

MODIFIED BY THE PLANNING AND LAND USE MANAGEMENT COMMITTEE ON 2/14/2017

FINDINGS

A. General Plan Findings

1. **General Plan Land Use Designation.** The subject property is located within the area covered by the Encino-Tarzana Community Plan Area, updated and adopted by the City Council on May 13, 1992. The Plan designates the subject property as Medium Residential (corresponding to the R3 zone).

The staff recommended zone change to (T)(Q)R3-1 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 43 feet. The proposed Project, as recommended by staff, is in its scale and density would provide a good transition between the commercial zones east and the multi-family residential zones to the west.

The project was revised to nine (9) units, and as such is not subject to Measure JJJ.

2. **Community Plan Text.** The Encino-Tarzana Community Plan text includes the following relevant land use goals, objectives, policies and programs related to the staff recommended Project to the (T)(Q)R3 zone:

*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 1-1.4: Protect the quality of the residential environment through attention to the appearance of communities, including attention to building and site design.*

*Objective 1-3: To preserve and enhance the varied and distinct residential character and integrity in existing single and multi-family neighborhoods.*

*Policy 1-3.1: Seek a high degree of compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.*

*Policy 1-3.2: Consider factors such as neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential densities are proposed.*

*Objective 13-2: To ensure that the location, intensity and timing of development is consistent with the provision of adequate transportation infrastructure utilizing the city's streets and highways standards.*

*Policy 13-2.1: No increase in density and intensity shall be effectuated by zone change, variance, conditional use, parcel map, or subdivision unless it is*

*determined that the transportation system can accommodate the increased traffic generated by the project.*

*Policy 13-2.2: Driveway access points onto major and secondary highways, arterial, and collector streets should be limited in number and be located to insure a smooth, and safe flow of motor vehicles and bicycles.*

The above objectives and policies seek to allow for the development of housing in such a way that new structures are consistent with the existing character and minimize impacts to transportation. The project is located between commercial uses and multi-family uses and it's siting towards the street is consistent with both. By providing significant landscape planters in the front area of the lot, the landscaping is consistent with multi-family development in the area.

Based on documentation analyzed in the MND, the project would likely generate 14 vehicle trips during peak hours and that increase in vehicle trips is minor and would not significantly impact the existing transportation system. Additionally, vehicular access is being provided at the rear of the property to ensure that it does not negatively affect the flow of vehicles on Burbank Boulevard. Therefore, the project is consistent with the Community Plan policies listed above.

#### *Chapter 5 – Urban Design, Multiple Residential*

*Site Planning: All multiple residential projects, of five or more units shall be designed around a landscaped focal point or courtyard to serve as an amenity for residents.*

*Design: The design of all buildings shall be of a quality and character that improves community appearance by avoiding excessive variety and monotonous repetition.*

The proposed project is consistent with the current Community Plan Urban Design Chapter, and will fulfill the above-listed design guidelines. The pedestrian entrance for the site is located at the Burbank Boulevard street façade and includes an awning and landscape planters. The landscaped area at the front of the building serves as a focal point for the building and additional common open space is provided on the third floor in the form of an outdoor garden and will provide recreational space to the residents. The massing of the building and the exterior elevations are consistent with the design guidelines in that the exterior surface is varied and articulated, the building facades are complementary to one another on all elevations, and the parking is incorporated into the massing of the structure to minimize it's appearance. Additionally, the proposed project would activate a parcel which is currently under utilized as surface parking between a commercial use and a multi-family residential use. Development of the site will further complement and activate the area.

In summary, the recommended zone change for the subject property to (T)(Q)R3-1 is consistent with the current Community Plan designation of Medium Residential, and will fulfill the above-listed Policies and Objectives of the Community Plan, and its associated policies and programs by providing additional multi-family 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 (T)(Q)R3 Zone and new multi-family residential building would be compatible with the existing neighborhood land use and character.

## **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, 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 an under developed site with additional housing. The proposed Zone Change will promote the convenience by allowing for the complimenting alley dedications and street improvements to occur. The dedication and improvements at the project's street frontage will allow for better circulation, as well as, improve the aesthetic character of the street. Granting the requested zone change would be consistent with the General Welfare, in that the request involves a zone and use that is consistent with the plan's underlying Land Use Designation of Medium Residential. The improvements resulting from the zone change will enhance the visibility and aesthetic character of the site. Further, the project would incorporate environmental conditions which address residential proximity to the freeway (air filtration, double-pane glass), and the structure would comply with all applicable fire and safety codes which are intended to promote the General Welfare.

Good Zoning Practices. The subject property is located within the Encino-Tarzana Community Plan adopted by the City Council on May 13, 1992. The map designates the subject property for Medium Residential land uses with the corresponding zone of R3. The proposed zone change recommendation from the R1-1 Zone to the (T)(Q)R3-1 Zone is consistent with the current Medium Residential land use designation and the corresponding zone for that land use category. Plan. The zone change will allow the project site to be developed with a density that is consistent with the land use designation and provide an appropriate transition between the existing commercial uses along Burbank Boulevard to the east and the multi-family residential developments to the west.

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.

2. **Building Line Removal, L.A.M.C. Sec. 12.32-R: The recommended Building Line Removal is deemed consistent with public necessity, convenience, general welfare and good zoning practice.**

The requested building line removal is in conformity with public necessity, convenience, general welfare, and good zoning practice in that its retention on the

subject property is no longer necessary for the purpose of reserving a portion of the property for future highway dedication and improvement. The Building Line along Burbank Boulevard was adopted by the City Council in November 1952 by Ordinance No. 98,921, and was originally a 32 foot Building Line but has since been reduced to 20 feet after dedications and improvements to Burbank Boulevard occurred.

Historically the primary function of the building line was to provide uniform setback of buildings. These are now considered archaic, as yard setbacks are required per the respective zone under the current L.A.M.C. The imposition of the 20-foot building line would necessitate that the development be shifted away from Burbank Boulevard and closer to the rear developments. Additionally, the Building Line has already been removed from the parcels directly to the east of the site. It is not necessary for the purpose of obtaining minimum, uniform alignment from the street at which buildings, structures or improvements may be built or maintained, since a minimum front and side yard setbacks must be observed from the new lot line for any new building or structure.

As part of the proposed project, the Bureau of Engineering (BOE) is not requiring a dedication along Burbank Boulevard but is requiring driveway improvements. Burbank Boulevard currently meets the City's standards for an Avenue II, and as such, the 20-foot building line will no longer be required on the subject property to ensure that dedication and improvements may occur at the subject site's frontage.

### **C. CEQA Findings**

**Environmental.** A Mitigated Negative Declaration (ENV-2016-1052-MND) was prepared for the proposed project. The Mitigated Negative Declaration No. ENV-2016-1052-MND is an adequate environmental clearance for the project, as recommended by City staff. In this case, the applicant would be permitted to develop the property to the density allowed in the R3-1 zone, and the recommended zone is consistent with the Plan designation of Medium Residential. 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 Valley Project Planning Division of the Planning Department in Room 430, 6262 Van Nuys Boulevard.