

# PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

<b>CITY PLANNING CASE:</b>	<b>ENVIRONMENTAL DOCUMENT:</b>	<b>COUNCIL DISTRICT:</b>
APCE-2015-3241-ZC-ZAA	ENV-2015-3242-MND	13-O'Farrell
<b>PROJECT ADDRESS:</b>		
3450, 3456 and 3460 North Glendale Boulevard		
<b>APPLICANT/REPRESENTATIVE:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Atwater Union, LLC 201 W. Palmer Avenue Glendale, CA 91204	323-663-3188	<a href="mailto:paul@piedmontla.com">paul@piedmontla.com</a>
Veronica Bacerra (Representative) Rabuild Commercial Services, LLC 4178 W. Foothill Blvd., Suite 157 Glendora, CA 91741	213-272-4784	<a href="mailto:vbcommercial@verizon.net">vbcommercial@verizon.net</a>
<input type="checkbox"/> New/Changed		
<b>APPELLANT/REPRESENTATIVE:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
None		
<b>PLANNER CONTACT INFORMATION:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Heather Bleemers	213-978-0092	<a href="mailto:heather.bleemers@lacity.org">heather.bleemers@lacity.org</a>
<b>APPROVED PROJECT DESCRIPTION:</b>		
<p>Mitigated Negative Declaration, Mitigation Monitoring Program and related California Environmental Quality Act findings, report from the East Los Angeles Area Planning Commission and Ordinance effecting a Zone Change from MR-1-1-RIO to (T)(Q)CM-1-RIO for the construction, use, and maintenance of a new live-work development containing 11 livework small lot units, each with two-covered parking spaces and rooftop decks for private open space, with three guest parking spaces provided on the site, located in the Northeast Los Angeles Community Plan area, for the property located at 3450, 3456 and 3460 North Glendale Boulevard, subject to modified Conditions of Approval.</p>		

**COMMISSION ACTION(S) / ZONING ADMINISTRATOR ACTION(S): (CEA's PLEASE CONFIRM)**

1. **Approved** and **recommended** that the City Council **adopt the Zone Change** from MR1-1-RIO to (T)(Q)CM-1-RIO, with the Conditions of Approval;
2. **Approved** a Zoning Administrator's Adjustment to permit a canopy and wing wall projection of up to 5 feet into the required side yard setback of Lot 6, for a length of approximately 16 feet, and a three-foot roof canopy extension for a 36-foot length along Casitas Avenue, in lieu of the otherwise permitted 10 inches, with the conditions of approval;
3. **Adopted** the findings;  
**Adopted** the Mitigated Negative Declaration No. ENV-2015-3242-MND; **Adopted** the Mitigation Monitoring Program for Mitigated Negative Declaration No. ENV-2015-3242-MND;
5. **Recommended** that the applicant be advised that time limits for effectuation of a zone in the "T" Tentative Classification are specified in LAMC SECTION 12.32-G. Conditions must be satisfied prior to the issuance of building permits and that the (T) Tentative classification be removed in the manner indicated;
6. **Advised** 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, and;
7. **Advised** the applicant that, pursuant to State Fish and Game Code Section 711.4, Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) Filing.

**ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION:**

Zone Change

**FINAL ENTITLEMENTS NOT ADVANCING:**

Zoning Administrator's Adjustment

**ITEMS APPEALED:**

None

ATTACHMENTS:	REVISED:	ENVIRONMENTAL CLEARANCE:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration	<input type="checkbox"/>
<input checked="" type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input checked="" type="checkbox"/> Mitigated Negative Declaration	<input type="checkbox"/>
<input checked="" type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/>
<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program	<input type="checkbox"/>
<input checked="" type="checkbox"/> Zone Change Map	<input type="checkbox"/>	<input type="checkbox"/> Other _____	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>		
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>		
<input type="checkbox"/> Exhibit A - Site Plan	<input type="checkbox"/>		
<input type="checkbox"/> Mailing List	<input type="checkbox"/>		
<input type="checkbox"/> Land Use	<input type="checkbox"/>		
<input type="checkbox"/> Other _____	<input type="checkbox"/>		

**NOTES / INSTRUCTION(S):**

NONE

**FISCAL IMPACT STATEMENT:**

Yes

No

\*If determination states administrative costs are recovered through fees, indicate "Yes".

**PLANNING COMMISSION:**

City Planning Commission (CPC)

Cultural Heritage Commission (CHC)

Central Area Planning Commission

East LA Area Planning Commission

Harbor Area Planning Commission

North Valley Area Planning Commission

South LA Area Planning Commission

South Valley Area Planning Commission

West LA Area Planning Commission

**PLANNING COMMISSION HEARING DATE:**

March 23, 2016

**COMMISSION VOTE:**

4 - 0

**LAST DAY TO APPEAL:**

May 31, 2016

**APPEALED:**

No

**TRANSMITTED BY:**

  
Iris F. Awakuni

**TRANSMITTAL DATE:**

June 2, 2016



# EAST LOS ANGELES AREA PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300

[www.lacity.org/PLN/index.htm](http://www.lacity.org/PLN/index.htm)

**MAY 11 2016**

**Determination Mailing Date:** \_\_\_\_\_

**CASE: APCE-2015-3241-ZC-ZAA**

**Related Case:** VTT-73709-SL

**CEQA:** ENV-2015-3242-MND

**Location:** 3450-3456, & 3460 North Glendale Blvd.

**Council District:** 13

**Plan Area:** Northeast Los Angeles

**Zone:** MR1-1-RIO

**Applicant:** Atwater Union LLC

Representative: Veronica Becerra

Rebuild Commercial Services, LLC

At its meeting on **March 23, 2016**, the following action was taken by the **East Los Angeles Area Planning Commission**:

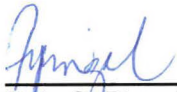
1. **Approved and recommended** that the City Council **adopt the Zone Change** from MR1-1-RIO to (T)(Q)CM-1-RIO, with the Conditions of Approval;
2. **Approved** a Zoning Administrator's Adjustment to permit a canopy and wing wall projection of up to 5 feet into the required side yard setback of Lot 6, for a length of approximately 16 feet, and a three-foot roof canopy extension for a 36-foot length along Casitas Avenue, in lieu of the otherwise permitted 10 inches, with the conditions of approval;
3. **Adopted** the findings;
4. **Adopted** the Mitigated Negative Declaration No. ENV-2015-3242-MND;
5. **Adopted** the Mitigation Monitoring Program for Mitigated Negative Declaration No. ENV-2015-3242-MND;
6. **Recommended** that the applicant be advised that time limits for effectuation of a zone in the "T" Tentative Classification are specified in LAMC SECTION 12.32-G. Conditions must be satisfied prior to the issuance of building permits and that the (T) Tentative classification be removed in the manner indicated;
7. **Advised** 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, and;
8. **Advised** the applicant that, pursuant to State Fish and Game Code Section 711.4, Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) Filing.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote:

Moved: Commissioner Choi  
Seconded: Commissioner Stein  
Ayes: Commissioner Alarcon and Arellano  
Absent: Commissioner Diel

**Vote: 4 – 0**



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Fely C. Pingol, Commission Executive Assistant  
East Los Angeles Area Planning Commission

**Appeals: If the Commission has disapproved the Zone Change request, in whole or in part, only the applicant may appeal that disapproval to the Council within 20 days after the mailing date of this determination. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles.**

**LAST DAY TO APPEAL MAY 31 2016**

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: (Q) Conditions, (T) Conditions, Ordinance, Ordinance Map, Zone Change Signature Sheet, Conditions of Approval, Findings

c: Notification List  
Heather Bleemers

## 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.

**Dedications and Improvements.** 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).

### Responsibilities/Guarantees.

1. Obligation to Contact Responsible Agencies. 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. Bureau of Engineering. Prior to the issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning 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 the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.
  - a. Street Improvements:

**Casitas Avenue** – Construct a curb, a concrete gutter, and a five-foot concrete sidewalk and landscaping of the parkway or a 12-foot wide full-width sidewalk with tree wells, suitable surfacing to join the existing pavements and to complete an 18-foot half roadway. Repair or replace other existing public improvements that may get damaged during construction of the proposed project. These improvements should suitably transition to join the existing improvements.
  - b. Driveway / Parkway Area Plan. Submit parking area and driveway plan to the satisfaction of the appropriate District Office of the Bureau of Engineering and the Department of Transportation.
  - c. Street Trees. 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. Sewer. Construct the necessary on-site mainline sewers satisfactory to the City Engineer.

3. Bureau of Street Lighting. No street light improvements if no street widening per BOE improvement conditions. Otherwise relocated and upgrade street light: one (1) on Casitas Avenue.
4. Department of Transportation.
  - a. A 20-foot reservoir space shall be provided between any security gate(s) and the property line.
  - b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
  - c. A parking area and driveway plan be submitted to the Citywide Planning Coordination 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. Transportation approvals are conducted at 201 North Figueroa Street, Suite 4000, Station 3.
5. Fire Department. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
  - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
6. Department of Recreation and Parks. The Quimby fee shall be based on the CM Zone.

Per Section 12.33 of the Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums / small lot units in the CM Zone to the satisfaction of the Department of Recreation and Parks, or Recreation and Park fees for the construction of apartments.
7. 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: 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, area completed to the satisfaction of the City Engineer.

## Conditions of Approval

Pursuant to Sections 12.28 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

### Entitlement Conditions

12. **Architectural Projections.** The canopy and wing wall projection of the building on Lot 6 shall be no more than five feet into the required side yard for a length of approximately 16 feet, and a three-foot roof canopy extension for a 36-foot length along Casitas Avenue.

### Environmental Conditions

13. **Aesthetics (Landscape Plan).** All landscaped areas shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect in accordance with LAMC Sections 12.40 and 12.41. The final landscape plan shall be reviewed and approved by the City of Los Angeles Department of City Planning during the building permit process.
14. **Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
15. **Land Use/Planning.** An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 13, to the satisfaction of the Department of Building and Safety.
16. **Severe Noise Levels (Residential Fronting on Major or Secondary Highway, or adjacent to a Freeway).**
  - a. All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
  - b. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.
17. **Increase Noise – Train.**
  - a. The project shall include the construction of a 20-foot high CMU wall along the full length of the northeast property line between the proposed residential dwelling units and the railroad tracks.
  - b. The project shall include the three types of exterior wall constructions as proposed in the Acoustical Analysis Report, as follows: Type 1 - One layer 5/8" gypsum board installed at the interior side of 2x6 wood studs, full thickness insulation in all stud cavities, and at the exterior side, a layer of plywood sheathing is attached to the wood studs and finished with 7/8" cement plaster. Type 2 - One layer 5/8" gypsum board installed at the interior side of 2x6 wood studs, full thickness insulation in all stud cavities, and at the exterior side, a layer of 1/2" cement board is attached to the wood studs and finished with ceramic tile. Type 3 - One layer 5/8" gypsum board installed at



second freestanding 2x6 wood stud is installed at the outboard side and a single layer of plywood sheathing is attached to the wood studs and finished with standing seam metal panels.

- c. Provide thermal insulating glass of 1" total thickness having one lite of 1/4" thickness monolithic glass, a 1/2" airspace, a second layer of 1/4" thickness laminated glass comprised of two layers 1/8" glass laminated with a .060" PVB innerlayer.
- d. Single lite 1/2" thickness laminated glass comprised of two layers 1/4" glass laminated with 0.60 PVB innerlayer. Or provide any alternative glass assembly which meets the minimum octave band sound transmission loss and STC requirements of 21 dB(A) to 29 dB(A) noise reduction.

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

- a. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- b. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

**Administrative Conditions of Approval**

- 19. **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 Department of City Planning for placement in the subject file.
- 20. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
- 21. **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 Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
- 22. **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.
- 23. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

24. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.
25. **Corrective Conditions.** The authorized use shall be conducted at all time with due regards to the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code to impose additional corrective conditions, if in the Commission's or Director's opinion such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
26. **Expiration/Termination.** The subject (T)(Q)CM-1-RIO Zone and the Project Conditions of Approval shall become null and void, and the rezoning proceeding shall be terminated, (a) if the applicant fails to remove the T Tentative classification within the six year time period provided in LAMC Section 12.32-G(h) including any extension or (b) upon applicant's delivering to the Director of City Planning of written notice terminating the (T)(Q)CM-1-RIO rezoning.
27. **Expediting Processing Section.** Prior to the clearance of any conditions, the applicant shall show that all fees have been paid to the Department of City Planning Expedited Processing Section.
28. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

## FINDINGS

### A. General Plan/Charter Findings

1. **Framework Element.** The General Plan Framework is a guide for the City to implement growth and development policies by providing a comprehensive, long-range view of the City of Los Angeles as a whole, including the project site. The Framework Element also sets forth a Citywide comprehensive long range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services.

The Framework Element further explains how the City should accommodate growth and development by tying in the goals, objectives, and policies of other Elements of the Framework. Specifically, the Framework calls for amendments to the community plans which further refine the General Plan to reflect local conditions, "provided (a) that the basic differentiation and relationships among land use districts are maintained, (b) there is no reduction in overall housing capacity, and (c) additional environmental review is conducted in accordance with the California Environmental Quality Act should the impacts of the changes exceed the levels of significance defined and modify the conclusions of the Framework Element's Environmental Impact Report."

The project site is isolated from the major north/south corridor by a grade change which results in the project site being located at the terminus of a dead-end street. Therefore, vehicular access to the site is constrained. The site is currently utilized as ambulance parking for a nearby business and has remained undeveloped for over 55 years due to the site's constraints.

The proposed project is an infill development that will create a total of 11 live-work small lots that, with the zone change, are consistent with the limited manufacturing land use designation of the site. Additionally, the proposed project is consistent with these provisions in that it will be located within an established neighborhood with a mix of uses where there is sufficient public infrastructure and services, in an area designated in the Community Plan for limited manufacturing, which allows live-work developments, and will be subject to many "T" and "Q" conditions imposed herein to ensure the quality of new live-work units and that their appearance and design will be compatible with the surrounding neighborhood. Each of the units has been conditioned to provide workspace that is in conformance with the sections of the California Building Code relating to Live/Work Units, including; structural standards, ventilation standards, plumbing facility standards, and fire suppression standards which will allow for CM uses to occur within the workspaces of each unit.

The live-work units will feature ground floor commercial-manufacturing workspace that can host ceramic manufacturing, bakeries, and any uses allowed in the CM Zone. The proposed Zone Change would enable the construction of modern viable workspace while also providing additional housing units, which is consistent with the goals and policies of the Framework Element. Essentially, the project is providing 11 new dwelling units and 11 new businesses with modern architecture and landscaping to a site that has been vacant for over 55 years at the end of a burgeoning commercial corridor to the south but in an area constrained from new development by a grade separation under a railroad track, and a thriving artist manufacturing community to the east. New local-serving businesses and light manufacturing uses will be located on the ground floor levels of the units, which have been designed to encourage and welcome pedestrian activity along Casitas Avenue and from Glendale Avenue. The project includes outdoor gathering areas within the common access easement (driveway) which ensures that the

project will have a successful street presence. In addition, the project will provide a public benefit in that the existing pedestrian walkway will be extended as part of the development and will be improved with landscaping and security lighting without displacing any existing homes or businesses.

2. **General Plan Land Use Designation.** The subject property is located within the Northeast Los Angeles Community Plan, adopted by the City Council on June 15, 1999. The map designates the subject property for Limited Manufacturing land uses corresponding to the CM, M1, MR1, and P zones. The zone change from MR1-1-RIO to the (T)(Q)CM-1-RIO Zone is consistent with the Limited Manufacturing land use designation and the range of zones for Limited Manufacturing land use category. Furthermore the zone change is in substantial conformance with the purposes, intent, and provisions of the General Plan as reflected in the adopted Community Plan in that the new development will not only provide new housing opportunities but it will also create new commercial-manufacturing spaces on an underutilized parcel.
3. **General Plan Text.** The Northeast Los Angeles Community Plan text includes the following relevant statements in the land use objectives, policies, and programs section:

**Goal 1** A safe, secure, and attractive residential environment for all economic, age, and ethnic segments of the community.

**Objective 1-6** To promote and ensure the provision of fair and equal housing opportunities for all persons regardless of income and age groups or ethnic, religious, or racial background.

**Policy 1-6.1** Promote individual choice in type, quality, price, and location of housing.

**Policy 1-6.2** Promote mixed use in all multiple-family residential projects in commercial zones.

**Policy 1-6.3** Ensure that redevelopment activity minimizes displacement of residents.

**Policy 1-6.4** Provide for development of townhouses and duplex housing units to increase home ownership options.

**Project Compliance:** The proposed project will provide new home ownership opportunities in the shape of townhouse style development that is within proximity to a commercial corridor, without displacing any existing dwelling units or businesses. In addition, the project works like a mixed-use development given that the ground floor of each unit will function as a commercial-manufacturing workspace for new businesses.

**Goal 2** Strong and competitive commercial areas that suitably serve the needs of the community and attracts customers from outside the plan area by satisfying market demand and maximizing convenience and accessibility while preserving unique historic and cultural identities of each commercial area.

**Objective 2-1** To conserve and strengthen potentially viable commercial areas in order to stimulate and revitalize existing businesses

**Policy 2-1.1** Consolidate commercial areas through appropriate planning and zoning actions to strengthen the economic base and expand market opportunities.

**Project Compliance:** The proposed live-work project will revitalize a site that has been underutilized and undeveloped since 1959 and will provide new commercial-manufacturing workspace opportunities within proximity to other businesses. In addition, the project also brings additional residents to the area that will patronize existing businesses in the area.

**Goal 3** Sufficient land for the range of industrial uses necessary to provide maximum employment opportunities, especially for local residents; that are safe for the environment and the work force; and have minimal adverse impact on adjacent uses and infrastructure resources.

**Objective 3-1** To resolve conflicts between industrial uses and other adjacent uses.

**Policy 3-1.1** Preserve existing industrial areas that have the greatest viability and compatibility and the least adverse impact on nearby uses.

**Objective 3-2** To provide for existing and future industrial uses that contribute job opportunities for residents and minimize adverse environmental and visual impacts on the community.

**Project Compliance:** The project will provide a transition from the commercial uses to the south, the manufacturing uses to the east, and the residential uses to the southeast. The live-work units will provide both new business and housing opportunities that will reduce the vehicle miles traveled for commerce while activating a site that has been vacant since 1959 with new commercial and light manufacturing opportunities.

By introducing new living and work space, the proposed project will be consistent with the objectives and goals of the Northeast Los Angeles Community Plan. The project will appropriately place housing and new business on a parcel located between commercial uses, industrial uses, and residential uses, allowing for easy access to commercial uses and public transit. In addition, each unit would be able to host any use allowed in the CM Zone. The workspace of each unit will be capable of hosting the artistic industrial uses that are common in the CM Zone. These uses include welding, pottery-making, jewelry-making, and other very limited industrial uses.

The project site is currently unimproved, with the last known structures on the site having been demolished in 1959. The site is presently used to park ambulances and little has been done to maintain the visual appearance of the site. The proposed project will improve the subject site by reactivating uses on the commercial corridor to include residential and commercial uses, thereby contributing to job creation and commerce in the area.

#### Los Angeles River Improvement Overlay (LARIO)

The project site is located in the Los Angeles River Improvement Overlay which seeks to: 1) support the goals of the Los Angeles River Revitalization Master Plan; 2) contribute to the environmental and ecological health of the City's watersheds; 3) provide native habitat and support local species; 4) promote the river identity of river adjacent communities; and 5) support the Low Impact Development Ordinance, the City's Irrigation Guidelines, and the Standard Urban Stormwater Maintenance Program.

As a part of the RIO, the project is required to conform to various development standards, including: landscaping, screening/fencing, and exterior site lighting. The project, as conditioned, will conform to those required standards.

**Framework Element.** The Framework Element of the General Plan was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. It also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide polices regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following provisions, objectives, and policies relevant to the current request:

#### HOUSING

**Objective 4.2** - Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.

**Project Compliance** – The CM Zone allows for limited manufacturing and R3 Zone multi-family uses; including live-work units. The proposed zone change would provide new live-work units near an existing commercial corridor. The project would be an appropriate transition and buffer between the commercial uses to the south, the light industrial uses to the east, and the low- to medium-density residential uses to the southeast.

#### INDUSTRIAL

**GOAL 3J** - Industrial growth that provides job opportunities for the City's residents and maintains the City's fiscal viability.

**Objective 3.14** - Provide land and supporting services for the retention of existing and attraction of new industries.

**Policy 3.14.3** - Promote the re-use of industrial corridors for small scale incubator industries.

**Project Compliance** – The proposed project would provide workspace where limited manufacturing and commercial uses can occur. In addition to those uses allowed in the C2 and R3 zones, the following uses would be allowed at the project site:

#### ECONOMIC DEVELOPMENT

**GOAL 7B** - A City with land appropriately and sufficiently designated to sustain a robust commercial and industrial base.

**Objective 7.2** - Establish a balance of land uses that provides for commercial and industrial development which meets the needs of local residents, sustains economic growth, and assures maximum feasible environmental quality.

**Project Compliance** – The CM Zone allows for small-scale production, assembling, processing, office spaces, and food production. The proposed live-work project would provide workspace where limited manufacturing and commercial uses can occur. The following uses would be allowed at the project site:

- The manufacturing, assembling, compounding or treating of articles or merchandise from the following previously prepared materials: bone, canvas, cloth, felt, fur, glass, leather (except machine belting), paper, plastics, shell, textiles and yarn;
- Assembly of electrical appliances, electronic instruments and devices, and radios and phonographs, including the manufacture of small parts only, such as coils, condensers, transformers, crystal holders, and the like;
- Ceramic products manufacturing, provided that the total capacity of all kilns in any one establishment may not exceed eight cubic feet and that there shall be no pulverizing of clay;
- Scientific instrument and equipment manufacturing or precision machine shop.
- Bakery or bakery goods distributor;
- Book bindery;
- Box lunch preparation or catering establishment;
- Candy, confectionery or ice cream manufacturing;
- Cosmetics, toiletries (except soap) or perfume manufacturing or blending;
- Jewelry manufacturing, including manufacturing of products from precious or semi-precious stones or metals; and
- Laboratories, experimental, film, motion picture, research and testing.

As such, the project would provide new spaces for commerce. These new businesses would generate new tax base and would provide new jobs to the area on a site that has historically been underutilized and unable to accommodate traditional commercial and/or manufacturing uses.

The requested Zone Change will allow the development of new for-sale live-work units that will complement the existing community while providing new commercial-manufacturing workspace for new businesses without displacing any existing residential units or businesses. The additional housing will meet the objectives of the Housing Element by providing additional housing on a lot that is surrounded by commercial uses, limited industrial uses, and residential uses. In addition, the project will provide new business opportunities in line with the Framework Element and Northeast Los Angeles Community Plan. As such, the zone change from MR1-1 to CM-1 and the development of the small lot live-work units are proper at this site for the aforementioned reasons.

The **Transportation Element** of the General Plan is not likely to be affected by the recommended action herein. Glendale Avenue is an Avenue II dedicated to a 140-foot width. The portion of Glendale Boulevard along the project's northwesterly frontage has a grade change to accommodate a railroad bridge above the street and is not accessible by vehicles. This grade change creates a dead-end-street. There are no improvements required on Glendale Avenue. Casitas Avenue is a Local Street-Standard dedicated to a 60-foot width and is fully improved. The applicant will be required to construct a curb, a concrete gutter, and a five-foot concrete sidewalk and landscaping of the parkway or a 12-foot wide full-width sidewalk with tree wells, suitable surfacing to join the existing pavements and to complete an 18-foot half roadway along Casitas Avenue.

On December 5, 2015, the Department of Transportation issued a memo after reviewing the project. A traffic study was not required and no improvements were recommended.

4. The **Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. However, requirements for construction of sewer line facilities to serve the subject project and complete the City sewer system for the health and safety of City inhabitants will assure compliance with the goals of this General Plan Element. The City's Hyperion Sewage Treatment facility has adequate capacity for the proposed project.



## Entitlement Findings

### 5. Zone Change Findings

- a. Pursuant to Section 12.32-C of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare, and good zoning practice.

Public Necessity, Convenience, and General Welfare. The granting of the proposed Zone Change will result in a project that is in conformance with the public necessity and convenience by developing live-work units near commercial and light manufacturing corridor that maintains a commercial-manufacturing use without removing existing housing units or businesses on a lot that has historically been undesirable for redevelopment. The project site is located at the terminus of a dead end street causing vehicular traffic to be directed through the adjacent residential neighborhood to access the project site. No vehicular access is available from Glendale Boulevard. Due to the site constraints, there has been no development on the site since 1959. The proposed live-work units are permitted under the requested CM Zone at a density of one dwelling unit per 800 square feet of lot area.

The granting of the Zone Change will promote the general welfare by activating a site that has been underutilized for more than 55 years. In addition to providing new commercial-manufacturing workspace on the ground floor of each of the 11 units, the project will provide landscaping, pedestrian improvements along the city-owned right-of-way, and will provide an aesthetically pleasing development that maintains the limited manufacturing uses intended for the easterly side of Casitas Avenue. The proposed project would bring new residents and business opportunities that will help to support the commercial activity occurring along the northerly section of the commercial corridor on Glendale Boulevard. The live-work units will allow each owner to manufacture goods, engage in commerce, and reside in the building while activating a vacant site that has been challenging to redevelop.

Good Zoning Practices. The Northeast Los Angeles Community Plan map designates the subject property for Light Manufacturing land uses with the corresponding zones of CM, M1, MR1, and P Zones. The proposed zone change recommendation from the MR1-1-RIO Zone to the CM-1-RIO Zone is consistent with the current Light Manufacturing land use designation and the range of zones allowed under this land use category. The MR1 Zone restricts the ability to revitalize this uniquely situated site due to the lack of access to the site, rendering traditional MR1 manufacturing uses infeasible. The CM Zone, in this instance, allows for commercial, residential, and manufacturing uses, intended to act as a buffer for strictly residential uses to strictly manufacturing uses.

The block of parcels located to the west of the site, along Glendale Boulevard, are zoned CM-1-RIO. Parcels to the southeast, abutting the railroad right-of-way are zoned MR1-1. Parcels to the south of the project site are zoned RD3-1-RIO. Given the location of the subject site between the commercial uses to the north, viable manufacturing uses to the southeast, and residential uses to the south, the CM zone will serve as a transition and buffer and will unite surrounding uses. In conjunction with the requested zone change, the proposed project will subdivide one lot into 11 small lots. The project has been conditioned to be a live-work small lot, which will create additional jobs and businesses within the homes of future community members, thereby, contributing to the economic success of the commercial district

along Glendale Boulevard, the limited industrial district lining the east side of Casitas, and by complementing the swath of residential in the middle of these two districts.

The live-work small lot application is a proper typology for the site given that the zone change request to CM allows for R3 uses, except that front yard setbacks are not required. The proposed project will provide a varying 13- to 14-foot front yard with commercial-manufacturing uses on the ground floor and landscaping that will enhance the pedestrian experience along Casitas Avenue. The proposed project not only provides residential uses on the second and third floors, but each unit will include workspace that will allow for all uses permitted in the CM Zone. It is apparent that while there is viable industrial land to the south, the subject parcel is not ideal for traditional commercial or industrial uses. Likewise, the parcels to the east do not appear to be ideal for a live-work small lot development.

- b. The current action, as recommended, has been made contingent upon compliance with new "T" and "Q" conditions of approval imposed herein for the proposed project. Such limitations are necessary to protect the best interests of and to assure a development 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.

#### **B. Zoning Administrator's Adjustment Findings:**

##### **6. While site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.**

The Zoning Code regulates projections into the required yards to ensure uniformity and standardization of setbacks and buildings located in the same zone. Such regulations however, are written on a citywide basis and cannot take into account individual unique characteristics which a specific parcel may have. The intent of the Small Lot Ordinance is to permit development standards that include reduced setbacks for a dwelling located on smaller lots. Projects pursuant to Section 12.22-C,27 are not subject to the provisions of front, side, rear yards, building separations, or passageways, with the exception of a five-foot setback where a lot abuts a lot that is not created pursuant to a subdivision. The project site is unique in that it is located at the terminus of a dead-end street and is only accessible by vehicles from Casitas Avenue. All vehicular access to the site must occur via local streets through a low- to medium-residential community. There is an existing pedestrian path that runs parallel to Glendale Boulevard that provides access to the abutting CM zoned commercial uses, that ends at the project site.

Due to the challenges of the project site, the applicant is requesting a Zoning Administrator's Adjustment to allow a maximum five-foot roof canopy and wing wall projection into a five-foot front yard setback on Lot 6, for a length of approximately 10 feet along Casitas Avenue. The project is designed with architectural transitions and includes buildings that are askew, adding architectural interest over a typical small lot layout. As such, the architectural details of the building on Lot 6, a corner lot, has architectural overhangs into the yard setbacks on Casitas Avenue. However, the Glendale Boulevard frontage includes a 10-foot required easement, thereby pushing the development back away from Glendale Boulevard resulting in a small portion of the building on Lot 6 to project onto the Casitas Avenue setback.

The adjustment requested is to allow architectural features that will enhance the pedestrian experience on the sidewalk and will add a design feature that provides for a

transition between the street and the project, thereby providing a more aesthetically desirable project for the community.

- 7. In light of the project as a whole including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The project site is an existing vacant lot and ambulance storage located at the intersection of Glendale Blvd. and the Union Pacific Railroad to the north, and Casitas Avenue to the south. A mix of low- to medium-density residential, commercial, and industrial uses makes up the general character of the surrounding neighborhood. Development along Glendale Boulevard consists of a mix of commercial, office, restaurant, and parking uses within one- to two-story buildings. The block to the south of the subject site is zoned CM-1 and is developed with commercial and auto repair uses. Surrounding uses along Casitas Avenue are made up of a mix of traditional manufacturing uses, creative office uses, and single- and multi-family dwellings within the MR1-1, RD3-1, and R1-1 zones within one- to two-story buildings. The project has been conditioned to ensure the proposed development will be compatible in scale and use with existing commercial, industrial, and residential development on Glendale Boulevard and Casitas Avenue.

As such, allowing an architectural canopy and wing wall projection of up to five feet into the required yard setback of Lot 6, along Casitas Avenue, in lieu of the otherwise permitted maximum 10 inches, a corner parcel that does not abut any other development, will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

- 8. The project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.**

The Northeast Los Angeles Community Plan designates the property for Limited Manufacturing corresponding to the CM, M1, MR1, and P Zones. The granting of the adjustment to allow a canopy and wing wall projection of up to five feet into the required side yard setback of Lot 6, in lieu of the otherwise permitted maximum 10 inches will allow for an enhanced project that is supported by the Northeast Los Angeles Community Plan. The proposed project is in substantial conformance with the following goals, objectives, and policies of the Northeast Los Angeles Community Plan:

**Goal 1** A safe, secure, and attractive residential environment for all economic, age, and ethnic segments of the community.

**Objective 1-6** To promote and ensure the provision of fair and equal housing opportunities for all persons regardless of income and age groups or ethnic, religious, or racial background.

**Policy 1-6.1** Promote individual choice in type, quality, price, and location of housing.

**Policy 1-6.2** Promote mixed use in all multiple-family residential projects in commercial zones.

**Policy 1-6.3** Ensure that redevelopment activity minimizes displacement of residents.

**Policy 1-6.4** Provide for development of townhouses and duplex housing units to increase home ownership options.

**Project Compliance:** The proposed project will provide home ownership opportunities in the shape of townhouse style development that is within proximity to a commercial corridor, without displacing any existing dwelling units or businesses. In addition, the project would function like a mixed-use development given that the ground floor of each unit will operate as a commercial-manufacturing workspace for new businesses while the residential quarters are located above.

**Goal 2** Strong and competitive commercial areas that suitably serve the needs of the community and attracts customers from outside the plan area by satisfying market demand and maximizing convenience and accessibility while preserving unique historic and cultural identities of each commercial area.

**Objective 2-1** To conserve and strengthen potentially viable commercial areas in order to stimulate and revitalize existing businesses

**Policy 2-1.1** Consolidate commercial areas through appropriate planning and zoning actions to strengthen the economic base and expand market opportunities.

**Project Compliance:** The proposed live-work project will revitalize a site that has been underutilized and undeveloped since 1959 and will provide new commercial-manufacturing workspace and job opportunities within proximity to other businesses. In addition, the project also brings additional residents to the area that will patronize existing businesses in the area.

**Goal 3** Sufficient land for the range of industrial uses necessary to provide maximum employment opportunities, especially for local residents; that are safe for the environment and the work force; and have minimal adverse impact on adjacent uses and infrastructure resources.

**Objective 3-1** To resolve conflicts between industrial uses and other adjacent uses.

**Policy 3-1.1** Preserve existing industrial areas that have the greatest viability and compatibility and the least adverse impact on nearby uses.

**Objective 3-2** To provide for existing and future industrial uses that contribute job opportunities for residents and minimize adverse environmental and visual impacts on the community.

**Project Compliance:** The project will provide a transition and buffer from the commercial uses to the south, the manufacturing uses to the east, and the residential uses to the southeast. The live-work units will provide both new business, jobs, and housing opportunities and will reduce the vehicle miles traveled for owners-operators while activating a site that has been vacant since 1959 with new commercial-limited manufacturing uses.

- 9. Environmental.** On December 24, 2015, a Mitigated Negative Declaration (ENV-2015-3242-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.
- 10. Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located within a Flood Zone. The project conforms to both the specific provisions and the intent of the Specific Plan for the Management of Flood Hazards (Section 5 of Ordinance No. 172,081).