

# PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

<b>CITY PLANNING CASE:</b>	<b>ENVIRONMENTAL CASE:</b>	<b>COUNCIL DISTRICT:</b>
CPC-2022-8567-DB-CDO-SPR-VHCA-1A	ENV-2023-8568-CE	4 – Raman
<b>RELATED CASE NOS.</b>		<b>COUNCIL FILE NO:</b>
<input checked="" type="checkbox"/> N/A		<input checked="" type="checkbox"/> N/A
<b>PROJECT ADDRESS / LOCATION:</b>		
18430 – 18434 West Vanowen Street		
<b>APPLICANT:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Daniel Kashani, Tristar Realty Group	(818) 748-4800	<a href="mailto:olivia@rpnllp.com">olivia@rpnllp.com</a>
<b>APPLICANT'S REPRESENTATIVE:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Olivia Joncich, Rand Paster & Nelson, LLP	(213) 557-2703	<a href="mailto:olivia@rpnllp.com">olivia@rpnllp.com</a>
<b>APPELLANT:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Supporters Alliance for Environmental Responsibility (SAFER)	(510) 836-4200	<a href="mailto:richard@lozeaudrury.com">richard@lozeaudrury.com</a>
<b>APPELLANT'S REPRESENTATIVE:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Hayley Uno, Lozeau Drury LLP	(510) 836-4200	<a href="mailto:hayley@lozeaudrury.com">hayley@lozeaudrury.com</a>
<b>PLANNER CONTACT:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
David Woon	(213) 978-1368	<a href="mailto:david.woon@lacity.org">david.woon@lacity.org</a>
<b>ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):</b>		
Density Bonus (On-Menu Incentives) DB; Community Design Overlay Compliance Review (CDO); Site Plan Review (SPR)		
<b>FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)</b>		
<b>Density Bonus (Off-Menu Incentives and Waiver of Development Standards)</b>		
<b>ITEMS APPEALED:</b>		
CEQA appeal, Class 32 Categorical Exemption		

ATTACHMENTS:	REVISED:	ENVIRONMENTAL DOCUMENT:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination <input checked="" type="checkbox"/> Findings of Fact <input checked="" type="checkbox"/> Staff Recommendation Report <input checked="" type="checkbox"/> Conditions of Approval <input type="checkbox"/> T Conditions <input type="checkbox"/> Proposed Ordinance <input type="checkbox"/> Zone Change Map and Ordinance <input type="checkbox"/> GPA Resolution <input type="checkbox"/> Land Use Map <input type="checkbox"/> Exhibit A – Plans <input checked="" type="checkbox"/> Mailing List <input checked="" type="checkbox"/> Interested Parties List <input checked="" type="checkbox"/> Appeal <input type="checkbox"/> Development Agreement <input type="checkbox"/> Site Photographs <input type="checkbox"/> Other:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption) <input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption) <input type="checkbox"/> Negative Declaration (ND) <input type="checkbox"/> Mitigated Negative Declaration (MND) <input type="checkbox"/> Environmental Impact Report (EIR) <input type="checkbox"/> Mitigation Monitoring Program (MMP) <input type="checkbox"/> Sustainable Communities Project Exemption (SCPE) <input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA) <input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR) <input type="checkbox"/> Appendices <input type="checkbox"/> Other:	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
<b>NOTES / INSTRUCTIONS:</b>			
Entitlements were appealed on December 27, 2024 following the issuance of the Determination Letter on December 19, 2024.			
<b>FISCAL IMPACT STATEMENT:</b>			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No *If determination states administrative costs are recovered through fees, indicate "Yes."			
<b>PLANNING COMMISSION:</b>			
<input checked="" type="checkbox"/> City Planning Commission (CPC) <input type="checkbox"/> Cultural Heritage Commission (CHC) <input type="checkbox"/> Central Area Planning Commission <input type="checkbox"/> East LA Area Planning Commission <input type="checkbox"/> Harbor Area Planning Commission		<input type="checkbox"/> North Valley Area Planning Commission <input type="checkbox"/> South LA Area Planning Commission <input type="checkbox"/> South Valley Area Planning Commission <input type="checkbox"/> West LA Area Planning Commission	
<b>PLANNING COMMISSION HEARING DATE:</b>		<b>COMMISSION VOTE:</b>	
November 21, 2024		6 – 0	
<b>LAST DAY TO APPEAL:</b>		<b>DATE APPEALED:</b>	
January 3, 2025		December 27, 2024	
<b>TRANSMITTED BY:</b>		<b>TRANSMITTAL DATE:</b>	
Cecilia Lamas Commission Executive Assistant II		January 15, 2025	



# LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

[www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

MAILING DATE: **DEC 19 2024**

Case No.: **CPC-2022-8567-DB-CDO-SPR-VHCA**

Council District: 4 – Raman

CEQA: ENV-2022-8568-CE

Plan Area: Reseda – West Van Nuys

**Project Site:** 18430 – 18434 West Vanowen Street

**Applicant:** Daniel Kashani, 18434 Vanowen LLC  
Representative: Olivia Joncich, Rand Paster & Nelson, LLP

At its meeting of **November 21, 2024**, the Los Angeles City Planning Commission took the actions below in conjunction with the following Project:

Demolition of the existing commercial building and carport and the construction, use, and maintenance of a new seven-story, 95-unit residential development. Fifteen percent of the base density, or 11 dwelling units, will be set aside for Very Low Income Households. The Project proposes 102 vehicle parking spaces located within the ground-floor and second-floor levels. The Project also proposes a total of 79 bicycle parking spaces.

1. **Determined**, that based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15332, Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Approved**, pursuant to Section 12.22 A.25 of the Los Angeles Municipal Code (LAMC), a Density Bonus Compliance Review to permit a residential development project consisting of 95 dwelling units of which 11 units will be set aside for Very Low Income Households, and with the following On-Off Menu Incentives and Waivers of Development Standards:
  - a. An On-Menu Incentive to permit the averaging of Floor Area Ratio (FAR), density, open space, parking, and access across the [Q]C2-1L-CDO-RIO and RA-1L-RIO Zones;
  - b. An Off-Menu Incentive to permit a 15-foot and 1-inch rear yard in lieu of 25 percent of the lot depth, or 25 feet, in the RA-1L-RIO Zone;
  - c. An Off-Menu Incentive to permit a total floor area of 90,112 square feet and a FAR of 3.11:1 across the [Q]C2-1L-CDO-RIO and RA-1L-RIO Zones in lieu of a FAR of 1.5:1 in the [Q]C2-1L-CDO-RIO and 25 percent of the lot area in the RA-1L-RIO Zone;
  - d. A Waiver of Development Standards to permit a height of seven stories and 74 feet and six inches in lieu of 45 feet otherwise permitted in the [Q]C2-1L-CDO-RIO Zone and 30 feet otherwise permitted in the RA-1L-RIO Zone;
  - e. A Waiver of Development Standards to waive transitional height limits otherwise required in LAMC Section 12.21.1 A.10;
  - f. A Waiver for an open space reduction to permit 5,487 square feet of open space in lieu of 10,750 square feet of open space required by LAMC Section 12.21.G.2;
  - g. A Waiver of Development Standards to permit a 9-foot westerly side yard in the [Q]C2-1L-CDO-RIO and RA-1L-RIO Zones in lieu of 10 feet required by LAMC Sections 12.14 C.2 and 12.07 C.2; and

- h. A Waiver of Development Standards to permit a 9-foot easterly side yard in the [Q]C2-1L-CDO-RIO and RA-1L-RIO Zones in lieu of 10 feet required by LAMC Section 12.14 C.2 and 12.07 C.2;
3. **Approved**, pursuant to LAMC Section 13.08, a Community Design Overlay Compliance Review with the design guidelines and standard of the Reseda Central Business District Community Design Overlay District (CDO);
4. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a development resulting in 50 or more dwelling units;
5. **Adopted** the attached Conditions of Approval; and
6. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Zamora  
 Second: Klein  
 Ayes: Diaz, Mack, Newhouse, Saitman  
 Absent: Cabildo, Choe, Lawshe

**Vote: 6 – 0**

Cecilia Lamas, Commission Executive Assistant II  
 Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

**Effective Date/Appeals:** The decision of the Los Angeles City Planning Commission as it relates to the Density Bonus Off-Menu Incentives and Waivers of Development Standards are not further appealable. The Density Bonus On-Menu Incentives and the remaining entitlements are appealable to City Council within 15 days after the mailing date of this determination letter. Any appeal not filed within the 15-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles, CA 90012; or 6262 Van Nuys Boulevard, Suite 251, Van Nuys, CA 91401.

**JAN 03 2025**

**FINAL APPEAL DATE:** \_\_\_\_\_

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Conditions of Approval, Findings, Appeal Filing Procedures

cc: Heather Bleemers, Senior City Planner

Esther Ahn, City Planner  
David Woon, Planning Assistant

## CONDITIONS OF APPROVAL

Pursuant to Sections 12.22 A.25, 13.08, and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

### Development Conditions

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans, submitted by the Applicant, stamped "Exhibit A," and attached to the subject case file.
2. **Residential Density.** The project shall be limited to a maximum density of 95 dwelling units including Density Bonus Units.
3. **On-site Restricted Affordable Units.** A minimum of 15 percent of the base density, or eleven (11) units, shall be reserved for Very Low Income Household, as defined by the California Government Code Section 65915 and by the Los Angeles Housing Department (LAHD). In the event the SB 8 Replacement Unit condition requires additional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.
4. **SB 8 Replacement Units (California Government Code Section 66300 et seq.)** The project shall be required to comply with the Replacement Unit Determination (RUD) letter, dated August 2, 2022, to the satisfaction of LAHD. The most restrictive affordability levels shall be followed in the covenant. In the event the On-site Restricted Affordable Units condition requires additional affordable units or more restrictive affordability levels, the most restrictive requirements shall prevail.
5. **Housing Requirements.** Prior to the issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department (LAHD) to make eleven (11) units available to Very Low Income households or equal to 15 percent of the project's base density, for sale or rental, as determined to be affordable to such households by LAHD for a period of 55 years. (In the event the applicant reduces the proposed density of the project, the number of required reserved on-site Restricted Units may be adjusted, consistent with LAMC Section 12.22 A.25, to the satisfaction of LAHD, and in consideration of the project's Replacement Unit Determination.
6. **Rent Stabilization Ordinance (RSO).** Prior to the issuance of a Certificate of Occupancy, the owner shall obtain approval from LAHD regarding replacement of affordable units, provision of RSO Units, and qualification for the Exemption from the Rent Stabilization Ordinance with Replacement Affordable Units in compliance with Ordinance No. 184,873. In order for all the new units to be exempt from the Rent Stabilization Ordinance, the applicant will need to either replace all withdrawn RSO Units with affordable units on a one-for-one basis or provide at least 20 percent of the total number of newly constructed rental units as affordable, whichever results in the greater number. The executed and recorded covenant and agreement submitted and approved by LAHD shall be provided to City Planning for inclusion in the case file.

## 7. Incentives.

- a. **Averaging.** The project shall permit the averaging of FAR, density, open space, parking, and access across the [Q]C2-1L-CDO-RIO and RA-1L-RIO Zones.
- b. **Building Height.** The project shall be permitted a maximum height of 74 feet and 6 inches in lieu of 45 feet otherwise permitted in the [Q]C2-1L-CDO-RIO Zone and 30 feet otherwise permitted in the RA-1L-RIO Zone.
- c. **Floor Area.** The project shall be permitted a total floor area of 90,112 square feet and a floor area ratio (FAR) of 3.11:1 across the [Q]C2-1L-CDO-RIO and RA-1L-RIO Zones in lieu of a FAR of 1.5:1 in the [Q]C2-1L-CDO-RIO and 25 percent of the lot area in the RA-1L-RIO Zone.

## 8. Waivers of Development Standards.

- a. **Rear Yard.** The project shall be permitted a 15 feet southerly rear yard in the RA-1L-RIO Zone in lieu of 25 feet (25 percent of the lot depth for the rear lot located in the RA-1L-RIO Zone).
- b. **Transitional Height.** The project is not required to meet any transitional height requirements.
- c. **Open Space.** The project shall be permitted to provide a minimum of 5,487 square feet of open space in lieu of the required 10,750 square feet.
- d. **Side Yard (Easterly).** The project shall be permitted a 9-foot easterly side yard in the [Q] C2-1L-CDO-RIO and RA-1L-RIO Zones in lieu of 10 feet.
- e. **Side Yard (Westerly).** The project shall be permitted a 9-foot westerly side yard in the [Q] C2-1L-CDO-RIO and RA-1L-RIO Zones in lieu of 10 feet.

## 9. Parking.

- a. **Residential Parking.** Automobile parking shall be provided consistent with the LAMC and/or Assembly Bill (AB) 2097. A greater number than the minimum required may be provided at the applicant's discretion.
- b. **Bicycle Parking.** Bicycle parking shall be provided in compliance with the Los Angeles Municipal Code, Section 12.21 A.16 and to the satisfaction of the Department of Building and Safety.
- c. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.

10. **River Implementation Overlay (RIO) District Approval.** Prior to the clearance of building permits for the project, the applicant shall obtain a RIO Administrative Clearance, or other appropriate approval, from the Department of City Planning, in accordance with Section 13.17 of the LAMC and the River Implementation Overlay Zone (Ordinance No. 183,145).

#### **Reseda Central Business District Community Design Overlay Conditions**

11. **Walls.** The wall(s) surrounding the project site shall incorporate surfaces and textures to discourage graffiti where possible.
12. **Building Colors.** Fluorescent and day-glow are not permitted.

#### **Site Plan Review Conditions**

13. **Circulation.** The applicant shall submit a parking and driveway plan to the Los Angeles Department of Transportation (LADOT) for approval. The project shall minimize the number of curb cuts on the subject property, to the satisfaction of LADOT.
14. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source does not illuminate adjacent residential properties or the public right-of-way, nor the above night skies.
15. **Building Materials.** A variety of high-quality exterior building materials, consistent with the approved Exhibit "A" plans, shall be used. Substitutes of an equal quality shall be permitted to the satisfaction of the Department of City Planning.
16. **Trash.** All trash collection and storage areas shall be located on-site and not visible from the public right-of-way. Trash receptacles shall be stored within a fully enclosed portion of the building at all times. Trash/recycling containers shall be locked when not in use and shall not be placed in or block access to required parking.
17. **Mechanical Equipment.** All mechanical equipment on the roof shall be screened from view by any abutting properties. The transformer(s), if located at-grade and facing the public right-of-way, shall be screened with landscaping and/or materials consistent with the building façade on all exposed sides (those not adjacent to a building wall) and shall be consistent with LADWP access requirements.
18. **Solar.** The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.
19. **Maintenance.** The subject property, including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways, and exterior walls along the property lines, shall be maintained in an attractive condition and shall be kept free of trash and debris.



20. **Graffiti.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

21. **Landscaping.**

a. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.

b. Tree Wells and other Planters.

i. The minimum depth of tree wells on the rooftop or any other location where planters are used shall be as follows:

(1) Minimum depth for trees shall be 42 inches.

(2) Minimum depth for shrubs shall be 30 inches.

(3) Minimum depth for herbaceous plantings and ground cover shall be 18 inches.

(4) Minimum depth for an extensive green roof shall be 3 inches.

ii. The minimum amount of soil volume for tree wells on the rooftop or any other location where planters are used shall be based on the size of the tree at maturity:

(5) 600 cubic feet for a small tree (less than 25 feet tall at maturity).

(6) 900 cubic feet for a medium tree (25-40 feet tall at maturity).

(7) 1,200 cubic feet for a large tree (more than 40 feet tall at maturity).

22. **Street Trees.**

a. Project shall preserve all healthy mature street trees whenever possible. All the feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall be replaced 2:1 as approved by the Board of Public Works and Urban Forestry Division.

b. When street dedications are required and to the extent possible, the project shall provide larger planting areas for existing street trees to allow for growth and planting of larger stature street trees. This includes and is not limited to parkway installation and/or enlargement of tree wells and parkways.

- c. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The contractor shall notify Urban Forestry Division at 213-847-3077 upon completion of construction for tree planting direction and instructions.
23. **Tree Replacement.** Street trees and replacement trees shall be provided to the satisfaction of the Urban Forestry Division.

### **Administrative Conditions**

28. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Final Plans". A copy of the Final Plans, supplied by the applicant, shall be retained in the subject case file.
29. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
30. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
31. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
32. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
33. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.

34. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
35. **Department of Water and Power.** Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Rules Governing Water and Electric Service. Any corrections and/or modifications to plans made subsequent to this determination in order to accommodate changes to the project due to the under-grounding of utility lines, that are outside of substantial compliance or that affect any part of the exterior design or appearance of the project as approved by the Director, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
36. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
37. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
38. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
39. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
40. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

“City” shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition

## FINDINGS

### **Density Bonus/Affordable Housing Incentives/Waivers Compliance Findings**

1. Pursuant to LAMC Section 12.22 A.25 and Government Code Section 65915, the decision-maker **shall approve** a density bonus and requested incentive(s) unless the Commission finds that:

- a. The incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.

The record does not contain substantial evidence that would allow the City Planning Commission to make a finding that the requested incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

In exchange for reserving 15 percent or more of the base density for Very Low Income households, the Applicant is entitled to three (3) Incentives under both Government Code Section 65915 and the LAMC. The project proposes to reserve 15 percent of the base density or 11 units for Very Low Income households. These requested Incentives provide cost reductions that provide for affordable housing costs because the incentives by their nature increase the scale of the project, which facilitates the creation of more affordable housing units. The Applicant requests one (1) On-Menu Incentive for the averaging of FAR, density, open space, parking, and access across the [Q]C2-1L-CDO-RIO and RA-1L-RIO Zones. The Applicant also requests two (2) Off-Menu Incentives for an increase in floor area and a reduction in the rear yard setback.

***Averaging.*** The requested On-Menu Incentive for averaging Floor Area Ratio (FAR), Density, Open Space, Parking, and Access are expressed in the Menu of Incentives in the City's Density Bonus Ordinance, which permit exceptions to zoning requirements that result in building design or construction efficiencies that facilitate the creation of affordable housing. The Project site is comprised of two lots zoned [Q]C2-1L-CDO-RIO and RA-1L-RIO. For this Project, the LAMC permits a base density of 73 dwelling units. The Applicant requests a 30 percent density bonus to permit a maximum density of 95 dwelling units. The request to average density across the two lots will permit the proposed density throughout the Project site. The permitted base FAR for the lot zoned C2-1L-CDO-RIO is 1.5:1, and the permitted base FAR for the lot zoned RA-1L-RIO is 25 percent of the lot area. The requested Off-Menu Incentive to increase the total floor area to 90,112 square feet will permit a maximum FAR of 3.11:1 across the [Q]C2-1L-CDO-RIO and RA-1L-

RIO Zones. Per LAMC, the required area dedicated to Open Space is 10,750 square feet. In conjunction with the requested On-Menu Incentive for Averaging, the Applicant requests a Waiver of Development Standards for an open space reduction. As such, the Project proposes an open space area 5,487 square feet across the Project site. The request to average Open Space will allow the Applicant to propose a combination of common and private open space areas including the second-floor courtyards, rear yard common space, and private balconies. These areas will provide essential residential amenity spaces for future tenants. With regards to parking and access, the Project is not required to provide any vehicular parking spaces pursuant to AB 2097. However, the Applicant will provide a total of 102 parking spaces located on the ground- and second-floor levels of the Project with vehicular access located along West Vanowen Street. Vehicular access will take place from a less restrictive zone ([Q]C2-1L-CDO-RIO, Lot FR 165) to a more restrictive zone [RA-1L-RIO, Lot FR 164). The request to average Parking and permit vehicular access across the Project site will permit a cohesive project design that will allow for the development of the proposed 95-unit residential building. Therefore, the Incentive allows the Applicant to utilize more of the total building square footage for residential units, which facilitates the construction of more affordable housing units, while remaining in compliance with all other applicable zoning regulations. The Incentive further supports the applicant's decision to reserve 15 percent of the base units for Very Low Income Households. Therefore, the Additional Incentive is necessary to provide for affordable housing costs.

**Rear Yard Setback.** Pursuant to LAMC Section 12.07 (RA - Suburban Zone), the Project will be required to provide a 25-foot rear yard setback. (The rear yard shall not be less than 25 percent of the depth of the lot and shall not exceed 25 feet. The RA-1L-RIO zoning of the project's rear lot contains a depth of 100 feet, therefore the required rear yard setback is 25 feet). The Applicant requests an Additional Incentive to permit a proposed minimum rear yard setback of 15 feet and 1 inch in lieu of 25 feet. Reducing the setback of the Project allows the developer to expand the building envelope so that additional units can be constructed, and the overall space dedicated to residential uses is increased. The increased building envelope also ensures that all dwelling units are of a habitable size while providing a variety of unit types. This Incentive supports the applicant's decision to set aside 11 units for Very Low Income Households for 55 years.

**Floor Area.** The subject property is zoned [Q]C2-1L-CDO-RIO and RA-1L-RIO Zones which limits the maximum FAR to 1.5 to 1 for the lot in the [Q]C2-1L-CDO-RIO Zone and 25 percent of the lot area for the lot in the RA-1L-RIO Zone. In conjunction with the On-Menu Density Bonus Incentive for Averaging discussed above, the Applicant requests an Off-Menu Incentive to permit a maximum floor area of 90,112 square feet with a FAR of 3.11:1 across the [Q]C2-1L-CDO-RIO and RA-1L-RIO Zones for the proposed seven-story, residential development. The increase in floor area will allow for the development of more residential units. Of the 95 units proposed, eleven (11) units will be set aside for Very Low Income Households.

As proposed, the FAR increase would allow for additional floor area to

accommodate the construction of affordable units in addition to larger-sized dwelling units. Granting of the Off-Menu Incentive would result in a building design and construction efficiencies that provide for affordable housing costs; it enables the developer to expand the building envelope so that additional affordable units can be constructed and the overall space dedicated to residential uses is increased. The increased building envelope also ensures that all dwelling units are of a habitable size while providing a variety of unit types. This Incentive supports the applicant's decision to set aside 15 percent of the base units, or 11 dwelling units, for Very Low Income Households for 55 years.

- b. The incentives will have specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households.**

There is no substantial evidence in the record that the proposed Incentives will have a specific adverse impact upon public health and safety or the physical environment, or any real property that is listed in the California Register of Historical Resources. A "specific adverse impact" is defined as "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22 A.25(b)). Moreover, the design and construction of the proposed project will be required to comply with all applicable provisions of the California Building Code and the Los Angeles Building Code, including incorporation of all grading, foundation, and structural recommendations provided in the geotechnical investigation. With adherence to these requirements, the proposed project would not result in or exacerbate liquefaction risks. Therefore, there is no substantial evidence that the proposed project, and thus the requested Incentives, will have a specific adverse impact on the physical environment, on public health and safety or the physical environment, or on any historical resource. Based on the above, there is no basis to deny the requested Incentives or Waivers.

- c. The incentives are contrary to state or federal law.**

There is no substantial evidence in the record indicating that the requested Incentives are contrary to any state or federal laws.

- 2. Pursuant to Government Code Section 65915(e), the decision-maker shall grant requested waiver[s] or reduction[s] of development standards that will have the effect of physically precluding the construction of a development meeting the affordable set-aside percentage criteria at the densities or with the concessions or incentives permitted under the State Density Bonus Law.**

Per California Government Code Section 65915(e)(1) and Section 12.25 A.25(g) of the LAMC, a Housing Development Project may also request other "waiver(s) or reduction(s) of development standards that will have the effect of physically precluding



the construction of a development meeting the [affordable set-aside percentage] criteria...at the densities or with the concessions or incentives permitted under [State Density Bonus Law]”. The project will provide at least 15 percent of its base density for Very Low Income Households for a 30 percent density bonus and the requested Incentives. In addition to the requested On- and Off-Menu Incentives, the Project has requested five (5) Waiver of Development Standards, as follows:

***Building Height.*** The project site is located in the [Q]C2-1L-CDO-RIO and RA-1L-RIO Zones. The “1L” Height District associated with the [Q]C2-1L-CDO-RIO Zone permits a maximum building height of 75 feet and six stories. However, the “Q” Classification for the subject zone limits maximum building height to 45 feet. The “1L” Height District associated with the RA-1L-RIO restricts maximum building height to 30 feet. The Applicant requests a Waiver of Development Standard to allow a maximum building height of 74 feet and 6 inches in lieu of 45 feet and 30 feet otherwise permitted in the [Q]C2-1L-CDO-RIO and RA-1L-RIO Zones, respectively. The Project proposes a 30 percent density bonus request for a total of 95 dwelling units, of which 11 units will be reserved for Very Low Income Households. The requested Waiver to increase the maximum building height will allow the Project to dedicate a larger amount of lot and building area for the construction of the proposed Project with residential units of sufficient size, configuration, and quality. If the Project was required to meet this building height limits under the LAMC, it would be necessary to reduce the height resulting in a loss of residential floor area for market rate and affordable dwelling units. Therefore, the requested increase to the building height requirements is necessary to facilitate the development of the proposed Project.

Prior to the Hearing Officer Hearing conducted on March 26, 2024, the Project involved a six-story residential development constructed above one (1) subterranean floor level with a maximum building height of 64 feet. Residential parking was proposed on the ground- and subterranean-floor levels. Following the Hearing, the Project was redesigned to remove the subterranean-floor level and relocate the automobile parking spaces to the ground and second-floor levels, and request one (1) additional floor level to accommodate a total of 95 dwelling units within five (5) floor levels (Levels 3 through 7). As such, the request to increase the maximum building height through an Off-Menu Incentive was modified to permit a seven-story, 74-foot and 6-inch, residential development as opposed to a six-story, 64-foot, residential development. Nevertheless, the requested Waiver to increase the maximum building height will allow the Project to accommodate the construction of affordable units of sufficient size and quality. If the Project was required to meet this building height limits under the LAMC, it would be necessary to reduce the height resulting in a loss of residential floor area for market rate and affordable dwelling units.

***Transitional Height.*** The Project is subject to the transitional height requirements set forth in LAMC Section 12.21.1 A.10 as the Project site is located adjacent to the RA Zone properties to the east. The transitional height requirements limit portions of buildings in the “C” Zone located within 0 – 49 feet from the R1 Zone to a building height of 25 feet, 50 – 99 feet from the R1 Zone to a building height of 33 feet, and 100 – 199 from the R1 Zone to a building height of 61 feet. The Project requests a

Waiver of Development Standard to waive the transitional height requirements to permit a maximum height of 64 feet in lieu of 45 feet otherwise permitted in the [Q]C2-1L-CDO-RIO Zone and 30 feet otherwise permitted in the RA-1L-RIO Zone. The Project proposes a 30 percent density bonus request for a total of 95 dwelling units, of which 11 units will be reserved for Very Low Income Households. To accommodate the additional density and affordable units, the Project includes incentives and waivers that will result in an increase floor area and height and a reduction to the open space requirement, side and rear yard setbacks. The requested Waiver of Development Standard to waive the transitional heights will allow the Project to dedicate a larger amount of lot and building area for the construction the proposed Project with residential units of sufficient size, configuration, and quality. If the Project was required to meet this transitional height development standard under the LAMC, it would be necessary to reduce the height of the building portions of the Project that currently exceed this limit, resulting in a loss of residential units and residential floor area proposed in that space beyond the transitional height limit. It is therefore necessary to waive the transitional height requirements such that the Project can be achieved as designed inclusive of the requested Incentives.

**Open Space.** Pursuant to LAMC Section 12.21.G, the Project requires 10,750 square feet of open space and requests a Waiver of Development Standard for an open space reduction to permit 5,487 square feet of open space in lieu of 10,750 square feet of open space otherwise required. The Project proposes a 30 percent density bonus request for a total of 95 dwelling units, of which 11 units will be reserved for Very Low Income Households. In order to accommodate the additional density and affordable units, the Project includes incentives and waivers for increased floor area and height. The requested waiver of development standard to provide 5,487 square feet of open space will allow the Project to dedicate a larger amount of lot and building area for the construction of the proposed Project with residential units of sufficient size, configuration, and quality. Denial of the waiver for open space reduction would reduce the building area needed to provide for the proposed residential units, including the 11 affordable units, and would physically preclude construction of the Project at the density proposed with the incentives and waivers requested.

**Side Yard Setbacks (Easterly and Westerly).** Pursuant to LAMC Sections 12.14 C.2 (C2 – Commercial Zone) and 12.07 C.2 (RA - Suburban Zone), the Project would be required to provide a 10-foot side yard setback for the lot located in the [Q]C2-1L-CDO-RIO (FR 165) and a 10-foot side yard setback for the lot located in the RA-1L-RIO Zone (FR 164). In the C2 Zone, the side yard setback is calculated as five (5) feet plus one-foot for every additional story proposed above the second story. In the RA Zone, the minimum side yard setback is 10 feet. The applicant requests two (2) Waivers to allow a minimum easterly and westerly side yard setback of 9 feet in both lots zoned [Q]C2-1L-CDO-RIO and RA-1L-RIO Zone in lieu of 10 feet (one Waiver per side yard setback reduction request). The imposition of the required 10-foot side yard setback would physically preclude the development of the project areas that encroach into the setback, the requested density of 95 dwelling units, and the requested floor area. The Waiver further supports the applicant's decision to reserve eleven (11) units for Very Low Income households and facilitates the creation of affordable housing units.

**Reseda Central Business District Community Design Overlay Findings**

The Applicant is requesting an approval of plans to comply with the Reseda Central Business District Community Design Overlay Ordinance Nos. 176,557 and 176,558. Pursuant to LAMC Section 13.08, the following findings must be made.

**3. The project substantially complies with the adopted Community Design Overlay and Design Guidelines and Standards.**

The subject site is located within the Reseda Central Business District Community Design Overlay. The Reseda Central Business Community Design Overlay became effective on May 2, 2005, to establish the Boundary Ordinance (Ordinance No. 176,557), permanent “Q” Conditions (Ordinance No. 176,558), and Design Guidelines and Standards. The purpose of the Reseda Central Business District CDO is to improve the economic viability of the area for both businesses and residents, improve the physical appearance of the Central Business District, and establish guidelines to encourage orderly development and revitalization. The boundaries generally encompass Sherman Way between Wilbur Avenue to the west and Hesperia Avenue to the east and Reseda Boulevard between Kittridge Street to the south and Satcoy Street to the north.

The conditions and limitations imposed by the permanent “Q” Conditions limit commercial, industrial, and homeless shelter uses. The Project does not involve any of the aforementioned uses and therefore most of these conditions will not apply to this Project. Permanent “Q” Condition 2.A.1.c prohibits residential uses located on a commercially-zoned lot on the ground-floor level to a depth of a minimum 100 feet from the building frontage. A portion of the Project site fronting West Vanowen Street is located in the [Q]C2-1L-CDO-RIO Zone and therefore is subject to this condition. The Project will comply with this condition as the ground-floor level of the Project will be utilized for automobile and bicycle parking.

Permanent “Q” Condition 2.B imposes a height restriction of 45 feet with the exception of projects located in the RAS Zone. The Applicant has requested a Waiver of Development Standard pursuant to LAMC Section 12.22 A.25 (see *Finding No. 1*) to modify this permanent “Q” Condition and increase the maximum building height to 74 feet and 6 inches in lieu of 45 feet otherwise permitted for the portion of the Project site located in the [Q]C2-1L-CDO-RIO Zone and in lieu of 30 feet otherwise permitted for the portion of the Project site located in the RA-1L-RIO Zone. Approval of the height increase would allow the Project to dedicate a larger amount of lot and building area for the construction of the proposed Project with residential units of sufficient size, configuration, and quality. In addition, it would provide more residential floor area for the construction of market rate and affordable dwelling units. The Project’s proposal of 95 new dwelling units with the requested Waiver of Development Standard would promote the Reseda Central Business District CDO’s purpose of improving economic viability in the area by supporting the numerous commercial businesses and amenities that already serve the surrounding community. In exchange, the commercial businesses will provide beneficial services and goods to prospective residents.

Lastly, the permanent “Q” Conditions also regulate signage and parking buildings located adjacent to residential zoned properties. The Project will be consistent with these conditions as it will comply with the prohibited signs and sign restrictions established by the Reseda Central Business District CDO, and it does not propose the development of any parking buildings. The Project will provide residential parking within the proposed seven-story development on the ground- and second-floor levels.

The Reseda Central Business District CDO established design guidelines, which are set forth in Section 5 of the Design Guidelines and Standards. The Project complies with the applicable design guidelines and standards as follows:

*Guideline 1: Integrate parking structure design by incorporating elements of the Main Building servicing such structure.*

*Standard 1: Use compatible materials, color, architectural details and landscaping to incorporate parking structure design into the overall design scheme.*

The Project’s residential parking will be enclosed on the ground- and second-floor levels of the development. The parking levels will incorporate compatible siding materials, color, and architectural details that distinguish the parking uses with the residential uses located on the third- through seventh-floor levels. The Project will also incorporate a maximum of 4 exterior colors as required by Design Standard 12a (see below) in a neutral palette. Landscaping within the perimeter of the building will also screen automobiles from public view. In addition, ventilation grilles and parapets will be installed to allow air and natural light into the parking garage and to shield automobile headlights from shining through to adjoining properties.

*Guideline 2: Provide privacy to residents in the surrounding neighborhoods and screen automobiles from public view by designing parking buildings and surface parking lots which will minimize associated impacts.*

*Standard 2a: Screen automobiles within parking structures through the use of building parapets, landscape, and other architectural treatments.*

As previously discussed, the Project will incorporate landscaping within the perimeter of the seven-story residential development to screen automobiles from public view. Ventilation grilles and parapets will also be installed to allow air and natural light into the parking garage and to shield automobile headlights from shining through to adjoining properties.

*Guideline 3: Encourage illuminated parking areas, for the purpose of safety, without becoming a nuisance to surrounding residents.*

*Standard 3a: Lighting should be directed on-site and shielded away from surrounding residential areas.*

The Project will incorporate appropriate shielded lighting within the enclosed parking garage on the ground- and second-floor levels that will not create a nuisance to surrounding residential properties. As conditioned under Condition No. 14, outdoor

lighting shall be designed and installed with shielding, such that the light source does not illuminate adjacent residential properties or the public right-of-way, nor the above night skies. In addition, surrounding the Project site is predominantly commercial uses with the exception of a multi-family residential property to the south. Nevertheless, the southern portion of the Project will face the rear surface parking lot of the adjacent residential property and will not face any dwelling units.

*Guideline 4: Enhance the visibility, appearance, and safety of parking areas by maintaining existing parking lots in good repair.*

The Project will maintain the residential parking areas within the first- and second-floor levels of the development with the installation of appropriate lighting, a security gate along West Vanowen Street for ingress and egress, and ventilation grilles.

*Guideline 5: Provide a safe and attractive shopping environment by incorporating pedestrian walkways in the site design.*

*Standard 5a: Pedestrian sidewalks should be provided adjacent to the building and should be a minimum of five (5) feet wide.*

*Standard 5c: Entry walkways, from the sidewalk to the front entrance, should be provided where a parking lot is sited in front of the building.*

The pedestrian sidewalk fronting the Project site will be approximately 10 feet. The Project will provide the dedications and street improvements required by the Bureau of Engineering, and install landscaping and trees within the front yard setback to promote a comfortable and pedestrian-friendly environment. The Project will also provide clear entry walkways into the Project site from West Vanowen Street, including a walkway to the residential lobby, where vehicular access through a two-way driveway will be provided.

*Guideline 6: Create space and provide security by enclosing parking areas and sites with decorative walls and fences. Combination wrought iron and masonry walls are encouraged.*

*Standard 6a: Walls should incorporate surfaces and textures to discourage graffiti where possible. Masonry walls should be constructed from decorative brick, stone, split face concrete block, or other decorative material. Masonry block walls should be finished with a masonry cap.*

*Standard 6b: Chain link fencing should be avoided and should never be the primary fencing material.*

The Project's ground- and second-floor parking areas will be enclosed within the seven-story residential building and will feature a roll-down security gate, ventilation grilles and parapets to allow air and natural light into the parking garage and to shield automobile headlights from shining through to adjoining properties. The Project will also incorporate graffiti-resistant materials to discourage graffiti where possible. In addition, the Project will install landscaping and a wrought-iron fence within the

perimeter of the Project site to create a safe environment for residents and surrounding properties.

*Guideline 7: Enhance the visual look of secondary features such as trash and recycling areas, mechanical equipment, and loading areas by screening them from public view.*

*Standard 7a: Trash storage bins and recycling areas should be located away from the street, behind or to the side of buildings, and should be fully enclosed with a decorative masonry wall or fence and landscaped to prevent off-site transport of trash. Each individual trash bin should have a cover.*

*Standard 7b: Ground mounted equipment or electrical transformers should be fully screened on all sides from public view by substantial landscaping or should be placed underground.*

The Project's trash and recycling collection areas will be located on the ground-floor level of the seven-story residential building adjacent to the enclosed parking area and residential lobby. They will not be visible to public view. The Project's electrical transformers will be located within the Project frontage along West Vanowen Street and will be screened from public view with landscaping.

*Guideline 8: Use landscaping to augment ground cover, provide an attractive buffer, filter noise, soften glare, and enhance the overall aesthetic appeal of the community.*

*Standard 8a: Areas fronting the public right of way free of structures, driveways, walkways, or required parking should be adequately landscaped.*

*Standard 8b: Landscape materials should include both softscape and hardscape which complement the building and site design.*

*Standard 8c: Use an effective variety and density of plant materials including, but not limited to, evergreen (non-deciduous), drought tolerant, native trees, shrubs, perennials, flowers, ground cover, and vines of various heights and species.*

*Standard 8d: Hardscape materials such as river rock, crushed rock, redwood, bark chips, pebbles and stone or masonry slabs should be used to accent and enhance the overall landscape plan and should not be used in-lieu of plant materials.*

As shown in the landscape plans (see "Exhibit A"), the Project will incorporate a variety of drought-tolerant landscaping within all sides of the site, including the street frontage facing West Vanowen Street, to create a safe and attractive environment for residents and pedestrians. The Project frontage will be adequately landscaped alongside the Project's electrical transformers, driveway, and entry walkways. Landscaping will be utilized to screen the Project's electrical transformers from public view. Compatible paving and hardscape materials will be utilized to facilitate adequate pedestrian and ADA access to the residential lobby and ingress-egress points located on the sides of the Project. Decomposed granite will be utilized throughout the landscaped areas to accent the landscape plan.

*Guideline 9: Soften, buffer, and conceal views of parking areas from adjacent uses with sufficient planting materials by incorporating planters, planter boxes, trellises, etc. as part of the landscape design.*

*Standard 9b: A minimum seven (7) foot wide planted landscape buffer is required for all parking structures or garages adjacent to a public street; this area should contain trees, shrubs or other various plant species.*

The Project site fronts West Vanowen Street to the north. The Project will comply with this guideline and standard by installing landscaping within all portions of the front yard with a minimum depth of 15 feet with the exception of areas dedicated to pedestrian walkways, entryways, driveways, and electrical transformers. The landscaping will soften and buffer the parking areas located on the ground- and second-floor levels of the seven-story residential project and will create a comfortable and attractive environment for residents and pedestrians.

*Guideline 10: Use exterior surface materials that complement existing buildings in the area and maintain visual interest. Marble, brick, smooth texture stucco, stone and tile are recommended materials.*

*Standard 10a: The use of wood, metal, unfinished or unsurfaced concrete block walls, plywood, plastic laminate, pecky cedar, corrugated fiberglass , and heavily textured stucco as a primary surface material should be avoided.*

*Standard 10b: Bare aluminum finishes, unfinished metal panels, metal windows/doors, and the like should be anodized or painted. All materials employed in construction should be finished and durable.*

*Standard 10c: Front façade design and materials should continue around corners to the other walls of the building.*

The Project will utilize a variety of building materials including fiber cement, hardi plank siding, stucco finishings, vinyl windows, and painted/stucco-finished metal frames and railings to create a cohesive design that will be compatible with the surrounding community. White stone stucco finishing and grey plastering will distinguish the residential and parking components of the Project, respectively. The front façade will feature horizontal siding and bands that will continue around the corners of the Project into side façades of the residential building. These design elements will enhance the Project's façade articulation and visual interest from the street level.

*Guideline 11: Use exterior surface materials that will reduce the incidence and appearance of graffiti.*

*Standard 11: Exterior walls and windows should be treated with graffiti resistant materials such as specialized coating or use of vegetation.*

The Project will incorporate graffiti-resistant materials to discourage graffiti where possible.

*Guideline 12: Tie building elements together through the use of color.*

*Standard 12a: A maximum of four (4) exterior colors should be used.*

*Standard 12b: Exterior building elements, such as downspouts, gutters, vents, and other mechanical equipment should be painted to blend into the background surface whenever screening of the equipment is not possible.*

The Project will incorporate a maximum of four (4) exterior colors across the various building materials and stucco areas. The Project proposes a neutral color palette comprised of white, grey, ashen plum, and black. The colors will be consistent with the Project design and compatible with the surrounding community. Exterior building elements including downspouts, grilles, and grates will be treated to blend into the background.

*Guideline 13: Avoid highly reflective colors, especially those that produce glare.*

*Standard 13: Bright colors including fluorescent and day-glow are not permitted, except when used as an accent .*

The Project will not utilize highly reflective colors in its design; neutrals colors will be utilized to establish a cohesive Project design that is compatible with the surrounding community.

*Guideline 14: Design exterior lighting as part of the overall architectural concept.*

*Standard 14a: Lighting fixtures and all exposed accessories should be harmonious with the building design.*

*Standard 14b: Illuminate storefront entrances to make inviting, create an emphasis , and to deter crime.*

*Standard 14c: Avoid lighting elements which detract from the appearance of their setting.*

The Project's lighting design will be compatible with the Project design and building materials. All exterior light fixtures will be consistent with City code and will not impose unnecessary reflection or glare onto surrounding properties.

*Guideline 15: Concealing light features within building and landscape can highlight attractive features and avoid intrusion into neighboring properties.*

*Standard 15a: Illuminate buildings and landscape to indirectly create a strong positive image.*

The Project's landscape plan and lighting design have been jointly coordinated to highlight plantings and avoid intrusions into neighboring properties.



*Guideline 17: Incorporate façade design into successive floors, including the area between floors.*

*Standard 17: Building façades should be extended and continue beyond the ground floor. Successive floors can be offset by recessed windows, balconies, offset planes, awnings or other architectural details.*

The Project will incorporate façade articulation across the Project's seven floors with a repeating pattern of color, building materials, and vertical and horizontal architectural elements to create a cohesive building design. Vertical and horizontal breaks within the façade plane through the use of recessed windows balconies, bands which continue from the front façade to the side building facades, and roofline variation also provide visual interest and articulation to the Project.

*Guideline 20: Articulated roof lines and forms add appeal, provide visual interest, and can de-emphasize building mass and scale. When designing roof lines the scale and proportion of adjacent buildings should be considered.*

*Standard 20a: Roofs should be flat, with decorative cornice elements, and Parapets that extend above the roof line to screen rooftop mechanical equipment from public view.*

*Standard 20b: To promote visual interest, buildings with frontages greater than twenty-five (25) feet, should provide articulated roof lines every fifteen (15) feet with vertical relief.*

The Project will provide roof line variation and flat roofs throughout the development with slight overhang areas to provide visual interest. Rooftop equipment will be placed in a manner that will ensure that it is screened from public view.

*Guideline 23: Respond to the scale, proportion, and rhythm of a building's design through the use of awnings and canopies. They can be an integral part of storefront design and should enhance the style, color, and form of the existing architecture, but should not obstruct views of adjacent businesses.*

*Standard 23a: Awnings should relate to the size and form of window and door openings. Storefronts greater than twenty-five (25) feet and divided into structural bays should provide one awning for each bay.*

*Standard 23b: Awnings should be a maximum of three (3) colors for each Project exclusive of signage.*

*Standard 23c: Canvas awnings should be fade resistant and fire retardant.*

*Standard 23d: Glossy, vinyl, plastic, metal and horizontal ribbed Awnings should not be used.*

The Project will utilize a mixture of recessed and projected balconies, breaks in the façade plane, and roofline variation to address the scale, proportion, and rhythm of

the building's design. The Project will not feature any awnings or canopies. The Project design will also feature a variety of architectural elements as discussed above to create a cohesive design that is compatible with the surrounding neighborhood.

Therefore, as conditioned, the project substantially complies with the adopted Community Design Overlay and Design Guidelines and Standards.

**4. The structures, site plan and landscaping are harmonious in scale and design with existing development and any cultural, scenic or environmental resources adjacent to the site and in the vicinity.**

The Project proposes a seven-story, 74-foot and 6-inch, residential building with 95 dwelling units. While the Project site is surrounded by predominantly low-rise commercial and residential buildings, numerous residential and mixed-use developments have been approved by the City in the past 10 years that are similar in height and scale. These include the following four (4) projects located within 1,000 feet from the Project site along North Reseda Boulevard:

- Five-story (56-foot), mixed-use development with 62 apartment units (6909 – 6923 North Reseda Boulevard)
- Five-story (61-foot), mixed-use development with 158 dwelling units (6912 North Reseda Boulevard)
- Six-story (61-foot), mixed-use development with 205 dwelling units (6648 North Reseda Boulevard)
- Six-story (72-foot), mixed-use development with 254 apartment units (6611 – 6639 North Reseda Boulevard)

The proposed Project will be cohesive with the architectural style and aesthetic of the surrounding community while acknowledging the existing commercial and residential buildings that are in close proximity to the Project site. The Project will incorporate a variety of design features including a mixture of stucco finishings, plaster, cement, vinyl windows, and metal framing and a neutral color palette that is compatible with new and existing developments in the neighborhood. Projecting eaves, recessed balconies, stucco bands, and horizontal siding offer vertical and horizontal breaks in the building façade. Grey plaster and white stucco will also distinguish the Project's parking and residential uses, respectively. The Project's residential lobby and street-facing units will feature windows and balconies that overlook West Vanowen Street, thereby contributing to an engaging and human-scale pedestrian experience. Residential units and private balconies will also be oriented on all four sides of the building therefore creating a sense of transparency and "eyes on the street".

Residential and vehicular access to the Project site will be located along West Vanowen Street through a residential lobby, two-way driveway, and two (2) walkways which run along the western and eastern edges of the site and connect to the Project's rear yard common open space and bicycle storage room. Security gates and code-compliant lighting will be utilized throughout the site to create a safe environment for residents without adversely impacting adjacent properties. In addition, landscaping will be installed along the front and rear yards areas of the Project site as well as the perimeter of the residential building to provide visual interest and promote a user- and

pedestrian-friendly environment. Landscaping will also be utilized to buffer the electrical transformers within the front yard from public view. In addition, programmed spaces and landscaping installed in the Project's common open space areas (i.e. 3<sup>rd</sup> floor courtyards and rear yard space) will provide residents safe and comfortable spaces to relax and socialize. As such, these design features respect the scale and design of the surrounding community.

There are no cultural, scenic, or environmental resources adjacent to the site. As discussed in the Class 32 Categorical Exemption Report (Case No. ENV-2022-8568-CE), the Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The Project is surrounded by urban uses and is located within city limits on a site of no more than five acres. In addition, the Project has no value as habitat for endangered, rare, or threatened species. The Project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, or the Los Angeles Historic-Cultural Monuments Register, and/or any local register according to the City's HistoricPlacesLA website. The Project site is not located along a State Scenic Highway, nor are there any designated State Scenic Highways located near the project site. The Project site is located in the Outer Core within the River Implementation Overlay District (RIO). The Project will conform with the development standards set forth by the RIO District which address Landscaping, Screening/Fencing, and Exterior Lighting.

Therefore, the structures, site plan and landscaping are harmonious in scale and design with existing development and any cultural, scenic, or environmental resources adjacent to the site and in the vicinity.

### **Site Plan Review Findings**

- 5. The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.**

#### **Community Plan**

The Project site is located within the Reseda – West Van Nuys Community Plan, which is one of 35 Community Plans which together form the land use element of the General Plan. The Community Plan designates the subject property for Community Commercial land uses corresponding to CR, C2, C4, RAS3, RAS4, P, and PB Zones. The project site is zoned [Q]C2-1L-CDO-RIO and RA-1L-RIO, and therefore it will be consistent with the underlying land use designation.

The proposed Project involves the demolition of the existing one-story commercial building and carport and the construction of a new seven-story, residential development consisting of 95 dwelling units with 11 units (15 percent of the base density) reserved for Very Low Income Households. The Project proposes a maximum building height of 74 feet and 6 inches and a total floor area of approximately 90,112

square feet with a Floor Area Ratio (FAR) of 3.11:1. The Project will provide 102 vehicle parking spaces located within the ground-floor and second-floor levels. A total of 79 bicycle parking spaces will be provided within an enclosed bicycle room adjacent to the residential lobby and in front of the building entrance along West Vanowen Street. The Project will provide 5,487 square feet of open space comprised of 1,500 square feet of private open space and 3,987 square feet of common open space.

With the exception of the requests herein, which allow for the creation of affordable housing units, the proposed Project is otherwise consistent with the requirements of the underlying zones. The proposed residential project will be consistent with the Community Commercial land use designation. The requested Incentives and Waivers of Development Standards are permissible by the provisions of Density Bonus law as discussed in Finding No.1, the Reseda Central Business District Community Design Guidelines and Standards as discussed in Finding Nos. 2 and 3, and the Project will comply with all other applicable provisions of the zoning code.

The proposed project conforms to the following goals, objectives and policies of the Reseda – West Van Nuys Community Plan:

Residential Goals, Objectives, and Policies:

Goal 1: A safe, secure, and high quality residential environment for all economic, age, and ethnic segments of the community.

Objective 1-3: To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background.

Policy 1-3.3: Promote housing in mixed use projects in transit corridors, pedestrian oriented areas, and transit oriented districts.

Commercial Objectives and Policies:

Objective 2-1.1: Require that any proposed development be designed to enhance and be compatible with adjacent development.

Objective 2-1.3: Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.

Objective 2-3.2 Improve safety and aesthetics of parking areas in commercial areas.

The Project will be consistent with the aforementioned objectives and policies as it will provide new multi-family housing opportunities in the Reseda community and will complement the surrounding residential, commercial, and public facility uses. The project will replace the existing one-story commercial structure and carport with a high-quality residential development with 95 dwelling units. Approval of a 30 percent

Density Bonus will permit the project's proposed density. The provision of 95 new residential units of varying sizes and types (45 one-bedroom units, 50 two-bedroom units), including 11 units reserved for Very Low Income Households, will provide for housing required to satisfy the needs of various economic segments of the community. As such, the Project accommodates an adequate supply of housing units by type and cost.

The Project is located approximately 350 feet from the intersection West Vanowen Street and North Reseda Boulevard which provides access to public transit infrastructure including Metro Bus Lines 165 and 240. These bus lines provide commuters access to housing, job centers, schools, and community amenities across the City. In addition, West Vanowen Street and North Reseda Boulevard are both mixed-use corridors connected to housing, markets, restaurants, retail stores, auto body shops, and community and religious institutions. Therefore, the proposed housing development project in relation to the existing street and public transportation infrastructure will complement the surrounding land uses and promote the integration of housing, commercial, and public facility uses.

The Project's proposed parking garage will be screened from public view with parapets and ventilation grilles and will provide a total of 102 vehicle parking spaces located within the ground- and second-floor levels. This parking design strategy not only addresses the safety and aesthetic of parking in commercial areas but is also consistent with the design guidelines and standards established by the Reseda Central Business District Community Design Overlay (CDO) District.

The Project site is located within the River Improvement Overlay (RIO) District and the Reseda Central Business District Community Design Overlay (CDO) District. The Project will conform with the development standards set forth by the RIO District which address Landscaping, Screening/ Fencing, and Exterior Lighting. The Project will also comply with the relevant standards and policies set forth by both overlay districts. The Project will be consistent with the [Q] Conditions and the Design Guidelines and Standards which address the use, operation, and development of projects located within commercial properties in the Reseda Central Business District.

The Project is further consistent with other elements of the General Plan, including the Framework Element, the Housing Element, and the Mobility Element. The Framework Element was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services.

#### Framework Element

The Project supports the following goals, objectives, and policies of the Framework Element:

### Chapter 3 – Land Use:

- Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.
- Objective 3.2: Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.
- Policy 3.2.3: Provide for the development of land use patterns that emphasize pedestrian/bicycle access and use in appropriate locations.
- Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

### Chapter 4 – Housing:

Goal 4A: An equitable distribution of housing opportunities by type and cost accessible to all residents of the City.

- Objective 4.1: Plan the capacity for and develop incentives to encourage production of an adequate supply of housing units of various types within each City subregion to meet the projected housing needs by income level of the future population to the year 2010.
- Objective 4.2: Encourage the location of new multi-family housing development to occur in proximity to transit stations, along some transit corridors, and within some high activity areas with adequate transitions and buffers between higher-density developments and surrounding lower-density residential neighborhoods.
- Policy 4.2.1 Offer incentives to include housing for very low- and low-income households in mixed-use developments.

### Chapter 5 – Urban Form and Neighborhood Design:

- Objective 5.5: Enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm.

Objective 5.9: Encourage proper design and effective use of the built environment to help increase personal safety at all times of the day.

Policy 5.9.1: Facilitate observation and natural surveillance through improved development standards which provide for common areas, adequate lighting, clear definition of outdoor spaces, attractive fencing, use of landscaping as a natural barrier, secure storage areas, good visual connections between residential, commercial, or public environments and grouping activity functions such as child care or recreation areas.

## Chapter 7 – Economic Development:

Goal 7G: A range of housing opportunities in the City.

Objective 7.9: Ensure that the available range of housing opportunities is sufficient, in terms of location, concentration, type, size, price/rent range, access to local services and access to transportation, to accommodate future population growth and to enable a reasonable portion of the City's workforce to both live and work in the city.

Policy 7.9.1: Promote the provision of affordable housing through means which require minimal subsidy levels and which, therefore, are less detrimental to the City's fiscal structure.

Policy 7.9.2: Concentrate future residential development along mixed-use corridors, transit corridors, and other development nodes identified in the General Plan Framework Element to "optimize the impact of City capital expenditures on infrastructure improvements."

The Project will complement the surrounding residential, commercial, and public facility uses in the neighborhood with the construction of a new 95-unit residential building in the Reseda Central Business District. The Project will feature a unit mix of 45 one-bedroom units and 50 two-bedroom units, and 2 three-bedroom units as detailed in Exhibit "A". Approval of a 30 percent Density Bonus will permit the Project's proposed density. The provision of 95 new residential units of varying sizes and types, including 11 units reserved for Very Low Income Households, will provide for the housing required to satisfy the needs of various economic segments of the community. The Project site is served by numerous transit lines within walking distance including Metro Local Bus Lines 165 and 240 which will allow residents to connect to community resources across the region. The Project site is also located near bicycle lanes along North Reseda Boulevard which connect to other lanes and trails in the community. Similar to the accessibility and connectivity benefits provided by nearby public transit lines, existing bicycle infrastructure will connect commuters to neighborhood-serving

amenities and job centers. The Project's proximity and access to public transit and existing bicycle infrastructure will provide residents the option to walk, bike, or ride public transit as their mode of transportation.

The Project will incorporate multiple design features that will be compatible with the surrounding properties and will enhance the livability of the neighborhood. In addition, the Project will comply with various standards and policies set forth by the River Implementation Overlay (RIO) District and the Reseda Central Business District Community Design Overlay (CDO) District which address the project's proximity to the Los Angeles River and a commercial district, respectively. The Project will incorporate features related to the project's selection of building materials, articulation, landscaping, parking, and equipment screening. The Project's massing will utilize high-quality building materials including light-colored stucco, vinyl windows, fiber cement siding, and plaster to create a clear and cohesive design. The Project will feature private balconies along the perimeter of the residential building including the street-facing building frontage. These spaces will contribute to the articulation of the building and will also provide a sense of security and "eyes on the street" as they overlook West Vanowen Street. A mixture of projecting and recessed balconies, and roofline variation wrapped along the front and rear portions of the building will also enhance building articulation and visual interest. This design strategy will help minimize building mass and scale, and will result in a project that is compatible with similar scaled housing developments in the immediate vicinity. Landscaping will be utilized in a thoughtful manner particularly within the common open space areas and street-level frontage to create an attractive and comfortable experience for residents and visitors. Trees, shrubs, and ground cover will provide relief from the heat and sun during the day. Residential parking, utility equipment, and trash and recycling bins will be screened from public view as they will be located within the project's enclosed parking garage. While the Project's transformer will front the public street, it will also be screened with landscaping from public view as permitted by LADWP. Therefore, the combination of these design features and strategies will help produce a balanced and cohesive look that distinguishes the Project as a residential development.

Therefore, the Project will be consistent with the Land Use, Housing, Urban Form and Neighborhood Design, and Economic Development Chapters of the Framework Element.

#### Housing Element 2021 - 2029

The latest Housing Element (2021-2029) of the General Plan provides land use policies and programs that encourage development of affordable housing across the City. The project also supports the following goals, objectives, policies of the Housing Element:

Goal 1: A City where housing production results in an ample supply of housing to create more equitable and affordable options that meet existing and projected needs.

Objective 1.1 Produce an adequate supply of rental and ownership housing in order to meet current and projected needs;



- Policy 1.1.1 Expand opportunities for residential development, particularly in designated centers, Transit Oriented Districts, and along mixed-use boulevards.
- Objective 1.2: Facilitate the production of housing, especially projects that include Affordable Housing and/or meet Citywide Housing Priorities.
  - Policy 1.2.1: Expand rental and for-sale housing for people of all income levels. Prioritize housing developments that result in a net gain of Affordable Housing and serve those with the greatest needs.
- Objective 2.2 Promote sustainable neighborhoods that have mixed-income housing, jobs, amenities, services and transit;
  - Policy 2.2.1 Provide incentives to encourage integration of housing with other compatible land uses.
- Goal 3: A City in which housing creates healthy, livable, sustainable, and resilient communities that improve the lives of all Angelenos.
  - Policy 3.2.2: Promote new multi-family housing, particularly Affordable and mixed-income housing, in areas near transit, jobs and Higher Opportunity Areas, in order to facilitate a better jobs-housing balance, help shorten commutes, and reduce greenhouse gas emissions.

The Project utilizes multiple development incentives pursuant to the City's Density Bonus Ordinance to provide a higher number of residential units than would otherwise be permitted, thereby facilitating the creation of a higher number of affordable units and addressing the need for affordable housing in the City. Of the 95 dwelling units proposed, 11 units will be set aside for Very Low Income Households. The Project will support larger families as it proposes 45 two-bedroom units and 50 three-bedroom units and will offer a mix of market rate and affordable units providing greater individual choice in housing. The Project is located approximately 350 feet from the intersection West Vanowen Street and North Reseda Boulevard which provides access to public transit infrastructure including Metro Bus Lines 165 and 240. These bus lines will connect residents to essential services, job centers, and community amenity across the region. In addition, the Project site is located near bicycle lanes along North Reseda Boulevard. Therefore, the Project's proximity to public transit and existing bicycle infrastructure will support various modes of transportation and help reduce greenhouse gas emissions. Landscaping and bicycle parking will be installed along the street-level frontage to create a safe and comfortable pedestrian experience that encourages walking. The Project also proposes various open space opportunities for Project residents to relax, socialize, and engage in physical exercise. This includes private balconies, rear yard open space, and courtyards. Therefore, the Project will conform with the applicable goals, objectives, policies of the Housing Element.

### Mobility Plan 2035

The Mobility Plan 2035 includes goals that define the City's high-level mobility priorities. The Mobility Element sets forth objectives and policies to establish a citywide strategy to achieve long-term mobility and accessibility within the City of Los Angeles. The Project will conform with following policies of the Mobility Element as described below.

Policy 2.3: Recognize walking as a component of every trip and ensure high quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

Policy 2.6: Provide safe, convenient, and comfortable local and regional bicycling facilities for people of all types and abilities.

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes – including goods movement – as integral components of the City's transportation system.

Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

Policy 3.8: Provide bicyclists with convenient, secure, and well-maintained bicycle parking facilities.

Policy 5.2: Support ways to reduce vehicle miles traveled (VMT) per capita; and

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

The Project will provide access for all modes of travel, including for pedestrians, bicyclists, and transit users. Local markets, restaurants, retail stores, and other community amenities are accessible by foot as the project is located along West Vanowen Street which functions as a mixed-use and public transit corridor. Landscaping and bicycle parking will be installed within the street-level frontage to create a safe and comfortable pedestrian experience that encourages walking. The Project site is also served by numerous transit lines within walking distance, including Metro Local Lines 165 and 240. These public transit lines will connect residents, workers, and visitors to essential services, job centers, and community amenities across the City. In addition, the project supports biking as a mode of transportation with the installation of 79 short- and long-term bicycle parking spaces and a bike workspace. The Project is located within 350 feet from North Reseda Boulevard which is improved with bicycle lanes which connect to the local bicycle network. Therefore, the Project supports the use of various modes of transportation and the Project will contribute towards the creation of sustainable neighborhoods.

Therefore, the project substantially conforms with the purpose, intent, and provisions of the General Plan and the Reseda – West Van Nuys Community Plan.

### Health and Wellness Element

Adopted in March 2015 with a technical update in 2021, the Plan for a Healthy Los Angeles lays the foundation to create healthier communities for all Angelenos. As the Health and Wellness Element of the General Plan, it provides high-level policy vision, along with measurable objectives and implementation programs, to elevate health as a priority for the City's future growth and development. Through a new focus on public health from the perspective of the built environment and City services, the City of Los Angeles will strive to achieve better health and social equity through its programs, policies, plans, budgeting, and community engagement. The Project is consistent with the following goals, objectives, and policies:

Policy 2.2. Healthy Building design and construction. Promote a healthy built environment by encouraging the design and rehabilitation of buildings and sites for healthy living and working conditions, including promoting enhanced pedestrian-oriented circulation, lighting, attractive and open stairs, healthy building materials and universal accessibility using existing tools, practices, and programs.

Policy 5.1: Reduce air pollution from stationary and mobile sources; protect human health and welfare and promote improved respiratory health.

Policy 5.7: Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air quality and decreased air pollution, especially for children, seniors and others susceptible to respiratory diseases.

### Air Quality Element

Policy 4.2.3: Ensure that new development is compatible with pedestrians, bicycles, transit, and alternative fuel vehicles.

Policy 5.1.2: Effect a reduction in energy consumption and shift to non-polluting sources of energy in its buildings and operations.

As previously discussed above, the Project site is served by numerous public transit lines within walking distance including Metro Local Lines 165 and 240, which residents, workers, and visitors to essential services, job centers, and community amenities across the City. The Project site is also located within 350 feet from North Reseda Boulevard which is improved with bicycle lanes and connects to the local bicycle network. In addition, the project supports biking as a mode of transportation with the installation of 79 short- and long-term bicycle parking spaces and a bike workspace.

The Project site's proximity to different modes of transportation and commercial land uses will provide residents and on-site employees with a variety of options for trips to be taken by walking, biking, or by bus. The Project will further reduce vehicle trips and vehicle miles traveled due to the Project's pedestrian-oriented design and therefore will promote respiratory health. The Project will provide bicycle parking amenities on-site, thereby reducing air pollution and greenhouse gas emissions that

would otherwise be caused by vehicle trips. The Project would comply with applicable provisions of the CALGreen Code and the Los Angeles Green Building Code, which will serve to reduce the Project's energy usage.

The Project has been designed such that the street-level frontages along West Vanowen Street include landscaping, trees, and lighting which support a safe, comfortable, and aesthetically pleasing pedestrian experience for the neighborhood. The Project's residential lobby and several of the dwelling units will front West Vanowen Street and will feature vinyl windows, thereby activating the mixed-use corridor and offering street-level surveillance.

Therefore, the project substantially conforms with the purpose, intent, and provisions of the General Plan and the applicable Community Plan.

**6. The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on neighboring properties.**

The subject property is comprised of two (2) lots with a total area of 28,999 square feet (0.67 acres) in Reseda. The Project site has a frontage of approximately 100 feet along West Vanowen Street and a depth of approximately 200 feet. The property is currently developed with a single-story commercial building and carport.

The proposed Project involves the demolition of an existing one-story commercial building and carport and the construction, use, and maintenance of a new seven-story, residential development consisting of 95 dwelling units. Of the 95 dwelling units proposed, eleven (11) units will be dedicated for Very Low Income Households. The Project will provide the following unit mix: 45 one-bedroom units and 50 two-bedroom units. The Project will encompass a total floor area of 90,112 square feet, equating to a floor area ratio (FAR) of 3.11:1. The new residential development will front West Vanowen Street with dwelling units located between the third- through seventh-floor levels and automobile parking located on the ground-floor and second-floor levels. The Project will be seven-stories tall with a maximum building height 74 feet and 6 inches. The Project will provide a total of 102 vehicle parking spaces and 79 bicycle parking spaces. The project's 72 long-term bicycle parking spaces will be located adjacent to the residential lobby within an enclosed room, and the project's 7 short-term bicycle parking spaces will be located within the building frontage. Primary vehicle and pedestrian access will be provided along West Vanowen Street. Two (2) walkways located along the eastern and western edges of the Project site will also provide access to an enclosed bicycle storage room and rear yard open space area. A two-way driveway and gate will allow residents to enter and exit the parking garage. A total of 5,487 square feet of open space will be provided including third-floor courtyards and a rear yard common open space area. (The Project also includes non-conforming open space including additional courtyard and rear yard common open space areas as well as 35 private balconies encompassing 1,155 square feet).

The Project and all of its pertinent improvements will be compatible with neighboring properties. The Project is a desirable residential development in a location and neighborhood zoned and designated for such uses. The Project site is located in an urbanized area developed with a variety of other similar and compatible uses, including multi-family residences, autobody shops, restaurants, and other commercial businesses. The Project will not preclude any future development on the project property or on any adjacent property. Accordingly, the Project has been designed and conditioned such that its significant features and improvements will be compatible with the surrounding area, as follows:

#### Height, Bulk, and Setbacks

As depicted in the Exhibit “A”, the building will encompass a total floor area of approximately 90,112 square feet and a maximum building height of 74 feet and 6 inches.

The Project site is located in an urbanized area surrounded primarily by commercial and multi-family residential uses. Properties located across the Project site to the north are developed with retail and autobody shops and medical clinics in the [Q]C2-1L-CDO-RIO Zone. Properties located east and west of the Project site are developed with restaurants, markets, beauty salons, and autobody shops in the [Q]C2-1L-CDO-RIO Zone. Properties located south of the Project site are developed with multi-family residential developments and a church in the RA-1A-RIO and R3-1-RIO Zones.

Based on the underlying [Q]C2-1L-CDO-RIO and RA-1L-RIO Zones of the Project site, the Project is permitted a maximum building height of 45 feet for the portion of the Project site zoned [Q]C2-1L-CDO-RIO and 30 feet for the portion of the Project site zoned RA-1L-RIO when a building or structure proposes a roof with a slope of less than 25 percent. (The “1L” Height District associated with the C2-1L Zone permits a maximum building height of 75 feet and six stories. However, the “Q” Classification for the subject zone limits maximum building height to 45 feet). The Project requests a Waiver of Development Standard to increase the maximum building height to 74 feet and 6 inches resulting in a seven-story residential building and a Waiver of Development Standard to waive transitional height requirements as the Project site is located adjacent to a residential property in the RA Zone through the City’s Density Bonus Program. The height of the Project is similar to mixed-use developments located west of the Project site along North Reseda Boulevard that have been constructed or have been approved of entitlements. These projects include the following:

- Case No. DIR-2022-2692-TOC-CDO-SPR-HCA – Five-story (56-foot), mixed-use development with 62 apartment units (6909 – 6923 North Reseda Boulevard)
- Case No. CPC-2014-4226-DB-SPR-CDO – Five-story (61-foot), mixed-use development with 158 dwelling units (6912 North Reseda Boulevard)
- Case No. CPC-2016-3545-ZC-DB-SPR-CDO – Six-story (61-foot), mixed-use development with 205 dwelling units (6648 North Reseda Boulevard)

- Case No. CPC-2014-1759-ZC-SPE-SPR-ZAA-CDO – Six-story (72-foot), mixed-use development with 254 apartment units (6611 – 6639 North Reseda Boulevard)

The requested waivers of development standards allow for an expanded building envelope, making way for the provision of additional dwelling units to support the provision of 11 units reserved for Very Low Income Households. Therefore, the Project's height will be compatible with surrounding properties in the community.

Regarding FAR and density, the Project site is restricted to a maximum FAR of 1.5:1 for the portion of the Project site located in the [Q]C2-1L-CDO-RIO and a maximum FAR equivalent to 25 percent of the lot area of the portion of the Project site located in the RA-1L-RIO Zone. The Project requests an Off-Menu Incentive to increase the maximum FAR to 3.11:1 and an On-Menu Incentive to permit the averaging of FAR, open space, parking and access across the [Q]C2-1L-CDO-RIO and RA-1L-RIO Zones through the City's Density Bonus Program. The incentives will allow for the construction of the proposed 90,112 square-foot residential development comprised of 95 dwelling units. As with the requested incentive to increase the Project's maximum building height, these incentives will allow the developer to expand the building envelope so that additional units can be constructed, and the overall space dedicated to residential uses is increased. The incentive supports the Applicant's decision to set aside 11 dwelling units for Very Low Income Households. The Project's dwelling units will be located on the third- through seventh-floor levels with complementary amenities including courtyards, a rear yard common open space area, private balconies, recreation room, and bicycle storage.

With regards to setbacks, the Project site is subject to various front, side, and rear yard setbacks as it is located within the [Q]C2-1L-CDO-RIO and RA-1L-RIO Zones. The portion of the Project site fronting West Vanowen Street in the [Q]C2-1L-CDO-RIO is not subject to any front yard setback requirements however is required to provide a westerly and easterly side yard setback of 10 feet per LAMC Section 12.14 C (LAMC Section 12.14 C refers to the side yard requirements of the R4 Zone for all portions of buildings erected and used for residential uses. The calculation for the required side yard setback is 5 feet plus 1-foot for every story proposed above the 2<sup>nd</sup> story. Therefore, with seven stories proposed with the subject Project the required side yard setback is 10 feet). The portion of the Project site located within the RA-1L-RIO Zone is subject to easterly and westerly side yard setbacks of 10 feet and a southerly rear yard setback equivalent to 25 percent of the depth of the lot, or 25 feet. The Project requests an Off-Menu Incentive to permit a rear yard setback of 15 feet and 1 inch and two (2) Waivers of Development Standards to permit a westerly and easterly side yard setback of 9 feet (one Waiver per side yard reduction). In exchange, the Project will be consistent with applicable State Density Bonus Law and LAMC Section 12.22.A.25 by setting aside 15 percent of the base units, or 11 units, as restricted affordable housing for Very Low Income Households.

The bulk and massing of the proposed residential development will be tempered by multiple design features which relate to the Project's selection of building materials and color palette to enhance façade articulation and the use of landscaping to enhance the user and pedestrian experience. building façade, landscaping, and the

project's orientation in relation to the surrounding built environment. The Project will utilize a mixture of stucco finishings, plaster, cement, vinyl windows, and metal framing with a neutral color palette to create a clear and cohesive design that is consistent with existing and future developments in the neighborhood. Projecting eaves, recessed balconies, stucco bands, and horizontal siding offer vertical and horizontal breaks in the building façade. In addition, grey plaster and white stucco will also help distinguish the Project's parking and residential uses, respectively. The Project will provide a sense of security and "eyes on the street" with the orientation of the building lobby entrance and several private balconies facing West Vanowen Street. The Project will feature indoor and outdoor common open spaces that will allow residents to relax, socialize, and participate in recreational activities. These spaces include the rear yard area, the 3<sup>rd</sup>-floor courtyards, and the 2<sup>nd</sup> floor recreation room. A minimum of 25 percent of the outdoor common open space areas will be planted with groundcover, shrubs, and/or trees. Landscaping will be utilized in a thoughtful manner particularly within the common open space areas and the street-level frontage to create an attractive and comfortable experience for residents and pedestrians. The proposed landscaping in the front yard areas will provide relief from the heat and sun during the day and will screen the electrical transformers from public view. Therefore, the combination of these design features and strategies will help produce a balanced and cohesive look that respects the surrounding built environment.

The proposed building height, mass, and setbacks are all consistent/permissible with all applicable zoning regulations and State and City Density Bonus law, and as a result will be compatible with adjacent properties. Therefore, the project's height, mass, and setbacks will be compatible with adjacent properties.

#### Parking and Loading

Per AB 2097, public agencies are prohibited from imposing or enforcing any minimum automobile parking requirement on any residential, commercial, or other development project that is within one-half mile of a Major Transit Stop. The proposed Project is a residential development located within one-half mile of a Major Transit Stop and is therefore not subject to a minimum automobile parking requirement.

The Project proposes 102 automobile parking spaces within the first- and second-floor levels of the proposed seven-story residential building. A ramp will be constructed within the parking garage to connect between the two (2) parking levels. The Project will also provide 79 bicycle parking spaces (72 long-term spaces and 7 short-term spaces) located within enclosed bicycle storage rooms in the parking garage. Vehicular access to the Project site and parking garage will be provided through a two-way driveway along West Vanowen Street. A flip-up vehicular gate will be installed to provide secure access to the site. Loading will take place within the enclosed parking garage or along the street frontage.

#### Lighting

Lighting will include low-level exterior lights adjacent to the building and along pathways for security and wayfinding purposes. In addition, low-level lighting to accent architectural features and landscaping elements would also be incorporated.

Proposed lighting has been designed to provide for efficient, effective, and aesthetically pleasing lighting solutions which will help minimize light trespass from the proposed buildings and overall Project site. In addition, the Project's lighting plan will reduce sky-glow, increase night sky access, and improve nighttime visibility through glare reduction.

### Landscaping

Per the LAMC, the Project is required to provide 10,750 square feet of open space and 24 trees. The Applicant requests a Waiver of Development Standard to reduce the open space requirement to 5,487 square feet. Of the 5,487 square-feet of open space provided, 3,987 square feet will be dedicated to common open space (2,517 square feet of outdoor courtyards space will be located on the third-floor level, 870 square-feet of rear yard space, 600 square feet of recreation room area) and 1,500 square feet will be dedicated to private balcony space distributed across 30 dwelling units. (The Project also includes non-conforming open space including additional courtyard and rear yard common open space areas as well as 35 private balconies encompassing 1,155 square feet).

The Project proposes a minimum of 1,372 square feet of landscaped area within the common open space areas and 33 on-site trees. Landscaping, including trees, shrubs, and grass, will be maintained within the ground- and third-floor levels of the Project to promote a safe and comfortable environment for residents and pedestrians. They will enhance the residents and pedestrian experience by providing shade coverage and relief from the sun. In addition, the Project's front yard area, with the exception of the entryway walkways, vehicular driveway, and electrical transformers, will also feature landscaping to help screen and buffer the Project's electrical transformers. The Project has been conditioned so that all open areas not used for buildings, driveways, parking areas, recreational facilities or walkways will be attractively landscaped and maintained in accordance with a landscape plan. The planting of any required trees and street trees will be selected and installed per the Bureau of Street Services, Urban Forestry Division's requirements. Therefore, the on-site landscaping will be compatible with the existing future developments in the neighborhood.

### Trash Collection

The Project will provide a trash and recycling collection room located on the ground-floor level adjacent to the residential and parking areas. Therefore, the trash enclosures will be hidden from public view. Residents will be encouraged to dispose of their trash and recyclable through chutes located on each floor which feed into the trash collection area. Trash trucks will temporarily stop and collect trash along West Vanowen Street, and therefore would not interrupt daily operations, traffic, and parking around the surrounding neighborhood.

As described above, the project consists of an arrangement of buildings and structure (including height, bulk, and setbacks), off-street parking facilities, lighting, landscaping, trash collection, and other such pertinent improvements that will be compatible with existing and future development on neighboring properties.



**6. Any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.**

The Project will provide residents a variety of recreational and service amenities including open space areas and bicycle facilities. The Project will provide bike storage for a total of 79 bicycles along the building frontage and adjacent to the ground-floor lobby. The enclosed bicycle storage room will also contain a 140 square-foot bike workspace for residents to repair and clean their bicycles. The Project will provide a total of 5,487 square feet of open space; 2,517 square feet will be dedicated to the outdoor courtyards located on the third-floor level, 870 square-feet will be dedicated to the rear yard space, 600 square feet will be dedicated to the recreation room on the second-floor level, and 1,500 square feet of private balcony space will be distributed across 30 dwelling units. These spaces will provide residents various settings for relaxation, social gathering, and recreation.

In addition, the Project's front and rear yard spaces as well as the building's perimeter will be landscaped with a variety of trees, shrubs, and groundcover which will provide shade and greenery for residents and pedestrians, enhance the physical environment, and reduce potential impacts on adjacent properties. The Project will plant a total of 33 trees. Therefore, the Project provides a variety of recreational and service amenities which will improve habitability for residents and the community alike and will minimize impacts on neighboring properties.

**CEQA Findings**

7. It has been determined based on the whole of the administrative record that the project is exempt from CEQA pursuant to State CEQA Guidelines, Section 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2, applies.

The proposed Project qualifies for a Class 32 Categorical Exemption because it conforms to the definition of "In-fill Projects". The project can be characterized as in-fill development within urban areas for the purpose of qualifying for Class 32 Categorical Exemption as a result of meeting five established conditions and if it is not subject to an Exception that would disqualify it. The Categorical Exception document dated August 7, 2023, and attached to the subject case file provides the full analysis and justification for project conformance with the definition of a Class 32 Categorical Exemption.

8. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located outside of a flood zone.



## **LOS ANGELES CITY PLANNING APPEAL FILING PROCEDURES**

Entitlement and CEQA appeals may be filed using either the Online Application System (OAS) or in person Drop Off at DSC (Development Services Center).

**Online Application System:** The OAS (<https://planning.lacity.org/oas>) allows appeals to be submitted entirely electronically online; fee payment is by credit card or e-check.

**Drop off at DSC:** Appeals of this determination can be submitted in person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>. Public offices are located at:

### **Metro DSC**

(213) 482-7077

201 N. Figueroa Street

Los Angeles, CA 90012

### **Van Nuys DSC**

(818) 374-5050

6262 Van Nuys Boulevard

Van Nuys, CA 91401

### **West Los Angeles DSC**

(CURRENTLY CLOSED)

(310) 231-2901

1828 Sawtelle Boulevard

West Los Angeles, CA 90025

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable Los Angeles Municipal Code provisions.

**An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination.** Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure that DSC staff members have adequate time to review and accept the documents, and to allow appellants time to submit payment.



QR Code to Online  
Appeal Filing



QR Code to Forms  
for In-Person Filing