

# FINDINGS

## General Plan/Charter Findings

### 1. General Plan Land Use Designation.

The project site is located within the Van Nuys – North Sherman Oaks Community Plan, which was adopted by the City Council on September 9, 1998. The project site is a rectangular shaped site, comprised of eight record lots and includes the proposed merger of 5,760 square feet of an improved alley and 10,348 square feet of the improved public right-of-way (Aqueduct Avenue). With the proposed mergers, the project site would have approximately 78,506 square feet of lot area.

The Community Plan designates the site with a land use designation of Commercial Manufacturing, with the CM Zone listed as the corresponding zone. The project site is presently zoned R1-1 and the applicant has requested a vesting zone change to CM-1. The recommended zone change to (T)(Q)CM-1 for the project site would be consistent with the land use designation of the project site and would be in substantial conformance with the purpose, intent, and provisions of the General Plan as it is reflected within the Van Nuys – North Sherman Oaks Community Plan.

### 2. General Plan Text. The Van Nuys – North Sherman Oaks Community Plan text includes the following relevant provision:

GOAL 3: Sufficient land for a variety of industrial uses with maximum employment opportunities for the community's workforce which are safe for the environment and which have minimal adverse impact on adjacent residential uses.

Objective 3-1: To provide for existing and future industrial uses which contribute job opportunities for residents and which minimize environmental and visual impacts to the community.

Policy 3-1.1: Designate lands for the continuation of existing industry and development of new industrial parks, research and development uses, light manufacturing, and similar uses which provide employment opportunities.

The project site is located on the southern side of Stagg Street, and is bounded by the Haskell Avenue to the west and Aqueduct Avenue to the east, with the 405 Freeway located on the eastern side of Aqueduct Avenue. The project site and surrounding properties on the southern side of Stagg Street have a land use designation of Commercial Manufacturing. With the exception of the project site and one parcel located on the western side of Haskell Avenue, which is zoned RA-1, the surrounding properties are zoned CM-1 and are developed with light manufacturing uses. Properties located on the northern side of Stagg Street have a land use designation of Light Manufacturing, are zoned M2-1, and are developed with manufacturing uses. There are properties which are located within the vicinity that are zoned M1-1.

The project site is currently zoned R1-1 and is developed with five single-family dwellings and two surface parking lots which serve another manufacturing use in the area. The recommended zone change to (T)(Q)CM-1 would be consistent with the land use designation, as designated by the Community Plan, and would be consistent with the existing zoning in the area. In conjunction with related Case No. AA-2016-4682-PMLA, the project proposes to merge the eight parcels with the existing alley and adjacent public right-

of-way (Aqueduct Avenue) and to resubdivide the project site into two parcels. One parcel is proposed to be developed with a light manufacturing building and the second parcel will be developed with a surface parking lot. The surface parking lot is proposed to serve the same manufacturing use which the existing surface parking lots serve. As recommended the vesting zone change to (T)(Q)CM-1 would allow for the development of a light manufacturing use in an area designated for industrial and manufacturing uses, and would be consistent with the aforementioned goals, objectives and policies.

3. **Framework Element.** The Framework Element for the General Plan (Framework Element) 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. The Framework Element 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 instant request:

GOAL 3J: Industrial growth that provides job opportunities for the City's residents and maintains the City's fiscal viability.

Objective 3.14: Provide land and supporting services for the retention of existing and attraction of new industries.

Policy 3.14.1: Accommodate the development of industrial uses in areas designated as "Industrial-Light," "Industrial-Heavy," and "Industrial-Transit"...

The project proposes to consolidate eight parcels, as well as the merger of an alley and public right-of-way (Aqueduct Avenue) and to resubdivide the site into two larger parcels. On proposed Parcel A, the project proposes to construct a new 45,900 square-foot light manufacturing building and on proposed Parcel B, the project proposes to develop the a surface parking which will serve an existing manufacturing business in the area. The project site is currently zoned R1-1, which would not permit the proposed uses. The existing surface parking lots were permitted in the R1 Zone through the approval of a Conditional Use, which would no longer be required in the recommended (T)(Q)CM-1 Zone. The Community Plan designated the project site and surrounding properties to the south of Stagg Street for Commercial Manufacturing uses. Properties to the north have a land use designation of Light Manufacturing and are zoned M2-1. The recommended zone change to (T)(Q)CM-1 would zone the project site to be consistent with the land use designation and surrounding areas. The recommended zone change would allow for the development of the underdeveloped site with a 45,900 square-foot light manufacturing building, which would provide additional job opportunities within an established manufacturing area, consistent with the goals, objectives, and policies of the Framework Element.

4. **Housing Element.** The Housing Element of the General Plan is not likely to be affected by the recommended action herein. The project site is zoned R1-1 and is developed with five single-family dwellings; however, the project site has been designated by the Van Nuys – North Sherman Oaks Community Plan for Commercial Manufacturing land uses. Surrounding properties, south of Stagg Street, are similarly designated and are generally zoned CM-1 and are developed with light manufacturing uses. Properties to the north have a land use designation of Light Manufacturing, are zoned M2-1, and are developed with manufacturing uses. The recommended zone change to (T)(Q)CM-1 would be consistent with the land use designation from the Community Plan.

5. **The Mobility Element.** The Mobility Element (Mobility Plan 2035) of the General Plan is not likely to be affected by the recommended action herein. The project proposes to merge 5,780 square feet of an alley, 10,348 square feet of public right-of-way (Aqueduct Avenue) with eight parcels and to resubdivide the site into two parcels. Aqueduct Avenue is a local street which, along with the alley, terminate at the southern boundary of the project site and does not provide access to the adjacent properties. The merger of the Aqueduct Avenue and the alley would not affect access to the surrounding properties. As proposed, the two parcels will have frontage and access along Stagg Street and Haskell Avenue and would be required to comply with dedication, improvement, and merger requirements along Stagg Street, Haskell Avenue, Aqueduct Avenue, and the alley, which are otherwise consistent with the Mobility Element. The project would be required to comply with the requirements of the Bureau of Engineering, Department of Transportation, and the Bureau of Street Lighting.
6. **The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

### Entitlement Findings

#### 7. **Vesting Zone Change Findings.**

- a. Pursuant to Section 12.32-C and Q of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

Public Necessity, Convenience, and General Welfare. The project site is located within the Van Nuys – North Sherman Oaks Community Plan, to the west of the San Diego (405) Freeway, and north of Saticoy Street. The area has been designated by the Community Plan for Commercial and Light Manufacturing land uses and is generally zoned either CM-1, M1-1, or M2-1. While the project site has a land use designation of Commercial Manufacturing, it is currently zoned R1-1 and is developed with five single-family dwellings and two surface parking lots. The recommended zone change to CM-1 would be consistent with the existing land use designation and would permit the development of the site with a 45,900 square-foot light manufacturing building and a surface parking lot. The applicant, Orly International, currently operates within an existing building located at 7710 North Haskell Avenue and the proposed building would be an a secondary site to the existing building. The proposed surface parking lot would continue the operations of the existing surface parking lot and would serve to provide parking for an existing manufacturing building located at 7850 North Haskell Avenue. In conjunction with the recommended zone change, the merger and reconfiguration of the project site would allow for the new Orly International facility to operate in conjunction with the existing facility, while continuing to provide the necessary parking for surrounding uses within the same general location. As recommended the zone change would be consistent with the public necessity, convenience and general welfare of the surrounding community.

Good Zoning Practice.

The project site as a land use designation of Commercial Manufacturing, but is currently zoned R1-1. The R1 Zone is a low density, single-family zone which would not permit the development of the proposed use that are permitted in the CM Zone, which is the corresponding zone of the land use designation. As discussed in Finding No. 2, the recommended zone change to (T)(Q)CM-1 would effectuate a zone that is consistent with the land use designation and would allow for the future development of manufacturing uses, including the 45,900 square foot building proposed as part of the project.

The project site is located in an area that is developed primarily with manufacturing uses, and with the merger of Aqueduct Avenue would be located adjacent to the San Diego (405) Freeway. As such, the recommended zone change has been conditioned to permit uses in the CM Zone and to prohibit residential development. The recommended "Q" Condition is necessary to protect the best interest of the future development of the site. The condition would protect the commercial manufacturing designated properties from the encroachment of new residential development and would help to ensure that sufficient land is maintained for commercial and light manufacturing uses.

- b. The current action, as recommended, has been made contingent upon compliance with new "T" and "Q" conditions of approval imposed herein for the proposed project. The "T" Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public's needs, convenience, and general welfare served by the actions required. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site. The "Q" conditions that limits the scale and scope of future development on the site are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of development in the community, 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.

## **8. Building Line Removal Findings.**

- a. Pursuant to Section 12.32-R of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

The requested building line removal is in conformance with the public necessity, convenience, general welfare and good zoning practice in that its retention on the subject property is no longer necessary for the purpose of reserving a portion of the property for future dedication and improvement. In addition, building lines are no longer utilized as a mechanism to establish a minimum, uniform alignment and setback along the street.

Ordinance 102,413, effective in 1953, established a 25-foot building line along the eastern portion of Haskell Avenue. The building line has largely been removed for those properties which were rezoned to the CM Zone and developed as commercial manufacturing uses along Haskell Avenue. The building line remains on the subject property and a limited number of properties along Haskell Avenue which have not been rezoned or developed with manufacturing uses. Removal of the building line would bring the subject site to current planning practices and allow the property to be developed in a consistent manner with the surrounding properties which are zoned CM-1.

- b. The building line removal or change is in connection with a proposed zone change and is necessary to give proper effect to the zoning proposed in the proceeding; or to provide for the systematic execution of the General Plan; or to obtain a minimum uniform alignment from the street at which buildings, structures or improvements may be built or maintained; or to preserve the commonly accepted characteristics of residential districts; or to protect and implement the "Mobility Element of the General Plan"; or to provide sufficient open spaces for public and private transportation; to facilitate adequate street improvements; or to prevent the spread of major fires and to facilitate the fighting of fires; or to promote the public peace, health, safety, comfort, convenience, interest and general welfare.

In 1953, Ordinance 102,413 established a 25-foot building line along Haskell Avenue. At that time, building lines were utilized as a mechanism to establish a minimum, uniform alignment and setback along the street. Additionally, it insured adequate area was reserved for the future dedication and improvement of the public right-of-way for compliance with the General Plan. With the adoption of specific yard requirements for each zone, the 25-foot building line would exceed the yard requirements of the existing R1 zone and the requested CM Zone, which does not require yard setbacks for commercial or manufacturing uses. The Mobility Element of the General Plan requires a one-foot future dedication and improvements along Haskell Avenue. The recommended zone change has been conditioned to require the dedication and improvements in conjunction with the zone change and incidental parcel map. As conditioned, the removal of the building line in conjunction with the zone change would be consistent with the Mobility Element. The removal of the building line would permit the proposed project to observe up to a zero-foot yard setback for commercial or manufacturing buildings, consistent with the surrounding development in the area. Therefore, the building line removal in connection with a proposed zone change is necessary to give proper effect to the proposed zoning and execution of the General Plan.

### **Environmental Findings**

9. **Environmental Finding.** The Department of City Planning, on April 12, 2017, issued ENV-2016-4683-CE, and determined that based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15315 (Class 15) and Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
10. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.