

## **CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL**

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

1. Dedication(s) and Improvement(s). Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary). The applicant shall do the following:
  - a. That a 1-foot wide strip of land be dedicated along Vanowen Street adjoining the tract to complete a 43-foot wide right-of-way in accordance with **Avenue II** Standards of the **LA Mobility Plan**.
  - b. That a 4-foot wide strip of land be dedicated along Welby Way adjoining a portion of the tract to complete a 30-foot wide half right-of-way.
  - c. That if this tract map is approved as "Small Lot Subdivision" then, and if necessary for street address purposes, all the common access to this subdivision be named on the final map satisfactory to the City Engineer.
  - d. That if this tract map is approved as a small lot subdivision, then the final map be labeled as "Small Lot Subdivision per Ordinance No. 176354" satisfactory to the City Engineer.
  - e. That if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Valley Engineering District Office.
  - f. That the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.

Installation of 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. Some tree removal in conjunction with the street improvements may require Board of Public Works approval. The applicant should contact the Urban Forestry Division for further information at (213) 847-3077.

2. Responsibilities/Guarantees.
  - a. 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.
  - b. Prior to issuance of sign-offs for final site plan approval and/or project permits by the Planning Department, the applicant/developer shall provide written verification to the Planning Department from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to project design required by a

public agency shall be documented in writing and submitted for review by the Planning Department.

3. Construction of necessary sewer facilities to the satisfaction of the Bureau of Engineering. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
4. Construction of necessary drainage facilities to the satisfaction of the Bureau of Engineering.
5. Construction of tree wells and planting of street trees and parkway landscaping to the satisfaction of the Street Tree Division of the Bureau of Street Maintenance.
6. Preparation of a parking area and driveway plan to the satisfaction of the appropriate Valley District Office of the Bureau of Engineering and the Department of Transportation. The driveway, parking and loading area(s) shall be developed substantially in conformance with the provisions and conditions of the subject Department of Transportation authorization. Emergency vehicular access shall be subject to the approval of the Fire Department and other responsible agencies.
7. Installation of street lights to the satisfaction of the Bureau of Street Lighting.
8. That street lighting modifications be required at an intersection if there are improvements by the Department of Transportation (also for off-site improvements).
9. Preparation of a plot plan to the satisfaction of the Fire Department.
10. 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.
11. Police Department. Preparation of a 'plot plan in conformance with the Design Out Crime Guideline Booklet and guidelines defined in the Crime Prevention Through Environmental Design (CPTED) handbook to mitigate impacts on police services. Police recommendations may include but are not limited to secured parking, security fencing, security lighting, information signs, building design and landscaping to reduce places of potential concealment. The plans shall be to the satisfaction of LAPD Crime Prevention Section Personnel.
12. 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.
13. Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.
14. 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.

15. Recreation and Parks. Per Section 12.33 of the Los Angeles Municipal Code, the applicant shall dedicate land for park or recreational purposes or pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

## FINDINGS

### General Plan/Charter Findings

1. **General Plan Land Use Designation.**

The subject property is located within the area covered by the Reseda-West Van Nuys Community Plan, updated and adopted by the City Council on November 17, 1999. The Plan designates the subject property as Low Density Residential (corresponding to the RE9, RS, R1, RU, RD6 and RD5 Zones).

The staff recommended zone change to (T)(Q)RD5-1-RIO over the site **IS** in substantial conformance with the purposes, intent and provisions of the General Plan, as reflected in the adopted Community Plan. The proposed Project is requesting a height of 28 feet. The proposed Project, as recommended by staff, is in its scale and density would provide a good transition and will be compatible with all surrounding residential properties. In fact, the proposed Project provides the type of development with mid-ranged priced housing needed in this part of Reseda.

2. **General Plan Text.**

The Reseda-West Van Nuys Community Plan text includes the following relevant land use goals, objectives, policies and programs related to the staff recommended Project:

**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.

**Policies:**

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.

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 and multi-family neighborhoods.

**Policies:**

1-2.1 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 standards for residential development to implement this policy.

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

**Policies:**

1-3.2 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 recommended zone change for the subject property to (T)(Q)RD5-1-RIO is consistent with the current Community Plan designation and will fulfill the above-listed Policies and Objectives of the Community Plan, and their associated policies and programs. The recommended action will implement the above stated policies and their programs by providing additional multi-family housing close to a commercial center and to transit lines. The recommended action is also consistent with above stated policies in that it considered factors such as neighborhood character and identity, compatibility of land uses, and impact on livability in determining that the RD5 density is an appropriate level of density for the property.

Finally, the proposed Project, as recommended in the staff report, will meet the above objectives and policies by providing additional housing at an appropriate density and location to meet the plan area's needs and by preserving the assigned community plan land use designation. The proposed RD5 Zone and new Small Lot Subdivision development would be compatible with the existing neighborhood land use and character.

## Entitlement Findings

### 3. Zone Change, Sec. 12.32-F of the LAMC.

The recommended zone change is consistent with the General Plan and in conformance with the public necessity, convenience, general welfare or good zoning practice in that it would permit a development which, as conditioned, is consistent with the General Plan land use designation, meets the objectives of the Community Plan, and is consistent with residential densities along Vanowen Street, especially on the north side of Vanowen Street directly across the street from the subject site.

The action, as recommended, has been made contingent upon compliance with the "(T)" and "(Q)" conditions imposed herein. 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.

There is a critical and well-documented demand for housing throughout the City of Los Angeles. To address these housing needs the City of Los Angeles passed the Small Lot Subdivision Ordinance (Ordinance No. 176,354), which became effective January 31, 2005. The purpose of this Ordinance is to enable ownership of smaller, more affordable fee simple single-family homes. The Ordinance permits the subdivision of multi-family and commercially zoned properties into small single-family or townhome style lots by reducing the minimum lot size and side yard requirements, and eliminating requirements for conventional street frontage.

The City of Los Angeles Small Lot Design Guidelines state as follows:

*The City of Los Angeles has enacted the Small Lot Subdivision Ordinance to allow the construction of fee-simple, infill housing on small lots in multi-family zones. The housing can take the form of single-family homes, duplexes, or triplexes. Small lot developments can offer a space-efficient and economically attractive alternative to the traditional condominium development. Additionally, the ordinance offers a welcomed-smart growth alternative to the suburban single-family home. However, it brings a new set of spatial complexities...these spatial constraints and complexities require innovative design solutions.*

*Small lot design and layout is fundamentally a site planning challenge. It requires simultaneously addressing practical spatial requirements while creating high-quality living environments... each home must exhibit a high level of design quality: well-articulated entries and facades, proportionate windows, quality building materials, contextual landscaping.*

*Each infill project, however small, must add to a vital and coherent public realm – streets and sidewalks that are pleasant, interesting, and comfortable to walk down. To do so, one must consider the three-dimensional relationship between the infill project and the street and sidewalk. Key variables to consider are: building siting and orientation, height, and massing; articulation of facades and entryways; placement and type of street trees; landscaping and transitional spaces; and location of driveways and garages.*

The recommended zone change will allow for a project which will meet the needs of a new generation of homebuyers. This new generation of homebuyers is environmentally conscious, and has chosen to live a more environmentally friendly lifestyle. These new homebuyers are increasingly foregoing the purchasing of traditional single-family homes, with large yards, high utility costs, and outside of walkable communities, for newer homes built on smaller lots, and located within walkable communities. The proposed project meets the needs of these new homebuyers by incorporating “Smart Growth” principles. The very definition of “Smart Growth” is “building urban, suburban, and rural communities with housing and transportation choices near jobs, shops, and schools.”

Additionally, Q conditions have been added to insure that the project’s development is compatible with the surrounding neighborhoods. There are restrictions on size of balconies facing existing single-family dwellings as an example. Decks above the first floor are prohibited on dwelling facing existing single-family dwellings as another example.

Additionally, the project has been conditioned to provide equal or greater setbacks required under the LAMC.

The proposed project will be designed in a way that is environmentally mindful. The project site has been previously developed with a single-family home and accessory structures, and is now an ideal site for infill development. Each new home will incorporate the latest environmentally-friendly building materials. Each home will have solar panel capability, high efficiency fixtures and appliances, moisture control, outdoor air ventilation, contaminate control or Low VOC emitting material, and ample natural light through energy efficient windows, reducing each homes carbon footprint. The project site will be attractively landscaped with non-invasive plants, and drought tolerant plants. A high efficiency irrigation system will also be installed. The proposed project will promote greater individual choice in the type, quality, and location of housing, and provide high-quality single-family dwellings that are attractively landscaped and architecturally compatible with the surrounding residential neighborhood.

Therefore, the proposed project will be in substantial conformance with the public necessity, convenience, general welfare, and good zoning practice.

**4. Findings - Building Line Removal per Section 12.32-R of the LAMC.**

LAMC Section 12.32-R provides the regulations for the establishment, change or removal of Building Lines along any street or portion of a street in order to provide the execution of the General Plan. In this instant case, the applicant is requesting the removal of a Building Line established under Ordinance No. 96195 along the southern side of Vanowen Street. The proposed project will change the zone from (T)R1-1-RIO to (T)(Q)RD5-1-RIO and will re-subdivide the property under the small lot Subdivision provisions.

According to the Code, "A Building Line is established to provide for the systematic execution of the General Plan; to obtain a uniform alignment from the street at which buildings, structures, or improvements, may be built or maintained; to preserve commonly accepted characteristics of residential districts; to protect and implement the "Highways and Freeways Element of the General Plan"; to provide sufficient open spaces for public and private transportation; to facilitate adequate street improvements; to prevent the spread of major fires and to facilitate the fighting of fires; and to promote the public peace, health, safety, comfort, convenience, interest and general welfare. "

The project site fronts on Vanowen Street for approximately 185-feet. The current Vanowen Street dedication has variable widths from 92 feet to 93-feet east and west of the subject property. The applicant is proposing to dedicate an one-foot wide strip of land along Vanowen Street to complete a 43-foot wide half right-of-way dedication in accordance with the Avenue II street standards. The proposed project will provide front yard setbacks per the Code for the two houses adjacent to Vanowen Street. There are no deed restrictions or recorded documents concerning the locations of buildings or setbacks on the subject site.

Therefore, the current Building Line is no longer needed since Vanowen Street will be dedicated to the current half-street dedication standard of 43-feet and will be fully improved.

5. **CEQA Findings.**

A Mitigated Negative Declaration (ENV-2016-144-MND) was prepared for the proposed project. The twenty day publication period ended on April 13, 2016. 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. Other identified potential impacts not specifically mitigated by these conditions are already subject to existing City ordinances (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Landscape Ordinance, Stormwater Ordinance, etc.), which are specifically intended to mitigate such potential impacts on all projects.

6. **Other Required Findings.**

The **Sewerage Facilities Element** of the General Plan will be affected by the recommended action. However, requirements for construction of sewer 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.

**Fish and Game.** The subject project, which is located in Los Angeles County, will not have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2.

Based upon the above findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.



