

DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT



City Planning Commission

Date: November 13,		er 13, 2014	Case No.:	CPC-2014-1750-GPA-ZC
Time:	After 8:30 a.m.*		CEQA No.:	ENV-2014-1751-MND
Place:	Los Angeles City Hall		Incidental Cases:	None
	200 N. Spring Street, Rm 350		Related Cases:	AA-2011-1236-PMLA-M1
	Los Angeles, CA 90012		Council No.:	Two (2) – Krekorian
			Plan Area:	Van Nuys-No. Sherman Oaks
Public Hearing:		Monday, October 20, 2014	Certified NC:	Greater Valley Glen
Appeal Status:		General Plan Amendment is not	GPLU:	Very Low Residential
		appealable. Zone Change may	Zone:	RE11-1, R1-1
		be appealed by the applicant if		and the second
		denied.	Applicant:	Robert Saribekyan
Expiration Date:		November 28, 2014	Representative:	Jag Narayan
Multiple Approval:		General Plan Amendment, Zone		
		Change,	3	
PROJEC		24 N Allott Avenue		
LOCATI	ON:			

- PROPOSED The subdivision of an existing 33,159 square foot parcel into three parcels and the construction of two (2) single family dwellings, 28 feet in height, in newly created parcel "B" and parcel "C" in conjunction with Parcel Map PMLA-2011-1236-M1. Both new dwellings will be two stories with two-car garages. The existing dwelling on parcel "A" will remain.
- REQUESTED
- Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, Adopt the Mitigated Negative Declaration (ENV-2014-1751-MND) for the above referenced project;
 - Pursuant to Section 11. 5.6 of the Municipal Code, a General Plan Amendment from the Very Low Residential Land Use Designation to the Low Residential Land Use Designation in the Van Nuys/North Sherman Oaks Community Plan over the portion of the property that will be future parcels "B" and "C";
 - 3. Pursuant to Section 12.32 of the Municipal Code, a **Zone Change** from R1-1 to (T)(Q)R1-1 over the portion of the property that will be future parcels "B" and "C".

RECOMMENDED ACTIONS:

- 1. Adopt the Mitigated Negative Declaration (ENV-2014-1751-MND) for the above referenced Project.
- Approve and recommend that the Mayor and City Council Approve a General Plan Amendment from the Very Low Residential Land Use Designation to the Low Residential Land Use Designation in the Van Nuys/North Sherman Oaks Community Plan over the portion of the property that will be future parcels "B" and "C";
- 3. **Disapprove** a **Zone Change** from R1-1 to (T)(Q)R1-1 over the portion of the property that will be future parcels "B" and "C".
- 4. Approve and Recommend that the City Council Approve a Zone Change from R1-1 to (Q)R1-1 over the portion of the property that will be future parcels "B" and "C".
- 5. Adopt the attached Findings.

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MICHAELLOGRANDE 4 Director of Planning Webber, Deputy Director

Robert Z. Duenas, Senior City Planner

for DD

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* 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 is the subdivision of an existing 33,159.8 square-foot parcel into three parcels: parcel "A" 21,137.35 square feet, parcel "B" 6,011.76 square feet, and parcel "C" 6,011.76 square feet (filed separately as a modification to PMLA-2011-1236); and the construction of one single family dwelling on parcel "B" and one on parcel "C" (the existing single family dwelling will remain on parcel "A"). Both new dwellings will be two stories, approximately 28 feet in height, and will have two-car garages. The project will necessitate the removal of accessory structures.

This project will require a General Plan Amendment from the Very Low Residential Land Use Designation to the Low Residential Land Use Designation over the portion of the property that will be future parcels "B" and "C" and is currently zoned R1-1. A Zone Change from R1-1 to (T)(Q)R1-1 is also being requested for this portion of the property. The Municipal Code does not provide for (T) Conditions to be placed on the R1 zone, so staff recommends approval of the (Q)R1-1 only. The portion that becomes parcel "A" will remain in the Very Low Residential Land Use Designation with the existing zone of RE11-1.

Staff recommends approval of the Plan Amendment and Zone Change as this will make the zoning and land use designations consistent on the property and consistent with the rest of the neighborhood.

Background

The site is one rectangular-shaped parcel totaling 33,159.8 square feet of area. It extends 306.12 feet from Allott Avenue to Sunnyslope Avenue (both local streets) with a 108.32 frontage on each street. The site is improved with a one-story single family dwelling, and will remain on future parcel "A". An existing detached garage/storage space and swimming pool, located on future parcels "B" and "C," will be removed.

Currently, the Land Use Designation on the entire property is Very Low Residential. The western part of the parcel, fronting on Sunnyslope Avenue, is zoned RE11-1 for a depth of 196 feet, and is consistent with the Very Low Residential Land Use Designation. The eastern portion of the parcel, fronting on Allott Avenue, is zoned R1-1 for a depth of 111 feet, and is not consistent with the plan's land use designation

Adjacent land uses include single family residential uses with a zoning of R1-1, RE11-1, and RE9-1 to the east, west and south of the subject site. Uses to the north of the subject site consists of single family residential and multiple family residential uses with a zoning of RE11-1 and [Q]RD1.5-1. Within 500 feet south of the subject site is Kittridge Elementary School. There are 13 trees on the site and none will be removed. The site is located in a liquefaction area.

The applicant wishes to create two additional parcels fronting on Allot Avenue consistent with the existing development pattern in the neighborhood.

Related Cases:

ON-SITE:

AA-2011-1236-PMLA - On March 29, 2013, the Deputy Advisory Agency approved a parcel map for a two parcel single family development.

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AA-2011-1236-PMLA-M1 – Filed concurrently with subject case. The applicant is requesting the Deputy Advisory Agency to modify the parcel map to a three parcel single family development. Such a map would be consistent with the R1-1 zone and the Low Residential Land Use Designation of the Community Plan.

OFF-SITE:

There are no related or relevant cases off-site. The residential development pattern in the neighborhood was built out in the mid to late 1950s.

Staff Analysis

The proposed project, the retention of one single family dwelling and construction of two new single family dwelling units over three newly created lots, is located within the area covered by the Van Nuys-North Sherman Oaks Community Plan, updated and adopted by the City Council on September 9, 1998. The existing Plan designates the subject property as Very Low Residential (with corresponding zones of RE20, RA, RE15, RE11). The recommended Plan Amendment would designate the portion of the site facing along Sunnyslope Avenue as Low Residential (with corresponding zones of RE9, RS, R1, RU, RD6, RD5) thus corresponding to the land use and zoning pattern along the entirety of that block. The zone change requested to the (Q)R1-1 (Single Family Residential) Zone would be consistent with the proposed land use designation and would be in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

The Van Nuys-North Sherman Oaks 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.

The proposed Plan Amendment and Zone Change will meet the goals, policies, and objectives of the Community Plan by providing more housing. The Applicant is concurrently seeking a modification to AA-2011-1236-PMLA, under a separate application, to allow for two additional residences to be built with a parcel area that would be consistent with the existing development along Sunnyslope Avenue. The proposal will replace under-utilized residential property for a three-parcel subdivision that will provide ownership opportunities to the vicinity. The recommended project is within the scale of other development in the area, and will complete the single family residential pattern along both Sunnyslope Avenue and Allott Avenue.

The recommended action has been made contingent upon compliance with the "(Q)" conditions which will ensure that the development is more compatible with the surrounding properties, to secure an appropriate development compliant with the General Plan, and to mitigate the potential adverse environmental effects of the subject recommended action.

A public hearing was held for the subject case on October 20, 2014, at which the project's owner and representative were present. The applicant's representative presented background information and reasons for the project request, and is stipulated in this report. No other issues have been raised.

Conclusion

Staff's recommendation is for approval of the Plan Amendment to the Low Residential land use designation and corresponding Zone Change to, R1-1 zone, with the attached (Q) Qualified, over

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the portion of the parcel that will be future parcels "B" and "C". The request is in conformance with the public necessity, convenience, general welfare, and good zoning practice.

(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. Environmental Conditions.

1. Air Pollution (Demolition, Grading, and Construction Activities).

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

2. Liquefaction Area

- a. Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval.
- b. The project shall comply with the Uniform Building Code Chapter 18. Division1 Section 1804.5 Liquefaction Potential and Soil Strength Loss. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- c. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modifi

3. Explosion/Release (Existing Toxic/Hazardous Construction Materials).

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

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

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

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.
- 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.
- 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.

A. General Plan/Charter Findings

- 1. <u>General Plan Land Use Designation</u>. The subject property is located within the area covered by the Van Nuys-North Sherman Oaks Community Plan, updated and adopted by the City Council on September 9, 1998. The existing Plan designates the subject property as Very Low Residential (with corresponding zones of RE20, RA, RE15, RE11). The recommended Plan Amendment would designate the portion of the site facing along Sunnyslope Avenue as Low Residential (with corresponding zones of RE9, RS, R1, RU, RD6, RD5) thus corresponding to the land use and zoning pattern along the entirety of that block. The zone change requested to the (Q)R1-1 (Single Family Residential) Zone would be consistent with the proposed land use designation and would be 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 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.

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.

Objective 1-1: Achieve and maintain a housing supply sufficient to meet the diverse economic needs of current and projected population to the year 2010.

Policies:

1-1.1 Maintain an adequate supply and distribution of multi-family housing opportunities in the Community Plan Area.

Program: The Plan Map identifies specific areas where multi-family residential development is permitted.

1-1.4 Protect the quality of the residential environment through attention to the physical appearance of communities.

Program: Design Guidelines and Standards for residential development are included in the Urban Design Chapter of the Community Plan.

Objective 1-3 Preserve and enhance the character and integrity of existing single and multifamily neighborhoods.

Policies:

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1-3.1 Seek a high degree of compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.

Program: The Plan includes Design Guidelines which establish design standards for residential development to implement this policy.

The staff recommended project will meet the above goals, policies, and objectives of the Community Plan by providing much needed housing. The proposal will replace underutilized residential property for a three-parcel subdivision that will provide ownership opportunities to the vicinity. The recommended project is within the scale of other development in the area, and will complete the single family residential pattern along Sunnyslope Avenue.

B. Entitlement Findings – Zone Change

Zone Change, L.A.M.C. Sec. 12.32.F: The applicant's request is in conformance with the public necessity, convenience, general welfare, and good zoning practice.

There is a well-documented demand for housing throughout the City of Los Angeles. The requested Plan Amendment to Low Residential and Zone Change to (Q)R1-1 will complete a plan and zone pattern that has existed since the 1950s, and therefore will be compatible with the use and size of existing adjacent developments.

The proposed project addresses the policies of the Community Plan by maintaining land designated for single-family development and provides high-quality single-family dwellings that are conditioned to be attractively landscaped and architecturally compatible with the surrounding residential neighborhood.

The recommended action has been made contingent upon compliance with the "(Q)" conditions which will ensure that the development is more compatible with the surrounding properties, to secure an appropriate development compliant with the General Plan, and to mitigate the potential adverse environmental effects of the subject recommended action.

C. CEQA Findings

Environmental. The Environmental Review Section of the Planning Department issued the proposed project Mitigated Negative Declaration ENV-2014-1751 -MND on October 17, 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, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the South Valley Environmental Review Section of the Planning Department in Room 430, 6262 Van Nuys Blvd., Van Nuys.

PUBLIC HEARING AND COMMUNICATIONS

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Public Hearing and Summary of Public Hearing Testimony

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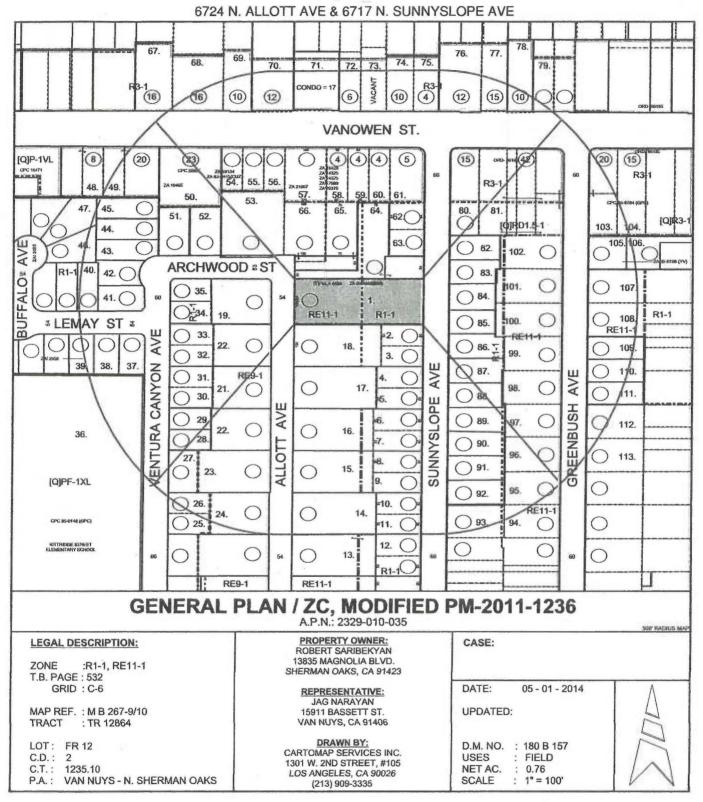
The public hearing was held at the Marvin Braude Constituent Service Center on Monday, October 20, 2014. The public hearing was attended by the owner/applicant and his representative. The applicant's representative spoke in support of the project.

Communications Received

At the time of this report, no communications have been transmitted to the hearing officer in regards to the project.

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Exhibit A2 Radius Map ICPC 20141750

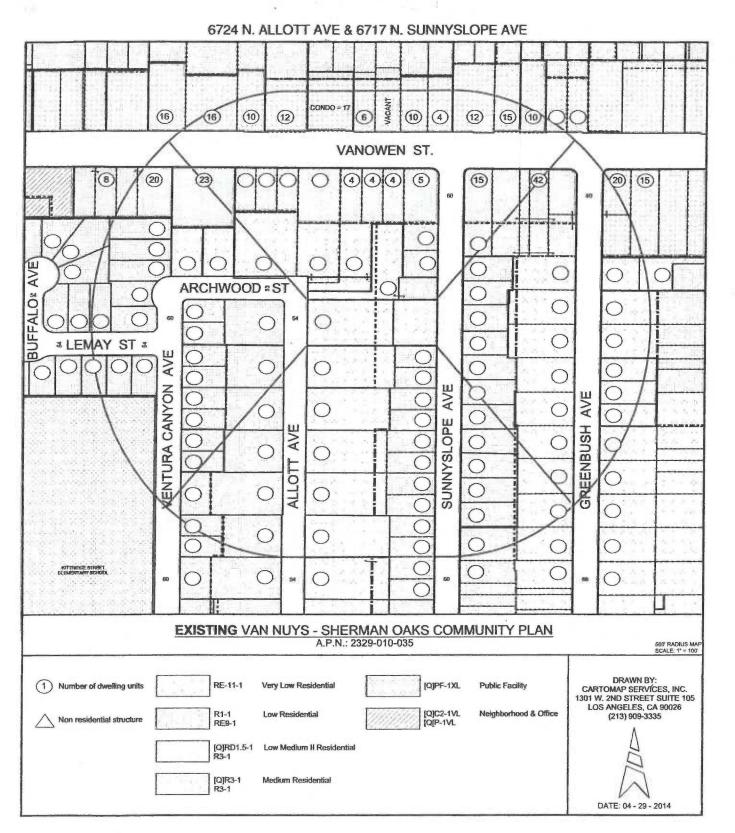
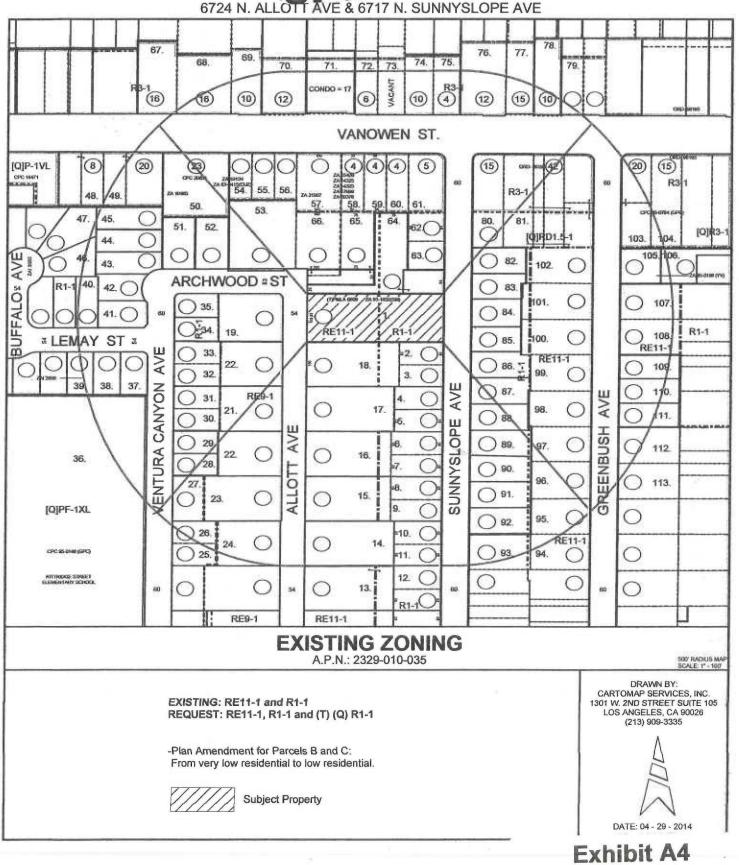


Exhibit A3 Existing General Plan Map CPC 20141750



Existing Zoning Map



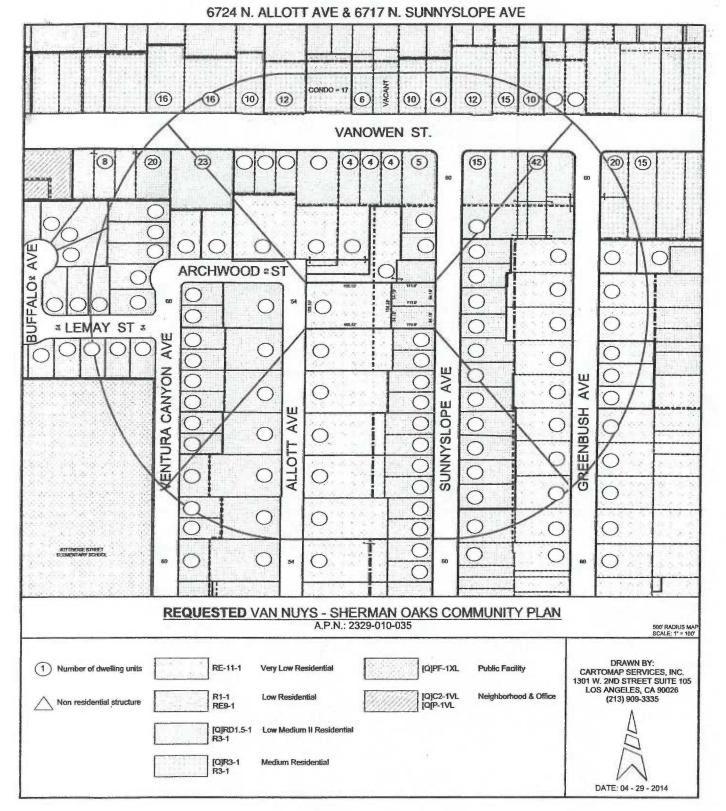
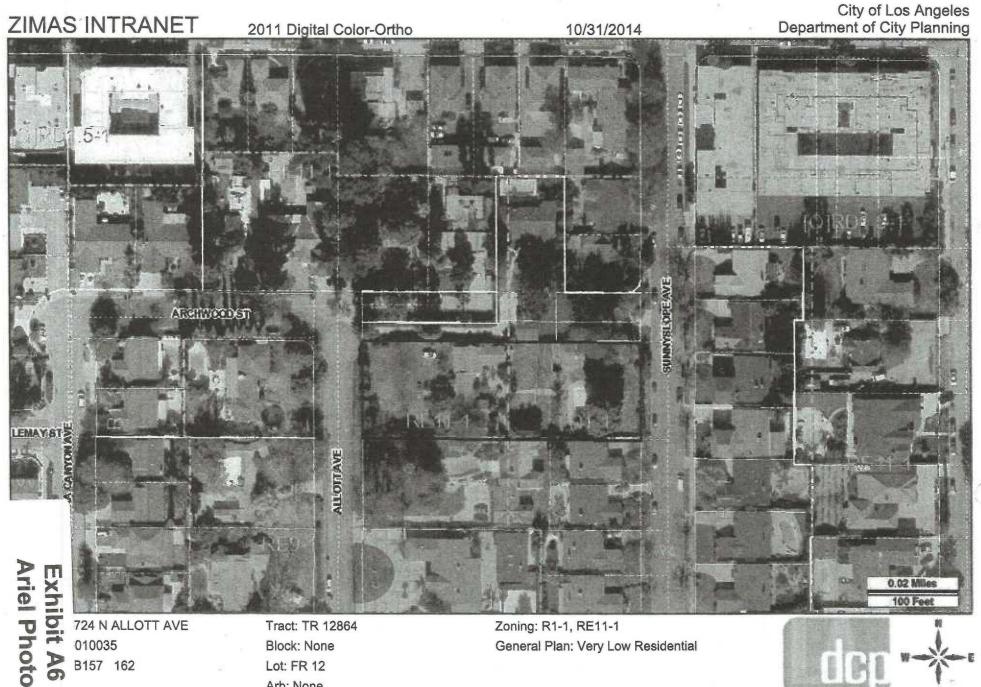


Exhibit A5 Proposed General Plan & Zone



724 N ALLOTT AVE 010035 A6 B157 162

Tract: TR 12864 Block: None Lot: FR 12 Arb: None

Zoning: R1-1, RE11-1 General Plan: Very Low Residential



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