

3/4/15

File No. 15-0098

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment and zone change for property at 6724 North Allott Avenue.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 15-0098 in the custody of the City Clerk and in the files of the Department of City Planning (DCP) in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2014-1751-MND] filed on October 17, 2014.
2. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC) as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION as recommended by the Mayor, and the Director of Planning, on behalf of the LACPC APPROVING the proposed General Plan Amendment to the Van Nuys/North Sherman Oaks Community Plan from Very Low Residential to Low Residential land use designation over the portion of the property that will be future parcels B and C for property at 6724 North Allott Avenue within the Van Nuys/North Sherman Oaks Community Plan.
4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the LACPC, effecting a zone change from R1-1 to (Q)R1-1 over the portion of the property that will be future parcels B and C, subject to Conditions of Approval, for property located at 6724 North Allott Avenue. The project involves the subdivision of an existing 33,159 square foot parcel into three parcels and the construction of two single family dwellings, in newly created parcel B and parcel C in conjunction with Parcel Map PMLA-2011-1236-M1. The existing dwelling on Parcel A will remain.
5. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
6. INSTRUCT the DCP to update the General Plan and appropriate maps pursuant to this action.
7. ADVISE the applicant of Q Qualified classification time limit as described in the Committee report.
8. 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.
9. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

Applicant: Robert Saribekyan
Representative: Jag Narayan

Case No. CPC-2014-1750-GPA-ZC

Fiscal Impact Statement: The LACPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - APRIL 12, 2015

(LAST DAY FOR COUNCIL ACTION - APRIL 1, 2015)

Summary:

At the public hearing held on February 24, 2015, the Planning and Land Use Management Committee considered a General Plan Amendment and zone change located at 6724 North Allott Avenue.

After an opportunity for public comment, the Committee recommended that Council approve the General Plan Amendment to the Van Nuys - North Sherman Oaks Community Plan from Very Low Residential to Low Residential land use designation over the portion of the property that will be future parcels "B" and "C", and the Ordinance to effect a zone change from R1-1 to (Q)R1-1 over the portion of the property that will be future parcels "B" and "C", subject to Conditions of Approval, for property located at 6724 North Allott Avenue. The project involves the subdivision of an existing 33,159 square foot parcel into three parcels and the construction of two single family dwellings, in newly created parcel "B" and parcel "C" in conjunction with Parcel Map PMLA-2011-1236-M1. The existing dwelling on Parcel "A" will remain. This matter is now forwarded to Council for its consideration.

As indicated in Recommendation No. 7 and pursuant to Section 12.32-J of the Los Angeles Municipal Code (LAMC), the applicant is hereby advised that:

. . . whenever property remains in a "Q" Qualified classification for six years . . . after the effective date of the ordinance creating same without substantial physical development thereof for one or more of the uses first permitted herein having taken place within such time or if the Director of Planning determines that such development is not thereafter continuously and expeditiously carried on to completion, or if no physical development is necessary, without having been need for one or more of the purpose first permitted thereby, such Qualified classification and the authority contained therein shall become null and void, the rezoning proceedings shall be terminated and the property thereafter may only be utilized for those purposes permitted prior to the commencement of such rezoning proceedings."

Respectfully Submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
HUIZAR	ABSENT
CEDILLO	YES
ENGLANDER	YES

Silbert Cedillo

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-NOT OFFICIAL UNTIL COUNCIL ACTS-

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section __. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone classifications of property shown upon a portion of the Zoning Map incorporated therein and made a part of Article 2, Chapter 1 of the LAMC, so that such portion of the Zoning Map shall conform to the zoning on the map attached hereto and incorporated herein by this reference.

VANOWEN ST

ARCHWOOD ST

ALLOTT AVE

SUNNYSLOPE AVE

E'LY LINE OF SUBAREA NO. 130B OF ORD. 167939 ADOPTED 5/6/92

RE11-1

108.32

S'LY LINE OF TR. PM 6954

111

(Q)R1-1

111

60

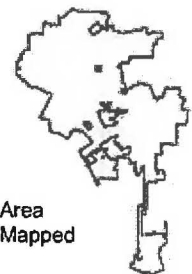
THE INTENT OF THIS ORDINANCE IS FOR THE BOUNDARIES OF THIS ZONE CHANGE TO COINCIDE WITH THOSE OF RECORDED P.M. 2011-1236



C.M. 180 B 157 | CPC-2014-1750-GPA-ZC

AAV

121014



Area Mapped

Section __. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was introduced at the Council of the City of Los Angeles, by a majority vote of all its members, at the meeting of _____.

Holly L. Wolcott, City Clerk

By _____ Deputy

Approved _____

Mayor

Pursuant to Section 558 of the City Charter,
the City Planning Commission on November 13, 2014
recommended this ordinance be adopted by the City Council.



James K. Williams, Commission Executive Assistant II
City Planning Commission

File No. _____

(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. Division 1 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 modified.

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:

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.
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.

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. **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.