

DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT



North Valley Area Planning Commission

Date:

October 2, 2014

Time:

After 4:30 p.m.*

Place:

Marvin Braude Building

First Floor Conference Room 6262 Van Nuys Boulevard

Van Nuys CA 91401

Public Hearing:

July 18, 2014

Appeal Status:

Zone Change may be appealed

by the applicant if denied. Zone Variance and Adjustment are

appealable to City Council.

Expiration Date:

October 24, 2014

Multiple Approval:

Zone Change, Zone Variance,

Adjustment

Case No.:

APCNV-2014-1658-ZC-ZV-ZAA

CEQA No.:

ENV-2014-1659-MND

Incidental Cases:

Related Cases:

Council No.:

Plan Area:

none

6 - Martinez Mission Hills - Panorama City -

North Hills

None

none

Specific Plan:

Certified NC:

Panorama City

GPLU:

Community Commercial and

Medium Residential

Zone:

[Q]C2-1VL, RS-1

Applicant:

15236 Parth, LLC

Al Leibovic

PROJECT LOCATION: 15230 Parthenia Street

PROPOSED PROJECT:

The construction of a 41-unit residential apartment building, comprised of four levels of residential uses and partial parking use on the ground-floor, over one level of subterranean parking, with a maximum height of 45-feet, located on two lots totaling 24,503 sg-ft in area. The project will include 90 vehicle parking spaces and 46 bicycle parking spaces.

REQUESTED ACTION:

- Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, the Adopt the Mitigated Negative Declaration (ENV-2014-1659-MND) for the above referenced project; and
- 2. Pursuant to Section 12.32 of the Municipal Code, a Zone Change:
 - a. from [Q]C2-1VL (Commercial Zone) to (T)(Q)RAS4-1VL (Residential / Accessory Services Zone) for the northern portion of the property, for a depth of 119-feet, and
 - b. from RS-1 (Suburban Zone) to (T)(Q)R3-1 (Multiple Dwelling Zone) for the southern portion of the property, for a depth of 126-feet; and
- 3. Pursuant to Section 12.27 of the Municipal Code, a **Zone Variance** to permit:
 - a. the averaging of density across two zones, and
 - b. access from a more restrictive zone to a less restrictive zone; and

- 4. Pursuant to Section 12.28 of the Municipal Code, an Adjustment to permit:
 - a. a 0-foot rear yard in lieu of the required 5-foot rear yard in the RAS4-1 zone, and
 - b. a 0-foot front yard in lieu of the required 15-foot front yard in the R3-1 zone.

RECOMMENDED ACTIONS:

- 1. Adopt the Mitigated Negative Declaration, ENV-2014-1659-MND (Exhibit E-4);
- 2. **Approve** and **recommend** that the City Council **approve** the **Zone Change** from [Q]C2-1VL to (T)(Q)RAS4-1VL for the subject property, with the attached conditions of approval;
- 3. Approve and recommend that the City Council approve the Zone Change from RS-1 to (T)(Q)R3-1 for the subject property, with the attached conditions of approval;
- 4. Approve a Zone Variance to permit the averaging of density across two zones;
- 5. Approve a Zone Variance to permit access from a more restrictive zone to a less restrictive zone;
- 6. Receive and File an Adjustment to permit a 0-foot rear yard in lieu of the required 5-foot rear yard in the RAS4-1 zone;
- 7. Receive and File an Adjustment to permit a 0-foot front yard in lieu of the required 15-foot front yard in the R3-1 zone;
- 8. Adopt the attached Findings; and
- 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.

MICHAEL LOGRANDE

Director of Planning

Dahiel Scott, Principal City Planner

Robert Z. Duenas, Senior City Planner

Milena Zasadzien, Planning Associate

Telephone: (818) 374-5054

Email: Milena.Zasadzien@lacity.org

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, 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 this 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) 978-1300.

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PROJECT ANALYSIS

Project Summary

The proposed project involves the development of a 41-unit residential apartment building on two vacant lots within a commercial and multi-family residential corridor. The property uniquely straddles two different land uses, making it impossible to re-zone the entire property with a common zone. Therefore, the applicant requests two Zone Changes for the property, to change the existing commercial zoning on the northern portion of the site to the RAS4 mixed-use zone, and to change the single-family zoning on the southern portion of the site to the R3 multi-family zone. This new zoning would allow for a common multi-family residential use on both portions of the site. In addition, due to the split zoning of the site, two Zone Variance requests are necessary to allow for the construction of a single continuous and uniform building across the zone boundary line. These Variance requests include: averaging density between the two zones and allowing access across zone lines.

Staff recommends approval of the Zone Change, as the (T)(Q)RAS4-1 and (T)(Q)R3-1 zones and resulting 41-unit apartment building would be compatible with the adjacent zoning and existing neighborhood character. Staff also recommends approval of the Variance requests, which are necessary due to the unique land use configuration of the property, in order to allow for a uniform development across the two zones. The Adjustment requests for the removal of the setback requirements along the zone boundary line are not necessary and are therefore recommended to be received and filed.

Background

The subject site is split-zoned, with the northern portion of the property zoned [Q]C2-1VL and designated for General Commercial land uses (corresponding zones of C1.5, C2, C4, P, RAS3, RAS4), and the southern portion of the property zoned RS-1 with a land use designation of Medium Residential (corresponding zone of R3).

The site is located within the Mission Hills - Panorama City - North Hills Community Plan, and surrounding properties along Parthenia Street to the north, west, and east fall within a variety of zones ([Q]C2-1VL, P-1VL, C2-1, R3-1 and RS-1) and include mostly one- and two-story buildings containing residential and commercial uses such as apartment buildings, retail stores, offices, auto repair and a church. These lots are designated for General Commercial, Community Commercial, and Medium Density Residential land uses. Properties south of the site are zoned R3-1 and RD3-1 within the Medium Density Residential designation and are primarily developed with two- and three-story apartment buildings.

The rectangular-shaped site consists of two flat lots totaling 24,503 sq-ft of lot area, having a frontage of 100 feet on the south side of Parthenia Street (a designated Secondary Highway). The public right-of-way along Parthenia Street adjacent to the project site is currently improved with sidewalk, curb, and gutter. The site is currently vacant and undeveloped.

Related Cases:

ON-SITE:

CPC-1986-602-GPC - On May 29, 1989, Ordinance ORD-164750-SA2440 became effective as part of the City's General Plan Consistency program, which instituted a [Q] condition on the commercial portion of the property, limiting residential development to the RE11 zone and prohibiting hotel and motel uses.

OFF-SITE:

CPC-2001-5472-ZC-GPA-F - On July 18, 2001, a General Plan Amendment from Low Residential to Low Medium I Residential density was passed, along with Ordinance 174,139 granting a Zone Change from RA-1 to (T)(Q)RD3-1 for the development of 47 detached condominium units, and a fence approval for a six-foot fence in the front yard, in lieu of the maximum permitted three and one-half feet at 8554 Burnet Avenue (east of site).

ZA-2003-8450-ZV - On February 26, 2004, a Zone Variance was denied for the continued use and maintenance of an ice cream business with the open storage and parking of ice cream trucks overnight in the RS-zoned portion of the site. The Zoning Administrator recommended that the applicant instead file for a Zone Change request for the RS portion of the site.

APCNV-2002-5946-ZC-ZAA - On February 1, 2004, Ordinance 175,723 became effective granting a Zone Change from RA-1 to (T)(Q)RD1.5-1 for a 16-unit residential development at 9155 Tobias Avenue (north of site).

City Agency Reports Received:

Letters were received from the Bureau of Engineering and Bureau of Street Lighting prior to the completion of the Hearing Officer's report. These recommendations have been incorporated as conditions of approval.

Hearing Officer Comments:

ZONE CHANGE REQUESTS

The proposed project site is located within the Mission Hills - Panorama City - North Hills Plan area, within a land use designation of General Commercial for the northern portion of the site, and a land use designation of Medium Residential for the southern portion of the site. The General Commercial land use allows for corresponding zones of C1.5, C2, C4, P, RAS3, and RAS4, while the Medium Residential land use only allows the R3 zone. The proposed RAS4 and R3 zoning for the site will meet the zoning and density envisioned by the corresponding Land Use designations.

The Mission Hills - Panorama City - North Hills Community Plan also includes some relevant land use issues, goals, objectives, policies, and programs that must be considered when evaluating the proposed project. In general, the Community Plan has identified the need to preserve the residential character of existing single and multi-family neighborhoods, to foster good site planning and urban design, and to consider such factors as compatibility, livability, and impacts on infrastructure when evaluating new projects. In addition, the General Commercial portion of the site is subject to two Footnotes of the Community Plan: Footnote 3 requires a height district of 1VL, and Footnote 7 states that the density of multiple residential developments should not exceed adjacent development, or that it be properly mitigated to ensure compatibility with the surrounding neighborhood.

In addition, the northern portion of the site, which is commercially-zoned, is currently subject to a Q-condition enacted in 1989, which prohibits multi-family residential development along the commercial corridor. This same Q-condition affects all properties with frontage on the south side of Parthenia Street, starting on the block containing the subject property and ending west of Sepulveda Blvd., as well as on both sides of Sepulveda Blvd., starting from Parthenia Street to the north and ending at Roscoe Blvd. to the south. With the exception of a few apartment buildings on Sepulveda Blvd. which pre-date the 1989 regulation, the remaining majority of commercial properties along these corridors are underutilized with a significant amount of surface parking and storage, including the two properties immediately adjacent to the subject

site. These commercial areas have generally seen minimal investment or building upgrades over the years. In addition, mixed-use zones such as the RAS3 and RAS4 zone did not exist at the time the Q-condition was set into place. Removal of the previous Q-condition, enacted 25 years ago, would allow for a new viable residential use on the site with mixed-use zoning, in lieu of the commercial-only restrictions of the corridor. In addition, residential uses would meet an unmet demand for the area, as U.S. Census data submitted by the applicant indicates that the vacancy rate for the Community Plan area is very low (approximately 2.5%), and justifies the critical need for additional multi-family development in the area.

The proposed RAS4 and R3 zoning and apartment development for the site would also be inline with the character of the neighboring multi-family residential area to the south and east, and would be a compatible improvement to the mix of small-scale commercial uses along Parthenia Street. The project would also provide upgrades to the public right-of-way along Parthenia Street adjacent to the subject site. In addition, adequate access to the site could be provided from major streets, and the development of forty-one new residences on the site is not expected to have a significant impact on traffic, public services, or available utilities.

ZONE VARIANCE REQUESTS

Due to the unique configuration and combination of separate land use designations assigned the site; it is not possible to re-zone the site using one uniform zone. Therefore, the applicant has requested two separate multi-family zones (RAS4 and R3) which would allow for a common residential rental use of the site. However, the Municipal Code sets separate density requirements for each of these zones and also does not allow for more intensive uses in more restrictive zones.

The RAS4 zone for the northern lot on the site would allow for a density of one unit per 400 sq-ft of lot area, and the R3 zone for the south lot on the site would allow for a density of one unit per 800 sq-ft of lot area. If the applicant were to strictly follow the density allowances for each site, 29 units could be built on the RAS4 portion and 15 units would be permitted on the R3 portion, creating an unbalanced development. In addition, the Municipal Code would not allow the users of the RAS4 portion to be able to cross over into the less restrictive R3 zone, thereby requiring a separation of common areas such as parking, open space, and walkways. This would create practical difficulties in developing and accessing the building, especially since the R3 portion of the site does not have any frontage or access on a public street. Therefore, the applicant has requested Variances to allow for the blending of densities across zones and to allow for access between the two separately-zoned areas. These Variances would allow for a more uniform and practical use of the site.

ADJUSTMENT REQUESTS

At the initial filing of the application, Planning Staff required an Adjustment request to be included for the project in order to remove the setback requirements along the zone boundary line, where the proposed RAS4 and R3 zones meet. In some instances, zone boundary lines are treated as property lines, and may be subject to the setback requirements of the Code. However, Building and Safety confirmed that in this case, the setback requirements along the zone boundary line would not be enforced, and therefore the Adjustment requests are not necessary, and are recommended to be received and filed.

<u>Issues</u>

A public hearing was held for the subject Zone Changes, Zone Variances, and Adjustments on July 18, 2014. The hearing was attended by the project owner and representatives, who submitted new architectural plans for the project and added that the Neighborhood Council supports the development.

In addition, a letter was received from the office of Councilmember Nury Martinez, with comments stating that the project site and neighboring properties are in need of revitalization and redevelopment, and that the architecture, design, and landscape of the project should be elevated to provide a development that enhances the surrounding community, supporting the community revitalization being experienced south of the site, and improving and preserving the quality of life of nearby residents.

Since the public hearing, the applicant has put forth good effort to work with Planning Staff to revise the project's architectural plans for compliance with the Citywide Residential Guidelines. Revisions have included a redesign of the first floor to create more useable common and open space areas, and façade changes to create a consistent architectural style, a clean but well-articulated building design, and greater ground-floor transparency.

FUTURE ALLEY

Currently, a portion of an alley has been dedicated and improved along two properties east of the subject site, south of Parthenia Street with access from Burnet Avenue. However, the alleyway has not been dedicated or improved along the remainder of the properties within this block. Future continuation of the alleyway from Burnet Avenue to Columbus Avenue continues to be feasible, since no building or structure has been constructed within the future alley area. Therefore, the Bureau of Engineering has recommended that the subject property provide a 20foot wide future alley dedication along the rear of the property for potential continuation of this alleyway. Directly abutting the site is a one-story retail store to the west and a two-story church on the east, with parking and vehicle storage areas located on the rear half of both properties. Neither of these properties has dedicated land for the alleyway, so if currently constructed, any alleyway improvements on the subject property would not be able to have legal access to an existing alleyway or street. Therefore, the project site is required to submit a future alleyway dedication, meaning that dedication will be required, but if no alleyway connection is established in the future, the land may be given back to be used for the subject property. Due to the potential future alleyway dedication, the rear open space areas were not counted towards meeting the open space requirement, and no significant permanent landscaping has been proposed for this portion of the lot.

Conclusion

The requested RAS4 and R3 zones are within the range of corresponding zones of the respective General Commercial and Medium Residential Plan designations, and are in conformance with the public necessity, convenience, general welfare, and good zoning practice. Staff's recommendation is for approval of the (T)(Q)RAS4 and (T)(Q)R3 zones with the attached (Q) Qualified and (T) Tentative conditions, which support the policies of the Land Use Element of the General Plan.

In addition, Staff recommends approval of the Zone Variance requests, which would allow for the logical development of the site with a contiguous structure, and should be granted based on the site's unique configuration with split-zoning.

Staff recommends receiving and filing the Adjustment requests, as they are not necessary for the proposed project.

(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. Development Conditions:

- 1. **Use.** The use of the subject property shall be limited to those uses permitted in the RAS4 and R3 Zones as defined in Sections 12.11.5 and 12.10 of the L.A.M.C.
- Plans. The use and development of the property shall be in substantial conformance with the Site Plan, Floor Plans, Building Elevations, and Landscape Plan (Exhibit No. E-4, dated September 8, 2014) of the subject case file. Deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
- 3. **Open Space Amenities.** Project plans shall be revised to include amenities within the outdoor open space areas such as barbeque areas, benches, seating, tables, and additional planters.
- 4. Landscaping. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.

B. Environmental Conditions.

- Transportation/Traffic. A minimum width of 30-feet for two-way driveways and a minimum width of 16-feet for one-way driveways with the minimum reservoir space requirements according to the number of parking should be fulfilled. A final site plan shall be submitted to the LA DOT's Valley Development Review Section at 6262 Van Nuys Blvd, Room 320 for approval of driveways and internal circulation.
- 2. Public Services (Fire). The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- 3. <u>Utilities (Local Water Supplies Landscaping)</u>. 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). In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:

- Weather-based irrigation controller with rain shutoff
- Matched precipitation (flow) rates for sprinkler heads
- Drip/microspray/subsurface irrigation where appropriate
- Minimum irrigation system distribution uniformity of 75 percent
- Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
- Use of landscape contouring to minimize precipitation runoff

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

If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.

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.

Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.

A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.

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.)

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

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.

C. Administrative Conditions:

- 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.
- 2. **Code Compliance.** Area, height and use regulations of the 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.

- 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.
- 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. Project Plan Modifications. Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.
- 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.

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.

1. Dedication Required:

- a. Parthenia Street (Secondary Highway) A 3-foot wide strip of land along the property frontage to complete a 45-foot half right-of-way in accordance with Secondary Highway Street standards.
- b. Alley (South of Parthenia Street) Dedicate a 20-foot wide future alley at the southerly property line.

2. Improvements Required:

- a. Parthenia Street Construct a 13-foot concrete sidewalk along the property frontage and repair all broken, off-grade or bad order concrete curb and gutter. Upgrade all driveways to comply with ADA requirements and close all unused driveways with concrete curb, 2foot gutter and sidewalk.
- b. Alley none at this time.
- c. Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.
- d. No street lighting improvements if no street widening per BOE improvement conditions. Otherwise, remove and reinstall existing conduit behind new curb and gutter on Parthenia St.
- e. Department of Transportation may have additional requirements for dedication and improvements.
- 3. No major drainage problems are involved.
- 4. Sewer lines exist in in Parthenia Street. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
- 5. An investigation may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Valley District Office Sewer Counter of the Bureau of Engineering at (818) 374-5090.
- 6. Submit a parking area and driveway plan to the Valley District Office of the Bureau of Engineering and the Department of Transportation for review and approval.

- 7. That the Quimby fee be based on the RAS4 and R3 Zone.
- 8. 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.
- 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: 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.

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.

CONDITIONS OF APPROVAL FOR ZONE VARIANCE

Pursuant to Section 12.27 of the Municipal Code (Zone Variance), the following limitations are hereby imposed upon the subject development project.

A. Entitlement Conditions:

- Grant. Pursuant to Section 12.27 of the Municipal Code, a Zone Variance shall be granted from Sections 12.10 and 12.11.5 to permit the averaging of density across two zones, and access from a more restrictive zone to a less restrictive zone; as shown in Exhibit E-4, dated September 8, 2014, and as may be modified by conditions of the Zone Change approval.
- 2. Density. A maximum of 41 residential units shall be constructed on-site.

ZONE CHANGE FINDINGS

A. General Plan/Charter Findings

- 1. General Plan Land Use Designation. The subject property is located within the Mission Hills Panorama City North Hills Community Plan, updated and adopted by the City Council on June 9, 1999. The existing Plan designates the subject property as land use General Commercial for the northern portion of the site, which allows for corresponding zones of C1.5, C2, C4, P, RAS3, and RAS4, and Medium Residential for the southern portion, which corresponds to the R3 zone. The proposed zone changes to RAS4 and R3 are consistent with the land use designations on the plan map and thus are 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 COMMUNITY.
 - **Objective 1-1:** To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.
 - **Policy 1-1.4** Protect the quality of the residential environment through attention to the appearance of communities, including attention to building and site design.

Program: The Plan includes an Urban Design Chapter which is supplemented by Design Guidelines and Standards for residential development.

- Policy 1-1.6 The City should promote neighborhood preservation, particularly in existing single family neighborhoods, as well as in areas with existing multiple family residences.
- **Objective 1-3** To preserve and enhance the varied and distinct residential character and integrity of existing single and multi-family neighborhoods.
 - Policy 1-3.1 Seek a high degree of architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.
 - **Policy 1-3.2** Consider factors such as neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential densities are proposes.

The proposed project will meet the above objectives and policies by providing additional housing at an appropriate density and location to meet the plan area's needs, matching the density that was envisioned for this area by the Community Plan's General Commercial and Medium Residential land use designations. Although the building would be the first residential use on the block, the prominent pattern of development along Parthenia Street to the east and north of the site is solely residential, and sites adjacent to the property to the

south, along streets perpendicular to Parthenia Street, are all developed with R3-zoned apartment buildings. Therefore, the proposed RAS4 and R3 zones and construction of 41 rental residences would be compatible with the existing neighborhood land use and character. Additionally, the project has been conditioned to improve the surrounding public right-of-ways, which will serve to enhance the roadways, sidewalks, and street lighting along the site and provide for better connectivity within the neighborhood. Other utilities and public services for the site, including the availability of sewer and drainage facilities in Parthenia Street were found to be adequate or were appropriately mitigated by conditions required in the approval for the subject zone change. Adequate access to the site is available from the surrounding streets, and a common driveway will provide residents with direct access to Parthenia Street.

The Plan also sets standards for Urban Design, coupled with the recently adopted Residential Citywide Design Guidelines, which include the need for a pedestrian entrance at the front of each project, consistent front setbacks with adjacent properties, centralized trash location, and for a building design of quality and character. The submitted site plan and building plans are consistent with these design standards, and the building frontage has been designed with a prominent pedestrian entrance, a fifteen-foot front yard setback, and centrally located trash chutes and collection areas. In addition, the building elevations have been designed with a consistent architectural theme and variations in height, depth, and building materials to achieve an articulated façade.

The site is not located within any other specific plan or special land use districts.

Therefore, as conditioned, the recommended development meets the objectives of the Community Plan, is permitted in the RAS4 and R3 Zones and is consistent with the general plan land use designation.

B. Entitlement Findings

1. <u>Zone Change, L.A.M.C. Sec. 12.32-F</u>: The recommended zone change is in conformance with the public necessity, convenience, general welfare or good zoning practice in that:

The (T)(Q)RAS4-1 zone is consistent with the existing General Commercial General Plan Land Use designation in that this land use category allows for a corresponding zones of C1.5, C2, C4, P, RAS3, and RAS4, and the (T)(Q)R3-1 zone is consistent with the Medium Residential land use designation, which allows for a corresponding zone of R3. The project is also convenient in location to several major streets, such as Parthenia Street and Sepulveda Boulevard, and as an infill project will have adequate access to existing City services and infrastructure. The removal of the existing Q-condition on the site, which prohibits any multi-family uses, will allow for a more viable development option for the underutilized commercial property, and will additionally meet the demand for additional housing for the area, as evidenced by the low vacancy rates identified by the U.S. Census for the Plan area (approx. 2.5%). There is a necessity for housing in all income levels and housing types, and the project will create more opportunity for rental housing in the vicinity. Properties in the immediate neighborhood primarily consist of apartments and commercial uses on R3- and C2-Zoned lots. A zone change from C2-1VL to RAS4-1VL and from RS-1 to R3-1, and the construction of 41 apartment residences would be compatible with the use and size of existing adjacent developments. Therefore, the zone change is provided as part of public necessity and convenience and in the general welfare of the neighborhood.

Furthermore, such zone change will be in good zoning practice by providing a harmonious density and land use activity for the vicinity.

The action, as recommended, has been made contingent upon compliance with the "(Q)" and "(T)" conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure developments and improvements 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.

C. CEQA Findings

1. Environmental. The Environmental Review Section of the Planning Department issued the proposed project a Mitigated Negative Declaration ENV-2014-1659-MND on July 16, 2014. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND and as modified by the above referenced changes, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached modified Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the North Valley Environmental Review Section of the Planning Department in Room 430, 6262 Van Nuys Blvd., Van Nuys.

ZONE VARIANCE FINDINGS

- A. Zone Variance, L.A.M.C. Sec. 12.27: A Zone Variance to permit the averaging of density across two zones, and access from a more restrictive zone to a less restrictive zone.
 - 1. 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.

The proposed project consists of 41 residential apartment units to be constructed over two lots, the northern lot to be zoned RAS4, and the southern lot to be zoned R3. The strict application of the Municipal Code would require a precise number of units to be constructed on each side of the zone line. The RAS4 zone for the northern lot on the site would allow for a density of one unit per 400 sq-ft of lot area (29 units), and the R3 zone for the south lot on the site would allow for a density of one unit per 800 sq-ft of lot area (15 units). This would create practical difficulties and unnecessary hardships in that the design and physical development of the project would be unreasonably limited by these zoning requirements, and would essentially result in separate projects on each zoned lot, although there is a single street frontage for the entire site. The requested Variance would permit the blending of the two zone densities across the zone lines to allow for single consistent development.

In addition, the Municipal Code limits access from a more to less restrictive zone. This would therefore limit the users of the RAS4 portion to be able to cross over into the less restrictive R3 zone, thereby requiring a separation of the development's common areas such as parking, open space, and access ways. This would create practical difficulties and unnecessary hardships in developing and accessing the building. The Variance request to allow for access between the two separately-zoned areas would allow for a more uniform and practical use of the site.

2. 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.

Due to the unique configuration and combination of separate land use designations assigned the site; it is not possible to re-zone the site using one uniform zone. Therefore, the applicant has requested two separate multi-family zones (RAS4 and R3) which would both allow for a residential use of the site. These special circumstances only apply to two other adjacent properties, but generally do not apply to other properties in the same zone and vicinity. Therefore the requests for the averaging of density and allowing access across zone lines are necessary for this unique site.

3. The variances are 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 to the property in question.

Other properties in the vicinity generally contain one zone, which allows for a uniform development over each site. Multi-family zoned lots along Parthenia Street generally possess a single contiguous apartment buildings on each lot, with lot developed to a depth of 200 – 250 feet from Parthenia Street. The subject site has a similar lot depth of 245 feet along Parthenia Street, but possesses a zoning configuration which would split development

on the site due to the difference in height, density, yard and development requirements of the two zones on the site. Therefore, such variances are necessary for the preservation of the substantial property right to allow for a uniform development and access throughout a development, which is generally possessed by other properties in the same zone and vicinity.

4. The granting of the variances 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.

Allowing for the averaging of densities across zone boundary lines will not result in any detrimental impacts to the public or neighboring properties. Impacts from residential development are typically related to building construction and operation, based on project density, building height, or massing. The total number of proposed units for the entire site will not exceed Municipal Code allowances for density, height, or massing, and potential impacts have been addressed and mitigated through required environmental conditions identified through the CEQA process.

Granting access between the two lots is also not expected to negatively impact the neighborhood, and the grant would provide for a better configuration of the lot. Without access from Parthenia Street, the rear lot would be required to seek access via an easement from neighboring properties, with vehicular and pedestrian access potentially limited to the rear alleyway. This configuration for limited access to and from the site would be problematic for the safety of residents and for vehicular traffic of neighboring properties. Therefore the request for access across zone boundary lines for the site would be preferred in order to eliminate potential negative impacts to neighboring sites.

5. The granting of the variances will not adversely affect any element of the General Plan.

The proposed project is in substantial conformance with the Mission Hills - Panorama City - North Hills Community Plan and other elements of the General Plan. The approval of the Variances for the averaging of densities and providing access across zone lines would result in a more unified, logical development of the site, and would be supportive of City policies for site planning, design, access, circulation, and infrastructure improvements.

PUBLIC HEARING AND COMMUNICATIONS

Public Hearing

The public hearing was held at the Marvin Braude Constituent Service Center on July 18, 2014. The public hearing was attended by the project owner and representatives.

Communications Received

A letter was received from the office of Councilmember Nury Martinez, with comments stating that the project site and neighboring properties are in need of revitalization and redevelopment, and that the architecture, design and landscape of the project should be elevated to provide a development that enhances the surrounding community, supporting the community revitalization being experienced south of the site, and improving and preserving the quality of life of nearby residents.

Summary of Public Hearing Testimony

The project representative, Eric Lieberman, briefly spoke and presented the project, noting that new architectural plans have been submitted, that the rear alley will likely be set aside for future dedication, and added that the project has Neighborhood Council support.

15230 PARTHENIA ST, NORTH HILLS, CA 91343

PROJECT ADDRESS 15230 PARTHENIA ST. NORTH HILLS, CA 91343 PROJECT OWNER 15230 PARTHENIA LLC, PO BOX 1729 STUDIO CITY, CA 91614 DESIGN & STRUCTURE ENGINEER G.A. ENGINEERING 19562 VENTURA Blvd. Suite 230 TARZANA, CA. 91356 Phone: (818) 758-0018 PUBLIC WORKS PLANS: SURVEY: Danielson Surveying 13916 Tyler Street, Sylmar, CA 91342 (818) 362-8886 | (626) 337-6854 GEOTECHNICAL ENGINEER ARCHITECTUR SHEET TITLE A-0 COVER SHEET A-1 SITE PLAN A-2 BASEMENT FLOO

ADDRESS:

PROJECT SCOPE-

BUILDING CODE:

EXISTING ZONE

PROPOSED ZONE:

LEGAL DESCRIPTION

ASSESSOR PARCEL NO. (APN)

GENERAL PLAN LAND USE

AREA PLANNING COMMISSION

PROPOSED BUILDING HEIGHT OCCUPANCY GROUP

BUILDING SETBACKS

STORIES:

COMMUNITY PLAN AREA

| | | - | | | | | | | |
|---------------|-----------------------------|---------------------|--|-----------------|-----------|------------------------|---------------------------------|--------|------------------|
| | | PARKING CALCULATION | | | ION | OPEN SPACE CALCULATION | | | |
| | PARKING REQUIRED PER LANC | | | | REQUIRED | | | | |
| ARCHITECTURAL | | | | AUTO PARKING | TOTAL | NO. OF | NO.OF HABITABLE | QUANT. | |
| | | 1- BORM | 5 | 1,5 | 7 | BEDROOMS | ROOMS | QUANT. | OPEN SPACE |
| SHEET | TITLE | 2- BDRM | 26 | 2 | 52 | 1 | 2 | 5 | 5 X 100 = 500 |
| A-0 | COVER SHEET | 3-90RM | 10 | 2 | 20 | 2 | 3 | 25 | 25 X 125 - 3.125 |
| A-1 | SITE PLAN | TOTAL | 41 | | 79 | 3 | 4 | 11 | 11 X 175 = 1,925 |
| A-2 | BASEMENT FLOOR, FIRST FLOOR | | ALLOWABLE REDUCTION PER PARKING BICYCLE ORDINANCE | | | | TAL | 41 | 5,550 SQ.FT |
| A-3 | SECOND FLOOR, ROOF FLOOR | | 79 X 10% →7.9 →7 | | | | 1012 | | |
| 4-4 | ELEVATIONS | | REQUIRED PARKING PER BICYCLE ORDIHANCE 79 - 7 - 12 7 x 4 - 28 MINIMALIA REQUIREO BICYCLE PARKING PROVIDED PROVIDED | | | | | | |
| A-5 | SECTIONS | | | | | | | | |
| A6 | ENLARGED UNITS | | | | | | AREA DESCRIPTION | | |
| A-7 | DOORS & WINDOWS SCHEDULE | PROVOE 4 | PROVIDE 4 (5) SHORT-TERM BICYCLE PARKING | | | | | | |
| D-1 | DETAILS | | " (41) LONG-TERM BICYCLE PARKING | | | | CENTER COURT YARD, FIRST FLOOR | | |
| D-2 | DETAILS | | | | | | CENTER COURT YARD, SECOND FLOOR | | |
| -1(GB) | GREEN BUILDING | PARKING P | PARKING PROVIDED PARKING No. | | | | RECREATION ROOM | | |
| 1-2 | GENERAL NOTES - FIRE NOTES | | | | | GYM | | | 427 SQ.FT. |
| N-3 | GENERAL NOTES | STANDARD | | | 35 | BALCONIES, 41 X 50 | | | 2,050 SQ.FT. |
| | | | DISABLE PARKING, RESIDENTS 4 | | | DECK FOURTH FLOOR | | | 400 SQ.FT. |
| | | TOTAL | TOTAL AUTO PARKING RESIDENTS | | REAR YARD | | | 0 | |
| | | PARIUNG, G | PARKING, QUEST | | 8 | TOTAL | | | 5,983 SQ.FT. |
| | | DISABLE PA | DISABLE PARKING, GUEST | | 0.0 | ' | | | |
| | | TO | TAL AUTO | PARKING GUESTS | 9 | | | | |
| | | | TOTA | L AUTO PARKING | 86 | | | | |
| | | | | RKING RESIDENTS | 5 | | | | |

PROJECT DATA

ARB '3" OF LOT 266 OF TRACT 2800 AS RECORDED IN MB 28-53/54

BASEMENT- TYPE "IA" GARAGE, FULLY SPRINKELERED THROUGHOUT (NFPA-13)

[C2: 11,899.5 (SQ FT)], [R3:12,603.3(SQ FT)] TOTAL: 24,502.8 SQFT

FRONT YARD: 5 FEET AFTER 3 FEET DEDICATION
SIDE YARDS: 7 FEET
REAR YARD: 5 FEET AFTER 20 FEET DEDICATION TO FUTURE ALLEY

15230 PARTHENIA ST, NORTH HILLS, CA 91343

2013 CBC AS AMENDED BY CITY OF LOS ANGELES

MISSION HILLS - PANORAMA CITY - NORTH HILLS

45 FFFT WITH IN R3-1 & 51'-3" WITH IN RAS-4

4-STORY RESIDENTIAL OVER BASEMENT GARAGE

AREA SUMMARY (LABC)

AREA:

SQ.FT.

INTERIOR WALLS

UTTO OUT BLOG)

6,415

13,470

13,470

13,137

S-2 PARKING

R-I RESIDENTIAL

R-2 RESIDENTIAL

R-2 RESIDENTIAL

R-2 RESIDENTIAL

AREA:

VENT SHAFTS

26 479

479

FLOOR AREA

6,415

13,085

FLOOR AREA

19,010 8,628

6,415

13,085 12,606

12,759 12,280 27,638

12,606

GENERAL COMMERCIAL, MEDIUM RESIDENTIAL

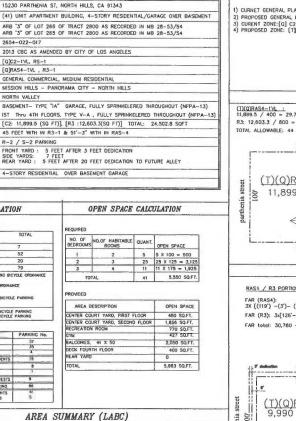
2654-022-017

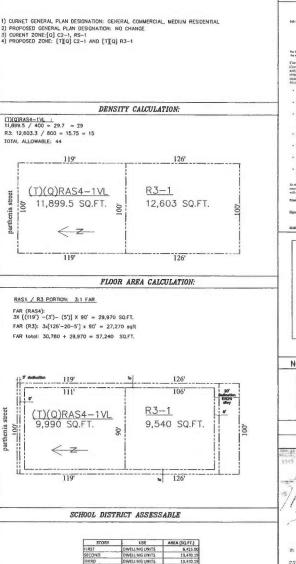
[0]C2-1VL, RS-1

NORTH VALLEY

[Q]RAS4-1VL , R3-1

R-2 / S-2 PARKING





ZONE CHANGE NOTES:

(page 1 of 13) APCNV-2014-1658-2C-ZV-ZAA Date: 9/8/2014 B EXHIE 15236 PARTH LLC, PO BOX 1729 STUDIO CITY, CA 91614 15236 PARTHENIA ST, NORTH HILLS, CA 91343 ATTN. OWNERS/CONTRACTORS: It is the responsibility of the contractor to extensic of pions and specificalizesprior to starting the construction was Contractor and specificalizesprior to starting the construction was Contractor was contractor and contractor a OBTAIN SEPARATE APPLICATION FOR THE FOLLOWING ITEMS: RETAINING WALLS, GRADING WORK, BLOCK FENCE, FIRE SPRINKLER SYSTEM, ELECTRICAL, MECHANICAL, PLUMBING WORK, SHORING AND DEMOLITION. VICINITY MAP MINION 3014 9010 1/8°-1"-0" Drivers VA. the tall plant in past in age to a APPROVED VA

ATTACHMENT A

ATTACHMENT A

CITY OF LOS ANGELES

ENGINEERING
az verrues acrosure 220
ZZAM, CARFORMA 91358
AMERICAN 758—2018
FOR 1785—2338

13-100 A-0

Plans

..

E-4

