DEPARTMENT OF CITY PLANNING
RECOMMENDATION REPORT

Los Angeles City Planning Commission

Date: Thursday, September 10, 2009
Time: After 8:30 a.m.
Place: Marvin Braude San Fernando Valley Constituent Service Center
6262 Van Nuys Boulevard, 2nd Floor
Van Nuys, CA 91401

Public Hearing: June 19, 2009
Appeal Status: Zone Change appealable by applicant to City Council if disapproved in whole or part.
Expiration Date: 11/25/09

Case No.: CPC-2008-3418-GPA-ZC
CEQA No.: ENV-2008-2642-MND
Council No.: 7
Plan Area: Mission Hills-Panorama City-North Hills
Specific Plan: N/A
Certified NC: Panorama City
GPLU: Low Medium II Residential
Zone: RA-1
Applicant: Willis Avenue Apartments, L.P.
Representative: Rosenheim & Associates, INC.

PROJECT LOCATION: 8904 N. Willis Avenue

PROPOSED PROJECT: Demolition of an existing single-family dwelling for the construction of a Very-Low-Income Senior Citizen Housing Apartment building consisting of 42 units (31 units permitted by the proposed R3-1 Zone and 11 density bonus units permitted by California Government Code Section 65915(g)(1)), three-stories, with a maximum height of 40 feet, approximately 36,271 square-feet. The project will provide 21 subterranean parking spaces on an approximate 25,581 square-foot lot.

REQUESTED ACTION:

1. Pursuant to Section 11.5.6 of the Municipal Code, a General Plan Amendment (Periodic Plan Review for Window 177, Geographic Area 1) to the Mission Hills-Panorama City-North Hills Community Plan from Low Medium II Density Residential to Medium Density Residential land use; and

2. Pursuant to Section 12.32 of the Municipal Code, a Zone Change from RA-1 (Suburban Zone) to (T)(Q)R3-1 (Multiple Dwelling Zone).

3. Pursuant to Section 21082.19(c)(3) of the California Public Resources Code Adoption of the proposed Mitigated Negative Declaration and associated Findings.

RECOMMENDED ACTIONS:

1. Approve and Recommend that the City Council Adopt the requested General Plan Amendment to the Mission Hills-Panorama City-North Hills Community Plan from Low Medium II Density Residential to Medium Density Residential.

2. Approve and Recommend that the City Council adopt a Zone Change from RA-1 to (T)(Q)R3-1, subject to the attached Conditions of Approval.


4. Adopt the attached Findings.
5. Advise the applicant that, pursuant to State fish and Game Code Section 711.4, a Fish and Game Fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

S. GAIL GOLDBERG, AICP
Director of Planning

Daniel Scott, Principal City Planner, Lynda J. Smith, Hearing Officer
Telephone: (213) 978-1170
# TABLE OF CONTENTS

**Project Analysis** ........................................................................................................................................ A-1
  
  Project Summary  
  Background  
  Issues  
  Conclusion  

**(Q) Qualified Conditions of Approval** ............................................................................................. Q-1  

**(T) Conditions** ................................................................................................................................. T-1  

**Conditions of Approval** ..................................................................................................................... C-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 – Plan Map (Existing)  
  A4 – Plan Map (Proposed)  
  A5 – Zone Map  

B - Plans  
  B1 – Site Plan  
  B2 – Floor Plan  
  B3 – Parking Plan  
  B4 – Elevations  
  B5 – Landscape Plan  

C – Environmental Clearance, ENV-2008-2642-MND  

D – Photos
PROJECT ANALYSIS

Project Summary
Demolition of an existing single-family dwelling for the construction of a Very-Low-Income Senior Citizen Housing Apartment building consisting of 42 units (31 units permitted by the proposed R3-1 Zone and 11 density bonus units permitted by California Government Code Section 65915(g)(1)), three-stories, with a maximum height of 40 feet, approximately 36,271 square-feet. The project will provide 21 subterranean parking spaces on an approximate 25,581 square-foot lot.

Background
The proposed project is being developed by Willis Avenue Apartments, LP and will be managed by the non-profit organization, A Community of Friends. The proposed use will be a multiple family housing development for very-low income formerly homeless and disabled seniors. The development will include a community room, laundry facility, fitness center and offices. A on-site manager is also proposed.

The subject request is a Zone Change from RA-1 to (T)(Q)R3-1 and General Plan Amendment from Low Medium II Residential to Medium Density Residential. The proposed entitlements will permit development of the site in a manner that is both consistent and compatible with the existing pattern of development in the immediate area.

The subject site is approximately 25,581 square feet in size and at the proposed (T)(Q)R3-1 density would permit development of 31 by-right dwelling units. The Applicant is developing a one hundred percent Very Low Income housing project and is therefore eligible for a by right Density Bonus of up to 35%. No Density Bonus is being requested as part of the subject entitlement request but will be completed pursuant to LAMC requirements under a separate entitlement process.

Surrounding Land Use
The subject site is currently zoned RA-1 and is located at the corner of Rayen Street and Willis Avenue. It contains a vacant single family dwelling. The surrounding land uses include multiple-family residential uses zoned RD1.5-1, RD and RD3-1. Other land uses include a proposed LAUSD facility and a church, both zoned RA-1. The prevailing General Plan Land Use designations in the area are Very Low Density, Low Medium II Density and Medium Density Residential. The Sepulveda Recreation Center is located to the southwest of the subject site.

Rayen Street is a designated collector and is improved to a width of 60 feet, with curb and gutter. Willis Avenue is a designated Local street, improved to a width of 60 feet.

Issues
The project was before the Panorama City Neighborhood Council on November 20, 2008 and was approved by this board through a vote of 2-0. Correspondence received from the Neighborhood Council indicated some doubt with the proposal, but it was approved and supported. The local Council Member also supports the subject project and the requested entitlements.
Staff has recommended conditioning the project use to a very low income senior housing development to support the neighborhood’s desire to have the project built, as submitted, for the use of formerly homeless and disabled senior citizens. Any change to the proposed use will require approval from the City of Los Angeles Department of City Planning and Building and Safety and could be subject to public hearing if deemed so by the Director of City Planning.

**Conclusion**

Staff is recommending approval, as conditioned, of the subject entitlement requests and the proposed project.
(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. Entitlement Conditions.

1. The development of the subject property shall comply with all area, use and height provisions of the (T)(Q)R3-1 Zone, except as conditioned herein.

2. Use. The development of the subject property shall be limited to construction of a Very Low Income Senior Citizen Housing development.

3. Site Plan. Prior to the issuance of any building permit, detailed development plans, including a complete landscape and irrigation plan and a parking area and driveway plan, shall be submitted to the Planning Department for review and sign-off clearance. These plans shall be in substantial conformance with the plot plan, elevations and landscape plans dated August 27, 2009, attached to the administrative file. The plans shall comply with applicable provisions of the Municipal Code, the subject conditions herein and the intent of the subject permit authorization.

4. Parking. Parking shall be provided pursuant to section 12.21 A. The number of spaces provided, their location and access shall be in substantial conformance with the site plan marked Exhibit B-1 and attached to the administrative file. The following shall also apply:

   a. Tandem parking may be used only for the spaces which are assigned and designated for a single residential unit.

   b. If guest parking is provided, guest parking sign(s) shall be clearly posted at building entrance(s). The sign(s) shall be in large, easy to read lettering and shall indicate the general location of guest parking. Sign wording shall be to the satisfaction of the Planning Department and shall indicate the number of reserved guest parking spaces.

   c. If any guest parking is located behind security gates, the following shall be apply:

      1) A remote electronic gate opening system shall be installed so that the security gate can be opened from each residential unit served by the secured guest parking.

      2) An electronic intercommunication system shall be installed. The system shall be readily accessible to the drivers of guest vehicles and to the units served by the secured guest parking.

      3) The security gate shall be set back from the public right-of-way so as to provide a waiting area for guest vehicles and to prohibit blockage or interference with the public right-of-way by waiting guest vehicles.

5. Height. The height of all buildings and structures on the subject property shall not exceed 40 feet, as defined by Sections 12.03 and 12.21.1 B 3(a) and (b) of the Los Angeles Municipal Code. Any structures on the roof, such as air conditioning units and other equipment, shall be fully screened from view of any abutting residential properties.
6. **Reserved Affordable Units.** 100% of all project units shall be maintained as “Affordable”, as defined by the State of California and/or the Los Angeles City Housing Department guidelines. Additionally:

   a. Prior to the issuance of any building permits, the applicant shall provide the Planning Department proof of recordation of a covenant and agreement, satisfactory to the Housing Department, assuring compliance with relevant performance standards and criteria; and, tenant affordability, eligibility and monitoring requirements. The dwelling units to be constructed on the subject property shall be reserved for at least 30 years, from the issuance of a Certificate of Occupancy, as Very Low Income, as defined by the State of California and/or Los Angeles City Housing Department guidelines.

   b. Prior to the issuance of a Certificate of Occupancy, the applicant shall obtain final clearance from the Housing Department that all conditions of the covenant and agreement per paragraph (a) above have been met. A copy of the final clearance shall be provided to the Planning Department for attachment to the subject City Plan Case file.

B. **Environmental Conditions.**

7. **Aesthetics (Landscaping).** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.

8. **Aesthetics (Graffiti).** Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.

9. **Aesthetics (Light).** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

10. **Tree Removal (Locally Protected Species).** A minimum of two trees (a minimum of 48 inch box in size if available) shall be planted for each one that is removed. The canopy of the oak trees planted shall be in proportion to the canopies of the oak trees removed per Ordinance No. 153,478, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the decision maker. **Note:** All protected tree removals shall be approved by the Board of Public Works. Contact: Urban Forestry Division at: 213-485-5675.

11. **Tree Removal (Non-Protected Trees).** Prior to the issuance of a grading permit or building permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the decision maker and the Urban Forestry Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.
• The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the decision maker.

12. **Seismic.** The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

13. **Erosion/Grading/Short-Term Construction Impacts**

Environmental impacts may result from the visual alteration of natural landforms due to grading. However, this impact will be mitigated to a level of insignificance by designing the grading plan to conform the City's Landform Grading Manual guidelines, subject to approval by the Advisory Agency and the Department of Building and Safety's Grading Division.

Short-term air quality, grading and noise impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a level of insignificance by the following measures:

**Air Quality**

- All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

**Noise**

- The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- 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.
- Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- The project shall comply with the Noise Insulation Standards of Title 24 of the
California Code Regulations, which insure an acceptable interior noise environment.

**Grading**

Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within “Hillside” areas. The application of BMPs includes but is not limited to the following mitigation measures:

- Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
- Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.
- Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

**General Construction**

Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.

- All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.
- 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.
- Shall not hose down pavement at material spills. Dry cleanup methods shall be used whenever possible.
- Dumpsters shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets.
- 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.

14. **Explosion/Release (Asbestos Containing Materials).** Prior to the issuance of any demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM 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 state and federal rules and regulations.
15. **(10+ Home Subdivision/Multi Family).** Environmental impacts may result from the development of this project. However, the potential impacts will be mitigated to a level of insignificance by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: http://www.swrcb.ca.gov/rwqcb4/).

- Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
- Paint messages that prohibit the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Dept. of Public Works, Stormwater Management Division.
- All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
- Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on
the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

16. **General Plan Designation/Zoning.** The applicant shall comply with mitigation measures required by this mitigated negative declaration (MND).

17. **Increased Noise Levels (Parking Structure Ramps).** Environmental impacts may result from project implementation due to noise from cars using the parking ramp. However, the potential impacts will be mitigated to a level of insignificance by the following measures:

- Concrete, not metal, shall be used for construction of parking ramps.
- The interior ramps shall be textured to prevent tire squeal at turning areas.
- Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.

18. **Severe Noise Levels (Aircraft Noise - Residential).** All exterior windows shall be constructed with double-pane glass. Before the granting of a building permit, an acoustical engineer shall specify the CNEL contour within which the building will be located and, based on such CNEL contours, the measures necessary to achieve an interior noise level which will not exceed 45 dBA in any habitable room.

19. **Public Services (Police General).** 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's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, (213)485-3134). These measures shall be approved by the Police Department prior to the issuance of building permits.

20. **Recreation (Increase Demand For Parks Or Recreational Facilities).** Per Section 17.12-A of the LA Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

21. **Haul Routes.** Projects involving the import/export of 1,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

22. **Utilities (Solid Waste).**

- 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.
To facilitate onsite separation and recycling of demolition and construction-related wastes, the contractor(s) shall provide temporary waste separation bins onsite during demolition and construction. These bins shall be emptied and recycled accordingly as a part of the project’s regular solid waste disposal program.

23. Utilities (Local or Regional Water Supplies). 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). If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.

- 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. Rebate may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.
- Except otherwise required, all commercial restroom faucets shall be of a self-closing design, to the satisfaction of the Department of Building and Safety.
- For all new residential construction, unless otherwise required, and to the satisfaction of the Department of Building and Safety, the applicant shall:
  - Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s).
  - Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
  - 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. Rebates may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.
  - 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.
  - In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
    - Weather-based irrigation controller with rain shutoff;
    - Matched precipitation (flow) rates for sprinkler heads;
    - Drip/microspray/subsurface irrigation where appropriate;
    - Minimum irrigation system distribution uniformity of 75 percent;
    - Proper hydro-zoning, turf minimization and use of native/drought tolerant plant materials;
    - Use of landscape contouring to minimize precipitation runoff.

D. Administrative Conditions.

24. 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.
25. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.

26. **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 assigns. The agreement shall 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.

27. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.

28. **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.

29. **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 the Department of Building and Safety.

30. **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, design 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.

31. **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 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.
CONDITIONS FOR EFFECTUATING (T)
TENTATIVE CLASSIFICATION REMOVAL

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

1. **Dedication(s) and Improvements:** Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional, and Federal government agencies, as may be necessary).

   A. **Dedications Required:**

   **Rayen Street (Collector Street)** – A 2-foot wide strip of land along the property frontage to complete a 32-foot half right-of-way in accordance with Collector Street standards, including a 15-foot radius property line return at the intersection with Willis Avenue.

   **Willis Avenue (Local Street)** – None.

   B. **Improvements Required:**

   **Rayen Street** - Construct additional surfacing to join the existing improvements to provide a 22-foot wide half roadway in accordance with Collector Street standards, including asphalt pavement, integral concrete curb, 2-foot gutter and a 5-foot concrete sidewalk adjacent to the property line together with suitable transitions to join the existing improvements. Construct access ramp at the intersection with Willis Avenue to comply with ADA requirements.

   **Willis Avenue** – Construct additional surfacing to join the existing improvements to provide a 20-foot wide half roadway in accordance with Local Street standards, including asphalt pavement, integral concrete curb, 2-foot gutter and a 10-foot full width concrete sidewalk together with suitable transitions to join the existing improvements.

2. **Responsibilities/Guarantees.**

   As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.

   Prior to issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency’s consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.
3. **Street Lighting.** Street lighting and street light relocation may be required satisfactory to the Bureau of Street Lighting (213)847-1549.

4. **Street Trees.** Install tree wells with root barriers and plant street trees to the satisfaction of the City Engineer and the Urban Forestry Division of the Bureau of Street Services. Some tree removal in conjunction with the street improvements may require Board of Public Works approval. The private engineer should contact the Urban Forestry Division for further information (213) 847-3077.

Trees: 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 area associated with the improvements requirements outlined herein. The Bureau of Street Services, Urban Forestry division, is the lead agency for obtaining Board of Public Works approval for removal of such trees.

Removal of street trees is required in conjunction with the street widening for this project.

5. **Sewers.** No major drainage problems are involved. Sewer lines exist in Willis Avenue. Extension of the 6-inch house connection lateral to the new property line will be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.

6. **Parking/Driveway Plan.** Prior to the issuance of any building permit, the applicant shall submit a parking and driveway plan to the Bureau of Engineering and Department of Transportation, Valley District Office, for review and approval.

7. The requirements 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:

   a. Fire lanes, where required, shall be a **minimum** of 20-feet in width;

   b. All structures shall be within 300-feet of an approved fire hydrant;

   c. 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.

8. **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(s), secured parking facilities, wall/fences with key systems, well illuminated pubic and semi-public space designed with a minimum of dead space to eliminate areas of concealment. Please refer to design Out Crime Guidelines: Crime Prevention Through Environmental design published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, (213) 485-3134. these measures shall be approved by the Police Department prior to the issuance of building permits.

9. The applicant shall make any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City right-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05 N, to the satisfaction of the Information Technology Agency (ITA).
10. Applicant shall make payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

11. Per Section 17. 12-A of the Los Angeles Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

12. Covenant: Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.

Note: The Department of Transportation may have additional requirements for the dedication and improvements.

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

1. **General Plan/Charter Findings.**

   The subject property is located within the Mission Hills-Panorama City-North Hills Community Plan, which was adopted by the City Council on June 9, 1999 (Case No. 95-0353-CPU). The Plan map designates the subject property as Low Medium II Density Residential, with corresponding zone(s) of RD1.5, RD2, RW2 and RZ2.5.

2. **Entitlement Findings.**

   **General Plan Text.** The Mission Hills-Panorama City-North Hills Community Plan text contains the following relevant land use objectives, policies and programs:

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

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

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

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

   **Policy 1-1.3.** Protect existing stable single family and low density residential neighborhoods from encroachment by higher density residential and other incompatible uses.

   **Program:** The Plan Map identifies lands where only single family residential development is permitted; it protects these areas from encroachment by designating, where appropriate, transitional residential densities which serve as buffers (Transitional Height Ordinance); and reflects plan amendments and corresponding zone changes which are directed at minimizing incompatible uses.

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

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

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

The proposed project meets the above Goals, Policies, Objectives and Programs of the Community Plan through the provision of Affordable Housing and through substantial conformance with the Los Angeles Municipal Code.
3. **City Charter Sections 556 and 558.** The recommended General Plan Amendment from Low Medium II Residential to Medium Density Residential complies with Charter Sections 556 and 558 in that the recommended amendment reflects the land use patterns and trends in the immediate area and furthers the intent, purposes and objectives of the Mission Hills-Panorama City-North Hills Community Plan. The Plan Amendment to Medium Density Residential is consistent with the General Plan Framework's Objective 4.1 to "Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population to the year 2010."

4. **Zone Change Findings.**

   a. **Pursuant to Section 12.32 C 7 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 zone change from RA-1 to (T)(Q)R3-1 is consistent with the requested General Plan Designation of Medium Density Residential and is within the range of corresponding zone(s) (which include R3) permitted by such.

   The recommended Zone Change from RA-1 to (T)(Q)R3-1 will permit a development which complements the existing zoning and development pattern already established on adjacent properties surrounding the subject site. Adjacent land uses include Low Medium II Residential and Medium Density Residential Plan Designations. The prevailing zoning pattern in the immediate area includes RA-1, RD1.5-1 and R3-1 zoned properties. The proposed project of 42 affordable income dwelling units (31 by right and 11 density bonus units), has been conditioned to meet all lot, area and height requirements of the recommended (T)(Q)R3-1 zone. The recommended Zone Change and General Plan Amendment are consistent with public necessity, general welfare and good zoning practice, and are in keeping with Objectives, Policies and Programs established by the Mission Hills-Panorama City-North Hills Community Plan.

   The existing pattern of development within the immediate area is characterized by multiple family residential uses. The majority of these dwelling units are designated as condominium uses. The proposed project will provide much needed affordable housing within the area and will not constitute the introduction of a more intense land use. The proposed zone and project are consistent and compatible with the zoning and development which currently exists in the area.

   The Mission Hills-Panorama City-North Hills Community Plan contains Objectives and Policies which promote and ensure the provision of adequate housing for all persons regardless of income, age or ethnic background, and promote greater individual choice in type, quality, price and location of housing. The Community Plan further promotes greater individual choice through its allocation of lands for a variety of residential densities.
b. The action, as recommended, has been made contingent upon compliance with the “T” and “Q” conditions imposed herein. 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.

The Mission Hills-Panorama City-North Hills Community Plan Community Plan has been designed to accommodate the anticipated growth of the Community to the year 2010. The Plan does not seek to promote or hinder growth; rather it accepts that growth will occur and must be planned for accordingly.

The Transportation Element of the General Plan will be affected by the recommended action herein. However, any necessary dedication and/or improvement of Rayen Street will assure compliance with this Element of the General Plan and with the City’s street improvement standards pursuant to Municipal Code Section 17.05.

The Sewerage Facilities Element of the General Plan will be affected by the recommended action. However, requirements for construction of sewer facilities to serve the subject project and complete the City sewer system for the health and safety of City inhabitants will assure compliance with the goals of this General Plan Element.

**CEQA Findings**

A Mitigated Negative Declaration (ENV-2008-2642-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 reflects the lead agency’s independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street. I hereby adopt that the Mitigated Negative Declaration, imposed the conditions shown in that document on this approval.
PUBLIC HEARING AND COMMUNICATIONS

The public hearing for this matter was held Friday June 19, 2009 at the Marvin Braude San Fernando Valley Constituent Service Center hearing room. There were approximately 8 persons in attendance. A presentation was given by the project representative and architect indicating the following:

Public Comments:

- Parcel is a corner lot;
- Frontages occur on Rayen Street and Willis Avenue;
- The lot size is approximately 25,000 square feet;
- Existing single family dwelling is vacant;
- Area contains multiple family uses and condominiums;
- Project will be new construction at maximum 40 feet in height;
- 42 dwelling units are proposed;
- Units will be Very Low Income Senior housing;
- Parking will be provided pursuant to the LAMC requirements;
- Project is compatible with surrounding development;
- Proposed housing for seniors who are independent but may need assistance;
- Applicant runs approximately 30 such facilities with locations throughout southern California;
- One level of subterranean parking is proposed;
- Project will have recreation and laundry facilities;
- A case manager will live on-site;
- Open space/garden amenity is proposed.

The applicant’s representative also submitted a letter from the Panorama City Neighborhood Council dated Thursday November 20, 2008, which indicated support for the proposed project. A representative of the local Council Office was present and indicated support for the project and that there had not been any opposition to the project and request submitted to their office.