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May 28, 2020

Seraj Isagolian (A)(O)
Monteth LLC
10701 Plainview Avenue
Tujunga, CA 91402

Oscar Ensafi (R)
Approved Plans Inc.
5121 Van Nuys, # 203 A
Los Angeles, CA 91403

CASE NO. ZA-2018-4144-ZAD
ZONING ADMINISTRATOR'S
DETERMINATION
9700 North Estaban Way
Sunland – Tujunga – Lake View Terrace
Shadow Hills – East La Tuna Canyon
Zone : RE11-1
D. M. : 201A197, 201A199
C. D. : 7 – Monica Rodriguez
CEQA : ENV-2018-4145-CE
Legal Description: Lot 46, Tract 8958

Pursuant to CEQA Guidelines Sections 15061, I hereby **DETERMINE**:

Based on the whole of the administrative record that the project is exempt from CEQA pursuant to State CEQA Guidelines, Section 15303 (Class 3 New Construction), and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Pursuant to Los Angeles Municipal Code Section 12.24 X. 28, I hereby **DENY**:

a Zoning Administrator's Determination to permit a roadway width of less than 20 feet for a Substandard Hillside Limited Street as required by Section 12.21-C, 10(i)(2) of the Los Angeles Municipal Code; and

Pursuant to Los Angeles Municipal Code Section 12.24 X. 28, I hereby **PARTIALLY APPROVE**:

to grant relief from providing a 20-foot wide continuous paved roadway from the driveway apron to the Hillside Area boundary as required by Section 12.21-C, 10(i)(3), in conjunction with the construction, use, and maintenance of a new single-family home.

Upon the following additional terms and conditions:

CONDITIONS OF APPROVAL

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.
7. The proposed dwelling shall not exceed a Residential Floor Area of 2,106.37 square feet nor a maximum height of 29 feet 11 inches, provided the roof has a slope of 25% or greater.
8. Plans shall demonstrate compliance with Section 6.A.3 and 8.C of the San Gabriel/Verdugo Mountains Specific Plan, as applicable. Compliant projects are eligible for an Administrative Clearance in lieu of a Specific Plan Project Permit. The Zoning Administrator has not reviewed nor approved any application for a Specific Plan Project Permit.

9. No other deviations from Los Angeles Municipal Code Section 12.21-C,10 or other provisions of the Code have been requested or approved herein other than the waiver from the continuous roadway provisions.
10. Prior to any sign-off of plans by the Development Services Center, a plot plan shall be submitted to the Fire Department for review and approval. Said Department's approval shall be included in the form of a stamp on the plans submitted to the Development Services Center.
11. The Project shall comply with all of the conditions required in the Department of Building and Safety Grading Division's Geology and Soils approval letter issued December 12, 2016 (Log#95842). All conditions shall be incorporated and printed on the plans submitted to the Development Services Center for plan check.
12. The required 20-foot roadway improvements along the subject property's frontage shall be provided to the satisfaction of the Bureau of Engineering (BOE). The applicant shall submit to the Development Services Center a copy of the revised site plan approved by BOE with their required dedication (if any) and improvements.
13. Roadway improvements (continuous paved roadway) along the Verdugo Crestline Drive right-of-way, dirt segment from the subject property driveway apron to the existing asphalt located at the intersection of Verdugo Crestline Drive and Alene Drive (approximately 600 linear feet) shall be improved to a minimum width of 20-feet, to the satisfaction of the Bureau of Engineering.
14. Prior to any sign-off of plans by the Development Services Center, the applicant shall provide written confirmation that the plans as submitted for sign-off have been reviewed and found acceptable by the Bureau of Engineering, Bureau of Sanitation and the Department of Building and Safety as pertains to driveway transition, building height and road drainage.
15. Construction Requirements/Restrictions:
 - 1) Posting of Construction Activities. During construction, 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 (1) Department of Transportation, Parking Enforcement; (2) Building and Safety enforcement; and, (3) the owner and/or construction contractor where residents can inquire about the construction process and register complaints. A construction superintendent shall be present on-site during construction.
 - 2) Community Relations. A 24-hour "hotline" phone number for the receipt of construction-related complaints from the community shall be provided to immediate neighbors. The applicant shall be required to respond within 24 hours of any complaint received on this hotline.

- 3) Deliveries of Equipment Supplies. All deliveries during construction shall be coordinated so that only one vendor delivery vehicle is at the site at one time and so that a construction supervisor is present at such time to mitigate any potential traffic impacts. A flag person shall be provided to assist with the delivery of any construction materials to the site on trash-pick up days until the trash collection has been completed.
 - 4) 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 a.m. and ending at 3 p.m., Monday through Friday only. No truck deliveries shall occur outside of the time period.
 - 5) Construction Activities. Prior to the commencement of site excavation and construction activities, the applicant shall notify residents within a 100-foot radius of the project site and provide residents with a written construction schedule. The applicant and the project construction manager shall identify a contact person and provide a telephone number for any inquiries from residents regarding construction activities. The phone number shall be provided to all residents within the 100-foot radius and as noted above it shall be posted on the site in a manner which is readily visible to any interested party.
 - 6) Flag Persons. Flag persons shall assist with the movement of traffic whenever two-way traffic is obstructed as a result of construction activity.
 - 7) Off-Site Construction Staging and Parking Plan. The contractor shall establish an off-site parking and staging area for trucks and any other construction vehicles which cannot be accommodated on the property or directly in front of the property after the preliminary widening of the street noted previously has been completed, with a plan submitted to the Department of Building and Safety for approval.
 - 8) Storage of Materials - During all phases of construction, all materials related to the construction of the proposed project shall be stored on-site and not within any public-right-of way during hauling and construction operations.
16. No parking shall be permitted on the street during Red Flag Days in compliance with the "Los Angeles Fire Department Red Flag No Parking" program.
 17. All debris, trash and waste generated by the construction or by any worker, including but not limited to building material remnants, removed weeds, dirt, food or drinks consumed by workers, etc., must be removed from the site or kept in a covered, on-site trash receptacle on the properties being developed. Any trash stored on site must be removed at least once per week, or whenever the storage receptacle is full, whichever is sooner.

18. Prior to the issuance of a grading or building permit, a plot plan shall be prepared indicating the location, size, type and condition of all existing trees on the site and within the public right-of-way.
19. Any removal of protected trees first requires approval from the Board of Public Works. A Tree Report shall be submitted to the Urban Forestry Division of the Bureau of Street Services, Department of Public Works, for review and approval prior to implementation of the Report's recommended measures.
20. 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.
21. The project shall comply with the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan through an Administrative Clearance process (ADM Case).
22. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out, in whole or in part, of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out, in whole or in part, of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice

or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement. (b)

- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

“A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code.”

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after **June 12, 2020**, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>**. Public offices are located at:

Figueroa Plaza
201 North Figueroa
Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service
Center
6262 Van Nuys Blvd, Room
251
Van Nuys, CA 91401
(818) 374-5050

West Los Angeles
1828 Sawtelle Blvd, 2nd
Floor
Los Angeles, CA 90025
(310) 231-2598

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Development Services Center. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on December 16, 2019, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find as follows:

BACKGROUND

The subject property is a rectangular shaped sloped lot totaling 5,897 square feet (0.135 acres) in the RE11-1 Zone within the Sunland – Tujunga – Lake View Terrace Shadow Hills – East La Tuna Canyon Community Plan Area. The subject site has a Very Low II Residential land use designation and is within the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan (ZI-2324). The project will comply with the provisions of the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan through an Administrative Review Process (ADM Case). The site is located within a Hillside Area, Very High Fire Hazard Severity Zone, and BOE Special Grading Area, but is not located within a Landslide Area, Liquefaction Area, or Methane Zone. The subject property is also within the Modifications to SF Zones and SF Zone Hillside Area Regulations (ZA-2462).

The site slopes downward from Estaban Way and is currently undeveloped with an unimproved roadway. The request is in conjunction with the construction of a new single-family dwelling with attached garage that will measure 29-feet and 11-inches in height. The proposed single-family dwelling will have a Residential Floor Area (RFA) of 2,090.5 square feet, which is below the maximum RFA of 2,106.37 square feet. The proposed construction requires a Zoning Administrator's determination to grant relief from the requirement to provide a 20-foot wide continuous paved roadway, per Section 12.21-C,10(i)(3) of the Los Angeles Municipal Code; and relief from Section 12.21-C,10(i)(2) of the Los Angeles Municipal Code, to allow roadway widening to a width less than 20 feet as required for projects fronting a Substandard Hillside Street.

The surrounding vicinity is comprised of residential uses and undeveloped land. Properties located to the north, east, and south of the subject property are zoned RE11-1 and are developed with single-family dwellings to the south. Adjacent properties to the north, west, and east are undeveloped. Twelve (12) of the 13 existing homes located on Verdugo Crestline Drive between the subject property and Alene Drive were constructed between 1925 and 1987, predating the Hillside Ordinance. One of these homes did do a small addition (748 square feet) to their home in 2001. The Hillside Ordinance has an exemption

provision for additions to existing homes of up to 750 square feet, and therefore that project was exempt from roadway widening obligations of the Hillside Ordinance. The thirteenth home was constructed in 1995, and its full permitting history could not be established at this time.

Estaban Way, adjoining the subject property to the west is a Local Street, designated for a right-of-way width of 60 feet and a roadway width of 36 feet.

Verdugo Crestline Drive, adjoining the subject property to the south is a Local Street, designated for a right-of-way width of 60 feet and a roadway width of 36 feet (the existing roadway is unpaved).

Previous zoning related actions on the site/in the area include:

Subject property:

No relevant cases were identified on the subject property.

Surrounding Properties:

No relevant cases were identified within surrounding properties.

PUBLIC HEARING

A Notice of Public Hearing was mailed to property owners and/or occupants residing near the subject site for which an application, as described below, had been filed with the Department of City Planning. All interested parties were invited to attend the public hearings at which they could listen, ask questions, or present testimony regarding the project. The purpose of the hearing was to obtain testimony from affected and/or interested parties regarding the application. Interested parties are also invited to submit written comments regarding the request prior to the hearing. The environmental impact was among the matters to be considered at the hearing.

The hearing was held on December 16, 2019, at approximately 1:00 p.m. at the Marvin Braude San Fernando Valley Constituent Services Center, 6262 Van Nuys Boulevard, Room 1B, Van Nuys, CA 91401. The hearing was conducted by Zoning Administrator David S. Weintraub for Case Nos. ZA-2018-4144-ZAD and ENV-2018-4145-0CE. The following testimony was offered:

Oscar Ensafi, Applicant's Representative:

- There is no paved roadway leading to the subject property
- The roadway could only be built if a retaining wall is built
- The differential is approximately 3 ½ to 4 feet from grade
- There is no road to the boundary of the hillside area
- There are no engineered drawings to date
- There is a fire hydrant in front of the subject property

- The proposed home is in plan check

Seroj Isagolian, Applicant:

- He started the project back in 2016
- At that time, the project spent 18 months in plan check and expired
- The new code allows for 2,106.37 square feet of residential floor area construction
- He is proposing to build 2,090 square feet of RFA

Cindy Cleghorn, Neighborhood Council Secretary/Stakeholder:

- They met with the applicant
- The applicant did do outreach to the community
- The Neighborhood Council supports the project
- She will provide minutes from their meeting that reviewed the proposed project

Harout Shamilian, Stakeholder:

- Question: Are they going to pave any portion of the roadway?
- At a minimum they should be required to pave the roadway to 20 feet in front of the subject property

Oscar Ensafi, Applicant's Representative:

- Other homes were built along Verdugo Crestline Drive, how?
- The Los Angeles Fire Department Hydrants and Access built approved the proposed home
- The applicant will reach out to the City Council Office

Written Correspondences

December 11, 2019 – Letter received from the Sunland-Tujunga Neighborhood Council establishing that at the December 11, 2019 meeting of the STNC General Board, upon recommendation from their Land Use Committee, the Board voted to support the construction of a new single-family dwelling and the requested actions.

FINDINGS

In order for relief to be granted from requirements permitting the construction of buildings on Substandard Hillside Streets, all findings mandated in Section 12.24 X.28 of the Municipal Code must be made in the affirmative. The following section states such findings in bold type with the applicable justification set forth thereafter:

1. **The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The subject property is a vacant rectangular-shaped lot, measuring approximately 5,897 square feet, within the Sunland – Tujunga – Lake View Terrace Shadow Hills – East La Tuna Canyon Community Plan Area and the RE11-1 Zone. The surrounding vicinity is comprised of single-family dwellings and unimproved vacant lots. Twelve (12) of the 13 existing homes located on Verdugo Crestline Drive between the subject property and Alene Drive were constructed between 1925 and 1987, predating the Hillside Ordinance. One of these homes did do a small addition (748 square feet) to their home in 2001. The Hillside Ordinance has an exemption provision for additions to existing homes of up to 750 square feet, and therefore that project was exempt from roadway widening obligations of the Hillside Ordinance. The thirteenth home was constructed in 1995, and its full permitting history could not be established at this time. The existing road leading from Alene Drive to the subject property is not paved and is a dirt road. This presents a public safety issue that cannot be ignored. If an emergency occurs, especially during the rainy season, and Verdugo Crestline Drive is rutted and/or muddy, the ability to service the emergency will be compromised, and the risk to public safety increased to an inappropriate level. As stated above, the other homes on Verdugo Crestline Drive that were built between 1925 and 1987 were not subject to the roadway and access provisions of the Hillside Ordinance.

The subject property has approximately 42-foot frontage along North Estaban Way, which is currently an unimproved Substandard Hillside Street. The request is for a Zoning Administrator's Determination to provide relief from the requirement of providing a minimum 20-foot roadway adjacent to the proposed construction of a single-family residence, and from providing a continuous 20-foot paved roadway from the driveway apron to the boundary of the hillside. Based on public safety, the project has been conditioned to improve only a segment of the continuous paved roadway, the segment from the subject property to the intersection of Verdugo Crestline Drive (which is dirt) and Alene Drive, (which is paved). This segment currently has a 40-foot dedicated right-of-way that can accommodate the required improvement. Beyond improving the segment of dirt Verdugo Crestline Drive from the subject property to the intersection with Alene Drive to 20-feet, requiring the balance of the continuous paved roadway off-site street dedications and improvements would be a hardship and create practical difficulties since the land to the hillside boundary is outside the control of the applicant. Widening the path to the boundary of the Hillside Area is not feasible because it would require the removal of structures not under the applicant's ownership.

The proposed single-family dwelling will be two-stories, 29-feet and 11-inches in height, with an attached garage. The project's slope band analysis indicates that the maximum Residential Floor Area (RFA) allowed on the property is 2,106.37 square feet; the project proposes an RFA of 2,090.5 square feet. The proposed construction does not require additional deviations from the Code and is within the provisions of the Baseline Hillside Ordinance Residential Floor Area Limits. The project is within the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan (ZI-2324). The project has been conditioned to comply with the San Gabriel/Verdugo Mountains Scenic Preservation Specific Plan through an Administrative Review Process (ADM

Case). The request for the waiver of street widening improvements cannot be granted on the basis of public safety. As conditioned, the subject grant will facilitate the development of a single-family dwelling which will enhance the neighborhood by providing an opportunity for housing. The proposed single-family dwelling adheres to the hillside regulations in height, floor area, and massing, granting the request will enhance built environment, as the subject site is currently vacant. As conditioned, the construction of a new single-family dwelling on a property zoned for such use will enhance the built environment and the surrounding neighborhood.

2. **The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The subject property is a downward sloping comprised of a rectangular-shaped lot totaling approximately 5,897 square feet. The applicant proposes to construct a new, single-family dwelling with an attached garage that does not require any deviations from the Hillside regulations that govern the building envelope and on-site construction. The project is in keeping with the size, height, massing and style of other homes in the area. As noted, the *request* is to allow for a roadway width of less than 20 feet adjacent to the proposed single-family dwelling and for a waiver of the requirement to improve the roadway to a width of 20 feet from the driveway of the proposed dwelling to the edge of the Hillside Area. The existing road leading from Alene Drive to the subject property is not paved and is a dirt road. This presents a public safety issue that cannot be ignored. If an emergency occurs, especially during the rainy season, and Verdugo Crestline Drive is rutted and/or muddy, the ability to service the emergency will be compromised, and the risk to public safety increased to an inappropriate level. As stated above, the other homes on Verdugo Crestline Drive that were built between 1925 and 1987 were not subject to the roadway and access provisions of the Hillside Ordinance. The instant grant includes conditions of approval to address access to the subject property. Condition No. 13 requires the applicant to improve the dirt roadway segment from the subject property driveway apron to the existing asphalt located at the intersection of Verdugo Crestline Drive and Alene Drive to a minimum width of 20-feet, to the satisfaction of the Bureau of Engineering.

The proposed construction will be required to comply with all applicable Municipal Code regulations and be compatible to the scale and character of the surrounding neighborhood. The instant grant includes conditions to ensure that the construction of the dwelling does not burden the public health, welfare, and safety of adjacent properties and the surrounding neighborhood. The Department of Building and Safety approved a Soils Report on December 12, 2016 identified as Log #95842. The Soils Report is subject to 45 conditions established to mitigate potential impacts to adjacent properties and the surrounding neighborhood. The instant grant also includes conditions that ensure that the construction of the proposed residence does not adversely affect the adjacent properties, surrounding neighborhood, or the public health, welfare, and safety of the community. In addition, conditions have been imposed to ensure that the temporary construction activities for the project do not

unduly burden the neighboring property owners. As further conditioned, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

3. **The project substantially conforms to the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.**

The Sunland – Tujunga – Lake View Terrace – Shadow Hills – East La Tuna Canyon Community Plan designates the subject site as Very Low II Residential land uses with corresponding zone of RE11 and Height District 1.

The basic use as a single-family home is consistent with the plan. The proposed project will adhere to purpose, intent, and provisions of both the General Plan and the Sunland – Tujunga – Lake View Terrace – Shadow Hills – East La Tuna Canyon Community Plan. The Community Plan, a part of the General Plan's Land Use Element, sets various objectives for the planning and development of the area, and seeks to guide development to be in character with the community. The Plan's Objectives include:

Objective 1-3: To preserve and enhance the varied and distinct residential character and integrity of existing single and multi-family neighborhoods.

Policy 1-3.1 Consider factors such as neighborhood character and identity, compatibility of land uses, impacts on livability, impacts on services and public facilities, impacts on traffic levels, and environmental impacts when changes in residential densities are proposed.

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, and location of housing.

Objective 1-6 To limit residential density and minimize grading in hillside areas.

Policy 1-6.2 Consider the steepness of the topography and the suitability of the geology in any proposal for development within the Plan area.

As a single-family dwelling, the project will help to achieve objectives of the Community Plan by maintaining the distinct residential character of the surrounding area. In addition, the project has considered the topography through its adherence to the Hillside regulations and review from the Department of Building and Safety Grading Division which approved a Soils report on December 12, 2016 identified as Log #95842. Moreover, as conditioned the improvement of a vacant property with a single-family will help further the objectives of the Plan.

The site is located within the boundaries of the San Gabriel/Verdugo Mountains

Specific Plan. However, this site is not within a scenic highway corridor, not within a "K" Equine keeping District, and not within a prominent ridgeline protection area. It therefore is eligible for an exception from the Specific Plan pursuant to Section 4, Exception Number 2. However, plans shall demonstrate compliance with Section 6.A.3 and 8.C of the Specific Plan, as applicable. Compliant projects are eligible for an Administrative Clearance in lieu of a Specific Plan Project Permit.

4. **The subject use is in conformity with the public necessity, convenience, general welfare and good zoning practice and the action will be in substantial conformance with the various elements and objectives of the General Plan.**

The Land Use Element of the City's General Plan divides the city into 35 Community Plans. The Sunland – Tujunga – Lake View Terrace – Shadow Hills – East La Tuna Canyon Community Plan designates the property for Very Low II Residential uses with a corresponding zone of RE11-1. As a single-family residence, the proposed project is in conformity with the goals and objectives of the General Plan and the Community Plan. In addition, the proposed project is in conformance with height, setback, residential floor area, and other applicable zoning regulations. Being in conformity with both the General and Community Plans, as well as the regulations of the zoning code, this grant is found to be in conformity with good zoning practice, and by providing new housing for families in Los Angeles, to be furthering the public necessity and convenience.

5. **The vehicular traffic associated with the building or structure will not create an adverse impact on street access or circulation in the surrounding neighborhood.**

The roadway improvements incorporated into the instant grant as Conditions Nos. 12 and 13 will improve access to the subject property, which currently traverses a path along Verdugo Crestline Drive, an unimproved dirt road. Once improved the traffic associated with the dwelling itself will not create any additional adverse impact on street access or circulation in the surrounding neighborhood as the use remains that of a single-family home. The single-family dwelling will fit with the existing character and density of the community and will provide required parking. A number of conditions have been imposed as part of this grant to ensure that during construction, neighbors are informed of building schedules and that measures are in place to ensure that streets remain clear.

6. **The building or structure will not be materially detrimental or injurious to the adjacent property or improvements.**

The proposed single-family dwelling will fit with the character of the surrounding community as a low-density residential development. The dwelling will be built in accordance with the hillside regulations, as well as with all of the most recent building codes and other regulatory provisions now required by the City. The project is subject

to review and approval by the Fire Department and has also been approved by the Grading Division of the Department of Building and Safety, and the Bureau of Engineering subject to specific conditions identified in its approval letter. In conjunction with other conditions, the dwelling will not be materially detrimental or injurious to surrounding properties and it will not have a materially adverse safety impact.

7. The building or structure will not have a materially adverse safety impact on the surrounding neighborhood.

The subject property is zoned RE11-1 with a Land Use designation of Very Low II Residential uses. The proposed single-family residence will adhere to the designated Zoning, General Plan Land Use, and the will constructed in accordance to the citywide Hillside Ordinance. Construction related impacts have been addressed by the established conditions of the entitlement grant. In addition, conditions requiring review by the Fire Department and the Bureau of Engineering will ensure that optimum emergency access for the subject property is retained. As such, there is no materially adverse safety impact created by the proposed single-family dwelling on the surrounding neighborhood.

8. The site and/or existing improvements make strict adherence to Section 12.21-C,10(i) impractical or infeasible.

Estaban Way is an Substandard Hillside Limited Street with unimproved roadway adjoining Verdugo Crestline Drive at the southern portion of the street. There is currently no development on Estaban Way. The subject property is located at the southern portion of Estaban Way where it adjoins Verdugo Crestline Drive. The Department of Building and Safety/Public Works Preliminary Referral Form identified a right-of-way width of 40 feet with respect to this project site. Widening the streets to a width of 20 feet all the way to the edge of the Hillside Area all the way back to Foothill Blvd is impractical and infeasible. However, improving Verdugo Crestline Drive to a width of 20-feet from the subject property to the intersection with Alene Drive is feasible. The existing right-of -way is wide enough to improve Verdugo Crestview Drive is wide enough to improve this segment of Verdugo Crestview Drive to 20-feet without negative impact to the existing homes fronting on it. The comprehensive pathway to the boundary of the Hillside Area includes Verdugo Crestview Drive, to Alene Drive, to Hillhaven Avenue, north to Foothill Boulevard. The applicant has no access to the property rights of others and such widening would result in the potential demolition of parts of existing homes, structures, walls, utilities and portions of other properties making such improvements infeasible beyond the intersection with Alene Drive.

ADDITIONAL MANDATORY FINDINGS

9. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No.

172,081, have been reviewed and it has been determined that this project is located in Zone C, areas determined to be outside 500-year flood plain.

Inquiries regarding this matter shall be directed to Zuriel Espinosa, Planning staff for the Department of City Planning, at (213) 978-1249, or at zuriel.espinosa@lacity.org.



DAVID S. WEINTRAUB
Associate Zoning Administrator

cc: Councilmember Monica Rodriguez
Seventh District
Adjoining Property Owners