



DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT



South Valley Area Planning Commission

Date:	March 12, 2015	Case No.:	APCSV-2014-2183-ZC
Time:	After 4:30 p.m.*	CEQA No.:	ENV-2014-2184-MND
Place:	Marvin Braude Building First Floor Conference Room 6262 Van Nuys Boulevard Van Nuys CA 91401	Related Cases:	APCSV-2007-1601-ZC CPC-2007-3036-RIO
Public Hearing:	February 2, 2015	Council No.:	3 – Blumenfield
Appeal Status:	Zone Change may be appealed by the applicant if denied.	Plan Area:	Reseda – West Van Nuys
Expiration Date:	March 30, 2015	Specific Plan:	None
Multiple Approval:	No	Certified NC:	Reseda
		GPLU:	Medium Residential
		Zone:	R1-1-RIO
		Applicant:	Morvarid Mostafavi Oscar Ensafi

PROJECT LOCATION: 6616 Darby Avenue

PROPOSED PROJECT: The construction of 6 multiple-family dwelling units as permitted by the proposed zone change to R3-1- RIO. The proposed project will be 32 feet in height, 2 stories over a ground level parking garage, and located on a 6,159.8 square foot lot. Eleven automobile parking spaces and four bicycle parking spaces will be provided.

REQUESTED ACTION:

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, Adopt the Mitigated Negative Declaration (ENV-2014-2184-MND) for the above referenced project;
2. Pursuant to Section 12.32 of the Municipal Code, a Zone Change from the R1-1-RIO (Single-Family Dwelling Zone) to the R3-1 (Multiple Dwelling Zone);

RECOMMENDED ACTIONS:

1. **Adopt** the Mitigated Negative Declaration, ENV-2014-2184-MND;
2. **Disapprove** a Zone Change from the R1-1-RIO (Single-Family Dwelling Zone) to the R3-1 (Multiple Dwelling Zone);
3. **Approve and recommend** that the City Council **approve** the **Zone Change** from R1-1-RIO to (T)(Q)R3-1-RIO for the subject property, with the attached conditions of approval;
4. **Adopt** the attached Findings; and
5. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

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Director of Planning

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PROJECT ANALYSIS

Project Summary

The applicant requests a Zone Change from R1-1 to (T)(Q)R3-1 in order to develop the subject site with a new 6-unit apartment building. The site is located in the Los Angeles River Improvement Overlay District (RIO). Staff recommends approval of the Zone Change to (T)(Q) R3-1-RIO zone as the development of the property with an 6-unit development will be conditioned to compatible with the adjacent zoning, the established building pattern, the existing neighborhood character, and the provisions of the RIO ordinance.

Background

The subject property is a level, vacant, rectangular-shaped lot, having a frontage of 50 feet along the east side of Darby Avenue, a designated local street. The current zoning is R1-1. The site is located within the Reseda – West Van Nuys Community Plan with a land use designation of Medium Residential (corresponding zone of R3). The site is located in the Los Angeles River Improvement Overlay (RIO)

Land uses completely surrounding the subject site are multiple-residential in the R3-1-RIO zone. Across Kittridge Street, approximately 260 feet to the south is Reseda Park, and 250 feet further south is the Los Angeles River.

Related Cases:

APCSV-2007-1601-ZC – A Zone Change from R1-1 to R3-1 for the construction of 7 apartment dwelling units with 12 parking spaces was requested on the subject site. The applicant withdrew the case on November 5, 2007.

CPC-2007-3036-RIO - On August 14, 2014, Ordinance 183-144 and 183-145 became effective, thus creating the Los Angeles River Improvement Overlay District. The district facilitates development to enhance the watershed, urban design, and mobility on properties adjacent to the Los Angeles River.

Reports Received:

No reports were received from any department, prior to the completion of the Hearing Officer's report.

Hearing Officer Comments:

The proposed project, the construction of 6 dwelling units, is located within the Reseda – West Van Nuys Community Plan area, within a land use designation of Medium Residential, which allows for a corresponding zone of R3. The proposed (T)(Q)R3-1 zone will meet the zoning and density envisioned by the Medium Residential Land Use designation. The project site is also located in the RIO District, although it is not directly adjacent to the Los Angeles River. As such the project shall be compliant with the Provisions in the RIO Ordinance.

The Reseda – West Van Nuys 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, to consider such factors as compatibility, livability, and impacts on infrastructure when evaluating new projects.

The proposed R3 zone would complete the multiple residential zoning in the neighborhood. It would provide a density that is in-line with the developments already on the block. The subject property provides adequate access to the site from major streets and the development of 6 new residences 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 2, 2015, at which the project's applicant, and representatives of Council District Three, were present. At the meeting, the applicant presented the project and noted that the site is planned for Medium Residential and that the R3-1 zone is consistent with that. The entire neighborhood is already developed at the same density. The Council Office representative spoke with concerns which included:

- Design compatibility needs to be improved on the Darby frontage.
- Landscaping needs to be improved on the front and rear,
- Open space for each unit needs to be clearly designated on the site plans.

Conclusion

Staff's recommendation is for approval of the (T)(Q)RD1.5-1-RIO zone, with the attached (Q) Qualified and (T) Tentative conditions. The requested R3-1 zone is the corresponding zone of the Medium Residential Land Use designation, and shall be conditioned to be in conformance with the public necessity, convenience, general welfare, and good zoning practice. These actions 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. Dedication(s) and Improvement(s). Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary), the following:
 - A. Responsibilities/Guarantees.
 1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
 2. Prior to issuance of sign-offs for final site plan approval and/or project permits by the Planning Department, the applicant/developer shall provide written verification to the Planning Department from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to project design required by a public agency shall be documented in writing and submitted for review by the Planning Department.
2. Construction of necessary sewer facilities to the satisfaction of the Bureau of Engineering. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
3. Construction of necessary drainage facilities to the satisfaction of the Bureau of Engineering.
4. Construction of tree wells and planting of street trees and parkway landscaping to the satisfaction of the Street Tree Division of the Bureau of Street Maintenance.
5. A parking area and driveway plan shall be prepared for approval by the appropriate district office of the Bureau of Engineering and the Department of Transportation. Emergency vehicular access shall be subject to the approval of the Fire Department and other responsible agencies.
6. Installation of street lights to the satisfaction of the Bureau of Street Lighting.
7. Preparation of a plot plan to the satisfaction of the Fire Department.
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. Police Department. Preparation of a 'plot plan in conformance with the Design Out Crime Guideline Booklet and guidelines defined in the Crime Prevention Through Environmental Design (CPTED) handbook to mitigate impacts on police services. Police recommendations may include but are not limited to secured parking, security fencing, security lighting, information signs, building design and landscaping to reduce places of potential concealment. The plans shall be to the satisfaction of LAPD Crime Prevention Section Personnel.
10. 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.
11. 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.
12. 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.
13. Recreation and Parks Dedication. Per Section 12.33 of the Los Angeles Municipal Code, the applicant shall dedicate land for park or recreational purposes or pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

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 Reseda – West Van Nuys Community Plan, updated and adopted by the City Council on November 17, 1999. The existing Plan designates the subject property as Medium Residential which corresponds to the R3. The proposed zone change to R3-1-RIO zone 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 Reseda – West Van Nuys 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 1-1.1 Designate specific lands to provide for adequate multi-family residential development.

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

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.

Objective 1-2: To preserve and enhance the varied and distinct residential character and integrity of existing single and multi-family neighborhoods.

Policy 2-2.1 Seek a high degree of architectural 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.

Policy 1-2.2 Consider factors such as neighborhood character and identity, compatibility of land uses, impacts on livability, impacts on services and public facilities, and impacts on traffic levels 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.

Objective 1-3 To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background.

Policy 1-3.1 Promote greater individual choice in type, quality, price, and location of housing.

Program: The Plan promotes greater individual choice through its establishment of residential design standards and its allocation of lands for a variety of residential densities.

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 and by preserving the assigned community plan land use designation. The site is located within an area completely improved with multiple residential units. The proposed R3 zone and new 6-unit apartment building would be compatible with the existing neighborhood land use and character.

The project has also been conditioned to dedicate and 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 Darby Avenue, are appropriately mitigated by conditions required in the approval for the subject zone change. Significant traffic impacts are not expected from the project, and the site is in close proximity to several bus lines operating along Reseda Boulevard. Therefore, the project is not expected to cause any adverse impacts on livability, services and public facilities, or traffic levels.

Additionally, the Community 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, for useable open space to be provided for residents, and for a building design of quality and character. The submitted project has been conditioned to these design standards.

Therefore, as conditioned, the recommended development meets the objectives of the Community Plan, is permitted in the R3 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 R3 zone is consistent with the Medium Residential Community Plan Land Use designation in that this land use category's corresponding zone is R3. The project is convenient in location to major streets, such as Reseda Boulevard, and, as an infill project, will 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 multi-family housing in the vicinity. Properties in the immediate

neighborhood primarily consist of multiple residential buildings. This is an R1 lot located on the eastern side of the block of Darby Avenue, which is multi-family developments, A zone change from R1-1-RIO to (T)(Q)R3-1-RIO and construction of a 6-unit apartment building 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 (including the provisions of the RIO District). 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

Environmental. The Environmental Review Section of the Planning Department issued the proposed project Mitigated Negative Declaration ENV-2014-2184-MND on February 4, 2015. 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 modified 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

Public Hearing

The public hearing was held at the Marvin Braude Government Service Center on February 2, 2015, at which the project's applicant, and representatives of Council District Three, were present.

Communications Received

One letter from a neighbor was received with concerns of inadequate parking available for the project.

Summary of Public Hearing Testimony

At the meeting, the applicant presented the project and noted that the site is planned for multiple-residential use, which the R3 zone is consistent with, and the block already is developed at the same density.

Cesar Diaz, Deputy to Councilmember Bob Blumenfield, spoke and indicated that the project should be redesigned to be more attractive along the Darby Avenue frontage, and that more fuller landscaping be provided.

Lastly, the applicant spoke again to address some of the issues brought up by Mr. Diaz. The applicant stated that the project's landscape plans and elevations will be revised to meet the RIO and the Planning Departments Residential Citywide Design Guidelines.