



**DEPARTMENT OF CITY PLANNING
RECOMMENDATION REPORT**



**South Valley Area Planning
Commission**

Date: October 9, 2014
Time: After 4:30 p.m.*
Place: Marvin Braude Building
 First Floor Conference Room
 6262 Van Nuys Boulevard
 Van Nuys CA 91401

Public Hearing: August 8, 2014
Appeal Status: Zone Change may be appealed by the applicant if denied.
Expiration Date: November 13, 2014
Multiple Approval: Zone Change and Density Bonus

Case No.: APCSV-2013-3285-ZC-DB
CEQA No.: ENV-2013-3286--MND
Incidental Cases: VTTM 72425-SL
Related Cases: APCSV-2003-636-ZC
Council No.: 6 - Martinez
Plan Area: Van Nuys – North Sherman Oaks
Specific Plan: None
Certified NC: Van Nuys
GPLU: Low Medium II Residential
Zone: R1-1 (T)(Q)RD1.5-1
Applicant: Andre Ohanian
 Armen R. Ter-Oganesian

PROJECT LOCATION: 7004 N. Lennox Avenue

PROPOSED PROJECT: **The construction of eight (8) single family dwellings**, 28 feet in height, in conjunction with a small lot subdivision (VTT-72425-SL) on an 11,000 square-foot lot. Each unit will have two levels of residential over one level of parking with two parking spaces provided.

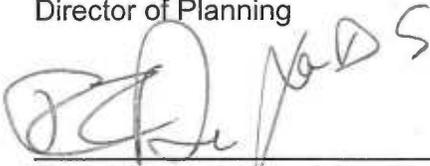
- REQUESTED ACTION:**
1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, **Adopt** the Mitigated Negative Declaration (ENV-2013-3286-MND) for the above referenced project;
 2. Pursuant to Section 12.32 of the Municipal Code, a **Zone Change** from R1-1(One-Family Zone) and (T)(Q)RD1.5 (Restricted Density Multiple Dwelling Zone) to RD1.5;
 3. Pursuant to Section 12.22 A.25 of the Municipal Code, an **Affordable Housing Incentives - Density Bonus** entitlement to permit seven units by right and one density bonus unit. Of the eight total units, one will be set aside for moderate income. The project application requests three off menu incentives as follows:
 - a) A reduction of the required rear yard setback from 15 feet to 6 feet.
 - b) A reduction of required open space from 125-175 square feet per unit to 0 square feet per unit.
 - c) A reduction of required residential building separation, per Section 12.21.C.2 of the L.A.M.C., from 10 feet to 2 inches.

Note: Ordinance No. 183165 allowing building permits for small lot subdivisions to be obtained prior to the recordation of a final map became effective September 16, 2014. Thus, the Density Bonus Incentive requests are no longer necessary, and should be dismissed by the South Valley Area Planning Commission.

RECOMMENDED ACTIONS:

1. **Adopt** the Mitigated Negative Declaration, ENV-2013-3286-MND;
2. **Approve** and **recommend** 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. **Dismiss** 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. **Adopt** the attached Findings; and
5. **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.

MICHAEL LOGRANDE
Director of Planning



Daniel Scott, Principal City Planner



Robert Z. Duenas, Senior City Planner



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ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the Commission Secretariat, 200 North Spring Street, Los Angeles, CA 90012 (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to this programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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PROJECT ANALYSIS

Project Summary

The applicant requests a Zone Change from R1-1 to (T)(Q)RD1.5-1 and a Affordable Housing Incentives – Density Bonus entitlement in order to develop the subject site with a new 8-unit small lot subdivision. Staff recommends approval of the Zone Change as the (T)(Q) RD1.5 zone and the development of the property with an 8-unit development is compatible with the adjacent zoning, the established building pattern, and the existing neighborhood character. Staff further recommends dismissing the Affordable Housing Incentives – Density Bonus entitlement as explained in the Hearing Officer Comments below.

Background

The subject property is a level, vacant, rectangular-shaped lot, having a frontage of 84 feet along the east side of Lennox Avenue, a designated collector street. The current zoning is R1-1. There is an underlying zone of (T)(Q)RD1.5-1, which was approved in 2003, but was never effectuated and therefore expired. The site is located within the Van Nuys – North Sherman Oaks Community Plan with a land use designation of Low Medium II Residential (corresponding zones of RD1.5, RD2, RW2, and RZ2.5).

Land uses to the north and south along the east side of Lennox Avenue is multiple residential in the RD1.5-1 zone. Across Lennox to the north is multiple residential in the R3-1 zone, and to the south institutional uses (assisted living and the Mid-Valley YMCA). The project site abuts single family residential to the east in the R1-1 zone.

Related Cases:

ON-SITE:

APCSV-2003-6361-ZC – On July 26, 2005, Ordinances No. 176,605 became effective granting a Zone Change from R1-1 to (T)(Q)RD1.5-1 for the construction of 9 apartment dwelling units, including 2 density bonus units to be maintained as “affordable,”). The units were conditioned to a maximum 28 feet 6 inches in height, (expired).

TT- 63560 - On December 7, 2006, the Deputy Advisory Agency approved a tract map for 8 condominium dwelling units.

DIR-2006-1330-CLQ – On February 26, 2007, the Director of Planning approved a Clarification of “Q” Condition No. 5 of Ordinance 176,605 to reduce the number of affordable units from 2 to 1, as the project changed from 9 apartments to 8 condominiums, and the requested number of density bonus units requested was reduced to 1.

OFF-SITE:

CPC-1988-511-ZC, CPC-1988-DB- On July 2, 1989, Ordinance 164,918 became effective granting a Zone Change from R1-1 to (T)(Q)RD1.5 at 7010 N. Lennox Ave (north of the subject property) for the construction of a 12-unit apartment building, including 3 density bonus units to be maintained for low or moderate income families, on a 14,300 square foot lot. The units were conditioned to be 30 feet in height.

Reports Received:

No reports were received from any department, prior to the completion of the Hearing Officer's report.

Hearing Officer Comments:

The proposed project, the construction of 8 dwelling units, is located within the Van Nuys – North Sherman Oaks Community Plan area, within a land use designation of Low Medium II Residential, which allows for corresponding zones of RD1.5, RD2, RW2, and RZ2.5. The proposed (T)(Q)RD1.5-1 zone will meet the zoning and density envisioned by the Low Medium II Residential Land Use designation.

The Van Nuys-North Sherman Oaks Community Plan also includes some relevant land use issues, goals, objectives, policies, and programs that must be considered when evaluating the proposed project. In general, the Community Plan has identified the need to preserve the residential character of existing single and multi-family neighborhoods, to foster good site planning and urban design, to consider such factors as compatibility, livability, and impacts on infrastructure when evaluating new projects, and also making housing available to all income levels.

The proposed RD1.5 zone would provide a transition between the higher density residential and commercial zones to the west, and the single-family residential zones to the east. It would provide a density that is in-line with the developments already on the block. Therefore, the project would continue the trend of lower density multi-family development on the block. The subject property provides adequate access to the site from major streets and the development of 8 new residences is not expected to have a significant impact on traffic, public services, or available utilities

The applicant is also concurrently seeking an 8-unit small lot subdivision for this project site, under VTT-72425-SL. However, permits cannot be issued to begin construction of the project until the map is recorded. Therefore the applicant requested for yard and open space reductions as affordable housing incentives, as is provided for in that part of the code. The incentive grant would allow the applicant an "early start" to begin construction of the project while waiting for the tract map to record.

Subsequently, Ordinance No. 183165 allowing building permits for small lot subdivisions to be obtained prior to the recordation of a final map became effective September 16, 2014. Thus, the Density Bonus Incentive requests are no longer necessary, and should be dismissed by the South Area Valley Area Planning Commission.

Issues

A public hearing was held for the subject Zone Change on August 8, 2014, at which the project's applicant, and a representative of Council District Six, were present. At the meeting, the applicant presented the project and noted that the site is planned for Low Medium II Residential and that the RD1.5 zone is consistent with that. Part of the block already is developed at the same density, and with density bonus units. The Council Office representative spoke with concerns which included:

- Design compatibility needs to be improved on the Lennox frontage.

- Landscaping needs to be approved on the front and rear,
- Trash and recycle area needs to be removed from the rear yard which is adjacent to a single family residence,
- Rear balconies should be removed,
- All windows facing single family residential in rear should be opaque.

Conclusion

Staff's recommendation is for approval of the (T)(Q)RD1.5 zone, with the attached (Q) Qualified and (T) Tentative conditions. The requested RD1.5 zone is within the range of corresponding zones of the Community Commercial Plan designation, and is in conformance with the public necessity, convenience, general welfare, and good zoning practice.

The additional request for Affordable Housing Incentives - Density Bonus should be dismissed as it is a matter outside the jurisdiction of the South Valley Area Planning Commission and shall be addressed as part of a small lot subdivision, VTTM-72425-SL.

These actions support the policies of the Land Use Element of the General Plan.

(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

A. Development Conditions:

1. **Use.** The use of the subject property shall be limited to those uses permitted in the RD1.5-1 Zone as defined in Section 12.10.5 of the L.A.M.C.
2. **Plans.** The use and development of the property shall be in substantial conformance with the submitted Site Plans, Floor Plans, and Building Elevations, attached to the subject case file, marked "Exhibit A" and dated September 10, 2014. Deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
3. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped as shown as part of "Exhibit A." The landscape plan, including an automatic irrigation system, shall be maintained in accordance with a revised landscape plan prepared by a licensed landscape architect or licensed architect, and submitted to the Council Office of the District for review, and to the Department of City Planning for approval. The rear yard setback shall include a minimum five foot wide landscape buffer set back from the property line of the single family residential property that shall include a minimum of three (3) 36 inch box trees at a minimum of 20 feet in height at planting. No trash or recycling areas shall be part of the landscaped setback.
4. **Height.** Height of building and structures shall correspond with the Building Elevations in Exhibit A of the subject case file. In no case shall any building or structure located on the subject property shall exceed 28 feet in height. Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any nearby single-family residential properties.
5. **Rear Elevations.** Revised rear elevations shall be submitted to the Council Office of the District for review. The rear elevations that face the single family residential use to the rear shall have no balconies and all window shall be opaque.

B. Environmental Conditions.

1. **Utilities (Local Water Supplies) – Landscaping.** The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g, use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season). In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
 - a. Weather-based irrigation controller with rain shutoff
 - b. Matched precipitation (flow) rates for sprinkler heads

- c. Drip/microspray/subsurface irrigation where appropriate
 - d. Minimum irrigation system distribution uniformity of 75 percent
 - e. Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
 - f. Use of landscape contouring to minimize precipitation runoff
 - g. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
2. **Utilities (Local Water Supplies) Residential.** Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
 3. **Utilities (Local Water Supplies) Residential** Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)
 4. **Utilities (Local Water Supplies) Residential** Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
 5. **Utilities (Local Water Supplies) Residential** Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
 6. **Utilities (Local Water Supplies) Residential** Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
 7. **Utilities (Solid Waste Recycling). Operational.** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
 8. **Utilities (Solid Waste Recycling). Construction/Demolition.** Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
 9. **Utilities (Solid Waste Recycling). Construction/Demolition.** To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.