

FINDINGS

A. GENERAL PLAN/CHARTER FINDINGS

1. General Plan Land Use Designation

The Los Angeles General Plan sets forth goals, objectives and programs that guide both Citywide and community specific land use policies. The General Plan is comprised of a range of State-mandated elements, including, Land Use, Transportation, Mobility, Noise, Safety, Housing and Conservation. The Framework Element of the General Plan is a guide for communities to implement growth and development policies by providing a comprehensive long-range view of the City as a whole. The City's Land Use Element is divided into 35 community plans that establish parameters for land use decisions within those sub-areas of the City.

The subject property is located within the Sun Valley – La Tuna Canyon Community Plan as updated and adopted by the City Council on August 13, 1999. The proposed project site is divided into two zoning and land use designations. The northerly lots off of Lankershim Boulevard is zoned R3-1-CUGU, and the remainder of the site is zoned R1-1-CUGU. The R3-1-CUGU portion of the site is designated Medium Residential under the Sun Valley-LA Tuna Canyon Community Plan, and the R1-1-CUGU portion of the site is designated Low Residential under the Community Plan.

The applicant is requesting a General Plan Amendment to change a portion of the site from Low Residential to Low Medium II Residential to develop a small lot community. Under the Sun Valley-LA Tuna Canyon Community Plan, the Low Medium II Residential land use designation corresponds to the RD1.5, RD2, RW2, and RZ2.5 Zones. Concurrently, the applicant is requesting to change the zone from R1-1-CUGU to RD1.5-1-CUGU corresponding to the Low Medium II designation. The overall project will provide much needed housing in the Plan area. The density of the small lot development is proposed for 99 dwelling units, which is below the 114 dwelling units permitted if the Zone Change to RD1.5 is allowed. The density of the multi-family residential apartment building is proposed to exceed the otherwise allowed 51 units to provide 64 units with a 25% density bonus increase (13 units) pursuant to LAMC Section 12.22 A.25. The small lot homes are proposed with a maximum height of three stories and 36 feet in height, which is below the 45 foot limit established by Height District 1. The multi-family residential apartment building is proposed to exceed the 45 foot height limit by 7 feet for a total of 52 feet pursuant to LAMC Section 12.22 A.25. The 52 foot height may be extended by up to 10 feet for the roof structure and housing stairway as permitted under LAMC Section 12.21.1 B.3(a). The applicant is proposing 72 automobile parking spaces for the multi-family residential dwelling in conformance with LAMC Section 12.22 A.25(d), Parking Option 1, and LAMC Section 12.21 A.4, which allows a 10% reduction for bicycle parking. For the small lot homes, the applicant is proposing 223 automobile parking spaces at a rate of 2 spaces per single-family dwelling unit ($99 \times 2 = 198$) and 0.25 guest parking spaces ($99 \times 0.25 = 25$) in accordance with LAMC Section 21.21 A.4(a).

The project site is not located within a specific plan area, but is located with a special overlay district designated under LAMC Section 13.18 as the Clean Up Green Up Supplemental Use District (CUGU). The purpose of the CUGU Supplemental Use District is to reduce cumulative health impacts resulting from incompatible land uses,

including concentrated industrial land use, on-road vehicle travel, and heavily freight-dominated transportation corridors, which are incompatible with the sensitive uses to which they are in close proximity, such as homes and schools. The CUGU ordinance identifies a residential use as a Publicly Habitable Space, and includes development regulations for a Publicly Habitable Space that is adjacent to a Subject Use, which is a use that could have health impacts. Under CUGU, "Storage Building" is considered a Subject Use that could have health impacts. On this particular site, a storage building is sited on the adjacent church parking lot. This particular storage building, unlike an automobile or warehouse storage building, is not an example of a use that could have cumulative negative health impacts for a residential use. Therefore, the church storage building adjacent to the subject site is not applicable to CUGU within the context of the proposed project.

2. Charter Section 555(a) Findings

That the part or area involved has significant social, economic or physical identify.

The size, shape, and location of the site create a significant physical identity for the proposed project. The 64-unit multi-family building and 99 small lot homes are proposed to be located on a large, approximately 4.9 acre, irregularly-shaped and underutilized site fronting on Lankershim Boulevard. As currently zoned, the approximately 171,181 square foot R1 Zoned portion of the site is sandwiched between R3 Zoned lots on Lankershim Boulevard and R1 Zoned lots fronting on Stagg Street and Lemp Avenue. The applicant's request to re-zone the R1 portion of the site to the RD1.5 density will allow this portion of the site to be developed with small lot single-family homes and serve as a buffer between the more intensive uses and zoning along Lankershim Boulevard to the west, north, and south and the single-family uses to the east. As conditioned, the proposed development of 99 small lot homes and a 64-unit multi-family residential apartment building will create a sense of community and cohesiveness on a site that currently has dual zoning and land use designations.

3. Charter Section 556 Findings

That the General Plan Amendment is in substantial conformance with the purposes, intent and provisions of the General Plan.

Framework Element. The Citywide Framework Element of the General Plan sets forth a citywide comprehensive long-range growth strategy. The recommended General Plan Amendment to Low Medium II and Zone Change to (T)(Q)RD1.5-1 on a portion of the project site to construct 99 small lot single-family homes conforms to the following objectives and policies of the Framework Element as follows:

Objective 4.1: Plan the capacity for and development incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population.

Policy 4.1.5: Monitor the growth of housing developments and the forecast of housing needs to achieve a distribution of housing resources to all portions of the City and all income segments of the City's residents.

Given the surrounding land uses, which include single-family and multi-family residences and commercial uses, the neighborhood would be well served by amending the General Plan from Low to Low Medium II Residential and changing the zone from R1-1-CUGU to RD1.5-1-CUGU on a portion of the project site. A plan amendment and change in zone, as requested by the applicant, would further the policies of the General Plan Framework Element by increasing the supply of housing through small lot development in the Sun Valley – La Tuna Canyon Community Plan. The provision of small lot single-family homes would further implement the policies of the Framework Element by providing home ownership opportunities for first-time home buyers.

A 99 unit small lot development would not be possible under the current plan and zoning. The portion of the site upon which the 99 small lot single-family homes are proposed to be sited is approximately 171,181 gross square feet. After yard setbacks are deducted, the net buildable area is expected to be approximately 162,721 square feet. As proposed, re-zoning a portion of the site to the RD1.5 density would allow a ratio of 1 dwelling unit per 1,500 square feet, thereby yielding 114 dwelling units. The applicant proposes to develop the site with 99 small lot homes.

Furthermore, the Citywide General Plan Framework Element states:

Policy 4.1.4: Reduce overcrowded housing conditions by providing incentives to encourage development of family-size units.

Policy 4.1.7: Establish incentives for the development of housing units appropriate for families with children and larger families.

The plans submitted by the applicant show 3 bedroom single-family homes that will serve larger and multi-generational families, including families with children.

Housing Element. The Housing Element of the General Plan 2013-2021 adopted December 2013 states as follows:

The City of Los Angeles continues to grow, and with that growth comes the need for more housing – not only more units, but a broader array of housing types to meet evolving household types and sizes, and a greater variety of housing price points that people of all income levels can afford.

The Housing Element Executive Summary continues to identify a need for 82,002 new housing units by 2021, and it is projected that the City will be 22,443 units short of that need as determined by the Regional Housing Needs Assessment (RHNA). Further, the City needs about 10,250 housing units per year to keep pace with the RHNA. The City has been producing an average of 6,000 units per year since 2006. Chapter 3 of the Housing Element estimates the Sun Valley-LA Tuna Canyon Community Plan area has the capacity for approximately 1,267 dwelling units.

The Housing Element Executive Summary includes the following goals:

Goal 1: A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs.

The proposed project is consistent with this goal, as it provides an opportunity for 64 studio to two-bedroom apartment units and 99 small lot homes. As such, the proposed project offers rental units and homeownership to Sun Valley-LA Tuna Canyon community residents. According to the applicant, the price point for the small lot homes will be targeted toward first time homebuyers.

Health and Wellness, Mobility 2035, and Air Quality Elements. The condition requiring a minimum of 20% of all Code required parking spaces to be EV-ready parking spaces and 5% of Code required parking to be further provided with EV chargers onsite will support the adoption of low and zero emission transportation fuel sources by the project's occupants and visitors. The condition requiring solar panels will support the site's EV chargers and other site electrical uses to help reduce the site's dependence on fossil fuels and carbon generating public utility electrical power. Taken together, these conditions provide for the public welfare and public necessity by reducing the level of pollution or greenhouse gas emissions to the benefit of the neighborhood and City in response to General Plan Health and Wellness Element Policies 5.1 (reduce air pollution), 5.7 (reduce greenhouse gas emissions); Air Quality Element Policy 4.2.3 (ensuring new development is compatible with alternative fuel vehicles), 5.1.2 (shift to non-polluting sources of energy in buildings and operations); Mobility Element Policy 4.1 (expand access to transportation choices) and 5.4 (encourage adoption of low emission fuel sources, new mobility technology and supporting infrastructure). The solar and EV conditions are also good zoning practice because they provide a convenient service amenity to the occupants or visitors who use electric vehicles and utilize electricity on site for other functions. As such, the Project provides recreational and service amenities to improve habitability for the residents and to minimize impacts on neighboring properties.

General Plan/Community Plan. The Sun Valley-LA Tuna Canyon Community Plan is one of the 35 land use elements of the City of Los Angeles General Plan. The Chapter 1 of the Community Plan includes the following Issues and Opportunities:

Issues

- *Need to preserve single-family neighborhoods*
- *Need for affordable housing*
- *Need for housing, jobs and services in mutual proximity*

Opportunities

- *Access and proximity to employment*
- *Potential for residential and mixed-use development along commercial corridors*

- *Undeveloped or underdeveloped land allowing opportunities for clustered development*

The proposed project addresses all of the above issues and opportunities delineated in the Community Plan. The proposed 99 single-family small lot development allows for the preservation of single-family neighborhoods and a clustered development of single-family homes in close proximity to jobs and housing. The project site is largely underutilized as it is currently developed with small scale commercial uses, associated parking lots, and two single-family homes. The proposed 64-unit apartment building includes 4 units designated for Very Low Income, and according to the applicant, the price point of the small lot homes will be targeted toward first time homebuyers.

Chapter 3 of the Community Plan also includes the following objectives, policies, and programs:

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

Policy 1-1.1: Designate land for single and multi-family residential development.

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

The proposed project is sited in on land designed for residential development on the Plan Map. The area where the 64-unit multi-family development is proposed is designated Low Medium II Residential by the Community Plan. Although the Plan Map currently designates the land proposed for the 99 small lot home community as Low Residential, the first Small Lot Ordinance (No. 176,354) was effective January 31, 2005, well after the Sun Valley-LA Tuna Canyon Community Plan was adopted on August 13, 1999. The applicant has applied to change the Low Residential land use designation to Low Medium II in order to correspond with the requested RD1.5 Zoning. By providing both multi-family units, including affordable units, and single-family homes, the applicant's proposal meets the diverse economic and physical needs of the residents.

Policy 1-1.2: Protect existing single family residential neighborhoods from encroachment by higher density residential and other incompatible uses.

Program: The Plan Map identifies areas where only single-family residential development is permitted; it protects these areas from encroachment by designating, where appropriate, transitional residential densities which serve as buffers.

The proposed 64-unit multi-family residential apartment building is located on Lankershim Boulevard, which is designated Boulevard II by Mobility Plan 2035. As such, the multi-family residence offers a buffer from the single-family small lot community proposed to the east and south. The proposed small lot homes are surrounded by an existing single-family neighborhood.

The Community Plan also states:

Objective 1-2: To locate new housing in a manner which reduces vehicular trips and which increases accessibility to services and facilities.

Policy 1-2.1: Locate higher residential densities near commercial centers, and major bus routes where public service facilities, utilities, and topography will accommodate this development.

Program: The Plan designates lands for higher residential densities within and adjacent to transit convenient locations.

The proposed project is an infill development providing much needed housing in an area located near public transit and jobs. The proposed site is located on Lankershim Boulevard in proximity to commercial and retail uses, schools, and other institutional uses. MTA lines 169, 152/353, and 224 are less than one mile from the project site. Additionally, the site is less than 2 miles from the Hollywood-Burbank Airport and the Burbank Metrolink rail station.

4. Charter Section 558 Findings

That the action will be in conformity with the public necessity, convenience, general welfare and good zoning practice.

The Planning Commission shall hold a public hearing and make a report and recommendation to the Council regarding the relation of the proposed amendment to the General Plan and whether adoption of the proposed amendment will be in conformity with public necessity, convenience, general welfare and good zoning practice.

Public Necessity. The 2013-2021 Housing Element of the General Plan, Executive Summary, states:

The Los Angeles region has been at the fore of the nation's recent housing and economic crisis...the City will pursue the production and preservation of housing for all residents and will strive to meet its RHNA goal of 82,002 new units by October 2021.

The proposed General Plan Amendment and Zone Change allows for the redesignation of Low Residential density land use with a corresponding R1 Zone to Medium II Residential density land use with a corresponding RD1.5 Zone to allow for the development of a unified community of 64 multi-family residential dwelling units on the existing R3 Zoned portion of the lot along with 99 single-family homes on the RD1.5 Zoned portion of the lot. This gain of 163 units (161 net gain) will contribute toward meeting the City's RHNA goal of providing 82,002 new housing units in the City by October 2021.

Convenience. The proposed development of 163 dwelling units (64 multi-family units plus 99 small lot homes) is in proximity to commercial uses that offer opportunities for jobs and public transportation. MTA lines 169, 152/353, and 224 are less than one mile from the project site, and both the Hollywood-Burbank Airport and the Burbank Metrolink rail station are located within 2 miles of the project site.

General Welfare. The proposed General Plan Amendment/Zone Change allows for much needed housing in the City by offering 64 multi-family units, including affordable housing, and 99 small lot homes for larger families and first time home buyers.

Good Zoning Practice. The applicant's request to re-zone the current R1 portion of the site to RD1.5 allows for the development of small lot homes on an otherwise inaccessible site that is sandwiched between R3 Zoned lots to the west and R1 Zoned lots to the east.

B. ENTITLEMENT FINDINGS

There is a critical and well-documented demand for housing throughout the City of Los Angeles. The proposed Zone Change, General Plan Amendment, Density Bonus, Site Plan Review, T Conditions, Q Conditions, and Conditions of Approval and are consistent with Section 558 of the City Charter and Sections 12.32 and 12.22 A.25 of the LAMC in that it will be in conformance with public necessity, convenience, general welfare and good zoning practice as described below. With the approval of the requested General Plan Amendment, the requested zoning will be consistent with the General Plan.

5. Zone Change Finding

The requested zone change is in conformance with the public necessity, convenience, general welfare and good zoning practice.

As previously stated, the proposed project site is divided into two zoning and land use designations. The northerly lot off of Lankershim Boulevard is zoned R3-1-CUGU and designated Medium Residential by the Community Plan. No change in zoning is requested for this portion of the site where the proposed 64-unit multi-family residential apartment building is proposed to be located. The remainder of the site is zoned R1-1-CUGU and is designated Low Residential by the Community Plan. This approximately 171,181 gross square foot portion of the site is proposed to be re-zoned to RD1.5-1-CUGU to accommodate the 99 small lot single-family homes. After yard setbacks are deducted, the net buildable area is expected to be approximately 162,721 square feet. If approved for re-zoning to the RD1.5 density, which is calculated at a ratio of 1 dwelling unit per 1,500 square feet, a maximum of 114 dwelling units could be permitted. However, the applicant proposes to develop the site with 99 small lot homes as conditioned herein.

Public Necessity. The proposed 99 small lot single-family development provides necessary housing within the City of Los Angeles, including 3 bedroom homes with shared open space, such as a tot lot/play area or community garden, to meet the needs large families with children and multi-generational families. The need for large family housing citywide is well documented in the Housing Element 2014 as previously stated.

Convenience. The proposed project is an infill development providing much needed housing in an area located near jobs and public transit. The proposed site is located on Lankershim Boulevard in proximity to commercial and retail uses, schools, and other institutional uses. MTA lines 169, 152/353, and 224 are less than one mile from the project site, and both the Hollywood-Burbank Airport and the Burbank Metrolink

rail station are located within 2 miles of the project site. To encourage pedestrian and bicycle usage, the project is conditioned to provide clearly marked and differentially paved pedestrian pathways throughout the project site. These pathways will connect the 64-unit multi-family residential apartment building with the small lot development to create a sense of community and provide convenient access to the common open space area within the small lot development. Furthermore, both pedestrian and bicycle access will be provided via open, unlocked gates at the Lankershim Boulevard and Irvine Avenue access points. Long-term bicycle parking will be provided on-site at the 1st floor of the multi-family apartment building. Residents of the small lot homes will have sufficient space within each 2 car garage for long-term bicycle storage. Short-term bicycle parking is provided in various locations throughout the small lot site and within the multi-family residential apartment building to encourage bicycle usage among guests.

General Welfare. The proposed zone change is in conformance with the general welfare as it allows for the development of a small lot community that provides much needed housing. Furthermore, the 64-unit multi-family residential building and small lot development, as conditioned, will offer a sense of community by providing a unifying architectural style, shared open space, and pedestrian and bicycle linkages.

Good Zoning Practice. The portion of the project site that is proposed to be re-zoned is, for the most part, vacant and underutilized. The total approximately 4.9 acre site is currently improved with a small collection of one-story commercial buildings, surface parking lots, and two single-family homes. Permitting the zone change to RD1.5 will allow for approximately 171,181 square feet of largely inaccessible land that is sandwiched between Lankershim Boulevard to the west and single-family homes to the east to utilized for a much needed community of single-family homes in a small lot configuration.

6. Q Condition Findings

a. The Q limitations are necessary to protect the best interests of and assure a development more compatible with the surrounding property or neighborhood.

The proposed Q conditions contain provisions regarding site development; limit the use, building height, and floor area ratio (FAR); provide for adequate automobile parking, bicycle parking, and open space; ensure tree replacement, and regulate vehicular/pedestrian gates and emergency access for fire and ambulance services. As such, the Q limitations serve to protect the best interests of the proposed development and the community as a whole.

b. The Q limitations are necessary to secure an appropriate development in harmony with the objectives of the General Plan.

To ensure that the development is in harmony with the General Plan, the proposed Q conditions contain provisions regarding land use; access, circulation and mobility; housing supply and density; natural resources (trees); open space; and safety. Additionally, the Q limitations tie the entitlements herein to Case No. VTT-74107-SL.

c. The Q limitation is necessary to prevent or mitigate adverse environmental effects of the zone change.

Under Case No. ENV-2016-2384-MND, mitigation measures are imposed on the subject project to reduce impacts to a less than significant level in the areas of Aesthetics (Light), Biology - Tree Removal (Non-Protected Trees and Locally Protected Species), Hazards and Hazardous Materials, and Noise (Demolition, Grading, and Construction Activities; Parking Wall). The Q limitations imposed herein address biology (tree replacement of protected Black Walnut trees on site) and incorporate site development standards and guidelines as shown in “**Exhibit A**” that address the environmental impacts and mitigation monitoring program analyzed under Case No. ENV-2016-2384-MND. As such, the proposed Q conditions prevent or mitigate adverse environmental impacts from the project.

7. T Condition Finding

Public necessity, convenience and general welfare require that provision be made for the orderly arrangement of the property concerned into lots and/or that provision be made for adequate streets, drainage facilities, grading, sewers, utilities, park and recreational facilities; and/or that provision be made for payments of fees in lieu of dedications and/or that provision be made for other dedications; and/or that provision be made for improvements; all in order that the property concerned and the area within which it is located may be properly developed in accordance with the different and additional uses to be permitted within the zone to which the property is proposed for change.

The current action, as recommended, has been made contingent upon compliance with “T” conditions of approval imposed herein for the proposed project. Such T Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public’s needs, convenience, and general welfare served by the actions required. These T Conditions ensure appropriate and necessary sidewalk improvements, street lighting, sewers, access and circulation, cable, emergency services, and recreation and parks. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site.

8. Density Bonus Findings

In order to construct the proposed project, the applicant is requesting pursuant to LAMC Section 12.22 A.25, a Density Bonus increase for the multi-family residential apartment building of 25% (13 units) with a 7% (4 units) set aside for Very Low Income (VLI) Households, and one off-menu incentive to decrease the front yard setback from 15 feet to 5 feet and two waiver of development standards to: 1) decrease the required rear yard setback from 15 feet to 10 feet, and 2) increase the allowed maximum height from 45 feet to 52 feet (7 feet) within 50 feet of an R1 Zoned lot. No Density Bonus increase, incentive or waiver of development standard is requested for the small lot development. This is consistent with the applicant’s entitlement requests herein. With the exception of Vesting Tentative Tract Map No. 74107-SL and Site Plan Review, no other entitlement requests are shared between the proposed project. The proposed General Plan Amendment from Low Residential to Low Medium II Residential applies only to the portion of the lot where the small lot homes are proposed to be sited.

Similarly, the requested Zone Change from R1 to RD1.5 applies only to the portion of the lot where the small lot homes are proposed to be sited. The requested incentives and waivers apply only to the R3 Zoned portion of the lot where the density bonus is proposed for the 64-unit multi-family residential apartments. No benefits resulting from the proposed density bonus incentives or waivers will be applicable to the small lot development.

The applicant is offering to set aside 7% which is the equivalent of 4 units, for Very Low Income. As such, the applicant is entitled to request one incentive, through either the on- or off-menu process, under LAMC Section 12.22 A.25(e)-(g) and State Density Bonus Law. The applicant here is entitled to one off-menu incentive request and it has elected to decrease the required front yard setback through the off-menu process. Separately, LAMC Section 12.22 A.25(g)(3) and State Density Bonus Law allows the applicant to additionally request a waiver of other development standards that will have the effect of physically precluding the construction of the density bonus development (inclusive of bonus units and requested incentives) by seeking those waivers through the off-menu process. In this case, the waivers are the two requests to decrease the required rear yard setback and increase the allowed maximum height.

In accordance with LAMC Section 12.22 A.25(g) and Government Code Section 65915(d) and (e), the Commission shall approve a density bonus and requested incentive, in addition to the requested waivers unless the Commission finds that:

- a. The incentive does not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.***

The record does not contain substantial evidence that would allow the Commission to make a finding that the requested incentive or waivers do not result in identifiable and actual cost reductions to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for Very Low, Low, and Moderate Income Households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels. These incentives and waivers provide cost reductions to the development by among other things, avoiding the expense of having to separately pay for the processing of separate variances, zone changes or adjustments related to the project. Additionally, the requested incentives will permit the construction of 64 residential units and expand the building envelope of the residential apartment building so that the units are designed to a livable size, configuration, and quality, and such that the requisite on-site vehicular and bicycle parking can be provided. Without the incentives, the building envelope could not fully accommodate the unit sizes and amenities available to all of the residents. Expanding the building envelope will allow for the construction of additional affordable units, thereby increasing the overall space dedicated to residential use. According to the applicant, a development scenario that did not include density bonus and/or a development

scenario that utilized only on-menu incentives for height and yard would be financially infeasible.

Front Yard Reduction (incentive). LAMC Section 12.22 A.25(f)(1) allows up to a 20% decrease in the required width or depth of any individual yard or setback except along any property line that abuts an R1 or more restrictively zoned property provided that the landscaping for the Housing Development Project is sufficient to qualify for the number of landscape points equivalent to 10% more than otherwise required by Section 12.40 of this Code and Landscape Ordinance Guidelines "0." However, in this particular case, the applicant is requesting a 5 foot front yard in lieu of the 15 feet as otherwise required by LAMC Section 12.10 C.1, thereby exceeding the allowed a 20% decrease under an on-menu incentive. As such, the applicant is requesting the 5 foot front yard as an off-menu incentive.

The requested off-menu incentive will permit the construction of 64 residential units and expand the project's building envelope so that the units are designed to a livable size, configuration, and quality, and such that the requisite on-site vehicular and bicycle parking can be provided. Without the incentives, the building envelope could not fully accommodate the unit sizes and featured amenities available to all of the residents within the project. The applicant has stated that without the requested incentives and waiver of development standards, the proposed development would be financially infeasible.

Furthermore, the abutting property to the north of the proposed multi-family building located at 7744 Lankershim Boulevard is zoned C2-1VL-CUGU, and is built up to the front property line. Front yard setbacks are not required in the C2 Zone. The abutting property to the south of the proposed multi-family development is located at 7714 Lankershim Boulevard, and although it is on a R3-1-CUGU Zoned lot, it is also built to the front property line. As such the requested front yard decrease to 5 feet will conform with the neighboring property to the north and south.

Finally, the design of the proposed apartment building frontage along Lankershim Boulevard is layered and landscaped to encourage pedestrian usage and will improve upon the current architectural design. The applicant will taper the building frontage along Lankershim Boulevard to set back the northwest and southwest corners of the apartment building and provide additional pockets of landscaped open space.

Rear Yard Reduction (waiver). The applicant is requesting to reduce the rear yard from 15 feet as otherwise required under LAMC Section 12.10 C.3 to 10 feet. Pursuant to LAMC Section 12.22 A.25(f)(1), as an on-menu incentive an applicant can request the reduction of any yard up to 20%. In this particular case, the applicant's request exceeds 20%. Since the applicant has requested one off-menu incentive which corresponds to the 7% set aside as affordable units, the request for a rear yard reduction is processed as a waiver of development standard.

The applicant is requesting a 10 foot rear yard at the eastern boundary of the associated case Vesting Tentative Tract No. 74107-SL. As previously discussed, the abutting lot to the north is zoned C2-1VL-CUGU and does not require a rear

yard setback. The requested rear yard decrease is necessary to allow for the development of 64 units at the subject site within the requested height. Application of the development standard would have the effect of physically precluding the development of planned floor area, units, or amenities on that side of the building as currently proposed.

The request to reduce the rear yard setback will not adversely impact access to light and air for the residents of the proposed project or neighboring residents. The distance between the eastern side of the proposed apartment building and the rear side of the nearest small lot building to the east is approximately 20 feet. As conditioned, the rear yard of the apartment building is landscaped for additional privacy screening.

Height Increase (waiver). Pursuant to LAMC Section 12.22 A.25(f)(5) an applicant may request a percentage increase in the height requirement in feet equal to the percentage of Density Bonus for which the Housing Development Project is eligible. However, no additional height shall be permitted for that portion of a building in a Housing Development Project that is located within 50 feet of a lot classified in an R1 or more restrictive residential zone. In this particular case, the applicant is requesting to increase the height from 45 feet as otherwise allowed pursuant to LAMC Section 12.21.1 A.1 to 52 feet, which is a 7 foot increase. Since the applicant is requesting this increase on a lot where a portion of the building at its northeast corner is located within 50 feet of an R1 Zone, the request cannot be made on-menu. Additionally, the applicant has utilized the one incentive allocated with a 7% density bonus set aside, and therefore, this request is made as a waiver of development standard.

The requested increase in height is necessary in order to develop a 64-residential unit building with a mix of studio, one- and two-bedroom apartments and associated amenities. The height increase, as requested, will be consistent within the existing neighborhood context. The 210-unit apartment complex located across Lankershim Boulevard at Villa California Apartments (7727 Lankershim Boulevard) spans nearly half of the westerly side of Lankershim Boulevard along the same block and is 3 stories over grade level parking. North of the proposed project site at 7744 Lankershim Boulevard is a commercial building of commensurate height as the Villa California Apartments. Additionally, the subject project is conditioned to provide landscaping, including a green wall, to attractively buffer the distance between the apartment building and the proximate R1 Zoned lot. Application of the development standard would have the effect of physically precluding the development of nearly another floor of planned floor area, units, or amenities as currently proposed.

- b. The Incentive will have a Specific Adverse Impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.***

There is no evidence in the record that the proposed density bonus incentive or waivers will have a specific adverse impact. A “specific adverse impact” is defined as, “a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete” (LAMC Section 12.22.A.25(b)). The record contains no comments identifying a violation of any written public health or safety standard.

The proposed project will be developed to current Building Code standards and is appropriately mitigated under ENV-2016-2384-MND to reduce any health and safety impacts to a less than significant level. The proposed use is consistent with the zoning, uses, density, and heights in the surrounding area. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety. Additionally, the project will not have specific adverse impacts on any property that is listed on the California Register of Historic Resources. There are no historic properties on the site or in the immediate vicinity that would be negatively affected by the proposed project.

9. Site Plan Review Findings

- a. That the project is in substantial conformance with the purposes, intent and provision of the General Plan, applicable community plan, and any applicable specific plan.***

The proposed project is consistent with the relevant goals, objectives, policies, and programs of the General Plan. The Framework Element of the General Plan and the Sun Valley – La Tuna Canyon Community Plan encourage a variety of housing options to meet the housing demands of the area. The Framework Element states:

Objective 4.1: Plan the capacity for and development incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population.

The proposed development offers housing units of various types to meet the needs of differing income levels and family sizes. The proposed 64-unit apartment building offers housing to smaller families and Very Low Income Households. The proposed 99 small lot single-family homes meets the needs of larger and multi-generational families. The provision of amenities in the apartment building (recreation rooms) and the small lot subdivision (tot lot/play area or community garden) as well as bicycle paths will allow for recreation and relaxation among the community residents.

Additionally, the Community Plan states:

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

Policy 1-1.1: Designate land for single and multi-family residential development.

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

The proposed project is sited in on land designed for residential development on the Plan Map. The area where the 64-unit multi-family development is proposed is designated Low Medium II Residential by the Community Plan. Although the Plan Map currently designates the land proposed for the 99 small lot home community as Low Residential, the first Small Lot Ordinance (No. 176,354) was effective January 31, 2005, well after the Sun Valley-LA Tuna Canyon Community Plan was adopted on August 13, 1999. The applicant has applied to change the Low Residential land use designation to Low Medium II in order to correspond with the requested RD1.5 Zoning. By providing both multi-family units, including affordable units, and single-family homes, the applicant's proposal meets the diverse economic and physical needs of the residents.

The proposed project is conditioned to conform with the City's Health and Wellness Element, Air Quality Element, and Mobility Element. The condition requiring a minimum of 20% of all Code required parking spaces to be EV-ready parking spaces and 5% of Code required parking to be further provided with EV chargers onsite will support the adoption of low and zero emission transportation fuel sources by the project's occupants and visitors. The condition requiring solar panels will support the site's EV chargers and other site electrical uses to help reduce the site's dependence on fossil fuels and carbon generating public utility electrical power. Taken together, these conditions provide for the public welfare and public necessity by reducing the level of pollution or greenhouse gas emissions to the benefit of the neighborhood and City in response to General Plan Health and Wellness Element Policies 5.1 (reduce air pollution), 5.7 (reduce greenhouse gas emissions); Air Quality Element Policy 4.2.3 (ensuring new development is compatible with alternative fuel vehicles), 5.1.2 (shift to non-polluting sources of energy in buildings and operations); Mobility Element Policy 4.1 (expand access to transportation choices) and 5.4 (encourage adoption of low emission fuel sources, new mobility technology and supporting infrastructure). The solar and EV conditions are also good zoning practice because they provide a convenient service amenity to the occupants or visitors who use electric vehicles and utilize electricity on site for other functions. As such, the Project provides recreational and service amenities to improve habitability for the residents and to minimize impacts on neighboring properties.

- b. That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties.***

Citywide Design Guidelines Consistency. The City of Los Angeles General Plan Framework Element and the 35 Community Plans that comprise the City's Land Use Element promote architectural and design excellence in buildings, landscape, open space, and public space and emphasize the preservation of the City's

character and scale. The Citywide Design Guidelines have been created to implement the 10 Urban Design Principles of the Framework Element, which are a statement of the City's vision for the future of Los Angeles, providing guidance for new development and encouraging projects to complement existing urban form in order to enhance the building environment in Los Angeles. The Citywide Design Guidelines contain design principles and measures that address the different elements of site and building design based on land use. Each section is organized by overarching objectives followed by a list of specific strategies. The proposed multi-family residential project is subject to the Residential Citywide Design Guidelines and conforms to the following objectives and strategies:

Site Planning No. 7: Provide direct paths of travel for pedestrian destinations within large developments...

Site Planning No. 8: In dense neighborhoods, incorporate passageways or paseos into mid-block developments, particularly on through blocks, to facilitate pedestrian access to commercial amenities nearby, such that pedestrians will not need to walk the perimeter of a block in order to access the middle of the next parallel street or alley.

As conditioned, the proposed project will provide 3 foot minimum common access walkways connecting Lankershim Boulevard and Irvine Avenue bicycle and pedestrian entrances to the small lot homes. Differential paving will be used to clearly identify pedestrian access areas.

Additionally, to provide a direct path of travel and to nurture neighborhood character, pedestrian and bicycle connections at Lankershim Boulevard and Irvine Avenue shall remain open and ungated.

Site Planning No. 10: Install bicycle racks and lockers near building entrances...Ensure bicycle racks are placed in a safe, well-lit location, convenient for residents and visitors.

The applicant's plans show long- and short-term bicycle parking at Level 1 of the multi-family residential building and placed throughout the small lot development.

To encourage bicycle usage, along with public transit, the cost of parking shall be unbundled from the cost of the multi-family residential units except for parking for the Restricted Affordable Units.

Entrances No. 1: Incorporate transitions such as landscaping, paving, porches, stoops, and canopies at individual entrances to residences, and from the sidewalk to the front door...

As conditioned, plans will show private porches and landscaped paseos from north, south, east, and west elevations for the small lot homes.

Relationship to Adjacent Buildings No. 5: Plant trees, shrubs, and vines to screen walls between property lines. Use decorative walls that include a change in color, material, and texture.

The project is conditioned to provide green screen and decorative walls along the façades separating the multi-family residential building from single-family uses.

Building Façade No. 2: Design multi-family buildings to convey individual residential uses, even when applying a modern aesthetic. Modulated facades can prevent residential buildings from appearing commercial.

Prior to final sign-off, plans will be revised to show greater articulation and fenestration in the multi-family residential apartment building, including the tower and all elevations.

Building Façade No. 4: Alternate different textures, colors, materials, and distinctive architectural treatments to add visual interest while avoiding dull and repetitive facades.

Building Façade No. 6: Treat all facades of the building with an equal level of detail, articulation, and architectural rigor.

The project is conditioned to complement the contemporary interpretation of Spanish Colonial architecture by requiring the applicant to list colors and materials used on all elevations with alternating textures, colors, and materials.

Off-Street Parking and Driveways No. 7: Mitigate the impact of parking visible to the street with the use of planting and landscape walls tall enough to screen headlights.

On-Site Landscaping No. 8: Use landscape features to screen any portion of a parking level or podium that is above grade. Trees, shrubbery, planter boxes, climbing plants, vines, green walls, or berms can be used to soften views from the public right-of-way.

Vehicular access to the project site, with the exception of emergency access, shall be from the Lankershim Boulevard entrance. The project is conditioned so that the multi-family parking garage, which is accessed via Lankershim Boulevard and built on grade, is located behind the leasing office and bicycle parking area and fully screened from view on all side to minimize the visual impact on the public realm. Parking access shall be a minimum of 25 feet from the primary building entrance, and all parking entrances shall be easily accessible, landscaped, and highlighted architecturally. Additionally, the parking garage shall be designed to be easily repurposed to other uses.

On-Site Landscaping No. 4: Select drought tolerant, native landscaping to limit irrigation needs and conserve water. Mediterranean and other local climate-friendly plants may be used alongside native species.

On-Site Landscaping No. 8: In addition to street trees, provide canopy trees in planting areas for shade and energy efficiency, especially on south and southwest facing facades.

The applicant will provide a final landscape and irrigation plan showing the size and location of all plants and indicating landscape points as required by LAMC 12.40 and Landscape Ordinance Guidelines. New trees planted in the public right-of-way shall be a maximum of an average of 30 feet on center unless otherwise permitted by the Urban Forestry Division, Bureau of Public Works.

On-Site Landscaping No. 6: Facilitate stormwater capture, retention, and infiltration, and prevent runoff by using permeable or porous paving materials in lieu of concrete or asphalt. Collect, store, and reuse stormwater for landscape irrigation.

Permeable paving and landscaping shall be utilized throughout the site to avoid excessive runoff into the Los Angeles Flood Control Basin. LID requirements shall be met by the provision of an underground BMP filtration basin on the southeast portion of the project site.

An operable recycled water pipe system shall be used for on-site greywater to be served from on-site non-potable water sources (showers, washbasins, laundry). Recyclable water shall be used as untreated subsurface irrigation for vegetation or cooling equipment in consultation with the Department of Water and Power.

Open Space and Recreational Activities No. 4: Provide common amenities such as community gardens and tot lots.

The applicant's plans show an 800 square foot recreation room and a 750 square foot recreation room, both at Level 2 of the multi-family residential building. A 4,800 square foot main courtyard is also shown on the applicant's plans as common open space for the apartment building. The project is conditioned to provide landscaping and seating in the courtyard podium as well as a common open space area for the small lot development, such as a park with seating and barbeques, play area/tot lot, and/or community garden.

Building Signage No. 1: Place signs so they do not dominate or obscure the architectural elements of the building design.

No signage is proposed or permitted herein, including off-site commercial signage on construction fencing during construction.

Lighting and Security No. 2: Install lighting fixtures to accent and complement architectural details at night to establish a façade pattern and animate a building's architectural features.

As conditioned, all outdoor and parking lighting shall be shielded and down-cast to prevent illumination of adjacent public rights-of-way, adjacent properties, and the night sky. Sufficient illumination will be utilized for visibility of the public and emergency services. Lighting fixtures, including wall mounted fixtures, will be harmonious with the building design and provide illumination to pedestrians and motorists. Lighting fixtures installed to illuminate the 21 foot strip of land separating the multi-family building and the small lot homes shall be no taller than 15 feet above grade.

Utilities No. 1: Place utilities such as gas, electric, and water meters in side yard setbacks or in landscaped areas and out of the line-of-sight from crosswalks or sidewalks. Utilities such as power lines, transformers, and wireless facilities should be placed underground or on rooftops when appropriately screened by a parapet. Otherwise, any mechanical or electrical equipment should be buffered by planting materials in a manner that contributes to the quality of the existing landscaping on the property and the public streetscape.

The project is conditioned so that new utility connections shall be undergrounded to the best extent possible, and all rooftop mechanical equipment shall be screened from view. Exhaust from the multi-family apartment garage shall be located to be away from the direction of single-family homes, and ventilation for the entire project shall meet all LAMC requirements. The multi-family residential apartment building is conditioned so that the south elevation along the entry driveway shall screen the ventilation system utilizing decorative treatments.

Generators used during construction shall be electric or solar powered, and shall be located as far away from sensitive uses as feasible. To the extent feasible, solar panels and solar power shall be utilized as conditioned herein to maximize the reduction of pollution and green house gas emissions. Furthermore, at least 20% of the project will be capable of supporting future electric vehicle supply equipment, and 5% of the Code required parking will be provided with EV chargers. The project is conditioned so that EV parking spaces and EVSE support is be shown on final plans.

Utilities No. 3: Hide trash enclosures within parking garages so that they are not visible to passersby...

All trash and recycling enclosure areas shall be screened from public view. The final plans will be revised to show the location of all trash and recycling areas. The project is conditioned so that no open storage of materials shall be permitted. The property shall be maintained in a neat and attractive condition at all times, free of weeds and debris, and any graffiti shall be removed or painted over to match the color of the surface to which it was applied within 24 hours of its occurrence.

c. That any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

As previously stated, the applicant's plans show an 800 square foot recreation room and a 750 square foot recreation room, both at Level 2 of the multi-family residential building. A 4,800 square foot main courtyard is also shown on the applicant's plans as common open space for the apartment building. The project is conditioned to provide landscaping and seating in the courtyard podium as well as a common open space area for the small lot development, such as a park with seating and barbeques, play area/tot lot, and/or community garden.

Service amenities are conditioned herein and include parking for at least 20% of the project that is be capable of supporting future electric vehicle supply equipment. At least 5% of the Code required parking will be immediately available for EV use. The project is conditioned to provide solar power and panels, which will serve to achieve conservation and air quality goals and objectives to benefit the project residents and surrounding neighborhoods.

C. CEQA FINDINGS

A Mitigated Negative Declaration, Case No. ENV-2016-2384-MND, was prepared for the proposed project. The Department of City Planning published the Mitigated Negative Declaration beginning January 18, 2018 for 20 days ending February 7, 2018 for the

subject case. The Lead Agency found potential negative impacts could occur from the project's implementation due to:

- Aesthetics (light);
- Biological Resources (tree removal for non-protected trees and locally protected species);
- Hazards and Hazardous Materials
- Noise (demolition, grading, and construction activities; parking wall)

Other identified potential impacts not specifically mitigated by these conditions are already subject to existing City ordinances (Sewer Ordinance, Grading Ordinance, Flood Plain Management, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

On the basis of the whole of the record before the Advisory Agency including any comments received, the Advisory Agency found that, with imposition of the mitigation measures and the Mitigation Monitoring Program included in Case No. ENV-2016-2384-MND and listed as Environmental Conditions in this report, there would be no substantial evidence that the proposed project will have a significant effect on the environment. The Advisory Agency adopted Case No. ENV-2016-2384-MND on July 3, 2018 along with related Case No. VTT-74107-SL. Subsequently, an Addendum was prepared on July 13, 2018. The project was initially analyzed under ENV-2016-2384-MND as a 64-unit apartment building with a base of 50 units, 27.5% density bonus (14 additional density bonus units) with an 8% (4 units) set aside for Very Low Income Households. However, due to changes in State Density Bonus Law (AB 2501) effective January 1, 2017, the number of base units is rounded up to 51. As such, the applicant's request is revised as discussed in the Addendum prepared July 13, 2018 to a 64-unit apartment building with a base of 51 units, a 25% density bonus (13 additional units) with a 7% (4 units) set aside for Very Low Income.

The records upon which this decision is based are with Valley Project Planning, Department of City Planning, 6262 Van Nuys Boulevard, Room 430, Los Angeles, CA 90012.