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November 11, 2019

Land Use Committee
Tarzana Neighborhood Council
P.O. Box 571016
Tarzana, CA 91357

Re: Proposed Childcare Center at 19100 W. Victory Blvd., Los Angeles, California

Dear Chair David Garfinkle, and Committee Members Denyse Schall, Cheryl Crane, Evelyn Garfinkle, Eran Heissler, Iris Polonsky, Leonard Shaffer, and Pamela Blattner:

We represent Sarkhan Nabiyev, Sevinj Mirzatagi, and Ayaz Nabiyev, and we submit this letter on their behalf for the Committee's consideration of their proposal to develop a childcare center, Sunrise Childcare, ("Project") at their property located at 19100 W. Victory Blvd. in Tarzana ("Property"). The Project will involve demolishing the existing single-family residence on the Property and building a childcare facility for approximately 36 children ("Project. To construct the Project, we will be applying to the Zoning Administrator ("ZA") for (1) a Conditional Use Permit ("CUP") to allow a childcare facility in a R1 zone (Los Angeles Municipal Code ("LAMC") § 12.24(W)(51)), and (2) a ZA adjustment to construct a six-foot wall in the Property's front yard (LAMC §§ 12.22(C)(20)(f)(2), 12.24(X)(7)).

As we explain below, the Project complies with the LAMC's development standards, is compatible with the neighborhood, and will provide a great service to Tarzana's residents. Our clients have extensive experience operating daycare centers in Los Angeles, currently operating at 6519 Rhea Ave., Reseda and 18733 Victory Blvd., Reseda. Like their other daycares, Sunrise Childcare will be a family-run business, and the Nabiyevs and Ms. Mirzatagi will apply that same expertise and personal devotion to the Project. Accordingly, we respectfully request that the Committee recommend approval of the Project.

1) The Project

As demonstrated in the Project site and elevations plans enclosed with this letter, the Project has been designed to comply with the applicable LAMC development standards. The Property is zoned R1. The Project's proposed 20 foot deep front yard, 5 foot wide side yards, and 15 foot deep rear yard satisfy the R1 setback requirements - front yards must be at least 20% of the lot's depth,

but need not exceed 20 feet; side yards must be at least 5 feet wide; and rear yards must be at least 15 feet deep. (LAMC § 12.08(C)(1)-(3).) The Property's size – 64 feet wide and 7,593 square feet ("sf") – satisfies the minimum 50 foot width and 5,000 sf lot standards. (LAMC § 12.08(C)(4).) The proposed Project's total floor area of 2,815 sf (37% of the 7,593 sf lot) is well beneath the maximum 45% Residential Floor Area permitted in the R1. (LAMC § 12.08(C)(5)(a).) The LAMC requires six automobile parking spaces for the Project, one of which may be replaced by four bicycle spaces. (LAMC §§ 12.21(A)(4)(c); 12.21(A)(4).) The Project's proposed five automobile and four bicycle parking spaces complies with this requirement. Finally, the Project's highest point – 13'6" – is well under the maximum height of 33 feet permitted in the R1. (LAMC § 12.21.1.)

2) CUP for Childcare

Childcare facilities are permitted in R1 zones with a CUP. (LAMC §§ 12.08(A)(6); 12.24(W)(51).) A CUP for a childcare facility requires that: (1) the facility is not used for residential purposes; (2) the children attending are 16 years of age or under, and (3) the facility is licensed as a day care facility for children by the State of California per Title 22 of the California Code of Regulations. (LAMC §§ 12.03; 12.08(A)(6); 12.24(W)(51).) The proposed facility will not be used for residential purposes and the children attending the facility will range from infants to adolescents up to 12 years. Our client's will fulfill the state licensing requirement, but they cannot begin that process until the Project is constructed and can be inspected by the Department of Social Services. (Health & Saf. Code § 1597.13; Cal. Code Regs., tit. 22, § 101151, *et. seq.*)

To grant the CUP, the ZA must make the following findings: (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; (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; and (3) the Project substantially conforms with the purpose, intent, and provisions of the General Plan, the Reseda - West Van Nuys Community Plan. (LAMC § 12.24(E).)

Here, offering convenient and accessible childcare to local residents and businesses is undeniably beneficial to and will enhance the community. This is particularly true in the case of Sunrise Childcare, which primarily caters to families who have children of preschool age and younger and therefore cannot yet access public K-8 schools and after school programs. The age breakdown is anticipated to be approximately: six infants, eight toddlers, sixteen preschoolers, and six school-age children. Second, as discussed above, the Project complies with the R1 development standards, and the proposed Project's choice of wood, stucco, and concrete as building materials and its single-story design make it consistent and compatible with the surrounding homes. Further, limiting the facility's hours of operation to daytime and early evening (7:00 a.m. – 7:00 p.m.), providing a shuttle service for some of the enrollees, placing walls around the play areas, and maintaining tasteful landscaping will help the center blend seamlessly into the neighborhood's

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residential character. Lastly, the use of the Property as a childcare facility would not conflict with the broad vision for the community outlined in the Reseda - West Van Nuys Community Plan. The Community Plan stresses the importance of preserving and enhancing existing residential neighborhoods, preventing out of scale development, and preserving neighborhoods' residential character. As discussed above, the Project's design and use both enhance and blend into the existing community.

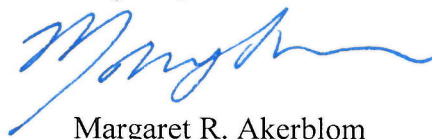
3) ZA Adjustment for Fence/Wall

In the R1 Zone, fences and walls in front yards are limited to three and a half feet unless a ZA's adjustment is obtained for up to eight feet. (LAMC §§ 12.22(C)(20)(f)(2); 12.24(X)(7)(a).) The Project proposes a six-foot wall in the Property's front yard along Victory Boulevard for the safety and privacy of the pre-school age children who will use that area as a play yard. To approve the wall, the ZA must make the same three findings as for the Childcare CUP. (LAMC §§ 12.24(X); 12.24(E).) For the same reasons described above, the proposed wall satisfies these required findings.

The ZA must also consider the environmental effects and appropriateness of materials, design, and location of any proposed fence or wall, including any detrimental effects on the view which may be enjoyed by the occupants of adjoining properties and security to the subject property which the fence or wall would provide. (LAMC § 12.24(X)(7)(c).) Here, first and foremost, the wall will provide privacy and security for the pre-school age children using the play yard directly behind the wall. The six foot wall will also be consistent with the character of the surrounding properties. A home directly across the street on Victory Boulevard has a cinder-block, front yard wall of a similar height and other homes on the same block feature wooden fences of a similar height and design. Moreover, the proposed design – cinder block with a white stucco finish and a segment of attractive wooden fencing abutting a landscaped curb – provides an aesthetically pleasing view from the street and visually blends into the primarily stucco homes and Southern California-feel of the neighborhood.

Enclosed with this letter are the site plan, elevations, landscape plan, and conceptual renderings for the Project. Please let us know if there is any further information we can provide. We look forward to attending the Tarzana Neighborhood Council Land Use Committee meeting on November 18, 2019 to discuss this Project further.

Regards,



Margaret R. Akerblom

MRA:agr
Enclosure