



## APPLICATIONS:

# APPEAL APPLICATION CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) Instructions and Checklist

**Related Code Section:** The Los Angeles Municipal Code (LAMC) Section 11.5.13 (Ord. No. 186,338) established the appeal procedure to the City Council for California Environmental Quality Act (CEQA) determinations.

**Purpose:** *The Appeal* - A CEQA clearance can only be appealed if a non-elected decision-making body (ZA, APC, CPC, DIR) makes a determination for a project that is not further appealable. To initiate appeal of a CEQA document this form must be completely filled out with the required materials attached and filed within 15 calendar days from the final administrative decision, of the entitlement application.

### General Information

#### Appealable CEQA documents:

- Certified Environmental Impact Report (EIR)
- Sustainable Communities Environmental Assessment (SCEA)
- Mitigated Negative Declaration (MND)
- Negative Declaration (ND)
- Categorical Exemption (CE)
- ~~Sustainable~~ Exemption (SE)

*Statutory*

#### NOTE:

- Actions not appealable include an addendum, findings made pursuant to CEQA Guidelines Section 15162, or an action in which the determination does not constitute a project under CEQA.
- All CEQA appeals are heard by the City Council.
- This form is only for the appeal of Department of City Planning determinations: All other CEQA appeals are filed with the City Clerk pursuant to the LAMC Section 197.01.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

### 1. Case Information

Environmental Case Number: ENV-2018-2337-SE

Related Entitlement Case Number(s): DIR-2018-2336-SPR-SPPA-1A

Project Address: 21507-21529 W. Vanowen St. Canoga Park

Date of Final Entitlement Determination: May 29, 2021

The CEQA Clearance being appealed is a(n):

☒ EIR      ☐ SCEA      ☐ MND      ☐ ND      ☐ CE      ☒ SE

### 2. Appellant Identity (check all that apply)

- ☐ Representative      ☐ Property Owner      ☒ Other Person
- ☐ Applicant      ☐ Operator of the Use/Site

### 3. Appellant Information

Appellant Name: Gina K. THORNBURG

Company/Organization: Coalition for Valley Neighborhoods

Mailing Address: 5146 Comercio Ave.

City: Woodland Hills State: CA Zip: 91364

Telephone: (818) 451-3977 E-mail: Gina.T.cfm@gmail.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

- ☐ Self      ☒ Other: Warner Gardens NEA and others

b. Is the appeal being filed to support the original applicant's position?      ☐ Yes      ☒ No

**4. Representative/Agent Information**

Representative/Agent name (if applicable): \_\_\_\_\_

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**5. Appeal Justification**

Attach a separate sheet providing your specific reasons for the appeal. Your reasons must state how you believe CEQA was incorrectly applied, providing a legal basis for the appeal.

**6. Applicant's Affidavit**

I certify that the statements contained in this application are complete and true:

Appellant Signature: Steve A. Hornburg Date: 6/9/21

**ENVIRONMENTAL APPEAL FILING REQUIREMENTS**

Note: City Clerk prepares mailing list for CEQA appeals per LAMC Section 11.5.13 E.

- 1. Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates)  
Each case being appealed is required to provide three (3) sets of the listed documents.

- ☐ Environmental Appeal Application (form CP-7840)
- ☐ Justification/Reason for Appeal
- ☐ Copies of the written Determination Letter, from the final appellate body, which must be a non-elected decision-making body

- 2. Electronic Copy** *Electronically Filed*
- ☐ Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Environmental Appeal Application.pdf", "Justification/Reason Statement.pdf", "Final Determination Letter.pdf"). No file should exceed 9.8 MB in size.

**3. Appeal Fee**

- ☐ Original Applicant - A fee equal to 85% of the original application fee of the Environmental case; provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- ☒ Other Persons - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

This Section for City Planning Staff Use Only			
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:	
Receipt No:	Deemed Complete by (Project Planner):	Date:	
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and B/C receipt (if original applicant)	



# SOUTH VALLEY AREA 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: MAY 25 2021

Case No. DIR-2018-2336-SPP-SPPA-1A

Council District: 3 – Blumenfield

CEQA: ENV-2018-2337-SE

ENV-2008-3471-EIR, SCH No. 1990011055

Plan Area: Canoga Park – Winnetka – Woodland Hills –  
West Hills

**Project Site:** 21507 – 21529 West Vanowen Street

**Applicant:** Eri Kroh, 21515 Vanowen Street Associates, LLC  
Representative: Sarah Golden, Rosenheim and Associates, Inc.

**Appellant:** Gina K. Thornburg, Coalition for Valley Neighborhoods

At its meeting of **April 22, 2021**, the South Valley Area Planning Commission took the actions below in conjunction with the approval of the following project:

Demolition of one commercial office building totaling approximately 53,412 square feet on a 44,014 square foot lot before dedications, and the construction of a new, eight-story, approximately 85 feet in height, 166,995 square-foot in area, single-phase, multi-family residential building. The Project includes 193 dwelling units including 11 Work-Live units for a total of 161,549 square feet of Residential Floor Area. The Project also includes approximately 5,446 square feet of Work-Live units as Non-Residential Floor Area according to the Warner Center 2035 Specific Plan. The Project includes four levels of parking, two of which are subterranean, 249 vehicle parking spaces, 12 short-term bicycle parking spaces, and 121 long-term bicycle parking spaces. The Project also includes approximately 6,732 square feet of Publicly Accessible Open Space (PAOS) and the removal and replacement of three Street Trees in the Public Right of Way. The Project is located in and subject to the regulations of the Warner Center 2035 Specific Plan.

1. **Determined** based on the whole of the administrative record, that the Project is Statutorily Exempt from CEQA, pursuant to Government Code 65457 and Found that none of the circumstances in Public Resources Code Section 21166 have occurred;
2. **Found**, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, that the project is within the scope of the Warner Center 2035 Program EIR No. ENV-2008-3471-EIR; SCH No. 1990011055 ("Program EIR"), pursuant to CEQA Guidelines Sections 15168 and 15162; the environmental effects not identified in the Program EIR will occur, and no new mitigation is required; and the City has incorporated all feasible mitigation measures from the Program EIR on the Project;
3. **Granted** the appeal in part, and **denied** the appeal in part and sustained the Planning Director's Determination dated November 9, 2020;
4. **Approved with conditions**, pursuant to Sections 11.5.7 C and 5.3.3 of the Los Angeles Municipal Code (LAMC), a Project Permit Compliance Review for the demolition of one commercial office building totaling approximately 53,412 square feet on a 44,014 square foot lot before dedications, and the construction of a new, eight-story, approximately 85 feet in height, 166,995 square-foot in area, single-phase, multi-family residential building. The project includes 193 dwelling units including 11 Work-Live units for a total of 161,549 square feet of

Residential Floor Area. The project also includes approximately 5,446 square feet of Work-Live units as Non-Residential Floor Area according to the Warner Center 2035 Specific Plan. The Project includes four levels of parking, two of which are subterranean, 249 vehicle parking spaces, 12 short-term bicycle parking spaces, and 121 long-term bicycle parking spaces. The Project also includes approximately 6,732 square feet of Publicly Accessible Open Space (PAOS) and the removal and replacement of three Street Trees in the Public Right of Way;

5. **Approved with conditions**, pursuant to LAMC Section 11.5.7 E(2)g and 3.2 of the Warner Center 2035 Specific Plan (Ordinance 182,766), a Project Permit Adjustment to permit a minimum 12 foot and six-inch floor to floor height for the "Work" portion of the Work-Live units in an Active Street Frontage-identified area in lieu of the 15 feet;
6. **Adopted** the attached modified Conditions of Approval; and
7. **Adopted** the attached amended Findings.

The vote proceeded as follows:

Moved: Dierking  
 Seconded: Menedjian  
 Ayes: Mather, Torres  
 Absent: Beatty

**Vote: 4 – 0**

*Etta Armstrong*

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Etta Armstrong, Commission Executive Assistant I  
 South Valley Area 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 South Valley Area Planning Commission is final upon the mailing date of this letter, and it is not further appealable.

**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 to a City appellate body** and the decision is final. The applicant is advised that any work undertaken while the CEQA clearance is on appeal is at his/her/its own risk and if the appeal is granted, it may result in (1) voiding and rescission of the CEQA clearance, the Determination, and any permits issued in reliance on the Determination and (2) the use by the City of any and all remedies to return the subject property to the condition it was in prior to issuance of the Determination.

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: Modified Conditions of Approval, Amended Findings, Interim Appeal Procedures

c: Blake Lamb, Principal City Planner  
 Tim Fargo, City Planner  
 Claudia Rodriguez, Senior City Planner  
 Sheila Toni, City Planning Associate

**CONDITIONS OF APPROVAL**  
**(As modified by the South Valley Area Planning Commission on April 22, 2021)**

This Project approval is subject to the following Conditions of Approval imposed to ensure compliance with the Warner Center 2035 Plan and is based upon the attached Findings. **In addition, the applicant shall comply with any requirements of the Department of Building and Safety (B&S), Department of Transportation (DOT), Bureau of Engineering (BOE), Urban Forestry Division of the Bureau of the Street Services (BSS), Bureau of Street Lighting (BSL), and the Department of Recreation and Parks (RAP).**

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the site plan, floor plans, elevations, landscape plans, sign plans, renderings, and other materials submitted by the Applicant, labeled Project Plans "Exhibit A" and attached to the subject case file. No change to the plans shall be made without prior review by the Department of City Planning, Project Planning, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the project conditions, or the project permit authorization. Prior to the issuance of any building permit, except for demolition, excavation, or foundation permits for any component of this Project, detailed plans showing that component's compliance with these conditions shall be submitted for review, to the satisfaction of the Director of Planning, unless otherwise specified.

**Warner Center 2035 Specific Plan Conditions**

2. **Uses.** In compliance with Section 6.1.2.6.1 and Appendix A of the Specific Plan, uses on the Project site shall be restricted to those permitted in the River District of the Specific Plan. The Project includes multiple residential dwelling units and Work-Live Units, as permitted in Appendix A. The Project's Work-Live units are recognized as a Residential use per Section 3 of the Specific Plan. However, for the purposes of calculating floor area, the Project is credited 50% of the Work-Live unit space as Non-Residential floor area, as per Footnote 5 of Appendix B of the Specific Plan. Thus, the project is approved for a total of 161,549 square feet of Residential Floor Area and 5,446 square feet of Non-Residential Floor Area. Any use defined by Appendix A as requiring a Conditional Use Permit shall be considered under a separate application to the Department of City Planning and is not approved as part of this Project Permit Compliance Review.
3. **Intensity.** The project is approved for a FAR of 4.06:1.
4. **Height.** The project is approved for a height of approximately 85 feet. Additionally, the project shall have a street wall height of a minimum of 25 feet vertically along Vanowen Street.
5. **Street Standards – Improvements and Dedications.** Vanowen Street is designated as a Major Highway Class II and shall be in compliance with Table 2, which requires on the north side of the east/west section a 52-foot half right-of-way, a 40-foot half roadway, an eight-foot sidewalk, eight-foot parkway, and a four-foot easement. Alabama Avenue is designated as a Local Street and is not noted on Tables 1 of 2 of the Specific Plan. As directed by the Bureau of Engineering, the Project shall comply with the dedications and improvements for street standards on Tables 1 and 2 of the

Specific Plan as follows: **(DOT/BOE/DCP)**

**a. Dedications.**

- i. *Vanowen Street*: A 9-foot wide strip of land along the property frontage to complete a 52-foot half right-of-way in accordance with Warner Center Specific Plan 2035 and a 20-foot radius property line return at the intersection with Alabama Avenue. In addition, provide a 4-foot sidewalk easement along the property frontage. **(BOE)**
- ii. *Alabama Avenue*: None. **(BOE)**

**b. Improvements**

- i. *Vanowen Street*: Construct additional surfacing to join the existing improvements to provide a 40-foot half roadway, including asphalt pavement, integral concrete curb, 2-foot gutter and an 8-foot wide concrete sidewalk adjacent to the easement line in a 16-foot border in accordance to Warner Center Specific Plan 2035. Construct an access ramp at the intersection with Alabama Avenue to comply with ADA requirements. These improvements should suitably transition to join the existing improvements. **(BOE)**
- ii. *Alabama Avenue*: Reconstruct the concrete sidewalk to provide a 12-foot wide concrete sidewalk along the property frontage. Repair all broken and off-grade concrete curb and gutter. Upgrade all driveways to comply with ADA requirements or close unused driveways. **(BOE)**
- iii. Street Trees:
  - 1. The Project shall preserve to the greatest extent possible all existing Street Trees if the curb is not being relocated. In the event that the street trees cannot be preserved, install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. Some tree removal in conjunction with the street improvement project may require Board of Public Works approval. The applicant should contact the Urban Forestry Division for further information (213) 847-3077. The Project proposes the removal of three street trees and the preservation of one. **(BSS)**
  - 2. Trees: That Board of Public Works approval shall be obtained, prior to the issuance of the Certificate of Occupancy of the development project, for the removal of any tree in the existing or proposed public right-of-way. The Bureau of Street Services, Urban Forestry Division is the lead agency for obtaining Board of Public Works approval for the removal of such trees. **(BSS)**
  - 3. Pursuant to the Specific Plan Section 6.2.6.2.8 and Appendix F, Section 3, Guideline A.7, any new street trees along Vanowen Street and Alabama Avenue shall be of the species indicated on Figure 8 in the Specific Plan. The Project shall plant a row of *Tabebuia impetiginosa* (Pink Trumpet Tree)

and/or *Quercus illex* (Holly Oak) within the parkway along Vanowen Street, in compliance with the street tree requirements in Figure 8 of the Specific Plan. Species of street trees along Alabama Avenue shall be decided upon by the Urban Forestry Division. **(BSS/DCP)**

4. Replacement. All street trees shall be replaced at a ratio of 2:1. The Project proposes 11 new street trees. Replacement trees on Vanowen Street are to be taken from Figure 8 of the Specific Plan. The street tree replacement is subject to further review and approval from the Division of Urban Forestry, which may supersede this condition. A copy of the Tree Removal Permit from the Division of Urban Forestry shall be submitted to the subject case file prior to final signoff. Final landscape plans shall show these required replacement trees. **(BSS/DCP)**
  5. Permit Issuance. Prior to issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way. Should the applicant need the removal or planting of any tree in the public right-of-way, approval is required from the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division, Bureau of Street Services, Department of Public Works. **(BSS)**
  6. Bonding (Tree Survival). The applicant shall post a cash bond or other assurances acceptable to the Bureau of Engineering in consultation with the Urban Forestry Division and the decision maker guaranteeing the survival of the street trees required to be maintained, replaced, or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date that the bond is posted or from the date such trees are replaced or relocated, whichever is longer. Any change of ownership shall require that the new owner post a new street tree bond to the satisfaction of the Bureau of Engineering. Subsequently, the original owner's street tree bond may be exonerated. **(BSS)**
  7. The City Engineer shall use the provisions of Section 17.08 as its procedural guide in satisfaction of said bond requirements and processing. Prior to exoneration of the bond, the owner of the property shall provide evidence satisfactory to the City Engineer and Urban Forestry Division that the street trees were properly replaced, the date of the replacement and the survival of the replacement trees for a period of three years. **(BSS)**
- iv. Notes: Street lighting and streetlights relocation will be required satisfactory to the Bureau of Street Lighting (213) 847-1551. **(BSL)**
  - v. Additional Requirements. Department of Transportation may have additional requirements for dedication and improvements. See BOE Report dated July 19, 2018 for additional instructions regarding other improvements requested. **(DOT)**
  - vi. Refer to the Department of Transportation regarding traffic signals, signs and equipment (818) 374-4699. **(DOT)**

- vii. Refer to the Department of Water and Power regarding power pole (213) 367-2715. **(DWP)**
- viii. Refer to the Fire Department regarding fire hydrants (818) 374-5005. **(LAFD)**
- ix. No major drainage problems are involved. **(BOS)**
- x. Sewer lines exist in Vanowen Street. Extension of the 6-inch house connection laterals to the new property line may be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit. **(BOS)**
- xi. The Bureau of Sanitation may need to investigate the existing public sewers for sufficient capacity to facilitate the proposed development. Submit a request to the Public Counter of the Valley District Office of the Bureau of Engineering (818) 374-5090. **(BOE/BOS)**

## **6. Active Street Frontage.**

- a. The Project shall be permitted parking on the ground floor so long as at least eighty percent (80%) of the ground floor frontage on any side of the above-grade parking structure, which is adjacent to a public street (except an alley) or adjacent to a public open space/plaza, includes ground floor non-residential use subject to the provisions herein.
- b. The Project along Vanowen Street shall be limited to Non-Residential uses to a depth of 25 feet from the building frontage along the street and at least 75 percent of the building facade located between 30 inches and 84 inches from the ground floor devoted to transparent windows and/or doors. Dark tinted reflective or opaque glazing shall not be counted towards the minimum percentage.
- c. The Project along Vanowen Street, moving east along the property starting from the southwestern most part of the building, shall have floor-to-floor heights as measured from the ground as follows: for the first approximately 105 feet and four inches, the Project shall have a minimum floor-to-floor height of 12 feet and six inches; for the next approximately 133 feet and four inches of the property to the east, the Project shall have a minimum floor-to-floor height of 13 feet and six inches; for the last approximately 71 feet and six inches of the property to the east, the Project shall have a minimum floor-to-floor height of 14 feet.
- d. The ground floor interior shall maintain the floor-to-floor height at the levels indicated in this section by not incorporating improvements that create a false ceiling.
- e. The Project shall maintain a 15-foot high regulating line in place of a 15-foot floor-to-floor height as measured from the Ground Floor upwards, using materials and design in substantial conformance with that proposed in "Exhibit A."
- f. Permitted Residential uses in the Ground Floor shall be limited to Work-Live Units professional offices or residential common spaces and shall be designed to include wall openings comprised of a minimum of fifty percent (50%) of the street level Building Facade located between 30 inches and 84 inches from the ground floor.

- g. Ground floor Work-Live units oriented to Vanowen Street shall be accessed individually and directly from Vanowen Street with individual front stoops or porches.
- h. Fence and wall heights along Vanowen Street shall not exceed 42 inches, as measured from the highest adjacent grade. Fences and walls shall include latticework, ornamental fences, screen walls, hedges or thick growth of shrubs or trees.
- i. The project shall have a primary entrance for the building located on a public street that is connected and visible from the street.

**7. Front Setbacks.** The Project shall have a front setback on Vanowen Street of not less than 12 feet and no more than 15 feet.

**8. Publicly Accessible Open Space (PAOS).** The Project shall provide a minimum of 6,170 square feet of PAOS that is:

- a. contiguous, remaining unfenced and ungated;
- b. integrated into the overall design of the Project;
- c. integrated with neighboring buildings or structures and any existing, or approved, PAOS, if applicable;
- d. maintained in good condition;
- e. open to the public, at minimum, from 6:00 a.m. to 10:00 p.m., seven days a week. There shall be at least two signs stating the hours of operation of the PAOS, including in the focal point unobstructed from public view. PAOS identification signage shall indicate that the PAOS is available for use by the public from, at minimum, 6 a.m. to 10 p.m., seven days a week. Supporting documentation of signage and placement shall be submitted to the subject case file prior to final signoff and to be kept with the file for this case. This identification signage shall not be counted against a Project's signage limitation;
- f. based on 6,732 square feet of PAOS provided, containing a minimum of 6,059 square feet of PAOS that is open to the sky, excluding shade structures and other features or elements that are not calculated as Floor Area;
- g. containing a minimum of 50 percent of PAOS that is landscaped (3,366 square feet);
- h. containing a minimum of 14 seats in the PAOS that is a ratio of no less than one seat per 500 square feet of the provided PAOS. Seating shall include but not be limited to chairs, benches, and planters. Seating shall be permanent or moveable. For benches, two linear feet of bench or seat-wall shall equal one seat;
- i. seating placed with consideration to noontime sun and shade;
- j. including of a focal point or gathering space of 1,099 square feet near the main entrance at the southwest portion of the property;

- k. inclusive of required setbacks along a public way;
- l. excludes the following uses: surface parking areas, open storage areas, private open space areas not accessible to the general public, swimming pools and spas unless open to the general public, loading docks and parking, driveway entrance/exit areas, sidewalks and parkways in the public right-of-way as of the date of the adoption of the Plan, and detached utility areas/pads;
- m. includes a mix of passive and active recreational facilities designed to serve residents, employees, and visitors to Warner Center. PAOS shall include amenities for all ages such as one or more tot lots, community gardens, or other physical activity facilities to integrate shared spaces designed for gathering year-round; and
- n. prior to the issuance of any building permit, the applicant shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department binding the land for the Project and all successors. It shall include a detailed, dimensioned site plan and landscape plan demonstrating the required and provided PAOS areas and a comprehensive summary table showing compliance with the regulations contained in the applicable PAOS conditions herein. It should include information regarding the ongoing maintenance and operation of the open space areas and on-going public access through easement. A copy of the Covenant and Agreement shall be submitted to the case file prior to final signoff and kept with the file for this case.

**9. Park Fees and Land Dedication.** As applicable, the applicant shall provide documentation that LAMC Section 12.33 Park Fees and Land Dedication requirements were satisfactorily arranged with the Department of Recreation and Parks.

Note: Effective January 11, 2017, RAP is responsible for calculating the required park fees owed by each residential development project, pursuant to Los Angeles Municipal Code (LAMC) 12.33, and issuing the fee calculation letters to applicants. RAP will also be responsible for calculating the required fees for vested projects that are not subject to a park fee pursuant to LAMC 12.33 but were subject to the Recreation and Park Fee provisions that were effective prior to January 11, 2017 (Quimby Fee). The Quimby Fee is calculated on a per dwelling unit basis with the per unit fee determined by the zone in which the dwelling unit is located. **(RAP)**

**10. Automobile Parking**

- a. **Residential Parking.** For the Project's Residential use, the Project is approved to provide 249 Residential spaces, including 122 standard-sized spaces, 84 compact-sized spaces, 36 tandem-sized spaces, and no less than seven ADA-accessible spaces. Sizes of spaces are to follow the Los Angeles Municipal Code requirements. If modified, the Project shall provide no fewer than 193 Residential parking spaces and shall not exceed 386 Residential parking spaces total for the development. These spaces shall be counted separately from Non-Residential spaces.
- b. **Non-Residential Parking.** The Project's Work-Live units are recognized as a Residential use per Section 3 of the Specific Plan. However, for the purposes of

calculating floor area, the Project is credited 50% of the Work-Live unit space as Non-Residential floor area, as per Footnote 5 of Appendix B of the Specific Plan. As such, there is no official Non-Residential use for which to calculate parking at the time of issuance of this Letter of Determination. If at a point in the future the “work” portion of the Work-Live units were to be granted a new Certificate of Occupancy for a use other than Residential, that portion of the unit dedicated to the Non-Residential uses shall be required to provide parking in the amounts required per the Specific Plan regulation in effect at such time. Sizes of spaces shall follow the Los Angeles Municipal Code requirements at the time of the issuance of the new Certificate of Occupancy. These spaces shall be counted separately from the Residential spaces.

- c. **Alternative-Fuel Vehicle Parking.** The Project shall provide EV Parking spaces that can be counted concurrently with the total number of parking spaces provided on site for Residential and Non-Residential so as long as they do not exceed 10% of the maximum number of all parking spaces allowed on the site.
- d. **Disabled Parking.** The accessible spaces associated with the Residential and Non-Residential uses shall not be calculated into the Project’s total parking count if the amount of spaces being provided equals the maximum amount of parking allowed for the Project.
- e. **Setback Parking.** The project shall not include surface parking in the setbacks.

#### 11. Bicycle Parking.

- a. **Residential Bicycle Parking.** The Project shall provide a minimum of 12 short-term and 121 long-term bicycle parking spaces for Residential use.
- b. **Non-Residential Bicycle Parking.** The Project’s Work-Live units are recognized as a Residential use per Section 3 of the Specific Plan. However, for the purposes of calculating floor area, the Project is credited 50% of the Work-Live unit space as Non-Residential floor area, as per Footnote 5 of Appendix B of the Specific Plan. As such, there is no official Non-Residential use for which to calculate bicycle parking at the time of issuance of this Letter of Determination. If at a point in the future the “work” portion of the Work-Live units were to be granted a new Certificate of Occupancy for a use other than Residential, that portion of the unit dedicated to the Non-Residential uses shall be required to provide long-term and short-term bicycle parking in the amounts required per the Specific Plan regulation in effect at such time. The Non-Residential bicycle parking spaces shall be counted separately from Residential spaces and follow size and design regulations as outlined in the LAMC.

#### 12. Landscape.

Prior to signoff, revised landscape plans or proof of compliance shall be provided to show:

- a. Compliance with the instructions on Form CP-6730 including
  - i. The dimensions of all open space areas;
  - ii. All plants indicated as proposed on the landscape plan;
  - iii. Height of trees at planting;

- iv. Notes indicating a mature height and spread of at least 35 feet within 10 years for street trees proposed;
  - v. WUCOLS classification for all plants;
- b. Setbacks indicated, to show a minimum of 30% of the required setback areas landscaped;
- c. Dimensions to show trees planted at a ratio of every 30 linear feet in the setback area adjacent to the parking structure at the north-, west-, and east- facing portion of the Project;
- d. Species of climbing vine on green screen planted on the façade of the parking structure on the north-facing portion of the Project;
- e. The use of shrubs, vines, green, screen, or trees to screen blank walls on the north elevation at the above-grade parking level;
- f. The labeling of the transformer at the southwest part of the property;
- g. On the south elevation at the live-work units, landscaped setbacks with any or all of the following: walkways, porches, raised planters and other solid walls up to three feet above sidewalk elevation, and transparent fences up to four feet above sidewalk elevation;
- h. All planted areas within a Project serviced by automatic irrigation systems and conforming to the City's water conservation requirements as prepared by a licensed landscape architect;
- i. Use of a high-efficiency "smart" irrigation system, which includes a weather-based controller, and, where feasible, in-line drip and bubblers, rather than overhead spray. Where overhead spray is used, heads should have low-precipitation nozzles to reduce run-off;
- j. Plants identified as California Friendly by the Metropolitan Water District's Be Water Wise program ([www.bewaterwise.com](http://www.bewaterwise.com)) for at least 50 percent of the plant materials used. The landscape plan shall incorporate Southern California native plant species. Please refer to the Theodore Payne Foundation ([www.theodorepayne.org](http://www.theodorepayne.org)) to access their Native Plant Database;
- k. Indigenous Plants per the County's Los Angeles River Master Plan (LARMP) Landscaping Guidelines and Plant Palettes' short list for at least 25% of the plant materials used;
- l. At least 50% of the trees as canopy trees that provide shade. Native, drought tolerant, species with a low WUCOLS level are preferred. Bamboo and Palm tree varieties shall not be counted toward this requirement, and, unless otherwise indicated the Conditions of Approval, plant deciduous trees in the PAOS areas as the most effective means of providing comfortable access to sun and shade;
- m. Notes or cut sheets that indicate that the Project treats 100 percent of the 85th

percentile storm and provide detentions capacity to retain a rainfall intensity of 0.5 inches/hour or other Code requirement if the latter is more restrictive, to the satisfaction of the Bureau of Sanitation. On-site infiltration is the preferred method of treatment; and

n. Additionally, permeable paving for at least 75 percent of all hardscape areas.

**13. Supplemental Urban Design Standards.** Prior to signoff, revised plans shall be provided as follows:

a. **Lighting and Security.** The applicant shall submit revised elevations that show all and any exterior lighting as integrated with design of the structure(s), shielded to reduce glare for all sides of the building, and pointed away from the sky and windows of residential units. Additionally, the Project's security lighting should be integrated into the architectural and landscape lighting system and should not be distinguishable from it.

b. **Articulation of Building Facades.** The applicant shall submit revised elevations that

i. show the parking structure on the north elevation with a change of depth for at least 15% of the length of the facade and at least 5 feet in horizontal length. The façade shall incorporate ornamentation techniques such as materials, textures, apparent wall thickness, or fenestration;

ii. clarify that the glass on the second floor of the south elevation will be opaque in a way to screen the parking facility.

c. **Landscaping Requirements for Parking Facilities.** The applicant shall submit revised plans and elevations:

i. for the portions of the structure used for parking on the west-, north-, and east-facing elevations that show a minimum landscaped setback of five feet;

ii. indicating that the landscaping within the setback area shall include a berm, hedge or combination of hedge and berm, measuring at least 36 inches in height that may contain openings as necessary to address potential safety and security concerns and the material proposed for screening.

**14. LEED Silver.** Prior to Planning clearance, the Project shall submit proof that the project is designed to meet the equivalent green standards of LEED (Leadership in Energy and Environmental Design) at the Silver Level, in addition to the City's Green Building and any other applicable regulations relating to sustainability standards. (Note: the project is subject to the most current version of LEED at the time of the Planning clearance on the building permit).

**15. Green Building Ordinance.** Prior to Planning clearance, the Project will submit evidence that it complies with the City's Green Building Ordinance No. 182,849. **(B&S/DCP)**

**16. Solar Reflectance Index (SRI).** Prior to Planning clearance, an updated roof plan shall be submitted showing the slope of the roof as having a maximum slope of 2:12, and

illustrating the percentage of the roof with an SRI equal to or greater than 78 for at least 75 percent of the roof area. **(B&S)**

## 17. Design Guidelines.

- a. **Blocks.** The Project shall locate parking garages that serve the development or district underground, in a podium wrapped by habitable uses, or in above-ground structures with active ground floor uses along street frontages to the extent possible.
- b. **Street Wall and Ground Floor – Active Ground Floor Retail.** The Project shall locate the primary entrance to each street-level tenant space that has its frontage along Vanowen Street from that street.
- c. **Street Wall and Ground Floor – All Ground Floor Uses.** The Project shall locate the building's primary entrance, defined as the entrance which provides the most direct access to the building's main lobby and is kept unlocked during business hours, on Vanowen Street or on a courtyard, plaza or pathway that is connected to and visible from Vanowen Street.
- d. **Parking and Access - Visibility.** Except for the ground-level frontage required for access to parking, no parking or loading shall be visible on the ground floor of the Project's facade that faces the public right-of-way.
- e. **Parking and Access - Location.** The Project shall locate parking and loading access a minimum of 25 feet from the primary building entrance on Vanowen Street.
- f. **Architecture – Horizontal and Vertical Variation.** The Project shall:
  - i. Vary details and materials horizontally to provide scale and three-dimensional qualities to the building.
  - ii. Have a ground floor of the building with different architectural treatment than the upper floors, and feature high quality materials that add scale, texture and variety at the pedestrian level.
  - iii. Use materials and color to reinforce the building's massing and not just be applied as unrelated surface treatment. They should suggest form changes and turn corners so there is a substantive reading of form and material together.
- g. **Neighbor Impacts.** Prior to final signoff, the Project shall submit revised plans showing:
  - i. The location on the exterior of all mechanical equipment including the roof, with screens shielding it from public view.
  - ii. The location of the ventilation intakes and exhausts on the exterior located more than 20 vertical and horizontal feet from the sidewalk and directing air flow away from the public realm.

- iii. Metal surfaces on the exterior noted as having a matte finish or other finish that minimizes glare or reflection.
- iv. Antennas and satellite dishes screened. Cable and satellite services should be provided through a single source that serves individual units throughout the entire complex through wired connections that are contained within building walls.

**h. Architectural Design – Mid-Rise Buildings.**

- i. The Project's balconies shall be a minimum of 50% transparent and may integrate metal railing or glass guardrail systems. Opaque glass can count towards the transparency requirement.
- ii. The Project shall integrate glass window bay systems to add variation in the facade where appropriate.
- i. **On-Site Trees.** The Project proposes to remove 11 on-site trees, as shown in the Tree Report, dated February 12, 2017. Pursuant to the Specific Plan, as replacement for the loss of any on-site trees, replace trees greater than 10 centimeters (4 inches) in diameter at breast height (DBH) (4.5 feet above surrounding grade) with native or non-native (non-invasive) trees of appropriate local climate tolerance at a 2:1 ratio. Prior to Planning clearance, an updated tree report of less than a year old shall be provided by a Landscape Architect or Certified Arborist showing trees to be removed with their DBH, and plans shall be revised to show a replacement ratio of 2:1 for the planting of the on-site trees proposed in "Exhibit A".

**18. Site Access and Internal Circulation.** Prior to the issuance of any building permit for the Project, a site plan shall be submitted to the DOT's Valley Development Review Section (6262 Van Nuys Boulevard, Suite 320, Van Nuys, CA) for review and approval of driveways, loading/unloading areas, parking, and internal circulation. **(DOT)**

**19. Mobility Fee.** Per the 2020 Mobility Fee Ordinance update (Ord. No. 186,498), the final determination to pay the Project's Mobility Fee will be calculated at building permit issuance using the annually adjusted rates of the Appendix D Mobility Fee Table that are in effect for projects deemed complete prior to 3/10/2020. The Project is entitled to a credit against the Mobility Fee for the previous use that existed on the site on January 1, 2008. The final Mobility Fee, including these credits, will be calculated after final square footage totals for the Project uses are determined through the Plan Check process by Building and Safety. **(B&S/DOT)**

**20. Transportation Demand Management (TDM) Options.** Prior to the issuance of any building, foundation, grading, demolition, change of use or use of land permit for the Project, the Applicant and/or property owner(s) shall provide a Transportation Demand Management Plan or show proof of joining a Transportation Management Organization (TMO) or an equivalent organization. If joining a TMO, Proof of membership in good standing shall be required at the time of building permit clearance. A member in good standing shall include minimum specifications outlined in Section 7.8.1.2 of the Specific Plan, which implement the TMO's overall TDM goals and objectives. **(DOT)**

**21. Warner Center Cultural Amenities Development Fee.** The Project shall be assessed

a Warner Center Cultural Amenities Development Fee if the building permit for any land use is \$500,000 or more. The applicant shall be assessed a Warner Center Cultural Amenities Development Fee at the same rate as the Citywide Arts Development Fee, LAMC Section 91.107.4.6. All fees collected from the Applicant shall be conveyed by the Department of Building and Safety to the Treasurer for deposit into the Warner Center Cultural Amenities Trust Fund (Fund 577), pursuant to Ordinance No. 184,838, which is to be administered by the Warner Center Cultural Amenities Committee per Section 9.5. A record of such conveyance shall be provided by the applicant to the Department of City Planning following the issuance of building permit(s) and the payment of the fee. Prior to the issuance of building permits, should the project wish to provide on-site cultural amenities in-lieu of the fee, the cultural amenities proposed at that time shall be consistent with the Warner Center Cultural Affairs Master Plan, and be provided at a value equal to or greater than the amount of the Warner Center Cultural Amenities Development Fee. The cultural amenity or amenities consistency with the Master Plan shall be determined by the Director of Planning and approved by the Department of Cultural Affairs. If at that time there is no Master Plan with which to determine consistency with the proposed on-site cultural amenities, the Project shall pay the set fee. **(B&S/DCP)**

### **Environmental Conditions (Addition or New Construction)**

- AES-1** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Director of Planning or his designee.
- AES-2** Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to LAMC Section 91.8104.
- AES-3** The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to LAMC Section 91.8104.15.
- AES-4** Multiple temporary signs in the store windows and along the building walls are not permitted.
- AES-7** All signs in the SIGN DISTRICT Plan area shall meet the following criteria:
- a) The building and ground area around signs shall be properly maintained at all times. All unused mounting structures, hardware and wall perforations from any previous sign shall be removed and building surfaces shall be restored to their original condition.
  - b) All signage copy shall be properly maintained and kept free from damaged sign material and other unsightly conditions, including graffiti.
  - c) Any sign structure shall be at all times kept in good repair and maintained in a safe and sound condition and in conformance with all applicable codes.
  - d) Razor wire, barbed wire, concertina wire or other barriers preventing unauthorized access to any sign, if any, shall be hidden from public view.

- e) The signage copy must be repaired or replaced immediately upon tearing, ripping, or peeling or when marred or damaged by graffiti.
  - f) No access platform, ladder, or other service appurtenance, visible from the sidewalk, street or public right-of-way, shall be installed or attached to any sign structure.
  - g) Existing signs that are no longer serving the current tenants, including support structures, shall be removed and the building facades originally covered by the signs shall be repaired/resurfaced with materials and colors that are compatible with the facades.
- AES-8:** The material, construction, mounting, and adhesive methods of all proposed signage shall be subject to the approval of the Fire Department and the Department of Building and Safety.
- AES-9** All lighting related to construction activities shall be shielded or directed to restrict any direct illumination onto property located outside of the construction area boundaries that is improved with light sensitive uses.
- AES-10** Exterior lighting shall incorporate fixtures and light sources that focus light onto project sites to minimize light trespass.
- AES-11** Lighting of individual projects shall comply with LAMC Section 93.0117. As such, lighting shall not cause more than two foot candles of lighting intensity or direct glare from the light source at any residential property.
- AES-12** All buildings, parking structures, and signage within Warner Center shall be prohibited from the using highly reflective building materials such as mirrored glass in exterior façades. Examples of commonly used non-reflective building materials include cement, plaster, concrete, metal, and non-mirrored glass, and would likely include additional materials as technology advances in the future.
- AES-13** Buildings shall not include large areas of reflective surfaces that could reflect light from signage into surrounding areas. No high brightness special effects lighting with brightness levels that shall exceed the lighting levels of permitted signage would be allowed. Buildings, signage or thematic elements shall not incorporate reflective building materials or provide a source of auto headlight-related glare in proximity to glare sensitive uses.
- AES-14** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential uses.
- AES-15** The exteriors of buildings shall be constructed of materials such as high performance tinted non-reflective glass and/or pre-cast concrete or fabricated wall surfaces.
- AES-16:** Prior to issuance of a building permit for signage displays, a lighting design expert shall develop plans and specifications for the proposed lighting displays, to identify maximum luminance levels for the displays. The City and lighting expert shall review and monitor the installation and testing of the displays, in order to insure compliance with all City lighting regulations and these mitigation measures

**AES-17:** Each applicant (and successor) and/or its lighting design expert shall implement the following protocol to determine compliance with all City lighting regulations and these mitigation measures no later than 6 months after certificate of occupancy: a) A representative testing site shall be established on or next to those light sensitive receptors that have the greatest exposure to signage lighting on each facades of a development. b) A light meter mounted to a tripod at eye level, facing project buildings, should be calibrated and measurements should be taken to determine ambient light levels with the sign on. c) An opaque object (a board) should be used to block out the view of the sign from the light meter, at a distance of at least 4 feet away from the tripod and blocking the light meter's view of the building. A reading should be taken to determine the ambient light levels with the sign off. d) The difference between the two would be the amount of light the sign casts onto the sensitive receptor. e) An alternate acceptable method to measure light levels would be to use the same tripod and same light meter, but to turn on and off the signage. This method takes more coordination, but is more accurate.

**AES-18:** All displays shall have a wattage draw not to exceed 12 watts/sq. ft. to meet Title 24 2008 requirements.

**AES-19:** All displays shall be fully dimmable, and shall be controlled by a programmable timer so that luminance levels may be adjusted according to the time of day. Displays shall also include an automatic light level meter, with the intensity of the illumination not to exceed 0.3 footcandles above ambient light levels, in addition to the other illumination restrictions of these mitigations.

**AES-20:** All displays shall have a maximum total lumen output of no more than 20 lumens per square foot.

**AES-27** Each applicant (or successors as appropriate) shall submit a conceptual signage and lighting design plan to the Department of City Planning to establish lighting standards and guidelines.

**AES-28** As applicable, individual discretionary projects will conduct further site-specific analysis to determine whether adjacent sensitive uses could be impacted by proposed structures. The City shall require' that proposed structures be designed to minimize shade/shadow impacts to sensitive uses to the extent reasonable and feasible.

**AQ-1** During the project's construction, the applicant (or successors as appropriate) shall use soil binders on soils exposed for extended periods of time (more than two weeks) to reduce fugitive dust. In addition the project is required to include the following measures *as applicable and feasible*:

- a) Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- b) Provide dedicated turn lanes for movement of construction trucks and equipment, on-and off-site.
- c) Reroute construction trucks away from congested streets or sensitive receptor areas. Ongoing monitoring of construction activities by project applicants required as condition of project permit.

- d) Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.
  - e) Improve traffic flow by signal synchronization, and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications.
  - f) Use coatings and solvents with a VOC content lower than that required under AQMD Rule 1113s.
  - g) Construct or build with materials that do not require painting.
  - h) Require the use of pre-painted construction materials.
  - i) Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export).
  - j) During project construction, all internal combustion engines/construction equipment operating on the project site shall meet EPA-Certified Tier 2 emissions standards, or higher, according to the following:
    - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
    - A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
    - Encourage construction contractors to apply for AQMD "SOON" funds. Incentives could be provided for those construction contractors who apply for AQMD "SOON" funds. The "SOON" program provides funds to accelerate clean-up of off-road diesel vehicles, such as heavy-duty construction equipment. More information on this program can be found at the following website: <http://www.aqmd.gov/tao/Implementation/SOONProgram.htm>.
  - k) Other measures as applicable on a project by project basis and as may be recommended by SCAQMD on their web site or elsewhere: [www.aqmd.gov/cegal/handbook/mitigation/MM intro.html](http://www.aqmd.gov/cegal/handbook/mitigation/MM_intro.html).
- AQ-2** Ground cover shall be reestablished on construction sites through seeding and watering on completion of construction (or if sites are to remain undeveloped for more than a year).
- AQ-3** Trucks leaving the construction site shall be washed to reduce track-out dirt and dust.
- AQ-4** The applicant (or successors as appropriate) shall provide rideshare and transit incentives to construction personnel.

- AQ-5** The applicant (or successors as appropriate) shall configure construction parking to minimize interference with traffic lanes.
- AQ-6** The applicant (or successors as appropriate) shall minimize the obstruction of through-traffic in the vicinity of construction sites.
- AQ-7** The applicant (or successors as appropriate) shall use flag people during construction to guide traffic properly.
- AQ-8** Construction activities that could affect roadways shall be scheduled for off- peak periods.
- AQ-9** The applicant (or successors as appropriate) shall ensure that construction vehicles avoid, to the extent feasible, travel on streets immediately adjacent to Canoga Park High School, Woodland Hills Academy Middle School and Hart Elementary School throughout the construction phase of each project to reduce potentially significant project-specific and cumulative construction-related air quality impacts. The City shall ensure that haul routes are designed to comply with this measure.
- AQ-15** If the project were to identify potential significant interior air quality impacts at any school the developer shall provide funding (into the Warner Center Air Quality Trust Fund) for the replacement of air filters at the affected school site. Further, the applicant (or successors as appropriate) shall contribute a fair share to fund air conditioners at the school to the extent that air conditioners are not present and/or are in need of replacement.
- AQ-19** Goods movement in to and out of the WCRCCSP area be scheduled for off-peak periods.
- AQ-20** The City shall promote efficient parking management; as parking demand decreases (as anticipated with smart growth), the City shall change parking requirements to reflect such changes and provide for re-use of parking lots and structures.
- AQ-21** Any new or replacement streetlights shall use energy-efficient lighting.
- AQ-22** All landscaping installed as part of the project shall be drought tolerant to reduce water consumption and provide passive solar benefits.
- BIO-1** Any development on the project site shall avoid the disturbance of any nests protected by the Migratory Bird Treaty Act: If construction activities (i.e., removal of trees or shrubs) are scheduled to occur during the non-breeding season (September 1 through January 31), no mitigation is required. If construction activities are scheduled to occur during the breeding season (February 1 through August 31), the project shall implement the following measures to avoid potential adverse effects on birds covered by the Migratory Bird Treaty Act:
- a) No more than two weeks prior to construction, a qualified wildlife biologist will conduct preconstruction surveys of all potential nesting habitat within 500 feet of construction activities where access is available.

- b) If active nests are found during preconstruction surveys, the project shall create a no disturbance buffer (acceptable in size to the CDFG) around active raptor nests and nests of other special-status birds during the breeding season, or until it is determined that all young have fledged. Typical buffers include 500 feet for raptors and 250 feet for other nesting birds. The size of these buffer zones and types of construction activities restricted in these areas may be further modified during coordination and in consultation with the CDFG and will be based on existing noise and human disturbance levels at the project site. Nests initiated during construction are presumed to be unaffected, and no buffer would be necessary. However, the "take" (mortality, severe disturbance to, etc.) of any individual birds will be prohibited.
- c) If preconstruction surveys indicate that nests are inactive or potential habitat is unoccupied during the construction period, no further mitigation is required. Trees and shrubs within the construction footprint that have been determined to be unoccupied by birds covered by the Migratory Bird Treaty Act or that are located outside the no-disturbance buffer for active nests may be removed.

**BIO-3** For development in the Specific Plan area the City shall require replacement of loss of any protected trees in accordance with the Los Angeles Protected Tree Ordinance: Replace all on-site trees to ensure continuation of the urban forest. Replace all nonnative trees greater than 10 centimeters (4 inches) in diameter at breast height (4.5 feet above surrounding grade) with native or non-native (non-invasive) trees of appropriate local climate tolerance at a 2:1 ratio. For native species, source materials should be from seeds or cuttings gathered within coastal southern California to ensure local provenance.

**CUL-2** In the event that a future development project is proposed on a site containing a potential historic property (more than 45 years in age), the City shall require, as part of the environmental review of the project, a site-specific historic resources assessment to determine whether the property is a historic resource under CEQA. If the historic resources assessment determines that the potential historic property is a historic resource, the City shall undertake the analysis and impose mitigation measures required under CUL 1.

**CUL-3** Archaeological monitoring shall be required, by a qualified archaeologist, of grading of subsurface materials not previously disturbed shall be undertaken. If buried cultural resources are discovered during ground-disturbing activities, work will stop in that area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures. If during cultural resources monitoring the qualified archaeologist determines that the sediments being excavated are previously disturbed or unlikely to contain significant cultural materials, the qualified archaeologist can specify that monitoring be reduced or eliminated.

**CUL-4** If cultural resources are discovered during construction activities, the construction contractor will verify that work is halted until appropriate site-specific treatment measures are implemented.

**CULT-5** If human remains of Native American origin are discovered during ground-disturbing activities, it is necessary to comply with state laws relating to the disposition of Native American burials that fall within the jurisdiction of the California Native American

Heritage Commission (Public Resources Code Section 5097). According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission to determine the most likely living descendant(s). The most likely living descendant shall determine the most appropriate means of treating the human remains and any associated grave artifacts, and shall oversee disposition of the human remains and associated artifacts by the project archaeologists.

- CULT-6** A qualified paleontological monitor shall monitor excavation activities below previously disturbed materials. The qualified paleontological monitor shall retain the option to reduce monitoring if, in his/her professional opinion, potentially fossiliferous units, are not found to be present or, if present, are determined by qualified paleontological personnel to have low potential to contain fossil resources.
- GEO-1** The project shall prepare detailed geotechnical investigations that address site-specific geologic constraints of the site including soil conditions (including liquefaction and expansive soils) and stability. The study shall include recommendations related to erosion control and other site-specific conditions including seismicity for construction of individual projects.
- GEO-2** The project shall be constructed in compliance with the Los Angeles Municipal Code and California Building Code and other applicable regulations.
- GEO-3** Unless otherwise specified by the City of Los Angeles, the project shall demonstrate compliance with specific recommendations for grading, foundation design, retaining wall design, temporary excavations, slabs on grade, site drainage, asphalt concrete pavement and interlocking pavers, design review, construction monitoring and geotechnical testing as identified in a site-specific geotechnical study, to the satisfaction of the City of Los Angeles Department of Building and Safety, as conditions to issuance of any grading and building permits.
- GEO-4** The project shall comply with the following Department of Building and Safety requirements (if not already covered by mitigation measure GEO-3), prior to issuance of a grading permit for the project:
- Prior to the issuance of a grading permit by the Department of Building and Safety, the consulting geologist and soils engineer for each project shall review and approve project grading plans. This approval shall be conferred by signature on the plans which clearly indicate the geologist and/or soils engineer have reviewed the plans prepared by the design engineer and that the plans include the recommendations contained in the report.
  - Prior to the commencement of grading activities, a qualified geotechnical engineer and engineering geologist shall be employed for the purpose of observing earthwork procedures and testing fills for conformance to the recommendations of the City Engineer, approved grading plans, applicable grading codes, and the geotechnical report approved to the satisfaction of the Department of Building and Safety.

- On each project, during construction, all grading shall be carefully observed, mapped and tested by the project engineer. All grading shall be performed under the supervision of a licensed engineering geologist and/or soils engineer in accordance with applicable provisions of the Los Angeles Municipal Code and California Building Code and to the satisfaction of the City Engineer and the Superintendent of Building and Safety.
  - Any recommendations prepared by the consulting geologist and/or soils engineer for correction of geologic hazards, if any, encountered during grading shall be submitted to the Department of Building and Safety for approval prior to issuance of a Certificate of Occupancy for the project.
  - Grading and excavation activities shall be undertaken in compliance with all relevant requirements of the California Division of Industrial safety, the Occupational Safety and Health Act of 1970 and the Construction Safety Act.
- GEO-5** The project shall conform to applicable criteria set forth in the Recommended Lateral Force Requirements and Commentary by the Structural Engineers Association of California.
- GEO-6** The seismic design for structures and foundations shall comply with the parameters outlined in the 2013 California Building Code as designated for site-specific soil conditions.
- GEO-7** The project shall be designed to conform to the City of Los Angeles Seismic Safety Plan and additional seismic safety requirements not encompassed by compliance with the Los Angeles Municipal Code and California Building Code and Grading Ordinance as may be identified by the Department of Building and Safety prior to Plan Check approval on each building.
- GEO-8** The structural design of each building shall comply with the seismic standards of the most recent applicable California Building Code according to the seismic zone and construction type.
- GEO-9** The applicant (or successors as appropriate) shall be required during inclement periods of the year, when rain is threatening (between December 1 and April 15 per the Los Angeles Building Code, Sec. 7002.), to provide an erosion control plan that identifies BMPs shall be implemented to the satisfaction of the City of Los Angeles Department of Building and Safety to minimize potential erosion during construction. The erosion control plan shall be a condition to issuance of any grading permit.
- GEO-10** Appropriate erosion control and drainage devices shall be incorporated to the satisfaction of the Department of Building and Safety in to every project within the Specific Plan area. Such measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures.
- GEO-11** If temporary excavation slopes are to be maintained during the rainy season, all drainage shall be directed away from the top of the slope. No water shall be allowed to flow uncontrolled over the face of any temporary or permanent slope.

**GEO-12** Provisions shall be made for adequate surface drainage away from areas of excavation as well as protection of excavated areas from flooding. The grading contractor shall control surface water and the transportation of silt and sediment.

**GEO-13** The project shall comply with National Pollutant Discharge Elimination System (NPDES) permit requirements, including preparation of Storm Water Pollution Prevention Plans. As part of each SWPPP, Best Management Practices would be identified for construction to reduce soil erosion and pollutant levels to the maximum extent possible.

**HAZ-1** The applicant (or successors as appropriate) shall conduct a Phase 1 Environmental Site Assessment to identify any hazardous materials/wastes that could be present on each project site. The Phase 1 will also include recommendations and measures for further site assessment (Phase 2) and mitigation (Phase 3) to address any hazardous materials/wastes potentially present on each site including any asbestos and lead-based paint.

**HAZ-2** The City shall require that a Phase 2 Site Assessment be conducted as may be indicated by the site-specific Phase 1 Environmental Site Assessment. Should the Phase 2 site Assessment indicate contamination a Phase 3 Mitigation Plan shall be designed and implemented to the satisfaction of the appropriate regulatory agency (DTSC, LARQCB, LAFD or other regulatory agency as appropriate).

**HAZ-2A** As part of the Phase 3 Mitigation Plan, the applicant shall design and install a vapor intrusion barrier, or some equivalent or equally effective measure, to the satisfaction and approval of the appropriate City Department or regulatory agency. The purpose of the vapor intrusion barrier shall eliminate or significantly reduce indoor vapor intrusion to a screening level rendered safe for human exposure and residential use, consistent with the Department of Toxic Substances and Control's 2011 Vapor Intrusion Mitigation Advisory. This may include, but is not limited to, the installation a layer of permeable sub-slab material; sealing joints, cracks, and other penetrations of slabs and foundation walls; providing a soil-gas retarder (sub-slab liner) beneath floors; and installation of either a sub-slab venting system or sub-slab depressurization system.

Prior to the issuance of any grading or building permits, the appropriate City Department or regulatory agency must provide written approval of the final design of the vapor intrusion barrier (e.g., Los Angeles Department of Building and Safety).

**HAZ-2B** Prior to construction, the project applicant and/or contractor shall submit a Soil Management Plan (SMP), to be prepared by a qualified environmental consultant, a site-specific health and safety plan for review and approval to the appropriate City Department or regulatory agency (e.g., LADBS, LAFD, OSHA, SCAQMD). The purpose of a SMP is to establish procedures for managing impacted soil during planned earthwork activities.

The SMP shall meet the following objectives: provide guidance for safely managing soil excavated at the property; notify on-site construction workers as to the presence of contamination in the soil, and present procedures for use during grading and/or excavation; provide guidance regarding health and safety procedures to be implemented to protect both on-site workers and nearby residents; present procedures for the segregation, management, and disposal of soil containing chemicals of concern (COCs), potentially including previously undiscovered COCs that may be encountered during grading and excavation; and provide guidance regarding the applicable regulatory

framework associated with soil sampling, excavation, removal, transportation, and disposal.

The SMP shall include practices that are consistent with the California Title 8, Occupational Safety and Health Administration (Cal-OSHA) regulations, as well as appropriate remediation standards that are protective of the planned use. Appropriately trained professionals, including a site safety officer shall be on-site during preparation, grading, and related earthwork activities to monitor soil, air, and vapor conditions.

These on-site trained professionals shall maintain field reports, including project activities, excavation equipment and locations, air, and vapor monitoring results (as applicable), soil stockpiling and transport, and soil sampling activities, at a frequency provided in the SMP. These reports shall be made available to community members upon request by contacting the posted on-site construction manager or other appropriate on-site personnel's phone number.

**HAZ-2C** The project applicant shall identify a contact person (e.g. on-site construction manager) and provide a 24-hour "hotline" telephone number for any inquiries or complaints from the community regarding construction related activities, and to request a copy of the SMP field reports. The phone number and contact person's name shall be posted on-site in a conspicuous place so that it is readily visible to any interested party. All phone calls shall be returned within the next business day.

**HAZ-3** The project applicant and/or contractor shall ensure that no hazardous materials are transported along Topanga Canyon Boulevard or Burbank Boulevard or within one-quarter mile of a public or private K-12 school.

**HAZ-4** The project applicant and/or contractor shall coordinate in advance of construction with the City of Los Angeles Department of Transportation and Fire Department to ensure that road closures (temporary or permanent) are identified and that alternate access and evacuation routes are determined in the event of an emergency and/or natural disaster.

**HAZ-5** Any construction site and/or permanent facility storing hazardous materials shall comply with applicable regulations regarding storage, transport and disposal of hazardous materials and wastes.

**HYDRO-1** Development shall be in compliance with the Low Impact Development (LID) Ordinance. Construction contractors shall be required to control erosion and runoff as necessary through the use of site appropriate grading practices. Specifically, the construction contractor shall plan for and implement Best Management Practice (BMP) during construction to the satisfaction of the Department of Public Works, Bureau of Engineering, Stormwater Management Division City of Los Angeles, and/or other designated responsible agencies/departments. (LID measures also require review and approval of the Watermaster or appropriate agency.)

**HYDRO-2** The structural design of individual projects shall be modified when possible to avoid the need for a permanent dewatering system. When a permanent dewatering system is necessary, one or more of the following measures as per the Department of Building and Safety shall be followed:

- Pumping water to a beneficial use on site (landscaping, decorative fountains or

- lakes, toilet flushing, cooling towers); or
- Returning water to the groundwater basin by an injection well.

- HYDRO-3** Sufficient area shall be available so that runoff can be collected in roadside vegetated swales as appropriate and directed to existing curb and gutter or storm drains. In other areas, runoff shall be collected in gutters and directed to the storm drain systems. Swale design shall be coordinated with on-site hazardous materials issues as necessary.
- HYDRO-4** The applicant (or successors as appropriate) shall develop in compliance with applicable NPDES permit requirements, including preparation and implementation of a Stormwater Pollution Prevention Plan and Standard Urban Stormwater Mitigation Plan (SUSMP) in accordance with the Los Angeles Municipal Storm Water permit. The SUSMP shall identify post development peak runoff, conserve natural areas, minimize storm water pollutants, protect slopes and channels, and post construction Best Management Practices (BMPs) and other items as required by the permit. (SUSMP measures require review and approval of the Watermaster or appropriate agency.)
- HYDRO-5** Runoff from parking lots shall be treated, as required by SUSMP regulations, prior to discharging into existing storm drain systems.
- HYDRO-6** All wastes from construction shall be disposed of properly. Appropriately labeled recycling bins shall be used to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.
- HYDRO-7** Leaks, drips, and spills be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- HYDRO-8** Material spills are prohibited from being hosed down on the pavement. Dry cleanup methods shall be required wherever possible.
- HYDRO-9** All dumpsters shall be properly covered and maintained, including immediate emptying when full. Uncovered dumpsters shall be required to be placed under a roof or covered with tarps or plastic sheeting.
- HYDRO-10** Where project truck traffic is frequent, gravel approaches and dirt tracking devices shall be used to reduce soil compaction and limit the tracking of sediment into streets.
- HYDRO-11** All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be required to be conducted at an appropriate location. Drip pans or drop cloths shall be required to catch drips and spills.
- HYDRO-12** Short-term water quality impacts may result from the construction of the proposed project. Project construction shall comply with the General Construction Activity Stormwater Permit (General Permit) and the City's Development Construction Program pursuant to the NPDES Permit (Permit No. CA00401). Implementation of the General Permit and NPDES Permit programs will mitigate potential impacts to a level of insignificance.
- HYDRO-13** Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban

Runoff Pollution Control, which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. The applicant (or successors as appropriate) shall meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following (a copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).

- The project applicant shall implement stormwater BMPs to treat and infiltrate the runoff from a storm event producing 3/4 inch of rainfall in a 24-hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- Post development peak stormwater runoff discharge rates shall not exceed the estimated predevelopment rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Clearing and grading of native vegetation at the project site shall be limited to the minimum needed to build lots, allow access, and provide fire protection.
- Trees and other vegetation at each site shall be maximized by planning additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Natural vegetation shall be promoted by using parking lot islands and other landscaped areas.
- Any identified riparian areas shall be preserved.
- Appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code will be incorporated.
- Outlets of culverts, conduits or channels from erosion by discharge velocities shall be protected by installing a rock outlet protection. Rock outlet protection is physical device composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Sediment traps shall be installed below the pipe-outlet. Inspect, repair, and maintain the outlet protection after each significant rain.
- Any connection to the sanitary sewer will have authorization from the Bureau of Sanitation.
- Impervious surface area will be reduced by using permeable pavement materials where appropriate. These include pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- Roof runoff systems will be installed where site is suitable for installation.
- Messages that prohibit the dumping of improper materials into the storm drain system adjacent to storm drain inlets shall be painted.

- All storm drain inlets and catch basins within the project area shall be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area. Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area will be paved and sufficiently impervious to contain leaks and spills.
- The storage area shall have a roof or awning to minimize collection of stormwater within the secondary containment area.
- An efficient irrigation system shall be designed to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.
- Cleaning of oily vents and equipment will be performed within designated covered area, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connect sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis to remove any solids; and the oil absorbent pads must be replaced regularly according to manufacturer's specifications.
- Trash dumpsters will be stored both under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Containers will be washed in an area with properly connected sanitary sewer.
- Wastes, including paper, glass, aluminum, oil and grease will be reduced and recycled.
- Liquid storage tanks (drums and dumpsters) will be stored in designated paved areas with impervious surfaces in order to contain leaks and spills. A secondary containment system such as berms, curbs, or dikes shall be installed. Drip pans or absorbent materials whenever grease containers are emptied will be used.
- The owner(s) of the property shall prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

**NOI-3** All construction activities shall be restricted to hours between 7:00 a.m. and 9:00 p.m., Monday through Friday, and between 8:00 a.m. and 6:00 p.m. on Saturday. No noise-generating construction activities shall take be allowed on Sundays or national holidays.

- NOI-4** Noise-generating construction equipment shall be equipped with the most effective state-of-the-art noise control devices, i.e., mufflers, lagging, or motor enclosures. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.
- NOI-5** The project shall use effective temporary noise barriers to be used and relocated, as needed, to block line-of-sight (sound) between the construction equipment and any noise-sensitive receptors within 500 feet of a construction site.
- NOI-6** Truck deliveries and haul routes, to the extent feasible, shall be directed away from the three LAUSD schools in the vicinity of Warner Center and not access construction sites from De Soto Avenue, along the lot line of Woodland Hills Academy Middle School or from Topanga Canyon Boulevard and Vanowen Street along the lot line of Canoga Park High School, or use Variel north of Warner Center to access project sites in Warner Center.
- NOI-7** The applicant shall notify schools in advance of construction activities. The construction manager's (or representative's) telephone number shall be provided with the notification so that each school may communicate any concerns.
- PS-1** The City shall ensure that adequate fire protection service levels shall be maintained through the addition of personnel and facilities as necessary to meet anticipated demand, and, where appropriate, through project-specific on-site features that reduce the demand for such personnel and facilities.
- PS-2** Applicants shall submit for review and approval all future project plans to the LAFD to ensure that all new structures would comply with current fire codes and LAFD requirements.
- PS-3** Project building plans shall include the submittal of a plot plan for approval by the Los Angeles Fire Department either prior to the recordation of the final map or the approval of a building permit.
- PS-4** The applicant shall consult with the Fire Department and incorporate fire prevention and suppression features appropriate to the design of each project.
- PS-5** Project plans and specifications shall be submitted to the Fire Department and requirements for necessary permits satisfied prior to commencement of any portion of the project.
- PS-6** Fire hydrants shall be installed as appropriate that shall be fully operational and accepted by the Fire Department prior to any building construction above grade.
- PS-7** Plot plans indicating access driveways and roads and turning areas shall be reviewed and approved by the Fire Department, prior to the issuance of a building permit.
- PS-8** During the construction phase of each project, emergency access shall remain clear and unobstructed.
- PS-9** The project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan of the City of Los Angeles.

- PS-10** All project access roads, including fire lanes, shall be maintained in an unobstructed manner, removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code.
- PS-11** The applicant (or successors as appropriate) shall be required to provide a Fire Flow analysis. The purpose of the analysis will be to determine whether the proposed public water system could deliver required fire flows to the public fire hydrants located in the area. Should fire flow be found to be inadequate each applicant shall be required to comply with the requirements of LADWP (including construction of additional water supply lines within the Specific Plan area, payment of a fee to cover fair share costs and/or other measures as deemed necessary by LADWP and/or LAFD) to ensure adequate fire flow.
- PS-12** During project construction, the applicant shall implement security measures including security fencing, lighting, locked entry, and security patrol on the site.
- PS-13** During project construction, the applicant shall provide adequate through access and emergency access to adjacent uses as necessary.
- PS-14** The applicant shall consult with the Police Department and comply with recommended security features for each construction site, including security fencing, locked entrances, lighting, and the use of a seven-day, 24-hour security patrol.
- PS-15** Adequate police protection levels shall be maintained in Warner Center through provision of personnel and facilities, and, where appropriate, through project-specific on-site monitor who shall complete and submit reports documenting compliance to DCP.
- PS-16** The applicant shall consult with the LAPD Crime Prevention Unit regarding crime prevention features appropriate for the design of the project and subsequently, shall submit plot plans for review and comment. The plans shall incorporate design guidelines relative to security sand semi-public and private spaces which may include but not be limited to access control to buildings, secured parking facilities, wall/fences with key systems, well-illuminated public and semi-public and private spaces, which may include access control to buildings, secured parking facilities, walls/fences with key systems, well-illuminated public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provisions of security guard patrol if need. These measures shall be approved by the LAPD prior to the issuance of building permits.
- PS-17** Upon completion of each project, the applicant shall provide the local Commanding Officer with access routes and other information that might facilitate police response, as requested by the LAPD.
- PS-18** The applicant shall provide project plans to the LAPD Crime Prevention Unit to determine any additional crime prevention and security features appropriate to the design of the project. Any additional design features identified by the LAPD Crime Prevention Unit shall be incorporated into the project's final design and to the satisfaction of LAPD, prior to issuance of a Certificate of Occupancy for the project.

- PS-19** The project shall incorporate design guidelines relative to security, semi-public and private spaces, which may include, but not be limited to, access control to buildings, secured parking facilities, walls/fences with key systems, well illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas and provision of security guard patrol throughout the project site if needed.
- PS-20** Prior to issuance of a building permit, the project developer shall pay to the LAUSD the prevailing State Department of Education Development Fee to the extent allowed by State law. School fees exacted from residential and commercial uses would help fund necessary school service and facilities improvements to accommodate anticipated population and school enrollment within the LAUSD service area, and would allow for the LAUSD to allocate these funds as they deem necessary.
- PS-21** The project shall comply with the open space regulations of the Specific Plan and, for projects that involve a residential subdivision, also undertake one of the following: (1) dedicate additional parkland to meet the requirements of Los Angeles Municipal Code Section 17.12; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) provide on-site improvements equivalent in value to said in lieu fees. If any fees are collected, they should be spent within the Specific Plan area including for example within opportunity areas along the Los Angeles River.
- PS-22** The project shall offset the burden on the existing libraries through one of the following: (1) payment of a fee based on an established nexus between the new development, demand and the need for additional personnel and facilities; (2) provision of on-site facilities commensurate with the demand generated; or (3) some combination of the foregoing. If any fees are collected, they should be spent within the Specific Plan area.
- TR-100** The applicant shall be required to develop and, if necessary, implement a construction traffic management plan, subject to DOT approval. The construction traffic management plan will identify potential interim construction impacts and mitigation measures.
- U-1** The applicant shall coordinate with the Department of Public Works, Bureau of Sanitation in order to ensure that existing and/or planned sewer conveyance and treatment facilities are capable of meeting wastewater flow capacity requirements. In coordination with the Bureau of Engineering, each Applicant/Contractor shall be required to identify specific on- and off-site improvements needed to ensure that impacts related to wastewater conveyance capacity are addressed prior to issuance of plans. Sewer capacity clearance from the Department of Public Works will be required at the time that a sewer connection permit application is submitted.
- U-2:** The applicant shall coordinate with the City of Los Angeles Department of Water and Power (LADWP) in order to ensure that existing and/or planned water supply and water conveyance facilities are capable of meeting water demand/pressure requirements. (In accordance with State Law, a Water Supply Assessment shall be required for projects that meet the size requirements specified in the regulations.) In coordination with the LADWP, each applicant will identify specific on- and off-site improvements needed to ensure that impacts related to water supply and conveyance demand/pressure requirements are addressed prior to issuance of a certificate of occupancy. Water supply and conveyance demand/pressure clearance from the LADWP will be required at the time that a water connection permit application is submitted.

- U-3** The applicant shall coordinate with the City of Los Angeles Fire Department and Building Safety Department in order to ensure that existing and/or planned fire hydrants are capable of meeting fire flow demand/pressure requirements. The issuance of building permits will be dependent upon submission, review, approval, and testing of fire flow demand and pressure requirements, as established by the City of Los Angeles Fire Department and Building Safety Department prior to occupancy.
- U-4** The applicant shall implement water conservation measures in new development that shall include but not be limited to the following:
- Installation of high-efficiency toilets (1.28 gallons per flush or less, includes dual flush.
  - High-efficiency urinals (0.125 gallons per flush or less, includes waterless)
  - Restroom faucet flow rate of 1.5 gallons per minute or less
  - Public restroom faucet flow rate of 0.5 gallons per minute or less and self-closing
  - Showerhead flow rate of 2.0 gallons per minute or less
  - Limit of one showerhead per shower stall
  - High efficiency clothes washers (water factor of 4.0 or less)
  - High efficiency dishwashers (Energy Star rated)
  - Domestic water heating system located in close proximity to point(s) of use, as feasible; use of tankless and on-demand water heaters as feasible
  - Cooling towers must be operated at a minimum of 5.5 cycles of concentration
  - Install on-site water recycling as feasible
  - Use of recycled water (if available) for appropriate end uses (irrigation, cooling towers, sanitary)
  - Single pass cooling shall be prohibited (e.g. any vacuum pumps or ice machines)
  - Irrigation shall include: Weather-based irrigation controller with rain shutoff; Flow sensor and master valve shutoff (for large landscaped areas); Matched precipitation (flow) rates for sprinkler heads; Drip/microspray/subsurface irrigation where appropriate; Minimum irrigation system distribution uniformity of 75 percent; Proper hydro-zoning, turf minimization and use of native/drought tolerant plant materials; and Use of landscape contouring to minimize precipitation runoff
- U-5** Prior to the issuance of a building permit, the applicant shall consult with LADWP to identify feasible and reasonable measures to reduce water consumption, including, but not limited to, systems to use reclaimed water for landscaping (should reclaimed water become available in Warner Center), drip irrigation, re-circulating hot water systems, water conserving landscape techniques (such as mulching, installation of drip irrigation systems, landscape design to group plants of similar water demand, soil moisture

sensors, automatic irrigation systems, clustered landscaped areas to maximize the efficiency of the irrigation system), water conserving kitchen and bathroom fixtures and appliances, thermostatically controlled mixing valves for baths and showers, and insulated hot water lines, as per City adopted UBC requirements.

- U-6** The project shall incorporate Phase I of the City of Los Angeles Emergency Water Conservation Plan including prohibiting hose watering of driveways and associated walkways; requiring decorative fountains to use recycled water, and repairing water leaks in a timely manner.
- U-7** The project shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions.
- U-8** Automatic sprinkler systems shall be installed to irrigate landscaping during morning hours or during the evening to reduce water losses from evaporation. Sprinklers shall be reset to water less often in cooler months and during the rainfall season, so that water is not wasted in excessive landscape irrigation.
- U-9** Prior to issuance of building permits, the applicant shall pay any appropriate fees imposed by the Building and Safety Department. A percentage of building permit fees is contributed to the fire hydrant fund, which provides for Citywide fire protection improvements.
- U-10** Development within Warner Center must remain within Citywide water budgets established by LADWP. As required by LADWP projects may be required to provide for new water supply through a combination of water conservation (on and potentially off-site) and recycled water, such that the net increase in water demand (not including demand for recycled water) from Warner Center does not exceed the calculated demand anticipated for the City and/or Warner Center as appropriate and as documented in the City's most recent Urban Water Management Plan.
- U-11** Any pumping and discharge or disposal of groundwater is considered to be a consumptive use. Any pumping of groundwater shall be reported to the Watermaster and LADWP shall be compensated for any loss of groundwater. In addition, reasonable efforts shall be used by project applicants to beneficially use any extracted groundwater (for example cooling or irrigation).
- U-12** The project shall recycle and/or salvage at least 75 percent of non-hazardous construction and demolition debris, and each applicant shall prepare a construction waste management plan that, at a minimum, identifies the materials to be diverted from disposal and whether the materials will be sorted on-site or comingled shall be developed and implemented. Excavated soil and land-clearing debris do not contribute to the amount of recycled/salvaged debris. Calculations can be done by weight or volume, but must be consistent throughout.
- U-13** The project shall institute a recycling program to reduce the volume of solid waste going to landfills in compliance with the City's current goal of a 62 percent reduction in the amount of waste going to landfills, with the 2020 goal of a 70 percent reduction of waste going to landfills. Additionally, recycling bins shall be provided at appropriate locations on each site to promote recycling. The project shall comply with the City's standard

requirement that, all proposed residential developments of four or more units or where the addition of floor areas is 25 percent or more, and all other development projects where the addition of floor area is 30 percent or more, are required to set aside a recycling area or room for on-site recycling activities.

- U-14** The applicant shall coordinate with the City of Los Angeles' Department of Water and Power in order to ensure that existing and/or planned electrical facilities are capable of meeting electrical demand requirements. In coordination with the Department of Water and Power, the applicant will be required to identify specific on- and off-site improvements needed to ensure that impacts related to electrical facility requirements are addressed prior to operation. Electrical facility design clearance from the LADWP will be required as established by the LADWP.
- U-15** The applicant shall, during the design process, consult with the Department of Water and Power, Energy Services Subsection and the Southern California Gas Company, the Commercial, Industrial or Residential Staff Supervisor, regarding possible Energy Conservation Measures.
- U-16** The applicant shall coordinate with the Gas Company in order to ensure that existing and/or planned natural gas facilities are capable of meeting natural gas demand requirements. In coordination with the Gas Company, the applicant will identify specific on- and off-site improvements needed to ensure that impacts related to natural gas facility requirements are addressed prior to operation. Natural gas facility design clearance from the Gas Company will be required as established by the Gas Company.

### **Administrative Conditions**

1. **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.
2. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
3. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
4. **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.

5. **Covenant and Agreement.** Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for attachment to the subject case file.
6. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
7. **Certification of Landscape Installation.** Prior to obtaining a Certificate of Occupancy, the project architect, landscape architect, or engineer shall certify in a letter to the Department of City Planning and to the Department of Building and Safety that the approved landscape plan has been implemented.
8. **Expiration.** In the event that this grant is not utilized within **three years** of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
9. **Indemnification and Reimbursement Of Litigation Costs.** Applicant shall do all of the following:
  - (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of 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.
  - (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of 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.
  - (iii) 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).
  - (iv) 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).

- (v) 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 includes 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

The proposed Project involves the demolition of one commercial office building totaling approximately 53,412 square feet on a 44,014 square foot lot before dedications, and the construction of a new, eight-story, approximately 85 feet in height, 166,995 square-foot in area, single-phase, multi-family residence building. The project includes a maximum of 193 dwelling units including 11 Work-Live units for a total of 161,549 square feet of Residential Floor Area. The project also includes approximately 5,446 square feet of Work-Live units as Non-Residential Floor Area according to the Warner Center 2035 Specific Plan. The Project includes four levels of parking, two of which are subterranean, 249 vehicle parking spaces, 12 short-term bicycle parking spaces, and 121 long-term bicycle parking spaces. The Project also includes approximately 6,732 square feet of Publicly Accessible Open Space (PAOS) and the removal and replacement of three Street Trees in the Public Right of Way. The project is located in the River District of the Specific Plan, is subject to the requirements of the Specific Plan for Activity Nodes and Active Street Frontages and does not claim any Incentivized Uses bonuses.

The Project also seeks a Project Permit Adjustment to permit a minimum 12 foot and six-inch floor-to-floor height for the “Work” portion of the Work-Live units in an Active Street Frontage-identified area of in lieu of the 15 feet otherwise required in Section 6.2.4.2.1(a) of the Warner Center 2035 Specific Plan.

### Project Permit Compliance Findings

1) **The Project substantially complies with the applicable regulations, findings, standards, and provisions of the Warner Center 2035 Specific Plan.**

Based on a review of the plans labeled “**Project Plans - Exhibit A**” attached to the administrative file, and as modified by the conditions contained herein, the Director of Planning makes the following findings in accordance with Section 11.5.7.C.2 of the Los Angeles Municipal Code (LAMC) and the applicable review criteria of the Warner Center 2035 Specific Plan:

#### **Section 6.1.2.6.1: Uses**

The Project’s proposes the use of a multi-family residential development with 11 Work-Live Units, both of which are permitted uses. The Project’s Work-Live units are recognized as a Residential use per Section 3 of the Specific Plan. However, for the purposes of calculating floor area, the Project is credited 50% of the Work-Live unit space as Non-Residential floor area, as per Footnote 5 of Appendix B of the Specific Plan. Thus, the project is approved for a total of 161,549 square feet of Residential Floor Area and 5,446 square feet of Non-Residential Floor Area. As such, the project complies with Section 6.1.2.6.1 of the Specific Plan.

#### **Section 6.1.2.6.2: Intensity**

The project will have a Floor Area Ratio of 4.06:1 as shown in “Exhibit A”. As per Section 6.1.2.6.2 of the Plan states, a base maximum FAR of 4.5:1 shall be permitted for all lots within the River District. Therefore, the project complies with Section 6.1.2.6.2 of the Specific Plan.

#### **Section 6.1.2.6.3: Permitted Development by Floor Area**

There are no use restrictions on any Project by floor area in the River District. The project is approved for a total of 161,549 square feet of Residential Floor Area and 5,446 square feet of Non-Residential Floor Area. Therefore, the project complies with Section 6.1.2.6.3

#### **Section 6.1.2.6.4: Building Height**

The project proposes a building height of approximately 85 feet. As per Condition of Approval Number 4, the project will have a street wall height of a minimum of 25 vertical feet along Vanowen Street.

Additionally, the project is subject to Environmental Condition AES-28 which requires that proposed structures be designed to minimize shade/shadow impacts to sensitive uses to the extent reasonable and feasible. There are currently no single-family dwellings in close proximity to the Project site. The abutting and adjacent properties to the project to the north are multi-family dwellings that are existing. The properties to the east comprise a new multi-family dwelling structure. The properties to the west are comprised of a commercial office building complex. The property to the south is a vacant, unimproved, lot that used to be an industrial use.

All projects within the River District are permitted an unlimited Building or Structure height and the street wall of all Projects with frontage along a public street or highway must have a minimum building height of 25 feet along the public street or highway. In addition, any Project over 75 feet in height is subject to additional requirements as set forth in the Mitigation Monitoring Program (MMP). As such, the project complies with Section 6.1.2.6.4 of the Specific Plan.

**Section 6.1.2.6.5: River Frontage.**

The Project is not on a lot with frontage along the Los Angeles River. As such, Section 6.1.2.6.5 of the Specific Plan does not apply to this Project.

**Sections 6.1.2.6.6: Street Standards and 7.7: Street Improvements and Dedications**

Street standards in the River District are established in Appendix H, Tables 1 and 2, of the Specific Plan. Vanowen Street is designated as a Major Highway Class II and per Condition of Approval Number 5, it will be in compliance with Table 2, which requires on the north side of the east/west section a 52-foot half right-of-way, a 40-foot half roadway, an eight-foot half sidewalk, eight-foot half parkway and a four-foot half easement. Alabama Avenue is designated as a Local Street. Conditions for both streets were directed by the Bureau of Engineering in their memo dated July 19, 2018.

As conditioned, the Project on Vanowen Street will dedicate a 9-foot wide strip of land along the property frontage to complete a 52-foot half right-of-way in accordance with Warner Center Specific Plan 2035 and a 20-foot radius property line return at the intersection with Alabama Avenue. In addition, the Project will provide a 4-foot sidewalk easement along the property frontage on Vanowen Street. The Project will also construct on Vanowen Street additional surfacing to join the existing improvements to provide a 40-foot half roadway, including asphalt pavement, integral concrete curb, 2-foot gutter and an 8-foot wide concrete sidewalk adjacent to the easement line in a 16-foot border in accordance to Warner Center Specific Plan 2035. On Alabama Avenue, the Project will reconstruct the concrete sidewalk to provide a 12-foot wide concrete sidewalk along the property frontage. If the Project relocates streetlights, it will be to the satisfaction of the Bureau of Street Lighting. The Project is also directed to contact the Department of Water and Power regarding power poles, Bureau of Sanitation for sewers, and the Fire Department regarding fire hydrants. The Project will repair on Alabama Avenue all broken and off-grade concrete curb and gutter. The Project will also upgrade all driveways to comply with ADA requirements or close unused driveways, and per Environmental Condition HYDRO-3, construct vegetated swales as appropriate in sufficient area to direct

offsite runoff to existing curb and gutter or storm drains. As such, the Project complies with Section 6.1.2.6.6 of the Specific Plan and applicable parts of Section 7.7.(BOE)

**Section 6.1.2.6.7, Section 6.1.2.6.8, and Section 6.2.4: Activity Nodes and Active Street Frontages**

The proposed Project is located within an Active Street Frontage area, according to Map 10: Activity Nodes, New Streets, and Active Frontage Streets of the Specific Plan. The Specific Plan states that the requirements for Projects in an Activity Node and/or Active Street Frontages are established in Section 6.2 of the Plan.

The Project requested a Specific Plan Adjustment for the height requirements of Section 6.2.4, and the findings required for the Adjustment are found later in this determination. As per Condition of Approval Number 6 and the regulations of Section 6.2.4 of the Specific Plan on Activity Nodes and Active Street Frontage, the Project along Vanowen Street will be limited to Non-Residential uses to a depth of 25 feet from the building frontage along the street. The Project is granted a Specific Plan Adjustment for floor to floor height on the ground floor as follows: starting from the southwestern point of the building, and moving east, for the first approximately 105 feet and four inches, the Project shall have a minimum floor-to-floor height of 12 feet and six inches; for the next approximately 133 feet and four inches of the property to the east, the Project shall have a minimum floor-to-floor height of 13 feet and six inches; for the last approximately 71 feet and six inches of the property to the east, the Project shall have a minimum floor-to-floor height of 14 feet. Also, per Condition of Approval Number 6, the Project will have at least 75 percent of the building facade along Vanowen Street located between 30 inches and 84 inches from the ground floor devoted to transparent windows and/or doors. Dark tinted reflective or opaque glazing will not be counted towards the minimum percentage. Additionally, ground floor Work-Live units oriented to Vanowen Street will be accessed individually and directly from Vanowen Street with individual front stoops or porches, and fence and wall heights along Vanowen Street will not exceed 42 inches, as measured from the highest adjacent grade. Finally, the Project will have a primary entrance for the building located on a public street that is connected and visible from the street.

Section 6.2.4 requires that parking on the ground floor will be permitted so long as at least eighty percent (80%) of the ground floor frontage on any side of the above-grade parking structure, which is adjacent to a public street (except an alley) or adjacent to a public open space/plaza, includes ground floor non-residential use subject to the provisions of Section 6.1.2.2.4 (a) and (b). As such, the Project is condition to the following additional regulations for the remaining portions where residential use on the ground floor is permitted:

- a) Permitted Residential uses in the Ground Floor shall be limited to Work-Live Units professional offices or residential common spaces and shall be designed to include wall openings comprised of a minimum of fifty percent (50%) of the street level Building Facade located between 30 inches and 84 inches from the ground floor.
- b) Ground floor Work-Live units oriented to Vanowen Street shall be accessed individually and directly from Vanowen Street with individual front stoops or porches.
- c) Fence and wall heights along Vanowen Street shall not exceed 42 inches, as measured from the highest adjacent grade. Fences and walls shall include latticework, ornamental fences, screen walls, hedges or thick growth of shrubs or trees.

As such, the Project complies with Sections 6.1.2.6.7, 6.1.2.6.8, and 6.2.4 of the Specific Plan.

**Section 6.1.2.6.9: Setbacks**

Per Section 6.1.2.6.9, all Projects in the River District with an Active Street Frontage shall have a front setback of no less than 12 feet, and no more than 15 feet. Per "Exhibit A", the Project proposes a setback of 12 to 15 feet along Vanowen Street. Lastly, Condition of Approval Number 12 requires the Project to submit an updated landscape plan which shows a minimum of 30% of the required setback areas landscaped. As such the Project complies with Section 6.1.2.6.9 of the Specific Plan.

**Section 6.2.2: Publicly Accessible Open Space (PAOS)**

The Project is required to provide PAOS that has a minimum square-footage equal to 15 percent of the net site area after dedication, and which satisfies a set of required standards set forth in Section 6.2.2.2. Per this Section, the Project would be required to dedicate a minimum of 6,170 square feet, based on a site that is 41,132 square feet after dedications. The Project proposes 6,732 square feet of PAOS per "Exhibit A" and per Condition of Approval Number 8. Additionally, the project complies per "Exhibit A" and Condition of Approval Number 8 with Section 6.2.2.2 as follows:

- a. The PAOS will be contiguous and internally integrated into the overall design of the Project and is directly accessible from Vanowen Street and Alabama Avenue. To maintain contiguity, the PAOS is conditioned to remain unfenced and ungated.
- b. The PAOS will be internally and externally integrated with neighboring buildings or structures and any existing, or approved, PAOS.
- c. The PAOS will be accessible to the public from 6:00 am to 10:00 pm seven days a week, with two signs posted that are unobstructed from public view indicating public accessibility as per Condition of Approval Number 10;
- d. The Project will have a minimum of 6,588 square feet of PAOS, or approximately 98% of the total provided, open to the sky, which complies with the requirement that 90% of PAOS be open to the sky;
- e. The Project will have a minimum of 3,376 square feet of PAOS, or 50%, landscaped., which complies with the requirement that at least 50 percent of the PAOS be landscaped.
- f. The Project is conditioned to provide a minimum of 14 seats for the 6,732 square feet of PAOS, which complies with the requirement to provide at least one (1) seat per 500 square feet of PAOS, per Section 6.2.2.2.7 of the Specific Plan. Additionally, the Project will count two linear square feet of bench or seat wall as equal to one (1) seat;

As per Condition of Approval Number 9, in addition to the PAOS requirement, the Project will satisfy the LAMC, Section 12.33 Park Fees and Land Dedication requirement as applicable.

The Project, per Condition of Approval Number 8 and in satisfaction of Section 6.2.2.4.1, will prepare and execute a Covenant and Agreement that will bind the land for the Project and all successors to ensure the PAOS area will be maintained and made available and accessible to the public. Additionally, the per Condition of Approval Number 8 and in satisfaction of Section 6.2.2.4.4, setbacks required along the right of way will be counted as PAOS.

The PAOS will include a focal point of 1,099 square feet near the southwester portion of the property as shown in Exhibit A, which satisfies the requirement of Section 6.2.2.4.3, that states

that the PAOS have at least one focal point or gathering space with a minimum of 500 square feet.

Furthermore, per Condition of Approval Number 8, the Project does not count toward the PAOS requirement any of the following: surface parking areas, open storage areas, private open space areas not accessible to the general public, swimming pools and spas not open to the general public, loading docks and parking, driveway entrances and exits, sidewalks and parkways that are already in the public right of way, and detached or attached utility areas or pads, therefore satisfying Section 6.2.2.5 of the Specific Plan.

As such, the Project complies with Section 6.2.2 of the Specific Plan.

### **Section 6.2.3: Parking**

All parking spaces will be in compliance with applicable parking provisions set forth in the Section 6.2.3 of the Specific Plan and LAMC Section 12.21 A.4. The Project is designed with four levels of parking, two of which are subterranean parking, one on the ground floor and the other on the second level. The Project proposes to provide 249 parking spaces per "Exhibit A" and per Condition of Approval Number 10.

The project complies per "Exhibit A" and Condition of Approval Number 10 with Section 6.2.3 as follows:

- a) Residential Automotive Parking (Including Work-Live Units). The Project is approved for 249 Residential parking spaces and will provide a minimum of 193 and no more than 386 Residential parking spaces for the 193 Residential units proposed. Therefore, the Project complies with Section 6.2.3.2.1(a), which requires that the Project provide parking for residents at the rate of at least one parking space per unit but not more than two spaces per unit.
- b) Non-Residential Automotive Parking. The Project has 5,446 square feet of Non-Residential Floor Area in eleven Work-Live units. The Project's Work-Live units are recognized as a Residential use per Section 3 of the Specific Plan. However, for the purposes of calculating floor area, the Project is credited 50% of the Work-Live unit space as Non-Residential floor area, as per Footnote 5 of Appendix B of the Specific Plan. As such, there is no official Non-Residential use for which to calculate parking at the time of issuance of this Letter of Determination. If at a point in the future the "work" portion of the Work-Live units were to be granted a new Certificate of Occupancy for a use other than Residential, that portion of the unit dedicated to the Non-Residential uses shall be required to provide parking in the amounts required per the Specific Plan regulation in effect at such time. Sizes of spaces shall follow the Los Angeles Municipal Code requirements at the time of the issuance of the new Certificate of Occupancy. These spaces shall be counted separately from the Residential spaces. As such, the Project complies with Section 6.2.3.2.2 of the Specific Plan.
- c) General Parking Provisions. The Project complies as follows with Section 6.2.3.3 of the Specific Plan, which contains provisions that establish parking standards for all Projects in the Plan.
  - i) *Alternative Fuel Vehicle Parking.* Condition of Approval Number 10 allows for Electric Vehicle parking spaces to be counted concurrently with the total number of parking spots. Overall, the Project proposes 249 parking spaces, which is less than the maximum of 386 parking spaces allowed for this Project based on use. Therefore, the

Project complies with Section 6.2.3.3(a) of the Specific Plan which states that the Alternative Fuel Vehicle Parking can be counted above the total maximum parking allowed for the site by 10% or less.

- ii) *Tandem Parking.* The Project does not propose tandem parking and as such, Section 6.2.3.3(b) of the Specific Plan does not apply.
- iii) *Unbundled Parking.* The Project does not propose off-street parking for other projects within the same or adjacent Districts within the Plan. As such, Section 6.2.3.3(c) of the Specific Plan does not apply to this Project.
- iv) *New Street Parking.* The Project does not propose any new streets. As such, Section 6.2.3.3(d) of the Specific Plan does not apply to this project.
- v) *Disabled Parking.* The Project proposes overall 249 parking spaces, below the maximum of 386 parking spaces allowed for the site for the uses proposed. Nonetheless, Condition of Approval Number 10 includes provisions to exclude the counting of disabled parking spaces from the total numbers should the total amount of parking spaces being provided equal the maximum amount of parking allowed for the Project. As such, the Project complies with Section 6.2.3.3(e).
- vi) *Bicycle Parking.* Per Condition of Approval Number 11, the Project will provide 12 short-term and 121 long-term bicycle parking spaces for Residential use. The Project has 5,446 square feet of Non-Residential Floor Area in eleven Work-Live units. The Project's Work-Live units are recognized as a Residential use per Section 3 of the Specific Plan. However, for the purposes of calculating floor area, the Project is credited 50% of the Work-Live unit space as Non-Residential floor area, as per Footnote 5 of Appendix B of the Specific Plan. As such, there is no official Non-Residential use for which to calculate bicycle parking at the time of issuance of this Letter of Determination. If at a point in the future the "work" portion of the Work-Live units were to be granted a new Certificate of Occupancy for a use other than Residential, that portion of the unit dedicated to the Non-Residential uses shall be required to provide bicycle parking in the amounts required per the Specific Plan regulation in effect at such time. Sizes of spaces shall follow the Los Angeles Municipal Code requirements at the time of the issuance of the new Certificate of Occupancy. These spaces shall be counted separately from the Residential spaces and follow size and design regulations as outlined in the LAMC. As such, the Project complies with Section 6.2.3.3(f).

Per the reasons stated above, the Project complies with Section 6.2.3 of the Specific Plan on Parking.

### **Section 6.2.5: New Streets and Pedestrian Adapted Pathways**

The Project is not located in the area where new streets are noted on Map 10 of the Specific Plan. Additionally, the Project does not propose any Pedestrian Adapted Pathways. As such, the Project is not subject to Section 6.2.5 of the Specific Plan.

### **Section 6.2.6: Urban Design Guidelines and Supplemental Urban Design Standards**

Section 6.2.6 requires that projects comply with a set of Supplemental Urban Design Standards. The Project is also encouraged to comply with Urban Design Guidelines, and the optional Design Guidelines that the project incorporates into the design are addressed in a separate section herein. The applicable required standards and the Project's compliance with them are as follows:

- a) Parking in Required Setbacks. Per “Exhibit A”, the Project does not propose surface parking. Condition of Approval Number 10 also does not permit the Project to provide surface parking in the setbacks. As such, the Project is not subject to Section 6.2.6.2.1, which limits surface parking in the front setback area.
- b) Architecture. Per “Exhibit A”, the Project has a variety of architectural treatments that break up the façade, using materials such as laminated panel cladding, glass, and medium dash exterior plaster on the first two floors, as well as detailing like storefront window systems on the first floor, recessed balconies on floors above the first floor, and articulation. As such, the Project complies with Section 6.2.6.2.2, which requires projects that are three or more stories in height to have a different architectural treatment on the ground floor than the upper floors of the building.
- c) Lighting and Security. Per Condition of Approval Number 13, the Project will submit revised elevations that show all and any exterior lighting as integrated with design of the structure(s), shielded to reduce glare for all sides of the building, and pointed away from the sky and windows of residential units. As such, the Project complies with Section 6.2.6.2.3, which requires projects to integrate exterior lighting with the building’s design and shield it to reduce glare.
- d) Utilities. As the Project is not a Master Planned Project as defined by the Specific Plan, it is not subject to Section 6.2.6.2.4, which regulates the placement of utilities.
- e) Articulation of Building Facades. The Project proposes a building horizontal length of approximately 310 feet and two inches on the south and north elevations each. Therefore, the Project is subject to Section 6.2.6.2.5 of the Specific Plan, which regulates the articulation of buildings over 250 feet measured horizontally.

Per Condition of Approval Number 13, the Project will submit revised elevations that show the parking structure on the north elevation with a change of depth for at least 15% of the length of the facade and at least 5 feet in horizontal length. The facade shall incorporate ornamentation techniques such as materials, textures, apparent wall thickness, or fenestration.

Additionally, per “Exhibit A” on Vanowen Street, the first floor uses a storefront window system broken up by the laminated panel cladding as offsets, and per Condition of Approval Number 13, the second floor uses a storefront of opaque glass. Per “Exhibit A,” the third through eighth floors feature recessed bays of balconies alternating with bays of floor-to-ceiling glass windows, and alternating as a unit as slightly projecting and recessing from the facade, as well as additional variation where the building steps back to accommodate the third-floor’s south courtyard.

On the north elevation, per Condition of Approval Number 12 and per “Exhibit A”, the Project will provide a green screen with a climbing vine to disguise the portion of the building dedicated parking on the first floor. Additionally, per “Exhibit A,” the Project proposes a natural fiber compound screen on the second floor where the exterior wall encloses that level’s parking. Additionally, on the north elevation the third through eighth floors feature recessed bays of balconies alternating with bays of floor-to-ceiling glass windows as well as an additional variation where the building steps back to accommodate the third-floor’s north courtyard.

The variation in the depth of the facade continues above 35 feet in height as shown in "Exhibit A." The facades incorporate ornamental techniques in their design for example, using a variety of materials like plaster, glass, aluminum window bays, backlit opaque glass, and laminated panel cladding. The Project's use of opaque glass on the second floor and laminated panels also offers subtle accents to add depth and a pop of color. Fenestration is used to change the articulation vertically and horizontally. Additionally, the parking structure is designed to be incorporated into the building, wrapping parts of it with usable spaces like work-live units and common areas. For the areas where it is not wrapped into the structure, it is shielded from public view using materials that are compatible with the overall design of the building, including opaque glass, green screen, climbing vines, and a natural fiber compound screen.

As such, the Project complies with Section 6.2.6.2.5, which regulates the articulation of the building facade.

- f) General Landscape Requirements for all Projects – Landscape and Irrigation Plans. Per Condition of Approval Number 12, the applicant will submit revised landscape plans that show all planted areas within the Project serviced by automatic irrigation systems and conforming to the City's water conservation requirements as prepared by a licensed landscape architect. Additionally, per Environmental Condition HYDRO-3, the Project will dedicate area in the parkway so that runoff can be collected in vegetated swales and directed to existing curb and gutter or storm drains. As such, the Project complies with Section 6.2.6.2.6, which requires automatic irrigation systems that conformance to the City's water conservation requirements.
- g) Landscaping Requirements for Parking Facilities. Section 6.2.6.2.7 of the Specific Plan states that any building or structure used for parking shall have a minimum landscaped setback of five feet on any portion of a building used for parking at or above grade when it is not next to a street. Any portion of a structure used for parking adjacent to a street shall meet the requirements for setbacks for the District in which it resides. The area within the setbacks shall be landscaped with a berm and/or hedge of at least 36 inches in height. Additionally, trees shall be planted in the setback at a ratio of one tree every 30 linear feet for the length of the parking area. Finally, the parking areas in the structure that are at or above grade shall be designed with screening techniques to minimize vehicle headlight and noise impacts on adjacent properties and include climbing vines to provide landscaped screening and exterior amelioration to the walls.

Per Condition of Approval Number 13, the applicant will submit revised plans and elevations that show for the parking structure on the west, north, and east elevations on the first and second floors a width of at least five feet in the landscaped setbacks. Per "Exhibit A," the Project shows a screening material of laminated panel cladding for the areas dedicated to parking at or above grade in the structure. Per Condition of Approval Number 12, the applicant will submit revised landscape plans that show all plants proposed, trees planted at a ratio of every 30 linear feet in the setback area adjacent to the parking structure on the north, west, and east elevations of the structure dedicated to parking; the species of climbing vines planted on the facade of the parking structure on the north elevation; the use of shrubs, vines, green, screen, or trees to screen blank walls at the north elevation for the portion of the structure above-grade and dedicated to parking. With the clarification of landscape plans through the two aforementioned Conditions of Approvals, the Project complies with Section 6.2.6.2.7.

- h) Street Trees. Section 6.2.6.2.8 requires that new street trees be of the species indicated for street trees as set forth in Appendix F of the Specific Plan. The Specific Plan, however, is silent on the replacement ratio for street trees that are to be removed as part of a Project. When the Specific Plan is silent on a regulation that occurs in the LAMC, the LAMC prevails. As such, the Project is subject to the Street Tree requirements placed upon the project from the Urban Forestry Division. In this instance, the Urban Forestry Division will require a two to one replacement as appropriate. Appendix F of the Specific Plan requires street trees on Vanowen Avenue to be either *Tabebuia impetiginosa* (Pink Trumpet Tree) and/or *Quercus ilex* (Holly Oak) and has no such requirement for what species street trees shall be on Alabama Avenue. Condition of Approval Number 5 directs the Project to preserve street trees to the greatest extent possible, as the Tree Report submitted February 12, 2017 states three Street Trees are proposed for removal, but only one with a diameter of 4 inches or greater; the Landscape Plans in "Exhibit A" show a planting plan for new street trees. Existing Street Trees will be removed, and new ones planted only if the removal is necessary for sidewalk widening. If the Project requires the removal and replacement of street trees, according to "Exhibit A" Street trees will be planted with Holly Oak on Vanowen Street and a species to be determined on Alabama Avenue. Conditions were also directed by the Bureau of Engineering in their memo dated July 19, 2018 that include the installation of tree wells with root barriers and the planting of street trees. As such, Condition of Approval Number 5 requires the applicant to seek approval from the Division of Urban Forestry for compliance with their requirements. With further review and approval from the Division of Urban Forestry, the project will comply with Section 6.2.6.2.8 of the Specific Plan.
- i) Application of the Urban Design Guidelines and the Supplemental Urban Design Standards. Section 6.2.6.3 of the Specific Plan requires that Projects have a consultation with the City's Urban Design Studio before a Letter of Determination is to be issued. The Project had a review with the Urban Design Studio on August 22, 2018, and as such complies with Section 6.2.6.3 of the Specific Plan.

As such, the Project complies with Section 6.2.6 of the Specific Plan.

#### **Section 6.2.7: Hybrid Industrial**

The Project does not propose Hybrid Industrial uses. The Project therefore is not subject to Section 6.2.7 of the Specific Plan which regulates Hybrid Industrial use.

#### **Section 6.2.8: Automobile Uses**

The Project does not propose uses that include the servicing, purchasing, or maintenance of automobiles. The Project is therefore not subject to Section 6.2.8 of the Specific Plan which regulates auto-oriented uses.

#### **Section 6.2.9: Establishment of Entertainment Uses**

The Project does not propose Entertainment Uses, and it is not located in the Downtown or Uptown Districts of the Specific Plan. The Project is therefore not subject to Section 6.2.9 of the Specific Plan which regulates entertainment and nightlife uses in the Downtown and Uptown Districts of the Specific Plan.

#### **Section 6.2.10: Sustainability Requirements for the Entire Plan Area**

Per Condition of Approval Number 14, the Project will submit evidence the project is designed to meet the equivalent green standards of LEED (Leadership in Energy and Environmental Design) at the Silver Level, in addition to the City's Green Building and any other applicable regulations

relating to sustainability standards. Additionally, per Conditions of Approval 15 and 16, the Project will submit evidence showing that it complies with the City's Green Building Ordinance and that the roof complies with the Solar Reflectance Index requirement in Appendix G of the Specific Plan. Appendix G provides three options for roofs to meet compliance with Section 6.2.10 according to the slope of the roof and the materials used. As such, the Project complies with Section 6.2.10, which requires Projects to incorporate environmentally-conscience design and construction.

### **Section 7.2: Department of Transportation Review**

In Condition of Approval Number 5 in "Additional Requirements", the applicant is made aware that the Department of Transportation (DOT) may have additional requirements for dedication and improvements. As per Condition of Approval Number 18, the applicant will submit a site plan to DOT for review and approval. Additionally, the applicant at the time application is required to submit an Initial Site Assessment Form, which was signed as required by City Planning staff on May 11, 2018. As such, the Project complies with Section 7.2 on Transportation Review.

### **Section 7.3: Mobility Fee**

As required, the Applicant concurrently filed the Warner Center 2035 Plan Preliminary WC2035 Plan Mobility Fee Calculation Application Form with the Department of City Planning and the Department of Transportation, signed on May 11, 2018 by City Planning staff.

The Specific Plan allows credit for any uses that were occupied on or subsequent to January 1, 2008 to be deducted from a Project's Mobility Fee. The Project Site is currently improved with a commercial office building totaling approximately 53,412 square feet on a 44,014 square foot lot. The existing building has a FAR of approximately 1.2:1 and falls within Category D of the Warner Center 2035 Plan – Mobility Fee Table (Appendix D).

The proposed Project includes a total of approximately 166,995 square feet of Floor Area with a FAR of approximately 4.06:1. According to the 2020 Mobility Fee Rate Table, the proposed use falls within Category A of Appendix D.

The Applicant anticipates that the proposed Project will be required to contribute to the traffic mitigation measures, if/where applicable as determined by the Department of City Planning and DOT, as outlined in Appendix E of the Specific Plan, and that the Project would be required to dedicate a nine-foot strip of land on Vanowen Street and a four-foot easement, as shown in Condition of Approval Number 5. Please refer to the associated Preliminary Mobility Fee Application for the Project for more details on the Preliminary Mobility Fee estimation. Per Condition of Approval Number 19, the final Mobility Fee, including any credits, will be calculated by DCP after the final square footage totals for the Project uses are determined through the Plan Check process by Building and Safety. With further review by the Department of Building and Safety and the Department of Transportation, and approval from the Department of City Planning, the project will comply with Section 7.3 of the Specific Plan.

### **Section 7.8: Transportation Demand Management Program**

Per Condition of Approval Number 20, the Applicant and/or property owner(s) will provide a Transportation Demand Management Plan or proof of membership in good standing for a Transportation Management Organization (TMO). As such, the Project complies with Section 7.8 which requires that Projects greater than 30,000 square feet submit a Transportation Demand Management plan to the City or join a TMO.

### **Section 9: Cultural Amenities**

Per Condition of Approval Number 21, the Project will be assessed a Warner Center Cultural Amenities Development Fee if the valuation of the Project's building permit is \$500,000 or more. The rate at which it will be assessed will be at the rate set by LAMC Section 91.107.4.6. Prior to the issuance of building permits, should the project wish to provide on-site cultural amenities in-lieu of the fee, per Condition of Approval Number 21, the Project will have to demonstrate that the cultural amenities proposed at that time are consistent with the Warner Center Cultural Affairs Master Plan, and are being provided at a value equal to or greater than the amount of the Warner Center Cultural Amenities Development Fee. Should on-site cultural amenities be proposed, the Project is required to work with the Director of Planning and the Department of Cultural Affairs to determine consistency with the Master Plan. If, at the time prior to building permit issuance, there is no Master Plan with which to determine consistency with the proposed on-site cultural amenities, the Project will pay the set fee. As such, the Project complies with Section 9 of the Specific Plan.

**Urban Design Guideline Section 2.5: Blocks and Height**

Per "Exhibit A," the eight-story structure, a tall structure for the area, is located along Vanowen Street, a major corridor designated as a Modified Avenue I in the Mobility Plan. As such, the Project complies with Urban Design Guideline Section 2.5 which states that Projects should site taller structures along the major corridors where their visual presence can serve as focal points within the district and reinforce the street wall.

**Urban Design Guideline Section 2.6: Blocks and Density**

Per "Exhibit A," the Project is located approximately 0.25 miles from the Canoga Bus Rapid Transit Orange Line Station, which is defined as a major transit stop per Section 21064.3 of the California Public Resources Code and includes 193 dwelling units. As such, the Project complies with Urban Design Guideline Section 2.6, which states that Projects of greatest density, residential units, and employment centers should be located as close to a fixed transit station as possible.

**Urban Design Guideline Section 2.7: Blocks**

Per "Exhibit A," the parking garage that serves the development is wrapped by habitable uses along the street frontage of Vanowen Street. As such, the Project complies with Urban Design Guideline Section 2.7 which states that Projects should locate parking garages that serve the development or district underground, in a podium wrapped by habitable uses.

**Urban Design Guideline Section 3.B.6: Street Standards Improvements**

Per Condition of Approval Number 5, the Project will be making improvements to the street like installing tree wells and providing parkways. As such, the Project complies with Urban Design Guideline Section 3.B.6 which states that Projects should provide parkways, tree wells, street trees, and other streetscape improvements.

**Urban Design Guideline Section 3.C.5: Street Setbacks**

Per Condition of Approval Number 12, the project will include on the south elevation at the live-work units, landscaped setbacks with any or all of the following: walkways, porches, raised planters and other solid walls up to three feet above sidewalk elevation, and transparent fences up to four feet above sidewalk elevation. As such, the Project complies with Urban Design Guideline Section 3.C.5, which states that adjacent to ground-floor residential units with individual entries or residential common areas the setbacks shall be landscaped with certain features.

**Urban Design Guideline Section 3.C.6: Streets Setback Landscaping**

Per Condition of Approval Number 12, the Project will provide updated plans that show landscaping in a minimum of 30% of the required setback areas. As such, the Project complies

with Urban Design Guideline Section 3.C.6 which states that Projects should landscape setbacks adjacent to non-residential ground floor use.

**Urban Design Guideline Section 3.C.7: Streets Setbacks**

Per Condition of Approval Number 10, and per “Exhibit A”, the project will not include surface parking in the setbacks. As such, the Project complies with Urban Design Guideline Section 3.C.7, which states that surface parking should not be located in the setbacks.

**Urban Design Guideline Section 4.C.3: Active Ground Floor Retail**

Per Condition of Approval Number 17, the Project will locate the primary entrance to each street-level tenant space that has its frontage along Vanowen Street from that street. As such, the Project complies with Urban Design Guideline Section 4.C.3, which states that projects should locate the primary entrance to each street-level tenant space that has its frontage along a public street from that street.

**Urban Design Guideline Section 4.D.1: Street Wall and Ground Floor Uses**

Per Condition of Approval Number 17, the project will have a primary entrance for the building located on Vanowen Street, a public street, that is connected and visible from said street. The entrance on Vanowen Street, as shown on “Exhibit A,” is located on the street frontage of Vanowen Street towards the west side of the building and is directly accessible from the adjacent sidewalk and easement. As such, the Project complies with Urban Design Guideline Section 4.D.1, which states that a building's primary entrance, defined as the entrance which provides the most direct access to a building's main lobby and is kept unlocked during business hours, should be located on a public street or on a courtyard, plaza, or pathway that is connected to and visible from a public street.

**Urban Design Guideline Section 5.A.3: Parking and Access - Visibility**

Per Condition of Approval Number 17, except for the ground-level frontage required for access to parking, no parking or loading will be visible on the ground floor of the Project's facade that faces the public right-of-way. As such, the Project complies with Urban Design Guideline Section 5.A.3 which states that except for the ground-level frontage required for access to parking, no parking or loading should be visible on the ground floor of any building facade that faces a public right-of-way or the Los Angeles River Greenway.

**Urban Design Guideline Section 5.A.15: Parking and Access - Location**

Per Condition of Approval Number 17, the Project will locate parking and loading access a minimum of 25 feet from the primary building entrance on Vanowen Street. As such, the Project complies with Urban Design Guideline Section 5.A.15 which states that Parking and loading access should be located a minimum of 25 feet from a primary building entrance, pedestrian pathway, or public outdoor gathering area.

**Urban Design Guideline Sections 6.B.10, 6.B.13, and 6.B.19 : Architecture – Horizontal and Vertical Variation**

Per Condition of Approval Number 17, the Project will Vary details and materials horizontally to provide scale and three-dimensional qualities to the building; have a ground floor of the building with different architectural treatment than the upper floors, and feature high quality materials that add scale, texture and variety at the pedestrian level; and use materials and color to reinforce the building's massing and not just be applied as unrelated surface treatment. As such, the Project complies with Urban Design Guideline Sections 6.B.10, 6.B.13, and 6.B.19 which deals with the use of materials to create variation in forms throughout the structure.

**Urban Design Guideline Section 6.B.21: Color Palette**

Per “Exhibit A,” the Project uses a color palette of white and neutral tones throughout the structure that blends into the different forms and doesn’t clash with them. As such, the Project complies with Urban Design Guideline Section 6.B.21 which states that projects should establish a simple color palette that reinforces the design concept and is not independent of the structural form.

**Urban Design Guideline Section 6.B.29: Glazing**

Per Condition of Approval Number 6, the Project will use transparent, non-reflective glazing on the ground floor windows and doors. As such, the Project complies with Urban Design Guideline Section 6.B.29 which states that Projects should Use transparent, non-reflective glazing in ground-floor windows and doors.

**Urban Design Guideline Sections 6.B.35, 6.B.36, and 6.B.44: Lighting and Security**

Per Condition of Approval Number 13, the applicant will submit revised elevations that show all and any exterior lighting as integrated with design of the structure(s), shielded to reduce glare for all sides of the building, and pointed away from the sky and windows of residential units. As such, the Project complies with Urban Design Guideline Sections 6.B.35, 6.B.36, and 6.B.44 which states that exterior lighting should be shielded to reduce glare and eliminate light being cast into the night sky, nearby properties, and roadways; and integrated into the architectural and landscape lighting system and indistinguishable from it.

**Urban Design Guideline Sections 6.B.38 and 6.B.41: Architecture Minimization of Impacts on Neighbors**

Per Condition of Approval Number 17, prior to final signoff, the Project will submit revised plans showing the location on the exterior of all mechanical equipment including the roof, with screens shielding it from public view, and the location of the ventilation intakes and exhausts on the exterior located more than 20 vertical and horizontal feet from the sidewalk and directing air flow away from the public realm. As such, the Project complies with Urban Design Guideline Sections 6.B.38 and 6.B.41 which state that mechanical equipment should be screened or integrated with the design of the building and that intake and exhaust vents should be located to minimize effects on pedestrian comfort.

**Urban Design Guideline Section 6.B.43: Architecture Screening of Telecommunications**

Per Condition of Approval Number 17, prior to final signoff, the Project will submit revised plans showing antennas and satellite dishes screened and Cable and satellite services encouraged to be provided through a single source. As such, the Project complies with Urban Design Guideline Section 6.B.43, which states that antennas and satellite dishes should be screened.

**Urban Design Guideline Section 6.B.45: Architecture Minimization of Glare on Neighbors**

Per Condition of Approval Number 17, the Project will submit revised plans showing metal surfaces on the exterior noted as having a matte finish or other finish that minimizes glare or reflection. As such, the Project complies with Urban Design Guideline Section 6.B.45, which states that reflective materials or other sources of glare (like polished metal surfaces) should be designed or screened to avoid impacts on views and measurable heat gain on surrounding windows either within or adjacent to a project.

**Urban Design Guideline Sections 6.D.3 and 6.D.9: Architectural Design – Mid Rise Buildings**

Per Condition of Approval Number 17, the Project’s balconies will be a minimum of 50% transparent and may integrate metal railing or glass guardrail systems and will integrate glass window bay systems to add variation in the facade where appropriate. As such, the Project complies with Urban Design Guideline Sections 6.D.3 and 6.D.9, which states that balconies

should be a minimum of 50% transparent and that projects should integrate glass window bay systems to add variation in the facade where appropriate.

**Urban Design Guideline Section 7.2: On-Site Open Space**

Per Condition of Approval Number 8, the Project will include in its PAOS 90% of the designated space open to the sky, a minimum of 50% of the designated space as landscaped, and a focal point designed as a gathering place. Additionally, per Condition of Approval Number 12, The Project is required to use permeable pavers for at least 75% of all hardscaped areas. As such, the Project complies with Urban Design Guideline Section 7.2.

**Urban Design Guideline Section 7.5: On-Site Open Space Landscaping**

Per Condition of Approval Number 12, prior to signoff, revised landscape plans or proof of compliance will be provided to show 50% of the trees as canopy trees that provide shade. As such, the Project complies with Urban Design Guideline Section 7.5, which states that at least 50% of the required trees should be canopy trees that shade open spaces, sidewalks and buildings, unless City Planning approves a less percentage to accommodate recreational facilities.

**Urban Design Guideline Section 7.10: On-Site Open Space Seating**

Per Condition of Approval Number 12, the Project will provide seating placed with consideration to noontime sun and shade. Additionally, the Project is encouraged in the PAOS areas to plant deciduous trees as the most effective means of providing comfortable access to sun and shade. As such, the Project complies with Urban Design Guideline Section 7.10, which states that plazas and courtyards are encouraged to incorporate seating to facilitate their enjoyment and use, with consideration paid toward the noontime sun and shade, and to use deciduous trees.

**Urban Design Guideline Section 7.13: On-Site Open Space Scale and Continuity**

Per Condition of Approval Number 12, the Project will provide updated landscape plans according to the instructions on CP-6730 that include: a revised north arrow pointing north and not west; the name, address, phone number and email address of the landscape professional who prepared the plans; the denotation of street trees existing and replacement; the dimensions of all open space areas; height at planting; and a portion of the proposed trees showing a height of at least 35 feet at 10 years from the time of planting, denoting the height at and age to maturity. As such, the Project complies with Urban Design Guideline Section 7.13, which states that landscape elements should establish scale and reinforce continuity between indoor and outdoor spaces, as well as Projects should plant canopy trees that will achieve a height of 35 feet in 10 years in open spaces.

**Urban Design Guideline Section 7.15: On-Site Open Space Screening**

Per Condition of Approval Number 12, the Project will provide updated landscape plans that show the use of shrubs, vines, green, screen, or trees to screen blank walls at the north elevation at the above grade parking level. As such, the Project complies with Urban Design Guideline Section 7.15, which states Landscaping should be used to screen or break up the mass of blank walls.

**Urban Design Guideline Section 8.A.1: Landscape and Stormwater Treatment and Management**

Per Condition of Approval Number 12, the Project will provide updated landscape plans that show that the Project treats 100 percent of the 85th percentile storm and provides detentions capacity to retain a rainfall intensity of 0.5 inches/hour or other Code requirement if the latter is more restrictive, to the satisfaction of the Bureau of Sanitation. On-site infiltration is the preferred method of treatment. As such, the Project complies with Urban Design Guideline Section 8.A.1

which encourages Projects to reduce storm water runoff entering the storm drainage system and increase on-site treatment and infiltration of storm water.

**Urban Design Guideline Section 8.B.2: Landscape and Stormwater Treatment**

Per Condition of Approval Number 12, the Project will provide updated landscape plans that show use of a variety of 50% of the plants have a low or very low WUCOLS classification or are identified as California Friendly on [www.bewaterwise.com](http://www.bewaterwise.com). As such, the Project complies with Urban Design Guideline Section 8.B.2 which encourages all projects to select and install plants identified as California Friendly by the Metropolitan Water District's Be Water Wise program ([www.bewaterwise.com](http://www.bewaterwise.com)) for at least 50% of the plant materials used.

**Urban Design Guideline Section 8.B.3: Landscape and Stormwater Treatment - Indigenous Plants**

Per Condition of Approval Number 12, the Project will submit revised plans that show the use of indigenous plants per the County's Los Angeles River Master Plan (LARMP) Landscaping Guidelines and Plant Palettes' short list for at least 25% of the plant materials used. As such, the Project complies with Urban Design Guideline Section 8.B.3 which states that projects located north of Victory Boulevard are encouraged to select and install indigenous Plants per the County's Los Angeles River Master Plan (LARMP) Landscaping Guidelines and Plant Palettes' short list for at least 25% of the plant materials used.

**Urban Design Guideline Section 8.B.5: Landscape and Stormwater Treatment – Irrigation**

Per Condition of Approval Number 12, the Project will provide updated landscape plans that show use of a high-efficiency "smart" irrigation system, which includes a weather-based controller, and, where feasible, in-line drip and bubblers, rather than overhead spray. As such, the Project complies with Urban Design Guideline Section 8.B.5 which encourages use of a high-efficiency "smart" irrigation system.

**Urban Design Guideline Section 8.B.6: Landscape and Stormwater Treatment – Permeable Paving**

Per Condition of Approval Number 12, the Project is encouraged to provide updated landscape plans that show the use of permeable paving for at least 75 percent of all hardscape areas. As such, the Project should comply with Urban Design Guideline Section 8.B.5 which encourages the use of use permeable paving.

**Urban Design Guideline Section 9.B.3: Streetscape Improvements – Responsibilities of Developer**

Per Condition of Approval Number 8, prior to the issuance of any building permit, the applicant will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department that includes information regarding the ongoing maintenance and operation of the PAOS areas. Additionally, per Condition of Approval Number 5, the applicant will post a cash bond or other assurances acceptable to the Bureau of Engineering in consultation with the Urban Forestry Division and the decision maker guaranteeing the survival of street trees required to be maintained, replaced, or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date that the bond is posted or from the date such trees are replaced or relocated, whichever is longer. Any change of ownership shall require that the new owner post a new protected tree bond to the satisfaction of the Bureau of Engineering. As such, the Project complies with Urban Design Guideline Section 9.B.3, which states that applicants should Execute a Maintenance Agreement with the City by which the Applicant agrees to maintain the streetscape improvements and accepts liability for them.

**On-Site Trees.** The Project proposes to remove 11 on-site trees as shown in the Tree Report, dated February 12, 2017, and “Exhibit A.” Per the Specific Plan, the Project will replace any loss of on-site trees by replacement greater than 10 centimeters (4 inches) in diameter at breast height (DBH) (4.5 feet above surrounding grade) with native or non-native (non-invasive) trees of appropriate local climate tolerance at a 2:1 ratio to show compliance with this mitigation measure. Per Condition of Approval Number 17, prior to Planning clearance, an updated tree report of less than a year old will be provided by a Landscape Architect or Certified Arborist showing trees and to be removed and their corresponding DBH, and updated landscape plan that shows a replacement ratio of 2:1 to replace the on-site trees proposed for removal in “Exhibit A” that have a DBH of 4 inches or greater. In addition, prior to the issuance of a permit for the project, satisfactory arrangements will be made with the Urban Forestry Division of the Bureau of Street Services for the construction of tree wells and planting of on-site trees.

### **Canoga Park – Winnetka – Woodland Hills – West Hills Community Plan**

The Project as proposed will provide 193 new multifamily residential units approximately 0.25 miles from a fixed transit station and within Warner Center, a Specific Plan overlay area focused on providing residential and non-residential on mixed use lots in a Regional Center Commercial land use designation. As such, the Project conforms to the local Community Plan’s objectives to 1) achieve and maintain a housing supply sufficient to meet the diverse economic needs of current and projected population to the year 2010, and 2) reduce automobile trips in residential areas by locating new housing in areas offering proximity to goods, services, and facilities.

### **Project Permit Adjustment Findings**

#### **2) There are special circumstances applicable to the project or project site which make the strict application of the specific plan regulation(s) impractical.**

The Project is situated on a wide lot with a very narrow depth, with approximately 312 feet of frontage along Vanowen Street and a depth of approximately 133 feet. The Subject property is bounded by two public rights of way, Vanowen Street and Alabama Avenue to the south and east, a private drive, Remmet Avenue, to the west, and a multi-family residential development to the north. Additionally, the Project is located within an Active Street Frontage along Vanowen Street, and per Section 6.2.4.2 of the Specific Plan, the Project is required to provide Non-Residential uses that are at least 15 feet in height as measured from floor-to-floor and to a depth of 25 feet as measured from the building line. Additionally, the topography of the site has a gradual slope, with the site sloping down from the west (Remmet Avenue) to the east (Alabama Avenue).

Given the narrow depth of the lot, as well as the requirement that ground floor parking be wrapped by non-residential uses to a minimum depth of 25 feet in an Active Street Frontage, and in order to scale the building appropriately to the adjacent multi-family use, parking for the proposed Project is provided across two subterranean levels, one partial on grade level, and one above grade level, with access from both Alabama Avenue and Remmet Avenue. Subterranean parking is accessed directly from Alabama Avenue, with above grade parking accessed directly from Remmet Avenue. Dual access to the provided parking is proposed in consideration of neighboring and adjacent residential uses.

The varying reduction in required ground floor height by approximately 6.6% to 16.6% as it relates to the sloping of the lot permits an average ground floor height of approximately 13 feet and 6 inches. At its lowest, the floor-to-floor height is measured at approximately 12 feet and 6 inches, and at its greatest extent it measures in height at approximately 14 feet. The reduced floor-to-floor height at the ground floor from the 15-foot standard provides a necessary accommodation

to the structure's ramping system that provides access to and across the levels of parking proposed to serve the Project, taking into account the slope of the property. Specifically, approximately 34% of the Vanowen Street frontage will have a ground floor, floor-to-floor height of approximately 12 feet and 6 inches, approximately 43% of the Vanowen Street frontage will have a ground floor, floor-to-floor height of approximately 13 feet and 6 inches, and approximately 23% of the Vanowen Street frontage will have a ground floor, floor-to-floor height of approximately 14 feet. As the lot slopes from Remmett Avenue down to Alabama Avenue, the ground floor, floor-to-floor height of the Project will increase commensurate with the slope of the lot.

A 15-foot minimum floor-to-floor height at the ground floor would result in an infeasible, steep ramp connecting the ground floor with the above-grade parking level. The reduction in floor-to-floor height at the ground floor eases the angle of the ramp ensuring appropriate ingress and egress as well as vehicular circulation within the proposed parking. The variable ground floor, floor-to-floor height has been designed to accommodate the slope of the site as well as to assure that the ramping system be angled appropriately. Due to the unique geographic constraints of the lot and the narrow envelope within which parking can be provided within the proposed structure, as well as the provision of dual ingress/egress from Alabama Avenue and Remmet Avenue, it is infeasible to incorporate a regulation ramp angle without the granting of a reduction in floor-to-floor height.

**3) In granting the Project Permit Adjustment, the Director has imposed project requirements and/or decided that the proposed project will substantially comply with all applicable specific plan regulations.**

Active Street Frontages are defined by the Specific Plan as "designated streets where buildings incorporate features and elements that are human scaled and can be used and enjoyed by pedestrians." The Project has been designed with a 15-foot regulating line, created through the use of varied building materials strategically placed to create the appearance of additional height, between the first and second levels. The provision of the proposed regulating line creates a 15-foot ground floor, floor-to-floor façade delineation, maintaining the desired pedestrian scaled environment despite the reduction in the floor-to-floor height at the ground floor. The pedestrian environment is further enhanced through the provision of 11 work-live units on the ground floor along Vanowen Street, which will activate the Vanowen Street frontage while providing the opportunity for local serving commercial uses and businesses. It also creates an incentive for commercial uses at the ground floor through the 15-foot in height floor-to-floor regulation, as that is seen as an industry standard for commercial use.

The approval of the Project includes that the Project be in substantial conformance with "Exhibit A" during the permit and inspection process. Additionally, Condition of Approval Number 6 requires that the Project maintain the proposed 15-foot regulating line demonstrated in "Exhibit A," as well as a condition that prohibits the use of features that artificially lower the ceiling on the interior. Furthermore, conditions of approval have been added to the Letter of Determination to "lock in" project design features so that the 15-foot regulating line is adhered to in materials and design during the Plan Check process. Per the Conditions of Approval and findings made in the preceding sections of this Letter of Determination, the Director of Planning has determined that, aside from the height requested to be adjusted, the Project substantially complies with the regulations of the Warner Center 2035 Specific Plan, and that the granting of the adjustment does not cause other parts of the Project to be out of conformance with the Specific Plan's regulations.

- 4) **In granting the Project Permit Adjustment, the Director has considered and found no detrimental effects of the adjustment on surrounding properties and public right-of way.**

The Active Street Frontage regulation was added to the Specific Plan to create a human-scaled, walkable environment for visitors and residents of Warner Center. By adding the regulating line to the exterior of the Project, the Project proposes an appearance for the project that accomplishes the same goal. Additionally, the 15-foot regulation height was put in place because of industry standards of said height for commercial use.

The granting of a Specific Plan Project Permit Adjustment allows the Project to accommodate the slope of the site while providing a parking system of two subterranean levels, one partial on grade parking level, and one level of above -grade parking, as well as dual ingress/egress from Alabama Avenue and Remmet Avenue. The proposed parking configuration responds to adjacent uses and the input and request of the abutting residential condominium association, providing dual ingress and egress and limiting the number of above grade parking levels, while maintaining the desired pedestrian scaled environment along the Active Street frontage through the use of a 15-foot regulating line along the Vanowen Street frontage. The Conditions of Approval imposed on the project create an environment so that the goals of the original regulation that required a 15-foot floor-to-floor height at the ground floor are realized through other means.

### **Environmental Findings**

- 5) **The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

In compliance with requirements of the California Environmental Quality Act (CEQA), the Project is within the scope of the Warner Center 2035 Program EIR No. ENV-2008-3471-EIR; SCH No. 1990011055 ("Program EIR"), certified on April 23, 2013 and recertified on October 23, 2013, for the General Plan Amendment to the Canoga Park - Winnetka - Woodland Hills - West Hills Community Plan and related Transportation Element amendments to allow for the implementation of the Warner Center 2035 Plan covering approximately 924 acres bounded by Vanowen Street to the north, the Ventura Freeway to the south, De Soto Avenue to the east, and Topanga Canyon Boulevard to the west. The environmental effects of the Project were covered in the Program EIR and no new environmental effects not identified in the Program EIR will occur, and no new mitigation is required.

In general, the Program EIR identified measures to mitigate impacts in terms of aesthetics, light and glare, air pollution and noise during construction, nesting bird protection, archaeological and paleontological resource preservation, soil stability, seismic safety, hazard assessment, water quality and drainage, city services, water conservation, energy conservation, and waste reduction.

**As part of the hazard assessment mitigation measures for the Project site, a Phase 1 Environmental Site Assessment (and Addendum), and Phase 2 Environmental Site Assessment (and Addendum) were prepared. Upon review of these materials and analyses contained therein, the City finds that: (1) none of the triggers under PRC 21166 and CEQA Guidelines Section 15162 have occurred; (2) the scope of the Project falls within the four corners of what are previously contemplated and analyzed for the subject site as part of the Program EIR; (3) the proposed Phase 3 Mitigation Plan (ie., the installation of the soil vapor intrusion barrier), to be implemented through Conditions of Approval HAZ-2, HAZ-**

**2A, HAZ-2B, and HAZ-2C will adequately mitigate any potential environmental impacts related to hazards and contaminated soils associated with the subject site, including during the construction phase of the Project; and, (4) none of the site-specific design, conditions, or operations will result in more significant environmental impacts. Lastly, (per HAZ-2C) the applicant will identify a contact person and provide a 24-hour “hotline” telephone number for any inquiries or complaints from the community regarding construction related activities, which will be posted on-site in a conspicuous place so that it is readily visible to any interested party. Furthermore, there is no substantial evidence that the design and installation of the vapor intrusion barrier will result in any additional environmental impacts** not previously analyzed in the Program EIR.

In addition, the Specific Plan sets sustainable building standards for LEED-certification at the Silver Level (or equivalent) and for rooftop Solar Reflectance. Conditions of approval require the Project to comply with these standards and all applicable mitigation measures and monitoring as set forth in the Program EIR, which would mitigate the Project’s potential significant environmental impacts to the extent physically feasible. As stated on page 1-8 of the Certified EIR, the EIR is intended to function as a project-specific EIR for those projects that are consistent with the WC2035 Plan.

The Project has also been designed to substantially comply with the Warner Center 2035 Specific Plan’s Section 6.2.6 Supplemental Urban Design Standards and Appendix F Urban Design Guidelines, which will help mitigate any potential impacts to adjacent properties and the environment.

Additionally as a designee of the Director of Planning, I have determined based on the whole of the administrative record, that the Project is statutorily exempt from CEQA pursuant California Government Code Section 65457 because it is a residential project consistent with the Warner Center Specific Plan Program EIR, certified on April 23, 2013 and recertified on October 23, 2013, and no event as specified in Public Resources Code Section 21166 has occurred that would require a supplemental EIR to be prepared prior to approval of the Project.

## **FINDINGS**

**(As amended by the South Valley Area Planning Commission on April 22, 2021)**

The proposed Project involves the demolition of one commercial office building totaling approximately 53,412 square feet on a 44,014 square foot lot before dedications, and the construction of a new, eight-story, approximately 85 feet in height, 166,995 square-foot in area, single-phase, multi-family residence building. The project includes a maximum of 193 dwelling units including 11 Work-Live units for a total of 161,549 square feet of Residential Floor Area. The project also includes approximately 5,446 square feet of Work-Live units as Non-Residential Floor Area according to the Warner Center 2035 Specific Plan. The Project includes four levels of parking, two of which are subterranean, 249 vehicle parking spaces, 12 short-term bicycle parking spaces, and 121 long-term bicycle parking spaces. The Project also includes approximately 6,732 square feet of Publicly Accessible Open Space (PAOS) and the removal and replacement of three Street Trees in the Public Right of Way. The project is located in the River District of the Specific Plan, is subject to the requirements of the Specific Plan for Activity Nodes and Active Street Frontages and does not claim any Incentivized Uses bonuses.

The Project also seeks a Project Permit Adjustment to permit a minimum 12 foot and six-inch floor-to-floor height for the “Work” portion of the Work-Live units in an Active Street Frontage-identified area of in lieu of the 15 feet otherwise required in Section 6.2.4.2.1(a) of the Warner Center 2035 Specific Plan.

### **Project Permit Compliance Findings**

- 1) The Project substantially complies with the applicable regulations, findings, standards, and provisions of the Warner Center 2035 Specific Plan.**

Based on a review of the plans labeled “**Project Plans - Exhibit A**” attached to the administrative file, and as modified by the conditions contained herein, the Director of Planning makes the following findings in accordance with Section 11.5.7.C.2 of the Los Angeles Municipal Code (LAMC) and the applicable review criteria of the Warner Center 2035 Specific Plan:

#### **Section 6.1.2.6.1: Uses**

The Project’s proposes the use of a multi-family residential development with 11 Work-Live Units, both of which are permitted uses. The Project’s Work-Live units are recognized as a Residential use per Section 3 of the Specific Plan. However, for the purposes of calculating floor area, the Project is credited 50% of the Work-Live unit space as Non-Residential floor area, as per Footnote 5 of Appendix B of the Specific Plan. Thus, the project is approved for a total of 161,549 square feet of Residential Floor Area and 5,446 square feet of Non-Residential Floor Area. As such, the project complies with Section 6.1.2.6.1 of the Specific Plan.

#### **Section 6.1.2.6.2: Intensity**

The project will have a Floor Area Ratio of 4.06:1 as shown in “Exhibit A”. As per Section 6.1.2.6.2 of the Plan states, a base maximum FAR of 4.5:1 shall be permitted for all lots within the River District. Therefore, the project complies with Section 6.1.2.6.2 of the Specific Plan.

#### **Section 6.1.2.6.3: Permitted Development by Floor Area**

There are no use restrictions on any Project by floor area in the River District. The project is approved for a total of 161,549 square feet of Residential Floor Area and 5,446 square feet of Non-Residential Floor Area. Therefore, the project complies with Section 6.1.2.6.3

#### **Section 6.1.2.6.4: Building Height**

The project proposes a building height of approximately 85 feet. As per Condition of Approval Number 4, the project will have a street wall height of a minimum of 25 vertical feet along Vanowen Street.

Additionally, the project is subject to Environmental Condition AES-28 which requires that proposed structures be designed to minimize shade/shadow impacts to sensitive uses to the extent reasonable and feasible. There are currently no single-family dwellings in close proximity to the Project site. The abutting and adjacent properties to the project to the north are multi-family dwellings that are existing. The properties to the east comprise a new multi-family dwelling structure. The properties to the west are comprised of a commercial office building complex. The property to the south is a vacant, unimproved, lot that used to be an industrial use.

All projects within the River District are permitted an unlimited Building or Structure height and the street wall of all Projects with frontage along a public street or highway must have a minimum building height of 25 feet along the public street or highway. In addition, any Project over 75 feet in height is subject to additional requirements as set forth in the Mitigation Monitoring Program (MMP). As such, the project complies with Section 6.1.2.6.4 of the Specific Plan.

**Section 6.1.2.6.5: River Frontage.**

The Project is not on a lot with frontage along the Los Angeles River. As such, Section 6.1.2.6.5 of the Specific Plan does not apply to this Project.

**Sections 6.1.2.6.6: Street Standards and 7.7: Street Improvements and Dedications**

Street standards in the River District are established in Appendix H, Tables 1 and 2, of the Specific Plan. Vanowen Street is designated as a Major Highway Class II and per Condition of Approval Number 5, it will be in compliance with Table 2, which requires on the north side of the east/west section a 52-foot half right-of-way, a 40-foot half roadway, an eight-foot half sidewalk, eight-foot half parkway and a four-foot half easement. Alabama Avenue is designated as a Local Street. Conditions for both streets were directed by the Bureau of Engineering in their memo dated July 19, 2018.

As conditioned, the Project on Vanowen Street will dedicate a 9-foot wide strip of land along the property frontage to complete a 52-foot half right-of-way in accordance with Warner Center Specific Plan 2035 and a 20-foot radius property line return at the intersection with Alabama Avenue. In addition, the Project will provide a 4-foot sidewalk easement along the property frontage on Vanowen Street. The Project will also construct on Vanowen Street additional surfacing to join the existing improvements to provide a 40-foot half roadway, including asphalt pavement, integral concrete curb, 2-foot gutter and an 8-foot wide concrete sidewalk adjacent to the easement line in a 16-foot border in accordance to Warner Center Specific Plan 2035. On Alabama Avenue, the Project will reconstruct the concrete sidewalk to provide a 12-foot wide concrete sidewalk along the property frontage. If the Project relocates streetlights, it will be to the satisfaction of the Bureau of Street Lighting. The Project is also directed to contact the Department of Water and Power regarding power poles, Bureau of Sanitation for sewers, and the Fire Department regarding fire hydrants. The Project will repair on Alabama Avenue all broken and off-grade concrete curb and gutter. The Project will also upgrade all driveways to comply with ADA requirements or close unused driveways, and per Environmental Condition HYDRO-3, construct vegetated swales as appropriate in sufficient area to direct offsite runoff to existing curb and gutter or storm drains. As such, the Project complies with Section 6.1.2.6.6 of the Specific Plan and applicable parts of Section 7.7. **(BOE)**

**Section 6.1.2.6.7, Section 6.1.2.6.8, and Section 6.2.4: Activity Nodes and Active Street Frontages**

The proposed Project is located within an Active Street Frontage area, according to Map 10: Activity Nodes, New Streets, and Active Frontage Streets of the Specific Plan. The Specific Plan states that the requirements for Projects in an Activity Node and/or Active Street Frontages are established in Section 6.2 of the Plan.

The Project requested a Specific Plan Adjustment for the height requirements of Section 6.2.4, and the findings required for the Adjustment are found later in this determination. As per Condition of Approval Number 6 and the regulations of Section 6.2.4 of the Specific Plan on Activity Nodes and Active Street Frontage, the Project along Vanowen Street will be limited to Non-Residential uses to a depth of 25 feet from the building frontage along the street. The Project is granted a Specific Plan Adjustment for floor to floor height on the ground floor as follows: starting from the southwestern point of the building, and moving east, for the first approximately 105 feet and four inches, the Project shall have a minimum floor-to-floor height of 12 feet and six inches; for the next approximately 133 feet and four inches of the property to the east, the Project shall have a minimum floor-to-floor height of 13 feet and six inches; for the last approximately 71 feet and six inches of the property to the east, the Project shall have a minimum floor-to-floor height of 14 feet. Also, per Condition of Approval Number 6, the Project will have at least 75 percent of the building facade along Vanowen Street located between 30 inches and 84 inches from the ground floor devoted to transparent windows and/or doors. Dark tinted reflective or opaque glazing will not be counted towards the minimum percentage. Additionally, ground floor Work-Live units oriented to Vanowen Street will be accessed individually and directly from Vanowen Street with individual front stoops or porches, and fence and wall heights along Vanowen Street will not exceed 42 inches, as measured from the highest adjacent grade. Finally, the Project will have a primary entrance for the building located on a public street that is connected and visible from the street.

Section 6.2.4 requires that parking on the ground floor will be permitted so long as at least eighty percent (80%) of the ground floor frontage on any side of the above-grade parking structure, which is adjacent to a public street (except an alley) or adjacent to a public open space/plaza, includes ground floor non-residential use subject to the provisions of Section 6.1.2.2.4 (a) and (b). As such, the Project is condition to the following additional regulations for the remaining portions where residential use on the ground floor is permitted:

- a) Permitted Residential uses in the Ground Floor shall be limited to Work-Live Units professional offices or residential common spaces and shall be designed to include wall openings comprised of a minimum of fifty percent (50%) of the street level Building Facade located between 30 inches and 84 inches from the ground floor.
- b) Ground floor Work-Live units oriented to Vanowen Street shall be accessed individually and directly from Vanowen Street with individual front stoops or porches.
- c) Fence and wall heights along Vanowen Street shall not exceed 42 inches, as measured from the highest adjacent grade. Fences and walls shall include latticework, ornamental fences, screen walls, hedges or thick growth of shrubs or trees.

As such, the Project complies with Sections 6.1.2.6.7, 6.1.2.6.8, and 6.2.4 of the Specific Plan.

**Section 6.1.2.6.9: Setbacks**

Per Section 6.1.2.6.9, all Projects in the River District with an Active Street Frontage shall have a front setback of no less than 12 feet, and no more than 15 feet. Per "Exhibit A", the Project proposes a setback of 12 to 15 feet along Vanowen Street. Lastly, Condition of

Approval Number 12 requires the Project to submit an updated landscape plan which shows a minimum of 30% of the required setback areas landscaped. As such the Project complies with Section 6.1.2.6.9 of the Specific Plan.

**Section 6.2.2: Publicly Accessible Open Space (PAOS)**

The Project is required to provide PAOS that has a minimum square-footage equal to 15 percent of the net site area after dedication, and which satisfies a set of required standards set forth in Section 6.2.2.2. Per this Section, the Project would be required to dedicate a minimum of 6,170 square feet, based on a site that is 41,132 square feet after dedications. The Project proposes 6,732 square feet of PAOS per "Exhibit A" and per Condition of Approval Number 8. Additionally, the project complies per "Exhibit A" and Condition of Approval Number 8 with Section 6.2.2.2 as follows:

- a. The PAOS will be contiguous and internally integrated into the overall design of the Project and is directly accessible from Vanowen Street and Alabama Avenue. To maintain contiguity, the PAOS is conditioned to remain unfenced and ungated.
- b. The PAOS will be internally and externally integrated with neighboring buildings or structures and any existing, or approved, PAOS.
- c. The PAOS will be accessible to the public from 6:00 am to 10:00 pm seven days a week, with two signs posted that are unobstructed from public view indicating public accessibility as per Condition of Approval Number 10;
- d. The Project will have a minimum of 6,588 square feet of PAOS, or approximately 98% of the total provided, open to the sky, which complies with the requirement that 90% of PAOS be open to the sky;
- e. The Project will have a minimum of 3,376 square feet of PAOS, or 50%, landscaped., which complies with the requirement that at least 50 percent of the PAOS be landscaped.
- f. The Project is conditioned to provide a minimum of 14 seats for the 6,732 square feet of PAOS, which complies with the requirement to provide at least one (1) seat per 500 square feet of PAOS, per Section 6.2.2.2.7 of the Specific Plan. Additionally, the Project will count two linear square feet of bench or seat wall as equal to one (1) seat;

As per Condition of Approval Number 9, in addition to the PAOS requirement, the Project will satisfy the LAMC, Section 12.33 Park Fees and Land Dedication requirement as applicable.

The Project, per Condition of Approval Number 8 and in satisfaction of Section 6.2.2.4.1, will prepare and execute a Covenant and Agreement that will bind the land for the Project and all successors to ensure the PAOS area will be maintained and made available and accessible to the public. Additionally, the per Condition of Approval Number 8 and in satisfaction of Section 6.2.2.4.4, setbacks required along the right of way will be counted as PAOS.

The PAOS will include a focal point of 1,099 square feet near the southwester portion of the property as shown in Exhibit A, which satisfies the requirement of Section 6.2.2.4.3, that states that the PAOS have at least one focal point or gathering space with a minimum of 500 square feet.

Furthermore, per Condition of Approval Number 8, the Project does not count toward the PAOS requirement any of the following: surface parking areas, open storage areas, private open space areas not accessible to the general public, swimming pools and spas not open to

the general public, loading docks and parking, driveway entrances and exits, sidewalks and parkways that are already in the public right of way, and detached or attached utility areas or pads, therefore satisfying Section 6.2.2.5 of the Specific Plan.

As such, the Project complies with Section 6.2.2 of the Specific Plan.

### **Section 6.2.3: Parking**

All parking spaces will be in compliance with applicable parking provisions set forth in the Section 6.2.3 of the Specific Plan and LAMC Section 12.21 A.4. The Project is designed with four levels of parking, two of which are subterranean parking, one on the ground floor and the other on the second level. The Project proposes to provide 249 parking spaces per "Exhibit A" and per Condition of Approval Number 10.

The project complies per "Exhibit A" and Condition of Approval Number 10 with Section 6.2.3 as follows:

- a) Residential Automotive Parking (Including Work-Live Units). The Project is approved for 249 Residential parking spaces and will provide a minimum of 193 and no more than 386 Residential parking spaces for the 193 Residential units proposed. Therefore, the Project complies with Section 6.2.3.2.1(a), which requires that the Project provide parking for residents at the rate of at least one parking space per unit but not more than two spaces per unit.
- b) Non-Residential Automotive Parking. The Project has 5,446 square feet of Non-Residential Floor Area in eleven Work-Live units. The Project's Work-Live units are recognized as a Residential use per Section 3 of the Specific Plan. However, for the purposes of calculating floor area, the Project is credited 50% of the Work-Live unit space as Non-Residential floor area, as per Footnote 5 of Appendix B of the Specific Plan. As such, there is no official Non-Residential use for which to calculate parking at the time of issuance of this Letter of Determination. If at a point in the future the "work" portion of the Work-Live units were to be granted a new Certificate of Occupancy for a use other than Residential, that portion of the unit dedicated to the Non-Residential uses shall be required to provide parking in the amounts required per the Specific Plan regulation in effect at such time. Sizes of spaces shall follow the Los Angeles Municipal Code requirements at the time of the issuance of the new Certificate of Occupancy. These spaces shall be counted separately from the Residential spaces. As such, the Project complies with Section 6.2.3.2.2 of the Specific Plan.
- c) General Parking Provisions. The Project complies as follows with Section 6.2.3.3 of the Specific Plan, which contains provisions that establish parking standards for all Projects in the Plan.
  - i) *Alternative Fuel Vehicle Parking*. Condition of Approval Number 10 allows for Electric Vehicle parking spaces to be counted concurrently with the total number of parking spots. Overall, the Project proposes 249 parking spaces, which is less than the maximum of 386 parking spaces allowed for this Project based on use. Therefore, the Project complies with Section 6.2.3.3(a) of the Specific Plan which states that the Alternative Fuel Vehicle Parking can be counted above the total maximum parking allowed for the site by 10% or less.
  - ii) *Tandem Parking*. The Project does not propose tandem parking and as such, Section 6.2.3.3(b) of the Specific Plan does not apply.

- iii) *Unbundled Parking*. The Project does not propose off-street parking for other projects within the same or adjacent Districts within the Plan. As such, Section 6.2.3.3(c) of the Specific Plan does not apply to this Project.
- iv) *New Street Parking*. The Project does not propose any new streets. As such, Section 6.2.3.3(d) of the Specific Plan does not apply to this project.
- v) *Disabled Parking*. The Project proposes overall 249 parking spaces, below the maximum of 386 parking spaces allowed for the site for the uses proposed. Nonetheless, Condition of Approval Number 10 includes provisions to exclude the counting of disabled parking spaces from the total numbers should the total amount of parking spaces being provided equal the maximum amount of parking allowed for the Project. As such, the Project complies with Section 6.2.3.3(e).
- vi) *Bicycle Parking*. Per Condition of Approval Number 11, the Project will provide 12 short-term and 121 long-term bicycle parking spaces for Residential use. The Project has 5,446 square feet of Non-Residential Floor Area in eleven Work-Live units. The Project's Work-Live units are recognized as a Residential use per Section 3 of the Specific Plan. However, for the purposes of calculating floor area, the Project is credited 50% of the Work-Live unit space as Non-Residential floor area, as per Footnote 5 of Appendix B of the Specific Plan. As such, there is no official Non-Residential use for which to calculate bicycle parking at the time of issuance of this Letter of Determination. If at a point in the future the "work" portion of the Work-Live units were to be granted a new Certificate of Occupancy for a use other than Residential, that portion of the unit dedicated to the Non-Residential uses shall be required to provide bicycle parking in the amounts required per the Specific Plan regulation in effect at such time. Sizes of spaces shall follow the Los Angeles Municipal Code requirements at the time of the issuance of the new Certificate of Occupancy. These spaces shall be counted separately from the Residential spaces and follow size and design regulations as outlined in the LAMC. As such, the Project complies with Section 6.2.3.3(f).

Per the reasons stated above, the Project complies with Section 6.2.3 of the Specific Plan on Parking.

#### **Section 6.2.5: New Streets and Pedestrian Adapted Pathways**

The Project is not located in the area where new streets are noted on Map 10 of the Specific Plan. Additionally, the Project does not propose any Pedestrian Adapted Pathways. As such, the Project is not subject to Section 6.2.5 of the Specific Plan.

#### **Section 6.2.6: Urban Design Guidelines and Supplemental Urban Design Standards**

Section 6.2.6 requires that projects comply with a set of Supplemental Urban Design Standards. The Project is also encouraged to comply with Urban Design Guidelines, and the optional Design Guidelines that the project incorporates into the design are addressed in a separate section herein. The applicable required standards and the Project's compliance with them are as follows:

- a) Parking in Required Setbacks. Per "Exhibit A", the Project does not propose surface parking. Condition of Approval Number 10 also does not permit the Project to provide surface parking in the setbacks. As such, the Project is not subject to Section 6.2.6.2.1, which limits surface parking in the front setback area.
- b) Architecture. Per "Exhibit A", the Project has a variety of architectural treatments that break up the façade, using materials such as laminated panel cladding, glass, and medium

dash exterior plaster on the first two floors, as well as detailing like storefront window systems on the first floor, recessed balconies on floors above the first floor, and articulation. As such, the Project complies with Section 6.2.6.2.2, which requires projects that are three or more stories in height to have a different architectural treatment on the ground floor than the upper floors of the building.

- c) Lighting and Security. Per Condition of Approval Number 13, the Project will submit revised elevations that show all and any exterior lighting as integrated with design of the structure(s), shielded to reduce glare for all sides of the building, and pointed away from the sky and windows of residential units. As such, the Project complies with Section 6.2.6.2.3, which requires projects to integrate exterior lighting with the building's design and shield it to reduce glare.
- d) Utilities. As the Project is not a Master Planned Project as defined by the Specific Plan, it is not subject to Section 6.2.6.2.4, which regulates the placement of utilities.
- e) Articulation of Building Facades. The Project proposes a building horizontal length of approximately 310 feet and two inches on the south and north elevations each. Therefore, the Project is subject to Section 6.2.6.2.5 of the Specific Plan, which regulates the articulation of buildings over 250 feet measured horizontally.

Per Condition of Approval Number 13, the Project will submit revised elevations that show the parking structure on the north elevation with a change of depth for at least 15% of the length of the facade and at least 5 feet in horizontal length. The facade shall incorporate ornamentation techniques such as materials, textures, apparent wall thickness, or fenestration.

Additionally, per "Exhibit A" on Vanowen Street, the first floor uses a storefront window system broken up by the laminated panel cladding as offsets, and per Condition of Approval Number 13, the second floor uses a storefront of opaque glass. Per "Exhibit A," the third through eighth floors feature recessed bays of balconies alternating with bays of floor-to-ceiling glass windows, and alternating as a unit as slightly projecting and recessing from the facade, as well as additional variation where the building steps back to accommodate the third-floor's south courtyard.

On the north elevation, per Condition of Approval Number 12 and per "Exhibit A", the Project will provide a green screen with a climbing vine to disguise the portion of the building dedicated parking on the first floor. Additionally, per "Exhibit A," the Project proposes a natural fiber compound screen on the second floor where the exterior wall encloses that level's parking. Additionally, on the north elevation the third through eighth floors feature recessed bays of balconies alternating with bays of floor-to-ceiling glass windows as well as an additional variation where the building steps back to accommodate the third-floor's north courtyard.

The variation in the depth of the facade continues above 35 feet in height as shown in "Exhibit A." The facades incorporate ornamental techniques in their design for example, using a variety of materials like plaster, glass, aluminum window bays, backlit opaque glass, and laminated panel cladding. The Project's use of opaque glass on the second floor and laminated panels also offers subtle accents to add depth and a pop of color. Fenestration is used to change the articulation vertically and horizontally. Additionally, the parking structure is designed to be incorporated into the building, wrapping parts of it with usable spaces like work-live units and common areas. For the areas where it is not wrapped into the structure, it is shielded from public view using materials that are

compatible with the overall design of the building, including opaque glass, green screen, climbing vines, and a natural fiber compound screen.

As such, the Project complies with Section 6.2.6.2.5, which regulates the articulation of the building facade.

- f) General Landscape Requirements for all Projects – Landscape and Irrigation Plans. Per Condition of Approval Number 12, the applicant will submit revised landscape plans that show all planted areas within the Project serviced by automatic irrigation systems and conforming to the City's water conservation requirements as prepared by a licensed landscape architect. Additionally, per Environmental Condition HYDRO-3, the Project will dedicate area in the parkway so that runoff can be collected in vegetated swales and directed to existing curb and gutter or storm drains. As such, the Project complies with Section 6.2.6.2.6, which requires automatic irrigation systems that conformance to the City's water conservation requirements.
- g) Landscaping Requirements for Parking Facilities. Section 6.2.6.2.7 of the Specific Plan states that any building or structure used for parking shall have a minimum landscaped setback of five feet on any portion of a building used for parking at or above grade when it is not next to a street. Any portion of a structure used for parking adjacent to a street shall meet the requirements for setbacks for the District in which it resides. The area within the setbacks shall be landscaped with a berm and/or hedge of at least 36 inches in height. Additionally, trees shall be planted in the setback at a ratio of one tree every 30 linear feet for the length of the parking area. Finally, the parking areas in the structure that are at or above grade shall be designed with screening techniques to minimize vehicle headlight and noise impacts on adjacent properties and include climbing vines to provide landscaped screening and exterior amelioration to the walls.

Per Condition of Approval Number 13, the applicant will submit revised plans and elevations that show for the parking structure on the west, north, and east elevations on the first and second floors a width of at least five feet in the landscaped setbacks. Per "Exhibit A," the Project shows a screening material of laminated panel cladding for the areas dedicated to parking at or above grade in the structure. Per Condition of Approval Number 12, the applicant will submit revised landscape plans that show all plants proposed, trees planted at a ratio of every 30 linear feet in the setback area adjacent to the parking structure on the north, west, and east elevations of the structure dedicated to parking; the species of climbing vines planted on the facade of the parking structure on the north elevation; the use of shrubs, vines, green, screen, or trees to screen blank walls at the north elevation for the portion of the structure above-grade and dedicated to parking. With the clarification of landscape plans through the two aforementioned Conditions of Approvals, the Project complies with Section 6.2.6.2.7.

- h) Street Trees. Section 6.2.6.2.8 requires that new street trees be of the species indicated for street trees as set forth in Appendix F of the Specific Plan. The Specific Plan, however, is silent on the replacement ratio for street trees that are to be removed as part of a Project. When the Specific Plan is silent on a regulation that occurs in the LAMC, the LAMC prevails. As such, the Project is subject to the Street Tree requirements placed upon the project from the Urban Forestry Division. In this instance, the Urban Forestry Division will require a two to one replacement as appropriate. Appendix F of the Specific Plan requires street trees on Vanowen Avenue to be either *Tabebuia impetiginosa* (Pink Trumpet Tree) and/or *Quercus ilex* (Holly Oak) and has no such requirement for what species street trees shall be on Alabama Avenue. Condition of Approval Number 5 directs the Project to preserve street trees to the greatest extent possible, as the Tree Report submitted

February 12, 2017 states three Street Trees are proposed for removal, but only one with a diameter of 4 inches or greater; the Landscape Plans in “Exhibit A” show a planting plan for new street trees. Existing Street Trees will be removed, and new ones planted only if the removal is necessary for sidewalk widening. If the Project requires the removal and replacement of street trees, according to “Exhibit A” Street trees will be planted with Holly Oak on Vanowen Street and a species to be determined on Alabama Avenue. Conditions were also directed by the Bureau of Engineering in their memo dated July 19, 2018 that include the installation of tree wells with root barriers and the planting of street trees. As such, Condition of Approval Number 5 requires the applicant to seek approval from the Division of Urban Forestry for compliance with their requirements. With further review and approval from the Division of Urban Forestry, the project will comply with Section 6.2.6.2.8 of the Specific Plan.

- i) Application of the Urban Design Guidelines and the Supplemental Urban Design Standards. Section 6.2.6.3 of the Specific Plan requires that Projects have a consultation with the City’s Urban Design Studio before a Letter of Determination is to be issued. The Project had a review with the Urban Design Studio on August 22, 2018, and as such complies with Section 6.2.6.3 of the Specific Plan.

As such, the Project complies with Section 6.2.6 of the Specific Plan.

#### **Section 6.2.7: Hybrid Industrial**

The Project does not propose Hybrid Industrial uses. The Project therefore is not subject to Section 6.2.7 of the Specific Plan which regulates Hybrid Industrial use.

#### **Section 6.2.8: Automobile Uses**

The Project does not propose uses that include the servicing, purchasing, or maintenance of automobiles. The Project is therefore not subject to Section 6.2.8 of the Specific Plan which regulates auto-oriented uses.

#### **Section 6.2.9: Establishment of Entertainment Uses**

The Project does not propose Entertainment Uses, and it is not located in the Downtown or Uptown Districts of the Specific Plan. The Project is therefore not subject to Section 6.2.9 of the Specific Plan which regulates entertainment and nightlife uses in the Downtown and Uptown Districts of the Specific Plan.

#### **Section 6.2.10: Sustainability Requirements for the Entire Plan Area**

Per Condition of Approval Number 14, the Project will submit evidence the project is designed to meet the equivalent green standards of LEED (Leadership in Energy and Environmental Design) at the Silver Level, in addition to the City’s Green Building and any other applicable regulations relating to sustainability standards. Additionally, per Conditions of Approval 15 and 16, the Project will submit evidence showing that it complies with the City’s Green Building Ordinance and that the roof complies with the Solar Reflectance Index requirement in Appendix G of the Specific Plan. Appendix G provides three options for roofs to meet compliance with Section 6.2.10 according to the slope of the roof and the materials used. As such, the Project complies with Section 6.2.10, which requires Projects to incorporate environmentally-conscience design and construction.

#### **Section 7.2: Department of Transportation Review**

In Condition of Approval Number 5 in “Additional Requirements”, the applicant is made aware that the Department of Transportation (DOT) may have additional requirements for dedication and improvements. As per Condition of Approval Number 18, the applicant will submit a site plan to

DOT for review and approval. Additionally, the applicant at the time application is required to submit an Initial Site Assessment Form, which was signed as required by City Planning staff on May 11, 2018. As such, the Project complies with Section 7.2 on Transportation Review.

### **Section 7.3: Mobility Fee**

As required, the Applicant concurrently filed the Warner Center 2035 Plan Preliminary WC2035 Plan Mobility Fee Calculation Application Form with the Department of City Planning and the Department of Transportation, signed on May 11, 2018 by City Planning staff.

The Specific Plan allows credit for any uses that were occupied on or subsequent to January 1, 2008 to be deducted from a Project's Mobility Fee. The Project Site is currently improved with a commercial office building totaling approximately 53,412 square feet on a 44,014 square foot lot. The existing building has a FAR of approximately 1.2:1 and falls within Category D of the Warner Center 2035 Plan – Mobility Fee Table (Appendix D).

The proposed Project includes a total of approximately 166,995 square feet of Floor Area with a FAR of approximately 4.06:1. According to the 2020 Mobility Fee Rate Table, the proposed use falls within Category A of Appendix D.

The Applicant anticipates that the proposed Project will be required to contribute to the traffic mitigation measures, if/where applicable as determined by the Department of City Planning and DOT, as outlined in Appendix E of the Specific Plan, and that the Project would be required to dedicate a nine-foot strip of land on Vanowen Street and a four-foot easement, as shown in Condition of Approval Number 5. Please refer to the associated Preliminary Mobility Fee Application for the Project for more details on the Preliminary Mobility Fee estimation. Per Condition of Approval Number 19, the final Mobility Fee, including any credits, will be calculated by DCP after the final square footage totals for the Project uses are determined through the Plan Check process by Building and Safety. With further review by the Department of Building and Safety and the Department of Transportation, and approval from the Department of City Planning, the project will comply with Section 7.3 of the Specific Plan.

### **Section 7.8: Transportation Demand Management Program**

Per Condition of Approval Number 20, the Applicant and/or property owner(s) will provide a Transportation Demand Management Plan or proof of membership in good standing for a Transportation Management Organization (TMO). As such, the Project complies with Section 7.8 which requires that Projects greater than 30,000 square feet submit a Transportation Demand Management plan to the City or join a TMO.

### **Section 9: Cultural Amenities**

Per Condition of Approval Number 21, the Project will be assessed a Warner Center Cultural Amenities Development Fee if the valuation of the Project's building permit is \$500,000 or more. The rate at which it will be assessed will be at the rate set by LAMC Section 91.107.4.6. Prior to the issuance of building permits, should the project wish to provide on-site cultural amenities in-lieu of the fee, per Condition of Approval Number 21, the Project will have to demonstrate that the cultural amenities proposed at that time are consistent with the Warner Center Cultural Affairs Master Plan, and are being provided at a value equal to or greater than the amount of the Warner Center Cultural Amenities Development Fee. Should on-site cultural amenities be proposed, the Project is required to work with the Director of Planning and the Department of Cultural Affairs to determine consistency with the Master Plan. If, at the time prior to building permit issuance, there is no Master Plan with which to determine consistency with the proposed on-site cultural amenities, the Project will pay the set fee. As such, the Project complies with Section 9 of the Specific Plan.

**Urban Design Guideline Section 2.5: Blocks and Height**

Per “Exhibit A,” the eight-story structure, a tall structure for the area, is located along Vanowen Street, a major corridor designated as a Modified Avenue I in the Mobility Plan. As such, the Project complies with Urban Design Guideline Section 2.5 which states that Projects should site taller structures along the major corridors where their visual presence can serve as focal points within the district and reinforce the street wall.

**Urban Design Guideline Section 2.6: Blocks and Density**

Per “Exhibit A,” the Project is located approximately 0.25 miles from the Canoga Bus Rapid Transit Orange Line Station, which is defined as a major transit stop per Section 21064.3 of the California Public Resources Code and includes 193 dwelling units. As such, the Project complies with Urban Design Guideline Section 2.6, which states that Projects of greatest density, residential units, and employment centers should be located as close to a fixed transit station as possible.

**Urban Design Guideline Section 2.7: Blocks**

Per “Exhibit A,” the parking garage that serves the development is wrapped by habitable uses along the street frontage of Vanowen Street. As such, the Project complies with Urban Design Guideline Section 2.7 which states that Projects should locate parking garages that serve the development or district underground, in a podium wrapped by habitable uses.

**Urban Design Guideline Section 3.B.6: Street Standards Improvements**

Per Condition of Approval Number 5, the Project will be making improvements to the street like installing tree wells and providing parkways. As such, the Project complies with Urban Design Guideline Section 3.B.6 which states that Projects should provide parkways, tree wells, street trees, and other streetscape improvements.

**Urban Design Guideline Section 3.C.5: Street Setbacks**

Per Condition of Approval Number 12, the project will include on the south elevation at the live-work units, landscaped setbacks with any or all of the following: walkways, porches, raised planters and other solid walls up to three feet above sidewalk elevation, and transparent fences up to four feet above sidewalk elevation. As such, the Project complies with Urban Design Guideline Section 3.C.5, which states that adjacent to ground-floor residential units with individual entries or residential common areas the setbacks shall be landscaped with certain features.

**Urban Design Guideline Section 3.C.6: Streets Setback Landscaping**

Per Condition of Approval Number 12, the Project will provide updated plans that show landscaping in a minimum of 30% of the required setback areas. As such, the Project complies with Urban Design Guideline Section 3.C.6 which states that Projects should landscape setbacks adjacent to non-residential ground floor use.

**Urban Design Guideline Section 3.C.7: Streets Setbacks**

Per Condition of Approval Number 10, and per “Exhibit A”, the project will not include surface parking in the setbacks. As such, the Project complies with Urban Design Guideline Section 3.C.7, which states that surface parking should not be located in the setbacks.

**Urban Design Guideline Section 4.C.3: Active Ground Floor Retail**

Per Condition of Approval Number 17, the Project will locate the primary entrance to each street-level tenant space that has its frontage along Vanowen Street from that street. As such, the Project complies with Urban Design Guideline Section 4.C.3, which states that projects should locate the primary entrance to each street-level tenant space that has its frontage along a public street from that street.

**Urban Design Guideline Section 4.D.1: Street Wall and Ground Floor Uses**

Per Condition of Approval Number 17, the project will have a primary entrance for the building located on Vanowen Street, a public street, that is connected and visible from said street. The entrance on Vanowen Street, as shown on "Exhibit A," is located on the street frontage of Vanowen Street towards the west side of the building and is directly accessible from the adjacent sidewalk and easement. As such, the Project complies with Urban Design Guideline Section 4.D.1, which states that a building's primary entrance, defined as the entrance which provides the most direct access to a building's main lobby and is kept unlocked during business hours, should be located on a public street or on a courtyard, plaza, or pathway that is connected to and visible from a public street.

**Urban Design Guideline Section 5.A.3: Parking and Access - Visibility**

Per Condition of Approval Number 17, except for the ground-level frontage required for access to parking, no parking or loading will be visible on the ground floor of the Project's facade that faces the public right-of-way. As such, the Project complies with Urban Design Guideline Section 5.A.3 which states that except for the ground-level frontage required for access to parking, no parking or loading should be visible on the ground floor of any building facade that faces a public right-of-way or the Los Angeles River Greenway.

**Urban Design Guideline Section 5.A.15: Parking and Access - Location**

Per Condition of Approval Number 17, the Project will locate parking and loading access a minimum of 25 feet from the primary building entrance on Vanowen Street. As such, the Project complies with Urban Design Guideline Section 5.A.15 which states that Parking and loading access should be located a minimum of 25 feet from a primary building entrance, pedestrian pathway, or public outdoor gathering area.

**Urban Design Guideline Sections 6.B.10, 6.B.13, and 6.B.19 : Architecture – Horizontal and Vertical Variation**

Per Condition of Approval Number 17, the Project will Vary details and materials horizontally to provide scale and three-dimensional qualities to the building; have a ground floor of the building with different architectural treatment than the upper floors, and feature high quality materials that add scale, texture and variety at the pedestrian level; and use materials and color to reinforce the building's massing and not just be applied as unrelated surface treatment. As such, the Project complies with Urban Design Guideline Sections 6.B.10, 6.B.13, and 6.B.19 which deals with the use of materials to create variation in forms throughout the structure.

**Urban Design Guideline Section 6.B.21: Color Palette**

Per "Exhibit A," the Project uses a color palette of white and neutral tones throughout the structure that blends into the different forms and doesn't clash with them. As such, the Project complies with Urban Design Guideline Section 6.B.21 which states that projects should establish a simple color palette that reinforces the design concept and is not independent of the structural form.

**Urban Design Guideline Section 6.B.29: Glazing**

Per Condition of Approval Number 6, the Project will use transparent, non-reflective glazing on the ground floor windows and doors. As such, the Project complies with Urban Design Guideline Section 6.B.29 which states that Projects should Use transparent, non-reflective glazing in ground-floor windows and doors.

**Urban Design Guideline Sections 6.B.35, 6.B.36, and 6.B.44: Lighting and Security**

Per Condition of Approval Number 13, the applicant will submit revised elevations that show all and any exterior lighting as integrated with design of the structure(s), shielded to reduce glare for all sides of the building, and pointed away from the sky and windows of residential units. As such, the Project complies with Urban Design Guideline Sections 6.B.35, 6.B.36, and 6.B.44 which states that exterior lighting should be shielded to reduce glare and eliminate light being cast into

the night sky, nearby properties, and roadways; and integrated into the architectural and landscape lighting system and indistinguishable from it.

**Urban Design Guideline Sections 6.B.38 and 6.B.41: Architecture Minimization of Impacts on Neighbors**

Per Condition of Approval Number 17, prior to final signoff, the Project will submit revised plans showing the location on the exterior of all mechanical equipment including the roof, with screens shielding it from public view, and the location of the ventilation intakes and exhausts on the exterior located more than 20 vertical and horizontal feet from the sidewalk and directing air flow away from the public realm. As such, the Project complies with Urban Design Guideline Sections 6.B.38 and 6.B.41 which state that mechanical equipment should be screened or integrated with the design of the building and that intake and exhaust vents should be located to minimize effects on pedestrian comfort.

**Urban Design Guideline Section 6.B.43: Architecture Screening of Telecommunications**

Per Condition of Approval Number 17, prior to final signoff, the Project will submit revised plans showing antennas and satellite dishes screened and Cable and satellite services encouraged to be provided through a single source. As such, the Project complies with Urban Design Guideline Section 6.B.43, which states that antennas and satellite dishes should be screened.

**Urban Design Guideline Section 6.B.45: Architecture Minimization of Glare on Neighbors**

Per Condition of Approval Number 17, the Project will submit revised plans showing metal surfaces on the exterior noted as having a matte finish or other finish that minimizes glare or reflection. As such, the Project complies with Urban Design Guideline Section 6.B.45, which states that reflective materials or other sources of glare (like polished metal surfaces) should be designed or screened to avoid impacts on views and measurable heat gain on surrounding windows either within or adjacent to a project.

**Urban Design Guideline Sections 6.D.3 and 6.D.9: Architectural Design – Mid Rise Buildings**

Per Condition of Approval Number 17, the Project's balconies will be a minimum of 50% transparent and may integrate metal railing or glass guardrail systems and will integrate glass window bay systems to add variation in the facade where appropriate. As such, the Project complies with Urban Design Guideline Sections 6.D.3 and 6.D.9, which states that balconies should be a minimum of 50% transparent and that projects should integrate glass window bay systems to add variation in the facade where appropriate.

**Urban Design Guideline Section 7.2: On-Site Open Space**

Per Condition of Approval Number 8, the Project will include in its PAOS 90% of the designated space open to the sky, a minimum of 50% of the designated space as landscaped, and a focal point designed as a gathering place. Additionally, per Condition of Approval Number 12, The Project is required to use permeable pavers for at least 75% of all hardscaped areas. As such, the Project complies with Urban Design Guideline Section 7.2.

**Urban Design Guideline Section 7.5: On-Site Open Space Landscaping**

Per Condition of Approval Number 12, prior to signoff, revised landscape plans or proof of compliance will be provided to show 50% of the trees as canopy trees that provide shade. As such, the Project complies with Urban Design Guideline Section 7.5, which states that at least 50% of the required trees should be canopy trees that shade open spaces, sidewalks and buildings, unless City Planning approves a less percentage to accommodate recreational facilities.

**Urban Design Guideline Section 7.10: On-Site Open Space Seating**

Per Condition of Approval Number 12, the Project will provide seating placed with consideration to noontime sun and shade. Additionally, the Project is encouraged in the PAOS areas to plant deciduous trees as the most effective means of providing comfortable access to sun and shade. As such, the Project complies with Urban Design Guideline Section 7.10, which states that plazas and courtyards are encouraged to incorporate seating to facilitate their enjoyment and use, with consideration paid toward the noontime sun and shade, and to use deciduous trees.

**Urban Design Guideline Section 7.13: On-Site Open Space Scale and Continuity**

Per Condition of Approval Number 12, the Project will provide updated landscape plans according to the instructions on CP-6730 that include: a revised north arrow pointing north and not west; the name, address, phone number and email address of the landscape professional who prepared the plans; the denotation of street trees existing and replacement; the dimensions of all open space areas; height at planting; and a portion of the proposed trees showing a height of at least 35 feet at 10 years from the time of planting, denoting the height at and age to maturity. As such, the Project complies with Urban Design Guideline Section 7.13, which states that landscape elements should establish scale and reinforce continuity between indoor and outdoor spaces, as well as Projects should plant canopy trees that will achieve a height of 35 feet in 10 years in open spaces.

**Urban Design Guideline Section 7.15: On-Site Open Space Screening**

Per Condition of Approval Number 12, the Project will provide updated landscape plans that show the use of shrubs, vines, green, screen, or trees to screen blank walls at the north elevation at the above grade parking level. As such, the Project complies with Urban Design Guideline Section 7.15, which states Landscaping should be used to screen or break up the mass of blank walls.

**Urban Design Guideline Section 8.A.1: Landscape and Stormwater Treatment and Management**

Per Condition of Approval Number 12, the Project will provide updated landscape plans that show that the Project treats 100 percent of the 85th percentile storm and provides detentions capacity to retain a rainfall intensity of 0.5 inches/hour or other Code requirement if the latter is more restrictive, to the satisfaction of the Bureau of Sanitation. On-site infiltration is the preferred method of treatment. As such, the Project complies with Urban Design Guideline Section 8.A.1 which encourages Projects to reduce storm water runoff entering the storm drainage system and increase on-site treatment and infiltration of storm water.

**Urban Design Guideline Section 8.B.2: Landscape and Stormwater Treatment**

Per Condition of Approval Number 12, the Project will provide updated landscape plans that show use of a variety of 50% of the plants have a low or very low WUCOLS classification or are identified as California Friendly on [www.bewaterwise.com](http://www.bewaterwise.com). As such, the Project complies with Urban Design Guideline Section 8.B.2 which encourages all projects to select and install plants identified as California Friendly by the Metropolitan Water District's Be Water Wise program ([www.bewaterwise.com](http://www.bewaterwise.com)) for at least 50% of the plant materials used.

**Urban Design Guideline Section 8.B.3: Landscape and Stormwater Treatment - Indigenous Plants**

Per Condition of Approval Number 12, the Project will submit revised plans that show the use of indigenous plants per the County's Los Angeles River Master Plan (LARMP) Landscaping Guidelines and Plant Palettes' short list for at least 25% of the plant materials used. As such, the Project complies with Urban Design Guideline Section 8.B.3 which states that projects located north of Victory Boulevard are encouraged to select and install indigenous Plants per the County's Los Angeles River Master Plan (LARMP) Landscaping Guidelines and Plant Palettes' short list for at least 25% of the plant materials used.

**Urban Design Guideline Section 8.B.5: Landscape and Stormwater Treatment – Irrigation**

Per Condition of Approval Number 12, the Project will provide updated landscape plans that show use of a high-efficiency "smart" irrigation system, which includes a weather-based controller, and, where feasible, in-line drip and bubblers, rather than overhead spray. As such, the Project complies with Urban Design Guideline Section 8.B.5 which encourages use of a high-efficiency "smart" irrigation system.

**Urban Design Guideline Section 8.B.6: Landscape and Stormwater Treatment – Permeable Paving**

Per Condition of Approval Number 12, the Project is encouraged to provide updated landscape plans that show the use of permeable paving for at least 75 percent of all hardscape areas. As such, the Project should comply with Urban Design Guideline Section 8.B.5 which encourages the use of use permeable paving.

**Urban Design Guideline Section 9.B.3: Streetscape Improvements – Responsibilities of Developer**

Per Condition of Approval Number 8, prior to the issuance of any building permit, the applicant will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department that includes information regarding the ongoing maintenance and operation of the PAOS areas. Additionally, per Condition of Approval Number 5, the applicant will post a cash bond or other assurances acceptable to the Bureau of Engineering in consultation with the Urban Forestry Division and the decision maker guaranteeing the survival of street trees required to be maintained, replaced, or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date that the bond is posted or from the date such trees are replaced or relocated, whichever is longer. Any change of ownership shall require that the new owner post a new protected tree bond to the satisfaction of the Bureau of Engineering. As such, the Project complies with Urban Design Guideline Section 9.B.3, which states that applicants should Execute a Maintenance Agreement with the City by which the Applicant agrees to maintain the streetscape improvements and accepts liability for them.

**On-Site Trees.** The Project proposes to remove 11 on-site trees as shown in the Tree Report, dated February 12, 2017, and "Exhibit A." Per the Specific Plan, the Project will replace any loss of on-site trees by replacement greater than 10 centimeters (4 inches) in diameter at breast height (DBH) (4.5 feet above surrounding grade) with native or non-native (non-invasive) trees of appropriate local climate tolerance at a 2:1 ratio to show compliance with this mitigation measure. Per Condition of Approval Number 17, prior to Planning clearance, an updated tree report of less than a year old will be provided by a Landscape Architect or Certified Arborist showing trees and to be removed and their corresponding DBH, and updated landscape plan that shows a replacement ratio of 2:1 to replace the on-site trees proposed for removal in "Exhibit A" that have a DBH of 4 inches or greater. In addition, prior to the issuance of a permit for the project, satisfactory arrangements will be made with the Urban Forestry Division of the Bureau of Street Services for the construction of tree wells and planting of on-site trees.

**Canoga Park – Winnetka – Woodland Hills – West Hills Community Plan**

The Project as proposed will provide 193 new multifamily residential units approximately 0.25 miles from a fixed transit station and within Warner Center, a Specific Plan overlay area focused on providing residential and non-residential on mixed use lots in a Regional Center Commercial land use designation. As such, the Project conforms to the local Community Plan's objectives to 1) achieve and maintain a housing supply sufficient to meet the diverse economic needs of current and projected population to the year 2010, and 2) reduce automobile trips in residential areas by locating new housing in areas offering proximity to goods, services, and facilities.

**Project Permit Adjustment Findings****2) There are special circumstances applicable to the project or project site which make the strict application of the specific plan regulation(s) impractical.**

The Project is situated on a wide lot with a very narrow depth, with approximately 312 feet of frontage along Vanowen Street and a depth of approximately 133 feet. The Subject property is bounded by two public rights of way, Vanowen Street and Alabama Avenue to the south and east, a private drive, Remmet Avenue, to the west, and a multi-family residential development to the north. Additionally, the Project is located within an Active Street Frontage along Vanowen Street, and per Section 6.2.4.2 of the Specific Plan, the Project is required to provide Non-Residential uses that are at least 15 feet in height as measured from floor-to-floor and to a depth of 25 feet as measured from the building line. Additionally, the topography of the site has a gradual slope, with the site sloping down from the west (Remmet Avenue) to the east (Alabama Avenue).

Given the narrow depth of the lot, as well as the requirement that ground floor parking be wrapped by non-residential uses to a minimum depth of 25 feet in an Active Street Frontage, and in order to scale the building appropriately to the adjacent multi-family use, parking for the proposed Project is provided across two subterranean levels, one partial on grade level, and one above grade level, with access from both Alabama Avenue and Remmet Avenue. Subterranean parking is accessed directly from Alabama Avenue, with above grade parking accessed directly from Remmet Avenue. Dual access to the provided parking is proposed in consideration of neighboring and adjacent residential uses.

The varying reduction in required ground floor height by approximately 6.6% to 16.6% as it relates to the sloping of the lot permits an average ground floor height of approximately 13 feet and 6 inches. At its lowest, the floor-to-floor height is measured at approximately 12 feet and 6 inches, and at its greatest extent it measures in height at approximately 14 feet. The reduced floor-to-floor height at the ground floor from the 15-foot standard provides a necessary accommodation to the structure's ramping system that provides access to and across the levels of parking proposed to serve the Project, taking into account the slope of the property. Specifically, approximately 34% of the Vanowen Street frontage will have a ground floor, floor-to-floor height of approximately 12 feet and 6 inches, approximately 43% of the Vanowen Street frontage will have a ground floor, floor-to-floor height of approximately 13 feet and 6 inches, and approximately 23% of the Vanowen Street frontage will have a ground floor, floor-to-floor height of approximately 14 feet. As the lot slopes from Remmet Avenue down to Alabama Avenue, the ground floor, floor-to-floor height of the Project will increase commensurate with the slope of the lot.

A 15-foot minimum floor-to-floor height at the ground floor would result in an infeasible, steep ramp connecting the ground floor with the above-grade parking level. The reduction in floor-to-floor height at the ground floor eases the angle of the ramp ensuring appropriate ingress and egress as well as vehicular circulation within the proposed parking. The variable ground floor, floor-to-floor height has been designed to accommodate the slope of the site as well as to assure that the ramping system be angled appropriately. Due to the unique geographic constraints of the lot and the narrow envelope within which parking can be provided within the proposed structure, as well as the provision of dual ingress/egress from Alabama Avenue and Remmet Avenue, it is infeasible to incorporate a regulation ramp angle without the granting of a reduction in floor-to-floor height.

- 3) **In granting the Project Permit Adjustment, the Director has imposed project requirements and/or decided that the proposed project will substantially comply with all applicable specific plan regulations.**

Active Street Frontages are defined by the Specific Plan as “designated streets where buildings incorporate features and elements that are human scaled and can be used and enjoyed by pedestrians.” The Project has been designed with a 15-foot regulating line, created through the use of varied building materials strategically placed to create the appearance of additional height, between the first and second levels. The provision of the proposed regulating line creates a 15-foot ground floor, floor-to-floor façade delineation, maintaining the desired pedestrian scaled environment despite the reduction in the floor-to-floor height at the ground floor. The pedestrian environment is further enhanced through the provision of 11 work-live units on the ground floor along Vanowen Street, which will activate the Vanowen Street frontage while providing the opportunity for local serving commercial uses and businesses. It also creates an incentive for commercial uses at the ground floor through the 15-foot in height floor-to-floor regulation, as that is seen as an industry standard for commercial use.

The approval of the Project includes that the Project be in substantial conformance with “Exhibit A” during the permit and inspection process. Additionally, Condition of Approval Number 6 requires that the Project maintain the proposed 15-foot regulating line demonstrated in “Exhibit A,” as well as a condition that prohibits the use of features that artificially lower the ceiling on the interior. Furthermore, conditions of approval have been added to the Letter of Determination to “lock in” project design features so that the 15-foot regulating line is adhered to in materials and design during the Plan Check process. Per the Conditions of Approval and findings made in the preceding sections of this Letter of Determination, the Director of Planning has determined that, aside from the height requested to be adjusted, the Project substantially complies with the regulations of the Warner Center 2035 Specific Plan, and that the granting of the adjustment does not cause other parts of the Project to be out of conformance with the Specific Plan’s regulations.

- 4) **In granting the Project Permit Adjustment, the Director has considered and found no detrimental effects of the adjustment on surrounding properties and public right-of way.**

The Active Street Frontage regulation was added to the Specific Plan to create a human-scaled, walkable environment for visitors and residents of Warner Center. By adding the regulating line to the exterior of the Project, the Project proposes an appearance for the project that accomplishes the same goal. Additionally, the 15-foot regulation height was put in place because of industry standards of said height for commercial use.

The granting of a Specific Plan Project Permit Adjustment allows the Project to accommodate the slope of the site while providing a parking system of two subterranean levels, one partial on grade parking level, and one level of above -grade parking, as well as dual ingress/egress from Alabama Avenue and Remmet Avenue. The proposed parking configuration responds to adjacent uses and the input and request of the abutting residential condominium association, providing dual ingress and egress and limiting the number of above grade parking levels, while maintaining the desired pedestrian scaled environment along the Active Street frontage through the use of a 15-foot regulating line along the Vanowen Street frontage. The Conditions of Approval imposed on the project create an environment so that the goals of the original regulation that required a 15-foot floor-to-floor height at the ground floor are realized through other means.

## Environmental Findings

- 5) **The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

In compliance with requirements of the California Environmental Quality Act (CEQA), the Project is within the scope of the Warner Center 2035 Program EIR No. ENV-2008-3471-EIR; SCH No. 1990011055 ("Program EIR"), certified on April 23, 2013 and recertified on October 23, 2013, for the General Plan Amendment to the Canoga Park - Winnetka - Woodland Hills - West Hills Community Plan and related Transportation Element amendments to allow for the implementation of the Warner Center 2035 Plan covering approximately 924 acres bounded by Vanowen Street to the north, the Ventura Freeway to the south, De Soto Avenue to the east, and Topanga Canyon Boulevard to the west. The environmental effects of the Project were covered in the Program EIR and no new environmental effects not identified in the Program EIR will occur, and no new mitigation is required.

In general, the Program EIR identified measures to mitigate impacts in terms of aesthetics, light and glare, air pollution and noise during construction, nesting bird protection, archaeological and paleontological resource preservation, soil stability, seismic safety, hazard assessment, water quality and drainage, city services, water conservation, energy conservation, and waste reduction.

As part of the hazard assessment mitigation measures for the Project site, a Phase 1 Environmental Site Assessment (and Addendum), and Phase 2 Environmental Site Assessment (and Addendum) were prepared. Upon review of these materials and analyses contained therein, the City finds that: (1) none of the triggers under PRC 21166 and CEQA Guidelines Section 15162 have occurred; (2) the scope of the Project falls within the four corners of what are previously contemplated and analyzed for the subject site as part of the Program EIR; (3) the proposed Phase 3 Mitigation Plan (ie., the installation of the soil vapor intrusion barrier), to be implemented through Conditions of Approval HAZ-2, HAZ-2A, HAZ-2B, and HAZ-2C will adequately mitigate any potential environmental impacts related to hazards and contaminated soils associated with the subject site, including during the construction phase of the Project; and, (4) none of the site-specific design, conditions, or operations will result in more significant environmental impacts. Lastly, (per HAZ-2C) the applicant will identify a contact person and provide a 24-hour "hotline" telephone number for any inquiries or complaints from the community regarding construction related activities, which will be posted on-site in a conspicuous place so that it is readily visible to any interested party. Furthermore, there is no substantial evidence that the design and installation

of the vapor intrusion barrier will result in any additional environmental impacts not previously analyzed in the Program EIR.

In addition, the Specific Plan sets sustainable building standards for LEED-certification at the Silver Level (or equivalent) and for rooftop Solar Reflectance. Conditions of approval require the Project to comply with these standards and all applicable mitigation measures and monitoring as set forth in the Program EIR, which would mitigate the Project's potential significant environmental impacts to the extent physically feasible. As stated on page 1-8 of the Certified EIR, the EIR is intended to function as a project-specific EIR for those projects that are consistent with the WC2035 Plan.

The Project has also been designed to substantially comply with the Warner Center 2035 Specific Plan's Section 6.2.6 Supplemental Urban Design Standards and Appendix F Urban Design Guidelines, which will help mitigate any potential impacts to adjacent properties and the environment.

Additionally as a designee of the Director of Planning, I have determined based on the whole of the administrative record, that the Project is statutorily exempt from CEQA pursuant California Government Code Section 65457 because it is a residential project consistent with the Warner Center Specific Plan Program EIR, certified on April 23, 2013 and recertified on October 23, 2013, and no event as specified in Public Resources Code Section 21166 has occurred that would require a supplemental EIR to be prepared prior to approval of the Project.

# COVID-19 UPDATE

## Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

### OPTION 1: Online Appeal Portal

([planning.lacity.org/development-services/appeal-application-online](https://planning.lacity.org/development-services/appeal-application-online))

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check.

Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

### OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

#### **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**

(310) 231-2901  
1828 Sawtelle Boulevard  
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment

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[Submitted electronically through the DCP's Online Appeal Portal]

June 9, 2021

Honorable City Councilmembers  
Los Angeles City Council  
200 N. Spring Street  
L.A., CA 90012

LA Department of City Planning  
Metro DSC  
201 N. Figueroa St., 4th Floor  
Los Angeles, CA 90012

RE: Appeal of the CEQA clearance, ENV-2018-2337-SE, for Case No. DIR-2018-2336-SPP-SPPA-1A, Letter of Determination dated May 25, 2021

Location: 21507–21529 W. Vanowen Street

Specific Plan: Warner Center 2035 Specific Plan; Zone: (WC) River District

Dear City Councilmembers:

Pursuant to Public Resources Code Section 21151(c), on behalf of the Coalition for Valley Neighborhoods, an unincorporated association of concerned residents of the San Fernando Valley, and other concerned parties, I am filing this Appeal of the CEQA clearance, ENV-2018-2337-SE, for the project identified by case no. DIR-2018-2336-SPP-SPPA-1A (the Project). The Project consists of the demolition of an existing 53,412-square-foot commercial office building and single-phase construction of an eight-story, nearly 167,000-square-foot, 193-unit, market-rate apartment building on a 44,014-square-foot lot. The South Valley Area Planning

Commission issued its Letter of Determination (LOD) on May 25, 2021, which is not further appealable. The CEQA clearance, a Statutory Exemption asserted by the local lead agency (the Department of City Planning [DCP]), is appealable to you, the agency's elected decision-making body. This letter serves as the Appeal Justification accompanying form CP-7840, Appeal Application CEQA.

The Appeal arises from the Statutory Exemption, ENV-2018-2337-SE and the LOD from the South Valley Area Planning Commission dated May 25, 2021 (DIR-2018-2336-SPP-SPPA-1A). Those DCP documents are related to the Project Permit Compliance letter from the Planning Director dated November 20, 2020; and the Appeal Recommendation Report dated April 22, 2021, which granted a partial approval of my initial Project appeal (dated November 24, 2020).

### **Specific Reasons for the Appeal**

This Appeal will assert that CEQA was incorrectly applied; the Project does not qualify for a Statutory Exemption under CEQA because the Project does not comply with the WC2035 Plan Final EIR; events under Public Resources Code 21166 and CEQA Guidelines Tit. 14, Section 15162(a)(1)(2)(3) have occurred and trigger that a Project-specific supplemental Environmental Impact Report (EIR) be required; substantial changes in circumstances have taken place that, as evidenced by the imposition of three newly invented mitigation strategies onto the Project by DCP, require major revisions to the WC2035 Plan EIR, and bring the Project out of compliance with the WC2035 Plan EIR (Cal. Code Regs. Tit. 14 Section 15162[a][1][2]); new empirical facts have become available as of March 2021 that were not known and could not have been known at the time the WC2035 Plan EIR was certified on October 23, 2013; these new facts constitute "substantial evidence ... that the project may have a significant effect on the environment" requiring the preparation of a project-specific EIR (PRC Section 21080[d]); this "substantial evidence includes fact ... [and] expert opinion supported by fact" (PRC Section 21080[e][1]). Moreover, contrary to the DCP's claim on the Notice of Exemption, exceptions in CEQA Guidelines Section 15300.2 to categorical exemptions have taken place and apply to the Project.

The project location spans 21507 to 21529 W. Vanowen Street in Canoga Park, in the River District of the Warner Center 2035 Specific Plan ("the Specific Plan") area, for which a Final Program EIR (WC2035 Plan EIR) was certified in 2013. The Project Site is just a few hundred

feet south and upslope of the headwaters of the Los Angeles River, whose two main tributaries converge behind Canoga Park High School. The Project is designed to feature the one address of 21515 W. Vanowen and so will hereinafter interchangeably be referred to as *21515 W. Vanowen* or the *Project*.

The Project lies within an Opportunity Zone under a 2017 federal law, which will result in millions of dollars of federal-tax savings to the owners. However, this Project Site is in an underserved and economically disadvantaged Census Tract (no. 1345.20), where the median family income is just 64% that of the Area Median Income, 90% of the residents are minorities, and 25% of them live below the poverty line. Immediately adjacent to the Project Site and sharing a low wall with it is the Warner Gardens condominium complex, where low- to moderate-income renters and condo owners, many of whom are seniors on fixed incomes, live. This Appeal is being filed also on behalf of the Warner Gardens HOA. Approximately 100 feet to the northwest of the Project Site in the same Census Tract is another low- to moderate-income condo complex, half of whose units are occupied by renters. As such, residents in Canoga Park and Woodland Hills and surrounding communities should have reason to trust the LA City Council to do all within its authority to ensure that area residents enjoy “the benefits of a healthy environment” and that the “burdens of pollution” are not “focused on sensitive populations or on communities that already are experiencing its adverse effects” (Harris, 2012). See Harris, K. D. (2012). *Environmental Justice at the Local and Regional Level: Legal Background*. State of California, Department of Justice.

The Project Site is located across Vanowen downslope and north of the northwest quadrant of the Raytheon-Canoga Avenue Facility (see Figure 1), a property where decades of aerospace research and development activities left extensive soil, soil-vapor, and groundwater contamination across its 47 acres, requiring it to be included on the Cortese List. The Cortese List, according to the SB 37 Fact Sheet dated 12/18/2020, “is an annually updated planning document used to inform the public about the location of hazardous materials release sites. The Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB), along with other state and local agencies, are required to include certain contaminated sites on the Cortese list.” This now-vacant property, at 6633 Canoga Avenue and inclusive of other addresses, owned by Raytheon Technologies Corporation (formerly United Technologies Corp.), is under the jurisdiction of the LA Regional Water Quality Control Board

(LA Water Board) and is across the street from the Project Site pertaining to ENV-2018-2337-SE. The historical manufacturing operations across from 21515 W. Vanowen included “metals molding, machining, cleaning, degreasing, and plating for the manufacturing of rocket engines and related systems conducted on the Burdened Property,” according to the July 29, 2019, *Environmental Land Use Covenant* (ELUC) between United Technologies Corp. (now Raytheon) and the LA Water Board.

After several years of extensive remediation activities overseen by the LA Water Board, which included soil excavation, in-situ bioremediation, and pumping and treating of contaminated groundwater, to reduce the concentrations in the soil, soil vapor, and groundwater of volatile organic compounds (VOCs) and other substances known to be harmful to human health and groundwater quality, the LA Water Board imposed a land-use restriction in the ELUC deemed “necessary for the protection of present or future human health, safety, or the environment as result of the presence of hazardous materials, as defined in section 25260 of the Health and Safety Code, in the soil and/or groundwater at the Burdened Property” (ELUC, p. 1). The remediation activities took place with a set of soil remediation goals (SRGs) in mind to reduce levels of VOCs to concentrations that protect both the “groundwater quality and human health” (p. 2). “Without the remediation measures which have been performed on the Burdened Property, and the required mitigation actions through engineering controls, exposure to these contaminants could take place under a residential land-use scenario via indoor air inhalation by humans” (p. 2). The ELUC has restricted use of the Burdened Property to industrial, commercial, and/or office space uses and has prohibited any type of residential use, including dwelling units, hospitals, assisted living facilities, daycare and schools, and community centers. A mitigation action through engineering controls, i.e., a vapor intrusion engineering control system that incorporates a vapor barrier between the contaminated soil and the bottoms of structures to prevent the encroachment of contaminated soil vapor upward through the buildings, has been mandated for every type of structure on the site, including commercial and industrial.

The restriction on residential uses is not permitted to be removed until additional “investigation and remediation or vapor mitigation” deemed necessary by the LA Water Board takes place. The important distinction to make here is that the LA Water Board has overseen years of *remediation* actions, which have removed, treated and cleaned, and/or reduced contaminated soils and groundwater across the street from 21515 W. Vanowen before they have

imposed mandatory mitigation strategies, i.e., vapor intrusion engineering control systems (e.g., vapor barriers), on every type of building conceived for the property. The restriction against residential uses remains.

The contaminants of concern (COCs) in the soil, soil vapor, and groundwater across the street and upslope from 21515 W. Vanowen include volatile organic compounds (VOCs), including trichloroethene (TCE) and tetrachloroethene (PCE), which the LA Water Board characterizes as having been generated primarily from on-site sources.



**Figure 1.** The Project Site, shown on July 11, 2018, is the parcel where the white office building with black windows is situated in the upper one-third of the photograph. It lies directly across from the northwest quadrant of the vacant Raytheon-Canoga Avenue Facility property, where extensive remediation activities continue to take place.

For the Project, the Planning Director, in his November 9, 2020, LOD, issued a Warner Center 2035 Specific Plan Project Permit Compliance, without the knowledge or information of a Phase 1 Environmental Site Assessment (ESA), which the Applicant did not provide to the Department of City Planning until after the Coalition for Valley Neighborhoods had filed an appeal on November 24. This Phase 1 ESA, dated August 29, 2016, was not provided to the DCP until December 21, 2020, after the Coalition’s appeal and is included as part of Exhibit G-1 in the Final Staff Appeal Recommendation Report dated April 22, 2021. The Phase 1 ESA concluded that a vapor encroachment condition (VEC) could not be ruled out for the Project Site: “This information indicates there are known active sources of contamination with COC within 500 feet of the subject property. Based on the results of this Tier 1 screening, it appears

reasonable to conclude that a VEC cannot be ruled out for the subject property, although the likely risk would appear low.”

Subsequently, the Applicant contracted with Centec Engineering to perform a Phase 2 Site Assessment, which is within the Mitigation Measures of the WC2035 Plan EIR under HAZ-2: “The City shall require that a Phase 2 Site Assessment be conducted as may be indicated by the site-specific Phase 1 Environmental Site Assessment.” Notably, the Phase 1 ESA was not disclosed until December 2020, four and a half years after it was performed, two and a half years after the Applicant sought a Categorical Exemption from DCP and more than one year after the DCP had granted a Statutory Exemption, which pertains *only if* a “residential development project ... is consistent with a specific plan for which an environmental impact report has been certified after January 1, 1980” (California Government Code Section 65457[a]) *and* none of the events in PRC Section 21166 occurs. However, the Project, because of the triggering events under PRC Section 21166 to be described below, is not consistent with the WC2035 Plan and therefore requires a supplemental EIR with an aim of fully characterizing the type, concentrations, and locations of COCs, including VOCs, at 21515 W. Vanowen.

### **Findings of Fact *After* the Statutory Exemption Was Issued**

The Phase 2 Site Assessment consisted of soil-vapor testing in six bore holes underneath the subterranean parking garage at 21515 W. Vanowen on March 19, 2021. Contamination of tetrachloroethene (PCE) was found in soil-vapor samples underneath the surface of the Project Site and was attributed to the migration of groundwater northward off of the Raytheon-Canoga Avenue Facility site across the street.

The California Office of Environmental Health Hazard Assessment (OEHHA) lists PCE as a known carcinogen (<https://oehha.ca.gov/chemicals/tetrachloroethylene>) and lists its many other names, including perchloroethylene and PERC. The New York State Department of Health states that eight or fewer hours of exposure to PCE can cause “central nervous system symptoms such as dizziness, headache, sleepiness, lightheadedness, and poor balance” (<https://www.health.ny.gov/environmental/chemicals/tetrachloroethene/>). The effects of long-term exposure include liver or kidney damage, reduced red blood cells, immune-system effects, and vision changes. As well, “epidemiological studies provide a pattern of evidence for a

positive association between PERC [PCE] exposure in the workplace and several types of cancer, specifically bladder cancer, non-Hodgkin lymphoma, and multiple myeloma.”

The discovery, on March 19, 2021, of PCE underlying the Project Site constitutes “new information that was not known and could not have been known at the time the Program EIR was certified” and meets the standard of a triggering event under PRC Section 21166(a)(b)(c) to require that the Project undergo a supplemental EIR. The reasons to substantiate this assertion are as follows: Because of the empirical discovery of PCE underneath 21515 W. Vanowen and its attribution to the off-site source of the Raytheon-Canoga Avenue Facility site, the DCP imposed three additional Mitigation Measures as part of the final Letter of Determination, dated May 25: HAZ-2A, HAZ-2B, and HAZ-2C.<sup>1</sup> These additional mitigation measures are not part of

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<sup>1</sup> HAZ-2A As part of the Phase 3 Mitigation Plan, the applicant shall design and install a vapor intrusion barrier, or some equivalent or equally effective measure, to the satisfaction and approval of the appropriate City Department or regulatory agency. The purpose of the vapor intrusion barrier shall eliminate or significantly reduce indoor vapor intrusion to a screening level rendered safe for human exposure and residential use, consistent with the Department of Toxic Substances and Control’s 2011 Vapor Intrusion Mitigation Advisory. This may include, but is not limited to, the installation a layer of permeable sub-slab material; sealing joints, cracks, and other penetrations of slabs and foundation walls; providing a soil-gas retarder (sub-slab liner) beneath floors; and installation of either a sub-slab venting system or sub-slab depressurization system.

Prior to the issuance of any grading or building permits, the appropriate City Department or regulatory agency must provide written approval of the final design of the vapor intrusion barrier (e.g., Los Angeles Department of Building and Safety). HAZ-2B Prior to construction, the project applicant and/or contractor shall submit a Soil Management Plan (SMP), to be prepared by a qualified environmental consultant, a site-specific health and safety plan for review and approval to the appropriate City Department or regulatory agency (e.g., LADBS, LAFD, OSHA, SCAQMD). The purpose of a SMP is to establish procedures for managing impacted soil during planned earthwork activities.

The SMP shall meet the following objectives: provide guidance for safely managing soil excavated at the property; notify on-site construction workers as to the presence of contamination in the soil, and present procedures for use during grading and/or excavation; provide guidance regarding health and safety procedures to be implemented to protect both on-site workers and nearby residents; present procedures for the segregation, management, and disposal of soil containing chemicals of concern (COCs), potentially including previously undiscovered COCs that may be encountered during grading and excavation; and provide guidance regarding the applicable regulatory framework associated with soil sampling, excavation, removal, transportation, and disposal.

The SMP shall include practices that are consistent with the California Title 8, Occupational Safety and Health Administration (Cal-OSHA) regulations, as well as appropriate remediation standards that are protective of the planned use. Appropriately trained professionals, including a site safety officer shall be on-site during preparation, grading, and related earthwork activities to monitor soil, air, and vapor conditions.

These on-site trained professionals shall maintain field reports, including project activities, excavation equipment and locations, air, and vapor monitoring results (as applicable), soil stockpiling and transport, and soil sampling activities, at a frequency provided in the SMP. These reports shall be made available to community members upon request by contacting the posted on-site construction manager or other appropriate on-site personnel’s phone number. HAZ-2C The project applicant shall identify a contact person (e.g. on-site construction manager) and provide a 24-hour “hotline” telephone number for any inquiries or complaints from the community regarding construction related activities, and to request a copy of the SMP field reports. The phone number and contact person’s name shall be posted on-site in a conspicuous place so that it is readily visible to any interested party. All phone calls shall be returned within the next business day.

the WC2035 Plan Final EIR and therefore will not be consistently applied across the Specific Plan area and demonstrate that the new knowledge of PCE at the Project Site required “revisions to the program EIR due to the involvement of a new significant effect or a substantial increase in the severity of a previously identified effect” (Governor’s Office of Planning and Research, Chapter 10 CEQA, p. 274). The discovery of PCE underneath the Project Site sparked these “substantial changes in the plan” by way of new Project Conditions “that were not described in the program EIR” (Governor’s Office of Planning and Research, Chapter 10 CEQA, p. 274). These new Mitigation Measures are not within the scope of the program EIR (see *Sierra Club v. County of Sonoma* [1992] 6 Cal.App.4th 1307) and meet the test in PRC 21166(a) as “substantial changes ... proposed in the project which will require major revisions of the environmental impact report.” Importantly, the WC2035 Plan EIR did not anticipate the migration of toxic contamination generated on off-site sources to properties for which there was no historical activities involving contaminants of concern (COC), which is precisely the new circumstance set before you today and which meets the test in PRC Section 21166(b): “Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.”

These major revisions comprise HAZ-2A and HAZ-2B, which constitute “[a]dditional mitigation measures and alternatives” that “may also be applied when a subsequent or supplemental EIR is prepared” (Governor’s Office of Planning and Research, Chapter 10 CEQA, p. 274). In other words, only *after* a full characterization of the contamination on and under the Project Site is revealed through the process of a supplemental EIR would HAZ-2A and HAZ-2B’s project-specific (they are not planwide) additional mitigation measures be appropriate and allowed. The Phase 2 Environmental Site Assessment comprised six bore holes under 21515 W. Vanowen. More site assessment is needed to fully characterize the extent, concentration, and type of VOCs and COCs on the Project Site. Furthermore, under CEQA, the WC2035 Plan Final EIR proposes Mitigation Measures, not remediation measures to clean up toxic contamination but rather mitigation actions and protocols to mitigate the environmental effects of identified hazards. To glancingly incorporate a passing mention of “remediation standards that are protective of the planned use” (HAZ-2B) is to attempt to mitigate the Statutory Exemption, which should be disallowed under CEQA (*Salmon Protection and Watershed Network v. County of Marin*).

The First District Court of Appeals has ruled that an agency or jurisdiction cannot mitigate its way to an exemption under CEQA (*Salmon Protection and Watershed Network v. County of Marin*, No. A105592, 05 C.D.O.S. 521, 2005 DJDAR 677). CEQA Guidelines Section 15300.2 provides tests to determine whether a project may qualify for a Categorical Exemption under CEQA. Even though DCP has asserted a Statutory Exemption, the Applicant originally filed for a Categorical Exemption and as recently as May 25, the Notice of Exemption prepared by DCP asserted that none of the exceptions in CEQA Guidelines 15300.2 apply to the Project. However, this is demonstrably false based on the new evidence presented by the Phase 2 ESA during which PCE concentrations exceeding DTSC standards were found under 21515 W. Vanowen. CEQA Guidelines 15300.2(c) state, “Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.” In the case of ENV-2018-2337-SE, the unusual circumstances are several:

(1) PCE contamination has migrated from an off-site Cortese List property across the street to underneath 21515 W. Vanowen,

(2) after the March 2021 discovery of PCE under 21515 W. Vanowen, which was subsequent to the Coalition’s Appeal, the LA Water Board ordered Raytheon Technologies’ remediation specialist, Haley & Aldrich, to conduct further off-site soil-vapor and groundwater testing (see Appendices A and B), including near to and around 21515 W. Vanowen; the maps in the documents between the LA Water Board and Haley & Aldrich are instructive, and

(3) HAZ-2A and HAZ-2B Mitigation Measures focus on soil and soil vapor conditions and are silent on groundwater conditions, including groundwater contamination, rendering these Mitigation Measures inadequate, particularly in light of the fact that the LA Water Board has been overseeing vigorous remediation, i.e., clean-up, of the contaminated groundwater emanating from the Raytheon-Canoga Avenue Facility site across the street for years.

Indeed, legal precedent establishes that the baseline environmental conditions at the time of environmental analysis, in the case of ENV-2018-2337-SE this means the Phase 2 ESA on March 19, 2021, enables a more accurate assessment of environmental impacts under CEQA, not conditions from the past, as in the conditions at the time of the WC2035 Plan EIR certification in 2013 (see *Bottini v. San Diego*, page 12: “Indeed, the baseline for purposes of CEQA normally

reflects the environmental conditions as they exist ‘at the time . . . environmental analysis is commenced’ precisely because a baseline that reflects current conditions—rather than past conditions—enables a lead agency to more accurately assess a project’s likely environmental impact before the project takes place. [Carlsbad, *supra*, 241 Cal.App.4th at p. 101; see CREED-21, at pp. 506-507.]”).

Centec Engineering, which the Applicant hired to assess the soil vapor on the Project site, made the following statements in its March 23 letter, which is included in the Appeal Recommendation Report:

“Since the highest concentrations [of PCE] were detected in probes located farthest from the UTC Site but closer to the groundwater, it would appear reasonable to presume that VOC-impacted groundwater has indeed migrated more northerly than suspected from the UTC Site and off-gassing of PCE has occurred and been detected in the 6 representative probes that were installed.”—Centec Engineering, March 23, 2021, p. 3

In support of this Appeal, the Coalition sought expert testimony. Matt Hagemann, P.G., C.Hg. of the Soil/Water/Air Protection Enterprise (SWAPE) consulting firm has more than 30 years of experience in environmental policy, contaminant assessment and remediation, stormwater compliance, and CEQA review. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA’s Senior Science Policy Advisor in the Western Regional Office, where he identified emerging threats to groundwater from perchlorate and MTBE. Mr. Hagemann is preparing a support letter to this Appeal and in its preliminary draft form, he wrote to me: “The data [see Table 1] show perchloroethylene (PCE) in soil vapor at a depth of five feet greatly exceed the DTSC residential screening level cited in the table above. The RWQCB should evaluate the appropriateness of residential development and the adequacy of the mitigation that is proposed in the staff report (i.e., vapor barrier).” It is his expert opinion that, as in the case of the Cortese List site across the street and from which the Project Site’s PCE contamination migrated, residential development may not be appropriate until full remediation of the site takes place and that merely the inclusion of a vapor barrier (as required in HAZ-2A) should be evaluated by the LA Water Board.

Subsequent to Optimal Technology’s soil-vapor sampling and assessment under 21515 W. Vanowen, Centec Engineering, on behalf of the Applicant, wrote, “Based on the field work and

analytical results obtained, it does appear that PCE is present in soil vapor below the subterranean garage at the subject Sandstone Property. Since the highest concentrations were detected in the probes located farthest from the UTC Site but closer to the groundwater, it would appear reasonable to presume that VOC-impacted groundwater has indeed migrated more northerly than suspected from the UTC Site and off-gassing of PCE has occurred and been detected in the 6 representative probes that were installed. The concentrations of PCE detected (597-1,548 µg/L) are above the conservative ‘screening level’ of 240 µg/m<sup>3</sup> in common use over the past several years by California’s Department of Toxic Substances Control (DTSC, the lead environmental regulatory agency in California) to determine whether a long-term health risk may be present for a residential property.”

TABLE 1

SUMMARY OF SOIL VAPOR SAMPLE RESULTS  
21515 Vanowen Street, Canoga Park, CA 91303

Analytical results reported in µg/m<sup>3</sup>

Sample I.D. #	Depth ft bgs*	PCE	TCE	Other VOCs
SV1	5	834	ND	ND
SV2	5	621	ND	ND
SV3	5	853	ND	ND
SV4	5	597	ND	ND
SV5	5	1,239	ND	ND
SV6	5	1,548**	ND	ND
Reporting Limit		10	10	1-1,000
Residential "Screening Level" DTSC (HHRA Note 3)		240	240	varies

NOTES:

Samples collected and analyzed 3/19/21, EPA Method 8260B

PCE = Tetrachloroethene

TCE = Trichloroethene

VOCs = Volatile Organic Compounds

ft bgs = feet below ground surface

ND = Not Detected at or Above Method Detection Limit

\* = Probes were installed within a subterranean parking garage where ground surface elevations for probes SV1-SV4 were approximately 4 feet below street level, probe SV5 was approximately 5-6 feet below street level, and probe SV6 was approximately 7-8 feet below street level. All probes were installed 5 feet below the concrete at each location.

\*\* = Denotes higher concentration of original and duplicate sample reported

Moreover, because the language in Mitigation Measures HAZ-2A and HAZ-2B presume and imply the possibility of future discoveries of COCs, the Project no longer conforms to the Specific Plan’s Final EIR (because the initial Mitigation Measures of HAZ-1 through -5 proved to be inadequate for the Project) and a supplemental EIR is needed to assess the type, extent, concentration, and source(s) of the contamination on the Project Site.

In closing, I would like to call upon the original intent of the California Environmental Quality Act, Section 21000:

- (a) The maintenance of a quality environment for the people of this state now and in the future is a matter of statewide concern.
- (b) It is necessary to provide a high-quality environment that at all times is healthful and pleasing to the senses and intellect of man.
- (c) There is a need to understand the relationship between the maintenance of high-quality ecological systems and the general welfare of the people of the state, including their enjoyment of the natural resources of the state.
- (d) The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached.
- (e) Every citizen has a responsibility to contribute to the preservation and enhancement of the environment.
- (f) The interrelationship of policies and practices in the management of natural resources and waste disposal requires systematic and concerted efforts by public and private interests to enhance environmental quality and to control environmental pollution.
- (g) It is the intent of the Legislature that all agencies of the state government which regulate activities of private individuals, corporations, and public agencies which are found to affect the quality of the environment, shall regulate such activities so that major consideration is given to preventing environmental damage, while providing a decent home and satisfying living environment for every Californian.

In this spirit, I call on the Honorable City Councilmembers to overturn the Statutory Exemption on the Project and to send it back to DCP for a full supplemental Environmental Impact Report with the special requirement that the contamination under the existing commercial office building is fully characterized according to current scientific standards.

Sincerely,

[signed by consent]

Gina K. Thornburg, PhD

Executive Director, Coalition for Valley Neighborhoods for members of the Coalition and also on behalf of

Kathryn Cornelison, owner of condominium at 6815 Remmet Avenue

The Warner Gardens HOA, 6820 Remmet Avenue and 6825 Alabama

Garm Beall, longtime local small-business owner

Melissa Bumstead, Executive Director, Parents Against the SSFL Nuclear Disaster

Appendix A

Appendix B



HALEY & ALDRICH, INC.  
3187 Red Hill Ave  
Suite 155  
Costa Mesa, CA 92626  
714.371.1800

30 April 2021  
File No. 128403-050

Los Angeles Regional Water Quality Control Board  
320 West 4th Street, Suite 200  
Los Angeles, California 90013

Attention: Ms. Ana Townsend

Subject: Addendum Work Plan for Off-Site Soil Vapor and Groundwater Evaluation  
Raytheon Technologies Corporation - Canoga Avenue Facility  
6633 Canoga Avenue  
Canoga Park, California  
(LARWQCB SCP No. 0237A, Site ID No. 2040214, GeoTracker Global ID SL204281528)

Dear Ms. Townsend:

Haley & Aldrich, Inc., is submitting this Addendum to the 9 March 2021 "Work Plan for Off-Site Soil Vapor and Groundwater Evaluation" (Work Plan) submitted to the Los Angeles Regional Water Quality Control Board (LARWQCB) on behalf of Raytheon Technologies Corporation (Raytheon) for the former United Technologies Corporation, now Raytheon, Canoga Avenue Facility located at 6633 Canoga Avenue, Canoga Park, California ([Site]; Figure 1). This addendum proposes additional sampling locations in addition to the 9 March 2021 proposed locations.

The primary objective of the investigation is to evaluate the soil vapor and groundwater conditions to determine if there is an indication for potential off-Site vapor intrusion concerns due to historical Site operations. Off-Site soil vapor and first-encountered groundwater were proposed to be evaluated along several City of Los Angeles rights-of-way, including Vanowen Street to the north, Owensmouth Avenue to the west, and the Los Angeles County Metropolitan Transportation Authority bus line along the east side of Canoga Avenue. Proposed sampling locations are also located near adjacent commercial and residential buildings directly north and east of the Site. Off-Site sampling locations and depths were selected based on building locations, anticipated depth to groundwater of approximately 18 feet below ground surface (bgs), and historical information.

Based on an additional review of historical data and discussions between Raytheon and the LARWQCB, additional locations were added to the Work Plan for collecting soil vapor and groundwater samples, now totaling 22 locations (Figure 2). Each proposed off-Site location will have soil vapor samples collected at approximately 5 and 10 feet bgs, and a first encountered groundwater grab sample will be collected at approximately 18 feet bgs. Samples will be collected in accordance with procedures described in the 9 March 2021 Work Plan.

This document contains no data that is subject to ITAR or EAR

We appreciate LARWQCB's prompt review and approval of this Addendum to the Work Plan. Please do not hesitate to contact either of the undersigned if you have any questions or comments.

Sincerely yours,  
HALEY & ALDRICH, INC.



Kelly C. Hoggan, PG 9026 (CA)  
Senior Technical Specialist – Geologist



Thomas S. Tatnall, CEG 1968 (CA)  
Program Manager



Enclosures:

Figure 1 – Site Locus

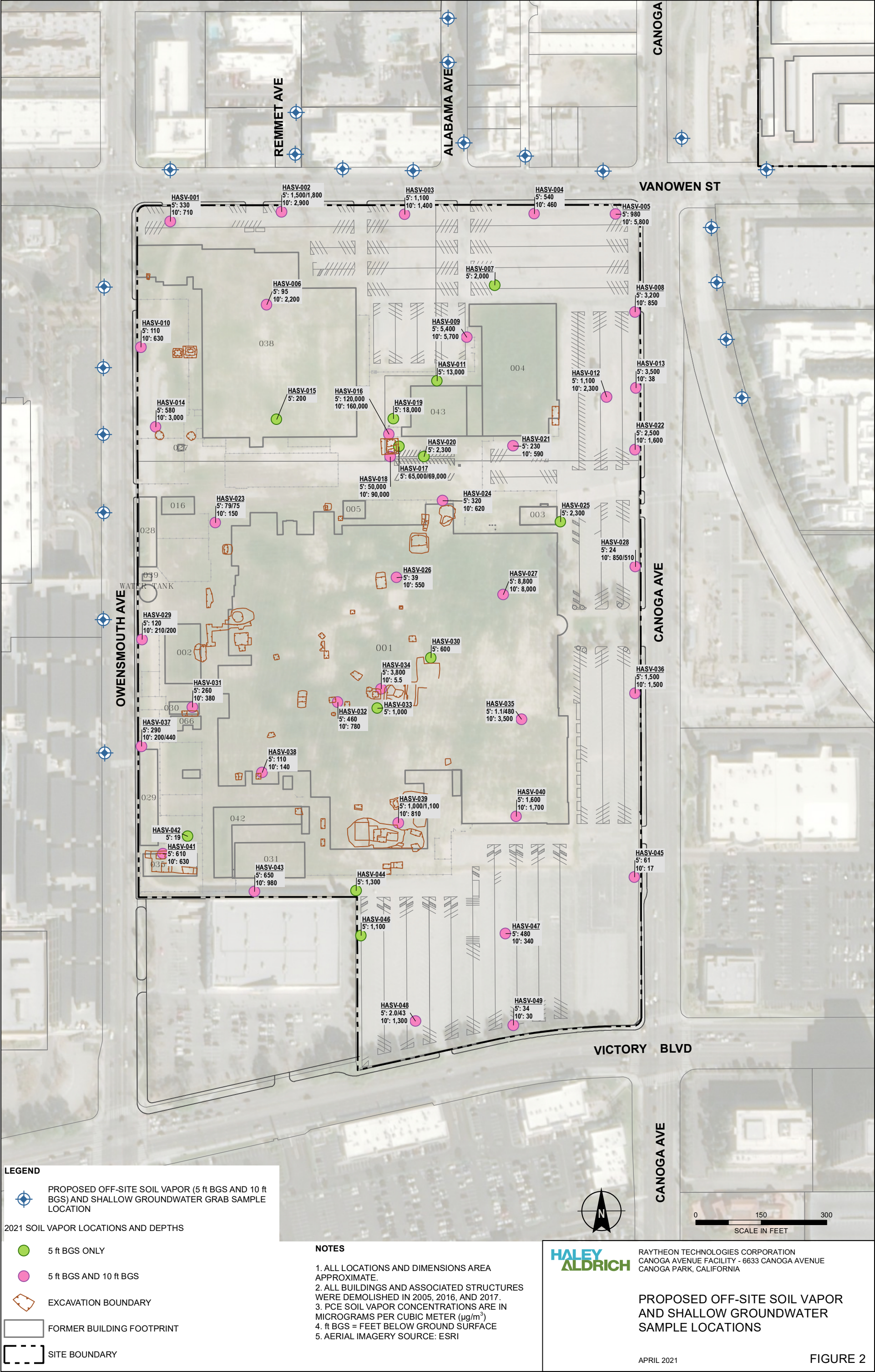
Figure 2 – Proposed Off-Site Soil Vapor and Shallow Groundwater Sampling Locations

c: Raytheon Technologies Corporation; Attn: Mr. Bradley Barquest, Remediation Manager

U:\32594\Canoga\WorkPlans\2021\_02\_Off-Site\_SV\_WorkPlan\Addendum\2021\_0430\_HAI\_AddendumOffSiteSoilVaporWP\_F.docx

## FIGURES





**Applicant Copy**  
Office: Downtown  
Application Invoice No: 72893

City of Los Angeles  
Department of City Planning



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\*6800172893\*



## City Planning Request

NOTICE: The staff of the Planning Department will analyze your request and accord the same full and impartial consideration to your application, regardless of whether or not you obtain the services of anyone to represent you.

This filing fee is required by Chapter 1, Article 9, L.A.M.C.

If you have questions about this invoice, please contact the planner assigned to this case. To identify the assigned planner, please visit <https://planning.lacity.org/pdiscaseinfo/> and enter the Case Number.

**Receipt Number:090621E3E-F22D1416-2F93-44C1-A4B5-93013F815EAF, Amount:\$109.47, Paid Date:06/09/2021**

Applicant: COALITION FOR VALLEY NEIGHBORHOODS - K. THORNBURG, PHD, GINA ( 818-4513977 )
Representative:
Project Address: 21507 W VANOWEN ST, 91303

**NOTES:**

ENV-2018-2337-SE-1A			
Item	Fee	%	Charged Fee
Appeal by Aggrieved Parties Other than the Original Applicant *	\$89.00	100%	\$89.00
<b>Case Total</b>			<b>\$89.00</b>

Item	Charged Fee
*Fees Subject to Surcharges	\$89.00
Fees Not Subject to Surcharges	\$0.00
<b>Plan &amp; Land Use Fees Total</b>	<b>\$89.00</b>
<b>Expediting Fee</b>	<b>\$0.00</b>
<b>Development Services Center Surcharge (3%)</b>	<b>\$2.67</b>
<b>City Planning Systems Development Surcharge (6%)</b>	<b>\$5.34</b>
<b>Operating Surcharge (7%)</b>	<b>\$6.23</b>
<b>General Plan Maintenance Surcharge (7%)</b>	<b>\$6.23</b>
<b>Grand Total</b>	<b>\$109.47</b>
<b>Total Invoice</b>	<b>\$109.47</b>
<b>Total Overpayment Amount</b>	<b>\$0.00</b>
<b>Total Paid</b> (this amount must equal the sum of all checks)	<b>\$109.47</b>

Council District: 3  
Plan Area: Canoga Park - Winnetka - Woodland Hills - West Hills  
Processed by VIDAL, ANNA on 06/09/2021

Signature: \_\_\_\_\_



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