



SOUTH VALLEY AREA PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
www.lacity.org/PLN/index.htm

NOV 12 2014

Determination Mailing Date: _____

CASE NO. APCSV-2013-3285-ZC-DB
CEQA: ENV-2013-3286-MND

Location: 7004 N. Lennox Avenue
Council District: 6 - Martinez
Plan Area: Van Nuys–North Sherman Oaks
Zone: R1-1[(T)(Q)RD1.5-1]
Request(s): Zone Change and Density Bonus

APPLICANT: Andre Ohanian
Armen R. Ter-Oganesian

At its meeting on **October 09, 2014**, the following action was taken by the **South Valley Area Planning Commission**:

1. **Adopted** the Mitigated Negative Declaration, ENV-2013-3286-MND;
2. **Approved** and **recommended** that the City Council **approve** the **Zone Change** from R1-1 to (T)(Q)RD1.5 for the subject property, with the attached conditions of approval;
3. **Dismissed** an **Affordable Housing Incentives – Density Bonus** entitlement to permit one density bonus unit and three incentives as it shall be addressed as part of a small lot subdivision, VTTM-72425-SL.
4. **Adopted** the attached Findings; and
5. **Advised** 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.

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

This action was taken by the following vote:

Moved: Commissioner Dierking
Seconded: Commissioner Kim
Ayes: Commissioners Beatty, Mather, and Cochran

Vote: 5 - 0

Randa M. Hanna, Commission Executive Assistant
South Valley Area Planning Commission

If the Commission has disapproved the Zone Change request, in whole or in part, only the applicant may appeal that disapproval to the City Council within 20 days after the mailing date of this determination. The Density Bonus was dismissed as it shall be addressed as part of the tract application. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's public Counters at 201 North Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Room 251, Van Nuys. Forms are also available on-line at www.lacity.org/pln.

DEC 02 2014

FINAL APPEAL DATE _____

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: (T) Conditions, Ordinance, Zone Change Map, (Q) Conditions, Zone Change Signature Sheet, Findings

cc: Notification List
Thomas Henry

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32 G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

1. Dedication(s) and Improvement(s). Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary), the following:
 - A. Responsibilities/Guarantees.
 1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
 2. Prior to issuance of sign-offs for final site plan approval and/or project permits by the Planning Department, the applicant/developer shall provide written verification to the Planning Department from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to project design required by a public agency shall be documented in writing and submitted for review by the Planning Department.
2. Construction of necessary sewer facilities to the satisfaction of the Bureau of Engineering. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
3. Construction of necessary drainage facilities to the satisfaction of the Bureau of Engineering.
4. Construction of tree wells and planting of street trees and parkway landscaping to the satisfaction of the Street Tree Division of the Bureau of Street Maintenance.
5. Preparation of a parking area and driveway plan to the satisfaction of the appropriate Valley District Office of the Bureau of Engineering and the Department of Transportation. A parking area and driveway plan shall be prepared for approval by the appropriate district office of the Bureau of Engineering and the Department of Transportation. The driveway, parking and loading area(s) shall be developed substantially in conformance with the Site Plan, dated September , 2014, and labeled Exhibit A-1 of the administrative file as to their location and access, but may be modified in order to comply with provisions and conditions of the subject Department of Transportation authorization. Emergency vehicular access shall be subject to the approval of the Fire Department and other responsible agencies.

6. Installation of street lights to the satisfaction of the Bureau of Street Lighting.
7. That street lighting modifications be required at an intersection if there are improvements by the Department of Transportation (also for off-site improvements).
8. Preparation of a plot plan to the satisfaction of the Fire Department.
9. Making any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05N, to the satisfaction of the Department of Telecommunications.
10. Police Department. Preparation of a 'plot plan in conformance with the Design Out Crime Guideline Booklet and guidelines defined in the Crime Prevention Through Environmental Design (CPTED) handbook to mitigate impacts on police services. Police recommendations may include but are not limited to secured parking, security fencing, security lighting, information signs, building design and landscaping to reduce places of potential concealment. The plans shall be to the satisfaction of LAPD Crime Prevention Section Personnel.
11. Notice: Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 176,077 adopted by the City Council, must be paid in full at the Development Services Division office.
12. Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.
13. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.
14. Recreation and Parks Dedication. Per Section 12.33 of the Los Angeles Municipal Code, the applicant shall dedicate land for park or recreational purposes or pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

Notice: Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 176,077 adopted by the City Council, must be paid in full at the Development Services Division office.

Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

ZONE CHANGE FINDINGS

A. General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located within the Van Nuys-North Sherman Oaks Community Plan, updated and adopted by the City Council on September 9, 1998. The existing Plan designates the subject property as Low Medium II Residential which corresponds to the RD1.5, RD2, RW2, and RZ2.5 zones. The proposed zone change to RD1.5 zone is consistent with the land use designation on the plan map and thus is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan. The project is also in conformance with Footnote 8 of the Community Plan Map, which states a maximum height of six stories.
2. **General Plan Text.** The Van Nuys-North Sherman Oaks Community Plan text includes the following relevant land use goals, objectives, policies and programs:

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

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

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

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

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

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

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

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

Program: The Plan includes Design Guidelines which establish design standards for residential development to implement this policy.

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

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

Objective 1-5: To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background.

Policy 1-5.1 Promote greater individual choice in type, quality, price, and location of housing.

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

Policy 1-5.4 Provide for development of townhouses and other similar condominium type housing units to increase home ownership options.

Program: The Plan cannot require that condominium units be built instead of rental units; however the Plan encourages such type of development by designating specific areas for Low Medium Residential land use categories..

The proposed project will meet the above objectives and policies by providing additional housing at an appropriate density and location to meet the plan area's needs and by preserving the assigned community plan land use designation. The site is located within a transitional area along Lennox Avenue which includes a mix of single-family homes, multi-family developments and commercial uses. The proposed RD1.5 and new eight-unit building would be compatible with the existing neighborhood land use and character.

The project has also been conditioned to dedicate and improve the surrounding public right-of-ways, which will serve to enhance the roadways, sidewalks, and street lighting along the site and provide for better connectivity within the neighborhood. Other utilities and public services for the site, including the availability of sewer and drainage facilities in Lennox Avenue, will be adequate or shall be appropriately mitigated by conditions required in the approval for the subject zone change. Significant traffic impacts are not expected from the project, and the site is in close proximity to several bus lines operating along Van Nuys Boulevard. Therefore, the project is not expected to cause any adverse impacts on livability, services and public facilities, or traffic levels.

Additionally, the submitted building plans are, or have been conditioned to be, consistent with Community Plan Design Guideline. The building elevations facing Lennox Avenue are designed with variations in height, depth, and building materials in order to achieve an articulated and attractive façade. The project is restricted to 28 feet in height, and conditioned with landscape requirements in order to be attractive and to buffer single family residences to the east.

Therefore, as conditioned, the recommended development meets the objectives of the Community Plan, is permitted in the RD1.5 Zone and is consistent with the general plan land use designation.

B. Entitlement Findings

1. **Zone Change, L.A.M.C. Sec. 12.32-F:** The recommended zone change is in conformance with the public necessity, convenience, general welfare or good zoning practice in that:

The RD1.5 zone is consistent with the existing Community Commercial General Plan Land Use designation in that this land use category allows for corresponding zones of RD1.5, RD2, RW2, and RZ2.5. The project is convenient in location to several major streets, such as Van Nuys Boulevard, and as an infill project will have adequate access to existing City services and infrastructure. There is a necessity for housing in all income levels and housing types, and the project will create more opportunity for multi-family housing in the vicinity. This is a lot located on the eastern side of the block of Lennox Avenue, which remains an area of transition between single-family and multi-family developments. A zone change from R1-1 to (T)(Q)RD1.5-1 and construction of a 8-unit residential complex would be compatible with the use and size of existing adjacent developments. Therefore, the zone change is provided as part of public necessity and convenience and in the general welfare of the neighborhood. Furthermore, such zone change will be in good zoning practice by providing a harmonious density and land use activity for the vicinity.

The action, as recommended, has been made contingent upon compliance with the "(Q)" and "(T)" conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure developments and improvements more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

C. CEQA Findings

1. **Environmental.** The Environmental Review Section of the Planning Department issued the proposed project Mitigated Negative Declaration ENV-2013-3286-MND on August 18, 2014. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND, there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the South Valley Environmental Review Section of the Planning Department in Room 430, 6262 Van Nuys Blvd., Van Nuys.

PUBLIC HEARING AND COMMUNICATIONS

Public Hearing

The public hearing was held at the Marvin Braude Government Service Center on August 8, 2014, at which the project's applicant, and a representative of Council District Six, were present.

Communications Received

None from the public

Summary of Public Hearing Testimony

At the meeting, the applicant presented the project and noted that the site is planned for multiple-residential use, which the RD1.5 zone is consistent with, and most of the block already is developed at the same density. A very similar project was already approved back in 2005

Edward Martinez, Deputy to Councilmember Nury Martinez, spoke and indicated that the project should be redesigned to be more attractive along the Lennox Avenue frontage, and that more fuller landscaping be provided in the rear along with other mitigation measures to protect the single family residential uses to the east..

Lastly, the applicant spoke again to address some of the issues brought up by Mr. Martinez. The applicant stated that the project's landscape plans and rear elevations will be revised to meet the CDO and the Planning Departments Residential Citywide Design Guidelines.

Determination Letter
APCSV-2013-3285-ZC-DB
Mailing Date: 11/12/14

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