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**ENCINO NEIGHBORHOOD COUNCIL
PLANNING AND LAND USE (PLU) COMMITTEE
MEETING MINUTES**

Date: TUESDAY, September 12, 2017 Time: 7:00PM

Location: Encino Community Center

4935 Balboa Blvd, Encino, CA 91316

Present:

Shelley Billik* (Serving Chair), Jerry Silver*, Carol Levin*, Scott Linden *, Al Mass, Diana Menzer*, Jo-Dee Becker Secretary.

- 1. Call to Order 7:02 P.M., Roll Call, Determination of a Quorum,**
- 2. The minutes of the May 9th 2017 PLU Meeting were accepted 7-0-0**

The committee decided to take agenda item 5 first. The agenda numbering is reflected.

5. City Planning Initiative to Update Community Plans

Adrineh Melkonian, Planning Assistant from the Los Angeles Department of City Planning, spoke regarding this update. This is an effort to update the old 1998 Plan. There will be opportunities for community education and input. There will be an EIR for each (or combined?) of the three Valley areas that are being updated: Encino/Tarzana (population currently 74,000), Van Nuys/Reseda and Canoga Park/West Hills. The City has been doing research and outreach regarding a first draft land use map which will be followed by zoning updates. The EIR is expected to be developed in 2018/19. In 2020 There an approval process will begin requiring multiple phases of approval. There will be a Planning 101 meeting on June 17th and a City Planning workshop for the SW Valley on July 12th.

3. Action Items:

A) Specific Plan Exception Case: Change of Use to Legalize Existing Synagogue CN:APCSV-2017-827-SPE-SPP/ENV 2017-828-EAF

Haichal Moshe Synagogue seeks to update the Certificate of Occupancy on their currently leased 3,215 sf space. The current C of O shows a Pool hall with an alcohol license. The synagogue has been leasing and using the space for 12 years and now needs an Assembly occupancy. The Exception is to allow this use to continue with 10 parking spaces. **Brandon Finch and Matt**

Goulgy, representing the owners, presented a parking demand study which shows that of their 102 congregant households 75% live within a quarter mile of the synagogue. They stated that the 10 spaces would adequately support this function since congregants walk to synagogue in lieu of driving. **Rabbi David Loloyn** spoke stating that the organization uses the building for prayer, youth counseling, business functions and management of offsite clubs. 15 people are there on a typical work day.

Committee Member Questions and Comments:

Q: (Scott Linden) With only 10 spaces, how many will be handicapped?

A: 2 handicapped and 8 regular spaces will be restriped.

Q: (Al Mass) When there is an event such as a Bar Mitzvah, how will you make sure there is enough parking?

A: Out of town guests stay near enough to walk to the event or get dropped off.

Q: (Scott Linden) Can you share parking with adjacent schools or offices?

A: Yes but it's not needed per the Parking Study. Most use is before businesses open or after they close.

Q: (Jerry Silver) If we looked at the Building and Safety online complaints what would we find?

A: Two orders, 1 Notice to comply with occupancy and 1 for building without a permit which has been rectified.

Q: (Shelley Billik) Was the Parking Study a consecutive week of review?

A: No, there were personnel issues that prevented consecutive days.

Q: (Shelley Billik) What do you do regarding parking for High Holidays?

A: They are held at a local school (Nestle Avenue School)

Public Comments:

Wayne from Encino, resident: This LADBS complaint is bogus and unreasonable. Get Paul Koretz to support the exception.

Homan Mobasser, congregant: Observant members do not drive on Sabbath or Holidays. He used to walk from his house on Louise and Burbank, now lives closer and always walks.

Motion: Support the Change of Use and Exception to the Ventura Specific Plan for the Haichal Moshe Synagoge, including the Variance for parking allowing 8 regular and 2 handicapped parking spaces which shall apply only to the Haichal Moshe Synagogue use. (Jo-Dee Becker) **Second:** (Shelley Billik), **Passed: 6-0-1**(Scott Linden)

4. Action Items:

A) Chick-fil-A Restaurant ZA-2017-3785-CU-SPA

The applicant is seeking 5 exceptions to by right entitlements:

- 1) **Conditional Use Permit (CUP) per LAMC Section 12.24 W.27** – Request is to allow extended hours of operation of 5 a.m. to 12 a.m. in-lieu of the Commercial Corner requirements otherwise identified in LAMC Section 12.22 A23; to allow an existing (permitted) pole sign to remain on the subject site; and to allow the transparency requirement to be fulfilled via the use of louvers in lieu of glazing; and the installation of one (1) menu board and canopy adjacent to the proposed drive-thru.

2) **Conditional Use Permit per LAMC Section 12.24 W. 37** – Request is to permit the continued operation of a parking lot in the RA-1 Zone.

3) **Conditional Use Permit per LAMC Section 12.24 W.17** – Request to permit the operation of a drive-through fast-food restaurant on a parcel in the C4-1VL the lot line of which adjoins a lot zoned RA-1.

4) **Project Permit Adjustment per LAMC 11.5.7 E.2.** – Request is for a reduced landscape buffer width of 8'0" in lieu of 10'0" as required by Section 7.3.D.1 of the Ventura-Cahuenga Boulevard Corridor Specific Plan. (Landscape SF exceeds the Specific Plan requirement, only dimension is modified)

5) Environmental Assessment Form (EAF)

Jonathan Lonner and **Jennifer Daw** spoke representing the owners.

Employees would arrive at 5 A.M., the store would open at 6 A.M and close at 10 P.M. From 10 PM to Midnight deliveries are proposed, coming from in front of the store curbside on Ventura Boulevard. The store will be closed on Sundays. The owner is negotiating for staff parking at the adjacent church.

Committee Member Comments and Questions:

Q: (Shelley Billik) Do shifts overlap and if so how does that affect parking?

A: Yes, but employees either get parking or a bus pass.

Q: (Shelley Billik) How will you enforce/make sure deliveries are only from 10 – Midnight?

A: It will be a condition of the permit.

Q: (Scott Linden) Did you inquire with other lots for parking besides the church?

A: No, not yet. It needs to be an easy and safe walking distance.

Q: (Shelley Billik) Where is the trash? Are you planning for mandatory recycling?

A: In the parking lot – hours not yet known.

Q: (Jerry Silver) What is the purpose of a commercial corridor? Have you addressed those issues?

A: Yes, to buffer the residences adjacent to commercial. Yes they are addressed.

Q: (Jo-Dee Becker) Where is the pole sign you are requesting in the rendering of the building?

A: Omitted

Q: () How much parking is currently shown?

A: 14 cars and 6 bicycles.

Scott Linden: Do you plan a left turn lane on White Oak into parking? That might help congestion but would not help the Ventura drive through exit.

Public Comments:

Lee Blumenfeld, resident: Q: Is the footprint the same as the Hollywood store?

A: No, but it is similarly a walk up store with no interior seating.

Comment: The drive-thru gets jammed with up to 20 cars at a time. This plan dumps traffic onto a blind corner on Ventura Boulevard. It is dangerous and could cause congestion on White Oak and Ventura.

Kathy Schramm, resident: McDonalds already causes noise and traffic. This will add to the problem.

Angela Reimel, resident: has noise and traffic concerns. Concerned about children walking and the added traffic. It is already a dangerous intersection. The loading is a conflict with the bus stop on Ventura Boulevard.

Wayne from Encino, resident: Stated concerns for traffic and to contact Councilman Koretz.

Xochitl, Pollo Loco employee (speaking for herself only): Pollo Loco did not add a drive through because of the lack of parking and the concerns about traffic entering onto Ventura Blvd. Trash is picked up daily and is noisy and unneighborly. There are sometimes conflicts with church events.

Committee comments:

Appreciation was stated for the work effort. However, due to issues of traffic and noise the applicants are requested to rework their design and bring it back to this committee for review.

Motion: to table the discussion on Chick-fil-A until it is revised. (Shelley Billik). **Second:** (Scott Linden). **Passed 7-0-0**

6: Public Comment (for items not on the agenda)

None

5: Committee Member Comment:

A motion was presented by Gerald A. Silver. The motion is attached to these minutes below:

The following comments shall be provided to City Staff at the first Workshop of the Encino-Tarzana Community Plan held on July 12, 2017 from 6:30 to 8:30 pm at the Encino Community Center, Women’s Club Room, 4935 Balboa Blvd., Encino.

THE ENCINO NEIGHBORHOOD COUNCIL (ENC)

The Encino Neighborhood Council (ENC) is an entity of the City of Los Angeles and is managed by a governing body comprised of elected volunteers from Encino. The ENC is “designed to give stakeholders, who are residents, business owners, employees, members of organizations and other community members a forum for addressing issues important to the Encino community.”

This document contains our initial comments presented to the first Workshop of the Encino-Tarzana Community Plan held on July 12, 2017 from 6:30 to 8:30 pm at the Encino Community Center, Women’s Club Room, 4935 Balboa Blvd., Encino. We are pleased that the Planning Dept. is now updating the Encino-Tarzana Community Plan, last revised in 1998. We reserve the right to make further comment as the process moves forward.

For decades Los Angeles has had Community Plans to guide population growth, land use, housing and transportation strategies. The Encino-Tarzana Community plan and others are now outdated and fail to adequately address over-development and lack of infrastructure issues. We strongly urge the Planning Dept. to permit no increase in housing density, rezoning or upzoning

that will add to the population in the Encino-Tarzana Community Plan until all environmental and mitigations measures are first in place and implemented. The previously approved update in 1998 has been a dismal failure. Traffic and congestion in the Plan area have increased significantly. The roadway capacity, utilities, library, public safety, water and other resources are stressed to their limits. Until these issues are resolved, no further population increases should be permitted in the Encino-Tarzana Community Plan.

ADEQUATE COMMUNITY PARTICIPATION REQUIRED

The State of California requires citizen participation in the preparation or amendments of community plans. General Plan Government Code Section 65351 reads, “During the preparation or amendment of the general plan the planning agency shall provide opportunities for the involvement of citizens, public agencies, public utility companies, civic, education, and other community groups through public hearings and any other means the city or county deems appropriate”.

The community participation measures were grossly inadequate in preparing the 1998 Encino-Tarzana Community Plan update. On July 27, 1997, only 55 residents attended a Planning Workshop after a total of only 2,500 “hearing notices” were sent out. On April 9, 1998 only 28 residents attended a Planning hearing to comment on zone changes. [Los Angeles Times, April 11, 1998] Newspaper and direct mail notices were written in small print, hard to understand, technical language. [Los Angeles Times, April 19, 1998 and April 21, 1998]. The notices did not make clear the potential negative budget impacts that added population and massive new apartment buildings would bring.

The current Encino-Tarzana Community Plan update must be handled very differently. Extensive direct mail efforts should be made on multiple occasions to reach all residential and commercial addresses in the Plan area. E-mail, social media, twitter feed and clearly written newspaper advertisements must be used to reach all affected residents. Plain and simply language must communicate the cost, budget and environmental impacts of population and housing increases.

DESCRIPTION OF PROJECT

This project is designed to revise the Encino-Tarzana Community Plan, remove inaccurate language, reflect changes in the Plan, amend the Plan Land Use Map, reflect amendments not considered in the Public Facilities and Open Space study, re-designate certain properties, implement a portion of the Citywide General Plan Framework Element, implement new land use

categories, identify mixed use areas and transit-oriented districts (TOO's), implement zone changes to insure consistency with the Framework Element. According to the Planning Dept., "The aim is to plan for future generations and create certainty around planned growth (i.e. population and economic growth) over the next twenty to twenty five years... Creatively updating the zoning code to meet those needs... bring renewed vitality to our commercial corridors." This goal is fraught with risks if City Planners add density by upzoning for hundreds-of-thousands of new residents. Upzoning will result in massive over-development to take place by right. It is unfortunate that the last Plan update removed a library designation and eliminated several parks from the Community Plan.

ROLE OF THE COMMUNITY PLAN

The Community Plan is intended to promote an arrangement of land uses, streets, and services which will encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the people who live and work in the community. The plans are also intended to guide development in order to create a healthful and pleasant environment. Goals, objectives, policies, and programs are created to meet the existing and future needs and desires of the community. The general plan clarifies and articulates the city's intentions with respect to the rights and expectations of the general public, property owners, prospective investors and business interests. Through the Community Plan, the city can inform these groups of its goals, policies, and development standards, thereby communicating what is expected of the city government and private sector to meet its objectives.

The Community Plan ensures that sufficient land is designated which provides for the housing, commercial, employment, educational, recreational, cultural, social, and aesthetic needs of the residents of the plan area. The Plan identifies and provides for the maintenance of any significant environmental resources within the Plan Area. The Plan also seeks to enhance community identity and recognizes unique neighborhoods within the Plan area.

AN ENVIRONMENTAL IMPACT REPORT (EIR) MUST BE PREPARED

In the 1998 Community Plan Update, a Mitigated Negative Declaration (MND) was prepared to address the environmental issues as required by CEQA. Subsequently, the Planning Dept. issued a Mitigated Negative Declaration (MND) because "the mitigation measures ... will reduce any potential significant adverse impacts to a level of insignificance." In over two decades, this proved to be patently false and inaccurate. In our opinion, a Mitigated Negative Declaration (MND) is an inadequate tool to address all of the potential negative impacts of population growth that is contemplated. The proposed project will have significant impacts on the environment that must be fully mitigated in an Environmental Impact Report (EIR). Further a Statement of Overriding

Considerations should not be issued to justify additional population growth where inadequate infrastructure is in place.

COMMUNITY BACKGROUND

The Encino-Tarzana Community Plan area is comprised of two community sub-areas, each with its own identity, described as follows:

1. Encino has two identities. It has a diverse mix of commercial along Ventura Boulevard. On the eastern end starting at the 405 Freeway and extending to Balboa Boulevard is a Regional Center. The development pattern is that of high-rise buildings surrounded by specialty shops and restaurants. Further west, the development pattern follows that commonly found throughout the rest of the Valley, strip-center type commercial development. Residential development is comprised of large estate size single family lots located south of Ventura Boulevard, and a mix of single family and multiple density dwellings located north, between the 101 Freeway and Ventura Boulevard.

2. Tarzana has commercial properties located along Ventura Boulevard that are developed with a mix of pedestrian oriented storefronts and office structures. Residential development parallels that of Encino, large estate lots south of Ventura Boulevard and a mix of single-family and multiple density housing located between the Ventura Freeway and Ventura Boulevard. There is a diverse residential area north of Ventura Blvd., bounded by Tampa Ave. on the east, Corbin Ave. on the west, Topham Street on the north, and Martha Street on the south. With its own distinctive identity, characterized by large estate lots, quaint narrow streets, and uniqueness of housing style, this community provides its residents with a flavor of semi-rural living.

SPECIFIC PLANS

The Ventura/Cahuenga Boulevard Corridor and Mulholland Scenic Parkway Specific Plans address the unique development problems associated with commercial and residential development within the Encino-Tarzana plan area.

1. Ventura/Cahuenga Boulevard Corridor Specific Plan. The goal of the Ventura/Cahuenga Boulevard Corridor Specific Plan are to assure an equilibrium between the transportation infrastructure and land use development along Ventura Blvd. The land uses within the Specific Plan are not governed by the Encino-Tarzana Community Plan.

2. Mulholland Scenic Parkway Specific Plan. The goals of the Mulholland Scenic Parkway Specific plan are to assure maximum preservation and enhancement of the parkways' outstanding and unique scenic features and resources; to assure that design and placement of buildings and other improvements preserve, complement and/or enhance views; minimize grading and assure that graded slopes have a natural appearance.

COMMUNITY PROFILE

The Community Profile provides an overview of population, housing, and socio/demographics for the Encino-Tarzana Community Plan Area and compares it to the rest of the city.

[Tables containing the statistical data for previous census dates and rates of growth unavailable.]

COMMUNITY ISSUES THAT WERE NOT ADEQUATELY ADDRESSED IN THE 1998 PLAN UPDATE

In preparing the 1998 Community Plan Update many fanciful and unrealistic goals were stated. Traffic mitigations, public service and numerous other issues were never resolved. For example:

“GOAL 7 Ensure adequate library services and facilities are provided to the area’s residents by expanding existing facilities and/or locating new sites where funding becomes available.”

To this day, only one public library serves residents in all of Encino and Tarzana. [Encino – Library Plan Deletion Prompts Outcry, Los Angeles Times, April 17, 1988] Traffic jams, congestion and lack of parking structures plague the Plan area.

The following summarizes the most significant planning and land use issues that were identified in the previous Encino-Tarzana Community Plan update that still remain unresolved:

RESIDENTIAL Issues

- Need to preserve single family neighborhoods.
- Lack of open space in apartment projects.
- Cumulative effects if permitted development exceeds infrastructure capacity.
- Need to preserve and enhance historic buildings and residences.
- Compatibility between residential and industrial uses.

COMMERCIAL Issues

- Lack of continuity of complementary uses and cohesiveness along commercial frontages.
- Lack of overall parking and access within commercial strips due to such physical constraints as shallow commercial lot depths.
- Unsightliness of new construction due to the lack of landscaping, architectural character and scale.
- Inadequate transition between commercial and residential uses.
- Support for efforts to preserve and rehabilitate commercial and residential historic structures when located on commercial sites.

- Complement any unique existing development/uses to reinforce desirable design characteristics and uses.
- Establish appropriate transitions between commercial (mixed use) and adjoining uses, especially residential.
- Create pedestrian/friendly shopping areas by incorporating street trees, benches, convenient parking/access, and maintaining retail frontage at ground level.

INDUSTRIAL Issues

- To ensure that industrially zoned properties are located north of Ventura Boulevard.
- To provide adequate protection for residentially zoned properties adjacent to industrial uses.
- Providing appropriate administrative review for major expansions of existing industrial sites when located near residential uses.

PARKS AND OPEN SPACE Issues

- Addition, expansion and/or improvement of needed local parks throughout the Community should be accelerated, where feasible.
- Continued efforts to establish State and local park sites within the hillside areas.

Motion: (Jerry Silver). **Second:** (Carol Levin) **Approved: 7-0-0**

7: Adjournment: 9:02 PM

Respectfully Submitted,
Jo-Dee Becker
Formatting,
Jason Ackerman