

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE**

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
APCSV-2016-1520-ZC	ENV-2016-1521-MND	3 - Blumenfield
PROJECT ADDRESS:		
7222 North Amigo Avenue		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
GP Real Estate Investment LLC (A) C/O Gary Pietruszka, Manager 7379 Greenbush Avenue North Hollywood, CA 91605 <input type="checkbox"/> New/Changed	(818) 765-5661	
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Sean Nguyen, EZ Permits, LLC (R) 7251 North Owensmouth Avenue #2 Canoga Park, CA 91303	(213) 880-6289	sean@ezpermitsllc.com
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A		
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
N/A		
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
William Hughen	(818) 374-5049	william.hughen@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
Zone Change		

FINAL ENTITLEMENTS NOT ADVANCING:

N/A

ITEMS APPEALED:

N/A

ATTACHMENTS:

REVISED:

ENVIRONMENTAL CLEARANCE:

REVISED:

Letter of Determination

Categorical Exemption

Findings of Fact

Negative Declaration

Staff Recommendation

Mitigated Negative

Conditions of Approval

Environmental Impact Report

Ordinance

Mitigation Monitoring Program

Zone Change Map

Other _____

GPA Resolution

Land Use Map

Exhibit A - Site Plan

Mailing List

Land Use

Other _____

NOTES / INSTRUCTION(S):

FISCAL IMPACT STATEMENT:

Yes

No

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

PLANNING COMMISSION:

City Planning Commission (CPC)

North Valley Area Planning Commission

Cultural Heritage Commission (CHC)

South LA Area Planning Commission

Central Area Planning Commission

South Valley Area Planning Commission

East LA Area Planning Commission

West LA Area Planning Commission

Harbor Area Planning Commission

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
March 23, 2017	4 - 0
LAST DAY TO APPEAL:	APPEALED:
May 16, 2017	No
TRANSMITTED BY:	TRANSMITTAL DATE:
Renee A. Glasco	May 17, 2017



SOUTH VALLEY AREA PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: APR 26 2017

Case No.: **APCSV-2016-1520-ZC**
CEQA: ENV-2016-1521-MND
Plan Area: Reseda – West Van Nuys

Council District: 3 - Blumenfield

Project Site: 7222 North Amigo Avenue

Applicant: Gary Pietruszka, GP Real Estate Investment LLC
Representative: Sean Nguyen, EZ Permits LLC

At its meeting of **March 23, 2017**, the South Valley Area Planning Commission took the actions below in conjunction with the approval of the following project:

Demolition of an existing single-family dwelling and the construction, use and maintenance of a new 5-unit apartment building, comprised of two levels of residential uses over one level of at-grade garage parking, with a maximum height of 36-feet, located on one lot measuring approximately 8,000 square-feet. 11 automobile parking spaces will be provided.

1. **Found** after consideration of the whole of the administrative record, including the Mitigated Negative Declaration No. ENV-2016-1521-MND (“Mitigated Negative Declaration”), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; **Found** the Mitigated Negative Declaration reflects the independent judgement and analysis of the City; **Found** the mitigation measures have been made enforceable conditions on the project; and **Adopted** the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;
2. **Denied** the appeal for a Zone Change from [Q]R2-2D-CDO to R3-2D-CDO;
3. **Approved** and Recommended that the City Council approve a Zone Change from [Q]R2-2D-CDO to (T)(Q)R3-2D-CDO.
4. **Adopted** the attached conditions of Approval; and
5. **Adopted** the attached Findings.

This action was taken by the following vote:

Moved: Dierking
Seconded: Bishop
Ayes: Mather, Cochran
Absent: Garcia

Vote: 4 – 0



Renee Glasco, Commission Executive Assistant I
South Valley Area Planning Commission

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

Effective Date/Appeals: The South Valley Area Planning Commission's decision is appealable only by the applicant to the Los Angeles City Council within 20 days after the mailing date of this determination letter. 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, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

FINAL APPEAL DATE: MAY 16 2017

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: Qualified Conditions of Approval, Conditions for Effectuating Tentative Classification Removal, and Findings

c: Thomas Lee Glick, City Planner
William Hughen, City Planning Assistant

(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 R3-2D Zone as defined in Section 12.10.A 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, and Building Elevations (Exhibit A, dated February 15, 2016) 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.
4. **Landscape Plans.** 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. The plans shall denote correct North direction.

B. Design Conditions:

5. **Electric Vehicle Parking.** A minimum of two (2) apartment unit parking areas shall be equipped with one electric vehicle-ready parking stall.
6. **Cool Roof.** The project shall utilize a cool roof consistent with the Cool Roof Ordinance and to the satisfaction of the Department of Building and Safety.
7. **Bicycle Parking.** The project shall provide bicycle parking consistent with the Bicycle Parking Ordinance.
8. **Outdoor Lighting.** The project shall direct lighting on-site and shall shield lighting away from surrounding residential areas.
9. **Equipment Screening.** The project shall locate trash storage bins and recycling areas away from the North Reseda Avenue and shall enclose these areas with a decorative masonry wall or fence and landscaping. Ground mounted equipment or electrical transformers should be fully screened on all sides from public view by substantial landscaping or should be placed under-ground.
10. **Hardscape Materials.** The project shall utilize permeable hardscape materials unless required otherwise by a City Agency.
11. **Building Colors.** The project shall utilize a maximum of four (4) exterior colors. Bright colors including those that produce glare or those that are fluorescent or day-glow are not permitted.

C. Reseda Central Business District Q Conditions:

12. **Building/Structural Height.** Height of buildings shall be restricted to 45 feet with the exception of projects located within the Residential Accessory Service (RAS) Zone which shall

not exceed 50 feet in height. The regulations relative to height, noted in subsection (1), above, shall prevail for buildings and structures located on those lots within the Zone Change Ordinance-Reseda CBD CD boundaries, except as expressly noted herein. For Subarea A (Ord. No. 150,669); Subarea B (Ord. No. 163,460); Subarea C (Ord. No. 163,214); Subarea D (Ord. No. 153,671); Subarea F (Ord. No. 160,444); Subarea G (Ord. No. 154,826); Subarea H (Ord. No. 161,061); and Subarea I (Ord. No. 156,185), the more restrictive height limitations, as set forth in said ordinances, shall prevail.

13. Auto-Related Uses. New auto-related uses as defined in Sec. 12.03 of the Los Angeles Municipal Code shall be prohibited with the exception of automobile retail. Retail shall include automobile related items which are purchased on-site, but are installed off-site. For the purpose of this ordinance, auto-related uses shall also include the installation of tires, stereo equipment, automobile alarms, lubrication, fueling and repair, and other such uses as determined by the Director of Planning. Remodeling or expansion of any existing, legal non-conforming auto-related use (as evidenced by a final Certificate of Occupancy issued prior to the effective date of this ordinance), of an area greater than 20 percent of the existing structural square footage, shall be in accordance with Sec. 13.08 E of the Los Angeles Municipal Code. Signage included as part of a remodeling and/or expansion pursuant to this subsection, shall be reviewed in accordance with Sec. 13.08 E of the Los Angeles Municipal Code.

14. Open Storage shall be prohibited.

- a. For purposes of this ordinance, open storage is the covered or uncovered ground level portion of a business operation which is not completely enclosed within a building or structure and is used to store items for purchase or repair.
- b. For the purposes of this ordinance, the term does not apply to plant nurseries or flower stores.
- c. Additional uses may be exempt from this provision as determined by the Director of Planning.

15. Residential Use in Commercially-zoned lots. Residential use of any building/structure located on a commercially-zoned lot shall be prohibited on the ground-floor level to a depth of a minimum 100 feet, as measured from the building frontage.

16. Prohibited Signs

- a. Poles Signs.
- b. Off-site commercial signs, including billboards.
- c. Freestanding signs on walls and fences.
- d. Illuminated Architectural Canopy Signs.
- e. Cabinet Signs.
- f. Roof Signs.
- g. Inflatable signs, including, inflatable devices used for display or to attract attention.
- h. Blinking, flashing, electronic, moving signs and or signs with any rotating or moving parts which gives the impression of movement.
- i. Flags, individual or attached to a string, used for commercial purposes.

17. Sign Restrictions

- a. The total signage per business shall be limited to 2 square feet for each 1 foot of building frontage (excluding window signage). The sign area shall be calculated using only the frontage of that particular business and shall be affixed to the wall from which the calculations were taken.
- b. Each business is permitted one wall or channel letter sign for each public entrance.
- c. Wall Sign - Area of wall sign shall be limited to 2 square feet for each 1 foot of building frontage.

- d. Projecting Signs shall be a maximum 16 square feet and shall not project more than 30 inches or half the width of the adjacent public sidewalk, whichever is less. Projecting Signs shall be limited to one per business.
- e. Awning Signs shall be limited to 1 square foot for each 1 foot of building frontage.
- f. Rear signage shall be non-illuminated.

18. Parking Buildings Adjacent to Residentially Zoned Property

- a. Parking Buildings shall be limited to a maximum of two (2) stories in height above grade. Subterranean parking shall not exceed two (2) feet in height above grade.
- b. There shall be no external wall openings nor open driveway ramps to the upper level of a parking building on the side of the building facing the residential-zoned property.
- c. To minimize noise impact, parking buildings equipped with air circulation vents and/or fans shall not have such vents and/or fans facing a residential zone.
- d. All interior and exterior driveways and ramps of parking structures shall be broom-finished concrete.
- e. Parking buildings shall be designed to substantially screen automobiles contained therein from the public view. The front of a parking building or any of its sides facing a public right-of-way, shall be designed so that it is similar in color, materials, and architectural detail with the building it serves.

C. Environmental Conditions:

19. Air Quality.

- a. All off-road construction equipment greater than 50 hp shall meet US EPA Tier 4 emission standards, where available, to reduce NO_x, PM₁₀ and PM_{2.5} emissions at the Project site. In addition, all construction equipment shall be outfitted with Best Available Control Technology devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- b. Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the Lead Agency determines that 2010 model year or newer diesel trucks cannot be obtained, the Lead Agency shall require trucks that meet U.S. EPA 2007 model year NO_x emissions requirements.
- c. At the time of mobilization of each applicable unit of equipment, a copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided.

20. Habitat Modification.

- a. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).
- b. If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:
 - a. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall

continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.

- b. If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.
- c. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
- d. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.

21. Tree Removal (Non-Protected Trees).

- a. 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.
- b. 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, Bureau of Street Services, Department of Public Works.

22. Human Health Hazard (Vector Control).

- a. The property shall be maintained in a neat, attractive, and safe condition at all times.
- b. On-site activities shall be conducted so as not to create noise, dust, odor, or other nuisances to surrounding properties.
- c. Trash and garbage bins shall be maintained with a lid in working condition; such lid shall be kept closed at all times.
- d. Trash and garbage collection bins shall be maintained in good condition and repair such that there are no holes or points of entry through which a rodent could enter.
- e. Trash and garbage collection containers shall be emptied a minimum of once per week.
- f. Trash and garbage bin collection areas shall be maintained free from trash, litter, garbage, and debris.

23. 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.

24. Public Services (Construction Activity Near Schools).

- a. The developer and contractors shall maintain ongoing contact with administrator of Reseda Elementary school. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.

- b. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- c. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
- d. Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.

25. Safety Hazards.

- a. The developer shall install appropriate traffic signs around the site to ensure pedestrian, bicycle, and vehicle safety.
- b. The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

26. Transportation/Traffic.

- a. Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.
- b. Temporary pedestrian facilities should be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- c. Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
- d. Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

D. Administrative Conditions:

27. 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 case file.

28. Code Conformance. Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.

29. 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.

30. 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.

31. 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.

32. **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.
33. **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.
34. **Indemnification.** 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 \$50,000. 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 (ii).
 - 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 (ii).
 - 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 includes 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.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32G 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).

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. 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.
 - a. Per the Bureau of Engineering Planning Case Referral Form, dated June 9, 2016, the applicant shall install street lights as required by 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

A. General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located within the Reseda – West Van Nuys Community Plan and is designated for Community Commercial land uses, with the corresponding CR, C2, C4, RAS3, RAS4, P, and PB zones. The proposed zone change to R3-2D-CDO is not consistent with the land use designation on the community plan map. However, Chapter II of the Community Plan includes a section titled Plan Consistency. This section, reproduced below, states that each community plan designation permits the designated zones as well as all zones that are more restrictive, as defined in Los Angeles Municipal Code Section 12.23.

Plan Consistency

“Each plan land use category indicates the corresponding zones permitted by the Plan unless further restricted by the plan text, footnotes, adopted Specific Plans, or other specific limitations on discretionary approvals. The Plan recognizes that the residential densities, commercial intensities, and industrial intensities depicted on the Plan map are theoretical and will not occur due to plan and zone regulations, economic conditions, and design limitations.

For each plan category, the Plan permits all identified corresponding zones, as well as those zones which are more restrictive, as referenced in Section 12.23 of the Los Angeles Municipal Code (LAMC). Any subsequent action that modifies the Plan or any monitoring review that results in changes to the Plan must make new Plan consistency findings at the time of that decision.

City actions on most discretionary projects require a finding that the action is consistent or in conformance with the General Plan. In addition to the required general finding, decision makers acting on certain projects in the Reseda-West Van Nuys-Community Plan Area shall refer to each of the applicable additional findings that the Plan identifies as programs in Chapter III of the Plan which are underlined for ease of reference. To further substantiate the consistency findings, decision makers may site other programs, policies, or objectives which would be furthered by the proposed project. In addition, Chapter V of the Plan requires a decision maker to make a finding of conformance with applicable design standards for discretionary projects.”

Therefore, the proposed zone change to R3-2D-CDO is in substantial conformance with the purposes, intent, and provisions of the General Plan as reflected in the adopted Community Plan.

2. **General Plan Text.** The Reseda – West Van Nuys Community Plan text includes the following relevant land use goals, objectives, policies and programs:

GOAL 1: A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY.

Objective 1-1: To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.

Policy 1-1.1 Designate specific lands to provide for adequate multi-family residential development.

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

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

Program: The Plan includes an Urban Design Chapter which is supplemented by Design Guidelines and Standards for residential development.

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

Policy 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 design standards for residential development to implement this policy.

Policy 1-2.2 Consider factors such as neighborhood character and identity, compatibility of land uses, impacts on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential densities are proposed.

Program: The decision-maker should adopt a finding which addresses these factors as part of any decision relating to changes in planned residential densities.

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

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

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

The proposed project will meet the above objectives and policies by providing additional housing at an appropriate density and location to meet the plan area's needs and infrastructure capabilities. The project would change the zone of an R2-2D-CDO zoned lot in the neighborhood and proposes the same zone as many of the adjacent residential parcels.

Therefore, the proposed R3-2D-CDO Zone and construction of five rental units 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 roadway, 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 North Amigo Avenue 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 a common driveway will provide residents with direct access from North Amigo Avenue.

The Plan also sets standards for Urban Design, coupled with the 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. In addition, the site is subject to the provisions of the Reseda Central Business District Community Design Overlay, discussed below. The submitted site plan and building plans are consistent with these design standards, and the building frontage has been designed with pedestrian access 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 colors to achieve an articulated facade.

Therefore, as conditioned, the recommended development meets the objectives of the Community Plan, is permitted in the R3-2D-CDO Zone, and is consistent with the general plan land use designation.

B. Entitlement Findings

3. 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)R3-2D-CDO zone is consistent with the existing Community Commercial Community Plan Land Use designation in that this land use category allows for the corresponding zones of CR, C2, C4, RAS3, RAS4, P, and PB or those zones that are more restrictive, per L.A.M.C. Section 12.23 B.7. The corresponding RAS3 (Residential Accessory Services) Zone permits one dwelling unit for each 800 square feet of buildable lot area and commercial uses outlined in Section 12.10.5 of the L.A.M.C. The requested R3 (Multiple Dwelling) Zone permits one dwelling unit for each 800 square feet of buildable lot area but no commercial uses are permitted. As such, the proposed residential density is consistent with the Community Plan Land Use designation.

The project is also convenient in location to several major streets, such as Reseda Boulevard and Sherman Way. The project is also located near several local and rapid bus lines. As an infill project, the proposed development will also 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 residential development on R3-2D- and R2-2D- zoned lots to the north, east, and south of the subject property and commercial uses on C2-zoned lots to the south and west of the subject site. A zone change from [Q]R2-2D-CDO to (T)(Q)R3-2D-CDO and the construction of five apartment residences would be compatible with the use and size of existing developments in the vicinity. 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 in comparison to 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

4. **Environmental** A Mitigated Negative Declaration ENV-2016-1521-MND was published on November 16, 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 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 Valley Project Planning Division 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-2016-1521-MND is adopted in compliance with the Public Resources Code and includes the necessary mitigation measures identified herein