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November 22, 2023

*Transmitted via email*

**Applicant/Owner**  
MAMBA 24 LLC  
4043 Irving Place  
Culver City, CA 90232

**Representative**  
Jeff Zbikowski  
JZ DEVELOPMENT LLC  
4043 Irving Place  
Culver City, CA 90232

**Updated Case No.** CPC-2023-4205-DB-PHP-VHCA

**Previous Case No.** ADM-2023-4205-DB-ED1-VHCA

**Related Case:** PAR-2023-1937-VHCA-ED1  
PAR-2023-2458-AHRF-ED1

**CEQA:** ENV-2023-5356-EAF

**Location:** 10898, 10898 1/2, 10900  
W OLINDA ST

**Council District:** 6

**Neighborhood Council:** Sun Valley Area

**Community Plan Area:** Sun Valley - La Tuna Canyon

**Overlay Plan:** None

**Land Use Designation:** Low Residential

**Zone:** R1-1-CUGU

**Legal Description:** Lot PT 7, Arbs 1 & 2, Block  
29, Tract LOS ANGELES  
LAND AND WATER CO'S  
SUBDIVISION OF A PART OF  
MACLAY RANCHO

**Letter of Non-Compliance**

On June 21, 2023, the applicant filed Case No. ADM-2023-4205-DB-ED1-VHCA for a 100% affordable (exclusive of the manager's unit) 78-unit multiple family housing project. The Applicant sought a ministerial density bonus under the Mayor's Executive Directive 1 (ED1) and LAMC Section 12.22 A.25 in conjunction with California Assembly Bills AB2345 and AB1763 with base incentives for unlimited density, zero parking, additional height, and additional off-menu incentives for rear yard reduction, front yard reduction, residential floor area increase, reduction of bicycle parking and five waivers of development standards to eliminate R-1 side yard plane break, surface parking landscape requirements, tree planting requirements, front yard encroachment plane, and to allow compact parking to count towards the total provided parking. The project sought to utilize the highest density allowed under the Low Residential General Plan Land Use Designation of the Sun Valley - La Tuna Canyon Community Plan (RD5 Zone) area utilizing AB2334 and AB1763.

On August 4, 2023, ADM-2023-4205-DB-ED1-VHCA was converted to CPC-2023-4205-DB-ED1-VHCA; the new case number reflects: 1) the project does not qualify for ED1 processing by removal of the ED1 suffix; 2) a change from an administrative review process originally indicated by the "ADM" prefix, to a City Planning Commission review process based on the procedures specified in LAMC 12.22 A.25 for off-menu density bonus incentives and waivers, as specified by the new "CPC" prefix; 3) a density bonus under State law was pursued under the ADM case number and is also being pursued under the CPC case number by the suffix "DB"; 4) a new Priority Housing Program (PHP) suffix to denote that the project qualifies for PHP by providing at least 10 units and for setting aside at least 20 percent of rental units for Low Income households.; and 5) the project remains vested in the LAMC provisions and land use plans in effect on the date of your complete Preliminary Application by carrying over the "VHCA" suffix to the CPC case number. The project application was deemed complete on October 27, 2023, by operation of law, in accordance with the Permit Streamlining Act.

Government Code Section 65944 states that local agencies may, "...in the course of processing the application, request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application.....". In order to correctly process your application, the following information is required in order to clarify, amplify, correct and supplement the information provided previously. In addition, Government Code Section 65589.5(j)(2)(a) states the following:

(A) If the local agency considers a proposed housing development project to be inconsistent, not in compliance, or not in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision as specified in this subdivision, it shall provide the applicant with written documentation identifying the provision or provisions, and an explanation of the reason or reasons it considers the housing development to be inconsistent, not in compliance, or not in conformity as follows:

(i) Within 30 days of the date that the application for the housing development project is determined to be complete, if the housing development project contains 150 or fewer housing units

In accordance with GC Section 65589.5(j)(2)(a) the Department of City Planning finds that the project is inconsistent and not in compliance with the following provisions of the Zoning Code, as determined through the preliminary zoning review process:

#### **DENSITY/USE**

The proposed project includes a 100% affordable 78-unit multiple family (exclusive of the manager's unit) project located within the R1 Zone, a single-family zone, located within the Sun Valley – La Tuna Canyon Community Plan. In accordance with LAMC Section 12.08, the permitted residential density of the R1 Zone is one dwelling unit per 5,000 square feet of lot area. The subject property has approximately 30,304 square feet of lot area, which allows for a maximum of 6 units. The project proposes a 1200% unit increase for a total of 78 multiple family units and is not compliance with the use nor density of R1 Zone.

Pursuant to LAMC Section 12.22 A.25 for density bonus incentives and waivers, the project is seeking to utilize California State Assembly Bill AB2334 to request the RD5 Zone, which is the highest available density allowed under the site's General Plan Land Use designation of Low-Residential in the Sun Valley – La Tuna Canyon Community Plan Area.

**RESIDENTIAL FLOOR AREA (RFA)**

In accordance with 12.08 C.5, the permitted RFA in the R1-1 Zone is 45% of the gross lot area. The subject property has approximately 30,304 square feet of lot area, which allows for 13,636 square feet of RFA. The project proposes an RFA of 35,041 square feet of residential floor area and is not in compliance with 12.08 C.5. The Applicant is seeking an LAMC Section 12.22 A.25 off-menu incentive to increase the RFA by 257% from 13,636 to 35,041 square feet.

**SETBACKS / ENCROACHMENT PLANE**

In accordance with LAMC Section 12.08, properties within the R1 Zones have setback requirements of 20 feet, and a rear yard setback requirement of 15 feet minimum. Additionally, all portions of a building that have a side wall exceeding 14 feet in height and a continuous length greater than 45 feet shall have an offset/plane break that is a minimum depth of five feet beyond the required yard and a minimum length of 10 feet.

**FRONT-YARD SETBACK AND ENCROACHMENT PLANE**

In accordance with Section 12.08 C.1, front yard setbacks within the R1 Zone shall maintain a 20-foot setback. The project proposes a 3-foot front-yard setback and is not in compliance with Section 12.08 C.1. The project seeks an off-menu density bonus incentive to obtain an 85% front-yard reduction.

In accordance with LAMC Section 12.08 C.5, the encroachment plane shall originate from a point that is 20 feet in height from the existing or finished grade, whichever is lower, along the required front yard setbacks. The Project does not provide any front-yard encroachment plane breaks and is not in compliance with 12.08 C.5, and seeks a Density Bonus with Waiver of Development Standard for relief of front-yard encroachment plane break within the R1-1 Zone.

**SIDE-YARD SETBACK AND ENCROACHMENT PLANE**

Section 12.08 C.5 regulates requirements for side-yard encroachment plane breaks. In accordance with LAMC Section 12.08 C.5, the encroachment plane shall originate from a point that is 20 feet in height from the existing or finished grade, whichever is lower, along the required side yard setbacks. The project does not provide encroachment plane breaks within the southwest side yard setbacks is not in compliance with 12.08 C.5. The project seeks Density Bonus with Waiver of Development Standard for relief of side-yard encroachment plane break within the R1-1 Zone.

**REAR-YARD SETBACKS**

In accordance with LAMC Section 12.08 C.3, rear-yard setbacks within the R1 Zone require a 15-foot setback. The project proposes a 12-foot rear-yard setback and is not in compliance with LAMC Section 12.08 C.3. The project seeks an on-menu density bonus incentive for a 20% rear-yard reduction.

#### **PARKING**

Pursuant to the LAMC Section 12.21 A.4, vehicular parking for the residential units is required at a rate of 1.5 space for each studio, or one-bedroom unit and 2 spaces for each two-bedroom unit; therefore, the Project would be required to provide a minimum of 121 parking spaces for the residential units. The project proposes 40 parking spaces, and is not in compliance with LAMC Section 12.21 A.4.

The applicant is seeking, as a base incentive, Parking Option 3 per the Affordable Housing Referral Form (dated May 9, 2023) which utilizes AB 2345 for 100% affordable housing developments to propose no minimum parking requirements for a qualifying housing development that is located within 0.5 miles of a Major Transit Stop. The applicant is also asking for a waiver to provide 65% compact parking.

#### **BICYCLE PARKING**

Pursuant to the LAMC Section 12.21 A.16, bicycle parking for the residential units is required at a rate of one long-term space for each dwelling unit up to 25 units and at a rate of 2/3 long-term spaces for units 26-78. Additionally, one short-term space for each ten dwelling units up to 25 units and at a rate of one short-term space for each fifteen units 26-78. The total required bicycle would be 60 long-term and 6 short-term spaces for a total of 66 bicycle parking spaces.

The project proposes zero long-term bicycle parking and 6 short term bicycle parking and is not in compliance with LAMC Section 12.21 A.16. The project seeks an off-menu density bonus incentive request to allow zero long-term bicycle parking and is seeking a 100% reduction of long term bicycle parking requirements.

#### **OPEN SPACE / LANDSCAPE**

Pursuant to LAMC Section 12.21 G.2, there shall be 100 square feet of open space provided for each residential unit having less than three habitable rooms and 125 square feet of open space provided for each residential unit having three habitable rooms. The Project consist of 31 studio units, 40 one-bedroom units, and 7 two-bedroom units, and is required to include 7,975 square feet of open space (3,987.5 square feet of common open space, and 3,987.5 square feet of private open space). The Project proposes 1,100 square feet of open space and is not in compliance with LAMC Section 12.21 G.2. The Applicant is seeking an off-menu density bonus incentive to reduce required open space by 86.2%. In addition, the Applicant is also seeking a Density Bonus with Waiver of Development Standard for tree requirements, and Density Bonus with Waiver of Development Standard for any required surface parking landscape requirements.

#### **PROJECT DEFICIENCIES**

On July 6, 2023, a letter was issued stating that the Project does not qualify for ED1 processing based on its location in a single-family zone. On August 4, 2023, the Department of City Planning emailed a Second Status of Project Review Letter to the applicant. As part of this letter, the originally filed ADM-2023-4205-DB-ED1-VHCA was considered converted to CPC-2023-4205-DB-PHP-VHCA as of July 6, 2023. This letter included instructions to provide materials for an Environmental Assessment Form (EAF) per CP-1204, including any required supplemental documents as illustrated on page 17 of the EAF, along with invoicing for the entitlement path associated with the CPC case number & EAF per Invoice Number 88959. This letter also requested previously identified missing information, and to provide further clarification, amplification, correction, and/or supplementation with the submitted materials to the first Status of Project Review Letter sent on July 10, 2023.

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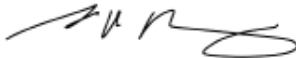
On September 27, 2023, the applicant issued a response to the First Status of Project Review issued on July 10, 2023, that did not provide all missing or incomplete information listed in both letters of Status of Project Review dated July 10, 2023 and August 4, 2023, respectively. This includes missing CEQA documents to satisfy the Environmental Assessment Form application including all the required supplemental documents to accompany the EAF application, along with the outstanding balance left for pending Invoice Number 88959 for the entitlement path associated with the CPC-2023-4205-DB-PHP-VHCA case number and the associated EAF.

It is the intent of the Department to process this case in a timely manner. Please provide the clarification requested within 30 days of receipt of this correspondence. We are also available to discuss the project via telephone or video conference.

If you have any questions regarding this matter, please contact Dang Nguyen at (818) 374-5027 or at [dang.nguyen@lacity.org](mailto:dang.nguyen@lacity.org).

VINCENT P. BERTONI, AICP  
Director of Planning

For Dang Nguyen



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Valley Project Planning  
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