



SOUTH VALLEY AREA PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

Determination Mailing Date: MAR 29 2016

CASE: APCSV-2012-3587-ZC
CEQA: ENV-2012-3586-MND

Council District: 3 - Blumenfield
Location: 6934 and 6936 N. Owensmouth Ave.
Plan Area: Canoga Park-Winnetka-Woodland Hills-West Hills
Zone: R1-1VL

Applicant: Shahriar Rostami, Owensmouth Property, LLC
Representative: R. J. Torabi, RJ Engineering

At its meeting on **February 25, 2016**, the **South Valley Area Planning Commission** took the following action:

1. **Approved and Recommended** that the City Council adopt Mitigated Negative Declaration No. ENV-2012-3586-MND and the Mitigation Monitoring Program.
2. **Disapproved** the Zone Change request as filed.
3. **Approved and Recommended** that the City Council adopt a **Zone Change** from R1-1VL-RIO to **(T)(Q)RAS4-1VL-RIO**, subject to the attached (T) and (Q) Conditions of Approval, as modified by the South Valley Area Planning Commission.
4. **Adopted** the attached Findings.
5. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that the 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.
6. **Advised** the applicant that pursuant to State Fish and Wildlife Code Section 711.4, a Fish and Wildlife and/or Certificate of Game Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

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 Mather
Ayes: Commissioners Beatty, Kim, 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. 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.planning.lacity.org.

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: Findings, Modified (Q) Qualified Conditions of Approval, (T) Conditions, Ordinance, Zone Change Signature Sheet, and Zone Change Map

C: Notification List
Courtney Shum (818) 374-5058

(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G of the Los Angeles Municipal Code (LAMC), 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 property shall comply with the use, restrictions/limitations, and area provisions of the RAS4 Zone, pursuant to LAMC Section 12.11.5, unless modified by herein conditions or subsequent action.
2. **Height.** The Project shall not exceed 42 feet, 5 inches in height, as defined by Section 12.21.1 B.3 of the LAMC, and as shown on the project plans dated **October 2015**, and labeled "**Exhibit A**", attached to the subject case file.
3. **Plot/Site Plan.** The plans submitted to Building and Safety shall be in substantial conformance with the plans dated **October 2015**, and labeled "**Exhibit A**", attached to the subject case file and as conditioned below. Minor 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. Prior to the issuance of any building permits for the subject project, revised, detailed development plans that show compliance with all conditions of approval, including site and elevation plans, and including complete landscape and irrigation plans prepared by a licensed landscape architect or architect, shall be submitted for review by the Department of City Planning for verification of compliance with the imposed conditions.
4. **Off-street Parking.** Automobile and bicycle parking shall be provided on-site as required by LAMC Sections 12.21 A.4 and 12.21 A.16, respectively, and to the satisfaction of the Department of Building and Safety.
5. **Building Facades.** All facades of the building shall be treated with an equal level of detail, articulation, and architectural rigor.
 - a. At least three (3) different textures, colors, materials, and distinctive architectural treatments shall be incorporated into the building façades to add visual interest.
 - b. In consultation with Council District 3 (Council Office) and the Department of City Planning, Exhibit A shall be revised to include additional articulation around the pedestrian entrance and additional window placements on the rear façade. The revised plans shall be submitted to the Department of City Planning and retained in the subject case file.
6. **Landscaping (Open Areas).** In consultation with the Department of City Planning and the Council Office, the landscape plan shall be revised to include additional landscaping along the northerly side yard where feasible. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The landscape plan shall be in compliance with the landscape provisions of the RIO District, Section 13.17 of the LAMC. No trash or recycling areas shall be located within a required landscaped setback.
7. **Open Space.** Open space shall be provided pursuant to LAMC Section 12.21 G and any amendment thereto.

- a. Roof deck shall be screened from view from abutting properties with single-family dwellings.
8. **Roof Structures.** Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting properties with single-family dwellings.
9. **Trash/Recycling Area.** Details shall be provided on the location of a common trash and recycling area, method of enclosure, and design and material of enclosure at the time of final plan sign off. The trash and recycling areas shall be secured with an enclosure that fully screens the view of the trash and recycling area from public streets, or be located on the subterranean level of parking.
10. **Wall.** Prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to any residential use, if no such wall already exists, except in the required front yard. The wall shall be covered with clinging vines or screened by vegetation capable of spread over the entire wall.
11. **Site Security.** Prior to the issuance of any building permits, the applicant shall provide a site security plan addressing security during the construction phase, to the satisfaction of the Council Office and the Los Angeles Police Department (LAPD). Evidence of the Council Office's and LAPD's approval of the security plan shall be supplied by the applicant and retained in the subject case file.

B. Environmental Conditions (ENV-2012-3586-MND):

12. **Aesthetics (Landscape Plan).** All landscaped areas shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect in accordance with LAMC Sections 12.40 and 12.41. The final landscape plan shall be reviewed and approved by the City of Los Angeles Department of City Planning during the building permit process.
13. **Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
14. **Aesthetics (Glare).** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
15. **Tree Removal (Non-Protected Trees).**
 - 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, Bureau of Street Services, Department of Public Works.

16. Geotechnical Report.

- a. Prior to issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any soil strength loss, estimate of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- b. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

17. Increased Noise Levels (Demolition, Grading, and Construction Activities).

- a. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- b. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

18. Public Services (Fire). The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

19. Public Services (Police – Demolition/Construction Sites). Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.

20. Public Services (Police). The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

21. Public Services (Construction Activity Near Schools).

- a. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.

- b. The developer and contractors shall maintain ongoing contact with the administrator of Canoga Park High School. The administrative offices shall be contacted when demolition, grading and construction activity begins on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.

C. Administrative Conditions:

22. **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 Department of City Planning for placement in the subject file.
23. **Code Compliance.** The area, height and use regulations of the (T)(Q)RAS4-1VL-RIO zone classification of the subject property shall be complied with, except where conditions herein are more restrictive.
24. **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 Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
25. **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.
26. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
27. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and Department of Building and Safety.
28. **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. This process may require additional review and/or action by the appropriate decision-making authority, including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.
29. **Mitigation Monitoring.** Pursuant to California State Public Resources Code Section 21081.6 and the California Environmental Quality Act, the applicant and any future owners, successors, heirs or assigns shall provide the Planning Department with status

reports for assessing and ensuring the efficacy of the mitigation measures (environmental conditions) required herein.

- a. Within 30 days of the effective date of this land use entitlement and prior to any Planning Department clearance of the conditions of approval contained herein, the applicant shall file a Mitigation Monitoring and Reporting Program (MMRP) in a manner satisfactory to the Planning Department which defines specific reporting and/or monitoring requirements to be enforced during Project implementation. Each environmental condition shall be identified as to the responsible mitigation monitor(s), the applicable enforcement agency, the applicable monitoring agency and applicable phase of Project implementation as follows:
 - i. Pre-construction (prior to issuance of a building permit);
 - ii. Construction (prior to certificate of occupancy); and
 - iii. Post-construction / maintenance (post-issuance of certificate of occupancy).

In some cases, a specific mitigation measure may require compliance monitoring during more than one phase of Project implementation. Such measures shall be noted within the discussion of the specific mitigation measure in the MMRP.

- b. The applicant shall demonstrate compliance with each mitigation measure in a written report submitted to the Planning Department and the applicable enforcement agency prior to issuance of a building permit or certificate of occupancy, and, as applicable, provide periodic status reports to the Planning Department regarding compliance with post-construction / maintenance conditions.
- c. If the environmental conditions include post-construction / maintenance mitigation measures, the applicant and all future owners, successors, heirs or assigns shall be obligated to disclose these ongoing mitigation monitoring requirements to future buyers of the subject property.
- d. The applicant and any future owners, successors, heirs or assigns shall reimburse the Planning Department for its actual costs, reasonably and necessarily incurred, necessary to accomplish the required review of periodic status reports.

30. Indemnification and Reimbursement of Litigation Costs.

Applicant shall do all of the following:

- i. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- ii. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- iii. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be

- less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- iv. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
 - v. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

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 Required:

- a. Owensmouth Avenue (Warner Center Special Collector) – None.
- b. Under Mobility Plan 2035 (Collector) – None.

2. Improvements Required:

- a. Owensmouth Avenue – Construct additional surfacing to join the existing improvements to provide a 30-foot wide half roadway in accordance with Warner Center Special Collector standards, including asphalt pavement, integral concrete curb, 2-foot gutter, and a 10-foot wide full width concrete sidewalk together with suitable transitions offsite to join the existing improvements. Upgrade all driveways to comply with ADA requirements.
- b. Under Mobility Plan 2035, (Collector) – Construct concrete sidewalk to provide a full width sidewalk and repair any broken, off-grade or bad order concrete curb and gutter. Upgrade all driveways to comply with ADA requirements.
- c. Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. Some tree removal in conjunction with the street improvement project may require Board of Public Works approval. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.
- d. Trees: That Board of Public Works approval shall be obtained, prior to the issuance of the Certificate of Occupancy of the development project, for the removal of any tree in the existing or proposed public right-of-way. The Bureau of Street Services, Urban Forestry Division is the lead agency for obtaining Board of Public Works approval for the removal of such trees.
- e. Removal of street trees is required in conjunction with the street widening for this project.
- f. Notes: Street lighting and street light relocation will be required satisfactory to the Bureau of Street Lighting (213) 847-1551.
- g. Department of Transportation may have additional requirements offsite for dedication and improvements.
- h. Relocate traffic signs and equipment to the satisfaction of the Department of Transportation (213) 972-8485.
- i. Refer to the Department of Water and Power regarding power poles (213) 367-2715.

- j. Refer to the Fire Department regarding fire hydrants (213) 482-6543.
2. Roof drainage and surface run-off from the property shall be collected and treated at the site and drained to the streets through drain pipes constructed under the sidewalk and through curb drains or connections to the catch basins.
3. Sewers exist in Owensmouth Avenue. Extension of the 6-inch house connection laterals to the new property line may be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
4. An investigation by the Bureau of Engineering Valley District Office Sewer Counter may be necessary to determine the capacity of the existing public sewers to accommodate the proposed development. Submit a request to the Valley District Office of the Bureau of Engineering (818) 374-5090.
5. Submit shoring and lateral support plans to the Bureau of Engineering Excavation Counter for review and approval prior to excavating adjacent to the right-of-way (213) 482-7048.
6. Submit a parking area and driveway plan to the Valley District Office of the Bureau of Engineering and the Department of Transportation for review and approval.
7. Prior to highway dedication clearance and the issuance of a clearance memo to the Department of City Planning, all engineering fees pertaining to Ordinance 171,052 adopted by the Los Angeles City Council must be paid in full at the Bureau of Engineering Land Development Group office.

FINDINGS

A. General Plan/Charter Findings

1. **General Plan Land Use Designation.** The subject property is located within the Canoga Park – Winnetka – Woodland Hills – West Hills Community Plan, last updated and adopted by the City Council on August 17, 1999. The existing Plan designates the subject lot as General Commercial, which corresponds to the C1.5, C2, C4, RAS3, and RAS4 zones. The proposed zone change to RAS4-1VL-RIO 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.

2. **General Plan Text.** The proposed project within the recommended zone change to RAS4-1VL-RIO conforms to the following goals, objectives and policy of the Canoga Park – Winnetka – Woodland Hills – West Hills Community Plan:

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.

Objective1-1: 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.

Program: 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 physical appearance of communities.

Program: Design Guidelines and Standards for residential development are included in the Urban Design Chapter of the Community Plan.

Objective 1-3: Preserve and enhance the character and integrity of existing single and multi-family neighborhoods.

Policy 1-3.1 Seek a high degree of 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 Approval of proposals to change residential density in any neighborhood shall be based, in part, on consideration of factors such as neighborhood character and identity, compatibility of land

uses, impact on livability, adequacy of services and public facilities, and traffic impacts.

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

The proposed RAS4 Zone is identified as a corresponding zone of the existing land use designation, whereas the current R1 zoning of the site is not. 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 implementing the assigned community plan land use designation. The site is located within an area already established with multi-family developments. The proposed RAS4 zone and new 12-unit apartment building would be compatible with the existing neighborhood land use and character.

The project has also been conditioned to improve the surrounding public right-of-way, which will serve to enhance the roadway, sidewalk, street trees and street lighting along the site, and provide for better connectivity within the neighborhood. Significant traffic impacts are not expected from the project. Therefore, the project is not expected to cause any adverse impacts on livability, services and public facilities, or traffic levels.

Framework Element. The Framework Element of the General Plan 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. It 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 current request:

HOUSING

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

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.

Objective 4.3: Conserve scale and character of residential neighborhoods.

The project site is currently developed with one residential unit and the proposed project will provide an infill development that will create additional housing opportunities in a neighborhood already established with multi-family housing. Therefore, as conditioned, the project meets the objectives of the Community Plan, is permitted in the RAS4 Zone, and is consistent with the general plan land use designation.

3. The **Transportation Element** of the General Plan may be affected by the approval of APCSV-2012-3587-ZC. Owensmouth Avenue, which bounds the site to the west is designated a Collector Street under the Mobility Plan. The Bureau of Engineering is not requesting any dedications. Improvements will be completed to the satisfaction of the Bureau of Engineering, which will assure compliance with this Element of the General Plan.

The Department of Transportation has reviewed the project and determined that the project does not require a traffic study and will have less than significant impacts on existing infrastructure and various modes of transportation.

4. The **Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. Requirements for construction of sewer facilities to serve the subject project and complete the sewer system for the health and safety of City inhabitants will assure compliance with proposed project within the recommended zone change to RAS4-1VL-RIO conforms to the following goals, objectives and policy of the Canoga Park – Winnetka – Woodland Hills – West Hills Community Plan:

B. **Entitlement Findings**

Zone Change, Sec. 12.32-F of the LAMC: The recommended zone change is consistent with the General Plan and in conformance with the public necessity, convenience, general welfare or good zoning practice in that:

The (T)(Q)RAS4-1VL-RIO zone is consistent with the General Commercial land use designation, which allows for a corresponding zone of RAS4. The project is also convenient in location to several major streets, such as Topanga Canyon Boulevard and Sherman Way, 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.

Properties in the immediate neighborhood primarily consist of multiple residential buildings and commercial land uses. Including the subject property, there are seven (7) R1-zoned parcels on the subject block. Two (2) of those parcels are developed with the Catholic Charities Guadalupe Community Center, four (4) are improved with single-family homes, and one (1) is vacant. The rest of the subject block is zoned with a combination of commercial, parking, and multi-family residential zoned lots, many of which have been established through earlier zone change actions. The proposed zone change would be consistent with a trend in the immediate surrounding neighborhood to establish zoning consistent with the existing General Commercial land use designation. For the reasons stated above, the requested zone change would permit a development which, as conditioned, is consistent with the General Plan land use designation, meets the objectives of the Community Plan, and is consistent with previously-granted zone changes in the immediate surrounding neighborhood as part of the area's transition to higher density and commercial land uses.

The action, as recommended, has been made contingent upon compliance with the "(T)" and "(Q)" conditions imposed herein. Specific conditions have been added to address neighborhood concerns about design, privacy impacts, and tree removal. Such limitations are necessary to protect the best interests of, and to assure a development 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.** A Mitigated Negative Declaration (ENV-2012-3586-MND) was prepared for the proposed project. 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 and Mitigation Monitoring Program reflect the lead agency's

independent judgment and analysis, and attached as Exhibit C to this staff report. The records upon which this decision is based are with the Project Planning Section of the Planning Department in Room 430, 6262 Van Nuys Boulevard.