

**DEPARTMENT OF
CITY PLANNING**

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401

CITY PLANNING COMMISSION

RENEE DAKE WILSON
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CITY OF LOS ANGELES

CALIFORNIA



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INFORMATION
www.planning.lacity.org

Case No. CPC-2013-2078-GPA-ZC-BL-ZV-SPR
Council District No. 3

JUL 03 2014

Honorable Eric Garcetti, Mayor
City of Los Angeles
City Hall, Room 305
Los Angeles, CA 90012

Dear Mayor Garcetti:

**A PROPOSED GENERAL PLAN AMENDMENT AND ZONE CHANGE ON
PROPERTY LOCATED AT 8544-8654 NOTH WINNETKA AVENUE WITHIN THE
CHATSWORTH-PORTER RANCH COMMUNITY PLAN**

Pursuant to the provisions of Section 551, 555 and 558 of the City Charter, transmitted herewith is the April 24, 2014 action of the City Planning Commission approving a proposed General Plan Amendment to the Chatsworth - Porter Ranch Community Plan by changing the land use designation for a property located at 8544-8654 North Winnetka Avenue from Low I Residential to Low II Residential and Low Medium I Residential. The City Planning Commission also approved a General Plan Amendment to Chatsworth - Porter Ranch Community Plan from Low I Residential to Low Medium I Residential for an ADD AREA located at 8520 Winnetka Avenue and 20039-57 West Chase Street (APN 2782-011-024). The City Planning Commission also approved a concurrent zone change from RA-1 to (T)(Q)R1-1 for the construction of 5 new single-family homes and (T)(Q)RD4-1XL (limiting the project to two stories) for the construction of 59 new detached residential condominiums. No zone change was approved for the church to the south. The City Planning Commission approved the removal of a Building Line along the east side of Winnetka Avenue, established by Ordinance No. 108,814.

The proposed general plan amendment, zone change and building line removal are submitted to you for your recommendation, which is to be forwarded to the City Council as specified by Section 11.5.6 of the Los Angeles Municipal Code.

The City Planning Commission, as evidenced by the attached Findings, has determined that the proposed land use designation will conform to the City's General Plan, will be compatible with adjacent land uses, and is appropriate for the site.

Your action is requested on the proposed plan amendment as specified by Section 11.5.6 of the Los Angeles Municipal Code. The zone change will be transmitted to you following the City Council's action.

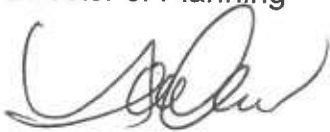
RECOMMENDATION

That the Mayor:

1. Concur in the attached action of the City Planning Commission relative to its approval of the proposed General Plan Amendments for the subject property and an ADD AREA located at 8520 Winnetka Avenue and 20039-57 West Chase Street; and
2. Concur in the attached action of the City Planning Commission relative to its approval of the requested Zone Change for the subject property, with the attached conditions of approval; and
3. Recommend that the City Council adopt the attached Findings of the City Planning Commission relative to the General Plan Amendment.

Sincerely,

MICHAEL J. LOGRANDE
Director of Planning



Jae H. Kim
Senior City Planner

Attachments:

1. CPC Case File
2. Plan Map
3. Resolution
4. City Council Package
5. Mayor's Transmittal Form

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Case No. CPC-2013-2078-GPA-ZC-BL-ZV-SPR
Council District No. 3

Honorable City Council
City of Los Angeles
City Hall, Room 395
Los Angeles, CA 90012

Dear Honorable Councilmembers:

A PROPOSED GENERAL PLAN AMENDMENT, ZONE CHANGE AND BUILDING LINE REMOVAL ON PROPERTY LOCATED AT 8544-8654 NOTH WINNETKA AVENUE WITHIN THE CHATSWORTH-PORTER RANCH COMMUNITY PLAN

Pursuant to the provisions of Section 551, 555 and 558 of the City Charter, transmitted herewith is the April 24, 2014 action of the City Planning Commission approving a proposed General Plan Amendment to the Chatsworth - Porter Ranch Community Plan by changing the land use designation for a property located at 8544-8654 North Winnetka Avenue from Low I Residential to Low II Residential and Low Medium I Residential. The City Planning Commission also approved a General Plan Amendment to Chatsworth - Porter Ranch Community Plan from Low I Residential to Low Medium I Residential for an ADD AREA located at 8520 Winnetka Avenue and 20039-57 West Chase Street (APN 2782-011-024). The City Planning Commission also approved a concurrent zone change from RA-1 to (T)(Q)R1-1 for the construction of 5 new single-family homes and (T)(Q)RD4-1XL (limiting the project to two stories) for the construction of 59 new detached residential condominiums. No zone change was approved for the church to the south. The City Planning Commission approved the removal of a Building Line along the east side of Winnetka Avenue, established by Ordinance No. 108,814.

The City Planning Commission, as evidenced by the attached Findings, has determined that the proposed land use designation and zone change will conform with the City's General Plan, will be compatible with adjacent land uses, and is appropriate for the site.

The proposed General Plan Amendment was submitted to the Mayor whose recommendation will be forwarded to you as specified by Section 11.5.6 of the Los Angeles Municipal Code.

RECOMMENDATION

That the City Council:

1. Concur in the attached action of the City Planning Commission relative to its approval of the proposed General Plan Amendment for the subject property; and
2. Concur in the attached action of the City Planning Commission relative to its approval of the proposed General Plan Amendment for the property to the south of the project site; and
3. Concur in the attached action of the City Planning Commission relative to its approval of the requested Zone Change for the subject property, with the attached conditions of approval; and
4. Concur in the attached action of the City Planning Commission relative to its approval of the requested removal of a Building Line for the subject property; and
5. Adopt the attached Findings of the City Planning Commission as the Findings of the City Council;
6. Adopt, by Resolution, the proposed Plan Amendment to the Chatsworth – Porter Ranch Community Plan as set forth in the attached exhibit; and
7. Adopt the Ordinance for the change of zones to (T)(Q)RD4-1XL and (T)(Q)R1-1 subject to the (T) Tentative Classification and (Q) Qualified Classification conditions as set forth in the attached exhibit;
8. Adopt the Ordinance amending Ordinance No. 108,814 by repealing the provision establishing the building line on that portion Winnetka Avenue, as set forth in the attached exhibit; and
9. Find that the proposed project will not have a significant effect on the environment for the reasons set forth in the Mitigated Negative Declaration No. ENV-2013-2079-MND.

Sincerely,

MICHAEL J. LOGRANDE
Director of Planning



Jae H. Kim
Senior City Planner



DEPARTMENT OF CITY PLANNING
RECOMMENDATION REPORT



ITEM 5

City Planning Commission

Date: April 24, 2014
Time: After 8:30 AM*
Place: Van Nuys City Hall
14410 Sylvan Street
Council Chamber, 2nd Floor
Van Nuys, CA 91401

Public Hearing: March 4, 2014
Appeal Status: General Plan Amendment, Zone Change/Height District Change appealable by applicant to City Council if disapproved in whole or in part. Other entitlements appealable to City Council by any party (pursuant to LAMC Section 12.36, Multiple Entitlements).
Expiration Date: June 2, 2014

Case No.: CPC-2013-2078-GPA-ZC-BL-ZV-SPR
CEQA No.: ENV-2013-2079-MND
Incidental Cases: TT-72271-CN
Related Cases: CPC-26795-BL, CPC-26794
Council No.: 3 – Bob Blumenfield
Plan Area: Chatsworth –Porter Ranch
Specific Plan: None
Certified NC: Winnetka
GPLU: Low I Residential
Proposed GPLU: Low Medium I Residential
Zone: RA-1
Proposed Zone: (T)(Q)RD4-1 & (T)(Q)R1-1
Applicant: WH Winnetka 60, LLC; Keith Herren
Representative: Craig Lawson & Company, LLC; Donna Tripp

PROJECT LOCATION: 8544-8654 North Winnetka Avenue

PROPOSED PROJECT: The demolition of a single-story single-family residence and detached garages and replacement of two protected trees, for the use and construction of 59 new two-story detached residential condominiums, a maximum of 30 feet in height in the proposed (T)(Q)RD4-1 Zone, and five single-family lots, on a 6.0-acre site. Five lots are proposed to front Penfield Avenue and the 59 detached dwelling units will take access from one shared driveway entrance on Winnetka Avenue. The proposal includes 193 at-grade parking spaces on site, including one handicap space and 64 guest parking spaces in excess of the 158 spaces required. The project also proposes approximately 91,002 square feet of open space over the site (37,985 square feet with maximum 100 square-foot of private open space allowable per unit, in excess of the 11,200 square feet required), including individual rear yards for each dwelling and a common recreational pool area. Site grading will involve balancing 50,000 cubic yards of dirt.


- REQUESTED ACTIONS:**
1. Pursuant to Los Angeles Municipal Code Section (LAMC) Section 11.5.6-B, a General Plan Amendment to the Chatsworth-Porter Ranch Community Plan from Low I Residential to Low Medium I Residential land use.
 2. Pursuant to LAMC Section 12.32-F, a Zone Change from RA-1 (Suburban Zone) to RD3-1 (Restricted Density Multiple Dwelling Zone) to allow the construction, use and maintenance of a 65-unit detached two-story residential condominium with 136 resident parking spaces and approximately 66 guest parking spaces, all on an approximate 6.0 net acre site.

3. Pursuant to LAMC Sections 12.32-R, the request for a Building Line Removal of a 25-foot building line along the east side of Winnetka Avenue established by Ordinance No. 108,814 (approved on January 23, 1957).
4. Pursuant to LAMC Section 12.27 Zone Variance, to permit a deviation from LAMC Section 12.21-A, 19(c) to provide individual recycling receptacles for each detached dwelling unit in lieu of the required common recycling area/room.
5. Pursuant to Los Angeles Municipal Code Section 16.05-E, Site Plan Review for a project creating more than 50 residential dwelling units.
6. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, the adoption of a Mitigated Negative Declaration and required findings for the above-referenced project.

RECOMMENDED ACTIONS:

1. **Disapprove** the proposed General Plan Amendment, as filed, to Chatsworth - Porter Ranch Community Plan from Low I Residential to Low Medium I Residential land use designation.
2. **Approve a General Plan Amendment** to Chatsworth - Porter Ranch Community Plan from Low I Residential to Low II Residential and Low Medium I Residential land use designation.
3. **Approve a General Plan Amendment** to Chatsworth - Porter Ranch Community Plan from Low I Residential to Low Medium I Residential for an ADD AREA located at 8520 Winnetka Avenue and 20039-57 West Chase Street (APN 2782-011-024).
4. **Disapprove** the proposed Zone Change, as filed, from RA-1 to RD3-1 to permit the construction of 73 detached condominium units.
5. **Approve and Recommend** that the City Council adopt a **Zone and Height District Change** from RA-1 to (T)(Q)R1-1 for a maximum 5 single-family homes and (T)(Q)RD4-1XL (limiting the project to two stories) for a maximum 59 detached residential condominiums.
6. **Approve and recommend** that the City Council adopt the removal of a 25-foot **Building Line** along the east side of Winnetka Avenue, established by Ordinance No. 108,814 on January 23, 1957.
7. **Approve the Zone Variance** to allow a deviation from LAMC Section 12.21-A, 19(c) to provide individual recycling receptacles for each detached dwelling unit in lieu of the required common recycling area/room.
8. **Approve Site Plan Review** for the development of 65 residential dwelling units.
9. **Adopt** the attached Findings.
10. **Adopt** the Mitigated Negative Declaration No. ENV-2013-2079-MND for the above-referenced project.
11. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
12. **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

MICHAEL J. LOGRANDE
Director of Planning



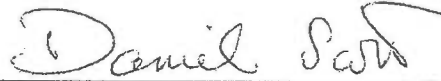
Lisa Webber, AICP, Deputy Director of Planning



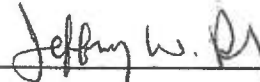
Jae H. Kim, Senior City Planner



Sarah Hounsell, Hearing Officer
Telephone: (818) 374-9909



Daniel Scott, Principal City Planner



Jeffrey W. Pool, City Planner

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 272, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1247.

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PROJECT ANALYSIS

Project Summary

The applicant is proposing to demolish an existing single-story single-family residence and detached garages and relocation or replacement of two protected trees with the approval of the project. Five dwellings are proposed to front and have individual driveway access from Penfield Avenue and the remaining 60 dwellings would take access from one shared driveway entrance on Winnetka Avenue. Site grading will involve 50,000 cubic yards of dirt to be balanced on the site.

On March 26, 2014, the Deputy Advisory Agency approved Tentative Tract Map No. TT-72271-CN, as an incidental case, for the use and construction of a new 65-unit two-story detached residential condominium, a maximum of 30 feet in height in the proposed (T)(Q)RD4-1XL Zone on a 6.0 acre site after dedication.

Requested entitlements include a General Plan Amendment to the Chatsworth-Porter Ranch Community Plan from Low I Residential to Low Medium I Residential land use, a Zone Change from RA-1 (Suburban Zone) to RD4-1 (Restricted Density Multiple Dwelling Zone), Building Line Removal, a Zone Variance to permit individual recycling receptacles for each detached dwelling unit in lieu of the required common recycling area/room, Site Plan Review for a project creating more than 50 residential dwelling units, and adoption of the Mitigated Negative Declaration.

On April 11, 2014, the applicant submitted a revised site plan modifying the project to include six-lots, five single-family lots fronting Penfield Avenue in the proposed R1-1 Zone (proposed Low II Residential Land Use) and one-lot to include a 59-unit detached condominium fronting Winnetka Avenue in the proposed RD4-1 Zone. Also being considered is a 101-foot separation between any new dwelling and existing fowl keeping structures, as currently placed on adjacent lots to the north and south of the site. All six properties will be included in the proposed Homeowners Association for maintenance of common areas and landscaping. The proposal now includes 192 at-grade parking spaces and one (1) handicap space on-site including a two-car garage for each unit and approximately 64 guest parking spaces in excess of the 158 spaces required (two per dwelling and a ½ guest parking per unit as conditioned in TT-72271-CN). The project also proposes approximately 91,002 square feet of open space over the site (37,985 square feet with maximum 100 square-foot of private open space allowable per unit, in excess of the 11,200 square feet required), including individual rear yards for each dwelling and a common recreational pool area., including individual rear yards for each dwelling and a common recreational pool area.

Based on these changes, staff is recommending disapproval of the originally requested entitlements and instead approval of a General Plan Amendment to Chatsworth-Porter Ranch Community Plan from Low I Residential to Low II Residential and Low Medium I Residential land use designation. Also recommended is the approval of an ADD AREA located at 8520 Winnetka Avenue and 20039-57 West Chase Street (APN 2782-011-024) to approve a General Plan Amendment to Chatsworth - Porter Ranch Community Plan from Low I Residential to Low Medium to create a linear connection from the existing land use designation to the site. Finally, staff is recommending the adoption for a Zone and Height District Change from RA-1 to (T)(Q)R1-1 for a maximum 5 single-family lots and (T)(Q)RD4-1XL (limiting the project to two stories) for a maximum 59-unit detached dwelling on one-lot.

Background

The subject site is comprised of a unique area of 6.8 gross acres of flat, largely undeveloped and historically vacant and residentially zoned property with the exception of one remaining single-family residence fronting Winnetka Avenue on one lot to be demolished. The site is made up of eight contiguous legal parcels, five of which are through lots and range in size from 0.924 to 1.4 acres and the smaller three which front Winnetka Avenue average 0.44 acres each. Together the L-shaped site has a 352-foot frontage on Penfield Avenue and 550-foot frontage on Winnetka Avenue. These lots are on average significantly larger than those in the vicinity which average between 0.15 and 0.3 acres. Accordingly, these lots are well-suited to handle a higher density of residential development being located on a Major Highway- Class II, which contain other multiple-family townhomes on the block located to the south.

The existing bicycle lane along Winnetka Avenue will be maintained and the existing narrow and unmaintained sidewalk along the Winnetka Avenue frontage will be improved to be wider and landscaped with street trees to promote walkability and safe passage for pedestrians. The frontage along Penfield Avenue will also be improved with a sidewalk, and attractively landscaped green space buffer areas to further promote walkability and safe passage for pedestrians.

The Los Angeles County Metropolitan Transportation Authority (MTA) provides several bus lines in and around the project study area. There is one north-south bus route within a reasonable walking distance of the project site, and this route intersects several nearby east-west bus routes to provide public transportation access for the residents of the proposed project. These lines include Metro Local Lines 243, 166/364, and 152/353. Additionally, the site is located near the Metro Link transit stop at the intersection of Parthenia Street and Wilbur Avenue (approximately 1.3 miles from the site). The future Chatsworth Orange Line extension station will also be located just northwest of the site near Lassen and Devonshire. Given the proximity of the project site to these services and the availability of transfer opportunities, the project is fairly well served by public transit. For this reason, it is expected that some of the person trips generated by the project would utilize public transportation as their primary travel mode, instead of using private vehicles.

The proposed project will provide two covered parking spaces per lot in conformance with the LAMC and the Deputy Advisory Agency's parking policy for condominium and single-family subdivision projects in non-parking congested areas and provide about one additionally guest parking space per unit (in excess of the $\frac{1}{4}$ guest parking spaces per unit). The proposal includes 32 guest parking spaces along the common access driveways and 32 guest parking spaces in individual driveways aprons of 16 dwelling units including the five units on Penfield Avenue. Providing additional spaces on-site will discourage parking along the public street. However, with the dedication and improvements widening Penfield Avenue, additional street parking will be available in front of the project site where it is not permitted currently.

Surrounding Properties: The subject property is located in the Chatsworth community of Los Angeles, just north of Winnetka, on a mostly urbanized area of Winnetka Avenue with larger residential and institutional lots in the immediate vicinity.

North: Two of the properties to the north immediately adjacent to of the site and occupied by the Cornerstone Christian Church (and formerly the James Jordan Middle School) with associated surface parking lots. The church is accessed by two driveways off of Winnetka Avenue and one exit-only driveway on Parthenia Street. The other adjacent parcel contains a single-family residence and has frontage on Parthenia and the elbow of Bryant Street and Penfield Avenue. The other three abutting lots to the north contain single-family residences

which take access from individual circular driveways on Parthenia Street. The L-Shaped lot is owned and used by the church. The homes are approximately 2,300 and 3,400 square feet. All the properties to the north are zoned RA-1.

Northeast/East: Across the street from the subject property to the northeast and east along Bryant Street and Penfield Avenue are single-family residences on RS-1 zoned lots with driveways taking front yard access from their respective streets. The lots on average largely range from approximately 7,100 to 8,600 square feet. The house sizes average approximately 1,500 square feet.

South: Immediately adjacent to the South is Our Redeemer Lutheran Church and Preschool with associated surface parking lots located on RA-1 zoned lots. Access to these uses is from two two-way driveways on Winnetka Avenue and two driveways on Chase Street via two separate surface parking lots. Just south of the Church at the intersection of Winnetka Avenue and Chase Street is a large complex of attached townhomes located on RD4-1 zoned lots. There are also three lots on Penfield Avenue adjacent on the southeast which are zoned RA-1 and developed with single-family residences on approximately 19,200 square-foot lots.

West: Across the street to the west of the subject site along Winnetka Avenue are single-family residences on RA-1 zoned lots averaging 14,560 square feet in lot size. The residences range in size from 1,400 to 2,400 square feet. Vehicular accesses to these residences are taken from a rear alley and not off of Winnetka. A daycare center is located at 8673 Winnetka Avenue across the street from the site as well.

General Plan: The subject property is within the Chatsworth-Porter Ranch Community Plan, which designates the site for Low I Residential land use with the corresponding zones of RE9 and RS. The property contains approximately 6.0 net acres (261,360 net square feet after required dedication) and is presently zoned RA-1. The applicant is seeking a General Plan Amendment through this case to change the land use designation to Low II Residential and Low Medium I Residential with corresponding Zones of R1, RD6 and RZ5 and R2, RD3, RD4, RZ3, RZ4, RU and RW1, respectively.

Specific Plans and Overlay Districts: The subject property is not located within any specific plans and other specially designated areas.

Streets and Circulation:

Winnetka Avenue, adjoining the property to the west, is a designated Major Highway—Class II with a width of 100 feet at the project's street frontage and improved with curb, gutter, sidewalk, landscaped parkway, utility poles, street lights, and seven driveway cuts. Engineering is requiring a right-of-way of 104 feet and a total roadway width of 80 feet. The street currently has a 50 foot half width and the two-foot dedication would increase the sidewalk width in front of the project site.

Penfield Avenue, adjoining the property to the east, is a Local Street with a variable width of 29 to 60 feet and improved with asphalt only adjacent to the property line. Engineering is requiring a 30-foot and variable width strip of land be dedicated along Penfield Avenue adjoining the tract to complete a 30-foot wide half right-of-way including partial elbow section at the intersection with Bryant Street. Improvements would include a concrete curb, a concrete gutter, and a 5-foot concrete sidewalk and landscaping of the parkway be completed, suitable surfacing to join the existing pavements and to complete an 18-foot half roadway or (36-foot minimum total roadway),

any necessary removal and reconstruction of existing improvements, and the necessary transitions to join the existing improvements.

Bryant Street, which terminates to the northwest of the subject property, is a Local Street with a 60 foot right-of-way. Suitable improvements are required of the partial elbow section at Bryant Street.

Relevant Cases:

Subject Property:

Case No. TT-72271-CN: On March 26, 2014, the Deputy Advisory Agency conditionally approved a tentative tract map composed of one-lot, located at 8544-8654 Winnetka Avenue for a new maximum 65-unit detached residential condominium in the Chatsworth-Porter Ranch Community Plan. This unit density is based on the proposed RD4 Zone and contingent upon the approval of the instant case, CPC-2013-2078-GPA-ZC-BL-ZV-SPR (proposed entitlements), for the density. The tentative tract map was not appealed within the 10-day appeal period by any party.

Case No. ZA-1996-869-CUZ-ZV: On March 7, 1997, the Zoning Administrator's office denied a conditional use to permit the continued use and maintenance of a recreational/community center including pony rides and a petting farm in the RA-1 Zone and variances to permit the sale of farm products and firewood grown off-site and two 4-foot by 6-foot identification signs and four 3-foot by 8-foot seasonal signs with 24 hour security trailer.

Case No. CPC-26794: On October 25, 1977, the City Council approved a zone change from RA-1 to (T)RS-1 on an approximate five-acre parcel of land (i.e. parcels 8654 to 8620 Winnetka) between Winnetka Avenue and Penfield Avenue, south of Parthenia Street. This zone change contemplated a proposed 22-lot subdivision project. On October 25, 1977, the City Council approved the removal of a 76-foot building setback line (Case No. CPC-26795-BL): on the east side of Winnetka Avenue between lines approximately 330 feet and 682 feet south of Parthenia Street. On November 30, 1977, the Advisory Agency conditionally approved a tentative tract map (Case No. TT-33681) composed of 22 lot single-family subdivision. The tentative tract map was approved for filing by City of Los Angeles Department of City Planning (DCP) on November 16, 1977 but was never effectuated. Therefore the site reverted back to the original RA-1 zoning.

Case No. ZA-17563: Effective September 25, 1965, the City Planning Commission denied an appeal of a disapproved conditional use request to permit the development and use of an approximate 2-acre interior, RA-1 zoned parcel of land at 8646-8654 Winnetka Avenue for church purposes. The proposed development was to consist of a 400-seat sanctuary, classrooms, incidental automobile parking facilities and the easterly portion to be reserved for a future parsonage and for the widening of Penfield Avenue.

Surrounding Properties:

Case No. APCNV-2007-4148-ZC: On October 26, 2009 Ordinance No. 180,869 became effective which approved a zone change from RA-1 to (T)(Q)R1-1. On March 18, 2009, the Advisory Agency approved a parcel map (Case No. AA-2007-4137-PMLA) for a maximum three-parcel single-family development 19954 Chase Street in the proposed R1 Zone.

Case No. APCNV-2001-2302-ZC: On October 3, 2001 the City Council approved Ordinance No. 174,265 (effective November 22, 2001) zone change from RA-1 to (Q)RD4-1 located at 20054 Community Street for six dwelling units.

Issues

A public hearing conducted by the Hearing Officer on this matter was held in the Marvin Braude San Fernando Valley Constituent Services Center, on Tuesday, March 4, 2014. Several public meetings were agendized and held for the subject project with the Winnetka Neighborhood Council. The issues raised at the hearing and those meeting included the following:

General Plan Amendment and Zone Change. The proposed General Plan Amendment for this site is a current land use existing on the two blocks directly to the south of the project block. The ADD AREA (Exhibit 3) including two-third of the church site (APN 2782-011-024) to the south would create a logical linkage of the land use. The remaining third of the church site, located at 20025 West Chase Street (APN 2782-011-013), was not considered under the ADD AREA being that parcel is adjacent to a under-developed half private street accessing four RS-1 zoned lots. Staff concluded the Low I Residential land use designation would be more appropriate for this site if ever developed in the future. However, the zoning for the church would remain RA-1 and would not change the conditional use permit (Case Nos. ZA 97-854-CUZ-ZV and ZA 93-200-CUZ) that the church acquired to be permitted within that zone. Not including the church site would create a fragmented pattern of development. Therefore staff recommends the City Planning Commission include this site as part of the ADD AREA located at 8520 Winnetka Avenue and 20039-57 West Chase Street, approving a General Plan Amendment to Chatsworth - Porter Ranch Community Plan from Low I Residential to Low Medium I Residential to create a linear connection from the existing land use designation to the south through to the site.

Some of the community would like to see the site developed with RS zoned single-family lots in accordance with the current land use designation of Low I Residential and the development of public streets. Others are in favor of a multiple-family detached condominium since there would be a Home Owners Association (HOA) formed to maintain landscaping and common areas throughout the site.

The applicant has met with the Winnetka Neighborhood Council's (WNC) Land Use Committee and full Board on several occasions beginning in October 2013. To date staff has only received one letter from the WNC dated January 14, 2014, which stated they were willing to continue to work with the developer on revised plans, but would not support a change to the General Plan which would not maintain the urban farming feel of this neighborhood. No other letters from the WNC have been received to date. The applicant has continued to meet with the community through the Council Office and through these various Neighborhood Council meetings. However, as summarized by staff from the WNC Agenda for April 8, 2014 that the WNC PLUM Committee recommended the Board: (1) approve a density in accordance with the RD6 zone (not more than 7-unit per acre) consistent with the Low II Residential land use, (2) that the homes on Penfield Street be limited to fee-simple traditional single-family lots, (3) ensure that no new structures are proposed to be sited less than 101 feet away from any existing fowl or animal enclosures on abutting properties, and (4) remain opposed in principal to any General Plan Amendments which change the rural nature of the community as it should be maintained.

The applicant presented to the WNC Full Board on the evening of April 8, 2014 with a revised proposal to include a 6-lot subdivision (modified from the approved Tract Map: TT-72271-CN) for the creation of five single-family fee-simple lots along Penfield Avenue in the proposed (T)(Q)R1-

1 Zone and one-lot fronting Winnetka Avenue with a new 59-unit detached condominium in the proposed (T)(Q)RD4-1 Zone. As volunteered by the applicant, the project will also include 101 feet of distancing of any new residence dwellings from adjacent fowl keeping structures on lots to the north and south. Staff received the revised site plan on April 11, 2014.

Density. The proposed project is seeking an increase in permitted density. The current RA-1 Zone would allow the subdivision of 14-lots permitting limited agricultural uses, one-family dwellings, and home occupations. The current Low I Residential Land Use has corresponding zones of RE9 and RS, which would allow the subdivision of 29-lots or 34-lots respectively, permitting one-family dwellings, parks, playgrounds, community centers, truck gardening, accessory living quarters, and home occupations. The proposed land use of Low II Residential has corresponding Zones of R1, RD6 and RZ5. These zones would allow development of a single-family home on either 5,000 or 6,000 square-foot lots. The applicant is proposing five R1 Zone lots fronting Penfield Avenue with an approximately 0.57 acres (70.4-foot by 71.1-foot lots). The proposed land use of Low Medium I Residential has corresponding Zones RD3, RD4, RZ3, RZ4, RU and RW1. The applicant has amended their original proposal from a 73-unit condominium in the RD3 Zone to proposing the RD4 Zone which is the lowest density permitted within this land use designation, permitted one-unit for every 4,000 square feet of land. The applicant is proposing a 59-unit detached condominium on 5.43 net acres (4,006 square feet per unit) with access from Winnetka Avenue.

The case was filed as a 73-unit detached condominium with a wall located along Penfield including only an emergency crash grate and all vehicle access from one driveway on Winnetka Avenue. At the initial public hearing, the applicant presented a revised map for a 68-unit detached condominium with five dwelling taking individual access from Penfield Avenue and 63-units accessed from one driveway on Winnetka Avenue. The tract map was approved on March 26, 2014 for a 65-unit detached condominium by the Deputy Advisory Agency. The current proposed RD4 and R1 Zones and General Plan Amendment would permit a maximum 64 dwellings in lieu of the maximum 34-lots permitted under the current land use designation. The WNC PLUM Committee conditionally supports a development of with a maximum seven (7) dwelling units per acre, which calculates to 42 dwelling units equaling a RD6 Zone or Low II Residential land use designation. It should be noted that a General Plan Amendment would still be necessary for the recommended project at 7-unit per acre.

The applicant has attended number meeting with the community and Winnetka Neighborhood Council including the most recent meeting on April 8, 2014. The current proposal (site plan dated April 11, 2014) including two zone and the General Plan Amendment to two different land use designation is in response to concerns discussed at that meeting. Providing single-family development along Penfield Avenue with individual access and lot would complete this residential neighborhood. The lot widths (frontages) are consist with those other RS zoned properties in the neighborhood. This is logical as a transition to the site. Further, the number of homes fronting Winnetka Avenue mirror the density across the street in the RA zoned properties. The proposed density is proposed interior to the site.

Circulation and Parking. At the first meeting with the Winnetka Neighborhood Council and community members, having through access between Penfield Avenue and Winnetka Avenue was voiced as an issue for the neighborhood to the east. More guest parking on-site was also requested by the community.

The Department of Transportation (DOT) has a policy that when access is available from a Local Street, all access should be taken from that street to minimize traffic impacts to Major and Secondary Highways. As an alternative, through access should be developed via Public Streets.

The Fire Department has a certain depth permitted prior to requiring through access. With the design change locating five lots fronting and accessing Penfield Avenue, the depth was sufficient for Fire to permit access from Winnetka Avenue provided sufficient turnaround areas and fire lanes are labeled within the development along common access easements. In multiple meetings with the applicant, staff and DOT, the project was conditioned in a letter dated March 12, 2014 that; (1) To avoid an influx of vehicles impinging on the public right-of-way, a minimum 40-foot queuing reservoir between the future property line and visitor call box shall be required at the driveway on Winnetka Avenue; and (2) A 165-foot deceleration lane must be installed south of the proposed driveway on Winnetka Avenue by restricting street parking along the Winnetka Avenue frontage (Q-Condition No. 40). Further, staff has recommended that there be no security gates erected along the common driveway. This elimination will provide open access to the site for residents, service vehicles, and guest parking spaces (Q-Condition No. 4d). Staff has also recommended that appropriate landscaping or hardscaping be developed to shield automobile headlights and deter from possible shortcuts, along the three common east-west driveways on the Winnetka frontage (Q-Condition No. 4c).

The neighborhood requested that the applicant provide more than the $\frac{1}{4}$ guest parking spaces per unit in order for visitors to park within the site. As Winnetka Avenue has some parking restrictions and there will be no vehicular access from Penfield Avenue this will discourage parking on surrounding single-family streets. The applicant was conditioned under the tract map approval to provide a $\frac{1}{2}$ guest parking space per unit and is in compliance as there are 32 guest spaces proposed to be located along common access driveways under the current site plan. Additionally 16 homes have driveway pads in front of the two-car garage which provides 32 guest parking spaces for those residences. These total spaces average one additional guest parking space per dwelling unit, which is three times the minimum requirement.

Small Animal Keeping (Ordinance No. 159,341).

The community has expressed concern that surrounding and adjoining RA zoned lots have existing animal keeping. The "RA" (Suburban Zone – LAMC Section 12.07-A,7) does permit limited keeping of equines, bovines, goats or other domestic livestock other than swine, poultry, fowl, rabbits, 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. (Amended by Ordinance No. 161,352, Effective July 20, 1986.)
- (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.

A letter was received dated November 5, 2013 from the Department of Building and Safety which stated that the City of Los Angeles Zoning Code does not have any setback requirements between a proposed residential building and an existing fowl-keeping use and/or structure(s) on an abutting lot. There are only distancing requirements for equine. The community has pledged that Animal Control requires a 100-foot distance from any livestock structure and habitable room. The tract map (TT-72271-CN) was approved on March 26, 2014 for a 65-unit detached condominium with a 40.1-foot setback for Units 29-35 located within the southeast corner of the project. The distancing was provided by the applicant from the adjacent residence which has an existing chicken coop along their southern property line, zoned RA, within the rear yard. The WNC has stated that these lots should be permitted to maintain their right to retain all animals/livestock allowed under those zoning regardless of any setback requirements. On April 8, 2014, the applicant representative sent an email stating their consideration of a 101-foot separation between any new dwelling and existing fowl keeping structures on adjacent lots to the north and south of the site. The applicant has provided a new site plan dated April 11, 2014 which provided 59-units within the detached condominium development and a 43-foot setback for Unit Nos. 29-33 (renumbered). The deletion of a unit in the northeast corner of the condominium site is shown to provide distancing from an animal keeping structure on the site to the north as well.

Council District 3 has not taken a position on the project to date and has continued to work with the WNC, community, developer and staff to resolve concerns.

Professional Volunteer Program Comments:

On December 17, 2013 the Professional Volunteer Program (PVP), through the Urban Design Studio's Unit of the Department of City Planning, reviewed the project for a 73-unit detached condominium development. Overall they liked the project since it provided shared and private open space, walkways that connected the homes back to the main circulation, and a variation of floor plans. The main concerns were with regard to the site plan along the Penfield frontage. These were the recommendations provided to staff:

- A through driveway or new local street would be better for automobile circulation. We do not agree with the community, that there should be no through circulation, as multiple streets would be developed under the current land use when subdivided.
- The applicant and staff should check with Fire Department to see if the project can be redesigned pulling back the setback along Penfield Avenue. That additional distance might eliminate the need for an emergency access crash gate.
- The Penfield Avenue frontage should mirror the Winnetka frontage with front yards facing the street and privacy walls or fences beginning at the plane of the building frontage, not in front of that elevation. This frontage should read as front yards with doors and dwellings facing Penfield Avenue just as the design shows on Winnetka Avenue.

In response to the comments of the Professional Volunteer Program architects and Staff, the applicant has proposed some changes to the project's original design. With the revised tract map submitted, many of these concerns were resolved. Further the applicant submitted new site plans, floor plans, elevations, and a conceptual landscape plan on March 26, 2014 which provides five dwellings fronting and taking access from Penfield Avenue. Although these lots were approved under the tract map as part of the proposed single condominium lot, they read as individual single-family residences averaging about 5,069 square feet of land each, with separate yards, and a wall between the 60-units accessed from Winnetka Avenue. The project also follows all applicable

guidelines (61 total) of the Residential Citywide Design Guidelines (May 2011) for Multiple-Family Development, except for the retaining of mature trees which have been conditioned to be replaced on a 1:1 basis for non-protected trees and a 2:1 basis for protected trees. Removal of the two protected trees on-site will require the approval by the Board of Public Works at a later date.

Staff Response:

The subject property satisfies the majority of the Residential Citywide Design Guidelines for Multi-Family Residential Projects including:

- site planning,
- building orientation to the street,
- entrance locations to the sidewalk and interior pathways,
- articulation within building façade and between floor plans,
- variation of building materials and product type,
- pedestrian connections within the project and surrounding neighborhood,
- developing substandard streets to provide on-street parking,
- minimizes the appearance of driveways with only one access point on Winnetka Avenue,
- utilizes open areas for private and common use with abundant landscaping, and
- providing lighting and improved streetscape.

The project is also consistent with a number of goals, objectives and policies of the Chatsworth-Porter Ranch Community Plan, and with several of the criteria established by Citywide General Plan Framework, Objective 4.1: Plan the capacity for and development incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population.

Evaluating all of the above factors, staff considers the subject property's location to private and public schools, institutional facilities, commercial and industrial uses, a large public park, and to the MTA bus lines and a Metrolink Station within 1.3 miles to the northeast of the site will make the site viable for the development of housing. Any potential negative environmental effects from the project have been mitigated to less than significant levels within the published expanded Mitigated Negative Declaration (Case No. ENV-2013-2079-MND).

Conclusion

Based on the information submitted, the surrounding uses, input from the public hearing, and the proposed project's compliance with the multiple-family section of the Chatsworth-Porter Ranch Community, Framework Element, Housing Element and Residential Citywide Design Guidelines for multiple-family development, and several revisions made by the applicant including some of the recommendations made by the Winnetka Neighborhood Council (WNC), the Department of City Planning recommends that the City Planning Commission approve the requested entitlements as conditioned. The proposed project would replace land that has been vacant – except for the one remaining single-family structure— for several decades with a viable detached condominium development and single-family lots within walking distance of schools, parks and institutional uses.

As originally submitted, the project was proposed for 73 detached condominiums. The site plan showed seven homes fronting Winnetka and the remaining homes interior to the lot. All vehicle access was proposed from one driveway off the Major Highway and throughout interior common access driveways. There was no connection besides an Emergency Access Gate to the Penfield

Avenue community to the east. A wall was proposed along Penfield Avenue creating an unnecessary barrier reading as the "back" of the proposed multi-family project.

The site plan was modified and a revised tract map was submitted and approved on March 26, 2014 for a 65-unit detached condominium development with five units fronting Penfield Avenue. The tract map was not appealed and was approved contingent upon the approval on herewith for the proposed density. Upon meeting with the Winnetka Neighborhood Council on April 8, 2014, revised plans were submitted April 11, 2014. The new plans request a 6-lot subdivision including five single-family lots in the proposed R1 Zone and one-lot for 59 detached condominium units in the proposed RD4 Zone. Additional setbacks are provided from existing adjacent animal structures. The applicant and community have been in open contact through the progression of this project.

The proposed land uses and zones, including the ADD AREA, match those located on the blocks directly to the south and southeast of the project site. The ADD AREA provides a contiguous transition of the RD4 use and density that is present on properties south of Chase Street and Community Street. The addition of the Low II Residential land use is in response to the community wanting these homes to be fee-simple. The site plan as proposed is a good fit for the large undeveloped site. The building orientation along the street frontages is sensitive to surrounding development, the site provides an abundant amount of landscaping both for private and common use, and there is variation and articulation among the building facades and floor plans. The proposed single-family homes and detached condominiums will provide home ownership opportunities. Further, all environmental impacts would be less than significant as mitigated under the Condition of Approval.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

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

Responsibilities/Guarantees.

1. Bureau of Engineering. Prior to the issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.
 - a. Street Dedication.
 - (1) That a 30-foot and variable width strip of land be dedicated along Penfield Avenue adjoining the tract to complete a 30-foot wide half right-of-way including partial elbow section at the intersection with Bryant Street
 - (2) That a 2-foot wide strip of land be dedicated along Winnetka Avenue adjoining the tract to complete a 52-foot wide right-of-way in accordance with Major Highway Standards.
 - b. Street Improvement.
 - (1) Improve Penfield Avenue adjoining the subdivision by the construction of the followings:
 - i. A concrete curb, a concrete gutter, and a 5-foot concrete sidewalk and landscaping of the parkway.
 - ii. Suitable surfacing to join the existing pavements and to complete an 18-foot half roadway or (36-foot minimum total roadway).
 - iii. Any necessary removal and reconstruction of existing improvements.
 - iv. The necessary transitions to join the existing improvements.
 - v. Suitable improvements of the partial elbow section.

- (2) Improve Winnetka Avenue adjoining the subdivision by the construction of a 12-foot full width concrete sidewalk with tree wells including any necessary removal and reconstruction of existing improvements.
 - (3) That Board of Public Works approval be obtained, prior to the recordation of the final map, for the removal of any tree in the existing or proposed right-of-way area. The Bureau of Street Services, Urban Forestry Division, is the lead agency for obtaining Board of Public Works approval for removal of such trees.
2. Department of Water and Power. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements in a letter dated November 6, 2013 attached to the file. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering.
3. Bureau of Street Lighting.
 - a. If new street light(s) are required, then prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.
 - b. Construct new street light: three (3) on Penfield Avenue and if street widening per BOE improvements conditions, relocate and upgrade street lights; three (3) on Winnetka Avenue.
4. Bureau of Sanitation. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering.
5. Bureau of Street Services, Urban Forestry Division. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as require by the Urban Forestry Division of the Bureau of Street Services. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the applicant or contractor shall notify the Urban Forestry Division (213) 847-3077 upon completion of construction to expedite tree planting.
6. Department of Transportation.
 - a. A minimum 40-foot reservoir space shall be provided between the visitor call box and the property line or to the satisfaction of the Department of Transportation.
 - b. A parking area and driveway plan shall be submitted to the Citywide Planning Coordination Section of Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 6262 Van Nuys Boulevard, Room 320, Van Nuys CA 91401.

7. Fire Department.

- a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
- b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- c. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- d. Private roadways for general access use shall have a minimum width of 20 feet.
- e. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- f. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- g. Private streets and entry gates will be built to City standards to the satisfaction of the City Engineer and the Fire Department.
- h. Construction of public or private roadway in the proposed development shall not exceed 15 percent in grade.
- i. Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.
- j. Standard cut-corners will be used on all turns.
- k. Submit plot plans indicating access road and turning area for Fire Department approval.
- l. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- m. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
- n. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- o. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
- p. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel.

- q. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
 - r. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
 - s. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
 - t. Site plans shall include all overhead utility lines adjacent to the site.
 - u. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
8. Information Technology Agency. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, (213) 978-0856.
9. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.

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

(Q) Qualified Conditions of Approval

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

Entitlement Conditions

1. **Use.** The use of the subject property shall be limited to those uses permitted in the RD4 and R1 Zones as defined in Sections 12.09.1 and 12.08 of the Los Angeles Municipal Code ("LAMC").
2. **Density.**
 - a. A maximum of 59 detached residential dwelling units shall be permitted on the portion zoned RD4.
 - b. A maximum of five single-family lots shall be permitted on the portion zoned R1.
3. **Height.** The height of the building on the subject property shall not exceed 30 feet as defined in LAMC Section 12.21.1-A,1. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties with single-family dwellings.
4. **Parking.** A minimum of two covered off-street parking spaces shall be provided in accordance with LAMC Section 12.21-A,4(a) and a minimum ½ guest parking space per unit. In addition:
 - a. Garage floors shall be constructed with textured surfaces to minimize tire squeal noises.
 - b. Guest parking spaces shall be clearly marked. The signage shall be in easy to read lettering.
5. **Open Space.** A minimum of 35,292 square feet of open space shall be required in excess of the amount otherwise required pursuant to Municipal Code Section 12.21-G,2.
6. **Green Building Program.** Pursuant to LAMC Section 16.10, (Green Building Program), prior to the issuance of any building permit, the project must be reviewed and the plans stamped approved by the Director of Planning (or designee) for LEED® compliance.
7. **Flood Hazard.** The project shall comply with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172,081 (effective 7/3/98).

Administrative Conditions

8. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.

9. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
10. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
11. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
12. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
13. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
14. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
15. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
16. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.

CONDITIONS OF APPROVAL

1. **Site Plan.** Prior to the issuance of building permits, detailed development plans including a site plan illustrating elevations, facades, and architectural treatment, and a landscape/irrigation plan shall be submitted for review and approval by the Planning Department. The plans shall comply with provisions of the LAMC, the subject conditions, and the intent of the subject permit authorization. The use and development of the subject property shall be in substantial conformance with the site plan labeled Exhibit "4" or as modified by the City Planning Commission attached to the subject case file.
2. **Security Gates.** No gates shall be permitted for vehicles entering and exiting the development.
3. **Driveways.** Any unused curb and driveways cuts shall be replaced with sidewalks to maintain continuity for pedestrians.
4. **Common Access Driveways.** To shield automobile headlights and deter from possible shortcuts, along the three common east-west driveways on the Winnetka frontage, the plan shall include a 32-inch high wall, hedge, or raised planter along the edge of the common driveway portion between Unit No. 1 and 19, 40 and 46, and 52 and 60 within the landscaped area.
5. **Bicycle Parking.** Short term bicycle parking shall be provided in accordance with LAMC Section 12.21-A,16(a)(1) and shown on the site plan. Long term bicycle parking shall be provide within each individual garage.
6. **Rubbish Collection.** Permit a deviation from LAMC Section 12.21-A,19(c) to provide three individual recycling receptacles for each detached dwelling unit in lieu of the required common recycling area/room.
7. **Residential Fronting on Major Highway.**
 - a. All exterior windows having a line of sight of a Major Highway (Winnetka Avenue) shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.

OR

 - b. As an alternative, the applicant may retain an acoustical engineer to submit evidence, along with the application for a building permit, of any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.
8. **Posting of Construction Activities.** A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for inquiring about the construction process and to register complaints.
9. **Construction-related Parking.** Off-street parking shall be provided for all construction-related parking generated to employees of the proposed project. No employees or

subcontractor shall be allowed to park on the surrounding residential streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any residential street in the immediate area. All construction vehicles shall be stored on site unless returned to their owner's base of operations.

10. **Dust Walls.** Temporary dust walls (e.g., Visqueen plastic screening or other suitable product) not less than 8 feet in height shall be installed and maintained along the property line as necessary to preclude dust dispersion from the project site to adjacent properties. The walls shall be in place during any time period when grading is being conducted within 100 feet of any occupied residence on said adjoining lots.
11. **Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering construction materials or construction-machinery shall be limited to the hours beginning at 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. No truck deliveries for construction shall occur outside of that time period. No construction truck staging related to such deliveries to the project site shall occur on any adjacent streets.
12. **Construction Damage Bond.**
 - a. A cash bond or security ("Bond") shall be posted in accordance with terms, specifications, and conditions to the satisfaction of the Bureau of Engineering and shall remain in full force and effect to guarantee that any damage incurred to the roadway adjacent to the property, which may result from any construction activity on the site, is properly repaired by the applicant.
 - b. Prior to the issuance of a Certificate of Occupancy, any damage incurred to the roadway adjacent to the property, which may result from any construction activity on the site, shall be properly repaired by the applicant to the satisfaction of the Bureau of Engineering. The applicant is hereby advised to obtain all necessary permits to facilitate this construction/repair.
13. **Maintenance.** The subject property (including associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.

Environmental Conditions

14. **Aesthetics (Landscape Plan).** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a Landscape Practitioner (Sec. 12.40-D) and to the satisfaction of the decision maker.
15. **Aesthetics (Vandalism).**
 - a. Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
 - b. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.

16. Aesthetics (Signage on Construction Barriers).

- a. The applicant shall affix or paint a plainly visible sign, on publically accessible portions of the construction barriers, with the following language: "POST NO BILLS".
- b. Such language shall appear at intervals of no less than 25 feet along the length of the publically accessible portions of the barrier.
- c. The applicant shall be responsible for maintaining the visibility of the required signage and for maintaining the construction barrier free and clear of any unauthorized signs within 48 hours of occurrence.

17. Aesthetics (Light). Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.**18. Aesthetics (Glare).** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.**19. Air Pollution (Demolition, Grading, and Construction Activities).**

- a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- b. The construction area shall be kept sufficiently dampened to control dust cause by grading and hauling, and at all times provide reasonable control of dust cause by wind.
- c. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- d. All dirt/soil loads shall be secured by trimming, watering, or other appropriate means to prevent spillage and dust.
- e. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- g. Trucks having no current hauling activity shall not idle but be turned off.

20. Habitat Modification (Nesting Native Birds, Non-Hillside or Urban Areas). The project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game

Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).

- a. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture of kill (Fish and Game Code Section 86).

OR

- b. If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:
 - (1) Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
 - (2) If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.

OR

- (3) Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes.
- (4) Construction personnel shall be instructed on the sensitivity of the area.
- (5) The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.

21. Tree Removal (Locally Protected Species).

- a. All protected tree removals require approval from the Board of Public Works.
- b. A Tree Report shall be submitted to the Urban Forestry Division of the Bureau of Street Services, Department of Public Works, for review and approval (213-847-3077), prior to implementation of the Report's recommended measures.

- c. A minimum of two trees (a minimum of 48-inch box in size if available) shall be planted for each protected tree that is removed. The canopy of the replacement trees, at the time they are planted, shall be in proportion to the canopies of the protected tree(s) removed and shall be to the satisfaction of the Urban Forestry Division.
- d. The location of trees planted for the purposes of replacing a removed protected tree shall be clearly indicated on the required landscape plan, which shall also indicate the replacement tree species and further contain the phrase "Replacement Tree" In its description.
- e. Bonding (Tree Survival):
 - (1) The applicant shall post a cash bond or other assurances acceptable to the Bureau of Engineering in consultation with the Urban Forestry Division And the decision maker guaranteeing the survival of trees required to be maintained, replaced or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date that the bond is posted or from the date such trees are replaced or relocated, whichever is longer. Any change of ownership shall require that the new owner post a new oak tree bond to the satisfaction of the Bureau of Engineering. Subsequently, the original owner's oak tree bond may be exonerated.
 - (2) The City Engineer shall use the provisions of Section 17.08 as its procedural guide in satisfaction of said bond requirements and processing. Prior to exoneration of the bond, the owner of the property shall provide evidence satisfactory to the City Engineer and Urban Forestry Division that the oak trees were properly replaced, the date of the replacement and the survival of the replacement trees for a period of three years.

22. Tree Removal (Non-Protected Trees).

- a. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- b. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio (a minimum of 8 trees) with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- c. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

23. Cultural Resources (Archaeological). If any archaeological materials are encountered during the course of project development, all further development activity shall halt and:

- a. The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-

qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.

- b. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.

Project development activities may resume once copies of the archaeological survey, study or report are submitted to:

SCCIC Department of Anthropology
McCarthy Hall 477
CSU Fullerton
800 North State College Boulevard
Fullerton, CA 92834

Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.

A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

24. **Cultural Resources (Paleontological).** If any paleontological materials are encountered during the course of project development, all further development activities shall halt and:

- a. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum - who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
- b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
- c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
- d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.

Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.

A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

25. **Cultural Resources (Human Remains).** In the event that human remains are discovered during excavation activities, the following procedure shall be observed:

- a. Stop immediately and contact the County Coroner:

1104 N. Mission Road
Los Angeles, CA 90033

323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)

- b. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.
- c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
- d. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
- e. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;
- f. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.

Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party.

26. **Seismic.** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
27. **Erosion/Grading/Short (Term Construction Impacts).**
- a. The applicant shall provide a staked signage at the site with a minimum 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
- b. Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMP's includes but is not limited to the following mitigation measures: (i) Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened to reduce runoff velocity; (ii) Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.
28. **Geotechnical Report.** Prior to issuance of a grading or building permit, the project shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter (Soils Report Approval Letter) dated March 3, 2014 Log No.

82414-01 and attached to the case file for Tract No. 72271 for the project, and as it may be subsequently amended or modified.

29. **Greenhouse Gas Emissions.**

- a. Install a demand (tankless or instantaneous) water heater system, or a high-efficient central boiler, sufficient to serve the anticipated needs of the dwellings.
- b. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

30. **Explosion/Release (Existing Toxic/Hazardous Construction Materials).**

- a. (Asbestos) Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.
- b. (Lead Paint) Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

31. **Increased Noise Levels (Demolition, Grading, and Construction Activities).**

- a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- b. Construction and demolition shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday.
- c. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- d. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

32. **Public Services (Police - Demolition/Construction Sites).** Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

33. **Public Services (Police).** The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to

"Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

34. **Public Services (Schools).** The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.
35. **Recreation (Increase Demand for Parks or Recreational Facilities).** Pursuant to Section 17.12 of the Los Angeles Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of dwelling units.
36. **Site Access and Internal Circulation.** The applicant should carefully review these comments to ensure that final site access plans conform to DOT's criteria for driveway designs as published in DOT Manual of Policies and Procedures, Section 321: March 12, 2014:
 - a. A final parking area and site access plan should be submitted to the Citywide Planning Section of DOT for approval prior to submittal of building permit plan for plan check by the Department of Building and Safety. Transportation approvals are conducted at 6262 Van Nuys Boulevard, Room 320, Van Nuys, CA 91401.
 - b. To avoid an influx of vehicles impinging on the public right-of-way, a minimum 40-foot queuing reservoir between the future property line and visitor call box shall be required at the driveway on Winnetka Avenue.
 - c. A 165-foot deceleration lane must be installed south of the proposed driveway on Winnetka Avenue by restricting street parking along the Winnetka Avenue frontage.
37. **Increased Vehicle Trips/Congestion.**
 - a. A Construction Work Site Traffic Control Plan shall be submitted to DOT for review and approval in accordance with the LAMC prior to the start of any construction work. The plans shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. All construction related traffic shall be restricted to off-peak hours.
 - b. All delivery truck loading and unloading shall take place on site.
38. **Utilities (Local Water Supplies – Landscaping).** Environmental impacts may result from the project implementation due to the cumulative increase demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
 - a. The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g. use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).

- b. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
- (1) Weather-based irrigation controller with rain shutoff
 - (2) Matched precipitation (flow) rates for sprinkler heads
 - (3) Drip/microspray/subsurface irrigation where appropriate
 - (4) Minimum irrigation system distribution uniformity of 75 percent
 - (5) Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
 - (6) Use of landscape contouring to minimize precipitation runoff
 - (7) A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 square feet and greater

39. Utilities (Local Water Supplies - All New Construction).

- a. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- b. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- c. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- d. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- e. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

40. Utilities (Local Water Supplies - New Residential).

- a. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- b. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- c. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this

requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

41. Utilities (Solid Waste Recycling).

- c. (Operational) Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- b. (Construction/Demolition) Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract waste disposal services with a company that recycles demolition and/or construction-related wastes.
- c. (Construction/Demolition) To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

- 42. Mitigation Monitoring.** The applicant shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department requiring the applicant to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Condition Nos. 18 through 48 of the approval. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post-construction /maintenance) to ensure continued implementation of the above mentioned mitigation items.

FINDINGS

General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is within the Chatsworth-Porter Ranch Community Plan, which designates the site for Low I Residential land use with the corresponding zones of RE9 and RS. The property contains approximately 6.0 net acres (261,360 net square feet after required dedication) and is presently zoned RA-1, which is inconsistent with the current land use designation. Staff recommends approval of a General Plan Amendment through this case to change the land use designation to Low II Residential and Low Medium I Residential with corresponding Zones of R1, RD6 and RZ5 and R2, RD3, RD4, RZ3, RZ4, RU and RW1, respectively.

2. **General Plan Text.**

The proposed development of a 59-unit detached residential condominium and 5 fee-simple single-family lots are not allowable under the current adopted zone and land use designation. However, the proposed project is contingent upon a zone change to the RD4 and R1 in order to achieve a higher density housing development, but at the same time will consist of detached single family homes that are in keeping with the surrounding residential neighborhood.

To be compatible with the immediately surrounding single-family homes, although the larger lot fronting Winnetka Avenue is for a multi-family residential project proposal, the residential units were designed to be detached and to have the look, feel and amenities of single-family residences. Each of these homes/units has no shared walls neighboring units, has its own front door/entrance, attached two-car garage, and private yard area. The homes are largely laid out in clusters of 4 to 8 homes, served by 24 foot to 36 foot private drive aisles (interior common access driveways). Although most units are separated from each by at least 10 feet, many have one or two sides which are between 8 and 9 feet from a neighboring unit. This adjustment for the building separation was granted under the tract map (TT-72271-CN) approval and was considered a minor deviation which was not appealed. This is necessary to allow the units to have the aforementioned single-family home amenities.

The proposed General Plan Amendment for this site is a current land use existing on the two blocks directly to the south of the project block. The Add Area (Exhibit 3) including two-third of the church site to the south would create a logical linkage of the land use. However, the zoning for the church would remain RA-1 and would not change the conditional use permit that the church acquired to be permitted within that zone. Not including the church site would create a fragmented pattern of development. Therefore it is recommended the City Council include this site as part of the Add Area.

The Community Plan text includes the following relevant land use goals, objectives, policies and programs:

- To make provisions for the housing required to satisfy the varying needs and desires of all economic segments of the Community, maximizing the opportunity for individual choice. To encourage the preservation and enhancement of the varied and distinctive residential character of the Community
- The intensity of planned land use in the Plan and the density of the population which can be accommodated thereon shall be limited in accordance with the following criteria:

- The adequacy of the existing and potential street circulation system, both within the area and in the peripheral areas;
- The availability of sewer, drainage facilities, fire protection services and facilities, and other public utilities.
- The compatibility of proposed development with the existing adjacent developments.
- Multiple-residential developments should be provided with adequate open space and usable recreational areas.
- The Plan encourages the rehabilitation and/or rebuilding of deteriorated single-family areas for the same use. Single-family housing should be made available to all persons regardless of social, economic, and ethnic backgrounds.

The Housing Element estimates that the Community Plan area has the capacity to accommodate approximately 5,608 dwelling units of these required units. The approval of this General Plan Amendment and Zone Change request would advance the City toward this goal by permitting the construction of the proposed 59-unit detached residential dwellings and 5 fee-simple lots in an area specifically contemplated by the City to help meet the City's housing shortage and comply with its RHNA requirement. Evidence of this intent is provided in the General Plan's conclusion that a "strategy to meet this challenge, [is] by directing growth to transit-rich and job-rich centers and supporting the growth with smart, sustainable infill development and infrastructure investments."

By proposing a mixed subdivision with both multi-family and single-family on the subject 8 parcels while still offering detached single-family residential units and the corresponding amenities, the applicant is proposing an attractive residential project on a uniquely flat and vacant site in the City that will provide attainable, much-needed high quality, new housing to Angelenos.

The approval of this General Plan Amendment and Zone Change to allow the proposed 64 dwellings specifically advances the following City of Los Angeles' General Plan Housing Element (2009) Policies:

Policy 2.2.6: To accommodate projected growth to 2014 in a sustainable way, encourages housing in centers and near transit, in accordance with the General Plan Framework Element, as reflected in Map ES.1.

Residents of this proposed project would have the opportunity to access industrial and commercial hubs without driving personal vehicles, as they would have the attractive and realistic options of walking, biking or utilizing the area's rich public transit options. The intersection of Winnetka Avenue and Parthenia is well served by numerous transit lines. Metrolink rail and Metro Orange Line service can be obtained from nearby stations.

Policy 2.2.3: Provide incentives and flexibility to generate new housing and to preserve existing housing near transit.

The Project proposes to maximize the number of residential units so as to generate new housing desired by the City as codified in the Housing Element and to provide such housing in proximity to existing and planned transit stops, lines and stations, thereby diminishing the

broader traffic impacts that otherwise would result from satisfying this housing demand through multiple dispersed locations.

Objective 2.3: Promote sustainable buildings, which minimize adverse effects on the environment and minimize the use of non-renewable resources.

Policy 2.3.3: Promote and facilitate reduction of energy consumption in new and existing housing.

The project will provide homeownership opportunities to those who may not be able to afford a traditional single-family lot within the majority of the project (59-units) proposed for condominium development. The project is in conformance with the proposed zone and proposed Low I Medium Residential and Low II Residential land uses of the Community Plan. Streets will be developed to improve circulation for current and future residences within the Penfield Avenue neighborhood. The development includes all detached dwellings with each having individual two car garages and private patios. Guest parking is located within the complex to deter from overcrowding on surface streets. The common open space is located within the front, rear, and side yard setbacks and the entry center pool area.

3. **The Transportation Element** of the General Plan is not likely to be affected by the recommended action herein. The proposed change of zone from RA-1 to (T)(Q)RD4-1XL and (T)(Q)R1-1 will not permit any differing uses on the site. The site will be developed with residential which is permitted under the current zoning. The residential development permitted in the requested zones will allow a maximum of 64 dwelling units, which is less than the threshold to require a traffic study of 75 units for condominiums or 85 units for apartments. However, the applicant did provide a traffic assessment, prepared by Crain & Associates dated June 2013 to the Department of Transportation (DOT). In addition, the Department of Transportation conducted an independent Critical Movement Analysis of the five intersections previously surveyed and found in a letter dated March 12, 2014, that analyzed a 73-units development will not produce a significant transportation impact. Further, the existing, projected, and project-related volume-to-capacity ratios and levels of service at the study intersections conclude no significant impacts. DOT determined that the traffic assessment, adequately described all projected transportation impacts associated with the proposed development that fall within the City of Los Angeles' jurisdiction to review. The now 64 dwelling units proposed, would lessen the ratios further and would remain no significant impact.
4. **Charter Findings - City Charter Sections 556 and 558 (General Plan Amendment).** The proposed General Plan Amendment complies with Sections 556 and 558 in that the plan amendment is consistent with numerous goals, policies and objectives of the Citywide General Plan Framework and the Chatsworth-Porter Ranch Community Plan to provide comprehensive long-range growth strategy and defines Citywide polices related to land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services.

The General Plan sets forth goals, objectives and programs that provide a guideline for day-to-day land use policies to meet the existing and future needs and desires of the communities within the City of Los Angeles. The General Plan amendment / designation will be compatible with the General Plan's objectives and policies because the requested actions recognize the RD4 and R1 Zones. These changes will permit multi-family residential uses in furtherance of the objectives and policies of the General Plan, as detailed below.

By enabling the construction of additional residential uses in close proximity to existing housing and services, the zone change and associated General Plan Amendment will be consistent with several goals and policies of the Framework Element. For instance, the project will further the Framework Element's goal of targeting higher-density growth in the area by accommodating the land use patterns observed and already occurring in this particular neighborhood just to the south of Chase Street. Several properties located both on the southerly portions of Chase Street and Community Street have been designated and zoned for higher density multi-family housing. Many of these properties are currently improved with multi-family housing. Some are even improved with small R1 developments within the Low I Medium Residential land use similar to the current development proposal.

The General Plan Amendment would replace eight contiguous legal parcels, five of which are through lot and range in size from 0.924 to 1.4 acres and the smaller three which front Winnetka Avenue average 0.44 acre each. Together the L-Shaped site has a 352-foot frontage on Penfield Avenue and 550-foot frontage on Winnetka Avenue directly between two church and adjacent to single-family residential neighborhoods with a mixture of single-family home on the local street and multiple-family detached condominium adjacent to a major thoroughfare (Major Highway- Class II). It would allow housing to be developed in close proximity to a transit, churches, a park, and create a single-family buffer on the local street adjacent westerly residential neighborhood from potential adverse impacts that could be created by the development of through streets.

Further, the requested actions will meet the Housing chapter's goal of providing adequate transitions and buffers between the higher intensity developments located on Winnetka Avenue from the lower intensity developments located on Penfield Avenue, immediately east of the project site. The project employs a restricted zoning scheme from the RD4 to RD1 Zones, to provide a buffer between the single-family neighborhoods along the Local Street to the east. Similar land use designations are found on the blocks south and southeast of Chase Street within one block of the subject sites. Accordingly, these lots are well-suited to handle a higher density of residential development being located on a Major Highway-Class II, which contain other multiple-family townhomes on the block located to the south. Additionally, the project is designed in accordance with the principles of the Residential Citywide Design Guidelines.

The General Plan Amendments to Chatsworth - Porter Ranch Community Plan from Low I Residential to Low II Residential and Low Medium I Residential land use designations are current land uses existing on the two blocks directly to the south and southeast of the project block. The ADD AREA including two-third of the church site (APN 2782-011-024) to the south would create a logical linkage of the land use. The remaining third of the church site, located at 20025 West Chase Street (APN 2782-011-013), was not considered under the ADD AREA being that parcel is adjacent to a under-developed half private street accessing four RS-1 zoned lots. It is concluded the Low I Medium Residential land use designation would be more appropriate for this site if ever developed in the future. However, the zoning for the church would remain RA-1 and would not change the conditional use permit (Case Nos. ZA 97-854-CUZ-ZV and ZA 93-200-CUZ) that the church acquired to be permitted within that zone. Not including the church site would create a fragmented pattern of development. Therefore the City Planning Commission included the site, located at 8520 Winnetka Avenue and 20039-57 West Chase Street, as part of the ADD AREA, approving a General Plan Amendment to Chatsworth - Porter Ranch Community Plan from Low I Residential to Low Medium II Residential to create a linear connection from the existing land use designation to the south through to the site.

The project is located in an area with adequate infrastructure and utilities and is required to be connected to the city's sanitary sewer system. Therefore, the requested actions are compatible with the goals, objectives and policies of the General Plan as set forth in the General Plan Framework and the Community Plan.

5. **The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structures or potential maintenance problem in a memo dated February 21, 2014. Further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.
6. **Street Lights.** The project will construct three new street lights on Penfield Avenue. Any City required installation or upgrading of street lights will be required to complete the City street improvement system in order to increase night safety along the streets which adjoin the subject property.

Entitlement Findings

7. **Zone Change Findings.**

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

Public Necessity: The recommended zone change to the (T)(Q)RD4-1XL and (T)(Q)R1-1 Zone would replace a large mostly vacant grouping of properties with a viable residential development. The granting of the proposed Amendment/Designation would result in a project that addresses public necessity by providing residential land use options for individuals and families consistent with the General and Community Plan's objectives to maintain an adequate supply and distribution of multi-family housing opportunities in the Community Plan Area.

One of the key policies of the Framework Element is to "provide sufficient lands for the development of an adequate supply of housing units." With the 64 dwelling development proposed, the project will be consistent with this provision of the Framework Element. The Framework Element includes the following objective:

Objective 3.3: Accommodate projected population and employment growth within the City and each community plan area, and plan for the provision of adequate supporting transportation and utility infrastructure and public services.

Convenience: Granting the proposed Amendment/Designation would result in a project that is consistent with the public convenience. The project site is located in a residential neighborhood within the Chatsworth-Porter Ranch Community Plan area. The site's proximity to Major Highways provides convenient vehicular access and public transit opportunities to and from residential and commercial uses located throughout the area.

The Los Angeles County Metropolitan Transportation Authority (MTA) provides several bus lines in and around the project study area. There is one north-south bus route within a reasonable walking distance of the project site, and this route intersects several nearby east-west bus routes to provide public transportation access for the residents of the proposed project. These lines include Metro Local Lines 243, 166/364, and 152/353. Additionally, the site is located near the Metro Link transit stop at the intersection of Parthenia Street and Wilbur Avenue (approximately 1.3 miles from the site). The future Chatsworth Orange Line extension station will also be located just northwest of the site near Lassen and Devonshire. Given the proximity of the project site to these services and the availability of transfer opportunities, the project is fairly well served by public transit. For this reason, it is expected that some of the person trips generated by the project would utilize public transportation as their primary travel mode, instead of using private vehicles.

General Welfare: Granting the requested zone change would be consistent with the General Welfare, in that the instant request involves a zone and use that is consistent with the plan's intent on maintaining and implementing residential uses in appropriate areas based on the type and intensity of land use. The property is currently underutilized and the improvements resulting from the plan amendment/zone change will enhance the visibility and aesthetic character of the site. Further, the project would be designed in conformance with all applicable fire and safety codes which are intended to promote the General Welfare.

Good Zoning Practice: The existing RA Zone is not compatible land use within the currently designation. The proposed Plan Amendment and Zone Change would complement the existing land use patterns observed in the area. Implementing a zoning scheme which transitions from a lower intensity to a higher intensity of residential uses would protect and provide a buffer between the single-family neighborhood located west of the site, and the multi-family neighborhood located beyond the church to the south of the site. The street edge mirrors the same number of dwellings on the opposed side of the street, so from the public right-of-way the frontage is in sensitive to the design of the surroundings. The proposed combinations of designations and zoning are consistent with the objectives and policies of the General and Community Plan.

- b. The current action, as recommended, has been made contingent upon compliance with new "T" and "Q" conditions of approval imposed herein for the proposed project. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.
8. **Building Line Removal.** The requested building line removal is in conformity with public necessity, convenience, general welfare, and good zoning practice in that its retention on the subject property is no longer necessary for the purpose of reserving a portion of the property for future highway dedication and improvement. The 25-foot Building Line at 8644-8612 Winnetka Avenue along the east side of the street was established on portions of Winnetka Avenue by Ordinance No. 108,814 (approved on January 23, 1957).

Historically, the primary function of the building line was to provide uniform setback of buildings. These are now considered archaic, as yard setbacks are required per the respective zone under the current LAMC. The imposition of the 25-foot building line would necessitate that two or three residential units be eliminated from this project. Further, the church located directly south of the site has a 5-foot building line and is setback approximately 21 feet from the property line making a 25-foot building line inconsistent with

the prevailing setback along the frontage. It is also not necessary for the purpose of obtaining minimum, uniform alignment from the street at which buildings, structures or improvements may be built or maintained, since a minimum front and side yard setbacks must be observed from the new lot line for any new building or structure.

Winnetka Avenue is classified as a Major Highway Class II with 100-feet of highway from the east side to the west side of the street and would be sufficient for the current daily traffic flow. The subject property will be required to dedicate 2 feet for additional sidewalk improvements, therefore making the building line unnecessary. The front yard is proposed within at 17 feet front the new property line (19 feet from the current line) and two feet greater than required of the proposed zoning. Likewise the alignments will be approximately 2 feet in front of the church elevation in substantial conformance with the prevailing setback. Further, the street improvements will assure conformity with the Transportation Element of the General Plan.

9. Zone Variance Findings.

- a. **The strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.**

In multiple-family development the common lot is required by LAMC Section 12.21-A,19(c) to provide a common recycling area/room for the purpose of promoting recycling efforts of large complexes. The requested action is for a deviation from the requirement to provide individual recycling receptacles for each detached dwelling unit under Section 12.27. Small lot subdivisions are permitted this option. However as the application is not for this product, but a similar style in detached condominium the Bureau of Sanitation will continue to work with the applicant on a suitable trash disposal plan within the interior common access driveways. To deny the variances would result in practical difficulties inconsistent with the general purpose of the zoning regulations as they are still providing recycling of materials in each individual unit. The design of this project was carefully considered to complement the surrounding area while addressing the need for housing the City.

- b. **There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

The subject property is unique in that it is being developed as detached condominiums. The project is proposed with only one driveway to be located along Winnetka Avenue and as it is a Major Highway, rubbish collection is preferable on-site and not on the public street. Other similar properties in the vicinity are mostly attached multi-family developments or single-family detached dwellings and provide either central rubbish collection on-site or individual bin collection via a public alleyway or local street. The proposed project has one ingress and egress, is located on a Major Highway, and is providing individual rubbish bins to provide convenience waste disposal and promote recycling, which are all special circumstances privy to the site which do not generally apply to surrounding detached homes.

- c. **The variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.**

The variance that is being sought is meant to address the technicality trash collection by a different means. Small lots developments, which often do not provide common open and recreation space, are permitted individual trash receptacles. As explained herein, the strict application of the Municipal Code requirement would create practical difficulties and unnecessary hardships to the subject property which is not required of similar detached dwellings in multiple-family zones. Strict adherence to the common recycling room requirement, while maintaining a viable project, is unnecessary. It would require significantly more effort on the part of an individual to take their recycling to a centrally located area and might discourage them from recycling at all. The property rights generally possessed by property owners in the vicinity are denied to this property owner who must seek variances to allow the proposed project. Thus, such variances are necessary for the preservation and enjoyment of a substantial property right or use generally possessed by others in the vicinity but because of such special circumstances or unnecessary hardship, is denied the property in question.

- d. **The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

The proposed project is not materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity. The project exhibits design qualities and features that will make it desirable and beneficial to the neighborhood. The applicant has shown sensitivity to the neighboring properties and uses by designing a development that fits in with surrounding building massing, provides transitions that are sensitive to the surrounding uses, and approximates the type of single-family detached development many people in the community want in the vicinity. The proposed project would provide an appropriate transitional development between the abutting single-family and church uses. The proposed project will comply with all LAMC requirements for parking, yards, and open space. The modification to trash collection is a technical request from the LAMC, as this is normally of concern when access single-family residential.

The project will contribute to the public welfare by providing safe and new housing that will also set a high standard for residential projects. Rather than other typically attached, multi-residential developments in the immediate community, the project will feature 59 detached dwelling units.

The Mitigated Negative Declaration for the proposed project determined that all potential environmental impacts can be mitigated to a less than significant level, and further measures are imposed through the Qualified "Q" -Conditions of approval, which must be satisfied prior to completion of the project. The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed development does not violate the existing California Water Code because the subdivision will be connected to the public sewer system. Therefore, the granting of the proposed variance is in conformance with the spirit and intent of the Planning and Zoning Code and will not be materially detrimental to the public welfare or injurious to others in the same zone or vicinity.

- e. **The granting of the variance will not adversely affect any element of the General Plan.**

The Citywide General Plan Framework acknowledges that over time, the City's population will continue to grow. The need for housing this population is part of the City's Housing Element and RHNA figures. The Framework Element also states that the City "has insufficient vacant properties to accommodate forecast population increases. Consequently, the City's growth will require the reuse and intensification of existing developed properties." The project is part of the solution to meeting the City's housing need.

The purpose of the General Plan, in part, is to "promote an arrangement of land use, circulation and services which will encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the Community, within the larger framework of the City; guide the development, betterment, and change of the Community to meet existing and anticipated needs and conditions...reflect economic potentials and limits, land development and other trends; and protect investment to the extent reasonable and feasible". The design of the site with individual trash collection in lieu of a common recycling room will not adversely affect the General Plan. The design of this project was carefully considered to complement the surrounding area while addressing the need for housing in the City of Los Angeles.

10. Site Plan Review Findings. In order for the site plan review to be granted, all three of the legally mandated findings delineated in Section 16.05-F of the Los Angeles Municipal Code must be made in the affirmative:

a. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.

The subject property is within the Chatsworth-Porter Ranch Community Plan, which with the approval of the recommended General Plan Amendment will designate the site for Low II Residential and Low I Medium Residential land uses with corresponding zones of R1, RD6 and RZ5 and R2, RD3, RD4, RZ3, RZ4, RU and RW1, respectively. The proposed residential uses are consistent with the land use designation and permitted within its underlying zones.

With approval of the recommended General Plan Amendment, Zone Change and Building Line Removal and the previous approval of the tract map (TT-72271-CN) the proposed project complies with all applicable provisions of the Los Angeles Municipal Code. The subject property will be located within the (T)(Q)RD4-1XL and (T)(Q)R1-1XL Zones, which allows the proposed residential uses by-right. The proposed zone variance is only to permit individual trash receptacle in lieu of a centralized shared recycling area or room and is not removing the essential function of rubbish collection. Therefore, based on the entitlement findings in this case, the proposed project complies with all applicable provisions of the Municipal Code. The project is also consistent with a number of goals, objectives and policies of the Chatsworth-Porter Ranch Community Plan, and with several of the criteria established by Citywide General Plan Framework, Objective 4.1: Plan the capacity for and development incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population.

b. The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or

will be compatible with existing and future development on adjacent properties and neighboring properties.

Evaluating all of the above factors, the subject property's location to private and public schools, institutional facilities, commercial and industrial uses, a large public park, and to the MTA bus lines and a Metrolink Station within 1.3 miles to the northeast of the site, makes the site viable for the development of housing. Any potential negative environmental effects from the project have been mitigated to less than significant levels as deliberate within the published Expanded Mitigated Negative Declaration (Case No. ENV-2013-2079-MND). The project's density and design are compatible with the general pattern of development existing in the vicinity located to the south and southeast.

The applicant has been in contact with Sanitation regarding individual trash pickup. Concerns were stated with regards to the truck not being able to attempt 3-point turns in the smaller T-dead end portions. This would require homes in those areas to place bins in areas accessible for collection on Tuesdays –along main common accesses within the proposed community. Also, a waiver would need to be issued by the HOA permitting sanitation vehicles to service the community. The alternative would be to hire a private rubbish service to collect waste. However, all trash within the Winnetka Avenue site will be service within the interior of the site and the fee-simple homes will be serviced on Penfield Avenue.

The project was reviewed by the Urban Design Studio and the Professional Volunteer Program (PVP), which has indicated that the project does conform to the Residential Citywide Design Guidelines for multi-family uses. The applicant has proposed some changes to the project's original design based on PVP, staff and the community's input. Further the applicant submitted new site plans, floor plans, elevations, and a conceptual landscape plan which provides five dwellings fronting and taking access from Penfield Avenue.

The subject property satisfies the majority of several of the Residential Citywide Design Guidelines for Multi-Family Residential Projects including site planning, building orientation to the street, entrance locations to the sidewalk and interior pathways, articulation within building façade and between floor plans, variation of building materials and product type, pedestrian connections within the project and surrounding neighborhood, developing substandard streets to provide on-street parking, minimizes the appearance of driveways with only one access point on Winnetka Avenue, utilizes open areas for private and common use with abundant landscaping, provides lighting and improved streetscape. The project also follows all applicable guidelines (61 total) of the Residential Citywide Design Guidelines (May 2011) for Multiple-Family Development, exception the retaining of mature trees which have been conditioned to be replaced on a 1:1 basis for no protected trees and a 2:1 basis for protected trees. Removal of the two protected trees on-site will require the approval by the Board of Public Works at a later date.

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

The proposed project provides recreational amenities, including individual private fenced back yards, walking paths, green space in front of each unit, and a pool area centrally located. The availability of having two church and Winnetka Recreation Center within 500 feet of the site is also a valuable amenity to serve residents.

Environmental Findings

11. **Environmental Finding.** A Mitigated Negative Declaration (ENV-2013-2079-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, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached 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.

12. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Flood Zone C, areas identified on the flood map as areas of moderate or minimal hazard from the principal source of flood. Currently, there are no flood zone compliance requirements for construction in these zones.

PUBLIC HEARING AND COMMUNICATIONS

Hearing

A public hearing conducted by the Hearing Officer on this matter was held in the Marvin Braude San Fernando Valley Constituent Services Center, 6262 Van Nuys Boulevard, Room 1B, on Tuesday, March 4, 2014.

1. Attendance:

Present at the hearing were the applicant, applicant's representative (Donna Tripp), applicant's environmental specialist, applicant's transportation engineer, several members of the surrounding residential and commercial community, and a representative of Councilman Bob Blumenfield's Office (Cesar Diaz) and the following statements were made of the request.

2. Initial Indication and Testimony:

Staff gave a brief background and then the case was opened for public testimony.

Donna Tripp of Craig Lawson and Company presented a power-point of the proposal which is summarized the proposed project as a 68-unit detached condominium with additional comments as follows:

- We have redesigned in collaboration with DOT the driveway along Winnetka to a 107 foot reservoir space, two ingress and two egress lanes with a large center median area to provide additional headlight shielding, and a drop-off deceleration land created by restricting parking along 165 feet of the Winnetka frontage.
- We will be providing all the Engineering required dedication and street services including streetscape improvements.
- There are 11 trees on-site to be removed, two are Western Sycamore. The planting plan include over 150 trees to be planted on the site.
- The LA Daily News last week there was an article recently, which stated that first-time home buyers in the San Fernando Valley are getting "squeezed out" and economist from CSUN "see one simple reason why those looking to enter the market will struggle –We don't have first-time (buyer) homes in the Valley". William Homes designs for the purpose of first time home buyers.
- Existing GPA is Low I and we are requesting RD3. We are proposing 0.46:1 FAR, 30 feet in height, 68-unit condo with 202 parking spaces and 82,474 square feet of open space.
- Surrounding uses include both single-family and church/school facilities immediately adjacent with multiple-family residential a block to the south beyond Chase Street. There are also commercial uses located along Roscoe Boulevard to the south, industrial uses to the north along the railroad right-of-way, and a public park just to the southwest.
- Original proposal included a 73 detached condo with emergency vehicle access (EVA) only through Penfield required by Fire given the depth of our lot.
- Now the project include 5 homes facing Penfield with a wall in the rear yards, no EVA. The number of homes minor both street frontages.
- This is an infill development of an urbanized area including two-story attached condos on Chase Street west of Penfield approved for RD3 zoning. This is not an agricultural community. Fowl, rabbits or chinchillas are permitted for personal and not commercial uses on all adjacent RA zoned lots. The applicant agrees that the CC&Rs will include disclosure to future residents that adjacent existing homes have or may have animal-

keeping uses such as equine, chickens, roosters, and peacocks and the Seller's Statement will include provisions that state once Buyers accept the grant deeds, they affirmatively agree to waive any claims against a neighbor associated with neighbor's existing, legal and City code-compliant animal-keeping uses.

- Our community outreach includes over 30 meetings, with 183 supporters in a 2 mile radius. Community Benefits will include: left-hand turn signals at the intersection of Winnetka & Parthenia (\$100,000); landscape Penfield Parkway across from the project site; may want speed humps along Penfield and would be amenable if all home wanted them constructed; creation of a dedicated dance room for community children (\$50,000); planting of large shade trees on the parking along Chase Avenue (\$5,000). Economic Impacts: \$62 million in total economic activity; over \$1 million in fee revenue for the City; \$2.5 million in sales and other related spending; and 300 jobs created.
- Traffic continues to be a concern with the neighborhood. When we were at 73-units there was found to be no traffic impacts, so now we are proposing 10 less lots coming from this driveway. We are providing 107 feet of reservoir space before our gates. We are working with DOT to conditionally approve a left hand turn lane for off-site improvements of adjacent intersections (Parthenia/Winnetka –north and south bound). Our traffic consultant is working on the modification to the study to submit to DOT. We would volunteer this as a condition.
- With respect to the WNC, we are presenting this project again tonight to the WNC PLUM Committee. The WNC Board has not taken a position on this proposed revised project of 68-units.

Twelve members from the public gave testimony. Three spoke in favor of the proposal and nine spoke in opposition. The majority in opposition were not opposed to the site being development, but with less density than currently proposed. The following is a summary of the public comments:

- Five homes with access off of Penfield Avenue is too many as the street is only a single driving lane toward the opening on Chase Street.
- The City of LA wants to build –they need tax rates, business income, but what they do not understand is that the neighbors have a direct stake in the neighborhood. Williams Homes –have a profitable development. Their design cannot be met with less units, but this many units will cause issues with our infrastructure (I will submit my 5 page letter to staff): gas, electric, water, power, sewer, etc. Are we harming the neighborhood?
- Neighbors are not against development. We are however against change to the General Plan and the plan that was proposed today. RA uses legally permit livestock for lots over 17,500 square feet with a 100-foot distancing. It is a requirement that any home be 75 feet from animals that make a lot of noise. The neighbor to the southeast will become uncompliant as the development is designed today. It looks lovely on the surface, but change from 73 to 68 homes is not a large concession to the developer.
- I get up in the morning, watch the sun come up and listen to the chicken and the roosters. I love this area–this project would change the character of the neighborhood. Condos are not home ownership–I'm looking for a condo currently to rent out to someone else as an investor. This is what will happen in this new development if permitted.
- I teach dance at the Recreation Center just southwest of the project site. It is hard to teach the class on the patio because it is not enclosed. Please approve this project and help the parks. This is a benefit for the public and people of who live in the neighborhood. The vacant field is ugly and should be developed. New residents can get hired to work here in the community. I support the project.
- We do not want a Plan or Zone Change that is not RA or RS. I have been working with some neighbors on petition at night and on the weekends–walking the streets and noticing people about this project. The majority of us want a development similar to what

- is zoned surrounding the site and I have additional letters from stakeholders to submit to staff and our online petition has over 250 people against this project. We have only had two people that were in favor of the project.
- I live within the very close to the project and I volunteer 3.5 years at the park. Condos or apartments are not a good idea—they will impact our neighborhood. I live in the neighborhood, so I know. We have a large lot and want to keep our animals.
 - I represent the Winnetka Chamber and a Board Member of the United Chamber of Commerce and both organization are in favor of the project. I live in the area and support the quality of housing for this new development. It will be good for business and good for residences of the Valley.
 - I am here today representing Valley Industry and Commerce Associate (VICA) and as an organization we represent 370 businesses and residences in the City that have created over 100,000 jobs. This project is an opportunity to highlight our community, Key benefits are 62 million in economic activity, \$46900 fee for local school and 300 new construction jobs for Local Workers. Additionally this project will add much needed new residences, which will add new homeowners that will add to contributing to the property tax and sales tax base. This new residences will also help new business thrive by becoming new customers. It will also enhance the community and help to boost property values in the neighborhood. VICA asks you to unanimously support and we thank you for your time.
 - I live across the street from this open field and a community of animals uses the site currently. The land is used by wild life of hawks, owls, bats, and gophers and the community of animals use the land to hunt. In the evenings and morning the sunsets and sunrises are absolutely gorgeous. Thirty-foot height homes will take away our views of the sunset. The site has a huge ecological footprint. The surrounding RA zoning will lose their right to keep animals. Mimic the older community with single-story homes in lieu of pushing a condo on us. I am one of 31 homes that is located on approximately 6-acres. That should be the model, please make them develop the RA or RS zoning.
 - I live north of the site on Parthenia Street and work from my home office. Are these developers truthful in all their statistics?
 - I live in the area but do work for Building and Safety, so I know how this process works. I would like clarification of the proposed five homes on Penfield Avenue –what size are the lots/homes. Traffic will be impacted. The project will help the businesses in the neighborhood, but it will also affect the neighbors. Just look at the amount of houses going in there. How can it not affect traffic? That's probably why they are volunteering to update the traffic signals. By in large we need to look at this a little differently and a less dense project should be approved.

The Council Office made the following statement:

- We have been receiving many letters over the last couple. We have heard from folks that are against the project focusing specifically on traffic, parking concerns, impacts to adjacent properties, and just generally the main issue has been density.
- We would like to know and have reported if there is sufficient distancing if the adjacent properties are proposing equine.
- Local infrastructure –can our sewer system and water system support the project? The Councilmember would like to understand this better.
- We're heard today about traffic. I think for our Office we would like to see an update to conditions to see how they would provide a left turn pocket as stated.
- Other concerns include the terms of construction and those impacts on the neighborhood.

Deputy Advisory Agency made the following statements:

- There is a difference for distaining for equine keeping, but no Code required distancing for fowl keeping. You have to have a 17,500 square-foot with legally permitted animal keeping, you can maintain that right. The CC&R will have a waiver that states to the new owners that there are animal keeping in the area.
- The Bureau of Engineering stated that improvement for the street and sidewalk can only be required immediately adjacent to the project site. There is no nexus for the City to condition the developer to pave the remaining half street –no directly adjacent to the subject property—to the south of Penfield Avenue towards Chase Street. Emergency access and vehicular access can still be taken from Bryant Street for these newly proposed homes. With the development of the project public parking will available on both sides of the street with 9 additional street parking on Penfield in between driveways.
- The Bureau of Street Lighting stated that 3 new street lights are required on Penfield Avenue. The street lighting on Winnetka will remain as the improvement is only for street widening.
- DOT stated that of the 5 intersections examined under the traffic assessment, the projected Level of Service (LOS) would be maintained. LOS is good now and the project would not contribute enough to significantly impact the intersections. Therefore there are no significant traffic impacts.
- Staff stated that the GPA will be heard by the CPC on April 24, 2014. As the project would need approval of the Low Medium II Land Use designation mirroring the block to the south to build the density. Also, staff would be recommending not changing the zone of the church, but changing that land use as well with the recommendation for the project site to tie the designations.
- The Advisory Agency also explained that the design of the map is consistent with the Subdivision Map Act findings for the division of land and found that the applicant is excepting of all the “conditions of approval” and mitigation measure placed upon the project. However, the tract decision is contingent upon the General Plan Amendment approval by City Planning Commission and Zone Change Ordinance approval by the City Council. If a lessor zone or amendment is granted, the applicant will need to request a modification and submit a revised map in conformance with said approvals.

Communications Received

Departmental reports were received from the Bureau of Engineering, Department of Building and Safety Grading Division, Department of Transportation, Fire Department, Department of Water and Power, and the Bureau of Sanitation, Wastewater Engineering Services Division. The recommendations of both reports have been incorporated into the conditions of approval herein as well as within the tract map approval.

On March 3, 2014, staff received a “Support Book” was submitted to Staff by the applicant stamped “An Opportunity to Invest in a Vacant Under-Used Property & Our Community”. The legend stated 166 supporters within a one mile radius and 17 supporters between the one- and two-mile radiuses for a total of 183. A factsheet was mailed to 218 residents and stakeholders in the area, sent e-blast to 72 other stakeholders, and the applicant attended seven meeting for the Winnetka Neighborhood Council and PLUM Committee and attended another meeting after the public hearing on March 4th. Additionally, within another 15 dates over the course of a year, the applicant meet with adjacent neighbors, churches, recreation center, an academy and conducted a community walk (February 2013 through February 2014). Business outreach consisted of five meetings and a local business walk with the Winnetka Chamber of Commerce, VICA, and United Chamber of Commerce of San Fernando Valley between October 2013 and February 2014.

A letter was received dated November 5, 2013 from the Department of Building and Safety which stated that the City of Los Angeles Zoning Code does not have any setback requirements between a proposed residential building and an existing fowl-keeping use and/or structure(s) on an abutting lot.

The applicant has been in contact with Sanitation regarding individual trash pickup. Concerns were stated with regards to the truck not being able to attempt 3-point turns in the smaller T-dead end portions. This would require homes in those areas to place bins in areas accessible for collection on Tuesdays –along main common accesses within the proposed community. Also, a waiver would need to be issued by the HOA permitting sanitation vehicles to service the community. The alternative would be to hire a private rubbish service to collect waste.

Several letters were received from the community within the weeks leading up to the public hearing and after, some in support and some in opposition. The statements are summarized as follows:

- A few were in favor of not more than a 60-unit development and another stated not more than 50-units. Several would only support a subdivision with the maximum RS zoning, one-story single-family homes, and a design in keeping with the rural atmosphere of their neighborhood. Others even requested the site remain RA and developed as currently subdivided. One stated they were not against progress or single-family homes, as a traditional neighborhood, but to re-phase as “detached single-family homes” do not equal traditional as they are condos.
- Many feel the project will produce unnecessary traffic, congestion among the surrounding intersections, decrease in property values, and additional noise due to the proposed density and construction.
- Some voiced concerns that more than one access should be provided or that through access should be conditioned. While others requested no vehicle access, not even EVA to Penfield Avenue.
- A few individuals questioned if the City Services (water, electric, ageing infrastructure, local parks, bike lane, Police & Fire) could accommodate the proposed density and suggested porous paving and solar be considered.
- Local businesses and chambers wrote in support of the project as it would bring economic growth to the community. The Winnetka Recreation Center Dance Department express support as all could benefit by the addition of homes and updates to the park.
- Some were in favor of the project as proposed with 5 units fronting Penfield Avenue and providing more guest parking spaces.
- The Silver Creek Town Homes HOA (attached townhomes to the south of Chase and Community Streets), representing 80 residences, support the project.
- One stated concerns about the historical significance of the dwelling currently on the property as it was built around 1933 and may be connected to one of the original Winnetka families. Another concern was of digging up and moving the protected trees.
- It was noted that the CC&R should state that current neighbors with livestock can retain their livestock.
- A support letter was provided by the individual that spoke against the project during the public hearing based on the revised site plan which provides great than 100-foot separation from any part of the chicken coup located at 8607 Penfield Avenue.

Winnetka Neighborhood Council (WNC):

On November 12, 2013, the WNC PLUM Committee (6-0 vote) recommended the WNC Board approve the request of Williams Homes for a Zone Change and General Plan Amendment with the following conditions:

1. Two ingress/egress locations along Winnetka Avenue.
2. An addition of an irrevocable deed restriction requiring the ingress/egress along Penfield Avenue be reserved for only emergency access.
3. A restriction of a right hand only turn onto Winnetka Avenue upon exiting the property.
4. A request to add left hand turn signals at Winnetka Avenue and Parthenia Avenue.
5. A cut out along east side of Winnetka Avenue to allow traffic entering the property to exit the traffic flow along Winnetka to turn into the property.
6. An irrevocable agreement with the City of Los Angeles Planning Commission and Animal Services that the adjoining RA lots be allowed to maintain the RA status and maintain their right to house all animals/livestock allowed under this zoning regardless of any set back requirements.
7. If there is a center access to the property it should be designed so that the headlights of the exiting cars are angled and not facing the properties on the other side of Winnetka.
8. All houses along Winnetka and Penfield face the street.
9. Furthermore the WNC Plum Committee agrees with and supports the developer's plans: to mitigate headlights shining into the Penfield residences by the addition of a solid lower half of the fences between the homes facing Penfield, add a dance structure at Winnetka Recreation Center and to plant trees along the Chase side of Winnetka Park.

One of the Board Members suggested 4,000 square feet per unit and another stated no more than 40 dwellings should be approved. A third stated that gated communities are an issue for parking access and blockage of fire lanes. The Board took no action and referred the project back to the PLUM Committee at the conclusion of the discussion.

Summarized from the Minutes from the March 11, 2014 meeting:

No action planned and was referred back to PLUM Committee for April. At the regularly convened PLUM Committee meeting on Tuesday, March 4, 2014, there were over 70 stakeholders in attendance in addition to the 5 members of the PLUM Committee and 2 from Williams Homes. Williams Homes presented their updated plans for the proposed development of 68 detached single-family homes (townhome style). The discussion between the stakeholders, the Committee members, and the developer lasted over 3 hours.

The Committee unanimously passed the following motion:

Motion to support the Williams Homes project upon the following stipulations: 1) the development remains within the Low Density Zoning designation of the General Plan, which is up to 7 units per acre (perhaps Low II or whatever the Community Plan allows); and 2) the five homes along Penfield Ave. will not be part of the townhomes but be regular, single-family homes, fee simple, which would create a separate zone, and would create a 6-lot subdivision: the five Penfield Avenue homes, and one larger lot for the remaining detached, single-family townhome-style homes.

Item will be continued on April. Councilmember Blumenfield Office and Williams homes asked for a delay so plans can be furthered for next meeting.