

Zone Change Findings

5201 N. Van Nuys Blvd. /14557 W. Magnolia Blvd.

1. Justification of your request in terms of the public necessity, convenience, general welfare and good zoning practice.

Center BMW is located within the Van Nuys-North Sherman Oaks Community Plan (“Community Plan”) and the site is currently zoned predominantly as C2-1VL and a small portion towards the west as P-1VL. This lot has a Community Plan designation of General Commercial and is located at the northwest corner of Van Nuys Blvd. and Magnolia Blvd. The Use Code designation provides for New Car Sales and Service. Directly adjacent to the west along Magnolia Blvd. at 14557 W. Magnolia Blvd. and held under a common ownership is a small lot that is currently zoned RD1.5 with Community Plan designations of Low Medium II Residential and General Commercial. The Use Code designation provides for Patron or Employee Parking Lot.

The Zone Change request applies only to the main lot located at 5201 N. Van Nuys Blvd. A Zone Variance request accompanies the Zone Change request for 14557 W. Magnolia Blvd. in order for Center BMW to develop a new Service Building/Parking Structure that traverses lot lines.

The Community Plan was last updated in 1998 and includes the northern portion of the Sherman Oaks community where the project site is mostly located. In addition, the frontage of the project site along Van Nuys Blvd. is located within the Van Nuys portion of the Community Plan Area. The Community Plan area is predominantly characterized by pockets of single family residential areas surrounded by multi-family and commercial uses. The Community Plan describes the efforts that have been undertaken to improve the Van Nuys Boulevard commercial corridor. Center BMW, along with other significant auto dealerships, is located within this commercial corridor. Although the City Planning Commission declined to approve the proposed Van Nuys Central Business District Specific Plan in 1976, the proposed Specific Plan did contain what the community saw as valuable elements to enhance Van Nuys Boulevard such as signage controls, parking requirements, mixed-use, urban design provisions and building heights and setbacks. The Department of City Planning also produced a document called “Vision Van Nuys” which developed recommendations directed at stimulating the Van Nuys Corridor. These recommendations addressed commercial and residential development, streetscape and signage, and parking and circulation.

Chapter III – Land Use Policies and Programs – outlines the goals and objectives for the land use categories contained within the Community Plan. The Land Use of “General Commercial” is defined as being applicable to “a diversity of retail sales and services, office and **auto-oriented uses** comparable to those currently allowed in the “C2” zone and located outside of districts, centers, and mixed-use boulevards and occurring at the intersections of major and secondary streets. Here, the larger portion of the Center BMW lot is currently zoned C2-1VL with the

smaller portion zoned P-1VL. It is consistent within the Land Use Policies and Programs within the Community Plan to support the requested Zone Change so that the entire lot of this auto-oriented use is zoned C2-1VL. It is the intent of the auto dealership, as part of Phase I, to build a new Service Center/Parking Structure to allow for the servicing of vehicles to be conducted within this building. Currently, the servicing of vehicles is conducted mostly in the open. In addition, future phases of development would provide for additional parking structures which would allow the dealership to store the new vehicles on the lot for quicker turn-around of sales. Currently, a majority of the new vehicles are parked off-site and causes inconvenience and delay in delivery. It is also the intent of the dealership to expand the current showroom building that would allow them to display more vehicles and promote greater new vehicle sales.

All the development activities would take place on the property currently owned by Center BMW and the use is completely consistent with the Land Use Policies and Programs within the Community Plan.

The Community Plan recognizes that “commercial land use in the Van Nuys-North Sherman Oaks Community Plan Area has demonstrated its vitality and viability during difficult economic periods.” In addition, one of the distinct commercial areas recognized in the Community Plan is that of the auto sales dealerships concentration on Van Nuys Boulevard south of Oxnard Street. Center BMW is located at the northwest corner of Van Nuys and Magnolia Boulevards – squarely within the distinct commercial recognized in the Community Plan.

It is greatly to the benefit to the City of Los Angeles and the Van Nuys-North Sherman Oaks Community to promote the economic vitality and viability of the auto sales dealerships, as recognized in the Community Plan. The Zone Change requested here promotes good zoning practice as well, that of one consistent zoning within one lot. The Community Plan indicates that such “Community Plans are intended to promote an arrangement of land uses, streets, and services which will encourage and contribute to the economic, social and physical health, safety, welfare and convenience of the people who live and work in the community.” Here, allowing for a consistent zoning of C2-1VL will indeed promote such intent as defined within this Community Plan.

Zone Variance Findings – LAMC 12.27

14557 W. Magnolia Blvd. /5201 N. Van Nuys Blvd.

Findings for Approval of a Zone Variance:

In order to grant your request, the following findings/justification must be addressed. Explain how your project conforms to the following requirements:

- 1. That the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.**

The small lot located at 14557 W. Magnolia Blvd. is zoned RD1.5 and is under the same ownership as the adjacent Center BMW lot located directly to the east. This request for a zone variance is ancillary and complementary to the main request for a zone change from P-1VL to C2-1VL for the larger lot with the 5201 N. Van Nuys Blvd. address. The larger portion of that lot is currently zoned C2-1VL and the requested zone change to bring consistency to the zoning of the entire lot, allows for the general purposes and intent of the zoning regulations and the Van Nuys-North Sherman Oaks Community Plan, to be realized.

Furthermore, the existing zoning of RD1.5 of the lot for which the zone variance is requested here, would not allow for the building of ancillary parking structures that would be utilized by the dealership without the approval of the requested zone variance. The inability to design the parking structures to traverse over the lot lines would create an undue hardship to the dealership. It is the intent of the ownership to more efficiently utilize and modernize the dealership properties, including this lot that has zoning inconsistent with the use by the ownership for new sales and service.

The Community Plan recognizes the economic value of promoting the success and viability of the auto dealerships all along Van Nuys Blvd. Center BMW would like to have the opportunity to temporarily “store” more new vehicles on their lots here for the convenience of the customers and more sales for the dealership. Consequently, the City of Los Angeles will realize and benefit from the additional sales taxes that will be collected.

- 2. That there are special circumstances applicable to the subject property such as size, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

The lot in question for which a zone variance is requested for approval is owned in common with the car dealership that is directly adjacent to the east. Development of this lot for what it is currently zoned is not feasible since the ownership is the car dealership and has no intent to develop this lot as multi-family residential. In addition, the size of the lot is extremely small and

not conducive to any type of development. It is only to the benefit of the car dealership to be able to build parking structures that would traverse over the lot lines in order to allow for an efficient and least impactful use of the main car dealership lot that is adjacent.

- 3. That the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.**

The lot that is adjacent and under common ownership is currently zoned a mix of C2-1VL and P-1VL. The main discretionary action requested is the zone change for that lot that would allow for the entire lot to be consistently zoned as C2-1VL. Practical difficulties would be imposed if the zone variance is not approved here and the use of the lot by the car dealership becomes impractical. The zone change of the main lot would allow the ownership to develop parking structures to provide auto maintenance and service; temporarily “store” automobiles to be sold; and to expand the existing showroom to promote such sales.

Since the lot in question has an underlying zoning of RD1.5 and is located adjacent to the west of other Residentially zoned properties, instead of a zone change, that may not necessarily be consistent with the intent of the zoning regulations, it would be of much more positive action to allow for the approval of a zone variance so that the property may be used productively by the car dealership who also owns the property directly adjacent to the east.

- 4. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

Appropriate and generous mitigations will be implemented to ensure that the properties to the west and to the north (albeit separated by an alley) are not affected detrimentally by the granting of this variance. Walls and greenbelts will separate the edges of this lot from those properties that are also zoned RD1.5. In seeking a zone variance rather than an actual zone change, the ownership is intending to use this lot as an “extension” of the main lot to the east and allow the proposed parking structures to traverse over the lot lines so that they are efficient.

- 5. That the granting of the variance will not adversely affect any element of the General Plan.**

The granting of this variance will not adversely affect any element of the General Plan since it is completely consistent with the intent and stated purpose of the Van Nuys-North Sherman Oaks Community Plan. This Plan recognizes that the auto dealership “row” along Van Nuys Blvd. and the continued vitality and success of the auto dealerships is crucial to the overall implementation of the Plan. This small lot that is adjacent to the Center BMW dealership will

aid in promoting such success of this dealership. The new service center/parking structure that traverses over the lot lines will allow the dealership to provide servicing of vehicles in an enclosed structure that will minimize any potential noise issues that may have risen in the past with such servicing being conducted in the open. Further, the second proposed parking structure of a later phase will enable the dealership to provide much more exhibits of new vehicles for sale to potential customers.

Since the requested variance is completely consistent with the Community Plan and therefore the General Plan, there should be no concern that this action will adversely affect any element of the General Plan.