



**PLANNING DEPARTMENT TRANSMITTAL  
TO THE CITY CLERK'S OFFICE**

<b>CITY PLANNING CASE:</b>	<b>ENVIRONMENTAL DOCUMENT:</b>	<b>COUNCIL DISTRICT:</b>
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CPC-2015-2361-ZC-HD-SPR	ENV-2015-2360-MND	2 - KREKORIAN
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**PROJECT ADDRESS:**

13103 – 13225 W. VICTORY BOULEVARD

<b>APPLICANT/REPRESENTATIVE:</b>	<b>CONTACT INFORMATION :</b>
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PHIL BACERRA, WARMINGTON RESIDENTIAL

REP.: ERIC LIEBERMAN, QES, INC.

<b>APPELLANT/REPRESENTATIVE:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
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N/A

<b>PLANNER CONTACT INFORMATION:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
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JENNA MONTERROSA	213-978-1	jenna.monterrosa@lacity.org
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**APPROVED PROJECT DESCRIPTION:**

In conjunction with a Zone and Height District change from [Q]R3-1XL and (T)(Q)RAS3-1VL to (T)(Q)RAS3-1VL and a Site Plan Review, the project involves the construction, use, and maintenance of more than 50 residential dwelling units.

**COMMISSION ACTION(S) / ZONING ADMINISTRATOR ACTION(S): (CEA's PLEASE CONFIRM)**

1. Approved and Recommended that the City Council adopt a Zone Change and Height District Change from [Q]R3-1XL and (T)(Q)RAS3-1VL to (T)(Q)RAS3-1VL, consistent with the adopted Neighborhood Commercial land use designation.
2. Approved a Site Plan Review for a project creating 50 or more residential dwelling units.
3. Adopted the attached modified Conditions of Approval.
4. Adopted the attached Findings.
5. Found that pursuant to Section 21166 of the California Public Resources Code and Section 15162 of the State's Environmental Quality Act (CEQA) Guidelines, that since the adoption of Mitigated Negative Declaration No. ENV-2015-2360-MND and the Mitigation Monitoring Program for ENV-2015-2360-MND on November 10, 2015, no subsequent environmental analysis is necessary.
6. Recommended that the applicant be advised that time limits for effectuation of a zone in the "T" Tentative Classification are specified in LAMC Section 12.32-G. Conditions must be satisfied prior to the issuance of building permits and that the (T) Tentative classification be removed in the manner indicated on the attached page.
7. Advised the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
8. Advised the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Recommendations to City Council:

1. Recommended that the City Council adopt a Zone Change and Height District Change from [Q]R3-1XL and (T)(Q)RAS3-1VL to (T)(Q)RAS3-1VL, consistent with the adopted Neighborhood Commercial land use designation.
2. Recommended that the City Council Find that pursuant to Section 21166 of the California Public Resources Code and Section 15162 of the State's Environmental Quality Act (CEQA) Guidelines, that since the adoption of Mitigated Negative Declaration No. ENV-2015-2360-MND and the Mitigation Monitoring Program for ENV-2015-2360-MND on November 10, 2015, no subsequent environmental analysis is necessary.

**ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION:**

ZC, HD, SPR

**FINAL ENTITLEMENTS NOT ADVANCING:**

N/A

**ITEMS APPEALED:**

N/A



ATTACHMENTS:	REVISED:	ENVIRONMENTAL CLEARANCE:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination <input checked="" type="checkbox"/> Findings of Fact <input checked="" type="checkbox"/> Staff Recommendation Report <input checked="" type="checkbox"/> Conditions of Approval <input checked="" type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Zone Change Map <input type="checkbox"/> GPA Resolution <input type="checkbox"/> Land Use Map <input type="checkbox"/> Exhibit A - Site Plan <input checked="" type="checkbox"/> Mailing List <input type="checkbox"/> Land Use <input type="checkbox"/> Other	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption <input type="checkbox"/> Negative Declaration <input checked="" type="checkbox"/> Mitigated Negative Declaration <input type="checkbox"/> Environmental Impact Report <input type="checkbox"/> Mitigation Monitoring Program <input type="checkbox"/> Other	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<b>NOTES / INSTRUCTION(S):</b>			
<b>FISCAL IMPACT STATEMENT:</b>			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <p style="text-align: center;">*If determination states administrative costs are recovered through fees, indicate "Yes".</p>			
<b>PLANNING COMMISSION:</b>			
<input checked="" type="checkbox"/> City Planning Commission (CPC) <input type="checkbox"/> North Valley Area Planning Commission <input type="checkbox"/> Cultural Heritage Commission (CHC) <input type="checkbox"/> South LA Area Planning Commission <input type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> South Valley Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> West LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission			
<b>PLANNING COMMISSION HEARING DATE:</b>		<b>COMMISSION VOTE:</b>	
December 17, 2015		7 - 0	
<b>LAST DAY TO APPEAL:</b>		<b>APPEALED:</b>	
March 14, 2016		NO	
<b>TRANSMITTED BY:</b>		<b>TRANSMITTAL DATE:</b>	
James K. Williams		MAR 16 2016	



# LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801  
(213) 978-1300; <http://planning.lacity.org/>

## LETTER OF DETERMINATION

Mailing Date: **FEB 26 2016**

**CASE NO.:** CPC-2015-2361-ZC-HD-SPR  
**CEQA:** ENV-2015-2360-MND

**Location:** 13103 – 13225 West Victory Boulevard  
**Council District:** 2 – Krekorian  
**Plan Area:** Van Nuys – North Sherman Oaks  
**Request:** Zone Change, Height District,  
Site Plan Review

**Applicant:** Phil Bacerra, Warmington Residential  
**Representative:** Eric Lieberman, QES, Inc.

**At its meeting of December 17, 2015, the Los Angeles City Planning Commission took the following action:**

1. **Approved and Recommended** that the City Council **adopt** a **Zone Change** and **Height District Change** from [Q]R3-1XL and (T)(Q)RAS3-1VL to **(T)(Q)RAS3-1VL**, consistent with the adopted Neighborhood Commercial land use designation.
2. **Approved a Site Plan Review** for a project creating 50 or more residential dwelling units.
3. **Adopted** the attached modified **Conditions of Approval**.
4. **Adopted** the attached **Findings**.
5. **Found** that pursuant to Section 21166 of the California Public Resources Code and Section 15162 of the State's Environmental Quality Act (CEQA) Guidelines, that since the adoption of Mitigated Negative Declaration No. **ENV-2015-2360-MND** and the Mitigation Monitoring Program for ENV-2015-2360-MND on November 10, 2015, no subsequent environmental analysis is necessary.
6. **Recommended** that the applicant be advised that time limits for effectuation of a zone in the "T" Tentative Classification are specified in LAMC Section 12.32-G. Conditions must be satisfied prior to the issuance of building permits and that the (T) Tentative classification be removed in the manner indicated on the attached page.
7. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
8. **Advised** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

### Recommendations to City Council:

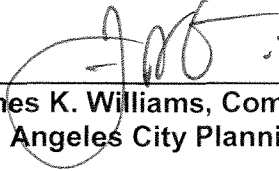
1. **Recommended** that the City Council **adopt** a **Zone Change** and **Height District Change** from [Q]R3-1XL and (T)(Q)RAS3-1VL to **(T)(Q)RAS3-1VL**, consistent with the adopted Neighborhood Commercial land use designation.
2. **Recommended** that the City Council **Find** that pursuant to Section 21166 of the California Public Resources Code and Section 15162 of the State's Environmental Quality Act (CEQA) Guidelines, that since the adoption of Mitigated Negative Declaration No. **ENV-2015-2360-MND** and the Mitigation Monitoring Program for ENV-2015-2360-MND on November 10, 2015, no subsequent environmental analysis is necessary.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

**This action was taken by the following vote:**

**Moved:** Perlman  
**Seconded:** Ahn  
**Ayes:** Ambroz, Choe, Mack, Millman Dake-Wilson  
**Absent:** Katz, Padilla

**Vote:** 7 - 0



**James K. Williams, Commission Executive Assistant II**  
**Los Angeles City Planning Commission**

**Effective Date/Appeals:** The Los Angeles City Planning Commission's determination regarding the Site Plan Review is the only entitlement that is appealable. Any aggrieved party may file an appeal within 15-days after the mailing date of this determination letter. Any appeal not filed within the 15-day period shall not be considered by the City Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

**MAR 14 2016**

**FINAL APPEAL DATE:** \_\_\_\_\_

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachment: Modified Conditions of Approval, Maps, Ordinance, Findings  
City Planning Associate: Jenna Monterrosa

## **Conditions For Effectuating (T) Tentative Classification Removal**

Pursuant to Section 12.32-G of the Municipal Code, the (T) or [T] Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

Dedications and Improvements. Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional, and Federal government agencies as may be necessary).

### Responsibilities/Guarantees.

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies and any necessary dedications and improvements shall be specifically acknowledged and performed by the applicant/developer.
2. Bureau of Engineering. Prior to the issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.
  - a. Alley Merger:
    - i. That the public alleys adjoining the northerly tract boundary tract excluding any turning area at the northerly terminus of Ethel Avenue be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
      1. That consents to the alleys being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
      2. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

- ii. That consent to the alley merger be obtained from all property owners adjoining the alley to be merged (vacated).
  - iii. That any surcharge fee in conjunction with the alley merger request be paid.
  - iv. That prior to the merger of the alley and the recordation of the final map suitable replacement sewer within suitable public sewer easement be constructed and accepted into service to maintain sewer service in the area in a manner satisfactory to the City Engineer.
- b. Dedication Required:
- i. **Victory Boulevard** (Boulevard II-Major Highway) – A 2-foot wide strip of land shall be dedicated along Victory Boulevard to complete a 52-foot wide half right-of-way in accordance with Major Highway Standards including a 20-foot radius property line return at the intersection with Atoll Avenue.
  - ii. **Ethel Avenue** (Local Street) - That a sufficient area be dedicated as necessary for construction of a 10-foot wide sidewalk and a minimum turning area at the northerly terminus of Ethel Avenue adjoining the tract and the merged (vacated)alley portion all in an alignment satisfactory to the Valley District Office.
  - iii. That public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Valley Engineering District Office.
- c. Improvements Required:
- i. **Victory Boulevard** – Improve Victory Boulevard being dedication adjoining the property by the reconstruction of the existing bad order concrete curbs and gutters and construct 15-foot wide full-width concrete sidewalks with tree wells including any necessary removal and reconstruction of existing improvements.
  - ii. **Atoll Avenue** – Improve Atoll Avenue adjoining the subdivision by the reconstruction of the existing bad order concrete curbs and gutters and reconstruct 12-foot full-width concrete sidewalks with tree wells including constructing new concrete curbs and gutters along the alley intersections being merged (vacated) including any necessary removal and reconstruction of existing improvements.
  - iii. **Ethel Avenue** – Improve Ethel Avenue being dedicated and adjoining the tract by construction of a 10-foot wide sidewalk and suitable improvement of the turning area all satisfactory to the Valley District Engineering Office.
  - iv. After submittal of hydrology and hydraulic calculations and drainage plans for review by the City Engineer prior to recordation of the final map, construction of public and private drainage facilities will be required satisfactory to the Valley District Engineering.
- d. Street Trees. The developer shall plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. All street tree plantings shall be brought up to current standards. The actual number and location of new trees shall be determined at the time of tree planting. The contractor shall notify the Urban

Forestry Division at (213) 847-3077 five working days prior to constructing the sidewalk for the marking of the tree locations and species.

Note: Removal of parkway trees or Protected Trees requires the Board of Public Works' approval. Contact Urban Forestry Division for tree removal permit information.

- e. Drainage. Roof drainage and surface run-off from the property shall be collected and treated at the site and directed to the streets via drain system constructed under the sidewalk and through curb drains connected to the catch basin.
- f. Sewer. Construct the on-site mainline sewers within the proposed Common Access Easement area to replace the existing sewers in the alleys being merged satisfactory to the City Engineer.

An investigation by the Bureau of Engineering Central District Office Sewer Counter may be necessary to determine the capacity of the existing public sewer lines to accommodate the proposed development. Capacity for the development exists at the City's Sewage Treatment Plants. Submit a request to the Central District Office of the Bureau of Engineering at (213)482-7050.

- g. Submit shoring and lateral support plans to the Bureau of Engineering Excavation Counter for review and approval prior to excavating adjacent to the public right-of-way (213) 482-7048.
  - h. Submit parking area and driveway plan to the Valley District Office of the Bureau of Engineering and the Department of Transportation for review and approval.
3. Bureau of Street Lighting. Prior to the issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Association.
- i. Construct new street lights: one (1) on Atoll Avenue and nine (9) on Victory Boulevard. If street widening per the Bureau of Engineering improvement conditions, relocate and upgrade one (1) street light on Victory Boulevard.
4. Department of Transportation. Satisfactory arrangements shall be made with the Department of Transportation to assure that a parking area and driveway plan be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 6262 Van Nuys Boulevard, Room 320, Van Nuys, CA 91401.
5. Fire Department. Prior to the issuance of building permit, a plot plan shall be submitted to the Fire Department for approval.

Notice: If conditions dictate, connections to the public sewer system may be postponed until adequate capacity is available.

Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.) as required herein, are completed to the satisfaction of the City Engineer.



## (Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

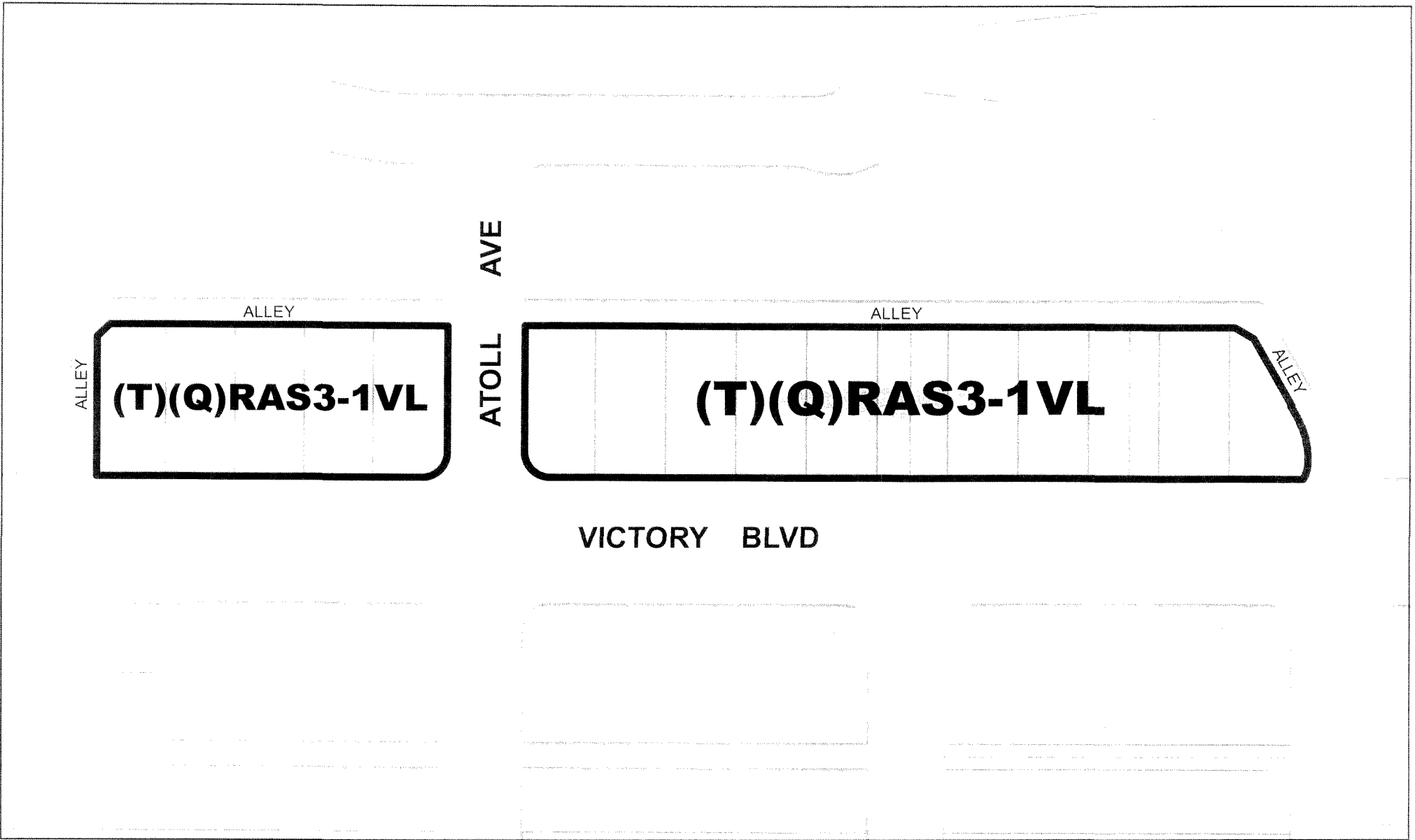
1. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan labeled Exhibit "A." Prior to the issuance of building permits, detailed development plans including a site plan illustrating elevations, facades, and architectural treatment, and a landscape/irrigation plan shall be submitted for review and approval by the Department of City Planning. The plans shall comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
2. **Tujungka Wash Greenway Access.** The project shall provide pedestrian access for the project's residents to the Tujungka Wash Greenway via a pedestrian pathway located at the project's easterly property line.

**ORDINANCE NO. \_\_\_\_\_**

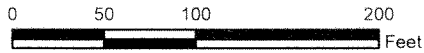
An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section \_\_\_\_ . Section 12.04 of the Los Angeles municipal Code is hereby amended by changing the zone classifications of property shown upon a portion of the Zoning Map incorporated therein and made a part of Article 2, Chapter 1 of the LAMC, so that such portion of the Zoning Map shall conform to the zoning on the map attached hereto and incorporated herein by this reference.



THE INTENT OF THIS ORDINANCE IS FOR THE BOUNDARIES OF THIS ZONE CHANGE TO COINCIDE WITH THOSE OF RECORDED TR. 73529.

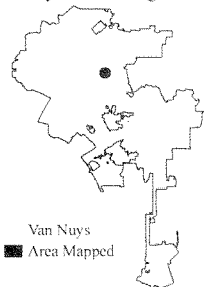


C.M. 180 B 157, 180 B 161	CPC-2015-2361-ZC-HD-SPR
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City of Los Angeles



## CONDITIONS OF APPROVAL

Pursuant to LAMC Section 12.32 and 16.05 of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property.

### Project Conditions

1. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan, and elevations labeled Exhibit "A" attached to the subject case file. The location, type, and size of signage is not a part of this approval. Minor deviations may be allowed in order to comply with provisions of the Municipal Code and the conditions of approval.
2. **Use.** The use and area for the new development shall be developed for 63 Small Lot Homes as determined by the incidental VTT-73529-SL and regulated by the 1VL Height District.
3. **Floor Area.** The project shall be limited to a maximum floor area of 3:1.
4. **Façade.** The façade of all structures shall be in substantial conformance with the elevations and renderings labeled Exhibit "A."
  - a. All dwelling units shall contain primary entryways that front along circulation walkways and shall be provided clear paths of travel from the public rights-of-way to their primary entryways.
  - b. Building facades shall be articulated and architecturally treated on all four (4) sides.
5. **Building Alignment/Articulation.**
  - a. A maximum of five units may be aligned before a minimum 10-foot wide separation of buildings with walkways and landscaping or 30-foot wide open space area.
  - b. Building facades shall be articulated to avoid blank or monotonous facades and to break the façade up into distinct planes that are offset from the main building façade. Examples of articulation methods include, but are not limited to varying entry enhancements, landscape screening elements, colors, textures, and materials along with distinctive architectural features.
6. **Vehicular Access.** No gates shall be permitted at the vehicular entrances from Atoll or Ethel Avenues.
7. **Pedestrian Walkways.** All northerly/southerly walkways shall be landscaped with a minimum of six (6) trees.
8. **Open Space.** The project shall provide a minimum of 38,900 square feet of open space which may consist of open space lots, pedestrian paths, passageways, and other public spaces.
9. **Landscaping.** All open areas not used for buildings, driveways, parking areas, or walkways shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the decision maker.



- a. A minimum of one (1) 24-inch box tree, planted within a private front yard of a Small Lot Home, shall be planted for every two units located along Victory Boulevard. (minimum trunk diameter of two inches and a height of eight feet at the time of planting).
  - b. Each designated open space area shall be planted with a minimum of two (2) 24-inch box trees (minimum trunk diameter of two inches and a height of eight feet at the time of planting). At maturity, these trees shall provide a minimum crown of 15 feet. Please refer to City of Los Angeles Landscape Ordinance (Ord. No.170,978), Guidelines K - Vehicular Use Areas.
  - c. All northerly/southerly walkways shall be landscaped with a minimum of six (6) trees 24-inch box trees (minimum trunk diameter of two inches and a height of eight feet at the time of planting).
  - d. A planter shall be required between all provided garage doors.
10. **Trash.** Trash and recycling receptacles shall be located out of the public right-of-way and individual bins shall be stored privately in garages. Trash collection shall be coordinated and signed off satisfactory to the Bureau of Sanitation.
11. **Electric Vehicle Stations.**
  - a. Each small lot home's garage shall contain at least one Electric Vehicle (EV) ready space.
  - b. A minimum of 5% of the homes shall contain an electric vehicle charging station within the garage.
12. **Solar Building.**
  - a. In accordance with Los Angeles Municipal Green Building Code, Section 99.04.211, Small Lot Homes shall be constructed to provide space for future electrical solar systems and shall install an electrical conduit system to accommodate the installation of a future electrical solar system, to the satisfaction of the Department of Building and Safety.
  - b. The developer shall offer potential homebuyers the option of installing a solar photovoltaic system or alternate system with means of generating electricity at the time of purchase.
13. **Homeowners' Association.** A Homeowners' Association shall be established with Covenants, Conditions, and Restrictions (CC&Rs) that require homeowners to provide and maintain all landscaping located within their individual lot.
14. **Roof Structures.** Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view by any abutting properties.
15. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way, nor from above.

16. **Signage.** On-site signs shall be limited to the maximum allowable under the Municipal Code.
17. **Department of Transportation.** The project shall comply with the project requirements as detailed in the Department of Transportation letter to the Planning Department date June 18, 2014 and November 19, 2015 (DOT Case No. SFV-2015-103122).

### Environmental Conditions

18. **Land Use/Planning.** An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety.
19. **Increased Noise Levels (Demolition, Grading, and Construction Activities).**
  - a. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
  - b. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
  - c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
  - d. A temporary noise control barrier shall be installed on the property line of the construction site abutting residential uses. The noise control barrier shall be engineered to reduce construction-related noise levels at the adjacent residential structures with a goal of a reduction of 10dBA. The supporting structure shall be engineered and erected according to applicable codes. The temporary barrier shall remain in place until all windows have been installed and all activities on the project site are complete.
20. **Severe Noise Levels (Residential Fronting on a Major or Secondary Highway or adjacent to a Freeway).**
  - a. All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
  - b. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.
21. **Public Services (Fire).** The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any

dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

22. **Public Services (Police – Demolition/Construction Sites).** Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.
23. **Public Services (Police).** The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.
24. **Safety Hazards.**
  - a. The developer shall install appropriate traffic signs around the site to ensure pedestrian, bicycles, and vehicle safety.
  - b. The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.
25. **Inadequate Emergency Access.** The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.
26. **Pedestrian Safety.**
  - a. Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.
  - b. Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
  - c. Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
  - d. Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be

reopened as soon as reasonably feasible taking construction and construction staging into account.

- e. Adjacent sidewalks shall remain open and unobstructed during the demolition and construction phase of the project. Pursuant to LAMC Section 62.45, permits shall be obtained from the Bureau of Street Services prior to the closure of any adjacent sidewalks and/or construction of protection fences or canopies within the public right-of-way. Protection of pedestrian access shall be provided to LAMC Section 91.3306.

### **Administrative Conditions**

27. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
28. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
29. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
30. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
31. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
32. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
33. **Department of Building & Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building & Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building & Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
34. **Corrective Conditions.** 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 City



Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

35. **Expiration.** The subject (T)(Q)RAS3-1VL Zone and the Project Conditions of Approval shall become null and void, and the rezoning proceeding shall be terminated, (a) if the applicant fails to remove the T Tentative classification within the six year time period provided in LAMC Section 12.32-G(h) including any extension or (b) upon applicant's delivering to the Director of City Planning of written notice terminating the (T)(Q)RAS3-1VL rezoning.
36. **Mitigation Monitoring.** The applicant shall identify mitigation monitors who shall provide periodic status reports on the implementation of the Environmental Conditions specified herein, as to area of responsibility, and phase of intervention (pre- construction, construction, post-construction/maintenance) to ensure continued implementation of the Environmental Conditions.
37. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
38. **Indemnification and Reimbursement of Litigation Costs.** Applicant shall do all of the following:
  - a. Defend and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, in whole or in part including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
  - b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, in whole or in part including but not limited to payment of all court costs and attorney's fees, costs of any judgment or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
  - c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
  - d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

- e. If the City determines it necessary to protect the City's interests, execute the indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event that Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

## FINDINGS

1. **General Plan Land Use Designation.** The subject property is located on Victory Boulevard in the Van Nuys – North Sherman Oaks Community Plan, which was adopted by the City Council on September 9, 1998. The subject property is 140 feet deep by approximately 848 feet wide, spanning the distance of nearly two blocks and bifurcated by Atoll Avenue. It is predominantly a flat rectangular shaped, site with a combined area of 117,176-square feet (2.69 acres), having a frontage on Victory Boulevard, with alleys to the north, west, and east. As a result of a General Plan Amendment along with a Zone Change request that were adopted in 2008, the Plan designates the subject property for Neighborhood Commercial land uses with the following corresponding zones: C1, C1.5, C2, C4, RAS3, and RAS4. The subject site is currently zoned (T)(Q)RAS3-1VL and [Q]R3-1XL, with the (T)(Q)RAS3-1VL Zone not yet effectuated as it was never constructed. The proposed zone change to RAS3 is consistent with the subject site's existing land use designation that was adopted in 2008 and will allow for the adoption of a new set of conditions for the new project.

2. **General Plan Text.** The Van Nuys – North Sherman Oaks Community Plan text includes the following relevant land use goals, objectives, and policies:

**Goal 1:** A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community.

**Objective 1-1:** To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

**Policy 1-1.1:** Designate specific lands to provide for adequate multi-family residential development.

**Policy 1-1.2:** Protect existing single-family residential neighborhood from new out of scale development.

**Policy 1-1.3:** Protect existing stable single-family and low density residential neighborhoods from encroachment by higher density residential and other incompatible uses.

**Policy 1-1.4:** Protect the quality of the residential environment through attention to the appearance of communities, including attention to building and site design.

**Objective 1-2:** To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities.

**Policy 1-2.1:** Locate higher residential densities near commercial centers, light rail transit stations, and major bus routes where public service facilities and utilities will accommodate the development.

**Policy 1-2.2:** Encourage multiple residential development in commercial zones.

**Objective 1-3:** To preserve and enhance the varied and distinct residential character and integrity of existing single- and multi-family neighborhoods.

**Policy 1-3.1:** Require a high degree of architectural compatibility with articulated landscaping for new in-fill development to protect the character and scale of existing residential neighborhoods.

**Objective 1-5:** To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background.

**Policy 1-5.1:** Promote greater individual choice in type, quality, price, and location of housing.

**Policy 1-5.3:** Ensure that new housing opportunities minimize displacement of the residents.

**Policy 1-5.4:** Provide for development of townhouses and other similar condominium type housing units to increase home ownership options.

The project's surrounding neighborhood is generally characterized by diverse housing and commercial activity, with low-scale commercial buildings, and shopping centers. Both commercial uses and multiple-family residential uses are located on Victory Boulevard with single-family uses located adjacently to the north and south.

The proposed small lot project will meet the intent of the aforementioned Community Plan's Goals and Objectives by providing much needed new home ownership opportunities for the Van Nuys – North Sherman Oaks Community Plan area in the form of new detached dwelling units as part of an infill development. The project site will occupy a relatively long-standing vacant lot that was last occupied by a 72-unit apartment building and is currently regarded as an eyesore in the community. By introducing 63 new fee-simple residential units to a vacant lot, the proposed project will be consistent with the general objectives and policies pertaining to residential uses within the Community Plan.

The project will introduce a new Small Lot Community, composed of 63 homes, on a site that was previously entitled for a five-story, 59-foot 11-inch tall mixed use building composed of 100 residential- and 120 commercial condominiums with the residential units located over two levels of commercial uses, and subterranean parking. The current project proposes three-story structures with parking located at grade and within individual garages and over 38,900 square feet of common open space areas. This represents a significant reduction in density and size. While an objective of the Community Plan is to generally provide new housing to accommodate population growth, the Plan by and large calls for high quality projects that protect low density residential neighborhoods with close attention paid to design and land use compatibility.

The project will provide a development that reflects a relatively new housing typology that is a hybrid of single- and multiple-family housing. Rather than single-family homes that traditionally require a minimum 5,000 square feet of lot area per home, Small Lot Subdivisions are only permitted in zones that allow for multiple-family housing where permitted density is calculated as it would be with apartments or condominiums. As a result, these subdivisions create housing units, Small Lot Homes, that look and function like row townhomes but are constructed in a manner where each unit is built independently on its own individual "small lot." Legal frontage and access to Small Lot Homes are provided via a common access driveway that is approved in conjunction with a Small Lot Subdivision approval. Unlike traditional row homes that were historically built to be extremely narrow and lacking in the benefits of light, air and open space, Los Angeles' Small Lot Homes are designed with ample living space and common open space amenities. Oftentimes, these homes are designed with roof top decks in addition to



common areas. As a result of added amenities and the necessary common access driveway, Small Lot Homes are generally approved for less than what the underlying zone's density would allow. Consequently, Small Lot Homes are able to combine fee simple (traditionally single-family) home ownership and condo living where there are minimal yards to maintain and shared amenities.

The project is located along a major corridor that is adjacent to commercial uses. By rezoning the site to allow for a 63-small lot community, the project will inherently create a buffer between the commercial uses on Victory Boulevard and the northerly lying single-family neighborhoods. The proposed Small Lot community has been designed to allow for an intensification of the existing property that is compatible to its surrounding land uses. The subdivision's site plan has been designed create breaks in the massing, private and common open space, and pedestrian connectivity for residents. Rather than a large scale mixed-use condominium that is potentially incompatible with nearby single-family homes, the project is of a reduced scale yet is still able to add much needed housing to the area.

Framework Element. The Framework Element of the General Plan was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. It also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following provisions, objectives and policies relevant to the current request:

#### URBAN FORM AND NEIGHBORHOOD DESIGN

**Objective 4.1** Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population to the year 2010.

**Policy 4.1.4:** Reduce overcrowded housing conditions by providing incentives to encourage development of family-size units.

**Objective 4.3** Conserve scale and character of residential neighborhoods.

**Objective 5.7** Provide a transition between conservation neighborhoods and their centers.

The requested entitlements will allow the development of a 63-unit small lot subdivision that is consistent with RAS3 Zone and compatible with surrounding uses. The development of small lot homes, rather than a condominium or single-family development, simultaneously allows for an appropriately scaled transition from intensified uses on Victory Boulevard while still allowing for the creation of dwelling units that are large enough and provide enough private and common amenities to accommodate households of various sizes.

3. The **Mobility Plan 2035** of the General Plan is not likely to be affected by the recommended action herein. Victory Boulevard is a newly re-designated Boulevard II, previously a Major Highway – Class II, dedicated to a 100- to 102-foot right-of-way width at the project's street frontage. The project is required a 2-foot dedication on Victory Boulevard to allow for the widening of the sidewalk, only. Atoll Avenue is a Local Street dedicated to a 60-foot right-of-way width at the project's street frontage. Ethel Avenue is a

local street that terminates and the project site where it turns westerly toward the project site and easterly to an adjoining shopping center. The project has been conditioned to allow for appropriate dedication that is large enough to accommodate a 10-foot wide sidewalk at Ethel Avenue. The public alley located to the north of the project is unimproved and currently fenced within the subject property. The alley will be vacated in conjunction with the proposed project.

In June of 2015, a technical traffic evaluation study analyzing the impacts of the proposed project was prepared. The technical analysis for the proposed 63 unit small lot home development demonstrated that the project would not significantly impact the traffic in the surrounding area. On June 18, 2015, the Los Angeles Department of Transportation concurred with the analysis and stated that final approval be obtained prior to the issuance of any building permits.

4. The **Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. However, requirements for construction of sewer line facilities to serve the subject project and complete the City sewer system for the health and safety of City inhabitants will assure compliance with the goals of this General Plan Element. The City's Hyperion Sewage Treatment facility has adequate capacity for the proposed project.

### **Entitlement Findings**

#### 5. **Zone Change Findings**

- a. **Pursuant to Section 12.32-C of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.**

The subject property is located on Victory Boulevard in the Van Nuys – North Sherman Oaks Community Plan, which was adopted by the City Council on September 9, 1998. The subject property is 140 feet deep by approximately 848 feet wide, spanning the distance of nearly two blocks and bifurcated by Atoll Avenue. It is predominantly a flat rectangular shaped, site with a combined area of 117,176 square feet, having a frontage on Victory Boulevard, with alleys to the north, west, and east. This area is generally characterized by diverse housing and commercial activity. Low-scale commercial buildings, shopping centers, and multiple-family residential uses are developed along Victory Boulevard with single-family uses located adjacently. The northerly adjoining properties are zoned R1-1 and improved with single-family residences. The southerly adjoining properties, south of Victory Boulevard, are zoned R3-1 and are improved with single- and multiple-family residential uses. Properties west of the site are zoned [Q]C1.5-1VL and improved with one-story commercial building and adjacent mini shopping center. East of the site is zoned OS-1VL and is developed with the Tujunga Wash and Greenway which separates the site from an adjacent commercial shopping center. The Project has been designed to be compatible with these adjacent land uses. The proposed 44-foot building height is compliance with the RAS3 Zone and the project's Floor Area Ratio of 1.04:1 is well below the permitted maximum of 3:1.

The proposed Zone Change will result in a project that is in conformance with the public necessity and convenience and is in line with good zoning practice. The proposed 63-unit small lot community has been designed to allow for an intensification of the existing property that is compatible to its surrounding land uses. The project will provide a development that reflects a relatively new housing typology that is a hybrid of single- and multiple-family housing. Small Lot subdivisions create

housing units that look and function like row townhomes but are constructed in a manner where each unit is built independently on an individual “small lot.” The development of small lot homes, rather than a condominium or single-family development, simultaneously allows for an appropriately scaled transition from intensified uses on Victory Boulevard while still allowing for the creation of dwelling units that are large enough and provide enough private and common amenities to accommodate households of various sizes.

Good Zoning Practices. The proposed (T)(Q)RAS3-1VL Zone would potentially allow the Applicant to develop the entire site with a 3:1 Floor Area Ratio (FAR) and at a maximum height of 6 stories or 75 feet. The maximum FAR permitted by the site's existing [Q]R3-1XL zoning is 3:1, with a maximum height of 30 feet. This zone, however, sets requirements related to: resident and guest parking in addition to landscaping and open space ratios. As a result of a General Plan Amendment along with a Zone Change request that were adopted in 2008, the Plan designates the subject property for Neighborhood Commercial land uses with the following corresponding zones: C1, C1.5, C2, C4, RAS3, and RAS4. The previously approved Zone Change request to RAS3-1VL was adopted with a series of project specific temporary (Q) Qualified conditions of approval for the five-story, 120 residential- and 124 unit commercial-, mixed used condominium project. The temporary (Q) requirements set limits the development of the site with regards to density, floor area, height, setbacks, balconies, urban design, signage, parking, noise, landscaping, and hours and additionally include mitigation measures related to the specific project that was previously proposed. This previous approval permitted a maximum height of 59 feet, 11 inches but limited the height to 36 feet within 50 feet of the R1 Zone. The current zone change request to RAS3 is consistent with the subject site's existing land use designation that was adopted in 2008 and will allow for the adoption of a new set of conditions for the new project. At a maximum height of 44 feet and floor area ratio of 1.04:1, the project is consistent with requirements of the RAS3 Zone, which has a maximum height limit of 50 feet and a Floor Area Ratio of 3:1.

Based upon the foregoing, the requested Zone and Height District Change are deemed to be consistent with the public necessity, convenience, general welfare and good zoning practice, as required by the provisions of LAMC Sec. 12.32-F.

- b. The current action, as recommended, has been made contingent upon compliance with new “T” and “Q” conditions of approval imposed herein for the proposed project. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

A Q condition has been required to provide pedestrian access to the adjacent Tujunga Wash for the project's residents. The project has been designed to provide vehicular and pedestrian access on the east side of the property where the project's proposed common access driveway turns into the northerly terminus of Ethel Avenue. The project's easterly boundary terminates at Ethel Avenue, where the street splits to provide public pedestrian access to the Tujunga Wash as well as public pedestrian and vehicular access to a neighboring shopping center located further east. The intent of the Q condition is to ensure that, in addition the proposed common access driveway, pedestrian access remains open to residents. This will allow for the project to be well integrated into the existing surrounding neighborhood. In addition, this access will meet objectives of the Van Nuys – North Sherman Oaks Community Plan as well as the City's Framework Element to encourage the use of

existing open space networks and recreation facilities through the provision of accessible connections.

## 6. Site Plan Review Findings

- a. **The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable Community Plan, and any applicable Specific Plan.**

The subject site is located within the Van Nuys – North Sherman Oaks Community Plan, which designates the site for Neighborhood Commercial land uses, corresponding to the C1, C1.5, C2, C4, RAS3, and RAS4 Zones. The site is not within a hillside area and is not under the jurisdiction of any specific plans.

The Project consists of 63 unit Small Lot Community development along the northerly side of Victory Boulevard, between Fulton Avenue and Coldwater Canyon Avenue, which is a newly designated Boulevard II (previously a Major Highway – Class II). RAS Zone is consistent with the Neighborhood Commercial Land Use designation of the Community Plan. The provision of new housing on a vacant, infill site will meet the intent of the Community Plan's Goals and Objectives to provide high-quality new housing that is appropriately scaled and protects existing neighborhoods.

The Van Nuys – North Sherman Oaks Community Plan text includes the following relevant land use goals, objectives, and policies:

**Goal 1:** A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community.

**Objective 1-1:** To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

**Policy 1-1.1:** Designate specific lands to provide for adequate multi-family residential development.

**Policy 1-1.2:** Protect existing single-family residential neighborhood from new out of scale development.

**Policy 1-1.3:** Protect existing stable single-family and low density residential neighborhoods from encroachment by higher density residential and other incompatible uses.

**Policy 1-1.4:** Protect the quality of the residential environment through attention to the appearance of communities, including attention to building and site design.

**Objective 1-2:** To locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities.

**Policy 1-2.1:** Locate higher residential densities near commercial centers, light rail transit stations, and major bus routes where public service facilities and utilities will accommodate the development.



**Policy 1-2.2:** Encourage multiple residential development in commercial zones.

**Objective 1-3:** To preserve and enhance the varied and distinct residential character and integrity of existing single- and multi-family neighborhoods.

**Policy 1-3.1:** Require a high degree of architectural compatibility with articulated landscaping for new in-fill development to protect the character and scale of existing residential neighborhoods.

**Objective 1-5:** To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background.

**Policy 1-5.1:** Promote greater individual choice in type, quality, price, and location of housing.

**Policy 1-5.3:** Ensure that new housing opportunities minimize displacement of the residents.

**Policy 1-5.4:** Provide for development of townhouses and other similar condominium type housing units to increase home ownership options.

The project's surrounding neighborhood is generally characterized by diverse housing and commercial activity, with low-scale commercial buildings, shopping centers, and multiple-family residential uses on Victory Boulevard and single-family uses located to the north and south. By introducing new fee-simple residential units to a vacant lot, the proposed project will be consistent with the general objectives and policies pertaining to residential uses within the Van Nuys – North Sherman Oaks Community Plan. The project is located between a two shopping centers which result which will be of a convenience to potential residents and has the potential to reduce vehicular trips within the community.

The project will not displace any existing housing and will provide new opportunities for home ownership. The proposed small lot community allows the provision of full, fee-simple homeownership at a density that is higher than traditional neighborhood, yet results in a density that is much lower than by-right apartment or the previously approved condominium project.

The project will preserve and enhance the varied and distinct residential character and integrity of both the adjacent single- and multi-family neighborhoods. The project has been approved with yard requirements that create between the street as well as the northerly adjoining single-family neighborhood. As a result, the project effectively addressing issues within the Plan, such as the "compatibility between lower and high density residential projects."

- b. **The project consists of an arrangement of buildings and structures (including height, bulk, and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements that is or will be compatible with existing and future development on adjacent properties and neighboring properties.**

The project site is located on the north side of Victory Boulevard, between Fulton and Ethel Avenues. The site is an area known as the Valley Glen Community, which is

located on the central east side of the Community Plan. The project site is specifically located near the east border of the Van Nuys – North Sherman Oaks Community Plan and the west border of North Hollywood – Valley Village Community Plan, near the terminus of the Tujunga Wash Greenway, approximately 15 miles northwest of downtown Los Angeles. The subject property is 140 feet deep by approximately 880 feet wide, bifurcated by Atoll Avenue. It is predominantly a flat rectangular shaped, 117,176 square foot lot (2.69 acres), having frontage on Victory Boulevard, with alleys to the north, west, and east. The site is currently vacant and surrounded by a fence.

The surrounding area has a pattern of low to medium density residential uses interspersed with low density commercial uses. The northerly adjoining properties are zoned R1-1 and improved with single-family residences. The southerly adjoining properties, south of Victory Boulevard, are zoned R3-1 and are improved with single- and multiple-family residential uses. Properties west of the site are zoned [Q]C1.5-1VL and improved with one-story commercial building and adjacent mini shopping center. East of the site is zoned OS-1VL and is developed with the Tujunga Wash and Greenway which separates the site from an adjacent commercial shopping center.

The Project involves the construction of 63, three-story (44 feet tall), Small Lot that will each contain a two-car garage located on the ground floor level. Homes will be oriented in two rows on the north and south sides of the site with a common access driveway located in between. Homes fronting along Victory Boulevard will orient to the street with their front door entrances facing Victory Boulevard. They will be set back 12 feet from the sidewalk and will feature private outdoor, gated patio areas that step up to the front door and will additionally serve to buffer units from the sidewalk and street. Homes located north of the common access driveway will be oriented to the north, with front doors facing the northerly adjoining single-family neighborhood. These structures will be set back 15 feet from the property line and will contain the same private gated patios that will separate homes from a five-foot common pedestrian walkway that traverses the site. These homes will face the rear yards of single-family homes to the north and will be separated by a 6-foot tall solid masonry wall that will be landscaped to private a green wall for residents.

In addition, after collaboration between the Applicant and City staff, the site plan layout was redesigned to provide additional pedestrian walkways, landscaping, and open space areas. The provision and thoughtful placement of walkways has created an opportunity for increased pedestrian connectivity that additionally create breaks in the massing and street wall, which provide visual relief.

Vehicular access will be provided through a 20-foot wide, two-way, common access driveway that will allow access from Atoll Avenue and the easterly laying Ethel Avenue. Though long in length, it has been designed in a manner that increases the level of safety for drivers as well as pedestrians within the development and at large. A minimum 20-foot common access width for a two-way driveway allows for better visibility and coordination with other drivers entering and exiting their unit. Planters will separate individual garage doors so as to provide breaks and soften the considerable length of the driveway. A public alley located along the westerly edge of the property will be separated by a 6-foot tall crash gate that will prevent vehicular access from the west. A total of 17 guest parking spaces will be provided, which in an excess of one required space, calculated at one space for every four units. By reducing vehicular access from either Atoll or Ethel Avenues, no access will be provided from Victory Boulevard. As a result, zero new curb cuts will be provided

along Victory Boulevard which will aid to the overall walkability and appropriateness of the project's design.

The project proposes a mix of three different unit types, two of which are three bedroom and one that is a four bedroom unit. The sizes of these units will range from 1,837 to 2,057 square feet. In addition, added living space will be offered as an option for new buyers who may elect to have a unit with an optional roof deck. Individual trash receptacles will be stored in each small lot home and picked up from the proposed common access driveway on trash days. This will eliminate any impacts on neighboring properties.

The project will provide ample landscaping along Victory Boulevard and throughout the development. The project has been conditioned to provide trees in all common areas and will be required to be in substantial compliance with Exhibit "A" which identifies various low level planters, large canopy trees, smaller accent trees, bamboo, hedges and groundcover that will add to the livability of the project.

Along Victory Boulevard, the project has been conditioned to dedicate two feet (2') in order to provide for wider sidewalks, additional street trees, and new street lights, all of which will provide more comfortable accommodations for pedestrians. By eliminating a large vacant site along the commercial corridor, the project will create a more cohesive land use pattern that compliments surrounding uses. By encouraging growth on such a site, the proposed project is believed to be an aiding catalyst for future growth in the area.

**c. That any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties**

The project has been conditioned to feature six common open space areas, totaling over 38,900 square feet, dispersed in three general areas. These open space areas will feature a children's play area, barbeque grills, picnic tables, shaded trellis area, benches, and a dog park. In addition to these features, the project will provide a direct access to the easterly adjoining Tujunga Wash Greenway from one of the proposed open space areas and has been conditioned under the (Q) to maintain this access. Landscaped walkways will be located throughout the project so as to allow for accessibility to all common areas. In addition, these landscaped walkways which intersect project's common access driveway will allow for direct access to Victory Boulevard and will additionally serve as balanced breaks in the development's massing. The openings provided by the proposed walkways and common open space areas at a ratio of one break for every four or five units will offer relief from the project's street wall and will allow for visibility through the project to the north and south. These features will result in improved habitability for potential residents and will minimize impacts on neighboring properties.

7. **Environmental.** On October 14, 2015, a Mitigated Negative Declaration, ENV-2015-2360-MND, was prepared for the proposed project. The City Planning Commission finds that under the California Public Resources Code, section 21166 and the State's Environmental Quality Act (CEQA) Guidelines section 15162, on the basis of substantial evidence contained in the whole record, that since adoption of Mitigated Negative Declaration No. ENV-2015-2360-MND, and related Mitigation Monitoring Program on November 10, 2015, by the Advisory Agency, there have been no changes to the Project, changes with respect to the circumstances under which the Project is being undertaken, or new information of substantial importance concerning the Project, which cause new

significant environmental effects or a substantial increase in the severity of previously identified effects, and therefore no subsequent negative declaration, addendum, or further environmental documentation is necessary. 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.

8. **Flood Insurance.** 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 within a Flood Zone. The project conforms to both the specific provisions and the intent of the Specific Plan for the Management of Flood Hazards (Section 5 of Ordinance No. 172,081).

**DETERMINATION LETTER**  
**CPC-2015-2361-ZC-HD-SPR**  
**MAILING DATE: 02/26/16**

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