



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT



Los Angeles City Planning Commission

Date: May 22, 2014
Time: After 8:30 a.m.
Place: Van Nuys City Hall,
Council Chamber 2nd Floor
14410 Sylvan Street
Van Nuys, CA 91401

Public Hearing: March 4, 2014
Appeal Status: The Zone Change is appealable by the applicant to the City Council if disapproved in whole or in part. Pursuant to L.A.M.C. 12.36, the other entitlement requests are appealable to City Council by any party.

Expiration Date: May 22, 2014

Multiple Approval: Yes

Case No.: CPC-2013-3554-ZC-HD-CU-ZV-ZAA
CEQA No.: ENV-2013-3555-MND
Incidental Cases: ZA-93-861(RV)(PA1)
Related Cases: N/A
Council No.: 4
Plan Area: Van Nuys-North Sherman Oaks
Specific Plan: None
Certified NC: Van Nuys
GPLU: Medium Residential/
Neighborhood Office
Commercial
Current Zone: R3-1
Proposed Zone: RAS4-1VL(West Portion)
Applicant: El Cortez Motel, Inc.,
Raju Patel
Representative: Rosenheim & Associates
Peg Malone-Brown

PROJECT

LOCATION: 5746-5750 Sepulveda Boulevard

PROPOSED PROJECT:

The proposed project is the redevelopment of an existing 28,519.6 square-foot site in a proposed RAS4-1VL Zone and an existing R3-1 Zone that now includes an existing 1-2 story, 32-guest room motel comprising of 8,396 square feet of building area, with associated parking that will be demolished in order to construct a new 4-story, 33,811 square-foot hotel providing 73 guest rooms and one manager's unit. The proposed zone change applies only to the westerly portion of the project site. The new hotel will have a maximum height of 56 feet, including architectural features, provide 60 vehicular parking spaces in a two-level garage structure, and 5 short term and 5 long term bicycle parking spaces. The proposed hotel redevelopment project involves several entitlement requests including a zone and height district change, a conditional use, zone variances and several zoning adjustments.

REQUESTED ACTION:

- 1) Pursuant to L.A.M.C. Section 12.32-F, a zone and height district change request from the R3-1 Zone to RAS4-1VL Zone for the westerly portion of the project site,
- 2) Pursuant to L.A.M.C. Section 12.24.W(c), a conditional use to allow a hotel use within the proposed RAS4-1VL Zone,
- 3) Pursuant to L.A.M.C. Section 12.27, a zone variance to allow a 2-level parking structure as an accessory use in the easterly (R3-1 Zone) portion of the site in lieu of the otherwise restricted use,
- 4) Pursuant to L.A.M.C. Section 12.27, a zone variance to allow bicycle parking in the front yard setback area pursuant to L.A.M. C. Section 12.11.5-C 1,
- 5) Pursuant to L.A.M.C. Section 12.28, an adjustment for a 20% building height increase in lieu of the maximum 50-foot height pursuant to L.A.M.C. Section 12.21.1 to allow for architectural elements,
- 6) Pursuant to L.A.M.C. Section 12.28 an adjustment for an average front yard setback of

- 4.5 feet in lieu of the required 5 feet, pursuant to L.A.M.C. Section 12.11.5,
- 7) Pursuant to L.A.M.C. Section 12.28, an adjustment into the required 5-foot front yard requirement for a 5-foot projection in lieu of the maximum 4-foot projection, pursuant to L.A.M.C. Section 12.22-C.20(k),
- 8) Pursuant to L.A.M.C. Section 12.28, an adjustment for an awning projection of approximately 4 feet on each side of the entry way in lieu of the maximum 12 inches permitted, pursuant to L.A.M.C. Section 12.22-C.20(k),
- 9) Pursuant to L.A.M.C. Section 12.28, an adjustment for a bike rack within the required front yard, pursuant to L.A.M.C. Section 12.21-C 1(g),
- 10) Pursuant to L.A.M.C. Section 12.28, an adjustment for a paved surface area for bikes in the front yard in lieu of the required landscaping, pursuant to L.A.M.C. Section 12.21-C 1(g),
- 11) Pursuant to L.A.M.C. Section 12.28, an adjustment for a canopy structure over the driveway entrance to project approximately 2.5 feet into the required front yard pursuant to L.A.M.C. Section 12.22-C 20(a),
- 12) Pursuant to Section 21082.1(c)(3) of the California Public resources Code, adopt the Mitigated Negative Declaration (MND) for the above referenced project.

RECOMMENDED ACTIONS:

1. **Deny** a zone variance to allow bicycle parking in the front yard setback area pursuant to L.A.M. C. Section 12.11.5-C 1.
2. **Deny** an adjustment for a bike rack within the required front yard, pursuant to L.A.M.C. Section 12.21-C 1(g).
3. **Deny** an adjustment for a paved surface area for bikes in the front yard in lieu of the required landscaping, pursuant to L.A.M.C. Section 12.21-C 1(g).
4. **Approve and Recommend** that the City Council adopt the Zone and Height District change from the R3-1 Zone to (T)(Q)RAS4-1VL for the westerly portion of the project site.
5. **Approve** a conditional use to allow a hotel use within the proposed (T)(Q)RAS4-1VL Zone.
6. **Approve** a zone variance to allow a 2-level parking structure as an accessory use in the easterly (R3-1 Zone) portion of the site in lieu of the otherwise restricted use, pursuant to L.A.M.C. Section 12.10-A.
7. **Approve** an adjustment for a 59 feet building height in lieu of the maximum 50-foot height pursuant to L.A.M.C. Section 12.21.1 to allow for architectural elements.
8. **Approve** an adjustment for an average front yard setback of 4.5 feet in lieu of the required 5 feet, pursuant to L.A.M.C. Section 12.11.5.
9. **Approve** an adjustment for a 5-foot projection into the required front yard in lieu of the maximum 4-foot projection, pursuant to L.A.M.C. Section 12.22-C.20(k).
10. **Approve** an adjustment for an awning projection of approximately 4 feet on each side of the entry way in lieu of the maximum 12 inches permitted, pursuant to L.A.M.C. Section 12.22-C.20(k).
11. **Approve** an adjustment for a canopy structure over the driveway entrance to project approximately 2.5 feet into the required front yard pursuant to L.A.M.C. Section 12.22-C 20(a).
12. **Adopt** the attached findings.
13. **Adopt** the Mitigated Negative Declaration No. ENV-2013-3555-MND.
14. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
15. **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) Filing.

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PROJECT ANALYSIS

Project Summary

The proposed project is the redevelopment of an existing 28,519.6 square-foot site in a proposed RAS4-1VL Zone and an existing R3-1 Zone that now includes an existing 1-2 story, 32-guest room motel consisting of 8,396 square feet, with associated parking that will be demolished in order to construct a new 4-story, 33,811 square-foot hotel providing 73 guest rooms and one manager's unit. The zone change will only be applicable to the westerly portion of the lot having a frontage along Sepulveda Boulevard; while, the easterly portion of the lot facing Halbrent Avenue will remain unchanged in the R3-1 Zone. The new hotel's main building will have a maximum height of 56 feet, inclusive of an architectural feature, while the secondary structure will be a 2-level garage structure providing 60 vehicular parking spaces. The hotel project will provide 5 short term and 5 long term bicycle parking spaces. Pedestrian and vehicular access to the project site is proposed along Sepulveda Boulevard. The proposed hotel redevelopment project involves eleven separate entitlement requests including: 1) a zone and height change request from the R3-1 Zone to RAS4-1VL for the westerly portion of the project site, 2) a conditional use to allow a hotel use within the proposed RAS4-1VL Zone, 3) a zone variance to allow a 2-level parking structure as an accessory use in the easterly (R3-1 Zone) portion of the site, 4) bicycle parking in the front yard setback area, 5) an adjustment for a 20% building height increase, 6) an adjustment to average the front yard setback to 4.5 feet in lieu of the required 5 feet, 7) an adjustment to encroach into the required 5-foot front yard setback for a 5-foot projection in lieu of the maximum 4-foot projection, 8) an adjustment for an awning projection to extend approximately 4 feet on each side of the entry way in lieu of the maximum 12 inches permitted, 9) an adjustment to allow a bike rack within the required front yard, 10) an adjustment for a paved surface area for bicycles in the front yard in lieu of the required landscaping, and 11) an adjustment for a canopy structure over the driveway entrance to project approximately 2.5 feet on the required front yard in lieu of the maximum permitted.

The proposed hotel development is permitted in the Neighborhood Office Commercial land use designated category and the proposed RAS4-1VL Zone, pursuant to a conditional use approval. The accessory parking structure is not permitted in the Medium Residential land use area, with its corresponding R3-1 Zone unless a zone variance is granted. With the granting of the entitlement actions and compliance with the conditions of approval, the project would be compatible with the existing commercial and retail uses along Sepulveda Boulevard and serve as a transition for the residential uses along Hatteras Street and Halbrent Avenue.

Background

The subject site is a level, rectangular shaped interior through-lot consisting of two contiguous parcels totaling approximately 0.65 acres (approximately 28,519.6 square feet) located at 5746-5750 North Sepulveda Boulevard and 5747 – 5751 North Halbrent Avenue, within the Van Nuys – North Sherman Oaks Community Plan area. The westerly parcel, which has a 100-foot frontage along Sepulveda Boulevard and a uniform depth of 165 feet, is approximately 16,500 square feet in size. Sepulveda Boulevard is designated as a Major Highway Class II with a 100-foot right-of-way along the property frontage. The easterly parcel, which has a 100-foot frontage along Halbrent Avenue and a uniform depth of approximately 100 feet, is approximately 12,019.6 square feet in size. Halbrent Avenue is a Local Street with a 60-foot width at the property frontage.

The 28,519.6 square-foot through-lot extends 285 feet from Sepulveda Boulevard to Halbrent Avenue and is zoned R3-1, with two land use designations, including Neighborhood Office

Commercial on the westerly portion, which allows for the corresponding zones of C1, C1.5, C2, C4, RAS3 and RAS4, and Medium Density Residential on the easterly portion of the site, which allows the corresponding R3 Zone.

Presently, the project site is improved with a motel complex (El Cortez Motel) which operates 32 guest rooms and one manager's room within 4 one- and two-story buildings totaling approximately 8,396 square feet of floor area and 33 surface parking spaces. Several mature trees and shrubs are planted along the subject property north and south property lines as well as along the North Sepulveda Boulevard and North Halbrent Avenue frontages. The fencing along the perimeter of the subject site includes wrought iron and block wall fencing along the north property lines, wrought iron fencing along the east and west property lines (Halbrent Avenue and North Sepulveda Boulevard), and a mixture of iron, chain link, block wall and wooden fencing along the south property lines. The site ingress/egress is provided via two-driveways from Sepulveda Boulevard and two gated driveways from Halbrent Avenue.

Surrounding Properties:

The surrounding properties are improved with commercial and residential uses that include the following:

To the north – the properties are located within the R3-1, P-1VL and C1.5-1VL Zones, and are developed with the single story La Cabana Motel and associated surface parking, a 2-story apartment building and associated surface parking, and a 1-story commercial shopping center (to the north across Hatteras Street including a Federal Express Office, a Bev Mo Beverages store, Pet Co, and Vista Paint, among other tenants,

To the west – the property across N. Sepulveda Boulevard is located within the CM-1 Zone and improved with a 6-level parking structure and a multi-story Target department store. To the northwest across the intersection of Hatteras Street and North Sepulveda Boulevard the properties are zoned M1-1 and improved with the 8-story office building and car/truck dealership.

To the south – the properties to the south are located within the R3-1 Zone and improved with 2-story apartment buildings.

To the east – the properties to the east (across Halbrent Avenue) are located within the R1-1 Zone and improved with 1-story single family homes.

Previous Cases, Affidavits, Permits, and Orders on the Applicant's Property:

Case No. ZA-93-0861-RV-PA1 – On January 24, 2014, the Office of Zoning Administration held a public hearing for the approval of plans related to the 1994 revocation determination for the existing hotel operation and to consider a request to eliminate some of the conditions of that approval. On March 24, 2014, the Zoning Administrator issued its determination with conditions that required the owner to operate in a responsible manner such that the operation would not jeopardize or endanger the public health or safety, or constitute a public nuisance. The applicant subsequently filed an appeal of the Zoning Administrator's determination. The appeal hearing is scheduled to be held by the Planning and Land Use Management (PLUM) Committee of the City Council in June 2014.

Case No. BZA 4960: On June 3, 1994, the Board of Zoning Appeals denied the property owner's appeal of ZA -93-0861-RV and modified the prior conditions.

Case No. ZA-93-0861-RV – On March 2, 1994, the Office of Zoning Administration determined that the past operation of the subject use (The El Cortez Motel) had adversely affected the health, peace or safety of persons in the surrounding area, had jeopardized or endangered the public health or safety of such persons, constituted a public nuisance and resulted in repeated nuisance activities. Conditions were established by the Zoning Administrator for the continued use and maintenance of a hotel/motel.

Ordinance No. 158,247 – On September 29, 1983, the ordinance became effective, changing the zone on a portion of the subject property from R4-1 to R3-1 Zone, as part of the City General Plan/Zoning Consistency Program.

CPC 29515 – On January 28, 1982, the City Planning Commission recommended approval of the zone changes on various properties within the City as part of the General Plan/Zoning Consistency Program, including a change from the R4-1 Zone to the R3-1 Zone on the subject property.

Previous Cases, Affidavits, Permits, and Orders on Surrounding Properties:

On April 24, 2014 staff utilized a 600-foot radius map via the Zoning Information Mapping Access System (ZIMAS) and the Planning Case Tracking System (PCTS), seeking past Tract and Zoning Administrator determinations associated with the Adjustment and Variances. No cases were found.

ZA 2011-0460(ZV) On July 11, 2011, the Office of Zoning Administration approved a zone variance to permit the construction, use and maintenance of a 16-foot 9-inch in height parking structure with a total of 76 parking spaces in the R3-1 Zone for the hotel property (Hampton Inn & Suites) located south of the subject property, at 5638-5650 North Sepulveda Boulevard.

CPC-2008-1660-GPA-ZC-ZV-ZAA-SPR – On May 13, 2010, the City Planning Commission approved 1) a General Plan Amendment from Medium Residential to General Commercial for the portion of the project site fronting Sepulveda Boulevard, 2) a zone change from R3-1 to (T)(Q)RAS4-1 the portion of the project site fronting along Sepulveda Boulevard, 3) a zone variance to permit the blending of zone densities across two zone lines, to permit access from a more restrictive zone to a less restrictive zones, to permit the building height of 54 feet, 5 inches, to permit commercial parking in the R3-1 zone portion of the site, 4) an adjustment to permit zero rear yard in lieu of the required 15-foot rear yard, 5) and Site Plan Review. The project is located at 5700 – 5730 North Sepulveda Boulevard.

DIR-2004-0691(SPR) - On May 20, 2004, the Director of Planning conditionally approve a Site Plan Review for the construction, use and maintenance of a 72-unit, four-story residential apartment building over a three-level subterranean parking structure adjacent to an existing 71-unit apartment building, on a 1.735-acre lot in the R4-1 and [Q]R3-1 Zones, located at 6640 Sepulveda Boulevard. The Bureau of Engineering required a 1-foot dedication to complete a 12-foot wide sidewalk in connection with the proposed residential development.

ZA 2003-0162(CU)(ZV) – October 3, 2003, the Office of Zoning Administration approved a conditional use permit, to permit the construction, use and maintenance of a 57,000 square-foot, 96-room, 4-story, 56 feet in height hotel, with 57 parking spaces within 500 feet of a residential zone; and approved Zone Variance to permit surface parking with 57 spaces in the R3 Zone; and approved a Site Plan Review, located at 5638 North Sepulveda Boulevard. The Bureau of Engineering required a 6-foot dedication to complete a 12-foot wide sidewalk in connection with the hotel development.