

Findings 9830 Wanda Park - CPR

1. Describe what site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible; and explain why the project nonetheless conforms with the intent of those regulations.

Widening and improvement of the paved roadway from 9830 Wanda Park Drive to Benedict Canyon would be infeasible and impractical for several reasons. It would be infeasible because it would require the owner of 9830 Wanda Park to have the property rights of all of their neighbors' properties, which they do not have and could not reasonably expect to obtain. The continuous paved roadway (CPR) requirement is impractical because even if the owner had the property rights of all of their neighbors' properties to Benedict Canyon, they would then be required to potentially remove driveways, fences, hedges, and portions of buildings in order to create a street that is completely paved and 20 feet wide. This would be nearly impossible as their neighbors would oppose the removal of important features of their homes, it would be extremely expensive and damaging to existing homes to do any removal and street paving, and it would require a significant amount of years to complete. Therefore, the continuous paved roadway requirement in this instance is not feasible since it would require the ownership of land that would not be realistic for the applicant to obtain and, it would be impractical because it would require the demolition of portions of homeowner's properties, which they would not allow.

Aside from the waiver of the CPR requirement the project will conform with the intent of those regulations because, the applicant has agreed to give a 4-foot dedication along the entire front of the property to the City of Los Angeles for future public improvements such as widening the street. This coincides with the intent of the Hillside regulations and CPR requirement because street widening will provide for safer circulation for pedestrians and safer vehicular access for residents and visitors. In addition, to protect the street access of residents during project construction, the applicant submitted a parking and construction staging plan that was reviewed and approved by the City Planning Department to provide a place for construction vehicles and equipment to be parked off-street during construction to prevent vehicles from parking in the roadway and impeding traffic.

To ensure the safety of the subject property and surrounding buildings, the applicant will agree to conditions deemed required by the Fire Department to provide safe vehicular access to residents, visitors, garbage trucks, and emergency vehicles in case of fire or other emergency.

2. Describe how (in light of the project as a whole, including any mitigation measures imposed) 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 applicant's request to have the CPR requirement waived will not adversely affect the surrounding neighborhood because the project overall will be compatible with the following features:

1. The CPR waiver will be compatible because the width of the street in front of the subject property is the minimum of 20 feet wide and, the property owner will give the city a 4-foot dedication along the front parcel line for future city improvements such as street widening. Also, the newly built home will comply with the front setback requirements and have a 5-foot front setback. The 4 feet dedication and 5-foot setback will give the property a 9-foot separation from the public right of way.
2. The CPR waiver and existing street width will not increase the project's size and it will not increase development on the site as the proposed building will be built entirely within the existing building pad, therefore, the project will be compatible with the size and scale of adjacent and neighboring properties that currently exist on Wanda Park Drive.
3. The CPR waiver will not impact the project's height which will not exceed the allowable height limit per the general zoning ordinance limits for structures in the RE-15 and Hillside Zone.
4. The CPR waiver will not adversely impact the project's design. Currently, the site is developed with approximately 20% of the entire site being developed with a single-family dwelling, a swimming pool, a carport, driveway and related concrete paving for the aforementioned areas. The existing developed area is capped by a retaining wall located behind the swimming pool. The proposed development will be built on the existing building and will not go beyond the existing retaining wall. In fact, the existing retaining wall will not be touched as proof the new building will be built on the existing development pad. Furthermore, the undeveloped hillside area which makes of 80% of the site will remain untouched and preserve the pastoral aesthetic of the property.
5. And, the waiver of the CPR requirement will not have an adverse impact on existing infrastructure as existing water, drainage, sewer, and power facilities are maintained at the street's current width and in their current location so, maintaining existing facilities where they currently exist would not be a detriment to the public health, welfare, and safety of the surrounding neighborhood.

3. Explain why the project is in substantial conformance with the purpose, intent and provisions of the General Plan.

The applicant believes that the granting of a CPR waiver will be in substantial conformance with the purpose, intent, and provisions of the General Plan because, with the modification the project will continue to satisfy several goals and policies of the General Plan. Specifically, there are 11 elements in the City's General Plan, each of which establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and other issues concerning the built environment. The majority of policies derived from these elements are in the form of regulatory requirements in the Los

Angeles Municipal Code, as the State of California requires the City of Los Angeles, while a charter city, to have land use consistency between its General Plan and Municipal Code.

The General Plan designates the land use for this property as single-family or minimum residential. The zoning ordinance is consistent with this land use by zoning this area as RE-15, the Residential Estate Zone, whose primary land use is single-family residential. The General Plan in this section of the city is implemented through application of the Bel Air-Beverly Crest Community Plan (BHC). The Community Plan Map designates the property for Very Low Density, which has a limit of 1-3 units per parcel with a single-family dwelling being the primary land use. The proposed project is the construction of a single-family dwelling (SFD) and an accessory dwelling unit bringing the total number of residential units on the property to two. This is below the maximum development threshold for the area and the SFD would be the primary land use, so therefore the proposed project complies with the policies of the General Plan.

The project does not deviate from any of the requirements of the General Plan, the Los Angeles Municipal Code, or the Beverly Crest-Bel Air Community Plan. In fact, waiver of the CPR waiver is consistent with the Circulation Element of the BHC, which states "Mountain Arterial and Collector Streets, such as Wanda Park Drive, are streets that function as arterial roads or collector streets, but in order to conform with the Plan objective of preserving the single-family residential quality and environment of the Community, no widening, realigning or improvement of any existing streets should be authorized for any purpose which might result in increased traffic capacity." The approval of the CPR Waiver complies with the BHC Circulation Element because it would create a situation that would increase traffic capacity. Wanda Park Drive is not a through street. It only has access from Benedict Canyon Drive, therefore, waiver of the CPR would not increase traffic capacity. Considered in conjunction with the 4-foot dedication offered by the applicant, while traffic capacity would not increase the street would be safer for pedestrians and make it easier for automobiles and emergency vehicles to access and leave properties on Wanda Park Drive.