

ATTACHMENT B

ZONE VARIANCE

ADDITIONAL INFORMATION/FINDINGS

VALLEY PRESBYTERIAN HOSPITAL CENTRAL UTILITY PLANT
6840-6850 SEPULVEDA BOULEVARD
VAN NUYS, CA 91405

PROJECT OVERVIEW/ REQUEST

The Applicant, Valley Presbyterian Hospital, proposes the construction, use, and maintenance of a new, two story, Central Utility Plant (“CUP”) to be located at 6840-6850 Sepulveda Boulevard, north of the existing medical office building on-site (the “Project Site”). The proposed CUP will replace existing utility infrastructure and will provide power (including emergency power) chilled water, and steam to the existing hospital complex (the “Project” or “Proposed Project”), located at 6855 N. Noble Avenue, 15107 W. Vanowen Street, and 15199 W. Vanowen Street. Connections from the CUP to the existing hospital complex will be underground, there will also be underground fuel storage tanks associated with the CUP. The CUP will be two stories in height, with a maximum height of 44 feet, 6 inches and will include 191 square feet of Floor Area necessary to allow for the maintenance of the CUP. The proposed CUP will comply with all state seismic requirements for hospitals and is a necessary component of the Hospital’s seismic compliance strategy for the hospital campus.

To accomplish the proposed Project, the Applicant is seeking approval of a Zone Variance pursuant to LAMC 13.B.5.3 from LAMC 12.12.1.A to permit the construction, use, and maintenance of the Central Utility Plant with 191 square feet of Floor Area in the P-1VL Zone, and from LAMC 12.21.D to permit the maintenance of the Valley Presbyterian Hospital within 600 feet of an elementary school.

ADDITIONAL INFORMATION/FINDINGS

The following information has been prepared pursuant to the City of Los Angeles Form CP13-7302: Findings/Special Requirements Variance and Section 13.B.5.3 of the Los Angeles Municipal Code (the “LAMC”):

- 1. The strict application of the provisions of the Zoning Code would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.*

As described below, the strict application of the provisions of the Zoning Code related to the continued maintenance of the hospital on the Subject Property and the construction, use, and maintenance of a new Central Utility Plant in the P Zone would result in both practical difficulties and unnecessary hardships, inconsistent with the general purpose and intent of the zoning regulations. The purpose and intent of the zoning

regulations is to assure appropriate development and harmony between existing and planned land uses.

“Regulations in the Zoning and Planning Code are deemed necessary in order to encourage the most appropriate use of land; to conserve and stabilize the value of property; to provide adequate open spaces for light and air and to prevent and fight fires; to prevent undue concentration of population; to facilitate adequate provisions for community utilities and facilities such as transportation, water, sewage, schools, parks and other public requirements and to promote the health, safety and general welfare all in accordance with the comprehensive plan.” (Section 12.02, Purpose, Los Angeles Municipal Code).

Such regulations, however, are written on a Citywide basis and cannot take into account individual and unique characteristics of a specific neighborhood or property as well as consider dynamic changes in the economy and use of land. A variance is a grant of permission to depart from the literal enforcement of a zoning ordinance and allow the property to be used in a manner otherwise not permitted provided that the spirit of the ordinance is observed, and substantial justice is done without detrimental impacts to the community.

The Applicant is seeking to provide a Central Utility Plant to serve the Valley Presbyterian hospital within the P Zone. The CUP will include 191 square feet of Floor Area and will provide utility services to the Valley Presbyterian Hospital campus. It is a necessary upgrade in order to continue to meet state seismic standards and will enhance hospital resiliency. The P Zone which only permits parking is antiquated zoning representative of an automobile centric culture and is being phased out through the Community Plan Updates occurring throughout the City. Imposition of the restrictions of the P Zone on the Subject Property would impose an unnecessary hardship that is in direct contravention to current planning and climate objectives which call for policies that discourage automobile use. Underscoring this fact is that the Project Site is located within an Assembly Bill 2097 area, which actually prohibits the City from requiring parking for most land uses. Also of note is that the P Zone on the site creates a ring around the otherwise C1.5 Zoned building, which would permit, by right, the CUP. As described above, the antiquated zoning of the Subject Property renders the strict imposition of the zoning an unnecessary hardship as it relates to the provision of the CUP in the P Zone.

The Applicant is also seeking a Variance from 12.21.D which prohibits the maintenance of hospitals within 600 feet of schools. The CUP is more than 600 feet from the adjacent elementary school on the south side of Vanowen Street, however, it is integral to the maintenance of hospital which would be otherwise prohibited by LAMC 12.21.D. Since establishment in 1958 the City of Los Angeles has permitted the maintenance, and expansion of the Valley Presbyterian Hospital, across Vanowen Street and within 600 feet of a school. Valley Presbyterian Hospital has become entrenched in the community, providing necessary medical services, including emergency care, serving the surrounding area. Please see *Attachment A, Previous Related Zoning Cases* for a comprehensive entitlement history related to the Subject Property. Notably, based on permit records, LAUSD, or it's predecessor LA City Board of Education, has owned the property currently

improved with Columbus Avenue Elementary School and it has been improved with classrooms since 1950.

As noted, since 1958 at various times the City has approved the continued maintenance, operation, and even expansion of the hospital complex within 600 feet of the school, finding the hospital to be a necessary public benefit serving the neighborhood and finding that the hospital is compatible with surrounding uses. In doing so, the City has created a hardship relative to the strict application of the Zoning Code which would not permit the maintenance of the hospital on the Subject Property, despite the City finding the hospital to be compatible with surrounding uses on numerous occasions.

As set forth above, the strict application of the zoning code would prohibit the maintenance of existing, and approved, hospital uses as well as the development of the proposed CUP in the P Zone, which would create an unnecessary hardship, inconsistent with the purpose and intent of the zoning regulations.

2. 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.

There are special circumstances applicable to the Subject Property that do not generally apply to other properties within the same Zone and vicinity. In this instance, the City permitted the construction, use, and maintenance of the hospital within 600 feet of a school. Additionally, the P zoning is in and of itself a special circumstance, as described above, P Zoning is being phased out with the implementation of the new community plans as it's use is no longer consistent with planning objectives.

Specifically, relative to the siting of the hospital within 600 feet of the school, constitutes a special circumstance that is applicable to the Subject Property but not applicable to other properties within the vicinity. As described, the City has continued to grant approvals related to the continued operation of the hospital within 600 feet of the school, this is a unique circumstance not otherwise applicable to surrounding properties.

Additionally, relative to the P Zoning, it is notable that there is limited P zoning adjacent to the Subject Property. Surrounding zones generally permit a diversity of uses, including the CUP use which is permitted in the C1.5 Zone, which is immediately adjacent to the Project Site. The outmoded P Zoning itself constitutes a special circumstance not otherwise applicable to other property in the vicinity.

As described above, there are special circumstances applicable to the Subject Property that do not generally apply to other properties within the same zone and vicinity.

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 the property in question.

The Variance is necessary for the preservation of a substantial property right generally possessed by other property in the same zone and vicinity but due to the special circumstances and unnecessary hardships described above, would otherwise be denied to the Subject Property. Relative to the request to maintain the hospital on the Subject Property within 600 feet of the elementary school, the Hospital is located across multiple zones including the R-1, RD 1.5, C2, C1, PB, C1.5, and P Zone.

The properties surrounding the Subject Property are generally zoned [Q] PB-1VL, C1-1L, R3, C2-1VL, R1, and C2-1VL-RIO.

The neighboring properties to the north of the Project Site include multi-family residential development located in the R3 Zone, north of the hospital complex, there is also R1 zoned single family development.

The nearest neighboring property to the west of the Project Site across Sepulveda Boulevard is multi-family residential development Zoned R3.

The properties immediately east of the Project Site are improved with a parking building and the main hospital building, east of the hospital campus, across Noble Avenue, is R1 Zoned single family development and a parking building serving associated medical office uses Zoned [Q]PB-1.

South of the Project Site is a gas station and medical office building associated with the hospital. South of the hospital campus on the south side of Vanowen Street there are commercial uses, an elementary school, and multi-family uses, Zoned C2-1VL-RIO, PF-1XL-RIO, and R3-1-RIO, respectively

As described above, adjacent properties located in like zones are developed and used congruous to their zoning. Furthermore, as stated above, the Subject Property has been developed with the hospital use, and located across from LAUSD property, since 1958. During which time the City has permitted the maintenance and expansion of the hospital. The instant Variance request is to permit the continued enjoyment of the Subject Property as presently developed, improved pursuant to prior approvals and providing ongoing public benefit.

Additionally, relative to the strict application of the limits of the P Zone, the proposed CUP is a necessary upgrade for the hospital campus, permitted in the immediately adjacent C1.5 Zoning. The Variance is necessary to allow for the continued enjoyment of a substantial property right, as the CUP is necessary to serve the hospital and the P Zoning constitutes both a special circumstance and a hardship, as set forth in detail above.

As demonstrated above, the Subject Property would be denied substantial property rights previously granted to the Subject Property, or necessary to maintain the subject property, absent the requested Zone Variances.

4. *That the granting of a Zone 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.*

Granting the Zone Variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity of the Subject Property. The Subject Property has already been operating as a hospital since 1958 and the City has found the hospital use to be consistent with surrounding uses and a benefit to the community through multiple previous entitlements. The proposed CUP will also not be materially detrimental to the public welfare or injurious to the property or improvements in the same one zone of vicinity in which the property is located. Notably, the CUP is a permitted use in the C1.5 Zone, which is immediately adjacent to the P Zoning. The CUP is ancillary to the hospital use, which as set forth above, is consistent with surrounding uses and will not be materially detrimental to the public welfare or injurious to surrounding properties. Additionally, the subject requests will be subject to Conditions of Approval which will assure the ongoing compatibility of the hospital and specifically the CUP with surrounding uses.

5. *That the granting of a Variance will not adversely affect any element of the General Plan.*

The proposed Project will not adversely affect any element of the General Plan, rather it is in conformance with the General Plan, as described below. The City of Los Angeles' Citywide General Plan Framework Element establishes the overall policy and direction for the entire City of Los Angeles General Plan.

The Health Element of the General Plan includes the goal to “encourage the equitable distribution of health service providers: including federally qualified health centers, hospitals, pharmacies, urgent care, and mental health services, to ensure that every Angeleno has access to preventive care and medical treatment.”

The proposed Project is consistent with this goal as it allows the Valley Presbyterian Hospital to continue to provide essential health services within the Van Nuys North Sherman Oaks Community Plan area. The 350 bed hospital serves over 60,000 patients in the emergency department alone each year, and the hospital offers a Pediatric Intensive Care Unit, one of two in the San Fernando Valley. As such, the Variance requests are consistent with the Health Element of the General Plan.

The Land Use Element of the General Plan consists of 35 Community Plans. The Subject Property is located within the Van Nuys- North Sherman Oaks Community Plan (Community Plan). The Project Site is designated for general commercial uses and the Subject Property as a whole is designated a variety of land uses including Low Residential, Low Medium II Residential, General Commercial, and Neighborhood Commercial. Hospitals are either permitted by right or by Conditional Use throughout the Subject Property (except where the Property has P or PB Zoning, both of which are inconsistent with applicable Land Use designations). Furthermore, as mentioned above, a CUP is permitted by-right in the C1.5 Zone. As the proposed Variances allow the maintenance of the hospital and the construction of an ancillary Central Utility Plant for the hospital, both of which would be permitted either by right or by Conditional Use Permit within the

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applicable land use designations, the requested Variances are consistent with the applicable Community Plan.

Relative to the Mobility Plan, the Mobility element of the General Plan, the surrounding streets are improved to Mobility 2035 plan standards.

As described above, the requested Zone Variances are consistent with the General Plan and therefore will not degrade it.

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