

**4. OWNER/APPLICANT INFORMATION**

Applicant's name Scot Kirkwood Company Cafe On Location  
 Address: 19451 Ventura Blvd. Telephone: ( 818 ) 758-9858 Fax: ( )  
Los Angeles, CA Zip: 91356 E-mail: greatfood@cafeonlocation.com

Property owner's name (if different from applicant) \_\_\_\_\_  
 Address: \_\_\_\_\_ Telephone: ( ) \_\_\_\_\_ Fax: ( )  
 \_\_\_\_\_ Zip: \_\_\_\_\_ E-mail: \_\_\_\_\_

Contact person for project information Steve Catalano Company Kindel Gagan, Inc.  
 Address: 550 S. Hope St., Suite 530 Telephone: ( 213 ) 624-1550 Fax: ( 213 ) 688-1550  
Los Angeles, CA Zip: 90071 E-mail: scatalano@kindelgagan.com

**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: [Signature] Print: H. Scot Kirkwood

**ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of Los Angeles

On Dec. 18, 13 before me, Sharouna Daniali Farzam, notary public  
 (Insert Name of Notary Public and Title)

personally appeared Henry Scot Kirkwood, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed 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.

[Signature]  
 Signature

**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 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	Reviewed and Accepted by [Project Planner]	Date
Receipt No.	Deemed Complete by [Project Planner]	Date

## ZONE VARIANCE (ZV) – LAMC 12.27 ATTACHMENT

1. That 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.

In 1994 the applicant applied for and was granted a certificate of occupancy to "Change the Use of 1 Story, Type V, 49' x 62' Retail to Catering, B-2 Occupancy" by the Los Angeles Department of Building and Safety (LADBS) with City Planning Department (LACPD) concurrence for the property located at 19451 Ventura Boulevard in the City of Los Angeles. Such a use is permitted in the C2 Zone. His business (Café On Location) is motion picture caterer, and ancillary and incidental to this main and approved use are a number of catering trucks that are owned and operated by the business and are not leased or rented to any third parties or operators which County of Los Angeles Public Health Department regulates as what they term "Private Use Commissary". The business has operated for almost twenty (20) years without incident until May 28, 2013 when the owner received an Order To Comply (OTC) from the Los Angeles Department of Building and Safety (LADBS) for "*Unapproved occupancy or use of the property for storing, servicing and operating catering trucks*" reportedly based on an anonymous complaint. The Principal LADBS Inspector for the area said that the issue is with the overnight storage of commercial vehicles in the C2 Zone.

After careful research, the applicant discovered that there is a provision in the Zoning Code under section 12.14.A.42 that discusses incidental/accessory uses and storage of commercial vehicles, and sets forth certain provisions and limitations for such. The applicant felt that he complied with most of those provisions and limitations except as to (c) "The storage area is completely enclosed by a solid wall or fence not less than six (6) feet in height with necessary solid gates of the same height", and (e) "There shall be no rental, storage or storage for rental purposes of a commercial vehicle which exceeds a registered net weight of 5,600 pounds."

Erecting a 6-foot solid fence per the code is not problematic; however the weight limitation is an issue. Catering trucks are very heavy due to the fact that they have full kitchens installed within. Their weight does not reflect on their size which is similar to the size of UPS or FedEx delivery trucks. It is also noted that in Case Number ZA-89-1317(ZAI) (attached), it was proffered that tow trucks (commercial vehicles generally weighing in excess of 5,600 lbs) were permitted to be stored in the C2 Zone as accessory and incidental to a tow truck dispatch business which is approved in the C2 Zone, and that the 5,600 lb weight restriction does not apply as long as they are owned and operated by the approved business and not otherwise rented or leased. It can be argued that the findings and conclusions made in that ZAI case logically extend to any commercial vehicle that is accessory and incidental to an approved main use in the C2 Zone and is owned and operated by said business to the exclusion of any third party rentals or leases. After discussing this with the Chief Zoning Administrator, it was decided that this matter should be best adjudicated by a Zone Variance.

It was further determined during a recent review by LADBS that although no parking has ever been required as part of any permit, a plot plan associated with a 1993 permit (attached) showed a parking layout on the rear portion of the lot and listed 10 spaces (including one handicapped space) as "existing". The permit was for "Interior Partitions & H/C (handicapped) Accessible Toilets" and showed parking required as "n/c" meaning no change which had been on all permits found from 1948. But because it could be shown that parking may have been provided at some point, it is the position of LADBS that those spaces up to the number that would have been required shall be maintained. Based on 1,690.83 sq. ft. of floor area (as defined in LAMC Sec. 12.03), parking requirements under the Ventura-Cahuenga Corridor Specific Plan (VCCSP) at 1/250 sq. ft. would be 6.76 rounded up to 7 spaces. Utilizing bicycle parking as allowed in lieu of parking spaces, the number of required spaces can be reduced by four (4) thus leaving three (3) spaces that include the one handicapped space as required to be maintained. When all catering trucks are on the site, the northerly-most truck technically interferes with the access to one of the required spaces. There has never been a parking issue as there is always someone onsite during normal business hours who can move vehicles.

To the point of this finding, if the applicant were unable to obtain relief, he would have to close his business after almost 20 years of operating in the proper zone and in reliance on approvals from the City of Los Angeles. This would be beyond a practical difficulty and would certainly be an unnecessary hardship.

**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.**

In addition to the matters and special circumstances discussed above, the subject property has the advantage of not being located near any residential uses, is located off an alley that services the rear parking area, and is adjacent to the 101 Freeway to the rear.

**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.**

Every use that is permitted in a zone has a reasonable expectation that it may exist with its generally intrinsic characteristics and ancillary uses and accoutrements. The plumber is approved in the C2 Zone and has his commercial truck(s); UPS and FedEx are approved in the C2 Zone and store their trucks overnight. As mentioned in #1 above, LAMC Section 12.14.A.42 permits commercial vehicles incidental to the main and approved use to be parked/stored as prescribed in (a) through (e) of said section, and the weight of the subject vehicles is due to the fact that they are outfitted with full kitchens for use on movie locations.

With regard to the slight and temporary infringement on the approach to one parking space, other properties in the city that were developed prior to existing parking regulations enjoy

existing, non-conforming rights as to parking. If parking is ever provided it must be maintained going forward even when parking spaces are not up to current code requirements as to size. Special circumstances exist in the subject location as all of the permit history shows no parking required, and the latest and most recent permit prior to the preparation of this application showed "nc" (no change) in parking required and parking provided, yet because the architect at the time attached a plot plan showing parking spaces, the Department of Building and Safety recently made a determination that those spaces must be used toward current code-required parking. This unusual circumstance led to the need to request a zone variance as one space as shown in the attached plot plan will have its access blocked if a truck is parked in the northerly-most space. This occurs only when the business is closed or during the times when the trucks are leaving for or returning from movie locations. Parking accessibility can actually be maintained by providing a parking attendant affidavit ensuring that staff will always be available to move vehicles to accommodate. Additionally it is important to note that this facility does not serve the general public as customers do not come to or receive in-person service at the subject location.

**4. That the granting of the 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.**

The fact that this business has existed at the subject location for nearly twenty (20) years with its motion picture catering trucks without complaint, coupled with the fact that the underlying use is a permitted use in the C2 Zone are testament and evidence to the fact that the business, if allowed to continue as is, would not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity, and would be further assured by the addition of a six (6) foot high solid fence or wall as required by Section 12.24.A.42(c).

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

For all of the reasons cited above, and with the addition of a six (6) foot solid fence or wall, it is clear that the spirit and intent of the code and General Plan will be preserved, and thus not adversely impacted.

CITY OF LOS ANGELES  
DEPARTMENT OF CITY PLANNING

ZA 2014-1224

ENVIRONMENTAL ASSESSMENT FORM

EAF Case No.: 1014-1224-1 ZA Case No.: \_\_\_\_\_ CPC Case No.: \_\_\_\_\_  
Council District No.: 3 Community Plan Area: Encino-Tarzana  
PROJECT ADDRESS: 19451 W. Ventura Blvd.

Major Cross Streets: Ventura Blvd. & Tampa Ave.  
Name of Applicant: Scot Kirkwood  
Address: 19451 W. Ventura Blvd., Los Angeles, CA 91356  
Telephone No.: 818-758-9858 Fax No.: \_\_\_\_\_ E-mail: skirkwood7@att.net

OWNER

Name: Scot Kirkwood

Address: 19451 Ventura Blvd., Los Angeles, CA 91356

Telephone No: 818-758-9858

Signature: [Signature] (agent)

APPLICANT'S REPRESENTATIVE  
(Other than Owner)

Name: Steve Catalano (Kindel Gagan, Inc.)  
(Contact Person)

Address: 550 S. Hope St., Suite 530, Los Angeles 90071

Telephone No: 213-624-1550

Signature: [Signature]  
(Applicant's Representative)

The following Exhibits are required (3 copies of each exhibit and 3 Environmental Assessment Forms for projects in Coastal & S.M. Mtn. Zones): All Exhibits should reflect the entire project, not just the area in need of zone change, variance, or other entitlement.

NOTE: The exhibits are IN ADDITION TO those required for any case for which the Environmental Assessment Form is being filed.

- A. **2 Vicinity Maps:** (8½" x 11") showing nearby street system, public facilities and other significant physical features (similar to road maps, Thomas Brothers Maps, etc.) with project area highlighted.
- B. **2 Radius/Land Use Maps:** (1" = 100') showing land use and zoning to 500 feet (100 feet of additional land use beyond the radius for alcoholic beverage cases); 100' radius line (excluding streets) okay for Coastal building permits 300' for site plan review applications.
- C. **2 Plot Plans:** showing the location and layout of proposed development including dimensions; include topographic lines where grade is over 10%; tentative tract or parcel maps where division of land is involved to satisfy this requirement, and the location and diameter of all trees existing on the project site.
- D. **Application:** a duplicate copy of application for zone change, (including Exhibit "C" justification) batch screening form, periodic comprehensive general plan review and zone change map, variance, conditional use, subdivider's statement, etc.
- E. **Pictures:** two or more pictures of the project site showing walls, trees and existing structures.
- F. **Notice of Intent Fee:** a UNDATED check in the amount of \$25 made out to the **County of Los Angeles** for the purpose of filing a Notice of Intent to Adopt a Negative Declaration as required by § 15072 of the State CEQA Guidelines.

ENVIRONMENTAL ASSESSMENT

APPROVED BY: MINDY NEUTEN

DATE: 04/09/14

APPLICATION ACCEPTED

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

RECEIPT NO.: 16241

**I. Project Description:**

Briefly describe the project and permits necessary (i.e., Tentative Tract, Conditional Use, Zone Change, etc.) including an identification of phases and plans for future expansion:

Zone Variance To allow for the overnight parking/storage of 6 accessory commercial vehicles in excess of 5,600 lbs. registered weight incidental to an existing approved motion picture caterer catering shop in the C2 Zone otherwise compliant with Sec. 12.14.A.42 and to occupy or share required parking spaces while loading/unloading and overnight.

Will the project require certification, authorization, clearance or issuance of a permit by any federal, state, county, or environmental control agency, such as Environmental Protection Agency, Air Quality Management District, Water Resources Board, Environmental Affairs, etc.? If so, please specify:

Los Angeles County Health Department Private Commissary Permit

**II. Existing Conditions:**

- A. Project Site Area Existing 1,851.25 sq. ft. catering shop on a 6,246.3 sf. lot. Area for commercial vehicles apx 2750 sf.  
 Net and \_\_\_\_\_ Gross Acres \_\_\_\_\_
- B. Existing Zoning C2-1VLD
- C. Existing Use of Land Commercial retail catering shop  
 Existing General Plan Designation Community Commercial
- D. Requested General Plan Designation no change
- E. Number 0 type \_\_\_\_\_ and age  $\pm$  \_\_\_\_\_ of structures to be removed as a result of the project. If residential dwellings (apts., single-family, condos) are being removed indicate the number of units: 0 and average rent: \_\_\_\_\_  
 Is there any similar housing at this price range available in the area? If yes, where?  
n/a
- F. Number None Trunk Diameter \_\_\_\_\_ and type \_\_\_\_\_ of existing trees.
- G. Number None Trunk Diameter \_\_\_\_\_ and type \_\_\_\_\_ of trees being removed (identify on plot plan.)
- H. Slope: State percent of property which is:  
100% Less than 10% slope \_\_\_\_\_ 10–15% slope \_\_\_\_\_ over 15% slope \_\_\_\_\_  
*If slopes over 10% exist, a topographic map will be required. Over 50 acres, 1" = 200' scale is okay.*
- I. Check the applicable boxes and indicate the condition on the Plot Plan. There are ☐ natural or man-made drainage channels, ☐ rights of way and/or ☐ hazardous pipelines crossing or immediately adjacent to the property, or ☒ none of the above.
- J. Grading: (specify the total amount of dirt being moved)  
None 0-500 cubic yards.  
 \_\_\_\_\_ if over 500 cubic yards. indicate amount of cubic yards.
- K. Import/Export: Indicate the amount of dirt being imported or exported None

**Projects involving import/export of 1000 cubic yards or more are required to complete a Haul Route Form and Haul Route Map.**

If the project involves more than one phase or substantial expansion or changes of existing uses, please document each portion separately, with the total or project details written below. Describe entire project, not just area in need of zone change, variance, or other entitlement.

### III. Residential project (if not residential, do not answer)

- A. Number of Dwelling Units-  
Single Family \_\_\_\_\_ Apartment \_\_\_\_\_ or Condominium \_\_\_\_\_
- B. Number of Dwelling Units with:  
One bedroom \_\_\_\_\_ Two bedrooms \_\_\_\_\_  
Three bedrooms \_\_\_\_\_ Four or more bedrooms \_\_\_\_\_
- C. Total number of parking spaces provided \_\_\_\_\_
- D. List recreational facilities of project \_\_\_\_\_
- E. Approximate price range of units \$ \_\_\_\_\_ to \$ \_\_\_\_\_
- F. Number of stories \_\_\_\_\_, height \_\_\_\_\_ feet.
- G. Type of appliances and heating (gas, electric, gas/electric, solar) \_\_\_\_\_  
Gas heated swimming pool? \_\_\_\_\_
- H. Describe night lighting of the project \_\_\_\_\_  
(include plan for shielding light from adjacent uses, if available)
- I. Percent of total project proposed for: Building \_\_\_\_\_  
Paving \_\_\_\_\_  
Landscaping \_\_\_\_\_
- J. Total Number of square feet of floor area \_\_\_\_\_

### IV. Commercial, Industrial or Other Project (if project is only residential do not answer this section). Describe entire project, not just area in need of zone change, variance, or other entitlement.

- A. Type of use Existing commercial retail - motion picture caterer/catering shop
- B. Total number of square feet of floor area apx 1,851.25
- C. Number of units if hotel/motel n/a
- D. Number of stories 1 height \_\_\_\_\_ feet.
- E. Total number of parking spaces provided: 3
- F. Hours of operation 3:00 a.m. - 8:00 p.m. Days of operation Mon - Fri
- G. If fixed seats or beds involved, number n/a
- H. Describe night lighting of the project exterior lighting on rear of the lot  
(Include plan for shielding light from adjacent uses, if available)
- I. Number of employees per shift 5
- J. Number of students/patients/patrons n/a
- K. Describe security provisions for project alarm system
- L. Percent of total project proposed for: Building Existing - no change  
Paving Existing - no change  
Landscaping no change

### Historic/Architecturally Significant Project

Does the project involve any structures, buildings, street lighting systems, spaces, sites or components thereof which may be designated or eligible for designation in any of the following: (please check)

- • National Register of Historic Places \_\_\_\_\_
- • California Register of Historic Resources \_\_\_\_\_
- • City of Los Angeles Cultural Historic Monument \_\_\_\_\_
- • Within a City of Los Angeles Historic Preservation Overlay Zone (HPOZ) \_\_\_\_\_

**V. Hazardous Materials and Substance Discharge**

Does the project involve the use of any hazardous materials or have hazardous substance discharge?  
 If so, please specify. None

- A. Regulatory Identification Number (if known) \_\_\_\_\_  
 B. Licensing Agency \_\_\_\_\_  
 C. Quantity of daily discharge \_\_\_\_\_

**VI. Stationary Noise Clearance: A clearance may be necessary certifying the project's equipment (e.g., air conditioning) complies with City Noise Regulations.**

Some projects may require a Noise Study. The EIR staff will inform those affected by this requirement.

**VII. Selected Information:**

- A. Circulation: Identify by name all major and secondary highways and freeways within 1,000 feet of the proposed project; give the approximate distance(s):  
Ventura (101) Freeway adjacent (approx 20 ft.), Ventura Blvd. adjacent
- B. Air: All projects that are required to obtain AQMD permits (see AQMD Rules and Regulations) are required to submit written clearance from the AQMD indicating no significant impact will be created by the proposed project.\*
- C. Noise: Projects located within 600 feet of railroad tracks indicate the number of trains per day:\*\*  
 Day 7 AM-10 PM n/a  
 Night 10 PM-7 AM n/a

**VIII. Mitigating Measures:**

Feasible alternatives or mitigation measures which would substantially lessen any significant adverse impact which the development may have on the environment. No adverse impacts are anticipated, however the applicant proposes to erect a 6-foot high solid fence around the rear portion of the lot as prescribed in Sec. 12.14.A.42.

\* Contact the South Coast Air Quality Management District at 572-6418 for further information.

\*\* For information, contact:

Southern Pacific Train Dispatcher	629-6569
Union Pacific Engineering	725-2313
Santa Fe Train Master	267-5546



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

*Planning Staff Use Only*

ENV No. <u>2014-682-CE</u>	Existing Zone <u>C2-NLD</u>	District Map <u>1394-174B121</u>
APC <u>South Valley</u>	Community Plan <u>Encino-Tarzana</u>	Council District <u>3</u>
Census Tract <u>1394.02</u>	APN <u>2163-021-008</u>	Case Filed With [DSC Staff] <u>Rony Giron</u>
		Date <u>2-26-14</u>

CASE NO. DIR · 2014-683 · SPP

APPLICATION TYPE Project Permit Compliance.  
(zone change, variance, conditional use, tract/parcel map, specific plan exception, etc.)

**1. PROJECT LOCATION AND SIZE**

Street Address of Project 39100 Ventura Blvd. Tarzana. Zip Code 91356  
Legal Description: Lot Lot 19 Block \_\_\_\_\_ Tract TR 13335  
Lot Dimensions \_\_\_\_\_ Lot Area (sq. ft.) 32,444.26 sq. ft. Total Project Size (sq. ft.) 1,057.00 SQ. FT.

**2. PROJECT DESCRIPTION**

Describe what is to be done: Turn the present laundry into a frozen yogurt store.

Present Use: Laundry Proposed Use: New Frozen Yogurt store

Plan Check No. (if available) \_\_\_\_\_ Date Filed: \_\_\_\_\_

Check all that apply:

<input type="checkbox"/> New Construction	<input type="checkbox"/> Change of Use	<input type="checkbox"/> Alterations	<input type="checkbox"/> Demolition
<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Residential	<input type="checkbox"/> Tier 1 LA Green Code

Additions to the building: ☐ Rear ☐ Front ☐ Height ☐ Side Yard

No. of residential units: Existing \_\_\_\_\_ To be demolished \_\_\_\_\_ Adding \_\_\_\_\_ Total \_\_\_\_\_

**3. ACTION(S) REQUESTED**

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

Code Section from which relief is requested: \_\_\_\_\_ Code Section which authorizes relief: 11.5.7C.  
Project permit compliance pursuant to the Ventura -  
Cahuenga Blvd. crossing specific plan to allow a  
change of use from Laundry to New Frozen Yogurt Store.

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

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

List related or pending case numbers relating to this site:

**4. OWNER/APPLICANT INFORMATION**

Applicant's name Marlon Aburto Company \_\_\_\_\_  
 Address: 10111 Oak Park Ave. Northridge Telephone: (213) 725-3296 Fax: ( ) \_\_\_\_\_  
 Zip: 91325 E-mail: \_\_\_\_\_

Property owner's name (if different from applicant) Adel Louka  
 Address: 10111 Oak Park Ave Telephone: (818) 534-6426 Fax: ( ) \_\_\_\_\_  
Northridge. Zip: 91325 E-mail: \_\_\_\_\_

Contact person for project information Marlon Aburto Company \_\_\_\_\_  
 Address: 10111 Oak Park Ave Telephone: (213) 725 3296 Fax: ( ) \_\_\_\_\_  
Northridge Zip: 91325 E-mail: \_\_\_\_\_

**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: \_\_\_\_\_

Print: ADEL LOUKA

**ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of Los Angeles

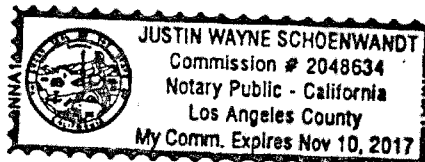
On February 13<sup>th</sup>, 2011 before me, Justin Wayne Schoenwandt  
 (Insert Name of Notary Public and Title)

personally appeared Adel Louka, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed 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.

Justin Wayne Schoenwandt (Seal)  
 Signature

**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 attached sheet(s) this additional information using the handout as a guide.



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**Planning Staff Use Only**

Base Fee	Reviewed and Accepted by [Project Planner]	Date
Receipt No.	Deemed Complete by [Project Planner]	Date

**APPLICATION FOR CONSIDERATION**  
**Pursuant to the Ventura/Cahuenga Boulevard Corridor Specific Plan**  
**Ordinance No. 174,052 (ZI 1729)**

City of Los Angeles, Department of Transportation (DOT)  
San Fernando Valley Development Review Section  
6262 Van Nuys Blvd. Suite 320, Van Nuys, CA 91401 – Tel. (818) 374-4699

1. DOT Case Number VEN-\_\_\_\_\_ Project Name New Frozen Yogurt Store.
2. Property Address 19100 Ventura Blvd. Tarzana. Ca. 91356.  
Community \_\_\_\_\_
3. **PROPERTY OWNER INFORMATION**  
Name & Company Adel Louka.  
Address 10111 Oak Park Ave. Northridge. Ca. 91325  
Telephone No. 818-534-6426.
4. **APPLICANT INFORMATION**  
Name & Company Marlon Aburto.  
Address 10111 Oak Park Ave. Northridge. Ca. 91325.  
Telephone No. 213-725-3296.
5. **PROJECT DESCRIPTION**  
Most recent use and square footage Laundry. 1,057.00 SQ. FT.  
  
  
Proposed use and square footage New Frozen Yogurt Store.  
1,057 SQ. FT.
6. Does project generate more than 43 pm net trips? Yes \_\_\_\_\_ No ✓
7. Signature of Applicant  Date 02-20-14
8. Received at DOT By  Date 02/20/2014

COUNTY CLERK'S USE

CITY CLERK'S USE

CITY OF LOS ANGELES  
OFFICE OF THE CITY CLERK  
200 NORTH SPRING STREET, ROOM 360  
LOS ANGELES, CALIFORNIA 90012  
CALIFORNIA ENVIRONMENTAL QUALITY ACT  
**NOTICE OF EXEMPTION**  
(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY

City of Los Angeles Department of City Planning

COUNCIL DISTRICT

3

PROJECT TITLE

\* New Frozen Yogurt Store

LOG REFERENCE

ENV 2014-682.CE

PROJECT LOCATION

\* 19100 Ventura Blvd. Tarzana. Ca. 91356.

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:

\*

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

\*

CONTACT PERSON

\* Marlon Aburto.

AREA CODE

\* 213

TELEPHONE NUMBER

\* 725-3296.

EXT.

EXEMPT STATUS: (Check One)

## STATE CEQA GUIDELINES

## CITY CEQA GUIDELINES

☐ MINISTERIAL

Sec. 15268

Art. II, Sec. 2b

☐ DECLARED EMERGENCY

Sec. 15269

Art. II, Sec. 2a (1)

☐ EMERGENCY PROJECT

Sec. 15269 (b) &amp; (c)

Art. II, Sec. 2a (2) &amp; (3)

☒ CATEGORICAL EXEMPTIONSec. 15300 *et seq.*

Art. III, Sec. 1

Class 3 Category 17 (City CEQA Guidelines)☐ OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)

JUSTIFICATION FOR PROJECT EXEMPTION: Projects involving less than 35 dwelling units or 15,000 square feet of commercial, industrial, governmental, or institutional floor space where, as determined by the appropriate City department, the project is not in a designated hillside ("H") area or in an officially mapped area of severe geologic hazard, conforms with or is less intensive than the adopted plan, is a fill-in rather than an initial intrusion into an established pattern of development, is not in an officially designated Paleontological, Historical, Archaeological or Seismic Study Area, and, of residential, is more than 1,000 feet from a freeway, railway, or airport, except where the mitigation of potentially significant noise and air quality impacts to an insignificant level is ensured. If any grading is required in connection with such projects, this Categorical Exemption shall not apply unless the grading is also exempted by Subsection d of Subsection 1 of the City CEQA Guidelines.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE

TITLE

DATE

FEE:

RECEIPT NO.

REC'D. BY

DATE

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record  
Rev. 11-1-03 Rev. 1-31-06 Word

IF FILED BY THE APPLICANT:

\* Marlon Aburto.

NAME (PRINTED)

\*   
SIGNATURE

\* 02-26-2014.

DATE

DIR

2014 683

DIR 2014 000



## Community Planning Referral Form

This form, completed and signed by appropriate Community Planning staff, must accompany any *Master Land Use Application* submitted at the Department of City Planning Public Counters regarding proposed projects located in Specific Plan areas, Historic Preservation Overlay Zones (HPOZs), Design Review Board (DRB) areas, Community Design Overlay (CDO) districts, Pedestrian Oriented Districts (PODs), Neighborhood Oriented Districts (NODs), or Sign Districts (SN).

### 1. Name of Specific Plan, HPOZ, DRB, CDO, POD, NOD, or SN

If this is a Density Bonus case, please write "Density Bonus" and the name of the Community Plan area

#### 1a. Sub-Area (if applicable)

### 2. Address of Proposed Project:

19100 Ventura Blvd. Tarzana, Ca. 91356.

### 3. Description of Proposed Project:

Turn the present laundry into a frozen yogurt store. + 1 wall sign

Project Type: ☐ New construction ☐ Addition ☐ Renovation ☒ Sign ☒ Change of use ☐ Grading

If change of use, what is existing use? existent Laundry Proposed use? Frozen Yogurt store

### 4. Note to Applicant: Other Approvals

Applicant is advised to obtain a pre-plan check consultation with the Department of Building & Safety to determine any other necessary approvals from other City departments, including City Planning. Potential City Planning approvals in addition to Director's Determination are listed below. This list includes the most common approvals and is not exhaustive.

#### Zoning Administration

Adjustment or Variance  
Conditional Use Permit (e.g. sale of alcohol)  
Coastal Development Permit  
Determination

#### CPC/APC/Director

Site Plan Review  
Zone Change/General Plan Amendment  
Conditional Use Permit  
(e.g. educational institutions)  
Density Bonus

#### Advisory Agency

Tract Map/Parcel Map  
Small Lot Subdivision

City of Los Angeles Department of City Planning WEBSITE: [www.cityplanning.lacity.org](http://www.cityplanning.lacity.org)

#### DOWNTOWN OFFICE

City Hall - 200 N Spring St.  
Rooms 621 & 667

#### VALLEY OFFICE

Marvin Braude Construction Center - 6262 Van Nuys Bl.  
Rooms 351 & 430

**Questions 5 & 6 below to be filled out by Community Planner**

**5. Approved Filing** (check all that apply):

**Specific Plan/SN**

- ☐ Project Permit
- ☒ Minor (3 signs or less OR change of use)
- ☐ Standard (Remodel or renovation in which additions are no greater than 200sf., more than 3 signs, and/or wireless equipment)
- ☐ Major (All other projects, e.g. new buildings, remodels that include an addition of more than 200sf.)
- ☐ Modification
- ☐ Adjustment
- ☐ Exception
- ☐ Amendment
- ☐ Interpretation
- ☐ Other
- ☐ Not a project per Specific Plan or SN

**DRB**

- ☐ Final Review
- ☐ Preliminary Review

**CDO/POD/NOD**

- ☐ Discretionary Action
- ☐ Minor (3 signs or less OR change of use)
- ☐ Standard (Remodel or renovation in which additions are no greater than 200sf., more than 3 signs, and/or wireless equipment)
- ☐ Major (All other projects, e.g. new buildings, remodels that include an addition of more than 200sf.)
- ☐ Sign-off only
- ☐ Not a project

**HPOZ**

- ☐ COA
- ☐ CCMP
- ☐ Amendment
- ☐ Demolition
- ☐ Other

Is the project located in a Federal District/ National Register Historic District or a California Register Historic District? ☐ Yes<sup>1</sup> ☐ No

Does the project involve demolition of a Contributing building or structure? ☐ Yes<sup>1</sup> ☐ No

<sup>1</sup> Certificate of Appropriateness (COA) on properties located in Federal Districts/ Nation Register Historic Districts or in California Register Historic Districts do not qualify for Categorical Exemptions. Projects involving the demolition of Contributing buildings or Structures do not qualify for Categorical Exemptions. Check "Environmental Assessment Form," below and direct applicant to apply for an EAF.

**Density Bonus**

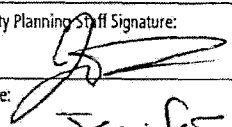
- ☐ Density Bonus and/or parking reduction only
- ☐ Density Bonus Referral Form attached
- ☐ On-menu incentives requested
- ☐ Off-menu incentives requested

**GPA and/or ZC**

- ☐ Consultation completed

**6. Environmental Clearance** (check one):

- ☒ Categorical Exemption
- (Not for Specific Plan Exception cases, unless the project is a sign)
- ☐ Environmental Assessment Form (EAF)
- ☐ Reconsideration of: \_\_\_\_\_
- ☐ Existing ENV Case Number: \_\_\_\_\_
- ☐ Public Counter to determine environmental clearance
- ☐ Other entitlements needed

Community Planning Staff Signature: 	Phone Number: 81374-9816
Print Name: Jennifer Driver	Date: 2/20/11
Base Fee (List each entitlement base fee separately): Minor	

Need NC package + WBL for CD 3, TAZMA NC, & City Agency + Applicant + owner

13-1478

## MOTION

PLANNING &amp; LAND USE MANAGEMENT

The Small Lot Subdivision Ordinance was enacted by the City of Los Angeles in 2004. The Small Lot Subdivision Ordinance is an innovative zoning tool that allows development of townhouse style homes on urban infill lots with commercial or multi-family residential zoning. In most cases, the density of a Small Lot Subdivision is much less than what an apartment or condominium developer could build.

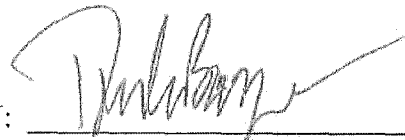
Despite its advantages, over the last nine years, problems in the implementation of the Small Lot Subdivision Ordinance have come to light. In many cases, Small Lot Subdivisions have disrupted the character of existing neighborhoods. They are not compatible with nearby buildings and do not relate well to the street.

To solve this problem, the Director of Planning should update and improve the Small Lot Subdivision Guidelines. They are out of date and must be amended to reflect the reality of the Small Lot Subdivisions being built today. In addition, the Small Lot Subdivision Ordinance should be evaluated and amended if necessary to see if it contains provisions that make it difficult for Small Lot Subdivisions to fit in with existing neighborhoods.

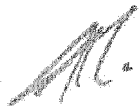
I THEREFORE MOVE that the Department of Planning be instructed to update and improve the Small Lot Subdivision Guidelines.

I FURTHER MOVE that the Department of City Planning, with the assistance of the City Attorney, be instructed to evaluate the Small Lot Subdivision Ordinance and prepare any changes to the Ordinance that are necessary to ensure that future Small Lot Subdivisions are compatible with the neighborhood.

PRESENTED BY:

Tom LaBonge  
Councilmember, 4<sup>th</sup> District

SECONDED BY:



**Los Angeles Neighborhood Council Coalition**  
**A Coalition of Councils**  
Website: [www.lancc.org](http://www.lancc.org)  
WEB-BLOG (Notices, etc.): [lanccreports.blogspot.com](http://lanccreports.blogspot.com)  
Send emails (questions, comments):  
[LANCC@EMPOWERLA.ORG](mailto:LANCC@EMPOWERLA.ORG)

**President: Terrence Gomes**  
**Secretary: Connie Acosta**

**Vice President: Fred Mariscal**  
**Treasurer: Glenn Bailey**

April 29, 2014

Councilmember Huizar, Chair, Councilmember Cedillo, and Councilmember Englander  
RE: ITEM NO. (7) 13-1478-S1

The Los Angeles Neighborhood Council (LANCC) is a coalition of the ninety-five, certified Neighborhood Councils (NCs) of the City of Los Angeles that provides a platform for the NCs to advance a uniform voice to City Hall and its elected officials. We also provide the training for NCs to empower their communities to take action on items of quality of life and public safety.

At our April 5, 2014 monthly general meeting, a proposal was passed by 80% of the voting members in attendance that the "Los Angeles City Council enact a moratorium on the small lot subdivision ordinance until a complete staff report can be commissioned to review the merits of the 2004 ordinance and to see if current construction is meeting the intent of the original ordinance for in-fill density and affordable housing options. The process would include town hall meetings in the five geographical areas to hear input from NC officials and the public."

LANCC, along with their member NCs are requesting that the PLUM committee put forth a motion to City Council with the recommendation to enact a moratorium on the current small lot subdivision ordinance until a complete staff report can be commissioned to review the merits of the 2004 ordinance. In the report, the following items need to be addressed:

1. Goals for in-fill density.
2. Goals for affordable housing options utilizing the small lot subdivision ordinance.
3. Study of the impact and the sustainability of these subdivisions on current and future resources in the affected communities.
4. Development of an actual ordinance that defines small lot subdivisions and not guidelines.
5. Plans for outreach to the communities most impacted by small lot subdivisions.

LANCC and the Neighborhood Councils are prepared to move forward in a discussion to create a small lot subdivision ordinance that meets the needs of Los Angeles and still retains the quality of life that is Los Angeles.

Sincerely,

*Terrence Gomes*

Terrence Gomes  
Chair, Los Angeles Neighborhood Council Coalition