

DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT



North Valley Area Planning Commission

Date:

June 5, 2014

Time:

After 4:30 P.M.*

Place:

Marvin Braude Constituent Service Center

6262 Van Nuys Boulevard, First Floor

Van Nuys, CA 91401

Public Hearing:

March 18, 2014

Appeal Status:

The Zone Change is appealable by

disapproved in whole or in part.

Expiration Date: Multiple Approval: June 5, 2014

the applicant to the City Council if

Proposed Zone:

None

Case No.:

APCNV-2013-3600-ZC ENV-2013-3601-MND

CEQA No.: Incidental Cases:

None

Related Cases: Council No.:

None

None

Plan Area:

Mission Hills-Panorama

City-North Hills

Specific Plan:

Certified NC:

North Hills East

GPLU:

Medium Residential

Current Zone:

RA-1 R3-1

Applicant:

John R. Donaldson

JV Orion LLC

Representative:

Ken Stockton

Ken Stockton Architects

PROJECT LOCATION: 8935 Orion Avenue

PROPOSED PROJECT:

The proposed project is a 33-unit, 3-story, 45 feet in height apartment building, with 52 parking spaces on an existing 19,963 square-foot site in a proposed R3-1 Zone. The project includes a 35% density bonus to provide 29 market rate units, 3 units for Very Low Income households and one manager's unit. The project also includes a zone change request from RA-1 to R3-1 to allow the multi-family development. Two existing single family residences will be demolished

REQUESTED ACTION:

The Hearing Officer will Consider:

Pursuant to L.A.M.C. Section 12.32-F, a zone change request from the RA-1 Zone to R3-1 on a 19,963 square-foot site for a 33-unit, 3-story, 45 feet in height apartment building, with 52 parking spaces, including a 35% density bonus to provide 29 market rate units, 3 units for Very Low Income households and one manager's unit.

2) Pursuant to Section 21082.1(c)(3) of the California Public resources Code, adopt the Mitigated Negative Declaration (MND) for the above referenced project.

RECOMMENDED ACTIONS:

1. Disapprove the Zone Change request from RA-1 to R3-1.

2. Approve and recommend that the City Council adopt the Zone Change from RA-1 to (T)(Q)R3-1.

Adopt the attached findings.

4. Adopt the Mitigated Negative Declaration No. ENV-2013-3601-MND.

5. 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.

6. Advise the applicant that pursuant to State Fish and Game Code Section 711.4, 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.

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PROJECT ANALYSIS

Project Summary

The proposed project is the development of a 33-unit, 3-story, 45 feet in height apartment building, with 52 parking spaces on an existing 19,963 square-foot site in a proposed R3-1 Zone. The project includes a 35% density bonus to provide 29 market rate units, 3 units for Very Low Income households and one manager's unit. The project also includes a zone change request from RA-1 to R3-1 to allow for the multi-family development and n density bonus incentives are being requested. Two existing single family residences will be demolished.

Background

The subject property is a rectangular shaped, interior parcel of land located on the west side of Orion Avenue, mid-block with Nordhoff Street to the north and Rayen Street to the south. The rear property line is 128 feet and abuts the San Diego Freeway (I-405). The easterly property line is 128 feet and abuts Orion Avenue, which has multi-family residential uses along its easterly side. The site's northerly property line is 150 feet and abuts a recently constructed 32-unit apartment building and the southerly property line is 160 feet and abuts a 30-unit apartment building.

The adopted Mission Hills-Panorama City-North Hills Community Plan, updated and adopted by the City Council on June 9, 1999, designates the subject property for Medium Density Residential land uses with corresponding zone of R3. The property contains approximately .046 acres or 19,963 square feet and is presently zoned RA-1. The proposed project site is subject to ZI-2427 Freeway Adjacent Advisory Notice for Sensitive Uses and subject to the General Plan Footnote No. 7, which states "there shall be no multiple residential development which exceed the density of the adjacent or surrounding residential density unless appropriately conditioned by the City Planning Commission and/or the City Council to mitigate adverse impacts and to assure development harmonious an compatible with the surrounding neighborhood."

The project site is comprised of 19,963 square feet, consisting of two lots and each developed with a single family residence; both will be removed. The subject request as stated above is for a zone change from the RA-1 Zone to the R3-1 Zone for the site in order to construct the 33-unit apartment building. No other request are sought.

Surrounding Properties

The surrounding neighborhood of developments consists of multiple family residential uses. The adjoining property to the north is zoned (Q)R3-1 and contains a 32-unit affordable housing development, which includes a 35% density bonus, build in 2008. The adjoining property to the south is zoned (Q) R3-1 and improved with a 30-unit apartment building, that was built in 1977.

Street and Circulation

<u>Orion Avenue</u> is a local street and is improved to variable width of 50-62 feet, between Nordhoff Street and Rayen Street, and improved with a curb, gutter and sidewalk.

Site Related Cases and Permits

None.

Public Hearing

On Tuesday, March 18, 2014, a public hearing was held by the Hearing Officer for the North Valley Area Planning Commission. The hearing was attended by the applicant and a representative from the Council Office. The applicant and the Council Office representative provided testimony during the hearing. No other testimony was provided.

Residential Citywide Design Guidelines: The Citywide Design Guidelines have been created to carry out the common design objectives that maintain neighborhood form and character while promoting design excellence and creative infill development solutions." The Guidelines are intended as a tool in evaluating project applications along with relevant policies from the General Plan Framework and Community Plans. Incorporating the guidelines into a project design encourages compatible architecture, attractive residential communities, pedestrian activity, context-sensitive design and place making. The proposed project has been designed in observance of many of the Residential Citywide Design Guidelines goals. The proposed project complies with the following Citywide Design Guideline Objectives and incorporates several design principles as discussed below.

Objective 1: Consider Neighborhood Context and Linkages In Building and Site Design

The proposed residential development provides a strong street wall along its 128-foot wide frontage, which is situated with an easterly elevation observing the 15-foot front yard setback. The interior courtyard provides the required open space and is located conveniently in the center of the complex. The project will be conditioned to provide the code required bicycle parking spaces. The project proposes to locate the main pedestrian entry below the street level and is conditioned to prohibit the entry configuration. The proposed 33-unit building is compatible in the scale, massing and style with the existing multi-family buildings. Vines to screen the walls between the property lines are being provided.

Objective 2: Employ Distinguishable and Attractive Building Design

The proposed 33-unit apartment has been designed and conditioned to emphasize pedestrian scale and to avoid monotonous walls through the use of various materials and colors along the exterior surfaces of the multi-family building. The multi-family development is designed to emphasize certain features of the building such as entries corners and organization of units, with different textures, colors, material and architectural treatment to add visual interest. The project utilizes windows and doors as character-defining features to reflect an architectural style consistent with other façade elements. The windows should be inset from the exterior of the building wall and incorporate well designed trims and details.

Objective 3: Provide Pedestrian Connections Within and Around the Project

The Bureau of Engineering is satisfied with the existing right-of-way but requires that the tree wells and street trees be installed, satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services to enhance the sidewalk along the length of the public street frontage. The enhanced sidewalk serves as a buffer zone between the pedestrians, moving vehicles, and other transit modes. The project will be encouraged to provide lights near the sidewalk area to encourage and extend safe pedestrian activities in to the evening.

Objective 4: Minimize the Appearance of Driveways and Parking Areas

The proposed project is designed to eliminate two existing driveways and curb cuts and replace them with one two-way driveway for ingress/egress to the on-site subterranean parking structure. The project will be conditioned to provide a driveway that complies with the Department of Transportation's minimum reservoir depth and width. The project is also encouraged to locate the driveway near the edge of the site rather than the center to comply with the Citywide Guidelines. The garage parking is visible to the street and will be mitigated with the use of planting and landscape walls tall enough to screen headlights as shown on the attached elevation and landscape plan. A decorative gate at the driveway and matching screening of the garage opening provide a continuous presence at the street level. Furthermore, the parking structure will be screened from the residential uses to the east, across Orion Avenue by the incorporation of landscaping into the 15-foot setback area, including, climbing vines, trees and other plant material. Access to the parking area and pedestrian walkways will be illuminated to provide added safety.

Objective 5: Utilize Open Areas and Landscaping Opportunities to Their Full Potential

The proposed project is required to provide a 15-foot front yard setback in addition to maintaining the existing 10-foot wide sidewalk/parkway along the property frontage, which allows for the continued development of the pedestrian circulation system. The 10-foot wide sidewalk/parkway is located abutting the entrance of the building lobby and is conveniently situated. Combined, the two areas create an open space that will be landscaped with drought tolerant, native landscaping material including street trees that will be approved by the Urban Forestry Division of the Department of Public Works, Bureau of Street Services. Also, the propose project is designed with an interior courtyard that will be improved with hardscape material and landscaping including White Crape Myrtle and Australian Willow trees. Finally, the open space in the rear along the 15-foot setback area will be landscaped with hardscape material, patio furniture and California Sycamore and Sheet Bay trees. Two roof top decks and individual balconies are proposed, which would augment the common open space and recreational areas.

Objective 6: Improve the Streetscape Experience by Reducing Visual Clutter

The proposed project is designed to minimize visual clutter to improve the streetscape experience. The subterranean parking structure and the pedestrian walkway will be illuminated with low-level lighting for safety and security purposes. The light fixtures will be installed to accent and compliment architectural details of the building's façade pattern. Although not specified on the plans submitted, the utilities such as gas, electric, and water meters should be placed in the side yard setbacks or in landscaped area and out of the line of-sight from crosswalks or sidewalks. Also, utilities such as power lines, transformers, and wireless telecommunication facilities, should be placed underground or on rooftops when appropriately screen by a parapet. Otherwise, any mechanical or electrical equipment should be buffered by planting material in a manner that contributes to the quality of the existing landscaping on the property and public streetscape. The applicant is encouraged to tide trash enclosures within parking garages to that they are not visible to passersby or screen outdoor standalone trash enclosures using walls consistent with the architectural character of the main buildings and locate them so that they are out of the line of sight from crosswalks or sidewalks.

Issues

Building Design- Claudia Rodriguez of the Council Office expressed some reservation regarding the building's articulation, and the project's lack of landscaping and open space. She asked that no Palm trees be considered for any landscaping. Although generally in support, the Council Office encouraged the application of the Citywide Residential Design Guidelines for the residential project.

Conclusion

Staff recommends that the requested zone change, RA-1 to R3-1; however, staff recommends an approval of the (T)(Q)R3-1 for the 19,963 square-foot site to allow the proposed development that would be in keeping with the Objectives, Policies, Standards and Criteria of the Community Plan.

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.

Dedication(s) and Improvement(s). 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), the following:

Responsibilities/Guarantees.

- 1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
- 2. <u>Bureau of Engineering.</u> Prior to issuance of sign offs for final site plan approval and/or project permits by the Planning Department, the applicant/developer shall provide written verification to the Planning Department 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 project design required by a public agency shall be documented in writing and submitted for review by the Planning Department.
 - a. Install tree wells with root barriers and plan street trees satisfactory to the City Engineer and Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information (213) 847-3077
 - b. All Sewage Facilities Charges and Bonded Sewer Fees are to be paid.
 - c. Construction of necessary sewer facilities to the satisfaction of the Bureau of Engineering. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
 - d. An investigation by the Bureau of Engineering Valley District Office Construction may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Central District Office of the Bureau of Engineering (818) 374-5090.
 - e. Submit a parking area and driveway plan to the Valley District Office of the Bureau of Engineering and Department of Transportation for review and approval.
 - 3. Department of Transportation

a. Parking and Driveway Plan. A preliminary parking area and driveway plan shall be prepared and submitted to the Bureau of Engineering and City Wide Planning Coordination Section of the Department of Transportation in consultation with Council District Office No. 7 for approval prior to the submittal of building plans for plan check by the Department of Building and Safety.

4. Bureau of Street Lighting

- a. Installation of street lights to the satisfaction of the Bureau of Street lighting. If new street(s) are required, the property within the boundary of the development shall form or annexed into a Street Lighting Maintenance Assessment District prior to the final recordation or issuance of certificate of Occupancy.
- b. Making any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights of way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05N, to the satisfaction of the Department of Telecommunications.
- c. Notice: Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 176,077 adopted by the City Council, must be paid in full at the Development Services Division office.
- d. Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.
- e. 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.

(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.

A. Entitlement Conditions

- 1. **Use.** The use of the property shall be shall be in substantial conformance with Exhibit B and those uses permitted in the R3-1 Zone.
- 2. **Site Plan.** The development of the property shall be in substantial conformance with this approval and the plans submitted by the applicant and attached to the case file as Exhibit B 1
- 3. Floor Area. The total floor area of the new building on the subject property shall not exceed 3:1 FAR.
- 4. **Height.** The height of the proposed 33-unit residential apartment building shall be in substantial conformance with L.A.M.C. Section 12.21.1 and not 45 feet in height.
- 5. **Parking**. The project shall provide parking in compliance with the L.A.M.C. Section 12.21-A 4.
- 6. **Driveway.** The driveway shall be located at the edge of the parcel rather than the center. The driveway reservoir shall comply with the Department of Transportation recommendation for depth and width.
- 7. Pedestrian Entry. Pedestrian entryways below the street level shall be prohibited.
- 8. **Light and Glare.** The exterior of the proposed buildings shall be constructed of materials which reduce glare and reflectivity, such as high-performance tinted or deep-color glazed glass, pre-cast concrete or fabricated wall surfaces. All exterior windows should be tinted or contain a lighted reflective film to reduce illumination levels outside of the buildings.
- 9. Graffiti. Every building, structure or portion thereof shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material pursuant to Municipal Code Section 91.8104. The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street, or alley, pursuant to Municipal Code Section 91.8104.15.

CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G of the Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

A. Conditions of Approval

- 1. Prior to the issuance of any building permit, the applicant or his successor shall submit to the Planning Department revised plans showing compliance with the applicable L.A.M.C. provisions or as permitted by the grants and conditions of approval herein.
- 2. The use of the 19,963 square-foot site shall be limited to a new 33-unit, apartment building.
- 3. The total floor area of the new apartment building shall not exceed the maximum 1.5:1
- 4. Parking. Parking serving the new apartment building shall be in substantial conformance with L.A.M.C Section 12.21-A 4.
- 5. **Bicycle Parking.** The project shall provide bicycle parking in compliance with Ordinance No. 182,386 as follows:
 - a. a minimum of 1 short term bicycle parking spaces shall be provided for every 10 dwelling units.
 - b. a minimum of 1 long term bicycle parking spaces shall be provided for each dwelling unit.

6. Architectural Materials.

- a. A consistent use of architectural and building materials shall be applied throughout all exterior facades of the buildings to enhance the streetscape and identity of the site.
- b. The proposed project shall not use architectural finishes that would produce substantial glare.
- c. The project shall incorporate windows and doors with well-designed trims and details as character defining features to reflect a consistent architectural theme.
- 7. **Driveway Access.** One 20-foot wide two-way driveway shall be provided along Orion Avenue. Vehicular access shall be placed near the edge of the parcel.
- 8. Landscaping. The landscaping shall be in substantial conformance with the citywide landscape ordinance (L.A.M.C. Section 12.42-B) and as shown on the plans submitted by the applicant and attached to the case file as Exhibit B.

B. Environmental Conditions

- 9. 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.
- 10. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way nor from above.
- 11. The applicant shall install an air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 11 or better in order to reduce the effects of diminished air quality on the occupants of the project. (MM)
- 12. 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.
- 13. The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- 14. 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.
- 15. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- 16. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- 17. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- 18. Trucks having no current hauling activity shall not idle but be turned off.
- 19. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type and general condition of the all existing trees on the site and within the adjacent public right(s)-of-way.
- 20. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunk, as measured 54 inches above ground) non-protected trees on the proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inches box tree. New trees located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- 21. Removal and plantings of any tree in the public right-of-way requires the approval of the Board of Public Works. Contact Urban Forestry Division at (213) 847-3077. All trees in the public right(s)-of-way shall be provided per the current standards of the Urban Forestry Division of the Department of Public Work, Bureau of Street Services.

- 22. 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.
- 23. The applicant shall provide a staked signage at the site with a minimum of 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.
- 24. 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 includes but is not limited to the following mitigation measures:
 - a. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy seasons (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
 - Stockpiles, excavated and exposed soil shall be covered with secured tarps, plastics sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.
- 25. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
- 26. (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.
- 27. (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.
- 28. Polychlorinated Biphenyl Commercial and Industrial Buildings) Prior to issuance of a demolition permit, a polychlorinated biphenyl (PCB) abatement contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing PCB removal and disposal.
- 29. A minimum five-foot wide landscape buffer shall be planted adjacent to the residential use.
- 30. A landscape plan prepared by a licensed Landscape Architect shall be submitted for review and approval by the decision maker.

- 31. 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.
- 32. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- 33. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- A 6-fot high solid decorative masonry wall adjacent to residential uses and/or zones shall be constructed if no-such wall exists.
- 36. Concrete, not metal, shall be used for construction of parking ramps.
- 37. The interior ramps shall be textured to prevent tire squeal at turning areas.
- 38. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.
- 39. All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.
- The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- 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.

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42. The applicant shall pay school fees to the Los Angeles School District School Office to offset the impact of additional student enrollment at schools serving the project area.

- 43. The project shall comply with the Bureau of Engineering requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.
- 44. Pursuant to Section 21.10 of the Los Angeles Municipal Code, the applicant shall pay the Dwelling Unit Construction Tax for the construction of apartment buildings.
- 45. 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 loss due to evaporation, and water loess in cooler months and during the rainy season.
- 46. In addition to the requirements of Landscape ordinance, the landscape plan shall incorporate the following.
 - a) Weather based irrigation controller with rain shut-off,
 - b) Matched precipitation (flow) rates for sprinkler heads,
 - c) Drip/microspray/subsurface irrigation where appropriate,
 - d) Minimum irrigation system distribution uniformity of 75 percent,
 - e) Proper hydro-zoning, turf minimization and use of native/drought tolerant plant materials;
 - f) Use of landscape contouring to minimize precipitation runoff
 - g) A Separate water meter (submeter), floe sensor, and master value shutoff shall be installed for existing and expanded irrigation landscape areas totaling 50,000 s.f. and greater
- 47. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- 48. 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.
- 49. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- 50. A separate water meter (submeter) flow sensor, and master valve shutoff shall installed for all landscape irrigation uses.
- 51. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into the 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.)
- 52. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.

- 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.
- 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.
- The project shall include a holding tank large enough to hold three times the project's daily wastewater flow so that the tank would hold all the project wastewater during peak wastewater flow periods for discharge into the wastewater collection system during off-peak hours.
 - a. A grey water system to reuse wastewater from the project.
 - b. Off-set excess waste water generation by restricting the wastewater generation of other land uses within the same service area (e.g. by dedicating open space).
 - c. New wastewater treatment or conveyance infrastructure, or capacity enhancing alteration to existing systems.
- Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste program.
- 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 services(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction—related waste.
- Al waste shall be disposed of properly Use appropriately labeled recycled bins to recycle demolition and construction material including solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non-recycle material/waste shall be taken to an appropriate landfill Toxic waste must be discard at a licensed regulated disposal site.

Administrative Conditions of Approval

- 1. Approval, Verification and Submittals. Copies of any approvals, guarantees or verification of consultations, review 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.
- Code Compliance. Area, height and use regulations of the R3-1 zone classification
 of the subject property shall be complied with, except where herein conditions are
 more restrictive.
- 3. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be

binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.

- 4. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
- 5. 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.
- 6. Building Plans. Page 1 of the grants 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.
- 7. Corrective Conditions. The authorized use shall be conducted at all time with due regards to 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.
- 8. Indemnification. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding 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.
- 9. Expediting Processing Section. Prior to the clearance of any conditions, the applicant shall show that all fees have been paid to the Department of City planning Expedited Processing Section.

FINDINGS

General Plan/Charter Findings

- 1. General Plan Land Use Designation. The subject property is located within the area covered by the Mission Hills-Panorama City-North Hills Community Plan, updated and adopted by the City Council on June 9, 1999. The plan map designates the subject property as Medium Density Residential, with the corresponding R3 Zone. The proposed zone change recommendation to the (T)(Q)R3-1 Zone is consistent with the current Medium Density Residential land use designation and is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.
- 2. <u>General Plan Text.</u> The Mission Hills-Panorama City-North Hills Community Plan text includes the following relevant land use Goals, Objectives Policies and Programs:
 - Goal 1: A SAFE SECURE AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE AND ETHNIC SEGMENTS OF THE COMMUNTY
 - Objective 1-1 To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area.
 - Policy 1-1.1 Designate specific lands to provide for adequate multi-family residential development.
 - Program: The Plan map identifies specific areas where multi-family residential development is permitted.
 - Objective 1-5 To promote and insure the provision of adequate housing for all persons regardless of income, age, or ethnic background
 - Policy 1-5.1 Promote greater individual choice in type, quality, price and location of housing.
 - Program: The Plan promotes greater individual choice though its establishment of residential design standards and its allocation of lands for a variety of residential densities.

Purpose: The Plan is intended 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 the existing and anticipated needs and conditions; contribute to a healthful and pleasant environment; balance growth and stability; reflect economic potentialities and limitations, land development and other trends; and protect investment to the extent reasonable and feasible.

Residential land uses account for 4,361 net acres with approximately 36,320 dwelling units, of which 55% are multi-family units. 59.5% of the housing stock is

between 20 and 40 years of age. Concentrations of multi-family residential uses can be found between I-405, Plummer Street, Van Nuys Boulevard and Roscoe Boulevard near the Regional Commercial Center.

The Community Plan highlights the need to preserve and enhance stable single family neighborhoods and scarcity of affordable housing. Additionally, there is a lack of open space in the existing apartment projects and there is a deterioration of the streetscapes in the multi-family neighborhood. There is a lack of maintenance of the existing housing stock, particularly with regards to multiple family projects. Often, there is a lack of compatibility between lower and higher density residential projects.

As featured, the Plan designates approximately 4,361 net acres of for residential uses. To preserve this valuable land resource from the intrusion of other uses and to insure its development with high quality residential uses, in keeping with the urban residential character of the Community to the extent possible, the Plan proposes that new multi-family development be at the lowest density of the land use category.

Framework Element – Multi-family Residential Land Use - The proposed zone change in conjunction with the proposed 33-unit residential project is consistent with the Framework Element's goal (Goal 3C) to enhance the quality of life for the City's existing and future residents in multi-family neighborhoods. The proposed project helps to stabilize an existing multi-family neighborhood and encourages growth in an area that has been challenging for the city and the development community. The proposed project is designed in compliance with the Citywide Residential Guidelines, which are policies derived from Chapter 5 Urban (Form and Neighborhood) Design of the community plan.

The **Transportation Element** of the General Plan is not likely to be affected by the recommended action herein. Orion Avenue is designated as Collector street in the Transportation Element of the General Plan and fully improved with curb, gutters and a sidewalk. Bureau of Engineering has no recommendation for dedications and/or improvements.

Bicycle Ordinance No. 182,386 -

The proposed project is subject to the provisions of the recently adopted Bicycle Ordinance, which became effective March 13, 2013. For residential projects that exceed three dwelling units, the ordinance requires that a minimum of one long term bicycle parking space be provided for every dwelling unit and that one short term bicycle parking space be provided for every ten dwelling units. The proposed 33-unit apartment project is required to provide a minimum of 36 (33 + 3.3) bicycle parking spaces and will be conditioned to provide the bicycle parking per the municipal code.

The Sewerage Facilities Element of the General Plan will not be affected by the recommended action.

The proposed residential project is consistent with the current Mission Hills-Panorama City-North Hills Community Plan. The proposed project preserves and improves land designated for residential purposes, helps to stabilize an existing multi-family neighborhood and encourages growth in an area that has been challenging for the city and the development community. The Department of Transportation and the Bureau of Engineering recommendations to enhance and improve the abutting street and the surrounding circulation system are incorporated into the conditions of approval and contribute to the implementation of the Community Plan.

Entitlement Findings

4. Zone Change, L.A.M.C. Sec. 12.32.F: The recommended zone change is in conformance with the public necessity, convenience, general welfare or good zoning practice.

The recommended (T)(Q)R3 for the 19,963 square-foot site is consistent with the Medium Residential Land Use Designation of the Mission Hills-Panorama City-North Hills Community Plan. The proposed project, which involves the re-development of the site for a 33-unit multi-family apartment building, is permitted by the Medium Residential Land Use Designation that permits the corresponding zone of R3. The project fills the demand for housing in the Mission Hills, Panorama City and North Hills sections of the City. The 33-unit multi-family project is in conformance with the public convenience as it will provide new residential opportunities, enhance the aesthetics of the neighborhood and improved an underutilized parcel of land.

<u>Public Necessity</u>: The granting of the proposed zone change would result in the redevelopment of a 19,963 square-foot site that is one of the few under-improved parcels in the immediate community. The recommended zone change would allow for the construction, use and maintenance of a new 33-unit multi-family apartment building of which 3 units will be set aside for Very Low Income households to help meet the demand for affordable housing in the North San Fernando Valley area. The proposed zone achieves the objective of providing housing to meet the diverse economic and physical needs of the existing residents and projected population of the Mission Hills-Panorama City North Hills Community Plan area.

Convenience: Granting the proposed zone change would result in the construction, use and maintenance of a new 33-unit multi-family apartment building of which 3 units will be set aside for Very Low Income households which will provide quality living space and amenities in a conveniently accessible housing development. The redevelopment of the 19,963 square-foot project site with a new multi-family development offers convenient modern living facilities to the nearby residents in the Mission Hills-Panorama City North Hills community, as well as to the broader San Fernando Valley area. Also, the recommended change of zone for the project site conveniently serves as a catalyst for the redevelopment of similar properties located nearby along Orion Avenue and along Nordhoff Street.

General Welfare: Granting the requested zone change from RA-1 to R3-1, would allow for the development of a new 33-unit multi-family apartment building of which 3 units will be set aside for Very Low Income households. The project would enhance the General Welfare of the immediate neighborhood as well as the broader Community Plan area. The proposed multi-family development will offer modern amenities that are compatible with the surrounding community, while enhancing an underutilized property that has been a source some nuisance activities and a threat to the general welfare of the community for many years.

The construction activity related to the new buildings will instantly result in demand for local workers and the demand for local goods and services. Upon completion, the new residential facility will add new residents and bring new visitors to the area which will enhance its economic base and culture. The architecture of the new buildings, along with its landscaping, lighting and signage will improve the aesthetics and appearance of the area. Furthermore, the recommended zone change would not conflict with any applicable fire and safety codes which are intended to promote the General Welfare.

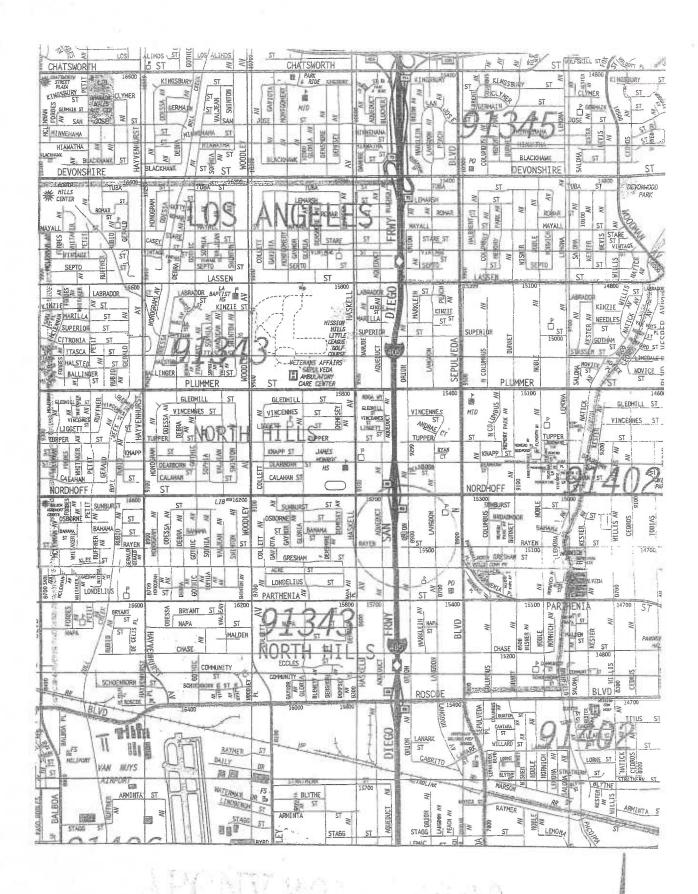
Good Zoning Practices: The Mission Hills-Panorama City-North Hills Community Plan has Goals, Objectives, Policies and Programs relative to residential land use for its protection and preservation, in addition to the Land Use Designation. As stated in the General Plan Text section above, "To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area." and to "insure the provision of adequate housing for all persons regardless of income, age, or ethnic."

The recommended zone change from RA-1 to R3-1, allows for the development of a new 33-unit multi-family apartment building of which 3 units will be set aside for Very Low Income households that will be compatible with the residential character of the Mission Hills-Panorama City-North Hills Community. Also, the "Q" Qualified restriction of the proposed zone would restrict the site's use to that which is consistent with the zoning pattern abutting and surrounding the project site, and consistent with the existing land use patterns observed in the broader north valley community. Therefore, the granting of the R3-1 Zone, which is consistent with the Community Plan's land use designation, its policies and existing zoning patterns, is practicing good zoning.

The action, as recommended, is made contingent upon compliance with the "(T)" and "(Q)" conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

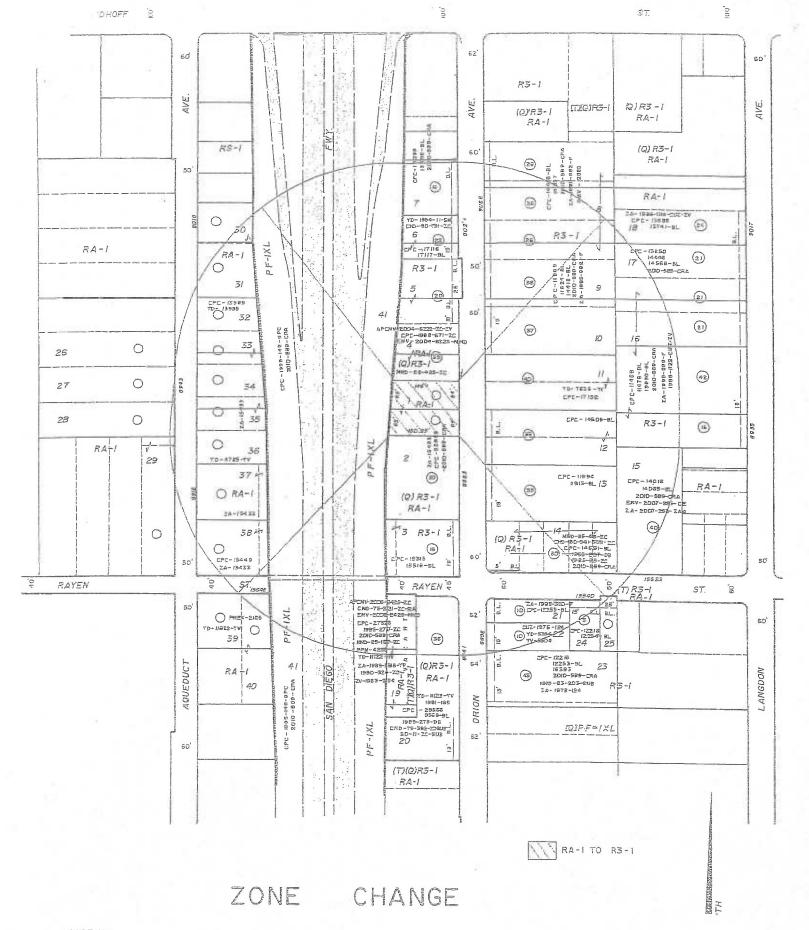
PUBLIC HEARING AND COMMUNICATIONS

On Tuesday, March 18, 2014, a public hearing was held by the Hearing Officer for the North Valley Area Planning Commission. The hearing was attended by the applicant and a representative from the Council Office. The applicant and the Council Office representative provided testimony during the hearing. No other testimony was provided.



VICINITY MAP
SCALE I"= 2800'

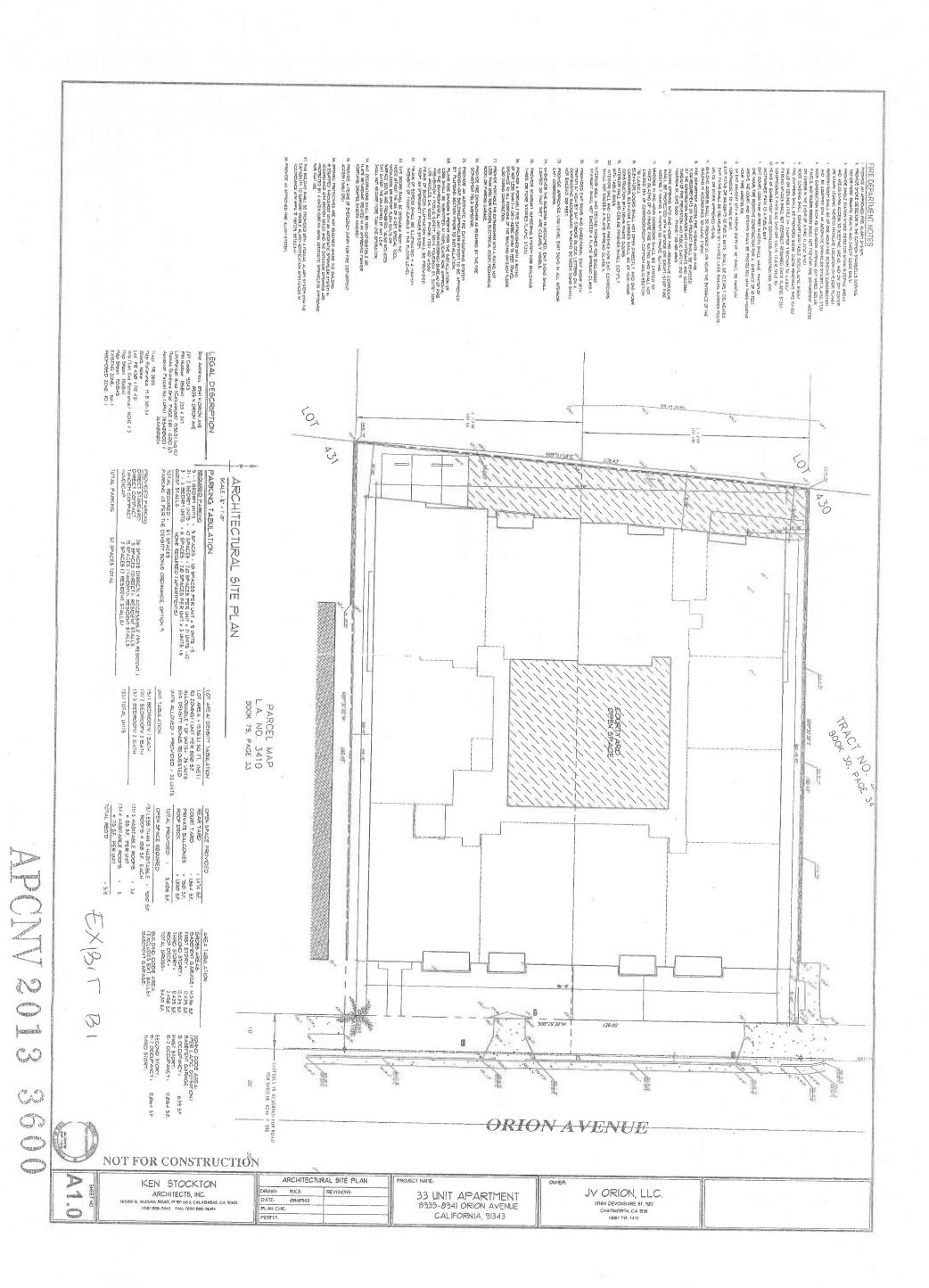
EXHIBIT A-1



CASE NO.
DATE OCT. 22, 2013
D.M. 195 B141, 195 B145
SCALE 1°=100'
USES FIELD

LEGAL: S'LY 54' OF FR 430, FR 431, TRACT NO. 2899 M.B. 30-34

T.B. PAGE 501 GRID G-7 C.D. 7 C.T. 1174.05 P.A. 216 MSS EXHIBIT A-2



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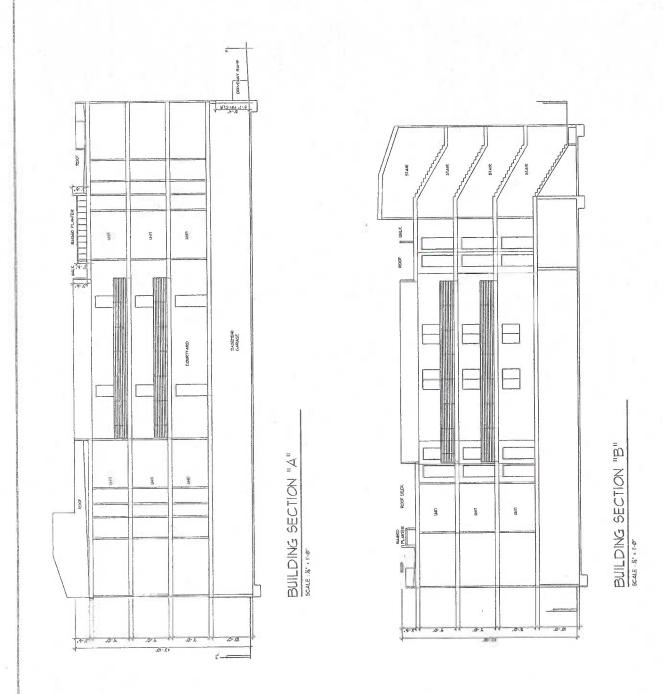
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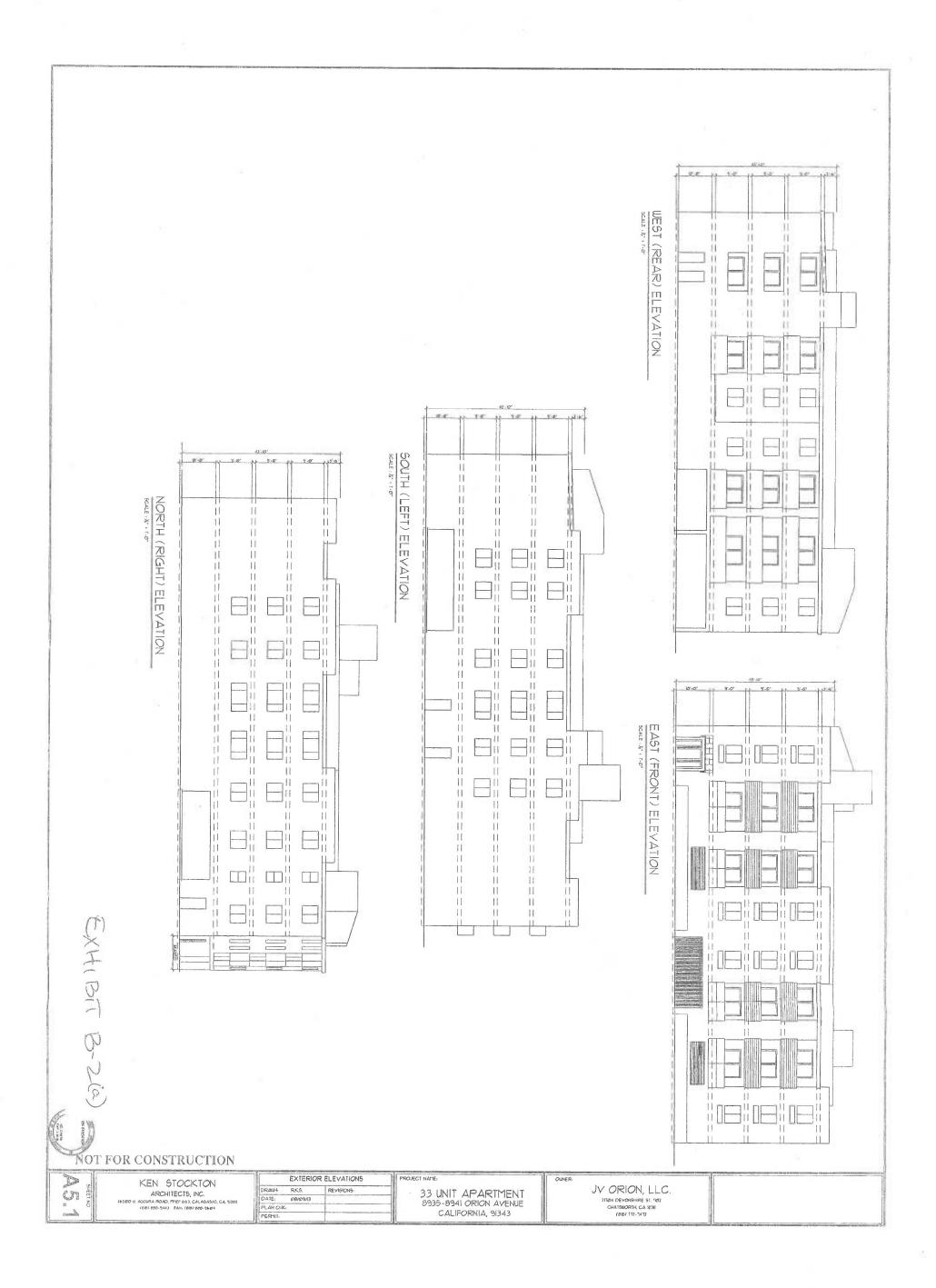
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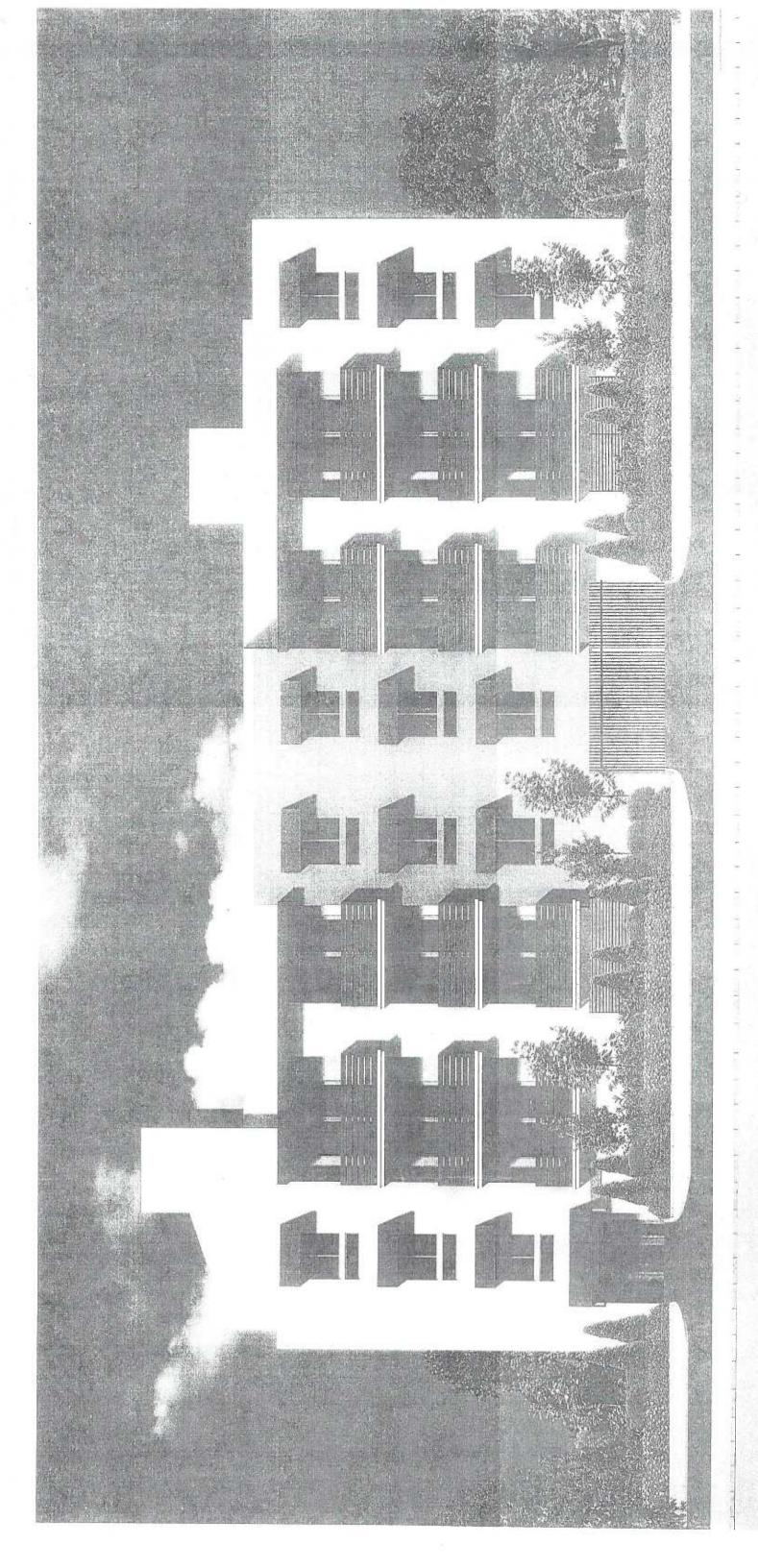
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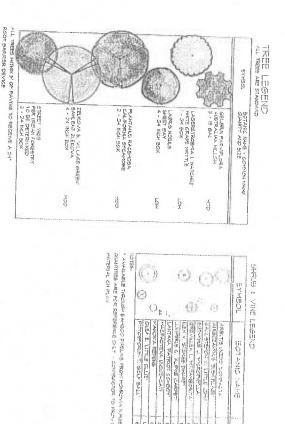


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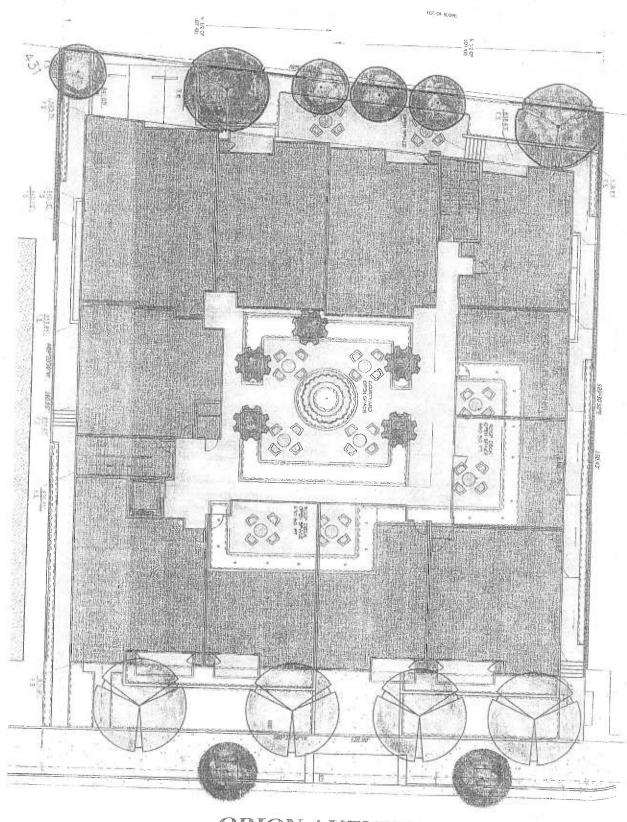






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SHEET TITLE:

PRELIMINARY LANDSCAPE PLAN PROJECT:

33 UNIT APARTMENT 8935-8941 ORION AVENUE NORTH HILLS, CA. 91343 OWNER:

JV ORION, LLC. 21704 DEVONSHIRE ST., #102 CHATSWORTH, CA. 91311 818.772.7472