



Los Angeles City Planning Commission

200 North Spring Street, Room 532, City Hall, Los Angeles, CA 90012 (213) 978-1300
www.cityofla.org/PLN/index.htm

Date: JAN 31 2006

Council District No. 6

City Council
Room 395, City Hall

Plan Area: Arleta-Pacoima

Location: 9582 Haddon Ave., 12810, 12816
Montague Street and 12661 Branford
Street

CASES: CPC-2004-5919-ZC-ZAA-ZAD-SPR

APPEAL REQUEST: Appeal on part of the City Planning Commission determination.

COMMISSION DETERMINATION:

At its meeting on November 17, 2006, the following action was taken by the City Planning Commission:

Approved and recommended that the City Council adopt a **Zone Change** from RA-1 to (T)(Q)RD5-1and (T)(Q)RD2-1, subject to Conditions of Approval.

Approved Yard and Area Adjustments to permit a (a) a front yard of 12 feet, 8 inches in lieu of the minimum required 15 feet along Haddon Avenue and 15 feet in lieu of the minimum required 20 feet along Branford Street, and a rear yard of 12 feet in lieu of the minimum required 15 feet for the RD2-1 zone portion (Lot 2); (b) a swimming pool which is designed to contain water more than 18 inches in depth to be located within the front yard of the RD5-1 zoned portion (Lot 1) which is otherwise not permitted; and (c) to permit five feet of space between buildings on the RD2-1 zoned portion (Lot 2) in lieu of the minimum required 10 feet of space between buildings.

Approved a Wall/Fence Determination to permit a 6 foot high wall in the required front yards, and a 6 foot high fence located within five feet of the side street lot line of a reverse corner lot in lieu of the maximum 42 inch in height fence permitted. subject to Conditions of Approval.

Approved Site Plan Review findings.

Adopted Mitigated Negative Declaration No. ENV 2004-4890-MND.

Adopted Findings.

APPELLANT: Branford 150
Mark Handel, MWH Development Corporation
Rob Searcy, Rep.

APPLICANT: Same



Gabriele Williams, Commission Executive Assistant II
City Planning Commission

Attachments: (1) Appeal, Determination letter, File

Final date to Appeal: January 24, 2006 for ZAA, ZAD and SPR; January 29, 2006 for ZC

CD 6



LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, CA 90012-4801 (213) 978-1300
www.lacity.org/PLN/index.htm

Determination Mailing Date: JAN 09 2006

Department of Building and Safety
201 N. Figueroa Street
Counter B, Fourth Floor

Applicant: Branford 150, LP

CASE NO. CPC 2004-5919-ZC-ZAA-ZAD-SPR

Location: 9582 Haddon Avenue; 12810, 12816
Montague Street; 12661 Branford Street
Council District: No. 6
Plan Area: Areleta-Pacoima
Neighborhood Council: Pacoima

Request(s): Zone Change; Yard and Area Adjustments;
Wall/Fence Height Determination; Site Plan Review
Findings

At its meeting on November 17, 2005, the following action was taken by the City Planning Commission :

Approved and recommended that the City Council adopt a **Zone Change** from RA-1 to (T)(Q)RD5-1 and (T)(Q)RD2-1, subject to the attached Conditions of Approval.

Approved Yard and Area Adjustments to permit a (a) a front yard of 12 feet, 8 inches in lieu of the minimum required 15 feet along Haddon Avenue and 15 feet in lieu of the minimum required 20 feet along Branford Street, and a rear yard of 12 feet in lieu of the minimum required 15 feet for the RD2-1 zone portion (Lot 2); (b) a swimming pool which is designed to contain water more than 18 inches in depth to be located within the front yard of the RD5-1 zoned portion (Lot 1) which is otherwise not permitted; and (c) to permit five feet of space between buildings on the RD2-1 zoned portion (Lot 2) in lieu of the minimum required 10 feet of space between buildings.

Approved a Wall/Fence Determination to permit a 6 foot high wall in the required front yards, and a 6 foot high fence located within five feet of the side street lot line of a reverse corner lot in lieu of the maximum 42 inch in height fence permitted. subject to the attached Conditions of Approval.

Approved Site Plan Review findings.

Adopted Mitigated Negative Declaration No. ENV 2004-4890-MND.

Adopted the attached Findings.

Recommended that the applicant be advised that time limits for effectuation of a zone in the "T" Tentative or "Q" Qualified classification are specified in Section 12.32.G of the L.A.M.C. Conditions must be satisfied prior to the issuance of building permits and, that the (T) Tentative classification be removed in the manner indicated on the attached page.

Advised the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.

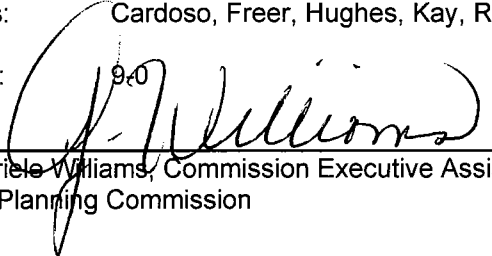
Advised the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Moved: Irlando
Seconded: Kezios
Ayes: Cardoso, Freer, Hughes, Kay, Roschen, Usher, Woo

Vote:

9-0


Gabriele Williams, Commission Executive Assistant II
City Planning Commission

Effective Date / Appeals: The Commission's determination on the Yard and Area Adjustments, Wall/Fence Height Determination and Site Plan Review approval will be final 15 days from the mailing date of this determination unless an appeal is filed to the City Council within that time. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

Zone Change Appeals: If the Commission has disapproved the zone change request, in whole or in part, the applicant may appeal that disapproval to the 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 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Attachments: Findings, Conditions, Ordinance Map

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Los Angeles Municipal Code Section 12.32 G, the (T) Tentative Classification shall be removed by the recordation of a final 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 approvals or guarantees provided to the Planning Department for attachment to the subject City Plan 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. Responsibilities/Guarantees.
 1. 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.
 2. 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.
2. Street Dedication and Improvements: If determined necessary, dedicate and improve all adjacent streets to the satisfaction of the City Engineer.
3. Street Lighting: Installation of street lights to the satisfaction of the Bureau of Street Lighting. If new street light(s) are required, the property within the boundary of the development shall be formed or annexed into a Street Lighting Maintenance Assessment District prior to final recordation or issuance of the certificate of Occupancy.
4. Street Trees: Construct tree wells and plant street trees to the satisfaction of the Street Tree Division of the Bureau of Street Services.
5. Sewers: Construct sewers to the satisfaction of the City Engineer.
6. Drainage: Construct drainage facilities to the satisfaction of the City Engineer.
7. Parking/Driveway Plan. Submit a final site plan for parking and driveway to the Bureau of Engineering and the Department of Transportation Valley Development Review office for approval. The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.
8. 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.
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 12.33 of the Municipal Code, the applicant shall dedicate land for park or recreational purposes or pay the applicable Recreation and Park fees to the satisfaction of the Department of City Planning and Department of Recreation and Parks.
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.

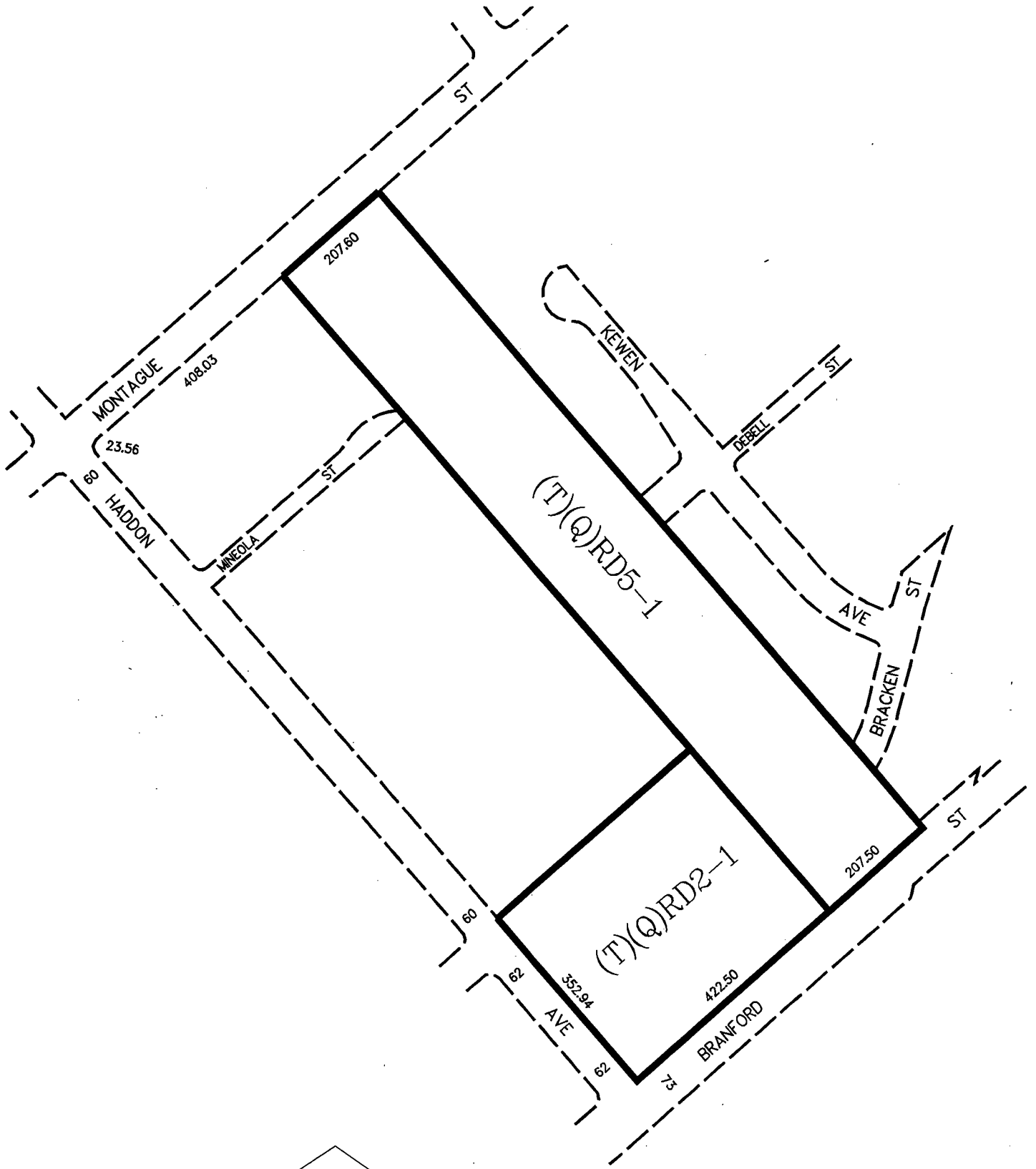
Notice: Certificates of Occupancies for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

ORDINANCE NO. _____

An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



↑
NOT TO SCALE

C.M. 201 B 161, 198 B 161	CPC 2004-5919 ZC ZAA ZAD SPR
---------------------------	------------------------------

AE/Deob

12/13/05

(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. **Use.** Use of the property shall be limited to the use and area provisions of the RD5-1 and RD2-1 zones, except as varied by the Yard and Area Adjustments and Wall Height Determination, pursuant to CPC 2004-5919-ZC-ZAA-ZAD-SPR.
2. **Density.** Not more than 57 dwelling units may be constructed in the RD5-1 zone, and not more than 64 dwelling units may be constructed in the RD2-1 zone on the subject property.
3. **Plans.** Prior to the issuance of building permits, revised, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the satisfaction of the Planning Department. Minor deviations may be allowed in order to comply with provisions of the Municipal Code or as granted in this approval, the subject conditions.
4. **Height.** The height of all buildings and structures on the subject property shall not exceed 25 feet, as defined by Sections 12.03 and 12.21.1B 3 of the L.A.M.C. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties.
5. **Parking.** Residential parking shall be provided pursuant to Los Angeles Municipal Code Sections 12.21 A 4 and any amendment thereto. One-half parking space per dwelling unit shall be required for guest parking in addition to the required tenant parking. 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. 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 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) If there is a security gate, then it 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.
 - 4) Alternatives to the provisions of this condition may be approved by the Planning Department provided that the intent of readily accessible guest parking facilities

and no interference with the public right-of-way is assured.

6. **Balconies (RD5-1 Zone, Adjacent to Single Family Dwellings).** For dwelling units located within the RD5-1 zone, above the first floor there shall be no balconies which have a line of sight to any adjacent existing single-family use.
7. **Wall and Landscaped Buffer.** A 6-foot high solid decorative masonry wall shall be constructed along the property line adjacent to any residential use, if no such wall exists. This wall shall contain along its length, a minimum five foot landscaped buffer. The buffer shall include fast growing plant materials that will provide buffer for adjacent residential properties.
8. **Light.** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
9. **Trash.** If trash storage areas are installed, they shall be fully enclosed by a solid decorative masonry wall, a minimum of 6 feet in height. There shall be no openings except for gates. Trash receptacles shall be located at least 50-feet distant from the property line of adjacent residential properties.
10. **Graffiti.** Every existing building, structure, or portion thereof shall be maintained in a safe and sanitary condition and good repair. The premises of every building or structure shall be maintained in good repair and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104. The exterior of all privately owned buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91.8104.15.

B. Environmental Conditions

11. **Landscape Plan.** 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 consistent with the landscape provisions of Sections 12.40 through 12.43 of the Municipal Code by a licensed landscape architect to the satisfaction of the Planning Department.
12. **Landscaping (Surface Parking).** A minimum of one 24-inch box tree (minimum trunk diameter of 2 inches and a height of 8 feet at the time of planting) shall be planted for every 4 new surface parking spaces. The trees shall be dispersed within the parking area so as to shade the surface parking area and shall be protected by a minimum 6-inch high curb, and landscape. An automatic irrigation plan shall be approved by the Department of City Planning.
13. **Air Pollution (Stationary).** The applicant shall install air filtration system(s) to reduce the diminished air quality effects on occupants of the project.
14. **Tree Removal (Non-Oaks).** Prior to the issuance of a grading permit, a plot plan shall be prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site, and shall be submitted for approval to the Department of City Planning and the Street Tree Division of the Bureau of Street Services. All trees in the public right-of-way shall comply with the current standards of the Street Tree Division. The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Tree replacement by 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 Street Tree Division of the Bureau of Street Services and the Department of City Planning. (**Note:** Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact the Street Tree Division at 213-485-5675).

15. Construction (Air Quality).

- a. 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.
- b. The owner or contractor shall maintain the construction area sufficiently dampened to control dust caused by grading, construction and hauling, and at all times provide reasonable control of dust caused by wind.
- c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- d. All materials transported off-site shall be either sufficiently watered or securely covered to prevent the generation of excessive amounts of dust.
- e. 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 the generation of excessive amounts of dust.
- f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

16. Construction (Noise). The project shall comply with the City of Los Angeles Noise Ordinance Nos. 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.

- a. Construction 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. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously that causes high noise levels.
- c. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- d. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, to insure an acceptable interior noise environment.

17. General Construction.

- a. 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 and wastes shall be removed to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.
- b. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- c. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- d. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.

- e. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
 - f. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.
- 18. Explosion/Release (Former Agricultural Land).** A soils analysis shall be prepared by a licensed geologist. If contamination is found, remediation measures will be developed with the appropriate State agencies. Prior to issuance of grading and building permits, a letter from the appropriate state agency (Department of Toxic Substance Control or the Regional Water Quality Control Board) certifying that the remediation is complete shall be submitted to the Department of City Planning.
- 19. Groundwater Quantity.** The Department of Building and Safety shall require, when feasible, that the structural design of a building be modified so as not to need a permanent dewatering system. When a permanent dewatering system is necessary, the Department of Building and Safety shall require: (a) pumping water to a beneficial use on site (such as landscape irrigation, decorative fountains or lakes, toilet flushing, cooling towers); (b) returning water to the groundwater basin by an injection well.
- 20. 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.
- 21. Single Family Dwelling (10+ Home Subdivision/Multi Family)**The project shall comply with the following:
- a. Ordinance Nos. 172,176 and 173,494 (Stormwater and Urban Runoff Pollution Control), which require the application of Best Management Practices (BMPs).
 - b. Chapter IX, Division 70 of the Municipal Code, which addresses grading, excavations, and fills.
 - c. The Standard Urban Stormwater Mitigation Plan (SUSMP) approved by the Los Angeles Regional Water Quality Control Board (A copy of the SUSMP can be downloaded at <http://www.swrcb.ca.gov/rwqcb4/>).
 - d. Applicable requirements associated with the National Pollutant Discharge Elimination System Permit regulations. The developer shall file a Notice of Intent (NOI) with the State Water Resources Control Board prior to the issuance of any building or grading permits. A General Permit for Stormwater Discharge shall be obtained from the Southern California Regional Water Quality Board, in accordance with NOI instructions.
 - e. Stormwater BMPs shall be incorporated 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 shall be required from a California licensed civil engineer or licensed architect that the proposed BMPs comply with this numerical threshold standard.
 - f. A Stormwater Pollution Prevention Plan shall be prepared by a California licensed civil engineer or licensed architect, to the satisfaction of the Stormwater Management Division of the Bureau of Sanitation, that shall include the following:

- 1) Identifies the sources of sediments and other pollutants that affect the quality of storm water discharge;
- 2) A monitoring program and reporting plan for the construction period.

The Stormwater Pollution Prevention Plan shall be retained at the construction site.

- g. Appropriate erosion control and drainage devices shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code.
 - h. Any connection to the sanitary sewer shall be required to receive authorization by the Bureau of Sanitation.
 - i. All storm drain inlets and catch basins within the project area shall be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
 - j. The owner shall record a covenant and agreement satisfactory to the Department of City Planning 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.
 - k. Design an efficient irrigation system to minimize runoff including: (1) drip irrigation for shrubs to limit excessive spray; (2) shutoff devices to prevent irrigation after significant precipitation; and (3) flow reducers.
- 22. Solid Waste.** The developer shall institute a recycling program to the satisfaction of the Department of City Planning to reduce the volume of solid waste going to landfills. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be picked up no less than once a week as a part of the project's regular trash pick-up program.

C. Other Conditions

- 23. Posting of Construction Activities.** The adjacent residents shall be given regular notification of major construction activities and their duration. A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for inquiring about the construction process and to register complaints.
- 24. Construction-related Parking.** Off-street parking shall be provided for all construction-related employees generated by the proposed project. No employees or subcontractor shall be allowed to park on the surrounding residential streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any residential street in the immediate area. All construction vehicles shall be stored on site unless returned to their owners base of operations.
- 25. Truck Traffic Restricted Hours.** Truck traffic directed to the project site for the purpose of delivering materials or construction-machinery shall be limited to the hours beginning at 9:00 AM and ending at 3:00 PM, Monday through Friday. No truck deliveries shall occur outside of that time period. No truck queuing related to such deliveries to the project site shall occur on any local or collector street within the project vicinity outside of that time period.

26. **Maintenance.** The subject property (including any trash storage areas; associated parking facilities, sidewalks, driveways, yard areas, parkways and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.

D. **Administrative Conditions**

27. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
28. **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.
29. **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 Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
30. **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.
31. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
32. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
33. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard to the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

Sec. __. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

FRANK T. MARTINEZ, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

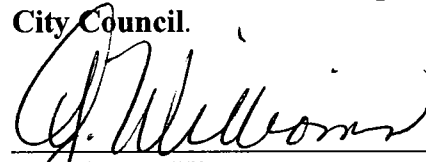
ROCKARD J. DELGADILLO, City Attorney

By _____

City Attorney

File No. _____

Pursuant to Section 558 of the City Charter, the City Planning Commission on November 17, 2005, recommended that this ordinance be adopted by the City Council.



Gabriele Williams
Commission Executive Assistant II

WALL/FENCE DETERMINATION AND YARD/AREA ADJUSTMENT CONDITIONS OF APPROVAL

1. **Entitlement.** The use and development of the subject property shall be in general conformance with the site plan and elevations, labeled Exhibit "C" and dated November 17, 2005, attached to the file, except as modified by the density and balcony restrictions imposed in the zone change "Q" conditions of approval. Minor deviations may be allowed in order to comply with provisions of the Municipal Code or as granted in this approval, the subject conditions.
2. **Wall Within Front Yard:** The proposed residential development shall be permitted to maintain a maximum 6-foot high decorative concrete block wall in the required front yards, and a 6 foot high fence located within five feet of the side street lot line of a reverse corner lot (Lot 2) in lieu of the maximum 42 inch in height fence permitted. Additionally, the wall shall be covered with vines to soften the wall and prevent graffiti problems. The landscaped strip shall maintain an irrigation system to keep the planting of bushes, vines and trees healthy and attractive.
3. **Setbacks and Space between buildings:** The project shall be permitted the following, as shown on Exhibit C, dated November 17, 2005.:
 - (a). a front yard of 12 feet, 8 inches in lieu of the minimum required 15 feet along Haddon Avenue, 15 feet in lieu of the minimum required 20 feet along Branford Street, and a rear yard of 12 feet in lieu of the minimum required 15 feet for the RD2-1 zoned portion (Lot 2);
 - (b). a swimming pool which is designed to contain water more than 18 inches in depth to be located within the front yard of the RD5-1 zoned portion (Lot 1);and
 - (c). five feet of space between buildings on Lot 2 in lieu of the minimum required 10 feet of space between buildings.
4. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
5. Utilization of the subject Yard/Area Adjustment and Wall/Fence Height Determination shall require the completion of all applicable conditions of approval from the associated zone change to the satisfaction of the Planning Department, and the effective date of the Adjustment and Determination shall coincide with that of the associated zone change on the property involved.

FINDINGS

1. **General Plan Land Use Designation.** The subject property is located within the area covered by the Arleta-Pacoima Community Plan, which was adopted by the City Council on November 6, 1996 (Case No. CPC 94-0213 CPU). The Plan map designates the subject property for Low Density Residential with corresponding zones of RE9, RS, R1, RD6 and RD5, and Low Medium II with corresponding zones of RD1.5, and RD2.
2. **General Plan Text.** The Arleta-Pacoima Community Plan text includes the following relevant land use goals, objectives, policies and programs:

To designate lands at appropriate locations for the various private uses and public facilities in the quantities and at densities required to accommodate population and activities projected to the year 2010.

To make provisions for housing as is required to satisfy the needs and desires of various age, income and ethnic groups of the community, maximizing the opportunity for individual choice.

Potential new housing, appropriately scaled, in proximity to transit facilities.
Additional low and moderate-income housing is needed in all parts of the city.

Encourage the utilization of innovative construction and land use methods to help increase the supply of lower cost housing while preserving and enhancing the low-density residential character of the community.

Residential areas having zones permitting densities in excess of those designated on the Plan may be reclassified to more appropriate zones. For any particular development, the intensity of land use and the density of the population which can be accommodated thereon should be substantially limited in accordance with the compatibility of proposed developments with existing adjacent developments.

The Low Medium II Residential Density range shall be limited to the RD2 Zone.

Encourage owner occupied housing by conditioning the development of multiple-residential units as condominiums where appropriate via the zone change process.

The Community Plan's relevant land use goals, objectives, policies and programs cited above have been taken into consideration in conditioning the project, so that while new housing is provided, the project is a better fit for the neighborhood.

3. **Zone Change, L.A.M.C. Sec. 12.32.F:**

Pursuant to Section 12.32C7 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 recommended zone change to RD5-1 and RD2-1 IS CONSISTENT with the land use designation of Low Density Residential, with corresponding zones of RE9, RS, R1, RD6 and RD5, and Low Medium II Density Residential, with corresponding zones of RD1.5 and RD2, and IS in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted community plan.

The recommended zone change from RA-1 (single-family zone, minimum 17,500 square feet lot area) to (T)(Q)RD5-1 (5,000 square feet minimum lot area per dwelling unit) and (T)(Q)RD2-1 (2,000 square

feet minimum lot area per dwelling unit) will provide for a development that is compatible in density with adjacent R1 zoned lots (minimum lot area of 5,000 square feet), located adjacent to the proposed RD5 zone, and compatible with the RD6 and RD1.5-1 zoned properties across Haddon Avenue, which are adjacent to the proposed RD2 zone.

The applicant's proposed project is the demolition of three existing single-family dwellings and the construction of 125 two-story single family dwellings with attached 2 car garages for each dwelling unit plus, 66 guest parking spaces for a total of 316 parking spaces, and a 6 foot high perimeter block wall on an approximately 436,089 square foot parcel.

The applicant filed for approval of a tentative tract map dividing the 10.01 acres L shaped property into two lots. Lot 1 comprising 6.59 gross acres, a through lot with frontages on Branford and Montague Streets, is proposed by the applicant to be rezoned to RD5-1 and developed with 57 detached condominiums. Lot 2 comprising 3.42 gross acres, a reverse corner lot with frontage on Haddon Avenue, is proposed the applicant to be rezoned to RD2-1 and developed with 68 detached condominiums.

Upon its review of the project site plan filed with the subject case application, the City Planning Commission determined that additional useable open space will be necessary to provide a safe, onsite play area(s) for children of families residing on Lot 2 (proposed RD2-1 zoned area). The Commission deemed appropriate the applicant's requested reduced yards along Haddon Avenue and Branford Street and also the requested reduced spaces between buildings, but concluded that public necessity, convenience, general welfare and good zoning practice will be better served by the provision of more useable open space for the relatively denser development of Lot 2. This will lessen the potential hazard of children resorting to adjacent streets for recreational activities. The Commission concluded that an area equivalent to the lot coverage of approximately four of the proposed detached condominium units on Lot 2, as shown on the site plan filed with the subject case application, will be necessary to adequately achieve a desirable additional level of on-site open space, and therefore recommended that the density of Lot 2 be reduced to 64 dwelling units.

- a. 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.
- b. In addition, the recommended zone change to (T)(Q)RD5-1 and (T)(Q)RD2-1 is within the range of zones allowed by the General Plan of Low Density Residential, with corresponding zones of RE9, RS, R1, RD6 and RD5, and Low Medium II Density Residential, with corresponding zones of RD1.5 and RD2. It will also permit a development which supports the General Plan Goals, Objectives and Policies to provide a safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community, and to provide 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.

4. Yard/Area Adjustment Findings: Pursuant to Section 12.28 of the Municipal Code, the applicant is requesting an **Adjustment** from:

- a. Section 12.09.1 B 1 to permit a front yard of 12 feet, 8 inches in lieu of the minimum required 15 feet along Haddon Avenue, 15 feet in lieu of the minimum required 20 feet along Branford Street, and a rear yard of 12 feet in lieu of the minimum required 15 feet for the RD2-1 zoned portion (Lot 2);
- b. Section 12.21 C 1 (g) to permit a swimming pool which is designed to contain water more than 18 inches in depth to be located within the front yard of the RD5-1 zoned portion (Lot 1) which is otherwise not permitted;

- c. Section 12.21 C 2 (a) to permit five feet of space between buildings on Lot 2 in lieu of the minimum required 10 feet of space between buildings.
- a. *The granting of an adjustment will result in development compatible and consistent with the surrounding area.*

Reduced Yards: The applicant is requesting a reduction in the depth of the front yard in the RD2 zoned portion (Lot 2) along Haddon Avenue from the required 15 feet to 12.8 feet and 15 feet in lieu of the minimum required 20 feet along Branford Street, and a rear yard of 12 feet in lieu of the required 15 feet. Because of the orientation of the proposed lot, there will be no ingress or egress from the portion of the property fronting on Haddon Avenue. The property will be improved with RD2-1 density detached condominium units. Those units which back onto Haddon Avenue will utilize what is technically the front yard of the lot as their back yard and open space. The small reduction in the front yard will be accompanied by a 15 foot side yard, rather than the required 5' side yard, creating more open space in the project and consistent with the surrounding proposed multi-family uses.

Due to Lot 2 being a reverse corner lot, it is required to observe a side yard of the same distance as the front yard of Lot 1, (RD5-1 zoned portion) which would be 20 feet. Because of the two zones on the property, setbacks have to be observed between them as though they are two separate lots, rather than one development. Lot 1 observes all the required setbacks. However, Lot 2 observes a rear yard of 12 feet rather than the required 15 feet. The required rear yard will back up against a guest parking and recreation area, located on adjacent Lot 1. Because this is a unified development, observing a 12 foot rear yard in lieu of the required 15 feet would create a development compatible and consistent with the surrounding area without any adverse impacts due to the reduced yards.

Swimming Pool: The applicant is requesting a swimming pool over 18" deep in the required front yard of Lot 1, on the easterly side of the project along Branford Street. The approximately 1,500 square foot swimming pool will be located behind a wall which will be a maximum of 6 feet in height, as per the subject Administrator's Determination request. The swimming pool and adjacent recreation building will provide common space recreational areas for the residents of the proposed subdivision. The pool and recreation area will be screened from Branford Street by the proposed wall and will be separated from near-by dwelling units by common open space to the south and by common open space and a common driveway on the north.

Space between buildings: The applicant is requesting a reduction in the width of the space between buildings on Lot 2 from the required 10 feet to a minimum of 5 feet, with widths of passage ways varying from 10 feet to a minimum of 5 feet. Buildings within the RD5 zoned portion on Lot 1 will observe the required 10 foot space. Granting the request will produce dwelling units of a size that will be marketable in this zone and vicinity while still allowing the proposed project adequate area to provide the required guest parking.

- b. *The granting of an adjustment will be in conformance with the intent and purpose of the General Plan of the City.*

Reduced Yards: The requested reduction in the front yard of Lot 2 is consistent with the intent and purpose of the Community Plan in that it allows open space for those residential units backing onto Haddon Avenue, and allows the project to maintain a 15-foot side yard along Branford Street, providing an increased amount of open space for the entire length of Branford Street. The reduced rear yard abuts guest parking and recreational facilities located on Lot 1 in a unified development, and will therefore not result in any loss of parking or open space benefits for the project, in conformance with the purpose and intent of the City's General Plan.

Swimming Pool: The requested location of the proposed swimming pool in the front yard of Lot 1 will provide desirable common open space and recreational facilities for the development, in conformance

with the intent of the goals and objectives to provide recreation opportunities stated in the Arleta-Pacoima Community Plan.

Space between buildings: The density of the proposed development is consistent with the requested zone changes and consistent with the Arleta-Pacoima Community Plan, an element of the General Plan. The requested adjustment will have no impact upon the density of the proposed project and is therefore in conformance with the General Plan.

- c. *The granting of an adjustment is in conformance with the spirit and intent of the Planning and Zoning Code of the City.*

Reduced Yards: The proposed project will be in conformance with the density designated by the community plan and as such, conforms to the spirit and intent of the City's Planning and Zoning Code. In addition, the slight reduction in the depth of the front and rear yard of the Lot 2 allows those units backing onto Haddon Avenue to have areas of open space which are set back slightly more from the street, allowing them more buffer space from street noise than would be provided by the 10 foot deep yards provided for dwelling units in the project's interior. The slight reduction in the rear yard will allow those dwelling units along the rear of the project to have a similar amount of open space as other dwellings within Lot 2, while also serving as a buffer from adjacent recreational and guest parking areas.

Swimming Pool: Locating the proposed swimming pool in the required front yard of Lot 1 will allow the proposed development to have on-site recreational facilities and common open space for use by all residents, in conformance with the spirit and intent of Section 12.21G of the Planning and Zoning Code of the City of Los Angeles.

Space between buildings: The proposed project will be in conformance with the Plan Land Use designated by the community plan and the density permitted by the zones of the Planning and Zoning Code.

- d. *There are no adverse impacts from the proposed adjustment or any adverse impacts have been mitigated.*

Reduced Yards: The proposed reduction in the depth of the required front and rear yards will have no adverse impacts on either the property or on adjacent properties. The development will provide open space for all of the dwelling units within the project and will provide a decorative wall along the property line on Haddon Avenue to screen the yards of the dwelling units backing onto Haddon Avenue in order to provide the residents with greater privacy and some relief from street generated noise.

Swimming Pool: The proposed location of a swimming pool in the required front yard will have no adverse impacts on either the property on which it is located or on adjacent properties. The swimming pool will serve as open space for the development and will provide on-site recreational facilities. The requested 6 foot in height wall will screen the pool from the adjacent street, providing residents with greater privacy and some relief from street generated noise.

Space between buildings: The setback requirements are intended to provide light, air, and privacy between adjacent uses, and spacing for emergency access. The proposed project is being developed on a large 10 acres parcel designed around an internal circulation system. The proposed reduction in the space between buildings from 10 feet to a minimum of 5 feet will have no adverse impacts on either the property or on adjacent properties. The reduction of the space between buildings allows the provision of larger, more marketable dwellings while providing usable open space for each of the proposed dwellings. The reduction in the passageways between the buildings has no adverse impacts on the amount of open space provided within the proposed project.

- e. *The site and/or existing improvements make strict adherence to zoning regulations impractical*

or infeasible.

Reduced Yards: The proposed project is a unified development taking its ingress and egress from Branford Street. Because Lot 2 is a reverse corner lot, its side yard is required to be 20 feet, similar to the front yard requirements of the RD5 zone on its rear, rather than 5 feet based on the side yard requirements for the RD2 zone. Lot 2 observes a 15 foot side yard along the length of Branford Street. Technically the front and side yards of Lot 2, they function as the side yards of the proposed lot and are the rear yards of those dwelling units backing onto Haddon Avenue. The orientation of the property makes provision of a 15 foot front yard along Haddon Avenue, 20 feet along Branford Street and a 15 foot rear yard impractical, when it functions as open space at the rear and side of the dwelling units along Haddon Avenue and Branford Street, and for those units backing up against the guest parking and recreational area.

Swimming Pool: The proposed project is a unified development taking its ingress and egress from Branford Street. The swimming pool is located in a central location to be accessible to all the residents of this large development. Because of the unique configuration of the subject property, the location of the swimming pool is proposed in what is technically the front yard of Lot 1 of the development, making strict adherence to the zoning regulations impractical or infeasible.

Space between buildings: There would be no such requirements for 10 foot wide spaces between buildings if the units were built to the same density, but were attached and combined in one building. Current market conditions require the production of larger dwelling units in order to be saleable. The proposed Project provides detached dwellings and complies with the density of the RD2-1 and RD5-1 Zones.

5. **Wall/Fence Determination Findings:** *Pursuant to 12.24 X 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, and that the action will be in substantial conformance with the various elements and objectives of the General Plan.*

The applicant has requested a 6 foot high wall in the required front yards, and a 6 foot high fence located within five feet of the side street lot line of a reverse corner lot in lieu of the maximum 42 inch in height fence permitted. There are public safety aspects of permitting a higher fence or wall, including, but not limited to, the resulting degree of visibility across sidewalks for driveways, and the possible obstruction of visibility of moving traffic on abutting streets or alleys.

The applicant's proposed project is a two lot subdivision consisting of 125 detached condominium units, 57 of which are in the proposed (T)(Q)RD5-1 Zone (Lot 1) and 68 (although approved by the City Planning Commission for 64 dwelling units) in the proposed (T)(Q)RD2-1 Zone (Lot 2). These dwelling units are arranged around an internal circulation system, with those units along Branford Street having what is essentially a 15 foot wide area of open space in the side yard on the southerly side of the project. A 6 foot high decorative wall is proposed along the property line. The proposed wall is angled at the entrance to the property and pulled back from the property line to create enhanced lines of sight to facilitate a safe ingress and egress to and from the property. It also allows a high degree of visibility across the sidewalk from the driveways and eliminates any obstruction of visibility of moving traffic along Branford Avenue, abutting the property.

In addition, the applicant is requesting a 6 feet in height wall along the southwesterly property line of Lot 2, fronting on Haddon Avenue. There is no ingress or egress from this side of the site and the wall is unbroken. The applicant is also requesting a maximum 6 feet in height wall along the northwesterly and southeasterly sides of Lot 1. The proposed wall will serve to screen the pool and recreation area located on Lot 1, as well as providing privacy and security for dwellings located in the development. These walls will be pulled back at driveway entrance and exit points to allow unobstructed visibility onto Branford Street and Montague Street.

The proposed wall will have no adverse impact on light, air and ventilation to the subject property. It will screen the open space of some of the dwelling units along Branford Street and Haddon Avenue, providing residents a similar level of privacy and open space as would be accorded to single family dwellings in a traditional subdivision, rather than a typical multi-family attached building.

There is no adverse impact on the immediate or surrounding area resulting from permitting a higher wall/hedge than would otherwise be allowed by the Municipal Code. The surrounding area is designated Low Density Residential and Low Medium II Density Residential on the Arleta-Pacoima Community Plan, and Industrial on the southeast side across from Branford Street. Because of the decorative nature of the proposed wall and the landscaped setback between the property line and the proposed wall, the streetscape will be architecturally interesting. At the same time, the privacy and security of the residents of the development will be preserved by having a 6 foot high wall between the street and the open space of some of the detached dwelling units along the streets.

The higher wall/hedge will have no adverse impact on the views, visual perspective, and other amenities enjoyed by the occupants of abutting and surrounding properties. The subject property, a flat lot, is bounded on the east by Branford Street, designated as a Secondary highway. To the west of the southerly portion of the project is an existing church. On the southerly side across from Haddon Avenue are existing multi-family residential dwellings, on the southeasterly side are industrial uses, and on the westerly end of the project are primarily single family dwellings. The proposed walls create an attractive, open space yard area for some of the units along Branford Avenue, but do not block any light and air to the surrounding properties, and creates an attractive streetscape along the abutting streets which benefit the adjacent properties.

Permitting a 6 foot high wall/hedge will have no significant adverse impact on the solar access of abutting or surrounding properties. The proposed wall for Lot 1 are on the northerly and southerly sides of the property, adjacent to Montague Street and Branford Street, and for Lot 2 along Branford Street and Haddon Avenue. Neither wall directly abuts other dwelling units. None of the proposed walls will have any detrimental impact on the solar access of abutting or surrounding properties.

The proposed wall will have appropriate materials, and an attractive finish matching the building material across the front of the property. This will create an attractive area along the sidewalk of the adjoining streets, while at the same time providing privacy for the residents of the project, whose open space areas are screened by the proposed fences.

6. Site Plan Review Findings. Pursuant to Section 16.05.F, the development project meets all of the following requirements.

- a. *That the project complies with all applicable provisions of the Los Angeles Municipal Code and any applicable Specific Plan.*

The proposed project complies with all applicable provisions of the Los Angeles Municipal Code. The applicant has requested a Zone Change from RA-1 to RD2-1 and RD5-1, and approval of a Tentative Map for development of 125 detached condominium dwelling units, in conformance with the requested density. As noted in the zone change findings and finding (f) below, the density over the requested RD2-1 zoned portion of the site was recommended by the City Planning Commission to be reduced by four dwelling units, thereby reducing the overall project density to 121 dwelling units. Other than the requested Adjustment and Determination, the project complies with all the other applicable provisions.

- b. *That the project is consistent with the General Plan.*

The proposed project is consistent with the General Plan. The proposed development is permitted by the Arleta-Pacoima Community Plan, an element of the City's General Plan. The plan designates the

subject property for Low Residential and Low-Medium II Residential, the corresponding zones being RD5-1 and RD2-1, which permit multifamily residential dwellings at the proposed density. The parking for the proposed project also exceeds that which is required by Section 12.21 A 4 of the City's Planning and Zoning Code by providing two resident spaces per condominium dwelling unit in accordance with Advisory Agency policy, and one-half space per dwelling unit for guest parking. The proposed project also is consistent with the housing element of the General Plan, providing additional housing in this area of the City.

c. *That the project is consistent with any applicable adopted Redevelopment Plan.*

There are no applicable adopted redevelopment plans.

d. *That the proposed project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, load areas, lighting, landscaping, trash collections, and other such pertinent improvements, which is or will be compatible with existing and future developments and will be compatible with existing and future development on the neighboring properties.*

The proposed project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, load areas, lighting, landscaping, trash collections, and other such pertinent improvements, which will be compatible with existing and future developments on the neighboring properties. In addition to two covered parking spaces per dwelling unit, the project is providing more than twice the guest parking required by the LAMC, as stated above. The property on the westerly side of Haddon Avenue, directly across the street from the proposed development, is improved with multi-family residential dwelling units, consistent with the proposed development. The project consists of detached condominium dwellings which will be buffered from adjacent single family uses by decorative masonry walls six feet in height.

e. *That the project incorporates feasible mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would substantially lessen the significant environmental effects of the project, and/or any additional findings as may be required by CEQA.*

The proposed project incorporates feasible mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would substantially lessen the significant environmental effects of the project, and/or any additional findings as may be required by CEQA.

A Mitigated Negative Declaration was issued for the project which reviewed the potential environmental impacts of the project and discusses in detail the mitigation measures necessary to mitigate any potential adverse impacts to a level of insignificance. This analysis concludes that the development, with application of the proposed mitigation measures, does not pose any potential for a significant adverse environmental impact, or a substantial increase in the severity of existing environmental conditions.

f. *That any project containing residential uses provides its residents with appropriate type and placement of recreational facilities and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties where appropriate.*

The proposed project, as conditioned, provides its residents with appropriate type and placement of recreational facilities and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties. In addition to paying the required "Quimby Fees" to the City of Los Angeles Department of Recreation and Parks to provide for open space and recreation needs, the project will provide useable open space and recreational facilities, including a pool, a recreation building and passive recreation area.

Upon its review of the project site plan filed with the subject case application, the City Planning Commission determined that additional useable open space will be necessary to provide a safe, onsite play area(s) for children of families residing on Lot 2 (proposed RD2-1 zoned area). The Commission deemed appropriate the applicant's requested reduced yards along Haddon Avenue and Branford Street and also the requested reduced spaces between buildings, but concluded that the provision of more useable open space for the relatively denser development of Lot 2 will improve the habitability of the development for the residents and minimize impacts on neighboring properties by lessening the potential hazard of children resorting to adjacent streets for recreational activities. The Commission concluded that an area equivalent to the lot coverage of approximately four of the proposed detached condominium units on Lot 2, as shown on the site plan filed with the subject case application, will be necessary to adequately achieve a desirable additional level of on-site open space, and therefore recommended that the density of Lot 2 be reduced to 64 dwelling units.

7. The **Transportation Element** of the General Plan will be affected by the recommended action herein. However, any necessary dedication and/or improvement of abutting streets 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.
8. 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.
9. **Environmental.** For the reasons set forth in Proposed Mitigated Negative Declaration No. ENV 2004-4890-MND, the project will not have a significant effect on the environment.
10. **Fish and Game.** The subject project, which is located in Los Angeles County, will not have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2.