trellises.
5. **Ground Floor Transparency.** A minimum of 50% of the north-facing and south-facing ground floor façades shall be transparent glass.
6. **Ground Floor Windows.** Windows shall not be painted or covered over with any type of material, including but not limited to, lattices, paper, and plywood. Reflective or very dark tinted glass is not permitted at the ground floor and mirror/reflective glass or films are not permitted in any location.
7. **Landscaping.** Approximately 33,500 square-feet of landscaped areas shall be provided on-site, in substantial compliance with Exhibit C – Landscape Plan. A minimum three-foot wide landscaped buffer shall be installed along the property street frontage where feasible. A minimum of 39 shade trees shall be planted within the southern parking area and a minimum of 45 shade trees shall be located within the northern parking area and landscaped buffers along Fenwick Street.
8. **Street Trees.** A minimum of eight new street trees shall be planted in the public right-of-way along Sunland Blvd., and a minimum of five new street trees shall be planted in the public right-of-way along Foothill Blvd. (*Confirmation/receipt for street tree bonding from Department of Public Works required for condition clearance*)
9. **Pedestrian Linkage.** A minimum 9-foot-wide decoratively paved pedestrian walkway shall be provided to allow direct pedestrian access from both Foothill Blvd. and Sunland Blvd. to the walkways along the shopping center building.
10. **Screening of Rooftop Equipment.** All roof mechanical equipment and duct work shall be screened from view.
11. **Exterior Lighting.** Exterior lighting shall include under-canopy lighting along the exterior building walkways and outdoor wall sconces at each tenant entrance. Night lighting shall be shielded and directed onto the site and no floodlighting shall be located so as to be seen

directly by adjacent properties. Blinking lights are prohibited. This provision shall not preclude the installation of low-level security lighting.

12. **Exterior Security Devices.** Exterior security bars, gates, grates, grilles, and similar devices shall be prohibited.
13. **Screening of Trash/Recycling.** Any new trash/recycling areas shall be screened with a minimum 6-foot high decorative masonry block wall enclosure and landscaping.
14. **Bicycle Parking.** A minimum of 35 bike parking spaces shall be provided on-site.
15. **Signage.** Signage on the site shall be in substantial conformance with the following:
 - a. No new sign shall exceed 75 square feet in area.
 - b. Each tenant shall be limited to a maximum of three wall signs.
 - c. Each tenant shall be limited to a maximum of two square feet of wall signage for each lineal foot of the tenant's building frontage.
 - d. Wall sign shall either be designed as channel letters or custom-shaped cabinet signs.
 - e. Each wall sign shall project no more than 10 inches from the wall to which it is attached.
 - f. New pole signs and off-site commercial signage are prohibited.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of this Director's Determination shall be complied with before the use may be established. This authorization is further conditional upon the privileges being utilized within **three years** after the effective date of this determination. If such privileges are not utilized or substantial physical construction work has not begun and carried on diligently to completion, the authorization shall become void.

TRANSFERABILITY

This determination runs with the land. In the event the property is sold, leased, rented, or occupied by any person or corporation other than yourself, you must advise them regarding the conditions of this grant.

VIOLATIONS OF THE CONDITIONS, A MISDEMEANOR

Section 11.00 M of the Los Angeles Municipal Code states: "It shall be unlawful to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction. Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

APPEAL PERIOD - EFFECTIVE DATE

This Determination is not a permit or license, and any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this Determination is violated or is not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions, as stipulated in the Los Angeles Municipal Code.

Per LAMC Section 12.30.K, the Determination in this matter shall become effective 15 calendar days after the approval date, unless an appeal is filed. All appeals shall be filed pursuant to procedures established under LAMC Section 12.30.K.2. It is strongly advised that appeals be filed early during the appeal period and in-person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date to be accepted. Forms are available on-line at <http://planning.lacity.org>. The Department of City Planning public offices are located at:

Downtown Office
Figueroa Plaza
201 North Figueroa Street, 4th Floor
Los Angeles, CA 90012
(213) 482-7077

Valley Office
Marvin Braude Constituent Service Center
6262 Van Nuys Boulevard, Suite 251
Van Nuys, CA 91401
(818) 374-5050

The time in which a party may seek judicial review of this determination is governed by California Civil Procedures Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedures 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 becomes final.

BUILDING PERMIT SIGN-OFFS

All subsequent building permit sign-offs regarding this case must be by **appointment only** with the Department of City Planning Public Counter staff through an online appointment system at <http://planning.lacity.org>. On the website, continue to "Development Services Center - Location & Appointments", located on the bottom-right-hand corner of the page to make an appointment request.

FINDINGS

Based on a review of the plans labeled Exhibits A, B, and C, dated October 23, 2014, attached to the administrative file DIR-2014-3180-ZBA-SPP, and as modified by the conditions contained herein, the Director of Planning makes the following findings:

Zone Boundary Adjustment Findings

1. *The recommended zone boundary adjustment is in conformance with the public necessity, convenience, general welfare or good zoning practice*

Pursuant to Los Angeles Municipal Code Section 12.30.K, reconfiguring the zone boundary between the C2-1L and P-1L Zones in the manner shown on Exhibit A will not increase the C zone area, and no portion of the C zone will be adjusted to within 50 feet of a street, center line of an alley or an A or R zone. Currently, a 7,885 square-foot rectangular portion within the site's parking lot area is zoned C2-1L for commercial uses and is separated from the existing commercial shopping center by an 18-foot wide strip of area zoned solely for parking uses. The applicant proposes to exchange a 1,350 square-foot portion of this disconnected commercially-zoned area for a similarly sized parking zone area immediately adjacent to the existing shopping center, in order to allow for a logical continuation of the existing commercial use and the installation of an elevator and canopy for a new raised loading dock platform. This will allow for a more necessary and convenient location for these accessory commercial loading areas, and would allow for truck deliveries and loading areas to be located on a more discreet eastern portion of the site rather than along the drive immediately in front of the Sunland Boulevard-facing building facade. The exchange will not result in any additional commercial entitlement, increase in commercial use intensity or reduction in the amount of parking available on the subject property, and will have no negative effects on public welfare or on neighboring properties.

Therefore, the Zone Boundary Adjustment is provided as part of public necessity and convenience and in the general welfare of the neighborhood. Furthermore, such an adjustment will be in good zoning practice by providing a more appropriate zone boundary location consistent with the existing uses on the site.

Project Permit Compliance Review Findings

1. *The project substantially complies with the applicable regulations, standards and provisions of the specific plan.*

The proposed Project consists of an upgrade to an existing two-story 159,154 square-foot commercial shopping center, and includes new façade treatments, the addition of a loading dock area, and landscaping improvements to the parking lot. This project is located within the Foothill Boulevard Corridor Specific Plan and is located in Major Activity Area No. 1. Any new construction or change of use permit within a Major Activity Area or Target Area is required to undergo Project Permit Compliance Review prior to any building permit clearance.

The Project complies with the land use provisions of the Specific Plan, in that the existing market, retail, and commercial uses are allowed by the General Plan and the Los Angeles Municipal Code, and these uses are not listed as prohibited uses. In addition, a condition was included to exempt future change of use permits from filing new Project Permit

Compliance review cases, as long as the uses conform to the Plan. This would facilitate occupancy of the shopping center and would avoid costly administrative reviews and delays for new tenants where no exterior work is proposed. Any new exterior work, building additions, or new construction would continue to be required to undergo case filing and review for compliance with the Specific Plan.

The submitted plans for the building remodel and loading dock addition will provide a significant improvement to the current design of the structure. The submitted plans exhibit a new articulated building façade, with accenting tower elements, metal trellises, enhanced pedestrian entrances, and the continued maintenance of transparent ground floor areas. These features, as well as the project's use of earth-tone colors, stucco, and brick veneer accents for the exterior building materials, are specifically encouraged within the Specific Plan's Design Guidelines. In addition, the submitted plans conform with all applicable the standards of the Specific Plan, and several conditions have been included in the approval to reinforce the project's compliance with the Specific Plan's height limit and requirements for on-site lighting and screening of trash and utility areas. Although new bicycle parking is not required since the project does not include new floor area, the applicant will be providing 35 bicycle parking spaces on-site. The submitted landscape plan and respective conditions of approval will also ensure adequate buffering between the surface parking areas and the public right-of-way, significant improvements to existing landscaped buffers, enhanced shading of the parking areas, and direct and clearly-demarcated pedestrian walkways from the sidewalk to the shopping center walkways. In addition, conditions for building signage reflect a consistent and orderly signage arrangement for the project.

The proposed project therefore meets the standards and guidelines of the Specific Plan regarding use, height, landscaping, and design.

- 2. The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.*

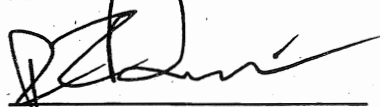
The project includes exterior building and landscaping upgrades to the site, and mitigation measures are not necessary for the limited scope of work. In addition, there are no potentially significant negative environmental effects associated with the project.

California Environmental Quality Act (CEQA) Findings

1. A Notice of Exemption ENV-2014-3181-CE was filed on August 27, 2014. The subject proposal has been determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1 of the City CEQA Guidelines under Class 5, Category 9 as a minor adjustment to the boundaries of zones.

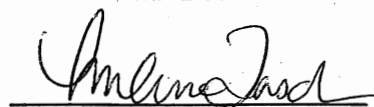
MICHAEL LOGRANDE
Director of Planning

APPROVED BY:



Robert Z. Dueñas
Senior City Planner

PREPARED BY:



Milena Zasadzien
City Planning Associate
Contact: 818-374-5054
Milena.Zasadzien@lacity.org

cc: Councilmember Felipe Fuentes, 7th District
Sunland - Tujunga Neighborhood Council
Department of Building and Safety
Adjacent Property Owners
Interested Parties of Record: none

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