



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT



North Valley Area Planning Commission

Date: May 21, 2015
Time: After 4:30 p.m.*
Place: Marvin Braude Building
First Floor Conference Room
6262 Van Nuys Boulevard
Van Nuys, CA 91401

Public Hearing: Tuesday, March 24, 2015
Appeal Status: Zone Change may be appealed by the applicant if denied.
Expiration Date: June 28, 2015

Case No.: APCNV-2014-2178-ZC
CEQA No.: ENV-2014-2179-MND
Incidental Cases: AA-2014-2177-PMLA
Related Cases: None
Council No.: Six – Martinez
Plan Area: Arleta - Pacoima
Certified NC: Arleta
GPLU: Low Residential
Zone: A2-1

Applicant: Yusher, Inc.
Representative: Val Levin

PROJECT LOCATION: 14101-03 W Terra Bella Street

PROPOSED PROJECT: The subdivision of an existing 28,103 square foot parcel into four lots for the development of four new single-family residences. The existing single-family house is to be demolished. The project also includes street and alley dedications and improvements as may be required by the Advisory Agency approval of the Parcel Map incidental to this Zone Change Request.

REQUESTED ACTION:

1. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, **Adopt** the Mitigated Negative Declaration (ENV-2014-2179-MND) for the above referenced project;
2. Pursuant to Section 12.32 of the Municipal Code, a **Zone Change** from A2-1 (Agricultural) to (T)(Q)R1-1 (Single-Family Dwelling).

RECOMMENDED ACTIONS:

1. Pursuant to Section 15074 of the California Environmental Quality Act, Recommend that the North Valley Area Planning Commission **Review** and **Consider** the **Mitigated Negative Declaration, ENV-2014-2179-MND**, and:
 - a. Find that based on the whole of the record, including the initial study and comments received, there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration/Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis.
 - b. Adopt Mitigated Negative Declaration, ENV-2014-2179-MND, located in South Valley Environmental Review Section of the Planning Department in Room 351, 6262 Van Nuys Blvd., Van Nuys, which constitutes the record of proceedings upon which this decision is based.
2. **Approve and Recommend** that the City Council **Approve** a **Zone Change** from A2-1 to (T)(Q)R1-1 for the subject property, with the attached conditions of approval.
3. **Adopt** the attached Findings.

MICHAEL LOGRANDE
Director of Planning

Daniel Scott, Principal City Planner

Robert Z. Duenas, Senior City Planner

Thomas Henry, Associate City Planner
Telephone: (818) 374-5061
Email: tom.henry@lacity.org

* **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.

TABLE OF CONTENTS

Project Analysis	A-1
Project Summary	
Background	
Staff Analysis	
Conclusion	
(Q) Conditions	Q -1
(T) Conditions	T-1
Findings	F-1
General Plan/Charter Findings	
Entitlement Findings	
CEQA Findings	
Public Hearing and Communications.....	P-1
Exhibits:	
A – Maps	
A1 – Vicinity Map	
A2 – Radius Map	
A3 – Existing Zoning Map	
A4 – Ariel Photo	
B – Proposed Parcel Map	
C - Environmental Clearance	

PROJECT ANALYSIS

Project Summary

The proposed project is the subdivision of an existing 28,103 square-foot parcel into four parcels, filed separately as AA-2014-2177-PMLA, and the construction of four new single family dwellings (the existing single family dwelling will be demolished). This project also requires a Zone Change from A2-1 to (T)(Q)R1-1.

Staff recommends approval of the Zone Change as this will make the zoning consistent with the existing Land Use Designation in the Community Plan, and consistent with the rest of the neighborhood.

Background

The site is one rectangular-shaped parcel totaling 28,103 square feet of area. It extends 281 feet from Terra Bella Street (a Secondary Highway) to Remington Street (a local street) with a 100 foot frontage on each street. The site is improved with a one-story single family dwelling and assessor structures, which will be demolished.

Currently, the Land Use Designation on the entire property is Low Residential. Adjacent land uses include single family residential uses with a zoning of R1-1 to the north, west and south of the subject site. Adjacent uses to the east of the subject site consists of another large lot approximately 28,100 square-feet, and improved with a single family dwelling. Contiguous to that lot is a religious institution and parking. There are nine trees on the site and eight will be removed.

Related Cases:

ON-SITE:

AA-2177-PMLA – Filed concurrently with subject case. The applicant is requesting the Deputy Advisory Agency subdivide the property into four parcels.

Ord. 116872, CPC-10744-BL – An existing Building Line extending along Terra Bella Street at a depth of 37 feet from the existing lot line of the subject site. The removal of this Building Line is not a part of the applicant's request, and thus not a part of staff's recommended action.

OFF-SITE:

There are no related or relevant cases off-site. The residential development pattern in the neighborhood was built out in the mid to late 1950s.

Staff Analysis

The proposed project, the subdivision of an existing 28,103 square foot parcel into four lots for the development of four new single-family residences, is located within the area covered by the Arleta-Pacoima Community Plan, updated and adopted by the City Council on November 6, 1996. The existing Plan designates the subject property as Low Residential (with corresponding zones of RE9, RS, R1, RU, RD6, RD5). The zone change requested to the (T)(Q)R1-1 (Single Family Residential) Zone would be consistent with the proposed land use designation and would be in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

The Arleta-Pacoima 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, and to consider such factors as compatibility, livability, and impacts on infrastructure when evaluating new projects.

The proposed Zone Change will meet the goals, policies, and objectives of the Community Plan by providing more housing. The Applicant is concurrently seeking to record a Parcel Map, AA-2014-2177-PMLA, under a separate application, to allow for four residences to be built that would be consistent with the existing development along Terra Bella and Remington Streets. The proposal will replace under-utilized residential property for a four-parcel subdivision that will provide ownership opportunities to the vicinity. The recommended project is within the scale of other development in the area, and will continue the single family residential pattern along both streets.

The recommended action has been made contingent upon compliance with the “(T)” and “(Q)” conditions which will ensure that the development is more compatible with the surrounding properties, to secure an appropriate development compliant with the General Plan, and to mitigate the potential adverse environmental effects of the subject recommended action.

A public hearing was held for the subject case on March 24, 2015, at which the project’s owner and representative were present. The applicant’s representative presented background information and reasons for the project request, and is stipulated in this report. No other issues have been raised.

Conclusion

Staff’s recommendation is for approval of the Zone Change to the R1-1 zone, with the attached (T) and (Q) Conditions. The request is in conformance with the public necessity, convenience, general welfare, and good zoning practice.

(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. Environmental Conditions.

1. **Tree Removal**

- a. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- b. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- c. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

2. **Explosion/Release (Existing Toxic/Hazardous Construction Materials).**

- a. **Asbestos.** Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.
- b. **Lead Paint.** Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

3. **Emergency Evacuation Plan**

- a. Prior to the issuance of a building permit, the applicant shall develop an emergency response plan in consultation with the Fire Department. The emergency response plan shall include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.

4. **Stormwater Pollution (Demolition, Grading, and Construction Activities)**

- a. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- b. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
- c. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- d. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.

5. **Utilities (Solid Waste Recycling)**

- a. **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.
- b. **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 contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
- c. **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.

6. **Utilities (Solid Waste Disposal)**

- a. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

C. Administrative Conditions:

1. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
2. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.

3. **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 in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. 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 shall be provided to the Planning Department for attachment to the file.
4. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
5. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
6. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
7. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans.
8. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

FINDINGS

A. General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located within the area covered by the Arleta-Pacoima Community Plan, updated and adopted by the City Council on November 6, 1996. The existing Plan designates the subject property as Low Residential (with corresponding zones of RE9, RS, R1, RU, RD6, RD5). The zone change requested to the (T)(Q)R1-1 (Single Family Residential) Zone would be consistent with the proposed land use designation and would be in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan
2. **General Plan Text.** The Community Plan text includes the following relevant land use policies and programs:
 - a. To provide for the preservation of existing housing and for the development of new housing to accommodate the anticipated growth of the Community to the year 2010.
 - b. Achieve and maintain a housing supply sufficient to meet the diverse economic needs of current and projected population to the year 2010.
 - c. Preserve and enhance the character and integrity of existing single-family neighborhoods.
 - d. Seek a high degree of compatibility for new infill development to protect the character and scale of existing residential neighborhoods.

The staff recommended project will meet the above policies and programs of the Community Plan by providing much needed housing. The proposal will replace under-utilized residential property for a four-parcel subdivision that will provide ownership opportunities to the vicinity. The recommended project is within the scale of other development in the area, and will continue the single family residential pattern along Terra Bella Street and Remington Street.

B. Entitlement Findings –Zone Change

Zone Change, L.A.M.C. Sec. 12.32.F: The applicant's request is in conformance with the public necessity, convenience, general welfare, and good zoning practice.

There is a well-documented demand for housing throughout the City of Los Angeles. The requested Zone Change to (T)(Q)R1-1 will continue a plan and zone pattern that has existed since the 1950s, and therefore will be compatible with the use and size of existing adjacent developments.

The proposed project addresses the policies of the Community Plan by maintaining land designated for single-family development and provides high-quality single-family dwellings that are conditioned to be compatible with the surrounding residential neighborhood.

The recommended action has been made contingent upon compliance with the "(Q)" conditions which will ensure that the development is more compatible with the surrounding properties, to secure an appropriate development compliant with the General Plan, and to mitigate the potential adverse environmental effects of the subject recommended action.

C. CEQA Findings

Environmental. The Environmental Review Section of the Planning Department issued the proposed project Mitigated Negative Declaration ENV-2014-2179 -MND on November 3, 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 351, 6262 Van Nuys Blvd., Van Nuys.

PUBLIC HEARING AND COMMUNICATIONS

Public Hearing and Summary of Public Hearing Testimony

The public hearing was held at the Marvin Braude Constituent Service Center on Tuesday, March 24, 2015. The public hearing was attended by the owner/applicant and his representative. The applicant's representative spoke in support of the project.

Communications Received

At the time of this report, no communications have been transmitted to the hearing officer in regards to the project.