

FINDINGS

General Plan/Charter Findings

1. General Plan Land Use Designation.

The Project Site is located within the Canoga Park - Winnetka - Woodland Hills - West Hills Community Plan, adopted by the City Council on June 30, 1993. The site is subject to the Canoga Park - Winnetka - Woodland Hills - West Hills Community Plan Footnote Nos. 6, 8, and 9, which clarify that streets are shown for reference, mobile home parks are consistent with the Plan, and that it is the intent of the Plan that entitlements granted be one of the zone designations within the corresponding zones shown on the plan. The site has a land use designation of Community Commercial, as designated on the plan map with the following corresponding zones listed: CR, C2, C4, RAS3, and RAS4. The site is currently zoned (Q)C2-1VL-RIO and the applicant is requesting a zone change to RAS4-1VL-RIO, which is consistent with the Community Commercial land use designation. A Qualified (Q) Condition, established by Ordinance No. 153,016, states that the use of the property shall be limited to a 21,000 square-foot medical office building with various conditions regarding landscaping, signage, and vehicular access. The requested zone change would repeal the existing Qualifying (Q) Condition on the site and replace with a new Qualifying (Q) Condition which is tailored to the subject project.

As such, the requested zone change to (Q)RAS4-1VL-RIO is consistent with the Community Plan's land use designation and the Community Plan's footnotes. In addition, the recommended (T) conditions will require public improvements.

2. General Plan Text.

The Canoga Park - Winnetka - Woodland Hills - West Hills Community Plan text includes the following relevant objectives:

Goal 1: A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan area.

Objective 1-1: Achieve and maintain a housing supply sufficient to meet the diverse economic needs of current and projected population to the year 2010.

Policy 1-1.1: Maintain an adequate supply and distribution of multi-family housing opportunities in the Community Plan Area.

Objective 1-2: Reduce automobile trips in residential areas by locating new housing in areas offering proximity to goods, 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.

Policy 1-2.2: Encourage multiple residential development in commercial zones.

Objective 1-4: Provide a diversity of housing opportunities capable of accommodating all persons regardless of income, age or ethnic background.

Policy 1-4.3: Ensure new housing opportunities minimize displacement of the residents

In conformance with these goals, objectives, and policies, the proposed project is the demolition of an existing medical office building and surface parking lot, and the construction of a 154-unit apartment building with market-rate and affordable housing. Consistent with Policy 1-4.3, the project will create new housing opportunities without displacement of residents, as the site is not currently utilized for residential uses. Additionally, the inclusion of affordable housing, as well as a variety of unit sizes, will ensure the project provides a diversity of residential unit types in order to provide variety to the community. Consistent with Policy 1-2.2, the project is utilizing a site with a commercial land use designation, in order to provide a development which is located near a commercial center and near bus routes. The requested zone change would ensure the development of the site is consistent with the Community Plan policies.

3. Framework Element.

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

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.

Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

Policy 3.1.4: Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram.

Objective 3.2: Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.

Policy 3.2.1: Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

Policy 3.2.2: Establish, through the Framework Long-Range Land Use Diagram, community plans, and other implementing tools, patterns and types of development that improve the integration of housing with commercial uses and the integration of public services and various densities of residential development within neighborhoods at appropriate locations.

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

The proposed zone change is consistent with these provisions in that the subject site is located near the intersection of Sherman Way and Winnetka Avenue, both major boulevards. The area surrounding this intersection is identified as a Community Center in the Framework Element with appropriate floor area ratios of 1.5:1 to 3:1. The construction of a four-story structure with a FAR of 2.4:1 is consistent with this designation and the Framework Element policies.

4. Housing Element.

The Housing Element 2013-2021 was adopted on December 3, 2013 and identifies the City's housing conditions and needs, and establishes the goals, objectives and policies that are the foundation of the City's housing and growth strategy. The project is consistent with several objectives and policies of the Housing Element. The plan text includes the following relevant housing objectives and policies:

Goal 1: Housing Projection and Preservation.

Objective 1.1: Produce an adequate supply of rental and ownership housing in order to meet current and projected needs.

Policy 1.1.2: Expand affordable rental housing for all income groups that need assistance.

Policy 1.1.3: Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city's households.

Policy 1.1.4: Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and among Mixed-Use Boulevards.

Objective 1.3: Forecast and plan for changing housing needs over time in relation to production and preservation needs.

Policy 1.3.5: Provide sufficient land use and density to accommodate an adequate supply of housing units by type and cost within the City to meet the projections of housing needs, according to the policies and objectives of the City's Framework Element of the General Plan.

The proposed zone change for the subject property will facilitate the construction of additional market rate and affordable, mixed income housing in order to meet current and projected needs. Therefore, the Zone Change is consistent with the Housing Element goals, objectives and policies of the General Plan.

5. The Mobility Element

The Mobility Element of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Winnetka Avenue, abutting the property to the east, is a designated Boulevard II, and has been conditioned to dedicated fully to a half right-of-way of 55 feet and will be improved. Gault Street, abutting the property to the south, is a designated Local Street, is fully dedicated to a width of 60 feet and will be improved as well, as part of the (T) Tentative Classification conditions.

Therefore, as conditioned, the Zone Change to (T)(Q)RAS-1VL-RIO is consistent with Mobility Plan 2035 goals, objectives and policies of the General Plan.

6. Sewerage Facilities Element

The Sewerage Facilities Element of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

7. Health and Wellness Element and Air Quality Element.

Policy 5.1 and 5.7 of the Plan for a Healthy LA, the Health and Wellness Element, and Policy 4.2.3 of the Air Quality Element are policy initiatives related to the reduction of air pollution and greenhouse gases. As conditioned herein, the Project would be required to provide parking spaces which would be equipped for the immediate installation and use of EV Charging Stations, as well as for future use. The Project has also been conditioned to install solar panels to an operating photovoltaic system. The installation and operation

of the solar panels would help to reduce the site's dependence on fossil fuels and carbon generating public utility electrical power. Taken together, the conditions would 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 the City. As conditioned, the Project would be consistent with the aforementioned policies, as well as Policy 5.1.2 of the Air Quality Element, by ensuring that future developments are compatible with alternative fuel vehicles and shift to non-polluting sources of energy. 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 service amenities to improve habitability for the patrons of the Project and to minimize impacts on neighboring properties.

8. Charter Findings – City Charter Section 556 and 558 (Zone Changes).

The proposed zone change complies with Section 556 and 558 in that the zone change promotes land use regulations which are consistent with the General Plan, as noted in Findings Nos. 1 - 7 above; and with public necessity, convenience, general welfare, and good zoning practice, as noted below in Finding No. 9.

Entitlement Findings – Vesting Zone Change

9. Pursuant to LAMC Section 12.32. C and G., the zone change is in conformance with the public necessity, convenience, general welfare and good zoning practice.

The current application is a request to remove a "Q" condition and to rezone a portion of the subject site from (Q)C2-1VL-RIO to (Q)RAS4-1VL-RIO, with the portions of the site currently zoned P-1VL-RIO to remain. The Community Plan designates the site for Community Commercial land uses, with CR, C2, C4, RAS3, and RAS4 zones listed as corresponding zones. Staff is recommending the inclusion of 'T' Tentative Classification conditions, and as such, the recommended zone would be (T)(Q)RAS4-1VL-RIO, which is consistent with the Community Plan's land use, as the RAS4 Zone classification is a corresponding zone.

i. Public Necessity: The granting of the proposed Vesting Zone Change will result in a project that is in conformance with the public necessity and convenience by providing additional housing on a commercially zoned site. Additionally, as the site does not currently contain residential uses, this development will not result in displacement of existing tenants, as the property is currently developed with a medical office building.

ii. Convenience: The project will redevelop a commercial corner which is currently underutilized – a one story structure and surface parking. The project is conveniently located along an existing commercial corridor (Winnetka Avenue) and is near Sherman Way which has several community serving uses (grocery store, restaurants, coffee shops, drug stores, clothing stores, etc.) and nearby public schools. Redevelopment of the site will provide a convenience to the community, in that additional housing units will be provided and the roadway will be improved per the 'T' Tentative Classification conditions. Moreover, the project site is convenient to the community, in that multi-family units are being provided along the commercial corridor, rather than within an existing and established single-family neighborhood.

iii. General Welfare: As previously mentioned, the zone change will allow for the development of additional housing, which will benefit the general public as the City is facing a housing shortage. Additionally, the roadway will be improved per the 'T' Tentative Classification conditions. Lastly, the project will provide various 'green' amenities such as solar panels and EV charging, which benefit the larger public by reducing GHG emissions.

iv. Good Zoning Practices: Approval of the zone change is consistent with the type of development encouraged by the General Plan Framework Element and the Community Plan. The project will ensure that the character and scale of residential neighborhoods are maintained, while still allowing for infill development of an underutilized site, which is consistent with the Community Commercial General Plan Land Use designation as defined by the Framework Element. Moreover, the siting of a multi-family development along a commercial corridor, in order to avoid impacts to the interior of establish single-family neighborhoods, is considered a good zoning practice.

10. Pursuant to LAMC Section 12.32 G, Findings for "T" and "Q" Classifications.

Pursuant to LAMC Sections 12.32-G,1, the current action, as recommended, has been made contingent upon compliance with new "T" and "Q" conditions and the project specific Conditions of Approval imposed herein for the proposed project.

The existing Q Conditions on the site were applied through Ordinance 153,016 as part of a Zone Change request associated with Case No. CPC-27802, which was approved on February 8, 1979, and changed the site to (T)(Q)C2-1. The Q Conditions required that the proposed, and subsequently constructed, medical building be consistent with the plans which were approved, limited the height and floor area of the building, required landscaping along Gault Street, limited the hours of operation, limited vehicular access of the site, limited lighting, and required that a landscape plan be provided. This case was effectuated with the Certificate of Occupancy which was issued for the building and the T Conditions were removed on October 16, 1979.

The existing Q conditions are removed through this action, by repealing Ordinance No. 153,016, and new T and Q Conditions have been applied to the site, to ensure the identified dedications, improvements, and construction notices are executed to meet the public's needs, convenience and general welfare served by the required actions.

11. Affordable Housing – LAMC Section 11.5.11, the recommended action is deemed consistent with the requirements of Measure JJJ.

In order for a project with ten or more dwelling units to be eligible for a zone change which results in increased residential floor area, density or height; the project shall meet one of the affordability provisions and job standards, detailed in LAMC Section 11.5.11.

If the zone change results in a residential density increase greater than 35 percent (35%), then the Project shall provide no less than five percent (5%) of the total units at rents affordable to Extremely Low Income households and either six percent (6%) of the total units at rents affordable to Very Low Income households or 15 percent (15%) of the total units at rents affordable to Lower Income households, inclusive of any Replacement Units. The Project as conditioned will provide five percent (5%) of the total units at rents affordable to Extremely Low Income households and six percent (6%) of the total units at rents affordable to Very Low Income households.

As the building will be fully contained on the commercial portion of the lot (C2 portion), the project is eligible to provide 6% of the total units at rents affordable to Very Low Income households. If the structure were to be located on the P Parking Zone portion of the site, the project would be subject to providing 11% of Very Low Income household units, as the project would be constructing a residential use where not previously allowed. As the project will not construct dwellings on the existing P Parking Zone area, and only subterranean parking will be provided in that area, the project will be constructing residential units on a zone which allows residential, and is therefore subject to the 6% Very Low Income requirement.

Additionally, the applicant is entitled to, and is requesting, three incentives or concessions specified in California Government Code Section 65915(k) or the applicable Affordable Housing Incentive Program. The first request is to permit a four (4) foot front yard setback in lieu of the required five (5) foot front yard setback, as required in RAS4 Zone. The second request is to permit a four (4) foot northern side yard setback in lieu of the required five (5) foot side yard setback, as required in the RAS4 Zone. Lastly, the third request is to permit a zero (0) rear yard setback from the existing P-1VL-RIO Zone, in lieu of the required fifteen (15) foot rear yard setback, as required in the RAS4 Zone.

It is important to note, the project is dually zoned with a 20-foot strip of P Parking Zone along the western property line. Per the Applicant's discussions with Department of Building and Safety staff, the RAS4 zone requires a 15-foot rear yard setback, which would result in the building be placed 35 feet from the property line. The applicant has asked for relief from this requirement and has asked to place the building just outside of the P Parking Zone. If the applicant were to have requested a zone change along the entire site, the project would have only been required to set the building 15 feet back from the property line, whereas the current configuration sets the building 20 feet back from the property line. Therefore, the landscape buffer in the P Zone functions essentially as a rear yard.

Lastly, the Project is conditioned to provide a labor provision which ensures at least 30 percent (30%) of all construction hours will be performed by permanent City residents, that construction worker wages will be 'living wages' as stipulated in California Labor Code Section 1770, and that all construction workers will be hired with appropriate training requirements.

As such, the Project complies with the affordability provisions and job standards detailed in LAMC Section 11.5.11 and Section 5.522 of the Administrative Code.

Entitlement Findings – Site Plan Review

12. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.

As described in detail below, the proposed project is consistent with the relevant goals, objectives, policies, and programs of the General Plan. Goal No. 1 of the General Plan's Housing Element is, "Housing Production and Preservation." In support of this goal is Objective 1.1: "Produce an adequate supply of rental and ownership housing in order to meet current and projected needs." The General Plan's Housing Element includes the following relevant policies in support of this Objective:

- Policy 1.1.3, “Facilitate new construction and preservation of a range of different housing types that address the particular needs of the city’s households.”
- Policy 1.1.4, “Expand opportunities for residential development, particularly in designated Centers, Transit Oriented Districts and along Mixed-Use Boulevards.”

In conformance with this Goal, Objective, and these Policies, the proposed project offers desirable, market-rate and affordable residential units providing a new, high-quality, for-rent dwelling option that is currently unavailable in the local community.

The granting of the instant request would be consistent with Goal No. 1’s Objective 1.4, which is to, “Reduce regulatory and procedural barriers to the production and preservation of housing at all income levels and needs.”

The project site is located within the adopted Canoga Park – Winnetka – Woodland Hills – West Hills Community Plan area. As described in detail below, the proposed project is consistent with the relevant goals, objectives, policies, and programs of the Community Plan.

As stated on page II-2 of the Community Plan, the intended role of Community Plans is the “promotion of an arrangement of land uses, streets, and services which will encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the people who live and work in the community. The plan also guides development to create a healthful and pleasant environment” and that the plans seeks to ensure “that sufficient land is designated to provide for the housing, commercial, employment, education, recreational, cultural, social, and aesthetic needs of the residents of the plan area.”

The proposed project also addresses many of the relevant issues and opportunities identified on page I-3 of the Community Plan as the most significant planning and land use issues and opportunities identified in the Community Plan area. Among the identified residential issues and opportunities are:

- Need to preserve existing single family neighborhoods
- Blighting impact of vacant and obsolete commercial development on adjacent residential neighborhoods
- Preservation of single-family housing stock in older residential neighborhoods
- Lack of open space in apartment projects
- Maintain the diversity of housing opportunities that existing in the Community Plan Area
- Encourage residential and mixed use development along commercial corridors
- Maintain access and proximity to employment

Consistent with the issues and opportunities noted above, the proposed project enhances the stable single-family neighborhood immediately to the west of the project site, and addresses the potential incompatibility between lower and higher density residential projects, by providing a desirable transitional buffer between the single-family neighborhood to the west of the project site and the more intensive activity and uses associated with the Sherman Way and Winnetka Avenue intersection. The project follows good planning principles by locating the more intense development away from the

adjacent single-family homes to the west and south. Additionally, the reutilization of an undeveloped commercial property removes an obsolete medical office building and instead constructs a thoughtful residential project which is pedestrian oriented. Lastly, the project will provide significant quantities of open space through the ground level courtyard and the rear yard landscape buffer.

Additionally the Community Plan stated objectives are to “achieve and maintain a housing supply sufficient to meet the diverse economic needs of current and projected population ...” (Objective 1-1); to “reduce automobile trips in residential areas by locating new housing in areas offering proximity to goods, services, and facilities” (Objective 1-2); and to “provide a diversity of housing opportunities capable of accommodating all persons regardless of income, age or ethnic background” (Objective 1-4). The project will have varying affordable levels of housing units (extremely low, very low, and market rate), and as such, the project will meet the diverse economic needs of current residents. Additionally, various desirable uses are located in proximity of the site, such as Public schools, churches, and neighborhood serving uses such as restaurants, coffee shops (Starbucks), dentist offices, nail salons, massage parlors, acupuncture offices, and clothing stores (DD’s Discounts). Additionally, the Community Plan includes the following policies in support of the aforementioned objectives:

- 1-1.1 Maintain an adequate supply and distribution of multi-family housing opportunities in the Community Plan Area.
- 1-1.5 Protect existing stable single family and low density residential neighborhoods from encroachment by higher density residential and other incompatible uses.
- 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.
- 1-2.2 Encourage multiple residential development in commercial zones.
- 1-4.1 Promote greater individual choice in type, quality, price and location of housing.
- 1-4.3 Ensure new housing opportunities minimize displacement of the residents.

The project is consistent with the intent of these policies, in that the multi-family use is an allowed use of commercial zones, and therefore is an appropriate use of the site which was anticipated when the Community Commercial land use designation was applied to the site.

The project site is served by Metro Bus Lines 162/163 and 243/242, with stops for both lines approximately 400 feet to the north of the site, with connections from Sun Valley to West Hills, and from Porter Ranch to Woodland Hills. In addition, the project is located one mile from the Winnetka Orange Line Station, which provides connections from Chatsworth to Warner Center and North Hollywood. Additionally, the site is located approximately two (2) miles northwest of the Warner Center, which is a large commercial shopping area in the Valley. As such, the project will be located near major bus routes and near community commercial uses which can service the future tenants. Additionally, the ‘green’ amenities which will be included in the project (solar panels, EV charging, etc.) will provide a housing typology which is not widely available in this community. Lastly, the

construction of housing on an infill site, which currently has a medical office, does not displace any residents.

In regards to the Urban Design Chapter of the Community Plan, page V-3 states that “all multiple residential projects of five or more units shall be designed around a landscaped focal point or courtyard to serve as an amenity for residents.” And further states that projects should “1. Provide a pedestrian entrance at the front of each project” and “2. Require useable open space for outdoor activities, especially for children.”

The project complies with all three of these goals – a courtyard has been designed on the ground floor which will provide natural ventilation to the dwellings in the interior and provides areas for outdoor activities. Also, dwellings along Gault Street have been designed to appear as townhomes, with individual entrances and front stoop details (overhangs, street addresses, and entrance lights). Additionally, a pedestrian entrance has been provided along Winnetka Avenue to provide access to the lobby.

In light of the consistency of the proposed project with the aforementioned references to the General Plan and Community Plan, the proposed project is in substantial conformance with the purposes, intent and provisions of the General Plan and applicable community and specific plans.

13. **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.**

The proposed project involves the construction of a 154 unit apartment building. The massing of the building has been sited with the tallest portions of the building to the north (adjacent to commercial uses), and the massing steps down to a two-story height along the southwestern and southern façade (adjacent to single-family dwellings). A 20 foot landscape buffer will also be provided along the western façade to further separate the building from adjacent single-family dwellings. Parking for the structure is located within a subterranean level, in order to allow ground floor pedestrian activation with the building, and to reduce the height of the structure. As seen on the project plans, and per the Condition of Approval No. 15, all exterior lighting on the project will be shielded and will be directed downwards, in order to ensure light does not spill over onto adjacent properties. Lastly, trash collection will be located within the interior of the building, and as such it will not be visible from adjacent properties. These details ensure that design of the building will be compatible with the neighboring properties.

14. **The residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.**

As shown in Exhibit A, the proposed project contains both recreational and service amenities. The proposed project's Open Space is designed with an internal courtyard, deck and pool areas on the fourth floor, a recreation room on the fourth floor, a gym on the ground floor, and private balcony spaces, to provide both private and public spaces for the residents to gather and socialize, which thereby improve the habitability of the site for future residents.

Environmental Findings

15. **Environmental Finding.** A Mitigated Negative Declaration (MND), along with mitigation measures and a Mitigation Monitoring Program (ENV-2016-3865-MND), was prepared for the proposed project in compliance with the California Environmental Quality Act (CEQA). On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgement and analysis. The records upon which this decision is based are with the Valley Project Planning Division of the Planning Department in Room 430, 6262 Van Nuys Boulevard.

16. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, areas determined to be outside the flood zone.