



DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT



North Valley Area Planning Commission

Date:	Thursday, March 5, 2015	Case No.:	APCNV-2014-2491-ZC
Time:	After 4:30 p.m.*	CEQA No.:	ENV-2014-2487-ND
Place:	Marvin Braude Building First Floor Conference Room 6262 Van Nuys Boulevard Van Nuys CA 91401	Incidental Cases:	AA-2014-2488-PMLA
		Related Cases:	none
		Council No.:	2 - Krekorian
		Plan Area:	Sun Valley - La Tuna Canyon
		Specific Plan:	None
Public Hearing:	Tuesday, February 10, 2015	Certified NC:	North Hollywood West
Appeal Status:	Zone Change may be appealed by the applicant if denied.	GPLU:	Low Residential
Expiration Date:	March 5, 2015	Zone:	RA-1
Multiple Approval:	N/A	Applicant:	Armen Paronyen

PROJECT LOCATION: 7734 Varna Avenue

PROPOSED PROJECT: The subdivision of a 24,818 square-foot lot into three lots for the development of two new single-family residences. One existing single-family residence is to remain and an existing second dwelling unit is to be demolished. The project will also include street dedication for the continuation of Nagle Avenue, and the creation of a 2,760 square-foot remnant piece of land on the east side of Nagle Avenue.

[Note: A public hearing was held concurrently for Parcel Map No. AA-2014-2488-PMLA, at which the project was approved for three separate lots, with a decreased lot area of 7,251 for Lot A, and a decreased lot width of 51-feet 6-inches for Lot B and Lot C. An approval letter to subdivide the property into **three** lots was issued February 20, 2015.]

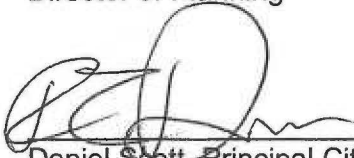
REQUESTED ACTION:

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, **Adopt** the Mitigated Negative Declaration (ENV-2014-2487-ND) for the above referenced project; and
2. Pursuant to Section 12.32 of the Municipal Code, a **Zone Change** from RA-1 (Suburban Zone) to (T)RS-1 (Suburban Zone).

RECOMMENDED ACTIONS:

1. **Adopt** the Mitigated Negative Declaration, ENV-2014-2487-ND;
2. **Approve** and **recommend** that the City Council **approve** the **Zone Change** from RA-1 to (T)RS-1 for the subject property, with the attached conditions of approval; and
3. **Adopt** the attached Findings.

MICHAEL LOGRANDE
Director of Planning



Daniel Scott, Principal City Planner



Robert Z. Duenas, Senior City Planner



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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 involves a three-unit single-family residential development and includes a request for a Zone Change from RA-1 to (T)RS-1 for the site. Separately, the applicant has been approved for a Parcel Map to create the three lots, as well as several Adjustments under the authority of the Advisory Agency for a reduced lot area for Lot A and reduced lot widths for Lots B and C.

Staff recommends approval of the Zone Change, as the (T)(Q)RS-1 zone and the development of the property with three single-family dwellings would be compatible with the adjacent zoning and existing neighborhood character.

Background

The subject site is zoned RA-1 with a land use designation of Low Residential (corresponding zones of RE9, RS, R1, RU, RD6, RD5) within the Sun Valley - La Tuna Canyon Community Plan.

Immediately adjacent properties along Varna Avenue are developed with single-family residences on RA-1 lots (ranging in size from 14,000 to 22,000 sq-ft), but following properties are developed on smaller residential lots in the RS-1 zone (ranging in size from 7,500 to 9,000 sq-ft). The entire surrounding area is designated for single-family Low Residential land uses. The Tujunga Wash, managed by Los Angeles County Flood Control, is located approximately 215 feet west of the property.

The irregularly-shaped site consists of one lot totaling 28,848 sq-ft of lot area, having an unimproved frontage of 75 feet on the east side of Varna Avenue (a designated Local Street), and 110 feet of future frontage on the west side of Nagle Avenue (a designated Local Street) which currently terminates at the northern property boundary. The area of the site along both Varna Avenue and Nagle Avenue remains unimproved. The site is currently developed with a single-family residence and second dwelling unit.

Related Cases:

ON-SITE:

AA-2014-2488-PMLA - On February 20, 2015, the Advisory Agency issued an approval for a Parcel Map subdivision for three single-family lots on the subject site.

OFF-SITE:

7770 - 7788 VARNA AVENUE (north of the site)

APCNV-2004-2870-ZC & TT-61148 - On June 19, 2006, Ordinance 177,525 became effective granting a Zone Change from RA-1 to (T)RS-1 for a five-lot single-family development. On October 26, 2006, a tract was recorded for a five-lot subdivision.

7753 - 7769 VARNA AVENUE (north of the site)

CPC-1986-795-ZC & PM-5423 - On August 28, 1983, Ordinance 158,137 became effective granting a Zone Change from RA-1 to (T)RS-1 for a three-lot single-family development. On September 14, 1988, a parcel map was recorded for a three-lot subdivision.

City Agency Reports Received:

Letters were received from the Bureau of Engineering, Bureau of Street Lighting, and Department of Building and Safety prior to the completion of the Hearing Officer's report. The recommendations from the Bureau of Engineering and Bureau of Street Lighting have been incorporated as conditions of approval. Per the Municipal Code, conditions for Zone Change approvals for single-family zones are only limited to identifying public improvements or environmental mitigations. Therefore, recommended conditions from Building and Safety are only included in the Parcel Map approval and will also be addressed during the Building Plan Check process.

Hearing Officer Comments:

The proposed project site is located within the Sun Valley - La Tuna Canyon Community Plan area, within a land use designation of Low Residential, which allows for corresponding zones of RE9, RS, R1, RU, RD6, and RD5. The proposed RS zone for the site will meet the zoning and density envisioned by the corresponding land use designation.

The Sun Valley - La Tuna Canyon 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 RS zone and single-family development on the site would be in-line with the character of the neighboring single-family residential area. The project would also provide upgrades to the adjacent public right-of-way along Varna Avenue, and would dedicate approximately 6,880 square-feet of the lot for the extension and improvement of Nagle Avenue, which currently terminates at the northern property line of the subject site. In addition, adequate access to the site could be provided from major streets, and the development of two new residences in addition to the existing residence on the site is not expected to have a significant impact on traffic, public services, or available utilities.

Issues

A public hearing was held for the subject Zone Change on February 10, 2015, in conjunction with the public hearing for the Parcel Map. The public hearing was attended by the project owner and approximately five people, with the Council Office and two neighbors speaking with general comments and requests for specific conditions for the project. In addition, one letter of opposition was submitted from one of the speakers.

Comments and written testimony from neighbors and Council Office mainly outlined concerns about the proposed project's impacts on neighbors in terms of noise and privacy due to the reduced setbacks and increased density, and potential nuisances resulting from the design and maintenance of the remnant piece of property on the east side of Nagle Avenue. To address these concerns, they requested that several conditions to be included as part of the project:

- Limiting each lot to one single-family dwelling (no second-dwelling units or granny flats)
- No second-story decks or balconies facing the adjacent properties.
- Fencing and drought-tolerant native landscaping of the remnant lot to prevent unwanted activities and waste collection.
- The remnant lot to be tied to one of the other parcels for maintenance.
- The required street light on Nagle Avenue to be located on the east side of the street to illuminate the remnant site.

The applicant agreed to all the requested conditions, including that the remnant parcel be considered as part of Parcel C. These conditions are included in the Parcel Map approval.

However, the Los Angeles Municipal Code (Sections 12.32.G.1 and G.2) limits Zone Change conditions on single-family zoned lots to only include public improvements (T-conditions) or environmental mitigations (Q-conditions). The project was issued a Negative Declaration environmental clearance, which found that the project would not result in any potentially significant environmental impacts, and therefore no environmental mitigations (Q-conditions) are necessary for the project. Therefore, only public improvement conditions (T-conditions) are included in the Zone Change approval. These proposed conditions incorporate recommendations from the Bureau of Engineering, Bureau of Street Lighting, and the community, and include a clarification that a street light on Nagle Avenue should be located on the east side of the street to illuminate the remnant parcel. The remaining conditions addressed at the public hearing, regarding number of units per lot, second-story decks or balconies, and maintenance of the remnant parcel, are limited to the Parcel Map approval.

Conclusion

The requested RS-1 zone is within the range of corresponding zones of the Low Residential Plan designation, and is in conformance with the public necessity, convenience, general welfare, and good zoning practice. Staff's recommendation is for approval of the (T)RS-1 zone with the attached (T) Tentative conditions, which support the policies of the Land Use Element of the General Plan.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

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

1. That a revised map be submitted showing the proposed cul-de-sac turning area and revised area of proposed parcels "B" and "C" after the required right-of-way dedication to include the "Not a Part" area labeled on the map as part of Parcel "C".
2. That a 10-foot wide strip of land be dedicated along Varna Avenue adjoining the subdivision to complete a 30-foot wide half right-of-way dedication.
3. That a 60-foot wide right-of-way area be dedicated at the terminus of Nagle Avenue for proposed southerly extension of Nagle Avenue, including sufficient right-of-way area to provide a cul-de-sac on an alignment acceptable to the Valley Engineering District Office in a manner that the area designated as "not a part" be connected to the main Parcel "C".
4. That any existing 1-foot wide future street easement at the terminus of Nagle Avenue, if necessary adjoining the property be accepted by a suitable Resolution.
4. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve Varna Avenue being dedicated and adjoining the subdivision by the construction of the following:
 - (1) A concrete curb, a concrete gutter, and a 5-foot concrete sidewalk adjacent to the property line, planting trees with root barriers and landscaping the parkway.
 - (2) Suitable surfacing to join the existing pavement and to complete an 18-foot wide half roadway.
 - (3) Any necessary removal and reconstruction of existing improvements.
 - (4) The necessary transitions to join the existing improvement.
 - b. Improve Nagle Avenue being dedicated and adjoining the subdivision by the construction of the following:
 - (1) Concrete curbs, concrete gutters, and 4.5-foot concrete sidewalks adjacent to the property line in a 10-foot border on the east side and a 12-foot border on the west side.
 - (2) Suitable surfacing to join the existing pavement and to complete a 38-foot roadway.
 - (3) Any necessary removal and reconstruction of existing improvements.
 - (4) The necessary transition to join the existing improvements.

(5) Suitable improvement of the 35-foot curb radius cul-de-sac at the terminus of Nagle Avenue.

- c. Construct the necessary mainline sewers and house connection sewers to serve each parcel and evaluate the efficiency of the existing house connections.
- d. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

Construct one (1) new light on Nagle Avenue, and (1) new light on Varna Avenue. (*Note per Public Hearing: If feasible, the new street light on Nagle Avenue shall be located on the eastern side of the street, in order to illuminate the remnant parcel for the purposes of safety and to minimize trespassing*)

- 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. A parking area and driveway plan be submitted to the Valley Programs Development Review Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/ driveway plans at a scale of 1"=40' to DOT's Valley Programs Development Review Section.
- 7. The Quimby fee shall be based on the RS 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.

ZONE CHANGE FINDINGS

A. General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located within the Sun Valley – La Tuna Canyon Community Plan, updated and adopted by the City Council on August 13, 1999. The existing Plan designates the subject property for Low Residential land uses, which corresponds to the RE9, RS, R1, RU, RD6, and RD5 zones. The proposed zone change to RS is consistent with the land use designation on the plan map and thus is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.
2. **General Plan Text.** The Sun Valley – La Tuna Canyon 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.

Policy 1-1.4 The City should promote neighborhood preservation in existing single family neighborhoods.

Program: Residential land use categories, zone changes, subdivisions, parcel maps, variances, conditional uses, specific plans, community and neighborhood revitalization programs for residential projects shall be consistent with Plan recommendations.

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 Consider factors such as neighborhood character and identity, compatibility of land uses, impacts on livability, impacts on services and public facilities, impacts on traffic levels, and environmental impacts when changes in residential densities are proposed.

Program: The decision-maker should adopt a finding which addresses these factors as part of any decision relating to changes in planned residential densities.

Policy 1-3.2 Seek a high degree of architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.

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 Low Residential land use designation. The site is located adjacent to other RA-zoned single-family lots along Varna Avenue (ranging in size from 14,000 to 22,000 sq-ft), and nearby single-family residences just north and south on Varna Avenue and along Nagle Avenue which are developed on smaller residential lots in the RS-1 zone (ranging in size from 7,500 to

9,000 sq-ft). The proposed RS zone and development of three single-family lots ranging in size from 7,251 square-feet to 7,501 square-feet would be compatible with the existing neighborhood land use and character. Additionally, the project has been conditioned to dedicate and significantly improve the surrounding public right-of-ways, which will serve to enhance the roadways, sidewalks, and street lighting along the site and provide for the extension of Nagle Avenue and better connectivity within the neighborhood. Other utilities and public services for the site, including the availability of sewer and drainage facilities in Varna Avenue, Nagle Avenue, and in the existing sewer easement adjacent to the northerly property line adjoining the subdivision, 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 several surrounding streets, and driveway entrances to each property are provided directly from the nearest adjacent street.

The site is not subject to any Plan footnotes, and is not otherwise located within any other specific plan or special land use district.

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

B. Entitlement Findings

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

The (T)RS-1 zone is consistent with the existing Low Residential General Plan Land Use designation in that this land use category allows for a corresponding zones of RE9, RS, R1, RU, RD6, and RD5. The project is convenient in location to several major streets, such as Saticoy Street, and will provide improvements to the adjacent public right-of-way, and as an infill project will be have adequate access to existing City services and infrastructure. There is a necessity for housing in all income levels and housing types, and the project will create more opportunity for single-family housing in the vicinity. Properties in the immediate neighborhood primarily consist of single-family residential buildings on RS- and RA-zoned lots. A zone change from RA-1 to RS-1 and construction of a two new single-family residences, in addition to the existing residence, 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 "(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, and to secure an appropriate development in harmony with the General Plan.

C. CEQA Findings

Environmental. The Environmental Review Section of the Planning Department issued the proposed project a Negative Declaration ENV-2014-2487-ND on November 10, 2014. On the basis of the whole of the record before the lead agency including any comments

received, the lead agency finds that there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached 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.

PUBLIC HEARING AND COMMUNICATIONS

Public Hearing

A joint public hearing for the Parcel Map and Zone change requests was held at the Marvin Braude Constituent Service Center on February 10, 2015. The public hearing was attended by the project owner and approximately five people, with the Council Office and two neighbors speaking with general comments and requests for specific conditions for the project. In addition, one letter of opposition was submitted from one of the speakers.

Communications Received

One letter in opposition was submitted from an adjacent property owner during the public hearing. The letter noted that the proposed project would negatively impact the adjacent properties, specifically since the new zoning would reduce the setbacks along common property lines. However, the adjacent property owner would be amenable to the new zoning with the imposition of several conditions to mitigate these impacts. These requested conditions included:

- Limiting each lot to one single-family dwelling (no second-dwelling units or granny flats)
- No decks or balconies to be constructed overlooking his property
- Fencing and landscaping of the remnant lot to prevent unwanted activities / waste collection.

Summary of Public Hearing Testimony

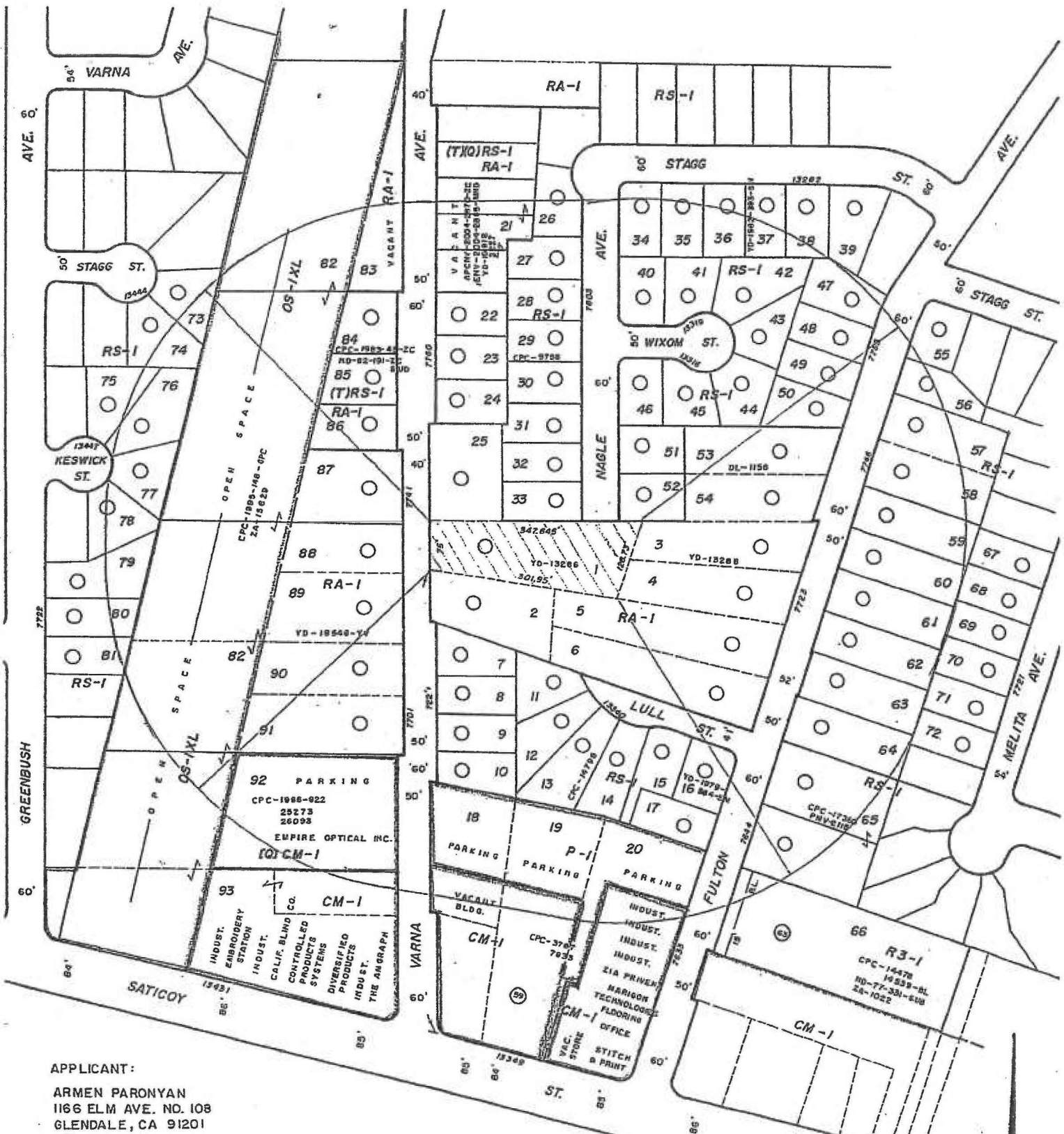
Subdivision staff from the Department of City Planning first spoke and presented a Staff Report, which included a summary of the project and requests, recommendations from various City agencies, and a recommendation of approval of the Parcel Map and for the Adjustments for reduced lot area and reduced lot widths.

The project site owner, Paronyan Garnik, also briefly presented the project, noting that the subdivision would create two additional lots with two new separate houses, and that he agrees with the draft set of subdivision conditions as presented in the Staff Report. Secondly, a neighbor living across the street from the site added general questions about the development, asking how the project will be accessed and the number of stories for the new residences. Next, a neighbor living directly adjacent to the project site submitted a letter to the file, and elaborated on the statements from the submitted letter. Namely, he noted that the proposed development may negatively impact his property in terms of noise and privacy since the requested zoning allows for reduced setbacks. He also reiterated a request that the three conditions identified in the letter be included as conditions of approval.

A representative for Councilmember Paul Krekorian added concerns about the remnant parcel located on the east side of Nagel Avenue, noting that this area would have the potential to be used for the accumulation of trash or as a transient encampment. In order to maintain this area in an attractive and safe condition, he recommended:

- The maintenance of the remnant lot be tied by a Covenant with one of the single-family lots.
- The remnant lot to be planted with native and drought-tolerant landscaping.
- The street light on Nagle Ave. be located on the east side of the street.
- No decks or balconies would be allowed facing any of the adjacent properties.

Lastly, the applicant spoke and agreed to all the requested conditions, including that the remnant parcel be considered as part of Parcel C.



APPLICANT:
 ARMEN PARONYAN
 1166 ELM AVE. NO. 108
 GLENDALE, CA 91201

ZONE CHANGE and
 PRELIMINARY PARCEL MAP NO. _____

NORTH
 0.72 AC.

CASE NO.
 DATE APR. 11, 2014
 D.M. 189B157, 186B157
 SCALE 1"=100'
 USES FIELD

LEGAL: FR 88 (ARB. 3), TRACT NO. 1212 M.B. 18-126/127
 (SEE APPLICATION)

T.B. PAGE 532 GRID C/D-3
 C.D. 2 C.T. 1220.00 P.A. 217 SVY

EXHIBIT E-1:
 Radius Map
 APCNV-2014-2491-ZC
 Date: 3/5/2015