



**ARLETA NEIGHBORHOOD COUNCIL  
COMMUNITY IMPROVEMENT COMMITTEE\*  
REGULAR MEETING AGENDA**

**February 25, 2013, 6:30 PM**

**Branford Child Care Center, 13306 Branford Street, Arleta, CA 91331**

\*The purpose of this meeting is to allow Board Members to participate in the Community Improvement Committee meeting. This meeting is noticed out of an abundance of a caution with the Brown Act and is intended as a Community Improvement Committee meeting. All recommendations and actions from this meeting will be forwarded to the full board for the Arleta Neighborhood Council and publicly noticed at a future date and time.

Quorum is four committee members. Members of the Public are requested to complete a **Speaker Card** to address the Board on any item of the agenda, when the item is considered, prior to Board action on the item. Public comments on other matters within the Committee's jurisdiction may be made during the Public Comment period. Public comments are limited to two minutes per speaker. Action may be taken on any agenda item except Public Comment, announcements and reports. As provided in Arleta Neighborhood Council bylaws, actions may be reconsidered only if a motion for reconsideration is adopted immediately following the original action or at the next regular meeting.

You may request a copy of printed materials that are distributed at the meeting. You may record the meeting by audio, video or photographic means as long as it is not disruptive.

Meeting notices and agendas are posted (72 hours prior to regular meetings and 24 hours prior to special meetings) at five sites within Arleta, CA 91331: (1) **Beachy Elementary School**, 9757 Beachy Avenue (2) **El Super Market**, 9710 Woodman Avenue (3) **Sharp Avenue Elementary School**, 13800 Pierce Street (4) **Canterbury Elementary School**, 13670 Montague Street (5) **Branford Recreation Center**, 13310 Branford Street.

All Neighborhood Councils remain subject to the Brown Act, including the requirement to post notices of their regular meetings. You can receive notices and agendas by electronic mail. Please send your request with your name and telephone number to: [info@arletanc.org](mailto:info@arletanc.org)

If you believe the Committee is not following the law or its own rules you may file a grievance in writing in accordance to the process given by Arleta Neighborhood Council bylaws. For your convenience, the bylaws are available during every meeting. Please be respectful of others, even when you differ with them.

**6:30 1. Call to Order** and opening remarks by **Chair Jack Lindblad**. [2m]

**6:32 2. Self-Introductions** of participants and guests (***Please complete the sign-in sheet!***) [2m]

**6:34 3. Roll Call** of Committee members. [1m]

**6:35 4. Public Comment** and announcements (***Please limit to 2 minutes per speaker.***) Public comment on agenda items will be heard at the time the item is considered. [5m]

**6:40 5. Presentation of the process to follow for all community sign proposal presenters by Lorena**

**Bernal, representing our City Council District 6 Office.** See Attachment 'A' City Motion on sign. [5m]

**6:45 6. Discussion, possible committee action, including recommendation by vote, referring to the Arleta Neighborhood Council Board for further action on an expenditure request for \$80.00 from the Community Improvement discretionary fund to award the selected bidder from three City authorized banner companies for a community sign outreach banner to be located east of Woodman Avenue north of Ventura Canyon Avenue. [5m]**

**6:50 7. Discussion, possible committee action, including recommendation by vote, referring to the Arleta Neighborhood Council Board for further action on hearing proposal ideas for a community sign to be located east of Woodman Avenue north of Ventura Canyon Avenue. [15m]**

**7:05 8. Discussion, possible committee action, including recommendation by vote, referring to the Arleta Neighborhood Council Board for further action on hearing any request(s) for proposal (RFP) for a community sign and landscape from all interested, qualified 501(c)(3) non-profit organized bidders. [2m]**

**7:07 9. Discussion, possible committee action, including recommendation by vote, referring to the Arleta Neighborhood Council Board for further action on request for reconsideration of a mitigated negative declaration for a zoning variance for a 25 foot high pole sign to be located at 9946 Beachy Avenue. [20m]**

**7:27 10. Public Comment and Announcements. (*Please limit to 2 minutes per speaker.*) [3m]**

**7:30 11. Adjournment**

**Council Process:** The council gained its official city role upon certification by the Board of Neighborhood Commissioners on October 22, 2002. Everyone who lives, works or owns property within the boundaries of the Arleta Neighborhood Council, or who declares an interest in the area and the factual basis for it, is a **stakeholder**. All stakeholders are members of the Council. Stakeholders are represented by Board of Directors, elected by stakeholders. This Board is recognized as the decision-making entity by the City of Los Angeles. The current Board was elected on August 4, 2012. While the Board is the official decision-making entity of Arleta Neighborhood Council, meetings are conducted in a town hall spirit. Committees are open to anyone with an interest in Arleta. Relying on public participation, Arleta Neighborhood Council's **success** reaches far beyond the Board.

**Agenda-related written materials:** The council may occasionally prepare **agenda packets** (supplementary information to the agenda). When provided, agenda packets are made available both to Board or committee members and to the general public at the start of the posted meeting. In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the Board or committee **in advance of a meeting** may be obtained from the Department of Neighborhood Empowerment.

The City of Los Angeles is a covered entity under Title II of the Americans with Disabilities Act, and does not discriminate on the basis of disability. The City, upon request, will provide translation and reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices, and other auxiliary aids/or services may be provided upon request. To ensure the availability of services, please make your request at least three business days prior to the meeting (or one business day prior to the special meeting) you wish to attend by contacting the Department of Neighborhood Empowerment at: (213) 485-1360 or toll-free 3-1-1 or **NCSupport@lacity.org**

12-1930

CD 6

MOTION BUDGET & FINANCE  
DEC 12 2012

The community of Arleta is seeking to install a monument sign to indicate its community name in the median located on Woodman Avenue at Ventura Canyon. The signage represents a public benefit for the community of Arleta and the City of Los Angeles. Currently, the Bureau of Engineering is requiring a Revocable "R" Permit for the community to install the signage and a Construction "A" Permit so that the sign can encroach into the public right-of-way. Since this is a City-owned lot, no deed or proof of entitlement is required for either permit.

The design and the construction costs for this community project will be split between the council office and the Arleta Neighborhood Council. Northeast Graffiti Busters (NEGB), a 501(c)(3) non-profit organization, has assumed a pivotal role by serving in an advisory and subject matter expert role during the design and construction phases. Furthermore, Northeast Graffiti Busters has signed an agreement with the Office of Community Beautification to maintain the sign and landscaping.

Financial assistance is currently needed to help fund the permit costs associated with the construction of the monument sign and every effort should be made to provide such assistance.

I THEREFORE MOVE that the City Council, in accordance with the Development Fee Subsidy Policy request NEGB to provide to the Chief Legislative Analyst (CLA) proof of their non-profit status in accordance with IRS Code Section 501(c)(3) and any other financial information that may be necessary to determine eligibility to receive a fee subsidy for the project described above.

I FURTHER MOVE that the City Council direct the City Administrative Officer (CAO) and the CLA to make a determination, upon review of all necessary documentation, as to whether NEGB is eligible to receive a fee subsidy that is equal to 50 percent of the total eligible permit fees, in accordance with the above specified Policy.

I FURTHER MOVE that upon determining that NEGB is eligible to receive a fee subsidy for the proposed project, the CAO and CLA be directed to prepare a joint report for transmittal to the City Council with a recommendation, among others, that the finding(s) contained in the join report be adopted as the finding(s) of the City Council to reflect the above-described project is one that promotes a public purpose for the City.

I FURTHER MOVE that the Council instruct the Bureau of Engineering to issue the Revocable Permit, the A-Permit, and any other permits necessary upon receipt and approval of the design plans and proof of liability insurance.

I FURTHER MOVE that the Chief Legislative Analyst, or his designee, be authorized to make technical changes to clarify and to implement the intent of this Motion.

PRESENTED BY:

Tony Cardenas  
TONY CARDENAS  
Councilmember, Sixth District

SECONDED BY:

Harold Wong

DEC 12 2012

welcome to  
**ARLETA**  
Community  
Improvement  
Committee



Visit us at  
**[arletanc.org/](http://arletanc.org/)**  
**13306 Branford St**  
**Branford Child-**  
**Care Center**

**MEETINGS every 4TH MONDAY at 6:30 PM**  
**on RESTORING OUR ARLETA SIGN!**

Banner image dimensions: 6.0 feet  
long by 1.852 feet high (6' - 0" x 1' -  
10.22")  
Make "welcome to" and "Visit us at"  
Droid Serif font.  
Make "ARLETA" and "arletanc.org/"  
Syncopate font.  
All lettering to fully occupy 'blank  
space'  
Grommets and rope for securing  
banner to the existing three trees.  
Confirm with Banner company 4  
grommets (one at each corner)

Looks good!  
Make the Insignia Larger.  
Make Syncopate font for two lines of  
"Meetings Every..."  
Make "Community Improvement  
Committee" larger, Ubuntu font, bold.  
Make  
"13306 Branford St  
Branford Child-  
Care Center"  
larger, Ubuntu font, bold.

All lettering to fully occupy 'blank  
space'

welcome to  
**ARLETA**

Nationwide Displays Inc.

14660 Arminta Street  
Van Nuys, CA 91402

## Estimate

Date	Estimate #
2/15/2013	43

Name / Address
CITY OF ARLETA ATTN: EBERARDO SANCHEZ

			Project
Description	Qty	Rate	Total
OVERHEAD STREET LINE 2 X 6 DOUBLE SIDE	1	150.00	150.00T
INSTALL OVERHEAD	1	200.00	200.00
Thank you for your business. OUR FEDERAL I.D.#is 16-1648245			
<b>Subtotal</b>			\$350.00
<b>Sales Tax (9.0%)</b>			\$13.50
<b>Total</b>			\$363.50

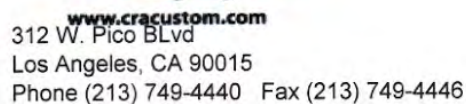
# ESTIMATE & ORDER FORM

#

SAM'S SIGNS  
701 N. MAIN ST. #101 LA., CA 90012  
TEL : 213 680 2669 FAX: 213-680-2670  
WWW.SIGNMERCHANT.COM EMAIL: SALES@SIGNMERCHANT.COM

CUSTOMER: Arleta City Council	Estimate Call By	Schedule Date	Schedule Time
ADDRESS	Eddie Sanchez		
TEL: 818-485-7679 FAX:	Date:	Due Date	Sales Person:
EMAIL:	File Name		

QTY.	DESCRIPTION	UNITPRICE	AMOUNT
1	2 ft x 6 ft banner full color		45
Estimate Hour:		Subtotal	45
Working Hour:		Tax	4.05
Special Instructions		Shipping	15
		Total	64.05
		Deposit	
		Balance Due	



**Bill To:** Arleta Neighborhood Council  
Community Improvement Committee  
957 Beachy Ave.  
Arleta, CA 91331

**Bank Information:**

SALESPERSON	P.O. NUMBER	SHIP DATE	SHIP VIA	F.O.B. POINT	TERMS
SK		TBD	TBD	Los Angeles	COD

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	2'x6' Banner	75.00	75.00
			-
			-
			-
			-
			-
			-
		SUBTOTAL	\$ 75.00
		TAX RATE	9.00%
		SALES TAX	6.75
		SHIPPING & HANDLING	
		<b>TOTAL</b>	<b>\$ 81.75</b>

If you have any questions concerning this invoice, contact Rocio Morales, 213-749-4440 or email [rocio@cracustom.com](mailto:rocio@cracustom.com)

Agenda packet page 7 of 41



**MASTER LAND USE PERMIT APPLICATION**  
LOS ANGELES CITY PLANNING DEPARTMENT

*Planning Staff Use Only*

ENV. No. 2009-2531-MND-REC1		Existing Zone <b>RA-1</b>		District Map <b>201B153, 204B153</b>	
APC <b>North Valley</b>		Community Plan <b>Arleta-Pacoima</b>			Council District <b>6</b>
Census Tract <b>1192.01</b>	APN <b>2645-021-001</b>	Case Filed With [DSC Staff] <b>Bony Giron</b>		Date <b>2-13-13</b>	
<p>Case No. <b>1</b> <b>ZA - 2013 - 386 - ZV - ZAA</b></p>					

**Application Type** Zone Variance, Zoning Administrator's Adjustment

*(zone change, variance, conditional use, tract/parcel map, specific plan exception, etc.)*

**1. PROJECT LOCATION AND SIZE**

Street Address of Project 9946 N. Beachy Avenue/14150 Van Nuys Boulevard

Legal Description: Lot PT 330 (Arb 21) Block        Tract The Maclay Rancho Tract

Lot Dimensions 100' x 150' Lot Area (sq. ft) 15,000 Total Project Size (sq. ft.) No floor area addition

**2. PROJECT DESCRIPTION**

Describe what is to be done: The applicant is requesting a Zone Variance to permit installation of one 25-foot high digital electronic pole sign on the RA-zoned property, as well as a Zoning Administrator's Adjustment to permit the proposed digital electronic pole sign within the required front yard setback of the property. See "Exhibit A: Zone Variance/Zoning Administrator's Adjustment Findings" for more details.

Present Use: Commercial building under construction Proposed Use: Commercial use

Check all that apply:

- ☐ New Construction    ☐ Change of Use    ☐ Alterations    ☐ Demolition  
☒ Commercial    ☐ Industrial    ☐ Residential    ☐ Tier 1 LA Green Code

Additions to the building:

- ☐ Rear    ☐ Front    ☐ Height    ☐ Side Yard

No. of residential units: Existing N/A To be demolished N/A Adding N/A Total N/A

**3. ACTION(S) REQUESTED**

Describe the requested entitlement which either authorizes actions OR grants a variance:

Code Section from which relief is requested: 12.21-A.7 Code Section which authorizes relief: 12.27

The applicant is requesting approval of a Zone Variance to permit installation of one 25-foot high digital electronic pole sign in the RA-zoned property.

Code Section from which relief is requested: 12.21-C.1(g) Code Section which authorizes relief: 12.28

The applicant is requesting a Zoning Administrator's Adjustment to permit installation of one digital electronic pole sign in the front yard setback of the RA-zoned property in addition to the monument sign and seven surface parking spaces already approved within the front yard setback under Case No. ZA-2009-2530(ZV)(ZAA).

Code Section from which relief is requested:                      Code Section which authorizes relief:                     

List related or pending case numbers relating to this site:

ZA-2009-2530-ZV-ZAA and ENV-2009-2531-MND (enclosed with application)



#### 4. OWNER/APPLICANT INFORMATION

Applicant's Name SSBG, LLC (Attn: Simon Imanuel) Company SSBG, LLC  
Address: 315 S. Wetherly Drive Telephone: (310) 273-2976 Fax: ( )  
Beverly Hills, CA Zip: 90211 E-mail: mimdm@yahoo.com

Property Owner's Name (if different than applicant) \_\_\_\_\_  
Address: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
\_\_\_\_\_ Zip: \_\_\_\_\_ Email: \_\_\_\_\_

Contact Person for project information Planning Associates, Inc. (Attn: Tom Sternock)  
Address: 4040 Vineland Avenue, Suite 108 Telephone: (818) 487-6789  
Studio City, CA Zip: 91604 E-mail: tms@pai-la.com Fax: (818) 487-6760

#### 5. APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- The undersigned is the owner or lessee if entire site is leased, or authorized agent of the owner with power of attorney or officers of a corporation (submit proof). (NOTE: for zone changes lessee may not sign).
- The information presented is true and correct to the best of my knowledge.
- In exchange for the City's processing of this Application, the undersigned Applicant agrees to defend, indemnify, and hold harmless the City, its agents, officers or employees, against any legal claim, action, or proceeding against the City or its agents, officers, or employees, to attack, set aside, void or annul any approval given as a result of this Application

Signature: Simon Imanuel Print: Simon Imanuel

#### ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of Los Angeles

On January 11, 2013 before me, Charity Munson, Notary Public  
(Insert Name of Notary Public and Title)

personally appeared Simon Imanuel, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he is the same in his her their authorized capacity(ies), and that by his her their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

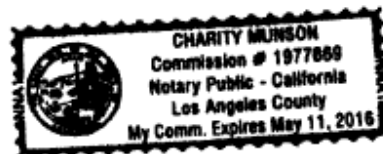
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Charity Munson

Signature

(Seal)



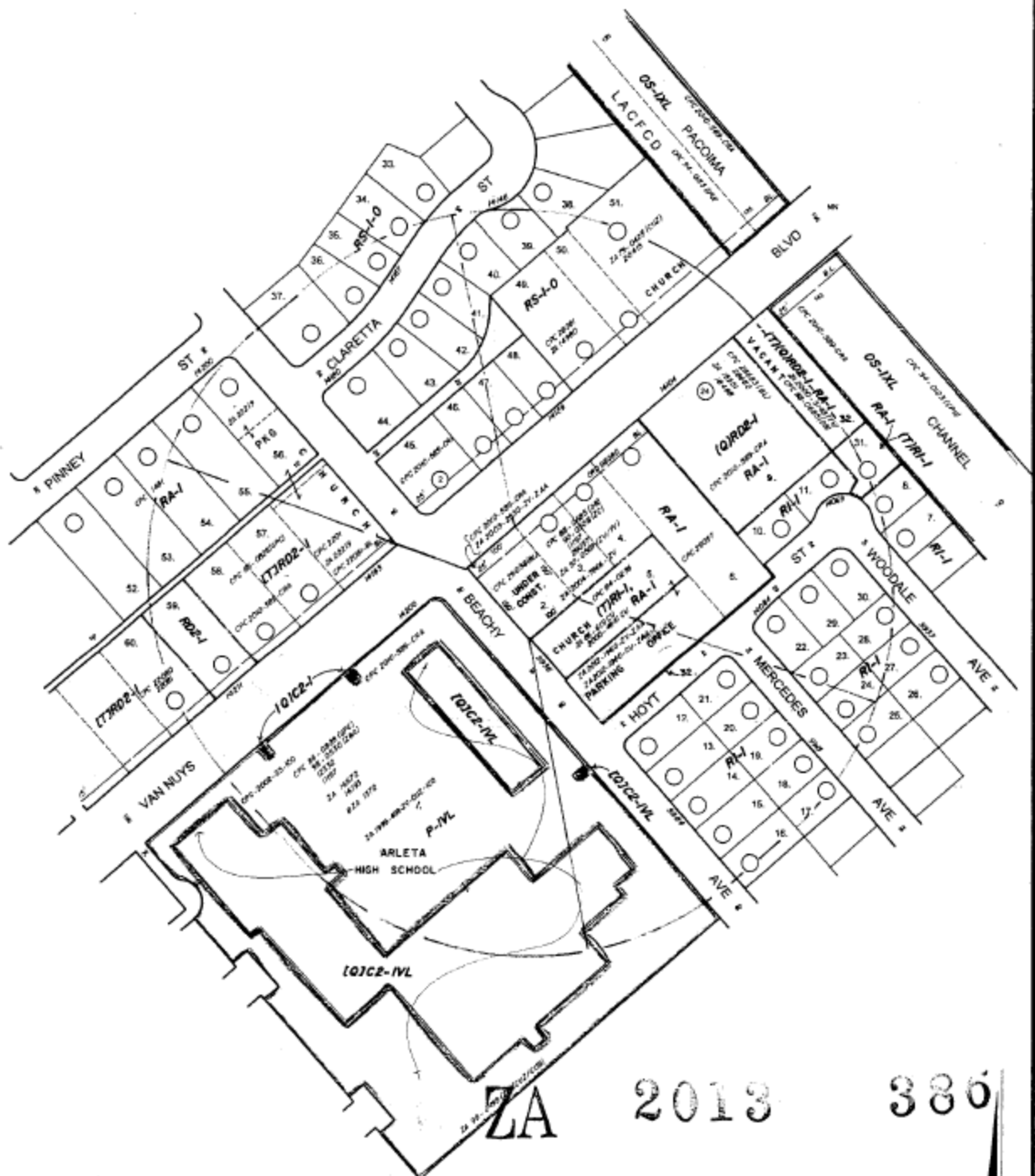
#### 6. ADDITIONAL INFORMATION/FINDINGS

In order for the City to render a determination on your application, additional information may be required. Consult the appropriate Special Instructions handout. Provide on an attached sheet(s), this additional information using the handout as a guide.

NOTE: All applicants are eligible to request a one time, one-year only freeze on fees charged by various City departments in connection with your project. It is advisable only when this application is deemed complete or upon payment of Building and Safety plan check fees. Please ask staff for details or an application.

Planning Staff Use Only		
Base Fee <u>6448</u>	Reviewed and Accepted by [Project Planner]	Date
Receipt No. <u>10303</u>	Deemed Complete by [Project Planner]	Date

CP-7771 (09/09/2011)



LA 2013 386

LEGAL: POR OF LOTT 330, OF THE MACLAY RANCHO (MR.37-5/16)

**ZONE VARIANCE**  
**ZONE ADMINISTRATOR ADJUSTMENT**

C.D. 6  
C.T. 1192  
P.A. ARLETA -  
PACOIMA

**GC MAPPING SERVICE, INC.**

3055 WEST VALLEY BOULEVARD  
ALHAMBRA CA 91803  
(626) 441-1080 FAX (626) 441-8850

NET AC. = 0.43

CASE NO.  
DATE: 02-08-2013  
SCALE: 1" = 100'  
USES: FIELD  
D.M. 204 B 153  
201 B 153  
T.B. PAGE: 502 GRID: A-5

**EXHIBIT A: ZONE VARIANCE/ZONING**  
**ADMINISTRATOR'S ADJUSTMENT FINDINGS**

9946 Beachy Avenue/14150 Van Nuys Boulevard  
Digital Display Pole Sign in Front Yard Setback of the RA Zone

**PROJECT REQUEST AND PURPOSE**

The project applicant is requesting a Zone Variance and Zoning Administrator's Adjustment to permit installation of one digital display electronic pole sign within the required front yard setback of the RA-1 Zoned property to be used for a commercial building currently under construction at 9946 Beachy Avenue/14150 Van Nuys Boulevard. The electronic sign will primarily be used to display digital images for onsite business identification and advertisement purposes for the businesses occupying the future commercial plaza, but may also be used to display community service messages, as suggested by the Arleta Neighborhood Council.

**PROJECT DESCRIPTION AND BACKGROUND**

The subject property is located at 9946 N. Beach Avenue/14150 Van Nuys Boulevard within the Arleta-Pacoima Community Plan area. The property is zoned RA-1 with a land use designation of Low Medium II Residential. The surrounding land uses include church and residential uses to the north, church uses to the east, Arleta High School and church uses to the south, and church uses to the west.

A Zone Variance/Zoning Administrator's Adjustment (ZV/ZAA) was approved under Planning Case No. ZA-2009-2530(ZV)(ZAA) on July 8, 2010 to permit development of a commercial building on the RA-1 zoned property, containing retail, general office, medical office, and restaurant uses, including outdoor eating and related surface parking. In connection with the commercial building, the ZV/ZAA also approved the installation of 11 illuminated business identification signs, one illuminated monument sign in the required front yard setback, reduced side yard and rear yard setbacks, and other minor encroachments within the required yard setbacks.

Planning Case ZA-200-2530(ZV)(ZAA) contained a Condition of Approval No. 22, which limited the signage on the property to the approved monument sign and 11 business identification signs, as well as prohibited electronic signs. However, with support from the Arleta Neighborhood Council and instruction from the approving Zoning Administrator, the project applicant is now requesting a new Zone Variance and Zoning Administrator's Adjustment to permit one digital electronic pole sign in the front yard setback of the RA zone for onsite business identification and advertisement purposes.

ZA 2013 386

***2. That there are special circumstances applicable to the subject property such as size, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.***

The property is zoned RA-1, but has already been approved for commercial use, parking, reduced yard setbacks, and signage under ZA-2009-2530(ZV)(ZAA). The property is also situated at the busy intersection of a Collector Street and a Major Highway Class II. All but one of the properties immediately adjoining the subject property are being used for non-residential purposes, the most residentially incompatible of which is Arleta High School on C2 and P-zoned property southwesterly and across Beachy Avenue from the subject site. As such, installation of a digital electronic sign for the development is not out of character with the approved commercial use on the property or the surrounding uses, and is necessary to attract prospective commercial tenants and customers at the busy intersection.

The subject property is also located within a designated Enterprise Zone indicating that the subject property, as well as the neighborhood in general, is faced with economic challenges and that a commercial project with appropriate and visible signage (which is necessary to stay in business) is appropriate and encouraged for the property and neighborhood.

Currently, the approved commercial building on the property is over 50% constructed. Without proper signage to create visibility for the new building, the development may not attract the best quality commercial tenants to serve the community and may not attract the patronage from customers to keep the development in business.

Therefore, there are special circumstances applicable to the subject property such as size, topography, location, or surroundings that do not apply generally to other property in the same zone and vicinity.

***3. That the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.***

The property is zoned RA-1, but has already been approved for commercial use, parking, reduced yard setbacks, and signage under ZA-2009-2530(ZV)(ZAA). The property is also situated at the busy intersection of a Collector Street and a Major Highway Class II. All but one of the properties immediately adjoining the subject property are being used for non-residential purposes, the most residentially incompatible of which is Arleta High School on C2 and P-zoned property southwesterly and across Beachy Avenue from the subject site. As such, installation of a digital electronic sign for the development is not out of character with the approved commercial use on the property or the surrounding uses, and is necessary to attract prospective commercial tenants and customers at the busy intersection.

the General Plan states the need to "Encourage that signage be designed to be integrated with the architectural character of the buildings and convey a visually attractive character". As such, the digital sign will be approximately the same height as the commercial building under construction on the property, and thus will be complementary to the building. The support structure for the digital sign will utilize the same materials and colors as the commercial building, which will ensure consistency in appearance and design. The attractive aesthetic of the digital sign will be utilized for the purpose of attracting better quality commercial tenants into the plaza to serve the community. Therefore, the project will substantially conform with the purpose, intent and provisions of the General Plan.

The Community Plan does not directly address any sign provisions and does not contain any Urban Design Guidelines to guide the installation of signs. The digital sign will not alter the scale or intensity of uses at the site and will not change the land use designation of the site. The proposed digital sign will be in conformance with the restriction on maximum foot-candles of light emitted by on-site signage imposed by the Municipal Code. The proposed digital sign will be compatible with and complementary to the commercial development currently under construction on the property and is intended to enhance the quality of development in the area, as well as attract needed commercial businesses to the property and neighborhood. This conforms to the Community Plan's goal to "Improve function, design, and economic vitality of commercial corridors". Although the property and surrounding uses are not zoned or designated as a commercial corridor, the majority of uses at the intersection, including the property, are used for non-residential purposes. Therefore, the proposed project substantially conforms with the purpose, intent and provisions of the Community Plan.

#### **ZONING ADMINISTRATOR'S ADJUSTMENT FINDINGS**

*Explain how your request conforms to the following requirements:*

- 1. That while site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.*

Adhering strictly to the regulations of the zoning ordinance over the property would require a front yard of approximately 25 feet in conformance with the RA zone. Such yards are normally not required for a commercial development. The spirit and intent of the Zoning Code is for commercial developments to be designed substantially in accordance with the zoning regulations in the C zones in which there are no required yards. If the commercial development strictly observed the yards as required in the RA zone and relocated the proposed digital sign outside of the required front yard, it would create a peculiar design, inconsistent with other commercial development on similar sized properties, and it would be impractical with respect to the sign's intended visibility from Van Nuys Boulevard. If pulled out of the front yard, the digital electronic pole sign would be rendered essentially useless for its intended purpose.

Therefore, due to: 1) The location of the digital sign in an area that has already been deemed compatible with digital signs, 2) The digital sign's location and orientation along Van Nuys Boulevard, a Major Highway Class II, and not on Beachy Avenue, 3) The lack of visibility of the digital sign from classrooms at Arleta High School, and 4) The support of the digital sign's location received from the Neighborhood Council and Council District; the proposed project will be compatible with and will not adversely affect or degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

**Size and Height:** The 25-foot height of the digital sign will be approximately the same height as the commercial building under construction on the property, and thus will be complementary to the building. The support structure for the digital sign will utilize the same materials and colors as the commercial building under construction on the property, which will ensure consistency in appearance. The 25-foot height in combination with placement of the digital sign in the front yard setback are necessary for visibility on Van Nuys Boulevard, as well as to avoid damage to the digital sign face from vandals and graffiti, which is a problem currently plaguing ground-level signs in the community.

The height of the digital sign is not excessive in comparison to other signs in the community or in relation to the commercial building being constructed on the property. The digital sign will not be as tall as the existing digital sign at the nearby Walgreens and is comparable in height to the existing digital sign at Arleta High School across the street. In fact, the sign would provide an attractive aesthetic for the property and the community. The increased visibility due to the digital sign's height and the attractive aesthetic of the sign are anticipated to attract better quality commercial tenants into the plaza to serve the community.

With respect to the height of the digital sign, in combination with placement of the sign within the front yard, and consequently, the increased visibility of the sign along Van Nuys Boulevard, the digital sign will not be distracting to passing drivers because the sign will change still images no faster than every 60 seconds and will not contain scrolling text, movies, or animation.

Finally, the height and size of the sign has been supported by the Arleta Neighborhood Council, as indicated in the letter attached to the application, dated September 9, 2011.

Therefore, due to: 1) The digital sign's comparable height to existing digital signs in the neighborhood and to the commercial building being constructed on the property; 2) The necessity of the 25 feet in height to deter vandalism and graffiti of the digital sign face, 3) The reduced distraction to drivers from the digital sign due to infrequent movement on the sign face, and 4) The support of the digital sign's height and size received from the Neighborhood Council and Council District; the proposed project will be compatible with and will not adversely affect or degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.



"Encourage that signage be designed to be integrated with the architectural character of the buildings and convey a visually attractive character". As such, the digital sign will be approximately the same height as the commercial building under construction on the property, and thus will be complementary to the building. The support structure for the digital sign will utilize the same materials and colors as the commercial building, which will ensure consistency in appearance and design. The attractive aesthetic of the digital sign will be utilized for the purpose of attracting better quality commercial tenants into the plaza to serve the community. Therefore, the project will substantially conform with the purpose, intent and provisions of the General Plan.

The Community Plan does not directly address any sign provisions and does not contain any Urban Design Guidelines to guide/restrict the installation of signs within yard setbacks. The digital sign will not alter the scale or intensity of uses at the site and will not change the land use designation of the site. The proposed digital sign will be in conformance with the restriction on maximum foot-candles of light emitted by on-site signage imposed by the Municipal Code. The proposed digital sign will be compatible with and complementary to the commercial development currently under construction on the property. Additionally, the placement of the digital sign within the front yard setback along Van Nuys Boulevard (Major Highway Class II) is a typical placement of signs for commercial properties in order to gain visibility for the businesses along major streets. The digital sign's design, aesthetic, and placement in the front yard setback are intended to enhance the quality of development in the area and attract needed commercial businesses to the property and neighborhood, which conforms to the Community Plan's goal to "Improve function, design, and economic vitality of commercial corridors". Although the property and surrounding uses are not zoned or designated as a commercial corridor, the majority of uses at the intersection, including the property, are used for non-residential purposes. Therefore, the proposed project substantially conforms with the purpose, intent and provisions of the Community Plan.



4040 Vineland Avenue, Suite 108, Studio City, CA 91604 • (818) 487-6767 • Fax (818) 487-6760

January 25, 2013

W.O. # 5399-010

Department of City Planning  
Los Angeles City Hall  
200 North Spring Street, Room 763  
Los Angeles, California 90012

ATTN: Linn K. Wyatt, Chief Zoning Administrator

RE: Reconsideration of ENV 2009-2531-MND  
9946 N. Beachy Avenue/14150 Van Nuys Boulevard, Digital Sign, Zone Variance/ZAA

Dear Planning Department:

I am contacting you on behalf of my client, SSBG, LLC, to request a Reconsideration of a Mitigated Negative Declaration (ENV-2009-2531-MND) issued on March 3, 2010 (attached). The Mitigated Negative Declaration (MND) analyzed the environmental impacts associated with a project at 9946 N. Beachy Avenue/14150 Van Nuys Boulevard, under City Planning Case No. ZA-2009-2530(ZV)(ZAA), for entitlement of several Zone Variances and Zoning Administrator's Adjustments to develop and allow a commercial development in the RA-1 zone, an associated surface parking area without Code-required walls that encroaches into the front yard setback, 11 illuminated business identification signs, one illuminated monument sign in the front yard setback, reduction of side and rear yard setbacks, and encroachment of a trash receptacle in the rear yard setback. This request for a Reconsideration to ENV-2009-2531-MND is to permit installation of one additional digital electronic pole sign in the RA Zone that is within the front yard setback of the property.

**Digital Electronic Pole Sign in the RA Zone (Zone Variance):** This MND Reconsideration will consider a proposed 25-foot high digital electronic pole sign in the RA Zone requested by the applicant for the commercial development, which is currently under construction. A total of 12 illuminated signs have already been approved on the RA Zoned property in connection with the commercial development, one of which (the monument sign) was approved to be within the front yard setback. Installation of the proposed electronic sign will require a variance to be installed within the RA Zone and is requested to be exempt from Condition Nos. 22(a) and (b) of the original entitlement, ZA-2009-2530(ZV)(ZAA), which currently restricts the property from having electronic signs or electronic message boards. The proposed digital electronic sign is now being requested by the applicant for the purposes of better attracting quality commercial tenants, creating better visibility

1

ZA

2013

386

for the future businesses in the commercial plaza, and potentially providing a community service by displaying important community notices, as suggested by the Arleta Neighborhood Council.

The proposed digital electronic sign will not add floor area to the commercial development and thus, will not require additional parking. The proposed digital electronic sign will be approximately 25 feet in height and will contain a digital sign face of approximately five feet by 10 feet. The support structure for the sign will utilize the same materials and colors as the commercial building being constructed to ensure consistency in design and appearance. The sign face will be parallel to Beachy Avenue to be viewed along Van Nuys Boulevard (a Major Highway Class II), will contain the address and name of the commercial plaza, and will display digital images on both sides of the sign face only for identification and advertisement of onsite businesses within the commercial plaza. The digital images will be full color television-resolution quality, changing no faster than every 60 seconds so as not to be distracting to passing drivers. The images on the digital display will not be constantly moving and will not contain scrolling text, video, or animation.


The proposed digital electronic sign is not anticipated to have any additional significant environmental impacts beyond those already determined for the commercial development under ENV-2009-2531-MND. Environmental impacts due to installation of 12 illuminated signs have already been analyzed and considered in the MND and the addition of one electronic sign is not expected to significantly increase those impacts. Although the proposed sign will be electronic, the digital display will be energy efficient and can be adjustable so that it is significantly less bright during the evening and turned off after business hours to avoid illumination impacts to surrounding uses. The proposed hours of operation for the digital sign are from 6:00 AM to 11:00 PM. The proposed digital sign will not be out of character with several existing digital signs in the surrounding community, including at nearby Arleta High School, the Mary Immaculate Parish School, and Walgreens.

The 25-foot height of the sign will be approximately the same height as the commercial building under construction on the property and is necessary for visibility along Van Nuys Boulevard, as well as to avoid damage to the digital sign face from vandals and graffiti, which is a problem currently plaguing the community. The height of the digital sign is not excessive in comparison to existing traditional and digital signs in the community, and would provide an attractive aesthetic for the property and the community.

**Digital Electronic Pole Sign within the Front Yard Setback (Zoning Administrator's Adjustment):** This MND Reconsideration will also consider a digital electronic pole sign within the required front yard setback of the property. One illuminated monument sign has already been approved within the front yard setback of the property in connection with the commercial development, and all environmental impacts were considered to be less than significant. As such, environmental impacts of general signage within the front yard setback of the property were previously analyzed and considered in the MND findings. The addition of the proposed electronic sign is not anticipated to create additional or incremental significant impacts beyond those already determined for the illuminated monument sign in the front yard setback under ENV-2009-2531-MND. All potential impacts and benefits of the proposed digital electronic sign are addressed above in the previous section.

It should be noted that the digital electronic sign has been supported by the Arleta Neighborhood Council, as indicated in the attached letter from the Neighborhood Council, dated September 15, 2011.

## Office of the President

**To:** Dr. Simon Imanuel  
**From:** Sergio Ibarra, President   
**CC:** Planning Department  
**Date:** 09/15/2011  
**Re:** Property located at 9946 Beachy Avenue, Arleta, CA 91331

---

### ACTIONS BY THE ANC BOARD

On July 17, 2012, the applicant and applicant's representative came before the Arleta Neighborhood Council to present the proposed Electronic sign at the above-referenced address. The project included the construction of a commercial property for the use of a new dental office and other office type uses the property is located along a mostly (R1) residential zoned properties. The applicant requested support for a changed in his approved construction plans for a the installation of an electronic sign.

The applicant's representative presented the approved plot plan, landscape plan, and building elevations and described the proposed improvements to the council. He explained the approval process needed to pursue the project including the necessary building permits from the City of L.A. and presented a picture of the proposed electronic sign.

Several board members expressed concerns that the new sign would not fit the surrounding neighborhood and would stick out in a mostly residential zone. Other concerns raised included light pollution to the surrounding residential homes along Van Nuys Blvd, and in the back of the property along Beachy Avenue and Hoyt Street.

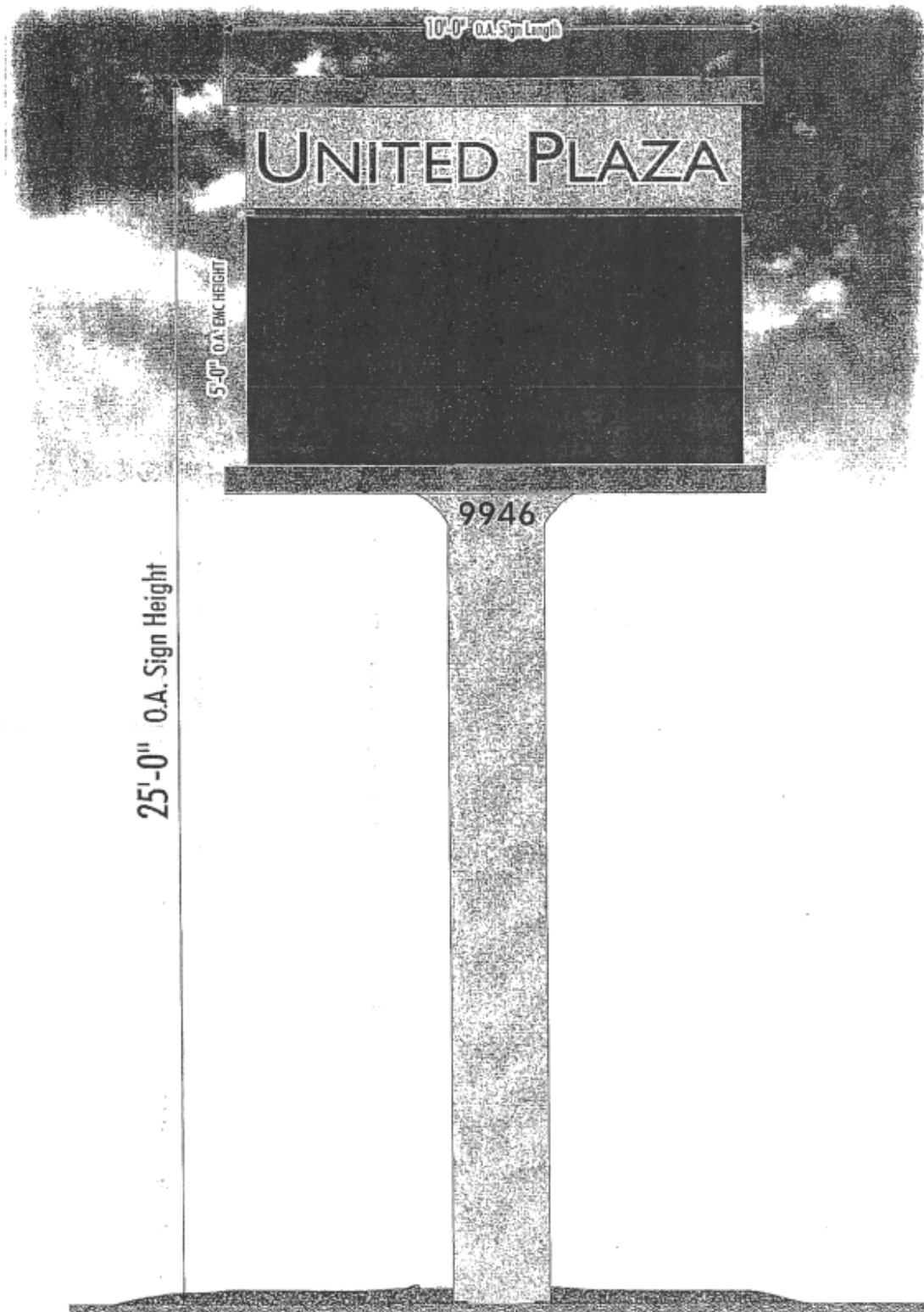
The dimensions of the sign are included with this document and referred to as attached A. The sign will be a total of 25 feet, and 10 feet in length. The applicant's representative stated that the electronic sign would be installed along Van Nuys Boulevard. The operation of the sign will be from the hours of 6:00 a.m.-11:00 p.m.

The members discussed the issues and ultimately voted 7-3 to support the project as presented.

Although approved, we now understand that the applicant has continued to work with the Council office and the Planning Department to further improve the plan and address the concerns raised. We request that the applicant present the updated layout of the site and the exact location of where the sign will be placed. The Arleta NC will continue to work with the property owner and the planning department to address any concerns with the project. If you have any questions please give me a call at 818-406-6526. Thank you.

Sergio Ibarra, MPA  
President, Arleta Neighborhood Council

Attachment A



MICHAEL LOGRANDE  
CHIEF ZONING ADMINISTRATOR  
ASSOCIATE ZONING ADMINISTRATORS  
R. NICOLAS BROWN  
SUE CHANG  
LOURDES GREEN  
LINN K. WYATT  
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES  
CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

DEPARTMENT OF  
CITY PLANNING  
S. GAIL GOLDBERG, AICP  
DIRECTOR

OFFICE OF  
ZONING ADMINISTRATION  
200 N. SPRING STREET, 7TH FLOOR  
LOS ANGELES, CA 90012  
(213) 978-1318  
FAX: (213) 978-1334  
www.lacity.org/PLN

July 8, 2010

SSBG, LLC (A)(O)  
315 South Wetherly Drive  
Beverly Hills, CA 90211

Tom Sternack (R)  
Planning Associates, Inc.  
4040 Vineland Avenue, Suite 108  
Studio City, CA 91604

CASE NO. ZA 2009-2530(ZV)(ZAA)  
ZONE VARIANCE; ZONING  
ADMINISTRATOR'S ADJUSTMENT  
9946 North Beachy Avenue  
Arleta-Pacoima Planning Area  
Zone : RA-1  
D.M. : 201B153, 204B153  
C. D. : 6  
CEQA : ENV 2009-2531-MND  
Legal Description: Pt. Lot 330 (Arb 21),  
The Maclay Rancho Tract

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

a variance from Section 12.07-A of the Los Angeles Municipal Code, to permit the  
construction, use and maintenance of a 4,445 square-foot commercial building  
containing retail, general office, medical office, and restaurant uses, including an  
outdoor eating area, enclosed trash receptacle and related surface parking;

a variance from Section 12.21-A,7 of the Los Angeles Municipal Code to permit the  
installation and maintenance of illuminated signs, consisting of one monument sign  
and 11 business identification signs in the RA Zone; and,

a variance from Section 12.21-A,6(d) of the Los Angeles Municipal Code to allow a  
parking area without a wall along its southwesterly and northeasterly sides as  
otherwise required by the Los Angeles Municipal Code,

Pursuant to Los Angeles Municipal Code Section 12.28, I hereby APPROVE:

an adjustment from Section 12.07-C,2(a) of the Los Angeles Municipal Code to  
permit a reduced northeasterly side yard of zero feet for a distance of approximately  
100 feet;

an adjustment from Section 12.07-C,3 of the Los Angeles Municipal Code to permit  
a zero-foot rear yard for a distance of 78 feet; and;



AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER



ZA

2013

386





an adjustment from Section 12.21-C,1(g) of the Los Angeles Municipal Code to permit an enclosed trash receptacle in the required rear yard, and outdoor eating area in the required northeasterly side yard, and seven surface parking spaces and a monument sign in the required front yard, all in the RA 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.
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 printed on the building plans submitted to the Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.
6. 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 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.
7. The project shall be limited to construction, use, and maintenance of a 4,445 square-foot commercial building containing retail, general office, medical, and restaurant uses in the RA-1 Zone, subject to the following use restrictions:
  - a. No fast-food restaurants.
  - b. No drive-through operation in association with any use on the premises.

8. Parking shall be provided in accordance with the requirements of the Municipal Code to the satisfaction of the Department of Building and Safety.
9. The parking area shall be permitted to be maintained without a wall along its southwesterly and northeasterly sides, as otherwise required by the Section 12.21-A,6(d) of the Los Angeles Municipal Code.
10. Prior to any sign-off of plans by the Zoning Administrator, the applicant shall submit the plot plan for review and approval to the Fire Department and Department of Transportation. Any signature or stamp of approval by the Fire Department and Department of Transportation shall be made on the same plans to be signed off by the Zoning Administrator.
11. Prior to the sign-off of plans by the Zoning Administrator, the applicant shall submit a parking area/driveway plan, and internal circulation plan to the satisfaction of the Department of Transportation and the Bureau of Engineering.
13. Street dedications and improvements for Van Nuys Boulevard and Beachy Avenue shall be as identified in the Inter-Departmental Correspondence, dated March 9, 2010, attached herein as Exhibit "C", and to the case file, except as modified herein:
  - a. No street widening or additional surfacing of Beachy Avenue shall be required in association with this grant.
14. All open areas not used for buildings, driveways, parking areas, recreational facilities or walkways shall be attractively landscaped, including an automatic irrigation system, in accordance with a landscape plan prepared by a licensed landscape architect, licensed architect, or landscape contractor to the satisfaction of the Zoning Administrator. Prior to sign-off by the Zoning Administrator, the applicant shall submit the landscape plan to the representative Council District for review and comment.
15. The applicant shall be responsible for the maintenance of landscaped areas including continuous operations of watering, mowing, trimming, plant replacement and other operations necessary to assure healthy and vigorous growth and appearance.
16. Parking lot cleaning and sweeping, and trash collections shall occur no earlier than 7 a.m., nor later than 8 p.m., Monday through Friday, and not earlier than 10 a.m., nor later than 4 p.m. on Saturdays. There shall be no parking lot cleaning or sweeping or trash collection permitted on Sundays or holidays.
17. Trash/Storage. Areas devoted to trash storage or other storage shall be buffered so as not to result in noise, odor, or debris impacts.
  - a. The trash storage area shall be covered, gated, and locked, to preclude unauthorized access; access shall be made available only for authorized personnel and trash collection service.

- b. Disposal of waste into trash bins, including the disposal of bottles, shall not occur prior to 7 a.m. or after 9 p.m. daily.
- 18. Exterior lighting on the building and any associated parking area shall be maintained and provide sufficient illumination so as to render objects or persons on the property clearly visible. Exterior lighting shall be directed so as not to disturb the privacy and normal use of any neighboring residences.
- 19. The applicant shall be responsible for maintaining the premises and area adjacent to the premises under its control free of litter, including any parking area specifically designated for use by patrons.
- 20. Any public telephones on the leasehold shall be located indoors.
- 21. Mitigation measures recommended in Mitigated Negative Declaration No. ENV-2009-2531-MND, *as modified by this grant, attached as Exhibit "B" herein and to the case file, dated March 3, 2010*, are required and incorporated as conditions of this grant.
- 22. Signage. Prior to the issuance of any sign permits, the applicant shall submit plans identifying the design, dimensions, and appearance of proposed signage including lettering fonts, size, color and corporate logos or signatures, for review and approval by the Zoning Administrator in consultation with the representative Council District.
  - a. Signage shall be limited to the installation and maintenance of illuminated signs, consisting of one monument sign, and a maximum of 11 business identification signs.
  - b. No off-site commercial signs, flashing or blinking signs, electronic or video signs, electronic message boards, projecting signs, roof signs or pennants, ribbons, streamers, spinners or balloons shall be permitted on the property. There shall be no permanent exterior banners on the facility.
- 23. Rooftop mechanical equipment and/or ductwork shall be screened from horizontal view with materials compatible with the color and design of the building.
- 24. The authorizations granted herein are for a **maximum term of ten (10) years** from the effective date of this grant. Thereafter, the permit shall automatically expire and become null and void.
- 25. If at any time during the period of validity of this grant should documented evidence be submitted showing continued violation(s) of any Condition of this grant; resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator will have the right to require the applicant/owner to file immediately for a plan approval application together with the associated fees and to hold a public hearing to review compliance with and the efficacy of the Conditions of the grant. The applicant shall prepare a

radius map and cause a notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office, the corresponding representative Neighborhood Council(s), and the Los Angeles Police Department corresponding Division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

26. Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Zoning Administrator for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

#### **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.

#### **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:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its conditions. The violation of any valid condition imposed by the Director, Zoning Administrator,

### FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report of the Zoning Analyst thereon, the statements made at the public hearing on June 7, 2010, 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-B,1 of the Municipal Code have been established by the following facts:

#### BACKGROUND

The applicant seeks a Zone Variance to construct and operate a multi-tenant commercial building in the RA Zone. Setback deviations are requested to accommodate a zero side and rear yard setback, and parking in the front yard setback.

According to the applicant:

*"The strict application of the Zoning Ordinance would require that the subject site be improved with a single family residence. At the juncture between a Collector Street and a Major Highway Class II, the site is situated at a busy intersection.*

*In 1991, the site was up-zoned to [T][Q]RD2-1 under Case No. CPC 90-308(ZV) which would have permitted approximately seven dwelling units. However, the zoning was allowed to expire because the developer was unsuccessful in securing financing for a multi-family project in the subject location, even during a climate of intense demand for new housing.*

*Currently, in more difficult economic times, during which, even in better neighborhoods, new homes remain unsold and existing homes are being foreclosed, the likelihood of the subject property being developed as currently zoned is impossibly low...*

*...A well-designed commercial project would fit well at the subject corner and would enhance the community. In contrast, even if a residential use were developed on the subject property, which is not at all likely, such an improvement would not offer a similar economic benefit to the community. As such, the proposed commercial use represents the highest and best use of the subject site and is, therefore, more consistent with the intent of the Zoning Ordinance.*

*The strict application of the Zoning Ordinance would also require that the proposed commercial use, if approved, be consistent with the provisions of the RA Zone. Clearly, such a requirement is impractical and poses an unnecessary hardship for the developer of a commercial project. If the project were to comply with the RA Zone provisions, the subject commercial project would be limited to insufficient signage, suffer a reduction of usable lot area, otherwise needed for adequate and well-designed parking and an enclosed trash receptacle, all of which are necessary*

*for a successful commercial development. As such, the sign and yard provisions of the RA Zone do not make sense for the current project.*

*In addition, the Zoning ordinance also requires that all parking areas be completely enclosed by walls. The subject project's landscaping along Beachy Avenue and Van Nuys Boulevard offer a softer, more appropriate buffer than the required, unsightly walls and are more compatible with the current improvements of the subject neighborhood.*

*...While residential uses are located in the vicinity of the subject site, those uses are not located at the corner and directly across the street from a high school and adjacent to two churches.*

*The applicant's proposal for a mixed commercial building and related surface parking will be an asset to the community. The design as proposed will result in an aesthetically pleasing development with businesses intended to benefit the community. The placement of parking spaces, enclosed trash receptacle, and proposed signage are in keeping with that which is normally expected in a small commercial development such as that proposed. The project is buffered from adjacent uses to northeast and southeast by a combination of six-foot high walls and building. Rather than creating an unsightly barricade of walls along Beachy Avenue and Van Nuys Boulevard, the proposed design instead offers attractive landscaping, approximately five-feet in depth, by which to buffer the parking area from the street. The proposed monument sign is appropriately placed, approximately five feet from the street cut corner. The seven surface parking spaces proposed within the required front yard are aesthetically buffered from the street by a five-foot wide landscaped area. Wall signs on the building appropriately identify the on-site businesses and the name of the center. Not granting the requested variances would result in a vacant or underused parcel that would be vulnerable to neglect or possibly even become an attractive nuisance to high school students.*

*The Plan does not directly address the requested variances but under the "Community Issues and Opportunities" section, the Plan identifies a number of opportunities to address key issues. With respect to residential areas, the Plan calls for "Access and proximity to employment" and recognizes "Residential and mixed use potential along Commercial Corridors." As for commercial opportunities, the Plan encourages "the expansion of commercial areas" and "the development of shopping areas to serve the neighborhoods." The proposed development is appropriately designed to meet the community's need for neighborhood commercial opportunities."*

The east adjoining property is zoned RA-1, and is developed with a single-family dwelling built in 1946 on an 11,800 square-foot lot which fronts Van Nuys Boulevard.

The south adjoining property is zoned [T]R1 and RA, and is developed with a church use with multiple buildings and a surface parking lot, occupying two lots consisting of approximately 1-acre total. Access to the church is from Beachy Avenue only, not Hoyt Street.



The west abutting property is zoned [Q]C2-1VL and P-1VL and is developed with the Arleta High School, built in 2006, on approximately 13 acres.

The northwest abutting property, across Van Nuys Boulevard, is zoned [T]RD2-1 and developed with a church (Agape Church) which has the appearance of a dwelling with surface parking lot at the rear.

The northeast abutting property, across Van Nuys Boulevard, is zoned RS-1-O and is developed with a single-family dwelling, large accessory unit, and surface parking lot enclosed with a 6-foot high fence covered in green tarp. The property address is listed as the Iglesia Evangelica Cristiana Espiritual church under information available via internet search (<http://www.charityblossom.org/nonprofit/iglesia-evangelica-cristiana-espiritual-arleta-ca-91331-953572151>). The current status of the site for church use is unknown; there are no active records showing violations in association with this property though previous citation (2004) notes conversion of the site for non-single family uses without proper permit.

Previous zoning related actions on the site/in the area include:

Applicants Property:

CPC 2010-589-CRA – Filed in March 2010 for a proposed amendment to the Earthquake Disaster Assistance Plan in Council District 2, 6, and 7.

Case No. ZA 2004-7866(ZV) – On April 25, 2005, the Zoning Administrator denied a variance to permit the construction, use and maintenance of a 4,830 square-foot shopping center in the RA-1 Zone.

Case No. CPC 90-0308(ZC) – On January 24, 1991, Ordinance No. 166,516 became effective for a change of zone from RA-1 to (T)(Q)RD2-1. The subject ordinance indicates only the subject lot was involved and included 13 [Q] conditions that appear related to a multiple family project. The zone change was not effectuated and expired.

Case No. CPC 29058(BL) – On November 20, 1980, Ordinance No. 154,643 was adopted by the City Council for a change of zone from RA-1 to (T)(Q)RD2-1.

Building and Safety Permits – Every September from 1999 to present, the subject lot has been approved for Use of Land Permits for Pumpkin Sales in October and Christmas Tree Sales in December (See permit printout in case file).

Surrounding Properties:

Case No. CPC 86-0828(GPA) – On March 26, 1990, Ordinance No. 165,511 became effective which included multiple parcels and zone changes in the Arleta-Pacoima Community Plan area as part of AB283. Common changes were zone changes from R3 and RA to RD2 (such as the block face across from Arleta High

School) and the addition of a [Q] condition on existing C2 zoned properties (i.e., along Van Nuys Boulevard) limiting residential density to that of the RD2 Zone.

Case Nos. CPC 92-137, CPC 92-138, CPC 92-139(ZC)(GPA)(BL) – On January 4, 1993, Ordinance No. 168,350 became effective changing the General Plan from Highway Oriented Commercial and Low Medium I to Highway Oriented Commercial and Height District and Zone Change from [Q]C2-1VL-O and R2-1-O to [T][Q]C2-1VL-O and 20-foot Building Line Removal for the construction of a 17,236 square-foot shopping center with two stories and code parking on a 0.60 net acre property located at 14001 through 14017 Van Nuys Boulevard. The property consists of five lots fronting Van Nuys Boulevard of which two of the lots already had the C2 zone, thus the three lots with R2 zoning was changed to C2 to provide surface parking.

Case No. ZA 86-0619(CUZ) - On August 20, 1986, the Zoning Administrator approved a conditional use for the south adjoining property located at 9936 Beachy Avenue, to permit the construction, use and maintenance of a 150-seat, 50-foot by 50-foot church building, with 31 parking spaces in the [T]R1-1 Zone (underlying zone is RA-1). The existing single-family dwelling is to remain and the detached garage to be demolished.

Case No. ZA 2000-4841(CU) – On May 4, 2001 the Zoning Administrator approved a conditional use to allow a 1,500 square-foot expansion of an existing church in the RA and R1 Zones, and the addition of a 3,250 square-foot social hall/multipurpose building including two Sunday school classrooms, located at 9936 Beachy Avenue. The subject project/approval was revised and approved as described below in the PA1 case.

Case No. ZA 2000-4841(CU)(PA1) – On August 8, 2001, the Zoning Administrator approved plans for the construction, use and maintenance of a 7,500 square-foot expansion to an existing 3,000 square feet church facility in the RA and R1 Zones, with a minimum of 65 parking spaces located at 9936 Beachy Avenue.

#### Public Hearing

The applicant's representatives, Tom Sternnock and Phyllis Nathanson attended the hearing conducted on June 7, 2010 at the Marvin Braude Constituent Services Center. Mr. Sternnock explained the request and history of entitlement requests on the proposed project site. He noted that the application was similar to a prior consideration by the Zoning Administrator in 2005; that request was denied as the Zoning Administrator assigned at that time did not feel the applicant had provided adequate justification to make affirmative findings. He stated that also at that time, the Community Plan was scheduled in the Planning Department's work program for revisions pursuant to the New Community Plan/Community Plan Update program, and the site was to be considered for a general plan amendment and zone change to commercial land uses as part of a comprehensive review of the plan. The update process had ultimately been postponed by the Department of City Planning as part of the current work program. Since there has been no schedule defined for pursuing the Plan update in the immediate future, the applicant has refiled the application seeking the opportunity to reconsider the proposal, specifically in light of

completed development of Arleta High School, changing development trends in the area, as well as the continued postponement for updating the Community Plan.

Jim Kallas, an area stakeholder, supported the request, noting only concerns that adequate parking be provided on-site within the area.

The Sixth Council District representative, Edward Martinez, spoke in support of the development concept, recognizing that improvements to the vacant site would be beneficial to the area, and asked that the landscape plan be submitted to the Council District office for review and recommendations prior to any sign-off by the Zoning Administrator. Mr. Martinez also requested that the applicant be granted an early-start variance to proceed with development prior to final determination of the Zoning Administrator.

Hal Bernson noted his support for the request, and appropriate scope of the development given the current development trends in the area.

Mr. Sternock noted that the applicant would continue to consult with the Department of Transportation, Bureau of Engineering, and other City agencies to provide parking and access in compliance with the Code. He noted that opportunities for additional off-site parking would be explored with the adjacent church facility, though at this time he did not anticipate the need for off-site parking in association with the proposal.

The Zoning Administrator closed public testimony and issued a conditional approval for the request, noting that minor modifications had been made to the plans, consistent with the intent and overall conditions. The request for an "early-start" variance initiated by the Council District at the public hearing on behalf of the applicant was dismissed by the Zoning Administrator, as such request had not been identified in either the public notice or with the master land use application filed by the applicant, and would predispose other City agencies to respond with expedited service, all without benefit of due process.

#### VARIANCE FINDINGS

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 and Municipal Code Section 12.27 must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

- 1. The strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

The project site is located on a major highway, adjoining a public high school. The site is zoned for single-family use, which at the time of its initial designation was appropriate within the context of other uses in the area. The history of development has become more intensive in the past three decades for the property on the southwest corner. That site was occupied by a major commercial supermarket operator (Lucky/Gemco) in the 1970's and 80's. Following closure of the supermarket, the site was eventually controlled by Grupo Gigante, though remained

vacant. The Los Angeles Unified School District acquired the property and completed construction of the Arleta High School (grades 9 through 12) in 2006. The high school has a student population exceeding 1650 students.

Consigning the site to single-family development would result in substantial practical difficulties, specifically in relation to continued operation of the high school, churches, and adjoining a major highway, Van Nuys Boulevard. The use restrictions of the RA zoning limit the ability of the property owner to develop the site for single-family use without substantial investment to incorporate design features to insure that the any future resident of the dwelling would not be exposed to significant noise, traffic, light, safety, access, privacy and other impacts generated at this specific location. As such, the strict application of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

2. **There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

As previously noted, the historical pattern of development at this immediate location creates a unique situation applicable to the project site that does not apply generally to other properties in the same zone and vicinity.

The Zoning Administrator, in concurring with the applicant, stakeholders, and the Council District office, acknowledges that developing the site for retail, restaurant, and professional medical uses is a more appropriate use of the site. If developed with a single-family dwelling, the site configuration and structural design would be challenged in regards to insuring privacy, safety, and an environment generally associated with single-family development. Approval of the instant variance assures development appropriate to the site and other properties in the immediate vicinity, while recognizing the special circumstances created by the prominent corner location and high school.

3. **Such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.**

Reconsideration of the proposal under the instant variance request is now being afforded, recognizing both modifications to the current project and substantial changes in the conditions or circumstances in the area, that being primarily the completion and fully-operational status of the adjoining high school campus beginning in 2006.

The proposed project on the site has been modified as follows:

- reduced in overall size from 4,830 square feet to 4,445 square feet;
- reduced in height from two stories to one story;
- retail component reduced from 2,440 square feet to 1,040 square feet;
- increase in dental office floor area from 1,990 square feet to 2,415 square feet;
- increase in sit-down restaurant area;
- no drive through, fast food, or video games permitted;
- improved circulation and access to site with one-way driveway ingress from Beachy Avenue and egress on to Van Nuys Boulevard; and,
- greater setbacks from street frontages, with additional landscaping.

Other properties in the immediate area zoned for residential uses are being occupied by the churches, parking lots, and other non-residential uses. The instant variance will allow for reasonable use of the property that would otherwise be denied. The variance is limited to a ten-year term grant to allow for commercial use of the site in the interim pending proposed consideration of the site under the New Community Plan Program (plan update program). At such time, the decision maker(s) may consider extension of the variance, if warranted, to permit the continued commercial use of this site, or establish other entitlements under the Community Plan update program to insure appropriate future use of this site in relation to other properties in the immediate area.

4. **The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

An Initial Study prepared for the project concluded that implementation of the project would not result in any significant impacts to the environment. The grant will not adversely impact the existing character of the area. Conditions have been imposed regarding uses permitted on the site, signage, the number of signs, access, parking, maintenance, and landscaping, to assure that the use of the property is compatible with adjoining sites. The conditions of this grant establish requirements to maintain the privacy, safety and quality of life of the adjoining residential uses, consistent with the general purpose and intent of the zoning regulations. No oral or written testimony in opposition to the request was received; issues in regards to parking and access at the public hearing have been addressed in the Conditions of approval identified in this determination. As conditioned, the request will not be detrimental to the character of the surrounding area.

5. **The variance will not adversely affect any element of the General Plan.**

The Arleta-Pacoima Community Plan Map designates the property for Low Medium II Residential with corresponding zones of RD1.5, RD2, RW2, and RZ2.5. The Community Plan was last updated and adopted in November, 1996.

The variance allows for more optimal use of the land at a high-profile corner location, fronting on a major highway, adjoining a high school campus and church, which in the present context, has been found to be inappropriate for single-family development permitted by-right in the RA Zone. Given the context and scope of other development near the site, a similar location would typically be designated for higher density, intensity or transitional uses than that allowed under the single-family zoning. As designed, the proposed small-scale commercial retail and office development allows for an appropriate transitional use and buffer between the high school and adjoining properties. The proposed development furthers policies of the Community Plan to provide a scale and intensity of commercial uses in association with residential neighborhoods that are beneficial to the community while appropriate to the character of neighborhood.

#### **ZONING ADMINISTRATOR ADJUSTMENT FINDINGS**

In order for an adjustment from the zoning regulations to be granted, all five of the legally mandated findings delineated in Section 12.28 of the Los Angeles Municipal Code must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

6. **The granting of an adjustment will result in development compatible and consistent with the surrounding uses.**

The setback requirements and specified limitations for use of the front yard setback, as defined by the zoning regulations, are designed to establish certain buffering distances between development on adjoining properties; as well as a consistent pattern and uniform appearance for development along the property frontages as viewed from the right-of-way.

The request to permit a reduced northeast side yard and rear yard; allowances for parking and a monument sign within the front yard setback; outdoor seating area in association with restaurant uses in the northeasterly side yard; and to permit an enclosed trash receptacle in the required rear yard, is appropriate within the context of the immediate location. The site is a corner parcel, fronts on a major thoroughfare, Van Nuys Boulevard, and is located directly across from a high school campus (Beachy Avenue frontage) and adjoins a church. The adjustments will allow for appropriate use of the site, and maintain compatibility between on-site development and other established uses proximal and adjoining the site.

7. **The granting of an adjustment will be in conformance with the intent and purpose of the General Plan.**

The subject property is located within the Arleta-Pacoima Community Plan area of the City. The Plan designates the site as Low Medium II Residential. From just northeasterly of the subject site to the Golden State Freeway, the Plan designates property along Van Nuys Boulevard as Commercial. The proposed use does not impact the intent of the Plan. See Finding No. 5, above, for additional discussion.



8. **The granting of an adjustment is in conformance with the spirit and intent of the Planning and Zoning Code of the City.**

The general purpose and intent of the regulations are to provide compatibility between respective properties. Such regulations, however, are written on a citywide basis and do not take into account individual unique characteristics of a specific property. In this case, the regulations were designed to address residential uses located on large sized properties within the RA Zone. The adjustment maintains appropriate setbacks between adjoining uses and allows the property to be used in a manner fully consistent with the spirit of the zoning regulations. Residential development on the site has not proven to be desirable or appropriate based on past and current development trends. As such, the proposed commercial use represents the best use of the subject site, will be compatible with adjoining development, provides an appropriate transitional use between higher intensity land uses and residential uses, and therefore, is consistent with the intent of the Code provisions.

9. **There are no adverse impacts from the proposed adjustment or any adverse impacts have been mitigated.**

Granting the adjustment, as conditioned, will not be materially detrimental as noted in Finding No. 4, above.

10. **The site and/or existing improvements make strict adherence to the zoning regulations impractical or infeasible.**

Observing required yard setbacks and restrictions in regards to use of the front yard setback would not allow for the proposed configuration of interior space to accommodate landscaping, circulation patterns, and parking of vehicles. Strict adherence to the zoning regulations would reduce area that would otherwise be available for optimal use of the property for the business, and assure attractive development of the site. While reconfiguring the structure on the site is a potential option, the redesign would not serve any particular purpose or benefit to the property or adjoining properties, would be cost-prohibitive to the applicant, and thus, strict adherence to the regulations would be impractical and economically infeasible.

#### **ADDITIONAL MANDATORY FINDINGS**

11. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
12. On March 3, 2010, a Mitigated Negative Declaration No. ENV 2009-2531-MND (Article V - City CEQA Guidelines) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that the imposition of the mitigation measures describe in the MND and identified in this determination, there is no substantial

describe in the MND and identified in this determination, there is no substantial evidence that the proposed project will have a significant effect on the environment. I have considered the Mitigated Negative Declaration and hereby adopt that action. The Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.



LINN K. WYATT  
Associate Zoning Administrator  
Direct Telephone No.: (213) 978-1306

LKW:lmc

cc: Councilmember Tony Cardenas  
Sixth District  
Adjoining Property Owners

## 7A 2013 386

**SSBG, LLC: Zone Variance and ZA's Adjustment**  
**9946 N. Beachy Avenue/14150 Van Nuys Boulevard**

CASE NO.

**Legal Description:**  
**Portion of Lot 330**  
**(Arb 21), The**  
**Maclay Rancho**  
**Tract**

**P**LANNING  
**A**SSOCIATES,  
**I**NC.



## PROJECT SITE

*P*LANNING  
ASSOCIATES,  
INC.



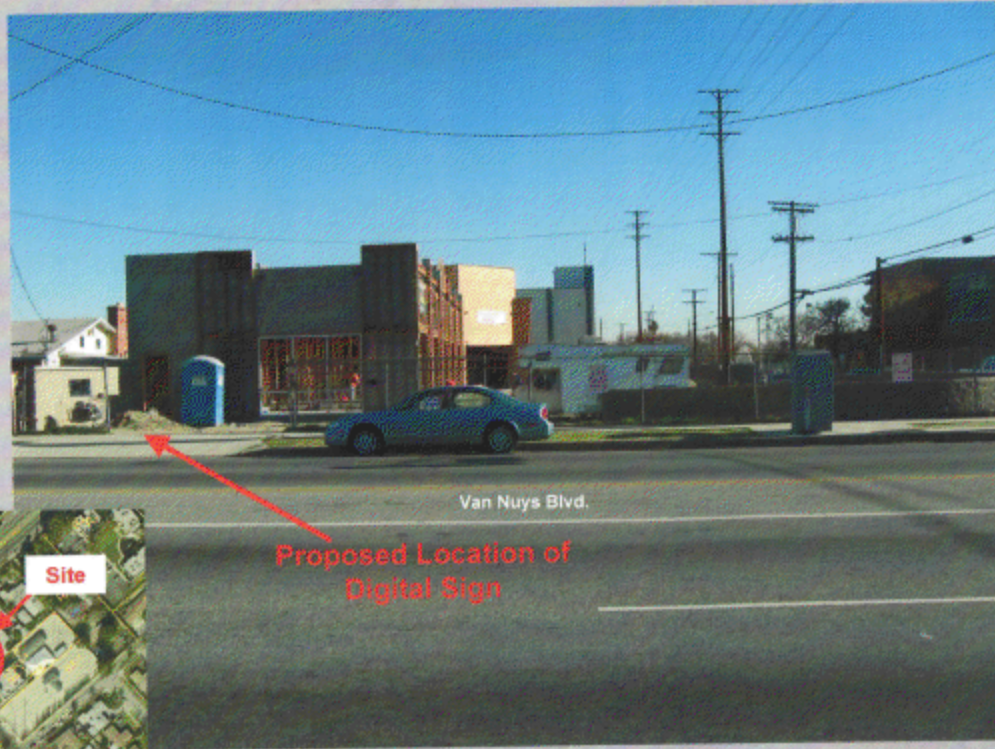
Project Site for Proposed Digital Sign

Current Use on Project Site  
Under Construction of  
Commercial Development



## 2. Project Site

(Looking southeasterly from Van Nuys Boulevard)



Van Nuys Blvd.

Proposed Location of  
Digital Sign

## 6. Residential/Possible Church Use

(Looking at the northerly corner of Van Nuys Blvd. and Beachy Ave. at the residential/church use northwesterly of the project site)

*P*LANNING  
ASSOCIATES,  
INC.

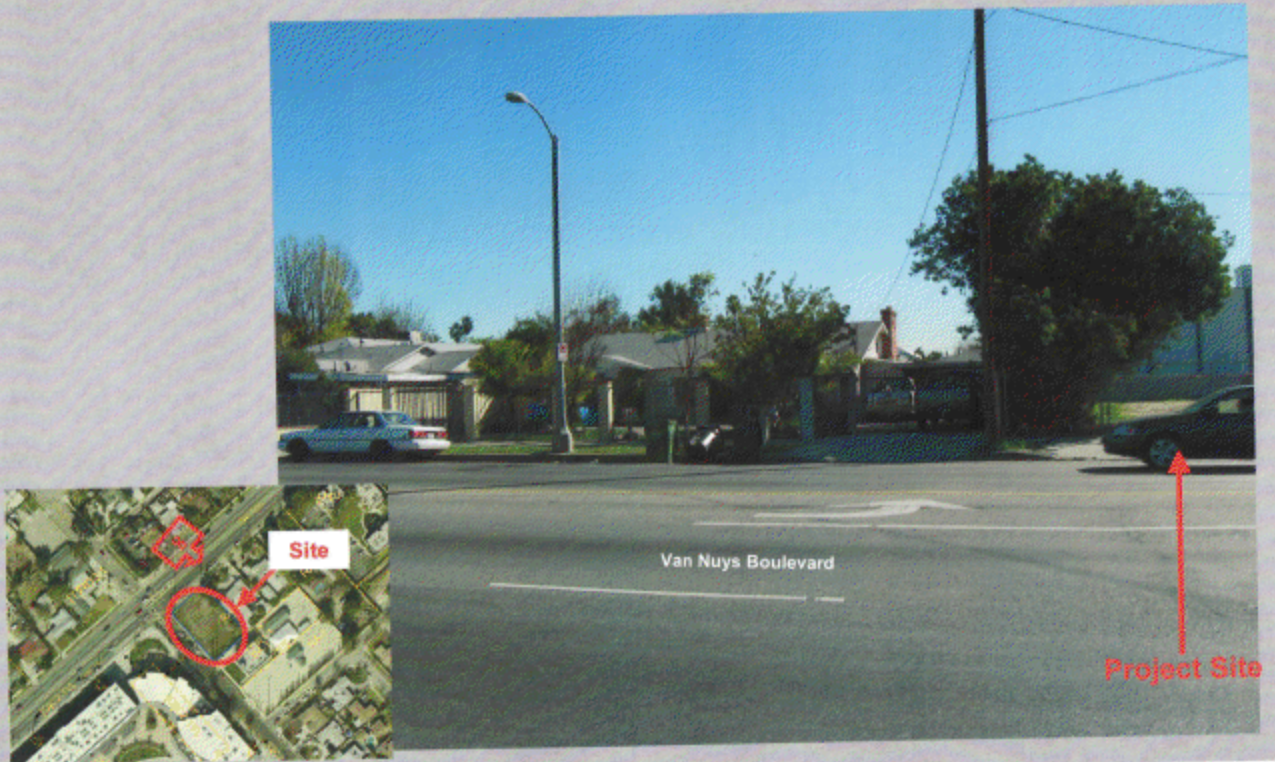




## 8. Single-Family Residential Use

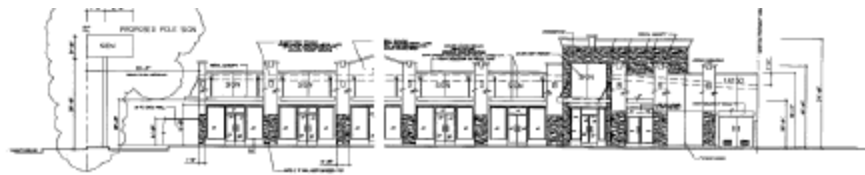
(Looking southeasterly from Van Nuys Blvd. at the residential use northeasterly adjacent to the project site)

*P*LANNING  
ASSOCIATES,  
INC.

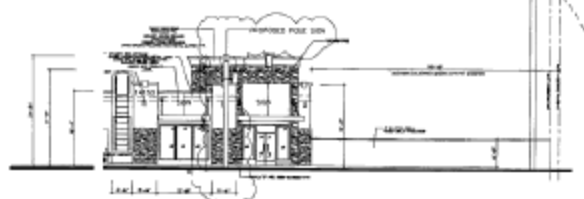




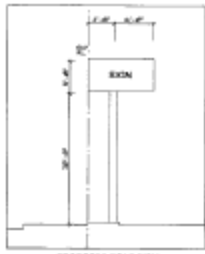




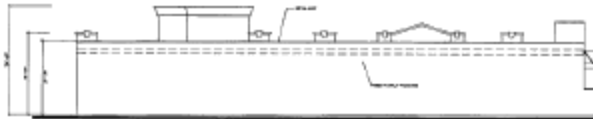
② BEAUFORT BLVD. (SOUTH WEST) ELEVATION  
56'-0" x 12'-0"



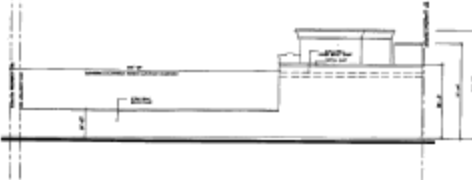
① VANNUYS BLVD. (NORTH WEST) ELEVATION  
56'-0" x 12'-0"



③ PROPOSED POLE SIGN  
63 square feet (7'x12')



④ NORTH EAST ELEVATION  
56'-0" x 12'-0"



③ SOUTH EAST ELEVATION  
56'-0" x 12'-0"

PROJECT ADDRESS	1000 WEST 10TH AVE. ANCHORAGE, AK 99501	DATE	10/1/2010
PROJECT NAME	BEAUFORT BLVD. (SOUTH WEST) ELEVATION	DESIGNED BY	NICO
PROJECT NUMBER	A2.0	CHECKED BY	NICO
PROJECT LOCATION	BEAUFORT BLVD. (SOUTH WEST) ELEVATION	APPROVED BY	NICO
PROJECT SCALE	1/8" = 1'-0"	DATE	10/1/2010
PROJECT STATUS	FOR REVIEW	PROJECT NUMBER	A2.0
PROJECT DESCRIPTION	BEAUFORT BLVD. (SOUTH WEST) ELEVATION	PROJECT LOCATION	BEAUFORT BLVD. (SOUTH WEST) ELEVATION
PROJECT DRAWING	BEAUFORT BLVD. (SOUTH WEST) ELEVATION	PROJECT SCALE	1/8" = 1'-0"
PROJECT STATUS	FOR REVIEW	PROJECT STATUS	FOR REVIEW

