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August 6, 2012

Date: 8/7/12
Submitted in VIA MAIL ~~Committee~~
Council File No: 12-1126
~~Item No.~~:
~~Deputy~~: Comm from Applicant's Representative

The Honorable Ed Reyes
Chair, Los Angeles City Council
Planning and Land Use Management Committee
200 N. Spring Street
Los Angeles City Hall
Room 410
Los Angeles, CA 90012

RE: 6221 Fallbrook Avenue
CASE NO.: ZA 2011-2679(ELD)(SPR)-1A
PLUM MEETING DATE: Thursday, August 14, 2012

Dear Councilman Reyes:

On behalf of our client, Community Multihousing, Inc. ("**CMI**"), I appreciate the opportunity to present this letter pertaining to CASE NO. ZA 2011-2679(ELD)(SPR). Also, on behalf of Community Multihousing, Inc., I would like to thank Messrs. Tovar and Rausch for their thoughtful and detailed analysis of the proposed Eldercare Facility as well as their decision approving the proposed use. The entitlement request for the proposed project was filed under Los Angeles Municipal Code (LAMC) Section 14.3.1; Eldercare Facility Unified Permit which was adopted by the Los Angeles City Council in 2006 and became effective on December 30, 2006. The case also includes Site Plan Review findings per LAMC Section 16.05.

In reviewing the legislative history of LAMC Section 14.3.1, it is clear that the Los Angeles Department of City Planning (LADCP), the Los Angeles City Planning Commission (CPC) and the Los Angeles City Council recognized the growing need for Eldercare facilities within the City of Los Angeles and the need to facilitate approval through a streamlined, overriding and unified entitlement process. LAMC Section 14.3.1 allows Eldercare uses in the A1 through R3 Zones (as well as the RAS3, R4, RAS4, R5 and all C Zones) even "...when an Eldercare Facility does not meet the use, area, or height provisions of the respective zone ... or City wide regulations adopted or imposed by City action."[1] Through this ordinance, the LAMC provides clear and unequivocal authority for overriding zoning restrictions that interfere with the construction and operation of Eldercare Facilities in the City of Los Angeles. To assure that these extraordinary powers are used appropriately, the City Council made issuance of an Eldercare Facility Unified Permit subject to approval following a hearing before the Los

[1] LAMC Section 14.3.1B

Angeles City Zoning Administrator, and the requirement that the Zoning Administrator adopt six (6) clearly articulated findings and impose any conditions "...which it deems necessary to protect the best interests of the surrounding properties or neighborhood, or to lessen or prevent any detrimental effect on the surrounding property or neighborhood, or to secure appropriate development in harmony with the objectives of the General Plan."

The purpose of this letter is to provide the Los Angeles City Council Planning and Land Use Management Committee (PLUM) with background information about 6221 Fallbrook Avenue (Subject Property), the nature of the proposed project and its evolution over the past year as well as a clear understanding of the facts associated with the Associate Zoning Administrator's findings supporting the application for an Eldercare Facility Unified Permit at this location. CMI is grateful to Councilman Zine for bringing this matter before the City Council as the final decision maker in this important test of the City's Eldercare Zoning Code provisions.

As always, I am available to meet or speak with you should you have any further questions related to this request.

SECTION I. BACKGROUND

A. The Subject Property

The Subject Property, located at 6221 Fallbrook Avenue in the Woodland Hills community of the City of Los Angeles is a generally flat, RA-1 zoned, rectangular-shaped parcel, of approximately 1.5 acres (±65,715 square feet). The Subject Property is currently improved with a single-story structure that was most recently used as a private Pre-School/Daycare Center for up to 114 students between 2-1/2 and 10 years of age in grades K-3. Under the prior Department of City Planning approval (Case No. ZA 2001-5482 (PAD)), the school operated from 7:30 AM to 6:00 PM, Monday through Friday. The school was required to maintain 24 on-site parking spaces and was served by two driveways, one on Fallbrook Avenue (the primary ingress/egress point) and the other on Erwin Street. The site's Fallbrook Avenue frontage is improved with sidewalk, curb and gutter while the Erwin Street frontage is not fully improved.

B. The Area Around the Subject Property

The Subject Property is located on a Major Highway–Class II corridor that includes a broad range and intensity of uses.

The Subject Property is located on Fallbrook Avenue, which is designated as a Major Highway-Class II in the Canoga Park–Winnetka–Woodland Hills–West Hills Community Plan (see **Attachment "A"**). According to Chapter VI of the Los Angeles City Transportation Element–Street Designations and Standards, a series of "Major Highway[s]-Class II should typically be located one mile apart in a grid system."

Furthermore, a Major Highway-Class II is designed to accommodate 30,000–50,000 Average Daily Trips and 2,400 Vehicles Per Hour in each direction. The designation of Fallbrook Avenue as a Major Highway–Class II is unequivocal. Fallbrook Avenue is designed to meet the traffic and transit needs of the properties that border it as well as surrounding areas. Furthermore, as demonstrated by the broad range of uses and intensities of use along its frontage Fallbrook Avenue readily lends itself to accommodating the proposed Eldercare Facility (see **Attachment "A"**).

Fallbrook Avenue, between Vanowen Street and Burbank Boulevard includes a wide range of uses, including, without limitation, a regional shopping center of nearly 900,000 square feet (Fallbrook Mall), Los Angeles City Fire Department, Station #105, several religious, educational and childcare institutions along with a number of small businesses. The Fallbrook corridor is not a bucolic residential street; it is a Major Highway serving many intense adjacent commercial uses as well as the surrounding community (see **Attachment "B1 and B2"**).

The properties surrounding the Subject Property are zoned RS-1 and RA-1, however, many of the RA-1 zoned lots are non-conforming as to minimum lot size. The Subject Property is zoned RA-1 and exceeds the minimum lot size requirement. The only conforming RA-1 zoned properties in immediate proximity to the Subject Property are located across Erwin Street on the south side, roughly 200 feet west of Fallbrook Avenue. The other RA-1 zoned properties immediately to the west of the Subject Property and those fronting Fallbrook on the west and east side of the street do not meet the 17,500 square foot minimum lot requirement. In spite of how the properties adjacent to the Subject Property might be portrayed, it is not a pristine RA-1 zoned area capable of animal keeping and the trappings of the rural lifestyle rather, it is an area with a rich diversity of zones and land uses fronting on a Major Highway – Class II. The project will not infringe upon rights otherwise currently enjoyed by the adjacent properties and will in fact enhance the aesthetic and quality of the Fallbrook Avenue corridor in a manner consistent with those uses currently in the area.

The Subject Property is not located in the area casually referred to as "Walnut Acres". Interestingly, the community's representative (and others) have publicly testified to the Woodland Hills Warner Center Neighborhood Council and the LADCP Associate Zoning Administrator that there are no defined boundaries of "Walnut Acres". We believe that the term "Walnut Acres" is a marketing term used by real estate brokers to describe the area south of the Subject Property. **Attachment "C"** shows the boundaries of what has been commonly referred to as "Walnut Acres". However, there is no formal boundary, zoning overlay or special land use designation in the City of Los Angles for this area—at most, it is a nickname for an area that does not include the Subject Property. It may also be helpful to know that, in spite of what some may portray, the Walnut Acres neighborhood has no formal or legal "Association". The representations that are made by the Appellant are on behalf of a limited number of individuals within the area. The purpose of addressing this issue is not to debate the metaphysical questions of the existence or boundaries of "Walnut Acres" but to refute its relevance, which is central to

Appellant's contention that the project would damage its existence. Neither is true or supported by the evidence or the findings.

The Subject Property and proposed use is served by public transportation as well as facility operated transit shuttles. Specifically, the site is served directly by METRO Lines 152 (local service) and 353 (limited stop service) with a bus stop located immediately adjacent to the Subject Property (northwest corner of Fallbrook and Erwin, for southbound buses) and immediately across Fallbrook Avenue at the northeast of corner of Fallbrook and Erwin for northbound buses. This service will provide excellent and convenient public transit access for staff, residents and guests. In addition, the residence will provide shuttle service for its residents on an on-call basis.

C. Community Outreach

In an effort to work with the community, outreach included, but was not limited to, the following activities and meetings:

September 8 and 12, 2011 – Brad Rosenheim contacted neighbors who had previously been active in the immediate community to discuss the proposed project. The responses varied from interest in learning more about the proposed project (for which there were follow-up meetings and calls) to outright opposition to any project on the Subject Property other than a single-family home.

November 20, 2011 – Dan Chandler, President of CMI, knocked on the neighbor's doors to introduce himself, give a brief overview of the proposed project, invite further discussion and provide his contact information. He left a flyer for neighbors who were not home. Some neighbors were very open and supportive of the project while others expressed opposition to any project on the Subject Property other than a single-family home.

November 10, 2011 – Meeting with the Woodland Hills – Warner Center Neighborhood Council, Planning and Land Use Committee (WHWCNC-PLUM).

December 6, 2011 - Meeting with the Woodland Hills – Warner Center Neighborhood Council, Planning and Land Use Committee (WHWCNC-PLUM).

January 3, 2012 - Meeting with the Woodland Hills – Warner Center Neighborhood Council, Planning and Land Use Committee (WHWCNC-PLUM).

January 11, 2012 - Meeting with the Woodland Hills – Warner Center Neighborhood Council. Matter referred back to WHWCNC-PLUM with a recommendation that applicant and neighbors meet further.

January 13, 2012 – Applicant meeting with interested neighbors and their representative. At that meeting, the neighbor's representative presented a list of 29 "Conditions" (which was actually more than 50 specific "Conditions"). Many of the "Conditions" were being

addressed by the project, and others were either infeasible, inapplicable or illegal (such as providing the community with background check information on the staff hired to work at the Facility). The parties discussed the requests in an effort to address the neighbor's concerns. Some of the requests presented the Applicant with a Hobbesian choice. For example, concern was expressed that delivery trucks on the site would disturb neighbors when reversing because of the CAL-OSHA required beeping noise. Delivery hours are limited to 8AM to 5PM Monday through Friday and from 9AM to 12 noon Saturdays. There will be no deliveries or trash pick-up on Sundays. In response, the Applicant indicated its willingness to consider using the Erwin Street emergency access for departing delivery vehicles to eliminate the need for reversing on site. The Applicant was accused of using this as an attempt to gain unconstrained ingress/egress to/from the site through Erwin Street.

February 7, 2012 - Meeting with the Woodland Hills – Warner Center Neighborhood Council, Planning and Land Use Committee (WHWCNC-PLUM).

February 21, 2012 - Meeting with the Woodland Hills – Warner Center Neighborhood Council, Planning and Land Use Committee (WHWCNC-PLUM).

February 28, 2012 - Meeting with the Woodland Hills – Warner Center Neighborhood Council which heard testimony, debated, and deadlocked on the matter of whether to recommend approval or denial of the proposed project.

The five meetings with the WHWCNC-PLUM Committee were extremely productive and led to a number of very significant changes to the proposed Eldercare Facility. The clear intent of the WHWCNC-PLUM Committee throughout the effort was to improve the compatibility of the proposed Eldercare Facility with the neighboring properties. As will be described in the next Section, the Applicant has incorporated the changes that WHWCNC-PLUM Committee recommended to the site plan and elevations, which have made the project even more compatible with the neighborhood. Similarly, suggestions made by the neighbors were also incorporated in the proposed project when feasible and appropriate. The level of change that has been incorporated into the project through the outreach process clearly demonstrates the applicant's acceptance of, and willingness to incorporate, productive and positive recommendations emanating from the neighbors and the WHWCNC-PLUM.

SECTION II. THE PROJECT

The following is a brief synopsis of the changes that have been made based on input from the WHWCNC-PLUM Committee and meetings with neighbors. The narrative is further supported by **Attachment "D"**. More detail can be provided if that would be helpful.

A. Project Overview

The proposed Eldercare Facility, Watermark Gardens Hacienda (Hacienda), is a joint venture between long-time San Fernando Valley builder Dan Chandler of Chandler Pratt & Partners and Watermark Retirement Communities, the owner and/or operator of 27 similar facilities throughout the country with 6,500 residents and 5,000 employees. The project will contain 60 guest rooms and house a maximum of 76 residents. The total floor area is 50,289 of which 22,325 square feet is common area for the residents and the remaining 27,964 square feet will be devoted to the guest rooms. The proposed Eldercare Facility is designed around four semi-independent communities each consisting of 15 guest rooms. One of the four communities will be for residents diagnosed with dementia and the other three will be used as assisted-living communities. Each community includes a kitchen and dining area in which the residents of that community will take their meals and a common living room/den in which they will participate in activities. The result of this carefully crafted living arrangement is the development of close personal relationships between the residents, the caregivers and the resident's respective families within each community. This time tested structure provides an excellent quality of life for the residents by creating a family style living environment.

B. Synopsis of Changes
(a) Site and Landscape Plans

As a result of input from neighbors and the City, the project has been modified in the following ways (among others):

1) The building was designed to have several wings with significant separation and or setbacks between them. The result is the creation of building pods that, from the perspective of the adjacent properties, have the mass of a two story, single family home.
2) At the request of the WHWCNC-PLUM Committee and Mr. Tat (the neighbor to the west of the proposed project) the western setback was increased from 10 to 25 feet. The project will meet or exceed the yard setbacks required in the RA-1 zone.
3) At the request of the neighbors and the WHWCNC-PLUM Committee, parking was increased from the code required 26 spaces to 30 spaces.
4) At the request of the Mr. Pomakian (the neighbor immediately to the north), the trash area was moved to the south end of the parking lot.
5) A two story, fully enclosed hallway connecting the southern and northern pods was eliminated, thereby significantly opening up the west facing façade of the project.
6) At the request of the WHWCNC-PLUM Committee and in an effort to further create an estate feeling to the site, an estate wall of varying height was added to the perimeter of the site along the Fallbrook Avenue and Erwin Street frontages with two pedestrian gates (one on Fallbrook and one on Erwin) intended to provide a clear entry for pedestrians and those using public transit.

7) The proposed landscape plan includes extensive tree planting along the west and north side of the property to provide additional buffering between the project and the neighbors. The applicant has extended several invitations to the adjacent neighbors, Messrs. Tat and Pomakian, to meet to discuss the types and locations of the trees and to offer to plant additional trees on their respective properties. To date, the neighbors have not accepted Mr. Chandler's invitation.
8) At the request of Mr. Pomakian, an adjacent neighbor, the rooms intended to house the residents suffering from dementia were relocated from the first floor of the north wing, to the first floor of the south wing.

(b) Building Elevations

As comments were received from the WHWCNC-PLUM Committee and the neighborhood, the overall architectural style evolved from a Spanish style to a Santa Barbara style. This change has resulted in much greater building and roofline articulation and a reduction in building height, which has resulted in a more attractive structure that is more compatible with the surrounding neighborhood.

i. East Elevation
(Fronting Fallbrook Avenue)

1) The building roofline has been significantly modified, resulting in a substantially reduced appearance of building mass and height.
2) The revised building height steps up from the corners of the building to a maximum height of 36 feet, with significant variations throughout, ranging from 16 feet to 36 feet. The original design had a relatively flat, 36-foot building height with a 42-foot design feature.
3) The highest eaves are 27 feet above grade with a sloping mansard roof extending to not more than 36 feet in some places. The mansard roof significantly reduces the visual effect of the already reduced height of the building.
4) The building corners have been stepped back to create greater depth and variation while also enhancing the building's relationship to the property to the north.
5) The revised elevation provides for a higher degree of design detail and visual interest.

ii. North Elevation

1) At the request of the WHWCNC-PLUM Committee and Mr. Pomakian, the northerly neighbor, the number of windows facing directly north were reduced, thereby reducing the potential for residents to look into Mr. Pomakian's house and yard.
2) The setback variation of the northern building façade was increased and articulated, thereby reducing any potential "boxiness".
3) Building height has been reduced on the west end from 36 feet to 29-31 feet.

4) The block wall along the north property line was increased from 6 to 8 feet to increase privacy. The first floor units will not be able to view any portion of Mr. Pomakian's house other than its roof.

iii. West Elevation

1) At the request of the WHWCNC-PLUM Committee and Mr. Tat, an adjacent neighbor, the number of windows facing directly west were reduced, thereby reducing the potential for residents to look into Mr. Tat's house and yard.
2) The elimination of the enclosed hallway between the wings creates a much more open appearance and the effect of having two separate structures, similar to having two homes along the west property line.
3) Building height has been reduced on the west end from 36 feet to 29-31 feet.
4) The building has been revised to step back at the corners to reduce its scale and improve its relationship to the adjacent property to the west.
5) The eave heights are approximately 24 feet above grade with a sloping mansard roof then extending to the full 29-31 foot height. The mansard roof significantly reduces the visual effect of the foot building height.

iv. South Elevation

1) At the request of the WHWCNC-PLUM Committee, the number of windows facing directly south were significantly reduced.
2) The building height along the western portion of the building façade has been reduced from 36 feet to 29-31 feet.
3) At the request of the WHWCNC-PLUM Committee, an 8-foot estate wall has been included for the perimeter of the property along the building façade.
4) The building structure and roof eaves step back and down respectively, thereby reducing building bulk and height.

SECTION III. THE APPEAL

Extensive facts supporting the findings and justifying the approval of the application (See **Attachment "E1 and E2"**) were prepared and provided to the Zoning Administrator as required by Los Angeles Municipal Code (LAMC) Section 14.3.1 (Eldercare Facility Unified Permit) and LAMC Section 16.05 (Site Plan Review). The Zoning Administrator's findings were proper, thorough, detailed and amply justified his granting of an Eldercare Facility Unified Permit and Site Plan Review approval for the project. On the other hand, as can be seen in the South Valley Area Planning Commission (Commission) decision letter (See **Attachment "F"**), the justifications upholding the appeal did not articulate the way in which the proposed project did not meet the City Council/Code required findings nor, did the Commission indicate (in its traditional but not necessarily required finding) in what manner the Zoning Administrator Erred or Abused his discretion in granting the request.

Rather than reiterating the basis for the findings, this Section will address the assertions presented to the Commission by the appellant in the context of the required findings.

1. **That the strict application of the land use regulations on the Project Site would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

   The appellant has confused the purpose of this finding by asserting that the project would produce hardships for the neighborhood and that the Zoning Administrator should consider alternatives to the proposed project. By adopting the Eldercare ordinance in 2006, the Los Angeles City Council and Mayor codified their policy decision to permit the construction and operation of Eldercare Facilities in the RA-1 and other zones despite restrictions that would interfere with such projects. In fact, this first finding is designed to establish the need for invoking the Elder Care Ordinance and its power to override the more restrictive existing zoning regulations that would otherwise apply to the project and could render it infeasible. Making this finding, and invoking the Elder Care Ordinance, allows the project to proceed and be relieved of the "practical difficulties or unnecessary hardships" that would affect the project by the "strict application of the land use regulations on the Project Site". As demonstrated in Attachment "E", it is incontrovertible that the "strict application of the land use regulations" of the RA-1 zone would subject the project to "practical difficulties or unnecessary hardships". Therefore, this finding was properly made by the Zoning Administrator and should be sustained by the City Council.

2. **That the project will not be materially detrimental or injurious to the properties or improvements in the immediate area.**

   The appellant provides no evidence to support its naked assertion that the construction and operation of the proposed Eldercare Facility will "be materially detrimental or injurious to the properties or improvements in the immediate area." Regarding the development activities, Appellant notes two homes along Fallbrook Avenue that are currently undergoing significant remodeling. These homes are used as examples of properties that would be devalued as a result of the proposed project being built. What Appellant failed to tell the Commission is that the home being remodeled at 6139 Fallbrook is located two doors north of a very active and large church (a non-residential/institutional use), directly abutting a rather unkempt residential lot, and diagonally across from a school, while the home located at 6150 Fallbrook Avenue is diagonally across from the same church and just six doors north of the Adventure Planet Montessori Learning Center (the school). Clearly, the residents of the community do not see non-residential uses along Fallbrook Avenue as a deterrent to investing in their homes or as uses that devalue their home's future value.

   Development of the project would not be significantly more intrusive than the development of single-family homes, and any adverse impacts will be short-term

and ameliorated by conditions imposed by the City. Councilman Zine's letter to the Commission concluded that the proposed location of the project is "appropriate", and that it will not "disrupt the character of the neighborhood", which includes businesses, schools, churches and public facilities along with residences. The evidence clearly supports the finding that the project will not be "materially detrimental or injurious to the properties or improvements in the immediate area." On the contrary, we believe it will enhance the community.

3. That the project will provide services to the elderly such as housing, medical services, social services, or long term care to meet the citywide demand.

The Appellant does not deny that the project "will provide services to the elderly such as housing, medical services, social services, or long term care" because, undoubtedly, it will do so. That is its clear purpose. The Appellant only argues that the project is not necessary to "meet citywide demand". The need for such services was clearly established 6 years ago when the City adopted the Eldercare Ordinance. At some point, in the long distance future, we may come to a time when enough of these facilities have been built to satisfy the citywide need; and it is at that point that such facilities will no longer be built. However, there is no evidence to suggest that such a time has come in the 6 years since the ordinance was adopted and during the worst economic downturn of many decades.

Attachment "G" provides an overview of the research performed by Watermark Retirement Communities when analyzing the market feasibility and appropriateness of the Subject Property for the operation of the Hacienda. The conclusion, based on quantitative demographic and market analysis, is that there is an existing and growing demand for the type of housing that will be provided by the project. The basis for this finding is clear.

4. That the project will not create an adverse impact on street access or circulation in the surrounding neighborhood.

As noted above, the Subject Property was previously occupied by a school with a permitted enrollment of up to 154 students (with a subsequent reduction to 114 students). The traffic associated with that use, which is far more intensive than the proposed project, did not dissuade the City of Los Angeles from granting a Conditional Use Permit for the construction and operation of a school use on the Subject Property.

Eldercare Facilities generate very little traffic. Indeed, the majority of residents no longer drive. Using the same well-accepted methods that it uses for virtually every other development project in the City of Los Angeles, the Los Angeles Department of Transportation (LADOT) prepared a Transportation Analysis for the proposed project and concluded that it will generate a total of 202 total daily trips (including 11 AM Peak Hour Trips and 17 PM Peak Hour Trips), which, not surprisingly, it deemed "Not Significant". Furthermore, ingress and egress will be restricted to Fallbrook Avenue, a Major Highway-Class II that is easily able to

accommodate such a modest increase in trips. The site is served by METRO, and a bus stop serving two METRO lines (one local and one limited stop service) is located immediately in front of the Subject Property. The street pattern in the surrounding area does not lend itself to being used as a "cut through" or alternative traffic route. Appellant has not provided any evidence that suggests that the LADOT's analysis or conclusions are wrong, or that the basis for the Zoning Administrator's finding was incorrect.

We feel some obligation to correct some (but not all) of the Appellant's erroneous assertions.

1. At capacity, the project will have approximately 21 staff people on site during the most heavily staffed portion of the day. As to the "research" performed by Appellant; they claim to have contacted Rosewood Gardens, a Watermark facility located in Livermore California. Appellant states that the staff at Rosewood Garden reported that there were anywhere between 15 and 35 staff people on site at various shifts throughout the day.

   Following are the facts associated with the staffing of Rosewood Gardens which has 64 assisting living guest rooms and 24 memory care guest rooms compared to the proposed project's 45 and 15 guest rooms respectively. The actual staffing for Rosewood Gardens is as follows:

   1st Shift: 25 (including 7 management team members)
   2nd Shift: 22 (including 7 management team members)
   3rd Shift: 5

   The facility employs a total of 64 staff and a recent survey indicates 10% utilize public transportation. The proposed project will be smaller than the Rosewood Gardens project and will therefore have fewer employees on site.

2. Fallbrook Avenue is Major Highway–Class II. The Appellant incorrectly claims it is a secondary highway. It is not. (Please refer to **Attachment "A"**).

3. LADOT has identified the total daily trips and the AM/PM peak hour trips the project will generate using its customary formula. There is no basis for challenging that approach.

4. Code does not require each room in the dementia community to have an alarm that emits a continuous 120db sound when activated. In fact, the staff within the project is provided with a beeper that notifies them when a resident of the dementia care community steps into the exterior courtyard during certain evening hours. That sound will not be audible to the neighbors.

5. Appellant compares/refers to the proposed project as a nursing home when it is an assisted living facility. The staffing levels of these two types of facilities are very different and cannot be compared.

5. That 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 pertinent improvements, which is or will be compatible with existing and planned future development on neighboring properties.

To support this finding, the decision maker must conclude, after reviewing the evidence, that the project is "compatible" with the existing and future uses, not "identical" to, "comparable" to, or "consistent" with those uses. Compatibility does not require consistency; it requires "compatibility" which means that it is "capable of existing or living together in harmony". We believe that the project, as designed and conditioned, is compatible with the existing and planned future development on neighboring properties. Councilman Zine shares this opinion and notes that the area already includes "business, schools, churches and public facilities". Incidentally, the Appellant incorrectly asserts that the existing religious uses on Fallbrook Avenue " . . are governed by the First Amendment and there is nothing that the city could do to prevent these uses." This is incorrect. While the city cannot regulate the practice of religion it does have the authority to control the location and operation of religious institutions (which it frequently uses). Requiring a higher standard than "compatibility" would have made the development of Eldercare projects in residential neighborhoods virtually impossible. That was not the intention of the ordinance and is not the case.

The building conforms to the height and yard requirements of the RA-1 zone. It is used for residential purposes. It is designed in sections with no single section overwhelming a neighboring residence. The parking is located along a Major Highway–Class II and buffered from the road with a berm and garden wall. The building is beautifully designed and articulated in a manner that minimizes its bulk. Loading occurs on site, the landscaping is lush and the trash is enclosed in a gated and covered area designed to complement the project's architecture.

A regional shopping center of nearly 900,000 square feet (Fallbrook Mall) and Los Angeles City Fire Department, Station #105, are nearby. The site was previously occupied by a school with more than 100 students. The site could be developed with a series of single-family homes, or a farm with a series of barns, that could be the same height as the project and located in the same proximity (or closer) to the neighbors, which would result in much greater impacts on the surrounding neighbors. A residential project with elderly residents certainly seems compatible with the neighborhood when compared with a farm or school

with roughly twice as many young, active children or some of the other existing uses in the area.

Despite the Appellant's assertions, the project will not, in any way, impede the ability of those neighboring properties eligible for Animal Keeping to do so. As noted above, all of the RA-1 zoned properties (other than one located across Erwin Street towards the southwest) are less than the minimum 17,500 square feet required for animal keeping. Therefore, they are not eligible for animal keeping, regardless of whether the project is built.[2]

The Zoning Administrator properly made the finding that the project is compatible with the existing and planned future development on neighboring properties.

6. That the project is in conformance with any applicable provision of the General Plan.

The City Council and Mayor of Los Angeles enacted a Code provision allowing for the entitlement of Eldercare Facilities in the city. In order to move forward with such a request under this code provision the Applicant must present a series of facts justifying the request which, after review and public hearing by the Zoning Administrator, may be granted. Cases are appealable to the Area Planning Commission. Upon completing this process, the project is then deemed in conformance with the General Plan.

The Applicant presented extensive facts and justification supporting and demonstrating the project's conformance with the General Plan (Attachment "E") that are unnecessary to reiterate. This is a technical finding that the Appellant has not adequately addressed but that the Zoning Administrator has properly made and with which we concur.

SECTION IV. CONCLUSION

The proposed project will meet the policy objectives of the Los Angeles City Council when LAMC Section 14.3.1 was enacted in December 2006 and the findings

[2] RA Suburban Zone – 12.07 A.7 - The keeping of equines, bovines, goats or other domestic livestock, and not to exceed five swine, and the keeping of poultry, fowl, rabbits, fish or frogs, chinchillas and other small animals in conjunction with the residential use of the lot, provided:

a. That these activities are not for commercial purposes, except that a maximum of two currently licensed equines not owned by the resident of the involved property may be boarded (for which monetary compensation may be paid) or kept on that property as an accessory use, and except that chickens, rabbits or chinchillas may be kept for commercial purposes on lots of five acres or more.

b. The keeping of equines, bovines, goats or other domestic livestock (other than swine) shall be permitted only on lots having an area of 17,500 square feet or more; provided, however, that such keeping of domestic livestock shall also be permitted on lots which were of record as of November 19, 1966 and qualified for the minimum lot area requirement of 17,500 square feet by including the area of one-half of the abutting streets. Where equines and/or bovines are being kept, the number shall not exceed one equine or bovine for each 4,000 square feet of lot area. (emphasis added)

necessary to support the Eldercare Permit and Site Plan Review approval were properly made. There is a clear intent to permit Eldercare Facilities in the RA zone (as in many other zones) when the required findings can be made. The Zoning Administrator properly made exhaustive findings based on sound evidence in granting the appeal, the Commission made no such findings.

I leave you with one final observation; there is no better RA zoned property upon which to locate an Eldercare Facility meant to serve the local community than the Subject Property. It is located on a Major Highway – Class II and is designed (with the input of the community whether they support the Eldercare Facility or not) to be compatible with the surrounding neighborhood. This project, at this location, is the proper representation and effectuation of the Eldercare Facility Unified Permit in the RA-1 zone.

Thank you very much for your time and consideration of this matter and on behalf of Community Multihousing, Inc., I respectfully request that you affirm Councilman Zine's support for this Eldercare community and affirm the Zoning Administrator's decision in its entirety.

Very truly yours,

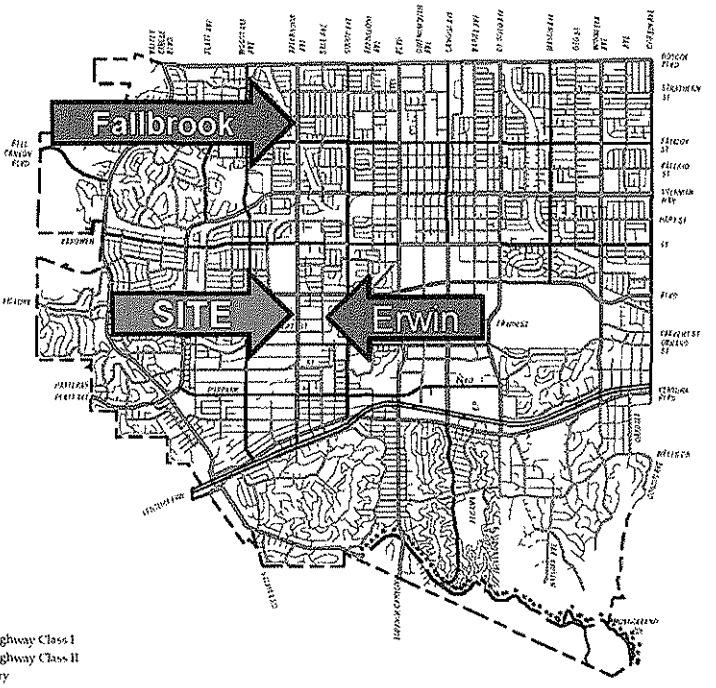
Brad M. Rosenheim
ROSENHEIM & ASSOCIATES, INC.

Cc: Members of the City Council PLUM Committee
The Honorable Dennis P. Zine
Mr. Dan Chandler
Mr. Charlie Rausch
Mr. Fernando Tovar

Attachment A

Attachment A

Community Plan
Circulation Map With Street Designations

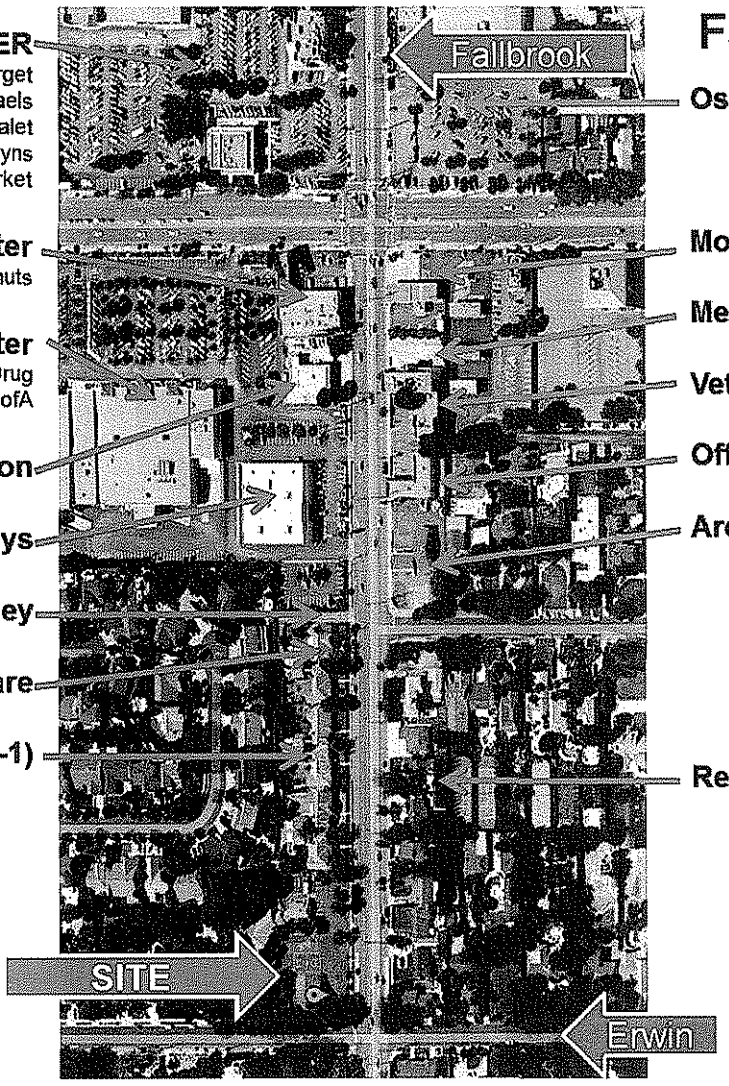


Fallbrook is a Major Highway Class II

LEGEND
- Freeway
- Major Highway Class I
- Major Highway Class II
- Secondary
- Collector
- Proposed
- Local

GENERALIZED CIRCULATION
CANOGA PARK - WINNETKA - WOODLAND HILLS - WEST HILLS

Attachment
B-1 & B-2



FALLBROOK CENTER
WalMart, Kohl's, Home Depot, Target
Ross, Burlington Coats, Michaels
Petco, Ross, Sport Chalet
Linens and Things, Mervyns
Ralphs Market

Strip Center
Subway, Panda, Donuts

Albertson's Center
Albertson's, Sav-On Drug
Pets Mart, BofA

LAFD Fire Station

Pep Boys

Alley

ABC Love Child Care

Residences (RS-1)

Fallbrook North

N

Osh

Mobil Station

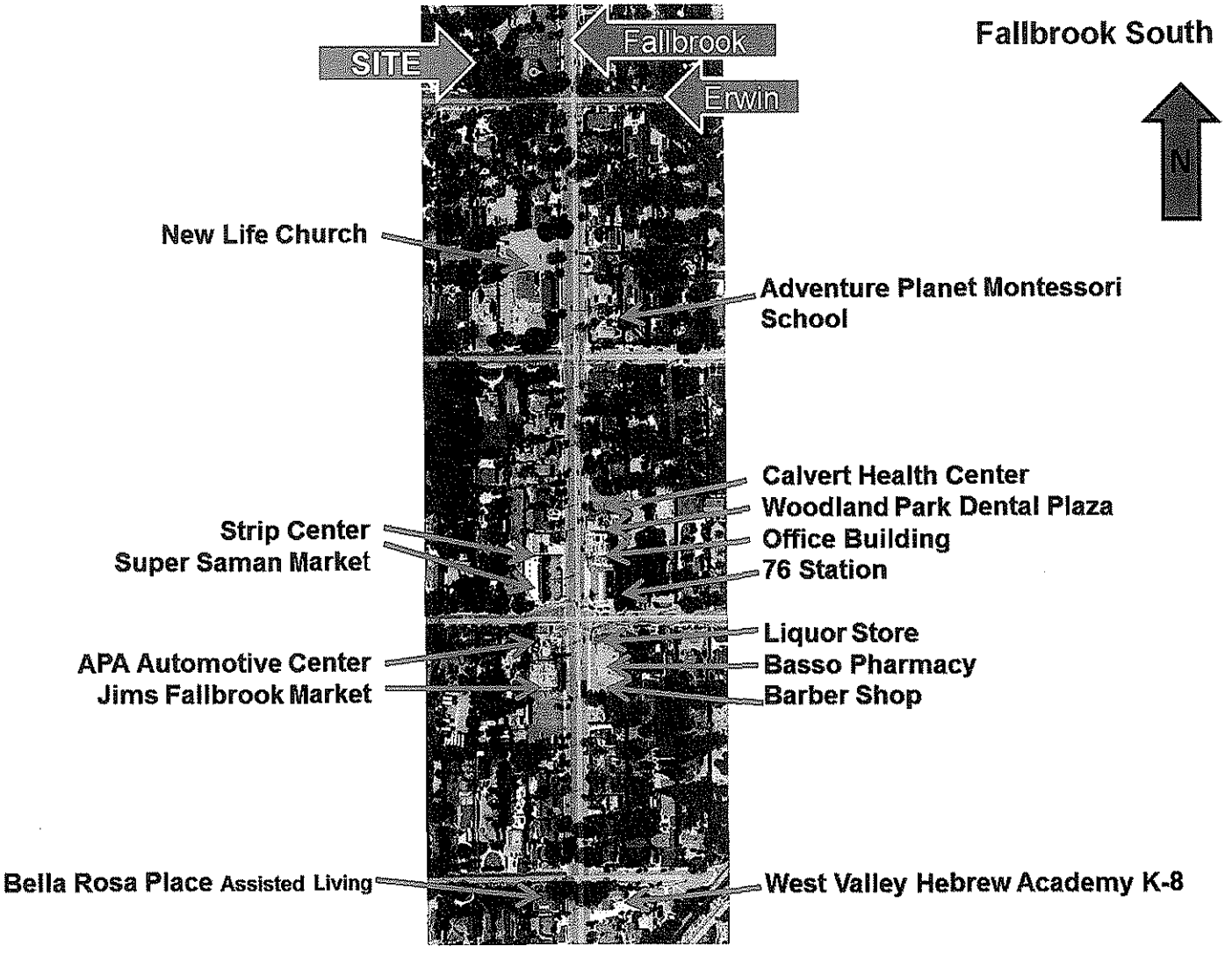
Medical Building

Veterinary Hospital

Office Building

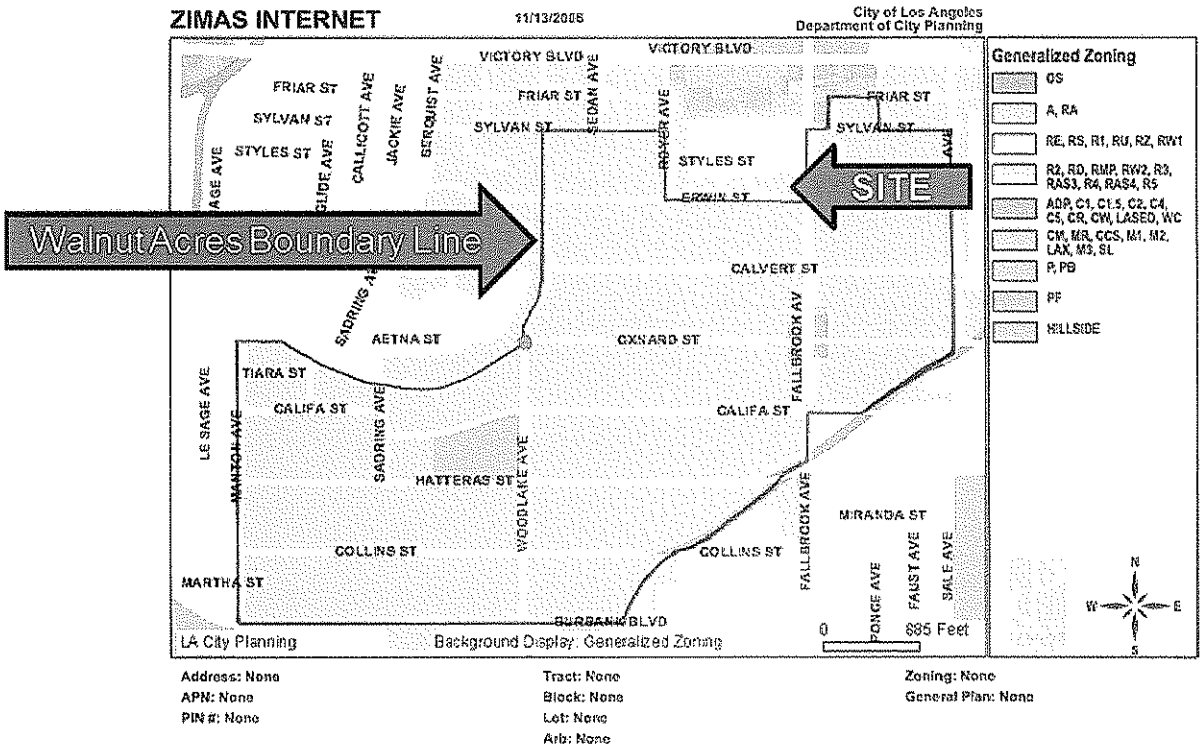
Arco Station (dark)

Residences (RA-1)


SITE
Fallbrook
Erwin
Fallbrook South
N
New Life Church
Adventure Planet Montessori School
Calvert Health Center
Woodland Park Dental Plaza
Office Building
76 Station
Strip Center
Super Saman Market
Liquor Store
Basso Pharmacy
Barber Shop
APA Automotive Center
Jims Fallbrook Market
Bella Rosa Place Assisted Living
West Valley Hebrew Academy K-8

Attachment C

Walnut Acres Boundary Does Not Include The Site



Some of the streets that border Walnut acres is Fallbrook, Erwin than at Woodlake down to Oxnard, than to Manton down to Burbank than from Burbank to Woodlake than down to Leonora to Fallbrook.

Sell Homes
Junior Member

Join Date: Jan 2009
1 posts, read 2,777 times
Reputation: 10

Walnut Acres Boundaries

Hi,
Walnut Acres in Woodland Hills is a beautiful area with large Estate homes and Ranches. The lot sizes average from a half an acre to as large as 2 acre lots. It has been a while since I saw a 2 acre lot, but they do exist. People who live in Walnut Acres take pride in their area and they want to make sure that no one use the name incorrectly. Please be careful. Some agents will describe their listings as "Walnut Acres Home" but it may be just on the outside of the area. Your future value could be greatly affected if you purchase on the wrong side of Fallbrook or Manton, etc. Some of the streets that border Walnut acres is Fallbrook, Erwin than at Woodlake down to Oxnard, than to Manton down to Burbank than from Burbank to Woodlake than down to Leonora to Fallbrook. There is a little trick to the way the streets are so be make sure you are in the right pocket. We have wonderful schools in the area. Most people who move in will not move out for decades. The area is RA zoned so you can have horses if you wish. There are no sidewalks so you can ride a horse. It is not so common anymore but occasionally I do run into it. If you want horse property I have a couple of suggestions close by. I hope it helps.

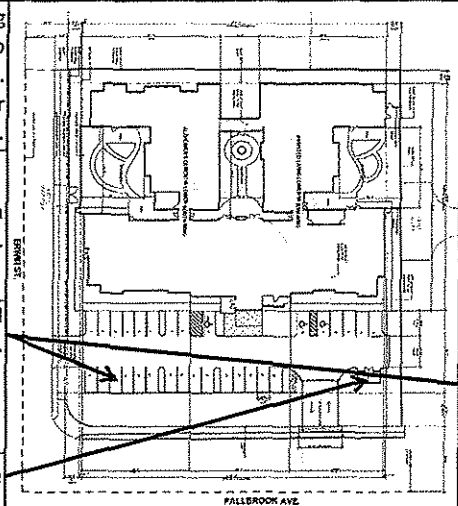
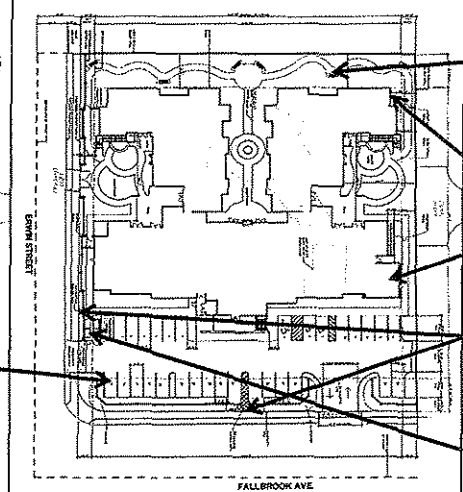
Attachment D

EXHIBIT D - Page 1

WATERMARK GARDENS HACIENDA
6221 Fallbrook Ave, Woodland Hills, CA 91367
Chandler Pratt and Watermark Retirement Communities

DESIGN AND COMPATABILITY ENHANCEMENTS

Case ZA-2011-2679-ELD-SPR

#	ITEM	ACTION	ORIGINAL Schematics dated 10-11-11	CURRENT Schematics dated 3-1-12	COMMENTS
1	Rear setback.	Moved building and parking 15' toward Fallbrook to create 25' setback on West. Now meets code for RA rear setback.			Rear setback 25'
		Increased setbacks on north side.			NWC second floor setback now +-12'-15'. Second floor NEC setback now +-14'-18'.
		30 parking spaces exceed Code requirement (26 sp).			Added landscaped gate entries. Parking now closer to Fallbrook.
		Prior trash enclosure location.			New trash enclosure location.

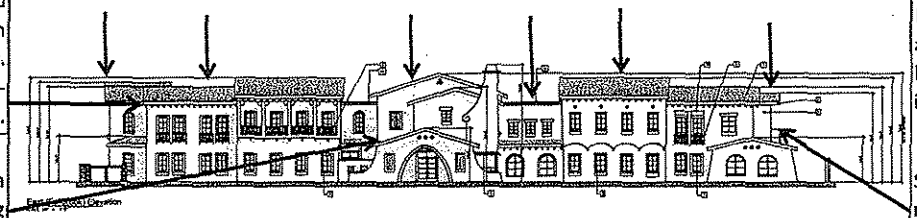
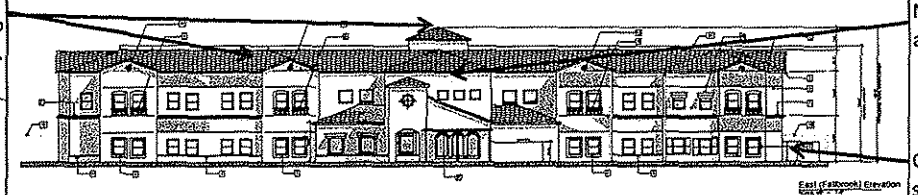
The changes shown herein do not include all changes made in response to input from the PLUM Committee and neighbors.
Footages are rounded; please refer to the plans for actual amounts.

EXHIBIT D - Page 2

WATERMARK GARDENS HACIENDA
6221 Fallbrook Ave, Woodland Hills, CA 91367
Chandler Pratt and Watermark Retirement Communities

DESIGN AND COMPATABILITY ENHANCEMENTS

Case ZA-2011-2679-ELD-SPR

#	ITEM	ACTION	ORIGINAL Schematics dated 10-11-11	CURRENT Schematics dated 3-1-12	COMMENTS
2	**CURRENT Fallbrook frontage (East elevation)**	Height varies from +-16' and +-29' at north and south ends to 36' peak in center. Eave heights vary from +-26'-27'. Changed to Santa Barbara style architecture. Building mass is broken up.			Reduced building height and mass. Stepped roof lines. Added architectural interest. Second floor setbacks are now +-14'-18' on north property line.
	ORIGINAL Fallbrook frontage (East elevation)	Original design height at 36' with 42' peak in center. No variation in roof heights.			Massive block appearance. Original second floor setback was 10'.

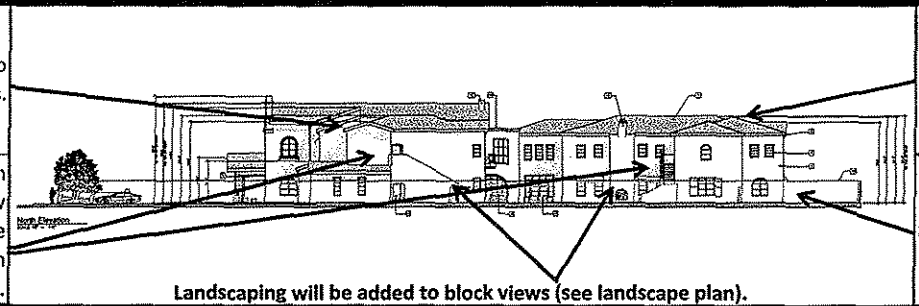
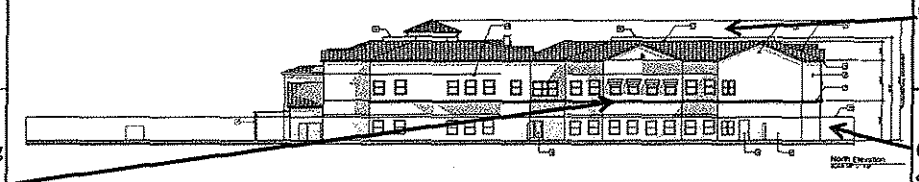
The changes shown herein do not include all changes made in response to input from the PLUM Committee and neighbors.
Footages are rounded; please refer to the plans for actual amounts.

EXHIBIT D - Page 3

DESIGN AND COMPATABILITY ENHANCEMENTS

WATERMARK GARDENS HACIENDA
6221 Fallbrook Ave, Woodland Hills, CA 91367
Chandler Pratt and Watermark Retirement Communities

Case ZA-2011-2679-ELD-SPR

#	ITEM	ACTION	ORIGINAL Schematics dated 10-11-11	CURRENT Schematics dated 3-1-12	COMMENTS
3	**CURRENT** **North elevation.**	Elevations step down to reduce height to neighbors.			West end residential wing building heights reduced from 36' to +-29'-31'.
		Many windows have been removed, but a few additional windows may be required for resident health and safety.	**Landscaping will be added to block views (see landscape plan).**		Rear setback 25'. 8' block wall (blocks neighbor views).
	ORIGINAL **North elevation**				Building heights at 36'.
		Many windows facing neighbors.			6' block wall. Rear setback at 10'.

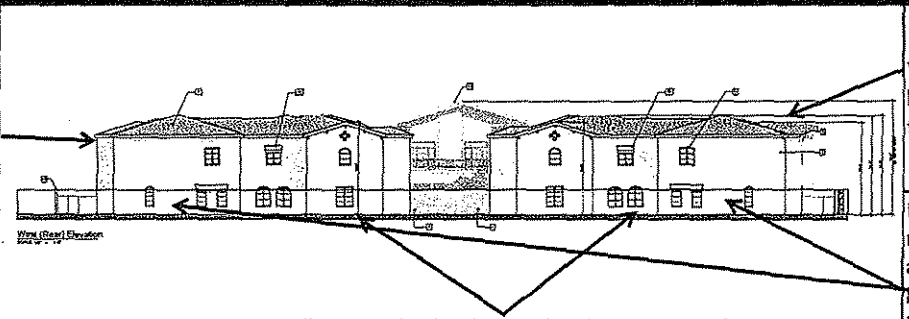
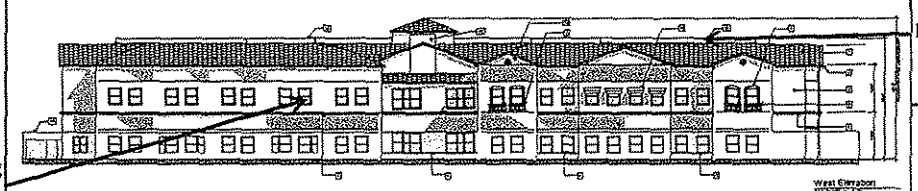
The changes shown herein do not include all changes made in response to input from the PLUM Committee and neighbors.
Footages are rounded; please refer to the plans for actual amounts.

EXHIBIT D - Page 4

WATERMARK GARDENS HACIENDA
6221 Fallbrook Ave, Woodland Hills, CA 91367
Chandler Pratt and Watermark Retirement Communities

DESIGN AND COMPATABILITY ENHANCEMENTS

Case ZA-2011-2679-ELD-SPR

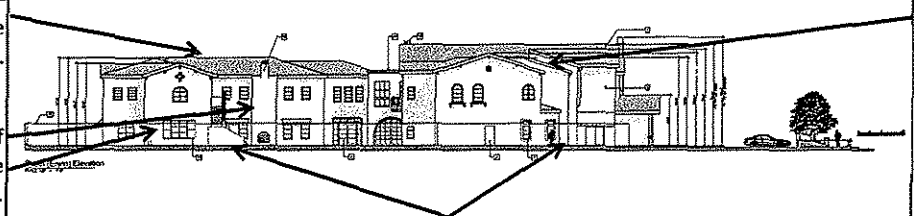
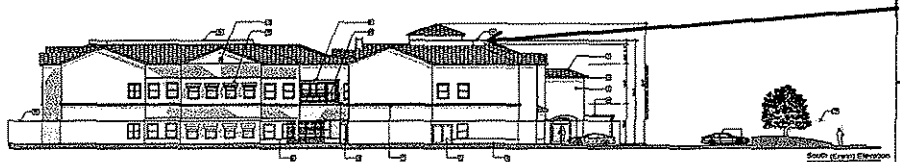
#	ITEM	ACTION	ORIGINAL Schematics dated 10-11-11	CURRENT Schematics dated 3-1-12	COMMENTS
4	CURRENT West elevation.	The front and side elevations now taper to the ends. Eave heights vary from +-26'-27' on the front elevation to +-24' on the west residential wings.	 **Landscaping will be added to block views (see landscape plan).**		West end residential wing building heights reduced from 36' to +-29'-31'. Many windows have been removed, but a few additional windows may be required for resident health and safety.
	ORIGINAL West elevation.	Many windows facing neighbors.			Building heights at 36'.

The changes shown herein do not include all changes made in response to input from the PLUM Committee and neighbors.
Footages are rounded; please refer to the plans for actual amounts.

WATERMARK GARDENS HACIENDA
6221 Fallbrook Ave, Woodland Hills, CA 91367
Chandler Pratt and Watermark Retirement Communities

DESIGN AND COMPATABILITY ENHANCEMENTS

Case ZA-2011-2679-ELD-SPR

#	ITEM	ACTION	ORIGINAL Schematics dated 10-11-11	CURRENT Schematics dated 3-1-12	COMMENTS
5	CURRENT Erwin frontage (South elevation)	Building mass is broken up. Roof heights vary from +-29'-31' on the west side residential wings. Reduced number of windows. Added 8' estate wall.		 **Erwin will be improved with street, curb, gutter, sidewalk and landscaping per LADOT.**	Roof and eaves step down to reduce building heights.
	ORIGINAL Erwin frontage (South elevation)				Building heights at 36'.

The changes shown herein do not include all changes made in response to input from the PLUM Committee and neighbors.
Footages are rounded; please refer to the plans for actual amounts.

ATTACHMENT E-1

ELDERCARE FACILITY UNIFIED PERMIT PROCESS ADDITIONAL INFORMATION/FINDINGS

WATERMARK GARDENS AT FALLBROOK
6221 N. Fallbrook Avenue
Canoga Park, CA 91367

PROJECT OVERVIEW/REQUEST

The Applicant, Community Multihousing Inc., seeks to demolish a former private school and construct, operate, and maintain an Eldercare Facility comprised of 75 percent Assisted Living Care Housing and 25 percent Alzheimer's/Dementia Care Housing (exclusive of common areas) for persons 62 years of age and older (the "Proposed Eldercare Facility"), within the approximately 1.5 acre (± 65,715 SF) site located at 6221 N. Fallbrook Avenue (the "Project Site") in the RA-1 Zone. The Proposed Eldercare Facility will include the new construction of a two-story building configured with integrated Wings (two per floor), providing a total of 76 beds within 60 guest rooms and common areas, with a maximum height of approximately 42 feet, and having a total floor area of approximately 47,800 square feet. A total of 26 off-street parking spaces are required.

The Applicant is requesting an approval under the **ELDERCARE FACILITY UNIFIED PERMIT PROCESS** provisions of the Los Angeles Municipal Code ("LAMC")[1]. In addition, the Applicant is requesting **SITE PLAN REVIEW** findings.

ADDITIONAL INFORMATION/FINDINGS

The following information has been developed pursuant to the City of Los Angeles' *Special Instructions for: ELDERCARE HOUSING/ALZHEIMER'S-DEMENTIA CARE HOUSING/ASSISTED LIVING CARE HOUSING/SENIOR INDEPENDENT HOUSING/SKILLED NURSING CARE HOUSING THAT COMBINE ASSISTED LIVING, ALZHEIMER'S, SKILLED NURSING, AND INDEPENDENT HOUSING. ZONING CODE SECTION 14.3.1*

1. **That the strict application of the land use regulations on the Project Site would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

---

[1] As described in greater detail in ***Attachment C: Eldercare Facility Unified Permit Process – Additional Information/Findings***, the Applicant is requesting deviations from the use, maximum residential floor area, height, rear yard (i.e., setback) and maximum density otherwise permitted in the RA-1 Zone (LAMC Section 12.07, et seq.).

Attachments
E-1 & E-2

ATTACHMENT E-1

ELDERCARE FACILITY UNIFIED PERMIT PROCESS ADDITIONAL INFORMATION/FINDINGS

WATERMARK GARDENS AT FALLBROOK
6221 N. Fallbrook Avenue
Canoga Park, CA 91367

PROJECT OVERVIEW/REQUEST

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The Applicant is requesting an approval under the **ELDERCARE FACILITY UNIFIED PERMIT PROCESS** provisions of the Los Angeles Municipal Code ("LAMC")[1]. In addition, the Applicant is requesting **SITE PLAN REVIEW** findings.

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1. **That the strict application of the land use regulations on the Project Site would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

---

[1] As described in greater detail in ***Attachment C: Eldercare Facility Unified Permit Process – Additional Information/Findings***, the Applicant is requesting deviations from the use, maximum residential floor area, height, rear yard (i.e., setback) and maximum density otherwise permitted in the RA-1 Zone (LAMC Section 12.07, et seq.).

The Project Site is within the RA-1 (Suburban Agricultural) Zone. The strict application of the land use regulations on the Project Site would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations. In particular the strict application of the development standards associated with this Zone would:

- Prohibit an Eldercare Facility **use** on the Project Site;
- Restrict the **maximum residential floor area** to 20 percent of the lot area (i.e., approximately 12,600 square feet);
- Limit the maximum **height** of structures to 36 feet;
- Require a **rear yard** of 25% of the lot depth (25-foot maximum);
- Limit the maximum **density** to 1 dwelling unit.

Pursuant to LAMC Section 12.02, the purpose and intent of the land use and zoning regulations is, generally, to designate and regulate the location and use of buildings, structures, and land through use of development standards and regulations including building height, size, yards, open space, and density, in order to encourage the most appropriate use of land, in keeping with the objectives set forth in the comprehensive plan. As specifically identified in LAMC Section 14.3.1.A., the purpose of the Eldercare Facility Unified Permit Process is "...to provide development standards..., create a single process for approvals, and facilitate the processing of applications of Eldercare Facilities...(as) these facilities provide much needed services and housing for the growing senior population of the City of Los Angeles."

To this end, LAMC Section 14.3.1.B. specifically grants the Zoning Administrator authority to permit an Eldercare Facility on a lot (or lots) within the RA Zone when such a Facility "does not meet the use, area, or height provisions of the respective zone contained in [Chapter 1 of the LAMC], or the requirements of any specific plan, supplemental use district, "T" classification, "Q" condition, "D" limitation, or Citywide regulation adopted or imposed by City action."

Eldercare Facilities are not an allowed use within the RA Zone, or any other residential zone within the City, with the exception of the R4 Zone. Thus, the strict application of the regulations of LAMC Section 12.07.A. would outright prohibit development of an Eldercare Facility on the Project Site, thereby creating an unnecessary hardship for the elder community, as well as owners of appropriately situated properties, such as the Project Site, in that this vital form of housing that is increasingly in demand and which provides essential service-enriched housing types for the older adult population, could not be developed. This hardship is particularly relevant when viewed in light of statistics reported in the City's Housing Element, which show that while approximately nine percent of the City's population is currently aged 65 years and older, the age distribution is expected to shift, and almost triple by 2040 in the greater Los Angeles area.

Importantly, to prohibit an Eldercare Facility on the Project Site would be in direct conflict with the stated purpose of the LAMC, which is, generally, to encourage the most appropriate use of land in keeping with the objectives of the comprehensive plan and, as more specifically identified in LAMC Section 14.3.1 "to provide much needed services and housing for the growing senior population of the City of Los Angeles."

The Project Site is located on Fallbrook Avenue, a Major Class III Highway that is currently dedicated to a width of approximately 100-feet. As shown on the enclosed site plan, vehicle access to the proposed Eldercare Facility would be provided off of Fallbrook Avenue. Land uses directly surrounding the Project Site generally include single-family residential uses on lots averaging between 9,000 and 17,000 square feet in size.

The Project Site was previously occupied by a Pre-School and Daycare Center that was approved by the Department of City Planning for up to 114 students between the ages of 2 ½ and 10, with operation hours of 7:30 AM to 6:00 PM, Monday through Friday.

The proposed Eldercare Facility consists of the construction of a single two-story building providing Eldercare Housing with 60 guest rooms with 76 beds together with common areas, having a maximum height of approximately 42 feet (to the top of the architectural enhancement), and having a total floor area of approximately 47,800 square feet, at least 75 percent of which consists of Assisted Living Care Housing (exclusive of common areas). The proposed Eldercare Facility would provide residential housing for persons 62 years of age and older, at least 75% of which require assistance with two or more non-medical activities of daily living (Assisted Living Care Housing), and 25% of which require non-medical care 24-hours a day who suffer from Alzheimer's disease or other disorders resulting in dementia. As such, most, if not all, of the residents would not drive or own a car, and with the exception of visitor and employee arrivals and departures, daily activities would be limited to passive outdoor uses similar to those typical of a residential neighborhood.

Thus, given the capacity of the existing circulation system which serves the Project Site, the nominal traffic generation[2] of the proposed Eldercare Facility, the truly residential and low-intensity nature of the proposed Eldercare Facility, especially when compared to the previous private school use and the existing surrounding residential neighborhood, it is clear that the proposed Eldercare Facility is an appropriate use of land for the Project Site, and would not conflict with or impede the Community Plan objectives identified for Very Low Residential designated property.

The proposed Eldercare Facility would provide approximately 47,800 square feet of total floor area on the approximately 1.5 acre Project Site. The residential living area portion of the proposed Eldercare Facility, exclusive of common areas, would consist of approximately 27,380 square feet of total floor area with 20,535 square feet of Assisted

[2] Pursuant to the Los Angeles Department of Transportation, the proposed Eldercare Facility would generate approximately 202 average daily trips and 11 AM and 17 PM peak hour trips.

Living Care Housing floor area (75 percent) and 6,845 square feet of Alzheimer's/Dementia Care Housing floor area (25 percent) for persons 62 years of age and older, which is consistent with the definition of an Eldercare Facility (i.e., a minimum of 75% consisting of Senior Independent Housing and/or Assisted Living Care Housing). As a result, the proposed Eldercare Facility would provide the much needed services and housing for the growing senior population of the City of Los Angeles. Further, the 0.73:1 floor area ratio ("FAR") of the proposed Eldercare Facility would fall well below the maximum allowable 3:1 FAR applicable to the Project Site.

Nevertheless, the RA Zone limits the maximum residential floor area to 20 percent on lots that are larger than 20,000 square feet, such as the Project Site. This restriction poses a significant practical difficulty and an unnecessary hardship in that with this restriction would limit development of the Project Site to a maximum of approximately 12,600 total square feet of residential floor area and no guest rooms.

This development limitation represents a vast and inappropriate underutilization of the Project Site, which is inconsistent with the basic purposes and intent of the LAMC and would not allow the highest and best use of the Project Site, given the clear existing and projected future market demand for Eldercare Housing. It would also be at cross purposes to the proposed Eldercare Facility's objective, which is to provide Eldercare Housing in sufficient quantity so as to contribute meaningfully to the current and projected future demand for such housing consistent with the City's Regional Housing Needs Assessment and in a manner that is compatible with and enhances the character of the established surrounding residential neighborhood.

The limitation on maximum residential floor area and density is also clearly impractical and poses a hardship when viewed in light of the large percentage of the total floor area required for the common areas of the Eldercare Facility, including restaurant style dining areas, living room/family areas, patios and courtyard areas, kitchen and pantry areas, laundry areas, as well as administrative office and lobby areas.

As identified above, the strict application of the LAMC limits maximum residential square footage to approximately 12,600 square feet and thus, the maximum number of guest rooms is conservatively estimated to be 16. This limitation presents an obvious practical difficulty to the Applicant in that they would be denied the economy of scale required for the economic operation of an Eldercare Facility if they are not allowed to develop the 60 guest rooms as proposed. This is because a 12,600 square foot Eldercare Facility would require being configured with the requisite common areas needed to support the 16 guest rooms. Limiting the Proposed Eldercare Facility to only 16 guest rooms would be a significant (i.e., 75 percent) underutilization of the Project Site's potential to provide additional Eldercare housing in the community.

Secondly, and perhaps more importantly, strict application of the LAMC poses a significant hardship to the growing senior population of the City of Los Angeles who would be denied additional service enriched housing where the need is already significant. Without these economies of scale, developing an Eldercare Facility that

provides these essential and service enriched forms of residential housing to the growing senior population of the City of Los Angeles is become cost prohibitive anywhere on RA zoned property – a result which is most certainly at conflict with the intent of LAMC Section 14.3.1.A.

With regard to the setback and height requirements, the proposed Eldercare Facility's careful site planning, extensive landscaped grounds and placement of courtyard areas, as well as the inclusion of passive use outdoor spaces makes the need for the large setbacks present in the development standards of the RA Zone unwarranted, and unnecessarily restricts the buildable footprint for an Eldercare Facility on the Project Site in a manner that is inconsistent with the purposes and intent of the LAMC.

The proposed Eldercare Facility provides housing for persons 62 years of age and older, and as such is necessarily a low intensity use involving limited/passive use of outdoor spaces. The yards provided by the proposed Eldercare Facility include landscaped front yard, side yards and rear yard. Importantly, extensively landscaped courtyards are incorporated into the ground floor footprint of the proposed Eldercare Facility on it's north and south sides, providing an additional building setback distance beyond the side yard area, affording further buffering to the adjacent residential uses. As such, the proposed Eldercare Facility offers a unique opportunity for compatibility within the surrounding residential neighborhood without the use of a greater rear yard setback.

Given the 25-foot building line along the Project Site's Fallbrook Avenue frontage, the need to provide off-street parking, the LAMC required yard areas, and the height limit of 36-feet (i.e., two stories), the net result is a practical difficulty that limits the building envelope and thus, the number of guest rooms that could otherwise be provided. It should be noted that the proposed Eldercare Facility's maximum height of 42-feet occurs only at the center of the building, farthest from adjacent single-family residential structures, and results only from an architectural feature and not the actual roofline of the building itself, which rises to just 36-feet as permitted by the RA Zone. Thus, the development standards of the RA Zone pose the practical difficulty of greatly limiting the proposed Eldercare Facility's development envelope, which in turn creates the unnecessary hardship of restricting the number of guest rooms that would otherwise be available in the proposed Eldercare Facility, and that would provide much needed service enriched housing for the growing senior population of the City of Los Angeles.

The senior population in Los Angeles is larger than ever. Previous generations of seniors had few housing options other than remaining homebound or being placed in a conventional nursing/convalescent home. Today, the variety of housing options available to seniors that meet their varied and specialized daily living needs and maximize their quality of life is becoming increasingly limited. Without the proposed Eldercare Facility, which includes a total of 60 guest rooms (and 76 beds) providing both Assisted Living Care Housing and Alzheimer's/Dementia Care Housing, this specialized and essential form of purpose-built housing designed to serve the needs of the growing senior population within the City of Los Angeles, and more specifically within the Canoga-Park-Woodland Hills-Community Plan Area, would go un-provided. This outcome

would be inconsistent with the general purposes of the zoning Code as well as the stated purpose of LAMC Section 14.3.1.A.

2. That the project will not be materially detrimental or injurious to the properties or improvements in the immediate area.

As discussed above, and also below in response to Justification No. 5, the careful site planning and design, extensive landscaping, and the residential nature of the proposed Eldercare Facility is such that the proposed Eldercare Facility will be compatible with existing residential development on neighboring properties. In addition, the design, architecture and massing of the proposed buildings would compliment the character of this existing residential neighborhood.

Specifically, the proposed Eldercare Facility includes a single 36-foot tall, two-story structure configured with four integrated Wings (two per floor) covering just 38 percent of the Project Site, and a surface parking lot covering approximately 18 percent of the Project Site. Extensive landscaped grounds (covering approximately 44 percent of the Project Site) include courtyards that are between approximately 34- and 41-feet deep adjacent to the north and south boundaries of the Project Site (and within the interior of the development), 10-foot landscaped setback areas adjacent to residential uses on the north and west, and a 25-foot wide landscaped berm along Fallbrook Avenue.

The design and layout of the proposed Eldercare Facility is oriented towards Fallbrook Avenue, with vehicle access and surface parking provided off of this Major Class II Highway. A landscaped berm with accent entry planting separates the public right-of-way from the surface parking, softening these higher intensity use areas from public vantages. The existing perimeter block wall along the north, west and south sides of the property will be retained, providing buffering to existing adjacent residential uses as well as the public rights-of-way (i.e., alleyway on the north and Erwin Street on the south). No vehicle access to the proposed Eldercare Facility will be provided from the alley immediately adjacent to the north. Access from Erwin Street, immediately adjacent to the south of the Project Site, will be limited to emergency service needs (e.g., fire trucks).

Overall, the surface parking area and the main entrance to the Facility are oriented to the east, separated from the adjacent single family residential uses to the south and west by the Wings of the Eldercare Facility two and by locating these higher intensity use areas farthest away from these homes. The perimeter wall and minimum 10-foot landscaped setback located along the northern, western, and southern boundaries provides screening and a buffer to these adjacent residential uses. The access driveway is located approximately 175 feet north of Erwin Street, is in compliance with the City's driveway location requirements and affords the greatest distance between the adjacent residential uses to the north and the required driveway.

Further, it is noteworthy that the proposed Eldercare Facility's design, architecture, massing, and materials introduce elements that are compatible with and compliment the surrounding residential neighborhood. Specifically, the building's height

of 36-feet (at the roofline) rises to 42-feet only at the center architectural enhancement, farthest from the adjacent residential development. The massing of the Facility's two-story stucco structure is reduced by modulated building facades, placement of horizontal decorative trim across the center of the building, and integration of heavily landscaped courtyards into the building footprint at the center of the Facility, as well along it's north and south sides. Architectural features that add interest and dimension include sloped simulated tile rooflines, articulated windows and doors, and decorative recesses embellished with wrought iron grates. Windows feature a variety of enhancements including raised surrounding trim, decorative wrought iron railings, canvas awnings, and wainscot below ground floor windows.

The proposed Eldercare Facility use will not introduce elements into the existing residential community that would adversely affect properties or improvements in the immediate or surrounding areas. While full-time medical services can be expected to be provided on-site for resident's suffering from Alzheimer's disease (or other disorders resulting in dementia), the level of activity during evening hours is expected to be consistent with that of a residential neighborhood, and limited to the occasional vehicle trip associated with staff arrival and departures.

It should also be noted that an Eldercare Facility would be far more passive and is compatible with the existing established residential neighborhood adjacent to the Project Site than would be true for other uses that could be developed by right on the Project Site, which include government owned and operated parks, playgrounds or community centers, (limited) golf courses, truck gardening, specified conditional uses, and accessory uses.

As such, and by virtue of the low intensity and passive nature of the proposed Eldercare Facility, especially when compared to the range of land uses which could otherwise be developed on the Project Site, the proposed Eldercare Facility will not be materially detrimental or injurious to the properties or improvements in the immediate area.

3. **That the project will provide services to the elderly such as housing, medical services, social services, or long term care to meet the citywide demand.**

As identified in the Housing Element, and previously identified above, while approximately nine percent of the City's population is currently aged 65 years and older, this age distribution is expected to shift, and almost triple by 2040 in the greater Los Angeles area. In an effort to meet the current and increasing citywide demand, the proposed Eldercare Facility will provide a total of 44 one-bed guest rooms and 16 two-bed guest rooms, for a total of 76 beds, within 60 guest rooms. Specifically, a total of 19 guest beds will be provided to serve the needs of residents requiring Alzheimer's/Dementia Care Housing, while a total of 57 guest beds will be provided to serve the needs of residents requiring Assisted Living Care Housing.

The proposed Fallbrook Eldercare Facility will meet or exceed the California Department of Social Services assisted living and dementia care program regulations,

including staff-to-resident ratios and requirements for 24-hour care for the residents. The facility's unique universal worker staffing model allows caregivers to focus a majority of their attention on the residents and constantly monitor the residents' condition and wellbeing. In this model, the caregiver-to-resident ratio is significantly greater than those of traditional assisted living facilities, thereby emphasizing greater hands on interaction between the caregivers and the residents. This model also provides a home-style setting for the residents and includes a wide range of supportive services tailored to each resident. Each day includes independent choices in terms of activities, meals, and daily routine. Immediate assistance is always available.

The Alzheimer's and dementia care program area of the proposed Eldercare Facility meets the needs of residents with varying levels of dementia or other degenerative conditions. An increased number of caregivers will provide more personalized care and activities for the well being of the residents in the program. Additionally, this area includes controlled access and egress to safeguard the residents' wellbeing.

The proposed Eldercare Facility will also provide daily living and aging in place services. A top priority of this facility is to provide the best possible care for the residents. Individualized attention from caregivers will meet each resident's daily living needs. This individualized caregiver/resident relationship also includes professionally designed programs to keep their minds sharp and their bodies agile. In providing a variety of options to the residents, they are able to exercise their independence, socialize with their neighbors and demonstrate their particular abilities, all while retaining as healthy and active a lifestyle as possible for each individual resident.

As an elderly individual begins to require care that exceeds the capacity of his/her current facility, it can become very difficult and quite traumatic for the resident and family members alike. For this reason one of our top priorities of this facility is to allow residents to age in place. This is often referred to as a "continuum of care" – the ability of one facility to handle the needs of the resident as they age thereby preventing a traumatic move to a new environment.

At the proposed facility, when a resident begins to deteriorate cognitively, staff will simply help them move to an adjoining program within the facility – literally "next door". This is critical to family members of residents as well. Families become comfortable with and accustomed to communicating with caregivers that have developed relationships with their loved ones.

4. That the project will not create an adverse impact on street access or circulation in the surrounding neighborhood.

The proposed Eldercare Facility fronts onto Fallbrook Avenue, a Major Highway - Class II roadway. Presently, Fallbrook Avenue is improved to a half-street width of 50-feet, including an approximately 40-foot wide roadway and an approximately 10-foot wide sidewalk with parkway. Thus, this major arterial is already improved to a width of approximately 40-feet, consistent with the City's standard street dimensions, and

designed to provide adequate street access and circulation to the land uses in the surrounding neighborhood.

Vehicle ingress and egress to and from the proposed Eldercare Facility will be provided off of Fallbrook Avenue by way of a 30-foot wide driveway located approximately 155-feet north of Erwin Street, sited and improved consistent with the City's standards to ensure a smooth, and safe flow of vehicles and bicycles. No non-emergency service vehicle access to the proposed Eldercare Facility will be provided off of Erwin Street.

Further, LADOT has estimated the proposed Eldercare Facility will generate 11 AM and 17 PM peak hour trips with 202 average daily trips, and has confirmed that no traffic study is warranted and that the traffic impact of the proposed Eldercare Facility will not be significant. As such, the proposed Eldercare Facility will not create an adverse impact on street access or circulation in the surrounding neighborhood.

5. **That 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 pertinent improvements, which is or will be compatible with existing and planned future development on neighboring properties.**

As depicted in the enclosed site plans and elevations, the proposed Eldercare Facility, in conformance with the requirements of LAMC Section 16.05.F.4, "consists of an arrangement of buildings, off-street parking, loading areas, lighting, landscaping, trash enclosures, and other improvements, which is and/or will be compatible with existing and future developments" in the surrounding area. The proposed building will be of Type V construction and is designed for visual and functional purposes.

To create a visual interest, the proposed building will have contrasting complementary colors, building plane variations, and landscape elements, as more fully described below and as presented above. Specifically, the proposed Eldercare Facility includes a single 36-foot tall (with a 42 foot tall architectural element), two-story structure configured with four integrated Wings (two per floor) covering just 38 percent of the Project Site, and a surface parking lot covering approximately 18 percent of the Project Site. Extensive landscaped grounds (covering approximately 44 percent of the Project Site) include courtyards that are between approximately 34- and 41-feet deep adjacent to the north and south boundaries of the Project Site (and within the interior of the development), 10-foot wide landscaped setback areas adjacent to residential uses on the north and west, an approximately 12-foot wide setback adjacent to Erwin Street on the south, and a 25-foot wide landscaped berm along Fallbrook Avenue.

Although no particular amount of open space is required for an Eldercare Facility that consists of guest rooms, the proposed Eldercare Facility is planned to provide approximately 6,000 square feet of useable open space, which includes three landscaped outdoor courtyards on the first floor. This equates to approximately 100 square feet of open space provided for each of the 60 guest rooms. In addition, the proposed Eldercare

Facility provides interior common areas, including sunrooms, living rooms and family areas.

The design and layout of the proposed Eldercare Facility is oriented towards Fallbrook Avenue, with vehicle access and surface parking provided off of this Major Class II Highway, and a landscaped berm with accent entry planting separating this public right-of-way from the surface parking, softening these higher intensity use areas from public vantages. The existing perimeter block wall along the north, west and south sides of the property will be retained, providing buffering to existing adjacent residential uses as well as the public rights-of-way (i.e., alleyway on the north and Erwin Street on the south). No vehicle access to the proposed project will be provided from the alley immediately adjacent to the north. Access from Erwin Street, immediately adjacent to the south of the Project Site, will be limited to emergency service needs (e.g., fire trucks).

Thus, the activity center on the Project Site (i.e., the surface parking area and the main entrance to the Facility) is located within the interior of the proposed Eldercare Facility, separated from the adjacent single-family residential uses to the south and west by the Facility's four integrated residential "Wings" and effectively locating these higher intensity use areas farthest away from these homes. The perimeter wall and minimum 10-foot wide landscaped setback located along the proposed Eldercare Facility's northern, western, and southern boundary provides screening and a buffer to these adjacent residential uses. The access driveway is located on Fallbrook Avenue approximately 42 feet to the south of the northeast corner of the Project Site, yet in compliance with the City's driveway requirements, affording the buffering effect of distance between adjacent residential uses to the north and the required driveway.

Further, it is noteworthy that the proposed Eldercare Facility's design, architecture, massing, and materials introduce elements that are compatible with and compliment the surrounding residential neighborhood. Specifically, the building's height of 36-feet (at the roofline) rises to 42-feet only at the center architectural enhancement, furthest from adjacent residential development. The massing of the proposed Eldercare Facility's two-story structure is reduced by modulated building facades, placement of horizontal decorative trim across the center of the building, and integration of heavily landscaped courtyards into the building footprint at the center of the facility, as well along it's north and south sides. Architectural features that add interest and dimension include sloped tile rooflines, articulated windows and doors, and decorative recesses embellished with wrought iron grates. Windows feature a variety of enhancements including raised surrounding trim, decorative wrought iron railings, canvas awnings, and stucco wainscot below ground floor windows.

Functionally, trash and recycling enclosures are shielded from public view and are in the northeast portion of the Project Site. While primarily residential in nature, any loading activity necessary for operation of the Eldercare Facility would occur entirely on-site within the constraints of the surface parking area, and away from adjacent residential uses. The building also contains centralized trash and recycling containers located inside

each of the four Wings, in the Country Kitchen area, and in the central administrative area of the building.

Off-street parking for the proposed Eldercare Facility is provided on a surface parking lot located on the Project Site, adjacent to Fallbrook Avenue. Consistent with Section 12.21.A.4 (u) of the Code, a total of 26 parking spaces are required (i.e., 0.2 spaces per each Alzheimer's guest bed; 0.5 spaces per each Assisted Living guest room). As shown on the enclosed plans, the proposed Eldercare Facility is presently planned to provide 30 parking spaces, which includes two handicapped accessible spaces. Ingress and egress to the parking lot will be provided from Fallbrook Avenue via a 30-foot wide driveway, designed to the City's standards, located approximately 175 feet north of Erwin Street.

Pedestrian access to the proposed building from Fallbrook Avenue and Erwin Street is provided via the building's main entrance, located on the east side of the building facing Fallbrook Avenue. This main entrance to the Facility also provides access to pedestrians entering from the surface parking lot area.

Exterior security lighting will be provided to illuminate the building, entrances, walkways and parking areas. All project-related lighting will be directed on-site to avoid spillover lighting onto adjacent properties.

The Community Plan identifies certain design policies for new multiple family residential uses within the design policies for new commercial projects. A number of these design policies can be used as an additional means of evaluating the proposed Eldercare Facility's compatibility with development on neighboring properties. These design policies include:

- Community Plan, Design Policies For Individual Projects, Commercial – Multiple Residential Site Planning: "*All multiple residential projects of five or more units shall be designed around a landscaped focal point or courtyard to serve as an amenity for residents.*

  1. Provide a pedestrian entrance at the front of each project.

  2. Require useable open space for outdoor activities, especially for children."

The proposed Eldercare Facility provides approximately 28,664 square feet of landscaped area (approximately 44 percent of the lot) including a central outdoor landscaped courtyard featuring pedestrian pathways leading to a central water fountain, and two additional outdoor courtyard areas integrated within the ground floor plan and accessible to residents from the common areas on both the ground and second floors. The entrance to the proposed Eldercare Facility is provided at the front of the building facing Fallbrook Avenue, accessible to pedestrians from the adjacent public rights-of-way along Fallbrook Avenue and Erwin Street, and from the surface parking lot immediately adjacent to this main entrance. Because the proposed Eldercare Facility is specifically age restricted to provide for the housing needs of persons 62 years of age and

older, the requirement for useable open space for outdoor activities, especially for children, would not be relevant.

- The Community Plan, Design Policies For Individual Projects, Commercial - Surface Parking Landscaping:

  "*1. Devote 2% of total surface area of surface parking lots to landscaping.*

  2. Provide landscaped buffers along public streets or adjoining residential uses."

  As shown on the Preliminary Landscape Plan included as a part of this Application, the surface parking lots are landscaped and landscaped buffers are provided along the public streets that adjoin the Project Site, as well as along the westerly and northerly property boundaries that adjoin single family residential development.

- The Community Plan, Design Policies For Individual Projects, Commercial - Light and Glare:

  "*1. Install on-site lighting along all pedestrian walkways and vehicular access ways.*

  2. Shield and direct on-site lighting onto driveways and walkways. Direct on-site lighting away from adjacent residential uses."

  The exterior security lighting will be provided to illuminate the building, entrances, walkways and parking areas. All project-related lighting will be directed on-site to avoid spillover lighting onto adjacent properties.

- The Community Plan Design Policies For Individual Projects, Commercial - Design: "*The design of all buildings shall be of a quality and character that improves community appearance by avoiding excessive variety and monotonous repetition. This policy shall be accomplished through:*

  1. Requiring the use of articulations recesses surface perforations and porticoes to breakup long, flat building facades.

  2. Using complementary building facades.

  3. Incorporating varying designs to provide definitions for each floor.

  4. Integrating building fixtures, awnings, security gates, etc. into design of the building.

  5. Screening all rooftop equipment and building appurtenances from adjacent properties.

  6. Require decorative, masonry walls to enclose trash."

  The design, architecture, massing, and materials of the project introduce elements that would improve community appearance, while being compatible with and complimentary to the surrounding residential neighborhood. The building's height of 36-feet (at the roofline) rises to 42-feet only at the center

architectural enhancement, furthest from the adjacent residential development. The massing of the Facility's two-story structure is reduced by modulated building facades, placement of horizontal decorative trim across the center of the building, and integration of heavily landscaped courtyards into the building footprint at the center of the Facility, as well along it's north and south sides. Rooftop equipment is screened from adjacent property views. Architectural features that add interest and dimension include sloped simulated tile rooflines, articulated windows and doors, and decorative recesses embellished with wrought iron grates. Windows feature a variety of enhancements including raised surrounding trim, decorative wrought iron railings, canvas awnings, and wainscot below ground floor windows.

- The Community Plan Design Policies For Individual Projects, Street Trees:

  "*1. Select species which: a. Enhance the pedestrian character, and convey a distinctive high quality visual image. b. Are drought and smog tolerant, and fire-resistant, and complement existing street trees.*"

  As shown on the enclosed Preliminary Landscape Plan, street trees will be provided pursuant to the City's specifications, and in accordance with adopted City policy.

The proposed Eldercare Facility consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, load areas, lighting, landscaping, trash collections, and other such pertinent improvements, which are proper in relation to the Project Site and surrounding uses, and which incorporate specific elements of good design, including those identified in the Community Plan Design Guidelines. As such, the proposed use, site plan, and project design will promote orderly development, public safety, general welfare, and compatibility with adjacent uses.

6. That the project is in conformance with any applicable provision of the General Plan.

The proposed Eldercare Facility would be in conformance with the General Plan, and more specifically the Framework Element, the Housing Element, and the Community Plan, all of which contain goals, objectives, and policy relevant to the proposed Eldercare Housing project. The proposed Eldercare Facility will provide 60 guest rooms of service-enriched housing to the City's residents age 62 years and older, and as such is arguably most like a multiple-family residential development. The Code's definition of Eldercare Housing supports this premise, by requiring that ..."A minimum of 75 percent of the floor area, exclusive of common areas, shall consist of Senior Independent Housing and/or Assisted Living Care Housing." This requirement ensures that the principal use within Eldercare Housing will remain residential. On this basis, the Code permits Eldercare Housing to be located within residential areas, subject to the approval of a Zoning Administrator.

As such, the following General Plan goals, objectives, policy, and design guidelines that pertain to either Eldercare Housing, or to multiple family residential development, are relevant to the proposed Eldercare Facility. These include:

- General Plan Framework Element Objective 7.8, "*Maintain and improve municipal service levels throughout the city to support current residents' quality of life and enable Los Angeles to be competitive when attracting desirable new development (e.g., Eldercare Facilities).*"

  The municipal services available within the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan Area, including the Fire Station to the north of the Project Site, at the southwest corner of Victory Boulevard and Fallbrook Avenue, as well as the police protection services, street and circulation services, and utilities services make location of an Eldercare Facility on the Project Site highly desirable, and would directly support the quality of life for aging residents in the City, and more specifically within the south San Fernando Valley area. As such, the proposed Eldercare Facility is consistent with Objective 7.8 of the General Plan Framework Element.

- General Plan Housing Element Objective 1.3, ""*Encourage the provision of housing with support services for persons with special needs (e.g., homeless, mental or physical disability, elderly, large families, and persons living with HIV/AIDS)*".

  The proposed Eldercare Facility will meet or exceed the California Department of Social Services assisted living and dementia care program regulations, including staff-to-resident ratios and requirements for 24-hour care for the residents. It will provide a total of 44 one-bed guest rooms and 16 two-bed guest rooms for a total of 60 guest rooms and 76 beds of Eldercare Housing. A total of 19 guest beds will be provided to serve the needs of residents requiring Alzheimer's/Dementia Care Housing, while a total of 57 guest beds will be provided to serve the needs of residents requiring Assisted Living Care Housing. These guest rooms will provide long-term care for persons 62 years of age and older who require assistance with two or more non-medical activities of daily living, as well long-term, 24-hour care to serve the needs of persons 62 years of age and older who suffer from dementia or other disorder's resulting in dementia. In addition, other social services provided to these residents would include daily living and aging in place, as more fully described in ***Attachment A***. As such, the proposed Eldercare Facility is consistent with Objective 1.3 of the General Plan Housing Element.

- General Plan Housing Element Policy 1.3.1, "*Take an active role in broadening the accessibility and availability of special needs and service-enhanced housing for all City residents, including the homeless, elderly, persons with mental, physical, and developmental disabilities, persons with drug and alcohol*

dependency, large families, female-headed households, and persons living with HIV/AIDS."

The proposed Eldercare Facility would be centrally located within the south San Fernando Valley on Fallbrook Avenue, a Major Class II Highway, which traverses the Valley from north to south, facilitating the availability of this service enriched housing within the Community Plan Area and the City. The proposed Eldercare Facility will provide service enriched housing totaling 60 guest rooms for a total of 76 beds, as well as medical services, social services, and long term care, thereby furthering the goal of making this service enriched housing available to elderly persons with mental and physical disabilities. As such, the proposed Eldercare Facility is consistent with Policy 1.3.1 of the General Plan Housing Element.

- Community Plan Goal 1, "*A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the...Community Plan Area*"; and Community Plan Objective 1-4 "*Provide a diversity of housing opportunities capable of accommodating all persons regardless of income, age or ethnic background*".

  The Project Site is designated for Very Low Residential land uses within the Community Plan. The proposed Eldercare Facility would provide 60 guest rooms of Eldercare Housing for persons age 62 years or older who either: (1) require assistance with two or more non-medical activities of daily living (in the case of the Assisted Living Care portion) or; (2) suffer from Alzheimer's disease or other disorders resulting in dementia and require 24-hour care. As such, the proposed Eldercare Facility is consistent with Goal 1 and Objective 1-4 of the Community Plan.

- Community Plan Objective 1-2 "*Reduce automobile trips in residential areas by locating new housing in areas offering proximity to goods, services, and facilities.*"

  The proposed Eldercare Facility, as a residential housing project for persons 62 years of age and older, is planning to provide transportation services for residents to nearby commercial retail shopping and services, places of worship, doctor appointments, and other locations, thereby reducing vehicle trip generation within the surrounding residential community. Importantly, access to and from the proposed Eldercare Facility will be provided off of Fallbrook Avenue, a Major Class II Highway, and (with the exception of emergency vehicle access) no access will be provided from Erwin Street. As such, the proposed Eldercare Facility is consistent with Objective 1-2 of the Community Plan.

- Community Plan Objective 1-3 "*Preserve and enhance the character and integrity of existing single and multifamily neighborhoods*"; and Community Plan Policy 1-3.1 "*Seek a high degree of compatibility and landscaping for new infill*

development to protect the character and scale of existing residential neighborhoods".

The proposed Eldercare Facility would provide a single 36-foot tall, two-story structure covering approximately 38 percent of the Project Site. Extensive landscaped grounds, covering approximately 44 percent of the Project Site, include courtyards that are between approximately 34- and 41-feet deep adjacent to the north and south boundaries of the Project Site (and within the interior of the development), 10-foot wide landscaped setback areas adjacent to residential uses on the north and west, and a 25-foot wide landscaped berm along Fallbrook Avenue. The design and layout of the proposed Eldercare Facility is oriented towards Fallbrook Avenue, with vehicle access and surface parking provided off of this Major Class II Highway, and a landscaped berm with accent entry planting separating this public right-of-way from the surface parking, softening and integrating these higher intensity use areas within the surrounding neighborhood. The existing perimeter block wall along the north, west and south sides of the property will be retained, providing buffering to existing adjacent residential uses as well as the public rights-of-way (i.e., alleyway on the north and Erwin Street on the south).

No daily vehicle access to the proposed Eldercare Facility will be provided from either the alley immediately adjacent to the north, or from Erwin Street immediately adjacent to the south of the Project Site. Thus, the activity center on the Project Site (i.e., the surface parking area and the main entrance to the Facility) is located on the east side and of the Project Site, separated from the adjacent single-family residential uses to the west by the Facility's four intervening residential Wings, from the single family homes to the south by Erwin Street, and from the single family homes to the north by the 10-foot wide landscaped buffer. As such, the proposed Eldercare Facility is consistent with Objective 1-3 and Policy 1-3.1 of the Community Plan.

The Community Plan designates the Project Site for Very Low Residential with corresponding zones of RE20, RA, RE15, and RE11. The Project Site is Zoned RA-1. Footnote 9, which is applicable to "corresponding zones" on the Community Plan map, states: "*It is the intent of the Plan that the entitlements granted shall be one of the zone designations within the corresponding zones shown on the Plan, unless accompanied by a concurrent Plan Amendment.*" The requested entitlement for an Eldercare Facility Unified Permit would allow the proposed Eldercare Facility use within the RA Zone, subject to the approval of a Zoning Administrator. As such, while the land use designation of the Project Site is Very Low Residential, the proposed Eldercare Housing project, as an allowed use subject to approval within the corresponding RA zone, would be consistent with the Community Plan.

It is recognized by the City that there is substantial Citywide need for Eldercare Housing. The Housing Element of the General Plan notes that the housing needs of the elderly are particularly challenging and require special attention because of the

combination of fixed incomes, physical challenges, and mobility/transportation limitations, all of which limit access to appropriate and affordable housing. Further, as the "baby-boom" generation ages, elderly housing demand will increase substantially.

The Community Plan does not identify specific locations for Eldercare Housing. In recognition of the fact that these facilities provide much needed services and housing for the growing senior population of the City of Los Angeles, the LAMC was amended by the City Council (Ordinance No. 178,063) to allow Eldercare Housing within residential zones, including the RA zone, subject to the approval of the Zoning Administrator. As such, and based on the above consistency analysis, the proposed Eldercare Facility will be consistent with the goals, objectives, and policy of the General Plan.

# # #

ATTACHMENT E-2

SITE PLAN REVIEW
ADDITIONAL INFORMATION/FINDINGS

WATERMARK GARDENS AT FALLBROOK
6221 N. Fallbrook Avenue
Canoga Park, CA 91367

PROJECT OVERVIEW/REQUEST

The Applicant, Community Multihousing Inc., seeks to demolish a former private school and construct, operate, and maintain an Eldercare Facility comprised of 75 percent Assisted Living Care Housing and 25 percent Alzheimer's/Dementia Care Housing (exclusive of common areas) for persons 62 years of age and older (the "proposed Eldercare Facility"), within the approximately 1.5 acre (± 65,715 SF) site located at 6221 N. Fallbrook Avenue (the "Project Site") in the RA-1 Zone. The proposed Eldercare Facility will include the new construction of a two-story building configured with four integrated Wings (two per floor), providing a total of 76 beds within 60 guest rooms and common areas, with a maximum height of approximately 42 feet, and having a total floor area of approximately 47,800 square feet. A total of 26 off-street parking spaces are required.

The Applicant is requesting an approval under the **ELDERCARE FACILITY UNIFIED PERMIT PROCESS** provisions of the Los Angeles Municipal Code ("LAMC")[1]. In addition, the Applicant is requesting **SITE PLAN REVIEW** findings.

SITE PLAN REVIEW FINDINGS

The following justifications for required Site Plan Review findings have been prepared for the proposed project to assist the decision-maker:

1. That the project complies with all applicable provisions of the Los Angeles Municipal Code, Planning and Zoning Section and any applicable specific plan.

Upon approval of the Eldercare Facility Unified Permit Process and Site Plan Review requests, the proposed Eldercare Facility will comply with all applicable provisions of the Planning and Zoning sections of the Los Angeles Municipal Code. The Project Site is not located within an approved Specific Plan area.

The Project Site is located within the area covered by the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan (the "Community Plan"). The Community Plan outlines the arrangement and intensities of land uses, the street system, and the

[1] As described in greater detail in ***Attachment C: Eldercare Facility Unified Permit Process – Additional Information/Findings***, the Applicant is requesting deviations from the use, maximum residential floor area, height, rear yard (i.e., setback) and maximum density otherwise permitted in the RA-1 Zone (LAMC Section 12.07, et seq.).

location and characteristics of public service facilities within its geographic boundaries. The Project Site is designated for Very Low Residential land uses within this Community Plan with corresponding zones of RE20, RA, RE15, and RE11.

The proposed Eldercare Facility consists of the construction of a single two-story building providing Eldercare Housing with 60 guest rooms with 76 beds together with common areas, having a maximum height of approximately 42 feet (to the top of the architectural enhancement), and having a total floor area of approximately 47,800 square feet, at least 75 percent of which consists of Assisted Living Care Housing (exclusive of common areas).

The exterior portions of the Project Site within the setback areas along Fallbrook Avenue and Erwin Street, as well as those located adjacent to existing single-family residential uses to the north and west will be improved with extensive landscape areas. Specifically, a 25-foot wide front yard landscaped berm will be provided on the east side of the Project Site along Fallbrook Avenue, a 10-foot wide landscaped setback area will be provided on the north and west side of the Project Site, and an approximately 12-foot wide landscaped setback will be provided on the south side of the Project Site. In addition, three landscaped courtyards are also featured within the interior of the proposed Eldercare Facility footprint, beyond the setback areas. Overall, the landscaping throughout the Project Site will occupy approximately 44 percent of the site.

Although no particular amount of open space is required for an Eldercare Facility that consists of guest rooms, the proposed Eldercare Facility is planned to provide approximately 6,000 square feet of useable open space, which includes three landscaped outdoor courtyards on the first floor. This equates to approximately 100 square feet of open space provided for each of the 60 guest rooms. In addition, the proposed Eldercare Facility provides interior common areas, including sunrooms, living rooms and family areas.

Off-street parking for the proposed Eldercare Facility is provided on a surface parking lot located on the Project Site, adjacent to Fallbrook Avenue. Consistent with Section 12.21.A.4 (u) of the Code, a total of 26 parking spaces are required (i.e., 0.2 spaces per each Alzheimer's guest bed; 0.5 spaces per each Assisted Living guest room). As shown on the enclosed plans, the proposed Eldercare Facility is presently planned to provide 30 parking spaces, which includes two handicapped accessible spaces. Ingress and egress to the parking lot will be provided from Fallbrook Avenue via a 30-foot wide driveway, designed to the City's standards, located approximately 175 feet east of Erwin Street.

The Project Site is located within the RA-1 Zone, which pursuant to Section 12.07, does not permit Eldercare Facilities. Further, as presented in the enclosed plans and as described in detail throughout this application, the maximum residential floor area, density, setbacks, and height of the proposed Eldercare Facility are not in conformance with the current zoning on the Project Site. However and as discussed in greater detail in ***Attachment C - Eldercare Facility Unified Permit Process – Additional Information/Findings***, LAMC Section 14.3.1.B specifically grants the Zoning Administrator the authority to permit an Eldercare Facility on an RA zoned lot when such

Facility "does not meet the use, area, or height provisions of the...zone...or the requirements of any...Citywide regulation...[provided that] it is in conformance with the provisions of ...[LAMC Section 14.3.1]". LAMC Section 14.3.1.E states that in order to grant such approval, the Zoning Administrator must make specific findings, as set forth in LAMC Section 14.3.1.E and Section 16.05.F, as applicable. The justifications made in support of these required findings are provided herein and in ***Attachment C***.

The proposed Eldercare Facility would provide 60 guest rooms of Eldercare Housing to include 15 guest rooms containing 19 beds of Alzheimer's/Dementia Care Housing and 45 guest rooms containing 57 beds of Assisted Living Care housing to persons at least 62 years of age, consistent with the stated purpose of the Eldercare Facilities Unified Permit Process (i.e., LAMC Section 14.3.1, et seq.), which is to provide much needed services and housing for the growing senior population of the City of Los Angeles. Further, and as discussed herein and in ***Attachment C***, the proposed Eldercare Facility is in conformance with the provisions of LAMC Section 14.3.1 and the required findings can be made. As a result, as part of the application for an Eldercare Facility Unified Permit and as permitted by LAMC Section 14.3.1 et seq., the Applicant is requesting relief to allow the Eldercare Facility use, additional residential floor area, density, height, and reduction in the rear yard.

In light of the above, the proposed Eldercare Facility will comply with the applicable provisions of the LAMC upon approval of the Eldercare Facility Unified Permit and Site Plan Review request.

2. That the project is consistent with the General Plan.

The proposed Eldercare Facility would be consistent with the General Plan, and more specifically the Framework Element, the Housing Element, and the Community Plan, all of which contain goals, objectives, and policy relevant to the proposed Eldercare Housing project. The proposed Eldercare Facility will provide 60 guest rooms of service-enriched housing to the City's residents age 62 years and older, and as such is arguably most like a multiple-family residential development. The Code's definition of Eldercare Housing supports this premise, by requiring that ..."A minimum of 75 percent of the floor area, exclusive of common areas, shall consist of Senior Independent Housing and/or Assisted Living Care Housing." This requirement ensures that the principal use within Eldercare Housing will remain residential. On this basis, the Code permits Eldercare Housing to be located within residential areas, subject to the approval of a Zoning Administrator.

As such, the following General Plan goals, objectives, policy, and design guidelines that pertain to either Eldercare Housing, or to multiple family residential development, are relevant to the proposed Eldercare Facility. These include:

- General Plan Framework Element Objective 7.8, "*Maintain and improve municipal service levels throughout the city to support current residents' quality of life and enable Los Angeles to be competitive when attracting desirable new development (e.g., Eldercare Facilities).*"

The municipal services available within the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan Area, including the Fire Station to the north of the Project Site, at the southwest corner of Victory Boulevard and Fallbrook Avenue, as well as the police protection services, street and circulation services, and utilities services make location of an Eldercare Facility on the Project Site highly desirable, and would directly support the quality of life for aging residents in the City, and more specifically within the south San Fernando Valley area. As such, the proposed Eldercare Facility is consistent with Objective 7.8 of the General Plan Framework Element.

- General Plan Housing Element Objective 1.3, ""*Encourage the provision of housing with support services for persons with special needs (e.g., homeless, mental or physical disability, elderly, large families, and persons living with HIV/AIDS)*".

  The proposed Eldercare Facility will meet or exceed the California Department of Social Services assisted living and dementia care program regulations, including staff-to-resident ratios and requirements for 24-hour care for the residents. It will provide a total of 44 one-bed guest rooms and 16 two-bed guest rooms for a total of 60 guest rooms and 76 beds of Eldercare Housing. A total of 19 guest beds will be provided to serve the needs of residents requiring Alzheimer's/Dementia Care Housing, while a total of 57 guest beds will be provided to serve the needs of residents requiring Assisted Living Care Housing. These guest rooms will provide long-term care for persons 62 years of age and older who require assistance with two or more non-medical activities of daily living, as well long-term, 24-hour care to serve the needs of persons 62 years of age and older who suffer from dementia or other disorder's resulting in dementia. In addition, other social services provided to these residents would include daily living and aging in place, as more fully described in ***Attachment A***. As such, the proposed Eldercare Facility is consistent with Objective 1.3 of the General Plan Housing Element.

- General Plan Housing Element Policy 1.3.1, "*Take an active role in broadening the accessibility and availability of special needs and service-enhanced housing for all City residents, including the homeless, elderly, persons with mental, physical, and developmental disabilities, persons with drug and alcohol dependency, large families, female-headed households, and persons living with HIV/AIDS.*"

  The proposed Eldercare Facility would be centrally located within the south San Fernando Valley on Fallbrook Avenue, a Major Class II Highway, which traverses the Valley from north to south, facilitating the availability of this service enriched housing within the Community Plan Area and the City. The proposed Eldercare Facility will provide service enriched housing totaling 60 guest rooms for a total of 76 beds, as well as medical services, social services, and long term care, thereby furthering the goal of making this service enriched housing available to elderly persons with mental and physical disabilities. As

such, the proposed Eldercare Facility is consistent with Policy 1.3.1 of the General Plan Housing Element.

- Community Plan Goal 1, "*A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the...Community Plan Area*"; and Community Plan Objective 1-4 "*Provide a diversity of housing opportunities capable of accommodating all persons regardless of income, age or ethnic background*".

  The Project Site is designated for Very Low Residential land uses within the Community Plan. The proposed Eldercare Facility would provide 60 guest rooms of Eldercare Housing for persons age 62 years or older who either: (1) require assistance with two or more non-medical activities of daily living (in the case of the Assisted Living Care portion) or; (2) suffer from Alzheimer's disease or other disorders resulting in dementia and require 24-hour care. As such, the proposed Eldercare Facility is consistent with Goal 1 and Objective 1-4 of the Community Plan.

- Community Plan Objective 1-2 "*Reduce automobile trips in residential areas by locating new housing in areas offering proximity to goods, services, and facilities.*"

  The proposed Eldercare Facility, as a residential housing project for persons 62 years of age and older, is planning to provide transportation services for residents to nearby commercial retail shopping and services, places of worship, doctor appointments, and other locations, thereby reducing vehicle trip generation within the surrounding residential community. Importantly, access to and from the proposed Eldercare Facility will be provided off of Fallbrook Avenue, a Major Class II Highway, and (with the exception of emergency vehicle access) no access will be provided from Erwin Street. As such, the proposed Eldercare Facility is consistent with Objective 1-2 of the Community Plan.

- Community Plan Objective 1-3 "*Preserve and enhance the character and integrity of existing single and multifamily neighborhoods*"; and Community Plan Policy 1-3.1 "*Seek a high degree of compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods*".

  The proposed Eldercare Facility would provide a single 36-foot tall, two-story structure covering approximately 38 percent of the Project Site. Extensive landscaped grounds, covering approximately 44 percent of the Project Site, include courtyards that are between approximately 34- and 41-feet deep adjacent to the north and south boundaries of the Project Site (and within the interior of the development), 10-foot wide landscaped setback areas adjacent to residential uses on the north and west, and a 25-foot wide landscaped berm along Fallbrook Avenue. The design and layout of the proposed Eldercare Facility is oriented towards Fallbrook Avenue, with vehicle access and surface parking provided off of this Major Class II Highway, and a landscaped berm with accent entry

planting separating this public right-of-way from the surface parking, softening and integrating these higher intensity use areas within the surrounding neighborhood. The existing perimeter block wall along the north, west and south sides of the property will be retained, providing buffering to existing adjacent residential uses as well as the public rights-of-way (i.e., alleyway on the north and Erwin Street on the south).

No daily vehicle access to the proposed Eldercare Facility will be provided from either the alley immediately adjacent to the north, or from Erwin Street immediately adjacent to the south of the Project Site. Thus, the activity center on the Project Site (i.e., the surface parking area and the main entrance to the Facility) is located on the east side and of the Project Site, separated from the adjacent single-family residential uses to the west by the Facility's four intervening residential Wings, from the single family homes to the south by Erwin Street, and from the single family homes to the north by the 10-foot wide landscaped buffer. As such, the proposed Eldercare Facility is consistent with Objective 1-3 and Policy 1-3.1 of the Community Plan.

The Community Plan designates the Project Site for Very Low Residential with corresponding zones of RE20, RA, RE15, and RE11. The Project Site is Zoned RA-1. Footnote 9, which is applicable to "corresponding zones" on the Community Plan map, states: "*It is the intent of the Plan that the entitlements granted shall be one of the zone designations within the corresponding zones shown on the Plan, unless accompanied by a concurrent Plan Amendment.*" The requested entitlement for an Eldercare Facility Unified Permit would allow the proposed Eldercare Facility use within the RA Zone, subject to the approval of a Zoning Administrator. As such, while the land use designation of the Project Site is Very Low Residential, the proposed Eldercare Housing project, as an allowed use subject to approval within the corresponding RA zone, would be consistent with the Community Plan.

It is recognized by the City that there is substantial Citywide need for Eldercare Housing. The Housing Element of the General Plan notes that the housing needs of the elderly are particularly challenging and require special attention because of the combination of fixed incomes, physical challenges, and mobility/transportation limitations, all of which limit access to appropriate and affordable housing. Further, as the "baby-boom" generation ages, elderly housing demand will increase substantially.

The Community Plan does not identify specific locations for Eldercare Housing. In recognition of the fact that these facilities provide much needed services and housing for the growing senior population of the City of Los Angeles, the LAMC was amended by the City Council (Ordinance No. 178,063) to allow Eldercare Housing within residential zones, including the RA zone, subject to the approval of the Zoning Administrator. As such, and based on the above consistency analysis, the proposed Eldercare Facility will be consistent with the goals, objectives, and policy of the General Plan.

3. That the project is consistent with any applicable adopted redevelopment plan.

The Project Site is not located within an adopted redevelopment plan area.

4. That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, load areas, lighting, landscaping, trash collections, and other such pertinent improvements, which is or will be compatible with existing and future development on the neighboring properties.

As depicted in the enclosed site plans and elevations, the proposed Eldercare Facility, in conformance with the requirements of LAMC Section 16.05.F.4, "consists of an arrangement of buildings, off-street parking, loading areas, lighting, landscaping, trash enclosures, and other improvements, which is and/or will be compatible with existing and future developments" in the surrounding area. The proposed building will be of Type V construction and is designed for visual and functional purposes.

To create a visual interest, the proposed building will have contrasting complementary colors, building plane variations, and landscape elements, as more fully described below and as presented above. Specifically, the proposed Eldercare Facility includes a single 36-foot tall (with a 42 foot tall architectural element), two-story structure configured with four integrated Wings (two per floor) covering just 38 percent of the Project Site, and a surface parking lot covering approximately 18 percent of the Project Site. Extensive landscaped grounds (covering approximately 44 percent of the Project Site) include courtyards that are between approximately 34- and 41-feet deep adjacent to the north and south boundaries of the Project Site (and within the interior of the development), 10-foot wide landscaped setback areas adjacent to residential uses on the north and west, an approximately 12-foot wide setback adjacent to Erwin Street on the south, and a 25-foot wide landscaped berm along Fallbrook Avenue.

Although no particular amount of open space is required for an Eldercare Facility that consists of guest rooms, the proposed Eldercare Facility is planned to provide approximately 6,000 square feet of useable open space, which includes three landscaped outdoor courtyards on the first floor. This equates to approximately 100 square feet of open space provided for each of the 60 guest rooms. In addition, the proposed Eldercare Facility provides interior common areas, including sunrooms, living rooms and family areas.

The design and layout of the proposed Eldercare Facility is oriented towards Fallbrook Avenue, with vehicle access and surface parking provided off of this Major Class II Highway, and a landscaped berm with accent entry planting separating this public right-of-way from the surface parking, softening these higher intensity use areas from public vantages. The existing perimeter block wall along the north, west and south sides of the property will be retained, providing buffering to existing adjacent residential uses as well as the public rights-of-way (i.e., alleyway on the north and Erwin Street on the south). No vehicle access to the proposed project will be provided from the alley immediately adjacent to the north. Access from Erwin Street, immediately adjacent to the south of the Project Site, will be limited to emergency service needs (e.g., fire trucks).

Thus, the activity center on the Project Site (i.e., the surface parking area and the main entrance to the Facility) is located within the interior of the proposed Eldercare Facility, separated from the adjacent single-family residential uses to the south and west by the Facility's four integrated residential "Wings" and effectively locating these higher intensity use areas farthest away from these homes. The perimeter wall and minimum 10-foot wide landscaped setback located along the proposed Eldercare Facility's northern, western, and southern boundary provides screening and a buffer to these adjacent residential uses. The access driveway is located on Fallbrook Avenue approximately 42 feet to the south of the northeast corner of the Project Site, yet in compliance with the City's driveway requirements, affording the buffering effect of distance between adjacent residential uses to the north and the required driveway.

Further, it is noteworthy that the proposed Eldercare Facility's design, architecture, massing, and materials introduce elements that are compatible with and compliment the surrounding residential neighborhood. Specifically, the building's height of 36-feet (at the roofline) rises to 42-feet only at the center architectural enhancement, furthest from adjacent residential development. The massing of the proposed Eldercare Facility's two-story structure is reduced by modulated building facades, placement of horizontal decorative trim across the center of the building, and integration of heavily landscaped courtyards into the building footprint at the center of the facility, as well along it's north and south sides. Architectural features that add interest and dimension include sloped tile rooflines, articulated windows and doors, and decorative recesses embellished with wrought iron grates. Windows feature a variety of enhancements including raised surrounding trim, decorative wrought iron railings, canvas awnings, and stucco wainscot below ground floor windows.

Functionally, trash and recycling enclosures are shielded from public view and are in the northeast portion of the Project Site. While primarily residential in nature, any loading activity necessary for operation of the Eldercare Facility would occur entirely on-site within the constraints of the surface parking area, and away from adjacent residential uses. The building also contains centralized trash and recycling containers located inside each of the four Wings, in the Country Kitchen area, and in the central administrative area of the building.

Off-street parking for the proposed Eldercare Facility is provided on a surface parking lot located on the Project Site, adjacent to Fallbrook Avenue. Consistent with Section 12.21.A.4 (u) of the Code, a total of 26 parking spaces are required (i.e., 0.2 spaces per each Alzheimer's guest bed; 0.5 spaces per each Assisted Living guest room). As shown on the enclosed plans, the proposed Eldercare Facility is presently planned to provide 30 parking spaces, which includes two handicapped accessible spaces. Ingress and egress to the parking lot will be provided from Fallbrook Avenue via a 30-foot wide driveway, designed to the City's standards, located approximately 175 feet north of Erwin Street.

Pedestrian access to the proposed building from Fallbrook Avenue and Erwin Street is provided via the building's main entrance, located on the east side of the

building facing Fallbrook Avenue. This main entrance to the Facility also provides access to pedestrians entering from the surface parking lot area.

Exterior security lighting will be provided to illuminate the building, entrances, walkways and parking areas. All project-related lighting will be directed on-site to avoid spillover lighting onto adjacent properties.

The Community Plan identifies certain design policies for new multiple family residential uses within the design policies for new commercial projects. A number of these design policies can be used as an additional means of evaluating the proposed Eldercare Facility's compatibility with development on neighboring properties. These design policies include:

- Community Plan, Design Policies For Individual Projects, Commercial – Multiple Residential Site Planning: "*All multiple residential projects of five or more units shall be designed around a landscaped focal point or courtyard to serve as an amenity for residents.*

  1. Provide a pedestrian entrance at the front of each project.

  2. Require useable open space for outdoor activities, especially for children."

The proposed Eldercare Facility provides approximately 28,664 square feet of landscaped area (approximately 44 percent of the lot) including a central outdoor landscaped courtyard featuring pedestrian pathways leading to a central water fountain, and two additional outdoor courtyard areas integrated within the ground floor plan and accessible to residents from the common areas on both the ground and second floors. The entrance to the proposed Eldercare Facility is provided at the front of the building facing Fallbrook Avenue, accessible to pedestrians from the adjacent public rights-of-way along Fallbrook Avenue and Erwin Street, and from the surface parking lot immediately adjacent to this main entrance. Because the proposed Eldercare Facility is specifically age restricted to provide for the housing needs of persons 62 years of age and older, the requirement for useable open space for outdoor activities, especially for children, would not be relevant.

- The Community Plan, Design Policies For Individual Projects, Commercial - Surface Parking Landscaping:

  "*1. Devote 2% of total surface area of surface parking lots to landscaping.*

  2. Provide landscaped buffers along public streets or adjoining residential uses."

  As shown on the Preliminary Landscape Plan included as a part of this Application, the surface parking lots are landscaped and landscaped buffers are provided along the public streets that adjoin the Project Site, as well as along the westerly and northerly property boundaries that adjoin single family residential development.

- The Community Plan, Design Policies For Individual Projects, Commercial - Light and Glare:

"*1. Install on-site lighting along all pedestrian walkways and vehicular access ways.*

2. Shield and direct on-site lighting onto driveways and walkways. Direct on-site lighting away from adjacent residential uses."

The exterior security lighting will be provided to illuminate the building, entrances, walkways and parking areas. All project-related lighting will be directed on-site to avoid spillover lighting onto adjacent properties.

- The Community Plan Design Policies For Individual Projects, Commercial - Design: "*The design of all buildings shall be of a quality and character that improves community appearance by avoiding excessive variety and monotonous repetition. This policy shall be accomplished through:*

  1. Requiring the use of articulations recesses surface perforations and porticoes to breakup long, flat building facades.

  2. Using complementary building facades.

  3. Incorporating varying designs to provide definitions for each floor.

  4. Integrating building fixtures, awnings, security gates, etc. into design of the building.

  5. Screening all rooftop equipment and building appurtenances from adjacent properties.

  6. Require decorative, masonry walls to enclose trash."

  The design, architecture, massing, and materials of the project introduce elements that would improve community appearance, while being compatible with and complimentary to the surrounding residential neighborhood. The building's height of 36-feet (at the roofline) rises to 42-feet only at the center architectural enhancement, furthest from the adjacent residential development. The massing of the Facility's two-story structure is reduced by modulated building facades, placement of horizontal decorative trim across the center of the building, and integration of heavily landscaped courtyards into the building footprint at the center of the Facility, as well along it's north and south sides. Rooftop equipment is screened from adjacent property views. Architectural features that add interest and dimension include sloped simulated tile rooflines, articulated windows and doors, and decorative recesses embellished with wrought iron grates. Windows feature a variety of enhancements including raised surrounding trim, decorative wrought iron railings, canvas awnings, and wainscot below ground floor windows.

- The Community Plan Design Policies For Individual Projects, Street Trees:

  "*1. Select species which: a. Enhance the pedestrian character, and convey a distinctive high quality visual image. b. Are drought and smog tolerant, and fire-resistant, and complement existing street trees.*"

As shown on the enclosed Preliminary Landscape Plan, street trees will be provided pursuant to the City's specifications, and in accordance with adopted City policy.

The proposed Eldercare Facility consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, load areas, lighting, landscaping, trash collections, and other such pertinent improvements, which are proper in relation to the Project Site and surrounding uses, and which incorporate specific elements of good design, including those identified in the Community Plan Design Guidelines. As such, the proposed use, site plan, and project design will promote orderly development, public safety, general welfare, and compatibility with adjacent uses.

5. **That the project incorporates feasible mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review, which would substantially lessen the significant environmental effects of the project, and/or any additional findings as may be required by CEQA.**

An Environmental Assessment Form has been completed and submitted as part of this application. As part of this process, the City will analyze the potentially significant impacts of the project to determine the type of environmental clearance proposed for certification. While generally the project is not expected to have a significant effect on the environment, it is likely that some activities such as site preparation (i.e., grading) and construction may require standard mitigation measures (e.g., dust control, muffle heavy equipment, tarp loads) to reduce the potential impacts to the surrounding community. It is anticipated that the project will receive a Mitigated Negative Declaration.

6. **That any project containing residential uses provides its residents with appropriate type and placement of recreational facilities and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties where appropriate. (For Residential Projects Only.)**

The proposed Eldercare Facility will provide 60 guest rooms of Eldercare housing including 44 one-bedroom guest rooms and 16 two-bed guest rooms for a total of 60 guest rooms and 76 beds. A total of 26 on-site parking spaces are required within the surface parking lot, including two handicap accessible spaces.

Outdoor recreational opportunities include only the passive use of pedestrian walkways and sitting areas featured throughout the proposed Eldercare Facility's landscaped ground floor courtyard areas and patios, and second floor terraces. Importantly, these areas are sited to avoid impact on the adjacent single-family residential uses.

The center landscaped courtyard area is located on the ground floor, within the interior of the proposed Eldercare Facility and furthest from adjacent residential uses. It features pedestrian pathways, sitting areas, and a central fountain, and provides an outdoor room extension to the adjacent indoor living room, giving residents a center focal point viewable from common areas on both the ground and second floors.

The two separate outdoor landscaped courtyard areas that are integrated into the ground floor plan on the north and south sides of the Project Site, further beyond the 10-foot wide and approximately 12-foot wide landscaped setback areas, respectively. These two separate landscaped courtyard areas afford additional separation and buffer to adjacent single-family residential uses.

Second floor terraces are oriented either to the project's interior and recessed behind the proposed building (on the project's north side), or are deeply recessed into the proposed Eldercare Facility (i.e., approximately 60-feet) away from the single family residential homes to the south, and across Erwin Street. Additional passive recreational opportunities described in ***Attachment A*** are located indoors, and as such would not conflict with adjacent single-family residential uses.

The proposed Eldercare Facility will provide facilities and service amenities appropriate for Eldercare Housing, as more fully described in ***Attachment A***. These features will improve the daily living activities and habitability for the residents of the guest rooms while minimizing the potential impacts on the surrounding area. Specifically, transportation services to local shopping/retail areas, medical offices, houses of worship, and the like are currently planned for the residents, eliminating the need for separate transportation arrangements and additional vehicle trips to and from the Eldercare Facility. In addition, on-site services will also include a beauty shop (located adjacent to the second floor living room area), and a full spectrum of support services including daily living and aging in place services.

In addition, the design and layout of the proposed Eldercare Facility is oriented towards Fallbrook Avenue, with vehicle access and surface parking provided off of this major highway, and a landscaped berm with accent entry planting separating this public right-of-way from the surface parking area, softening these higher intensity use areas and integrating them within the context of the surrounding single family residential neighborhood.

In light of the above, the proposed Eldercare Facility provides its residents with appropriate type and placement of recreational facilities and service amenities to improve their daily living activities and habitability and, as a result, minimize the possible impacts on neighboring properties.

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Attachment F

ATTACHMENT F

SOUTH VALLEY AREA PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.lacity.org/PLN/index.htm

Determination Mailing Date JUL 2 3 2012

Case No.: ZA-2011-2679-ELD-SPR-1A

CEQA: ENV-2011-2680-MND

Address: 6221 North Fallbrook Avenue
Council District: 3
Plan Area: Canoga Park-Winnetka-Woodland Hills-West Hills
Zone: (Q)C4-1VL; C2-1VL; (Q)P-1VL
D.M.: 168B133
Legal Description: Arb 1; Lot PT 4 Tract 3558

APPLICANT: Ken Barry, Community Multihousing, Inc.
Representative: Christopher Murray, Rosenheim & Associates

APPELLANTS: Mohammed Tat, Sossi and Jack Pomakian, Charles and Betty Salverson, John Sundahl, Dawn Stead, Mark Dymond, Susan Hamersky, Kelly Del Valle, Donna Schuele and Jack Sorkin
Representative: Donna Schuele

At its meeting on **June 28, 2012**, the following action was taken by the South Valley Area Planning Commission:

1. **Granted** the appeal;
2. **Overturned** the Zoning Administrator's Determination granting the construction, use and maintenance of an Eldercare Facility and a Site Plan Review;
3. **Adopted** the Findings;
4. **Did not adopt** the recommendation of the lead agency in issuing Categorical Exemption No. ENV 2011-2980-MND as the environmental clearance for this action.

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:	Commissioner Cochran
Seconded:	Commissioner Mather
Ayes:	Commissioners Cochran, Mather, Murley and Epstein
Nay:	Commissioner Guzman
Vote:	**4- 1**

Effective Date:
Effective upon mailing of this report

Appeal Status
Not further appealable to City Council

Sheldred Alexander

Sheldred Alexander, Commission Executive Assistant
South Valley Area Planning Commission

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(s): Findings

cc: Notification List
Fernando Tovar

The South Valley Area Planning Commission granted the appeal and overturned the determination of the Zoning Administrator in approving:

> a Zoning Administrator's Determination pursuant to Los Angeles Municipal Code Section 14.3.1 for the construction, use and maintenance of an Eldercare Facility with no less than 75 percent of the floor area, exclusive of common areas, consisting of Assisted Living Care Housing; and
>
> Site Plan Review pursuant to Los Angeles Municipal Code Section 16.05 for the construction, use and maintenance of an Eldercare Facility containing approximately 50,289 square feet with no less than 75 percent of the floor area, exclusive of common areas, consisting of Assisted Living Care Housing, thereby, denying the proposed project.

FINDINGS OF FACT
(AS APPROVED BY THE SOUTH VALLEY AREA PLANNING COMMISSION)

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report of the Zoning ~~Analyst~~ Administrator thereon, and the statements made at the public hearing before the ~~Zoning Administrator~~ South Valley Area Planning Commission on June 28, 2012, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, ~~I~~ the Area Planning Commission ~~find~~ found that the requirements and prerequisites for granting an Eldercare Facility and Site Plan Review as enumerated by Sections 14.3.1and 16.05 of the Los Angeles Municipal Code have not been established by the following facts:

FINDINGS – ELDERCARE FACILITY
(Bold Strikeout and Bold Double Underline of the Zoning Administrator's Findings)

Following (highlighted) is a delineation of the findings and the application of the relevant facts to the same:

1. **The strict application of the land use regulations on the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

   ~~The Zoning Code sets forth regulations to promote orderly development and to maintain compatibility between respective land uses. Specifically, Section 12.02 of the Los Angeles Municipal Code (L.A.M.C.) outlines the purpose of the zoning regulations as follows: "...to designate, regulate and restrict the location and use of building, structures and land, for agriculture, residence, commerce, trade, industry or other purposes...in order to encourage the most appropriate use of land..."~~

   ~~The subject site contains approximately 65,715 square feet (1.5 acres) and is designated Low Residential uses and is zoned RA-1. Uses permitted by right in the RA Zone include single family dwellings and two family dwellings in certain instances, parks, playgrounds or community centers when operated by a~~

~~government agency, golf courses, farming, limited animal keeping among other accessory uses. The provisions of the RA Zone are generally intended to apply to those uses permitted by right in the zone. The RA Zone limits the maximum allowable floor area to 20% of the lot area for lots greater than 20,000 square feet (in this case approximately 12,600 square feet). The RA Zone also requires a minimum front yard equivalent to 20% of the lot depth and a minimum rear yard equivalent to 25% of the lot depth, but in either case, the front or rear yard need not exceed 25 feet, while the required side yard is 10 feet for a two-story building. In addition, the maximum height permitted in the RA-1 Zone, pursuant to Section 12.21.1 is 36 feet.~~

~~The applicant is requesting approval of a two-story Eldercare Facility with a maximum of 60 guest rooms and a maximum of 76 beds. At least 75% of the facility (excluding common areas) will be devoted to Assisted Living Care Housing and 25% will be devoted to residents who suffer from Alzheimer's and/or Dementia related disorders. No medical care will be provided in the facility and the facility will not operate as a skilled nursing facility. Residents of the facility will be at least 62 years of age or older and must require assistance with at least two or more non-medical needs to be eligible for residency. None of the guest rooms will contain a kitchen and the bedroom mix will consist of 44 one-bedroom guest rooms and 16 two-bedroom guest rooms. The one-bedroom guest rooms will range in size between 397 square feet and 455 square feet and the two-bedroom guest rooms will range between 540 to 596 square feet. Guest rooms are efficiently designed and will be equipped with a television, living room, a full bathroom and walk-in closet.~~

~~While the proposed Eldercare facility is not permitted by right in the RA Zone, pursuant to Section 14.3.1 of the Los Angeles Municipal Code (L.A.M.C.), the Zoning Administrator may permit an Eldercare Facility to be located on a lot or lots in the A1 through the R3 Zones, or in the RAS3, R4, RAS4 and R5 and all C Zones, when an Eldercare Facility does not meet the use, area, or height provisions of the respective zone contained in this chapter, subject to establishing the required findings outlined herein.~~

~~As designed, the proposed Eldercare facility will have a maximum height of 36 feet to the top of the roof ridge, will maintain a 71 foot front yard, a minimum rear yard of 25 feet and minimum side yards of 10 feet, all in conformance to the RA-1 Zone. However, due to the scope and nature of the proposed use, the proposed number of guest rooms and floor area will exceed the maximum allowable density and floor area otherwise permitted by the RA-1 Zone.~~

~~In addition, in response to residents' concerns to screen the facility from adjacent residential uses, an 8 foot estate wall will be provided along the perimeter of the site and will be partially located within the required front yard. Also, in order to provide a greater separation between the facility and adjoining single family dwelling to the west, the footprint was shifted east to provide a greater rear yard, which in turn shifted the surface parking lot to the east. As a result, a portion of the parking lot~~

~~will be located within the required front yard. According to the applicant, the strict application of the FAR limitation of the RA Zone in this case would limit the proposed Eldercare facility to only 12,600 square feet and would reduce the building envelope to a level where only a maximum of 16 guest rooms would be feasible on the site because of the need to accommodate the required common areas needed to support the residents.~~

~~The proposed facility will contain approximately 50,289 square feet. While the proposed facility will exceed the maximum allowable floor area by approximately four times that allowed, the facility will have a maximum lot coverage of approximately 40% and 60% of the site will remain open areas consisting of generous landscaped setbacks along the perimeter of the site, three open courtyards, walkways and surface parking. Also, approximately 42% of the total floor area will consist of common areas. The guest rooms, excluding common areas, contain approximately 27,964 square feet (6,991 square feet – 15 guest rooms for residents with Alzheimer's/Dementia and 20,973 square feet – 45 guest rooms devoted to assisted living). Approximately 20,866 square feet are devoted to common areas or non-residential space consisting of on-site amenities and support services such as kitchens, common living, dining and family rooms, sun rooms, and offices and ancillary uses for support staff, laundry and housekeeping services. Thus, given the nature of the proposed use, a significant amount of common areas and open space is required to provide an enriched environment and on-site support services to meet the needs of the elderly residents with special assisted living needs.~~

~~Moreover, the site is located on the northwest corner of Fallbrook Avenue, a Major Highway, and Erwin Street, a local street. The subject site contains approximately 1.5 acres and has approximately 235 feet of frontage and vehicular access on Fallbrook Avenue. The size and scope of the proposed two-story Eldercare Facility is reasonable and appropriate in view of the site's capacity and its location on a Major Highway. In addition, the proposed facility is consistent with other non-residential uses on similar RA zoned lots located on Fallbrook Avenue in proximity to the site.~~

~~Properties adjoining the north side of the subject site fronting on the west side of Fallbrook Avenue and on Styles Street are zoned RS-1 and consist of lots ranging in size approximately 8,000 square feet in conformance to the 7,500 square foot minimum lot area of the RS Zone and are improved with single-family dwellings. Lots fronting on the interior local residential streets such as Erwin Street and Calvert Street are all zoned RA and consist of large lots typically between 25,000 to 35,000 square feet in conformance to the 17,500 square foot minimum lot area of the RA Zone and are improved with single-family dwellings.~~
~~However, lots fronting along Fallbrook Avenue between Victory Boulevard one block north of the site, and Oxnard Street, two blocks south of the site contain commercial and residential zones with a mix of single family, commercial and other non-residential uses. Properties one block north of the site on the east side of Fallbrook Avenue between Victory Boulevard and Sylvan Street are zoned and improved with~~

~~commercial uses. Properties fronting on Fallbrook Avenue one and one half blocks south of the site, north of Oxnard Street, are also zoned commercially and contain commercial uses.~~

~~Properties fronting on Fallbrook Avenue, generally between Sylvan Street and one half block north of Oxnard Street are zoned RA but consist of non-conforming lots containing approximately 7,600 to 7,800 square feet at a density consistent with the RS Zone. Otherwise, there are two larger RA zoned lots on Fallbrook Avenue located approximately one block south of the site that occupy approximately one third of the frontage of the block between Erwin and Calvert Streets that are improved with non-residential uses such as a church on a 65,000 square foot lot similar in size to the subject property at the northwest corner of Fallbrook Avenue and Calvert Street and there is a pre-school located on a 20,000 square foot lot at the northeast corner of Fallbrook Avenue and Calvert Street. Thus, while lots on Fallbrook Avenue are zoned RA, the land use pattern has a higher residential density and includes non-residential uses as well as commercial uses closer to Victory Boulevard and Oxnard Street.~~

~~Hence, the proposed use falls within the range of existing uses located along Fallbrook Avenue, including those non-residential uses on RA-1 zoned lots. Moreover, the proposed eldercare facility is more characteristic of a residential use than the existing school on the site or other non-residential uses such as the adjacent church. As previously noted, no medical care will be provided in the facility and the facility will not operate as a skilled nursing facility. Moreover, the relatively large size of the site is suitable to accommodate the scope and size of the proposed facility and the site's location on a Major Highway is reasonable and appropriate for the type of use proposed.~~

~~The strict application of the zoning regulations to the proposed elder care facility, a unique use relative to other uses generally permitted by right in the RA Zone, would limit the site's ability to provide needed on-site amenities and support services to the detriment of the project's occupants or would limit the site to only 16 guest rooms, which would result in significant underutilization of the site and would not permit the operator to achieve the economy of scale required to provide the level of on-site support services and amenities required for the eldercare facility's unique population. Denial of the request would therefore preclude the provision of much needed housing for the elderly population.~~

~~In this case, granting the request will allow efficient use of the site's larger lot size which is well suited for the proposed use, and will enable reasonable use of the site both commensurate with its capacity and consistent with the range of uses located on Fallbrook Avenue. Moreover, the facility's design is sensitive to the adjoining residential uses to the extent feasible. As described in more detail under Finding No. 2 below, the building is broken up to into various components and is oriented in a manner to minimize impacts on the adjoining single-family residential lots.~~

~~In view of the foregoing, the strict application of the zoning regulations would be~~

~~impractical and result in an unnecessary hardship inconsistent with the general purpose and intent of the zoning regulations.~~

In granting the appeal and overturning the Zoning Administrator's Determination, the South Valley Area Planning Commission based their decision on the scope and scale of the proposed eldercare facility as enumerated under Finding No. 5 and based in part on Finding No. 2.

2. The project will not be materially detrimental or injurious to the properties or improvements in the immediate area.

~~As previously noted, the site is located at the northwest corner of Fallbrook Avenue (a Major Highway), and Erwin Street (a Local Street) and contains approximately 65,715 square feet (1.5 acres). The site has approximately 235 feet of frontage along the west side of Fallbrook Avenue and 292 feet of frontage on the north side of Erwin Street. The site also has approximately 60 feet of frontage on an adjoining alley that terminates in a hammerhead design perpendicular to the site on the site's northerly property line.~~

~~Concerns were raised by local residents regarding the height and scale of the proposed facility and concerns that the size of the facility, with 76 beds and multiple kitchens, was more akin to a commercial use than a residential use and would generate impacts from noise, odors, traffic and deliveries, and would create spill-over parking impacts on the adjacent residential streets. In addition, concerns were raised that the proposed use would be intrusive to the RA Zoned residential community and would preclude surrounding properties from establishing animal keeping uses as permitted by the RA Zone.~~

~~However, the operation of the proposed facility, which will house and provide services to an elderly population age 62 or older, is generally a passive use in keeping with a residential character. Meanwhile, the architecture, massing, site layout and orientation of the proposed facility is designed to reasonably minimize impacts on the adjoining single family lots.~~

~~**DESIGN:**~~

~~Properties north of the subject site are zoned RS and have their frontage on Fallbrook Avenue or on Styles Street and are all improved with single family dwellings. The lots to the north fronting on Fallbrook Avenue have their vehicular access on an alley perpendicular to the subject site that runs along the rear lot lines of those lots and terminates on the north property line of the subject site in a hammerhead design. Since vehicular access is to the rear of these lots, there are no curb cuts or driveways on the west side Fallbrook Avenue on this block north of the site.~~

~~Properties south of the site fronting on Fallbrook Avenue and west of the site along Erwin Street, are all zoned RA-1 and are improved with single family dwellings.~~

~~Properties on the east side of Fallbrook Avenue are also zoned RA-1 and are improved with single family dwellings.~~

~~The site has its front yard on Fallbrook Avenue and the site's north property line (side lot) abuts the side lot line of the adjoining single family lot fronting on Fallbrook Avenue (along the front half of the subject site). The site's north property line also has 60 feet of frontage on the hammerhead of the adjoining alley and the rear half of the lot abuts the rear lot line of the adjoining single family lot fronting on Styles Street to the north. The rear lot line on the subject site shares the side lot line of the adjoining RA zoned lot to the west which fronts on Erwin Street and is improved with a single family dwelling and maintains an approximately 20 foot side yard from the rear of the subject site. To the south across Erwin Street, the site's frontage overlaps with three RA zoned lots all improved with a single family dwelling. One lot fronts on Fallbrook and has its side yard along Erwin Street, the other two front on Erwin Street, one of which contains approximately 10,000 square feet and has an approximately 40 foot front yard setback and the other contains approximately 42,000 square feet and has an approximately 60 foot front yard setback. All three of the lots directly across Erwin Street have approximately 6 foot high solid fences, walls or hedges along the front and side lot lines respectively. The existing fences and setbacks on these lots provides adequate screening and privacy to these lots.~~

~~The facility will be oriented toward Fallbrook Avenue and vehicular access to the site will be provided from a two way, 30 foot wide driveway on Fallbrook Avenue. The driveway will be located approximately 42 feet from the property line of the adjoining residential lot to the north and over 100 feet from the intersection. A second driveway will be provided on Erwin Street for emergency vehicles only. Hence, ingress and egress to the site would not affect traffic flow on Erwin Street. In addition, as noted earlier, the single family dwellings fronting on Fallbrook Avenue north of the site have their access from a rear alley, therefore, vehicles entering and exiting the site would not conflict with vehicular access to the single family homes north of the site.~~

~~The building mass is broken up into various components that create the appearance of three interconnected buildings. The facility consists of a two story "main" building facing Fallbrook Avenue and two 'L' shaped, two story wings (north and south wings) that span out from the main building. The north and south wing are separated by a large open courtyard, and two additional open courtyards are located on the north side of the north wing facing the rear lot line of the residential lot to the north (fronting on Styles Street) and another on the south side of the south wing facing Erwin Street.~~

~~The facility will have a maximum height of 36 feet to the top of the highest roof ridge on the main building nearest the center of the building and furthest from the adjacent residential lots. However, since the building is broken up into components, there are varied roof lines on the main building and on the wings. The height of the remainder of the main building is less than 36 feet and the height of the ridgelines on the wings facing the adjoining residential lots is between 29 feet 2 inches and 32~~

~~feet 11 inches and the maximum height of the roof eaves along these façades facing the adjoining residential lots vary between approximately 24 feet and 28 feet. The facades of each wing are modulated and broken up by the courtyards and maintain variable landscaped yards. The rear yard is a minimum of 25 feet and up to 30 feet and provides a landscaped meandering walkway that connects all three courtyards which together, provide an adequate buffer from the adjoining single-family lot to the west, fronting on Erwin Street, and from the rear lot line of the adjoining single-family dwelling to the north fronting on Styles Street. The north façade maintains a variable side yard between 10 feet and 17 feet and encompasses an open courtyard along the northerly property line that separates the main building from the north wing.~~

~~The main building will be set back approximately 71 feet from Fallbrook Avenue and a 10-foot 7-inch landscaped berm will be maintained along the site's frontage on Fallbrook Avenue. A surface parking lot with 30 on-site parking spaces will be maintained between the building and Fallbrook Avenue. The footprint of the adjoining single family dwelling fronting on Fallbrook Avenue will abut the parking lot on the front half of the subject site. Hence, the proposed building, which is set back 71 feet from Fallbrook Avenue, will not directly overlap with this adjoining dwelling. In addition, an 8-foot high estate wall is proposed along the perimeter of the site which will screen the facility from adjacent residential uses.~~

~~While the facility is large relative to improvements on the immediately adjoining residential lots, the bulk and scale of the proposed facility is dispersed into smaller components and the two-story facility will have a maximum lot coverage of approximately 40% and 60% of the site will remain open areas consisting of landscaped setbacks along the perimeter of the site, the three open courtyards and landscaped walkways as well as the surface parking oriented on Fallbrook Avenue.~~

~~The proposed height and setbacks along the adjoining residential lots will ensure the provision of adequate light and ventilation for the adjoining residential lots and for the occupants of the proposed facility. Moreover, the height and setbacks for the proposed facility are generally consistent or similar to the height and setbacks that would be permitted if the site was subdivided and improved with several two-story single family dwellings in conformance to the RA Zone which would result in approximately four single family lots.~~

The South Valley Area Planning Commission determined that, as designed, the size of the proposed facility was too massive and incorporated design elements such as an 8-foot high perimeter estate wall that was too high and second story windows that would invade the privacy of adjoining residential uses.

~~**OPERATION:**~~

~~The operation of the facility is not expected to generate adverse impacts on surrounding properties or improvements. The main building, which is oriented~~

~~toward the on-site parking lot along Fallbrook Avenue, will house most of the common areas such as the lobby, staff offices, conference rooms, kitchens and dining areas and family rooms, both on the ground floor and second floors, and some guest rooms. Each floor of each wing is self-sufficient and will have its own common areas including prep kitchens and family rooms so that gathering spaces are broken into smaller common areas rather than large spaces that would serve all residents. All of the interior common areas are contained within the enclosed building and will not directly face any of the adjoining residential lots. No common areas are designed to accommodate all the residents for active or intense uses. The two-story wings will house the guest rooms and each wing also has a small sunroom. None of the guest rooms will contain a kitchen so no cooking will take place in any guest rooms. The bedroom mix will consist of 44 one-bedroom guest rooms and 16 two-bedroom guest rooms. The one-bedroom guest rooms will range in size between 397 square feet and 455 square feet and the two-bedroom guest rooms will range between 540 to 596 square feet. Guest rooms are efficiently designed and will be equipped with only the basics such as a television, a small living room, a full bathroom and walk-in closet. There are no kitchens in any of the guest rooms and living areas are relatively efficient. Therefore, the guest rooms are intended primarily for sleeping and to provide a private space for residents and are not suited for entertaining large groups or for intense activity. Visitors would most likely make use of the common areas during visits. Therefore, the guest rooms are not expected to have high levels of activity or generate loud noise.~~

~~A solid 8-foot high estate wall will be maintained along the perimeter of the site where it adjoins residential uses and a 10-foot to 25-foot landscaped setback will buffer the site from the adjoining residential uses north and west of the site. In addition, as conditioned, trees are required to be planted along the landscaped setbacks to screen the adjoining residential properties from the second floor guest rooms. The adjoining property to the west shares the longest lot line with the subject site and the revised plans have reduced the number of windows on the west elevation. There are only three windows on the second floor of the wing adjacent to this dwelling. All of the exterior courtyards and landscaped walkways are for passive use only and no outdoor recreation space is provided.~~

~~According to the applicant, a total of 20 employees will staff the facility on staggered shifts. The largest shift will have 10 employees and there will be fewer overnight staff. As previously noted, no medical care will be provided in the facility and the facility will not operate as a skilled nursing facility. The applicant indicated that deliveries would be made twice a week by larger vendors and other deliveries would be made by smaller vendors. One of their weekly deliveries would be made by an 18 wheel truck. In order to minimize potential impacts on surrounding residential uses from commercial deliveries to the site, Condition Nos. 17 and 18 of the grant require that deliveries by vendors and trash pick-up be limited from 8 a.m. to 5 p.m Monday through Friday and from 9 a.m. to 12 noon on Saturdays and no deliveries or trash pick-up is permitted on Sundays. In addition, all deliveries are required to be conducted on site from the parking area and deliveries by 18-wheel trucks is prohibited.~~

~~**TRAFFIC & PARKING:**~~

~~A Traffic Analysis was completed by the Department of Transportation (DOT) to assess the proposed project's trip generation potential and to assess access and circulation for the site. According to staff from the DOT, a worse case scenario was used to determine whether the project has the potential to produce a significant traffic impact and thus warrant an in-depth analysis (traffic study). The trip generator used was based on the total number of proposed beds because this was the best fit correlation between the project size and anticipated number of vehicles generated for assisted living facilities. The analysis determined that the project would generate a total of 202 average daily trips with 11 a.m. peak hour trips and 17 p.m. peak hour trips. Concerns were raised at the hearing and in communications received that 202 trips was significant. However, the project's average peak hour trips generated is well below DOT's threshold of 43 peak hour trips to require a traffic study. It should be noted that the 202 trips is the Average Daily Traffic (ADT) generated over the course of an average weekday for a 24 hour period. Hence, the 202 trips generated are not trips arriving and/or departing the site at the same time. The 202 trips generated translates to an overall average of 8.4 trips per hour or approximately one vehicle every seven minutes with an average of 11 trips per hour during peak morning traffic hour (between 7 a.m. and 9 a.m.) and an average 17 trips per hour during evening peak traffic hour (4 p.m. to 6 p.m.). The average trips during off-peak hour traffic would therefore be even less than 8.4 trips per hour.~~

~~Moreover, the site was formerly utilized as a private school for pre-school and kindergarten through third grade students with a maximum enrollment of 114 students. A traffic assessment generally determines the net new trips generated by a proposed project beyond those trips already generated by an existing use. In this case, the trips generated by the existing school were not considered in order to establish a worse case scenario. According to DOT staff, had the trips associated with the school use been included as part of the analysis, the net new number of trips would have been negative. A school enrollment of 30 students would suffice to completely negate the trips generated by the proposed facility. Therefore, fewer peak hour trips can be expected upon completion of the project.~~

~~As part of their review, the DOT recommended that access to the site be limited to Fallbrook Avenue by a driveway with a tapered width from 24 feet to 30 feet and recommended that the existing driveway curb cut on Erwin Street be closed to reduce traffic on Erwin Street. The site has two curb cuts on Erwin Street and the Fire Department's review requested secondary access be provided for the parking lot. The curb cut closest to Fallbrook Avenue will be maintained for emergency vehicle access only and the second curb cut furthest from Fallbrook will be removed.~~

~~A total of 26 on-site parking spaces are required for the proposed facility pursuant to Sections 12.21-A,4(d)(5) and 12.21-A,4(u) of the L.A.M.C. which take into account residents, visitors and staff based on the type of eldercare facility, in this case~~

~~Assisted Living and Alzheimer's. A total of 30 on site parking spaces will be provided. According to the applicant, the facility will have approximately 20 employees on staggered shifts and the peak shift would consist of approximately 10 employees who would also have staggered shifts. For example, six administrative staff would be on site from approximately 9 a.m. to 5 p.m.; 1 maintenance staff would be on site beginning at 7 or 8 a.m. for a 7 ½ hour shift, in addition to one housekeeping staff and one universal caregiver. Hence, employee parking would turn over on a staggered basis. And even at its peak use by employees, 20 parking spaces would remain available for residents and guests.~~

~~Neighbors expressed concerns that the provided parking would not be adequate to accommodate employee and resident parking and would create significant spill over parking impacts on the adjoining residential streets. However, very few residents are expected to own or drive a car. Residents must be at least 62 years of age or older and at least 75% of the residents will require assistance with at least two or more non-medical activities of daily living (Assisted Living Care) and the other 25% of residents in the facility will be residents who suffer from Alzheimer's or dementia and require 24-hour care (non-medical). Therefore, most, if not all, residents would not drive or own a car. In fact, the on-site support services provided will include transportation services to local shopping/retail areas, medical offices, houses of worship, and the like for the residents, eliminating the need for separate transportation arrangements and additional vehicle trips to and from the Eldercare Facility.~~

~~Moreover, the staff report prepared for proposed Ordinance No. 178063 indicates that a study by the American Seniors Housing Association concluded that the average number of resident vehicles at an Independent Senior Housing Facility or Assisted Living Facility is 0.05 vehicles per unit. The report indicates that because most residents of Eldercare Facilities do not drive, vehicles operated by the facility usually accommodate their transportation needs. Given the site's substantial street frontage, any potential spill-over parking impacts would likely be limited to street parking along the site's frontage which could conservatively accommodate approximately 10 standard vehicles. Therefore, no significant on-street parking impacts on the adjacent residential uses are anticipated. To ensure potential parking spill-over impacts are not an on-going problem, Condition No. 16 limits the site to twelve special events per year and Condition No. 15 requires that tandem parking with a valet attendant be provided during all special events.~~

~~**ANIMAL KEEPING:**~~

~~With respect to the project potentially displacing or threatening animal keeping or agricultural uses permitted in the RA Zone, neither the subject site or surrounding lots are located within an established 'K' equine keeping district and none of the surrounding RA zoned lots immediately adjacent to the site appear to be keeping animals. The provisions of the RA Zone under Section 12.07-A,7 permit the keeping of animals subject to certain limitations on lots that contain a minimum of 17,500 square feet or more and the provisions of the RS Zone under Section~~

~~12.07.1-A,3(b) also permit the keeping of animals on those lots containing a minimum of 20,000 square feet. In addition, Section 12.21-C,5(a) of the L.A.M.C. requires that every animal keeping structure be located: (1) on the rear half of the lot (but not more than 100 feet from the front yard); (2) at least 25 feet from any side lot line; and (3) not closer than 75 feet from the habitable room of a neighbor's dwelling unit.~~

~~The adjoining RS zoned lots north of the subject site all contains less than 20,000 square feet and the adjoining RA zoned lots west of the site (on the north side of Erwin Street) all contains less than 17,500 square feet and are not eligible for animal keeping. The RA zoned lots on the south side of Erwin Street all appear to be greater than 17,5000 square feet and the granting of the request in no way diminishes or interferes with the ability of these surrounding RA zoned lots to maintain animals or "farming" and is not precedent setting. Nevertheless, a minimum 25 foot rear yard is provided next to the side lot line of the adjoining RA zoned lot west of the subject site which is a greater setback than maintained between that property and the abutting single family lot to the west.~~

~~Moreover, the Canoga Park-Winnetka-Woodland Hills-West Hills-South Valley Community Plan contains approximately 17,894 net acres (including public and private streets and parks and open space). The Community Plan has designated approximately 3,424 acres of land (19% of total area) for Very Low Residential uses with corresponding zones of RE-20, RA, RE-15 and RE-11, all of which are permitted animal keeping and truck gardening and another 1,012 acres (5% of total land) is designated Minimum Residential uses with corresponding zones of OS, A1, A2 and RE-40 which allow animal keeping (excluding the OS zone). Therefore, the Community Plan has more than adequate land that can potentially be used for animal keeping.~~

3. The project will provide services to the elderly such as housing, medical services, social services, or long term care to meet the citywide demand.

~~As previously noted, the proposed facility will have a total of 60 guest rooms with a maximum of 76 beds. Residents of the facility are required to be at least 62 years of age or older and must require assistance with at least two or more non-medical needs to be eligible for residency. At least 75% of the facility (excluding common areas) will be devoted to Assisted Living Care Housing and 25% will be devoted to residents who suffer from Alzheimer's and/or Dementia related disorders. Specifically, 19 guest beds will be provided to serve the needs of residents requiring Alzheimer's/Dementia Care housing and 57 guest beds will be provided to serve the needs of residents requiring Assisted Living Care Housing.~~

~~The facility is required to be licensed by the California Department of Social Services and is required to comply to applicable assisted living and dementia care program regulations. The applicant maintains that the facility would meet or exceed the California Department of Social Services assisted living and dementia care program regulations, The California Department of Social Services does not set~~

~~forth minimum staff to resident ratios for Assisted Living Facilities. According to the applicant, a total of 20 employees will staff the facility on staggered shifts. The applicant also indicates that the facility would provide a unique universal worker staffing model allowing caregivers to focus a majority of their attention on the residents and constantly monitor their condition and wellbeing by having a greater caregiver-to-resident ratio and will emphasize greater hands on interaction between the caregivers and the residents.~~

~~The facility's model is to provide long-term care in a home style setting and to provide a wide range of supportive services tailored to the individual needs of each resident. Residents will have independent choices with respect to activities, meals, and daily routine. The facility will meet the needs of residents with varying levels of dementia or other degenerative conditions. A higher number of caregivers will provide personalized care and activities for the well-being of residents in the Alzheimer's program and this area will have controlled access to safeguard residents. The facility's model is designed to provide daily living and aging in place services and includes professionally designed programs to keep residents' minds sharp and to preserve their physical agility. A broad range of options will allow residents to exercise their independence and to socialize with their neighbors and to retain as healthy and active a life style as possible for each individual resident. The aging in place model is designed to provide a continuum of care by handling the needs of residents as they age to prevent the trauma associated with moving to a new environment. As an elderly resident begins to require care that exceeds their capacity within their current program, staff will transition the resident to an adjoining program within the facility. Therefore, the facility will be equipped to manage the needs of each resident as their cognitive abilities progressively deteriorate while maintaining relationships that have been cultivated between caregivers and residents and their loved ones.~~

~~As previously noted, numerous common areas and amenities are maintained on-site for the benefit of the residents to provide an enriched environment. Indoor amenities include common areas in each wing such as kitchens, dining, living and family rooms and sunrooms. Substantial open space is provided for passive use and the guest rooms are designed so that all guest rooms adjoin or overlook a courtyard or landscaped walkway or patio.~~

~~Questions were raised by local residents concerning the scope and size of the proposed facility relative to other existing eldercare facilities which are much smaller than the proposed facility and typically consist of a single family dwelling or smaller multi-family dwellings that were converted to eldercare facilities. In addition, questions were raised concerning the need or demand for the facility. Claims were made that there are a significant number of eldercare facilities in proximity to the site or in the larger community that have high vacancy rates (no data was submitted to identify the specific facilities or vacancy rate at each facility).~~

~~Nonetheless, according to a Forbes Magazine article (www.forbes.com/sites/howardgleckman/2012/03/07/not-your-grandmothers-~~

assisted-living facility), a study by the National Center for Health Statistics looked at a wide range of eldercare facilities, from small homes with four to ten beds to large 100+ bed institutions. The study found that, *"In 2010, about 31,100 facilities owned about 972,000 licensed beds. However, they served only about 733,000 residents, for a vacancy rate of about 25 percent...About half of care homes have 10 residents or less and only about 2,100, or 7 percent, have more than 100 beds. However, almost a third of all assisted living residents live in those big facilities".*

Hence, a 75% average occupancy rate in the Assisted Living Industry appears to be the norm. Moreover, according to Forbes, the findings of the study indicate that with average fees running about half that of nursing facilities, and with an environment that is often more attractive to seniors, residential care facilities are becoming a more popular choice between moving to a nursing facility or staying at home.

The applicant noted that the proportion of the population over the age of 75 is expected to double in the next 20 years generating a strong need and demand for eldercare facilities. Again, data was not submitted to substantiate this assertion. However, the shift in population as baby boomers age is well known. A review of the Administration on Aging website (www.age.gov/AoARoot/Aging_Statistics/index.aspx) provides census data, statistics and population projections for the elderly. The data indicates that in 2009 the number of persons 65 or older numbered 39.6 million or 12.9% of the population. By 2030, there will be about 72.1 million older persons, more than twice their number in 2000. Data was broken down by state but not by city, therefore, specific data is not available for the City of Los Angeles.

However, the City of Los Angeles Housing element recognizes the unique needs of the elderly population with respect to housing and recognizes the challenges faced by the elderly in finding affordable housing suitable for their unique needs. Specifically, the City of Los Angeles Housing Element 2006-2014, adopted January 14, 2009 on Page 1-11 notes as follows: "[c]ertain persons or households face greater challenges than the general population in finding housing given their unique special needs and circumstances. Such circumstances range from fixed incomes to limited mobility to large households. Not all housing units in the general housing stock can meet the housing needs of persons or households with such special needs, therefore, efforts must be made to ensure that decent, affordable and accessible housing is available to all such special needs populations. These populations include elderly persons, persons with disabilities, large families, female-headed households, homeless persons, persons living with HIV/AIDS, and farmworkers, and each represents a significant part of the City's population..."

The City Housing Element cites approximately 9 percent of the City's population is currently aged 65 years and older. One-fifth of all households citywide (256,432 of 1,284,124 households in 2005) are headed by elderly persons, of which 100,120 households are elderly persons who live alone while the rest are households comprised of elderly heads-of-household living with other person(s).

~~In view of the foregoing, the proposed project will provide needed housing and long term care services to the elderly to meet the citywide demand.~~

While the South Valley Area Planning Commission recognized the desirability and need for an eldercare facility, the Commission's determination to grant the appeal and thereby deny the request is due to the scope and size of the proposed project as enumerated under Finding Nos. 2 and 5.

4. **The project will not create an adverse impact on street access or circulation in the surrounding neighborhood.**

~~As previously outlined under Finding No. 2 above, the project's design and on-site parking will not create adverse impacts on street access or circulation in the surrounding neighborhood. The site has approximately 235 feet of frontage on the west side of Fallbrook Avenue, a Major Highway, and 292 feet of frontage on the north side of Erwin Street, a Local Street. The site plan has been reviewed by the Department of Transportation (DOT) and staff has recommended that the existing driveway on Erwin Street be closed. Ingress and egress to the site will be limited to Fallbrook Avenue by a 30-foot wide, two-way driveway and no vehicular access to the site will be available from Erwin Street to minimize traffic on the adjacent single-family uses on Erwin Street. The parking lot is double loaded with a 24-foot wide aisle. Since there is no egress available onto Erwin Street, a turn-around space is provided at the southern terminus of the parking area. Notwithstanding concerns raised by local residents regarding potential traffic impacts, the facility's trip generation potential may actually be less than the trip generation associated with the previously existing private school on the site and will therefore have negligible traffic impacts on surrounding properties.~~

~~As noted under Finding No. 2 above, a traffic analysis was completed by the Department of Transportation (DOT) to assess the proposed project's trip generation potential and to assess access and circulation for the site. The analysis was based on a worse-case scenario to determine whether the project has the potential to produce a significant traffic impact and thus warrant an in-depth analysis (traffic study). The trip generator used was based on the total number of proposed beds because this was the best fit correlation between the project size and anticipated number of vehicles generated for assisted living facilities. The analysis determined that the project would generate a total of 202 average daily trips with 11 a.m. peak hour trips and 17 p.m. peak hour trips. Concerns were raised at the hearing and in communications received that 202 trips was significant. However, the trips generated is below DOT's threshold to require a traffic study. It should be noted that the 202 trips is the Average Daily Traffic (ADT) generated over the course of an average weekday for a 24-hour period. Hence, the 202 trips generated are not trips arriving and/or departing the site at the same time. The 202 trips generated translates to an overall average of 8.4 trips per hour or approximately one vehicle every seven minutes with an average of 11 trips per hour during peak morning traffic hour and an average 17 trips per hour during evening peak traffic~~

~~hour. The average trips during off-peak hour traffic would then be less than 8.4 trips per hour.~~

~~Moreover, the site was formerly utilized as a private school for pre-school and kindergarten through third grade students with a maximum enrollment of 114 students. A traffic assessment generally determines the net new trips generated by a proposed project beyond those trips already generated by an existing use. In this case, the trips generated by the existing school were not considered in order to establish a worse case scenario. According to DOT staff, had the trips associated with the school use been included as part of the analysis, the net new number of trips would have been negative. A school enrollment of 30 students would suffice to completely negate the trips generated by the proposed facility. Therefore, fewer peak hour trips can be expected upon completion of the project.~~

~~As part of their review, the DOT recommended that access to the site be limited to Fallbrook Avenue by a driveway with a tapered width from 24 feet to 30 feet and recommended that the existing driveway curb cut on Erwin Street be closed to reduce traffic on Erwin Street. The site has two curb cuts on Erwin Street and the Fire Department's review requested secondary access be provided for the parking lot. The curb cut closest to Fallbrook Avenue will be maintained for emergency vehicle access only and the second curb cut furthest from Fallbrook will be removed.~~

~~A total of 26 on-site parking spaces are required for the proposed facility pursuant to Sections 12.21-A,4(d)(5) and 12.21-A,4(u) of the L.A.M.C. which take into account residents, visitors and staff based on the type of eldercare facility, in this case Assisted Living and Alzheimer's. A total of 30 on-site parking spaces will be provided. According to the applicant, the facility will have approximately 20 employees on staggered shifts and the peak shift would consist of approximately 10 employees who would also have staggered shifts. For example, six administrative staff would be on-site from approximately 9 a.m. to 5 p.m.; 1 maintenance staff would be on-site beginning at 7 or 8 a.m. for a 7 ½ hour shift, in addition to one housekeeping staff and one universal caregiver. Hence, employee parking would turn over on a staggered basis. And even at its peak use by employees, 20 parking spaces would remain available for residents and guests.~~

~~In view of the foregoing, no adverse impacts on street access or circulation are anticipated in connection with the proposed project.~~

While public testimony raised concerns regarding the proposed project's potential street access and circulation impacts, in granting the appeal, the South Valley Area Commission based their decision on the project's scope and design as enumerated under Finding Nos. 2 and. 5.

5. **The project does not 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 pertinent improvements, which is or will be compatible with existing and planned future development on neighboring properties.**

~~As designed and conditioned by this grant, the project will be compatible with existing and planned future development on neighboring properties. As previously noted under Finding Nos. 1 through 4 above, the architecture, massing, site layout and orientation of the proposed facility is designed to minimize impacts on the adjoining single family lots. The building mass is broken up to into various components that create the appearance of three interconnected buildings. The facility consists of a two-story "main" building facing Fallbrook Avenue and two 'L' shaped, two-story wings (north and south wings) that span out from the main building. The north and south wing are separated by a large open courtyard, and two additional open courtyards are located on the north side of the north wing facing the rear lot line of the residential lot to the north (fronting on Styles Street) and another on the south side of the south wing facing Erwin Street.~~

~~The facility will have a maximum height of 36 feet to the top of the highest roof ridge nearest the center of the building and furthest from the adjacent residential lots. The mass of the building is broken up into three smaller components with a main building and two separate wings with varied roof lines. The height of the remainder of the main building is less than 36 feet and the height of the ridgelines on the wings facing the adjoining residential lots is between 29 feet 2 inches and 32 feet 11 inches and the maximum height of the roof eaves along the façades facing the adjoining residential lots vary between approximately 24 feet and 28 feet.~~

~~The facades of each wing provide modulation with variable landscaped yards and incorporate several courtyards. The rear yard is a minimum of 25 feet and up to 30 feet and provides a landscaped meandering walkway that connects all three courtyards which together, provide an adequate buffer from the adjoining single-family lots. The north façade maintains a variable side yard between 10 feet and 17 feet and encompasses an open courtyard along the northerly property line that separates the main building from the north wing.~~

~~The facility is oriented toward Fallbrook Avenue and vehicular access to the site will be provided from a two-way, 30-foot-wide driveway on Fallbrook Avenue. The driveway will be located approximately 42 feet from the property line of the adjoining residential lot to the north. A second driveway will be provided on Erwin Street for emergency vehicles only. A total of 26 on-site parking spaces are required for the proposed facility pursuant to Sections 12.21-A,4(d)(5) and 12.21-A,4(u) of the L.A.M.C. which take into account residents, visitors and staff based on the type of eldercare facility, in this case Assisted Living and Alzheimer's. A surface parking lot with 30 on-site parking spaces will be maintained between the building and Fallbrook Avenue and a 10-foot 7-inch landscaped berm will be maintained along the site's frontage on Fallbrook Avenue. The footprint of the adjoining single-family~~

~~dwelling fronting on Fallbrook Avenue will abut the parking lot on the front half of the subject site. Hence, the proposed building, which is set back 71 feet from Fallbrook Avenue, will not directly overlap with this adjoining dwelling. In addition, an 8-foot high estate wall is proposed along the perimeter of the site which tapers down to a 3-foot, 6-inch wall along the perimeter of the parking lot.~~

~~The facility will have a maximum lot coverage of approximately 40% and 60% of the site will remain open areas consisting of landscaped setbacks along the perimeter of the site, three open courtyards and landscaped walkways as well as the surface parking oriented on Fallbrook Avenue. Exterior security lighting will be provided to illuminate the building, entrances, walkways and parking areas. All lighting will be directed onto the site to avoid spillover lighting on adjacent properties. The facility will contain a centralized trash and recycling collection areas located inside each wing of the building and an enclosed trash and recycling area will be located at the southern portion of the parking lot, away from any adjoining residential uses, and will be completely screened from view from adjacent properties by the enclosure and by the estate wall.~~

~~In order to minimize potential impacts on surrounding residential uses from commercial deliveries to the site, Condition Nos. 21 and 22 of the grant require that deliveries by vendors and trash pick up be limited from 8 a.m. to 5 p.m Monday through Friday and from 9 a.m. to 12 noon on Saturdays and no deliveries or trash pick up is permitted on Sundays. In addition, all loading and unloading is required to be conducted on site within the parking area and deliveries by 18-wheel trucks is prohibited.~~

In granting the appeal, the South Valley Area Planning Commission determined that as designed, the facility was too massive. While the Commissioners recognized the need for an eldercare facility, the Commissioners found that the scope, density and scale of the proposed facility is inappropriate for the neighborhood. The Commission pointed out that while streets similar to Fallbrook Avenue in east areas of the Valley such as Kester and Hazeltine Avenues have commercial uses around major intersections, there is no "creep" of commercial uses beyond the street intersections and pointed out that eldercare facilities of this size are usually surrounded by apartment houses. In the instant case, the facility's location would result in creep of commercial uses on Fallbrook Avenue beyond Oxnard Street or Victory Boulevard.

The Commission also had concerns about the design of the facility which incorporated design elements such as an 8-foot high perimeter estate wall and second story windows that would invade the privacy of adjoining residential uses west and north of the site.

In reaching this conclusion, the Commission cited their knowledge of the area and the testimony that was presented at their public hearing on June 28, 2012.

The following points were raised during public comments that are relevant to this finding:

- **The facility introduces a massive commercial venture to an area characterized by the City as very low residential density and would place a large institutional/commercial use in the middle of a viable residential neighborhood.**
- **The proposed development will change the character of the neighborhood.**
- **The design of the proposed facility does not minimize impacts on surrounding residential uses and negatively impacts and degrades the viability of low density residential uses.**
- **Animal Keeping rights would be constrained resulting in injury to surrounding uses.**

6. **The project is in conformance with any applicable provision of the General Plan.**

~~The Community Plan designates the Project Site for Very Low Residential with corresponding zones of RE20, RA, RE15, and RE11. The Project Site is zoned RA-1. Footnote 9, which is applicable to "corresponding zones" on the Community Plan map, states: "*It is the intent of the Plan that the entitlements granted shall be one of the zone designations within the corresponding zones shown on the Plan, unless accompanied by a concurrent Plan Amendment.*"~~

~~The Community Plan does not identify specific locations for Eldercare Housing. In recognition of the fact that these facilities provide much needed services and housing for the growing senior population of the City of Los Angeles, the LAMC was amended by the City Council (Ordinance No. 178,063) to allow Eldercare Housing within residential zones, including the RA zone, subject to the requisite findings of approval by the Zoning Administrator. The required findings in support have been made herein. As such, and based on the consistency analysis below, the proposed Eldercare Facility will be consistent with the goals, objectives, and policy of the General Plan.~~

~~The proposed Eldercare Facility is in conformance with the City's Framework Element, the Housing Element, and the Community Plan, all of which contain goals, objectives, and policy relevant to the proposed Eldercare Housing project. The proposed Eldercare Facility will provide 60 guest rooms of service enriched housing to residents age 62 years and older, and as such is most like a multiple family residential development. The Code's definition of Eldercare Housing supports this premise, by requiring that ..."A minimum of 75 percent of the floor area, exclusive of common areas, shall consist of Senior Independent Housing and/or Assisted Living Care Housing." This requirement ensures that the principal use within Eldercare~~

~~Housing will remain residential. On this basis, the Code permits Eldercare Housing to be located within residential areas, subject to the approval of a Zoning Administrator.~~

~~In addition, the following General Plan goals, objectives, policy, and design guidelines that pertain to either Eldercare Housing, or to multiple family residential development, are relevant to the proposed Eldercare Facility. These include:~~

- ~~General Plan Housing Element Objective 1.3, "*Encourage the provision of housing with support services for persons with special needs (e.g., homeless, mental or physical disability, elderly, large families, and persons living with HIV/AIDS)*".~~

  ~~The proposed Eldercare Facility is required to be licensed by the California Department of Social Services and to comply with assisted living and dementia care program regulations, including requirements for 24-hour care for the residents. It will provide a total of 44 one bed guest rooms and 16 two bed guest rooms for a total of 60 guest rooms and 76 beds of Eldercare Housing. A total of 19 guest beds will be provided to serve the needs of residents requiring Alzheimer's/Dementia Care Housing, while a total of 57 guest beds will be provided to serve the needs of residents requiring Assisted Living Care Housing. These guest rooms will provide long-term care for persons 62 years of age and older who require assistance with two or more non-medical activities of daily living, as well long-term, 24-hour care to serve the needs of persons 62 years of age and older who suffer from dementia or other disorder's resulting in dementia. In addition, other on-site social services will be provided to residents would including daily living and aging in place programs, as previously described in more detail under Finding No. 3. As such, the proposed Eldercare Facility is consistent with Objective 1.3 of the General Plan Housing Element.~~

- ~~General Plan Housing Element Policy 1.3.1, "*Take an active role in broadening the accessibility and availability of special needs and service-enhanced housing for all City residents, including the homeless, elderly, persons with mental, physical, and developmental disabilities, persons with drug and alcohol dependency, large families, female-headed households, and persons living with HIV/AIDS.*"~~

  ~~The proposed Eldercare Facility would be centrally located within the south San Fernando Valley on Fallbrook Avenue, a Major Class II Highway, which traverses the Valley from north to south, facilitating the availability of this service enriched housing within the Community Plan Area and the City. The proposed Eldercare Facility will provide service enriched housing totaling 60 guest rooms for a total of 76 beds, as well as medical services, social services, and long-term care, thereby furthering the goal of making this service enriched housing available to elderly persons with mental and physical disabilities. As such, the proposed Eldercare Facility is consistent with Policy 1.3.1 of the General Plan Housing Element.~~

- Community Plan Goal 1, "*A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the…Community Plan Area*"; and Community Plan Objective 1-4 "*Provide a diversity of housing opportunities capable of accommodating all persons regardless of income, age or ethnic background*".

  The Project Site is designated for Very Low Residential land uses within the Community Plan. The proposed Eldercare Facility would provide 60 guest rooms of Eldercare Housing for persons age 62 years or older who either: (1) require assistance with two or more non-medical activities of daily living (in the case of the Assisted Living Care portion) or; (2) suffer from Alzheimer's disease or other disorders resulting in dementia and require 24-hour care. As such, the proposed Eldercare Facility is consistent with Goal 1 and Objective 1-4 of the Community Plan.

- Community Plan Objective 1-2 "*Reduce automobile trips in residential areas by locating new housing in areas offering proximity to goods, services, and facilities.*"

  Access to and from the proposed Eldercare Facility will be provided off of Fallbrook Avenue, a Major Class II Highway, and (with the exception of emergency vehicle access) no access will be provided from Erwin Street to reduce traffic on the adjoining local residential streets. The site is located within close proximity to and is accessible to commercial and retail services. As part of the on-site support services provided to the residents of the Eldercare Facility, transportation services will be provided for residents to nearby commercial retail shopping and services, places of worship, doctor appointments, and other locations, thereby reducing vehicle trip generation within the surrounding residential community. As such, the proposed Eldercare Facility is consistent with Objective 1-2 of the Community Plan.

- Community Plan Objective 1-3 "*Preserve and enhance the character and integrity of existing single and multifamily neighborhoods*"; and Community Plan Policy 1-3.1 "*Seek a high degree of compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods*".

  The proposed Eldercare Facility would provide a single 36-foot tall, two-story structure covering approximately 38 percent of the Project Site. Extensive landscaped grounds, covering approximately 44 percent of the Project Site, include courtyards that are between approximately 34 feet and 41 feet deep adjacent to the north and south boundaries of the Project Site (and within the interior of the development), minimum 10-foot to 25-foot wide landscaped setback areas adjacent to residential uses on the north and west, and a 10-foot wide landscaped berm along Fallbrook Avenue. The design and layout of the proposed Eldercare Facility is oriented towards Fallbrook Avenue, with vehicle access and surface parking provided off of this Major Class II Highway, and a landscaped berm with accent entry

~~planting separating this public right-of-way from the surface parking, softening and integrating these higher intensity use areas within the surrounding neighborhood. The existing perimeter block wall along the north, west and south sides of the property will be retained, providing buffering to existing adjacent residential uses as well as the public rights-of-way (i.e., alleyway on the north and Erwin Street on the south).~~

~~No daily vehicle access to the proposed Eldercare Facility will be provided from either the alley immediately adjacent to the north, or from Erwin Street immediately adjacent to the south of the Project Site. Thus, the activity center on the Project Site (i.e., the surface parking area and the main entrance to the Facility) is located on the east side and of the Project Site, separated from the adjacent single-family residential uses to the west by the Facility's four intervening residential Wings, from the single family homes to the south by Erwin Street, and from the single family homes to the north by the 10 foot wide landscaped buffer. As such, the proposed Eldercare Facility is consistent with Objective 1-3 and Policy 1-3.1 of the Community Plan.~~

~~In view of the foregoing, while the land use designation of the Project Site is Very Low Residential, the proposed Eldercare Housing project, as an allowed use subject to the required findings established in the affirmative herein, is consistent with the Community Plan.~~

In granting the appeal and overturning the Zoning Administrator's approval of the requested entitlements, the South Valley Area Planning Commission based their decision on the scope and scale of the proposed eldercare facility as enumerated under Finding Nos. 2 and 5.

FINDINGS - SITE PLAN REVIEW

7. **The project complies with all applicable provisions of the Los Angeles Municipal Code, Planning and Zoning Section and any applicable specific plan.**

~~The proposed Eldercare Facility will comply with all applicable provisions of the Planning and Zoning sections of the Los Angeles Municipal Code except for deviations approved herein pertaining to the maximum allowable density and floor area and to permit over-in-height walls and parking within the required front yard. The Project Site is not located within an approved Specific Plan area. While the proposed Eldercare facility is not permitted by right in the RA Zone, pursuant to Section 14.3.1 of the Los Angeles Municipal Code (L.A.M.C.), the Zoning Administrator may permit an Eldercare Facility to be located on a lot or lots in the A1 through the R3 Zones, or in the RAS3, R4, RAS4 and R5 and all C Zones, when an Eldercare Facility does not meet the use, area, or height provisions of the respective zone contained in this chapter, subject to establishing the required findings outlined above (Finding Nos. 1 through 6).~~

~~The existing RA-1 Zone limits residential density to a maximum of one dwelling unit on the site; limits the maximum floor area to 20% of the lot area (in this case, 12,600 square feet); requires a minimum front yard equivalent to 20% of the lot depth and a minimum rear yard equivalent to 25% of the lot depth but in either case, the front or rear yard need not exceed 25 feet while the required side yard is 10 feet for a two-story building. In addition, the maximum height permitted in the RA-1 Zone, pursuant to Section 12.21.1 is 36 feet.~~

~~As designed, the proposed Eldercare facility will have a maximum height of 36 feet to the top of the roof ridge, will maintain a 71-foot front yard, a minimum rear yard of 25 feet and minimum side yards of 10 feet, all in conformance to the RA-1 Zone. However, due to the scope and nature of the proposed use, as enumerated in more detail under Finding No. 1 above, the building will exceed the maximum allowable density and floor area. Nevertheless, the facility will have a maximum lot coverage of approximately 40% and 60% of the site will remain open areas consisting of generous landscaped setbacks along the perimeter of the site, three open courtyards, walkways and surface parking.~~

~~In order to screen the facility from adjacent residential uses, an 8-foot estate wall will be provided along the perimeter of the site and will be partially located within the required front yard. Also, in order to provider a greater separation between the facility and adjoining single-family dwelling to the west, the building footprint was shifted east to provide a greater rear yard, which in turn shifted the surface parking lot to the east. As a result, a portion of the parking lot will be located within the required front yard.~~

~~Although no particular amount of open space is required for an Eldercare Facility that consists of guest rooms, the proposed Eldercare Facility is planned to provide approximately 6,000 square feet of useable open space, which includes three landscaped outdoor courtyards on the first floor. This equates to approximately 100 square feet of open space provided for each of the 60 guest rooms. In addition, the proposed Eldercare Facillty provides interior common areas, including sunrooms, living rooms and family areas.~~

~~Off-street parking for the proposed Eldercare Facility is provided on a surface parking lot located on the Project Site, adjacent to Fallbrook Avenue. Consistent with Section 12.21 A,4(u) of the Code, a total of 26 parking spaces are required (i.e., 0.2 spaces per each Alzheimer's guest bed; 0.5 spaces per each Assisted Living guest room). A total of 30 parking spaces will be provided and maintained on-site, including two handicapped accessible spaces.~~

~~Therefore, as approved, with specific deviations, the proposed Eldercare Facility will comply with all other the applicable provisions of the LAMC.~~

In granting the appeal and overturning the Zoning Administrator's approval of the requested entitlements, the South Valley Area Planning Commission based their decision on the scope and scale of the proposed eldercare facility as enumerated under Finding Nos. 2 and 5.

8. **The project is consistent with the General Plan.**

~~Finding No. 8 is essentially the same as Finding No. 6 *(refer to Finding No. 6)*~~

In granting the appeal and overturning the Zoning Administrator's approval of the requested entitlements, the South Valley Area Planning Commission based their decision on the scope and scale of the proposed eldercare facility as enumerated under Finding Nos. 2 and 5.

9. **The subject site is not located within an adopted redevelopment plan area.**

Not in an adopted redevelopment plan area.

10. **The project consists of an arrangement of buildings and structures (including heights, bulk and setbacks), off-street parking facilities, load areas, lightning, landscaping, trash collections, and other such pertinent improvements, which is or will be compatible with existing and future developments, which is or will be compatible with existing and future development on the neighboring properties.**

~~Finding No. 10 is the same as Finding No 5. *(refer to Finding No. 5)*~~

In granting the appeal and overturning the Zoning Administrator's approval of the requested entitlements, the South Valley Area Planning Commission based their decision on the scope and scale of the proposed eldercare facility as enumerated under Finding Nos. 2 and 5.

11. **The project incorporates feasible mitigation measures, monitoring measures when necessary, or any alternatives identified in the environmental review which would substantially lessen the significant environmental effects of the project, and/or any additional findings as may be required by CEQA.**

~~On December 29, 2011, a Mitigated Negative Declaration (ENV 2011-2680-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that with imposition of the mitigation measures described in the MND (and identified in this determination), there is no substantial evidence that the proposed project will have a significant effect on the environment. In addition, the Zoning Administrator has imposed site specific conditions of approval on the grant to ensure the use remains compatible with surrounding uses.~~

The South Valley Area Planning Commission granted the appeal and overturned the determination of the Zoning Administrator's approval of the requested entitlements and thereby denied the proposed project. Therefore, adoption of the environmental document for the proposed project is not required

12. **The project which contains residential uses provides its residents with appropriate type and placement of recreational facilities and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties where appropriate.**

~~The proposed Eldercare Facility will provide 60 guest rooms of Eldercare housing including 44 one-bedroom guest rooms and 16 two-bed guest rooms for a total of 60 guest rooms and 76 beds. A total of 26 on-site parking spaces are required and 30 parking spaces are provided within the surface parking lot, including two handicap accessible spaces. As previously noted, numerous common areas and amenities are maintained on site for the benefit of the residents to provide an enriched environment. Indoor amenities include common areas in each wing such as kitchens, dining, living and family rooms and sunrooms.~~

~~The facility will provide service amenities appropriate for Eldercare Housing. On-site services will include a beauty shop (located adjacent to the second floor living room area) and a full range of support services including daily living and aging in place services. Transportation services to local shopping/retail areas, medical offices, houses of worship, and the like will also be provided for the residents, eliminating the need for separate transportation arrangements and additional vehicle trips to and from the Eldercare Facility.~~

~~Substantial open space is provided for passive use and the guest rooms are designed so that all guest rooms adjoin or overlook a courtyard or landscaped walkway or patio. Outdoor recreational opportunities include landscaped pedestrian walkways with sitting areas with three interconnected courtyard areas and patios. The main courtyard area features a central fountain and provides an outdoor room extension to the adjacent indoor living room, giving residents a center focal point viewable from interior common areas on both the ground and second floors.~~

~~There are two separate outdoor landscaped courtyard areas that are integrated into the ground floor plan on the north and south sides of the Project Site, further beyond the 10 foot wide and approximately 12 foot wide landscaped setback areas, respectively. These two separate landscaped courtyard areas afford additional separation and buffer to adjacent single family residential uses.~~

~~Second floor terraces are oriented either to the project's interior and recessed behind the proposed building (on the project's north side), or are deeply recessed into the proposed Eldercare Facility (i.e., approximately 60 feet) away from the single family residential homes to the south, and across Erwin Street.~~

~~In light of the above, the proposed Eldercare Facility provides its residents with appropriate type and placement of recreational facilities and service amenities to improve their daily living activities and habitability and, as a result, minimize the possible impacts on neighboring properties.~~

In granting the appeal and overturning the Zoning Administrator's approval of the requested entitlements, the South Valley Area Planning Commission based their decision on the scope and scale of the proposed eldercare facility as enumerated under Finding No. 5.

ADDITIONAL MANDATORY FINDINGS

13. ~~The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.~~

In view of the Area Planning Commission's granting of the appeal and denial of the project, this finding is not required or relevant.

14. ~~On December 29, 2011, a Mitigated Negative Declaration (ENV-2011-2680-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that with imposition of the mitigation measures described in the MND (and identified in this determination), there is no substantial evidence that the proposed project will have a significant effect on the environment. I hereby adopt that action. This 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.~~

The South Valley Area Planning Commission granted the appeal and overturned the Zoning Administrator's approval of the requested entitlements and thereby denied the proposed project. Therefore, adoption of the environmental document for the proposed project is not required.

Attachment G

Forecasting Future Demand

Demographers and market researchers have for decades and continue to accurately forecast future demand for a variety of products and services. Predicting demand for senior living is no exception. In fact, of the many varying forecasts researchers perform, predicting future demand for senior housing is among the most accurate due to the existence of detailed census data pinpointing future growth in senior population in any given or varied market area. When Watermark Retirement Communities ("WRC") conducts its assessment of future demand for sites under consideration, it utilizes data supplied by Nielsen Claritas MarketPlace research to analyze the current and projected future demand for seniors housing. Following is the methodology summary for Neilsen's projections. Nielsen, which sources and organizes U.S. Census data to help demographers and market researchers, has been in business for over 30 years.

WRC utilizes Nielsen's data to determine the number of age and income qualified seniors within specific radii in the current year and a 5-year projection and compares that to the number of professionally managed seniors housing units in the market. For the purposes of this analysis, age and income qualified refers to those who are aged 75 plus with annual income in excess of $40,000. Taking into considerations all the factors that WRC considers in determining if a site is appropriate for a new senior housing community, the market surrounding 6221 Fallbrook Avenue has been determined to be quite strong as evidenced by the following:

- There will be the addition of over 440 new age- and income-qualified seniors (age 75+ that have been determined will be able to afford rent and services in the proposed project) in the five-mile radius surrounding the site in the next five years.
- The penetration rate within a 5 mile radius for the proposed project will be 17.89% which is considered strong supporting evidence for a new senior housing development of assisted living and dementia care.
- There are over 4,243 potential adult children with household incomes in excess of $150,000 within a five-mile radius.
- Directly competitive high quality, professionally managed assisted living and memory care facilities reported average occupancies of approximately 92%. Please note that dementia or memory care components of these facilities was reported to be in excess of 99%.

This research reaches a conservative estimate of qualified demand. Included below are additional supporting information and the methodology WRC utilized to reach its conclusions regarding the appropriateness for the site for a new senior living community:

Nielsen Claritas Marketplace Demographic Data

Age and Income Qualified*	5 Mile	10 Mile	15 Mile	20 Mile
Current Year	4,511	12,979	29,903	48,360
Future Year	4,953	14,132	32,265	52,368
% Increase	9.81%	8.88%	7.90%	8.29%

**Age and Income Qualif ied includes those age 75+ with annual income in excess of 40K*

According to this data the number of age and income qualified seniors is expected to increase by over 9.8% within a 5-mile radius over the next five years resulting in over 440 additional 75+ year olds in the immediate area during that timespan. While this is strong, it understates the actual demand because of the following:

1. Many seniors' ability to afford seniors housing is not reflected in their annual incomes as they are no longer working or are only working part-time, thus not receiving significant traditional income. Instead they draw from their saved assets (net worth) that supplement the income. To remain conservative, an estimate of the impact of net worth is not factored into WRC's market analysis. However, when analyzing a market, WRC does analyze the number of households with a net worth in excess of $500,000 that provides a snapshot of the wealth levels within the market.

2. Another factor in determining qualified prospects is that often seniors receive assistance from their adult children in order to pay for seniors housing. This assistance is difficult to quantify, thus for the sake of conservatism, WRC does not directly factor it into the market analysis. However when analyzing a market WRC does analyze the number of "Adult Caregivers" who could potentially provide assistance to their parents as this can provide insight into the overall strength of the market. Adult Caregiver is defined as those age 55-64 with annual income in excess of $150,000.

Market Performance

WRC surveyed the two Sunrise Senior Living properties in Woodland Hills and West Hills and the communities reported the following occupancy levels:

	Available Beds			Occupancy %		
Community	**Assisted Living**	**Memory Care**	**Combined**	**Assisted Living**	**Memory Care**	**Combined**
Sunrise of West Hills	51	14	65	92%	100%	94%
Sunrise of Woodland Hills	62	23	85	88%	98%	91%
Total/Weighted Average	**113**	**37**	**150**	**90%**	**99%**	**92%**

Retirement communities do not typically operate at 100% occupancy due to turnover and "stabilized occupancy" for a community is generally determined to be between 90% and 95%. The Hacienda at Fallbrook is projected to operate at 92% overall stabilized occupancy which is in-line with the current performance of the two most comparable competitors.

Market Supply

WRC utilizes the National Investment Center "NIC" Map database to determine the number of professionally managed seniors housing properties within the market. Assisted Living facilities such as

the project located at 6251 Fallbrook Ave in Woodland Hills (Irene's Woodland Hills Home) is a 6-unit home that provides assisted living services but is not a professionally managed property and with its size, services and amenities would not be considered a direct competitor of the Hacienda at Fallbrook. Based on the NIC Map database, the number of professionally managed assisted living/memory care units is as follows (including the proposed Hacienda at Fallbrook property):

NIC MAP Supply Database

Professionally Managed Supply	5 Mile	10 Mile	15 Mile	20 Mile
Assisted Living/Memory Care	807	2,511	4,081	6,415

Penetration Rate

Utilizing the qualified supply and demand, WRC is able to determine the penetration rate within a given radius which represents the percentage of the qualified demand needed to fully occupy the existing supply:

Penetration Rate

Qualified Supply/Qualified Demand	5 Mile	10 Mile	15 Mile	20 Mile
Qualified Demand	4,511	12,979	29,903	48,360
Qualified Supply	807	2,511	4,081	6,415
Penetration Rate	17.89%	19.35%	13.65%	13.26%

A penetration rate below 20% would generally be considered a strong market for seniors housing and thus WRC is confident in the market fundamentals of the site based on conservative estimates of qualified demand in the market.

Letters of Support

West Valley Christian Church

"An Oasis in the Wilderness"
Jn. 7

December 6, 2011 **Via Email**

Mr. Daniel Skolnick, Chief Planning Deputy
The Office of Councilman Dennis P. Zine
City Hall
200 N. Spring Street, Rm. 450
Los Angeles, CA 90012
Daniel.skolnick@lacity.org

Dear Mr. Skolnick,

This is a letter in support of the Hacienda Senior Living Project at Fallbrook and Erwin in Woodland Hills.

This is my understanding of the scope of this project:

It is a two story small building only covering 35% of the land leaving 65% open space. There will be very little traffic. Code requires 30 parking stalls and 32 are provided. It will cater to the Assisted Living Dementia Care clientele and this clientele will double in size in the next 15 years with the aging of America. Right now the demand for Assisted Living and Memory Care way exceeds the supply. This facility is urgently necessary for the community. They will have landscaping to protect and shroud the building from the neighborhood and there will be a burm around the parking area. Which is an excellent buffer between the neighborhood housing and Fallbrook which is a secondary highway. Fallbrook traffic impacts the street and generates lots of noise, this project buffers noise from community. A very quiet population will occupy the building principally from 80 to 90 years of age and the residents do not drive nor have cars.

Sincerely,

Glenn Kirby

Pastor Glenn Kirby

Cc: **Brad Rosenheim**
Rosenheim & Associates
21550 Oxnard Street, Ste. 780
Woodland Hills, CA 91367
818-716-2689
brad@raa-inc.com

Susan Klenner
23150 Collins Street
Woodland Hills, California 91367

November 11, 2011

Mr. Daniel Skolnick, Chief Planning Deputy
The Office of Councilman Dennis P. Zine
City Hall
200 N. Spring Street
Room 450
Los Angeles, CA 90012

Re: Proposed Development of 6221 Fallbrook Ave., Woodland Hills, CA 91367

Dear Mr. Skolnick:

It was a pleasure to meet you during the Planning Commission hearing for the Westfield Village at Warner Center project. By way of further introduction my husband Ed, and I have lived at our present address in Walnut Acres for forty-one years, we have been involved with a number of community activities, I am a retired real estate broker and our opinions contained in this letter are ours alone. I do not represent any other Walnut Acres residents.

Pursuant to a suggestion by Jonathan Brand, formerly of your office, Mr. Dan Chandler, Mr. Kenneth Barry and Mr. Brad Rosenheim sought our opinions of the senior living project they propose to build on the subject property, the northwest corner of Fallbrook Avenue and Erwin Street, and asked us to communicate our opinions to you.

Mr. Brand referred Messrs. Chandler, Barry and Rosenheim to us because of our former affiliation with a now defunct neighborhood association, the primary goal of which was the preservation of the very low density and semi-rural residential character of Walnut Acres.

This location in the Walnut Acres neighborhood of Woodland Hills is a sensitive and formerly troubled site. It is zoned RA-1, the conforming zone in Walnut Acres. Especially in light of the history of this property's negative interface with its neighbors, we have suggested that it's important for the developer to coordinate from the outset the planning and development of the property with the residents of the adjoining and adjacent properties.

Messrs. Chandler, Barry and Rosenheim have shown us preliminary plans for a senior living facility proposed for the referenced location. They have shown us plot plans, architectural renderings, proposed landscaping and the like. They characterized this as a use, which, though subject to special entitlement processes and procedures, is essentially residential (as contrasted with commercial). We share their belief that this use on the subject property could constitute a sensitive and appropriate transitional use buffer between the surrounding much lower density residential properties and the busy traffic artery that Fallbrook Avenue has become.

Inasmuch as the subject property has been vacant, on the market and, one might say, derelict for more than two years, and has not been in residential use for more than a decade, it seems unlikely that it will be re-developed for RA (Residential Agricultural) use, either in its present configuration as one very large lot or split into two smaller, conforming, parcels. I am concerned that if it is not developed as a buffer property, it will remain derelict and vacant, attract undesirable and un-permitted uses or be the subject of an attempt to re-zone it to a more intense use than is currently contemplated.

We've given this proposed development considerable thought, and we've concluded that if it is conditioned to require it to be well screened from its neighbors with landscaped berms, walls and trees, if its traffic impact is minimized by requirements for the provision of sufficient off-street parking and reservoir space (plus a red curb on Erwin Street), and if it is conditioned to require such environmentally sound elements as capture and re-use of roof run-off, permeable hardscape and drought tolerant landscape with inclusion of native species, this project has the potential to be a good buffer and a desirable neighborhood asset, and we would support it.

Sincerely,

Susan Klenner
walnutacres@klenners.com
(818) 347-7050

cc: Dan Chandler
Kenneth H. Barry
Brad M. Rosenheim
Jonathan Brand

From: "Aaron Levinson" <aaron@levinsonhouse.com>
Subject: Fallbrook/Erwin project
Date: September 6, 2011 2:53:11 PM PDT
To: brad@raa-inc.com

Hi Brad,

It was a pleasure meeting with you and your client, Chandler Pratt & Partners.

I want to let you know that I am very supportive of the project moving forward. I believe it is an excellent complement to the neighborhood. The design is very attractive and the need for assisted living for seniors is huge and growing.

As you know, I live on Erwin Street just down the road from the proposed project. I see no reason why this project should not move forward. I can't imagine that the project will contribute to significant increased traffic. The site used to be a school and I never noticed any traffic when it was in use then. An assisted living facility would surely bring less traffic than a school, and certainly less during commute hours.

I appreciate the fact that the design has taken other components of the neighborhood into account and that the landscaping will fit in as well.

Further, noise will not be an issue for the neighbors. When the site was used for a school, perhaps there may have been a noise issue during school hours, but a senior assisted living facility will not bring added noise to the neighborhood.

In short, you have my support! I will be happy to speak with my neighbors about the project as well and hopefully will be able to bring in additional supporters.

With best regards,

Aaron Levinson
23390 Erwin Street
(818) 300-5056