



# DEPARTMENT OF CITY PLANNING

## RECOMMENDATION REPORT



### South Valley Area Planning Commission

<b>Date:</b>	June 11, 2015	<b>Case No.:</b>	<b>APCSV-2014-3868-ZC</b>
<b>Time:</b>	After 4:30 p.m.*	<b>CEQA No.:</b>	ENV-2014-3869-MND
<b>Place:</b>	Marvin Braude Building First Floor Conference Room 6262 Van Nuys Boulevard Van Nuys CA 91401	<b>Incidental Cases:</b>	none
		<b>Related Cases:</b>	none
		<b>Council No.:</b>	3 - Blumenfield
		<b>Plan Area:</b>	Reseda-West Van Nuys
		<b>Specific Plan:</b>	None
<b>Public Hearing:</b>	April 20, 2015	<b>Certified NC:</b>	Tarzana
<b>Appeal Status:</b>	Zone Change may be appealed by the applicant if denied	<b>GPLU:</b>	Medium-Residential
<b>Expiration Date:</b>	June 11, 2015	<b>Zone:</b>	RA-1-K-RIO
		<b>Applicant:</b>	Armin Gahari G.A. Engineering
		<b>Representative:</b>	Eric Lieberman QES, Inc.

**PROJECT LOCATION:** 18529 W. Calvert Street

**PROPOSED PROJECT:** The construction of a new 24-unit apartment building, comprised of three levels of residential uses, over one level of subterranean parking, with a maximum height of 45-feet, located on a lot totaling 16,561 sq-ft in area. The project will utilize a by-right Affordable Housing Density Bonus for a 20% increase in density (allowing for four additional units) in exchange for setting aside one unit for Very Low Income residents. The project will include 46 vehicle parking spaces and 27 bicycle spaces.

**REQUESTED ACTION:**

1. Pursuant to Section 21082.1 of the California Public Resources Code, consideration of the **Mitigated Negative Declaration** (ENV-2014-3869-MND) for the above referenced project;
2. Pursuant to Section 12.32 of the Municipal Code, a **Zone Change from RA-1-K-RIO** (Suburban Zone within an Equinekeeping District and River Improvement Overlay District) **to [T][Q]R3-1-RIO** (Multiple Dwelling Zone within a River Improvement Overlay District).

#### RECOMMENDED ACTIONS:

1. **Adopt the Mitigated Negative Declaration** (ENV-2014-3869-MND) and accompanying **Mitigation Monitoring Program**;
2. **Deny the Zone Change request as filed for a Zone Change from RA-1-K-RIO to [T][Q]R3-1-RIO**;
3. **Approve and recommend** that the City Council **approve the Zone Change from RA-1-K-RIO to (T)(Q)R3-1-K-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.

MICHAEL LOGRANDE  
Director of Planning

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Daniel Scott, Principal 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 the development of a 24-unit residential apartment building within a multi-family residential corridor near the Orange Line Reseda Boulevard Metro station. The project requests include a Zone Change to convert the existing single-family zoning to the R3 multi-family zone. In addition, the project will utilize a by-right Affordable Housing Density Bonus to increase the number of allowable residential units on the site from 20 to 24 dwelling units, by setting aside one unit for Very Low Income households. Parking will also be provided in excess of the Code requirements under Density Bonus provisions, with a total of 46 vehicle parking spaces and 27 bicycle parking spaces.

Public testimony from nearby residents showed some support, as well as significant opposition to the project from the adjacent single-family residents. Residents primarily named concerns about the inappropriateness of the building density, massing, and height, as well as impacts from traffic, parking, and the loss of privacy and views. In order to address these concerns, the applicant has incorporated the following changes into the building design: reducing the original four-story building height by one story to create a three-story building, changing the unit mix to remove all three-bedroom units and to instead primarily contain one- and two-bedroom units, removing balconies on the western façade facing the single-family areas, and improving the building's facades.

Staff recommends approval of the Zone Change, as the (T)(Q)R3-1-K-RIO zone and resulting 24-unit apartment building, with the above-mentioned changes, would be compatible with the adjacent zoning and existing neighborhood character, and would support city and regional policies for locating housing and density along Metro transit lines.

### **Background**

The subject site is zoned RA-1-K-RIO and designated for Medium Residential land uses (corresponding zone of R3) within the Reseda – West Van Community Plan. Properties to the north and east of the site, which are located along Reseda Boulevard, are developed with two- to three-story apartment buildings within the R3-1-RIO zone and Medium Residential land use designation. Properties to the west and south are developed with single-family residences in the RA-1-K-RIO zone and Very Low I land use designation. The Orange Line busway and Reseda Metro Station are located approximately 500-feet south of the site.

The subject site consists of a level rectangular lot totaling 16,561 square feet of area with 144 feet of frontage along the north side of Calvert Street (a designated Local Street). The public right-of-way along Calvert Street adjacent to the project site is currently unimproved and lacks a sidewalk. A 20-foot wide alleyway running parallel to Reseda Boulevard currently begins at the south side of Erwin Street and dead-ends at the northwestern property boundary. The site is currently developed with a single-family residence and several mature trees, all of which are to be removed.

### ***Related Cases:***

ON-SITE:

*CPC-1989-203-ZC* - On September 30, 1990, Ordinance 166,174 became effective granting a Zone Change from RA-1-K to (T)(Q)R3-1, limiting residential development to 14 units and a maximum height of two stories and 30-feet. However, the Zone Change was not effectuated and has since expired.

**OFF-SITE:**

*CPC-29832* - On December 23, 1981, Ordinance 156,067 became effective granting a Zone Change from RA-1-K to the (T)(Q)RD1.5-1-K zone, limiting residential development to 10 units and a maximum height of two stories and 30-feet.

***City Agency Reports Received:***

Letters were received from the Bureau of Engineering and Department of Building and Safety Grading Division prior to the completion of the Hearing Officer's report. These recommendations have been incorporated as conditions of approval.

***Hearing Officer Comments:***

The proposed project site is located within the Reseda – West Van Nuys Community Plan area, within a Medium Residential land use designation, which allows for a corresponding zone of R3. The proposed R3 zoning for the site will meet the zoning and density envisioned by the corresponding designation.

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, and to consider such factors as compatibility, livability, and impacts on infrastructure when evaluating new projects. Citywide mobility and land use policies also support locating higher density housing near access to public transit.

The project site is also currently part of a larger Equinekeeping ("K") District, which primarily applies to the single-family residences to the west and allows for horsekeeping uses and reduced distances between equine enclosures and habitable rooms. Specifically, this designation allows the adjacent property owner to the west of the site to keep horses within 35-feet of the proposed apartment building rather than the 75-foot standard which applies to non-K-District properties. Currently, no active horsekeeping uses are located in the vicinity of the site.

The site is also subject to the River Improvement Overlay (RIO) District (Ordinances 183,144 and 183,145) which sets standards for water-wise landscaping and building design oriented towards the river. The Los Angeles River is located approximately a ½ mile north of the site.

The existing neighborhood character along Reseda Boulevard and the eastern end of Calvert Street primarily consists of two- to three-story apartment buildings, while single-family residences are located to the east. The proposed R3 zoning and apartment development for the site would be in-line with the character of the neighboring multi-family residential area to the north and east, and would be set back from the nearest single-family property by 27 feet, and set back from the nearest residential house by approximately 130 feet. The project would also provide upgrades to the public right-of-way along Calvert Street adjacent to the subject site and would dedicate and improve a 20-foot wide western portion of the lot for a length of 145-feet to complete an alleyway connection from Erwin to Calvert Street, improving local circulation parallel to Reseda Boulevard. In addition, adequate access to the site could be provided from major streets, and the development of twenty-four new residences on the site is not expected to

have a significant impact on traffic, public services, or available utilities, based on environmental review and comments from City agencies.

## **Issues**

### ***Public Testimony:***

A public hearing was held for the subject Zone Change on April 20, 2015. The public hearing was attended by the project owner and representative, as well as representatives from the Council Office, Tarzana Neighborhood Council, Tarzana Home Owners Association, and the Community Rights Foundation of Los Angeles (CRFLA), with approximately 20 community members in attendance. Approximately five people spoke in support of the project, seven people spoke in opposition to the project, and two people spoke with general comments. In addition, approximately 18 letters in support of the project and 22 letters in opposition to the project were received, including a letter of opposition with 44 signatures from neighbors. In general, the following summarizes the issues brought up during public testimony:

#### **Support of the project:**

- A lack of good housing in the area creates a need for newer high-quality development.
- The project will add value to the neighborhood and is in an area planned for apartments.
- The project is close to the Metro station and public transit system.

#### **Opposition of the project (including representation from the Los Tarzanas Homeowners Association and Community Rights Foundation of Los Angeles):**

- The project does not fit in with the neighborhood character along Calvert Street, it is out of proportion with the existing neighborhood scale and style, which is primarily ranch style single-family residences and two-story apartment buildings.
- The project does not support City policies for preserving unique single-family neighborhoods and does not fully implement the citywide residential design guidelines.
- The project will exacerbate existing traffic problems in the area, including the problematic intersection at Calvert Street onto Reseda Boulevard, the nearby school and bus traffic already greatly impact the neighborhood.
- The project will worsen existing street parking issues on Calvert Street.
- The continuation of the alleyway will create short-cut access for local traffic and will result in heavy usage, especially during peak times for the school, and will be dangerous for pedestrians and bicyclists.
- There is a need to protect the Residential Agricultural zoning and horsekeeping nature of the neighborhood.
- The project will cut off sunlight and airflow to the adjacent neighbors, as well as negatively impact privacy and views.
- The project will negatively affect property values and bring in more graffiti and crime.
- The City has failed to support infrastructure in the immediate area, most of the neighborhood is on septic tanks, there are no street lights, and the street needs repair.
- The project will increase water usage and there is a shortage of water in the state.

In addition, the Tarzana Neighborhood Council and Tarzana Property Owners Association did not support the original four-story design of the project, but were favorable to a reduced three-story design, as well as the removal of balconies on the western façade facing single-family residential areas. Other suggestions included reducing the project density in order to create larger and more usable open space areas on the site.

***Project Design:***

In response to community comments, the applicant revised and lowered the original four-story building design to a height of three stories, with an overall building height of 39 feet, and with some architectural projections and stairways reaching 45 feet. The new lower building height is intended to achieve greater compatibility with the adjacent two- and three-story apartment buildings. As a secondary effect of reducing the building envelope, the unit mix in the project has also been changed to consist entirely of one- and two-bedroom units, with all of the previously proposed three-bedroom units to be completely removed. With fewer bedroom counts within the building, required parking has also been reduced, so that the building now provides an excess of eight parking spaces above the Municipal Code requirements. The lower bedroom count also reduces the number of vehicles and traffic generated by the project.

***Traffic Impacts:***

Although the community voiced strong concerns about traffic problems in the area, the Department of Transportation found that the project would not result in any potentially significant impacts, would not warrant traffic mitigation measures, and that the continuation of the alleyway would be necessary to improve traffic access and circulation for the area. In addition to the alleyway improvements, the applicant would also be required to improve the adjacent parkway, sidewalk, roadway, and street lighting along the site's Calvert Street frontage.

***Requested Zoning:***

The applicant's original request for a zone change to the [T][Q]R3-1-RIO zone includes bracketed "T" improvement conditions and "Q" development conditions, which would allow the project non-expiring rights to the proposed R3 zone. However, Staff recommends approval of the (T)(Q)R3-1-K-RIO zone with parenthetical improvement and development conditions, which would expire within six years if the project is not constructed within that time. This would ensure that the project would be completed within the near future with an appropriate design to the existing context, rather than allowing the project to be completed within an indefinite timeframe and regardless of the future context of the area.

Although the applicant's zoning request did not include the "K" horsekeeping designation, it is recommended that this designation be retained for the site. Although horsekeeping would not be feasible on the property, this designation would protect the rights of adjacent property owners, by allowing for adjacent RA properties to locate horsekeeping areas at a shorter distance from the apartment building than normally required by Code.

Conditions of approval should also be included to ensure project compliance with the Los Angeles River Improvement Overlay "RIO" standards for appropriate water-wise and native landscaping, which would be in addition to the citywide Green Building Code and Low Impact Development standards for water efficiency, capture, and filtration.

**Conclusion**

The proposed project for a 24-unit apartment building would support the City's goals for housing development and would be compatible with the policies of the General Plan. The requested R3 zone is within the range of corresponding zones of the respective Medium 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)(Q)R3-1-K-RIO zone with the attached (Q) Qualified and (T) Tentative conditions, which support the policies of the Land Use Element of the General Plan.



## (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 R3 Zone as defined in Sections 12.10 of the L.A.M.C.
2. **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-5, dated June 11, 2015) 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. **Parking.** Parking shall be provided in accordance with the Municipal Code. In addition, a minimum of eight parking spaces shall be provided in excess of Code requirements.
4. **Balconies.** Balconies shall be prohibited along the western-facing building façade.
5. **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.
6. **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.
6. **Los Angeles River Improvement Overlay.**
  - a. *Landscaping.* Landscaping shall conform to the following regulations: 75 percent of any Project's newly landscaped area shall be planted with any combination of the following: native trees, plants and shrubs, or species defined as WatershedWise (Plants included in the WatershedWise Plant List published by the Council for Watershed Health and available at <http://www.watershedhealth.org>), or species listed in the Los Angeles County River Master Plan Landscaping Guidelines and Plant Palettes. In a landscaped area, horticulture such as herbs, fruit or vegetables can be used to replace up to 100 percent of the plantings that satisfy the, WatershedWise, Native or Los Angeles County River Master Plan Landscape Guidelines planting requirements.
  - b. *Screening/Fencing.* Electrical transformers, mechanical equipment, water meters and other equipment shall be screened from public view. The screening may be opaque or perforated, provided that not more than 50 percent of the face is open. The screen shall be at least 6 inches taller than the equipment and not more than 2 feet taller than the equipment.
  - c. *Exterior Site Lighting.* All site and building mounted lighting shall be designed such that it produces a maximum initial luminance value no greater than 0.20 horizontal and vertical foot candles at the site boundary, and no greater than 0.01 horizontal foot candles 15

feet beyond the site. No more than 5.0 percent of the total initial designed lumens shall be emitted at an angle of 90 degrees or higher from nadir (straight down). All low pressure sodium, high pressure sodium, metal halide, fluorescent, quartz, incandescent greater than 60 watts, mercury vapor, and halogen fixtures shall be fully shielded in such a manner as to not exceed these limitations.

B. 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. Wetting could reduce fugitive dust by as much as 50 percent.
- 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. Trucks having no current hauling activity shall not idle but be turned off.

2. **Tree Removal (Non-Protected Trees).** Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

3. **Tree Removal (Locally Protected Species).** All protected tree removals require approval from the Board of Public Works. A minimum of two trees (a minimum of 48-inch box in size if available) shall be planted for each protected tree that is removed. The canopy of the replacement trees, at the time they are planted, shall be in proportion to the canopies of the protected tree(s) removed and shall be to the satisfaction of the Urban Forestry Division. The location of trees planted for the purposes of replacing a removed protected tree shall be clearly indicated on the required landscape plan, which shall also indicate the replacement tree species and further contain the phrase "Replacement Tree" in its description.

**Bonding (Tree Survival):**

- a. The applicant shall post a cash bond or other assurances acceptable to the Bureau of Engineering in consultation with the Urban Forestry Division and the decision maker guaranteeing the survival of trees required to be maintained, replaced or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date that the bond is posted or from the date such trees are replaced or relocated, whichever is longer. Any change of ownership shall require that

the new owner post a new oak tree bond to the satisfaction of the Bureau of Engineering. Subsequently, the original owner's oak tree bond may be exonerated.

- b. The City Engineer shall use the provisions of Section 17.08 as its procedural guide in satisfaction of said bond requirements and processing. Prior to exoneration of the bond, the owner of the property shall provide evidence satisfactory to the City Engineer and Urban Forestry Division that the oak trees were properly replaced, the date of the replacement and the survival of the replacement trees for a period of three years.

4. **Liquefaction Area.** The project shall comply with the conditions contained within the in the January 23, 2015 Preliminary Soils Engineering Investigation by Subsurface Designs, Inc., and as it may be subsequently amended or modified by the Department of Building and Safety's Grading Division.

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. 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. Calvert Street (Local Street) – None.
- b. Alley (West of Reseda Boulevard) – A 20-foot right-of-way along the west side of the property for the proposed Alley.

2. Improvements Required:

- a. Calvert Street - Construct an 18-foot half roadway in accordance with Local Street standards, including asphalt pavement, Type C integral curb, 2-foot gutter and a 12-foot concrete sidewalk. These improvements should suitably transition to join the existing improvements.
- b. Alley - Construct an 20-foot wide alley with asphalt pavement and a 2-foot longitudinal concrete gutter along the center of the alley.
- 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. Street lighting may be required satisfactory to the Bureau of Street Lighting (213) 847-1551.
- e. Department of Transportation may have additional requirements for dedication and improvements.
- f. Refer to the Department of Transportation regarding traffic signs and equipment (818) 367-2715.
- g. Refer to the Department of Water and Power regarding power pole (213) 367-2715.
- h. Refer to the Fire Department regarding fire hydrants (818) 374-5005.

3. No major drainage problems are involved.

4. Sewer lines exist in in Calvert Street. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.

5. An investigation from the Bureau of Engineering sewer counter 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 shoring and lateral support plans to the Bureau of Engineering Valley District Office Excavation Counter for review and approval prior to excavating adjacent to the public right-of-way (818) 374-5090.
7. 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.
8. That the Quimby fee be based on the R3 Zone.
9. 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.
10. 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

## 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 for Medium Residential land uses, which corresponds to the R3 zone. The proposed zone change to R3 is consistent with the land use designation on the plan map and is therefore 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, matching the density that was envisioned for this area by the Community Plan's Medium Residential land use designations. The project would replace the last remaining single-family residence between Roscoe Boulevard and the parallel alleyway and continue the existing pattern of multi-family development along Roscoe Boulevard. Therefore, the proposed R3 zone and construction of twenty-four 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, alleyway, 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 Calvert 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 alley, and a common driveway will provide residents with direct access from Calvert 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, 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 and a fifteen-foot front yard setback. 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.

In addition, the project site is subject to the Los Angeles River Improvement Overlay standards ("RIO" overlay), which require native and water wise landscaping, screening of utilities, and appropriate lighting. These standards have been conditioned as part of the approval.

The "K" horsekeeping designation will also be incorporated into the zoning, to continue the horsekeeping rights of adjacent properties, primarily allowing for a reduced separation distance of 35-feet rather than 75-feet from any future horsekeeping uses on the adjacent RA parcels to the proposed apartment development.

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 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 (T)(Q)R3-1-K-RIO zone is consistent with the existing Medium Residential Plan Land Use designation in that this land use category allows for a corresponding zone of R3. The project is also convenient in location to several major streets, such as Reseda Boulevard and Oxnard Street, and the Reseda Orange Line busway station, 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 rental housing in the vicinity. Properties in the immediate neighborhood primarily consist of apartments on R3-zoned lots east of the adjacent alleyway and single-family residences on RA- or RE11-zoned lots to the west of the alleyway. A zone change from RA-1-K-RIO to R3-1-K-RIO and the construction of twenty-four 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-2014-3869-MND on May 13, 2015.

In response to the draft Mitigated Negative Declaration, the Southern California Air Quality Management District (SCAQMD) submitted a letter commenting on the air quality analysis of the environmental document. The letter stated that the project's air quality emissions during both construction and operation need to be quantified using the recommended CalEEMod model, and that potential localized air quality impacts need to be reviewed. In response, the CalEEMod model was used to estimate the project's emissions, with results showing that the air quality emissions during both the construction and operation phases of the project would result in less than significant impacts for all six criteria pollutants. The construction scenario for this project also concludes that localized air quality impacts during construction do not exceed any applicable Localized Significance Thresholds (LSTs). Therefore, air quality impacts would be less than significant and no additional mitigation measures are necessary.

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 and 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 North Valley Environmental Review Section of the Planning Department in Room 430, 6262 Van Nuys Blvd., Van Nuys.



Section 21081.6 of the California Public Resources Code requires a Lead Agency to adopt a "reporting or monitoring program for the changes made to the project or conditions of project approval". The Mitigation Monitoring Program with case no. ENV-2014-3869-MND is adopted in compliance with the Public Resources Code and includes the necessary mitigation measures identified herein.



## PUBLIC HEARING AND COMMUNICATIONS

### Public Hearing

The public hearing was held at the Marvin Braude Constituent Service Center on April 20, 2015. The public hearing was attended by the project owner and representative, as well as representatives from the Council Office, Tarzana Neighborhood Council, Tarzana Home Owners Association, and the Community Rights Foundation of Los Angeles (CRFLA), with approximately 20 community members in attendance. Approximately five people spoke in support of the project, seven people spoke in opposition to the project, and two people spoke with general comments.

### Summary of Public Hearing Testimony

The project representative, Eric Lieberman, first spoke and presented the project, noting that the proposed R3 zone would match the Medium Residential land use designation for the site. The project would utilize a by-right density bonus, and would be designed as a three-story building with subterranean parking, parking in excess of Municipal Code requirements, and almost 3,000 square-feet of open space areas. Mr. Lieberman explained the history and progression of the project plans. The project was originally designed as a four-story building, reaching 45 feet in height, and was revised after consultations with the Neighborhood council and Council Office, first to a reduced stepped-back version and eventually to the current version as a uniform three-story building with a 34-foot building height. By reducing the building envelope, the unit mix was also changed to primarily consist of one- and two-bedroom units. The current project plans would be a similar mass and height as the adjacent apartment building. Lastly, Mr. Lieberman noted that local policies encourage density near transit, and that the site is located less than 700-feet to the Orange Line Metro station.

The project owner, Mark Golastani, next spoke and reiterated that the site is a three-minute walk to the Orange Line, and that he wants to create a good project, include affordable housing, and has been very willing to accommodate neighbors when feasible.

Next, five neighbors spoke in **support** of the project, highlighting the following points:

- The area has older apartment buildings with no vacancy.
- The area is in need of newer high-quality development.
- The project will add value to the neighborhood and is in an area planned for apartments.
- The project is close to the Metro station and public transit system.

Following, seven neighbors spoke in **opposition** of the project, including representatives from the Los Tarzanas Homeowners Association and Community Rights Foundation of Los Angeles. They stated the following issues and concerns:

- The project exceeds the capacity for the area and will negatively impact neighbors.
- The project does not fit in with the neighborhood character along Calvert Street, it is out of proportion with the existing neighborhood scale and style, which is primarily ranch style single-family residences, with lots of green space and animals.
- The project does not support City policies for preserving unique single-family neighborhoods.
- Adjacent apartment buildings are two-story, and the project will be at least 10-feet taller
- The project will exacerbate existing traffic problems in the area, including the problematic intersection at Calvert Street onto Reseda Boulevard, the nearby school and bus traffic already greatly impact the neighborhood.
- The parking is too narrow and will cause street parking issues on Calvert Street.

- The project will cut off sunlight and airflow to the adjacent neighbors, as well as negatively impact privacy and views.
- The project will negatively affect property values and bring in more graffiti and crime.
- The City has failed to support infrastructure in the immediate area, most of the neighborhood is on septic tanks, there are no street lights, and the street needs repair.
- The project will increase water usage and there is a shortage of water in the state.

Two individuals representing the Tarzana Neighborhood Council and Tarzana Property Owners Association provided additional **general comments**:

Neighborhood Council:

- The lot is uniquely cut off from Reseda Boulevard, unlike the other R3 lots on the block.
- Any development on the property will be required to continue and improve the alleyway to Calvert Street, and this connection will help with relief for circulation.
- A less-dense zone could also be approved for the site.
- If the applicant were to eliminate the west-facing balconies adjacent to single-family, there would still be sufficient open space on-site.
- If approved, the height should be conditioned to a maximum of 33-feet.
- The Neighborhood Council is opposed to any Zone Change resulting in a four-story building.

Tarzana Property Owners Association:

- The association supports the height reduction to three stories.
- There are concerns about density, traffic, and school impacts.
- The lot should remain as a transitional lot and to address privacy concerns, the applicant should remove west-facing balconies.
- The open space on the plans is minimal and density should be reduced to put in more open space areas.

Lastly, the applicant was provided an opportunity to respond to the public hearing comments and noted:

- The proposed density is in-line with the land use designation.
- The alley could improve circulation but could also introduce new traffic.
- In terms of water usage, apartment units are more efficient than single-family dwellings.
- The project has incorporated "Design Out Crime" design guidelines to prevent crime.
- The applicant will look into the west-facing balcony suggestion.

### Communications Received

Approximately 18 letters in support of the project and 22 letters in opposition to the project were received, including a letter of opposition with 44 signatures from neighbors.

Letters in **support** mainly outlined many of the same points from the public hearing:

- There is a lack of good housing in the area and low vacancy rates.
- The area is in need of nice apartment developments.
- The project will be a benefit to the community.
- The project is close to transit, commercial areas, freeways, and schools.

Letters in **opposition** provided the following statements:

- Calvert Street should remain single-family residential.
- The project is oversized and out-of-scale for the neighborhood, too massive for the lot.
- The project's height is out of character with the three- and four-story buildings and one- and two-story houses in the neighborhood.

- The project will cut off sunlight and airflow to the adjacent neighbors, as well as negatively impact privacy and views.
- The project will exacerbate existing traffic problems in the area, including speeding and cut-through traffic on Calvert Street, and traffic generated from the nearby school.
- Street parking is already a problem in the neighborhood and the project will make it worse.
- The continuation of the alleyway will create short-cut access for local traffic and will result in heavy usage, especially during peak times for the school, and will be dangerous for pedestrians and bicyclists.
- There is a need to protect the Residential Agricultural zoning and horsekeeping nature of the neighborhood.
- Removal of trees from the site will change the landscape of the neighborhood.
- The project does not comply with the City's Residential Citywide Design Guidelines since the building does not have primary entrances facing the street on the ground-floor, is not compatible in scale with existing neighboring structures, and does not provide adequate pedestrian connections to the sidewalk.
- The project will negatively affect property values and bring in crime and additional noise.
- The project will increase water usage and there is a shortage of water in the state.