CITY OF LOS ANGELES
CALIFORNIA

ZOSER I. GANDVICO
CHIEF ZONING ADMINISTRATOR
AND
DEPUTY ADVISORY AGENCY ADMINISTRATOR

E. NICHOLAS BROWN
ANNE CHARRION
DANETTE GABEL-GUEDY
DANIEL GREEN
LOUISES. GREEN
DAVID HAKARSHNA
ALBERT LANDONI
JON PERICA
SARAH RODGERS

JAMES K. HAHN
MAYOR

DEPARTMENT OF
CITY PLANNING
COMMISSION
DIRECTOR
FRANKLIN P. EBERHARD
(213) 978-1271
AND
OFFICE OF
ZONING ADMINISTRATION
200 N. Spring Street, 7th Floor
Los Angeles, CA 90012
(213) 978-1318
Fax: (213) 978-1334

April 9, 2002

Joseph Rivani (A)
2222 South Figueroa Street, #300
Los Angeles, CA 90007

Moroechai Avnery (O)
2222 South Figueroa Street, #300
Los Angeles, CA 90007

James Vitale (R)
3250 Wilshire Boulevard, #1708
Los Angeles, CA 90010

CASE NO. ZA 2001-0201(ZV)
ZONE VariANCE
20237 Saticoy Street
Canoga Park-Winnetka Woodland Hills-
West Hills Planning Area
Zone : C1.5-1VL and P-1VL
D. M. : 166B113
C. D. : 3
CEQA : ENV 2001-0202-MND
Fish and Game: Exempt
Legal Description: Lots 69-70,
Tract 5252

Department of Building and Safety

COPY

Pursuant to Charter Section 562 and Los Angeles Municipal Code Section 12.27, I hereby APPROVE:

1) a request for a Variance from Section 12.21.1-A,1 of the Los Angeles Municipal Code to permit the construction, use and maintenance of an approximately 100,000 square-foot plus 74,430 square foot subterranean parking garage, four-story, 95 unit market rate apartment complex with a floor area ratio (FAR) of three times the buildable area of a commercially zoned lot in Height District No. 1VL in lieu of the permitted FAR of 1.5 times the buildable area of the lot. A total of 201 parking spaces will be provided; and

2) a request for a Variance from Section 12.10-A of the Code to allow part of the apartment complex consisting of community room, mail room, 10-foot high architectural arches, computer learning center and manager's office to be located within the P-1VL (automobile parking) Zone,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action. A new Exhibit "A" shall be prepared to the satisfaction of the Zoning Administrator showing the reduction is square footage, and the removal of five rear units from the upper floor.

3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective conditions, if, in the Administrator's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

5. A copy of the first page of this grant and all conditions and/or any subsequent appeal of this grant and its resultant conditions and/or letters of clarification shall be included in the "notes" portion of the building plans submitted to the Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.

6. Prior to the issuance of any building permits and/or certificate of occupancy, the owner of the property shall fully improve all streets and alleys adjoining the subject property, including sidewalk fill-in, street trees, street lights and fire hydrants, to the satisfaction of, respectively, the Bureau of Engineering, Bureau of Street Lighting and the Fire Department, or post bonds suitably guaranteeing improvements, all at no expense to the City of Los Angeles.

7. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in this Letter of Determination, including attached exhibits, shall be recorded by the property owner in the County Recorder's Office on forms provided by the Office of Zoning Administration; the agreement will run with the land and be binding on any subsequent owners, heirs or assigns. Furthermore, the agreement must be submitted to the Office of Zoning Administration for approval before being recorded; after recordation, a copy bearing the Recorder's number and date must be furnished the Office of Zoning Administration for attachment to the file.

8. Prior to issuance of any permits for the approved project that applicant shall submit a site plan to the satisfaction of the Department of Transportation.

9. All of the conditions identified in Environmental Clearance Case No. (ENV-2001-202-MND), listed below, shall be considered conditions of this instant action.

a. Aesthetics (Landscaping)

All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department.

b. Aesthetics (Light)

Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

c. Erosion/Grading/Short-Term construction Impacts

1) Air Quality

a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.

b. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.

c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

d. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.

e. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.

f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

2) Noise

a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574,and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

b. Construction shall be restricted to the hours of 7 a.m. to 6 p.m. Monday through Friday, and 8 a.m. to 6 p.m. on Saturday.

c. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

e. The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

3) General Construction

a. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

b. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

c. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.

d. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.

e. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.

f. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes amounts of dust.

g. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

d. Single-Family Dwelling (10+ Home Subdivision/Multi Family)

1) Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.

2) Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.

3) Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.

4) Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.

5) Maximize trees and other vegetation at each site by planting additional vegetation, clustering free areas, and promoting the use of native and/or drought tolerant plants.

6) Preserve riparian areas and wetlands.

7) Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.

8) Reduce impervious surface area by using permeable pavement materials where appropriate, including pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.

9) Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.

10) Guest parking lots constitute a significant portion of the impervious land coverage. To reduce the quantity of runoff, parking lots can be designed one of two ways.

11) Hybrid Lot - parking stalls utilize permeable materials, such as crushed aggregate, aisles are constructed of conventional materials such as asphalt. Parking lots with a variation on the permeable stall design, a grid of trees and bollards are added to delineate parking stalls. This design presents an attractive open space when cars are absent, and shade when cars are parked. Promote natural vegetation by using parking lot islands and other landscaped areas. Paint messages that prohibits the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Department of Public Works, Stormwater Management Division.

12) Promote natural vegetation by using parking islands and other landscaped areas. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.

13) Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.

14) Legibility of stencils and signs must be maintained.

15) Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.

16) The storage area must be paved and sufficiently impervious to contain leaks and spills.

17) The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.

18) Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.

19) Runoff from hillside areas can be collected in a vegetative swale, wet pond, or extended detention basin, before it reaches the storm drain system.

20) Cut and fill sloped in designated hillside areas shall be planted and irrigated to prevent erosion, reduce run-off velocities and to provide long-term stabilization of soil. Plant materials include: grass, shrubs, vines, ground covers, and trees.

21) Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing rock outlet protection. Rock outlet protection is a physical devise composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Install sediment traps below the pipe outlet. Inspect, repair and maintain the outlet protection after each significant rain.

22) The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

e. Land Use

Compliance with mitigation measures required by this MND.

f. Severe Noise Levels (Residential Only)

1) All exterior windows having a line of sight Saticoy Street shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class of 50 or greater as defined in UBC No. 35-1, 1979 edition or other approved methods.

2) The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dba in any habitable room.

g. Public Services (Fire)

The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

h. Public Services (Schools)

Payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

i. Public Services (Street Improvements Not Required By DOT)

The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.

j. Increased Vehicle Trips/Congestion

Implementing measure(s) detailed in said Department's communication to the applicant dated October 4, 2001 and attached. Such report and mitigation measure(s) are incorporated herein by reference.

ZA Note: Handwritten notes can be found on the DOT work sheet which state: "This determination does not include the approval of driveway, parking and traffic circulation. A final site plan should be submitted to LADOT Valley Development Review Section, 10040 Vanowen St., Reseda, 91335 for approval." No other material from DOT bearing the referenced date of October 4, 2001 was to be found.

k. Inadequate Emergency Access

Submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that shall provide code-required emergency access.

l. Utilities (Solid Waste)

1) The applicant shall institute a recycling program to the satisfaction of the Zoning Administrator to reduce the volume of solid waste going to landfills in compliance with the City's goal of a 50 percent reduction in the amount of waste going to landfills by the year 2000.

2) Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES - TIME EXTENSION

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within two years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void. A Zoning Administrator may extend the termination date for one additional period not to exceed one year, if a written request on appropriate forms, accompanied by the applicable fee is filed therefore with a public Office of the Department of City Planning setting forth the reasons for said request and a Zoning Administrator determines that good and reasonable cause exists therefore. This process is subject to a mandatory hearing pursuant to Section 12.27-B,7 of the Los Angeles Municipal Code.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

"If any portion of a privilege authorized by a variance or conditional use is utilized, the conditions of the variance or conditional use authorization immediately become effective and must be strictly complied with. The violation of any valid condition imposed by the Administrator, Board or Commission in connection with the granting of any variance, approval of a conditional use or other action pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor 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 such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this variance is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then this variance shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Zoning Administrator's determination in this matter will become effective after APRIL 24, 2002, unless an appeal therefrom is filed with the City Planning Department. 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 form, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. Such offices are located at:

Figueroa Plaza
201 North Figueroa Street, #300
Los Angeles, CA 90012
(213) 977-6083

6251 Van Nuys Boulevard
First Floor
Van Nuys, CA 91401
(818) 756-8596

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

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report of the Zoning Analyst thereon, and the statements made at the public hearing on January 7, 2002, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the five requirements and prerequisites for granting a variance as enumerated in Section 562 of the City Charter and Section 12.27 of the Municipal Code have been established by the following facts:

BACKGROUND

The property is a level, rectangular-shaped, interior, parcel, consisting of two record lots, consisting of 1.03 acres, having a frontage of 210 feet on the north side of Saticoy and a uniform depth of 213 feet. The subject site is improved as used car dealership and florist shop.

Surrounding properties are within the C1.5-1VL Zone and are characterized by level topography and improved streets. The surrounding properties are developed with two-story townhouses and primarily one-story commercial uses.

Adjoining properties to the north are zoned (Q)R3-1 and are developed with two-story townhouses. Properties to the south across Saticoy are zoned C2-1VL and are developed with one-story commercial buildings occupied by a car wash, Avo's Auto Body and paint and a music store/check cashing on the ground floor with offices on the second floor. Adjoining properties to the east of the subject property are zoned C1.5-1VL and are developed with a one-story commercial building occupied with a recording studio. Adjoining properties to the west are zoned C1.5-1VL and P-1VL and is developed with one-story mini-shopping center, which includes a coin operated laundry and health care office.

Saticoy Street, adjoining the subject property to the south, is a designated Secondary Highway dedicated a variable width of 84 to 85 feet and improved with curb and sidewalk.

Previous zoning related action on the site/in the area include: this:

Subject Property:

There are no existing relevant ZA or CPC cases on the subject property.

Certificate of Occupancy No. 81VN25233: Issued on April 28, 1981 designating the subject property as parking lot with eleven required parking spaces for the building located at 20223 Saticoy Street.

Certificate of Occupancy No. 95VN93946: Issued on February 6, 1996 for a change of use of a one-story Type V 19' x 25' storage building into auto sales office in conjunction with a used car lot. There as no change in the parking requirement.

Order to Comply No. D3108: Issued on March 30, 2000 requiring permits be obtained for the use of an office trailer.

Order to Comply No. D71616: Issued on September 29, 1966 requiring the abatement of accessory building that was maintained in a hazardous condition. The order required the appropriate permits be obtained or demolish or remove the building to alleviate the hazardous conditions.

Surrounding Properties:

No similar or relevant cases were found on surrounding properties in the immediate neighborhood.

LETTERS FROM OTHER GOVERNMENTAL AGENCIES

Fire Department. Alfred B. Hernandez, Asst Fire Marshal - December 28, 2001

Subject property has been investigated by members of the Fire Department.

Recommendations: Submit plot plans for Fire Department approval and review prior to recordation of Zoning Action. Access for Fire Department apparatus and personnel to and into all structures shall be required. Following Fire Department review, fire sprinklers may be required.

To assure prompt service, contact the Hydrant and Access Unit at (21 3) 485-5964 to schedule an appointment for plan review. The Hydrant and Access Unit is located at 200 N. Main St Room 920, Los Angeles.

LETTERS AND PETITIONS IN SUPPORT OF THE PROJECT

None received.

LETTERS AND PETITIONS IN OPPOSITION TO THE PROJECT

CPC Consultants, Lee Ambers, Principal - December 21, 2001

I have been requested to review the above referenced case and am writing this letter on behalf of several interested parties.

The property in question consists of two record lots, one of which is operating as a used car sales lot (most easterly parcel), ZA Case No. 95-0485 (ZV), which was approved October 23, 1 995 by your office, only pertained to the most westerly parcel, and was issued the entitlement for used automobile sales and later parts sales. It included a restriction of a 5 year term limit and since that date, no time extension has been requested. There has been no subsequent application expanding the site to include the easterly parcel. Both parcels of the subject property have been operating beyond the terms of ZA 95-0485 (ZV). In fact, one of the parcels never had an administrator's entitlement action of any type and the other continues to house a modular unit, which was never addressed by the Zoning Administrator.

Both parcels have received Orders to Comply from the Department of Building and Safety and continued to operate illegally. This coupled with the fact that the maintenance and appearance of the site is substandard, manifests the owner's and management's unwillingness to meet obligations and responsibilities.

This is all background and should be taken into consideration in the rendering of a determination. Based on the following facts and observations, it is requested that you consider all aspects of the request, facts herein discussed and together with the incompleteness of the application, this request be denied.

1. The site is zoned C1.5 and P with a VL suffix. The C1.5 zone consumes the rear 148 feet more or less, or 31,080 square feet of commercial zoning. The C1.5 zone permits R4 residential density with the maximum allowable unit count being 77 being permitted on this site. Unfortunately, the site plan in the City's Valley Office File and information referenced on the hearing notice are silent to the number of rooms within each unit and therefore, it is impossible to determine the number of units permitted, as is defined in the Municipal Code, or even the required parking. The P zone does not allow any residential density and can not be included into the calculations of this project without a zone change to a permitting classification or a specific request to the Administrator with the necessary findings and a favorable grant resulting. The 100 units requested is an excessive number and should be denied as an over development and incompatible with surrounding land use.

2. The applicant is requesting a four-story structure to accommodate this mammoth development, which penetrates into the P Zone portion of the site (no above ground structures allowed). A separate request must be required to allow a structure of any height in the P Zone. There is only one building within this entire block (both sides of the street) that is over one story in height. That is across the street and is a low rise two story retail office building. The applicant is proposing a four story structure that is totally out of context and unique to this community. Within the 500 foot radius of this subject site there are no four-story buildings of any type, including any apartment buildings. There are three story apartment buildings in the community, but they are in compliance with strict zoning regulations and require no discretionary action.

3. Both sides of Saticoy Street within this block are zoned and developed commercially. To introduce a different type use is not compatible with the remainder of this block. The combination of residential and commercial uses have proven to be disastrous in many cases, particularly when the residential use is as isolated as that proposed in this application. The approval of this request will only ask for trouble and further tax our already over worked police department.

4. Applicant is considering the entire parcel to be zoned commercially and has justified his request of 100 units accordingly. The plans submitted and city records show the front 65 feet are zoned P, therefore, the FAR is in fact much greater than requested and is almost 4 and not the 3 addressed in the hearing notice. Additionally, no other property in this community has made such a request, let alone been granted a FAR of this magnitude.

5. Saticoy Street is a designated secondary highway and is subject to heavy peak hour traffic. The applicant is proposing 201 on-site parking spaces, which at first glance, appear satisfactory, however, we know that visitors require parking and many tenants will have more than two vehicles. The combination of traffic on this secondary highway, potential crime increases and visitors frequenting the site; must be considered in your determination. In the interest of the public safety and the general welfare, if this request is approved, parking should be precluded on both sides Saticoy Street during peak traffic hours, street cleaning periods and overnight.

6. The applicant is proposing a computer learning center. The application, attachments submitted and the hearing notice are silent to the purpose of a school associated with this apartment complex. Will it bring others to the site such as students, instructors, repair people, etc.? How will this impact tenant parking, security and the quality of living for tenants as well as those occupying and frequenting the neighboring properties that are commercially zoned and utilized? What caliber of tenant is this complex being designed to serve with the introduction of a school? As a school, is this a case that should be submitted to the City Planning Commission? With the volume of apartment units along Saticoy Street and its intersecting streets, perhaps the applicant should establish a computer learning center and abandon the residential component of the project.

7. The hearing notice suggests that the "community room, mail room, 10-foot high architectural arches, computer learning center and managers office" are the only uses in the P zoned portion of the site. However, the site plan also shows portions of residential units penetrating this restrictive P Zone. The plans within the Department's Valley Office, only reflect what appears to be the first floor plan and the existing site plan with the building's footprint overlay. Will there be learning centers, manager offices, mail rooms and community centers on the 2nd, 3rd and 4th floors? In any event, the hearing notice is misleading and improperly defines the project and request.

8. The subject property is limited to three stories or 45 feet in height with the VL classification. Our legislative fathers imposed this limitation for good reason and all other properties in the community observe this limitation. The applicant is requesting a four story building of unspecified height. It must be assumed the building height fall below the 45 feet permitted. This is out of context for this well established community and if approved would introduce a new dimension to this community's land use that is precedent setting and if allowed, could create massive development that are beyond the capacity of the City's infrastructure. It appears the legislative intent, community's interest, good zoning practices and the general welfare are being ignored with the submission of this application.

9. The Department of Transportation determined that sufficient credits be allowed from the existing use as a used car sales lot and thereby avoided a traffic study. Unfortunately the credit was granted on a property without the right to entertain such use. The worst case scenario should have been imposed by DOT and a traffic study required. Furthermore, with a four story structure over towering all surrounding land uses, there would be a significant impact to air circulation, light and view which affects properties in the immediate surrounding area. These neighboring properties are "Q" conditioned to prevent the City Planning Commission from diminishing their quality of living and the people occupying them also have the right to enjoy their quality of living. These impacts coupled with the City's loss of sales tax and the need for increased city services, should have required a full environmental impact report and not a MND.

Accordingly, the mandated findings necessary to grant a Zone Variance can not be made without applying the same criteria to all other parcels and cause this community to develop beyond the intent of the City Council. It is highly unusual and a rare set of circumstance that causes me to protest a zoning application. Zone variances and other entitlement processes are a necessary and an important aspect of the City's future and a viable and necessary part of the Municipal Code. However, when an application shows total disregard to the purpose and intent for responsible development. I feel the obligation to respectfully requested that this application be denied and the property owner informed that compliance with existing laws and the efforts of various city departments, be a prerequisite to obtaining new land use approvals and designations.

CPC Consultants, Lee Ambers, Principal - Opposed - January 2002

The above referenced Mitigated Negative Declaration has been issued and circulated. It applies to this property and the Zoning Administrator's Case Number ZA 2001-0201 [ZV]. At the time of the submission of the Environmental Assessment Form, the Department of Transportation correctly required a traffic report. However, at some point, the applicant presented some form of license, which verified a used car lot exists on the site and received ample traffic count credits to avoid the necessary traffic study and proceed with the ZA's process and hearing.

At the public hearing on January 7, 2002, there were several members of the immediate community offering valid and sincere concerns about the traffic generation caused by this interior lot and this proposed 100 unit apartment building with 201 on-site parking spaces. I agree with their concerns and have my own. I am writing this request for you to review the facts and situation, confer with DOT and reconsider the need for a complete traffic study and the resulting analysis. Also there are impacts resulting from this four story building on air, light and privacy to the adjoining neighbors.

Under normal circumstances this request would not be justified for you to reconsider the environmental analysis; however, the applicant failed to properly advise DOT of the fact that the applicant maintains the east half of the subject site as a used car lot with auto repair, and has not obtained a conditional use on this portion of the property, as is required by the Municipal Code. The west portion of the site does have a valid Conditional Use [ZA 95-0485] through November 7,2005. Unfortunately, this parcel is vacant and all activities occurs on the east parcel only. Inasmuch as there is no entitlement being utilized for the auto related uses, the DOT erred in allowing any credits for traffic counts and mistakenly allowed the avoidance of a necessary traffic study.

Accordingly, it is requested that you take the necessary actions to cause the environmental assessment to be proper, legal and reflective of this proposed project.

Thank you in advance for prompt and courteous attention to this request. In the event you or your staff should have any questions, wish additional information and/or documentation, please contact me immediately.

Ruth Richter - Opposed - January 7, 2002

THE DEVELOPMENT OF THIS PROPERTY WITH APARTMENTS. IS UNWARRANTED. UNDESIRED. THIS IS COMMERCIALLY ZONED.

USING THE P ZONED PORTION FOR SUPPORT BUILDING FOR THE APARTMENTS IS DEFINITELY WRONG! ALL OF THE 75 FEET OF "P" ZONING IS NECESSARY. FOR ANY DEVELOPMENT. PARKING ON-SITE IS NECESSARY FOR DELIVERIES. OCCASIONAL VISITORS AND TRASH DISPOSAL TRUCKS. THE CANNOT/WILL NOT USE THE SUBTERRANEAN PARKING. THERE IS NO STREET PARKING AVAILABLE.

THE NORTH SIDE OF SATICOY WAS ZONE "P" IN FRONT IN THE 1960'S. THE 75 FEET IS NOT ENOUGH FOR MANY OF THE LONG ESTABLISHED BUSINESSES IN THE BLOCK.

EXISTING TRAFFIC ON SATICOY IS ABOVE CAPACITY. WHAT WILL 100 APARTMENTS DO? THE AREA IS UNSAFE FOR PEDESTRIAN TRAFFIC THE INTERSECTIONS OF SATICOY STREET WITH OSO AVENUE AND WINNETKA AVENUE ARE HIGH IN TRAFFIC ACCIDENTS.

THE SCHOOLS IN THE AREA ARE OVER CAPACITY.

A PRIOR APPLICATION FOR THESE PROPERTIES. APPROXIMATELY A YEAR AGO - FOR JOINT-USE COMMERCIAL AND RESIDENTIAL WAS DENIED BY THE LOCAL "IMPACT GROUP" AND THE CITY COUNCILPERSON. THAT PLAN WAS FIRST FLOOR COMMERCIAL THE SECOND RESIDENTIAL. THAT'S ALL - NO HIGHER. COMPLETE WITH LANDSCAPING REQUIRED.

WE URGE YOU TO DENY THE APPLICATION. WE WOULD SUPPORT COMMERCIAL DEVELOPMENT THAT IS OUR DESIRE TO SUPPORT OUR COMMUNITY.

Pauline Tallent - Opposed - January 11, 2002

Please critically review Case No. ZA 2001-0201(ZV). This case number refers to a request for zone variance on property located at 20237 Saticoy Street.

The property consists of two contiguous lots of approximately one half acre each. They are basically vacant with some tear-downs. The lot previously hosted used cars.

The applicant has requested a zone change or variance to built 100 units in a four-story building with two subterranean parking levels. Nothing on this part of Saticoy, from Oso Avenue west to Winnetka Avenue, has a height of more than two stories. This building would stick out like a sore thumb. Directly behind this proposed behemoth structure is a tract of newer single family homes. Not only are they going to be in the shadow, but they will no longer have any privacy, with all these units peering down on them. This will most definitely devalue their investment. No guest parking has been provided, and trash collection will have to be made underground?? There is no parking on the north side of Saticoy Street, so the rest of the residential neighborhood is going to be impacted with guest parking, and extra cars. The developers are requesting twice as much density as the current zoning allows. The schools are overcrowded now. The developers say this is for medium income families. This is a low income area. Further more we have too concentration of multiple dwelling in this area now, and crime and graffiti are a bi- problem.

This is commercial zoning. There are very few commercial vacancies in Winnetka, and we would like to see the commercial nature of this street preserved. However the community would welcome a mixed use, perhaps store fronts downstairs and senior housing above, but just two levels. I recommend seniors as the traffic on Saticoy is heavy now, and they would have fewer vehicles. The traffic is so heavy, it sometimes takes me five minutes to get out of my parking lot.

This project by the same owners (different architect) was brought before Laura Chick. Her Planning Advisory Committee recommended that she deny the project, which I understand she did. You don't have a Planning Advisory Committee. If you did, I believe you would get the same advice.

APPLICANT'S INITIAL STATEMENT

Mark A. Palomera - July 31, 2001

This is to inform you of revisions to the Master Land Use Permit Application and the Environmental Assessment Form for the project located at 20237 W. Saticoy Street, ZA Case No. 2001-201. The number of units in the project is increasing from 84 to 100. Specific revisions to the application are as follows:

Master Land Use Permit Application 1. Project Location and Size The total project size is now 104,355 sf plus a 74,430 sf subterranean parking garage. 2. Project Description The new 104,355 sf plus a 74,430 sf subterranean parking garage. 3. Owner/Applicant project will consist of a 4-story, 100-unit apartment complex. 5. Owner/Applicant Information The contact person for project information is now Christopher Pak. The address and phone number remain the same. 7. Additional Information/Findings The project description in finding number I should now read: the proposed project is a 4-story, 100-unit apartment complex. 201 parking stalls are provided in a 2-level, subterranean parking garage.

Environmental Assessment Form The applicant's representative is now Christopher Pak. The address and phone number remain the same. I. Project Description The project description has been revised so that the number of units is 100 instead of 84. III. Residential Project A. The number of dwelling units has been changed to 100 apartment units. B. The number of dwelling units with one bedroom has been changed to 84. The number of three number of dwelling units with two bedrooms has been changed to 84. The number of three bedroom units bedroom units has been changed to 12. The number of four or more bedroom units remains unchanged at zero. C. The total number of parking spaces provided is now 201.

J. The total number of square feet of floor area is now 104,355 sf The subterranean parking garage is an additional 74,430 sf.

Three copies of a revised plot plan dated 7/31/01, sheet number A 1, are enclosed. This plot plan replaces the original one submitted (sheet A1, dated 1/12/01). Sheet A2, dated 1/12/01, remains unaffected.

Please call Christopher Pak or me at 213-380-3886 if you have any questions or comments.

PUBLIC HEARING

A City Zoning Administrator conducted a public hearing in the Airtel Plaza Hotel in Van Nuys, California on Monday, January 7, 2002 at approximately 2 p.m. The applicant was Joseph Rivani

The purpose of the hearing was to obtain testimony from affected and/or interested persons regarding the application. Interested parties were also invited to submit written comments regarding the request prior to the hearing. The environmental impact was among the matters considered at the hearing.

The issues before the Zoning Administrator were requests for:

1) A Variance from Section 12.21.1-A,1 of the Los Angeles Municipal Code to permit the construction, use and maintenance of a 104,355 square -foot plus 74,430 square-foot subterranean parking garage, 4-story, 100-unit apartment complex with a floor area ratio (FAR) of 3 times the buildable area of a commercially zoned lot in Height District No. 1VL in lieu of the permitted FAR of 1.5 times the buildable area of the lot. A total of 201 parking spaces will be provided; and

2) A Variance from Section 12.12-A of the Code to allow part of the apartment complex consisting of community room, mail room, 10-foot high architectural arches, computer learning center and manager's office to be located within the P-1VL (automobile parking) Zone.

The involved property was identified as being located at 20237 West Saticoy Street, legally described as Fr. Lots 69-70, Tract 5252, as more specifically described in the application. The property is zoned C1.5-1VL and P-1VL.

At the public hearing the applicant and approximately 10 concerned neighbors appeared. The project and the instant file were reviewed. In reviewing the instant file the Zoning Administrator read the materials contained within said file and reviewed the exhibits and radius map indicating the various land uses within the affected radius. After this review the hearing was opened to public testimony and the following points were considered:

- History of the site and its ownership
- Height and mass of the proposed project
- Nature of the surrounding development pattern
- Strange characteristic of the zoning that will allow the use but not the mass
- View impacts on adjacent properties
- Visual impacts of installation on nearby properties
- Lack of view controls in city ordinances
- Design context of the area
- Traffic and on street parking
- Alternative approach to the project through a zone change application and argue out the "Q" conditions before the City Planning Commission
- Lack of council office support because of mass of the structure
- Alternative designs to eliminate balconies along the rear lot line, preclude rooftop use for recreational purposes, and removal of units along the top floor at the rear of the building.

Following this testimony there was discussion with the applicant and the Zoning Administrator determined to hold the record open to allow for the applicant to make modifications to the project as suggested by the Zoning Administrator. Subsequent to that open period modified plans were received and have been attached hereto, and the applicant's representative comments that accompanied said plans have been quoted herein.

APPLICANT'S OVERALL STATEMENT SUBSEQUENT TO THE PUBLIC HEARING

The Taylor Group. Gregory C. Taylor, President - January 10, 2002

At the Public Hearing on Monday, January 7, 2002, you requested additional information with regard to trip generation for an Office project on the subject site and how the numbers would compare to the proposed residential project. I discussed this matter with Mr. Antonio Coco, our Traffic Consultant and based on the accepted Trip Generation Standards, he gave me the following information.

Existing Zoning (31,300 square feet of C1.5 Zoning)

31,300 x 1.5 FAR = 46,950 square feet of office space. This would generate:

743 daily trips — 102 AM Peak trips (90 in and 12 out) / 131 PM Peak trips (22 in and 109 out)

With Zone change to C1.5 on the entire site (44,100 square feet of C1.5 Zoning)

44,100 x 1.5 FAR = 66,100 square feet of office space. This would generate:

852 daily trips — 118 AM Peak trips (104 in and 14 out) / 142 PM Peak trips (24 in and 118 out)

Proposed project as now reduced to 95 conventional apartment units

705 Daily trips — 50 AM Peak trips (8 in and 42 out) / 70 PM Peak trips (47 in and 23 out)

As these numbers indicate, the proposed residential project would generate fewer trips than an office project on the site in both Daily trips and the critical a.m. and p.m. peak hour trips.

We are submitting a revised plan indicating the removal of the northerly 5 units on the top floor as discussed at the hearing. This would reduce the total number of units for the project and configuration to 95 (the approved project square footage has been reduced by 5,000 square feet, to bring it in line with the reduction in number of units). There is a possibility that the project may become a senior housing project. In this event, the units would be reduced in size. We would anticipate that in the event this occurs, that the total number of units would be allowed to remain at 100. This would not require any change in the massing of the building as currently modified. Senior projects also generate substantially less traffic and have lower parking demands so there would be no increase in the overall impact.

Also