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CITY ATTORNEY

REPORT NO. R15-0145

MAY 28 2015

REPORT RE:

DRAFT ORDINANCE AMENDING VALLEY VILLAGE SPECIFIC PLAN BOUNDARIES

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Honorable Members:

Pursuant to the request of the City Council, this office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance amends the boundaries of the Valley Village Specific Plan.

Background and Summary of Ordinance Provisions

The Valley Village Specific Plan (Plan) was adopted by the City Council in 1993. The Plan was adopted in response to concerns by the community concerning commercial and multi-family developments that were out of scale or out of character with the single-family character of the area. Specific concerns included excessive traffic, spill over parking into single-family neighborhoods, and blocked views.

The current Plan area boundaries are the Hollywood Freeway on the east, the Ventura Freeway on the south, the Tujunga Wash on the west and Burbank Boulevard on the north. The freeways and the wash create natural breaks in development to the communities beyond. However, Burbank Boulevard does not create such a natural break. Therefore, smaller commercial sites on the south side of Burbank Boulevard are subject to additional restrictions imposed by the Plan to which smaller commercial sites on the north side of Burbank Boulevard are not. These additional restrictions include prohibitions on "fast-food" and "drive-through" restaurants.

One of these smaller commercial sites on the south side of Burbank Boulevard (at the southwest corner of Laurel Canyon and Chandler) has been proposed for a Starbucks drive-through coffee shop. This site is within the current boundaries of the Plan and thus subject to the Plan's prohibition on "drive-through" restaurants and possibly, the Plan's prohibition on "fast-food" restaurants.

To allow the development of this proposed drive-through coffee shop, the Department of City Planning recommends amending the Plan boundaries to exclude this site, along with two other nearby sites from the Plan area. In the Department's view, this amendment would allow these sites to develop in a manner similar to nearby sites located on the north side of Burbank Boulevard that are not within the Plan area or subject to its restrictions.

Because only these three sites will be removed from the Plan area, the Plan's restrictions will continue to operate on the rest of the area along the south side of Burbank Boulevard, where they are needed and are appropriate.

Charter Findings

Pursuant to Charter Section 559, the Planning Commission has approved the draft ordinance and recommends that the City Council adopt it. If the City Council chooses to adopt this ordinance, it may comply with the provisions of Charter Section 558 by either adopting the findings prepared by the Director of Planning attached to the file or by making its own findings.

Council Rule 38 Referral

We discussed the draft ordinance with the staff of the Department of Building and Safety, and incorporated the Department's recommendations into the draft ordinance. In addition, we sent the final draft ordinance, pursuant to Council Rule 38, to the Department of Building and Safety with a request that all comments, if any, be presented directly to the City Council when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Kenneth Fong at (213) 978-8235. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By Terry Kaufman Macias for
DAVID MICHAELSON
Chief Assistant City Attorney

DM/KTF:zra
Transmittal

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