





























APPLICATIONS:

DEPARTMENT OF CITY PLANNING APPLICATION

THIS BOX FOR CITY PLANNING STAFF USE ONLY

Case Number

ZA - 2017-2557-ELD-2V

Env. Case Number

ENV-2017-2558-EAF

Application Type

Eldercare Facility and Zone Variance

Case Filed With (Print Name)

Steven Wechter

Date Filed

6-28-17

Application includes letter requesting:

Waived hearing

Concurrent hearing

Hearing not be scheduled on a specific date (e.g. vacation hold)

Related Case Number

Provide all information requested. Missing, incomplete or inconsistent information will cause delays.

All terms in this document are applicable to the singular as well as the plural forms of such terms.

1. PROJECT LOCATION

Street Address<sup>1</sup> 4345 N. Allott Ave. Unit/Space Number

Legal Description<sup>2</sup> (Lot, Block, Tract) Lot 70, Block None, Tract 6027

Assessor Parcel Number 2360-007-024 Total Lot Area 12,899.7 sq. ft.

2. PROJECT DESCRIPTION

Present Use RCFE (Residential Care For Elderly) facility for 6 residents

Proposed Use RCFE (Residential Care For Elderly) facility for 14 residents

Project Name (if applicable) Rumi Sunrise Boarding Care

Describe in detail the characteristics, scope and/or operation of the proposed project Senior Residential Care

Facility increase to 14 residents from existing 6 residents. Request for Waiver of Required Parking

Spaces (50% reduction), to not have vehicles exit site head-on, & parking in front yard.

Additional information attached  YES  NO

Complete and check all that apply:

Existing Site Conditions

Site is undeveloped or unimproved (i.e. vacant)

Site is located within 500 feet of a freeway or railroad

Site has existing buildings (provide copies of building permits)

Site is located within 500 feet of a sensitive use (e.g. school, park)

Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)

Site has special designation (e.g. National Historic Register, Survey LA)

<sup>1</sup> Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—http://zimas.lacity.org)

<sup>2</sup> Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)



**Proposed Project Information**

- Demolition of existing buildings/structures
- Relocation of existing buildings/structures
- Interior tenant improvement
- Additions to existing buildings
- Grading\*
- Removal of any on-site tree
- Removal of any street tree
- New construction: \_\_\_\_\_ square feet
- Accessory use (fence, sign, wireless, carport, etc.)
- Exterior renovation or alteration
- Change of use and/or hours of operation
- Haul Route
- Uses or structures in public right-of-way
- Phased project

**Housing Component Information**

Number of Residential Units: Existing 1 – Demolish(ed)<sup>3</sup> 0 + Adding 0 = Total 1  
Number of Affordable Units<sup>4</sup> Existing \_\_\_\_\_ – Demolish(ed) \_\_\_\_\_ + Adding \_\_\_\_\_ = Total \_\_\_\_\_  
Number of Market Rate Units Existing \_\_\_\_\_ – Demolish(ed) \_\_\_\_\_ + Adding \_\_\_\_\_ = Total \_\_\_\_\_  
Mixed Use Projects, Amount of Non-Residential Floor Area: \_\_\_\_\_ square feet

**3. ACTION(S) REQUESTED**

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36?  YES  NO

Authorizing section 14.3.1 Section from which relief is requested (if any): \_\_\_\_\_

Request: Eldercare Facility in the R1-1-RIO zone for 14 residents.  
\_\_\_\_\_  
\_\_\_\_\_

Authorizing section 12.21.A.4(u) Section from which relief is requested (if any): 12.21.A.4(b)

Request: 50% reduction in required parking spaces from 8 spaces to 4 spaces.  
\_\_\_\_\_  
\_\_\_\_\_

Authorizing section 12.27 Section from which relief is requested (if any): 12.21.C.1(g)

Request: Zone Variance to allow required parking in the front yard in a residential zone and vehicles to exit the site not head-on.  
\_\_\_\_\_  
\_\_\_\_\_

Additional Requests Attached  YES  NO

<sup>3</sup> Number of units to be demolished and/or which have been demolished within the last five (5) years.

<sup>4</sup> As determined by the Housing and Community Investment Department

**4. RELATED DEPARTMENT OF CITY PLANNING CASES**

Are there previous or pending cases/decisions/environmental clearances on the project site?  YES  NO

If YES, list all case number(s) ZA-2002-0658(ZV)

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. \_\_\_\_\_ Ordinance No.: \_\_\_\_\_

- |   |  |
|---|--|
| <input type="checkbox"/> Condition compliance review                        | <input type="checkbox"/> Clarification of Q (Qualified) classification               |
| <input type="checkbox"/> Modification of conditions                         | <input type="checkbox"/> Clarification of D (Development Limitations) classification |
| <input type="checkbox"/> Revision of approved plans                         | <input type="checkbox"/> Amendment to T (Tentative) classification                   |
| <input type="checkbox"/> Renewal of entitlement                             |  |
| <input type="checkbox"/> Plan Approval subsequent to Master Conditional Use |  |

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project?  YES  NO

Have you filed, or is there intent to file, a Subdivision with this project?  YES  NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**5. OTHER AGENCY REFERRALS/REFERENCE**

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please check all that apply and provide reference number if known.

Are there any outstanding Orders to Comply/citations at this property?  YES (provide copy)  NO

Are there any recorded Covenants, affidavits or easements on this property?  YES (provide copy)  NO

- Development Services Case Management Number \_\_\_\_\_
- Building and Safety Plan Check Number \_\_\_\_\_
- Bureau of Engineering Planning Referral (PCRF) \_\_\_\_\_
- Bureau of Engineering Hillside Referral \_\_\_\_\_
- Housing and Community Investment Department Application Number \_\_\_\_\_
- Bureau of Engineering Revocable Permit Number \_\_\_\_\_
- Other—specify \_\_\_\_\_



6. PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant<sup>5</sup> name Farah Mirabadi (Administrator)  
Company/Firm Ramana LLC  
Address: 1070 Stradella Rd. Unit/Space Number \_\_\_\_\_  
City Bel Air State CA Zip Code: 90077  
Telephone (310) 650-3370 E-mail: SARA.AZADI@YAHOO.COM  
Are you in escrow to purchase the subject property?  YES  NO

Property Owner of Record  Same as applicant  Different from applicant  
Name (if different from applicant) \_\_\_\_\_  
Address \_\_\_\_\_ Unit/Space Number \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone \_\_\_\_\_ E-mail: \_\_\_\_\_

Agent/Representative name \_\_\_\_\_  
Company/Firm \_\_\_\_\_  
Address: \_\_\_\_\_ Unit/Space Number \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone \_\_\_\_\_ E-mail: \_\_\_\_\_

Other (Specify Architect, Engineer, CEQA Consultant etc.) \_\_\_\_\_  
Name \_\_\_\_\_  
Company/Firm \_\_\_\_\_  
Address: \_\_\_\_\_ Unit/Space Number \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone \_\_\_\_\_ E-mail: \_\_\_\_\_

Primary Contact for Project Information (select only one)  Owner  Applicant  
 Agent/Representative  Other \_\_\_\_\_

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

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<sup>5</sup> An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).

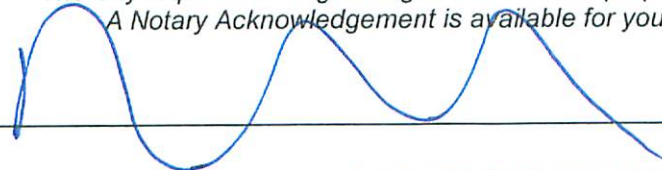
**PROPERTY OWNER**

9. **PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service or process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized to file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

- A. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.
- B. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
- C. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
- D. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

*Property Owner's signatures must be signed/notarized in the presence of a Notary Public.  
The City requires an original signature from the property owner with the "wet" notary stamp.  
A Notary Acknowledgement is available for your convenience on following page.*

Signature  \_\_\_\_\_

Date 12-21-16 \_\_\_\_\_

Print Name FARRAH MIRABADI, MANAGING MEMBER OF RAMANA LLC \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Print Name \_\_\_\_\_



Space Below For Notary's Use

California All-Purpose Acknowledgement

Civil Code ' 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

On 12.21.2016 before me, Lilly Taheri (Notary Public)  
(Insert Name of Notary Public and Title)

personally appeared FARAH MIRAZADI who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

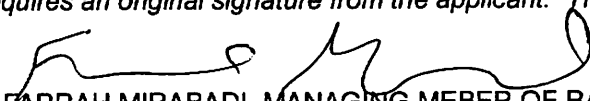
[Signature]  
Signature (Seal)



**APPLICANT**

10. **APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.
- A. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
  - B. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
  - C. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
  - D. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
  - E. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
  - F. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
  - G. I understand that if this application is denied, there is no refund of fees paid.
  - H. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
  - I. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

*The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.*

Signature:   
FARRAH MIRABADI, MANAGING MEMBER OF RAMANA LLC

Date: 12-21-16

Print Name: FARAH MIRABADI



**OPTIONAL**  
**NEIGHBORHOOD CONTACT SHEET**

**SIGNATURES** of adjoining or neighboring property owners in support of the request are not required but are helpful, especially for projects in single-family residential areas. Signatures may be provided below (attach additional sheets if necessary).

NAME (PRINT)	SIGNATURE	ADDRESS	KEY # ON MAP

**REVIEW** of the project by the applicable Neighborhood Council is not required, but is helpful. If applicable, describe, below or separately, any contact you have had with the Neighborhood Council or other community groups, business associations and/or officials in the area surrounding the project site (attach additional sheets if necessary).

## **ELDERLYCARE FACILITY UNIFIED PERMIT (ELD)**

The subject residential care facility of senior citizens provides a necessary service to the community. The State of California has determined that it is such a need that local jurisdictions are required to permit such facilities with up to six residents. The numbers of elderly who need assisted living are increasing. Allowing 14 elderly residents benefit the community by having their loved ones being taken care of in a residential building in a safe and nice neighborhood. Each neighbor can benefit by either having their loved ones to become a resident at some point in their lives once they become old and need assistance and/or volunteer to help and to show their love and care to their fellow human beings who are in need of kindness when they are so vulnerable due to their old age and in desperate need of care, support and kindness.

The subject property is an ELDERCARE FACILITY. A minimum of 75% of the floor area exclusive of common areas shall consist of Assisted Living Care Housing. It has 10 large rooms. Each room has its own bathroom and shower.

The subject lot is almost 13,000 square feet in area; well over twice the area needed for a lot in this zone. It is a lot large enough to accommodate two dwellings in this zone. Further, that with two dwellings on this property the applicant could by right accommodate 12 residents and six are permitted within each dwelling. The applicant has a dwelling, which is large enough to accommodate 14 residents (given the 10 large rooms) and a lot large enough to accommodate two dwellings.

Limiting the subject property to six residents is a significant underutilization of the improvements on the subject property and would not appear to benefit the compatibility of uses objective of the zoning regulations.

The granting of such 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.

The subject use will have a maximum of four staff at the same time with adequate on-site parking due to very few visitors expected. The proposed use is a quiet residential type use that is compatible with the existing pattern of development. The appearance of the facility is residential and consistent with the development in the area.

Denial of the request would unfairly impair the applicant from enjoying reasonable use of the subject site. The zoning regulations allow certain uses in the various zones in order to provide for compatibility between respective properties. Such regulations, however, are written on a citywide basis and cannot take into account individual unique characteristics, which a specific parcel and its intended use may have. In this instance, the Code's desire to achieve compatibility between respective sites and protect neighboring properties and the applicants desire to provide a more viable service can be, with appropriate conditions,

accommodated in a manner consistent with the intent and purpose of the zoning regulations.

Such 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 the property in question.

Several properties along the block have been developed at a density similar to that being requested and subject house would be able to accommodate 14 residents by right. Numerous other sites in the area similarly zoned have been developed to the allowable density otherwise permitted under the zoning and the applicant seeks to be on a par with such other properties.

The subject property complies with LAMC 12.21.A.4 (2) since it provides with way more than 10 square feet of indoor recreation space for activity and much more than 50 square feet of usable open space for each dwelling unit in the development, both of which are accessible to all residents.

**The subject property and its use for assisted living for more than six elderly residents, are compatible with and do not adversely affect or degrade adjacent properties, the surrounding neighborhood or the public health, welfare and safety. There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

This lot is twice the size of identically zoned lots across Allott Avenue and is the only such lot in the area utilized as a residential care facility. The applicant proposes to increase the number of residents from 6 to 14, where care will be provided for two people sharing one room in a semi-private environment.

Such service will improve public health, welfare and safety since the law requires 24/7 caregivers to be present in the subject property who would look after the elderly and assure their safety and if they need any help in regard to their health and safety, the caregivers will immediately attend to them and take care of them.

**The services provided to more than 6 elderly residents, which include housing, medical services, social services and long-term care strict shall meet citywide demand.**

The subject residential care facility of senior citizens provides a necessary service to the community. The State of California has determined that it is such a need that local jurisdictions are required to permit such facilities with up to six residents. The numbers of elderly who need assisted living are increasing. Allowing 14 elderly residents benefit the community by having their loved ones being taken care of in a residential building in



a safe and nice neighborhood. Each neighbor can benefit by either having their loved ones to become a resident at some point in their lives once they become old and need assistance and/or volunteer to help and to show their love and care to their fellow human beings who are in need of kindness when they are so vulnerable due to their old age and in desperate need of care, support and kindness.

The subject property is an ELDERCARE FACILITY. A minimum of 75% of the floor area exclusive of common areas shall consist of Assisted Living Care Housing. It has 10 large rooms. Each room has its own bathroom and shower.

Denial of the request would unfairly impair the applicant from enjoying reasonable use of the subject site. The zoning regulations allow certain uses in the various zones in order to provide for compatibility between respective properties. Such regulations, however, are written on a citywide basis and cannot take into account individual unique characteristics, which a specific parcel and its intended use may have. In this instance, the Code's desire to achieve compatibility between respective sites and protect neighboring properties and the applicants desire to provide a more viable service can be, with appropriate conditions, accommodated in a manner consistent with the intent and purpose of the zoning regulations.

**The increase of number of residents from six to fourteen does not create an adverse impact on street access or circulation in the surrounding neighborhood.**

The granting of such 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.

The subject use will have a maximum of four staff at the same time with adequate on-site parking due to very few visitors expected. The proposed use is a quiet residential type use that is compatible with the existing pattern of development. The appearance of the facility is residential and consistent with the development in the area.

The elderly residents mostly do not drive and have few visitors; therefore there would be no adverse impact on street access, traffic and circulation of the ALLOTT Avenue, and neighborhood.

**The granting of such 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.**

The subject use will have a maximum of four staff with adequate on-site parking due to very few visitors expected. The proposed use is a quiet residential type use that is compatible with the existing pattern of development. The appearance of the facility is residential and consistent with the development in the area.

The elderly individuals cared for in the facility are for the most part confined to the building, are not able to operate an automobile, and as such are not in need of a car and/or

related on-site parking space. Additionally, the site/floor plan provided by depicts a garage with two parking spaces and a driveway for two cars parking along with remodeling of the front yard, which now allows for additional 4 cars to park. Therefore, there are 8 possible parking spaces provided on site, two of which are covered.

The floor plan indicates that the various functions of the center are arranged with appropriate spaces allocated to each function, inside the house and not outside, therefore there would be no additional noise outside the house.

**The granting of the project to increase the number of residents from six is in substantial conformance with the purposes, intent and provisions of the General Plan.**

The Sherman Oaks-Studio City-Toluca Lake Community Plan designates the subject property for Low Residential Density with corresponding zones of REO, RS, RI, and RD6 and Height District No. 1. The plan does not address the issue of variances or this specific use. Inasmuch as the appearance of the subject property is still residential, there is no adverse affect on the General Plan, applicable community plan and any applicable specific plan.